

**TEXT OF PROPOSED CHARTER AMENDMENT  
PROPOSITION H**

NOTE: Additions or substitutions are indicated by **bold-face type**; deletions are indicated by ((double parentheses)).

**7.306 Airport Revenue Bonds**

(a) Upon the recommendation of the airports commission the board of supervisors shall by resolution submit to the qualified voters of the City and County of San Francisco, at an election held for that purpose, the proposition of issuing bonds pursuant to the Revenue Bond Law of 1941, as it now reads or may hereafter be amended, for the purpose of acquiring, constructing, improving or developing airports or airport facilities under the jurisdiction of the airports commission in accordance with the terms and conditions recommended by the airports commission. If the proposition is approved by a majority of the voters voting on the proposition, the airports commission may from time to time authorize by appropriate resolution the sale of bonds; provided, however, notwithstanding any other provisions in this charter, no election shall be required.

(1) for bonds approved in fact by the board of supervisors prior to January 1, 1977; or

(2) for bonds necessary to fund airport capital improvements approved in principle by a resolution adopted by three-fourths of the members of

the board of supervisors prior to April 1, 1977;  
or

(3) for bonds issued to refund an existing indebtedness if the refunding bonds would result in lower total bond payments.

(b) Revenue bonds issued pursuant to this section shall bear a rate of interest not to exceed that which may be fixed and prescribed by the airports commission without regard to the limitations contained in the Revenue Bond Law of 1941. The bonds issued by the commission pursuant to the provisions of this section shall not constitute or evidence indebtedness of the city and county but shall constitute and evidence only indebtedness of the said commission payable solely out of revenues received by the commission from airports or airport facilities operated or controlled by it.

(c) Airport revenue bonds issued for such purposes pursuant to this section shall not be included in the bonded debt limit provided for in section 6.401 of this charter. Nothing in this section shall prevent the city and county from issuing general obligation bonds for the purpose of acquiring, constructing, improving or developing airports or airport facilities under the commission's jurisdiction, subject to the bond issue procedure provided for in this charter.

**TEXT OF PROPOSED CHARTER AMENDMENT  
PROPOSITION I**

NOTE: The following section is proposed to be **added** to the Charter.

**7.310 Federal or Federally Assisted Financing**

Notwithstanding the voter approval requirements in sections 7.300 and 7.309, the board of supervisors may by ordinance authorize the mayor on behalf of the city to accept loans from the United States of America which are

to be repaid from a special fund, and also to accept federal financing indirectly through the leasing of land, buildings, fixtures or equipment from a Joint Powers Authority, the San Francisco Redevelopment Agency, the San Francisco Housing Authority, the San Francisco Parking Authority, or a nonprofit corporation when one or more of the foregoing entities has received or is to receive a federal loan for the purpose of financing the construction or acquisition of public improvements or equipment.

**TEXT OF PROPOSED ORDINANCE  
PROPOSITION J**

**REGULATING MOTOR VEHICLES FOR HIRE**

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF SAN FRANCISCO:

Section 1. Sections 1076, 1077, and 1079 of Chapter VIII, Part II of the San Francisco Municipal Police Code (Police Code) are hereby repealed.

Section 2. **Application to Police Commission — Requisites of and Preferences.**

(a) Any applicant for a license or permit to operate a motor vehicle for hire shall make proper application to

the Police Commission for its declaration of public convenience and necessity, on forms to be furnished by the Secretary of said Police Commission, and within fifteen (15) days of the filing of such an application said Secretary shall cause a notice to be published in the official newspaper of the City and County of San Francisco, which said notice shall set forth the fact that the said application has been filed for a license or permit to operate a motor vehicle for hire or motor vehicle for hire business, the name of the applicant, kind of equipment, and number of vehicles proposed to be operated. Said notice shall be published

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## CONTINUATION OF TEXT OF PROPOSITION J

for three successive days.

On filing the application the applicant shall pay to the Secretary the sum of Seventy-Five Dollars (\$75.00) for each vehicle for which a certificate of public convenience and necessity is desired, to cover the cost and expense of advertising, the notice of application and the resolution granting the permit or license, and the cost of investigating and processing the application.

All holders of existing licenses or permits for the operation of motor vehicles for hire shall thereupon be entitled to file any complaints or protests that said holders may see fit at the time of the holding of the investigation and hearing. The Police Commission shall consider all of the complaints and protests and in conducting its hearing shall have the right to call such witnesses as it may see fit. In all such hearings the burden of proof shall be upon the applicant to establish by clear and convincing evidence, which shall satisfy the said Police Commission, that public convenience and necessity require such operation of the vehicle or vehicles for which said application has been made, and that such application in all other respects should be granted.

(b) Preference in the issuance of any new license or permit hereunder shall be given to any person, firm, corporation or other business entity:

(1) Who shall declare in writing and under penalty of perjury that he shall operate a motor vehicle for hire pursuant to said license or permit on a regular basis as defined in subparagraph (c) hereof; or

(2) Who is an employee of any person, firm, corporation or other business entity which operates under a license or permit, or pursuant to the permit or license sought, shall operate a motor vehicle for hire on a regular basis as defined in subparagraph (c) hereof and which person, firm, corporation or other business entity employing said applicant provides, or pursuant to the permit or license sought will provide, centralized maintenance, dispatch, garaging, repair and other related services involved in the operation of such vehicles; or

(3) Of which no less than eighty percent (80%) of the voting ownership or control resides in one or more individuals meeting the description of subparagraphs (b) (1) or (b) (2) of this Section.

(c) An individual is deemed to operate a motor vehicle for hire on a regular basis if such individual drives said vehicle during at least four (4) hours of each day on at least seventy-five percent (75%) of the business days during the calendar year.

### Section 3. Facts to be Considered by Police Commission.

The Police Commission, in determining whether or not public convenience and necessity exist, may take into consideration all facts as it may deem pertinent and proper, which facts shall or must include specific finding that the following conditions exist:

(a) That applicant is financially responsible.

(b) That the persons, firms or corporations holding permits or licenses for the operation of vehicles of the type or class which application is being made, are under normal conditions, inadequately serving the public.

(d) That applicant has complied with the provisions of the Municipal Code and state or federal laws applicable to the proposed operation.

(e) That the applicant meets the criteria as set forth in Section 2(b) of this Ordinance, or that there are no applicants meeting such criteria.

### Section 4. Continuous Operation — Revocations, Transfers and Fees Provided For.

(a) No person, firm, corporation or other business entity to whom a permit or license to operate a motor vehicle for hire, as defined in Section 1116(a) of Chapter VIII, Part II of the San Francisco Municipal Code (Police Code), is issued shall knowingly lease, rent, cause or permit a person other than the permittee or a person described under subparagraph (b) (2) of Section 2 of this Ordinance to operate said motor vehicle for hire nor shall any person lease, rent, or operate a motor vehicle for hire under a permit or license issued pursuant to this ordinance other than the permittee or a person described under subparagraph (b) (2) of Section 2 of this Ordinance.

(b) All permittees within the purview of Sections 1075, 1080, 1080.1, 1080.2, 1080.3 and 1081 of Chapter VIII, Part II of the San Francisco Municipal Code (Police Code), inclusive, of this Ordinance shall regularly and daily operate his or its licensed motor vehicle for hire business during each day of the license year to the extent reasonably necessary to meet the public demand for such motor vehicle for hire service; provided, however, that this subparagraph shall not apply to the type or class of motor vehicles for hire as defined in Section 1116(d) of Chapter VIII, Part II of San Francisco Municipal Code (Police Code).

Upon abandonment of such business for a period of ten (10) consecutive days by an owner or operator, the Police Commission shall, after five (5) days' written notice to the said owner or operator, direct the Police Department of the City and County of San Francisco to revoke said owner's or operator's licenses or permits, and said licenses or permits should forthwith be revoked; provided, however, that the Chief of Police shall, subject to the approval of the Police Commission, on written application grant to the holder of any license or permit hereunder permission to suspend operation pursuant to said license or permit for a period not to exceed ninety (90) calendar days in any one twelve (12) month period in case of sickness, death, or other hardship, if in the judgment of the Chief of Police investigation discloses that the statements contained in said written application warrant such permission.

(c) All such licenses and permits granted hereunder shall be transferable upon the consent of the Police Commission after written application shall first have been made to said Commission and upon payment of the fee required pursuant to Section 128.1 or Section 128.3, Part III of the San Francisco Municipal Code; provided, however, that the Police Commission shall not approve any application for transfer unless the applicant shall meet the criteria set forth in subparagraphs (a), (b) and (d) of Section 3 and subparagraph (b) of Section 2 of this Ordinance; provided further, that no such transfer shall be approved earlier than five (5) calendar years from the date of issuance or previous transfer of such license or permit, except transfers shall be allowed within said five (5) year period upon any of the following conditions:

(1) The death of a licensee or permittee;

(2) The entry of a marital settlement agreement, but then only to the spouse of a licensee or permittee;

(3) A foreclosure by a secured party, where the license or permit is pledged as security for a bona fide obligation that is in default, and the re-transfer by such secured party of such license or permit to an eligible taker;

(d) Notwithstanding the provisions of subparagraph (c)

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## CONTINUATION OF TEXT OF PROPOSITION J

hereof, no transfer of any license or permit as defined in Section 1116(a), Chapter VIII, Part II, Municipal Code (Police Code) hereunder shall be approved where the consideration paid to the transferor licensee or permittee by the transferee licensee or permittee exceeds the consideration paid by the transferor licensee or permittee for said license or permit. A declaration, under penalty of perjury, stating the nature and amount of consideration paid or to be paid by said transferee licensee or permittee shall be filed together with the application for transfer. A separate declaration by the transferor licensee or permittee, under penalty of perjury, stating the full consideration paid by said transferor licensee or permittee for the license or permit to be transferred shall also be filed together with the application for transfer. Provided, however, that nothing in this subparagraph shall limit the consideration to be paid by a transferee licensee or permittee to a transferor licensee or permittee where said consideration shall be in an amount not to exceed Seven Thousand Five Hundred Dollars (\$7,500).

(e) Any and all certificates of public necessity and convenience, licenses or permits, and all rights granted relating to the operation of motor vehicles for hire may be rescinded and ordered revoked by the Police Commission for cause.

### Section 5. Maintaining Financial Records.

(a) Every licensee or permittee operating a motor vehicle for hire shall maintain books of accounts in such form as the Controller of the City and County of San Francisco shall prescribe. Said books of accounts shall be kept at the holder's principal place of business and shall be available for inspection during normal business hours by any employee or nominee of the Controller of the City and County of San Francisco upon reasonable notice. Said books of accounts shall be the source of information for a yearly financial report to be filed in accordance with the provisions of subparagraph (b) hereof.

(b) Every licensee or permittee to operate a motor vehicle for hire shall file a financial statement and report in such form as shall be prescribed by the Controller of the City and County of San Francisco and shall file said financial statement and report with the Police Department by April 30 of each calendar year for the previous calendar year.

(c) Failure of any licensee or permittee to comply with this Section shall constitute cause for revocation of any and all rights granted in or to any license or permit to operate a motor vehicle for hire.

### Section 6. Inspection of Vehicles.

(a) Every vehicle operated as a motor vehicle for hire pursuant to a license or permit shall be subject to inspection by the Police Department semiannually.

(b) The Chief of Police shall prescribe the time, place and manner of all inspections pursuant to subparagraph (a) hereof. Said inspections shall include, but need not be limited to the following:

- (1) sufficiency of brakes;
- (2) physical condition and working order of all doors and windows;
- (3) safety belts for all seats;
- (4) upholstery in good repair;
- (5) condition of exterior paint and vehicle body, including bumpers;
- (6) condition of tires, including a tire tread and condition of spare tires.

(c) The Chief of Police shall certify his approval of the physical condition of each motor vehicle for hire inspected by the Police Department and provide an appropriate decal which shall be affixed in a place and manner prescribed by the Police Department.

(d) Any person operating or driving any vehicle as a motor vehicle for hire pursuant to any license or permit which vehicle has not been approved in accordance with the requirements of this Section or which fails to display a current decal as provided for in subparagraph (c) hereof shall be guilty of a misdemeanor and further shall constitute cause for revocation of said license or permit.

### Section 7. Regulations.

(a) The Chief of Police shall promulgate regulations from time to time as he may deem to be necessary to assure minimum standards for public service in the operation of motor vehicles for hire, to include, but not limited to, regulations affecting:

- (1) Response time to requests for service;
- (2) Cleanliness of vehicles;
- (3) Duties of courtesy and other duties of drivers to passengers.

(b) Violation of any regulation promulgated pursuant to this section may, at the discretion of the Police Commission, constitute cause for revocation of any and all rights granted in or to any license or permit to operate a motor vehicle for hire.

(c) The Chief of Police shall submit a written report on the activities of the Police Department relative to that Department's regulation and supervision of motor vehicles for hire pursuant to the requirements of this Ordinance to the Police Commission by April 30 of each calendar year for the previous calendar year. Said report shall include such information as may be available to the Police Department on the quality and quantity of service available from motor vehicle for hire licensees or permittees in meeting the public convenience and necessity for which such licenses or permits are allowed. One copy of said annual report shall be lodged each with the Mayor and the Board of Supervisors.

### Section 8. Corporate or Partnership Permittees.

(a) If any permittee or licensee hereunder is a corporation, cooperative, partnership or other business entity, any sale or other transfer of the voting stock or other units of control therein that exceed ten (10%) percent of all such voting stock, computed on a cumulative basis, or other units of control, in any transaction or series of transactions, will be deemed to be a sale or transfer, and the permit or license thereafter shall be null and void unless such transfer is approved by the Police Commission as provided in this Ordinance, or unless such transfer is incident to transfers which are allowable under Section 4 of this Ordinance.

(b) Any corporation or partnership holding a permit to operate a motor vehicle for hire shall maintain a stock register or record of partnership or ownership in the principal office of the corporation or partnership in San Francisco and the stock register or ownership record shall be available to the Police Department for inspection. Any such corporation shall report to the Police Department, in writing, any of the following:

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(1) Issuance or transfer of any shares of voting stock or units of control to any person where the issuance or transfer results in the person owning ten (10%) percent or more of the corporate stock or partnership interests or other units of control as computed on a cumulative basis as the result of any transaction, or series of transactions.

(2) Change in any of the corporate offices which are required by Section 312 of the Corporations Code;

(3) Any report required pursuant to the provisions of subparagraphs (b) (1) or (b) (2) of this Section shall be filed with the Police Department within ten (10) days of the change, sale, or transfer to be reported.

## TEXT OF PROPOSED ORDINANCE PROPOSITION K

### REGULATIONS FOR TAXICABS AND OTHER MOTOR VEHICLES FOR HIRE

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF SAN FRANCISCO:

Section 1. The qualified electors of the City and County of San Francisco hereby declare it shall be the law of the City and County of San Francisco that:

(a) All taxicab permits and other vehicle for hire permits issued by the City and County of San Francisco are the property of the people of the City and County of San Francisco and shall not be sold, assigned or transferred; and

(b) The Chief of Police of the City and County of San Francisco shall have the responsibility of establishing regulations to assure prompt, courteous and honest service to the riding public; and

(c) The taxicab business shall operate under the principles of free enterprise and that taxicab operators may charge less than the maximum rate of fare set by law, as set forth below.

(d) The Police Commission shall issue a sufficient number of permits to assure adequate taxicab service throughout the City and County of San Francisco.

#### Section 2. The Application For A Permit.

(a) Any applicant for a permit to operate a taxicab or other vehicle for hire shall apply to the Police Commission for its declaration of public convenience and necessity on blanks to be furnished by the Secretary of the Police Commission, and within fifteen (15) days of the filing of such an application the Secretary of the Police Commission shall have a notice published in the official newspaper of the City and County of San Francisco. The notice shall state that an application has been filed for a license or permit to operate a taxicab or other motor vehicle for hire or motor vehicle for hire business, the name of the applicant, the kind of equipment, and the number of taxicabs or other vehicles for hire which the applicant desires to operate. The notice shall be published for three successive days.

The applicant shall pay to the City and County of San Francisco a sum to cover the costs of advertising and investigating and processing the application for each permit, such sum to be determined periodically as appropriate by the Police Commission.

Protests against the issuing of a permit may be filed with the Police Commission. The Police Commission shall consider all protests and in conducting its hearing shall

have the right to call such witnesses as it desires. In all such hearings the burden of proof shall be upon the applicant to establish by clear and convincing evidence, which shall satisfy the Police Commission, that public convenience and necessity require the operation of the vehicle or vehicles for which permit application has been made, and that such application in all other respects should be granted.

(b) No permit shall be issued unless the person applying for the permit shall declare under penalty of perjury his or her intention actively and personally to engage as permittee-driver under any permit issued to him or her for at least four (4) hours during any twenty-four (24) hour period on at least seventy-five (75%) of the business days during the calendar year. No more than one permit shall be issued to any one person.

(c) For two (2) years from the effective date of this Ordinance, a preference in the issuance of any permit shall be given to any person who has driven a taxicab or other motor vehicle for hire in the City and County of San Francisco for at least one consecutive twelve (12) month period during any of the three (3) calendar years immediately prior to the filing of an application for issuance of such permit.

(d) No permit shall be issued except to a natural person and in no case to any business, firm, partnership or corporation.

(e) Subject to any other preference created in this Ordinance, all applications for a permit to operate a taxicab or other motor vehicle for hire shall be processed and considered in the order of their receipt by the Police Commission.

(f) No part of this Section 2 shall apply to any permit holder described in subparagraph (b) of Section 4 of this Ordinance.

Section 3. **Facts to be Considered by Police Commission.** The Police Commission, in determining whether or not public convenience and necessity exist for the issuance of a permit, may consider such facts as it deems pertinent, but must consider whether:

(a) The applicant is financially responsible and will maintain proper financial records.

(b) The public will not be adequately or properly served unless the application is granted.

(c) The applicant has complied with all provisions of the Municipal Code, including pertinent motor vehicle laws.

(d) The applicant will be a full-time driver, within the meaning of Section 2(b) of this Ordinance, of the taxicab

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## CONTINUATION OF TEXT OF PROPOSITION K

or other motor vehicle for hire.

### Section 4. Continuous Operation

(a) All permittees within the purview of Section 1075 of Chapter VIII, Part II of the San Francisco Municipal Code (Police Code) shall regularly and daily operate their taxicab or other motor vehicle for hire business during each day of the year to the extent reasonably necessary to meet the public demand for such taxicab or motor vehicle for hire service.

Upon abandonment of such business for a period of ten (10) consecutive days by a permittee or operator, the Police Commission shall, after five (5) days' written notice to the permittee or operator, revoke the permit or permits of such permittee or operator; provided, however, that the Chief of Police, subject to the approval of the Police Commission and only after a thorough investigation, may on written application grant to the holder of any permit hereunder permission to suspend operation pursuant to such permit for a period not to exceed ninety (90) calendar days in any one twelve (12) month period in case of sickness, death, or other similar hardship.

No permit issued under this Ordinance shall be transferable or assignable, either expressly or by operation of law. All such permits and all rights granted under them may be rescinded and ordered revoked by the Police Commission for good cause.

(b) All persons, businesses, firms, partnerships, corporation or other entities who possess outstanding permits to operate a motor vehicle for hire on the effective date of this section must surrender and exchange any such permits for new permits within sixty (60) days of the effective date of this section. The new permits shall be non-transferable and non-assignable either expressly or by operation of law. Any such surrender and exchange shall be without fee to the permit holder. From and after the sixty-first (61st) day after the effective date of this section, all permits not surrendered for new permits shall be void and continuance of operation under any such void permits shall be punishable by a \$500.00 fine and thirty (30) days incarceration in the county jail for each such void permit so used.

### Section 5. Corporate Permittees

(a) If any permittee is a corporation, any sale or other transfer of ten percent (10%) or more of the stock ownership or assets of the permittee, resulting from any transaction or series of transactions and computed on a cumulative basis, will be deemed to be a sale or transfer and the permit therefore shall be null and void, unless approved by the Police Commission in conformity with the requirements of this Ordinance.

(b) Any corporation holding a permit hereunder shall maintain a stock register at the principal office of the corporation in San Francisco and the stock register shall be available to the Police Department for inspection. Such corporation shall report to the department, in writing, any of the following:

(i) Issuance or transfer of any shares of stock to any person where the issuance or transfer results in the person owning 10 percent (10%) or more of the corporate stock.

(ii) Change in any of the corporate officers which are required by Section 821 of the California Corporations Code.

(iii) Change of any members of its board of directors.

(c) Any report required pursuant to subparagraph (b) hereof shall be filed with the Police Department within ten (10) days of the change, sale or transfer to be reported.

### Section 6. Maintaining Financial and Accounting Records.

The Controller of the City and County of San Francisco shall have the responsibility of establishing regulations for the keeping and filing of financial statements and accounting books and records by every holder of a taxicab permit or other type of permit under this Ordinance. The purpose of such regulations is to provide information to the Board of Supervisors for ordinances respecting maximum rates of fares or other charges and to the Police Commission for the performance of its duties under the law. Failure of any permit holder to comply with the Controller's regulations may be cause for revocation of all rights granted to a permit holder to operate a taxicab or other vehicle for hire.

### Section 7. Rates for Taxicabs

Notwithstanding any provision of the San Francisco Municipal Code, any person, firm or corporation operating a taxicab or taxicabs may set a rate of fare lower than the maximum rate which may be set from time to time by appropriate ordinance; provided, however, that any such lower rate shall be filed with the Board of Supervisors in writing prior to June 1st of any year, and, if approved by the Board, shall remain in effect until September 1st of the following year.

Section 8. Sections 1076, 1077, 1079 and 1135(B) of Chapter VIII, Part II of the San Francisco Municipal Code (Police Code) are hereby repealed.

Section 9. Sections 128.1, 128.2 and 128.3 of Part III, Article 2 of the San Francisco Municipal Code, are hereby repealed.

Section 10. **Severability.** If any section, sub-section, sub-division, paragraph, sentence, clause or phrase in this Ordinance or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The qualified electors of the City and County of San Francisco hereby declare that they would have passed each section, sub-section, sub-division, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sub-division, paragraphs, sentence, clause or phrases be declared unconstitutional, invalid or ineffective.