

MARIN GENERAL SERVICES AUTHORITY
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MEMORANDUM

DATE: February 12, 2009
TO: MGSA Board of Directors
FROM: Paul Berlant, Executive Officer
SUBJECT: AGENDA ITEM **D**: TAXICAB REGULATIONS PROGRAM UPDATE AND AMENDMENT TO REGULATIONS

Recommendation: Amend the taxicab regulations as described below and reflected in the attached draft resolution.

Background:

Jeff Rawles continues to move the taxi permitting process along. As of the end of January, 120 taxi driver permits have been issued with several new applications pending DOJ and drug and alcohol test results, 23 vehicle permit stickers have been issued to five of the 15 companies that have applied for permits. We expect to have about 100 vehicle permits and the remainder of the company permits issued this winter. Mr. Rawles is working with the taxi companies to ensure they have proper, written drug policies and evidence of MGSA, its officers, etc. being named additional insured's on their liability insurance. We are also learning that even as drivers and vehicles are permitted, there is a constant turnover of personnel and vehicles, affecting liability and workers compensation insurance.

Regulations: In November 2008, the Board approved a number of amendments to the Regulations and we are proposing additional changes again. As we continue our interaction with the owners and drivers, we find inconsistent or unworkable provisions in the Regulations. This latest proposed amendment to the regulations reflects minor clean-ups (as mundane as changing the title of the "Executive Director" to "Executive Officer") as well as more substantive changes reflecting the appeal process or reporting of drug and alcohol testing results. Specifically, the substantive changes are found in Section C.2.c.i, C.2.c.iv, where reporting of drug/alcohol testing results are clarified; Section C.4.e, requiring the return of a permit which has been revoked; and Section F, which outlines the appeal process.

The Board also received a copy of a letter addressed to the Novato City Council from Daniel Carlson, owner of Novato Taxi. In his letter, Mr. Carlson challenges the authority of MGSA to make the proposed changes to Section C.2.c. as relates to reporting of drug/alcohol testing results. MGSA staff and General Counsel Dave Byers have reviewed Mr. Carlson's challenge and find no reason to alter our recommended changes,

Mr. Byers and staff also plan to do further work on Section G of the Regulations relating to the Penalties and Enforcement portion of the regulations.

Attached is a draft resolution approving amendments to the Regulations.