



**Steering Committee and
Safety Committee Meeting**

April 21, 2016



**Steering Committee and Safety Committee Meeting
Thursday, April 21, 2016, 12:00 Noon
11800 Woodbury Road, 2nd floor, Room # 219-220
Garden Grove, CA 92843**

Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact OCTAP at (949) 654-8294, no less than two (2) business days prior to this meeting to enable OCTAP to make reasonable arrangements to ensure accessibility to this meeting.

Agenda Descriptions

The agenda descriptions are intended to give members of the public a general summary of items of business to be transacted or discussed. The posting of the recommended actions does not indicate what action will be taken. The Committees may take any action that they deem to be appropriate on the agenda item and are not limited in any way by the notice of the recommended action.

Public Comments on Agenda Items

Members of the public may address the Committees regarding any item on the agenda. Please complete a speaker's card and submit it to OCTAP Staff, the Steering Committee Chairman, or stand to be recognized during the item to indicate your desire to speak on the item. Speakers will be recognized by the Chairman at the time the agenda item is to be considered. Public comments shall be limited to three (3) minutes per speaker.

Public Availability of Agenda Materials

All documents relative to the items referenced in this agenda are available for public inspection at www.octap.net or through the OCTAP office at 11903 Woodbury Road, Garden Grove, California.

Call to Order and Introductions

Consent Calendar (Items 1 through 2)

All matters on the Consent Calendar are to be approved in one motion unless a Committee Member or member of the public requests a separate action on a specific item.

1. Approval of Minutes

Of the January 21, 2016, Combined Steering Committee and Safety Committee Meeting

2. Staff Information Items – Receive and File the:

- a) OCTAP Quarterly Operations and Financial Reports
 - 1. OCTAP Quarterly Operations Report, January 1, 2016 through March 31, 2016
 - 2. OCTAP Financial Report, December 2015 through February 2016
 - 3. CPI Historical Data
 - 4. Fuel Cost Historical Data

Regular Calendar

3. OCTAP Regulation Review

The subcommittee completed its review of the OCTAP Regulations and recommended changes that were presented and reviewed by the Steering and Safety Committees. Staff recommends adoption of the changes.

4. Replacement of Elected OCTAP Steering Committee Representatives

A vacancy has occurred for the Large Taxicab representation. Staff recommends holding an election to fill the vacancy and amending the Bylaws to better address how vacancies are filled.

Discussion Items

5. Legislation Updates

Update from OCTAP staff.

6. OCTAP Staff Updates

OCTAP will present information and updates.

- a) Fiscal Year 2016-17 Budget
- b) Adjustment of OCTAP Fee Schedule
- c) Enforcement Efforts
- d) New Driver Permit Design

7. Committee Representative Reports

Members of the Committees may report on any items within the subject matter jurisdiction of the Steering Committee and Safety Committee. No action may be taken on off-agenda items unless authorized by law.

8. Public Comments

Members of the public may address the Committees regarding any item within the subject matter jurisdiction of the Steering Committee and Safety Committee. No action may be taken on off-agenda items unless authorized by law.

Comments shall be limited to three (3) minutes per speaker, unless different time limits are established by the Chairman, subject to the approval of the Steering Committee.

9. Adjournment

The next regularly scheduled meeting of the OCTAP Steering Committee and Safety Committee will be held at 12:00 p.m. on July 21, 2016, at 11800 Woodbury Road, Annex 2nd floor, Room #219-220, Garden Grove, CA 92843.

ITEM 1

Orange County Taxi Administration Program (OCTAP)
Steering Committee and Safety Committee Meeting Minutes – January 21, 2016

ITEM 1

Steering Committee and Safety Committee Members Present:

City of Aliso Viejo Steering and Safety Committees, Stephen Baker
City of Aliso Viejo Steering and Safety Committees, (Alternate) Carlos Barcelos
City of Anaheim Steering Committee, Sandra Sagert
City of Anaheim Safety Committee, Jesse Penunuri
City of Costa Mesa Steering Committee, (Alternate) Elizabeth Palacio
City of Cypress Steering Committee, Brian Healy
City of Cypress Safety Committee, Jeff Swift
City of Fountain Valley Steering and Safety Committees, Matt Sheppard
City of Fountain Valley Steering Committee, (Alternate) George Mavritsakis
City of Fullerton Steering and Safety Committees, Scott Marple
City of Garden Grove Steering Committee, Pam Gillis
City of Irvine Steering and Safety Committees, Scott Crones
City of La Habra Safety Committees, (Alternate), Jason Coleman
City of Mission Viejo Steering Committee, Brett Canedy
City of Newport Beach Steering Committee, Monique Navarrete
City of Orange Steering and Safety Committees, Justin McGowan
City of Orange Steering and Safety Committees, (Alternate) Jeff Gray
City of Orange Safety Committees, (Alternate) Brian Marcotte
City of Santa Ana Steering Committee, Art Morales
City of Santa Ana Safety Committee, Edward Mendoza
City of Stanton Safety Committee, Alex Montoya
City of Tustin Steering and Safety Committee, John Hedges
City of Westminster Steering Committee, James Kingsmill
City of Westminster Safety Committee, Kees Davis
County of Orange Steering Committee, Robert Holden
Orange County Tourism Representative Steering Committee, Christina Dawson
Large Taxi Cab Company Representative Steering Committee, Lynn Strong
Small Taxi Cab Company Representative Steering Committee, Essam Dolah

Not Represented:

City of Brea
City of Buena Park
City of Dana Point
City of Huntington Beach
City of Laguna Beach
City of Laguna Hills
City of Laguna Niguel
City of Laguna Woods
City of Lake Forest
City of La Palma
City of Los Alamitos
City of Placentia
City of Rancho Santa Margarita

**Orange County Taxi Administration Program (OCTAP)
Steering Committee and Safety Committee Meeting Minutes – January 21, 2016**

City of San Clemente
City of San Juan Capistrano
City of Seal Beach
City of Villa Park
City of Yorba Linda

Others Present:

Cassie Trapesonian, OCTA Legal Counsel
Sue Zuhlke, OCTAP
Patrick Sampson, OCTAP
Sandy Boyle, OCTAP
Angela Gatchell, OCTAP
Richard Girard, OCTAP
Al Gorski, OCTA Risk Manager
Craig Morris, Marsh Risk and Insurance Services
Juan Lopez, OC Weights and Measures
Bahman Bitaraf, Nova Insurance Services
Maryann Cazzell, Cazzell & Associates
Larry Slagle, Yellow Cab of Greater Orange County
Chris Lamb, Yellow Cab of Greater Orange County
Hossein Nabati, A Taxi Cab
Mehdi Sarreshtedari, Affordable Taxi
Patrick Dreis, Happy Taxi
Konstantinos Roditis, 24/7 Taxi Cab

Call to Order and Introductions

Steering Committee Vice Chair Gillis called the January 21, 2016, regular meeting of the Orange County Taxi Administration Program (OCTAP) Steering Committee and Safety Committee to order.

Steering Committee Vice Chair Gillis reminded the members of the public that they may address the committees concerning any item on the agenda by completing a request to speak card or by raising their hand to be acknowledged and that all public comments should be kept under three minutes in length.

Consent Calendar (Items 1 through 2)

All matters on the Consent Calendar are to be approved in one motion unless a Committee Member or member of the public requests a separate action on a specific item.

**Orange County Taxi Administration Program (OCTAP)
Steering Committee and Safety Committee Meeting Minutes – January 21, 2016**

1. Approval of Minutes

Of the November 4, 2015, Combined Steering Committee and Safety Committee Meeting

2. Staff Information Items – Receive and file the:

- a) OCTAP Quarterly Operations and Financial Reports
 - 1. OCTAP Quarterly Operations Report, October 1, 2015 through December 31, 2015
 - 2. OCTAP Financial Report, September 2015 through November 2015
 - 3. CPI Historical Data
 - 4. Fuel Cost Historical Data

A motion to approve the consent calendar Items 1 and 2 was made by Committee Member Sagert (City of Anaheim) and seconded by Committee Member Mendoza (City of Santa Ana). The motion passed unanimously.

Regular Calendar

3. Election of Steering Committee and Safety Committee Chairs and Vice Chairs for 2016

Steering Committee Chair

Committee Member Gillis (City of Garden Grove) nominated Committee Member Navarrete (City of Newport Beach) for Steering Committee Chair for 2016. The nomination was seconded by Committee Member Sagert (City of Anaheim). A vote was called. The vote was unanimous to elect Committee Member Navarrete (City of Newport Beach) as the Steering Committee Chair for 2016. Steering Committee Chair Navarrete (City of Newport Beach) chaired the remainder of the meeting.

Steering Committee Vice-Chair

Committee Member Sagert (City of Anaheim) volunteered to serve as the Steering Committee Vice-Chair position. A vote was called. The vote was unanimous to elect Committee Member Sagert (City of Anaheim) as the Steering Committee Vice-Chair for 2016.

Safety Committee Chair

Committee Member Gillis (City of Garden Grove) nominated Committee Member Mendoza (City of Santa Ana) for Safety Committee Chair. The nomination was seconded by Committee Member Morales (City of Santa Ana). A vote was called. The

**Orange County Taxi Administration Program (OCTAP)
Steering Committee and Safety Committee Meeting Minutes – January 21, 2016**

vote was unanimous to elect Committee Member Mendoza (City of Santa Ana) as the Safety Committee Chair for 2016.

Safety Committee Vice-Chair

Committee Member Penunuri (City of Anaheim) volunteered to serve as the Safety Committee Vice-Chair. A vote was called. The vote was unanimous to elect Committee Member Penunuri (City of Anaheim) as the Safety Committee Vice-Chair for 2016.

4. OCTAP Regulation Review

OCTAP Administrator Sandy Boyle reported that the subcommittee completed its review of the OCTAP Regulations and the recommended changes were distributed to committee members on December 8, 2015. All changes were reviewed by legal counsel and considered administrative changes only. She recommended adoption of the changes by the Committees, to become effective July 1, 2016.

Steering Committee Chair Navarrete opened up discussion to the Committees and the public. Based upon the discussion and comments, Committee Member Palacio (City of Costa Mesa) made a motion to delay adoption of the proposed OCTAP Regulations changes until the April 21, 2016 Steering and Safety Committee meeting to allow members additional review time. Committee Member Marple (City of Fullerton) seconded the motion. The motion was approved unanimously. The committee members were encouraged to submit comments to OCTAP prior to the next the April meeting.

5. Taxicab Fare Study

OCTAP Administrator Sandy Boyle provided an overview of the Taxicab Fare Study. Based upon the study, no increase to the current approved metered rates was recommended.

Committee Member Dolah (Small Taxi Company Representative) suggested that OCTAP reduce the flag-drop amount and consider an overall reduction of the OCTAP metered rates. Steering Committee Chair Navarrete reminded committee members that taxicab companies and taxicab drivers that the metered rate is the most that can be charged, that operators have the authority to discount the metered rates.

Member of the public Konstantinos Roditis (24/7 Taxicab) suggested that taxicab companies should be allowed to set their own metered rates, as long as they do not exceed the OCTAP rates, citing the City of Oceanside as an example.

**Orange County Taxi Administration Program (OCTAP)
Steering Committee and Safety Committee Meeting Minutes – January 21, 2016**

Committee Member Strong (Large taxicab Company Representative) suggested that the flag drop be lowered, and the per-mile rate be increased. Manager of Taxi Administration Patrick Sampson reviewed the methodology used when recommending meter rates. He reminded members that before the last increase, taxicab operators complained about losing money on short trips. That is why the flag drop was weighted more heavily.

After discussion, Committee Member Sagert (City of Anaheim) made a motion to accept the fare study with no change. Committee Member Palacio (City of Costa Mesa) seconded the motion. The motion passed unanimously.

Discussion Items

6. Taxicab Insurance Requirements

OCTA Risk Manager Al Gorski and Marsh Risk and Insurance Services Craig Morris presented information related to OCTAP insurance requirements and insurance company ratings. He clarified that it is possible to meet the insurance requirements with a primary and an excess liability coverage policy, provided that the combined coverage equals \$1 million. He also stated that a company that has not been admitted by the state insurance department may also be acceptable.

Discussion by Committee Members and the public included coverage limits, insurance company rating requirements, and self-insured retention.

7. Legislation Concerning Transportation Network Companies

OCTAP Administrator Sandy Boyle provided a synopsis of the seven Assembly Bills pertaining to Transportation Network Companies (TNC) and their status in the California Legislature.

AB 1422 requiring TNCs to participate in the Department of Motor Vehicles Employee Pull Notice program was signed by the Governor on October 11, 2015.

SB 541 prohibits a charter-party carrier of passengers from advertising its services, or in any manner representing its services, as being a taxicab or taxi service was signed by the Governor on October 11, 2015.

SB 372, AB 828, and AB 1289 are still active. SB 372 would prohibit registered sex offenders from participating as a TNC driver. AB 828 would exclude a TNC vehicle from the commercial vehicle classification. AB 1289 would require comprehensive background checks of TNC drivers.

**Orange County Taxi Administration Program (OCTAP)
Steering Committee and Safety Committee Meeting Minutes – January 21, 2016**

AB 24 and AB 1360 were postponed by Committee and may be brought back next year. AB 24 included the requirement for TNCs to submit all drivers to a Department of Justice criminal background check. AB 1360 would allow a TNC to charge a per passenger fare.

AB 886 was cancelled by the author. The bill sought to prohibit a TNC from requesting or requiring personally identifiable data of a passenger unless the customer has access and is able to cancel or terminate the account, at which time the information would be disposed in a secure manner.

8. Committee Representative Reports

No Committees Representative Reports were given.

9. Public Comments

No Public Comments were given.

10. Adjournment

The next regularly scheduled meeting of the OCTAP Steering Committee and Safety Committee will be held at 12:00 p.m. on April 21, 2016, at 11800 Woodbury Road, Annex 2nd floor, Room #219-220, Garden Grove, CA 92843.

ITEM 2



April 21, 2016

To: OCTAP Steering and Safety Committees

From: Sandy Boyle, OCTAP Administrator

Subject: OCTAP Quarterly Operations and Financial Reports

Attached is the Orange County Taxi Administration Program (OCTAP) Quarterly Operations Report for the period of January 2016 through March 2016. Information in these reports is based on actual events during the reporting period.

The attached Financial Report provides a summary of revenue and expenditures from December 2015 through February 2016. March 2016 is not included in the report because this data is not available until after the committees meet. Updated CPI and Fuel Cost data are also included in the report as Attachments 3 and 4.

On January 22, 2016, OCTAP conducted night-time enforcement in the Anaheim and Garden Grove resort areas. Coordinated enforcement with law enforcement and airport staff was performed at John Wayne Airport on January 27, 2016.

On February 16, 2016, OCTAP staff provided enforcement training to Newport Beach Police Department Officers in advance of the county-wide enforcement event on February 17, 2016. The cities of Anaheim, La Habra, Irvine, Tustin, and Laguna Niguel actively participated in the county-wide enforcement event.

OCTAP enlisted the help of Westminster Police Department and the City of Garden Grove to contact Mr. Long Hoang Ma, a bandit operator associated with the escaped prisoners from the Orange County jail.

OCTAP received a report of a potential bandit operation in San Clemente. The vehicle owner was determined to be an individual previously permitted as a driver under OCTAP. A hearing was conducted and it was determined that A Husky Cab was preparing to operate, but had not yet provided taxi service. OCTAP provided company applications to the vehicle owner pursuant to hearing recommendations from the member agencies. The OCTAP Representative from the San Clemente Police Department, who participated in the hearing, assured OCTAP that San Clemente officers would continue to monitor the driver for any evidence of taxicab business activity.

OCTAP staff presented information to Garden Grove resort area Police Officers and staff from resort area hotels on March 8, 2016. Newport Beach Police Department conducted a bandit cab sting operation on March 16, 2016, based on information provided by OCTAP. The sting resulted in warnings to several companies who were no longer permitted by OCTAP, but were advertising and answering their phones using their previously permitted company name. All but one referred the scheduled pick-up to an OCTAP permitted taxicab operator. One suspect accepted the reservation and arrived for the scheduled pick up in an unmarked vehicle. They were ticketed under Newport Beach Municipal Code 5.17.060 for operating a taxicab without a permit.

A White and Yellow Taxi (A Taxi) discontinued taxicab operations on April 4, 2016. As a result of the shutdown, OCTAP staff revoked 110 vehicle permits. There were 119 OCTAP permitted drivers affiliated with A Taxi. As of April 15, 2016, sixty-one of those drivers have already transferred to other OCTAP permitted companies.

Please feel free to provide any comments or suggestions that you may have regarding report content or format to OCTAP staff.

Attachments:

1. OCTAP Quarterly Operations Report – January 2016 through March 2016
2. OCTAP Financial Report, Fiscal Year 2015-16, December 2015 – February 2016
3. Updated CPI
4. Fuel Cost Historical Data

ORANGE COUNTY TAXI ADMINISTRATION PROGRAM

QUARTERLY REPORT



January 2016 THROUGH March 2016

OCTAP REVENUE
January 2016 through March 2016

TRANSACTION TYPE	JANUARY		FEBRUARY		MARCH		QUARTER TOTAL		FISCAL YTD		TOTALS and CHANGE FROM PRIOR PERIODS							
	Totals	Fees	Totals	Fees	Totals	Fees	Totals	Fees	Totals	Fees	PRIOR YEAR SAME QUARTER				PRIOR FISCAL YTD			
											Totals	Fees	Totals Change	Fees Change	Totals	Fees	Totals Change	Fees Change
COMPANY PERMIT RENEWAL	2	\$2,964.00	0	\$0.00	1	\$1,482.00	3	\$4,446.00	13	\$19,266.00	7	\$12,998	-4	(\$8,552)	23	\$35,971	-10	(\$16,705)
COMPANY PERMIT - INITIAL PERMIT	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0	0	\$0	0	\$0	0	\$0
COMPANY TOTALS	2	\$2,964.00	0	\$0.00	1	\$1,482.00	3	\$4,446.00	13	\$19,266.00	7	\$12,998	-4	(\$8,552)	23	\$35,971	-10	(\$16,705)
ANNUAL VEHICLE INSPECTION	46	\$19,182.00	69	\$28,773.00	64	\$26,688.00	179	\$74,643.00	624	\$260,625.00	221	\$85,935	-42	(\$11,292)	863	\$341,385	-239	(\$80,760)
MAJOR VEHICLE RE-INSPECTION	6	\$948.00	7	\$1,106.00	3	\$474.00	16	\$2,528.00	55	\$8,690.00	16	\$2,280	0	\$248	72	\$9,643	-17	(\$953)
MINOR VEHICLE RE-INSPECTION	4	\$278.80	6	\$418.20	7	\$487.90	17	\$1,184.90	72	\$5,018.70	36	\$2,412	-19	(\$1,227)	119	\$7,906	-47	(\$2,887)
VEHICLE PERMIT - REPLACEMENT	0	\$0.00	2	\$112.50	1	\$56.25	3	\$168.75	6	\$337.50	2	\$108	1	\$61	13	\$1,049	-7	(\$712)
VEHICLE PERMIT SUBSTITUTION	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	11	\$618.75	15	\$810	-15	(\$810)	29	\$1,566	-18	(\$947)
VEHICLE TOTALS	56	\$20,408.80	84	\$30,409.70	75	\$27,706.15	215	\$78,524.65	768	\$275,289.95	290	\$91,545	-75	(\$13,020)	1096	\$361,549	-328	(\$86,259)
DRIVER PERMIT RENEWAL	75	\$8,122.00	81	\$9,007.00	66	\$7,343.25	222	\$24,472.25	660	\$73,196.76	259	\$27,606	-37	(\$3,134)	839	\$89,028	-179	(\$15,831)
ANNUAL DRIVER PERMIT	14	\$1,557.50	8	\$894.25	14	\$1,557.50	36	\$4,009.25	139	\$15,145.00	80	\$8,560	-44	(\$4,551)	244	\$25,790	-105	(\$10,645)
DRIVER PERMIT TRANSFER	15	\$314.20	11	\$229.00	9	\$187.20	35	\$730.40	118	\$2,456.80	61	\$1,220	-26	(\$490)	249	\$4,881	-131	(\$2,424)
DRIVER PERMIT REINSTATEMENT	3	\$62.40	1	\$20.80	2	\$41.60	6	\$124.80	14	\$291.20	11	\$220	-5	(\$95)	29	\$580	-15	(\$289)
DRIVER PERMIT REPLACEMENT	1	\$15.60	1	\$15.60	0	\$0.00	2	\$31.20	4	\$62.40	3	\$45	-1	(\$14)	6	\$90	-2	(\$28)
DRIVER TOTALS	108	\$10,071.70	102	\$10,166.65	91	\$9,129.55	301	\$29,367.90	935	\$91,152.16	414	\$37,651	-113	(\$8,283)	1,367	\$120,369	-432	(\$29,217)
LATE FEE - VEHICLE	6	\$723.60	6	\$1,236.25	10	\$301.50	22	\$2,261.35	90	\$7,734.10	15	\$2,030	7	\$231	162	\$18,052	-72	(\$10,318)
LATE FEE - DRIVER	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	2	\$241.20	7	\$754	-7	(\$754)	20	\$1,916	-18	(\$1,675)
ADMINISTRATIVE FINE - DRIVER	2	\$100.00	1	\$100.00	1	\$25.00	4	\$225.00	16	\$725.00	10	\$800	-6	(\$575)	33	\$2,810	-17	(\$2,085)
ADMINISTRATIVE FINE - COMPANY	0	\$0.00	0	\$0.00	6	\$750.00	6	\$750.00	23	\$3,800.00	4	\$675	2	\$75	16	\$4,025	7	(\$225)
MISC.FEES AND FINES	8	\$858.60	7	\$1,336.25	17	\$1,076.50	32	\$3,236.35	131	\$12,500.30	36	\$4,259	-4	(\$1,023)	231	\$26,803	-100	(\$14,303)
TOTAL	174	\$34,303.10	193	\$41,912.60	184	\$39,394.20	551	\$115,574.90	1847	\$398,208.41	747	\$146,453	-196	(\$30,878)	2717	\$544,692	-870	(\$146,483)

OCTAP Inspections January 2016 through March 2016

ANNUAL INSPECTIONS				
	Total	Pass	Fail	Pass %
January	46	43	3	93%
February	69	60	9	87%
March	63	60	3	95%
TOTALS	178	163	15	92%

RANDOM INSPECTIONS				
	Total	Pass	Fail	Pass %
January	41	37	4	90%
February	26	21	5	81%
March	47	42	5	89%
TOTALS	114	100	14	88%

MAJOR RE-INSPECTIONS				
	Total	Pass	Fail	Pass %
January	6	5	1	83%
February	7	7	0	100%
March	3	2	1	67%
TOTALS	16	14	2	88%

MINOR RE-INSPECTIONS				
	Total	Pass	Fail	Pass %
January	4	4	0	100%
February	6	6	0	100%
March	7	7	0	100%
TOTALS	17	17	0	100%

CURSORY INSPECTIONS				
	Total	Pass	Fail	Pass %
January	143	136	7	95%
February	6	3	3	50%
March	33	32	1	97%
TOTALS	182	171	11	94%

TRANSFERS and REPLACEMENTS				
	Total	Pass	Fail	Pass %
January	0	0	0	NA
February	2	1	1	50%
March	1	0	1	0%
TOTALS	3	1	2	33%

MOST COMMON INSPECTION DEFICIENCIES
January through March
Taximeter seals broken/expired
Brake lights or headlights not working
Heat/AC not working
Body Damage
Bald Tires

TOTAL INSPECTIONS				
	Total	Pass	Fail	Pass %
January	240	225	15	94%
February	116	98	18	84%
March	154	143	11	93%
TOTALS	510	466	44	91%

COMPARISONS FROM PRIOR PERIODS				
ALL INSPECTION TYPES	2016	2015	DIFFERENCE	
			TOTALS	%
January	240	360	-120	-33%
February	116	208	-92	-44%
March	154	173	-19	-11%
TOTALS	510	741	-231	-31%
ALL INSPECTION TYPES	2016	2015		
Year-to-Date	1554	2203	-649	-29%

OCTAP FINES, PERMIT ACTIONS, AND QUARTERLY COMPLIANCE ACTIVITIES
January 2016 through March 2016

FINES AND PERMIT ACTIONS

FINES

Expired/broken meter seals

Allowing operation of a taxicab by a driver not possessing a valid OCTAP Driver Permit

Failure to comply with dispatch record policy

Failure to comply with pull notice policy

PERMIT ACTIONS (Denials, Suspensions, and Revocations)

Vehicle Permits Suspended, failed inspections

Driver Permit denied due to failed drug and alcohol test

Driver Permit suspended based on background check, overturned in Appeal

QUARTERLY COMPLIANCE ACTIVITIES

DMV Pull Notice Checks	12
24/7 Dispatch Checks	19
Insurance Policy Reviews	9

OCTAP-PERMITTED TAXI COMPANIES - Sorted by CAB TOTALS
As of March 2016

Permit No.	Taxicab Company	No. of Drivers	No. of Vehicles	5+ Capacity	Alternate Fuel	Wheelchair Accessible
10	YELLOW CAB OF GREATER ORANGE COUNTY, INC.	356	366	x	x	x
14	A TAXI CAB	119	110	x		x
17	CALIFORNIA YELLOW CAB (CABCO YELLOW, INC.)	228	163	x	x	x
18	ORANGE COUNTY YELLOW CAB	6	5	x		
32	AFFORDABLE TAXI	1	1			
33	FIESTA TAXI	1	1		x	
41	LONG BEACH YELLOW CAB CO-OP	11	8	x	x	
42	ACCESS TAXI YELLOW CAB CO.	1	1	x		
52	HAPPY TAXI	2	1	x		
59	ORANGE COUNTY TAXI	7	8	x		
60	24/7 YELLOW CAB - 24/7 TAXI CAB	33	37	x	x	x
66	ORANGE TAXI CAB	2	2			
78	HUNTINGTON BEACH YELLOW CAB, INC.	16	14	x		
80	PIER YELLOW CAB	14	13	x		
128	USA GREEN GROUP	2	2	x		
150	DISCOUNT CAB FARES	2	2	x		
152	SURF SIDE TAXI	7	6	x		
159	DOWNTOWN HUNTINGTON BEACH YELLOW CAB	21	11	x		
165	TAXI MAXI	8	5	x	x	
167	WHITE CAB CO.	5	3	x	x	
168	AMERICAN FLAG YELLOW CAB CO	1	2			
169	1A GREEN TAXICAB, LLC	1	1	x		
170	GO YELLOW TAXI INC.	5	4	x		
172	H A TAXI INC.	1	1	x		
173	BEACH CITIES TAXI	3	2	x	x	
177	AWESOME TAXI CAB	2	2	x	x	

26

855

771

<i>Totals from March 2015</i>	1,309	1,002
<i>Change from 2015 to 2016</i>	-34.7%	-23.1%

**Orange County Taxi Administration Program
Financial Report
Fiscal Year 2015-16
December 2015 - February 2016**

	Budgeted	December 2015	January 2016	February 2016	Total to Date	Budget to Actual Under/(Over)
Revenues						
Company Permits	\$48,906.00	\$2,964.00	\$2,964.00	\$0.00	\$17,784.00	\$31,122.00
Vehicle Permits	\$446,607.00	\$30,307.95	\$20,408.80	\$30,409.70	\$247,583.80	\$199,023.20
Driver Permits	\$170,565.00	\$9,570.31	\$10,071.70	\$10,166.65	\$82,022.61	\$88,542.39
Interest/Investment Earnings	\$9,846.00	\$645.88	\$445.26	\$879.77	\$5,749.97	\$4,096.03
Other Misc. Revenue & Fines	\$14,000.00	\$1,133.90	\$858.60	\$1,336.25	\$11,458.80	\$2,541.20
Use of Reserves	\$134,323.00				\$0.00	\$134,323.00
Total Revenues	\$824,247.00	\$44,622.04	\$34,748.36	\$42,792.37	\$364,599.18	\$459,647.82

	Budgeted	December 2015	January 2016	February 2016	Total to Date	Budget to Actual Under/(Over)
Expenditures						
Salaries & Benefits	\$478,648.00	\$42,574.68	\$40,795.85	\$40,805.91	\$325,055.94	\$153,592.06
Professional Services - Legal	\$35,000.00	\$2,303.16	\$2,205.01	\$6,576.11	\$16,576.39	\$18,423.61
Professional Services - Other					\$0.00	\$0.00
Investment Fee - Portfolio Manager	\$1,264.00	\$96.87			\$261.43	\$1,002.57
Credit Card Processing Fees	\$2,400.00	\$231.94	\$259.43	\$177.03	\$1,294.35	\$1,105.65
Telephone	\$2,640.00				\$216.96	\$2,423.04
Internet Expenses	\$144.00				\$0.00	\$144.00
Travel	\$2,288.00				\$890.20	\$1,397.80
Mileage	\$460.00		\$48.30		\$94.30	\$365.70
Training & Registration Fees	\$1,810.00				\$780.00	\$1,030.00
Office Supplies & Equipment	\$12,250.00	\$104.36	\$93.96		\$4,599.66	\$7,650.34
Subscriptions, Books, & Periodicals					\$0.00	\$0.00
Dues & Memberships	\$1,285.00	\$742.00			\$742.00	\$543.00
Business Expenses	\$3,500.00	\$277.68	\$20.74	\$13.67	\$610.25	\$2,889.75
Software	\$200.00		\$110.00			
Administrative Services	\$338,905.00	\$26,944.79	\$26,944.79	\$26,944.79	\$215,558.32	\$123,346.68
Security Services	\$31,945.00	\$5,287.00		\$5,210.00	\$21,145.00	\$10,800.00
Total Expenses	\$912,739.00	\$78,562.48	\$70,478.08	\$79,727.51	\$587,824.80	\$324,714.20

Change in Net Assets
(Negative Indicates Use of Reserves) **(\$33,940.44) (\$35,729.72) (\$36,935.14) (\$223,335.62)**

Reserves
Beginning Fund Balance **\$671,879.97 \$637,939.53 \$602,209.81**
Monthly Change In Net Assets **(\$33,940.44) (\$35,729.72) (\$36,935.14)**
Ending Fund Balance **\$637,939.53 \$602,209.81 \$565,274.67**

Note: A negative monthly change in net assets requires the use of funds from the OCTAP Reserve Fund balance to meet expenditure obligations.

CPI Historical Data

Year	Jan.	Feb.	Mar.	Apr.	May.	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Annual Avg.
2007	202.4	203.5	205.4	206.7	207.9	208.4	208.3	207.9	208.5	208.9	210.2	210.0	207.3
2008	211.1	211.7	213.5	214.8	216.6	218.8	220.0	219.1	218.8	216.6	212.4	210.2	215.3
2009	211.1	212.2	212.7	213.2	213.9	215.7	215.4	215.8	216.0	216.2	216.3	215.9	214.5
2010	216.7	216.7	217.6	218.0	218.2	218.0	218.0	218.3	218.4	218.7	218.8	219.2	218.1
2011	220.2	221.3	223.5	224.9	226.0	225.7	225.9	226.5	226.9	226.4	226.2	225.7	224.9
2012	226.7	227.7	229.4	230.1	229.8	229.5	229.1	230.4	231.4	231.3	230.2	229.6	229.6
2013	230.2	232.1	232.8	232.5	232.9	233.5	233.6	233.9	234.1	233.5	233.0	233.0	232.9
2014	233.9	234.8	236.3	237.1	237.9	238.3	238.3	237.9	238.0	237.8	237.1	236.3	237.0
2015	234.7	235.2	235.7	236.0	237.0	237.8	238.1	237.9	237.6	238.0	238.3	238.0	237.0
2016	238.1	237.71											237.9

Percent Change*													
Year	Jan.	Feb.	Mar.	Apr.	May.	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Annual Avg.
2007 to 2008	4.10%	3.87%	3.83%	3.79%	4.01%	4.78%	5.30%	5.10%	4.70%	3.53%	1.06%	0.09%	3.68%
2008 to 2009	0.03%	0.24%	-0.39%	-0.74%	-1.30%	-1.45%	-2.14%	-1.51%	-1.30%	-0.18%	1.81%	2.65%	-0.36%
2009 to 2010	2.56%	2.10%	2.26%	2.19%	1.98%	1.04%	1.22%	1.14%	1.13%	1.16%	1.13%	1.47%	1.61%
2010 to 2011	1.61%	2.06%	2.61%	3.07%	3.45%	3.44%	3.50%	3.63%	3.72%	3.41%	3.28%	2.88%	3.05%
2011 to 2012	2.84%	2.79%	2.58%	2.25%	1.68%	1.64%	1.39%	1.66%	1.95%	2.11%	1.72%	1.71%	2.03%
2012 to 2013	1.54%	1.91%	1.45%	1.05%	1.34%	1.72%	1.92%	1.51%	1.17%	0.96%	1.20%	1.48%	1.44%
2013 to 2014	1.59%	1.14%	1.49%	1.92%	2.08%	2.01%	1.97%	1.68%	1.62%	1.77%	1.72%	1.37%	1.70%
2014 to 2015	0.32%	0.17%	-0.23%	-0.46%	-0.37%	-0.22%	-0.08%	0.01%	-0.18%	0.12%	0.52%	0.74%	0.03%
2015 to 2016	1.44%	1.06%											0.37%

* This reflects the percent change from the current month to the same month last year

Source: <http://www.bls.gov/cpi/> - Table 2 - All Items

Fuel Rate Historical Data

Year	Jan.	Feb.	Mar.	Apr.	May.	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Annual Avg.	% Change Dec to Dec	Annual Avg % Change
2007	\$2.616	\$2.713	\$3.105	\$3.339	\$3.485	\$3.329	\$3.174	\$2.948	\$2.922	\$3.112	\$3.394	\$3.353	\$3.124		
2008	\$3.296	\$3.231	\$3.609	\$3.846	\$4.015	\$4.531	\$4.511	\$4.128	\$3.842	\$3.440	\$2.507	\$1.871	\$3.569	-44.20%	14.24%
2009	\$2.051	\$2.265	\$2.239	\$2.377	\$2.531	\$2.969	\$2.920	\$3.057	\$3.169	\$3.062	\$3.006	\$2.964	\$2.718	58.42%	-23.86%
2010	\$3.065	\$2.993	\$3.104	\$3.138	\$3.136	\$3.134	\$3.171	\$3.186	\$3.064	\$3.146	\$3.205	\$3.297	\$3.137	11.23%	15.42%
2011	\$3.389	\$3.576	\$4.002	\$4.206	\$4.229	\$3.965	\$3.844	\$3.823	\$3.971	\$3.890	\$3.848	\$3.648	\$3.866	10.65%	23.25%
2012	\$3.747	\$4.027	\$4.414	\$4.292	\$4.353	\$4.133	\$3.821	\$4.109	\$4.211	\$4.458	\$3.893	\$3.628	\$4.091	-0.55%	5.81%
2013	\$3.678	\$4.127	\$4.192	\$4.031	\$4.051	\$4.050	\$4.056	\$3.919	\$3.989	\$3.829	\$3.641	\$3.642	\$3.934	0.39%	-3.83%
2014	\$3.666	\$3.726	\$3.984	\$4.210	\$4.220	\$4.163	\$4.109	\$3.961	\$3.820	\$3.580	\$3.234	\$2.916	\$3.799	-19.93%	-3.42%
2015	\$2.596	\$2.756	\$3.388	\$3.261	\$3.804	\$3.596	\$3.812	\$3.594	\$3.175	\$2.945	\$2.819	\$2.776	\$3.210	-4.80%	-15.50%
2016	\$2.823	\$2.477	2.679										\$2.660		

Percent Change*													
Year	Jan.	Feb.	Mar.	Apr.	May.	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Annual Avg.
2007 to 2008	25.99%	19.09%	16.23%	15.18%	15.21%	36.11%	42.12%	40.03%	31.49%	10.54%	-26.13%	-44.20%	14.24%
2008 to 2009	-37.77%	-29.90%	-37.96%	-38.20%	-36.96%	-34.47%	-35.27%	-25.94%	-17.52%	-10.99%	19.90%	58.42%	-23.86%
2009 to 2010	49.44%	32.14%	38.63%	32.02%	23.90%	5.56%	8.60%	4.22%	-3.31%	2.74%	6.62%	11.23%	15.42%
2010 to 2011	10.57%	19.48%	28.93%	34.03%	34.85%	26.52%	21.22%	19.99%	29.60%	23.65%	20.06%	10.65%	23.25%
2011 to 2012	10.56%	12.61%	10.29%	2.04%	2.93%	4.24%	-0.60%	7.48%	6.04%	14.60%	1.17%	-0.55%	5.81%
2012 to 2013	-1.84%	2.48%	-5.03%	-6.08%	-6.94%	-2.01%	6.15%	-4.62%	-5.27%	-14.11%	-6.47%	0.39%	-3.83%
2013 to 2014	-0.33%	-9.72%	-4.96%	4.44%	4.17%	2.79%	1.31%	1.07%	-4.24%	-6.50%	-11.18%	-19.93%	-3.42%
2014 to 2015	-29.19%	-26.03%	-14.96%	-22.54%	-9.86%	-13.62%	-7.23%	-9.27%	-16.88%	-17.74%	-12.83%	-4.80%	-15.50%
2015 to 2016	8.04%	-10.12%	-20.93%										-17.15%

* This reflects the percent change from the current month to the same month last year

SOURCE: http://www.eia.gov/dnav/pet/pet_pri_gnd_dcus_sca_m.htm

ITEM 3



April 21, 2016

To: OCTAP Steering and Safety Committees

From: Sandy Boyle, OCTAP Administrator

Subject: OCTAP Regulation Review

Overview

Orange County Taxi Administration Program (OCTAP) Regulations are intended to define minimum taxicab company, taxicab vehicle, and taxicab driver permitting requirements. The regulations establish minimum safety and service standards for the operation of a taxicab, and consolidate the permitting of taxicab transportation service for multiple jurisdictions within Orange County.

OCTAP regulations have been adopted by the legislative bodies of each Member Agency to regulate taxicab service within the Area of Jurisdiction of each Agency.

Discussion

In January 2015, the Steering Committee established a subcommittee to review and recommend changes to the OCTAP Regulations. The subcommittee met several times during the year and completed its review of the OCTAP Regulations in December 2015.

The proposed OCTAP Regulations and a comparison of changes were sent to Steering Committee and Safety Committee members for review on December 8, 2015. Committee members discussed the proposed OCTAP Regulations at the Steering and Safety Committee meeting on January 21, 2016. A decision regarding adoption of the changes was postponed to the April 21, 2016, meeting to allow members additional time to review the changes.

The proposed OCTAP Regulation changes and a comparison of the changes were reposted on the OCTAP website and an email notification was sent to all committee members on February 10, 2016, requesting comments. No comments were received.

The changes being recommended have been reviewed by legal counsel and are considered administrative in nature. As such, the Steering Committee is

authorized to adopt the changes. If adopted, OCTAP staff will notify each jurisdiction of the changes. Action by the legislative bodies of each jurisdiction is not required.

Recommendation

Approve the proposed OCTAP Regulations to become effective July 1, 2016.

Attachments:

- A. Proposed OCTAP Regulations
- B. OCTAP Regulations – Comparison of Proposed Changes



REGULATIONS

OF THE

ORANGE COUNTY

TAXI ADMINISTRATION

PROGRAM

Approved by the Steering Committee on XX/XX/XXXX

Amended Fee Schedule 07/01/2016

Amended Taxicab Fares 07/19/2014

TABLE OF CONTENTS

PURPOSE AND SCOPE	1
Objective	1
Agency Legislative Independence and Authority Retained.	1
Implementation.....	1
DEFINITIONS	2
1. Agency.	2
2. Area of Jurisdiction.	2
3. Company.....	2
4. Company Permit.	2
5. Driver.	2
6. Driver Permit.	2
7. OCTA.....	2
8. OCTAP.....	2
9. OCTAP Administrator.	3
10. Permittee.....	3
11. Taxicab.	3
12. Taxicab Permit.....	3
13. Transportation Agreements.	3
AGENCY AND OCTA PARTICIPATION	3
Agency Responsibilities.	3
OCTA Responsibilities.	4
Mutual Indemnification.	4
ADMINISTRATIVE COMMITTEES.....	5
Steering Committee.....	5
Safety Committee.....	5
1. GENERAL RULES AND REQUIREMENTS.....	5
1.1. Permittee.....	6
1.2. Permitted Drivers.	6
2. COMPANY PERMITS.....	7
2.1. Company Permit Requirements.....	7
2.2. Company Permit Denial.	12
2.3. Company Affiliated Drivers.....	14
2.4. Company Permit Issuance.....	14
2.5. Term of Company Permit.....	14
2.6. Company Permit Renewal.	14
2.7. Company Permit Suspension/Revocation.....	14
2.8. Company Permit Penalties/Suspensions.	15
2.9. Right to Appeal.	15
2.10. Agency or Other Transportation Agreements.	16
3. DRIVER PERMITS	16
3.1 Driver Permit Requirements.....	16
3.2. Driver Permit Issuance.....	17
3.3. Term of Driver Permit.....	17
3.4. Renewal of Driver Permit.	17

3.5.	Driver Permit Limitation.....	18
3.6.	Replacement Driver Permit.....	18
3.7.	Expiration of Replacement Driver Permit.....	18
3.8.	Driver Permit Transfer to Another Company.....	18
3.9.	Driver Permit Denial.....	19
3.10.	Driver Permit Suspension/Revocation.....	20
3.11.	Driver Permit Penalty/Suspension.....	21
3.12.	Driver Permit Denial.....	21
3.13.	Driver Permit Surrender.....	22
4.	TAXICAB PERMITS.....	22
4.1.	Taxicab Permit Required.....	22
4.2.	Inspections.....	22
4.3.	Non-Permitted Vehicles.....	23
4.4.	Vehicle Replacement.....	23
4.5.	Taxicab Permit Renewal.....	24
4.6.	Taxicab Permit Surrender.....	24
4.7.	Replacement Taxicab Permit.....	24
5.	TAXICAB REQUIREMENTS.....	25
5.1.	Body Condition.....	25
5.2.	Brake System.....	25
5.3.	Climate Control.....	25
5.4.	Exhaust System.....	26
5.5.	Fuel Tank Cap.....	26
5.6.	Horn.....	26
5.7.	Hubcaps or Wheel Covers.....	26
5.8.	Interior Condition.....	26
5.9.	Interior Information.....	27
5.10.	Proof of Insurance.....	27
5.11.	California Vehicle Registration.....	27
5.12.	License Plates.....	27
5.13.	Lights and Lenses.....	28
5.14.	Color and Graphic Design.....	28
5.15.	Mirrors.....	29
5.16.	Muffler.....	29
5.17.	Parking Brake.....	29
5.18.	Dispatch Devices.....	29
5.19.	Seat Belts.....	29
5.20.	Steering and Suspension System.....	29
5.21.	Taximeter and Meter Seals.....	30
5.22.	Tires.....	30
5.23.	Windows.....	30
5.24.	Windshield Wipers.....	31
5.25.	Foot Pedal Pads.....	31
5.26.	Vehicle Age.....	31
5.27.	Vehicle Maintenance and Records.....	31
5.28.	Seating.....	31

6. TAXICAB OPERATION.....	31
6.1. Solicitation.....	32
6.2. Refusal to Transport.	32
6.3. Direct Routes.	32
6.4. Fares Charged.	32
6.5. Credit Card Payment.....	32
6.6. Receipt.....	33
6.7. Accidents.	33
6.8. Agency or other Transportation Agreements.	33
6.9. Advertising.	33
6.10. Additional Operational Requirements.	34
7. NON-PERMITTED TAXICAB OPERATION AND ADVERTISING	34
7.1. Information Warranting an Investigation.	34
8. APPEALS AND ADMINISTRATIVE HEARINGS	35
8.1. Notice of Appeal.....	35
8.2. Stay.....	35
8.3. Stay, Exception.	35
8.4. Initial Review of Appeal.....	36
8.5. Hearing Officer.....	36
8.6. Administrative Hearings.	37
9. PERMIT FEES AND TAXICAB FARES.....	37
9.1. OCTAP Permit Fees.....	37
9.2. Taxicab Fares.	37
9.3. Metered Rates.	37
9.4. Refund Policy.....	38
10. AMENDMENT(S) TO REGULATIONS	39
10.1. Administrative Amendment(s).....	39
10.2. Substantive Amendment(s).....	39
10.3. OCTAP Permit Fees and Taxicab Metered Rates.	39
OCTAP FEE STRUCTURE	40
ORANGE COUNTY APPROVED TAXICAB METERED RATES	41
OCTAP ADMINISTRATIVE ACTION AND FINES SCHEDULE	42

PURPOSE AND SCOPE

The Orange County Taxi Administration Program (OCTAP) is an association of Orange County Agencies created to coordinate taxicab service permitting and other administrative functions in compliance with California Government Code § 53075.5. OCTAP was formed in 1998 pursuant to interagency-agreements between the Orange County Transportation Authority (OCTA) and participating Agencies.

OCTA provides administrative functions for the OCTAP program and manages compliance of OCTAP permitted companies, taxicabs, and drivers as authorized by the participating Agencies.

The OCTAP Regulations are intended to define minimum taxicab company, taxicab vehicle, and taxicab driver permitting requirements, establish minimum safety and service standards for the operation of a taxicab, and consolidate the permitting of taxicab transportation service for multiple jurisdictions within Orange County. Each local jurisdiction reserves the right to implement and enforce additional requirements or limits beyond the OCTAP regulations. Examples of such additional requirements include, but are not limited to business license or franchise agreement.

Objective

The objective of OCTAP is to establish minimum safety and service standards for the provision of taxicab services in Orange County, to increase public safety and reduce administrative costs for the public and private sector, and to expand the provision of private transportation service in Orange County.

Agency Legislative Independence and Authority Retained.

Each Agency retains all authority, responsibility, and independence for taxicab regulation and enforcement within its jurisdiction. Each Agency retains the right and authority to select the Company(ies) authorized to operate within its jurisdiction, and will determine the boundaries of service those Company(ies) may serve, including the number of Taxicabs authorized to pick up passengers within its jurisdiction.

Each Agency shall be responsible for enforcing the OCTAP regulations, prosecuting violators, and agree to notify OCTAP of such occurrences. All policies, procedures, ordinances, rules, and regulations pertaining to taxicab companies, taxicab drivers, taxicabs, fares, notices, safety, taxicab stands, pickup, hours of operations, and all other functions not specifically provided for in these regulations, shall remain within the authority and jurisdiction of each Agency.

Implementation.

OCTAP regulations consolidate the basic taxicab ordinances and regulations adopted by the legislative bodies of each OCTAP participating Agency, and regulate

taxicab service within the Area of Jurisdiction of each such Agency. Each Agency retains the authority to apply and enforce additional requirements beyond the OCTAP regulations.

DEFINITIONS

1. Agency.

“Agency” means each City and the County of Orange, which participate in OCTAP.

2. Area of Jurisdiction.

“Area of Jurisdiction” of each Agency means the area within the boundaries of a City, or for the County means the unincorporated area, including John Wayne Airport.

3. Company.

“Company” includes a natural person, firm, association, organization, partnership, business, trust, corporation, or public entity.

4. Company Permit.

“Company Permit” means a valid permit issued by OCTAP, authorizing a Company to operate a taxicab business in any participating Agency, which allows the Company to serve that Agency.

5. Driver.

“Driver” means a person who has a valid OCTAP issued Driver Permit.

6. Driver Permit.

“Driver Permit” means a valid permit issued by OCTAP authorizing a person to drive or control the movements of a taxicab.

7. OCTA.

“OCTA” means the Orange County Transportation Authority.

8. OCTAP.

“OCTAP” means the Orange County Taxi Administration Program.

9. OCTAP Administrator.

“OCTAP Administrator” means an OCTA employee, or his/her designee, who will manage and supervise all OCTA responsibilities set forth in the OCTAP Regulations.

10. Permittee.

“Permittee” means a company, which holds a valid OCTAP Company Permit.

11. Taxicab.

“Taxicab” means a vehicle capable of carrying not more than eight persons, excluding the driver, and used to carry passengers for hire. The term shall exclude a vehicle operating as a Charter Party Carrier licensed as such by any state agency, including the California Public Utilities Commission (CPUC), or any other vehicle operating under the authority of any state agency, including the CPUC.

12. Taxicab Permit.

“Taxicab Permit” means a valid permit issued by OCTAP, authorizing a particular vehicle to be operated as a taxicab.

13. Transportation Agreements.

“Transportation Agreements” means any separate agreement that an Agency has established with an OCTAP Permittee for operation within its jurisdiction.

AGENCY AND OCTA PARTICIPATION

Agency Responsibilities.

Each Agency that joins OCTAP shall:

- Participate as a member of OCTAP and provide no less than twelve (12) months written notice to OCTAP prior to withdrawing from OCTAP.
- Appoint its City Manager, Executive Officer, or their designee, to participate as a member of the OCTAP Steering Committee.
- Appoint its Chief of Police, County Sheriff, or their designee, to participate as member of the OCTAP Public Safety Committee.
- Adopt and enforce a taxicab ordinance or resolution consistent with the regulations herein, and use such ordinance or resolution as the exclusive method of regulating taxicabs within its Area of Jurisdiction.

- Enforce, and if necessary, prosecute all violations of its taxicab ordinance or resolution and the regulations herein.
- Notify OCTAP in writing of any regulation, taxicab company limitation, taxicab driver limitation, taxicab limitation, or more stringent regulation, within its jurisdiction with respect to any permitting or operational standard for taxicab business operations.
- Notify OCTAP of any public or law enforcement complaint pertaining to permitted taxicab companies, taxicabs, and taxicab drivers within its jurisdiction.

OCTA Responsibilities.

OCTA shall provide the services described in the OCTAP Regulations on behalf of each Agency that adopts the OCTAP Regulations by ordinance or resolution, and shall:

- Provide staff and administrative services necessary to implement and enforce the OCTAP Regulations.
- Collect fees to cover the costs of administering OCTAP and collect fines associated with violation of OCTAP regulations.
- Provide participating Agencies no less than twelve (12) months written notice prior to withdrawing as the administrator of OCTAP.
- Provide administrative services on behalf of each Agency, but shall not assume liability for the performance of taxicab companies, taxicab drivers, or taxicabs.
- Not be responsible for the enforcement of Agency ordinances or resolutions except as provided for herein.
- Not be responsible for the enforcement of non-permitted taxicab operation, except as support for participating Agencies.
- Not collect franchise fees or business license fees imposed by participating Agencies on taxicab companies or drivers.

Mutual Indemnification.

OCTA and each Agency shall save, indemnify, defend and hold harmless each other from any and all liability, claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or any injury or damage of any kind whatsoever, whether actual, alleged or threatened, actual

attorney's fees, court costs, interest, defense costs and expenses associated therewith, including the use of experts and any other costs of any nature without restriction incurred in relation to, as a consequence of, or arising out of each party's performance of the agreements herein and attributable to the fault and/or liability by agreement between the parties or by a court of competent jurisdiction. The party responsible for liability to the other will indemnify the other party for the percentage of liability determined as set forth herein. Each party is responsible for the acts or omissions of their own officers, agents, employees, or volunteers.

ADMINISTRATIVE COMMITTEES

Steering Committee.

The OCTAP Steering Committee shall consist of the City Manager, Executive Officer, or their designee, from each Agency, one representative of the tourist industry in Orange County, and two representatives (one "large" and one "small") of the permitted taxicab companies; chosen, via election, by the "small" and the "large" permitted taxicab companies. Taxicab Company representatives must be affiliated with an OCTAP permitted company in good standing. Large taxicab companies are defined as those with more than the average number of vehicles operated by OCTAP permitted companies. Small taxicab companies are defined as those with less than the average number of vehicles operated by OCTAP permitted companies.

The OCTAP Steering Committee will meet quarterly to advise OCTAP on taxicab regulation implementation.

Safety Committee.

The OCTAP Safety Committee shall consist of the Police Chief, County Sheriff, or their designee, from each participating Agency.

The OCTAP Safety Committee will meet quarterly to advise OCTAP and the OCTAP Steering Committee on issues of public safety.

1. GENERAL RULES AND REQUIREMENTS

Each OCTAP Permittee, its management, employees, affiliated drivers, leaseholders, and owner-operators are individually and jointly responsible for complying with OCTAP Regulations; all California Vehicle Codes and Statutes; all applicable federal, state and local laws, statutes, and ordinances; all ordinances of a City, Agency, Airport, or County related to the operation of a taxicab; and all lawful orders, rules, and regulations promulgated thereunder regarding the transportation of customers in a taxicab.

1.1. Permittee.

- 1.1.1. Permittee shall ensure taxicabs are driven only by OCTAP permitted drivers.
- 1.1.2. Permittee shall not operate a taxicab, without a valid Taxicab Permit from OCTAP.
- 1.1.3. Permittee shall notify OCTAP within 48 hours of an affiliated driver who became unqualified or unauthorized to drive a taxicab or upon termination of employment or affiliation with a Permittee.
- 1.1.4. Permittee shall maintain all programs and requirements for receiving a Company Permit and verify the continuous enrollment of affiliated drivers in their OCTAP approved drug and alcohol testing program and DMV Pull Notice program.
- 1.1.5. Permittee shall comply with any separate requirements that may have been adopted by any Agency in which Permittee intends to operate, including, but not limited to, establishment of a franchise and the payment of business license fees or taxes.
- 1.1.6. Permittee shall cooperate fully with OCTAP staff, including during any verification and compliance to OCTAP Regulations process or inquiry.
- 1.1.7. Permittee shall notify OCTAP staff when vehicles are removed from service and will surrender OCTAP vehicle permits in accordance to Section 4.6.

1.2. Permitted Drivers.

- 1.2.1. A driver must possess and display a valid OCTAP Driver Permit in order to operate a taxicab and at all times that the taxicab is in operation, and does not display an out of service sign.
- 1.2.2. A driver shall not operate a taxicab without a valid OCTAP Taxicab Permit.
- 1.2.3. Permitted Drivers shall adhere to all regulations related to Taxicab Operation in Section 6.
- 1.2.4. Permitted Drivers may only pick up passengers in the area of jurisdiction of those agencies that have approved the Permittee he/she represents.

- 1.2.5. Driver must always run the taximeter when transporting a passenger. The fare charged the customer may not exceed the fare indicated on the taximeter except as provided in Section 6.8.
- 1.2.6. Permitted Drivers shall cooperate with the Permittee, Law and Code Enforcement Officers, and OCTAP, including random testing and all vehicle inspections.
- 1.2.7. The Driver Permit must be displayed in the passenger side area of the dashboard, easily viewable from inside or outside of the vehicle. The Driver Permit must be attached in a way that makes it removable by the driver to provide to law enforcement, code enforcement officers, or OCTAP staff, when requested. The driver's California driver license number on the Driver Permit may be covered by a removable label, if desired. No other alterations, covered, or hidden information to the OCTAP Driver Permit is allowed.
- 1.2.8. A driver in possession of an altered or defaced permit will not be considered to be in possession of a valid driver's permit.
- 1.2.9. A driver shall not display another person's OCTAP Driver Permit or allow another person to use their Driver Permit.
- 1.2.10. Each Permitted Driver shall conduct itself in a professional manner to maintain a favorable public image for the taxicab industry.

2. COMPANY PERMITS

No Company shall operate a taxicab business, or advertise as a taxicab business, within the Area of Jurisdiction of an Agency without having first obtained a Company Permit from OCTAP and without first obtaining permission from the Agency to operate in the Area of Jurisdiction of such Agency, if the Agency's legislative body requires such permission or permitting.

2.1. Company Permit Requirements.

A Company Permit shall be issued from OCTAP when the following conditions have been satisfied:

- 2.1.1. Submission of a complete Company Permit application package.
- 2.1.2. Submission of a copy of the applicant's drug and alcohol policy meeting OCTAP requirements and proof that the applicant has implemented a Drug and Alcohol Certification Program covering all its affiliated permitted drivers pursuant to the then current

Government Code §53075.5 (and any successor legislation) and meeting the following requirements.

- 2.1.2.1. A contract with a drug and alcohol program administrator and authorized lab, approved by OCTAP, certified by the U.S. Department of Transportation.
- 2.1.2.2. Procedures and components substantially as in Part 40 of Title 49 of the Code of Federal Regulations, for pre-employment or pre-licensing, and licensing renewal.
- 2.1.2.3. Procedures and components substantially as in Part 382 of Title 49 of the Code of Federal Regulations for rehabilitation, return-to-duty and follow up testing.
- 2.1.2.4. Procedures and components for random testing following U.S. Department of Transportation guidelines, annual minimum random testing rates, and additional tests as required following accidents, rehabilitation, return-to-service, and other circumstances providing reasonable suspicion to test.
- 2.1.2.5. Monthly reports of the random testing component are made available to OCTAP by the program administrator no later than the 20th day following the end of the previous monthly reporting period.
- 2.1.2.6. The applicant's and program administrator's records shall be made available to the OCTAP Administrator upon request.
- 2.1.2.7. The test results must be provided to OCTAP and the Permittee by the testing facility.
- 2.1.2.8. Drivers must show a valid California driver license at the time and place of testing.
- 2.1.3. Submission of evidence of insurance, in full force and effect, in such form as required by OCTAP, issued by a solvent and responsible company licensed to do business in the State of California, insuring the applicant against loss by reason of injury or damage that may result to persons, including taxicab passengers, or property, from the negligent operation or maintenance of such taxicab.
 - 2.1.3.1. Applicant shall provide a Certificate of Insurance and Insurance Policy Binder showing that the applicant is insured

for a minimum combined single limit of one million dollars (\$1,000,000) for the injury or death of one or more persons in the same accident, and one hundred thousand dollars (\$100,000) for injury or destruction of property with an insurer with a minimum AM Best Rating of A-7. Each insurance policy required by these regulations shall waive all rights of subrogation against OCTA, OCTAP and its member agencies, including the County of Orange, their elected and appointed officials, officers, directors, employees, agents and volunteers. No self-insured retention shall be allowed.

2.1.3.2. Deductibles shall not exceed ten thousand dollars (\$10,000) per occurrence. In addition, the applicant shall direct the insurance company to provide OCTAP copies of Endorsements to the insurance policy 1) naming OCTA, OCTAP and its member agencies, including the County of Orange, their elected and appointed officials, officers, directors, employees, agents and volunteers as additional insureds; and 2) indicating that coverage shall not be reduced, terminated or cancelled without thirty (30) days prior written notice to OCTAP; and 3) the OCTAP special endorsement must be completed and duly executed by the agent or broker of record and submitted along with the proof of insurance.

2.1.3.3. At least one (1) business day prior to the expiration of the current policies, a Permittee shall submit insurance binders evidencing insurance coverage for the policy period subsequent to the expiration of the current policies. Lapses or interruptions of insurance coverage shall cause an immediate suspension of the Company Permit, pending revocation, and an immediate revocation of all Taxicab Permits issued to the Permittee. Reinstatement of a Company Permit may require payment of applicable fees and/or fines. Furthermore, if reinstated, any taxicab(s) a Permittee desires to be placed back into service will require the issuance of a new Taxicab Permit with applicable fees paid.

2.1.4. Submission of financial documents and other information as required by OCTAP.

2.1.5. Submission of Department of Motor Vehicles (DMV) Pull Notice Program Requester Code Number issued to applicant, as defined in Vehicle Code Section 1808.1 and continuous enrollment in the Pull Notice program. All affiliated taxicab drivers must be enrolled

within seven (7) calendar days from inception of the program or date of affiliation. Permittees are required to notify the OCTAP Administrator upon receipt of a DMV Pull Notice for any affiliated driver that indicates an action that would no longer qualify the driver for a Driver Permit. Permittee shall require the driver to immediately cease operation and surrender their Driver Permit to Permittee. Permittee shall return the Driver Permit to the OCTAP Administrator within 48 hours of DMV Pull Notice receipt. DMV Pull Notice records shall be made available to the OCTAP Administrator within 48 hours of request.

- 2.1.6. Submission of proof of current California Department of Motor Vehicles registration for each taxicab listed in the Company Permit application. All taxicabs listed in the Company Permit application shall be registered pursuant to Section 5.11.
- 2.1.7. Every owner, partner, or principal officer of applicant has submitted to Live Scan fingerprinting at an approved California Department of Justice finger printing agency to initiate a Department of Justice (DOJ) background check (first time applicants only unless otherwise required) and has enrolled in the DOJ subsequent arrest notification program.
- 2.1.8. Every owner, partner, or principal officer of applicant has successfully cleared all background checks.
- 2.1.9. At the time the Company Permit application is submitted, the applicant shall provide to OCTAP a list of OCTAP permitted drivers authorized to operate the taxicabs.
- 2.1.10. Payment of all applicable fees.
- 2.1.11. Submission of proof, acceptable to the OCTAP Administrator, that applicant Company will meet the following service standards during its term of operation.
 - 2.1.11.1. Company shall maintain and provide year-round, 24-hour live human response telephone service to provide trip reservation and taxi dispatch services, or referral services. A referral service may consist of service calls that are forwarded directly to another OCTAP Permitted Taxicab Company during hours of non-operation, provided that the Permittee has a written agreement with the receiving taxicab company. A referral service may also consist of a live-human response, providing the name and telephone number

of another OCTAP permitted Taxicab Company. All calls to a company service line are to be answered within 5 rings.

2.1.11.2. Company shall have a principal place of business from which it conducts its activities as a taxicab company and related activities. Multiple locations for other activities such as storage, maintenance/repair, etc., are allowed. For the purposes of these regulations, and as long as the Company has provided OCTAP with a valid address for the receipt of notices and correspondence from OCTAP, a "principal place of business" may be a taxicab.

2.1.11.3. Company shall provide electronic processing of credit cards using a magnetic swipe or microchip reader (when microchip reader is required by applicable state and federal law) as a method of payment to customers and issue a receipt for credit card payment. The company receipt must include the company name, phone number, driver identification, taxicab or fleet number, charge amount and the date and time of the transaction. Accepted credit cards must, at minimum, include MasterCard® and Visa®. A customer's personal and credit card information may only be used, processed, disseminated, and retained in accordance with current laws and standards.

2.1.11.4. Company shall maintain the ability to provide OCTAP, upon request, the following:

- Driver name or Permit number of driver responding to service request.
- Location of pickup request address, cross street, business name, etc.
- Identification of person taking service request.
- Date and time request was made. Record is to be time stamped with the time received, or may be electronically time stamped through the use of a computer aided dispatch (CAD) system.
- Estimated arrival time, if provided to customer.
- Taxicab identification number.
- Time service request was sent to the driver. Record is to be time stamped with the time request was transmitted to a driver, or may be electronically time stamped through the use of a computer aided dispatch (CAD) system.

- 2.1.11.5. Company shall keep order and dispatch records readily available to OCTAP for at least ninety (90) days.
- 2.1.11.6. Company shall have a written lost and found policy that includes the return of lost articles to the customer, and submit a written outline of the process to OCTAP for review as part of the permitting process.
- 2.1.11.7. Company shall have a policy in place to receive complaints. The complaint policy must contain the mechanism for receiving complaints, investigation, and final resolution of complaints, as well as corrective actions. All complaints must be responded to in an expedient, responsible, and professional manner.
- 2.1.11.8. Company shall submit their planned vehicle design including color, name, and graphics for approval by OCTAP. The design shall not imitate or be in conflict with any other permitted taxicab company design or obstruct required customer information decals or postings.
- 2.1.12. The OCTAP Administrator may require additional verification including periodic reviews for compliance with the requirements defined herein.
- 2.1.13. OCTAP Company Permit number must be conspicuously posted in all company advertisement and media, as required by California Government Code 53075.9. Posting must be worded as "OCTAP Company Permit #XXX". Additionally, advertisements must use the OCTAP permitted company name.

2.2. Company Permit Denial.

A Company Permit shall be denied if any of the following apply to an applicant Company or to any owner, partner, or principal officer of an applicant Company:

- 2.2.1. Is less than 18 years of age.
- 2.2.2. Falsifies material information on the application for Company Permit.
- 2.2.3. Is a registered sex offender pursuant to California Penal Code Section 290.
- 2.2.4. Is on formal probation or parole for any offense outlined in this Sections 2.2.5., 2.2.6., or 2.2.7.

- 2.2.5. Is convicted (or pleads guilty or nolo contendere) in any state for any of the following: murder; robbery; pandering; pimping; crimes related to the sale or transportation of controlled substances, including marijuana; crimes involving the use of a weapon; or any other offense involving moral turpitude, or any crime that is substantially related to the qualifications, functions or responsibilities of a Permittee.
- 2.2.6. Is convicted (or pleads guilty or nolo contendere) in any state for a felony other than those listed in Section 2.2.5., within eight (8) years of the application.
- 2.2.7. Has any conviction within five (5) years of application (or plea of guilty or nolo contendere) in any state or has any final administrative determination of a violation of any statute, ordinance, or regulation reasonably and rationally pertaining to the same or similar business operation which would have resulted in suspension or revocation of the Company Permit under these regulations.
- 2.2.8. Operation of its business without the insurance required in Section 2.1.3.
- 2.2.9. Is held liable under any judgment, decision or determination by any public or regulatory agency for operating taxicabs without the requisite insurance after January 1, 1998.
- 2.2.10. Failing to fully satisfy any court judgment entered against the Company arising from liability for operating taxicabs, including, but not limited to, judgments related to collisions or operating without the requisite insurance, within 10 years from the date that the judgment was originally entered pursuant to California Code of Civil Procedure Sections 683.020 and 683.030 or, if the judgment has been renewed, within 10 years from the date that the application for renewal of judgment is filed pursuant to California Code of Civil Procedure 683.120.
- 2.2.11. Failure to provide required evidence of service standard compliance pursuant to Section 2.1.11.
- 2.2.12. For good cause, subject to appeal pursuant to Section 8. Good cause is defined to include, but is not limited to, arrests, charges, offenses, or convictions related to the responsibilities and functions of a taxicab company not specifically outlined in this section, that would be prudent to consider in order to protect the public.

2.3. Company Affiliated Drivers.

At the time the Company Permit application is submitted, the applicant shall provide to OCTAP a list of OCTAP permitted drivers authorized to operate the taxicabs.

A Permittee may add drivers to its list of drivers authorized to operate the taxicabs identified in the Company Permit, provided that the driver to be added has been issued a Driver Permit by OCTAP which states the driver is affiliated with the Permittee.

2.4. Company Permit Issuance.

Upon applicant's satisfaction of the conditions listed in Company Permit Requirements, applicant shall be issued an OCTAP Company Permit within five (5) business days.

2.5. Term of Company Permit.

The Company Permit is valid for either one (1) or three (3) year(s) from the date of its issuance unless sooner suspended or revoked.

2.6. Company Permit Renewal.

No less than sixty (60) days prior to the expiration of the Company Permit, the Permittee shall submit an application for renewal of its Company Permit in order to allow sufficient time to review the application for renewal. Failure to submit an application for renewal of the Company Permit at least sixty (60) days prior to the current expiration could result in a lapse in the Company Permit and suspension or revocation of taxicab permits. A lapse in the Company Permit may require a company to submit an application and fees for a new Company Permit, and fees for taxicab permit(s).

2.7. Company Permit Suspension/Revocation.

A Company Permit may be suspended or revoked by the OCTAP Administrator for any of the following reasons:

- 2.7.1. Providing late, false, or inaccurate information in the Company Permit application.
- 2.7.2. Allowing operation of a taxicab by a driver not possessing a valid OCTAP Driver Permit stating that the driver is affiliated with the Permittee.
- 2.7.3. Failure to comply with the OCTAP Regulations.

- 2.7.4. Operation of any taxicab at a rate of fare higher than the authorized meter rates established by OCTAP or an agency program as described in Section 2.10.
- 2.7.5. Failure to cooperate with an Agency's law enforcement officers, code enforcement officers, OCTAP staff, and/or California Highway Patrol.
- 2.7.6. Operating its business in violation of the insurance requirements in Section 2.1.3.
- 2.7.7. Failure to comply with the drug and alcohol policy and program required in Section 2.1.2.
- 2.7.8. Failing to fully satisfy any court judgment entered against the Company arising from liability for operating taxicabs, including, but not limited to, judgments related to collisions or operating without the requisite insurance, within 10 years from the date that the judgment was originally entered pursuant to California Code of Civil Procedure Sections 683.020 and 683.030 or, if the judgment has been renewed, within 10 years from the date that the application for renewal of judgment is filed pursuant to California Code of Civil Procedure 683.120.
- 2.7.9. Circumstances providing grounds for denial of a Company Permit as outlined in the OCTAP Regulations.
- 2.7.10. Violating Government Code Section 53075.9 pertaining to advertising.
- 2.7.11. For good cause, subject to appeal pursuant to Section 8. Good cause is defined to include, but is not limited to arrests, charges, offenses, and or convictions related to the responsibilities and functions of a taxicab company not specifically outlined in this section, that would be prudent to consider in order to protect the public.

2.8. Company Permit Penalties/Suspensions.

In lieu of revocation, the OCTAP Administrator may impose a penalty in the form of a fine, a period of suspension, or both a fine and period of suspension.

2.9. Right to Appeal.

A Company Permit applicant or Permittee may appeal a Company Permit denial, revocation, suspension, or fine as provided for in Section 8.

2.10. Agency or Other Transportation Agreements.

- 2.10.1. An OCTAP Permittee may participate in agency or other transportation programs within the jurisdiction of OCTAP under the following conditions:
 - 2.10.1.1. Transportation program requirements are attainable within OCTAP regulations and requirements. Agency or other providers may require standards and guidelines that are greater than general OCTAP requirements. It is up to the agency or provider to manage and monitor its program-specific requirements.
 - 2.10.1.2. Permittee is in good standing with OCTAP, maintain all required OCTAP permits, and continue to meet all OCTAP requirements.
 - 2.10.1.3. Permittee must continue to follow all OCTAP regulations.
 - 2.10.1.4. Taxicab driver must continue to display OCTAP Driver Permit regardless of any other agency or program identification that may be required by the sponsoring agency.
 - 2.10.1.5. Permittee may establish a specialized fare structure for agency or program trips through a cooperative agreement with the agency.
 - 2.10.1.6. Taxi meter must be operated any time the driver is carrying a customer, regardless of an agreement pursuant to Section 6.4.

3. DRIVER PERMITS

A driver must be affiliated with an OCTAP permitted company and possess a valid OCTAP Driver Permit in order to operate a taxicab.

3.1. Driver Permit Requirements

A Driver Permit may be obtained from OCTAP, provided the applicant has submitted all of the following:

- 3.1.1. Complete Driver Permit application, signed by a representative of the Permittee to which the driver intends to be affiliated.
- 3.1.2. Valid California driver license.

- 3.1.3. California Department of Motor Vehicles H6 report issued within thirty (30) days of submission of a complete application package, including fees.
- 3.1.4. A negative drug and alcohol screening test administered by the Permittees program administrator within the previous thirty (30) days in compliance with California Government Code Section 53075.5(b)(3).
- 3.1.5. Proof of enrollment in Permittees current and active random drug and alcohol program.
- 3.1.6. Live Scan fingerprints taken at an approved California Department of Justice finger printing agency.
- 3.1.7. Acceptable CDL and DOJ background checks.
- 3.1.8. Payment of all applicable fees.

3.2. Driver Permit Issuance.

A Driver Permit shall be issued within five (5) business days after satisfaction of requirements in Section 3.1.

3.3. Term of Driver Permit.

A Driver Permit is valid one (1) year from the date of issuance, unless sooner suspended, revoked, otherwise terminated, or when issued based on a temporary or interim California driver license.

3.4. Renewal of Driver Permit.

Up to sixty (60) working days prior to the expiration of the Driver Permit, the driver may reapply for a Driver Permit pursuant and subject to Section 3 in order to allow time to review the application for renewal. The renewal of a Driver Permit shall be granted within five (5) business days of satisfaction of all requirements for renewal.

If a Driver Permit expires before approval of renewal, the driver will not be allowed to operate a taxicab until the renewal is approved, a renewal Driver Permit is issued, and the Driver Permit is in the driver's possession.

Drivers who do not apply to renew prior to the expiration of their permit will be charged late fees in accordance with the OCTAP fee structure.

3.5. Driver Permit Limitation.

An OCTAP Driver Permit is only valid for the driver to operate a taxicab for the Permittee indicated on the Driver Permit. A driver may not operate a taxicab for another company without completing the following:

- 3.5.1. Submitting an application to OCTAP transferring the company affiliated status and paying a transfer fee pursuant to Section 3.8.
- 3.5.2. Executing a proper lease, sublease, or owner-operator agreement with an OCTAP permitted company.
- 3.5.3. Reproduction of a Driver Permit is strictly prohibited for any reason with the exception of company management copying the permit for recordkeeping purposes.

3.6. Replacement Driver Permit.

A replacement for a lost Driver Permit, or a subsequent Driver Permit previously issued based on a temporary or interim California driver license, may be obtained from OCTAP, provided that the driver has submitted the following:

- 3.6.1. A replacement Driver Permit application along with the Driver Permit replacement fee.
- 3.6.2. A valid California driver license.
- 3.6.3. A California Department of Motor Vehicles H6 report issued within thirty (30) days of submission of a complete replacement application package, including fees.
- 3.6.4. Verification of enrollment in Permittees current and active Random Drug and Alcohol program.
- 3.6.5. Driver shall not operate a taxicab until a replacement permit is obtained and in possession of the driver pursuant to this section.

3.7. Expiration of Replacement Driver Permit.

A replacement Driver Permit shall expire on the same date as the lost original Driver Permit and shall not exceed the driver's annual permit period.

3.8. Driver Permit Transfer to Another Company.

A driver may request the transfer of his/her Driver Permit to another Permittee provided the driver has submitted the following to OCTAP:

- 3.8.1. A Driver Permit application signed by an authorized representative of the prospective Permittee.
- 3.8.2. The Driver Permit transfer fee.
- 3.8.3. Valid California driver license.
- 3.8.4. A California Department of Motor Vehicles H6 report issued within thirty (30) days of submission of a complete application package, including fees.
- 3.8.5. OCTAP Driver Permit to be transferred.
- 3.8.6. Verification of enrollment transfer in Permittees current and active random drug and alcohol program.
- 3.8.7. Driver shall not operate a taxicab until the transfer permit is obtained and in possession of the driver pursuant to this section.
- 3.8.8. A transferred Driver Permit shall expire on the same date as the original Driver Permit and shall not exceed the driver's annual permit period.

3.9. Driver Permit Denial.

A Driver Permit shall be denied if applicant:

- 3.9.1. Is less than 18 years of age.
- 3.9.2. Does not possess a valid California driver license (Class C).
- 3.9.3. Fails to enroll in the required random drug and alcohol program.
- 3.9.4. Fails the required drug and/or alcohol test. Upon testing positive for drugs and/or alcohol, the applicant shall not be eligible to reapply for a Driver Permit for a period of one (1) year from the test date.
- 3.9.5. Falsifies, or fails to disclose, material information on the application for a Driver Permit.
- 3.9.6. Is required to register as a sex offender pursuant to California Penal Code Section 290.
- 3.9.7. Is on formal probation or parole for any offense outlined herein.

- 3.9.8. Is convicted (or pleads guilty or nolo contendere), regardless of the time elapsed, in any state, of any of the following or their equivalent: murder; a violation of California Vehicle Code Section 2800.2 (pertaining to disregard for safety of persons or property), Section 2800.3 (pertaining to flight from peace officer causing death or bodily injury), or Section 20001 (pertaining to duty to stop at scene of accident); robbery; pandering; pimping; crimes related to the manufacture, use, sale, possession, or transportation of controlled substances; sale or transportation of marijuana; crimes involving weapons; any crime for which registration would be required under California Penal Code Section 290; crimes involving credit card fraud or use of another person's identifying information without authorization (California Penal Code 530 or equivalent or substitute sections); or any other offense involving moral turpitude or any crime that is substantially related to the qualifications, functions or responsibilities of a taxicab driver.
- 3.9.9. Is convicted of any felony in any state (or pleads guilty or nolo contendere), other than those felonies listed in Section 3.9.8, within eight (8) years of application.
- 3.9.10. Is convicted (or pleads guilty or nolo contendere) of any of the following within five (5) years of application: reckless driving; driving under the influence of intoxicating liquors or drugs (DUI); use or possession of marijuana; a violation of California Vehicle Code Section 2800.1 (pertaining to flight from peace officer); Section 20002 (pertaining to duty where property is damaged), Section 20003 (pertaining to duty upon injury or death) or any corresponding substitute sections; vehicular manslaughter; and Penal Code Sections 240, 241, 242, and 243 or any corresponding substitute sections pertaining to assault and battery.
- 3.9.11. For good cause, subject to appeal pursuant to Section 8 below. Good cause is defined to include, but is not limited to, arrests, charges, offenses, and/or convictions related to the responsibilities and functions of a taxicab driver, not specifically outlined in this section, that would preclude an applicant from possessing an OCTAP Driver Permit.

3.10. Driver Permit Suspension/Revocation.

A Driver Permit may be suspended or revoked by the OCTAP Administrator for any of the following reasons:

- 3.10.1. Failure to comply with the applicable provisions (including timeliness of submissions) of the OCTAP Regulations.

- 3.10.2. Circumstances providing grounds for denial of a Driver Permit as outlined in the OCTAP Regulations.
- 3.10.3. Revocation or suspension of driver's California driver license.
- 3.10.4. Driver's failure to cooperate with an Agency's law enforcement officers, code enforcement officers, OCTAP staff, and/or California Highway Patrol officers.
- 3.10.5. Notification to OCTAP by the Permittee that the driver is no longer an authorized driver for the Permittee.
- 3.10.6. Testing positive on a drug and alcohol screening, or failure to submit to Permittees random drug and alcohol testing program.
- 3.10.7. Not enrolled and active in the required random drug and alcohol program.
- 3.10.8. Notification of any matter requiring such action by OCTAP.
- 3.10.9. For good cause pursuant to Section 8, subject to appeal. Good cause is defined to include, but is not limited to, arrests, charges, offenses, and or convictions related to the responsibilities and functions of a taxicab driver, not specifically outlined in this section, that would preclude a driver from possessing an OCTAP Driver Permit.
- 3.10.10. A driver who has had a permit revoked shall be prohibited from applying for a new Driver Permit for one (1) year from the date of revocation.

3.11. Driver Permit Penalty/Suspension.

In lieu of revocation, the OCTAP Administrator may impose a penalty in the form of a fine, a period of suspension, or both a fine and a period of suspension as specified in the OCTAP Regulations.

3.12. Driver Permit Denial.

A Driver Permit applicant may appeal a permit denial, suspension or revocation as provided for in Section 8.

3.13. Driver Permit Surrender.

A Driver Permit holder shall cease to work immediately and shall surrender, within two (2) business days, his/her Driver Permit to OCTAP upon its expiration, suspension, revocation, or upon termination of his/her employment or affiliation with a Permittee.

4. TAXICAB PERMITS

4.1. Taxicab Permit Required.

No person shall operate a taxicab, or advertise a taxicab business, within the Area of Jurisdiction of an Agency without a Taxicab Permit from OCTAP.

4.2. Inspections.

OCTAP will complete a vehicle inspection prior to issuance, renewal, or replacement of a Taxicab Permit. Upon meeting all inspection standards and upon passing the taxicab inspection, OCTAP shall issue and install a nontransferable Taxicab Permit on each approved taxicab. The Taxicab Permit must remain affixed to the left-hand corner of the rear window of the taxicab for which the Permit is issued. A Taxicab Permit is valid for one (1) year from date of issuance, unless suspended or revoked for cause by OCTAP.

4.2.1. In addition to the initial and annual taxicab inspection, all taxicabs operated under OCTAP authority shall submit to random inspections by OCTAP inspectors, Agency peace officers, or Agency code enforcement officials. Failure to submit to an inspection may result in suspension or revocation of the Taxicab Permit and other administrative actions. OCTAP inspectors will complete a random inspection report at the time of inspection which shall indicate what repairs, if any, need to be made to the taxicab. Failure to meet applicable standards or the failure of any critical component, or multiple defects can be the basis to immediately place the taxicab into either "Must Repair" or "Out of Service" status. OCTAP shall provide a copy of the report to the Permittee. Agency Peace Officers may cite the drivers and companies for violations of the OCTAP regulations that are included their city's Municipal Code, or the California Vehicle Code, and will notify OCTAP of the actions taken for appropriate OCTAP follow up action.

4.2.2. If a taxicab fails any inspection due to Minor Items, the taxicab will be placed into "Must Repair" status. The Permittee is required to present the taxicab to OCTAP for re-inspection within ten (10) calendar days to verify that the required repairs have been made. If

the taxicab was placed into “Must Repair” status by the inspector, the vehicle may remain in service for up to ten (10) calendar days while repairs are made and completion of the repairs is verified by an OCTAP re-inspection. A re-inspection fee shall be required at the time of re-inspection.

- 4.2.3. In the event that all required repairs have not been made to a taxicab placed in “Must Repair” status within ten (10) calendar days, the Taxicab Permit will be revoked and must be surrendered to OCTAP. A new annual inspection will be required to place the taxicab back into service.
- 4.2.4. If a taxicab fails any inspection due to Major Items, the inspector shall place the taxicab into “Out of Service” status and shall suspend and remove the Taxicab Permit pending repairs and re-inspection. If the taxicab is placed into “Out of Service” status by the inspector, the taxicab may not be placed back into revenue service until it passes a re-inspection. A re-inspection fee shall be required at the time of re-inspection.
- 4.2.5. Upon correction, payment of fees, and passing a re-inspection, OCTAP shall reinstate the Taxicab Permit using the original expiration date.

4.3. Non-Permitted Vehicles.

Taxicabs that do not possess a valid OCTAP Taxicab Permit must display “Not In Service” signs indicating the vehicle is not available for service when on a public roadway. Signs must be a minimum size of 8 ½” x 11” with lettering which is visible up to at least 50 feet. Window signs shall be used and must be placed in both left and right rear side windows. If magnetic signs are used, they must be placed on one door of each side of the taxicab. If equipped, a not in service top light may additionally be used.

4.4. Vehicle Replacement.

OCTAP shall issue a Taxicab Permit for a replacement taxicab, valid for the time remaining under the Taxicab Permit of the replaced taxicab, upon satisfaction of the following conditions:

- 4.4.1. Permittee submits the new taxicab within two weeks of the time that the original permit is surrendered.
- 4.4.2. Surrender of an identifiable existing Taxicab Permit to OCTAP.
- 4.4.3. Payment of Vehicle Permit replacement fee.

4.4.4. The proposed replacement taxicab passes a taxicab inspection.

4.5. Taxicab Permit Renewal.

A Taxicab Permit shall be renewed annually by scheduling and presenting a taxicab to the OCTAP facility for inspection, and by paying all applicable fees.

4.5.1. Upon the successful completion of the taxicab inspection, OCTAP shall affix a new expiration year to the Taxicab Permit.

4.5.2. A taxicab presented for inspection after the permit expiration date will be charged late fees, up to and including the date the taxicab permit is renewed (in accordance with the current OCTAP Fee Structure), and subjects the Permittee to other administrative actions and fines.

4.6. Taxicab Permit Surrender.

A Permittee, when selling or removing a taxicab from the fleet, must assure that the OCTAP Taxicab Permit, welcome decals, and other OCTAP taxicab markings are removed and that the vehicle cannot be mistaken by the public as an authorized taxicab. OCTAP Permits and welcome decals must be surrendered to OCTAP.

4.6.1. A Permittee must immediately surrender the Taxicab Permit to OCTAP if a taxicab has been removed from the OCTAP approved insurance policy, if the Taxicab Permit is revoked, or upon its expiration (if the Taxicab Permit is not to be renewed).

4.6.2. A Permittee who fails to submit to a renewal inspection and fails to surrender a Taxicab Permit to OCTAP shall be charged late fees, up to and including the date of renewal of the taxicab, in accordance with the current OCTAP Fee Structure.

4.6.3. A taxicab permit which is voluntarily surrendered by a Permittee can be replaced upon completion of an annual taxicab inspection and payment of the required fees, or as provided in Section 4.7.

4.7. Replacement Taxicab Permit.

If a Taxicab Permit has been damaged or is missing due to theft or destruction, a replacement permit will be issued to the same taxicab and Permittee, upon completion of an inspection and payment of the required replacement fee. The replacement Taxicab Permit shall be valid for the remaining term of the Taxicab Permit that was replaced.

5. TAXICAB REQUIREMENTS

All taxicabs shall meet all requirements of the current California Vehicle Code. Current California Vehicle Code shall take precedence over any OCTAP taxicab requirement. Certain equipment must be present and fully functional as original equipment provided by the vehicle manufacturer (OEM), as specified in this section. Taxicabs must be maintained to these standards at all times.

5.1. Body Condition.

- 5.1.1. Taxicab must be free from body damage not attributed to normal wear and tear. No frame damage, holes, or loose pieces hanging from the taxicab body are permitted. Front and rear fenders, bumpers, hood, trunk, and trim shall be securely affixed and shall be original or replacement parts from the manufacturer of the vehicle.
- 5.1.2. The exterior of the taxicab shall be maintained in a clean condition and shall be free of excessive dirt, tar, oil, or other signs indicating obvious neglect to wash.
- 5.1.3. The taxicab paint shall not be mismatched, faded, blistered, cracked, chipped, peeled, scratched, or show visible signs of rust.
- 5.1.4. The approved color scheme, name, monogram, or insignia and vehicle markings are consistent with the submitted and approved plan in accordance to Section 2.1.11.8.

5.2. Brake System.

All brakes and component parts thereof shall be maintained in good condition and in good working order, pursuant to California Vehicle Code § 26453.

5.3. Climate Control.

Taxicabs shall be equipped with a defrosting device which is adequate to remove snow, ice, frost, fog, or internal moisture from the windshield, pursuant to California Vehicle Code § 26712.

- 5.3.1. The air conditioning/heating units shall be functional at all times. The air discharged from the air conditioner interior vent system shall be continuously cool. All air conditioning temperature controls and functions shall operate as originally designed and manufactured with no knobs or components broken or missing. Systems shall operate on all OEM speeds with no excessive noise.

5.4. Exhaust System.

No taxicab shall be operated in a manner resulting in the escape of excessive smoke, flame, gas, oil, or fuel residue, pursuant to California Vehicle Code § 27153.

5.5. Fuel Tank Cap.

No taxicab shall be operated or parked upon any highway unless the filling spout for the fuel tank is closed by a cap or cover of noncombustible material, pursuant to California Vehicle Code § 27155.

5.6. Horn.

Taxicabs shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than 200 feet, but no horn shall emit an unreasonably loud or harsh sound, pursuant to California Vehicle Code § 27000.

5.7. Hubcaps or Wheel Covers.

Rims, hubcaps, or wheel covers shall be of like style on all wheels. Also, hubcaps and wheel covers shall be on all wheels for which they are standard equipment.

5.8. Interior Condition.

Passenger compartment, driver compartment, and trunk or luggage area shall be clean, fully operational, and available for customer use. The taxicab must be free of items not related to the operation of a taxicab, and offensive odors, including smoking of any kind, by a passenger or driver.

- 5.8.1. Seat upholstery shall be clean. Interior walls, carpet, flooring, and ceiling shall be kept reasonably clean. No rips or tears are permitted. All repairs shall be done so as to reasonably match the existing interior.
- 5.8.2. Door handles and doors shall be intact, clean and operational. Each door shall be capable of being unlocked and opened from the interior of the taxicab.
- 5.8.3. Dashboards shall be maintained in a manner that is clean and free of loose articles. Dashboards shall be free of cracks, holes, and tears.

5.9. Interior Information.

A 4" x 6" Information Card shall be displayed in both front and rear compartments and in plain view of all passengers at all times that the taxicab is in operation.

- 5.9.1. The Information Card shall contain the following Permittee information: name, business address and telephone number. The Information Card must also include the name, address, website, and phone number of the regulating agency (OCTAP), the authorized fare schedule, and a credit card acceptance statement indicating, at minimum, MasterCard® and Visa® as acceptable forms of payment.
- 5.9.2. The taxicab fleet number must be a minimum height of 1 inch and be located adjacent to, or made part of the interior Information Cards.

5.10. Proof of Insurance.

Taxicab drivers shall at all times carry in the vehicle evidence of the form of financial responsibility in effect for the vehicle, pursuant to California Vehicle Codes § 16020 through 16028.

5.11. California Vehicle Registration.

Evidence of valid and current vehicle registration must be maintained in each taxicab, pursuant to California Vehicle Code § 4462.

- 5.11.1. Registered as a commercial vehicle, pursuant to California Vehicle Code § 260.
- 5.11.2. Registered to the Permittee showing the same Permittee name and address or registered to the OCTAP permitted driver showing the same permitted driver name and address.

5.12. License Plates.

Both front and rear permanent license plates must be present, pursuant to California Vehicle Code § 5202. If plates have not yet been issued by the DMV, proper and original DMV documentation, which authorizes temporary vehicle operation, must be presented to OCTAP. Upon receipt of commercial plates, Permittee must notify and provide a copy of the registration to OCTAP within ten (10) days.

5.13. Lights and Lenses.

- 5.13.1. Headlights shall be operational on both high and low beams, pursuant to California Vehicle Code § 24400.
- 5.13.2. Taillights shall be operational and the light emitted be red in color, pursuant to California Vehicle Code § 24600.
- 5.13.3. Emergency flashers shall be operational, pursuant to California Vehicle Code § 24252.
- 5.13.4. Reverse lights shall be operational, pursuant to California Vehicle Code § 24606(a).
- 5.13.5. Turn signal lights shall be operational, pursuant to California Vehicle Code § 24951(b) (1).
- 5.13.6. Brake lights shall be operational, pursuant to California Vehicle Code § 24603(b).
- 5.13.7. License plate light shall be operational, pursuant to California Vehicle Code § 24601.
- 5.13.8. Interior lights shall be OEM, operational, and set to automatically activate when passengers are entering or exiting the taxicab.
- 5.13.9. Light lenses must be OEM, intact and contain no holes or large cracks.

5.14. Color and Graphic Design.

In accordance to Permittees OCTAP approved color and graphic design, exterior design elements and information shall be permanently affixed to the taxicab and shall consist of Permittees company name, taxi reservation phone number, taxicab number, credit card acceptance statement, "Authorized fare posted inside taxicab" statement, and any other OCTAP approved information or design elements.

- 5.14.1. Permittees company name and taxi reservation phone number shall be placed on each side of taxicab in letters not less than 3 inches in height (in contrasting colors).
- 5.14.2. Permittees taxicab number shall be placed on each side and rear of the taxicab in numbers not less than 3 inches in height in accordance to the OCTAP approved marking scheme.

- 5.14.3. Permittees “Authorized fare posted inside taxicab” statement and credit card acceptance statement shall be placed on each side of taxicab and must be a minimum of one (1) inch in height. Accepted credit cards must, at minimum, include MasterCard® and Visa®.
- 5.14.4. Two OCTAP-issued customer information decals shall be placed on the outside of both side rear windows. The decals shall indicate that the taxicab has been safety inspected and indicate a telephone number to call for information.

5.15. Mirrors.

Taxicab shall be equipped with not less than two mirrors, including one affixed to the left-hand side, pursuant to California Vehicle Code § 26709.

5.16. Muffler.

Taxicab shall at all times be equipped with an adequate muffler in constant operation and properly maintained to prevent any excessive or unusual noise, and no muffler or exhaust system shall be equipped with a cutout, bypass, or similar device, pursuant to California Vehicle Code § 27150(a).

5.17. Parking Brake.

Taxicab parking brake system shall be adequate to hold the vehicle, pursuant to California Vehicle Code § 26451.

5.18. Dispatch Devices.

Taxicabs shall be equipped with a two-way radio, cellular phone, computer system, or other dispatch and communication system, in working order.

5.19. Seat Belts.

Taxicab safety belts must be in good working order for the use of the occupants of the vehicle. The safety belts shall conform to motor vehicle safety standards established by the United States Department of Transportation, pursuant to California Vehicle Code § 27315.

5.20. Steering and Suspension System.

Steering and suspension system shall be in good mechanical order, pursuant to California Vehicle Code § 24002(a)(b).

5.21. Taximeter and Meter Seals.

- 5.21.1. A fully operational taximeter with current and intact seals, or other new metering device approved by the California Division of Measurement Standards.
- 5.21.2. Taximeter shall be certified by the County Sealer of Weights and Measures. The date the meter was certified must be on the seal and shall not be more than thirteen (13) months old. Private meter seals (paper and lead) from a certified meter shop may be used during periods of fare adjustments or when a taximeter has been repaired. Such temporary meter seals shall be valid for thirty (30) days only. Taximeters marked with "Need to Repair" tags, or equivalent, will not be accepted. Temporary meter seals will be accepted when performing annual inspections, provided the vehicle is returned for re-inspection within 10 days or before the temporary seal expires, whichever is sooner. If the only reason for the re-inspection is a temporary meter seal, the vehicle will be failed in service and a minor item re-inspection fee will be required at re-inspection.
- 5.21.3. Taximeter shall be placed in the Taxicab so that the reading dial showing the amount of fare to be charged is fully illuminated and easily seen by the passenger.
- 5.21.4. A taxicab shall be placed in an "Out of Service" status if the taximeter is not working, the seals are broken or missing, the date on the seal is missing or more than thirteen (13) months old, or the authorized fare is not being charged.
- 5.21.5. Taximeter shall not charge a fare other than the authorized fare.

5.22. Tires.

Tires must have tread depth of no less than 1/32 of an inch in any two adjacent grooves, showing no metal or fabric chords or sidewall damage, pursuant to California Vehicle Code § 27465(b).

5.23. Windows.

Front and rear windshield must be free of defects or objects that could obstruct, impair, or reduce the driver's vision, pursuant to California Vehicle Codes § 26708 and §26710.

- 5.23.1. Any replacement glass shall be OEM equivalent in all windows.

5.23.2. Windows shall be operational as originally designed.

5.23.3. No window tinting on windshield or front side windows per California Vehicle Code § 26708.

5.24. Windshield Wipers.

Windshield wipers maintained in good operating condition to provide clear vision through the windshield for the driver, pursuant to California Vehicle Code § 26707.

5.25. Foot Pedal Pads.

OEM rubber pads on all foot controls. Pads shall not be worn or deteriorated to the point that metal is showing.

5.26. Vehicle Age.

OCTAP shall not issue a Taxicab Permit for any vehicle more than ten (10) model years old measured from the current calendar year (example: during calendar year 2016 vehicle must be model year 2006 or later). Vehicles older than ten (10) model years shall not be eligible to operate as a taxicab under any condition.

5.27. Vehicle Maintenance and Records.

All taxicabs shall, at a minimum, be maintained following the service standards recommended by the vehicle manufacturer. Service records and repair or maintenance receipts shall be kept and made available to OCTAP Staff upon request.

5.28 Seating.

All taxicabs shall be equipped to seat no more than eight (8) passengers, excluding the driver.

6. TAXICAB OPERATION

A driver must possess a valid Driver Permit in order to operate a taxicab. Driver shall not operate a taxicab that does not have a properly affixed and valid OCTAP Taxicab Permit. Driver shall ensure daily that the taxicab meets all taxicab requirements prior to placing the taxicab in service. At all times that the taxicab is in operation, and does not display an out of service sign as required in the OCTAP regulations, the Driver Permit must be displayed. Any driver in possession of an altered, copied, or defaced permit will not be considered to be in possession of a valid driver's permit.

6.1. Solicitation.

Driver shall not leave his/her taxicab to solicit passengers.

6.2. Refusal to Transport.

A taxicab driver who is in service, not hired, and able to accommodate passengers, shall not refuse or neglect to transport any orderly person requesting transportation to that person's destination unless the driver can show beyond a reasonable doubt that one or both of the following conditions exist:

- 6.2.1. The driver personal safety is at risk.
- 6.2.2. The taxicab has been previously engaged by another person.

6.3. Direct Routes.

Driver shall carry a passenger to his/her destination only by the most direct and accessible route. With respect to a passenger's destination, a driver shall not:

- 6.3.1. Deceive or attempt to deceive any passenger who rides or desires to ride in his taxicab.
- 6.3.2. Convey or attempt to convey any passenger to a destination other than the one directed by the passenger.
- 6.3.3. Take a longer route to the passenger's destination than is necessary, unless specifically requested to do so by the passenger.
- 6.3.4. Fail to comply with the reasonable and lawful requests of the passenger as to speed.

6.4. Fares Charged.

Driver shall not charge fares or charges higher than those authorized in the OCTAP Regulations. Furthermore, the driver shall activate the taximeter and keep it activated at all times while carrying a fare-paying passenger.

6.5. Credit Card Payment.

In-vehicle electronic processing of credit cards using a magnetic swipe or microchip reader (when microchip reader is required by applicable state or federal law) as a method of payment to customers and issue a receipt for credit card payment. Accepted credit cards must, at minimum, include the acceptance of MasterCard® and Visa®. A customer's personal and credit card information may only be used, processed, disseminated, and retained in accordance with current laws.

In-vehicle electronic processing is defined to mean that a customer's credit card information is electronically transmitted through a device intended for that purpose by means of a magnetic swipe or microchip reader. Credit card information may not be transmitted in any way to 3rd parties to perform a transaction.

In-vehicle electronic processing is defined to mean that a customer's credit card information is electronically transmitted through a device intended for that purpose by means of a card swipe or chip reader. Credit card information may not be transmitted in any way to 3rd parties to perform a transaction.

6.6. Receipt.

Driver shall provide a receipt for the amount charged upon the request of the person paying the fare. Cash receipts and credit card receipts for payments using a device other than a credit card processing device provided by the Permittee, must contain the driver's name and permit number, telephone number, company affiliation name, charge amount, date, and time of transaction.

6.7. Accidents.

In the case of an automobile accident, unless rendered incapable, all drivers operating an OCTAP permitted taxicab shall comply with the minimum requirements for the mandatory exchange of information established in California Vehicle Code § 16025.

6.8. Agency or other Transportation Agreements.

Permitted OCTAP drivers may participate in agency or other transportation programs within the jurisdiction of OCTAP under the following conditions:

- 6.8.1. The driver must continue to follow all OCTAP regulations.
- 6.8.2. Taxicab driver must continue to display OCTAP Driver Permit regardless of any other identification that may be required by the program or agency.
- 6.8.3. Taxi meter must continue to be operated at any time that the driver is carrying a customer, regardless of any other fare agreement.

6.9. Advertising.

Every permitted driver shall include in every written or oral advertisement of the drivers taxicab services, the name of the Permittee, the Permittee OCTAP permit number, and drivers OCTAP permit number. An advertisement includes, but is not limited to, the issuance of any card, sign, or device to any person; the causing, permitting, or allowing the placement of any sign or marking on or in any building or structure; or an advertisement in any media form, including newspaper, magazine, radio

wave, satellite signal, or any electronic transmission, or in any directory soliciting taxicab transportation services.

6.10. Additional Operational Requirements.

- 6.10.1. Driver shall not carry more passengers in the taxicab than are authorized by the manufacturer's recommendations. Operational seat belts must be available for all passengers.
- 6.10.2. Driver shall operate a taxicab in accordance with all applicable state and local laws and regulations and with due regard for the safety, comfort, and convenience of passengers, and of the general public.
- 6.10.3. Driver will not knowingly operate a taxicab equipped with a faulty or inaccurate taximeter, or a taximeter that shows signs of having been tampered with, or is not sufficiently illuminated, or the face of the taximeter cannot be easily seen by the passenger, or does not have properly attached and dated seals.
- 6.10.4. Driver Permit must be displayed in the passenger side dashboard area, no alterations or information covered or hidden, so that passengers and law enforcement officers can easily view the permit from inside or outside of the vehicle. The Driver Permit must be attached in a way that makes it removable by the driver to provide to law enforcement, code enforcement officers, or OCTAP staff, when requested. If the driver's California driver license number appears on the Driver Permit, it may be covered by a removable label, if desired.
- 6.10.5. Nothing in this Section shall prohibit OCTAP or an Agency from requiring a Permittee or driver to comply with such additional operational requirements for safe, efficient and courteous service for the traveling public.

7. NON-PERMITTED TAXICAB OPERATION AND ADVERTISING

7.1. Information Warranting an Investigation.

The following information, provided by any person who identifies themselves and provides their contact information, will be deemed sufficient to warrant an investigation:

1. Reports alleging illegal taxicab operation shall require all of the following information be provided:
 - Date, time and location;

- Description of activity;
 - Vehicle's license plate number, color, make and model, and any distinctive characteristics.
2. As to an alleged violation of Government Code Section 53075.9 pertaining to advertising, a copy or sample of the advertising information (such as the sign, business card, advertising display, webpage, electronic recording or phone directory) evidencing non-compliance with the statute must be provided.
- 7.1.1. Upon review of the information required, and if the OCTAP Administrator or designee determines that the evidence warrants it, the OCTAP Administrator or designee will investigate for violation of OCTAP Regulations and issue any appropriate administrative action, including fines.
- 7.1.2. OCTAP will investigate reports and refer verified bandit taxi activity incidents to the local code or law enforcement agency with a request for appropriate action(s).

8. APPEALS AND ADMINISTRATIVE HEARINGS

In the event a permit is denied, suspended, revoked, or a penalty imposed, the applicant, Permittee, or driver shall be notified in writing of the adverse action and the reason(s) supporting it.

8.1. Notice of Appeal.

No later than ten (10) calendar days following the date on the notice of adverse action, the applicant, Permittee, or driver may submit a written appeal on a form provided by OCTAP. The applicant, Permittee, or driver shall set forth in the appeal the reason(s) why such action is not proper. Failure to file a timely appeal shall constitute a waiver of the right to an appeal.

8.2. Stay.

Except as provided in Section 8.3., if an appeal is properly filed the adverse action shall be stayed pending the final determination on appeal.

8.3. Stay, Exception.

If, in the OCTAP Administrator's opinion, the continued operation of a taxicab, possession of a Company Permit, or possession of a Driver Permit represents a health or safety hazard for the public, the adverse action shall not be stayed pending the final determination on appeal.

8.4. Initial Review of Appeal.

If an appeal is timely filed, the OCTAP Administrator shall either make the final decision regarding the appeal or shall assign a hearing officer to make the final decision regarding the appeal. The OCTAP Administrator may review the appeal and any additional information provided therein and shall have the discretion to determine the appropriate action in response to the appeal.

8.5. Hearing Officer.

In the event the OCTAP Administrator elects to assign a hearing officer to decide the appeal then the following shall apply:

- 8.5.1. The hearing officer shall not be an OCTA employee.
- 8.5.2. The hearing officer shall expeditiously schedule the appeal hearing.
- 8.5.3. The appellant and the OCTAP Administrator or the Administrator's designee shall each have the right to appear in person and be represented by legal counsel or other representative, to present evidence, to call and cross-examine witnesses under oath, and to present argument.
- 8.5.4. The formal rules of evidence shall not apply, and any relevant evidence that is the sort of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs shall be admissible.
- 8.5.5. Hearsay evidence may be considered by the hearing officer, but no findings may be based solely on hearsay evidence unless supported or corroborated by other relevant and competent evidence.
- 8.5.6. The OCTAP Administrator may promulgate supplementary rules and procedures for the conduct of the hearing, the forms of notice and proceedings, and the preparation and submission of the record.
- 8.5.7. The hearing officer shall have the discretion to determine the appropriate action in response to the appeal.
- 8.5.8. The decision of the hearing officer shall be the final administrative remedy and shall be binding upon the parties to the appeal.

- 8.5.9. If the hearing officer decides to suspend or revoke a permit, the appellant shall immediately surrender the permit to the OCTAP Administrator.

8.6. Administrative Hearings.

Administrative hearings may be held at the discretion of the OCTAP Administrator when the denial, suspension, or revocation of a Company Permit or Driver Permit, or other administrative actions, are initiated for good cause and in the interest of the health, welfare, and safety of the public.

9. PERMIT FEES AND TAXICAB FARES

9.1. OCTAP Permit Fees.

A schedule for Permit fees will be proposed by the OCTAP Administrator, reviewed and recommended by the OCTAP Steering Committee, and approved by the OCTA Board of Directors in the amount necessary to recover all costs incurred by OCTA in the administration of OCTAP. The fee schedule adopted by the OCTA Board of Directors is attached hereto as "Attachment 1."

9.2. Taxicab Fares.

Driver must always run the taximeter when transporting a passenger. The fare charged the customer may not exceed the fare indicated on the taximeter except as provided in Section 6.8.

9.3. Metered Rates.

Taxicab metered rates are established by OCTAP.

- 9.3.1. Each Agency agrees to adopt the metered rates approved by the OCTAP Steering Committee, which is attached hereto as "Attachment 2."

- 9.3.1.1. Proposed revisions to the Metered Rate will be provided for consideration to the Steering Committee at a regularly scheduled quarterly meeting of the Steering Committee, or the Steering Committee may approve consideration of a revised Metered Rate recommended by a member.

- 9.3.1.2. The Steering Committee shall set a public hearing to receive comments from the public regarding any proposed revised Metered Rate. The public hearing may be set for the next regularly scheduled quarterly meeting date of the Steering Committee, or another time and place not less than forty-five

(45) days from the date of introduction of the proposed revised Metered Rate.

- 9.3.1.3. The OCTAP Administrator shall notify OCTA Staff, the City Manager of each participating Agency, taxicab company Permittees, and representatives of the Orange County tourism industry, and shall post and publish a public notice of the public hearing in a newspaper of general circulation in the County of Orange at least once, no less than fifteen (15) days prior to the date of the public hearing.
- 9.3.1.4. The Steering Committee shall consider the proposed revised Metered Rates along with any public testimony presented in writing or orally at the time of the Public Hearing. The Steering Committee may adopt, modify, or reject the proposed Metered Rates. Any adopted revisions to the Metered Rates shall become effective no less than thirty (30) days following the adoption by the Steering Committee.
- 9.3.1.5. Upon adoption of revised Metered Rates, but no later than fifteen (15) days thereafter, the OCTAP Administrator shall notify OCTA Staff, the City Manager of each participating Agency, taxicab company Permittees, and representatives of the Orange County tourism industry, of said adoption, and shall post and publish a public notice of said adoption in a newspaper of general circulation in the County of Orange at least once, no later than fifteen (15) days subsequent to the date of adoption.
- 9.3.1.6. Any action by the Steering Committee to adopt a revised Metered Rate shall require adoption by an affirmative vote of a majority of all members of the Steering Committee representing a participating Agency, regardless of the number of such members present and voting.

9.4. Refund Policy.

There shall be no refund of any portion of the fees described in the OCTAP Regulations.

10. AMENDMENTS TO REGULATIONS

10.1. Administrative Amendments.

The Steering Committee may adopt administrative amendment(s) to the OCTAP Regulations. OCTAP shall notify each Agency and the OCTA Board of Directors of any changes adopted pursuant to this section.

10.2. Substantive Amendments.

Notwithstanding Section 10.1., the Steering Committee is not authorized to adopt substantive amendments to the OCTAP Regulations. Any substantive amendment shall be recommended by the Steering Committee and be approved by each Agency. These amendments shall be effective only in the Area of Jurisdiction of each Agency that has approved the amendment(s). For purposes of this section, a substantive amendment is defined as an amendment likely to have any of the following effects:

- 10.2.1. Affect the rights, responsibilities, and participation of any Agency (such an amendment must also be approved by the OCTA Board of Directors).
- 10.2.2. Decrease the number of Companies or the number of taxicabs operating in the Area of Jurisdiction of any Agency.
- 10.2.3. Affect the purpose of the OCTAP Regulations.

10.3. OCTAP Permit Fees and Taxicab Metered Rates.

- 10.3.1. Sections 10.1 and 10.2 above shall not apply to an amendment to the OCTAP fee schedule, attached hereto as Attachment "1," which is adopted by the OCTA Board of Directors.
- 10.3.2. An amendment of the taxicab Metered Rates attached hereto as "Attachment 2" and adopted pursuant to Section 9.3.1.6. of these Regulations shall be considered an administrative amendment pursuant to Section 10.1 in order to ensure uniformity of fares within Orange County.

--End of Regulations--

OCTAP Regulations – Attachment 1
ORANGE COUNTY TAXI ADMINISTRATION PROGRAM

OCTAP FEE STRUCTURE

(Effective: July 1, 2016)

Company Permit

New One-Year Permit	\$4,659.20
Renewal	
One-year	\$1,541.28
Three-year	\$4,881.26

Vehicle Permits (per vehicle)

Annual Vehicle Inspection and Permit	\$433.68
Random Vehicle Inspection	No Charge
Re-inspection for Failed Major Item	\$164.32
Re-inspection for Failed Minor Item (within 10 days of original inspection)	\$72.49
Substitution or Replacement	\$58.50

Driver Permits

Annual Permit	\$115.70
Replacement	\$16.22
Transfer (to another company)	\$21.63
Re-instatement	\$21.63

Late Fees (Per Calendar Day)

Vehicle Permit - Maximum 15 days	\$31.36
Driver Permit – Maximum 4 days	\$31.36

Fees shown are paid to OCTAP. Additional fees are paid by driver for drug testing, fingerprinting, and/or background check.

OCTAP Regulations – Attachment 2

ORANGE COUNTY APPROVED TAXICAB METERED RATES

Effective: July 19, 2014

\$3.50 for the flag drop and first 1/5 mile
\$0.55 for each 1/5 mile, after the first 1/5 mile (\$2.75 per mile)
\$32.00 per hour wait time (Approximately \$0.53 per minute)

No Extra Charge for Additional Passengers.

OCTAP Regulations – Attachment 3

OCTAP ADMINISTRATIVE ACTION AND FINES SCHEDULE

Effective: July 1, 2016

Applies to Taxicab Permittee	DESCRIPTION	FINES (per occurrence)	ACTION
	Advertising Failure to include, in any form of advertisement; the company permit number and company name associated with the permit.	Up to \$5,000	Escalating fines per advertising occurrence, up to \$5,000 per incident.
	Taxicab permit Valid permit must be affixed to taxicab. Not in Service signs required if cab is not available for service.	\$500	Warning or suspension of company permit and revocation of all taxicab permits. Renewal, replacement, or re-inspection and fees apply.
	Random drug and alcohol testing Failure to maintain program in accordance to the policy submitted to OCTAP.	\$500	Warning or suspension of company permit and revocation of vehicle permits. Re-inspection and fees apply.
	Unauthorized driver Allowing a non-permitted individual or a driver to operate a taxicab without establishing a lease or owner-operator agreement.	\$500	Warning or suspension company permit and revocation of all vehicle permits. Re-inspection and fees apply.
	Insurance Failure to submit renewal at least one business day prior to policy expiration, incomplete submission, unqualified insurance provider, or inadequate coverage.	\$250	Suspension of company permit and revocation of vehicle permits on insurance policy expiration date. Re-inspection and fees apply.
	Fares Operating or allowing a driver to use a rate higher than authorized fares.	\$250	Warning or suspension of company permit and revocation of vehicle permits. Re-inspection and fees may apply.
	Failure to Cooperate or Comply with Regulations Failure to respond or provide documents requested by OCTAP and any failure to comply with regulations not specifically addressed in Administrative Action and Fines.	\$250	Warning or suspension company permit and revocation of all vehicle permits. Re-inspection and fees apply.
	Vehicle Registration Expired vehicle registration or operating a vehicle not registered to the OCTAP Permittee or affiliated permitted driver.	\$250	Warning or suspension of company permit and revocation of vehicle permits. Re-inspection and fees apply.
	Taximeter Broken or missing seals, outdated seals, non-functioning meter, or a taximeter that charges a fare other than the authorized metered rate.	\$100	Warning or suspension of company permit and revocation of vehicle permits. Re-inspection and fees apply.
Dispatch Failure to provide reservation and dispatch services or records in accordance to company policy submitted to OCTAP, or failure to provide dispatch records to OCTAP upon request.	\$100	Fine will increase to \$250 after second offense in a 24 month period. May result in suspension of company permit and revocation of all vehicle permits. Re-inspection and fees apply.	
DMV Pull Notice Program Failure to maintain an active program, to enroll driver(s), to notify OCTAP of non-qualified driver(s) as required, or to provide pull notice records to OCTAP upon request.	\$100	Warning or suspension of company permit and revocation of vehicle permits. Fine may increase for repeated occurrences	

	Customer Information Failure to display required interior information; out of service sign.	\$50	Warning. Re-inspection and fees apply.
	Driver Affiliation Notification Failure to notify OCTAP of non-qualified or unauthorized driver(s) within 24 hours.	\$50	Warning or suspension of company permit and revocation of all vehicle permits. Re-inspection and fees apply.
	Advertising Failure to include in any advertisement the OCTAP issued company and driver permit number and affiliated taxicab company name.	Up to \$5,000	Escalating fines per occurrence, up to \$5,000 per incident.
Applies to Taxicab Driver	Operating an Unsafe Vehicle Driver shall ensure daily that the taxicab meets all safety and inspection standards prior to placing the taxicab in service.	\$250	Vehicle may be placed Out of Service. Re-inspection and fees may apply.
	Fares Failure to run taximeter; charging a fare that exceeds authorized metered rate.	\$250	Repeated occurrence may result in suspension or revocation of Driver Permit.
	Failure to Comply with Regulations Allowing another person to use your driver permit, a non-permitted person, or driver not affiliated with Permittee to operate your taxicab. Operating a taxicab without a lease or operating agreement with Permittee; and any other failure to comply with regulations not specifically addressed in Administrative Action and Fines.	\$250	Warning, suspension, or revocation of driver permit.
	Acceptance of Payments Failure to accept Visa and/or MasterCard payments.	\$100	Warning, suspension, or revocation of driver permit for repeat offenses.
	Company Affiliation Driving a taxicab for a company not identified on your driver permit.	\$100	Warning, suspension, or revocation of driver permit.
	Failure to Cooperate Fail to respond to requests, or to provide documents requested by OCTAP staff.	\$100	Warning, suspension, or revocation of driver permit.
	Altered Permit Possession or use of an altered OCTAP permit.	\$100	Warning, suspension, or revocation of driver permit.
	Taximeter Broken or missing seals, outdated seals, non-functioning meter.	\$50	Taxicab will be placed Out of Service. Re-inspection and fees will apply
	Receipt Failure to provide a receipt or to provide a receipt that meets requirements set forth in regulations.	\$25	Re-inspection and fees may apply.
	Driver Permit Failure to display as required.	\$25	Fine increases to \$50 after second offense in a 24 month period.
	Insurance and Registration Failure to produce evidence of current insurance and/or registration	\$25 per item	Fines increasing to \$50 per item after second offense in a 24 month period.

OCTAP Regulations– Comparison of Proposed Changes

Page	Item	Existing Language	Proposed Language	Reason
1	1.1.1. 1.1.2. 1.1.3.	<p>The Orange County Taxi Administration Program (OCTAP) is a voluntary association of Orange County Agencies created to coordinate taxicab service permitting and other administrative functions with the Orange County Transportation Authority (OCTA) in compliance with California Government Code § 53075.5 as authorized by participating Agencies.</p> <p>OCTAP has been in operation since 1998 pursuant to interagency agreements between OCTA and participating Agencies. The OCTAP Regulations have been adopted and have evolved during OCTAP’s operation.</p> <p>The OCTAP Regulations are intended to continue the interagency relationship between OCTA, OCTAP and participating Agencies while at the same time reducing the multiplicity of documentation involved in the regulation of taxicab services in Orange County.</p>	<p>PURPOSE AND SCOPE</p> <p>The Orange County Taxi Administration Program (OCTAP) is an association of Orange County Agencies created to coordinate taxicab service permitting and other administrative functions in compliance with California Government Code § 53075.5. OCTAP was formed in 1998 pursuant to interagency-agreements between OCTA and participating Agencies.</p> <p>The Orange County Transportation Authority (OCTA) provides administrative functions for the OCTAP program and manages compliance of OCTAP permitted companies, taxicabs, and drivers as authorized by the participating Agencies.</p> <p>The OCTAP Regulations are intended to define minimum taxicab company, taxicab vehicle, and taxicab driver permitting requirements, establish minimum safety and service standards for the operation of a taxicab, and consolidate the permitting of taxicabs transportation service for multiple jurisdictions within Orange County. Each local jurisdiction reserves the right to implement and enforce additional requirements or limits beyond the OCTAP regulations. Examples of such additional requirements include, but are not limited to business license or franchise agreement.</p>	<p>Clarification.</p> <p>Agencies are responsible for enforcement in accordance with the inter-agency agreements</p>
1	1.2	<p>The objective of OCTAP is to increase public safety, to reduce administrative costs for the public and private sector, and to expand the provision of private transportation service in Orange County.</p>	<p>Objective</p> <p>The objective of OCTAP is to establish minimum safety and service standards for the provision of taxicab services in Orange County, to increase public safety and reduce administrative costs for the public and private sector, and to expand the provision of private transportation service in Orange County.</p>	<p>Restored</p>

OCTAP Regulations– Comparison of Proposed Changes

1	<p>1.3.</p> <p>1.3.1</p> <p>1.3.2.</p> <p>1.3.3.</p> <p>1.3.4.</p> <p>1.3.5.</p>	<p>Agency Legislative Independence and Authority Retained.</p> <p>Each Agency retains all authority, responsibility, and independence for taxicab regulation and enforcement within its jurisdiction.</p> <p>Each Agency retains all authority to select the Company(ies) authorized to operate within its jurisdiction, and will determine the boundaries of service those Company(ies) may serve, including the number of Taxicabs authorized to operate within its jurisdiction.</p> <p>Each Agency shall be responsible for enforcing the OCTAP licensing requirements, prosecuting violators, and agree to notify OCTA of such occurrences.</p> <p>OCTA will not collect franchise fees or business license fees imposed by participating Agencies on Taxicab Companies or Drivers.</p> <p>All policies, procedures, ordinances, rules, and regulations pertaining to Taxicab Companies, Taxicab Drivers, Taxicabs, fares, notices, safety, taxicab stands, pickup, hours of operations, and all other functions not specifically provided for in these regulations as currently in place or as amended, shall remain within the authority and jurisdiction of each Agency.</p>	<p>Agency Legislative Independence and Authority Retained.</p> <p>Each Agency retains all authority, responsibility, and independence for taxicab regulation and enforcement within its jurisdiction. Each Agency retains the right and authority to select the Company(ies) authorized to operate within its jurisdiction, and will determine the boundaries of service those Company(ies) may serve, including the number of Taxicabs authorized to pick up passengers within its jurisdiction.</p> <p>Each Agency shall be responsible for enforcing the OCTAP regulations, prosecuting violators, and agree to notify OCTAP of such occurrences. All policies, procedures, ordinances, rules, and regulations pertaining to taxicab companies, taxicab drivers, taxicabs, fares, notices, safety, taxicab stands, pickup, hours of operations, and all other functions not specifically provided for in these regulations, shall remain within the authority and jurisdiction of each Agency.</p>	<p>Format changes</p> <p>All cabs can drop off in any jurisdiction - which is operating.</p> <p>Change licensing requirements to regulations</p> <p>1.3.4. moved to OCTA Responsibilities on page 4.</p> <p>1.3.5. is combined with 1.3.3.</p>
2	1.4.	<p>These regulations implement the provisions of the Taxicab ordinances, resolutions and regulations adopted by the legislative bodies of each OCTAP participating Agency, and</p>	<p>Implementation.</p> <p>OCTAP regulations consolidate the basic taxicab ordinances and regulations adopted by the legislative bodies of each OCTAP participating Agency, and regulate taxicab service within the Area</p>	<p>Format changes</p> <p>Clarification</p>

OCTAP Regulations– Comparison of Proposed Changes

		regulate taxicab service within the Area of Jurisdiction of each such Agency.	of Jurisdiction of each such Agency. Each Agency retains the authority to apply and enforce additional requirements beyond the OCTAP regulations.	
2 & 3	2.1. 2.2. 2.3. 2.4. 2.5. 2.6. 2.7. 2.8.	<p>DEFINITIONS</p> <p>Agency. “Agency” means each City and the County of Orange, which participate in OCTAP.</p> <p>Area of Jurisdiction. "Area of Jurisdiction" of each Agency means the area within the boundaries of a City, or for the County means the unincorporated area, including John Wayne Airport.</p> <p>Company. “Company” includes a natural person, firm, association, organization, partnership, business, trust, corporation, or public entity.</p> <p>Company Permit. “Company Permit” means a valid permit issued by OCTAP, authorizing a Company to operate a Taxicab business in any participating Agency, which allows the Company to serve that Agency.</p> <p>Driver. “Driver” means a person who drives or controls the movements of a Taxicab.</p> <p>Driver Permit. “Driver Permit” means a valid permit issued by OCTAP authorizing a person to drive or control the movements of a Taxicab.</p> <p>OCTA. “OCTA” means the Orange County Transportation Authority.</p> <p>OCTAP. “OCTAP” means the Orange County Taxi Administration Program administered by the Orange County Transportation Authority.</p>	<p>DEFINITIONS</p> <p>1. Agency. “Agency” means each City and the County of Orange, which participate in OCTAP.</p> <p>2. Area of Jurisdiction. "Area of Jurisdiction" of each Agency means the area within the boundaries of a City, or for the County means the unincorporated area, including John Wayne Airport.</p> <p>3. Company. “Company” includes a natural person, firm, association, organization, partnership, business, trust, corporation, or public entity.</p> <p>4. Company Permit. “Company Permit” means a valid permit issued by OCTAP, authorizing a Company to operate a taxicab business in any participating Agency, which allows the Company to serve that Agency.</p> <p>5. Driver. “Driver” means a person who has a valid OCTAP issued Driver Permit.</p> <p>6. Driver Permit. “Driver Permit” means a valid permit issued by OCTAP authorizing a person to drive or control the movements of a taxicab.</p> <p>7. OCTA. “OCTA” means the Orange County Transportation Authority.</p> <p>8. OCTAP. “OCTAP” means the Orange County Taxi Administration Program.</p>	<p>Format changes</p> <p>Clarification</p>

OCTAP Regulations– Comparison of Proposed Changes

	<p>2.9. OCTAP Administrator. “OCTAP Administrator” means an OCTA employee who will manage and supervise all OCTA responsibilities set forth in the OCTAP Regulations.</p> <p>2.10. Permittee. “Permittee” means a company, which holds a valid Company Permit.</p> <p>2.11. Taxicab. “Taxicab” means a vehicle capable of carrying not more than eight persons, excluding the Driver, and used to carry passengers for hire. The term shall exclude a vehicle operating as a Charter Party Carrier licensed as such by any state agency, including the Public Utilities Commission, or any other vehicle having a Certificate of Public Convenience and Necessity issued by any state agency, including the Public Utilities Commission.</p> <p>2.12. Taxicab Permit. “Taxicab Permit” means a valid permit issued by OCTAP, authorizing a particular vehicle to be operated as a Taxicab.</p>	<p>9. OCTAP Administrator. “OCTAP Administrator” means an OCTA employee, or his/her designee, who will manage and supervise all OCTA responsibilities set forth in the OCTAP Regulations.</p> <p>10. Permittee. “Permittee” means a company, which holds a valid OCTAP Company Permit.</p> <p>11. Taxicab. “Taxicab” means a vehicle capable of carrying not more than eight persons, excluding the driver, and used to carry passengers for hire. The term shall exclude a vehicle operating as a Charter Party Carrier licensed as such by any state agency, including the California Public Utilities Commission (CPUC), or any other vehicle operating under the authority of any state agency, including the CPUC.</p> <p>12. Taxicab Permit. “Taxicab Permit” means a valid permit issued by OCTAP, authorizing a particular vehicle to be operated as a taxicab.</p> <p>13. Transportation Agreements. “Transportation Agreements” means any separate agreement that an Agency has established with an OCTAP Permittee for operation within its jurisdiction.</p>	<p>Clarification</p> <p>Clarification</p> <p>Not previously defined.</p>
3 & 4	<p>3</p> <p>3.1.1. Each Agency that joins OCTAP shall: Participate as a member of OCTAP and provide no less than twelve (12) months written notice to OCTAP prior to withdrawing from OCTAP.</p> <p>3.1.2. Appoint its City Manager, Executive Officer, or their designee, to participate as members of the OCTAP Steering Committee.</p>	<p>Agency Responsibilities. Each Agency that joins OCTAP shall: -Participate as a member of OCTAP and provide no less than twelve (12) months written notice to OCTAP prior to withdrawing from OCTAP. -Appoint its City Manager, Executive Officer, or their designee, to participate as a member of the OCTAP Steering Committee.</p>	<p>Format changes</p>

OCTAP Regulations– Comparison of Proposed Changes

	<p>3.1.3. Appoint its Chief of Police, County Sheriff, or their designee, to participate as member of the OCTAP Public Safety Committee.</p> <p>3.1.4. Adopt and enforce a Taxicab ordinance or resolution consistent with the regulations herein, and use such ordinance or resolution as the exclusive method of regulating Taxicabs within its Area of Jurisdiction.</p> <p>3.1.5. Enforce, and if necessary, prosecute all violations of its Taxicab ordinance or resolution and the regulations herein.</p> <p>3.1.6. Notify OCTA in writing of any regulation, Taxicab Company limitation, Taxicab Driver limitation, Taxicab limitation, or more stringent regulation, within its jurisdiction with respect to any permitting or operational standard for Taxicab business operations.</p> <p>3.1.7. Notify OCTA of any public or law enforcement complaint pertaining to permitted Taxicab Companies, Taxicabs, and Taxicab Drivers within its jurisdiction.</p>	<p>-Appoint its Chief of Police, County Sheriff, or their designee, to participate as member of the OCTAP Public Safety Committee.</p> <p>-Adopt and enforce a taxicab ordinance or resolution consistent with the regulations herein, and use such ordinance or resolution as the exclusive method of regulating taxicabs within its Area of Jurisdiction.</p> <p>-Enforce, and if necessary, prosecute all violations of its taxicab ordinance or resolution and the regulations herein.</p> <p>-Notify OCTAP in writing of any regulation, taxicab company limitation, taxicab driver limitation, taxicab limitation, or more stringent regulation, within its jurisdiction with respect to any permitting or operational standard for taxicab business operations.</p> <p>-Notify OCTAP of any public or law enforcement complaint pertaining to permitted taxicab companies, taxicabs, and taxicab drivers within its jurisdiction.</p>	
4	<p>3.2. 3.2. OCTA. OCTA shall provide the services described in the OCTAP Regulations on behalf of each Agency that adopts an ordinance or resolution adopting the OCTAP Regulations and shall:</p> <p>3.2.1. Provide staff and administrative services necessary to implement and enforce the OCTAP Regulations.</p> <p>3.2.2. Collect fees to cover the costs of administering OCTAP.</p> <p>3.2.3. Provide participating Agencies no less than twelve (12) months written notice prior to withdrawing from OCTAP.</p>	<p>OCTA Responsibilities. OCTA shall provide the services described in the OCTAP Regulations on behalf of each Agency that adopts the OCTAP Regulations by ordinance or resolution, and shall:</p> <p>-Provide staff and administrative services necessary to implement and enforce the OCTAP Regulations.</p> <p>-Collect fees to cover the costs of administering OCTAP and collect fines associated with violation of OCTAP regulations.</p> <p>-Provide participating Agencies no less than twelve (12) months written notice prior to withdrawing as the administrator of OCTAP.</p>	<p>Format changes</p> <p>Clarification</p> <p>Add language related to collection of fines.</p>

OCTAP Regulations– Comparison of Proposed Changes

	<p>3.2.4</p> <p>3.2.5.</p>	<p>Provide administrative services on behalf of each Agency, but shall not assume liability for the performance of Taxicab Companies, Taxicab Drivers, or Taxicabs.</p> <p>Not be responsible for the enforcement of Agency ordinances or resolutions except as provided for herein.</p>	<p>-Provide administrative services on behalf of each Agency, but shall not assume liability for the performance of taxicab companies, taxicab drivers, or taxicabs.</p> <p>-Not be responsible for the enforcement of Agency ordinances or resolutions except as provided for herein.</p> <p>-Not be responsible for the enforcement of non-permitted taxicab operation, except as support for participating Agencies.</p> <p>-Not collect franchise fees or business license fees imposed by participating Agencies on taxicab companies or drivers.</p>	<p>Added for clarification</p> <p>Added for clarification</p>
4	3.3.	<p>Mutual Indemnification.</p> <p>OCTA and each Agency shall save, indemnify, defend and hold harmless each other from any and all liability, claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or any injury or Page 5 of 45 damage of any kind whatsoever, whether actual, alleged or threatened, actual attorney’s fees, court costs, interest, defense costs and expenses associated therewith, including the use of experts and any other costs of any nature without restriction incurred in relation to, as a consequence of, or arising out of each party’s performance of the agreements herein and attributable to the fault and/or liability by agreement between the parties or by a court of competent jurisdiction. The party responsible for liability to the other will indemnify the other party for the percentage of liability determined as set forth herein. Each party is responsible for the</p>	<p>Mutual Indemnification.</p> <p>OCTA and each Agency shall save, indemnify, defend and hold harmless each other from any and all liability, claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or any injury or damage of any kind whatsoever, whether actual, alleged or threatened, actual attorney’s fees, court costs, interest, defense costs and expenses associated therewith, including the use of experts and any other costs of any nature without restriction incurred in relation to, as a consequence of, or arising out of each party’s performance of the agreements herein and attributable to the fault and/or liability by agreement between the parties or by a court of competent jurisdiction. The party responsible for liability to the other will indemnify the other party for the percentage of liability determined as set forth herein. Each party is responsible for the acts or omissions of their own officers, agents, employees, or volunteers.</p>	<p>Format change only</p>

OCTAP Regulations– Comparison of Proposed Changes

		acts or omissions of their own officers, agents, employees, or volunteers.		
5	4. 4.1. 4.1.2.	<p>ADMINISTRATIVE COMMITTEES Steering Committee The OCTAP Steering Committee shall consist of the City Manager, Executive Officer, or their designee, from each Agency, one representative of the tourist industry in Orange County, and two representatives (one “large” and one “small”) of the permitted taxicab companies; chosen, via election, by the “small” and the “large” permitted taxicab companies. Taxicab Company representatives must be affiliated with an OCTAP permitted company in good standing. Large taxicab companies are defined as those operating more than the average number of vehicles owned by Orange County taxicab companies. Small taxicab companies are defined as those operating less than the average number of vehicles owned by Orange County taxicab companies. The OCTAP Steering Committee will meet quarterly to advise OCTA on Taxicab regulation implementation.</p>	<p>ADMINISTRATIVE COMMITTEES Steering Committee. The OCTAP Steering Committee shall consist of the City Manager, Executive Officer, or their designee, from each Agency, one representative of the tourist industry in Orange County, and two representatives (one “large” and one “small”) of the permitted taxicab companies; chosen, via election, by the “small” and the “large” permitted taxicab companies. Large taxicab companies are defined as those with more than the average number of vehicles operated by OCTAP permitted companies. Small taxicab companies are defined as those with less than the average number of vehicles operated by OCTAP permitted companies.</p> <p>The OCTAP Steering Committee will meet quarterly to advise OCTAP on taxicab regulation implementation.</p>	<p>Format Change.</p> <p>Added requirement for Taxicab company rep’s company to be in good standing.</p> <p>Clarification and clean up</p>
			<p>GENERAL RULES AND REQUIREMENTS Each OCTAP Permittee, its management, employees, affiliated drivers, leaseholders, and owner-operators are individually and jointly responsible for complying with OCTAP Regulations; all California Vehicle Codes and Statutes; all applicable federal, state and local laws, statutes, and ordinances; all ordinances of a City, Agency, Airport, or County related to the operation of a taxicab; and all lawful orders, rules, and regulations promulgated thereunder regarding the transportation of customers in a taxicab.</p>	<p>New to page 5</p>

OCTAP Regulations– Comparison of Proposed Changes

5	<p>4.2.</p> <p>4.2.1.</p> <p>4.2.2.</p>	<p>Safety Committee.</p> <p>The OCTAP Safety Committee shall consist of the Police Chief, County Sheriff, or their designee, from each participating Agency.</p> <p>The OCTAP Safety Committee will meet quarterly to advise OCTA and the OCTAP Steering Committee on issues of public safety.</p>	<p>Safety Committee.</p> <p>The OCTAP Safety Committee shall consist of the Police Chief, County Sheriff, or their designee, from each participating Agency.</p> <p>The OCTAP Safety Committee will meet quarterly to advise OCTAP and the OCTAP Steering Committee on issues of public safety.</p>	Format change only.
5	<p>5.</p> <p>5.1.</p> <p>5.2.</p> <p>5.2.1.</p> <p>5.2.2.</p> <p>5.2.2.1.</p>	<p>COMPANY PERMITS</p> <p>Company Permit Required.</p> <p>No Company shall operate a Taxicab business, or advertise as a Taxicab business, within the Area of Jurisdiction of an Agency without having first obtained a Company Permit from OCTAP and without first obtaining permission from the Agency to operate in the Area of Jurisdiction of such Agency, if the Agency's legislative body requires such permission or permitting.</p> <p>Company Permit Requirements.</p> <p>A Company Permit shall be issued from OCTAP when the following conditions have been satisfied:</p> <p>5.2.1. Submission of a completed Company Permit application package;</p> <p>5.2.2. Submission of a copy of the applicant's drug and alcohol policy meeting OCTAP requirements and proof that the applicant has implemented a Drug and Alcohol Certification Program covering all its Driver employees and independent contractors leasing vehicles from the applicant pursuant to the then current Government Code § 53075.5 (and any successor legislation) and meeting the following requirements:</p>	<p>2. COMPANY PERMITS</p> <p>No Company shall operate a taxicab business, or advertise as a taxicab business, within the Area of Jurisdiction of an Agency without having first obtained a Company Permit from OCTAP and without first obtaining permission from the Agency to operate in the Area of Jurisdiction of such Agency, if the Agency's legislative body requires such permission or permitting.</p> <p>2.1. Company Permit Requirements.</p> <p>A Company Permit shall be issued from OCTAP when the following conditions have been satisfied:</p> <p>2.1.1. Submission of a complete Company Permit application package.</p> <p>2.1.2. Submission of a copy of the applicant's drug and alcohol policy meeting OCTAP requirements and proof that the applicant has implemented a Drug and Alcohol Certification Program covering all its affiliated permitted drivers pursuant to the then current Government Code §53075.5 (and any successor legislation) and meeting the following requirements.</p>	<p>Format/location changes</p> <p>Clarification</p>

OCTAP Regulations– Comparison of Proposed Changes

	<p>5.2.2.2.</p> <p>5.2.2.3.</p> <p>5.2.2.4.</p> <p>5.2.2.5.</p> <p>5.2.2.6.</p> <p>5.2.2.7.</p>	<p>A contract with a program administrator and authorized lab, approved by OCTAP, certified by the U.S. Department of Transportation; and</p> <p>Procedures and components substantially as in Part 40 of Title 49 of the Code of Federal Regulations for pre-employment or pre-licensing, and licensing renewal; and</p> <p>Procedures and components substantially as in Part 382 of Title 49 of the Code of Federal Regulations for rehabilitation, return-to-duty and follow up testing; and</p> <p>Procedures and components for random testing following U.S. Department of Transportation guidelines, and additional tests as required following accidents, rehabilitation, return-to-service, and other circumstances providing reasonable suspicion to test; and</p> <p>Monthly reports of the random testing component shall be filed with OCTAP by the program administrator no later than the 20th day following the end of the previous monthly reporting period; and</p> <p>The applicant’s and program administrator’s records shall be made available to the OCTAP Administrator upon request; and</p> <p>Test results for self employed independent drivers are reported directly to OCTAP while results for employees of the applicant are reported to the applicant, provided that the applicant must notify OCTAP immediately of any positive result of an employee by providing the name, identifying information, driving status of the employee, and action</p>	<p>2.1.2.1. A contract with a drug and alcohol program administrator and authorized lab, approved by OCTAP, certified by the U.S. Department of Transportation.</p> <p>2.1.2.2. Procedures and components substantially as in Part 40 of Title 49 of the Code of Federal Regulations, for pre-employment or pre-licensing, and licensing renewal.</p> <p>2.1.2.3. Procedures and components substantially as in Part 382 of Title 49 of the Code of Federal Regulations for rehabilitation, return-to-duty and follow up testing.</p> <p>2.1.2.4. Procedures and components for random testing following U.S. Department of Transportation guidelines, annual minimum random testing rates, and additional tests as required following accidents, rehabilitation, return-to-service, and other circumstances providing reasonable suspicion to test.</p> <p>2.1.2.5. Monthly reports of the random testing component are made available to OCTAP by the program administrator no later than the 20th day following the end of the previous monthly reporting period.</p> <p>2.1.2.6. The applicant’s and program administrator’s records shall be made available to the OCTAP Administrator upon request.</p> <p>2.1.2.7. The test results must be provided to OCTAP and the Permittee by the testing facility.</p>	<p>Clarification of requirement, minimum testing rates may be changed annually by DOT based on prior 2 year history.</p> <p>Clarification to reflect actual process.</p>
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OCTAP Regulations– Comparison of Proposed Changes

	<p>5.2.2.8. 5.2.2.9. 5.2.2.10 .</p>	<p>taken by the applicant by telephone and fax; and Drivers must show a valid California driver’s license at the time and place of testing; and All test results are kept confidential except that OCTAP is authorized to receive copies for its regulatory purposes, and except as otherwise authorized or required by law; and The provisions of this Subsection 5.2.2 shall become effective April 22, 2003.</p>	<p>2.1.2.8. Drivers must show a valid California driver license at the time and place of testing. Deleted Deleted</p>	<p>OCTAP only receives notice of “positive” results. Unnecessary</p>
8	5.2.3	<p>Submission of evidence of insurance, in full force and effect, in such form as required by OCTAP, issued by a solvent and responsible company licensed to do business in the State of California, insuring the applicant against loss by reason of injury or damage that may result to persons, including taxicab passengers, or property, from the negligent operation or maintenance of such Taxicab. Applicant shall provide a Certificate of Insurance and Insurance Policy Binder showing that the applicant is insured for a minimum combined single limit of one million dollars (\$1,000,000) for the injury or death of one or more persons in the same accident, and one hundred thousand dollars (\$100,000) for injury or destruction of property with an insurer with a minimum AM Best Rating of A-7. Each insurance policy required by these regulations shall waive all rights of subrogation against OCTA, OCTAP and its member agencies, including the County of Orange, their elected and appointed officials, officers, directors, employees, agents and volunteers. No self-insured retention shall be allowed.</p>	<p>2.1.3. Submission of evidence of insurance, in full force and effect, in such form as required by OCTAP, issued by a solvent and responsible company licensed to do business in the State of California, insuring the applicant against loss by reason of injury or damage that may result to persons, including taxicab passengers, or property, from the negligent operation or maintenance of such taxicab. 2.1.3.1. Applicant shall provide a Certificate of Insurance and Insurance Policy Binder showing that the applicant is insured for a minimum combined single limit of one million dollars (\$1,000,000) for the injury or death of one or more persons in the same accident, and one hundred thousand dollars (\$100,000) for injury or destruction of property with an insurer with a minimum AM Best Rating of A-7. Each insurance policy required by these regulations shall waive all rights of subrogation against OCTA, OCTAP and its member agencies, including the County of Orange, their elected and appointed officials, officers, directors, employees, agents and volunteers. No self-insured retention shall be allowed.</p>	<p>Format and location change.</p>

OCTAP Regulations– Comparison of Proposed Changes

	<p>Deductibles shall not exceed ten thousand dollars (\$10,000) per occurrence. In addition, the applicant shall direct the insurance company to provide OCTAP copies of Endorsements to the insurance policy 1) naming OCTA, OCTAP and its member agencies, including the County of Orange, their elected and appointed officials, officers, directors, employees, agents and volunteers as additional insureds; and 2) indicating that coverage shall not be reduced, terminated or cancelled without thirty (30) days prior written notice to OCTAP; and 3) the OCTAP special endorsement must be completed and duly executed by the agent or broker of record and submitted along with the proof of insurance.</p> <p>Certified copies of the insurance policies shall be provided to OCTAP within ninety (90) days of the policy issuance. At least ten (10) business days prior to the expiration of the current policies, a Permittee shall submit insurance binders evidencing insurance coverage for the policy period subsequent to the expiration of the current policies. Lapses or interruptions of insurance coverage shall cause an immediate suspension of the Company Permit, pending revocation, and an immediate revocation of all Taxicab Permits issued to the Permittee. Reinstatement of a Company Permit may require payment of applicable fees and/or fines. Furthermore, if reinstated, any Taxicab(s) a Permittee desires to be placed back into service will require the issuance of a new Taxicab Permit with applicable fees paid.</p>	<p>2.1.3.2. Deductibles shall not exceed ten thousand dollars (\$10,000) per occurrence. In addition, the applicant shall direct the insurance company to provide OCTAP copies of Endorsements to the insurance policy 1) naming OCTA, OCTAP and its member agencies, including the County of Orange, their elected and appointed officials, officers, directors, employees, agents and volunteers as additional insureds; and 2) indicating that coverage shall not be reduced, terminated or cancelled without thirty (30) days prior written notice to OCTAP; and 3) the OCTAP special endorsement must be completed and duly executed by the agent or broker of record and submitted along with the proof of insurance.</p> <p>2.1.3.3. At least one (1) business day prior to the expiration of the current policies, a Permittee shall submit insurance binders evidencing insurance coverage for the policy period subsequent to the expiration of the current policies. Lapses or interruptions of insurance coverage shall cause an immediate suspension of the Company Permit, pending revocation, and an immediate revocation of all Taxicab Permits issued to the Permittee. Reinstatement of a Company Permit may require payment of applicable fees and/or fines. Furthermore, if reinstated, any taxicab(s) a Permittee desires to be placed back into service will require the issuance of a new Taxicab Permit with applicable fees paid.</p>	<p>Certified copy not required. 10 days prior unrealistic based on feedback from taxi companies and experience.</p>
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OCTAP Regulations– Comparison of Proposed Changes

8	5.2.4.	Submission of financial documents and other information as required by OCTAP;	2.1.4. Submission of financial documents and other information as required by OCTAP.	Location change
8	5.2.5.	Submission of Department of Motor Vehicles (DMV) Pull Notice Program Requester Code Number issued to applicant, as defined in Vehicle Code Section 1808.1 followed by enrollment of employees and self-employed independent taxicab drivers within seven (7) calendar days. Permittees are required to notify the OCTAP Administrator within 48 hours, if they receive a DMV Pull Notice on one of their drivers that indicates he/she no longer qualifies for a Driver Permit. Permittee shall require the driver to turn over his/her Driver Permit to Permittee. Permittee shall return the Driver Permit to the OCTAP Administrator. DMV Pull Notice records shall be made available to the OCTAP Administrator upon request.	2.1.5. Submission of Department of Motor Vehicles (DMV) Pull Notice Program Requester Code Number issued to applicant, as defined in Vehicle Code Section 1808.1 and continuous enrollment in the program. All affiliated taxicab drivers must be enrolled within seven calendar days from inception of the program or date of affiliation. Permittees are required to notify the OCTAP Administrator upon receipt of a DMV Pull Notice for any affiliated driver that indicates an action that would no longer qualify the driver for a Driver Permit. Permittee shall require the driver to immediately cease operation and surrender their Driver Permit to Permittee. Permittee shall return the Driver Permit to the OCTAP Administrator within 48 hours of DMV Pull Notice receipt. DMV Pull Notice records shall be made available to the OCTAP Administrator within 48 hours of request.	Provides specific time requirements for enrollment and notification.
8	5.2.6.	Submission of proof of current California Department of Motor Vehicles registration for each Taxicab listed in the Company Permit application. All Taxicabs listed in the Company Permit application shall be registered pursuant to Section 8.26;	2.1.6. Submission of proof of current California Department of Motor Vehicles registration for each taxicab listed in the Company Permit application. All taxicabs listed in the Company Permit application shall be registered pursuant to Section 5.11.	Location change.
8	5.2.7.	Every owner, partner or principal officer of applicant has submitted to Livescan fingerprinting at an approved California Department of Justice finger printing agency (first time applicants only unless otherwise required);	2.1.7. Every owner, partner or principal officer of applicant has submitted to Livescan fingerprinting at an approved California Department of Justice finger printing agency to initiate a Department of Justice (DOJ) background check (first time applicants only unless otherwise required) and has enrolled in the DOJ subsequent arrest notification program.	Add language to include subsequent arrest enrollment and notification.
8	5.2.8.	Every owner, partner or principal officer of applicant has successfully cleared all background checks; and	2.1.8. Every owner, partner, or principal officer of applicant has successfully cleared all background checks.	Location change

OCTAP Regulations– Comparison of Proposed Changes

9	5.2.9.	Payment of all applicable fees.	2.1.10. Payment of all applicable fees.	Location change.
9	5.2.10.	Submission of proof, acceptable to the OCTAP Administrator, that applicant Company will meet the following service standards during its term of operation:	2.1.11. Submission of proof, acceptable to the OCTAP Administrator, that applicant Company will meet the following service standards during its term of operation.	Location change.
	5.2.10.1	Company shall maintain and provide year-round, 24-hour live human response telephone service to provide trip reservation and taxi dispatch services, or referral services. A referral service may consist of service calls that are forwarded directly to another OCTAP Permitted Taxicab Company during hours of non-operation, provided that the permittee has a written agreement with the receiving taxicab company. A referral service may also consist of a live- human response, providing the name and telephone number of another OCTAP permitted Taxicab Company. All calls to a company service line are to be answered within 5 rings.	2.1.11.1. Company shall maintain and provide year-round, 24-hour live human response telephone service to provide trip reservation and taxi dispatch services, or referral services. A referral service may consist of service calls that are forwarded directly to another OCTAP Permitted Taxicab Company during hours of non-operation, provided that the Permittee has a written agreement with the receiving taxicab company. A referral service may also consist of a live-human response, providing the name and telephone number of another OCTAP permitted Taxicab Company. All calls to a company service line are to be answered within 5 rings.	
	5.2.10.2	Company shall have a principal place of business from which it conducts its activities as a Taxicab Company and related activities. Multiple locations for other activities such as storage, maintenance/repair, etc., are allowed. For the purposes of these regulations, and as long as the Company has provided OCTAP with a valid address for the receipt of notices and correspondence from OCTAP, a "principal place of business" may be a Taxicab.	2.1.11.2. Company shall have a principal place of business from which it conducts its activities as a taxicab company and related activities. Multiple locations for other activities such as storage, maintenance/repair, etc., are allowed. For the purposes of these regulations, and as long as the Company has provided OCTAP with a valid address for the receipt of notices and correspondence from OCTAP, a "principal place of business" may be a taxicab.	
	5.2.10.3	Company and all Drivers shall provide electronic processing of credit cards as a method of payment to customers. Accepted credit cards must, at minimum, include the acceptance of MasterCard® and Visa®. A	2.1.11.3. Company shall provide electronic processing of credit cards using a magnetic swipe or microchip reader (when microchip reader is required by applicable state and federal law) as a method of payment to customers and issue a receipt for credit	Location change. Added magnetic swipe or microchip reader requirement for credit card payment processing.

OCTAP Regulations– Comparison of Proposed Changes

		customer’s personal and credit card information may only be used, processed, disseminated, and retained in accordance with current laws and standards.	card payment. The company receipt must include the company name, phone number, driver identification, taxicab or fleet number, charge amount and the date and time of the transaction. Accepted credit cards must, at minimum, include MasterCard® and Visa®. A customer’s personal and credit card information may only be used, processed, disseminated, and retained in accordance with current laws and standards.	Driver is addressed in another section. Included minimum information required on the receipt.
9 & 10	5.2.10.4	<p>Company shall maintain the ability to provide OCTAP, upon request, the following service request and dispatch record information for each service request:</p> <ul style="list-style-type: none"> • Driver responding to service request, may use OCTAP Permit number; • Location of pickup request, address, cross street, business name, etc; • Identification of person taking service request; • Date and time request was made. Record is to be time stamped with the time received, or may be electronically time stamped through the use of a computer aided dispatch (CAD) system. • Estimated arrival time, if any; • Identification of Taxicab number sent (the Company must also, through a separate record, be able to identify the name of the Driver); and • Time service request was sent to the driver. 	<p>2.1.11.4. Company shall maintain the ability to provide OCTAP, upon request, the following:</p> <ul style="list-style-type: none"> • Driver name or Permit number of driver responding to service request. • Location of pickup request address, cross street, business name, etc. • Identification of person taking service request. • Date and time request was made. Record is to be time stamped with the time received, or may be electronically time stamped through the use of a computer aided dispatch (CAD) system. • Estimated arrival time, if provided to customer. • Taxicab identification number. • Time service request was sent to the driver. Record is to be time stamped with the time request was 	<p>Location change.</p> <p>Name of driver or driver permit number is required in this section already.</p>

OCTAP Regulations– Comparison of Proposed Changes

		<ul style="list-style-type: none"> Record is to be time stamped with the time request was transmitted to a driver, or may be electronically time stamped through the use of a computer aided dispatch (CAD) system. 	transmitted to a driver, or may be electronically time stamped through the use of a computer aided dispatch (CAD) system.	
10	5.2.10.5 5.2.10.6 5.2.10.7	<p>Company shall keep order and dispatch records readily available to OCTAP for at least ninety (90) days.</p> <p>Company shall have a written lost and found policy that includes the return of lost articles to the customer, and submit a written outline of the process to OCTAP for review as part of the permitting process.</p> <p>Company shall have a policy in place to receive complaints. The complaint policy must contain the mechanism for receiving complaints, investigation, and final resolution of complaints, as well as corrective actions. All complaints must be responded to in an expedient, responsible, and professional manner.</p>	<p>2.1.11.5. Company shall keep order and dispatch records readily available to OCTAP for at least ninety (90) days.</p> <p>2.1.11.6. Company shall have a written lost and found policy that includes the return of lost articles to the customer, and submit a written outline of the process to OCTAP for review as part of the permitting process.</p> <p>2.1.11.7. Company shall have a policy in place to receive complaints. The complaint policy must contain the mechanism for receiving complaints, investigation, and final resolution of complaints, as well as corrective actions. All complaints must be responded to in an expedient, responsible, and professional manner.</p>	Location change.
			2.1.11.8 Company shall submit their planned vehicle design including color, name, and graphics for approval by OCTAP. The design shall not imitate or be in conflict with any other permitted taxicab company design or obstruct required customer information decals or postings.	Location change for consistency under Company Permit requirements. Also addressed under 5.14. Previously address in 8.2
10	5.2.10.8	The OCTAP Administrator may require on-sight verification to check for compliance with the requirements defined herein.	2.1.12. The OCTAP Administrator may require additional verification including periodic reviews for compliance with the requirements defined herein.	Location change and clarification
			2.1.13. OCTAP Company Permit number must be conspicuously posted in all company advertisement and media, as required by California Government Code 53075.9. Posting must be worded as “OCTAP	Previously addressed under section 11 but only referenced the Statutes that applied. This section

OCTAP Regulations– Comparison of Proposed Changes

			Company Permit #XXX”. Additionally, advertisements must use the OCTAP permitted company name	now addresses the specific requirement for including the OCTAP permit.
10	5.3.	<p>Basis for Denial.</p> <p>A Company Permit shall be denied if any of the following apply to an applicant Company or to any owner, partner or principal officer of an applicant Company:</p> <p>5.3.1. Is under the age of 18 years;</p> <p>5.3.2. Falsifies material information on the application for Company Permit.</p> <p>5.3.3. Is a registered sex offender pursuant to California Penal Code Section 290;</p> <p>5.3.4. Is on formal probation or parole for any offense outlined in this Section 5.3;</p> <p>5.3.5. Is convicted (or pleads guilty or nolo contendere) in any state for any of the following: murder; robbery; pandering; pimping; crimes related to the sale or transportation of controlled substances, including marijuana; crimes involving the use of a weapon; or any other offense involving moral turpitude or any crime that is substantially related to the qualifications, functions or responsibilities of a Taxicab owner;</p> <p>5.3.6. Is convicted (or pleads guilty or nolo contendere) in any state for a felony other than those listed in the previous section within eight (8) years of the application; or</p> <p>5.3.7. Has any conviction within five (5) years of application (or plea of guilty or nolo contendere) in any state or has any final administrative determination of a violation of any statute, ordinance, or regulation</p>	<p>2.2. Company Permit Denial.</p> <p>A Company Permit shall be denied if any of the following apply to an applicant Company or to any owner, partner, or principal officer of an applicant Company:</p> <p>2.2.1. Is less than 18 years of age.</p> <p>2.2.2. Falsifies material information on the application for Company Permit.</p> <p>2.2.3. Is a registered sex offender pursuant to California Penal Code Section 290.</p> <p>2.2.4. Is on formal probation or parole for any offense outlined in this Sections 2.2.5., 2.2.6., or 2.2.7.</p> <p>2.2.5. Is convicted (or pleads guilty or nolo contendere) in any state for any of the following: murder; robbery; pandering; pimping; crimes related to the sale or transportation of controlled substances, including marijuana; crimes involving the use of a weapon; or any other offense involving moral turpitude, or any crime that is substantially related to the qualifications, functions or responsibilities of a Permittee.</p> <p>2.2.6. Is convicted (or pleads guilty or nolo contendere) in any state for a felony other than those listed in Section 2.2.5. within eight (8) years of the application.</p> <p>2.2.7. Has any conviction within five (5) years of application (or plea of guilty or nolo contendere) in any state or has any final administrative determination of a violation of any statute, ordinance, or regulation reasonably and rationally</p>	

OCTAP Regulations– Comparison of Proposed Changes

	<p>5.3.8. reasonably and rationally pertaining to the same or similar business operation which would have resulted in suspension or revocation of the Company Permit under these regulations.</p> <p>5.3.9. Operation of its business without the insurance required in Section 5.2.3. Is held liable under any judgment, decision or determination by any public or regulatory agency for operating Taxicabs without the requisite insurance after January 1, 1998.</p> <p>5.3.10. Failing to fully satisfy any court judgment entered against the Company arising from liability for operating Taxicabs, including, but not limited to, judgments related to collisions or operating without the requisite insurance, within 15 years from the date that the judgment was originally entered.</p> <p>5.3.11. Failure to provide required evidence of service standard compliance pursuant to Section 5.2.10.</p>	<p>pertaining to the same or similar business operation which would have resulted in suspension or revocation of the Company Permit under these regulations.</p> <p>2.2.8. Operation of its business without the insurance required in Section 2.1.3.</p> <p>2.2.9. Is held liable under any judgment, decision or determination by any public or regulatory agency for operating taxicabs without the requisite insurance after January 1, 1998.</p> <p>2.2.10. Failing to fully satisfy any court judgment entered against the Company arising from liability for operating taxicabs, including, but not limited to, judgments related to collisions or operating without the requisite insurance, within 10 years from the date that the judgment was originally entered pursuant to California Code of Civil Procedure Sections 683.020 and 683.030 or, if the judgment has been renewed, within 10 years from the date that the application for renewal of judgment is filed pursuant to California Code of Civil Procedure 683.120.</p> <p>2.2.11. Failure to provide required evidence of service standard compliance pursuant to Section 2.1.11.</p>	<p>Corrected years, added renewal language.</p>	
		<p>2.2.12. For good cause, subject to appeal pursuant to Section 8. Good cause is defined to include, but is not limited to, arrests, charges, offenses, or convictions related to the responsibilities and functions of a taxicab company not specifically outlined in this section, that would be prudent to consider in order to protect the public.</p>	<p>Location change. Not previously included under company permits</p>	
11	5.4.	Company Drivers.	(company permit requirements)	Location change

OCTAP Regulations– Comparison of Proposed Changes

	5.4.1.	At the time the Company Permit application is submitted, the applicant shall provide to OCTAP a list of Drivers authorized to operate the Taxicabs identified in the Company Permit.	2.1.9. At the time the Company Permit application is submitted, the applicant shall provide to OCTAP a list of OCTAP permitted drivers authorized to operate the taxicabs.	
	5.4.2.	Applicant shall provide OCTAP with notice by fax within 24 hours in the event that any Driver listed in the Company Permit is no longer authorized to operate a Taxicab identified in the Company Permit.	1.1.3. Permittee shall notify OCTAP within 48 hours of an affiliated driver who became unqualified or unauthorized to drive a taxicab or upon termination of employment or affiliation with a Permittee.	Location change to section 1. General Rules and Requirements for Permittee.
12	5.5.	New Company Drivers. A Permittee may add Drivers to its list of Drivers authorized to operate the Taxicabs identified in the Company Permit, provided that:	2.3. Company Affiliated Drivers. At the time the Company Permit application is submitted, the applicant shall provide to OCTAP a list of OCTAP permitted drivers authorized to operate the taxicabs.	Location change.
	5.5.1.	Permittee has already submitted to OCTAP an Intent to Hire/Intent to Lease a Taxicab form identifying the Driver as being employed or given a written offer of employment or as being a self-employed independent contractor of the Permittee; and		Deleted the highlighted section.
	5.5.2.	The Driver to be added has been issued a Driver Permit by OCTAP which states the Driver is affiliated with the Permittee.	2.3 A Permittee may add drivers to its list of drivers authorized to operate the taxicabs identified in the Company Permit, provided that the driver to be added has been issued a Driver Permit by OCTAP which states the driver is affiliated with the Permittee.	Clairification
12	5.6.	Issuance. Upon Applicant’s satisfaction of the conditions listed in Section 5, Applicant shall be issued an OCTAP Company Permit within five (5) business days.	2.4. Company Permit Issuance. Upon applicant’s satisfaction of the conditions listed in Company Permit Requirements, applicant shall be issued an OCTAP Company Permit within five (5) business days.	

OCTAP Regulations– Comparison of Proposed Changes

12	5.7	<p>Compliance with Separate Agency Requirements. After OCTAP issues a Company Permit, the Permittee shall also comply with any separate requirements that may have been adopted by any Agency in which Permittee intends to operate, including, but not limited to, establishment of a franchise and the payment of business license fees or taxes.</p>	<p>1.1.5. Permittee shall comply with any separate requirements that may have been adopted by any Agency in which Permittee intends to operate, including, but not limited to, establishment of a franchise and the payment of business license fees or taxes.</p>	Location change
12	5.8	<p>The Company Permit is valid for one (1) year from the date of its issuance unless sooner suspended or revoked.</p>	<p>2.5. Term of Company Permit. The Company Permit is valid for either one (1) or three (3) year(s) from the date of its issuance unless sooner suspended or revoked.</p>	Location change. Added the 3 year option for Company Permits
12	5.9	<p>No less than sixty (60) days prior to the expiration of the Company Permit, the Permittee shall submit an application for renewal of its Company Permit pursuant to this Section in order to allow sufficient time to review the application for renewal. Failure to submit an application for renewal of the Company Permit at least sixty days prior to the current expiration may result in Permittee being required to submit an application for a new Company Permit.</p>	<p>2.6. Company Permit Renewal. No less than sixty (60) days prior to the expiration of the Company Permit, the Permittee shall submit an application for renewal of its Company Permit in order to allow sufficient time to review the application for renewal. Failure to submit an application for renewal of the Company Permit at least sixty (60) days prior to the current expiration could result in a lapse in the Company Permit and suspension or revocation of taxicab permits. A lapse in the Company Permit may require a company to submit an application and fees for a new Company Permit, and fees for taxicab permit(s).</p>	Location change. Added new application and fee language in the event of a lapse.
12	5.10. 5.10.1. 5.10.2.	<p>Company Permit Suspension/Revocation. A Company Permit may be suspended or revoked by the OCTAP Administrator for any of the following reasons: Providing late, false or inaccurate information in the Company Permit application; or Allowing operation of a Taxicab by a Driver not possessing a valid OCTAP Driver Permit stating that the Driver is affiliated with the Permittee; or</p>	<p>2.7. Company Permit Suspension/Revocation. A Company Permit may be suspended or revoked by the OCTAP Administrator for any of the following reasons: 2.7.1. Providing late, false, or inaccurate information in the Company Permit application. 2.7.2. Allowing operation of a taxicab by a driver not possessing a valid OCTAP Driver Permit stating that the driver is affiliated with the Permittee.</p>	Location change

OCTAP Regulations– Comparison of Proposed Changes

<p>5.10.3.</p> <p>5.10.4.</p> <p>5.10.5.</p> <p>5.10.6.</p> <p>5.10.7.</p> <p>5.10.8.</p> <p>5.10.9.</p> <p>5.10.10.</p> <p>5.10.11.</p>	<p>Failure to comply with the OCTAP Regulations; or</p> <p>Failure of authorized Drivers to comply with the OCTAP Regulations; or</p> <p>Operation of any Taxicab at a rate of fare higher than the authorized fares; or</p> <p>Failure to cooperate with an Agency’s law enforcement officers, code enforcement officers, OCTAP staff, and/or California Highway Patrol; or</p> <p>Operating its business in violation of the insurance requirements in Section 5.2.3; or</p> <p>Failure to comply with the drug and alcohol policy and program required in Section 5.2.2; or</p> <p>Failing to fully satisfy any court judgment entered against the Company arising from liability for operating Taxicabs, including, but not limited to, judgments related to collisions or operating without the requisite insurance, within 15 years from the date that the judgment was originally entered; or</p> <p>Being held liable under any judgment, decision or determination by any public or regulatory agency for operating Taxicabs without the requisite insurance after January 1, 1998; or</p>	<p>2.7.3. Failure to comply with the OCTAP Regulations. Deleted (from this section)</p> <p>2.7.4. Operation of any taxicab at a rate of fare higher than the authorized meter rates established by OCTAP or an agency program as described in Agency or Other Transportation Agreements.</p> <p>2.7.5. Failure to cooperate with an Agency’s law enforcement officers, code enforcement officers, OCTAP staff, and/or California Highway Patrol.</p> <p>2.7.6. Operating its business in violation of the insurance requirements in Section 2.1.3.</p> <p>2.7.7. Failure to comply with the drug and alcohol policy and program required in Section 2.1.2.</p> <p>2.7.8. Failing to fully satisfy any court judgment entered against the Company arising from liability for operating taxicabs, including, but not limited to, judgments related to collisions or operating without the requisite insurance, within 10 years from the date that the judgment was originally entered pursuant to California Code of Civil Procedure Sections 683.020 and 683.030 or, if the judgment has been renewed, within 10 years from the date that the application for renewal of judgment is filed pursuant to California Code of Civil Procedure 683.120.</p> <p>2.2.9. Is held liable under any judgment, decision or determination by any public or regulatory agency for operating taxicabs without the requisite insurance after January 1, 1998.</p>	<p>Moved to driver section</p> <p>Corrected time period and added renewal.</p>
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OCTAP Regulations– Comparison of Proposed Changes

		Circumstances providing grounds for denial of a Company Permit as outlined in the OCTAP Regulations.	2.7.9. Circumstances providing grounds for denial of a Company Permit as outlined in the OCTAP Regulations.	
13	5.11.	Company Permit Penalties/Suspensions. In lieu of revocation, the OCTAP Administrator may impose a penalty in the form of a fine, a period of suspension, or both a fine and period of suspension.	2.8. Company Permit Penalties/Suspensions. In lieu of revocation, the OCTAP Administrator may impose a penalty in the form of a fine, a period of suspension, or both a fine and period of suspension.	Location change
14	5.12	A Company Permit applicant/Permittee may appeal a Company Permit denial, suspension or revocation as provided for in Section 12.	2.9. Right to Appeal. A Company Permit applicant or Permittee may appeal a Company Permit denial, revocation, suspension, or fine as provided for in Section 8.	Specify that the Applicant and the Permittee are both eligible to appeal.
14 & 15	5.13. 5.13.1. 5.13.1.1 5.13.1.2 5.13.1.3	Agency or Other Transportation Agreements. Permitted OCTAP companies and drivers may participate in agency or other transportation programs within the jurisdiction of OCTAP under the following conditions: 5.13.1.1 Transportation program requirements are attainable within OCTAP regulations and requirements. Agency or other providers may require standards and guidelines that are greater than general OCTAP requirements. It is up to the agency or provider to manage and monitor its program- specific requirements. 5.13.1.2 The company and driver are in good standing with OCTAP, maintain all required OCTAP permits, and continue to meet all OCTAP requirements. 5.13.1.3 Taxicab companies and drivers participating in other transportation programs that require the display of an identifier or logo to associate the vehicle and driver to program customers, may display the identifier only while operating exclusively in service for the agency or program.	2.10. Agency or Other Transportation Agreements. 2.10.1. An OCTAP Permittee may participate in agency or other transportation programs within the jurisdiction of OCTAP under the following conditions: 2.10.1.1. Transportation program requirements are attainable within OCTAP regulations and requirements. Agency or other providers may require standards and guidelines that are greater than general OCTAP requirements. It is up to the agency or provider to manage and monitor its program-specific requirements. 2.10.1.2. Permittee is in good standing with OCTAP, maintain all required OCTAP permits, and continue to meet all OCTAP requirements. Deleted	Location change. The company (Permittee) must engage in the program for drivers to be eligible to participate in the programs. Not necessary. This would apply to Agency identifiers such as ACCESS. This requirement may cause more confusion, especially for drivers.

OCTAP Regulations– Comparison of Proposed Changes

	<p>5.13.1.4 Program identifiers, logos, promotional, or other materials, must be stored out of the sight of passengers and other members of the public when not actively engaged in providing transportation services to program customers. Participant must continue to follow all OCTAP regulations.</p> <p>5.13.1.5 Taxicab driver must continue to display OCTAP driver permit regardless of any other agency or program identification that may be required by the sponsoring agency.</p> <p>5.13.1.6 Taxicab company and driver participants may establish a specialized fare structure for agency or program trips through a cooperative agreement with the agency, provided that the passenger fare does not exceed the OCTAP approved fare for metered trips. Participating agency is responsible for monitoring this area of its program, and for performing fare studies that protect agency interests in this area. Upon request, OCTAP staff may assist agencies in reviewing their proposed fare structure, to assure general compliance with OCTAP regulations. Participating agencies are encouraged to submit an outline of their taxi-based transportation program for OCTAP review prior to implementation, to outline and address any areas of concern.</p> <p>5.13.1.7 Taxi meter must continue to be operated at any time that the driver is carrying a customer, regardless of any other fare agreement.</p>	<p>2.10.1.3. Permittee must continue to follow all OCTAP regulations.</p> <p>2.10.1.4. Taxicab driver must continue to display OCTAP Driver Permit regardless of any other agency or program identification that may be required by the sponsoring agency.</p> <p>2.10.1.5. Permittee may establish a specialized fare structure for agency or program trips through a cooperative agreement with the agency.</p> <p>2.10.1.6. Taxi meter must be operated any time the driver is carrying a customer, regardless of an agreement pursuant to Section 6.4.</p>	<p>OCTAP is not a party to this agreement, except in that all regulations are met. Only Permittee can establish the agreement, not a driver.</p>
15	<p>6. 6.1.</p> <p>6. DRIVER PERMITS Driver Permit Required. No person shall drive a Taxicab within the Area of Jurisdiction of an Agency without having</p>	<p>3. DRIVER PERMITS A driver must be affiliated with an OCTAP permitted company and possess a valid OCTAP Driver Permit in order to operate a taxicab.</p>	<p>Location change.</p>

OCTAP Regulations– Comparison of Proposed Changes

		first obtained a Driver Permit from OCTAP. Reproduction of a Driver Permit is strictly prohibited for any reason with the exception of company management copying the permit for the drivers file.	3.5.3. Reproduction of a Driver Permit is strictly prohibited for any reason with the exception of company management copying the permit for recordkeeping purposes.	
15	6.2.	Driver Permit. A Driver Permit may be obtained from OCTAP, provided the prospective Driver has submitted all of the following:	3.1. Driver Permit Requirements A Driver Permit may be obtained from OCTAP, provided the applicant has submitted all of the following:	Location change.
	6.2.1.	Completed Driver Permit application that is signed by a representative of the Permittee the Driver intends to be affiliated with; and	3.1.1. Complete Driver Permit application, signed by a representative of the Permittee to which the driver intends to be affiliated.	
	6.2.2.	Valid California Driver License; and	3.1.2. Valid California driver license.	
	6.2.3.	Current (within 30 days) Department of Motor Vehicles (DMV) H6 Printout; and	3.1.3. California Department of Motor Vehicles H6 report issued within thirty (30) days of submission of a complete application package, including fees.	Clarification.
	6.2.4.	Two current 2" x 2" professional quality color photos (passport photos) of the applicant taken within the previous thirty (30) days; and	Deleted	OCTAP takes pictures.
	6.2.5.	A negative drug and alcohol screening test taken within the previous thirty (30) days in compliance with California Government Code Section 53075.5(b)(3); and	3.1.4. A negative drug and alcohol screening test administered by the Permittees program administrator within the previous thirty (30) days in compliance with California Government Code Section 53075.5(b)(3).	Clarification.
	6.2.6.	Proof of enrollment in a current and active Random Drug and Alcohol program.	3.1.5. Proof of enrollment in Permittees current and active random drug and alcohol program.	
	6.2.7.	Livescan fingerprints taken at an approved California Department of Justice finger printing agency (first time applicants only unless otherwise required); and	3.1.6. Live Scan fingerprints taken at an approved California Department of Justice finger printing agency.	
	6.2.8.	All cleared background checks; and	3.1.7. Acceptable CDL and DOJ background checks.	Clarification.
	6.2.9.	Payment of all applicable fees.	3.1.8. Payment of all applicable fees.	
16	6.3.	Driver Permit Issuance.	3.2. Driver Permit Issuance.	

OCTAP Regulations– Comparison of Proposed Changes

		A Driver Permit shall be issued within five (5) business days after all the requirements in Section 6.2 are satisfied.	A Driver Permit shall be issued within five (5) business days after satisfaction of requirements in Section 3.1.	
16	6.4.	Term of Driver Permit. A Driver Permit is valid one (1) year from the date of issuance, unless sooner suspended, revoked, otherwise terminated, or when issued based on a Temporary or Interim California Driver’s License.	3.3. Term of Driver Permit. A Driver Permit is valid one (1) year from the date of issuance, unless sooner suspended, revoked, otherwise terminated, or when issued based on a temporary or interim California driver license.	Location change.
16	6.5.	Compliance with Agency Requirements. A Driver who has been issued an OCTAP Driver Permit may only pick up passengers in the area of jurisdiction of those agencies that have approved the Permittee he/she represents.	1.2.4. Permitted Drivers may only pick up passengers in the area of jurisdiction of those agencies that have approved the Permittee he/she represents.	Location change
16	6.6.	It is recommended that no less than sixty (60) working days prior to the expiration of the Driver Permit, the Driver should re-apply for a Driver Permit pursuant and subject to Section 6.2 in order to allow time to review the application for renewal. If a Driver’s Permit expires before approval of renewal, the Driver will not be allowed to operate a Taxicab until such a time as the renewal is approved and the renewal Driver Permit is issued and in the driver’s possession. The renewal of a Driver Permit shall be granted within five (5) business days of satisfaction of all requirements for renewal.	3.4. Renewal of Driver Permit. Up to sixty (60) working days prior to the expiration of the Driver Permit, the driver may reapply for a Driver Permit pursuant and subject to Section 3 in order to allow time to review the application for renewal. The renewal of a Driver Permit shall be granted within five (5) business days of satisfaction of all requirements for renewal. If a Driver Permit expires before approval of renewal, the driver will not be allowed to operate a taxicab until the renewal is approved, a renewal Driver Permit is issued, and the Driver Permit is in the driver’s possession. Drivers who do not apply to renew prior to the expiration of their permit will be charged late fees in accordance with the OCTAP fee structure.	Location change. Clean up Added late fee language.
16	6.7	Driver Permit Limitation. Each Driver Permit issued by OCTAP shall be valid only for the Driver to operate a Taxicab	3.5. Driver Permit Limitation. An OCTAP Driver Permit is only valid for the driver to operate a taxicab for the Permittee indicated on the	clarification

OCTAP Regulations– Comparison of Proposed Changes

		<p>for the Permittee indicated on the Driver Permit. No Driver may operate a Taxicab for a Company other than the Company listed on the Driver’s Driver Permit. Drivers must submit an application for a new permit if they change from one company to another pursuant to Section 6.12</p> <p>For clarification purposes, this means that no driver may operate an in service taxicab without first:</p> <ul style="list-style-type: none"> •Confirming their active and affiliated status with the Permittee (Company) as indicated on the Driver Permit. •Executing a proper lease, sublease, or owner-operator agreement with the Permittee (Company). 	<p>Driver Permit. A driver may not operate a taxicab for another company without completing the following:</p> <p>3.5.1. Submitting an application to OCTAP transferring the company affiliated status and paying a transfer fee pursuant to Section 3.8.</p> <p>3.5.2. Executing a proper lease, sublease, or owner-operator agreement with an OCTAP permitted company.</p>	
17	6.8	<p>Possession and Display of Driver Permit Required.</p> <p>A Driver must possess a valid Driver Permit in order to operate a taxicab. At all times that the taxicab is in operation, and does not display an out of service sign as required in the OCTAP regulations, the Driver Permit must be displayed.</p> <p>The Driver Permit must be displayed in the passenger side area of the dashboard, with no alterations or information covered or hidden, so that passengers and law enforcement officers can easily view the permit from inside</p>	<p>6. TAXICAB OPERATION</p> <p>A driver must possess a valid Driver Permit in order to operate a taxicab. Driver shall not operate a taxicab that does not have a properly affixed and valid OCTAP Taxicab Permit. Driver shall ensure daily that the taxicab meets all taxicab requirements prior to placing the taxicab in service. At all times that the taxicab is in operation, and does not display an out of service sign as required in the OCTAP regulations, the Driver Permit must be displayed. Any driver in possession of an altered, copied, or defaced permit will not be considered to be in possession of a valid driver’s permit.</p> <p>6.10.4. Driver Permit must be displayed in the passenger side dashboard area, no alterations or information covered or hidden, so that passengers and law enforcement officers can easily view the permit from inside or outside of the vehicle. The</p>	<p>Changed location.</p> <p>New requirement.</p> <p>Clarification</p>

OCTAP Regulations– Comparison of Proposed Changes

		<p>or outside the vehicle, if looking at the passenger side dashboard of the vehicle. The driver’s California Driver License number on the Driver Permit may be covered by a removable label, if desired. The label must be removed to allow viewing by law enforcement/code enforcement officers or OCTAP staff when requested.</p> <p>Note: OCTAP may indicate and mark an exact location inside each taxicab for the posted Driver Permit at the time a vehicle inspection is performed.</p>	<p>Driver Permit must be attached in a way that makes it removable by the driver to provide to law enforcement, code enforcement officers, or OCTAP staff, when requested. The driver’s California driver license number on the Driver Permit may be covered by a removable label, if desired.</p>	
17	6.9.	<p>A driver shall not use or hold in his/her possession another person’s OCTAP Driver Permit. Such action is basis for suspension of the drivers involved.</p>	<p>1.2.9. A driver shall not display another person’s OCTAP Driver Permit or allow another person to use their Driver Permit.</p>	Location change.
17	6.10.	<p>Replacement Driver Permit. A replacement for a lost Driver Permit, or a subsequent Driver Permit previously issued based on a Temporary or Interim California Driver License, may be obtained from OCTAP, provided that the Driver has submitted the following:</p> <p>6.10.1. A replacement Driver Permit application along with the Driver Permit replacement fee; and</p> <p>6.10.2. Two current 2” x 2” professional quality color photos (passport photos) of the applicant taken within the previous thirty (30) days; and</p> <p>6.10.3. Valid California Driver’s License; and</p> <p>6.10.4. Current (within 30 days) Department of Motor Vehicles (DMV) H6 Printout; and</p> <p>6.10.5.</p>	<p>3.6. Replacement Driver Permit. A replacement for a lost Driver Permit, or a subsequent Driver Permit previously issued based on a temporary or interim California driver license, may be obtained from OCTAP, provided that the driver has submitted the following:</p> <p>3.6.1. A replacement Driver Permit application along with the Driver Permit replacement fee.</p> <p>3.6.2. A valid California driver license.</p> <p>3.6.3. A California Department of Motor Vehicles H6 report issued within thirty (30) days of submission of a complete replacement application package, including fees.</p>	<p>Location change.</p> <p>OCTAP takes photo.</p> <p>Clarification.</p>

OCTAP Regulations– Comparison of Proposed Changes

	6.10.6.	Proof of successful participation in a current and active Random Drug and Alcohol program. The Driver shall not operate a Taxicab until a replacement permit is obtained pursuant to this section.	3.6.4. Verification of enrollment in Permittees current and active Random Drug and Alcohol program. 3.6.5. Driver shall not operate a taxicab until a replacement permit is obtained and in possession of the driver pursuant to this section.	
18	6.11.	Expiration of Replacement Driver Permit. A replacement Driver Permit shall expire on the same date as the lost original Driver Permit and shall not exceed the driver’s annual permit period.	3.7. Expiration of Replacement Driver Permit. A replacement Driver Permit shall expire on the same date as the lost original Driver Permit and shall not exceed the driver’s annual permit period.	Location change.
18	6.12	Driver Permit Transferability to another Company. A Driver may request the transfer of his/her Driver Permit to another Permittee provided the Driver has submitted the following to OCTAP: 6.12.1. A Driver Permit application that is signed by an authorized representative of the prospective Permittee; and 6.12.2. The Driver Permit transfer fee; and	3.8. Driver Permit Transfer to Another Company. A driver may request the transfer of his/her Driver Permit to another Permittee provided the driver has submitted the following to OCTAP: 3.8.1. A Driver Permit application signed by an authorized representative of the prospective Permittee. 3.8.2. The Driver Permit transfer fee.	Location change.
18	6.12.3.	Two current 2” x 2” professional quality color photos (passport photos) of the applicant taken within the previous thirty (30) days; and	Delete	No longer necessary.
18	6.12.4. 6.12.5. 6.12.6. 6.12.7.	Valid California Driver’s License; and Current (within 30 days) Department of Motor Vehicles (DMV) H6 Printout; and OCTAP Driver Permit to be transferred; and Proof of successful participation in a current and active Random Drug and Alcohol program	3.8.3. Valid California driver license. 3.8.4. A California Department of Motor Vehicles H6 report issued within thirty (30) days of submission of a complete application package, including fees. 3.8.5. OCTAP Driver Permit to be transferred. 3.8.6. Verification of enrollment transfer in permittees current and active random drug and alcohol program.	Location change Clarification Clarification.
18	6.13.	Driver Permit Denial. A Driver Permit shall be denied if applicant:	3.9. Driver Permit Denial. A Driver Permit shall be denied if applicant:	Location change

OCTAP Regulations– Comparison of Proposed Changes

	6.13.1. 6.13.2	6.13.1. Is under the age of 18 years; or 6.13.2. Does not possess a valid California Driver License (Class C); or	3.9.1. Is less than 18 years of age. 3.9.2. Does not possess a valid California driver license (Class C).	
19	6.13.3	Fails to enroll in the required random drug and alcohol program; or fails the required drug and/or alcohol test. Upon testing positive for drugs and/or alcohol, the applicant shall not be eligible to reapply for a driver permit for a period of six (6) months from the test date.	3.9.3. Fails to enroll in the required random drug and alcohol program. 3.9.4. Fails the required drug and/or alcohol test. Upon testing positive for drugs and/or alcohol, the applicant shall not be eligible to reapply for a Driver Permit for a period of one (1) year from the test date.	Split prior regulation as fail to enroll should not make applicant ineligible to reapply within 1 year.
19	6.13.4. 6.13.5. 6.13.6.	Falsifies, or fails to disclose, material information on the application for a Driver Permit; or Is required to register as a sex offender pursuant to California Penal Code Section 290; or Is on formal probation or parole for any offense outlined herein; or	3.9.5. Falsifies, or fails to disclose, material information on the application for a Driver Permit. 3.9.6. Is required to register as a sex offender pursuant to California Penal Code Section 290. 3.9.7. Is on formal probation or parole for any offense outlined herein.	Location change.
19	6.13.7.	Is convicted (or pleads guilty or nolo contendere), regardless of the time elapsed, in any state, of any of the following or their equivalent: murder; a violation of California Vehicle Code Section 2800.2 (pertaining to disregard for safety of persons or property), Section 2800.3 (pertaining to flight from peace officer causing death or bodily injury) or Section 20001 (pertaining to duty to stop at scene of accident); robbery; pandering; pimping; crimes related to the use, sale, possession, or transportation of controlled substances and/or marijuana; crimes involving weapons; any crime for which registration would be required under California Penal Code Section 290; crimes involving credit card fraud or use of another person’s identifying information without authorization (California	3.9.8. Is convicted (or pleads guilty or nolo contendere), regardless of the time elapsed, in any state, of any of the following or their equivalent: murder; a violation of California Vehicle Code Section 2800.2 (pertaining to disregard for safety of persons or property), Section 2800.3 (pertaining to flight from peace officer causing death or bodily injury), or Section 20001 (pertaining to duty to stop at scene of accident); robbery; pandering; pimping; crimes related to the manufacture, use, sale, possession, or transportation of controlled substances; sale or transportation of marijuana; crimes involving weapons; any crime for which registration would be required under California Penal Code Section 290; crimes involving credit card fraud or use of another person’s identifying information without authorization (California Penal Code 530 or equivalent or substitute sections); or	Location change. Removed the use and/or possession of marijuana which is considered a misdemeanor. Added manufacture.

OCTAP Regulations– Comparison of Proposed Changes

		Penal Code 530 or equivalent or substitute sections), or any other offense involving moral turpitude or any crime that is substantially related to the qualifications, functions or responsibilities of a Taxicab Driver; or	any other offense involving moral turpitude or any crime that is substantially related to the qualifications, functions or responsibilities of a taxicab driver.	
19	6.13.8.	Is convicted of any felony in any state (or pleads guilty or nolo contendere), other than those felonies listed in Section 6.13.7, within eight (8) years of application; or	3.9.9. Is convicted of any felony in any state (or pleads guilty or nolo contendere), other than those felonies listed in Section 3.9.8, within eight (8) years of application.	Location change.
19	6.13.9.	Is convicted (or pleads guilty or nolo contendere) of any of the following within five (5) years of application: reckless driving; driving under the influence of intoxicating liquors or drugs (DUI); a violation of California Vehicle Code Section 2800.1 (pertaining to flight from peace officer); Section 20002 (pertaining to duty where property is damaged), Section 20003 (pertaining to duty upon injury or death) or any corresponding substitute sections; vehicular manslaughter; and Penal Code Sections 240, 241, 242, and 243 or any corresponding substitute sections pertaining to assault and battery; or	3.9.10. Is convicted (or pleads guilty or nolo contendere) of any of the following within five (5) years of application: reckless driving; driving under the influence of intoxicating liquors or drugs (DUI); use or possession of marijuana ; a violation of California Vehicle Code Section 2800.1 (pertaining to flight from peace officer); Section 20002 (pertaining to duty where property is damaged), Section 20003 (pertaining to duty upon injury or death) or any corresponding substitute sections; vehicular manslaughter; and Penal Code Sections 240, 241, 242, and 243 or any corresponding substitute sections pertaining to assault and battery.	Adds use or possession of marijuana to this section.
20	6.13.10	For good cause after an administrative hearing by OCTAP, subject to appeal pursuant to Section 12 below. Good cause is defined to include, but is not limited to, charges, offenses, and or convictions related to the responsibilities and functions of a taxicab driver, not specifically outlined in this section, that would preclude a driver from possessing an OCTAP Driver Permit. See Section 12.7.	3.9.11. For good cause, subject to appeal pursuant to Section 8 below. Good cause is defined to include, but is not limited to, arrests, charges, offenses, and/or convictions related to the responsibilities and functions of a taxicab driver, not specifically outlined in this section, that would preclude an applicant from possessing an OCTAP Driver Permit.	Clean up of language but no real change.
20	6.14.	Driver Permit Suspension/Revocation. A Driver Permit may be suspended or revoked by the OCTAP Administrator for any of the following reasons:	3.10. Driver Permit Suspension/Revocation. A Driver Permit may be suspended or revoked by the OCTAP Administrator for any of the following reasons:	Location changes.

OCTAP Regulations– Comparison of Proposed Changes

	<p>6.14.1. Failure to comply with the applicable provisions (including timeliness of submissions) of the OCTAP Regulations; or</p> <p>6.14.2. Circumstances providing grounds for denial of a Driver Permit as outlined in the OCTAP Regulations; or</p> <p>6.14.3. Revocation or suspension of Driver’s California Driver’s License; or</p> <p>6.14.4. Driver’s failure to cooperate with an Agency’s law enforcement officers, code enforcement officers, OCTAP staff, and/or California Highway Patrol officers; or</p> <p>6.14.5. Notification to OCTAP by the Permittee that the Driver is no longer an authorized Driver for the Permittee; or</p> <p>6.14.6. Positive drug/alcohol screening test or failure to submit to random testing pursuant to the Drug and Alcohol Certification Program required in Section 5.2.2; or</p> <p>6.14.7. Notification of any matter requiring such action by OCTAP; or</p> <p>6.14.8. Not enrolled and/or active in the required random drug and alcohol program</p> <p>6.14.9. For good cause after an administrative hearing by OCTAP, subject to appeal pursuant to Section 12 below. Good cause is defined to include, but is not limited to, charges, offenses, and or convictions related to the responsibilities and functions of a taxicab driver, not specifically outlined in this section, that would preclude a driver from possessing an OCTAP Driver Permit. See Section 12.7.</p> <p>6.14.10 A Driver who has had his/her permit revoked shall be prohibited from applying for a new Driver Permit for one (1) year from the date of revocation.</p>	<p>3.10.1. Failure to comply with the applicable provisions (including timeliness of submissions) of the OCTAP Regulations.</p> <p>3.10.2. Circumstances providing grounds for denial of a Driver Permit as outlined in the OCTAP Regulations.</p> <p>3.10.3. Revocation or suspension of driver’s California driver license.</p> <p>3.10.4. Driver’s failure to cooperate with an Agency’s law enforcement officers, code enforcement officers, OCTAP staff, and/or California Highway Patrol officers.</p> <p>3.10.5. Notification to OCTAP by the Permittee that the driver is no longer an authorized driver for the Permittee.</p> <p>3.10.6. Testing positive on a drug and alcohol screening, or failure to submit to Permittees random drug and alcohol testing program.</p> <p>3.10.8. Notification of any matter requiring such action by OCTAP.</p> <p>3.10.7. Not enrolled and active in the required random drug and alcohol program.</p> <p>3.10.9. For good cause pursuant to Section 8, subject to appeal. Good cause is defined to include, but is not limited to, arrests, charges, offenses, and or convictions related to the responsibilities and functions of a taxicab driver, not specifically outlined in this section, that would preclude a driver from possessing an OCTAP Driver Permit.</p> <p>3.10.10. A driver who has had a permit revoked shall be prohibited from applying for a new Driver Permit for one (1) year from the date of revocation.</p>	
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OCTAP Regulations– Comparison of Proposed Changes

21	6.15.	Driver Permit Penalty/Suspension. In lieu of revocation, the OCTAP Administrator may impose a penalty in the form of a fine, a period of suspension, or both, a fine and a period of suspension as specified in the OCTAP Regulations.	3.11. Driver Permit Penalty/Suspension. In lieu of revocation, the OCTAP Administrator may impose a penalty in the form of a fine, a period of suspension, or both a fine and a period of suspension as specified in the OCTAP Regulations.	Location change.
21	6.16	Right to Appeal. A Driver Permit applicant may appeal a permit denial, suspension or revocation as provided for in Section 12.	3.12. Driver Permit Denial. A Driver Permit applicant may appeal a permit denial, suspension or revocation as provided for in Section 8.	
21	6.17. 6.17.1.	Driver Permit Surrender. A Driver Permit holder shall cease to work immediately and shall surrender, within 2 business days, his/her Driver Permit to OCTAP upon its expiration, suspension, revocation, or upon termination of his/her employment or association with a Permittee.	3.13. Driver Permit Surrender. A Driver Permit holder shall cease to work immediately and shall surrender, within two (2) business days, his/her Driver Permit to OCTAP upon its expiration, suspension, revocation, or upon termination of his/her employment or affiliation with a Permittee.	Location change.
21	6.18. 6.18.1.	Agency or other Transportation Agreements. Permitted OCTAP drivers may participate in agency or other transportation programs within the jurisdiction of OCTAP under the following conditions:	6.8. Agency or other Transportation Agreements. Permitted OCTAP drivers may participate in agency or other transportation programs within the jurisdiction of OCTAP under the following conditions: 6.8.1. The driver must continue to follow all OCTAP regulations. 6.8.2. Taxicab driver must continue to display OCTAP Driver Permit regardless of any other identification that may be required by the program or agency. 6.8.3. Taxi meter must continue to be operated at any time that the driver is carrying a customer, regardless of any other fare agreement.	Clarification - Permittee (Company) may establish Agency agreement, not drivers. Only driver requirements addressed in this section. All company requirements addressed in section 2.10.
21	6.18.1.1	Transportation program requirements are attainable within OCTAP regulations and requirements. Agency or other providers may require standards and guidelines that are greater than general OCTAP requirements. It	2.10.1.1. Transportation program requirements are attainable within OCTAP regulations and requirements. Agency or other providers may require standards and guidelines that are greater than general OCTAP requirements. It is up to the	Location change.

OCTAP Regulations– Comparison of Proposed Changes

	6.18.1.2	is up to the agency or provider to manage and monitor its program-specific requirements. The driver is in good standing with OCTAP, maintains all required OCTAP permits, and continues to meet all OCTAP requirements.	agency or provider to manage and monitor its program-specific requirements. 2.10.1.2. Permittee is in good standing with OCTAP, maintain all required OCTAP permits, and continue to meet all OCTAP requirements. 2.10.1.3. Permittee must continue to follow all OCTAP regulations.	Driver is addressed 6.8.1. Clarification.
	6.18.1.3	Taxicab drivers participating in other transportation programs that require the display of an identifier or logo to associate the vehicle and driver to program customers may display the identifier only while operating exclusively in service for the agency or program.	2.10.1.4. Taxicab driver must continue to display OCTAP Driver Permit regardless of any other agency or program identification that may be required by the sponsoring agency.	
		Program identifiers, logos, promotional, or other materials, must be stored out of the sight of passengers and other members of the public when not actively engaged in providing transportation services to program customers.	Deleted	Not necessary.
	6.18.1.4	The driver must continue to follow all OCTAP regulations.	6.8.1. The driver must continue to follow all OCTAP regulations.	Location change.
	6.18.1.5	Taxicab driver must continue to display OCTAP Driver Permit regardless of any other agency or program identification that may be required by the sponsoring agency .	6.8.2. Taxicab driver must continue to display OCTAP Driver Permit regardless of any other identification that may be required by the program or agency .	Location change.
21	6.18.1.6	Taxicab driver participants may establish a specialized fare structure for agency or program trips through a cooperative agreement with the agency, provided that the passenger fare does not exceed the OCTAP approved fare for metered trips. Participating agency is responsible for monitoring this area of its program, and for performing fare studies that protect agency	2.10.1.5. Permittee may establish a specialized fare structure for agency or program trips through a cooperative agreement with the agency.	Location Change. Applies to Permittee, not drivers.

OCTAP Regulations– Comparison of Proposed Changes

		<p>interests in this area. Upon request, OCTAP staff may assist agencies in reviewing their proposed fare structure, to assure general compliance with OCTAP regulations.</p> <p>Participating agencies are encouraged to submit an outline of their taxi-based transportation program for OCTAP review prior to implementation, to outline and address any areas of concern.</p>		
22	6.18.1.7	Taxi meter must continue to be operated at any time that the driver is carrying a customer, regardless of any other fare agreement.	6.8.3. Taxi meter must continue to be operated at any time that the driver is carrying a customer, regardless of any other fare agreement.	Location change.
22	7.	TAXICAB PERMITS	<p>4. TAXICAB PERMITS</p> <p>4.1. Taxicab Permit Required. No person shall operate a taxicab, or advertise a taxicab business, within the Area of Jurisdiction of an Agency without a Taxicab Permit from OCTAP.</p>	New. Regulation was silent regarding the requirement to have a taxicab permit.
22	7.1	<p>Inspection. Upon issuance of a Company Permit and prior to operating, Permittee shall present each Taxicab listed in the Permit to a designated OCTAP facility for a taxicab inspection. OCTAP may, at its discretion, conduct taxicab inspections at the Permittee’s facility.</p>	<p>4.2. Inspections. OCTAP will complete a vehicle inspection prior to issuance, renewal, or replacement of a Taxicab Permit. Upon meeting all inspection standards and upon passing the taxicab inspection, OCTAP shall issue and install a nontransferable Taxicab Permit on each approved taxicab. The Taxicab Permit must remain affixed to the left-hand corner of the rear window of the taxicab for which the Permit is issued. A Taxicab Permit is valid for one (1) year from date of issuance, unless suspended or revoked for cause by OCTAP.</p>	Location change and reorganized for consistency and clarification
23	7.2. 7.2.1.	<p>Taxicab Permit. Upon meeting all inspection standards and upon passing the Taxicab inspection, OCTAP shall issue a nontransferable Taxicab Permit sticker for each approved Taxicab. The Taxicab Permit sticker must always be affixed to the</p>	Included in 4.2.	Continuity of subject

OCTAP Regulations– Comparison of Proposed Changes

	7.2.2.	<p>left-hand corner of the rear window of the Taxicab for which the sticker is issued. The Taxicab Permit is valid for one (1) year from date of issuance.</p> <p>Taxicab vehicles that do not possess a valid OCTAP Taxicab Permit must display “Not In Service” signs any time that the vehicle is not available for service. Signs must be a minimum size of 8 ½” x 11” with lettering which is visible up to at least 50 feet. Window signs shall be used and must be placed in both left and right rear side windows and rear window. If magnet signs are also used, they must be placed on one door of each side of the car body. If equipped, a not in service top light may additionally be used.</p>	<p>4.3. Non-Permitted Vehicles.</p> <p>Taxicabs that do not possess a valid OCTAP Taxicab Permit must display “Not In Service” signs indicating the vehicle is not available for service when on a public roadway. Signs must be a minimum size of 8 ½” x 11” with lettering which is visible up to at least 50 feet. Window signs shall be used and must be placed in both left and right rear side windows. If magnetic signs are used, they must be placed on one door of each side of the taxicab. If equipped, a not in service top light may additionally be used.</p>	Location change.
23	7.3 7.3.1.	<p>Random Inspections.</p> <p>7.3.1. In addition to the initial and annual Taxicab inspection, all Taxicabs operated under OCTAP authority shall submit to on the road or random inspections by OCTAP inspectors or Agency peace officers or Agency code enforcement officials when so requested. Failure to submit to an inspection may result in suspension or revocation of the Taxicab Permit and other administrative actions. OCTAP inspectors will complete a random inspection report at the time of inspection which shall indicate what repairs, if any, need to be made to the Taxicab. Failure to meet applicable standards or the failure of any critical component, or multiple defects can be the basis to immediately place the Taxicab into either “Must Repair” or “Out of Service” status. OCTAP shall provide a copy of the report to the Permittee. Agency Peace</p>	<p>4.2.1. In addition to the initial and annual taxicab inspection, all taxicabs operated under OCTAP authority shall submit to random inspections by OCTAP inspectors, Agency peace officers, or Agency code enforcement officials. Failure to submit to an inspection may result in suspension or revocation of the Taxicab Permit and other administrative actions. OCTAP inspectors will complete a random inspection report at the time of inspection which shall indicate what repairs, if any, need to be made to the taxicab. Failure to meet applicable standards or the failure of any critical component, or multiple defects can be the basis to immediately place the taxicab into either “Must Repair” or “Out of Service” status. OCTAP shall provide a copy of the report to the Permittee. Agency Peace Officers may cite the drivers and companies for violations of the OCTAP regulations that are included their city’s Municipal Code, or the California Vehicle Code, and will notify</p>	Continuity of subject, clarification.

OCTAP Regulations– Comparison of Proposed Changes

	7.3.2.	<p>Officers, not carrying OCTAP inspection forms, may cite the driver and/or company for violations of the OCTAP regulations (included in each city’s Municipal Code) or the California Vehicle Code, and will notify OCTAP of the actions taken for appropriate OCTAP follow up.</p> <p>7.3.2. If a Taxicab fails any random inspection due to Minor Items, the Inspector shall place the Taxicab into “Must Repair” status. The Permittee is required to present the Taxicab to OCTAP for re- inspection within ten (10) business days to verify that the required repairs have been made. If the Taxicab was placed into “Must Repair” status by the inspector, the vehicle may remain in service for up to ten (10) business days while repairs are made and completion of the repairs is verified by an OCTAP re-inspection. A re-inspection fee pursuant to Section 7.4 shall be required at the time of re-inspection.</p>	<p>OCTAP of the actions taken for appropriate OCTAP follow up action.</p> <p>4.2.2. If a taxicab fails any inspection due to Minor Items, the taxicab will be placed into “Must Repair” status. The Permittee is required to present the taxicab to OCTAP for re-inspection within ten (10) calendar days to verify that the required repairs have been made. If the taxicab was placed into “Must Repair” status by the inspector, the vehicle may remain in service for up to ten (10) calendar days while repairs are made and completion of the repairs is verified by an OCTAP re-inspection. A re-inspection fee shall be required at the time of re-inspection.</p>	<p>Applies to all inspections, not specific to random.</p>
23	7.3.3. 7.3.4.	<p>In the event that all required repairs have not been made to a Taxicab placed in “Must Repair” status within ten (10) business days, the Taxicab Permit will be revoked and a new inspection will be required pursuant to Section 7.3.6 to place the taxicab back into service.</p> <p>7.3.4. If a Taxicab fails any random inspection due to Major Items, the inspector shall place the Taxicab into “Out of Service” status and shall suspend the Taxicab Permit and remove the Taxicab Permit sticker pending repairs and re-inspection. If the Taxicab is placed into “Out of Service” status by the inspector, the Taxicab may not be placed back into revenue service until it passes a re-inspection. A re-inspection</p>	<p>4.2.3. In the event that all required repairs have not been made to a taxicab placed in “Must Repair” status within ten (10) calendar days, the Taxicab Permit will be revoked and must be surrendered to OCTAP. A new annual inspection will be required to place the taxicab back into service.</p> <p>4.2.4. If a taxicab fails any inspection due to Major Items, the inspector shall place the taxicab into “Out of Service” status and shall suspend and remove the Taxicab Permit pending repairs and re-inspection. If the taxicab is placed into “Out of Service” status by the inspector, the taxicab may not be placed back into revenue service until it passes a re-inspection. A re-inspection fee shall be required at the time of re-inspection.</p>	<p>Location and continuity changes.</p>

OCTAP Regulations– Comparison of Proposed Changes

	7.3.5. 7.3.6.	<p>fee, pursuant to Section 7.4 shall be required at the time of re-inspection.</p> <p>7.3.5. Upon correction and passing re-inspection, OCTAP shall re-instate the Taxicab Permit using the original expiration date. A re-inspection fee, pursuant to Section 7.4, must be paid prior to the re-inspection and re-issuance of the permit.</p> <p>7.3.6. If a taxicab fails an inspection and is not repaired within ten business days, the vehicle permit will be revoked and a new annual inspection will be required with the appropriate annual fee paid.</p>	<p>4.2.5. Upon correction, payment of fees, and passing a re-inspection, OCTAP shall reinstate the Taxicab Permit using the original expiration date.</p> <p>Deleted</p>	<p>Redundant, addressed in 4.2.3.</p>
24	7.4. 7.4.1.	<p>Re-inspection.</p> <p>Taxicabs that fail a Taxicab inspection (minor item – “Must Repair”) shall be presented for re-inspection no later than ten (10) business days after failure of inspection. A re-inspection fee will apply at the time of re-inspection.</p>	<p>Covered in 4.2.2.)</p>	<p>redundant</p>
	7.4.2	<p>Upon the successful completion of the taxicab inspection, OCTAP shall place a new expiration date decal on the Taxicab Permit for each of the taxicabs registered in the Company Permit.</p>	<p>7.5.2. Upon the successful completion of the taxicab inspection, OCTAP shall affix a new expiration year to the Taxicab Permit.</p>	<p>Clarifies that each cab needs to be addressed individually.</p>
	7.4.3.	<p>Taxicabs that fail a Taxicab inspection (major item – “Out of Service”) shall be presented for re-inspection only after the identified repairs have been made. The Taxicab Permit shall not be granted or shall be suspended until such time that the Taxicab passes re-inspection. A re-inspection fee will apply at the time of re-inspection. Upon passing the re-inspection, a new Taxicab Permit shall be issued using the original inspection or expiration date</p>	<p>4.2.4. If a taxicab fails any inspection due to Major Items, the inspector shall place the taxicab into “Out of Service” status and shall suspend and remove the Taxicab Permit pending repairs and re-inspection. If the taxicab is placed into “Out of Service” status by the inspector, the taxicab may not be placed back into revenue service until it passes a re-inspection. A re-inspection fee shall be required at the time of re-inspection.</p> <p>4.2.5. Upon correction, payment of fees, and passing a re-inspection, OCTAP shall reinstate the Taxicab Permit using the original expiration date.</p>	<p>Location change.</p>

OCTAP Regulations– Comparison of Proposed Changes

	7.5	<p>Taxicab Substitution</p> <p>A Permittee may substitute any taxicab listed in the Company Permit with a new taxicab, within two weeks of the time that the original permit is surrendered, upon satisfaction of the following conditions:</p> <p>7.5.1. Surrender of the existing Taxicab Permit to OCTAP.</p> <p>Note: Surrendered taxicab permit must be complete and identifiable. Contact OCTAP for direction on how to accomplish this.</p> <p>7.5.2. The proposed replacement taxicab passes a taxicab inspection.</p> <p>7.5.3. Payment of Vehicle Permit replacement fee.</p>	<p>4.4. Vehicle Replacement</p> <p>OCTAP shall issue a Taxicab Permit for a replacement taxicab, valid for the time remaining under the Taxicab Permit of the replaced taxicab, upon satisfaction of the following conditions:</p> <p>4.4.1. Permittee submits the new taxicab within two weeks of the time that the original permit is surrendered.</p> <p>4.4.2. Surrender of an identifiable existing Taxicab Permit to OCTAP.</p> <p>4.4.4. The proposed replacement taxicab passes a taxicab inspection.</p> <p>4.4.3. Payment of Vehicle Permit replacement fee.</p>	<p>Correct title, there is not substitution but vehicles can be replaced with a new taxicab. Clarify.</p>
25	7.6.	<p>Substituted Taxicab Sticker.</p> <p>Upon satisfaction of the conditions stated above, OCTAP shall delete the vehicle identification number of the Taxicab to be substituted in the Company Permit and add the Taxicab identification number of the substitute Taxicab. OCTAP shall issue a new Taxicab Permit sticker for the substitute Taxicab that shall be valid for the term remaining under the Taxicab Permit sticker of the substituted Taxicab. Such requests must be filed with OCTAP at least 2 business days prior to the requested action.</p>	<p>Deleted.</p>	<p>Redundant, covered in 4.4.</p>
25	7.7.	<p>Taxicab Permit Renewal.</p>	<p>4.5. Taxicab Permit Renewal.</p>	<p>Clarification.</p>

OCTAP Regulations– Comparison of Proposed Changes

		<p>The Taxicab Permit shall be renewed annually by presenting each Taxicab listed in the permit application to the OCTAP facility for a Taxicab inspection and by paying all applicable fees. OCTAP may, at its discretion, conduct Taxicab inspections at the Permittee’s facility.</p> <p>It is recommended that a taxicab be renewed at least five (5) business days prior to the current expiration. OCTAP cannot guarantee appointment availability if renewed less than five business days prior to the current expiration.</p> <p>A taxicab renewed after the permit expiration date will be charged late fees, up to and including the date the taxicab is renewed (in accordance with the current OCTAP Fee Structure); as well as subjecting the Permittee to other administrative actions and / or penalties.</p>	<p>A Taxicab Permit shall be renewed annually by scheduling and presenting a taxicab to the OCTAP facility for inspection, and by paying all applicable fees.</p> <p>4.5.1. Upon the successful completion of the taxicab inspection, OCTAP shall affix a new expiration year to the Taxicab Permit.</p> <p>4.5.2. A taxicab presented for inspection after the permit expiration date will be charged late fees, up to and including the date the taxicab permit is renewed (in accordance with the current OCTAP Fee Structure), and subjects the Permittee to other administrative actions and fines.</p>	
26	7.8.	<p>Taxicab Permit Renewal Sticker. Upon the successful completion of the taxicab inspection, OCTAP shall place a new expiration date sticker on the taxicab permit sticker for each of the taxicabs registered in the company Permit</p>	<p>4.5.1. Upon the successful completion of the taxicab inspection, OCTAP shall affix a new expiration year to the Taxicab Permit.</p>	
26	7.9. 7.9.1.	<p>Taxicab Permit Surrender and Late Fees. A Permittee must present to OCTAP, any Taxicab which is being sold, prior to completing the sale to assure that the OCTAP</p> <p>Taxicab Permit, Welcome Stickers, and other taxicab markings are removed and that the vehicle cannot be mistaken by the public as an</p>	<p>4.6. Taxicab Permit Surrender. A Permittee, when selling or removing a taxicab from the fleet, must assure that the OCTAP Taxicab Permit, welcome decals, and other OCTAP taxicab markings are removed and that the vehicle cannot be mistaken by the public as an authorized taxicab. OCTAP Permits and welcome decals must be surrendered to OCTAP.</p>	<p>Adds the requirement to return permits and decals to OCTAP.</p>

OCTAP Regulations– Comparison of Proposed Changes

	<p>7.9.2. authorized Taxicab in the jurisdiction of any member agency. A Permittee must immediately surrender a Taxicab Permit to OCTAP if a Taxicab has been removed from the required company insurance policy, if the Taxicab Permit is otherwise revoked, or upon its expiration (if the taxicab is not to be renewed).</p> <p>7.9.3. The Permittee may not surrender a vehicle permit for the purpose of avoiding late fees. In the event that a taxicab cannot be renewed prior to its expiration due to circumstances that are beyond a Permittee’s control, the Permittee may, at OCTAP’s discretion, surrender the vehicle permit to stop the accumulation of late fees.</p> <p>7.9.4. A Permittee who fails to submit to a renewal inspection pursuant to Section 7.7, and fails to physically surrender a Taxicab Permit to OCTAP pursuant to Section 7.9.3, shall be charged late fees, up to and including the date of renewal of the Taxicab, in accordance with the current OCTAP Fee Structure.</p> <p>7.9.5. A taxicab permit which is voluntarily surrendered by a Permittee cannot be replaced or reinstated except as provided in Sections 7.5 and 7.10. A new annual taxicab inspection, with the required annual inspection fee paid, must be performed to place the vehicle back into service.</p>	<p>4.6.1. A Permittee must immediately surrender the Taxicab Permit to OCTAP if a taxicab has been removed from the OCTAP approved insurance policy, if the Taxicab Permit is revoked, or upon its expiration (if the Taxicab Permit is not to be renewed). Deleted</p> <p>4.6.2. A Permittee who fails to submit to a renewal inspection and fails to surrender a Taxicab Permit to OCTAP shall be charged late fees, up to and including the date of renewal of the taxicab, in accordance with the current OCTAP Fee Structure.</p> <p>4.6.3. A taxicab permit which is voluntarily surrendered by a Permittee can be replaced upon completion of an annual taxicab inspection and payment of the required fees, or as provided in Section 4.7.</p>	
26	7.10	<p>4.7. Replacement Taxicab Permit. If a Taxicab Permit has been damaged or is missing due to theft or destruction, a replacement permit will be issued to the same taxicab and Permittee, upon completion of an inspection and payment of the required replacement fee. The replacement</p>	clarify

OCTAP Regulations– Comparison of Proposed Changes

		paid. The Replacement Taxicab Permit shall be valid for the term remaining under the Taxicab Permit sticker which was replaced.	Taxicab Permit shall be valid for the remaining term of the Taxicab Permit that was replaced.	
27	8	TAXICAB INSPECTION STANDARDS	5. TAXICAB REQUIREMENTS	This section applies to the requirements for continuous operation – not just inspection.
27	8.1.	<p>8.1. Minimum Standards.</p> <p>The minimum Taxicab standards are those of the California Vehicle Code. All Taxicabs shall meet all applicable standards of the California Vehicle Code as well as the following in order to pass the OCTAP vehicle inspection. Certain equipment must be present and fully functional as OEM (original equipment manufacturer), as specified in this section. Taxicabs must be maintained to these standards at all times. OCTAP may administratively clarify and/or change the standards in the public interest. OCTAP will utilize the vehicle inspection form included in these regulations. A copy of the inspection form will be provided to the operators. This form will clearly delineate conditions which:</p> <ul style="list-style-type: none"> • Meet OCTAP standards and are therefore acceptable; or • Do not meet OCTAP standards and must be repaired/re-inspected to OCTAP’s approval prior to returning to revenue service (Major Items); or • Do not meet OCTAP standards, but are sufficiently minor to allow the vehicle to remain in service for up to ten (10) business days while repairs are made and completion of the repairs is determined by an OCTAP re- 	All taxicabs shall meet all requirements of the current California Vehicle Code. Current California Vehicle Code shall take precedence over any OCTAP taxicab requirement. Certain equipment must be present and fully functional as original equipment provided by the vehicle manufacturer (OEM), as specified in this section. Taxicabs must be maintained to these standards at all times.	Clarifies that CVC takes precedence over any OCTAP requirement.

OCTAP Regulations– Comparison of Proposed Changes

		inspection (subject to a re-inspection fee) (Minor Items).		
27	8.2.1.	No body damage, frame damage, tears or rust holes in the taxicab body and/or loose pieces hanging from the taxicab body are permitted. Front and rear fenders, bumpers, hood, trunk, and trim shall be securely fixed and shall be in correct alignment to the taxicab as OEM. Body damage shall include any un-repaired dents, distortions, depressions, bulges, tears, holes, or disfigurements.	5.1. Body Condition. 5.1.1. Taxicab must be free from body damage not attributed to normal wear and tear. No frame damage, holes, or loose pieces hanging from the taxicab body are permitted. Front and rear fenders, bumpers, hood, trunk, and trim shall be securely affixed and shall be original or replacement parts from the manufacturer of the vehicle.	
27	8.2.2.	The exterior of the Taxicab shall be maintained in a clean condition and shall be free of unsightly dirt, tar, oil, and rust.	5.1.2. The exterior of the taxicab shall be maintained in a clean condition and shall be free of excessive dirt, tar, oil, or other signs indicating obvious neglect to wash.	Replaced unsightly with excessive and clarified meaning with “obvious neglect to wash.”
27	8.2.3	The taxicab paint shall not be mismatched, faded, blistered, cracked, chipped, peeled, or scratched.	5.1.3. The taxicab paint shall not be mismatched, faded, blistered, cracked, chipped, peeled, scratched, or show visible signs of rust.	Added visible signs of rust.
27	8.2.4.	Effective October 1, 2009, each OCTAP Permittee shall paint vehicles in one primary color scheme.	Delete	Not needed- uniform paint color is addressed in 5.1.4.
27	8.2.5	The color scheme, name, monogram, or insignia used upon Permittee Taxicabs shall not be in conflict with and shall not imitate any other color scheme, name, monogram, or insignia used by any other Permittee. The provisions of this subsection shall not be applied to require any change or modification of any color scheme,	5.1.4. The approved color scheme, name, monogram, or insignia and vehicle markings are consistent with the submitted and approved plan in accordance to Section 2.1.11.8.	Section 8.2.5. addressed body condition. Requirement for approval of markings is now addressed in Company Permit Requirements.
28	8.3.	Brake System. Pursuant to California Vehicle Code § 26453.	5.2. Brake System. All brakes and component parts thereof shall be maintained in good condition and in good working order, pursuant to California Vehicle Code § 26453.	Added the CVC language.
28	8.4	Climate Control.	5.3. Climate Control. Taxicabs shall be equipped with a defrosting device which is adequate to remove snow, ice, frost, fog, or	Added the CVC language.

OCTAP Regulations– Comparison of Proposed Changes

		<p>The defroster must be operational pursuant to California Vehicle Code § 26712. 8.4. Climate Control.</p> <p>8.4.1. The defroster must be operational pursuant to California Vehicle Code § 26712.</p> <p>8.4.2. The air conditioning/heating units shall be functional at all times. The air discharged from the air conditioner interior vent system shall be continuously cool. All air conditioning temperature controls and functions shall operate as originally designed and manufactured with no knobs or components broken or missing. Systems shall operate on all OEM speeds with no excessive noise.</p>	<p>internal moisture from the windshield, pursuant to California Vehicle Code § 26712.</p> <p>Deleted (redundant, included in above)</p> <p>5.3.1. The air conditioning/heating units shall be functional at all times. The air discharged from the air conditioner interior vent system shall be continuously cool. All air conditioning temperature controls and functions shall operate as originally designed and manufactured with no knobs or components broken or missing. Systems shall operate on all OEM speeds with no excessive noise.</p>	
28	8.5.	<p>Exhaust System Pursuant to California Vehicle Code § 27153.</p>	<p>5.4. Exhaust System. No taxicab shall be operated in a manner resulting in the escape of excessive smoke, flame, gas, oil, or fuel residue, pursuant to California Vehicle Code § 27153.</p>	Added the CVC language.
28	8.6	<p>Fuel Tank Cap. Pursuant to California Vehicle Code § 27155.</p>	<p>5.5. Fuel Tank Cap. No taxicab shall be operated or parked upon any highway unless the filling spout for the fuel tank is closed by a cap or cover of noncombustible material, pursuant to California Vehicle Code § 27155.</p>	Added the CVC language.
28	8.7	<p>Horn. Pursuant to California Vehicle Code § 27000.</p>	<p>5.6. Horn. Taxicabs shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than 200 feet, but no horn shall emit an unreasonably loud or harsh sound, pursuant to California Vehicle Code § 27000.</p>	Added the CVC language.
28	8.8.	<p>8.8. Hubcaps or Wheel Covers. Rims, hubcaps or wheel covers shall be of like style on all wheels. Also, hubcaps and wheel</p>	<p>5.7. Hubcaps or Wheel Covers. Rims, hubcaps, or wheel covers shall be of like style on all wheels. Also, hubcaps and wheel covers shall</p>	

OCTAP Regulations– Comparison of Proposed Changes

		covers shall be on all wheels for which they are standard equipment.	be on all wheels for which they are standard equipment.	
28	8.9. 8.9.1. 8.9.2. 8.9.3. 8.9.4.	<p>Interior Condition.</p> <p>Passenger compartment, driver compartment, and trunk or luggage area shall be clean and free of foreign matter, offensive odors and litter. Smoking in a taxicab vehicle will leave an odor that may be considered offensive to others, smoking of any kind, whether held by a passenger or driver inside or outside the vehicle is prohibited inside any OCTAP permitted vehicle.</p> <p>Seat upholstery shall be clean. Interior walls, carpet and/or flooring, and ceiling shall be kept reasonably clean. No rips or tears are permitted. All repairs shall be done so as to reasonably match the existing interior.</p> <p>Door handles and doors shall be intact, clean and operational. Each door shall be capable of being unlocked and opened from the interior of the Taxicab.</p> <p>Dashboards shall be maintained in a manner that is clean and free of loose articles.</p> <p>Dashboards shall be free of: cracks, holes, and tears.</p>	<p>5.8. Interior Condition.</p> <p>Passenger compartment, driver compartment, and trunk or luggage area shall be clean, fully operational, and available for customer use. The taxicab must be free of items not related to the operation of a taxicab, and offensive odors, including smoking of any kind, by a passenger or driver.</p> <p>5.8.1. Seat upholstery shall be clean. Interior walls, carpet, flooring, and ceiling shall be kept reasonably clean. No rips or tears are permitted. All repairs shall be done so as to reasonably match the existing interior.</p> <p>5.8.2. Door handles and doors shall be intact, clean and operational. Each door shall be capable of being unlocked and opened from the interior of the taxicab.</p> <p>5.8.3. Dashboards shall be maintained in a manner that is clean and free of loose articles. Dashboards shall be free of cracks, holes, and tears.</p>	Clean up.
29	8.10. 8.10.1. 8.10.2.	<p>Interior Information.</p> <p>A 4" x 6" Information Card shall be displayed in both front and rear compartments and in plain view of all passengers at all times that the Taxicab is in operation.</p> <p>The Information Card shall contain the following information on the Permittee: name, business address and telephone number. The Information Card must also include the name, address, website, and phone number of the regulating agency (OCTAP) and the authorized</p>	<p>5.9. Interior Information.</p> <p>A 4" x 6" Information Card shall be displayed in both front and rear compartments and in plain view of all passengers at all times that the taxicab is in operation.</p> <p>5.9.1. The Information Card shall contain the following Permittee information: name, business address and telephone number. The Information Card must also include the name, address, website, and phone number of the regulating agency (OCTAP), the authorized fare schedule, and a credit</p>	Location of driver permit addressed in Section 9.8.4. Delete Bolded text. Out of Service signage addressed in Section 7.2.1.

OCTAP Regulations– Comparison of Proposed Changes

	<p>fare schedule, and a credit card acceptance statement, stating that credit cards are accepted. Accepted credit cards must, at minimum, include the acceptance of MasterCard® and Visa®.</p> <p>8.10.3. A Driver must possess a valid Driver Permit in order to operate a taxicab. At all times that the Taxicab is in operation, and does not display an out of service sign as required in the OCTAP regulations, the Driver Permit must be displayed. The Driver Permit must be displayed in the passenger side dashboard area, no alterations or information covered or hidden, so that passengers and law enforcement officers can easily view the permit from inside or outside the vehicle if looking at the passenger side dashboard of the vehicle. The Driver’s California Driver License number on the Driver Permit may be covered by a removable label if desired. The label must be removed to allow viewing by law enforcement/code enforcement officers or OCTAP staff when requested.</p> <p>Note: OCTAP may indicate and mark an exact location inside each taxicab for the posted Driver Permit at the time a vehicle inspection is performed.</p> <p>If any person is driving an out of service taxicab vehicle, “Not In Service” signs must be displayed. Signs must be a minimum size of 8 ½” x 11” with lettering which is visible up to at least 50 feet. Window signs shall be used and must be placed in both left and right rear side windows and rear window. If magnet signs</p>	<p>card acceptance statement indicating, at minimum, MasterCard® and Visa® as acceptable forms of payment.</p> <p>5.9.2. The taxicab fleet number must be a minimum height of 1 inch and be located adjacent to, or made part of the interior Information Cards.</p> <p>Covered in section 6. Taxicab Operation</p> <p>6.10.4. Driver Permit must be displayed in the passenger side dashboard area, no alterations or information covered or hidden, so that passengers and law enforcement officers can easily view the permit from inside or outside of the vehicle. The Driver Permit must be attached in a way that makes it removable by the driver to provide to law enforcement, code enforcement officers, or OCTAP staff, when requested. If the driver’s California driver license number appears on the Driver Permit, it may be covered by a removable label, if desired.</p> <p>4.3. Non-Permitted Vehicles. Taxicabs that do not possess a valid OCTAP Taxicab Permit must display “Not In Service” signs indicating the vehicle is not available for service when on a public roadway. Signs must be a minimum size of 8 ½” x 11” with lettering which is visible up to at least 50 feet. Window signs shall be used and must be</p>	<p>OCTAP will discontinue the inclusion of driver license number on permits.</p>
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OCTAP Regulations– Comparison of Proposed Changes

		are also used, they must be placed on one door of each side of the car body. If equipped, a not in service top light may additionally be used.	placed in both left and right rear side windows. If magnetic signs are used, they must be placed on one door of each side of the taxicab. If equipped, a not in service top light may additionally be used.	
30	8.10.4. 8.10.5.	Two OCTAP-issued customer information stickers shall be displayed in plain view of all passengers at all times that a Taxicab is in operation. The stickers shall be placed on the outside of both side rear windows. The stickers shall indicate that the Taxicab has been safety inspected and indicate a telephone number to call for information. The taxicab fleet number shall be placed inside the taxicab with a minimum number/letter height of one inch and placed directly above or below (separate from or part of) the Interior Information Cards.	5.14.4. Two OCTAP-issued customer information decals shall be placed on the outside of both side rear windows. The decals shall indicate that the taxicab has been safety inspected and indicate a telephone number to call for information. 5.9.2. The taxicab fleet number must be a minimum height of 1 inch and be located adjacent to, or made part of the interior Information Cards.	Location change, clean up.
30	8.11.	License Plates. Pursuant to California Vehicle Code § 5202.	5.12. License Plates. Both front and rear permanent license plates must be present, pursuant to California Vehicle Code § 5202. If plates have not yet been issued by the DMV, proper and original DMV documentation, which authorizes temporary vehicle operation, must be presented to OCTAP. Upon receipt of commercial plates, Permittee must notify and provide a copy of the registration to OCTAP within ten (10) days.	
30	8.12. 8.12.1. 8.12.2. 8.12.3 8.12.4.	Lights and Lenses. 8.12.1. Headlights shall be operational on both high and low beams (California Vehicle Code § 24400). 8.12.2. Taillights shall be operational and the light emitted be red in color (California Vehicle Code § 24600). 8.12.3. Emergency flashers shall be operational (California Vehicle Code § 24252).	5.13. Lights and Lenses. 5.13.1. Headlights shall be operational on both high and low beams, pursuant to California Vehicle Code § 24400. 5.13.2. Taillights shall be operational and the light emitted be red in color, pursuant to California Vehicle Code § 24600. 5.13.3. Emergency flashers shall be operational, pursuant to California Vehicle Code § 24252.	

OCTAP Regulations– Comparison of Proposed Changes

	8.12.5.	Reverse lights shall be operational (California Vehicle Code § 24606(a)).	5.13.4. Reverse lights shall be operational, pursuant to California Vehicle Code § 24606(a).	
	8.12.6.	Turn signal lights shall be operational (California Vehicle Code § 24951(b) (1)).	5.13.5. Turn signal lights shall be operational, pursuant to California Vehicle Code § 24951(b) (1).	
	8.12.7.	Brake lights shall be operational (California Vehicle Code § 24603(b)).	5.13.6. Brake lights shall be operational, pursuant to California Vehicle Code § 24603(b).	
	8.12.8.	License plate light shall be operational (California Vehicle Code § 24601).	5.13.7. License plate light shall be operational, pursuant to California Vehicle Code § 24601.	
	8.12.9.	Interior lights shall be OEM, operational, and set to automatically activate when passengers are entering or exiting the taxicab.	5.13.8. Interior lights shall be OEM, operational, and set to automatically activate when passengers are entering or exiting the taxicab.	
		Light lenses must be OEM, intact and contain no holes or large cracks.	5.13.9. Light lenses must be OEM, intact and contain no holes or large cracks.	
31	8.13.	Markings	5.14. Color and Graphic Design	Expanded to include Color
31	8.13.1	Exterior markings shall be permanently affixed to the taxicab and shall consist of Permittee’s Company name, taxi reservation phone number, taxicab number, credit card acceptance statement, “Authorized fare posted inside taxicab” statement, and other OCTAP approved markings. Such exterior markings shall be properly and neatly placed and easy to read (in contrasting colors). Note: A credit card acceptance statement must state that the credit cards are accepted. Accepted credit cards must, at minimum, include the acceptance of MasterCard® and Visa®.	In accordance to Permittees OCTAP approved color and graphic design, exterior design elements and information shall be permanently affixed to the taxicab and shall consist of Permittees company name, taxi reservation phone number, taxicab number, credit card acceptance statement, “Authorized fare posted inside taxicab” statement, and any other OCTAP approved information or design elements.	Clarification Credit card acceptance of MasterCard and Visa, at minimum, is addressed under Sections 5.2.10.3., 8.13.4., and 9.5.
	8.13.2.	Permittee’s Company name shall be placed on each side of Taxicab in letters not less than 3 inches in height (in contrasting colors).	5.14.1. Permittees company name and taxi reservation phone number shall be placed on each side of taxicab in letters not less than 3 inches in height (in contrasting colors).	
	8.13.3.	Taxicab number shall be placed on each side and rear of the Taxicab in numbers not less than 3 inches in height	5.14.2. Permittees taxicab number shall be placed on each side and rear of the taxicab in numbers not	

OCTAP Regulations– Comparison of Proposed Changes

			<p>less than 3 inches in height in accordance to the OCTAP approved marking scheme.</p> <p>5.14.3. Permittees “Authorized fare posted inside taxicab” statement and credit card acceptance statement shall be placed on each side of taxicab and must be a minimum of one (1) inch in height. Accepted credit cards must, at minimum, include MasterCard® and Visa®.</p> <p>5.14.4. Two OCTAP-issued customer information decals shall be placed on the outside of both side rear windows. The decals shall indicate that the taxicab has been safety inspected and indicate a telephone number to call for information.</p>	
31	8.14.	<p>Mirrors. Pursuant to California Vehicle Code § 26709.</p>	<p>5.15. Mirrors. Taxicab shall be equipped with not less than two mirrors, including one affixed to the left-hand side, pursuant to California Vehicle Code § 26709.</p>	Added the CVC language.
31	8.15.	<p>Muffler. Pursuant to California Vehicle Code § 27150(a).</p>	<p>5.16. Muffler. Taxicab shall at all times be equipped with an adequate muffler in constant operation and properly maintained to prevent any excessive or unusual noise, and no muffler or exhaust system shall be equipped with a cutout, bypass, or similar device, pursuant to California Vehicle Code § 27150(a).</p>	Added the CVC language.
31	8.16.	<p>Parking Brake. Pursuant to California Vehicle Code § 26451.</p>	<p>5.17. Parking Brake. Taxicab parking brake system shall be adequate to hold the vehicle, pursuant to California Vehicle Code § 26451.</p>	Added the CVC language.
31	8.17.	<p>Proof of Insurance. Pursuant to California Vehicle Code § 16020 through 16028.</p>	<p>5.10. Proof of Insurance. Taxicab drivers shall at all times carry in the vehicle evidence of the form of financial responsibility in effect for the vehicle, pursuant to California Vehicle Codes § 16020 through 16028.</p>	Moved and Added the CVC language.
31	8.18.	<p>Radio.</p>	<p>5.18. Dispatch Devices.</p>	Clarification

OCTAP Regulations– Comparison of Proposed Changes

	8.18.1	Taxicabs shall be equipped with a two-way radio or cellular phone in working order.	Taxicabs shall be equipped with a two-way radio, cellular phone, computer system, or other dispatch and communication system, in working order.	
32	8.19.	Seat Belts. Pursuant to California Vehicle Code § 27315. Additionally, Taxicab restraint system shall be maintained to OEM specifications and shall be in good working order.	5.19. Seat Belts. Taxicab safety belts must be in good working order for the use of the occupants of the vehicle. The safety belts shall conform to motor vehicle safety standards established by the United States Department of Transportation, pursuant to California Vehicle Code § 27315.	Added the CVC language.
32	8.20.	Steering and Suspension System. Steering and suspension system shall be in good mechanical order. (California Vehicle Code § 24002(a) (b)).	5.20. Steering and Suspension System. Steering and suspension system shall be in good mechanical order, pursuant to California Vehicle Code § 24002(a)(b).	
32	8.21. 8.21.1 8.21.2. 8.21.3. 8.21.4.	Taximeter and Meter Seals. A taximeter in working order. All taximeter seals shall be intact. Taximeter shall be certified by the County Sealer of Weights and Measures. The date the meter was certified must be on the seal and shall not be more than 13 months old. Private meter seals (paper and lead) from a certified meter shop may be used during periods of fare adjustments or when a taximeter has been repaired. Such temporary meter seals shall be valid for thirty (30) days only. Taximeters marked with “Need to Repair” tags, or equivalent, will not be accepted. No temporary meter seals will be accepted when performing annual inspections. Taximeter shall be placed in the Taxicab so that the reading dial showing the amount of	5.21. Taximeter and Meter Seals. 5.21.1. A fully operational taximeter with current and intact seals, or other new metering device approved by the California Division of Measurement Standards. 5.21.2. Taximeter shall be certified by the County Sealer of Weights and Measures. The date the meter was certified must be on the seal and shall not be more than thirteen (13) months old. Private meter seals (paper and lead) from a certified meter shop may be used during periods of fare adjustments or when a taximeter has been repaired. Such temporary meter seals shall be valid for thirty (30) days only. Taximeters marked with “Need to Repair” tags, or equivalent, will not be accepted. Temporary meter seals will be accepted when performing annual inspections, provided the vehicle is returned for re-inspection within 10 days or	Combine with 8.21.1. and 8.21.2. Allows for other new metering devices Allows a temporary meter seal at annual inspection.

OCTAP Regulations– Comparison of Proposed Changes

	<p>8.21.5. fare to be charged shall be well lighted and easily read by the passenger. A Taxicab shall be placed in an “Out of Service” status if the taximeter is not working, the seals are broken or missing, the date on the seal is missing or more than 13 months old, or the authorized fare is not being charged.</p> <p>8.21.6. Taximeter shall not charge a fare other than the authorized fare.</p>	<p>before the temporary seal expires, whichever is sooner. If the only reason for the re-inspection is a temporary meter seal, the vehicle will be failed in service and a minor item re-inspection fee will be required at re-inspection.</p> <p>5.21.3. Taximeter shall be placed in the Taxicab so that the reading dial showing the amount of fare to be charged is fully illuminated and easily seen by the passenger.</p> <p>5.21.4. A taxicab shall be placed in an “Out of Service” status if the taximeter is not working, the seals are broken or missing, the date on the seal is missing or more than thirteen (13) months old, or the authorized fare is not being charged.</p> <p>5.21.5. Taximeter shall not charge a fare other than the authorized fare.</p>	
32	<p>8.22. Tires.</p> <p>8.22.1. Pursuant to California Vehicle Code § 27465(b).</p> <p>8.22.2. A jack, tire changing tool, and an inflated spare tire. A Company may be exempted from this requirement upon proof that the Permittee has a contract with a towing company and a policy in place to send another Taxicab for the stranded passengers.</p>	<p>5.22. Tires.</p> <p>Tires must have tread depth of no less than 1/32 of an inch in any two adjacent grooves, showing no metal or fabric chords or sidewall damage, pursuant to California Vehicle Code § 27465(b).</p> <p>Deleted</p>	<p>Added the CVC language.</p> <p>This is a service issue.</p>
33	<p>8.23. Windows.</p> <p>8.23.1. Front and rear windshield per California Vehicle Code § 26710.</p> <p>8.23.2. Safety glass shall be in all windows.</p>	<p>5.23. Windows.</p> <p>Front and rear windshield must be free of defects or objects that could obstruct, impair, or reduce the driver's vision, pursuant to California Vehicle Codes § 26708 and §26710.</p> <p>5.23.1. Any replacement glass shall be OEM equivalent in all windows.</p>	

OCTAP Regulations– Comparison of Proposed Changes

	8.23.3. 8.23.4.	Windows shall be operational as originally designed. No window tinting on windshield or front side windows per California Vehicle Code § 26708. Furthermore, no window tinting shall be allowed to the rear side or rear windows except for OEM.	5.23.2. Windows shall be operational as originally designed. 5.23.3. No window tinting on windshield or front side windows per California Vehicle Code § 26708.	
33	8.24.	Windshield Wipers. Pursuant to California Vehicle Code § 26707.	5.24. Windshield Wipers. Windshield wipers maintained in good operating condition to provide clear vision through the windshield for the driver, pursuant to California Vehicle Code § 26707.	Added the CVC language.
33	8.25.	Foot Pedal Pads. OEM rubber pads on all foot controls. Pads shall not be worn or deteriorated to the point that metal is showing.	5.25. Foot Pedal Pads. OEM rubber pads on all foot controls. Pads shall not be worn or deteriorated to the point that metal is showing.	Clarified OEM equivalent
33	8.26. 8.26.1. 8.26.2. 8.26.3.	California Vehicle Registration. A valid registration per California Vehicle Code § 4462. Registered as commercial Taxicabs per California Vehicle Code § 260. Registered to the Permittee showing the same Permittee’s name and address or registered to the OCTAP Permitted Driver showing the same Permitted Driver’s name and address.	5.11. California Vehicle Registration. Evidence of valid and current vehicle registration must be maintained in each taxicab, pursuant to California Vehicle Code § 4462. 5.11.1. Registered as a commercial vehicle, pursuant to California Vehicle Code § 260. 5.11.2. Registered to the Permittee showing the same Permittee name and address or registered to the OCTAP permitted driver showing the same permitted driver name and address.	Consistent with other vehicle code language in regulations.
33	8.27.	Vehicle Age. Effective March 1, 2001, OCTAP shall not issue a Taxicab Permit for any vehicle older than ten (10) model years measured from the current calendar year (example: during calendar year 2000 vehicle must be model year 1990 or later). Vehicles older than ten (10) model years shall not be eligible to operate as a Taxicab under any condition.	5.26. Vehicle Age. OCTAP shall not issue a Taxicab Permit for any vehicle more than ten (10) model years old measured from the current calendar year (example: during calendar year 2016 vehicle must be model year 2006 or later). Vehicles older than ten (10) model years shall not be eligible to operate as a taxicab under any condition.	Removed effective date, updated years in the example.

OCTAP Regulations– Comparison of Proposed Changes

33	8.28.	<p>Vehicle Maintenance and Records. All Taxicabs shall, at a minimum, be maintained following the service standards recommended by the vehicle manufacturer. Service records and repair or maintenance receipts shall be kept and made available to OCTAP Staff upon request.</p>	<p>5.27. Vehicle Maintenance and Records. All taxicabs shall, at a minimum, be maintained following the service standards recommended by the vehicle manufacturer. Service records and repair or maintenance receipts shall be kept and made available to OCTAP Staff upon request.</p>	Location change.
			<p>5.28 Seating. All taxicabs shall be equipped to seat no more than eight (8) passengers, excluding the driver.</p>	NEW
34	9	<p>TAXICAB OPERATION.</p>	<p>6. TAXICAB OPERATION A driver must possess a valid Driver Permit in order to operate a taxicab. Driver shall not operate a taxicab that does not have a properly affixed and valid OCTAP Taxicab Permit. Driver shall ensure daily that the taxicab meets all taxicab requirements prior to placing the taxicab in service. At all times that the taxicab is in operation, and does not display an out of service sign as required in the OCTAP regulations, the Driver Permit must be displayed.</p>	Continuity. This section now consolidates and organizes all Driver requirements for taxicab operation.
34	9.1	<p>Direct Routes. Driver shall carry a passenger to his/her destination only by the most direct and accessible route.</p>	<p>6.3. Direct Routes. Driver shall carry a passenger to his/her destination only by the most direct and accessible route. With respect to a passenger’s destination, a driver shall not:</p> <p>6.3.1. Deceive or attempt to deceive any passenger who rides or desires to ride in his taxicab.</p> <p>6.3.2. Convey or attempt to convey any passenger to a destination other than the one directed by the passenger.</p>	Clarify

OCTAP Regulations– Comparison of Proposed Changes

			<p>6.3.3. Take a longer route to the passenger’s destination than is necessary, unless specifically requested to do so by the passenger.</p> <p>6.3.4. Fail to comply with the reasonable and lawful requests of the passenger as to speed.</p>	
34	9.2	<p>Receipt. Driver shall give a receipt for the amount charged upon the request of the person paying the fare. The receipt shall identify the driver’s name, taxicab number, permittee name, date and time of issuance.</p>	<p>6.6. Receipt. Driver shall provide a receipt for the amount charged upon the request of the person paying the fare. Cash receipts and credit card receipts for payments using a device other than a credit card processing device provided by the Permittee, must contain the driver’s name and permit number, telephone number, company affiliation name, charge amount, date, and time of transaction.</p>	Clarify
34	9.3.	<p>Solicitation Driver shall not leave his/her Taxicab to solicit passengers.</p>	<p>6.1. Solicitation. Driver shall not leave his/her taxicab to solicit passengers.</p>	
34	9.4.	<p>Fares Charged. Driver shall not charge fares or charges higher than those authorized in the OCTAP Regulations. Furthermore, the driver shall activate the taximeter and keep it activated at all times while carrying a fare-paying passenger.</p>	<p>6.4. Fares Charged. Driver shall not charge fares or charges higher than those authorized in the OCTAP Regulations. Furthermore, the driver shall activate the taximeter and keep it activated at all times while carrying a fare-paying passenger.</p>	
34	9.5	<p>Accidents. In the case of an automobile accident, unless rendered incapable, all Drivers operating an OCTAP permitted taxicab shall comply with the minimum requirements for the mandatory exchange of information established in California Vehicle Code §16025.</p>	<p>6.7. Accidents. In the case of an automobile accident, unless rendered incapable, all drivers operating an OCTAP permitted taxicab shall comply with the minimum requirements for the mandatory exchange of information established in California Vehicle Code § 16025.</p>	
34	9.6.	<p>Dispatch. Company shall maintain and provide year-round, 24-hour live human response</p>	<p>2.1.11.1. Company shall maintain and provide year-round, 24-hour live human response telephone service to provide trip reservation and taxi dispatch</p>	This is a Company requirement and is

OCTAP Regulations– Comparison of Proposed Changes

		<p>telephone service to provide trip reservation and taxi dispatch services, or referral services. Referral service may consist of service calls that are forwarded directly to another OCTAP Permitted Taxicab Company during hours of non-operation, provided that the Permittee has a written agreement with the receiving taxicab company. A referral service may also consist of a live-human response, providing the name and telephone number of another OCTAP permitted Taxicab Company. All calls to a company service line are to be answered within 5 rings.</p>	<p>services, or referral services. A referral service may consist of service calls that are forwarded directly to another OCTAP Permitted Taxicab Company during hours of non-operation, provided that the Permittee has a written agreement with the receiving taxicab company. A referral service may also consist of a live-human response, providing the name and telephone number of another OCTAP permitted Taxicab Company. All calls to a company service line are to be answered within 5 rings.</p>	<p>addressed under Company Permits.</p>
34	9.7	<p>Place of Business. Company shall have a principle place of business from which it conducts its activities as a Taxicab Company and related activities. Multiple locations for other activities such as storage, maintenance/repair, etc., are allowed.</p>	<p>2.1.11.2. Company shall have a principal place of business from which it conducts its activities as a taxicab company and related activities. Multiple locations for other activities such as storage, maintenance/repair, etc., are allowed. For the purposes of these regulations, and as long as the Company has provided OCTAP with a valid address for the receipt of notices and correspondence from OCTAP, a "principal place of business" may be a taxicab.</p>	<p>Addressed in Company Permits.</p>
35	9.8.	<p>Credit Card Payment. Company and all Drivers shall provide electronic processing of credit cards as a method of payment to customers. Accepted credit cards must, at minimum, include the acceptance of MasterCard® and Visa®. A customer’s personal and credit card information may only be used, processed, disseminated, and retained in accordance with current laws.</p>	<p>6.5. Credit Card Payment. In-vehicle electronic processing of credit cards using a magnetic swipe or microchip reader (when microchip reader is required by applicable state or federal law) as a method of payment to customers and issue a receipt for credit card payment. Accepted credit cards must, at minimum, include the acceptance of MasterCard® and Visa®. A customer’s personal and credit card information may only be used, processed, disseminated, and retained in accordance with current laws.</p>	<p>Added requirement for a swipe or microchip reader for driver to use when processing credit card payment.</p> <p>Clarification.</p>

OCTAP Regulations– Comparison of Proposed Changes

			In-vehicle electronic processing is defined to mean that a customer’s credit card information is electronically transmitted through a device intended for that purpose by means of a magnetic swipe or microchip reader . Credit card information may not be transmitted in any way to 3rd parties to perform a transaction.	
35	9.9.	<p>Dispatch Information.</p> <p>Company shall maintain the ability to provide OCTAP, upon request, the following service request and dispatch record information for each service request:</p> <ul style="list-style-type: none"> • Driver responding to service request, may identify driver using OCTAP Permit number; • Location of pickup request, address, cross street, business name, etc; • Identification of person taking service request; • Date and time request was made. Record is to be time stamped with the time received, or may be electronically time stamped through the use of a computer aided dispatch (CAD) system; • Estimated arrival time, if any; • Identification of Taxicab number sent (the Company must also, through a separate record, be able to identify the name of the Driver); and • Time service request was sent to the driver. Record is to be time stamped with the time request was transmitted to a driver, or may be electronically time stamped through the use of a computer aided dispatch (CAD) system. <p>The method that the company will use to maintain dispatch records is to be outlined in</p>	<p>2.1.11.4. Company shall maintain the ability to provide OCTAP, upon request, the following:</p> <ul style="list-style-type: none"> • Driver name or Permit number of driver responding to service request. • Location of pickup request address, cross street, business name, etc. • Identification of person taking service request. • Date and time request was made. Record is to be time stamped with the time received, or may be electronically time stamped through the use of a computer aided dispatch (CAD) system. • Estimated arrival time, if provided to customer. • Taxicab identification number. • Time service request was sent to the driver. Record is to be time stamped with the time request was transmitted to a driver, or may be electronically time stamped through the use of a computer aided dispatch (CAD) system. 	Location change.

OCTAP Regulations– Comparison of Proposed Changes

		writing, and reviewed by OCTAP, as part of the permitting process.		
35	9.10.	Records Retention. Company shall keep service request and dispatch records readily available to OCTAP for at least ninety (90) days.	2.1.11.5. Company shall keep order and dispatch records readily available to OCTAP for at least ninety (90) days.	
35	9.11.	Lost and Found. Company shall have a written lost and found policy.	2.1.11.6. Company shall have a written lost and found policy that includes the return of lost articles to the customer, and submit a written outline of the process to OCTAP for review as part of the permitting process.	
35	9.12.	Complaints. Company shall have a policy in place to receive complaints. The complaint policy must contain a mechanism for receiving complaints, investigation, and final resolution of complaints, as well as corrective actions. All complaints must be responded to in an expedient, responsible, and professional manner.	2.1.11.7. Company shall have a policy in place to receive complaints. The complaint policy must contain the mechanism for receiving complaints, investigation, and final resolution of complaints, as well as corrective actions. All complaints must be responded to in an expedient, responsible, and professional manner.	
36	9.13.	Refusal of Passengers. A taxicab driver who is in service, not hired, and able to accommodate passengers, shall not refuse service to any passenger requesting transportation.	6.2. Refusal to Transport. A taxicab driver who is in service, not hired, and able to accommodate passengers, shall not refuse or neglect to transport any orderly person requesting transportation to that person’s destination unless the driver can show beyond a reasonable doubt that one or both of the following conditions exist: 6.2.1. The driver personal safety is at risk. 6.2.2. The taxicab has been previously engaged by another person.	Clarification.
36	9.14.	Additional Operational Requirements.	6.10. Additional Operational Requirements. 6.10.1. Driver shall not carry more passengers in the taxicab than are authorized by the manufacturer’s recommendations. Operational seat belts must be available for all passengers.	

OCTAP Regulations– Comparison of Proposed Changes

		<p>Nothing in this Section shall prohibit OCTAP or an Agency from requiring a Permittee or Driver to comply with such additional operational requirements for safe, efficient and courteous service for the traveling public.</p>	<p>6.10.2. Driver shall operate a taxicab in accordance with all applicable state and local laws and regulations and with due regard for the safety, comfort, and convenience of passengers, and of the general public.</p> <p>6.10.3. Driver will not knowingly operate a taxicab equipped with a faulty or inaccurate taximeter, or a taximeter that shows signs of having been tampered with, or is not sufficiently illuminated, or the face of the taximeter cannot be easily seen by the passenger, or does not have properly attached and dated seals.</p> <p>6.10.4. Driver Permit must be displayed in the passenger side dashboard area, no alterations or information covered or hidden, so that passengers and law enforcement officers can easily view the permit from inside or outside of the vehicle. The Driver Permit must be attached in a way that makes it removable by the driver to provide to law enforcement, code enforcement officers, or OCTAP staff, when requested. The driver’s California driver license number on the Driver Permit may be covered by a removable label, if desired.</p> <p>6.10.5. Nothing in this Section shall prohibit OCTAP or an Agency from requiring a Permittee or driver to comply with such additional operational requirements for safe, efficient and courteous service for the traveling public.</p>	
36	10. 10.1.	<p>PERMIT FEES AND TAXICAB FARES. OCTAP Permit Fees. A fee schedule for OCTAP functions will be proposed by the OCTAP Administrator, reviewed and recommended by the OCTAP Steering Committee, and approved by the OCTA Board of Directors in the amount necessary to recover all costs incurred by</p>	<p>9. PERMIT FEES AND TAXICAB FARES 9.1. OCTAP Permit Fees. A schedule for Permit fees will be proposed by the OCTAP Administrator, reviewed and recommended by the OCTAP Steering Committee, and approved by the OCTA Board of Directors in the amount necessary to recover all costs incurred by OCTA in the administration of OCTAP. The fee schedule</p>	

OCTAP Regulations– Comparison of Proposed Changes

		OCTA in the administration of OCTAP. The fee schedule adopted by the OCTA Board of Directors is attached hereto as Attachment “1.”	adopted by the OCTA Board of Directors is attached hereto as “Attachment 1.”	
36	10.2.	Taxicab Passenger Fares.	<p>9. PERMIT FEES AND TAXICAB FARES</p> <p>9.1. OCTAP Permit Fees. A schedule for Permit fees will be proposed by the OCTAP Administrator, reviewed and recommended by the OCTAP Steering Committee, and approved by the OCTA Board of Directors in the amount necessary to recover all costs incurred by OCTA in the administration of OCTAP. The fee schedule adopted by the OCTA Board of Directors is attached hereto as “Attachment 1.”</p> <p>9.2. Taxicab Fares. Driver must always run the taximeter when transporting a passenger. The fare charged the customer may not exceed the fare indicated on the taximeter except as provided in Section 6.8.</p>	
36	10.2.1.	Initial Taxicab passenger fares have been adopted by OCTAP and ratified by Resolution of each participating Agency.	<p>9.3. Metered Rates. Taxicab metered rates are established by OCTAP.</p>	
36	10.2.2.	Each Agency agrees to accept the passenger fare schedule approved by the OCTAP Steering Committee, which is attached hereto as Attachment “2.” Each year the OCTAP Administrator will conduct a study of comparable Taxicab fares and recommend a passenger fare schedule to the OCTAP Steering Committee. In the event the recommended passenger fare schedule includes any revision(s) to the then current passenger fare schedule or in the event the Steering Committee approves consideration of revision(s) to the then current passenger fare schedule recommended by a Steering	9.3.1. Each Agency agrees to adopt the metered rates approved by the OCTAP Steering Committee, which is attached hereto as “Attachment 2.”	Removed internal process not necessary in regulations.

OCTAP Regulations– Comparison of Proposed Changes

		Committee member, then the Steering Committee must comply with the following procedure in order to approve any revisions to the passenger fare schedule.		
36	10.2.2.1	Introduction of Proposed Revised Passenger Fare Schedule. The OCTAP Administrator may recommend a revised passenger fare schedule for first reading and initial consideration by the Steering Committee at a regularly scheduled quarterly meeting of the Steering Committee or the Steering Committee may approve consideration of a revised passenger fare schedule recommended by a member.	9.3.1.1. Proposed revisions to the Metered Rate will be provided for consideration to the Steering Committee at a regularly scheduled quarterly meeting of the Steering Committee, or the Steering Committee may approve consideration of a revised Metered Rate recommended by a member.	
37	10.2.2.2	Public Hearing. The Steering Committee shall have no authority to adopt a revised passenger fare schedule during the meeting in which a proposed revised passenger fare schedule is first introduced and presented to the Steering Committee. The Steering Committee shall set a public hearing to receive comments from the public regarding the proposed revised passenger fare schedule. The public hearing may be set for the next regularly scheduled quarterly meeting date of the Steering Committee, or another time and place not less than forty-five (45) days from the date of introduction of the proposed revised passenger fare schedule.	9.3.1.2. The Steering Committee shall set a public hearing to receive comments from the public regarding any proposed revised Metered Rate. The public hearing may be set for the next regularly scheduled quarterly meeting date of the Steering Committee, or another time and place not less than forty-five (45) days from the date of introduction of the proposed revised Metered Rate.	
37	10.2.2.3	Notice of Public Hearing. Immediately after the Steering Committee sets the time and place of the public hearing, the OCTAP Administrator shall notify OCTA Staff, the City Manager of each participating Agency, Taxicab Company Permittees, and representatives of the Orange County Tourism Industry, and shall post and publish a public notice of the public	9.3.1.3. The OCTAP Administrator shall notify OCTA Staff, the City Manager of each participating Agency, taxicab company Permittees, and representatives of the Orange County tourism industry, and shall post and publish a public notice of the public hearing in a newspaper of general circulation in the County of Orange at least once, no less than fifteen (15) days prior to the date of the public hearing.	

OCTAP Regulations– Comparison of Proposed Changes

		hearing in a newspaper of general circulation in the County of Orange at least once, no less than fifteen (15) days prior to the date of the public hearing.		
37	10.2.2.4	Adoption. Following the public hearing, the Steering Committee shall consider the proposed revised passenger fare schedule along with any public testimony presented in writing or orally at the time of the hearing. The Steering Committee may adopt, modify or reject the proposed revised passenger fare schedule. Any adopted revisions to the passenger fare schedule shall become effective no less than thirty (30) days following the adoption by the Steering Committee.	9.3.1.4. The Steering Committee shall consider the proposed revised Metered Rates along with any public testimony presented in writing or orally at the time of the Public Hearing. The Steering Committee may adopt, modify, or reject the proposed Metered Rates. Any adopted revisions to the Metered Rates shall become effective no less than thirty (30) days following the adoption by the Steering Committee.	
37	10.2.2.5	Notice of Adoption. Immediately upon the adoption of a revised passenger fare schedule, but no later than fifteen (15) days thereafter, the OCTAP Administrator shall notify OCTA Staff, the City Manager of each participating Agency, Taxicab Company Permittees, and representatives of the Orange County Tourism Industry, of said adoption, and shall post and publish a public notice of said adoption in a newspaper of general circulation in the County of Orange at least once, no later than fifteen (15) days subsequent to the date of adoption.	9.3.1.5. Upon adoption of revised Metered Rates, but no later than fifteen (15) days thereafter, the OCTAP Administrator shall notify OCTA Staff, the City Manager of each participating Agency, taxicab company Permittees, and representatives of the Orange County tourism industry, of said adoption, and shall post and publish a public notice of said adoption in a newspaper of general circulation in the County of Orange at least once, no later than fifteen (15) days subsequent to the date of adoption.	
38	10.2.2.6	Majority Vote Required. Any action by the Steering Committee to adopt a revised passenger fare schedule shall require adoption by an affirmative vote of a majority of all members of the Steering Committee representing a participating Agency, regardless of the number of such members present and voting.	9.3.1.6. Any action by the Steering Committee to adopt a revised Metered Rate shall require adoption by an affirmative vote of a majority of all members of the Steering Committee representing a participating Agency, regardless of the number of such members present and voting.	
38	10.3	Refund Policy.	9.4. Refund Policy.	Location change.

OCTAP Regulations– Comparison of Proposed Changes

		There shall be no refund of any portion of the fees described in the OCTAP Regulations.	There shall be no refund of any portion of the fees described in the OCTAP Regulations.	
38	11. 11.1. 11.2. 11.2.1. 11.2.1.1	<p>NON-PERMITTED TAXICAB OPERATION AND ADVERTISING</p> <p>Purpose. The purpose of this section is to implement the administrative regulation of S.B. 1519 (Chapter 721, 2008 Statutes), which added Sections 53075.7 and 53075.9 to the California Government Code pertaining to non-permitted taxicab operations (bandit cabs) and advertising.</p> <p>Information Warranting an Investigation. The following information, which if provided by member Agency or OCTAP staff, law enforcement, or a member of the public, will be deemed sufficient to warrant an investigation to determine whether OCTAP should commence proceedings against the alleged illegal operation of a Taxicab or an alleged violation of the advertising requirements of California Government Code Section 53075.9:</p> <p>As to the alleged illegal operation of a Taxicab, the date, time and location of the alleged illegal operation, and information indicative of a Taxicab operation (such as advertising a Taxicab service on the vehicle and/or picking up passengers at a location reserved for Taxicab service or other such indicative information); information pertaining to the type of vehicle involved (sedan, van, station wagon), the vehicle’s license plate number, color, make, model, and any distinctive characteristics, if any (such as signs, markings,</p>	<p>7. NON-PERMITTED TAXICAB OPERATION AND ADVERTISING</p> <p>7.1. Information Warranting an Investigation. The following information, provided by any person who identifies themselves and provides their contact information, will be deemed sufficient to warrant an investigation:</p> <p>1. Reports alleging illegal taxicab operation shall require all of the following information be provided:</p> <ul style="list-style-type: none"> •Date, time and location; •Description of activity; •Vehicle’s license plate number, color, make and model, and any distinctive characteristics. 	Clarification.

OCTAP Regulations– Comparison of Proposed Changes

	11.2.1.2	<p>condition or visible damage to the vehicle). The absence of distinctive characteristics shall not be a basis for not pursuing an investigation into the alleged illegal operation of a Taxicab.</p> <p>As to an alleged violation of Government Code Section 53075.9 pertaining to advertising, a copy or exemplar of the advertising information (such as the sign, business card, advertising display, webpage, electronic recording or phone directory) evidencing non-compliance with the statute.</p>	2. As to an alleged violation of Government Code Section 53075.9 pertaining to advertising, a copy or sample of the advertising information (such as the sign, business card, advertising display, webpage, electronic recording or phone directory) evidencing non-compliance with the statute must be provided.	
39	11.3 11.3.1.	<p>OCTAP Administrator Review and Authority. 11.3.1. Upon review of the information required hereunder, and if the OCTAP Administrator or designee determines that the evidence warrants it, the OCTAP Administrator or designee may notify the alleged offending Company and/or Driver of the alleged violation evidenced by the information, and give notice of, and hold within 60 days of such notice, an administrative hearing to consider the Company’s and/or Driver’s response to the evidence of violation, and to consider the imposition of administrative penalties for the violation pursuant to Government Code Section 53075.9(c), and an assessment sufficient to cover the reasonable expense of investigating the violation. Within ten (10) days of the administrative hearing, the OCTAP Administrator or designee shall notify the Company and/or Driver in writing of his/her decision. Any administrative penalty in the form of a monetary fine shall be due and payable within thirty (30) days of the date of the decision. The decision of the OCTAP</p>	7.1.1. Upon review of the information required, and if the OCTAP Administrator or designee determines that the evidence warrants it, the OCTAP Administrator or designee will investigate for violation of OCTAP Regulations and issue any appropriate administrative action, including fines.	

OCTAP Regulations– Comparison of Proposed Changes

	<p>Administrator or designee and imposition of the cost recovery assessment is subject to appeal within ten (10) days of the decision pursuant to Section 12 below.</p> <p>11.3.2. In lieu of notifying the Company and/or Driver of the alleged violation evidenced by the information required hereunder, the OCTAP Administrator or designee may forward the information with a recommendation for prosecution or appropriate civil proceedings against the Company and/or Driver to the prosecutor for the member Agency in whose jurisdiction the alleged violations occurred. The recommendation shall include a statement of the costs to OCTAP for investigating the alleged violation.</p> <p>11.3.3. Pursuant to Government Code Section 53075.9(c), OCTAP shall collect interest at the rate of 10% per annum for all unpaid fines and assessments, commencing on the day following when the payment of the fine and assessment is due. All fines, assessments, and interest collected shall be deposited at least once each month in a fund established for the purpose of enforcing the provisions of this Section.</p>	<p>7.1.2. OCTAP will investigate reports and refer verified bandit taxi activity incidents to the local code or law enforcement agency with a request for appropriate action(s).</p> <p>Deleted</p>	
40	<p>12.</p> <p>12.1. APPEALS AND ADMINISTRATIVE HEARINGS Notice of Adverse Action. In the event a permit is proposed to be denied, suspended revoked, or a penalty imposed, the applicant, Permittee or Driver shall be notified in writing of the proposed adverse action and the reason(s) supporting it.</p> <p>12.2. Notice of Appeal.</p>	<p>8. APPEALS AND ADMINISTRATIVE HEARINGS In the event a permit is denied, suspended, revoked, or a penalty imposed, the applicant, Permittee, or driver shall be notified in writing of the adverse action and the reason(s) supporting it.</p> <p>8.1. Notice of Appeal.</p>	

OCTAP Regulations– Comparison of Proposed Changes

	<p>No later than ten (10) days following the date on the notice of proposed adverse action, the applicant, Permittee, or Driver may submit a written appeal on a form provided by OCTAP. The applicant, Permittee, or Driver shall set forth in the appeal the reason(s) why such action is not proper. Failure to file a timely appeal shall constitute a waiver of the right to an appeal.</p> <p>12.3. Stay. Except as provided in Section 12.4, once an appeal is filed, the proposed adverse action shall be stayed pending the final determination on appeal.</p> <p>12.4. Stay, exception. If, in the OCTAP Administrator’s opinion, the continued operation of a Taxicab, possession of a Company Permit, or possession of a Driver Permit represents a health or safety hazard for the public, the adverse action shall not be stayed pending the final determination on appeal.</p> <p>12.5. Initial Review of Appeal. If an appeal is timely filed, the OCTAP Administrator shall either make the final decision regarding the appeal or shall assign a hearing officer to make the final decision regarding the appeal. The OCTAP Administrator may review the appeal and any additional information provided therein and shall have the discretion to determine the appropriate action in response to the appeal.</p>	<p>No later than ten (10) calendar days following the date on the notice of adverse action, the applicant, Permittee, or driver may submit a written appeal on a form provided by OCTAP. The applicant, Permittee, or driver shall set forth in the appeal the reason(s) why such action is not proper. Failure to file a timely appeal shall constitute a waiver of the right to an appeal.</p> <p>8.2. Stay. Except as provided in Section 8.3., if an appeal is properly filed the adverse action shall be stayed pending the final determination on appeal.</p> <p>8.3. Stay, Exception. If, in the OCTAP Administrator’s opinion, the continued operation of a taxicab, possession of a Company Permit, or possession of a Driver Permit represents a health or safety hazard for the public, the adverse action shall not be stayed pending the final determination on appeal.</p> <p>8.4. Initial Review of Appeal. If an appeal is timely filed, the OCTAP Administrator shall either make the final decision regarding the appeal or shall assign a hearing officer to make the final decision regarding the appeal. The OCTAP Administrator may review the appeal and any additional information provided therein and shall have the discretion to determine the appropriate action in response to the appeal.</p>	
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OCTAP Regulations– Comparison of Proposed Changes

41	12.6.	<p>Hearing Officer. In the event the OCTAP Administrator elects to assign a hearing officer to decide the appeal then the following shall apply:</p> <p>12.6.1. The hearing officer shall not be an OCTA employee;</p> <p>12.6.2. The hearing officer shall expeditiously schedule the appeal hearing.</p> <p>12.6.3. The appellant and the OCTAP Administrator or the Administrator’s designee shall each have the right to appear in person and be represented by legal counsel or other representative, to present evidence, to call and cross-examine witnesses under oath, and to present argument.</p> <p>12.6.4. The formal rules of evidence shall not apply, and any relevant evidence that is the sort of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs shall be admissible.</p> <p>12.6.5. Hearsay evidence may be considered by the hearing officer, but no findings may be based solely on hearsay evidence unless supported or corroborated by other relevant and competent evidence.</p> <p>12.6.6. The OCTAP Administrator may promulgate supplementary rules and procedures for the conduct of the hearing, the forms of notice and proceedings, and the preparation and submission of the record.</p> <p>12.6.7. The hearing officer shall have the discretion to determine the appropriate action in response to the appeal.</p> <p>12.6.8. The decision of the hearing officer shall be the final administrative remedy and shall be binding upon the parties to the appeal.</p>	<p>8.5. Hearing Officer. In the event the OCTAP Administrator elects to assign a hearing officer to decide the appeal then the following shall apply:</p> <p>8.5.1. The hearing officer shall not be an OCTA employee.</p> <p>8.5.2. The hearing officer shall expeditiously schedule the appeal hearing.</p> <p>8.5.3. The appellant and the OCTAP Administrator or the Administrator’s designee shall each have the right to appear in person and be represented by legal counsel or other representative, to present evidence, to call and cross-examine witnesses under oath, and to present argument.</p> <p>8.5.4. The formal rules of evidence shall not apply, and any relevant evidence that is the sort of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs shall be admissible.</p> <p>8.5.5. Hearsay evidence may be considered by the hearing officer, but no findings may be based solely on hearsay evidence unless supported or corroborated by other relevant and competent evidence.</p> <p>8.5.6. The OCTAP Administrator may promulgate supplementary rules and procedures for the conduct of the hearing, the forms of notice and proceedings, and the preparation and submission of the record.</p> <p>8.5.7. The hearing officer shall have the discretion to determine the appropriate action in response to the appeal.</p> <p>8.5.8. The decision of the hearing officer shall be the final administrative remedy and shall be binding upon the parties to the appeal.</p>	<p>Changed fees to reflect 4% increase, changed business days to calendar days applying to late fees</p>
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OCTAP Regulations– Comparison of Proposed Changes

	12.6.9	If the hearing officer decides to suspend or revoke a permit, the appellant shall immediately surrender the permit to the OCTAP Administrator.	8.5.9. If the hearing officer decides to suspend or revoke a permit, the appellant shall immediately surrender the permit to the OCTAP Administrator.	
41	12.7.	Administrative Hearings. Administrative Hearings may be held at the discretion of the OCTAP Administrator when the denial, suspension, or revocation of a Company Permit or Driver Permit, or other administrative actions, are initiated for good cause and in the interest of the health, welfare, and safety of the public.	8.6. Administrative Hearings. Administrative hearings may be held at the discretion of the OCTAP Administrator when the denial, suspension, or revocation of a Company Permit or Driver Permit, or other administrative actions, are initiated for good cause and in the interest of the health, welfare, and safety of the public.	
42	13. 13.1. 13.2. 13.2.1.	AMENDMENT(S) TO REGULATIONS Administrative Amendment(s). The Steering Committee may adopt administrative amendment(s) to the OCTAP Regulations. OCTAP shall forthwith notify each Agency and the OCTA Board of Directors of any changes adopted pursuant to this section. Substantive Amendment(s). Notwithstanding section 13.1 above, the Steering Committee is not authorized to adopt substantive amendment(s) to the OCTAP Regulations. Substantive amendment(s) shall be recommended by the Steering Committee and substantive amendment(s) must be approved by each Agency and shall be effective only in the Area of Jurisdiction of each Agency that has approved the amendment(s). For purposes of this section, a substantive amendment is defined as an amendment likely to have any of the following effects: 13.2.1. Affect the rights, responsibilities, and participation of any Agency (such an	10. AMENDMENTS TO REGULATIONS 10.1. Administrative Amendments. The Steering Committee may adopt administrative amendment(s) to the OCTAP Regulations. OCTAP shall notify each Agency and the OCTA Board of Directors of any changes adopted pursuant to this section. 10.2. Substantive Amendments. Notwithstanding Section 10.1., the Steering Committee is not authorized to adopt substantive amendments to the OCTAP Regulations. Any substantive amendment shall be recommended by the Steering Committee and be approved by each Agency. These amendments and shall be effective only in the Area of Jurisdiction of each Agency that has approved the amendment(s). For purposes of this section, a substantive amendment is defined as an amendment likely to have any of the following effects: 10.2.1. Affect the rights, responsibilities, and participation of any Agency (such an amendment	Location change. Clean up.

OCTAP Regulations– Comparison of Proposed Changes

	13.2.2. 13.2.3.	amendment must also be approved by the OCTA Board of Directors); or Decrease the number of Companies or the number of Taxicabs operating in the Area of Jurisdiction of any Agency; or Affect the purpose of the OCTAP Regulations.	must also be approved by the OCTA Board of Directors). 10.2.2. Decrease the number of Companies or the number of taxicabs operating in the Area of Jurisdiction of any Agency. 10.2.3. Affect the purpose of the OCTAP Regulations.	
42	13.3. 13.3.1. 13.3.2.	OCTAP Permit Fees and Taxicab Passenger Fares. Sections 13.1 and 13.2 above shall not apply to an amendment to the OCTAP fee schedule, attached hereto as Attachment “1,” which is adopted by the OCTA Board of Directors. An amendment of the Taxicab passenger fares attached hereto as Attachment “2” and adopted pursuant to Section 10.2.2.6 of these Regulations shall be considered an administrative amendment pursuant to Section 13.1 in order to ensure uniformity of fares within Orange County.	10.3. OCTAP Permit Fees and Taxicab Metered Rates. 10.3.1. Sections 10.1 and 10.2 above shall not apply to an amendment to the OCTAP fee schedule, attached hereto as Attachment “1,” which is adopted by the OCTA Board of Directors. 10.3.2. An amendment of the taxicab Metered Rates attached hereto as “Attachment 2” and adopted pursuant to Section 9.3.1.6. of these Regulations shall be considered an administrative amendment pursuant to Section 10.1 in order to ensure uniformity of fares within Orange County.	Location change.

ITEM 4



April 21, 2016

To: OCTAP Steering and Safety Committees

From: Sandy Boyle, OCTAP Administrator

Subject: Replacement of Large Taxicab Representative and Recommendation to Amend Bylaws Related to Filling Vacancies

Overview

The Orange County Taxi Administration Program Steering Committee includes two members and two alternates representing the permitted taxicab companies, and one member and one alternate representing Travel and Tourism programs. Every two years, a ballot is circulated to permitted taxicab companies to vote on their respective Committee representatives. The Steering Committee votes on the Travel and Tourism representatives from a list of nominees provided by member agencies. At the November 4, 2015 Steering and Safety Committee meeting, Lynn Strong, A White and Yellow Cab was elected as the Large Taxicab Company Steering Committee representative and Larry Slagle, Yellow Cab of Greater Orange County, was elected as the alternate representative.

Discussion

On April 4, 2016, Lynn Strong resigned his position as the Large Taxicab Company representative. The current Steering Committee Bylaws do not specifically address replacement of an elected member that resigns their position. OCTAP legal counsel reviewed the Steering Committee bylaws and concluded that OCTAP must hold a new election for the Large Taxicab Representatives. The Large Taxicab Company alternate shall represent the large taxicab companies until a new representative is elected at the July 21, 2016 Steering and Safety Committee meeting.

Staff recommends that member agency representatives amend the Steering Committee Bylaws for elected representation to allow an alternate to automatically assume the representative position in the event of a vacancy until completion of the term.

Recommendations

Amend the OCTAP Steering Committee Bylaws to allow for the automatic appointment of replacement representatives in the event of an elected member vacancy.

ITEM 5



April 21, 2016

To: OCTAP Steering and Safety Committees

From: Sandy Boyle, OCTAP Administrator

Subject: Legislation Update

Overview

OCTAP tracks the bills in the California Legislature related to private for-hire passenger services. A summary of the bills and their current status is outlined below.

Active

AB 650 would enact the Taxicab Transportation Services Act and provide for the regulation of taxicab transportation services by the Public Utilities Commission (PUC). The PUC would authorize carriers to operate in one or more of 7 designated regions in the state and repeal provisions providing for city and county regulation of taxicab services, with the exception of airports which would continue to regulate the provision of taxicab transportation services to and from airports.

AB 828, until January 1, 2018, would exclude any motor vehicle operated in connection with a TNC from the definition of "commercial vehicle," for purposes of the Vehicle Code.

AB 1289 seeks to require TNCs to conduct comprehensive criminal background checks to ensure they do not contract with, employ, or continue to retain a driver convicted of any violent crime, sexual offense, driving under the influence, act of fraud, act of terror, or crime involving property damage or theft.

AB 1727 seeks to amend state labor law to allow groups of 10 or more independent contractors who work for hosting platforms, such as Uber and Lyft drivers, the right to collectively bargain for benefits, wages, and other workplace protections.

AB 2790 would require the California Research Bureau to conduct a study, on or before September 1, 2017, on the necessity and feasibility of licensure for taxicab drivers.

SB 1035 would authorize the CPUC to fix the rates and establish rules for transportation network companies, prohibit discrimination, and award reparation for the exaction of unreasonable, excessive, or discriminatory charges by a TNC. It would require the CPUC to study adoption of background checks for TNC drivers, accessibility issues for people with disabilities, and data sharing with local governments for transportation and environmental planning.

Postponed by Committee

AB 1360 would allow a TNC or a charter-party carrier to arrange a ride among multiple passengers who share the ride, and charge a per passenger fare provided that fare is less than what would be charged to a passenger traveling alone.

No Longer Active

AB 24 sought to require TNCs to participate in the Department of Motor Vehicles (DMV) Employee Pull Notice (EPN) System, and submit all drivers to a Department of Justice criminal background check. The requirement for DMV EPN was included in AB 1422, which was signed into law by the Governor.

AB 886 sought to prohibit a TNC from requesting or requiring personally identifiable data of a passenger unless the customer has access and is able to cancel or terminate the account, at which time the information would be disposed in a secure manner.

SB 372 sought to prohibit a TNC or taxicab company to contract with, employ, or continue to employ a participating driver who is required by any law to register as a sex offender. This bill did not pass out of Senate by January 31, 2016, and is no longer being considered.

Summary

OCTAP staff will continue to monitor legislation and provide information to the OCTAP Steering and Safety Committees.

ITEM 6



April 21, 2016

To: OCTAP Steering and Safety Committees
From: Sandy Boyle, OCTAP Administrator
Subject: Adjustment of OCTAP Fee Schedule

Overview

On December 13, 2004, the Orange County Transportation Authority (OCTA) Board of Directors approved an Orange County Taxi Administration Program (OCTAP) fee schedule that would allow OCTAP to be fully self-sustaining. This fee schedule, implemented on January 1, 2005, included fixed-fee increases in 2005, 2006, and increases of 4 percent each fiscal year, beginning in 2007.

Discussion

OCTAP was designed to be a self-supported operation, wherein revenues generated by the program provide the only means of support for the administration and enforcement of the OCTAP regulations. OCTAP operating revenues are derived primarily from company, vehicle, and driver permits. Additional revenue is generated by fees associated with permit transfers, reinstatements, substitutions, re-inspection fees, late fees, and fines.

When OCTAP revenues are sufficient to support program costs and maintain sufficient operating reserves, OCTA's Board of Directors waives the annual fee increase. OCTAP permit fees, at their current rates, are not sufficient to support the program and maintain appropriate program reserves. It is necessary to increase OCTAP permit fees, as mandated by the OCTA Board of Directors. This increase is not sufficient to support the program, and OCTAP has used program reserves since September, 2014. OCTAP and OCTA staff are exploring alternative funding options with the Member Agencies in an effort maintain the program on behalf of the member agencies.

Summary

As directed by the OCTA Board of Directors, fees for all OCTAP services will be increased by 4 percent effective July 1, 2016. Additional increases may be necessary in order to sustain the program, based on the development of a sustainable funding plan and guidance from the member agencies. An updated

OCTAP Permit Fee schedule effective July 1, 2016 is included as attachment A. OCTAP will provide notice to permit holders should an additional increase be required.

Attachments:

A. OCTAP Fee Schedule Effective July 1, 2016



PERMIT FEES

EFFECTIVE JULY 1, 2016

COMPANY PERMIT

New One-Year Permit	\$4,659.20
Renewal One-year	\$1,541.28
Renewal Three-year	\$4,881.26

VEHICLE PERMIT

Annual Vehicle Inspection and Permit:	\$433.68
Random Vehicle Inspection:	No Charge
Re-inspection for Failed Major Item:	\$164.32
Re-inspection for Failed Minor Item: (within 10 days of original inspection)	\$72.49
Substitution or Replacement:	\$58.50

DRIVER PERMIT

Annual Permit:	\$115.70
Replacement:	\$16.22
Transfer (to another company):	\$21.63
Re-instatement:	\$21.63

LATE FEES (Per Calendar Day)

Vehicle Permit - Maximum 15 days:	\$31.36
Driver Permit - Maximum 4 days:	\$31.36

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