



# San Antonio Police Department

## Proposed Revisions to Chapter 33 - Transportation Network Companies



**William P. McManus**

Chief of Police

December 3, 2014 - City Council B Session

# Transportation Network Companies



## Background



- March - Lyft / Uber began Operations
- April 2, 2014 & May 7, 2014 Public Safety Committee Briefing
- June / July - Meetings with TNCs, Local Industry and TAB
- August 13, 2014 - Staff Recommendation to Public Safety
- September / November Task Force Meetings
- November 12, 2014 – Public Safety Committee

# Transportation Network Companies – Public Safety Committee Task Force

- Charged to Review Staff Recommendations on TNC:
  - Disability Access Requirements
  - Insurance Requirements
  - Driver Standards and Validation Process
  - Vehicle Inspections and Validation Process

# Public Safety Committee Task Force Members

- Robert Huxel - Insurance Industry
- Jane Thomas - Disability Community
- April Mims - TNC (Lyft)
- Leandre Johns - TNC (Uber)
- John Bouloubasis - Taxi Cab Industry
- George Mery - Limousine Industry
- Eva Esquivel - Citizens/Consumers

# Disability Access Requirement



- Sec. 33-030
  - “Each Holder shall comply with all applicable requirements of the American Disabilities Act of 1990...”
- Engaged City’s Disability Access Office in revision to include specific requirements for vehicles for hire
- Revised to apply to all Vehicle for Hire Companies

# TNC Insurance Requirements



- Overview:
  - Staff is not proposing coverage be designated as personal or commercial, this is at the discretion of insurance providers
  - Recommendations based on California and Colorado
  - Amounts based on TNCs current insurance levels
  - MAIN ISSUE: Whether insurance in period 2 will be contingent or primary

# TNC Insurance Requirements



	PERIOD 1	PERIOD 2	PERIOD 3
Logged In To Platform	No	Yes	Yes
Matched w/Passenger	No	No	Yes

# TNC Insurance Requirements



	PERIOD 1	PERIOD 2	PERIOD 3
<b>Logged In To Platform</b>	<b>No</b>	<b>Yes</b>	<b>Yes</b>
<b>Matched w/Passenger</b>	<b>No</b>	<b>No</b>	<b>Yes</b>
<b>Personal Injury</b> (per person)	\$30,000		
<b>Personal Injury</b> (per occurrence)	\$60,000		
<b>Property Damage</b>	\$25,000		
<b>Excess Coverage</b>	--		
<b>Under/Uninsured Motorist</b>	--		
<b>Insurance Provided by</b>	Driver (D)		

All insurance coverage is primary (excepting excess coverage in P2).<sup>8</sup>



# TNC Insurance Requirements



	PERIOD 1	PERIOD 2	PERIOD 3
<b>Logged In To Platform</b>	<b>No</b>	<b>Yes</b>	<b>Yes</b>
<b>Matched w/Passenger</b>	<b>No</b>	<b>No</b>	<b>Yes</b>
<b>Personal Injury</b> (per person)	\$30,000	\$50,000	
<b>Personal Injury</b> (per occurrence)	\$60,000	\$100,000	
<b>Property Damage</b>	\$25,000	\$25,000	
<b>Excess Coverage</b>	--	\$200,000	
<b>Under/Uninsured Motorist</b>	--	--	
<b>Insurance Provided by</b>	Driver (D)	TNC, D, or both	

All insurance coverage is primary (excepting excess coverage in P2).<sup>9</sup>

# TNC Insurance Requirements



	PERIOD 1	PERIOD 2	PERIOD 3
<b>Logged In To Platform</b>	<b>No</b>	<b>Yes</b>	<b>Yes</b>
<b>Matched w/Passenger</b>	<b>No</b>	<b>No</b>	<b>Yes</b>
<b>Personal Injury</b> (per person)	\$30,000	\$50,000	\$1,000,000
<b>Personal Injury</b> (per occurrence)	\$60,000	\$100,000	
<b>Property Damage</b>	\$25,000	\$25,000	
<b>Excess Coverage</b>	--	\$200,000	--
<b>Under/Uninsured Motorist</b>	--	--	\$1,000,000
<b>Insurance Provided by</b>	Driver (D)	TNC, D, or both	TNC, D, or both

All insurance coverage is primary (excepting excess coverage in P2).<sup>10</sup>

# TNC Insurance Requirements



- Sec 33 - 989
  - Driver not logged on or providing transportation for hire: Personal Auto Insurance state minimum 30/60/25
  - Driver logged on, but has not accepted a ride request: Primary Commercial Auto Insurance 50/100/25 with an excess coverage of \$200,000 per occurrence
  - Driver accepted ride request, enroute or with passenger: Primary Commercial Auto Insurance \$1M per occurrence plus \$1M Uninsured/underinsured

# TNC Vehicle Inspection Requirements



## Sec. 33-987

- Annual Inspection by Certified Auto Repair Facility
- Inspection Standards remain unchanged and apply to all vehicles for hire
- Vehicles subject to random informal and formal inspections by City Staff



# TNC Driver Requirements

## Sec 33-985

- TNC Driver Permit requirements are identical to the existing industry
- TNCs are required to provide the city with a drivers application which attests that each driver meets the requirements
- Verification of driver identity and criminal history based on 10 prints confirmed by SAPD
- Biennial Renewal

# Proposed TNC Specific Regulations



- May not use stands or loading zones. (Sec. 33-990)
- Fares based on calculation of time and distance.  
No “flat” or “hourly” rate (Sec. 33-993)
- Must display fares and provide rate estimator prior to beginning of trip. (Sec. 33-993)
- May not accept “hails” or solicit passengers. (Sec. 33-990 & Sec. 33-994)
- Shall only accept payment utilizing the TNC Platform. May not accept cash, check or other form of payment. (Sec. 33-998)



# TNC Operating Permit Fee Schedule

- Other Cities / States
  - Annual Company Permit Fee
    - Colorado
  - Percentage of Revenue
    - Houston, TX ; California; Washington, D.C.
  - Per Vehicle / Driver Fee
    - Tulsa, OK; Cincinnati, OH; Baton Rouge, LA; Chicago, IL;
  - Per Trip
    - Seattle, WA;

# TNC Operating Permit Fee Schedule



- Recommendation
  - \$110 One Time Application Fee
  - \$160 Annual Vehicle Permit
  - \$15 Biennial Driver Permit
- Permits
  - Not Transferable
  - Pro-Rated Quarterly
  - Non-Refundable





# TNC Operating Permit Fee Schedule

- Local Revenue / Expenditure Assumptions:
  - 300 to 500 TNC Vehicles and Drivers
  - 1 Transportation Inspector per 350 vehicles/drivers
  - \$50,250 to \$83,750 estimated additional annual revenue
  - \$43,120 additional first year cost for 1 Transportation Inspector

# Proposed Penalties



- **Persons in violation of Sec. 33-998 are subject to Class C Misdemeanor Offense with Fine not more than \$500**
  - Operation without a valid permit
  - Accepting cash for payment
  - Solicit a passenger
- **Drivers permits may also be revoked or suspended for up to 60 days for additional violations of Chapter 33**

# Proposed Penalties



- **Sec. 33-999 Company Operators Permit may be suspended or revoked:**
  - Third violation, a 30 day suspension;
  - Fourth violation, a 90 day suspension; and
  - Fifth violation, a one year suspension.

Violations occurring within 12 month period

# Staff Recommendation

- Annual Review
  - Compare the number of TNC vehicles and drivers permits issued against current assumptions
  - Compare the percentage of vehicle inspections failed by TNCs, taxicabs, and limousines
  - Compare the percentage of drivers permits denied, suspended, revoked for TNCs, taxicabs, limousines
- Proceed to Full Council for Consideration as Proposed



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**THANK YOU**

**William P. McManus**

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