

**Monterey Peninsula Airport District
Rules & Regulations
For
Commercial Ground Transportation**

The following rules and regulations have been adopted by Resolution 1652, pursuant to Ordinances 916 and 912 and supersede all earlier published ground transportation rules and regulations.

AUTHORITY

1.0 The Monterey Peninsula Airport District Board of Directors has delegated authority to the Airport Manager, his designee, or Ground Transportation Management personnel to act on its behalf in administering commercial ground transportation at the Airport, regulating the use of the facilities and services of the Airport, determining and collecting use charges therefore, enforcing these Rules and Regulations for commercial ground transportation providers and the general Airport Rules and Regulations, and carrying out such other duties and responsibilities as required to manage ground transportation.

1.1 The following rules and regulations govern the operations of all commercial ground transportation businesses upon the Monterey Regional Airport. Commercial operators of all types are covered, including, but not limited to, the following:

- (a) Transportation Charter Party Operators
- (b) Passenger Courtesy Vehicles (Hotel/Motel)
- (c) Taxicabs
- (d) Transportation Network Companies (TNC), as defined by the California Public Utilities Commission (CPUC)

1.2 These Rules and Regulations may be changed at any time by action of the Board of Directors, or without action by the Board of Directors because of requirements imposed by the Federal Aviation Administration (FAA), Transportation Security Administration (TSA), CPUC, and/or Regional Taxi Authority Rules (RTA) or other state or federal authority at any time and without prior notice. Any changes or additional requirements mandated by the FAA, TSA, CPUC and/or RTA supersede these Rules and Regulations.

DEFINITIONS

2.0 Unless specifically defined otherwise herein, or unless a different meaning is apparent from the context, the following words or phrases have the meanings set forth below. Words or phrases that are not defined in this ordinance, but that are defined in the California Penal Code, have the meanings set forth therein:

(a) **Airport**: means the Monterey Regional Airport and all lands owned and operated by the Monterey Peninsula Airport District for airport purposes or activities. "Airport" includes all improvements, facilities and appurtenances.

(b) **Airport Surcharge Fee**: The amount charged for each passenger(s) pick-up and drop-off per motor vehicle trip.

(c) **Automated Vehicle Identification (AVI) Medallion**: A Radio Frequency Identification (RFID) bar code sticker tag used for the purpose of capturing per trip surcharges and other enforcement tracking mechanisms.

(d) **Bus**: Any passenger vehicle with single or dual rear axles capable of carrying fifteen (15) or more passengers not including the driver.

(e) **Courtesy Vehicle**: Any vehicle permitted to transport its customers as a "Courtesy" service only, not for hire/not for compensation.

(f) **Cruising**: Operation of a motor vehicle upon Airport roadways by a Commercial Operator for the purposes of soliciting or attempting to solicit passengers in any location other than in the loading and unloading areas specifically authorized for such use in these regulations.

(g) **Dwell Time Fee**: If applicable, the period of time which a motor vehicle remains upon the loading and unloading areas of the terminal.

(h) **Ground Transportation Curbside Management**: A person or entity contracted by the Monterey Peninsula Airport District, to manage the queuing, staging and curbside policies set within this document, including applicable policies adopted by the Monterey County Regional Taxi Authority or the California Public Utilities Commission.

(i) **Ground Transportation Year**: The Ground Transportation Year shall run from July 1st through June 30th.

(j) **Limousine/Van/Shuttle**: Any passenger-carrying vehicle with a maximum seating capacity of fourteen (14) passengers plus the driver operating on a "pre-arranged and on-demand" basis, transporting passengers at a per-person rate, the use of said vehicle not being exclusive to any individual or group.

(k) **Loading and Unloading Areas**: Those areas authorized for passenger loading and unloading.

(l) **Luxury Limousine**: A vehicle for hire on a charter basis which shall offer luxury features including, but not limited to, television, telephone, and beverages and has at least four doors, two on each side of the vehicle (this does not include the front or rear of the vehicle) all of which must be designated for entry and exit by its occupant. Luxury limousine does not include a taxicab.

(m) **On Call and Demand/Call and Demand**: The transportation of passengers or property not "On Schedule."

(n) **Replacement Vehicle**: A vehicle intended by a Commercial Operator to replace a vehicle that has been registered for the ground transportation year but was subsequently destroyed or sold.

(o) **Revocation**: The revocation of a Commercial Operator's privilege to operate motor vehicles on Airport property and/or to otherwise conduct business activities in the Airport Terminal.

(p) **Scheduled Service:** The transportation of passengers or property between fixed points and over designated routes at established times as specified in the carrier's time schedule as filed and approved by the appropriate jurisdictional authority.

(q) **Solicitation:** Any attempt or act by or for a Commercial Operator, direct or indirect, verbal, non-verbal or written, of whatever nature to obtain passengers or baggage.

(r) **Sticker Permit:** An annual permit for each motor vehicle picking up passengers (and drop-offs for taxicabs) at the airport.

(s) **Suspension:** The temporary discontinuance of a Commercial Operator's privilege to operate motor vehicles on the Airport and/or to conduct business activities in the Airport Terminal.

(t) **Taxicab:** Any passenger-carrying vehicle with a maximum seating capacity of seven (7) passengers plus the driver holding a permit issued by the Regional Taxi Authority for transportation of passengers and their baggage in taxicab service operation on a "pre-arranged and on-demand" basis, the first passenger: (1) having exclusive use of the vehicle unless he/she agrees to "Multiple Loading"; and (2) having the ability to designate any destination, route, or stops desired on the route.

(u) **Taxi Holding Lot:** An area dedicated to queuing of taxi operators prior to being dispatched to the terminal.

(v) **Taxi Terminal Queuing Area:** An area dedicated to queuing of taxi operators at the terminal.

(w) **Terminal:** means all buildings and structures located within the airport and open to the public for the purpose of flight ticket purchase, public lobby, waiting, baggage check-in and those other services related to public air travel.

(x) **Transportation Network Company or TNC:** A CPUC permitted company or organization, whether a corporation, partnership, sole proprietor or other form, that provides prearranged transportation services using an Online-Enabled Platform, Mobile Device or Application to connect passengers with drivers using personal vehicles.

(y) **TCP/Courtesy Vehicle Holding Lot:** An area, if applicable, dedicated to the queuing of TCP and Courtesy Vehicles prior to pre-arranged and on-demand passenger pick-ups at the terminal.

COMPLIANCE

3.0 Commercial Operators conducting business activities upon Airport premises shall comply with all laws of the United States and the State of California, all rules and regulations promulgated by the Monterey County Regional Taxi Authority or the California Public Utilities Commission, the Federal Aviation Administration (FAA), the Transportation Security Administration (TSA) and the Rules and Regulations of this document.

3.1 No Commercial Operator upon Airport property shall fail to obey any lawful directive of any Police Officer, Operations Staff, Ground Transportation Company Management Employee or Regional Taxi Authority Administrator (taxicabs only). Authority is hereby vested in Ground Transportation

Management Employees to enforce these regulations including, by way of example but not by way of limitation, authority to monitor the business activities – including AVI tracking - and the meet and greet of passengers by commercial operators at the Airport, to control vehicular traffic and solicitation at the Airport, to direct motor vehicle movements within commercial loading and unloading areas, and to require the removal of commercial motor vehicles from loading and unloading areas in order to alleviate congestion.

AIRPORT ACCESS

4.0 All commercial ground transportation activities, including those operations conducted under proper California Public Utilities Commission and/or Monterey County Regional Taxi Authority, are prohibited on the Airport, unless expressly permitted to operate on the Airport in writing, in advance, and under permit by the General Manager or designee.

4.1 Each Commercial Operator seeking to conduct business activities and to operate motor vehicles upon Airport premises shall register with the Airport Police Department Administrator each Ground Transportation Year and shall possess an airport sticker permit for each vehicle accessing the Airport for the purpose of conducting business at the Airport, or shall be assessed a penalty fee. Taxicab operators, as a combined fee, must purchase an airport sticker permit and AVI medallion.

FEES AND PENALTIES FOR GROUND TRANSPORTATION

5.0 **Permit Fee**: Each Commercial Ground Transportation Vehicle defined in section 1.1 shall pay Monterey Peninsula Airport District a permit fee per vehicle annually to operate at the Airport. A permit involves the issuance of a colorized sticker for all commercial operators designated for the appropriate ground transportation year, and an AVI Medallion issued one-time only for taxicabs (Section 6). Permit fees are established in the rates & charges schedule established by Board resolution or incorporated within the contractual agreement.

If airport access commences during the annual permit cycle, the Commercial Operator shall pay the pro rated portion of the annual fee for the remainder of the term of the annual permit. The term of the annual permit is from July 1st through and including June 30th. Each Operator shall pay the applicable permit fee in advance, (a) on or before the date it wishes to commence operations (if purchasing a new permit); or (b) on or before July 1st of each year (if renewing an annual permit).

5.1 **Permit Process**: A registration application must be completed in full and applicable insurances and other requirements set forth in this document including annual permit fees due must be received by the Airport Police Administrator prior to the issuance of an AVI Medallion (for taxis only) and Sticker Permit. AVI Medallions and Sticker Permits may be purchased by appointment at the Airport Police Administration Office. Notifications will be issued via mailings, website postings and/or other announcements prior to each Ground Transportation Year.

5.2 **Airport Surcharge Fee**: Each Commercial Taxicab Operator dropping off and picking up passengers will be assessed an airport per trip surcharge fee, except by waiver listed in section 5.3. Each represented taxicab company will be issued a monthly invoice with the total surcharges incurred by its fleet. Each TNC company will pay an annual fee pursuant to the contractual agreement between

the TNC and Monterey Peninsula Airport District. In addition, each TNC will be assessed an airport per trip surcharge fee for each Pick Up and Drop Off. The Operator shall remit payment of fees within thirty (30) calendar days to the Airport. Surcharge fees are established in the rates & charges schedule established by Board resolution.

5.3 **Waiver of Airport Surcharge Fees**: Each Commercial Taxicab Operator dropping off or picking up passengers will not be assessed an airport per trip surcharge fee under the following events: When a passenger returns to the Airport to retrieve lost luggage or a rental car which was unavailable during their initial flight arrival; an RTA senior script program voucher or other unusual circumstances deemed acceptable to the Airport Manager, his designee or the Ground Transportation Management Company.

5.4 **Delinquent Fees**: Commercial Operators are considered delinquent after the original due date referenced in section 5.2. Airport Surcharge Fees not received by the Airport District prior to 5:00pm, on the day after the due date, the Commercial Operator shall pay a late charge of five percent (5%). At the discretion of the Executive Director, Commercial Operators with delinquent fees attempting to access the Airport may be expelled without having access to passengers or the terminal, and will not be allowed to conduct any Ground Transportation business. Expulsion will be performed by Airport Operations Staff, Law Enforcement Officers and/or the Ground Transportation Management Manager. The Airport will mail a statement for payment in arrears as a written record of fees owed.

5.5 **No Diversion of Passengers**: Ground Transportation Operators shall not, through their officers, agents, representatives, or employees, divert or cause to be diverted any prospective customer or item to a location off the Airport, in order to pick up or drop off said customer or item off the Airport and thereby avoid paying the fees and charges that would otherwise be owed to Airport hereunder. For example, and without limiting the foregoing, a Ground Transportation Operator shall not instruct a customer to utilize a Hotel/Motel Courtesy Vehicle to be transported or to transport an item off the Airport in order to then pick up the customer or item at a hotel/motel off the Airport to avoid paying fees and charges hereunder. A Ground Transportation Operator shall not instruct a potential customer to utilize a taxicab, TNC, limousine, or other form of public transportation, and offer to reimburse the customer for the cost of said transportation, in order to pick up the customer or item at a location off the Airport.

5.6 **Refusal of Fares**: Commercial Operators may only refuse a fare as follows:

- (a) A voucher offered by the Airlines.
- (b) If the passenger(s) luggage exceeds the capacity of the vehicle.
- (c) Any other right of refusal as stipulated in the Rules & Regulations set forth by the Public Utilities Commission, or Regional Taxi Authority.

5.7 **Penalties**:

(a) Every person who violates any provision of these rules & regulations is guilty of an infraction and upon conviction thereof shall be punishable by the penalties defined under MPAD Ordinances 916 or 912, and any additional rules and/or regulations imposed by the California Public Utilities Commission or Monterey County Regional Taxi Authority Regulations.

(b) In any action or proceeding to collect fees, penalties and interest due under these rules and regulations, the Airport shall be entitled to recover from the other party all costs, expenses and attorneys fees associated with such collection.

(c) Should Commercial Operator(s) fail to timely pay all fees and expenses as required by these Rules and Regulations, such Commercial Operator may be denied access to the Airport until payment in full is made, including any applicable late fees.

(d) Jurisdiction and venue for any suit, right or cause of action arising under or in connection with these Rules and Regulations shall be exclusively in the County Court of Monterey, California.

AUTOMATED VEHICLE IDENTIFICATION MEDALLION REQUIREMENTS

6.0 The Monterey Peninsula Airport District maintains and operates an Automated Vehicle Identification (AVI) system. Before operating motor vehicles upon Airport premises, except as otherwise hereinafter provided, Commercial Taxicab Operators that will access the Airport shall secure an AVI Medallion for each of their vehicles and follow the medallion fee and display guidelines for passenger operators described in section 7. At the discretion of the Airport Board of Directors, TCP and Passenger Courtesy Vehicle Operators may be required to purchase an AVI Medallion and assessed an airport surcharge.

6.1 Airport sticker permits and AVI Medallions purchased from other airports may not be used.

6.2 Unless authorized by the Airport Manager or designee, airport sticker permits and AVI Medallions shall not be transferred between or among vehicles within the fleet of a Commercial Operator and the use by a Commercial Operator of an airport sticker permit and AVI Medallion issued to a different Commercial Operator is strictly prohibited.

6.3 Medallions will be deactivated in the event of misuse and access to the Airport denied.

AVI MEDALLION FEE AND DISPLAY GUIDELINES FOR COMMERCIAL OPERATORS

7.0 All taxicab vehicles providing service at the Monterey Peninsula Airport are required to obtain and display an AVI Medallion with the airport operating permit sticker. All TCP, Courtesy Vehicle and TNC Operators pursuant to Ordinance 916 are only required to purchase an annual Airport sticker operating permit at this time. Any Commercial Taxicab Operator that does not display an AVI Medallion and Permit Sticker will immediately be issued a citation assessed as a penalty in an amount as prescribed in Ordinance 916 or 912 and required to leave the Airport premises immediately.

7.1 The following rules apply to all AVI Medallion and Sticker Permit holders:

(a) AVI Medallions and Sticker Permits must be affixed as directed so they are plainly readable by Airport District personnel and/or Ground Transportation Management employee at all times. The exact location of AVI Medallions and Sticker Permits will be affixed to the vehicle by Airport or Ground Transportation Management personnel. Use of fixatives other than permanent adhesive is prohibited and shall result in the loss of tampered or improperly affixed AVI Medallion and Sticker Permits. The Airport Manager or his designee, Ground Transportation personnel or Regional Taxi Authority administrator is hereby authorized to check the fixative or use of any permit which may appear suspect. Undisplayed AVI Medallions and Sticker Permits without the appropriate color, expiration date, identification number, and AVI Medallions and Sticker Permits displayed in any other location or

with any other fixative will be deemed invalid and the vehicle will be deemed to be un-permitted and charged a Penalty Fee.

(b) AVI Medallions and Sticker Permits are not transferable from one vehicle to another except in the case of the destruction or sale of a vehicle and its replacement, proved to the satisfaction of the Airport Manager, his designee or Ground Transportation Management personnel at their sole discretion.

(c) If an AVI Medallion and/or Sticker Permit is damaged, destroyed or unreadable by AVI equipment, a new AVI Medallion and/or Sticker Permit will be issued only when the remains of the purchased Medallion/Permit are turned into the Airport Police Department Administrator or Ground Transportation Management personnel. Should AVI Medallions become inoperable for reason of neglect or abuse, it is the responsibility of the commercial operator to purchase a new one. Vehicles not displaying an AVI Medallion and Sticker Permit due to its damage or destruction will be assessed a Penalty Fee.

MOTOR VEHICLE OPERATING REQUIREMENTS

8.0 Commercial Operator motor vehicles with an Airport permit shall be operated in compliance with the following requirements:

(a) **Unattended Vehicles:**

1. It shall be prohibited for any Commercial Operator to leave its motor vehicles unattended upon Airport roadways or in the commercial lanes of the Terminal. Notwithstanding the foregoing, a Commercial TCP or Hotel/Motel Courtesy Vehicle Operator, may leave an unattended vehicle in an authorized area of Airport property, as outlined in Attachment #1, if meeting and greeting a prescheduled passenger in accordance with Sections 9.0, not longer than fifteen (15) minutes or as otherwise directed by an on-duty Airport Police Officer.

2. Vehicles left without a driver, in contravention of these rules and regulations, in unauthorized areas of the Airport, or in a manner that causes an obstruction of traffic shall be immediately towed from the Airport at Commercial Operator's expense.

3. Commercial Ground Transportation Curbside Employees shall have authority, in their sole discretion, to require Commercial Operators to move their vehicles in order to maintain efficient traffic movement, to maintain Transportation Security Administration security requirements, and operating requirements set forth in this document.

(b) **Passenger Drop-Off in Designated Areas outside the Terminal Building:**

1. Commercial TCP, TNC and Courtesy Operators must deliver departing passengers to the departure curb of the Terminal in the designated parking stalls indicated in Attachment #1 unless directed by Airport or Ground Transportation Management personnel to another specific area. Attended vehicles may be in these designated drop-off areas only for the time required to unload passengers and baggage.

2. Taxicab Operators shall drop off passengers at one of the two (2) available parking stalls located immediately behind the taxi terminal queuing area (see Attachment #1). Drop-off of

passengers at other terminal locations is not permitted unless unusual circumstances that require a deviation of procedures are authorized by the Airport or Ground Transportation Management personnel.

(c) **Passenger Loading in Designated Areas outside the Terminal Building:**

1. **Commercial TCP and Courtesy Operators** must pick up arriving passengers at the baggage claim area of the Terminal or in the designated parking staging area listed in Attachment #1 unless directed by Airport or Ground Transportation Management personnel to another specific area. Attended vehicles may be in these designated pick-up areas only for the time required to load passengers and baggage or otherwise permitted in Section 8.0(d).

2. **Taxicab Operators** pick up on-demand passengers at one of the three (3) available parking stalls located at the taxi terminal queuing area (see Attachment #1). Taxicab Operators shall pick up pre-arranged passengers as indicated on Attachment #1 and as defined in Section 9.0(b), and are not authorized to leave their vehicle unattended or wait at great lengths, and must comply with Airport Police directives. Passenger pick-ups at other terminal locations are not permitted unless unusual circumstances require a deviation of procedures and are authorized by Airport or Ground Transportation Management personnel.

3. **TNC Operators** shall pick up and drop off pre-arranged passengers in the area designated, as indicated on Attachment #1 and as defined in Section 9.0(b), and are not authorized to leave their vehicle unattended or wait in excess of 5 minutes, and must comply with Airport Police directives. Passenger pick-ups at other terminal locations are not permitted unless unusual circumstances require a deviation of procedures and are authorized by Airport or Ground Transportation Management personnel.

(d) **Use of Hotel/Motel Courtesy Vehicle Staging Area:** If necessary, all TCP and Courtesy Vehicle Operators with operating privileges may make use of the fifteen (15) minute first come first served Staging Area, as outlined in Attachment #1. Drivers must remain with all parked vehicles, unless a particular driver is the one (1) designated Commercial Operator allowed inside the terminal for purposes of meeting a prearranged pick-up pursuant to these Ground Transportation Rules.

(e) **Use of Taxi Holding Lot:** All Commercial Taxi Operators who have operating privileges with the Airport shall make use of the Taxi Holding Lot (Attachment #2) when arriving at the airport to pick up an on-demand fare, unless otherwise permitted by Airport or Ground Transportation Management personnel, and may park their vehicles within the temporary parking area of the Commercial Taxi Holding Lot. Drivers must remain with all parked vehicles and adhere to the posted rules set forth by the Ground Transportation Management Company.

(f) **Use of Taxi Terminal Queuing Area:** All Commercial Taxicab Operators who have operating privileges with the Airport shall respond from the Taxi Holding Lot to the Taxi Terminal Queuing parking area in front of the terminal (Attachment #1), for queuing and loading of passengers when notified.

(g) **Taxi Staging Notifications:** All Commercial Taxicab Operators will be advised on specific procedures, developed by the Ground Transportation Management Company, when to respond from the Taxi Holding Lot to the Taxi Terminal Queuing Area and will only be allowed access to the Terminal in proper sequence. Taxicabs may leave the Airport premises; however forfeit their place in line if the window sequence has expired.

(h) **Cruising Prohibited**: It shall be prohibited for Commercial Operators to engage in Cruising upon Airport property.

(i) **Airport Parking Lots**: Commercial Operators shall not conduct any business upon or leave commercial vehicles in public parking lot facilities, including employee parking lots. Any commercial vehicle parked in public parking facilities will be towed at the expense of the Commercial Operator. This includes commercial vehicles used as personal vehicles of employees. Exceptions to this rule may be granted at the discretion of the Airport Manager, his designee or Commercial Transportation Management personnel as defined in Section 11.0(g) and 11.0(h). It shall be the responsibility of the owner and/or operator of any such vehicle to request such an exception in advance from the Airport Police or Operations Department, and to furnish the license number of the vehicle which is to be parked in an Airport parking facility to the Airport Police, Operations Department or Ground Transportation Management company if the request is granted.

(j) **Double Parking Prohibited**: Double parking of motor vehicles by Commercial Operators upon Airport roadways is prohibited.

(k) **Vehicle Trade Dress**: Motor vehicles operated upon Airport property by Commercial Operators, whether or not for hire, shall have clearly displayed name and/or trade symbol of the Operating Company and all applicable California Public Utilities Commission, Federal Highway Administration authority numbers and/or applicable rules outlined by the Regional Taxi Authority Regulations.

(l) **Vehicle Safety**: Commercial Operators shall maintain all motor vehicles operated upon Airport roadways in accordance with vehicle safety requirements of the California Public Utilities Commission and other state, county, city law and/or Regional Taxi Authority Regulations.

MEETING AND GREETING PASSENGERS

9.0 Pre-arranged Pick-ups:

(a) TCP and Courtesy Vehicle Operators, with prearranged pick-ups are authorized to meet passengers inside the Airport Terminal lobby or baggage claim, or in areas authorized by the Airport Manager or his designee and as outlined in Section 8. Operators shall have a passenger waybill available for immediate review by Ground Transportation Management personnel upon request. This waybill shall contain the date, full name of the passenger, number of affiliated riders, and airline with flight number. Flight numbers and date may be excluded only in cases when the patron explicitly has engaged in a business transaction with Airport Staff, its concessions or other aviation service providers. This waybill shall be carried by the driver of the Commercial vehicle operator.

(b) TNC operators must :

1. Provide the Curbside Management Company with evidence of a waybill upon request for pre-arranged pick-ups.
2. Avoid dwell time on the curb unless permitted by the Curbside Management Company.
3. May not accept airline vouchers, unless a contract has been arranged with an airline.

(c) Taxicab Operators, with pre-arranged pick-ups at the terminal are restricted as follows:

1. Flight Arrivals. The operator must produce the passenger's full name, number of affiliated riders in the same party, and the arriving airline and flight number.
2. Produce the full name of the patron which has explicitly engaged in an active business transaction with Airport Staff, its concessions or other aviation service providers.
3. May not accept Airline Vouchers as a pre-arranged pick-up fare.

9.1 No Commercial Operator of any ground transportation company may porter passenger baggage unless the passenger has, without solicitation from the Commercial Operator, requested such assistance; or unless the Commercial Operator is claiming and delivering delayed baggage under contract.

(a) **Drop Off:** If a passenger requests baggage assistance from the Commercial Operator at the time of drop-off and unloading, the Commercial Operator may assist the passenger with his or her baggage as defined in Section 8.0(a)1.

(b) **Pick Up:** If the passenger requests baggage assistance from the Commercial Operator at the time of pick-up, the Commercial Operator may assist the passenger with the baggage. The operator may take the passenger's luggage from the baggage claim area to the vehicle, and return for additional baggage without violating curbside parking privileges set in Section 8.0(a)1.

9.2 Self-service luggage carts, if located throughout the Airport for use by the traveling public shall not be gathered or retained by Commercial Operators for resale or for use in the operation of their businesses or for any other purpose. Commercial Operators shall not contract verbally or in writing with any other parties for the purpose of utilizing self-service luggage carts in the operation of their businesses.

9.3 Commercial Operators or other Company Representatives may not meet Walk-Up, or non-prearranged passengers inside the Airport Terminal.

SOLICITATION AND BUSINESS RESTRICTIONS

10.0 It shall be prohibited for any Commercial Operator to conduct any ground transportation business or concession upon the Airport or roadways or other facilities used or operated in conjunction with the Airport or for any person to sell, offer for sale or furnish any ground transportation service or commodity upon the Airport except as specifically authorized herein for Commercial Operators.

10.1 Commercial Operators shall not engage in Solicitation upon Airport premises by initiating or engaging in a conversation regarding ground transportation services with any person on the airport for the purpose of seeking passengers or customers for a commercial passenger vehicle operator; employing, inducing, arranging for or allowing any person to initiate or engage in a conversation regarding ground transportation services with any other person on the airport for the purpose of seeking passengers or customers for a commercial passenger vehicle operator; engaging in any conduct or activity intended to or apparently intended to ask, implore or persuade a passenger or potential passenger to alter his or her previously chosen mode of ground transportation or commercial passenger vehicle operator, delivering literature on the airport discussing or describing ground transportation

services to be provided by a commercial passenger vehicle operator to any person on the airport; or offering ground transportation services provided by a commercial passenger vehicle operator to any person while on the airport. "Solicitation" does not include actions by employees of any airline in arranging for transportation for any passenger of such airline.

10.2 Commercial Operators likewise shall not enter into or attempt to make any arrangement with the curbside management company, maintenance employees, airline or other tenant employees, Airport District employees whether or not for compensation whereby such persons undertake or agree to engage in Solicitation for a Commercial Operator.

COMMERCIAL OPERATOR CONDUCT UPON THE AIRPORT

11.0 Commercial Operators doing business upon Airport premises as authorized herein shall abide by the following rules of conduct while upon the Airport:

(a) **Commercial Operator Demeanor**: Commercial Operators shall be courteous to the public and to other Commercial Operators and their employees. The Commercial Operator's employees shall be clean, efficient and neat in appearance. Commercial Operators shall not allow employees on the Airport to use improper language or to act in a loud or boisterous or otherwise improper manner. Commercial Operators shall not engage in open, notorious and public disputes, disagreements or conflicts intending to deteriorate the quality of the ground transportation services of Commercial Operators or their competitors or incompatible with the best interests of the public at the Airport. Obscene communications, threats of violence or physical harm, fighting, gambling, public intoxication and carrying of weapons or illegal substances on Airport premises are expressly prohibited.

(b) **Deception of the Public**: It shall be a violation of these Rules for a Commercial Operator to deceive or attempt to deceive the public through false representations concerning its prices or services or those of any other ground transportation provider.

(c) **Obedience to Signs**: Commercial Operators shall obey all posted signs located upon Airport property.

(d) **Name Identification Tags**: At all times while on Airport Property, Commercial TCP and Courtesy Vehicle Operators, shall wear identification of the driver and company representative name of the Commercial Operator with whom he or she is associated. Name identification tags for Commercial Taxicab Operators are subject to Regional Taxi Authority Regulations.

(e) **Sleeping**: Commercial Operators are prohibited from sleeping inside the Airport Terminal Building or inside their vehicles at the Taxi Terminal Queuing Area or TCP and Courtesy Vehicle staging areas. Drivers observed sleeping are subject to return to the Taxi Holding Lot or dismissed from Airport property.

(f) **Credit Card Machines**: Credit card processing equipment is required for all Taxicab and TNC vehicles. Credit card processing must support Europay (EMV) payment technology. Commercial Vehicles are prohibited to decline a fare by means of accepting cash as preference. Violators will be immediately expelled and subject to suspension and permit revocation.

(g) **Food and Drink:**

1. Commercial Taxicab Operators, with a valid permit, are authorized to purchase food and drink inside the Airport Terminal provided the following conditions are met:
 - a) The driver informs the Ground Transportation Management Company in advance and within an authorized parking area as directed by the Ground Transportation Management Company.
 - b) Does not exceed a specific time period determined by the Ground Transportation Management Company.
 - c) The driver purchases their Food and Drink to go and displays a receipt if requested by the Ground Transportation Management Company.
 - d) Not engage in casual conversation with other drivers within the authorized waiting areas as defined in 11.0(j).
2. No Commercial Operator shall provide food or drinks to its customers at any location upon Airport Property other than in motor vehicles operated by Commercial Operators.
3. All personal food and beverage or other items brought into the Airport Terminal by a Commercial Operator Representative must remain in the possession of the person at all times while in the Terminal. Any unattended items will be disposed of by Airport personnel.

(h) **Terminal Restrooms:**

Commercial Operators not located at the Terminal Queuing Area, are authorized to utilize the restroom facilities at the terminal provided the following conditions are met:

- 1) The driver informs the Ground Transportation Management Company in advance and within an authorized parking area as directed by the Ground Transportation Management Company.
- 2) Not engage in casual conversation with other drivers within the authorized waiting areas as defined in 11.0(j).
- 3) Not perform any other personal or business functions in contradiction of these rules and regulations.

(i) **Gratuities:** Commercial Operators and their representatives while upon Airport property shall not solicit gratuities or tips, directly or indirectly, from their customers.

(j) **Authorized Waiting Area:** Commercial Taxicab Operators parked at the Taxi Terminal Queuing Area are authorized to wait along the curb immediately in front of the queuing and within the terminal center lobby areas. Waiting is unauthorized in any other areas unless specifically authorized by the Ground Transportation Management Company or Airport Staff for business related activity.

SUSPENSION AND REVOCATION

12.0 All Commercial Operators must comply with the lawful directives of airport staff and with these rules and regulations. The Airport Manager or his designee shall have the power to suspend the operating privilege of any Commercial Operator for non-compliance with any lawful directive; a violation of these Ground Transportation Rules and Regulations; behavior that disrupts the effective operation of the Airport Terminal; or any behavior that the Airport Manager or designee determines creates a danger to the Airport personnel, Ground Transportation Management personnel or the traveling public. The Airport Manager or designee shall have the power to revoke the operating privileges of any Commercial Operator or its driver, employee or Company Representative for repeated non-compliance with these Ground Transportation Rules and Regulations or where the Commercial Operator or its representative is deemed a danger to the health, safety, and welfare of any Airport user, the public or Airport employee.

12.1 Suspension:

(a) Any failure to comply with the lawful directive of Airport staff or Ground Transportation Management personnel or any violation of these ground transportation regulations by a driver, employee or Company Representative shall result in the issuance of a citation to the Commercial Operator.

(b) A Commercial Operator will be immediately suspended if the Airport Manager, or his designee in consultation with Ground Transportation Management determines that the Commercial Operator's behavior was willful and/or deliberate and a disruption to Airport Staff or the traveling public.

(c) If the Commercial Operator whose operating privileges are or may become suspended demonstrates that it is making a good faith effort to remedy its failure to satisfy the requirements, the Airport Manager or his designee may, in his or her discretion, remove or reduce the suspension. Any decision of the Airport Manager concerning suspension of Airport privileges pursuant to this Section of these Rules shall be considered final agency action.

12.2 Revocation:

(a) The operating privileges of a Commercial Operator receiving three (3) infractions during a Ground Transportation Year shall be revoked for a period of one (1) calendar year.

(b) A Commercial Operator whose privileges have been revoked may apply for renewed privileges after a twelve (12) month period has elapsed following the date of revocation, during which time, said revocation was adhered to. The Executive Director, or his or her designee, in his or her discretion, may allow an earlier re-application following revocation where justified by equitable considerations.

(c) A Commercial Operator, driver, employee or Company Representative's failure to comply with the terms of revocation will result in an added suspension and/or revocation for an additional period of time, which time will be added to the current term of revocation.

(d) Notwithstanding the notice provisions hereof, the Executive Director or his or her designee may revoke without notice the operating privileges of any person or entity if, that person or entity is deemed to endanger the health, safety, and welfare of any Airport user, the public, or employees.

(e) Any Commercial Operator or Company Representative whose operating privileges are or may become revoked for other than a deliberate or willful violation of such requirements may request a meeting with the Airport Manager, his designee and Ground Transportation Management so as to demonstrate to the Airport Manager or his designee and Ground Transportation Management, at any time prior to such revocation or after such revocation has been imposed, that such operator or person has remedied or is making a good faith attempt to remedy its failure to satisfy the requirements of these ground transportation regulations granted to such Commercial Operator.

(f) If the Commercial Operator or Company Representative whose operating privileges are or may become revoked demonstrates that it is making a good faith effort to remedy its failure to satisfy the requirements, the Executive Director or his or her designee may, in his or her discretion, reverse the revocation if such revocation has been imposed, or abandon the procedure if such revocation has not yet been imposed.

(g) **Hearing Procedure:** Any Commercial Operator whose operating privileges have been revoked shall have the right to a hearing provided by the Executive Director, his or her designee, or in case of violations related to Regional Taxi Authority ordinances, rules or regulations, the Regional Taxi Authority Board (taxicabs); except where the basis of the violation has been proved in a court of law or before another local, state or federal regulatory or governmental agency. Such a hearing must be requested within ten (10) days of receipt of the notice of revocation. The Executive Director or his or her designee shall have the authority to waive the time requirements set forth herein upon good cause shown. The Executive Director, his or her designee or Regional Taxi Authority Board (taxicabs) decision following said hearing shall be deemed final agency action. All revocation periods will be held in abeyance pending any hearing or appeal.

INSURANCE

13.0 Commercial TCP and TNC Operators shall submit certificates of insurance in a form acceptable to the Executive Director and/or designee with coverage in amounts required by the terms of these Rules and Regulations.

13.1 Licensed Regional Taxi Authority Taxicab Operators shall maintain appropriate insurance requirements established within the Regional Taxi Authority Regulations.

13.2 Commercial General Liability Insurance: A Commercial Operator, except Taxicab Operators, shall maintain a comprehensive general liability insurance policy which will cover against liability for injury to persons and/or property, and death of any person or persons occurring in or about the airport.

(a) TCP: Commercial General Liability: Commercial General Liability Bodily Injury/Property Damage Combined Single Limit: \$750,000.

(b) TCP: Comprehensive Motor Vehicle Liability Insurance; Bodily Injury/Property Damage Combined Single Limit: \$750,000.

(c) TNC: Not less than \$1,000,000 per incident when the driver's app is enabled on airport property and a passenger match has been accepted.

13.3 Motor Vehicle Insurance: A Commercial Operator shall maintain a motor vehicle insurance policy, provided by an insurance company authorized to do business in the state of California in such minimum amounts as required by the California Public Utilities Commission or State Law.

13.4 Additional Insured: Monterey Peninsula Airport District shall be endorsed on comprehensive general liability and motor vehicle liability policies as an additional insured. The Commercial Operator, except Taxicab Operators, shall furnish certificates to the District prior to commencing operations evidencing that the insurance is in full force and effect during the term of the operating privilege and that Monterey Peninsula Airport District be notified, in writing, by the insurers at least ten (10) days prior to any cancellation of the policy.

13.5 Indemnification: Commercial Operators shall indemnify, defend, and save Monterey Peninsula Airport District and their respective agents, officers, and representatives and employees harmless from and against any and all judgments, penalties, liability or loss, including costs and reasonable attorney's fees resulting from claims or court actions, whether civil, criminal or in equity, arising directly or indirectly out of acts of the Commercial Operator, his agents, employees or servants, or through any injury or casualty occurring on the Airport as a result of said loss.

13.6 Workers Compensation: The Commercial Operator shall maintain the statutorily required workers' compensation insurance coverage on all employees unless otherwise indicated in the Monterey County Regional Taxi Authority Regulations.