



NOTICE OF APPROVED NEW ORDINANCE #2021-001

On September 14, 2020, the Monterey County Regional Taxi Authority (RTA) Board of Directors conducted a second reading, held a public hearing, and conducted a vote to adopt proposed ordinance 2021-001. The Board voted in favor of adopting ordinance 2021-001 with nine yes votes and zero no votes. Accordingly, ordinance 2021-001 shall become effective October 15, 2020, thirty (30) days following this Boards adoption.

ORDINANCE NO. 2021-001

AN ORDINANCE OF THE MONTEREY COUNTY REGIONAL TAXI AUTHORITY AMENDING SECTION 23 REGARDING DISABILITY TRAINING AND SECTION 27 REGARDING TAXIMETERS

FACTS

1. The Monterey County Regional Taxi Authority (RTA) was created pursuant to a Joint Powers Agreement to assume the responsibility of each member jurisdiction for taxi permitting and regulation; and
2. The Joint Powers Agreement calls for the RTA to develop policies, rules and regulations regarding entry into the taxi business, rates for the provision of taxi services and a program for mandatory controlled substance and alcohol testing; and
3. RTA regulations are designed to comply with Government Code § 53075.5 and to protect the health, safety, and welfare of persons utilizing taxicab services in member agencies; and
4. Staff recommends additional regulations to ensure the safety, accessibility, comfort, and well-being of RTA customers provided and maintained by all RTA Drivers; and
5. TACT certification requires Drivers to complete intensive training to educate, improve, and bring awareness to the needs of customers who may need additional assistance during the boarding, alighting, and transporting processes in accordance with Americans with Disabilities Act (ADA) and MST rules, policies, procedures, and expectations.
6. Operation of a contactless fare payment devices allow drivers to collect fares without physically interacting with customers and adds an additional layer of protection for both customer and driver.
7. The RTA desires to adopt additional regulations regarding safety, and taximeters, among other regulations; and

8. Enactment of a moratorium on evictions does not constitute a "Project" as that term is defined under the California Environmental Quality Act (CEQA), CEQA Guideline Section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in section 15378).

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE MONTEREY COUNTY REGIONAL TAXI AUTHORITY:

SECTION 1. The foregoing recitals are adopted as findings of the Board of Directors of the Monterey County Regional Taxi Authority as though set forth fully herein.

SECTION 2. Existing RTA Section 23, TAXICAB DRIVER'S PERMIT, shall be amended by the addition of all text shown in bold, italic, underline text (***bold italic underline text***), as follows:

23. TAXICAB DRIVER'S PERMIT.

23.1. In General

23.1.1. Taxicab Driver's Permit Required

No person shall drive or operate any taxicab within the RTA without first having obtained a driver's permit from the RTA or an RTA member jurisdiction and successfully completed Taxi Americans with Disabilities Act Certification Training (TACT).

[...]

23.5. Taxicab driver permit process

23.5.1 TACT certification required

Taxicab driver permit applicants shall successfully complete Taxi Americans with Disabilities Act Certification Training (TACT), provided by MST or another agency authorized by the RTA. This section shall take effect, and become operative on January 1, 2021.

Taxicab drivers shall be required to renew TACT certification prior to each individual expiration date. Failure to maintain current TACT certification shall result in the suspension or revocation of a Taxicab Driver Permit.

[...].

SECTION 3. Existing RTA Section 27, TAXIMETERS, shall be amended by the addition of all text shown in bold, italic, underline text (bold italic underline text), as follows:

27. TAXIMETERS.

[...]

27.2. Required contactless fare payment.

No person shall operate any Taxicab in Regional Taxi Authority Area until such taxicab is equipped with all RTA approved contactless fare payment device. All taxi drivers shall accept card and contactless payments via the approved RTA contactless payment device located in the passenger compartment and provide receipts for those payments upon request. Any failure to comply shall result in the suspension or revocation of its permit. This section shall take effect and become operative on July 1, 2021.

SECTION 4. The Monterey-Salinas Transit General Manager/CEO, or their designee, is directed to execute all documents and to perform all other necessary RTA acts to implement effect of this Ordinance.

SECTION 5. Severability. If any provision, section, paragraph, sentence, clause or phrase of this ordinance, or any part thereof, or the application thereof to any person or circumstance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, or any part thereof, or its application to other persons or circumstances. The RTA hereby declares that it would have passed and adopted each provision, section, paragraph, subparagraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, paragraphs, subparagraphs, sentences, clauses or phrases, or the application thereof to any person or circumstance, be declared invalid or unconstitutional.

SECTION 6. This ordinance shall become effective on the thirtieth (30th) day following passage and adoption hereof.

PASSED AND ADOPTED BY THE MONTEREY COUNTY REGIONAL TAXI AUTHORITY BOARD OF DIRECTORS THIS 14th day of September 2020, by the following vote:

AYES: Albert, Alejo, Barrera, Barron, Carbone, Clark, Cursio, O'Connell, Pacheco

NOES: None

ABSENT: Amelio