

ORDINANCE NO. 3439

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING  
CHULA VISTA MUNICIPAL CODE CHAPTER 5.54,  
REGULATING TAXICABS AND OTHER FOR-HIRE  
VEHICLES THROUGH ADOPTION OF SAN DIEGO  
METROPOLITAN TRANSIT SYSTEM CODIFIED  
ORDINANCE NO. 11

WHEREAS, the City of Chula Vista, through its Police Department, regulates taxi cab operators in the city by requiring a certificate to operate, issued by the Chief of Police; and

WHEREAS, with 27 taxicab companies and a total of 54 taxicabs licensed to operate in Chula Vista, the City collects \$5,400 annually, based on a \$150 fee for the first cab and a \$25 fee for the second cab; and

WHEREAS, Assembly Bill No. 1069, signed into law by California's governor in 2017 and effective on January 1, 2019, requires cities to either create a Joint Powers Authority or enter into an agreement with a transit agency, such as the San Diego Metropolitan Transit System ("MTS"), to regulate taxicab companies and taxicab drivers; and

WHEREAS, according to a legislative analysis, the goal of AB 1069 was to enable taxicab operators to operate under one set of statewide requirements, similar to other for-hire transportation companies, rather than a patchwork of local regulations; and

WHEREAS, AB 1069 was supported by the taxi industry because it requires a single permit from a transit agency rather than multiple permits from cities, thereby reducing operating costs; and

WHEREAS, as authorized by California Public Utilities Code Section 12066, the MTS, for years, has contracted with most cities in its service area, such as National City, Imperial Beach, San Diego, Lemon Grove, El Cajon, Santee and Poway, to provide full-service regulation of taxicabs and other for-hire transportation services; and

WHEREAS, pursuant to MTS Codified Ordinance No. 11, regulation includes determining owner eligibility, inspecting vehicles, issuing permits, monitoring compliance with administrative and operational regulations and investigating passenger complaints; and

WHEREAS, AB 1069 reserved rights of cities to regulate taxi stands in their jurisdictions and to require taxicab companies that are located in Chula Vista to obtain a business license.

NOW, THEREFORE, the City Council of the City of Chula Vista does ordain as follows:

Ordinance No. 3439

Page No. 2

## **Section I.**

### **Chapter 5.54**

#### **TAXICABS AND OTHER FOR-HIRE VEHICLES\***

##### **Sections:**

- 5.54.010 Purpose.
- 5.54.020 Definitions.
- 5.54.030 Taxicab stands – Established – Designation.
- 5.54.040 Taxicab stands – Unattended vehicles prohibited when.
- 5.54.050 Taxicab stands – Hours of operation.
- 5.54.060 Regulatory administration by contract with Metropolitan Transit System

\* For statutory provisions for local regulation of vehicles for hire, see Veh. Code § 16501; for provisions for carriers generally, see Civil Code § 2065, et seq., and Public Util. Code § 200, et seq.; for provisions for financial responsibility of taxicab companies, see Veh. Code § 16500, et seq. Prior ordinance history: Prior code §§ 31.5, 31.17 – 31.28, 31.38 – 31.44 and Ords. 1911 and 1881.

##### **5.54.010 Purpose.**

The purpose of this chapter is to provide for the regulation of taxicabs and other for-hire vehicles within the city of Chula Vista through adoption of San Diego Metropolitan Transit System (MTS) Codified Ordinance No. 11, and to implement the provisions of California Public Utilities Code Section 12066 by contract with MTS to license and regulate for-hire transportation services within the city.

##### **5.54.020 Definitions.**

The definitions set forth in Section 1.1 of San Diego Metropolitan Transit System Codified Ordinance No. 11 shall govern this chapter.

##### **5.54.030 Taxicab stands – Established – Designation.**

The council may by resolution locate and designate taxicab stands, which stands when so established shall be appropriately designated “Taxis Only.” (Ord. 2003 § 2, 1982).

##### **5.54.040 Taxicab stands – Unattended vehicles prohibited when.**

It is unlawful for any taxicab to remain standing in any established taxicab stand unless such cab is attended by a driver or operator, except when assisting passengers to load or unload, or when answering his telephone. (Ord. 2003 § 2, 1982).

##### **5.54.050 Taxicab stands – Hours of operation.**

Taxicab stands established hereunder shall be in operation 24 hours of every day. (Ord. 2003 § 2, 1982).

**5.54.060 Regulatory administration by contract with Metropolitan Transit System**

The City Council, by resolution, has authorized a contract with San Diego Metropolitan Transit System (MTS) for the administration and enforcement by MTS of regulations, policies and ordinances for taxicabs and other for-hire vehicles operated within the city, including collection and administration of all applicable regulatory fees, fines and forfeitures. While that contract is in effect, the applicable regulations, policies and ordinances of MTS, including MTS Codified Ordinance No. 11, as now in effect or as may from time to time be amended, shall govern the operation of taxicabs and other for-hire vehicles within the city. License of a taxicab and other for-hire vehicles or the operator or owner by MTS does not exempt the licensee from city business tax license requirements and payment of fees pursuant to Title 5, Business Licenses, Taxes and Regulations, if the licensee is substantially located in Chula Vista, as defined by AB 1069. A copy of MTS Codified Ordinance No. 11 is on file with the office of the City Clerk and also may be viewed at the MTS website, [www.sdmts.com](http://www.sdmts.com).

**Section II. Severability**

If any portion of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid, unenforceable or unconstitutional, by a court of competent jurisdiction, that portion shall be deemed severable, and such invalidity, unenforceability or unconstitutionality shall not affect the validity or enforceability of the remaining portions of the Ordinance, or its application to any other person or circumstance. The City Council of the City of Chula Vista hereby declares that it would have adopted each section, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more other sections, sentences, clauses or phrases of the Ordinance be declared invalid, unenforceable or unconstitutional.

**Section III. Construction**

The City Council of the City of Chula Vista intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.

**Section IV. Effective Date**

This Ordinance shall take effect and be in force on the thirtieth day after its final passage.

**Section V. Publication**

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

Ordinance No. 3439

Page No. 4

Presented by

DocuSigned by:  
*Roxana Kennedy*  
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Roxana Kennedy  
Chief of Police

Approved as to form by

DocuSigned by:  
*Glen R. Googins*  
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Glen R. Googins  
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 18th day of September 2018, by the following vote:

AYES: Councilmembers: Aguilar, Diaz, McCann, Padilla, and Casillas Salas

NAYS: Councilmembers: None

ABSENT: Councilmembers: None

DocuSigned by:  
*Mary Casillas Salas*  
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Mary Casillas Salas, Mayor

ATTEST:

DocuSigned by:  
*Kerry K. Bigelow*  
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Kerry K. Bigelow, MMC, City Clerk

STATE OF CALIFORNIA     )  
COUNTY OF SAN DIEGO     )  
CITY OF CHULA VISTA     )

I, Kerry K. Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 3439 had its first reading at a regular meeting held on the 11th day of September 2018 and its second reading and adoption at a regular meeting of said City Council held on the 18th day of September 2018; and was duly published in summary form in accordance with the requirements of state law and the City Charter.

10/2/2018

Dated

DocuSigned by:  
*Kerry K. Bigelow*  
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Kerry K. Bigelow, MMC, City Clerk