

RESOLUTION NO. 8165-99

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE
ADOPTING AMENDED ORANGE COUNTY TAXI ADMINISTRATION REGULATIONS

WHEREAS, the City Council adopted regulations of the Orange County Taxi Administration (the "OCTAP") by Resolution No. 8036-97, and

WHEREAS, OCTAP has modified its taxicab regulations, attached as Exhibit A, and

WHEREAS, the City Council desires to adopt OCTAP's modified and updated Taxicab regulations,

NOW, THEREFORE BE IT RESOLVED:

That the City Council of the City of Garden Grove does hereby adopt the attached OCTAP Taxicab regulations.

Adopted this 9th day of March, 1999.


MAYOR

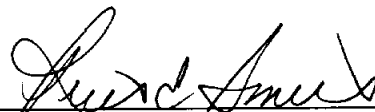
ATTEST:


CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

I, RUTH E. SMITH, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Resolution was duly adopted by the Council of the City of Garden Grove, California, at a regular meeting held on the 9th day of March, 1999, by the following vote:

AYES: COUNCILMEMBERS: (5) CHUNG, DALTON, LEYES, ROSEN, BROADWATER
NOES: COUNCILMEMBERS: (0) NONE
ABSENT: COUNCILMEMBERS: (0) NONE


CITY CLERK

TAXICAB REGULATIONS OF THE ORANGE COUNTY TAXI ADMINISTRATION



1. PURPOSE

1.1. These regulations implement the provisions of the taxicab ordinances, as passed by City Council of each OCTAP participating City, and regulate taxicab service within the City.

2. DEFINITIONS

2.1. "Driver" means a person who drives or controls the movements of a taxicab.

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

2.3. "OCTA" means the Orange County Transportation Authority.

2.4. "OCTAP" means the Orange County Taxi Administration Program administered by the Orange County Transportation Authority.

2.5. "Company" includes natural person, firm, association, organization, partnership, business, trust, corporation or public entity.

2.6. "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.

2.7. "Taxicab Business Permit" means a valid permit issued by OCTAP authorizing a company to operate a taxicab business in any participating city which allows the company to serve that city.

2.8. "Taxicab Vehicle Permit" means a valid permit issued by OCTAP authorizing a particular vehicle to be operated as a taxicab.

TAXICAB REGULATIONS OF THE ORANGE COUNTY TAXI ADMINISTRATION



3. TAXICAB BUSINESS PERMITS

3.1. No company shall operate a taxicab business within the City without having first obtained a Taxicab Business Permit from OCTAP.

3.2. A Taxicab Business Permit shall be issued from OCTAP if the following conditions have been satisfied:

3.2.1. Submission of a completed Taxicab Business Permit application;

3.2.2. submission of a copy of applicant's drug and alcohol policy meeting OCTAP requirements;

3.2.3. 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. Applicant shall provide a Certificate of Insurance showing that the applicant is insured for 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. In addition, applicant shall direct the insurance company to provide to OCTAP certified copies of Endorsements to the insurance policy 1) naming the cities participating in the Orange County Taxi Administration Program and the Orange County Transportation Authority, its Officers, Directors, Employees and Agents as additional insureds; and 2) indicating that coverage shall not be reduced, terminated or canceled without thirty (30) days' prior written notice to OCTAP. OCTAP reserves the right to request certified copies of all related insurance policies;

3.2.4. submission of financial documents and other information as required by OCTAP;

TAXICAB REGULATIONS OF THE ORANGE COUNTY TAXI ADMINISTRATION



3.2.5. submission of Department of Motor Vehicles (DMV) Pull Notice Program Requester Code Number issued to applicant, as defined in Vehicle Code Section 1808.1. Company is required to immediately notify the OCTAP Administrator if it receives a DMV Pull Notice on one of their drivers which would affect the driver's OCTAP Driver Permit. In the event the driver's DMV record indicates he/she no longer qualifies for a Driver Permit, company shall require driver to turn over Driver Permit to company. Company shall return the Driver Permit to the OCTAP Administrator. DMV Pull Notice records shall be made available to the OCTAP Administrator upon request.

3.2.6. submission of proof of current California Department of Motor Vehicles registration for each vehicle listed in the Taxicab Business Permit application. All vehicles listed in the Taxicab Business Permit application shall be registered to the applicant;

3.2.7. every owner, partner or principal officer of applicant has submitted to fingerprinting by the Orange County Sheriff's Department;

3.2.8. every owner, partner or principal officer of applicant has successfully cleared a local background check; and

3.2.9. submitted payment of all applicable fees including but not limited to background check fee, Taxicab Business Permit application fee, Taxicab Vehicle Permit application fee, etc.

3.3. A Taxicab Business Permit shall be denied if any owner, partner or principal officer of applicant fulfills any of the following grounds for denial:

3.3.1. Under the age of 18 years.

3.3.2. Falsification of material information on application for Taxicab Business Permit within the past one (1) year.

3.3.3. Registered sex offender pursuant to California Penal Code Section 290.

TAXICAB REGULATIONS OF THE ORANGE COUNTY TAXI ADMINISTRATION



3.3.4. On formal probation or parole for any offense outlined in Section 3.3 of these regulations.

3.3.5. Conviction (or plea of 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; 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 taxi owner.

3.3.6. Conviction (or plea of guilty or nolo contendere) in any state for a felony other than those listed in the previous section within eight (8) years of application.

3.3.7. Any conviction within five (5) years of application (or plea of guilty or nolo contendere) in any state or 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 Taxicab Business Permit under these regulations.

3.4. At the time the Taxicab Business Permit application is submitted, applicant shall provide to OCTAP a list of drivers authorized to operate the vehicles identified in the Taxicab Business Permit.

3.4.1. Permittee shall provide OCTAP with notice by fax within 72 hours in the event that any driver listed in the Taxicab Business Permit is no longer authorized to operate a vehicle identified in the Taxicab Business Permit.

3.5. Upon company's successful satisfaction of the conditions listed above, company shall be issued an OCTAP Taxicab Business Permit.

3.6. Once OCTAP issues a Taxicab Business Permit, the company must then be authorized by the City and must pay any applicable business license tax before operating in the City.

TAXICAB REGULATIONS OF THE ORANGE COUNTY TAXI ADMINISTRATION



3.7. A Permittee may add additional drivers to its list of drivers authorized to operate the vehicles identified in the Taxicab Business Permit, provided that:

3.7.1. Permittee has 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 or the company; and

3.7.2. the driver to be added has been issued a Driver Permit by OCTAP which states the driver is affiliated with the Permittee and identified as either an employee or leased driver.

3.8. The Taxicab Business Permit is valid for one (1) year from the date of its issuance unless sooner suspended or revoked.

3.9. At least thirty (30) days prior to expiration of the Taxicab Business Permit, the Permittee should submit an application for renewal of its Taxicab Business Permit pursuant to Section 3 of these regulations.

3.10. A Taxicab Business Permit may be suspended or revoked by the OCTAP Administrator for the following reasons:

3.10.1. Providing false or inaccurate information in the Taxicab Business Permit application; or

3.10.2. Allowing operation of a taxicab by a person not in possession of a valid Driver Permit stating that the driver is affiliated with the company; or

3.10.3. Failure to comply with the applicable provisions of these regulations; or

3.10.4. Failure of authorized drivers to comply with the applicable provisions of these regulations; or

3.10.5. Operation of any taxicab at a rate of fare higher than those fares adopted by the City; or

TAXICAB REGULATIONS OF THE ORANGE COUNTY TAXI ADMINISTRATION



3.10.6. Failure to cooperate with local agency law enforcement, code enforcement officers, and/or OCTAP staff.

3.11. In lieu of revocation or suspension, the OCTAP Administrator may impose a fine, or a fine and a period of suspension.

3.12. A Taxicab Business Permit applicant may appeal a permit denial, suspension or revocation in accordance with the appeal provisions set by OCTAP.

4. VEHICLE INSPECTIONS

4.1. Upon issuance of a Taxicab Business Permit and prior to operating, Permittee shall bring each vehicle listed in the Permit to the OCTAP facility for a vehicle inspection. OCTAP may, at its discretion, conduct vehicle inspections at the operator's facility.

4.2. Upon meeting all requirements and passing the vehicle inspection, OCTAP shall issue a nontransferable Taxicab Vehicle Permit sticker for each approved vehicle. The Taxicab Business Permit sticker shall immediately be affixed to the left-hand corner of the rear windshield of the vehicle for which the sticker is issued. The Taxicab Vehicle Permit is valid for one (1) year.

4.3. Vehicles that fail a vehicle inspection shall pay the re-inspection fee and be presented for re-inspection after the identified corrections have been made. If such corrections have been made and if the vehicle otherwise complies with these vehicle inspection standards, a Taxicab Vehicle Permit shall be issued.

4.4. In addition to the initial and annual vehicle inspection, all taxicabs operated under OCTAP shall submit to on the road or random inspections by OCTAP inspectors or authorized city peace officers and code enforcement officials when requested. Failure to submit to an inspection may result in suspension of the Taxicab Vehicle Permit. The OCTAP inspector shall complete

TAXICAB REGULATIONS OF THE ORANGE COUNTY TAXI ADMINISTRATION



an inspection report at the time of inspection which shall indicate, in the opinion of the OCTAP inspector, what repairs, if any, need to be made to the vehicle. One copy of the report shall be given to the driver. OCTAP shall mail a copy of the report to the company to whom the vehicle is registered.

4.4.1. If the inspection report indicates the need for repairs to a vehicle, the company is required to bring the vehicle to OCTAP for re-inspection within the time frame provided in the report to verify that the required repairs have been made. A re-inspection fee shall be required at time of re-inspection.

4.4.2. In the event that repairs have not been made to a vehicle within the time frame provided for in the report, the Taxicab Vehicle Permit sticker shall be suspended until corrections have been made to the satisfaction of OCTAP or revoked.

4.5. Permittee may replace any of the vehicles listed in the Taxicab Business Permit with another vehicle upon satisfaction of the following conditions:

4.5.1. Surrender of the vehicle to be replaced to OCTAP for removal of the Taxicab Vehicle Permit sticker;

4.5.2. successful passing of a vehicle inspection by the replacement vehicle; and

4.5.3. payment of Taxicab Vehicle Permit transfer fee.

4.6. Upon satisfaction of the conditions stated above, OCTAP shall delete the vehicle identification number of the vehicle to be replaced in the Taxicab Business Permit and add the vehicle identification number of the replacement vehicle. OCTAP shall issue a new Taxicab Vehicle Permit sticker for the replacement vehicle that shall be valid for the term remaining under the Taxicab Vehicle Permit sticker of the replaced vehicle.

4.7. The Taxicab Vehicle Permit shall be renewed annually by bringing each vehicle listed in the permit application to the OCTAP facility for a vehicle

TAXICAB REGULATIONS OF THE ORANGE COUNTY TAXI ADMINISTRATION



inspection and paying all applicable fees. OCTAP may, at its discretion, conduct vehicle inspections at the operator's facility.

4.8. Upon the successful completion of the vehicle inspection, OCTAP shall place a new expiration date sticker on the Taxicab Vehicle Permit sticker for each of the vehicles registered in the Taxicab Business Permit.

5. DRIVER PERMITS

5.1. No person shall drive a taxicab within an OCTAP city without having first obtained either a temporary or a permanent Driver Permit from OCTAP.

5.2. A temporary Driver Permit may be obtained from OCTAP, provided that the prospective driver has satisfied the following conditions:

5.2.1. submitted a completed Driver Permit application that is signed by a representative of the OCTAP-approved taxicab company the driver intends to work for;

5.2.2. submitted the Driver Permit application fee;

5.2.3. presented a valid California Driver License;

5.2.4. submitted two current 2" x 2" professional quality color photos (passport photos) of the applicant;

5.2.5. successfully passed a drug and alcohol screening test within the previous 30 days in compliance with California Government Code Section 53075.5 (b) (3);

5.2.6. submitted to fingerprinting by the Orange County Sheriff's Department;

5.2.7. successfully cleared a local background check and possesses a valid California Driver License; and

5.2.8. submitted payment of all applicable fees, including the background check fee and Driver Permit application fee.

TAXICAB REGULATIONS OF THE ORANGE COUNTY TAXI ADMINISTRATION



5.3. The temporary Driver Permit shall be valid for 90 days and shall be replaced by a permanent Driver Permit within such 90 days unless extended by OCTAP for a specified period.

5.4. A permanent Driver Permit shall be issued once the applicant has successfully cleared a State Department of Justice background check.

5.5. A permanent Driver Permit is valid one (1) year from the date the temporary Permit was issued, unless sooner suspended, revoked or otherwise terminated.

5.6. A driver who has been issued an OCTAP Driver Permit may only pick up passengers in those cities that have authorized the company he/she represents.

5.7. At least ten (10) working days prior to expiration of the Driver Permit, the driver should re-apply for a Driver Permit pursuant to Section 5 of these regulations.

5.8. All Driver Permits issued by OCTAP, including temporary Driver Permits, shall be valid only for the driver in operation of a taxicab for the company 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.

5.9. Taxicab drivers must have a valid taxicab Driver Permit in their immediate possession at all times while operating a taxicab.

5.10. Taxicab drivers shall not use or hold in their possession another person's OCTAP Driver Permit.

5.11. A replacement for a lost Driver Permit may be obtained from OCTAP, provided that the driver has satisfied the following conditions:

5.11.1. submitted a replacement Driver Permit form along with the Driver Permit replacement fee; and

5.11.2. provided two current 2" x 2" professional quality color photos (passport photos).

TAXICAB REGULATIONS OF THE ORANGE COUNTY TAXI ADMINISTRATION



5.12. The replacement Driver Permit shall expire on the same date as the replaced Permit.

5.13 A driver may transfer his/her permit to another taxicab company provided that the driver has satisfied the following conditions:

5.13.1 completed a driver permit application that is signed by an authorized representative of an OCTAP approved taxicab company;

5.13.2 successfully passed a drug and alcohol screening test within the previous 30 days;

5.13.3 submitted the Driver Permit transfer fee; and

5.13.4 submitted two current 2" x 2" professional quality color photos (passport photos) of the applicant.

5.14. A Driver Permit applicant may appeal a permit denial in accordance with the appeal provisions set by OCTAP.

5.15. A Driver Permit shall be denied if applicant meets any of the following grounds for denial:

5.15.1. Under the age of 18 years.

5.15.2. Does not possess a valid California Driver License (Class C).

5.15.3 Failure to test negative for drugs and/or alcohol as required in section 5.2.5. 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 months from the drug screen date.

5.15.4. Falsification of, or failure to disclose, material information on application for Driver Permit within the past one (1) year.

5.15.5. Required to register as a sex offender pursuant to California Penal Code Section 290.

5.15.6. On formal probation or parole for any offense outlined in Section 5.15 of these regulations.

TAXICAB REGULATIONS OF THE ORANGE COUNTY TAXI ADMINISTRATION



5.15.7. Any conviction (or plea of 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; crimes involving weapons; any crime for which registration would be required under California Penal Code Section 290; or any other offense involving moral turpitude or any crime that is substantially related to the qualifications, functions or responsibilities of a taxi driver

5.15.8. Conviction of any felony in any state (or plea of guilty or nolo contendere), other than those felonies listed in Section 5.15.7, within eight (8) years of application.

5.15.9. Conviction (or plea of 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 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.

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

5.16.1. Failure to comply with the applicable provisions of these regulations;

5.16.2. Circumstances furnishing grounds for the denial, revocation, or refusal to renew the Driver Permit as outlined in these regulations;

TAXICAB REGULATIONS OF THE ORANGE COUNTY TAXI ADMINISTRATION



5.16.3. Revocation or suspension of Permittee's California Driver License;

5.16.4. Failure to cooperate with local agency law enforcement, code enforcement officers and/or OCTAP staff; or

5.16.5. Notification to OCTAP by the taxicab company that the Permittee is no longer an authorized driver.

5.17. In lieu of revocation or suspension, the OCTAP Administrator may impose a fine, or a fine and a period of suspension.

6. VEHICLE INSPECTION STANDARDS

6.1. The minimum vehicle standards are those of the California Vehicle Code (CVC). 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 manufacture), as specified in Section 6 herein. Vehicle must be maintained to standards at all times.

6.1.1. Body Condition

6.1.1.1. No body damage, frame damage, tears or rust holes in the vehicle body and/or loose pieces hanging from the vehicle body are permitted. Front and rear fenders, bumpers, hood, trunk, and trim shall be securely fixed and shall be in correct alignment to the vehicle as OEM. Body damage shall be defined as an unrepaired dent, distortion, depression, bulge, tear, hole, or disfigurement.

6.1.1.2. The exterior of the vehicle shall be maintained in a reasonably clean condition and shall be free of excessive dirt, tar, oil, and rust

6.1.1.3. The vehicle paint shall not be faded, blistered, cracked, checked, peeled, or scratched.

TAXICAB REGULATIONS OF THE ORANGE COUNTY TAXI ADMINISTRATION



6.1.2. Brake System

6.1.2.1. Per CVC 26453.

6.1.3. Climate Control

6.1.3.1. The Defroster must be operational per CVC 26712.

6.1.3.2 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.

6.1.4. Exhaust System

6.1.4.1. Per CVC 27153.

6.1.5. Fuel Tank Cap

6.1.5.1. Per CVC 27155.

6.1.6. Horn

6.1.6.1. Per CVC 27000.

6.1.7. Hubcaps

6.1.7.1. Hubcaps or wheel covers shall be of like style and shall be on all wheels for which hubcaps are standard equipment.

6.1.8. Interior Condition

6.1.8.1. Passenger compartment, driver compartment, and trunk or luggage area shall be clean and free of foreign matter, offensive odors and litter.

6.1.8.2. 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.

TAXICAB REGULATIONS OF THE ORANGE COUNTY TAXI ADMINISTRATION



6.1.8.3. 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 vehicle.

6.1.8.4 Dashboards shall be maintained in a manner that is clean and free of loose articles. Dashboards shall be free of: cracks, holes, and tears.

6.1.9. Interior Information

6.1.9.1. A 4" x 6" information card shall be displayed in plain view of all passengers at all times that a taxicab is in operation.

6.1.9.2. The information card shall contain the following information on the permit holder: name, business address and telephone number of the OCTAP-approved taxicab company; the name, address, and phone number of the regulating agency (OCTAP) and rate schedule approved by the City.

6.1.9.3. The valid Driver Permit issued to the operating driver shall be in plain view of all passengers at all times that the taxicab is in operation.

6.1.10. License Plates

6.1.10.1. Per CVC 5202.

6.1.11. Lights and Lenses

6.1.11.1. Headlights shall be operational on both high and low beams (CVC 24400).

6.1.11.2. Tail lights shall be operational and the light emitted be red in color (CVC 24600).

6.1.11.3. Emergency flashers shall be operational (CVC 24252).

6.1.11.4. Reverse lights shall be operational (CVC 24606(a)).

TAXICAB REGULATIONS OF THE ORANGE COUNTY TAXI ADMINISTRATION



6.1.11.5. Turn signal lights shall be operational (CVC 24951(b)(1)).

6.1.11.6. Brake lights shall be operational (CVC 24603(b)).

6.1.11.7. License plate light shall be operational (CVC 24601).

6.1.11.8. Interior lights shall be operational.

6.1.11.9. Light lenses must be intact and contain no holes or large cracks.

6.1.12. Markings

6.1.12.1. Exterior markings shall consist of company name, phone number, body number and other OCTAP approved logo. Such exterior markings shall be properly and neatly placed and easy to read (in contrasting colors).

6.1.12.2. Company name shall be placed on each side of vehicle in letters not less than 3 inches in height (in contrasting colors).

6.1.12.3. Vehicle number shall be placed on each side and rear of vehicle in numbers not less than 3 inches in height.

6.1.13. Mirrors

6.1.13.1. Per CVC 26709.

6.1.14. Muffler

6.1.14.1. Per CVC 27150(a).

6.1.15. Parking Brake

6.1.15.1. Per CVC 26451.

6.1.16. Proof of Insurance

6.1.16.1. Per CVC 16020 through 16028.

TAXICAB REGULATIONS OF THE ORANGE COUNTY TAXI ADMINISTRATION



6.1.17. Radio

-6.1.17.1. Vehicle shall be equipped with a two-way radio or cellular phone in working order

6.1.18. Seat Belts

6.1.18.1. Per CVC 27315. Additionally, vehicle restraint system shall be maintained to OEM specifications and shall be in good working order.

6.1.19. Steering and Suspension System

6.1.19.1. Vehicle's steering and suspension system shall be in good mechanical order. (CVC 24002(a)(b)).

6.1.20. Taximeter and Meter Seals

6.1.20.1. All vehicles shall have a taximeter in working order.

6.1.20.2. All taximeters shall have intact meter seals.

6.1.20.3. Taximeters shall be certified by the County Sealer of Weights and Measures. The date on the seal shall not be more than 13 months old.

6.1.20.4. The taximeter shall be placed in the taxicab so that the reading dial showing the amount of fare to be charged shall be well lighted and easily read by the passenger.

6.1.20.5. A vehicle shall be placed out of service if the meter is not working, the lead seal is broken or missing, or the approved rate of fare is not being charged.

6.1.21. Tires

6.1.21.1. Per CVC 27465(b).

TAXICAB REGULATIONS OF THE ORANGE COUNTY TAXI ADMINISTRATION



6.1.21.2. Every vehicle shall be equipped with a jack, tire changing tool, and an inflated spare tire. A company may be exempted from this requirement upon proof the company has a contract with a towing company and a policy in place to send another taxicab vehicle for the stranded passengers.

6.1.22. Windows

6.1.22.1. Front and rear windshield per CVC 26710.

6.1.22.2. Safety glass shall be in all windows.

6.1.22.3. Windows shall be operational as originally designed.

6.1.23. Windshield Wipers

6.1.23.1. Per CVC 26707.

6.1.24. Footpedal Pads

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

6.1.25. Vehicle Registration

6.1.25.1. All vehicles must possess a valid registration as per CVC 4462.

6.1.25.2. All vehicles must be registered as commercial vehicles as per CVC 260.

7. APPEALS

7.1. The Appeal Procedure for Denial, Suspension or Revocation of Permit or Related Adverse Action is as follows:

7.1.1. In the event a permit is proposed to be denied, suspended or revoked, the applicant/Permittee shall be notified in writing of the proposed adverse action and reason(s) therefor.

TAXICAB REGULATIONS OF THE ORANGE COUNTY TAXI ADMINISTRATION



7.1.2. Within ten (10) days of the date of the notice of proposed adverse action, the applicant/Permittee shall submit a written appeal on a form provided by OCTAP. The applicant/Permittee shall set forth in the appeal the reasons why such action is not proper. Failure to file such an appeal within the time frame indicated shall constitute waiver of the right to an appeal and the proposed adverse action shall become final and any permit surrendered immediately.

7.1.3. Except as provided in Section 7.1.4, once an appeal is filed, the adverse action shall be stayed pending the final determination of the appeal.

7.1.4. If, in the OCTAP Administrator's opinion, the continued operation of a taxicab vehicle or possession of a Driver Permit represents an unsafe condition for the public, the adverse action shall not be stayed.

7.1.5. If an appeal is timely filed, the OCTAP Administrator shall review the appeal, and based on additional information provided therein, may revise his findings and penalty in accordance with the additional information provided. In the alternative, the OCTAP Administrator may cause the appeal to be assigned to a Hearing Officer.

7.1.5.1. The OCTAP Administrator shall maintain a list of qualified Hearing Officers, who shall not be employees of OCTA, and shall regularly rotate assignments based on availability of the proposed Hearing Officers.

7.1.5.2. The Hearing Officer shall expeditiously schedule the appeal hearing.

7.1.6. The appellant and the OCTAP Administrator or 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.

TAXICAB REGULATIONS OF THE ORANGE COUNTY TAXI ADMINISTRATION



7.1.6.1. 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.

7.1.6.2. 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.

7.1.7. The OCTAP Administrator shall 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.

7.1.8. The decision of the Hearing Officer shall be the final administrative remedy and shall be binding upon the parties to the appeal.

7.1.9. If the Hearing Officer decides to suspend or revoke a permit, the appellant shall immediately surrender the permit to the OCTAP Administrator.

8. REFUND POLICY

8.1. There shall be no refunds of any portion of the fees described in these regulations.

9. ADMINISTRATIVE CHANGES TO REGULATIONS

9.1. OCTAP is authorized to make administrative changes to these regulations upon written notification to the City.