

Date of Hearing: March 24, 2021

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT

Cecilia Aguiar-Curry, Chair

AB 302 (Ward) – As Amended March 15, 2021

SUBJECT: San Diego Metropolitan Transit Development Board: regulation of for-hire vehicle and passenger jitney services.

SUMMARY: Expands the ability of the San Diego Metropolitan Transit System (MTS) to enter into contracts to license or regulate certain services. Specifically, **this bill:**

- 1) Defines “for-hire vehicle services” as vehicles, other than public transportation vehicles, transporting passengers over public streets for compensation, which includes taxicabs, passenger jitney service, low-speed vehicles, non-emergency medical vehicles, charters, and sightseeing vehicles. The term “for-hire vehicle services” does not include any public transportation services operated by the North County Transit District, as specified.
- 2) Provides that MTS may enter into contracts with any city in the County of San Diego to license or regulate by ordinance any for-hire vehicle services, as specified.
- 3) Specifies that MTS may, by ordinance, regulate vehicle safety and driver qualifications for passenger jitney service operating between cities in the County of San Diego and between a city in the County of San Diego and unincorporated portions of the County of San Diego.
- 4) Makes other clarifying and technical changes.

EXISTING LAW:

- 1) Establishes the San Diego Metropolitan Transit Development Board (MTDB), also known as MTS.
- 2) Defines “passenger jitney service” to include every corporation or person engaged as a common carrier, for compensation, in the ownership, control, operation, or management of a passenger transportation service by motor vehicles of not more than 15 passenger capacity, excluding the driver, which operate between fixed termini and over a regular route and generally on short, nonscheduled, headways.

FISCAL EFFECT: None.

COMMENTS:

- 1) **San Diego Metropolitan Transit System.** MTDB was created by the Legislature in 1975 [SB 101 (Mills), Chapter 294] for the purpose of planning and implementing transit service in portions of San Diego county and is responsible for allocating certain transit funds within its area of jurisdiction. In 2005, MTDB changed its name to MTS. MTS currently has a 15 member board appointed as follows: four by the City of San Diego; two by the City of Chula Vista; one by each of the cities of Coronado, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, and Santee; and one by the County of San Diego.

MTS provides about 3 million people with light rail, bus, and freight services. According to MTS, it generates 88 million annual passenger trips or 300,000 trips each weekday. To handle the demand, the agency schedules 7,000 trips each weekday, and has 128 trolley cars and 800 buses in its fleet.

- 2) **For-Hire Vehicle Regulation.** MTS's For-Hire Vehicle Administration program licenses and regulates for-hire vehicles by contract in the cities of Chula Vista, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, San Diego and Santee. Licenses are required for:
 - a) Taxicabs;
 - b) Jitneys;
 - c) Non-emergency medical transports;
 - d) Charter vehicles;
 - e) Low speed vehicles;
 - f) Sightseeing vehicles; and,
 - g) Airport taxicab services.
- 3) **Bill Summary and Author Statement.** This bill expands to any city within the County of San Diego the authority of MTS to enter into contracts to license or regulate for-hire vehicle services and to regulate vehicle safety and driver qualifications for passenger jitney service. MTS is the sponsor of this bill.

According to the author, "AB 302 would allow the San Diego Metropolitan Transit System (MTS) to enter into contracts to regulate for-hire vehicle transportation services for the County of San Diego and any City within the County of San Diego. Currently, MTS enabling legislation allows MTS to regulate for-hire vehicle services for the County of San Diego and any city within MTS's jurisdiction. In order for MTS-regulated for-hire vehicle services to operate outside of MTS jurisdiction, for-hire vehicle services may need to obtain operational permits and pay regulatory fees to the County and each city outside of MTS jurisdiction. By expanding the area in which MTS can regulate these services, for-hire vehicles would then be able to operate in substantially more jurisdictions, without paying a regulatory fee to as many jurisdictions. This would help to minimize costs for the for-hire vehicle industry, as well as provide vital savings to the other jurisdictions without sacrificing vehicle safety or oversight."

- 4) **Arguments in Support.** According to the North County Transit District (NCTD), "NCTD does not regulate for-hire vehicle (FHV) transportation services and supports MTS's efforts in expanding their ability to oversee the regulatory responsibilities of FHV in other areas of San Diego County. Ensuring compliance, safety, training, and inspections are all critical aspects to the regulation of FHV transportation services. By providing the opportunity for

other San Diego County jurisdictions the ability to contract with MTS for FHV regulation, there will be consistency and efficiency in the regulation practices. Additionally, this bill would help the for-hire vehicle industry by reducing the number of regulatory agencies that operational permits and fees are required from in order to operate. This will not only result in cost savings for operators, but it will also expand the geographic area where FHV operators can provide service within San Diego County.”

5) **Arguments in Opposition.** None on file.

REGISTERED SUPPORT / OPPOSITION:

Support

San Diego Metropolitan Transit System [SPONSOR]
Nathan Fletcher, Chair, San Diego County Board of Supervisors
North County Transit District

Opposition

None on file

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