



**January 19, 2011**

**To:** OCTAP Steering and Safety Committees

**From:** Jo-Ann Gadia-Bravo, Deputy OCTAP Administrator

**Subject:** Proposed Amendments to the Safety Committee and Steering Committee Bylaws

**Overview**

The Orange County Taxi Administration Program (OCTAP) Safety Committee and Steering Committee bylaws outline the structure, and overall responsibilities of the OCTAP Safety and Steering Committees.

The current bylaws were developed and implemented in 1998, with the establishment of OCTAP. A revision to the Steering Committee bylaws occurred in 2006, with changes to Sections B.1 and B.2 to read “average number of vehicles,” instead of “median number of vehicles.” This revision was the result of committee recommendations and approval.

Revisions to the Safety Committee and Steering Committee bylaws are sometimes necessary, in order to correct, update, and clarify committee requirements and responsibilities.

**Discussion**

Revisions to the Safety Committee and Steering Committee bylaws are necessary in order to correct and clarify requirements related to the appointment of committee members, member attendance standards, the establishment of a quorum, the establishment of a majority, and member responsibilities.

In addition to a general review and update of the OCTAP Safety Committee and Steering Committee bylaws, staff considered a recommendation by the Small Taxicab Company representative to add a “Medium” Taxicab Company Representative to the OCTAP Steering Committee. The representative’s concerns were that certain taxicab companies are not adequately represented due to the “medium” size of their taxicab fleet, and that their regulatory interests are basically different than those of small and large taxicab companies.

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Staff researched other area regulatory agencies, to determine how much of a presence taxicab cab companies were generally granted on regulatory agency governing boards. Below are responses from area agencies:

- Los Angeles, CA - Board of Taxicab Commissioners made up of five citizens, appointed by the mayor, with no industry or driver representation on the board.
- San Diego, CA – Advisory Committee to the MTS Board made up of three drivers and seven taxicab owners as well as several members that are not related to taxicab industry.
- Riverside County, CA – No Taxicab Representatives.
- San Bernardino County, CA – No Taxicab Representatives.
- Sunline / Palm Desert - No Taxicab Representatives.

In addition to local research, staff initiated a survey through the International Association of Transportation Regulators (IATR). Below are some of the responses received from IATR members.

- College Park, Georgia - No Taxicab Representatives.
- Austin, Texas - No Taxicab Representatives.
- Los Angeles, CA - Board of Taxicab Commissioners made up of five citizens, appointed by the mayor, with no industry or driver representation on the board.
- Louisville, Kentucky – has one taxi company representative from a company with more than 50 taxicabs and one representative from a taxi company with less than 50 taxicabs. There are also driver representatives, chosen by drivers, using the same criteria (more than 50, less than 50).
- Miami Dade County, Florida - For-Hire advisory group comprised of representatives from consumers, industry, and transportation related interests, municipalities, and public interest organizations.
- Mississauga, Ontario, Canada – has three elected industry representatives; driver, owner, and a runner up.
- Portland, Oregon – Has fourteen members on the Transportation Board, which includes one taxicab company representative and one taxicab driver representative.
- Saint Louis, Missouri – Has four appointed members (representatives); one large company, one medium company, one small company, and one driver.

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Based on a review of other regulatory agencies, staff believes that the current Large and Small Taxicab Company representation on the OCTAP Steering Committee provides adequate representation from the taxicab companies.

**Recommendation**

**Approve language and administrative changes to the Safety Committee Bylaws as follows:**

Section I.A: Change the language from “cities” to “public agency.” The reason for this change was for the inclusion of the County of Orange; which was not a member of OCTAP at the time the bylaws were implemented.

Section I.A.2: Add clarifying language that includes the Orange County Sheriff to appointing one member and one alternate to the OCTAP Safety Committee.

Section III.A: Add clarifying language to remove the word “Adopt” and replace with “Recommend,” and added the words “to the Steering Committee.” The reason for this clarifying language is because OCTAP Safety Committee members cannot approve revisions to the OCTAP Regulations.

Section III.B.2: Add clarifying language to include the County of Orange (cities and county) and to change the language from “rules” to “regulations.” The reason for this change was for the inclusion of the County of Orange; which was not specifically identified as a member of OCTAP at the time these bylaws were first implemented.

Section IV.A: Change the language from “cities” to “public agencies.” The reason for this change was for the inclusion of the County of Orange; which was not specifically identified as a member of OCTAP at the time the bylaws were implemented.

**Approve language and administrative changes to the Steering Committee Bylaws as follows:**

Section I.A: Change the language from “cities” to “public agency.” The reason for this change was for the inclusion of the County of Orange; which was not specifically identified as a member of OCTAP at the time the bylaws were implemented.

Section I.A.2: Added the requirement for the County Executive Officer to provide OCTA with letters noting Steering Committee member with alternate.

Section 1.D: Change language that would allow the committee to remove taxicab and tourist industry representatives if two consecutive meetings within a 12 month period are missed. The purpose of this change is to ensure continued and proper representation to all taxicab companies and the tourist industry in Orange County by their elected representatives.

Section II.C: Changed the language to clarify and update the effective date and the number of members needed to form a quorum. The change now requires 13 members to be present (1/3 of the 38 total representatives; 35 member agencies, two taxicab companies, one tourist industry).

Section III.E: Add language specifying the duty and responsibility of Steering Committee representatives to participate in the OCTAP appeals process as hearings officers.

Section IV.A: Change the language from "cities" to "public agencies." The reason for this change was for the inclusion of the County of Orange; which was not specifically identified as a member of OCTAP at the time the bylaws were implemented.

**Attachments:**

- A – Proposed Revisions to the Safety Committee Bylaws
- B – Proposed Revisions to Steering Committee Bylaws