



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

PALOMA AGUIRRE
First District

JOEL ANDERSON
Second District

TERRA LAWSON-REMER
Third District

MONICA MONTGOMERY STEPPE
Fourth District

JIM DESMOND
Fifth District

DATE: January 28, 2026 and February 10, 2026

02

TO: Board of Supervisors

SUBJECT

SHERIFF – ADOPT AN ORDINANCE ADDING CHAPTER 9 TO TITLE 2, DIVISION 1; AMENDING TITLE 2, DIVISION 1, CHAPTER 1 AND AMENDING TITLE 2, DIVISION 1, CHAPTER 3 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO LICENSE REQUIRED FROM THE SHERIFF, FOR-HIRE VEHICLE DRIVERS, AND TAXICABS AND TAXICAB OPERATORS (01/28/2026 – First Reading; 02/10/2026 – Second reading unless ordinance is modified on second reading) (DISTRICTS: ALL)

OVERVIEW

The San Diego County Sheriff's Office (Sheriff's Office) License Division currently issues all taxicab drivers in the unincorporated San Diego County as provided by Title 2, Division 1, Chapter 3 of the San Diego County Code.

In 1997, at the request of the Metropolitan Transit Development Board, the Sheriff's Office agreed to assume the responsibility for licensing drivers of jitneys, low-speed vehicles, nonemergency medical vehicles, charters, and sightseeing vehicles in addition to taxicabs. San Diego Metropolitan Transit System (MTS) Ordinance No. 11 was accordingly revised, and the Sheriff's Office began issuing all non-taxicab for-hire driver ID cards pursuant to Ordinance No. 11. However, the San Diego County Code was never revised to formalize this transfer of responsibilities. The Sheriff's Office began licensing for-hire vehicle drivers, except for taxicabs, in accordance with Ordinance No. 11 while MTS maintained responsibility for the denial, revocation or appeal. Due to a lack of authority to receive criminal history information and stated due process concerns, MTS is not processing revocations, denials or appeals for the for-hire drivers, raising significant public safety concerns.

Today's item requests that the San Diego County Board of Supervisors review and approve the introduction of an ordinance relating to for-hire vehicle drivers. The ordinance would formalize the transfer of responsibility that took place in 1997 and provide the Sheriff's Office with the authority to deny, suspend, revoke, and process appeals for all for-hire vehicle drivers. This ensures that for-hire vehicle drivers are complying with eligibility requirements designed to protect the safety of both passengers and the public. The ordinance would also amend the County's taxicab regulations for consistency with the new for-hire vehicle driver ID card regulations. The ordinance

SUBJECT: SHERIFF – ADOPT AN ORDINANCE ADDING CHAPTER 9 TO TITLE 2, DIVISION 1; AMENDING TITLE 2, DIVISION 1, CHAPTER 1 AND AMENDING TITLE 2, DIVISION 1, CHAPTER 3 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO LICENSE REQUIRED FROM THE SHERIFF, FOR-HIRE VEHICLE DRIVERS, AND TAXICABS AND TAXICAB OPERATORS (01/28/2026 – First Reading; 02/10/2026 – Second reading unless ordinance is modified on second reading) (DISTRICTS: ALL)

will be introduced on January 28, 2026, and, if approved, it will be scheduled for adoption on February 10, 2026.

RECOMMENDATIONS

SHERIFF

On January 28, 2026:

1. Consider the recommendation to approve the introduction of the For-Hire Vehicle Driver Ordinance (first reading):

AN ORDINANCE ADDING CHAPTER 9 TO TITLE 2, DIVISION 1; AMENDING TITLE 2, DIVISION 1, CHAPTER 1 AND AMENDING TITLE 2, DIVISION 1, CHAPTER 3 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO LICENSE REQUIRED FROM THE SHERIFF, FOR-HIRE VEHICLE DRIVERS, AND TAXICABS AND TAXICAB OPERATORS

If, on January 28, 2026, the Board takes action within recommendation #1 above, then on February 10, 2026:

1. Consider and adopt the For-Hire Vehicle Driver Ordinance:

AN ORDINANCE ADDING CHAPTER 9 TO TITLE 2, DIVISION 1; AMENDING TITLE 2, DIVISION 1, CHAPTER 1 AND AMENDING TITLE 2, DIVISION 1, CHAPTER 3 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO LICENSE REQUIRED FROM THE SHERIFF, FOR-HIRE VEHICLE DRIVERS, AND TAXICABS AND TAXICAB OPERATORS

EQUITY IMPACT STATEMENT

The proposed Ordinance will enhance public safety by ensuring that all for-hire drivers are subject to clear and consistent standards regarding the issuance, suspension, or denial of their licenses. Adopting the proposed Ordinance would ensure that all for-hire drivers licensed by the Sheriff's Office have the right to appeal in the case of a denial or revocation.

SUSTAINABILITY IMPACT STATEMENT

The proposed action supports the County of San Diego's Sustainability Goal #2 of providing just and equitable access to County services to promote equity, transparency, and community trust.

FISCAL IMPACT

There is no fiscal impact associated with today's request to review and approve the amended Ordinance. There will be no change in net General Fund cost and no additional staff years.

SUBJECT: SHERIFF – ADOPT AN ORDINANCE ADDING CHAPTER 9 TO TITLE 2, DIVISION 1; AMENDING TITLE 2, DIVISION 1, CHAPTER 1 AND AMENDING TITLE 2, DIVISION 1, CHAPTER 3 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO LICENSE REQUIRED FROM THE SHERIFF, FOR-HIRE VEHICLE DRIVERS, AND TAXICABS AND TAXICAB OPERATORS (01/28/2026 – First Reading; 02/10/2026 – Second reading unless ordinance is modified on second reading) (DISTRICTS: ALL)

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

Prior to August 1997, it was the responsibility of the Sheriff's Office License Division to issue, deny, revoke and process appeals for taxicab driver ID cards, as provided by the San Diego County Code, Title 2, Division 1, Chapter 3 "Taxicab and Taxicab Operators". It was the responsibility of MTS to issue, deny, revoke and process appeals for all other for-hire vehicle driver ID cards (jitneys, low-speed vehicles, nonemergency medical vehicles, charters, and sightseeing vehicles).

Sometime around August 1997, MTS requested the Sheriff's Office assume responsibility for licensing all for-hire vehicle driver ID cards. Per an August 28, 1997 letter, the Sheriff's Office agreed to assume the responsibility of licensing all for-hire vehicle driver ID cards. On October 30, 1997, the Metropolitan Transit Development Board, also known as MTS, amended Ordinance No.11 with a new ordinance titled "An Ordinance Amending Ordinance No. 11, Relating to Charter, Jitney, Nonemergency Medical, and Sightseeing Vehicle Driver Identification Cards" to reflect the transfer of the entire for-hire driver card function to the Sheriff's Office. However, the San Diego Code was never revised to formalize this transfer of responsibilities. The Sheriff's Office began licensing non-taxicab driver ID cards in accordance with Ordinance No. 11, which remains current practice.

Although the Sheriff's Office began licensing all for-hire vehicle drivers, the responsibility and authority to deny, revoke or process an appeal for these drivers remained with MTS. The split in responsibilities and lack of regulatory authority has created significant difficulties in enforcing licensing eligibility standards. As part of the licensing process, the Sheriff's Office conducts criminal background checks of all for-hire vehicle drivers. MTS is not authorized to conduct or review criminal background checks of individual drivers. Thus, the Sheriff's Office conducts the criminal background check and then forwards a recommendation to deny or revoke a driver ID application to MTS but is unable to provide MTS with a copy of the criminal background results or specify the relevant criminal history underlying the recommendation. MTS has expressed due process concerns with denying, revoking or defending an appeal based on evidence that it does not have access to. Consequently, MTS is not processing the revocations, denials or appeals for for-hire drivers either. Despite just cause to deny or revoke a license, the Sheriff's Office lacks the regulatory authority to do so. This gap in oversight poses a significant risk to public safety, particularly for passengers who utilize nonemergency medical services, and are often vulnerable due to age or underlying health conditions. In 2025 alone, the Sheriff's Licensing Division issued

SUBJECT: SHERIFF – ADOPT AN ORDINANCE ADDING CHAPTER 9 TO TITLE 2, DIVISION 1; AMENDING TITLE 2, DIVISION 1, CHAPTER 1 AND AMENDING TITLE 2, DIVISION 1, CHAPTER 3 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO LICENSE REQUIRED FROM THE SHERIFF, FOR-HIRE VEHICLE DRIVERS, AND TAXICABS AND TAXICAB OPERATORS (01/28/2026 – First Reading; 02/10/2026 – Second reading unless ordinance is modified on second reading) (DISTRICTS: ALL)

a total of 762 taxi driver licenses and 786 for-hire driver licenses. These numbers underscore the necessity of the Sheriff's Office's authority to uphold licensing standards.

Today's action requests that the San Diego County Board of Supervisors review and approve the introduction of an ordinance relating to for-hire vehicle drivers, providing the Sheriff's Office with the authority to process the entire driver ID card function (issuance, denial, revocation, and appeal). It is also recommended that existing taxicab regulations be amended for consistency with the proposed for-hire vehicle regulations. The amendments would establish a prohibition on smoking or vaping inside the taxicab, updated language related to controlled substances and alcohol screening requirement to reflect the statutory language for such testing, enhanced grooming, appearance, and conduct standards, as well as create new grounds for suspension, denial or revocation relating to rude and abusive language or conduct towards passengers, airport personnel, and Inspectors. Lastly, the existing ground for denial relating to conviction for an assault or battery within five years of the application has been expanded to include convictions for resisting arrest, solicitation of prostitution, and any infraction, misdemeanor, or any felony or any crime reasonable and rationally related to the for-hire industry. The recommended changes to the taxicab and for-hire vehicle regulations will not affect the rideshare industry as rideshare services are regulated by the California State Public Utilities Commission. The ordinance will be introduced on January 28, 2026, and, if approved, it will be scheduled for adoption on February 10, 2026.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today's proposed actions support the Equity and Justice Strategic Initiatives of the County of San Diego 2026-2031 Strategic Plan and aligns with the objective of ensuring fair, just, and equitable licensing for for-hire drivers and supporting the safety of County resident and visitors serviced by for-hire drivers.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kelly A. Martinez", with a stylized flourish at the end.

KELLY A. MARTINEZ
Sheriff

ATTACHMENT(S)

Attachment A - AN ORDINANCE ADDING CHAPTER 9 TO TITLE 2, DIVISION 1; AMENDING TITLE 2, DIVISION 1, CHAPTER 1 AND AMENDING TITLE 2, DIVISION 1,

SUBJECT: SHERIFF – ADOPT AN ORDINANCE ADDING CHAPTER 9 TO TITLE 2, DIVISION 1; AMENDING TITLE 2, DIVISION 1, CHAPTER 1 AND AMENDING TITLE 2, DIVISION 1, CHAPTER 3 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO LICENSE REQUIRED FROM THE SHERIFF, FOR-HIRE VEHICLE DRIVERS, AND TAXICABS AND TAXICAB OPERATORS (01/28/2026 – First Reading; 02/10/2026 – Second reading unless ordinance is modified on second reading) (DISTRICTS: ALL)

CHAPTER 3 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO LICENSE REQUIRED FROM THE SHERIFF, FOR-HIRE VEHICLE DRIVERS, AND TAXICABS AND TAXICAB OPERATORS (Clean Copy)

Attachment B - AN ORDINANCE ADDING CHAPTER 9 TO TITLE 2, DIVISION 1; AMENDING TITLE 2, DIVISION 1, CHAPTER 1 AND AMENDING TITLE 2, DIVISION 1, CHAPTER 3 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO LICENSE REQUIRED FROM THE SHERIFF, FOR-HIRE VEHICLE DRIVERS, AND TAXICABS AND TAXICAB OPERATORS (Informational Copy)

Attachment C - Summary of For-Hire Vehicle Ordinance

Attachment D - Letter from the Sheriff's Office to Metropolitan Transit System (August 28, 1997)