
Airport Commission Appeal Hearing Procedures for

Ground Transportation Permits

Authority for Hearing Procedures

- Ground Transportation Appellate Hearing Procedures are governed by:
 - San José Municipal Code Chapter 25.10;
 - Airport Commission Rules and Regulations;
 - San José Int'l Airport Commercial Ground Transportation Rules and Regulations; and
 - Taxi San José Standard Operating Procedures.

Hearing Procedures

- Standard of Review: De Novo (brand new)
- Informal hearing
- **Relevant** evidence
- Oral testimony under oath
- Witnesses, documents and physical evidence
- Recorded by audiotape
- Chair decides on hearing length and procedural issues

Decision of the Commission

- Governed by:
 - Municipal Code §§ 2.08.090; 2.08.410; and
 - Airport Commission Rule 406.
- Action taken by affirmative vote of those voting as long as quorum
- Quorum = majority of the total number of member seats
- Examples: 11 members > 6 affirmative votes needed
10 members > 6 affirmative votes needed

Decision of the Commission (cont'd)

- After close of hearing Commission shall render a decision (S.J.M.C. §25.10.340A): and
- Issue a Written Determination (S.J.M.C. § 25.10.340.B).
 - Sustaining, reversing or modifying decision of Director
 - Commission Decision = FINAL
 - Mailed or delivered personally to Permittee

Decision of the Commission (cont'd)

- Examples of Commission decision:
 - Sustain Director's decision
 - Modify the Director's decision to reduce or increase number of suspended days
 - Change revocation to suspension
 - Reverse Director's decision