

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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OFFICE OF THE D.C. TAXICAB COMMISSION

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SPECIAL COMMISSION MEETING

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MONDAY
FEBRUARY 2, 2015

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The Commission met in the Public
Hearing Room, 2235 Shannon Place, S.E.,
Washington, D.C., at 10:00 a.m., Eric Rogers,
Interim Chairperson, presiding.

COMMISSIONERS PRESENT:

ERIC ROGERS, Interim Chairperson
BETTY SMALLS, Commissioner
CYRIL CROCKER, Commissioner
STANLEY TAPSCOTT, Commissioner
ANTHONY MUHAMMAD, Commissioner

STAFF PRESENT:

JUANDA MIXON

JACQUES P. LERNER, ESQUIRE, General Counsel

1 P-R-O-C-E-E-D-I-N-G-S

2 10:33 a.m.

3 CHAIRMAN ROGERS: Good morning,
4 everybody. My name is Eric Rogers, Interim
5 Chair, D.C. Taxicab Commission, and welcome to
6 our Special Commission meeting.

7 We're located here in our public
8 hearing room at 2235 Shannon Place, S.E. Today
9 is Monday, February the 2nd, 2015, around 10:20,
10 10:30 a.m.

11 Today we have one agenda item which is
12 to vote to approve publication of emergency and
13 proposed rulemaking to amend Chapters 5, 10, and
14 99, the definition sections of Title 31 of the
15 D.C. Municipal Regulations to repeal all
16 provisions of Title 31 pertaining to and
17 providing for the establishment of modern taxicab
18 associations.

19 At this moment I would like to turn it
20 over to our General Counsel to give a little bit
21 more detail on exactly what we're doing or did I
22 already do that for you?

1 Okay. These provisions were adopted
2 as the final rulemaking by the Commissioner on
3 December 10, 2014, and published in the D.C.
4 Register on January 2nd, 2015, 62 DCR, D.C.
5 Register, 119.

6 If the rulemaking is approved, MTAs
7 will not be approved by the Office of Taxicabs as
8 of the effective date of this rulemaking, so
9 right now what I would like to do is start the
10 meeting, take a moment of silence, and then have
11 some administrative business before we move
12 forward.

13 Madam Secretary, do you mind calling
14 the roll to see if we have a quorum.

15 SECRETARY MIXON: Okay. Commissioner
16 Cohn. Commissioner Crocker.

17 COMMISSIONER CROCKER: Present.

18 SECRETARY MIXON: Commissioner
19 Ferguson. Commissioner Muhammad. Commissioner
20 Smalls.

21 COMMISSIONER SMALLS: Here.

22 SECRETARY MIXON: Commissioner

1 Tapscott.

2 COMMISSIONER TAPSCOTT: Here.

3 SECRETARY MIXON: Commissioner Rogers.

4 CHAIRMAN ROGERS: Present.

5 SECRETARY MIXON: We have four

6 present, so not a quorum yet.

7 CHAIRMAN ROGERS: Okay, well I believe

8 Commissioner Muhammad is on his way, so we will

9 wait for him before we take the vote.

10 So as an administrative item without
11 objection, I would like to re-arrange the agenda
12 and start with our public comments first and then
13 call the vote. Is that acceptable to the
14 Commission? Okay.

15 All right. Madam Secretary, do you
16 mind calling our first witness.

17 SECRETARY MIXON: Okay. First witness
18 is Mr. Birbo. Is Mr. Birbo present? No? Next
19 is it Bethea?

20 MR. BETHEA: Yes.

21 SECRETARY MIXON: Okay. If you would
22 take the podium please and if you would sign in,

1 state your name first. You will have five
2 minutes. I will keep the time, and unfortunately
3 this time you will have to hold the microphone.

4 MR. BETHEA: All right.

5 SECRETARY MIXON: I might give you 20
6 extra seconds if you have to hold the microphone.

7 MR. BETHEA: Good morning. My name is
8 Ron Bethea. I'm with Positive Change Purchasing
9 Corporation.

10 I've prepared a statement on the vote
11 today to prove the statute on the Board of
12 taxicab association under Chapter 5 of the
13 taxicab company's fleet association Title 31 on -
14 of Municipal Regulations in DCMR.

15 Good morning. My name is Ronald
16 Bethea. I'm President of Positive Change
17 Purchasing Corporation, a former 44-year
18 experienced taxicab limo drive licensed as an
19 independent owner/operator service to provide
20 here in the District of Columbia wheelchair-
21 accessible service.

22 Positive Change Purchasing Corporation

1 has grown out of Sedan Service Plus which was
2 founded in 2000. PCP has moved on. Its business
3 focus and mission has adopted a new model for the
4 organization to purchase - purchasing corporate
5 in Baltimore, Washington, D.C. Metropolitan
6 market area and beyond.

7 We are presently in negotiations in
8 direct collaboration with finance companies and
9 all confidential discounts and rebates which we
10 are able to negotiate will be passed on.

11 We are also working with a number of
12 the leading builders of wheelchair-accessible
13 vans, mini-vans, shuttle vans in America. All
14 discounts and rebates will be passed on to our
15 members.

16 Sedan Service Plus' original mission
17 was to advocate the limousine companies, taxicab
18 companies, independent owner/operators, and
19 disabled community for funding for wheelchair-
20 accessible vehicles to provide to the Washington
21 Metropolitan area door-to-door, airport
22 accessible transportation to provide for both

1 residents and visitors.

2 We are developing - we were successful
3 in developing several programs, the Upward
4 Mobility Taxicab Limousine Program in cooperation
5 with the DCSE - D.C. - to assist taxicab owners
6 interested in purchasing wheelchair vehicles to
7 transport the physically challenged.

8 The SPC SSP also played a major role
9 in working with the National Capital Region
10 Planning Board in helping to get funding for the
11 new premium project.

12 We work closely with senior
13 transportation planners through the Department of
14 Transportation and Planning. We submitted the
15 very first proposal. We requested \$20 million
16 over three years to put 151 wheelchair-accessible
17 vehicles on the street with 13 D.C. taxicab
18 companies.

19 When the number of independent
20 owner/operators some of whom were military
21 veterans were not allowed not even to apply for
22 funding as independent owner/operators. The

1 doors were slammed in their faces by this
2 Commission, the National Capital Regional
3 Planning Board, the D.C. City Council We were
4 not even provided applications or allowed to
5 apply for the funding as independent
6 owner/operators.

7 This statement can be substantiated by
8 Mrs. Carolyn Robinson, a member of the D.C.
9 Professional Taxicab Drivers Association, and the
10 D.C. Taxicab Commission Disability Advisory
11 Commission. Mr. Billy Ray Edwards and myself
12 were all former members of the D.C. Professional
13 Cab Drivers Association.

14 Financing and partnership requirements
15 for the D.C. Taxicab Commission Advisory
16 Committee funding as the greatest incentive to
17 the D.C. Taxicab Companies Association of fleets
18 to purchase wheelchair-accessible vehicles.

19 The question is why these
20 recommendations were not made a part of the D.C.
21 - of the final ruling that's being voted on here
22 today on financing wheelchair-accessible taxis.

1 D.C. Taxicab Act requires that DCTC
2 and all the committee which includes the District
3 of Columbia Chief Financial Officer to develop
4 programs to develop grants, loans and other type
5 of financial assistance and incentives to
6 applicants and owners of licensed taxicabs to
7 offset the cost of buying, retrofitting,
8 maintaining, and operating vehicles used for
9 wheelchair-accessible taxicab services.

10 The DCTC Act creates public vehicles
11 for hire, a consumer service fund. The fund
12 consists of passenger surcharges and commissioned
13 license fees and funds from the Department of
14 Motor Vehicles for out-of-state vehicle
15 registration funds. Funds may be used by the
16 Commission to provide grants, loans, incentives,
17 and other financial assistance for taxicab owners
18 to offset the cost of acquiring, maintaining,
19 operating wheelchair-accessible vehicles.

20 The funds may also be used to provide
21 taxicab fare discounts for low-income seniors
22 aged 65 or over with disabilities.

1 All these funds come out of the
2 pockets of the licensed taxicab drivers,
3 independent owner/operators, as well as the
4 taxicab companies, associations, and fleets in
5 the first place.

6 Turning our attention to the
7 amendments to Chapter 6, the incentives to
8 incentivize taxicab owners to purchase wheelchair
9 which would have most effective propulsions of
10 wheelchair accessibility and final rulemaking

11 I have provided copies because this is
12 an eight-page document. The legislation is too
13 much - too great to cover all of those things.

14 In there you - what you're already familiar with,
15 you have the issue of the vintage which they had
16 one section in there that dealt with all new -
17 they're covering new vehicles there must be a
18 five-year plan where these new companies or these
19 new vehicles' companies all must show how they
20 plan to make this 100 percent wheelchair-
21 accessible vehicles which is - that's achieved,
22 but all the information is there.

1 Also I have attached copies of the
2 program that we put together for Small Business
3 Development Center at UDC back in the early
4 2000's, and I want to thank you very much for
5 giving me an opportunity to speak this morning.

6 CHAIRMAN ROGERS: Thank you, Mr.
7 Bethea. One question I have for you. You
8 mention in your opening statement - in your first
9 paragraph that you're in negotiations with a
10 number of leading builders of wheelchair-
11 accessible vans, minivans and the like and that
12 you pass on those discounts and rebates to your
13 members.

14 Do you have a sense of the total
15 percentage reduction from say the retail price to
16 the negotiated price? How much is that?

17 MR. BETHEA: About 50 percent. We
18 were able to negotiate some outstanding purchase
19 rights and because we are a purchasing
20 cooperative, we have also been able to get some
21 great lease, open-end lease, agreements for the
22 members that will come onboard.

1 We need to plan to roll this out
2 within the next 120 days to our website that will
3 accessible to all those concerned.

4 CHAIRMAN ROGERS: Okay. Thank you,
5 and we'd also like to note the presence of
6 Commissioner Muhammad, so now I do believe we
7 have a quorum to conduct any official business.

8 Our next witness please.

9 SECRETARY MIXON: Okay. Next Mr.
10 Yohnes Afework. Did I say it correct? Okay.

11 CHAIRMAN ROGERS: Whenever you
12 gentlemen are ready.

13 SECRETARY MIXON: And please let us
14 know exactly who is speaking.

15 MR. AFEWORK: Good morning. My name
16 is Yohnes Afework. I'm representing for D.C.
17 Travelers United. I would like to brief you
18 about the organization we work for. The D.C.
19 Travelers United represent current D.C. taxicab
20 drivers who enter the taxicab industry after
21 2006.

22 So far we mostly in the District

1 mostly in the surrounding jurisdictions.

2 Additionally each of our members have
3 all the cab he or her himself drive. This means
4 the driver is solely responsible for the cab
5 including paying for the maintenance, insurance,
6 fuel and all related licensing costs for the
7 Department of Motor Vehicle. However, our
8 members are not ordinary drivers, driver/owners,
9 of their cab.

10 Inequality among cab drivers but
11 traditionally D.C. cab drivers who also own their
12 cab, the option of providing service as
13 independent operators without regard to where
14 they live our members were never given that
15 opportunity whether because we entered the
16 taxicab industry after the year 2006 and because
17 we are not D.C. residents, we cannot provide
18 taxicab service as independent operators.

19 To the contrary, we are required to
20 share our ownership of our cab with a D.C.
21 residence if we are to properly title and
22 register -- in D.C.

1 This requirement, however, does not
2 flow from the regulations that govern the taxicab
3 industry, rather it stems from the law that
4 governs the DMV and that applies to all cars, a
5 personal vehicle or taxicab.

6 In our case the D.C. residency is the
7 taxicab company which we affiliate and to which
8 our members have been obligated to give 50
9 percent of ownership of their small business.
10 This is all permitting the driver her or himself
11 who owns the cab.

12 According to a year 2014 estimate by
13 the DMV, there are nearly 3,000 cab drivers in
14 the co-ownership box, all of whom the DMV has
15 deemed to be the primary owners of their cabs.

16 Modern Taxicab Association to begin,
17 we are not in agreement with every aspect of the
18 regulation authorizing a Modern Taxicab
19 Association as passed by the Taxicab Commission
20 on December 10, 2014.

21 To the contrary, we believe there are
22 some real dangers in the regulations. For

1 example, we think it is problematic that cab
2 companies will be allowed to keep the H tag
3 currently assigned to a taxicab that has been
4 bought by and solely maintained by the cab driver
5 her or himself. Allowing companies to keep the
6 tag will only increase the total number of
7 company-owned cabs on the street, and, therefore,
8 grow the community of cab drivers renters, cab
9 driver renters from which the companies can
10 divert drivers and come to themselves. This
11 should not be allowed to happen.

12 Economic freedom. Still it is also
13 important to note that despite its many faults,
14 the Modern Taxicab Association would have given
15 cab drivers calls in the co-ownership box a
16 certain degree of economic freedom and security,
17 the kind of security we do not have now that we
18 must share our cab with the companies that are
19 increasingly claiming to have sole ownership of
20 our tag.

21 Modernization. Originally the MTA
22 would have helped -- issued the cab drivers in

1 the co-ownership box would be able to readily
2 replace their current cab with a more modern one
3 as existing companies do not want to co-own cabs
4 that carry a lien.

5 In turn, newer and cleaner fuel-
6 burning cars cost more and our members cannot
7 afford to pay for them outright which means that
8 while the industry modernization requirements are
9 great for the environment, the public, and are
10 also supported by our members, they also
11 represent our membership in inevitable

12 In summary, in closing, while we
13 cannot afford the Taxicab Commission's interest
14 in replacing the MTA regulations, we want to make
15 clear that doing so breathes new life into our
16 concerns regarding cab drivers who must share
17 ownership of their cab with a company.

18 To this end, we ask now and we'll
19 continue to ask in the near future that the
20 Taxicab Commission supports our efforts to ensure
21 all cab drivers are treated equally.

22 That is - that cab drivers who entered

1 the taxicab industry after 2006 no longer be
2 obligated to give cab companies partial ownership
3 of their small business in order to remain in the
4 profession of their choice. Thank you.

5 With that said, I would like to
6 forward to my colleague.

7 CHAIRMAN ROGERS: Hold on a second.
8 Let me - are these two associated with
9 yourselves?

10 MR. AFEWORK: Yes.

11 CHAIRMAN ROGERS: Okay.

12 MR. DESTA: Okay. Thank you for the
13 opportunity. My name is Abebe Desta. Okay. My
14 name is Abebe Desta. First name, A-B-E-B-E.
15 Last name is D-E-S-T-A.

16 We had a long-time conversation for -
17 about MTA association. This was something that
18 solves part of our problem in order to be a part
19 of a modernization process, but now we are going
20 to know when this is repealed, what other option
21 Taxicab Commission have report for us to solve
22 this problem. Just because I mentioned this

1 thing is we have forwarded our problem probably
2 the Chairman may be aware or not, we don't know,
3 and we have submitted so many petitions
4 requesting to form the MTA.

5 So now we are expecting the Taxicab
6 Commission if there is any other option if this
7 one is repealed that may solve our problem.

8 Thank you.

9 CHAIRMAN ROGERS: Okay. Well thank
10 you, guys, for your testimony. I do have a
11 couple of questions for you if you don't mind
12 getting back up on the mic.

13 How many members are in Drivers
14 United? How many folks do you guys represent?

15 MR. AFEWORK: According to our recent
16 - review, it's about 3,000.

17 CHAIRMAN ROGERS: You have 3,000
18 folks.

19 MR. AFEWORK: Yes.

20 CHAIRMAN ROGERS: 350 members, okay,
21 but the 3,000 number is -

22 MR. AFEWORK: Post 2006 drivers which

1 we are under this scrutiny.

2 CHAIRMAN ROGERS: And you mentioned in
3 your testimony that you guys are small business
4 owners, correct?

5 MR. AFEWORK: We are.

6 CHAIRMAN ROGERS: Now, as small
7 business owners, were you not aware of the - I
8 guess the rules of the game after 2006, the D.C.
9 residency requirements for taxicab operators?

10 MR. AFEWORK: Yes, we are, however,
11 we're providing the same service and rates and I
12 don't think there should be a reason for us to be
13 disregarded as opposed to the pre-2006 drivers.

14 CHAIRMAN ROGERS: But you were aware
15 though that the rules had changed in 2006?

16 MR. AFEWORK: We are, yes, we are.

17 CHAIRMAN ROGERS: You made a conscious
18 choice to enter into the market under those
19 rules.

20 MR. AFEWORK: Yes, we are.

21 CHAIRMAN ROGERS: Okay. I just wanted
22 that to be clear for the record.

1 Also, a question about - you had
2 mentioned - where was it - that you oppose - you
3 don't oppose the modernization requirements. You
4 do oppose or you don't oppose it?

5 MR. AFEWORK: Well, we don't oppose
6 the modernization, however, we were not able to,
7 you know, control our small business and we have
8 to share that ownership to the companies, and
9 these companies are continuously, you know,
10 threatening us, you know, asking us for payments
11 on a weekly basis to pay for them which they were
12 not contributing a dime to the service that we
13 are rendering right now, and some companies were
14 already starting to charge \$50.00 a week for
15 those drivers who are already in the business and
16 who own the business.

17 We fall - we support the Modernization
18 Taxicab Association as long as we are given the
19 equal opportunity to play with.

20 MR. DESTA: Thank you very much. The
21 main reason that we are not able to be part of the
22 modernization process is that the rule that came

1 up in 2000, the Safe Driving Act.

2 No one in Washington, D.C. can register
3 and title his or her car in Washington, D.C.
4 unless and otherwise has somebody as an anchor in
5 Washington, D.C., and the year 2006 there was a
6 law that came out that none of - all the taxi
7 drivers who live outside Washington, D.C. can
8 title and register their car in Washington, D.C.,
9 but the rest of us who came to the business can't
10 register and own our car here.

11 So during the modernization process, we
12 have to buy a newer car, and newer model cars are
13 expensive. We can't buy it. We can't pay it up
14 front.

15 The previous cars, the cars we have
16 right now, we can pay them for 3,000, 2,000,
17 \$4,000.00, but the newer model cars are really
18 expensive.

19 In order to get the lien and buy those
20 cars, we are also shared with the companies. The
21 companies are not willing to sign on the title as
22 a co-owner if that title has a lien on it, so in

1 order to solve this problem, we came to the
2 Taxicab Commission and apply for the Modern
3 Taxicab Association.

4 CHAIRMAN ROGERS: Well, thank you for
5 your clarification. I appreciate that. Thank
6 you, sir. Next witness please.

7 SECRETARY MIXON: Okay. Next, Carol
8 Tyson.

9 CHAIRMAN ROGERS: You may begin
10 whenever you're ready.

11 MS. TYSON: Okay. I think I'm ready.

12 SECRETARY MIXON: Okay. We're ready.

13 MS. TYSON: Okay. Thank you. Good
14 morning, Chairman Rogers and other distinguished
15 members of the D.C. Taxicab Commission.

16 Thank you for the opportunity to offer
17 comments regarding this proposed rulemaking. My
18 name is Carol Tyson. I am a Senior Policy
19 Associate for United Spinal Association. Founded
20 in 1946 by paralyzed veterans, United Spinal is
21 the largest disability-led non-profit organization
22 serving and representing the interests of more

1 than a million Americans living with spinal cord
2 injuries and disorders.

3 The D.C. Office of Disability Rights
4 estimates that 20 percent of the District's
5 population has a disability, roughly 130,000
6 individuals.

7 An estimated 2.1 million of the
8 District's tourists are visitors with
9 disabilities. United Spinal advocates for equal
10 access to transportation for these and all people
11 with disabilities including access to for-hire
12 vehicle services whether by street hail, through
13 a phone call, smart phone app, or via the
14 internet.

15 According to the U.S. Census Bureau in
16 2013, only 34 percent of working-age people with
17 disabilities living in the District were employed.
18 Access to transportation is often necessary for
19 employment, yet people with disabilities are more
20 than twice as likely as those without disabilities
21 to have inadequate transportation.

22 This statistic is played out in the

1 District where approximately one percent of the
2 District's for-hire vehicle fleet could be
3 wheelchair accessible this year. It isn't yet.
4 It could be.

5 United Spinal is discouraged by the
6 proposed across-the-board repeal of Section 504
7 which would have allowed for the entry of taxicab
8 associations composed entirely of wheelchair-
9 accessible vehicle owners.

10 We urge the Commission and all related
11 parties to reconsider. Instead, we recommend
12 temporarily suspending Section 504 while working
13 with stakeholders to amend requirements and
14 address any areas of confusion or unintended legal
15 repercussions.

16 According to the formal notice for this
17 meeting, the MTA rules may result in the issuance
18 of hundreds of new DCTC vehicle licenses for
19 taxicabs. If that is the case, these licenses
20 would ultimately result in the operation of
21 hundreds of new wheelchair-accessible taxis for
22 all who require access.

1 This influx of accessible taxis would
2 transform the District into a city that is
3 welcoming and supports the integration of all its
4 citizens and visitors.

5 In addition, it is United Spinal's
6 understanding that a cap on the number of taxis
7 issues could be repealed or has already been.
8 This action would also allow for any number of new
9 DCTC vehicle licenses.

10 United Spinal holds firm that access to
11 transportation is a civil right. If Section 504
12 is repealed entirely, United Spinal urges the
13 Commission to adopt alternative rules which will
14 result in the increased accessibility of for-hire
15 vehicles for all people in short order.

16 The Commission could require all new
17 vehicles to be accessible. United Spinal's
18 recommendation is continuing to stand by it or
19 until such time as the District has a percentage
20 of vehicles that allows wheelchair users to hail
21 a taxi in an equivalent amount of time as a non-
22 wheelchair user might.

1 The emergency rules amend Subsection
2 1010.7 allowing for a transferable taxicab license
3 for drivers that currently possess a DCTC vehicle
4 license or taxi companies participating in the
5 Cabs D.C. program.

6 This license, according to Subsection
7 1010.9, may be transferred and sold with a fee.

8 United Spinal is concerned that if the
9 transferable license remains without accessible
10 vehicle requirements and the cap on the number of
11 taxis remains or is put in place, drivers of new
12 accessible vehicles will find it difficult to
13 enter the market.

14 Should the transferable licenses
15 remain, United Spinal recommends providing a
16 transferable taxicab vehicle license for
17 accessible vehicles in any company's fleet.
18 That's in addition to the Cabs D.C. companies.

19 Currently there are requirements that
20 few incentives for taxi companies and drivers who
21 make the sound business and moral decision to
22 provide accessible service.

1 This July the country and the District
2 will celebrate the 25th anniversary of the
3 Americans with Disabilities Act. The ADA along
4 with the D.C. Human Rights Act prohibits
5 discrimination and encourage changes in society
6 that would allow people with disabilities to live
7 the lives we choose and to follow our dreams.

8 Fulfilling one's potential, however,
9 also requires access to work, school, cultural
10 events in the community. All of these things are
11 placed just out of reach when transportation
12 remains a barrier.

13 I hope you will do everything in your
14 power to ensure accessible transportation as
15 provided without a second thought in the District.

16 Commissioners, Commission staff and
17 industry stakeholders, United Spinal recognizes
18 and thanks your for your efforts to ensure
19 accessibility to for-hire vehicle services in the
20 District. Thank for the opportunity to provide
21 comments.

22 United Spinal is eager to continue to

1 work in partnership to advance your efforts, and
2 we will continue to advocate for a level playing
3 field in the industry in accessible public and
4 private for-hire vehicle service. Thank you.

5 CHAIRMAN ROGERS: Thank you. I
6 appreciate your testimony. One thing that I would
7 like to note is that the Commission is definitely
8 working towards ensuring adequate access for folks
9 with disabilities, and I would invite the Advisory
10 Committee, Disability Advisory Committee, to work
11 with us over the coming weeks to look at rules to
12 meet that goal since - assuming that the
13 Commission does vote to repeal. You're right. We
14 do need to put something back in place to ensure
15 that, and I do invite the Advisory Committee and
16 United Spinal to work with us in making that
17 happen. Thank you.

18 Any further comments? Any further
19 comments on the matters before us? You have two
20 minutes, sir. Come on up.

21 SECRETARY MIXON: And before you begin,
22 as usual, you would state and spell your name for

1 the record.

2 MR. MEDGHALCHI: Massoud Medghalchi, M-
3 A-S-S-O-U-D. Last name is M-E-D-G-H-A-L-C-H-I.

4 Mr. Commissioner, Mr. Chairman, and the
5 Commissioners, thank you for the opportunity to
6 testify before you.

7 I'm going to go back to what I repeated
8 before the Commission numerous times. This is a
9 lingering problem for the past 20 some odd years.

10 The vested interest of the companies
11 and the owner/operators have always been pushing
12 aside and everyone else's interest have been
13 considered consistently.

14 People that own business that are
15 invested in this business seems like have no voice
16 at all. Now I'm onboard with ADA accommodations.
17 Any way we accommodate them, that's fine because
18 they're at a great disadvantage and everyone would
19 recognize that, but for people that have gone and
20 purposefully entered contracts with associations
21 to circumvent the 2006 laws of this city, if they
22 have any problems, they should go before a court

1 and figure out who owes the tax, but the funny
2 thing is over the years unscrupulous chairmen that
3 sold licenses, different departments of D.C.
4 Government that decide or elected officials that
5 decided they wanted to create jobs, we constantly
6 got stuck holding the bag. Enough is enough.

7 If they want to go to court and figure
8 out their differences, that's where they should do
9 it because they were skirting the law anyway. It
10 should not be allowed period.

11 The City knowing that they have that
12 law in place, the allot for these associations to
13 form. That's basically asking for a return on
14 trying to skirt the law. That's it. Thank you.

15 CHAIRMAN ROGERS: Thank you, witness,
16 for his testimony. Okay. Commissioners before us,
17 we now have the item for a vote. I'll turn it
18 over to the General Counsel to give a little bit
19 more specifics.

20 COMMISSIONER LERNER: This a combined
21 emergency and proposed rulemaking. The proposed
22 rulemaking would amend Chapters 5, 10, and 99 to

1 repeal all provisions of Title 31 providing for
2 the establishment of Modern Taxicab Associations.
3 That's the MTA rules.

4 The rules may result in the issuance of
5 many new DCTC vehicle licenses for taxicabs which
6 is inconsistent with the Commission's referral of
7 all issues related to vehicle licenses for
8 taxicabs to the Panel on Industry which was
9 announced at the January 14th general meeting.

10 This emergency rulemaking is necessary
11 to immediately reduce potential stakeholder and
12 industry confusion, provide immediate certainty of
13 predictability for affected stakeholders allowing
14 them to make more informed or appropriate legal
15 and business decisions, immediately reduce
16 potential legal exposure for the District, and
17 immediately suspend the administrative process for
18 MTA applications to eliminate an anomaly if the
19 Office of Taxicabs were required to accept those
20 applications for a process which may, if the
21 Commission votes that way, no longer be there
22 because the rules are repealed.

1 CHAIRMAN ROGERS: Thank you, sir. We
2 have the item before us as read. Madam Secretary,
3 would you please call the vote.

4 SECRETARY MIXON: Okay. Commissioner
5 Cohn. Excuse me, Commissioner Cohn. Commissioner
6 Crocker.

7 COMMISSIONER CROCKER: Yes.

8 SECRETARY MIXON: Commissioner
9 Ferguson. Commissioner Muhammad.

10 COMMISSIONER MUHAMMAD: Abstained.

11 SECRETARY MIXON: Commissioner Smalls.

12 COMMISSIONER SMALLS: Yes.

13 SECRETARY MIXON: Commissioner
14 Tapscott.

15 COMMISSIONER TAPSCOTT: Yes.

16 SECRETARY MIXON: Commissioner Rogers.

17 CHAIRMAN ROGERS: Yes.

18 SECRETARY MIXON: We have four yes, one
19 abstained.

20 CHAIRMAN ROGERS: Okay. The motion
21 passes. Unless there is any other business before
22 the Commission, I will call this meeting

1 adjourned. Just as a reminder, February 11th at
2 ten o'clock, same room, we will have our general
3 Commission meeting for February with a whole bunch
4 of wonderful stuff, so please check out our
5 website and all. Yes, Commissioner.

6 COMMISSIONER CROCKER: Just a point of
7 order.

8 CHAIRMAN ROGERS: Yes, sir.

9 COMMISSIONER CROCKER: Did we - we did
10 not I believe have an actual formal motion and
11 second before we voted.

12 CHAIRMAN ROGERS: Oh, yes, that's true.
13 Do have a motion on the item.

14 COMMISSIONER CROCKER: So moved.

15 COMMISSIONER SMALLS: Second.

16 CHAIRMAN ROGERS: The motion has been
17 appropriately seconded. Let's call the vote one
18 more time just to make sure that we're okay.

19 SECRETARY MIXON: Okay. Commissioner
20 Cohn. Commissioner Crocker.

21 COMMISSIONER CROCKER: Yes.

22 SECRETARY MIXON: Commissioner

1 Ferguson. Commissioner Muhammad.

2 COMMISSIONER MUHAMMAD: Abstained.

3 SECRETARY MIXON: Commissioner Smalls.

4 COMMISSIONER SMALLS: Yes.

5 SECRETARY MIXON: Commissioner

6 Tapscott.

7 COMMISSIONER TAPSCOTT: Yes.

8 SECRETARY MIXON: Commissioner Rogers.

9 CHAIRMAN ROGERS: Yes. Okay. With the
10 re-vote, now we are good to go I believe. Just in
11 case. Again, February 11th, my mom's birthday,
12 next Commission meeting, ten o'clock. We'll be
13 here. She'll be 75, so bring all your nice cards
14 and thank you for her birthday and the wonderful
15 likes. I call this meeting adjourned.

16 (Whereupon the above-entitled matter
17 was concluded at 11:11 a.m.)

A

\$20 7:15
\$4,000.00 21:17
\$50.00 20:14
A-B-E-B-E 17:14
A-S-S-O-U-D 29:3
a.m 1:10 2:2,10 34:17
Abebe 17:13,14
able 6:10 11:18,20 16:1
 20:6,21
above-entitled 34:16
abstained 32:10,19
 34:2
accept 31:19
acceptable 4:13
access 23:10,11,18
 24:22 25:10 27:9 28:8
accessability 10:10
accessibility 25:14
 27:19
accessible 5:21 6:20,22
 10:21 11:11 12:3 24:3
 24:9 25:1,17 26:9,12
 26:17,22 27:14 28:3
accommodate 29:17
accommodations
 29:16
achieved 10:21
acquiring 9:18
across-the-board 24:6
Act 9:1,10 21:1 27:3,4
action 25:8
actual 33:10
ADA 27:3 29:16
addition 25:5 26:18
Additionally 13:2
address 24:14
adequate 28:8
adjourned 33:1 34:15
administrative 3:11
 4:10 31:17
adopt 25:13
adopted 3:1 6:3
advance 28:1
Advisory 8:10,15 28:9
 28:10,15
advocate 6:17 28:2
advocates 23:9
Afework 12:10,15,16
 17:10 18:15,19,22
 19:5,10,16,20 20:5
affiliate 14:7
afford 16:7,13
aged 9:22
agenda 2:11 4:11
agreement 14:17
agreements 11:21
airport 6:21

allot 30:12
allow 25:8 27:6
allowed 7:21 8:4 15:2
 15:11 24:7 30:10
allowing 15:5 26:2
 31:13
allows 25:20
alternative 25:13
amend 2:13 24:13 26:1
 30:22
amendments 10:7
America 6:13
Americans 23:1 27:3
amount 25:21
anchor 21:4
anniversary 27:2
announced 31:9
anomaly 31:18
ANTHONY 1:15
anyway 30:9
app 23:13
applicants 9:6
applications 8:4 31:18
 31:20
applies 14:4
apply 7:21 8:5 22:2
appreciate 22:5 28:6
appropriate 31:14
appropriately 33:17
approve 2:12
approved 3:6,7
approximately 24:1
area 6:6,21
areas 24:14
aside 29:12
asking 20:10 30:13
aspect 14:17
assigned 15:3
assist 7:5
assistance 9:5,17
Associate 22:19
associated 17:8
association 5:12,13 8:9
 8:13,17 14:16,19
 15:14 17:17 20:18
 22:3,19
associations 2:18 10:4
 24:8 29:20 30:12 31:2
assuming 28:12
attached 11:1
attention 10:6
authorizing 14:18
aware 18:2 19:7,14

B

back 11:3 18:12 28:14
 29:7
bag 30:6

Baltimore 6:5
barrier 27:12
basically 30:13
basis 20:11
believe 4:7 12:6 14:21
 33:10 34:10
Betha 4:19,20 5:4,7,8
 5:16 11:7,17
BETTY 1:13
beyond 6:6
Billy 8:11
Birbo 4:18,18
birthday 34:11,14
bit 2:20 30:18
Board 5:11 7:10 8:3
bought 15:4
box 14:14 15:15 16:1
breathes 16:15
brief 12:17
bring 34:13
builders 6:12 11:10
bunch 33:3
Bureau 23:15
burning 16:6
business 3:11 6:2 11:2
 12:7 14:9 17:3 19:3,7
 20:7,15,16 21:9 26:21
 29:14,15 31:15 32:21
buy 21:12,13,19
buying 9:7

C

cab 8:13 13:3,4,9,10,11
 13:12,20 14:11,13
 15:1,4,8,8,15,18,22
 16:2,16,17,21,22 17:2
cabs 14:15 15:7 16:3
 26:5,18
call 4:13 23:13 32:3,22
 33:17 34:15
calling 3:13 4:16
calls 15:15
cap 25:6 26:10
Capital 7:9 8:2
car 21:3,8,10,12
cards 34:13
Carol 22:7,18
Carolyn 8:8
carry 16:4
cars 14:4 16:6 21:12,15
 21:15,17,20
case 14:6 24:19 34:11
celebrate 27:2
Census 23:15
Center 11:3
certain 15:16
certainty 31:12
Chair 2:5
Chairman 2:3 4:4,7
 11:6 12:4,11 17:7,11
 18:2,9,17,20 19:2,6
 19:14,17,21 22:4,9,14
 28:5 29:4 30:15 32:1
 32:17,20 33:8,12,16
 34:9
chairmen 30:2
Chairperson 1:11,13
challenged 7:7
Change 5:8,16,22
changed 19:15
changes 27:5
Chapter 5:12 10:7
Chapters 2:13 30:22
charge 20:14
check 33:4
Chief 9:3
choice 17:4 19:18
choose 27:7
circumvent 29:21
citizens 25:4
city 8:3 25:2 29:21
 30:11
civil 25:11
claiming 15:19
clarification 22:5
cleaner 16:5
clear 16:15 19:22
closely 7:12
closing 16:12
co-own 16:3
co-owner 21:22
co-ownership 14:14
 15:15 16:1
Cohn 3:16 32:5,5 33:20
collaboration 6:8
colleague 17:6
Columbia 1:1 5:20 9:3
combined 30:20
come 10:1 11:22 15:10
 28:20
coming 28:11
comments 4:12 22:17
 27:21 28:18,19
Commission 1:3,5,9
 2:5,6 4:14 8:2,10,11
 8:15 9:16 14:19 16:20
 17:21 18:6 22:2,15
 24:10 25:13,16 27:16
 28:7,13 29:8 31:21
 32:22 33:3 34:12
Commission's 16:13
 31:6
commissioned 9:12
Commissioner 1:13,14
 1:14,15 3:2,15,16,17
 3:18,19,19,21,22 4:2

4:3,8 12:6 29:4 30:20
 32:4,5,5,7,8,9,10,11
 32:12,13,15,16 33:5,6
 33:9,14,15,19,20,21
 33:22 34:1,2,3,4,5,7,8
Commissioners 1:12
 27:16 29:5 30:16
committee 8:16 9:2
 28:10,10,15
community 6:19 15:8
 27:10
companies 6:8,17,18
 7:18 8:17 10:4,18,19
 15:2,5,9,18 16:3 17:2
 20:8,9,13 21:20,21
 26:4,18,20 29:10
company 14:7 16:17
company's 5:13 26:17
company-owned 15:7
composed 24:8
concerned 12:3 26:8
concerns 16:16
concluded 34:17
conduct 12:7
confidential 6:9
confusion 24:14 31:12
conscious 19:17
considered 29:13
consistently 29:13
consists 9:12
constantly 30:5
consumer 9:11
continue 16:19 27:22
 28:2
continuing 25:18
continuously 20:9
contracts 29:20
contrary 13:19 14:21
contributing 20:12
control 20:7
conversation 17:16
cooperation 7:4
cooperative 11:20
copies 10:11 11:1
cord 23:1
corporate 6:4
Corporation 5:9,17,22
correct 12:10 19:4
cost 9:7,18 16:6
costs 13:6
Council 8:3
Counsel 1:18 2:20
 30:18
country 27:1
couple 18:11
court 29:22 30:7
cover 10:13
covering 10:17

create 30:5
creates 9:10
Crocker 1:14 3:16,17
 32:6,7 33:6,9,14,20
 33:21
cultural 27:9
current 12:19 16:2
currently 15:3 26:3,19
CYRIL 1:14

D

D-E-S-T-A 17:15
D.C 1:3,10 2:5,15 3:3,4
 6:5 7:5,17 8:3,8,10,12
 8:15,17,20 9:1 12:16
 12:18,19 13:11,17,20
 13:22 14:6 19:8 21:2
 21:3,5,7,8 22:15 23:3
 26:5,18 27:4 30:3
dangers 14:22
date 3:8
days 12:2
DCMR 5:14
DCR 3:4
DCSE 7:5
DCTC 9:1,10 24:18 25:9
 26:3 31:5
dealt 10:16
December 3:3 14:20
decide 30:4
decided 30:5
decision 26:21
decisions 31:15
deemed 14:15
definitely 28:7
definition 2:14
degree 15:16
Department 7:13 9:13
 13:7
departments 30:3
despite 15:13
Desta 17:12,13,14
 20:20
detail 2:21
develop 9:3,4
developing 7:2,3
Development 11:3
differences 30:8
different 30:3
difficult 26:12
dime 20:12
direct 6:8
disabilities 9:22 23:9
 23:11,17,19,20 27:3,6
 28:9
disability 8:10 23:3,5
 28:10
disability-led 22:21

disabled 6:19
disadvantage 29:18
discounts 6:9,14 9:21
 11:12
discouraged 24:5
discrimination 27:5
disorders 23:2
disregarded 19:13
distinguished 22:14
District 1:1 5:20 9:2
 12:22 23:17 24:1 25:2
 25:19 27:1,15,20
 31:16
District's 23:4,8 24:2
divert 15:10
DMV 14:4,13,14
document 10:12
doing 2:21 16:15
door-to-door 6:21
doors 8:1
dreams 27:7
drive 5:18 13:3
driver 13:4 14:10 15:4,9
driver/owners 13:8
drivers 8:9,13 10:2
 12:20 13:8,10,11
 14:13 15:8,10,15,22
 16:16,21,22 18:13,22
 19:13 20:15 21:7 26:3
 26:11,20
Driving 21:1

E

eager 27:22
early 11:3
economic 15:12,16
Edwards 8:11
effective 3:8 10:9
efforts 16:20 27:18 28:1
eight-page 10:12
elected 30:4
eliminate 31:18
else's 29:12
emergency 2:12 26:1
 30:21 31:10
employed 23:17
employment 23:19
encourage 27:5
ensure 16:20 27:14,18
 28:14
ensuring 28:8
enter 12:20 19:18 26:13
entered 13:15 16:22
 29:20
entirely 24:8 25:12
entry 24:7
environment 16:9
equal 20:19 23:9

equally 16:21
equivalent 25:21
Eric 1:10,13 2:4
ESQUIRE 1:18
establishment 2:17
 31:2
estimate 14:12
estimated 23:7
estimates 23:4
events 27:10
everybody 2:4
exactly 2:21 12:14
example 15:1
Excuse 32:5
existing 16:3
expecting 18:5
expensive 21:13,18
experienced 5:18
exposure 31:16
extra 5:6

F

faces 8:1
fall 20:17
familiar 10:14
far 12:22
fare 9:21
faux 15:13
February 1:7 2:9 33:1,3
 34:11
fee 26:7
fees 9:13
Ferguson 3:19 32:9
 34:1
field 28:3
figure 30:1,7
final 3:2 8:21 10:10
finance 6:8
financial 9:3,5,17
financing 8:14,22
find 26:12
fine 29:17
firm 25:10
first 4:12,16,17 5:1 7:15
 10:5 11:8 17:14
five 5:1
five-year 10:18
fleet 5:13 24:2 26:17
fleets 8:17 10:4
flow 14:2
focus 6:3
folks 18:14,18 28:8
follow 27:7
for-hire 23:11 24:2
 25:14 27:19 28:4
form 18:4 30:13
formal 24:16 33:10
former 5:17 8:12

forward 3:12 17:6
forwarded 18:1
founded 6:2 22:19
four 4:5 32:18
freedom 15:12,16
front 21:14
fuel 13:6 16:5
Fulfilling 27:8
fund 9:11,11
funding 6:19 7:10,22
 8:5,16
funds 9:13,15,15,20
 10:1
funny 30:1
further 28:18,18
future 16:19

G

game 19:8
general 1:18 2:20 30:18
 31:9 33:2
gentlemen 12:12
getting 18:12
give 2:20 5:5 14:8 17:2
 30:18
given 13:14 15:14
 20:18
giving 11:5
go 29:7,22 30:7 34:10
goal 28:12
going 17:19 29:7
good 2:3 5:7,15 12:15
 22:13 34:10
govern 14:2
Government 1:1 30:4
governs 14:4
grants 9:4,16
great 10:13 11:21 16:9
 29:18
greatest 8:16
grow 15:8
grown 6:1
guess 19:8
guys 18:10,14 19:3

H

H 15:2
hail 23:12 25:20
happen 15:11 28:17
hearing 1:10 2:8
helped 15:22
helping 7:10
hire 9:11
hold 5:3,6 17:7
holding 30:6
holds 25:10
hope 27:13
Human 27:4

hundreds 24:18,21

I

immediate 31:12
immediately 31:11,15
 31:17
important 15:13
inadequate 23:21
incentive 8:16
incentives 9:5,16 10:7
 26:20
incentivize 10:8
includes 9:2
including 13:5 23:11
inconsistent 31:6
increase 15:6
increased 25:14
increasingly 15:19
independent 5:19 6:18
 7:19,22 8:5 10:3
 13:13,18
individuals 23:6
industry 12:20 13:16
 14:3 16:8 17:1 27:17
 28:3 31:8,12
Inequality 13:10
influx 25:1
information 10:22
informed 31:14
injuries 23:2
insurance 13:5
integration 25:3
interest 16:13 29:10,12
interested 7:6
interests 22:22
Interim 1:11,13 2:4
internet 23:14
invested 29:15
invariable 16:11
invite 28:9,15
issuance 24:17 31:4
issue 10:15
issued 15:22
issues 25:7 31:7
item 2:11 4:10 30:17
 32:2 33:13

J

JACQUES 1:18
January 3:4 31:9
jobs 30:5
JUANDA 1:17
July 27:1
jurisdictions 13:1

K

keep 5:2 15:2,5
kind 15:17

know 12:14 17:20 18:2
 20:7,9,10
knowing 30:11

L

largest 22:21
law 14:3 21:6 30:9,12
 30:14
laws 29:21
leading 6:12 11:10
lease 11:21,21
legal 24:14 31:14,16
legislation 10:12
LERNER 1:18 30:20
Let's 33:17
level 28:2
license 9:13 26:2,4,6,9
 26:16
licensed 5:18 9:6 10:2
licenses 24:18,19 25:9
 26:14 30:3 31:5,7
licensing 13:6
lien 16:4 21:19,22
life 16:15
likes 34:15
limo 5:18
limousine 6:17 7:4
lingering 29:9
little 2:20 30:18
live 13:14 21:7 27:6
lives 27:7
living 23:1,17
loans 9:4,16
located 2:7
long 20:18
long-time 17:16
longer 17:1 31:21
look 28:11
low-income 9:21

M

M 29:2
M-E-D-G-H-A-L-C-H-I
 29:3
Madam 3:13 4:15 32:2
main 20:21
maintained 15:4
maintaining 9:8,18
maintenance 13:5
major 7:8
making 28:16
market 6:6 19:18 26:13
Massoud 29:2
matter 34:16
matters 28:19
means 13:3 16:7
Medghalchi 29:2,2
meet 28:12

meeting 1:5 2:6 3:10
 24:17 31:9 32:22 33:3
 34:12,15
member 8:8
members 6:15 8:12
 11:13,22 13:2,8,14
 14:8 16:6,10 18:13,20
 22:15
membership 16:11
mention 11:8
mentioned 17:22 19:2
 20:2
met 1:9
Metropolitan 6:5,21
mic 18:12
microphone 5:3,6
military 7:20
million 7:15 23:1,7
mind 3:13 4:16 18:11
mini-vans 6:13
minivans 11:11
minutes 5:2 28:20
mission 6:3,16
MIXON 1:17 3:15,18,22
 4:3,5,17,21 5:5 12:9
 12:13 22:7,12 28:21
 32:4,8,11,13,16,18
 33:19,22 34:3,5,8
Mobility 7:4
model 6:3 21:12,17
modern 2:17 14:16,18
 15:14 16:2 22:2 31:2
modernization 15:21
 16:8 17:19 20:3,6,17
 20:22 21:11
mom's 34:11
moment 2:19 3:10
Monday 1:7 2:9
moral 26:21
morning 2:3 5:7,15
 11:5 12:15 22:14
motion 32:20 33:10,13
 33:16
Motor 9:14 13:7
move 3:11
moved 6:2 33:14
MTA 15:21 16:14 17:17
 18:4 24:17 31:3,18
MTAs 3:6
Muhammad 1:15 3:19
 4:8 12:6 32:9,10 34:1
 34:2
Municipal 2:15 5:14

N

name 2:4 5:1,7,15
 12:15 17:13,14,14,15
 22:18 28:22 29:3

National 7:9 8:2
near 16:19
nearly 14:13
necessary 23:18 31:10
need 12:1 28:14
negotiate 6:10 11:18
negotiated 11:16
negotiations 6:7 11:9
never 13:14
new 6:3 7:11 10:16,17
 10:18,19 16:15 24:18
 24:21 25:8,16 26:11
 31:5
newer 16:5 21:12,12,17
nice 34:13
non 25:21
non-profit 22:21
note 12:5 15:13 28:7
notice 24:16
number 6:11 7:19 11:10
 15:6 18:21 25:6,8
 26:10
numerous 29:8

O

o'clock 33:2 34:12
objection 4:11
obligated 14:8 17:2
odd 29:9
offer 22:16
Office 1:3 3:7 23:3
 31:19
Officer 9:3
official 12:7
officials 30:4
offset 9:7,18
Oh 33:12
okay 3:1,15 4:7,14,17
 4:21 12:4,9,10 17:11
 17:12,13 18:9,20
 19:21 22:7,11,12,13
 30:16 32:4,20 33:18
 33:19 34:9
onboard 11:22 29:16
one's 27:8
open-end 11:21
opening 11:8
operating 9:8,19
operation 24:20
operators 13:13,18
 19:9
opportunity 11:5 13:15
 17:13 20:19 22:16
 27:20 29:5
oppose 20:2,3,4,4,5
opposed 19:13
option 13:12 17:20 18:6
order 17:3,18 21:19

22:1 25:15 33:7
ordinary 13:8
organization 6:4 12:18
 22:21
original 6:16
Originally 15:21
out-of-state 9:14
outright 16:7
outside 21:7
outstanding 11:18
owes 30:1
owner/operator 5:19
owner/operators 6:18
 7:20,22 8:6 10:3
 29:11
owners 7:5 9:6,17 10:8
 14:15 19:4,7 24:9
ownership 13:20 14:9
 15:19 16:17 17:2 20:8
owns 14:11

P

P 1:18
P-R-O-C-E-E-D-I-N-G-S
 2:1
Panel 31:8
paragraph 11:9
paralyzed 22:20
part 8:20 17:18,18
 20:21
partial 17:2
participating 26:4
parties 24:11
partnership 8:14 28:1
pass 11:12
passed 6:10,14 14:19
passenger 9:12
passes 32:21
pay 16:7 20:11 21:13,16
paying 13:5
payments 20:10
PCP 6:2
people 23:10,16,19
 25:15 27:6 29:14,19
percent 10:20 11:17
 14:9 23:4,16 24:1
percentage 11:15 25:19
period 30:10
permitting 14:10
personal 14:5
pertaining 2:16
petitions 18:3
phone 23:13,13
physically 7:7
place 1:10 2:8 10:5
 26:11 28:14 30:12
placed 27:11
plan 10:18,20 12:1

planners 7:13
Planning 7:10,14 8:3
play 20:19
played 7:8 23:22
playing 28:2
please 4:22 12:8,13
 22:6 32:3 33:4
Plus 6:1,16
pockets 10:2
podium 4:22
point 33:6
Policy 22:18
population 23:5
Positive 5:8,16,22
possess 26:3
Post 18:22
potential 27:8 31:11,16
power 27:14
pre-2006 19:13
predictability 31:13
premium 7:11
prepared 5:10
presence 12:5
present 1:12,16 3:17
 4:4,6,18
presently 6:7
President 5:16
presiding 1:11
previous 21:15
price 11:15,16
primary 14:15
private 28:4
probably 18:1
problem 17:18,22 18:1
 18:7 22:1 29:9
problematic 15:1
problems 29:22
process 17:19 20:22
 21:11 31:17,20
profession 17:4
Professional 8:9,12
program 7:4 11:2 26:5
programs 7:3 9:4
prohibits 27:4
project 7:11
properly 13:21
proposal 7:15
proposed 2:13 22:17
 24:6 30:21,21
propulsions 10:9
prove 5:11
provide 5:19 6:20,22
 9:16,20 13:17 26:22
 27:20 31:12
provided 8:4 10:11
 27:15
providing 2:17 13:12
 19:11 26:15 31:1

provisions 2:16 3:1
 31:1
public 1:9 2:7 4:12 9:10
 16:9 28:3
publication 2:12
published 3:3
purchase 6:4 8:18 10:8
 11:18
purchasing 5:8,17,22
 6:4 7:6 11:19
purposefully 29:20
pushing 29:11
put 7:16 11:2 26:11
 28:14

Q

question 8:19 11:7 20:1
questions 18:11
quorum 3:14 4:6 12:7

R

rates 19:11
Ray 8:11
re-arrange 4:11
re-vote 34:10
reach 27:11
read 32:2
readily 16:1
ready 12:12 22:10,11
 22:12
real 14:22
really 21:17
reason 19:12 20:21
rebates 6:9,14 11:12
recognize 29:19
recognizes 27:17
recommend 24:11
recommendation 25:18
recommendations 8:20
recommends 26:15
reconsider 24:11
record 19:22 29:1
reduce 31:11,15
reduction 11:15
referral 31:6
regard 13:13
regarding 16:16 22:17
Region 7:9
Regional 8:2
register 3:4,5 13:22
 21:2,8,10
registration 9:15
regulation 14:18
regulations 2:15 5:14
 14:2,22 16:14
related 13:6 24:10 31:7
remain 17:3 26:15
remains 26:9,11 27:12

reminder 33:1
rendering 20:13
renters 15:8,9
repeal 2:15 24:6 28:13
 31:1
repealed 17:20 18:7
 25:7,12 31:22
repeated 29:7
repercussions 24:15
replace 16:2
replacing 16:14
report 17:21
represent 12:19 16:11
representing 12:16
 22:22
represents 18:14
requested 7:15
requesting 18:4
require 24:22 25:16
required 13:19 31:19
requirement 14:1
requirements 8:14 16:8
 19:9 20:3 24:13 26:10
 26:19
requires 9:1 27:9
residence 13:21
residency 14:6 19:9
residents 7:1 13:17
responsible 13:4
rest 21:9
result 24:17,20 25:14
 31:4
retail 11:15
retrofitting 9:7
return 30:13
review 18:16
right 3:9 4:15 5:4 20:13
 21:16 25:11 28:13
rights 11:19 23:3 27:4
Robinson 8:8
Rogers 1:10,13 2:3,4
 4:3,4,7 11:6 12:4,11
 17:7,11 18:9,17,20
 19:2,6,14,17,21 22:4
 22:9,14 28:5 30:15
 32:1,16,17,20 33:8,12
 33:16 34:8,9
role 7:8
roll 3:14 12:1
Ron 5:8
Ronald 5:15
room 1:10 2:8 33:2
roughly 23:5
rule 20:22
rulemaking 2:13 3:2,6,8
 10:10 22:17 30:21,22
 31:10
rules 19:8,15,19 24:17

25:13 26:1 28:11 31:3
 31:4,22
ruling 8:21

S

S.E 1:10 2:8
Safe 21:1
school 27:9
scrutiny 19:1
second 17:7 27:15
 33:11,15
seconded 33:17
seconds 5:6
Secretary 3:13,15,18
 3:22 4:3,5,15,17,21
 5:5 12:9,13 22:7,12
 28:21 32:2,4,8,11,13
 32:16,18 33:19,22
 34:3,5,8
section 10:16 24:6,12
 25:11
sections 2:14
security 15:16,17
Sedan 6:1,16
see 3:14
senior 7:12 22:18
seniors 9:21
sense 11:14
service 5:19,21 6:1,16
 9:11 13:12,18 19:11
 20:12 26:22 28:4
services 9:9 23:12
 27:19
serving 22:22
Shannon 1:10 2:8
share 13:20 15:18
 16:16 20:8
shared 21:20
She'll 34:13
short 25:15
show 10:19
shuttle 6:13
sign 4:22 21:21
silence 3:10
sir 22:6 28:20 32:1 33:8
skirt 30:14
skirting 30:9
slammed 8:1
small 11:2 14:9 17:3
 19:3,6 20:7
Smalls 1:13 3:20,21
 32:11,12 33:15 34:3,4
smart 23:13
society 27:5
sold 26:7 30:3
sole 15:19
solely 13:4 15:4
solve 17:21 18:7 22:1

solves 17:18
somebody 21:4
sound 26:21
SPC 7:8
speak 11:5
speaking 12:14
Special 1:5 2:6
specifics 30:19
spell 28:22
spinal 22:19,20 23:1,9
 24:5 25:10,12 26:8,15
 27:17,22 28:16
Spinal's 25:5,17
SSP 7:8
staff 1:16 27:16
stakeholder 31:11
stakeholders 24:13
 27:17 31:13
stand 25:18
STANLEY 1:14
start 3:9 4:12
starting 20:14
state 5:1 28:22
statement 5:10 8:7 11:8
statistic 23:22
statute 5:11
stems 14:3
street 7:17 15:7 23:12
stuck 30:6
stuff 33:4
submitted 7:14 18:3
Subsection 26:1,6
substantiated 8:7
successful 7:2
summary 16:12
support 20:17
supported 16:10
supports 16:20 25:3
surcharges 9:12
sure 33:18
surrounding 13:1
suspend 31:17
suspending 24:12

T

tag 15:2,6,20
take 3:10 4:9,22
Tapscott 1:14 4:1,2
 32:14,15 34:6,7
tax 30:1
taxi 21:6 25:21 26:4,20
taxicab 1:3 2:5,17 5:12
 5:13,18 6:17 7:4,5,17
 8:9,10,15,17 9:1,9,17
 9:21 10:2,4,8 12:19
 12:20 13:16,18 14:2,5
 14:7,16,18,19 15:3,14
 16:13,20 17:1,21 18:5

19:9 20:18 22:2,3,15
 24:7 26:2,16 31:2
taxicabs 3:7 9:6 24:19
 31:5,8,19
taxis 8:22 24:21 25:1,6
 26:11
temporarily 24:12
ten 33:2 34:12
testify 29:6
testimony 18:10 19:3
 28:6 30:16
thank 11:4,6 12:4 17:4
 17:12 18:8,9 20:20
 22:4,5,13,16 27:20
 28:4,5,17 29:5 30:14
 30:15 32:1 34:14
thanks 27:18
thing 18:1 28:6 30:2
things 10:13 27:10
think 15:1 19:12 22:11
thought 27:15
threatening 20:10
three 7:16
time 5:2,3 25:19,21
 33:18
times 29:8
title 2:14,16 5:13 13:21
 21:3,8,21,22 31:1
today 2:8,11 5:11 8:22
total 11:14 15:6
tourists 23:8
traditionally 13:11
transferable 26:2,9,14
 26:16
transferred 26:7
transform 25:2
transport 7:7
transportation 6:22
 7:13,14 23:10,18,21
 25:11 27:11,14
Travelers 12:17,19
treated 16:21
true 33:12
trying 30:14
turn 2:19 16:5 30:17
Turning 10:6
twice 23:20
two 17:8 28:19
type 9:4
Tyson 22:8,11,13,18

U

U.S 23:15
UDC 11:3
ultimately 24:20
understanding 25:6
unfortunately 5:2
unintended 24:14

United 12:17,19 18:14 22:19,20 23:9 24:5 25:5,10,12,17 26:8,15 27:17,22 28:16	wonderful 33:4 34:14	31 2:14,16 5:13 31:1
unscrupulous 30:2	work 7:12 12:18 27:9 28:1,10,16	34 23:16
Upward 7:3	working 6:11 7:9 24:12 28:8	350 18:20
urge 24:10	working-age 23:16	<hr/> 4 <hr/>
urges 25:12	<hr/> X <hr/>	<hr/> 5 <hr/>
user 25:22	<hr/> Y <hr/>	5 2:13 5:12 30:22
users 25:20	year 13:16 14:12 21:5 24:3	50 11:17 14:8
usual 28:22	years 7:16 29:9 30:2	504 24:6,12 25:11
<hr/> V <hr/>	Yohnes 12:10,16	<hr/> 6 <hr/>
vans 6:13,13 11:11	<hr/> Z <hr/>	6 10:7
vehicle 9:14 13:7 14:5 23:12 24:2,9,18 25:9 26:3,10,16 27:19 28:4 31:5,7	<hr/> 0 <hr/>	62 3:4
vehicles 6:20 7:6,17 8:18 9:8,10,14,19 10:17,19,21 25:15,17 25:20 26:12,17	<hr/> 1 <hr/>	65 9:22
vested 29:10	10 2:13 3:3 14:20 30:22	<hr/> 7 <hr/>
veterans 7:21 22:20	10:00 1:10	75 34:13
vintage 10:15	10:20 2:9	<hr/> 8 <hr/>
visitors 7:1 23:8 25:4	10:30 2:10	<hr/> 9 <hr/>
voice 29:15	10:33 2:2	
vote 2:12 4:9,13 5:10 28:13 30:17 32:3 33:17	100 10:20	
voted 8:21 33:11	1010.7 26:2	
votes 31:21	1010.9 26:7	
<hr/> W <hr/>	11:11 34:17	
wait 4:9	119 3:5	
want 11:4 16:3,14 30:7	11th 33:1 34:11	
wanted 19:21 30:5	120 12:2	
Washington 1:10 6:5 6:20 21:2,3,5,7,8	13 7:17	
way 4:8 29:17 31:21	130,000 23:5	
we'll 16:18 34:12	14th 31:9	
we're 2:7,21 19:11 22:12 33:18	151 7:16	
website 12:2 33:5	1946 22:20	
week 20:14	<hr/> 2 <hr/>	
weekly 20:11	2 1:7	
weeks 28:11	2,000 21:16	
welcome 2:5	2.1 23:7	
welcoming 25:3	20 5:5 23:4 29:9	
wheelchair 5:20 6:19 7:6 10:8,10,20 11:10 24:3,8 25:20,22	2000 6:2 21:1	
wheelchair-accessible 6:12 7:16 8:18,22 9:9 9:19 24:21	2000's 11:4	
willing 21:21	2006 12:21 13:16 17:1 18:22 19:8,15 21:5 29:21	
witness 4:16,17 12:8 22:6 30:15	2013 23:16	
	2014 3:3 14:12,20	
	2015 1:7 2:9 3:4	
	2235 1:10 2:8	
	25th 27:2	
	2nd 2:9 3:4	
	<hr/> 3 <hr/>	
	3,000 14:13 18:16,17,21 21:16	

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Special Commission Meeting

Before: DC Taxicab Commission

Date: 02-02-15

Place: Washington, DC

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Court Reporter

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