

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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OFFICE OF THE D.C. TAXICAB COMMISSION

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FULL COMMISSION MEETING

+ + + + +

WEDNESDAY
DECEMBER 10, 2014

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The Commission met in the Old City Council Chambers, 441 4th Street, N.W., Washington, D.C., at 10:00 a.m., Ron M. Linton, Chairperson, presiding.

COMMISSIONERS PRESENT:

RON M. LINTON, Chairperson
PAUL COHN, Commissioner
CYRIL CROCKER, Commissioner
ELLIOTT FERGUSON, Commissioner
ANTHONY MUHAMMAD, Commissioner

STAFF PRESENT:

JUANDA MIXON, Secretary
JACQUES LERNER, ESQ., General Counsel

T A B L E O F C O N T E N T S

I. Call to Order. 3
 Moment of Silence
 Determination of Quorum

II. Commission Communications. 4
 Commissioner Remarks, Comments
 or Questions

III. Commission Action Items.15

IV. Public Comment Period.49

VI. Adjournment

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

2 10:36 a.m.

3 I. CALL TO ORDER

4 CHAIRPERSON LINTON: On the record.

5 My apologies for our late start this morning.

6 It's a case of too much to do and too few people
7 to get it done in.

8 But I would like to call to order this
9 D.C. Taxicab Commission in the Old Council
10 Chambers, One Judiciary Square on Wednesday,
11 December 10th and the time is 10:35 a.m. We will
12 as we always do start with a moment of silence in
13 remembrance of those who have given their life on
14 behalf of their country and their community.

15 (Moment of silence)

16 Thank you. The secretary will
17 determine a quorum upon roll.

18 (Roll call)

19 (Cohn, Crocker, Ferguson, Muhammad,
20 Linton present; Small, Burns, Tapscott not
21 present; all votes will be unanimously approval)

22 A quorum being present, we will

1 proceed with the business of the Commission
2 today.

3 II. COMMISSION COMMUNICATION

4 CHAIRPERSON LINTON: Commission
5 Communications, are there any comments from any
6 of the members of the Commission that they want
7 to make at this time?

8 (No verbal response.)

9 Hearing none, let me make a comment if
10 I may. There are two last things happening
11 today. This is the last day that the Commission
12 will be meeting in this assembly room. In
13 January, when and assuming the Commission exists
14 and it has a meeting, it will be meeting in its
15 own hearing room on Shannon Place near the Big
16 Chair, just a block and a half from where the
17 offices now are.

18 They will be moved to that new redone
19 building, the old Metropolitan Police Department
20 warehouse for evidence which has been totally
21 redone. This Commission is moving in there. The
22 Lottery Board is moving in there and a portion of

1 DDOT is moving in there. So next January for the
2 first time in many years there will be a hearing
3 room that will belong exclusively to this
4 Commission.

5 Unfortunately, the other last thing is
6 that this is the last time that I will preside
7 over a Commission meeting. And I'd like to make
8 a couple of remarks concluding my service.

9 When I assumed the position of
10 chairman of the D.C. Taxicab Commission on August
11 1, 2011, the District's taxicab industry was on
12 the brink of imploding. The industry faced to
13 say it politely public displeasure with its
14 service. The Commission lacked community respect
15 and was hobbled by limited resources.

16 This anger and disruption was based on
17 an aging taxi fleet. It did not universally
18 accepted credit card payments, was unreliable in
19 responding to dispatch calls and was fighting
20 against any industry changes. In addition, fares
21 were the lowest in the country.

22 I approached this challenge determined

1 to lead the Commission to create quality service
2 for the users of the city's taxis and adopt
3 appropriate regulations to ensure the economic
4 stability of the industry.

5 Since the hospitality industry is the
6 primary economic generator in the District and
7 taxis are its face, it is critical that they
8 provide quality service to this market. Thus,
9 efforts were undertaken to modernize and improve
10 the D.C. taxi industry. In order to turn around
11 the unhappiness of riders and drivers and based
12 on Mayor Gray's policy to create the best taxi
13 system in the world for the capital city of the
14 world's most important country, we set in motion
15 a series of programs and initiatives.

16 We set new rates in April of 2012 to
17 restore lost revenue to drivers after the switch
18 from a zone-based system to meters. Customer
19 demands were met with the adoption of the modern
20 taxi meter system known as MTS to provide the
21 capability to make payments for rides by credit
22 card. Drivers were thwarted for making their own

1 determination about who could be picked up with
2 the installation of the standardized dome light
3 to make it easier to identify vehicles on duty
4 while also enforcing against rogue operators.
5 And the transition to the uniform color scheme to
6 be consistent with the designs of the District's
7 other public transportation options provided
8 riders with branding recognition of public
9 vehicles for hire.

10 The Commission expanded its field
11 facilities and used technology to cut down the
12 time it took to get a license from approximately
13 90 days to five days. Applicants no longer had
14 to pay significant fees for classroom teaching
15 and were able to access study guides online and
16 walk in for testing.

17 Enhancing service value by increasing
18 the number of wheelchair accessible vehicles in
19 the fleet, adding new riders to the customer base
20 and saving District taxpayers are benefits of the
21 recently-launched CAPS-DC program which was
22 developed in conjunction with WMATA to ultimately

1 transition all eligible riders from Metro Access
2 vans to D.C. taxis.

3 In order to alleviate any hindrance to
4 participate and encourage greater use, I'm
5 recommending today approval of an action that
6 would take the \$5 fare that is now paid by a
7 participant and eliminating it. This change will
8 not affect compensation to drivers and companies.

9 In addition to the poor service
10 condition, the City Council was starving the
11 Commission by shrinking financial support. Thus,
12 rather than fight over bigger District Government
13 agencies, the City Council was convinced to
14 switch the Commission's funding to a user-fee
15 basis.

16 So the Commission no longer received
17 general tax funds. We are now supported by those
18 who either buy services, the riders, or those who
19 sell the services, the drivers and the owners.
20 Thus, the cost to manage the taxi industry is not
21 borne by District residents who don't use taxi
22 services, while non-residents who do ride in D.C.

1 taxis will contribute to the management of the
2 industry.

3 In my opinion, the local public
4 vehicle-for-hire industry is clearly stronger
5 today than it was when I started more than three
6 years ago. I have seen a decline in complaints
7 and an increase in complimentary comments from
8 the public with positive reaction from both
9 riders and drivers about credit card acceptance
10 and the dome lights.

11 However, there is still more to do.
12 Unfortunately, many still don't recognize that,
13 if followed, Title 31 is designed to make the
14 public want to use public vehicles for hire.
15 There is still too much self-denial regarding
16 fault rather than directing attention to provide
17 better service.

18 And I might deviate from my prepared
19 remarks by saying it is going to really be up to
20 the industry itself to do the self-policing
21 necessary to ensure that those who are driving
22 your vehicles are using the credit card system

1 when people want it, are not using Square in
2 place of credit cards, are not still acting
3 nastily towards the passengers in their car. You
4 and I both know there is not a lot but just
5 enough of that going on that's going to make it
6 very difficult for the industry to be the success
7 it needs to be facing the competition it is.

8 This Commission has reached the limit
9 of what it can endorse. The industry itself has
10 to take on the responsibility for enforcing.

11 The conditions in the marketplace have
12 changed dramatically during my tenure. When I
13 initially assumed the chairmanship, there was a
14 single electronic dispatch company serving D.C.
15 cabs. There are now multiple options available
16 to the public to electronically summon a ride.

17 Public demand dictates that the taxi
18 industry must adapt to the technology and
19 evolving consumer preferences. The Commission is
20 offering the tools to the industry so it can
21 better compete by the Commission developing for
22 it a universal taxicab app. A competitive

1 marketplace is the most efficient means to
2 achieve the objectives of servicing the
3 consumer's best interests.

4 The Commission is exercising its
5 statutory authority to establish a quota for H-
6 tags for the simple reason that if there are more
7 vehicles and not enough customers the result will
8 be reduction in revenue. In turn, this will lead
9 to demand for higher fares which will further
10 erode ridership.

11 We are also proposing a pilot program
12 to allow individuals within a neighborhood to
13 acquire vehicles for a jitney-like service to
14 meet the demand within a specifically-designated
15 geographic area that has been judicially
16 underserved.

17 These matters are being brought forth
18 today for consideration. We have struggled over
19 the past several months to establish a benefits
20 program for drivers. To overcome the difficulty
21 and challenge, the Commission needs further
22 involvement to develop a workable benefits

1 program, to put forth recommendations to lead the
2 way for retirement, life, disability and health
3 insurance.

4 We can't expect an individual to drive
5 for 30 years or more under incredibly stressful
6 conditions and reach a point when most people
7 retire and not be able to afford to stop driving.
8 It's simply not fair.

9 Also we have a proposal today to
10 increase incentives to reach 100 percent
11 wheelchair accessibility in five years because it
12 is the right thing to do. No one individual in a
13 wheelchair should be passed up due to the lack of
14 availability of a wheelchair accessible vehicle
15 while an ambulatory customer can conveniently
16 hail a ride any time.

17 Increasing the use of public vehicles
18 for hire hinges on three potential factors, a
19 dramatic increase in population which is
20 unlikely, an increase in the number of
21 conferences, conventions and other hospitality
22 related activities which is possible and will

1 require rendering excellent service. And the
2 third factor is the creation of new opportunities
3 to induce more visitors.

4 As such, the District will embark on
5 promoting its outstanding local medical
6 facilities to patients all over the world. The
7 District's Department of Health is developing a
8 plan to compete with other cities worldwide for
9 the medical tourism business. A key to success
10 will be a world class taxi system to meet the
11 demands of this new customer niche.

12 Although we have unfinished agendas of
13 initiatives, I am confident that we have
14 established an environment that will encourage
15 the industry to continue to move forth with
16 modernization efforts which will also include the
17 transition to new, more fuel efficient,
18 wheelchair accessible vehicles driven by
19 qualified individuals who adhere to a high
20 standard of customer service and abide by
21 regulations.

22 Having said all of this, I would be

1 wrong to leave the impression that the chairman
2 alone is responsible for the Commission's
3 accomplishments. There have been a number of
4 other commissioners who have given their mind and
5 time to the efforts I have outlined.

6 While all have made major
7 contributions, I am particularly compelled to
8 point out the enormous amount of work done by
9 Paul Cohn to lead the panel on industry to
10 develop vital new rulemaking for industry
11 modernization and Cyril Crocker who had the
12 unenviable task of gathering community feedback
13 and providing recommendations for the uniform
14 taxi color scheme.

15 The responsibility to ensure a fair
16 price for an acceptable service to sustain the
17 economy, the economic viability of the industry
18 has been supported by the participation and work
19 of all the members of the Commission. I have
20 tremendous personal gratitude for their valuable
21 input and assistance.

22 Let us now proceed to our agenda.

1 General Counsel advises me of a change to be
2 announced on the agenda.

3 III. COMMISSION ACTION ITEMS

4 MR. LERNER: Item 6 on the agenda has
5 been replaced with an item that had been at the
6 bottom and was redundant. Item 6 now reads Vote
7 to Approve Publication of Proposed Rulemaking:
8 Chapters 5 and 10, Obligation of Taxi Cab Company
9 with Former Jointly-Titled Vehicle to replace
10 with Wheelchair Accessible Vehicle.

11 The last item on the agenda is No. 14
12 and the items beneath have been removed. And you
13 know you're looking at the right agenda if it
14 says at the bottom on the second page "Revised
15 12/10/14."

16 CHAIRPERSON LINTON: We'll proceed now
17 to the items on the agenda. Item No. 1, Vote to
18 Approve publication of final rulemaking: Chapters
19 12 and 99 - Luxury Class Service. General
20 Counsel will advise the Commission.

21 MR. LERNER: This final rulemaking
22 would change the terminology that's used in this

1 chapter from sedan to black car to make it
2 consistent with the national industry
3 terminology. It also removes all references to
4 the previously proposed private sedans.

5 CHAIRPERSON LINTON: Questions on a
6 vote to approve for publication final rulemaking
7 Chapters 12 and 99? Any questions?

8 (Moved and seconded)

9 The secretary will call the roll.

10 (Commission votes; Burns, Smalls,
11 Tapscott not present)

12 CHAIRPERSON LINTON: The majority
13 having voted in the affirmative, the Commission
14 orders publication of final rulemaking Chapters
15 12 and 99.

16 Item No. 2 on the agenda, vote to
17 approve publication of final rulemaking: Chapters
18 14 and 99 - Operation of Black Cars. General
19 Counsel will explain.

20 MR. LERNER: This final rulemaking
21 would like the final rulemaking for Chapter 12
22 will also update terminology from sedan to black

1 car and it would also remove all references to
2 the previous proposed private sedans. An
3 additional requirement that's not in the current
4 rules is that black cars would be designated as
5 either smoking or nonsmoking vehicles by their
6 owners.

7 CHAIRPERSON LINTON: Are there
8 questions or discussion?

9 (No verbal response)

10 Is there a motion to adopt?

11 (Moved and seconded)

12 The secretary will call the roll.

13 (Commission votes; Burns, Smalls,
14 Tapscott not present)

15 CHAIRPERSON LINTON: The majority
16 having voted in the affirmative, the Commission
17 orders final rulemaking for Chapters 14 and 99
18 published.

19 Item No. 3 on the agenda is vote to
20 approve publication of final rulemaking: Chapters
21 16 and 99 - Universal District of Columbia
22 Taxicab App and District of Columbia Taxicab

1 Industry Co-op. General Counsel will present the
2 Commission's determinations and findings.

3 MR. LERNER: The D.C. Taxicab
4 Commission presents these findings and
5 determinations in support of rulemaking under
6 consideration today to allow the meter taxicab
7 industry to create the District of Columbia
8 Taxicab Industry Co-op which would manage the use
9 of the District of Columbia Universal Taxicab
10 App.

11 The Co-op would be an industry-owned
12 association formed to promote and facilitate the
13 use of the app by District residents and visitors
14 seeking service from taxicabs including
15 wheelchair accessible vehicles. The last three
16 years have seen sweeping changes in the industry
17 as a result of new market participants and new
18 technologies.

19 These changes raise real challenges
20 which must be addressed. First, taxicabs face
21 stiff competition from private vehicles for hire
22 who also call themselves ride sharing and

1 transportation network companies.

2 Private vehicles for hire have gained
3 an advantage and will soon be allowed to operate
4 legally in the District. These vehicles are here
5 to stay. And while the Commission is committed
6 to vigorous enforcement against taking illegal
7 street hails, it is not possible to eliminate
8 them altogether as a source of unfair and illegal
9 competition.

10 Second, the new tech businesses serve
11 different interests from the public vehicle-for-
12 hire industry. There's an ongoing debate about
13 the services the tech business offer including
14 passenger safety, vehicle inspections, driver
15 background checks, adequacy of insurance and more
16 recently the security of customer information.

17 These issues will not be quickly
18 resolved. But they are also not truly matters of
19 concern to the public vehicle-for-hire industry.
20 In order to remain viable, the public vehicle-
21 for-hire industry must stay focused on providing
22 safe, quality service in modern insured vehicles

1 provided by trained, adequately screened drivers
2 treating passengers with courtesy and
3 professionalism and consistent with their right
4 to wheelchair accessible service and assuring a
5 fair return to owners and drivers. Public
6 vehicles-for-hire can successfully compete
7 against the new businesses by focusing on their
8 mandate to do more.

9 Third, the new tech businesses must be
10 given credit where credit is due. They have
11 successfully put a new twist on the old concept
12 of advanced booking by popularizing the use of a
13 SmartPhone app to get a ride. Consumers want
14 digital dispatch and it must be embraced as a
15 legitimate means to deliver for hire
16 transportation.

17 Despite this, three years after
18 digital dispatch first appeared in the District,
19 taxicabs still do not fully leverage the
20 additional business opportunities that come with
21 the use of apps. While this may be largely due
22 to the scattered and disparate nature of the

1 industry with nearly 100 companies and
2 associations, over 1500 independent owners and
3 over 9,000 drivers, it is merely a reason for the
4 current state of affairs. It is not an answer
5 for fixing it.

6 Historically, the District's taxicab
7 industry has been slow to adapt. In this
8 instance, the industry has failed to take
9 meaningful steps to assure its own survival. And
10 with the Private Vehicle Law now pending final
11 approval, there is a real possibility that
12 further delay will lead to the demise of
13 traditional taxicabs within the next few years.

14 That outcome is not in the best
15 interest of the District, its residents, its
16 visitors, industry participants or the hotel,
17 restaurant and tourism industries. The
18 Commission is prepared to step in.

19 If approved, today's final rulemaking
20 would continue the Commission's effort to create
21 conditions under which traditional taxicabs may
22 compete on a more level playing field. The

1 Commission has already taken the first steps
2 earlier this month promulgating final regulations
3 to deregulate taxicab fares for dispatch rides.
4 Under these regulations a digital dispatch
5 service is permitted to set the entire fare for a
6 taxicab ride booked and paid digitally through an
7 app. This means that the fares for taxicabs
8 associated with a registered digital dispatch
9 service now have the same flexibility as private
10 vehicles for hire and having DDSs quickly adjust
11 their fares to real world service demands.

12 It is well within the authority of the
13 Commission under the Establishment Act to
14 undertake a rulemaking of this type which merely
15 gives the industry an opportunity to help itself.
16 The rules to create the Co-op would directly
17 address the challenges already identified by
18 creating the universal app to dispatch a vehicle
19 from all taxicabs in the passenger's vicinity,
20 facilitating the availability of wheelchair
21 service by those who need it and alerting
22 operators to more passengers in need of service

1 which would both increase business and reduce
2 opportunities for illegal street hails.

3 The Co-op would be operated for the
4 benefit of all those who participate directly in
5 providing taxicab service, companies,
6 associations, independent owners and drivers.

7 The Co-op would have responsibility to
8 set competitive market rates for use of the app.
9 The Commission is already developing the DC Taxi
10 App which would make available to the Co-op for
11 its exclusive use. The Co-op will run itself
12 through a board of directors that it elects once
13 it is set. Once taxicab companies required to
14 have central dispatch would required to be
15 members of the Co-op.

16 Smaller companies, associations, and
17 independent owners would have the right to join
18 but would not be required to do so. All drivers
19 would have the opportunity to participate,
20 however, as they would all be provided with the
21 app and able to receive requests for service.
22 And they would not be penalized for refusing to

1 accept a trip.

2 Through the D.C. Taxi app for the
3 first time ever dispatches would be drawn not
4 merely from vehicles signed up with a single
5 service, but from all available taxicabs
6 estimated at about 2,000 vehicles during times of
7 peak demand. And under proposed rules under
8 consideration today, the final Co-op rules if
9 approved would be amended to require that the app
10 be integrated with the payment service providers
11 who operate the taxicab credit card meter
12 systems, the MTS systems.

13 Integration would give users of the
14 app multiple payment options. A customer could
15 either make a digital payment through a card on
16 file with the Co-op or have the convenience of
17 making a payment in the vehicle by cash or credit
18 card. This additional element is critical to the
19 purposes of the Co-op and the app.

20 The Commission believes the formation
21 of the Co-op and the mandated availability of the
22 D.C. Taxi App throughout the city is critical to

1 the survival of traditional taxicabs. The loss
2 of taxicabs will cause enormous harm to the
3 District. Drivers and their owners would be and
4 already are severely impacted by the loss of
5 taxicab business.

6 Street hail is still a predominant
7 means for tourists to obtain taxicab service.
8 The hotel and restaurant industries depend on
9 traditional taxicabs to provide safe rides to
10 their patrons.

11 And wheelchair bound passengers look
12 to taxicabs as they should as a meaningful source
13 for wheelchair service. All of the Commission's
14 current efforts to put more wheelchair accessible
15 vehicles on the street depend on the continued
16 existence of traditional taxicabs to meet this
17 critical need and legal requirement.

18 Despite this, the creation of the Co-
19 op and the success of the D.C. Taxi App will be
20 in the hands of the industry.

21 CHAIRPERSON LINTON: The question is
22 on the approval of the final rulemaking. Are

1 there any questions or comments?

2 (No verbal response)

3 Ready for the vote? Is there a motion
4 to adopt?

5 (Moved and seconded)

6 It's been moved and supported. The
7 secretary will call a roll.

8 (Commission votes; Burns, Smalls,
9 Tapscott not present)

10 CHAIRPERSON LINTON: The majority
11 having voted in the affirmative, the Commission
12 orders publication of final rulemaking for
13 Chapters 16 and 99 - Universal District of
14 Columbia Taxicab Act.

15 I might say I think this may go down
16 as the most important action this Commission has
17 taken since I've been chairman. I thank you all
18 very much for your support on this.

19 Item No. 4, vote to approve
20 publication of proposed final rulemaking:
21 Chapters 5, 6, 10 and 99 -- Modern Taxicab
22 Association, MTAs, Taxicab Vehicle Retirement and

1 Vehicle Licensing. General Counsel will explain.

2 MR. LERNER: This rulemaking would
3 authorize the creation of Modern Taxicabs
4 Associations under which the associations would
5 join with owners who agree under an approved plan
6 that 100 percent of the association's members'
7 vehicles would be wheelchair accessible, best
8 fuel vehicles within five years.

9 Only those members who are unable
10 previously to register a vehicle due to being
11 domiciled in another jurisdiction would be
12 eligible to get a new H-tag from the office.
13 That would be pursuant to the plan requiring that
14 conversion of that vehicle as part of the plan to
15 be converted to wheelchair accessible.

16 The changes to Chapter 6, the
17 amendments to Chapter 6, would replace the
18 current age of taxicab rule going forward
19 perspective only. The vehicles on the road would
20 continue to be subject to the existing rules.

21 Going forward, the rules in Rule 609
22 would be replaced with more specific rules that

1 take account of both wheelchair accessibility and
2 fuel efficiency. An ordinary gasoline vehicle
3 placed into service would remain in service for
4 four years rather than five. But a vehicle which
5 was both wheelchair accessible and used best fuel
6 under the rule would get as much as 12 years.

7 The amendments to Chapter 10 for DCTC
8 vehicle licenses would take account of the
9 changes that would be made in Chapters 5 and 6.
10 Their primary change is that of the addition of
11 the authorization of a transferrable taxicab
12 vehicle license for certain instances.

13 The first one would be those members
14 of the new modern associations who were eligible
15 for H-tags and actually placed into service a new
16 wheelchair accessible/best fuel vehicle, any
17 owner with an existing H-tag who places a
18 wheelchair accessible/best fuel vehicle into
19 service and any company under the CAPS program
20 who is required by participating in the program
21 to put a wheelchair accessible/best fuel vehicle
22 into service would be eligible for a

1 transferrable tag.

2 CHAIRPERSON LINTON: Question is on
3 approval of the proposal, the publication of
4 final rulemaking, Chapters 5, 6, 10 and 99.
5 Questions or discussion?

6 (No verbal response)

7 Is there a motion?

8 (Moved and seconded)

9 It's been moved and supported. The
10 secretary will call the roll.

11 (Commission votes; Burns, Smalls,
12 Tapscott not present)

13 CHAIRPERSON LINTON: A majority having
14 voted in the affirmative, the Commission orders
15 the final rulemaking published.

16 The next three items on the agenda,
17 five, six and seven, are proposed rulemaking
18 which means as you all know that these are not
19 actions, but publications that then go into the
20 regulatory process with a 30 day period for
21 comments and possible public hearings.

22 I will let the General Counsel explain

1 each of them. But without objection I will
2 combine the vote on all three of these when he
3 completes. So the General Counsel will briefly
4 explain the intent behind five, six and seven.

5 MR. LERNER: Item 5 would be an
6 amendment to Chapter 5 for the repainting rules
7 requiring vehicles to be repainted into the
8 uniform color. The changes to the rule would add
9 two additional conditions when repainting would
10 be required. One is whenever a vehicle changes
11 ownership or affiliation. And two is if the
12 office approves an extension of the vehicle's
13 time in service under the 609 in excess of one
14 year.

15 Item 6 would be an amendment to what
16 the Commission has approved for publication for
17 the Modern Taxicab Associations and for licensing
18 in Section 1010. This is a proposed rule to
19 amend those rules to require that the companies
20 who now would hold vehicles that were jointly
21 titled with members of Modern Taxicab
22 Associations who are eligible for H-tags by

1 virtue of having been domiciled outside the
2 District. Where they become eligible to retitle
3 those vehicles exclusively in their name so that
4 they have them free and clear, they would be
5 required under parity with the obligations that
6 are being put on those members of the
7 associations to replace those vehicles within 120
8 days with wheelchair accessible/best fuel
9 vehicles.

10 Item 7 is a superceding rulemaking.
11 What that means is that a rulemaking had been
12 approved for publication as proposed at the
13 November meeting. This is the second proposed
14 rulemaking which modifies that rulemaking in one
15 respect. It changes the time for companies to
16 comply with the statutory requirements for
17 percentages of their fleets being wheelchair
18 accessible. It changes the deadlines for
19 compliance of an extension from 180 days and
20 lowers it to 60 days.

21 CHAIRPERSON LINTON: Without
22 objection, I would like to include Item No. 8

1 vote to approve publication of proposed
2 rulemaking Chapters 6 and 18 - Update MTS Rules
3 in that same grouping. Hearing none, we will
4 proceed to that. General Counsel will tell us of
5 the update of MTS Rules.

6 MR. LERNER: This rulemaking would
7 update the MTS equipment rules and also Chapter
8 18, the CAPS rules, to change the information
9 that would be reported to the Taxicabs
10 Information System.

11 CHAIRPERSON LINTON: Are there
12 questions or discussion on these items?

13 (No verbal response)

14 Are you ready for the question? The
15 secretary will call the roll.

16 (Commission votes; Burns, Smalls,
17 Tapscott not present)

18 CHAIRPERSON LINTON: A majority having
19 voted in the affirmative, the agenda items 5, 6,
20 7 and 8 are ordered to be published as proposed
21 rulemaking to initiate the regulatory process.

22 Item No. 9, vote to approve

1 publication of a proposed rulemaking, Chapters 8
2 and 11 - Reduce Certain Fees. I did not include
3 that because I wanted to make a comment that the
4 Commission is not deaf to the exhortations from
5 the drivers and others about the fees that have
6 to be paid to sustain the Commission.

7 And we have started on the process of
8 studying the fees, studying the revenue, studying
9 the impacts and have identified at this stage
10 initiating certain several fees dealing with
11 renewals that we will reduce. This is a proposed
12 rulemaking because as you know under the
13 regulations we have to go through the regulatory
14 process. Assuming that there is no objection to
15 the reduction after 30 days, the Commission would
16 be able to go to final then.

17 So I bring before you Item No. 9 vote,
18 a proposed rulemaking, Chapters 8 and 11,
19 reducing certain fees now imposed upon drivers
20 and owners. Are you ready for the question?

21 (Moved and seconded)

22 It's been moved and supported. The

1 secretary will call the roll.

2 (Commission votes; Burns, Smalls,
3 Tapscott not present)

4 CHAIRPERSON LINTON: A majority having
5 voted in the affirmative, the Commission orders
6 publication of the proposed rulemaking, Chapters
7 8 and 11, Reduction of Certain Fees.

8 Item Nos. 10 and 11 actually relate to
9 each other and without objection I will combine
10 the vote on these two proposed. One is a
11 proposed rulemaking. The other is to approve the
12 transmission to the Council of a proposed
13 resolution approving the Chapter 10 quota.

14 If there's no objection, I would like
15 to initiate this by reading the Commission's
16 determinations and findings regarding this
17 matter. Hearing none, I will proceed.

18 The DC Taxicab Commission is charged
19 with the regulatory oversight of the public
20 vehicle-for-hire industry to ensure that District
21 residents and visitors have access to clean,
22 safe, efficient and quality taxicab service and

1 reasonable fares which provide a fair return on
2 investment on vehicle owners and operators.

3 Transportation by taxicab is an
4 integral and important component of the public
5 transit in the District. And the Commission is
6 always charged with the continuance, further
7 development and improvement of the industry.

8 Some of what worked in the past may
9 not work in the present. And some of what worked
10 in the past should perhaps be left alone. Any
11 meaningful proposal which could substantially
12 impact the consumer experience and the interest
13 of drivers and owners should be based on a
14 reliable and relevant dataset and sound research
15 which accounts for all relevant factors.

16 This is proven to be an allusive
17 challenge for the Commission with the rapid
18 changes in the industry over the past three years
19 in the market, participants, technology and legal
20 requirements. But the Commission is now
21 positioned to present an informed and appropriate
22 proposal on a matter of profound importance to

1 consumers, drivers and owners.

2 How many taxicabs are necessary to
3 serve the market demand in the District? Based
4 on trip data reported through the Modern Taxi
5 Meter System starting almost 18 months ago, the
6 Commission's researchers have completed a
7 detailed study of taxicab service in the
8 District. This study accounts for actual supply
9 of taxicabs and the actual demand for service.
10 The study arrives at a number of taxicabs
11 licensed to optimize both expeditious service to
12 consumers and a viable and sustainable industry
13 size which continues to provide a fair return to
14 owners and operators.

15 The study is attached and is also
16 available on the Commission's website. Together
17 with these determinations, the study provides the
18 basis for today's proposed rulemaking.

19 The proposed rulemaking sets a quota
20 on the number of taxicab vehicle licenses to be
21 active in calendar years 2015 and 2016. The
22 Commission has consistently recognized a need to

1 ensure an adequate number of taxicabs in active
2 operation to meet passenger demand, including
3 unmet demand in underserved areas and preventing
4 long delays for passengers seeking taxicab
5 service which could result in an inordinate
6 number of passengers seeking other transportation
7 options. In order to remain viable, the taxi
8 industry must reach equilibrium, where there is a
9 balance between supply of taxicabs and demand for
10 taxicab services and where the demand for the
11 service is satisfied to the maximum extent that
12 can be achieved economically.

13 A change in the number of taxicabs
14 impacts the quality of service for passengers and
15 the amount of income that could earned by a
16 driver. On the one hand, too few taxicabs leads
17 to longer passenger wait times which may cause
18 passengers to seek other forms of transportation.
19 On the other hand, too many taxicabs without any
20 increase in demand results in a reduction in
21 income for the individual driver.

22 There are also less tangible

1 consequences of too many taxicabs relative to
2 demand, including unnecessary congestion on the
3 District's already busy streets and a negative
4 impact on public safety and quality of service as
5 taxicabs aggressively chase the market looking
6 for scarce fares.

7 Recognizing the need for a balance in
8 all relevant factors, the Commission's study
9 examines the taxicab industry in two parts. The
10 first component of study examines operational
11 data for the District of Columbia Taxicab
12 Commission Information System, looking at vehicle
13 trips and operating patterns over a three month
14 period in the fall of 2014. This examination
15 covers more than 400,000 trips by the District's
16 taxicabs.

17 The second component of the study
18 analyzes the wait times for passenger seeking
19 service and is based on an in-person observations
20 and reviews of D.C. traffic camera system carried
21 out over 100 hours in the fall of 2014.

22 The study found that drivers average

1 from one and a half to two trips in a given hour.
2 The average distance driven per trip with a
3 passenger is 4.4 miles. And the average delay
4 time or wait time for a vehicle is 7.5 minutes
5 with delays in the city center of downtown
6 significantly shorter than in the suburban areas
7 or locations further from the downtown area.

8 Based on the above discussion and
9 other factors identified in the study, the
10 research reveals that under current market
11 condition the District requires a total of 6,141
12 active taxicabs to meet the demand for services
13 under normal circumstances. Therefore, the
14 proposed rulemaking would establish this number
15 as the quota for calendar years 2015 and 2016.

16 It would be noted that according to
17 the data obtained from the RTCIS the number of
18 taxicabs in active operation in any given week is
19 approximately 5950. There are however
20 approximately 1,000 taxicabs that may have a
21 right to operate, but are not actively providing
22 service. And these inactive taxicabs could be

1 used to meet the current demand.

2 The proposed rulemaking would allow
3 for a gradual reduction of overall taxicab
4 vehicle license issued by removing licenses which
5 are not being used to provide services to
6 passengers and by establishing a quota for
7 calendar years 2015 and 2016.

8 During this period, the Office of
9 Taxicabs will conduct an ongoing market study of
10 the taxicab industry. Under the proposed rule no
11 taxicab license will be required to be
12 surrendered or revoked solely as a result of the
13 implementation of the quota.

14 Rather the quota will be reached
15 through ordinary attrition such as the voluntary
16 surrender of license non-renewals, ineligibility
17 for renewals under existing rule and non-renewal
18 of licenses which have been inactive as defined
19 in the rule during the licensing period.

20 Achieving the quota through these
21 messages ensures minimal, if any, disruption to
22 the taxicab industry without burdening the

1 taxicab industry or depriving any driver or
2 vehicle owner of the ability to use his or her
3 current vehicle license providing he or she is in
4 compliance with current law.

5 The Commission has recently
6 implemented several programs and initiatives to
7 increase the number of wheelchair accessible
8 taxicabs and encourage owners to place into
9 service vehicles that use the most efficient
10 means of propulsion available. These programs
11 and initiatives are consistent with the
12 Commission's statutory mandates to increase the
13 number of wheelchair accessible vehicles,
14 modernize the taxicab fleet and encourage energy
15 conservation and the reduction of pollution.

16 For these reasons and under very
17 limited circumstances licenses may be issued to
18 members of an improved, modern taxicab
19 association for a new wheelchair accessible
20 vehicle which uses the most efficient means of
21 propulsion or to a taxicab company approved to
22 participate in the coordinated alternative

1 paratransit service known as the CAPS pilot
2 program.

3 Both of these programs are tailored to
4 promptly increase the number of accessible
5 vehicles on the streets. And the Commission
6 believed it is appropriate to exclude them from
7 the proposed quota for this reason.

8 The proposed rulemaking for the quota
9 is specifically authorized by the Commission's
10 Establishment Act. And given its importance it
11 will be subject to not merely the usual process
12 for notice and comment rulemaking, but also will
13 be transmitted to the Council which will have an
14 opportunity to review it and approve or reject it
15 as a matter of public policy to the District.

16 The Commission believes the proposed
17 quotas for 2015 and 2016 would address a central
18 issue that goes beyond the many aspects of
19 equipment, vehicle appearance, safety, driver
20 training, payment options and utilization of new
21 technologies which the Commission has worked hard
22 to improve in the past three years. The proposed

1 rules would move the industry forward to
2 achieving a long needed balance between safety,
3 quality, expeditious service to consumers and a
4 viable and sustainable industry that provides a
5 fair return to owners and operators in the face
6 of increased competitive pressure from the new
7 private vehicles for hire.

8 The question is on adopting the items
9 on the agenda 10 and 11, proposed rulemaking for
10 Chapter 10 and the resolution to be transmitted
11 to the City Council.

12 Are you ready for the question?

13 (Moved and seconded)

14 It has been moved and supported. The
15 secretary will call the roll.

16 (Commission votes; Burns, Smalls,
17 Tapscott not present)

18 CHAIRPERSON LINTON: A majority having
19 voted in the affirmative, the Commission orders
20 the publication of the two approved proposed
21 rulemaking and the resolution.

22 It brings us to Item 12. And actually

1 these next three are all proposed rulemaking.
2 Without objection, I would combine the three in a
3 single consideration. Is there objection to
4 that?

5 (No verbal response)

6 Hearing none, we will then consider
7 proposed rulemaking for Chapters 4, 8, 16, the
8 PSP/Co-op Integration that is essentially a
9 technical regulation that would resolve some
10 issues of how PSP and the Co-op would relate to
11 one another. Again, remember these are proposed.
12 So there will be 30 day comment period and a
13 potential public hearing.

14 Item 13 is a change in the CAPS-DC van
15 fares. And I would say on that one as you know
16 we are having a fair success in growing response
17 to the using of taxicabs that have qualified to
18 carry those who have normally been eligible to
19 take Metro Access.

20 Under the MOU that was agreed to by
21 the Commission and WMATA, it called for the
22 person eligible to use the system to pay a \$5

1 fare. Subsequently, we discovered from WMATA --
2 sometimes it's very difficult to get information
3 out of them -- that there are circumstances under
4 which they charge eligible passengers \$3.50 or
5 \$2.50.

6 So the Commission proposes that since
7 we are in effect saving the District taxpayer
8 with this program about \$1 million a year right
9 now, improving the quality of service, and that
10 this is a growth program that will save the
11 District taxpayers even more money. So we should
12 just abolish the charge that we have for \$5 for
13 those who use the system and carry them and let
14 the subsidy pay the company, the drivers, the
15 full amount that's coming under the ride. So
16 what this does is it simply eliminates the need
17 for a passenger under the CAPS system to make any
18 payment whatsoever.

19 The vote to approve publication of
20 proposed rulemaking, Chapters 19 and 99, that
21 deals with the neighborhood van service. Of
22 course, as we all know and have known for a

1 number of years, there are certain neighborhoods
2 in the District of Columbia, mostly on the other
3 side of the Anacostia, where it is not easy to
4 hail a taxi or to get a ride when you need a ride
5 even from your friends and your family.

6 And we have been studying that for
7 some time. And we are now proposing the
8 potential for a neighborhood van service under a
9 pilot project because it's complicated and it's
10 difficult and we aren't sure of the full demand
11 capability.

12 Under this pilot project, the
13 Commission proposes to make grants and to qualify
14 the individuals who compete for these grants who
15 live in the neighborhoods where the service is to
16 be rendered. And the Commission working with the
17 community -- and we've had a number of community
18 meetings on this -- would define the area in
19 which these vans that would be made available for
20 this service would be used. And that would be
21 the only place. It would not be used citywide.
22 It would be used in a precise area of need.

1 And the vans would be those that have
2 the capacity to carry either seven ambulatory
3 people or six wheelchairs or some combination
4 thereof. And it would be expected to be cruising
5 in the neighborhoods and responding to hails and
6 calls to take the people who live in those
7 neighborhoods to go to their groceries, to go to
8 their pharmacies, to go three blocks to the Metro
9 stop for some people who are as old as I am and
10 find that difficult.

11 That's what this program is about.
12 And our job is to study the proposed rulemaking
13 and to participate when the Commission holds the
14 public hearings on that. I think it is an
15 important and valuable move by this Commission.

16 Are there any comments on either of
17 these two that anybody wants to make or are you
18 ready for the question?

19 (No verbal response)

20 (Moved and seconded)

21 There has been a motion and the
22 support. The secretary will call the role.

1 (Commission vote; Burns, Smalls and
2 Tapscott not present)

3 CHAIRPERSON LINTON: A majority having
4 voted in the affirmative, the Commission orders
5 the two proposed rulemakings published.

6 That completes our agenda on
7 Commission Action Items. Are there any
8 Government Communication or Staff Reports, Madam
9 Secretary?

10 MS. MIXON: No, there are not.

11 CHAIRPERSON LINTON: Then we will move
12 to the Public Comment Period. We have two
13 individuals who have asked for the opportunity to
14 address the Commission. Abebe Aklog, are you
15 with us?

16 (Off record comments)

17 Mr. Aklog.

18 MR. AKLOG: Yes sir.

19 CHAIRPERSON LINTON: The forum is
20 yours. Would you tell us your name for the
21 record and your affiliation?

22 IV. PUBLIC COMMENT PERIOD

1 MR. AKLOG: All right. Good morning,
2 Chairman Linton and Members of the Commission.
3 My name is Abebe Aklog. I'm a member of the
4 Leadership Team for the 2009 UDC Group. Before
5 you I believe you should have a more detailed
6 version of my comments.

7 The 2009 UDC Group is an informal
8 group representing people who hold a license to
9 drive a D.C. cab who were never given an H-tag.
10 Upon passing board exams, we were legally
11 eligible for our H-tag and therefore could become
12 a taxicab owner/operator.

13 This system known as an open entry
14 through which newly licensed people get to own
15 and operate their own cab have been in place in
16 D.C. since the 1930s. Because this system had
17 been place for more than 70 years, our members
18 chose to engage the licensing process in D.C.
19 specifically. The 2009 qualifying exam however
20 was not timely followed by a hacker's exam.
21 Rather the next exam was not offered until
22 November 9, 2013.

1 Sadly, by then H-tags were no longer
2 being issued to the would-be owners/operators
3 because DCTC stopped making them available in
4 November 2010. That decision came more than one
5 year after the last group of people have taken in
6 2009 qualifying exam.

7 Mr. Chairman and Members of the
8 Commission, our request is simple. We ask that
9 you approve H-tags for every person who never
10 received one providing the person holds a license
11 to drive a cab today specifically because she or
12 he took and passed the qualifying exam in or
13 before 2009.

14 The Commission will know how those
15 people are because in the fall of 2013 DCTC sent
16 each of us a letter telling us we could take the
17 hacker's exam on November 9, 2013. According to
18 the records we obtained, that letter was sent to
19 671 people, but less than half showed up for the
20 exam and only 145 passed.

21 It's possible however that more than
22 145 of the 671 may be licensed today since it is

1 possible to take the hacker's exam more than once
2 for example. Still if you review your records,
3 we are confident you will find that not all 671
4 hold a license to drive a cab today.

5 We believe our request is reasonable
6 and necessary for several reasons. First, DCTC
7 should not have changed the rules of the game
8 midstream. That is before deciding not to issue
9 any more H-tags in 2010. It should have given
10 the hacker's exam and finished processing every
11 person who had already started the licensing
12 process.

13 Second, our members believe the
14 industry should modernize. We believe in app
15 service to connect riders to drivers and in using
16 hybrid cars as cabs.

17 Third, even in a hard economic times,
18 we believe the market and market forces will
19 stabilize the industry just as in years prior.

20 In closing, our members deserve the
21 same economic opportunities the Commission
22 extended to the owners/operators who took the

1 qualifying exam in the years and months before
2 us. They were fully processed and given the
3 chance to be owner/operators. Our members,
4 however, are the only group that was not and
5 that's unfair.

6 It's also unfair to treat us
7 differently just because in the year 2009 the
8 Office of Taxicab failed to timely give the
9 hacker's exam. Again, we ask that you approve H-
10 tags for every person who never received one
11 providing the person holds a license to drive a
12 cab today, specifically because she or he took
13 and passed the qualifying exam in or before 2009.
14 I thank you.

15 CHAIRPERSON LINTON: Thank you very
16 much for your presentation. And the Commission
17 will certainly take your remarks under
18 consideration.

19 Aurora Vasquez, is this a separate
20 presentation from this? Did you have your own
21 remarks?

22 MS. VASQUEZ: It's on the same topic,

1 but slightly different remarks.

2 CHAIRPERSON LINTON: Okay. Then we
3 welcome you to the podium. Would you state your
4 name and your affiliation for the record?

5 MS. VASQUEZ: Sure. My name is Aurora
6 Vasquez. I'm a strategist with the Excluded
7 Worker Project. I partner with the 2009 UDC
8 Group of Licensed Cab Drivers.

9 I just wanted to follow up on a couple
10 of things that Mr. Aklog said with respect to the
11 2009 process. But I'm going to go off my
12 prepared remarks just a little bit because I
13 wanted to comment on something Chairman Linton
14 said at the beginning of this process.

15 I know, Chairman, we haven't always
16 seen eye to eye on matters related to taxicab
17 industry. But I did want to say that as a rider
18 in addition to being a cab driver advocate I do
19 appreciate the transition to the credit card
20 systems, the idea of universal taxicab app, the
21 notion of transitioning to greener fuel-burning
22 cars and the idea that there might be some

1 incentives for the industry to do that. I think
2 that has been a positive mode of thinking for the
3 industry.

4 However, as somebody who partners with
5 cab drivers in multiple jurisdictions including
6 D.C., on cab driver led efforts to improve
7 working conditions and ensure liveable earnings,
8 I take pause when I hear conversations about a
9 quota on H-tags at this time, not because I or
10 the group I partner is opposed to quotas on H-
11 tags per se. It's not about that.

12 But to the extent that there is still
13 this outstanding matter for the 2009 licensed
14 people, a quota at this time is not only unfair
15 but also too soon. The reality is that the folks
16 who engage the process in 2009 before there was a
17 moratorium on H-tags in 2010 did so specifically
18 because they were engaged in a process that had
19 been in place for about 70 years. And this was
20 certainly before you arrived and probably before
21 all of you were where you're at.

22 And it's pretty simple. Nobody told

1 them the rules had changed. They were 50 percent
2 into the process, had passed an exam, and nobody
3 told them that the rules had changed and that
4 they wouldn't have an opportunity to get an H-tag
5 and become owner/operators just as everybody had
6 done before them.

7 There's a real side of unfairness and
8 inequity to that. I think before we start
9 talking quotas, although maybe a quota in the
10 near future is necessary, that 2009 matter should
11 be addressed. And while it may seem like or feel
12 like a lot of H-tags, honestly I don't think it's
13 going to be a gazillion. That's not even a word,
14 but a gazillion H-tags because there was only 671
15 people in the queue. And not all 671 people have
16 finished the process as of today.

17 I just reviewed the 11/19 list of who
18 holds a license and all the names aren't on both
19 lists.

20 CHAIRPERSON LINTON: You're covering
21 exactly what the previous speaker did.

22 MS. VASQUEZ: Right, because I think

1 it's important to emphasize --

2 CHAIRPERSON LINTON: You can emphasize

3 --

4 MS. VASQUEZ: -- kind of the fairness
5 or the need to balance that.

6 CHAIRPERSON LINTON: You're talking
7 over your time limit. We appreciate your remarks
8 and your comments and I'm sure the Commission
9 will take them into consideration.

10 MS. VASQUEZ: Great. Thank you. I
11 appreciate time.

12 CHAIRPERSON LINTON: Is there anyone
13 else who would like to take advantage of two
14 minute rule and we're going to enforce the two
15 minute rule. Give us your name and your
16 affiliation. And the secretary will shut you off
17 after two minutes.

18 MR. TEFERI: My name is Kahsay Teferi.
19 I'm a resident of --

20 MS. MIXON: Can you spell that?

21 MR. TEFERI: Okay. K-A-H-S-A-Y. Last
22 name T-E-F-E-R-I. Well, my name is Kahsay Teferi

1 again. I'm a resident of Washington, D.C. And I
2 have been here more than 30 years and driving
3 more than 30 years as a cab driver.

4 I'm a U.S. citizen and I'm a D.C.
5 worker. Unfortunately, when I surrendered my
6 tag, they didn't give me back which I didn't get
7 even a notice for my D.C. tag. And I didn't get
8 any having my own car for the last two years with
9 the rents every month \$800 while I have my own
10 car because I don't have a tag.

11 It's not only me, but there are a lot
12 of people doing the same thing. However, I just
13 come in here to express my feelings how much I'm
14 really disappointed about myself or the rule or
15 regulation without even notice taking my
16 property. The tag is my property which is I
17 already own that tag while driving as I am.

18 Therefore, after they took my tag, I
19 request but they didn't give me it back again.
20 So what I'm going to ask this Commission I am a
21 resident of Washington, D.C. I'm a U.S. citizen.
22 I want you to understand that to give me my tag

1 in order to work properly.

2 Otherwise if I didn't get my tag, I
3 would be homeless. I have a family, children. I
4 cannot pay only \$800 for a month and again on top
5 of that rent \$1600. I cannot offer it.

6 Literally, I'll be homeless if I don't get this
7 tag back. Thank you.

8 CHAIRPERSON LINTON: Thank you. Next
9 person.

10 MR. DEMISSE: Hi, my name is Abraham
11 Demisse.

12 CHAIRPERSON LINTON: And your
13 affiliation is?

14 MR. DEMISSE: Just an individual cab
15 driver. I just want to express my feelings.

16 CHAIRPERSON LINTON: Okay.

17 MS. MIXON: And please spell your name
18 for the record.

19 MR. DEMISSE: A-B-R-A-H-A-M. Do you
20 want last name? D-E-M-I-S-S-E. My case is
21 similar to Mr. Kahsay who just spoke. I'm one of
22 those people who used to have my own tag, but

1 returned it years ago. A lot of us returned them
2 thinking we would get it back when we are ready
3 to buy a car.

4 Title 31 Section 505.2 says when
5 removing a vehicle from service the owner shall
6 immediately surrender their tag to DMV. So
7 that's what we did.

8 And we returned them for many reasons.
9 Here are some of the reasons. For example,
10 number one, simply because a car broke down.
11 Number two, going back home for emergency
12 reasons. Or number three which is someone like
13 me who returned my tag when I was hospitalized.

14 I came out of the hospital with big
15 bills to pay. Couldn't afford to buy another
16 car. So I started renting. Saving money to buy
17 a car thinking I'll get my tag back until
18 suddenly DMV stopped allowing tag.

19 So I kindly ask, Mr. Chairman and all
20 Members of Commission, to take our case seriously
21 and allow us to get our tag back. Thank you so
22 much.

1 CHAIRPERSON LINTON: Next.

2 MR. MEDGHALCHI: Good morning, Mr.
3 Chairman, Members of the Commission. First, my
4 remarks are going to be directed at people that
5 are asking for H-tags under the impression that
6 if they pass the test --

7 MS. MIXON: Excuse me. For the
8 record, could you state and spell your name?

9 MR. MEDGHALCHI: Massoud Medghalchi,
10 Board Member of Dominion of Cab Drivers and also
11 affiliation with Teamsters Local 922.

12 MS. MIXON: Can you spell your name?

13 MR. MEDGHALCHI: M-A-S-S-O-U-D M-E-D-
14 G-H-A-L-C-H-I.

15 MS. MIXON: Thanks.

16 MR. MEDGHALCHI: Like I said, this is
17 more to the people that are asking for H-tags.
18 People need to understand something. Just
19 because you get licensed doesn't mean you can
20 elbow your way into a business. For years, a lot
21 of jurisdictions had certain number of cabs which
22 was determined according to the marketplace. And

1 people that got licensed waited for attrition
2 whether that happened by people leaving the
3 business, people getting sick of it and getting
4 out, whatever the reason was. You could not
5 elbow your way into a business.

6 The cab drivers are starving in this
7 city. People don't understand that. Just
8 because you were getting a license doesn't mean
9 you can drive a cab. Once it becomes available,
10 you're more than welcome to do it.

11 When people got their own H-tags in
12 the past years, there were not this many cabs.
13 Not only, we had an over-saturated market. For
14 1.6 to two cabs per thousand people which was the
15 standard for the industry, D.C. had five times
16 the highest number.

17 Now we've got ShareCar riding. We've
18 got everything, every name under the sun that
19 wants to drive a cab to pick up passengers.
20 Enough is enough.

21 As far as the people goes, sir, that
22 did turn in their tags according to the rules, I

1 am in 100 percent support of them getting their
2 tags back. If they were playing by the rules,
3 they had to take a leave of absence. They should
4 get their tags back because they only played by
5 the rules that the Commission had in place.

6 (Applause)

7 And that will be determined by the
8 people on board.

9 CHAIRPERSON LINTON: Thank you.

10 MR. MEDGHALCHI: Thank you.

11 CHAIRPERSON LINTON: Next person here.

12 We're just going to go by rows. The gentleman in
13 the back can move up. You'll just be called on
14 faster because I'm just going to go up the rows.
15 Some of my Commissioners may have to go, but I'll
16 stay.

17 Yes sir. Would you state your name
18 and affiliation and spell your name?

19 MR. HAMID: My name is Osman Hamid.

20 And I'm a citizen in the U.S. I have been
21 driving a taxicab for the last 25 years.

22 MS. MIXON: Excuse me, sir. Could you

1 please spell your name?

2 MR. HAMID: Okay. My name is Osman,
3 O-S-M-A-N, Hamid, H-A-M-I-D. And I've been
4 living here for the last 25 years in Washington,
5 D.C. I've been driving a taxicab. And I used to
6 work for the U.S. Army Corps of Engineers.

7 I've been deployed to Iraq. When I
8 came back I relinquished my license because I've
9 been there. And I became very ill. So I left my
10 home. And when I came back to ask for my tag
11 again, they told me stopped it and you have to
12 write to the Chairman. So I wrote a letter to
13 the Chairman about all my -- about what happened
14 to me and all the things I have. So I gave it to
15 the Chairman's office.

16 I didn't get my tag and I've been
17 very, very ill. They told me you know I can't
18 even survive. But God is God and I'm here. So I
19 really need my tag because I cannot make a living
20 without having my tag.

21 And I can't work 12 or 13 hours. I
22 would like to work only a few hours. I work

1 three or four hours in the afternoon, three-four
2 hours in the evening. So I really applied twice.
3 I came to the Office of the Chairman four or five
4 times. But I couldn't get it.

5 I need to get my license back. This
6 is all what I'm going to say and ask. And I've
7 been -- It is not my fault. I have the doctor's
8 bills and the pills and all the things. And
9 because I deployed and I've been away, that's why
10 I gave my tag. Have a nice day. Thank you very
11 much.

12 CHAIRPERSON LINTON: Thank you. Next
13 person.

14 MR. SIMMS: Royale Sims, Business
15 Agent for the Washington, D.C. Taxi Operators
16 Association, Teamsters Local 922.

17 MS. MIXON: Can you spell your name?

18 MR. SIMMS: Royale Simms, R-O-Y-A-L-E
19 S-I-M-M-S. Just a few comments on the business
20 from the meeting today. The universal app, the
21 regulation looks a lot better than it did as
22 first introduction. However, there were still

1 significant changes as far as the time line for
2 establishing the app and the companies and the
3 taxicabs who can participate and who's required
4 to participate. I think a second proposed
5 rulemaking was necessary for this rule which has
6 been adopted as final.

7 The MTA is still a bad policy. The
8 proposed Chapter 10 still creates an unfair
9 windfall for companies. They were jointly titled
10 together with an operator and now this operator
11 is forced out to get a wheelchair accessible
12 vehicle and he has to pay the extra cost. And
13 the company now has to get a wheelchair
14 accessible vehicle in its place.

15 However, they have one less driver to
16 deal with. So the six percent that's required
17 under the statute is lower now because they were
18 able to kick out a driver. The MTA still creates
19 a windfall for companies.

20 CHAIRPERSON LINTON: You need to read
21 the regulation.

22 MR. SIMMS: I've read it.

1 CHAIRPERSON LINTON: No, you haven't
2 because you just misstated it.

3 MR. SIMMS: I've read it a number of
4 times and my comments have been the same.

5 And also the fuel efficiency
6 requirements for the vehicle life, there is not a
7 single CNG station in Washington, D.C.

8 CHAIRPERSON LINTON: It doesn't require
9 CNG. It requires a fuel system that is available.

10 MR. SIMMS: Fuel sale or CNG --

11 CHAIRPERSON LINTON: Read the
12 regulation.

13 MR. SIMMS: Fuel sale or CNG vehicles
14 are incentivized at the highest level for 12
15 years. There is not a single CNG station in
16 Washington, D.C. The incentives are off. They
17 should have been relooked at.

18 And, finally, with H-tags, I would
19 echo the comments of the drivers who came up here
20 previously. They surrendered their tags in a
21 system that was open entry. There were no
22 requirements on, no limits on, how you could get

1 your H-tag.

2 The Commission for two years hasn't
3 complied with the statutes of D.C., the public
4 policy of D.C., and now in the final moments they
5 want to create a quota limiting the number of
6 drivers with all this open business.

7 MS. MIXON: That's time.

8 CHAIRPERSON LINTON: Thank you very
9 much, Mr. Simms.

10 (Applause)

11 MR. SIMMS: I'll just say one limit.

12 CHAIRPERSON LINTON: We've had a rule
13 here and we've kept to it. And we would ask you
14 to acknowledge it also. This is a legislative
15 judicial body. This is not an entertainment
16 venue. So please hold your applause.

17 MR. SIMMS: Just to respond to that
18 statement, I'm not trying to break the rule. But
19 there is an elephant in the room concerning
20 vehicle license, driver licensing. So you're
21 limiting vehicle licensing, but you're not doing
22 anything with driver licensing except for opening

1 it up and making the process more efficient and
2 faster. And this is creating an excessive demand
3 --

4 CHAIRPERSON LINTON: You're two
5 minutes are up, sir.

6 MR. SIMMS: -- an excessive demand
7 with limited supply --

8 CHAIRPERSON LINTON: Thank you very
9 much.

10 MR. SIMMS: -- limited rentals and
11 creating another windfall for companies.

12 (Gavel dropped)

13 CHAIRPERSON LINTON: Thank you, sir.

14 MR. SIMMS: Thank you.

15 MR. ABEBE: My name is Abadi Abebe, A-
16 B-A-D-I A-B-E-B-E. I have a question and a
17 comment to the Commission. The Commission I think
18 is just all dispatch companies are required to
19 participate in Co-op. Would you be more clear on
20 that when you say dispatch company? To my
21 understanding, there is only one company here in
22 D.C. which is a dispatch company. Is this a

1 company requirement? When you say dispatch
2 company is required to be a Co-op, is that
3 mandatory?

4 CHAIRPERSON LINTON: We don't -- You
5 addressed the Commission. We don't have a
6 question and answer session. Tell us what your
7 issues are and what you want us to look at. We
8 do not get engaged in debates of questions and
9 answers.

10 MR. ABEBE: Yes, because I work for a
11 company which I manage a dispatch company. So I
12 need to know to give information to the owner of
13 that company if that company is required to --

14 CHAIRPERSON LINTON: Read the
15 regulation.

16 MR. ABEBE: I read it. That's what it
17 says. It's not clear for me. It says dispatch
18 companies are required.

19 CHAIRPERSON LINTON: Dispatch
20 companies are defined in the regulation.

21 MR. ABEBE: It's not clear for me.
22 Can somebody explain to me?

1 CHAIRPERSON LINTON: Contact the
2 General Counsel at your convenience.

3 MR. ABEBE: Okay. I'll do that. And
4 the other question I have is what is the
5 difference between CAPS-DC and MTA.

6 CHAIRPERSON LINTON: Contact the
7 General Counsel and he'll explain it to you.

8 MR. ABEBE: Because I want to be more
9 clear on this one because only two companies been
10 approved to be CAPS-DC.

11 CHAIRPERSON LINTON: They're the only
12 two that have met the requirements.

13 MR. ABEBE: So if you're opening now
14 an MTA and giving H-tags to the MTA drivers if a
15 company wants to apply to be MTA, are you opening
16 it?

17 CHAIRPERSON LINTON: You'll have to
18 meet with the General Counsel. There are too
19 many questions to ask.

20 MR. ABEBE: Thank you very much.

21 CHAIRPERSON LINTON: Next person.
22 Sir, we're going up the aisle. If you want to

1 get into it, get in over here. Get in line.

2 Yes sir.

3 MR. GEBREMARIAM: Yes, my name is
4 Menasse Gebremariam.

5 CHAIRPERSON LINTON: Could you spell
6 that for the record?

7 MR. GEBREMARIAM: M-E-N-A-S-S-E G-E-B-
8 R-EM-A-R-I-A-M. I'm just repeating the other
9 guy's issue about returned tags. I exhausted any
10 means to get my tags from the DCTC. I finally
11 got a response from Mr. Scott Jones sending me a
12 letter denying me my tags.

13 At this point, I'm coming up to this
14 point which says here my other fellow cab drivers
15 say that in Article Title 31 stated clearly that
16 when a car is not in service tags must be
17 surrendered to DMV. That's exactly what I did.

18 I don't know why my tag is not
19 returned back to me. I have paid my tag renewed
20 until 2013. When I come back about six months
21 later, I'm denied my tags.

22 When you look at this, this policy

1 change itself is now hurting me. I am a family
2 man, most of all, with family to support. Eight
3 hundred dollars per month taken out of my pocket
4 hurts.

5 In this profession only, seniority has
6 no value. I've been driving 30 years serving the
7 public and the city. And that's not even taken
8 into consideration even though I haven't done
9 anything wrong.

10 I went by the law accordingly what it
11 requires me to do. I did that. But I'm
12 penalized, taking my tags, and end up paying \$800
13 per month which makes me work double to make up
14 that money and lost time with my family. I don't
15 have time for my kids at all.

16 And it is not fair. I would like DCTC
17 to revise their policy and return our tags.

18 Thank you kindly.

19 CHAIRPERSON LINTON: Thank you, sir.
20 Next person.

21 (Applause.)

22 MR. BIRBO: Hi. Good morning. My

1 name is Gashaw Birbo.

2 CHAIRPERSON LINTON: Spell your name.

3 MR. BIRBO: G-A-S-H-A-W. The last
4 name is B-I-R-B-O. My question is regarding the
5 H-tag. I mean I'm a new licensee and I got my
6 license before six or eight months. And you know
7 I went to the different companies to rent a car.

8 And many of the companies they don't
9 have a car. And I had my car and I have to go
10 back to the garage every week once. Sometimes
11 there is transmission problems. Sometimes there
12 is a check engine light.

13 And if a hack inspector catch me on
14 the street with the check engine light, he's
15 going to give me a ticket. And I'm going to be
16 responsible for that.

17 So I took back my car to the company
18 with the transmission problem and they told me
19 that there are 40 people on the waiting list to
20 get a car. And they told me they don't have a
21 car. So now every company has a waiting list to
22 rent their cars.

1 And my other point is what's the
2 difference between giving an H-tag and giving a
3 license because in both cases the number of
4 vacant cars are going to flood the street. It's
5 the same thing. Whether you increase the number
6 of drivers, it's the same thing as increasing the
7 number of vacants on the street.

8 If you give us a chance, a limited
9 chance or whatever, at least we can drive a fuel
10 efficient car with no problem and there is better
11 customer comfort. And my question is is there
12 any plan on the long run to give H-tag for the
13 new licensees because still the DCTC office is
14 open to give the license. That's my question.

15 CHAIRPERSON LINTON: Would you send
16 your question in writing? You'll get an answer.

17 MR. BIRBO: Okay. Shall I write it
18 and give it to her?

19 CHAIRPERSON LINTON: Thank you very
20 much.

21 MR. BIRBO: Okay. Thank you.

22 CHAIRPERSON LINTON: Larry, you're

1 bypassed. I'm not going to pull you ahead of
2 everybody else that's been standing in line. You
3 wait until last.

4 You're next.

5 MR. YAAKOUB: I just want to know what
6 I can do. All right. My name is Yaakoub Yaakoub,
7 Y-A-A-K-O-U-B Y-A-A-K-O-U-B. Yaakoub Yaakoub.

8 Now I have a problem with my tag
9 number almost three years. I talked to one of
10 your lawyers who took care of me. She was
11 telling me give this, give this. I give her
12 everything. Send in letters. I talked to the
13 lovely lady. After all this, she just quit the
14 job. So what do I do now?

15 She quit the job and I go to Mr.
16 Scott. Mr. Scott said you have to write letters.
17 I have letters here for two years. I'm 67 years
18 old. I give my tag number and I go home for an
19 emergency. I showed him the emergency and I come
20 back. Nobody will give me.

21 I want to see the Commissioner every
22 time I come.

1 CHAIRPERSON LINTON: I believe you
2 have been working with Assistant General Counsel.
3 They've been working with you on this. I suggest
4 you continue to work with her and see if it can
5 be worked out. Thank you very much.

6 MR. YAAKOUB: They're going to work.
7 Somebody will help me.

8 CHAIRPERSON LINTON: Well, you've been
9 dealing with one of our assistant general
10 counsels. Work with her and she'll try to help
11 you.

12 MR. YAAKOUB: Talk to who?

13 CHAIRPERSON LINTON: The assistant
14 general counsel you've been working with.

15 MR. YAAKOUB: I talked to Mr. Scott
16 for almost two years.

17 (Off record comments)

18 CHAIRPERSON LINTON: Yes sir.
19 Finally, we get to you.

20 MR. BAHTA: Yes. Hello, my name is
21 Abraham. My last name is Bahta, B-A-H-T-A. I
22 have a tag. Actually, my car is old and it was

1 ordered to be removed from the street.

2 So on October 28, I bought a Toyota
3 Camry hybrid. It has been painted according to
4 the DCTC regulations. The dome has been
5 installed, the meter and the credit card.

6 I also live in Virginia, Alexandria.
7 On December 1, I went to Virginia DMV to register
8 my car because I also live there. Otherwise I'll
9 just be getting tickets. In the process of
10 registering my car there, one of the clerks he
11 took the tags off the car.

12 On December 2, I went to DC DMV to
13 register my car and they require also the
14 original title. I only have a copy of the title.
15 What they advised me is to contact my bank which
16 I did and they're asking me to fax them down from
17 the DMV to request a title so they can send it to
18 DMV.

19 Now my concern is the tag, I mean, the
20 registration expired on October 3. According to
21 the DMV of DC regulation, I still have 60 days.
22 But the 60 days has already passed about eight

1 days. I just want to make the Commission for the
2 DCTC to make a note of this if I'm going to get a
3 problem by saying the DMV that 60 days has
4 already passed or something like that.

5 This is where I am now. I've been
6 driving taxi for 25 years. So I don't want DCTC
7 to be he's a problem if I don't get my title on
8 time. Hopefully, I'm expecting to get it in the
9 next week. That's my question and my concern.

10 CHAIRPERSON LINTON: Okay. Thank you
11 very much, sir.

12 Okay, Larry. You're the last one.

13 MR. FRANKEL: Thank you, sir. This is
14 the position I wanted to be in. My name is Larry
15 Frankel, F-R-A-N-K-E-L. Thank you for your
16 tenure, sir.

17 CHAIRPERSON LINTON: Thank you.

18 MR. FRANKEL: I appreciate it.

19 CHAIRPERSON LINTON: You may be the
20 only one that says that.

21 MR. FRANKEL: Well, that's because the
22 taxicab drivers and company owners that are

1 sitting behind me are their own problems. They
2 could have been here --

3 CHAIRPERSON LINTON: Let me just say
4 this one thing. I think I'm the only person who
5 has served in this capacity since this
6 organization was created in 1985 who has spent
7 the time very frequently to go to cab stands and
8 to ride in taxicabs several times a month to talk
9 to drivers who never show up here. Never show up
10 here.

11 I get a different picture of the world
12 out there when I go out and I mix with a lot of
13 those people who seem to see a lot of things
14 we're doing as positive to them.

15 MR. FRANKEL: Well, there is. I would
16 hate to say that most of the implementation of
17 these good ideas was badly done. And it hurt my
18 business. And I'm broke because of these things.

19 But I don't blame you or the
20 Commission. I blame the taxicab drivers that
21 haven't been here for all the years that they've
22 had their license. If they had been here six

1 years ago, they would have their own tags. If
2 they had been here four years ago, they would
3 have not turned in their tags because they would
4 have known it.

5 If they had listened to what I had to
6 say and the few leaders who had been here
7 consistently, they would have known. It's not
8 your fault. It's their fault.

9 You have been a respectable adversary
10 and that's what I'm thanking you for. Past that,
11 I hope that we can get ourselves together enough
12 to change many of the things that we need to do.
13 Thank you.

14 CHAIRPERSON LINTON: Thank you, Larry.
15 And I think you're absolutely right. It's going
16 to be on the industry to do it.

17 That concludes our Commission meeting
18 today. I thank you all for attending and we'll
19 stand in adjournment until the January meeting.
20 Off the record.

21 (Whereupon, at 12:04 p.m., the above-
22 entitled matter was concluded.)

A			
\$1 45:8	addition 5:20 8:9 28:10 53:18	allowed 19:3	arrived 54:20
\$1600 58:5	additional 17:3 20:20 24:18 30:9	allowing 59:18	arrives 36:10
\$2.50 45:5	address 22:17 42:17 48:14	allusive 35:16	Article 71:15
\$3.50 45:4	addressed 18:20 55:11 69:5	alternative 41:22	asked 48:13
\$5 8:6 44:22 45:12	adequacy 19:15	altogether 19:8	asking 60:5,17 77:16
\$800 57:9 58:4 72:12	adequate 37:1	ambulatory 12:15 47:2	aspects 42:18
A-B-E-B-E 68:16	adequately 20:1	amend 30:19	assembly 4:12
A-B-R-A-H-A-M 58:19	adhere 13:19	amended 24:9	assistance 14:21
a.m 1:10 3:2,11	adjournment 2:22 80:19	amendment 30:6,15	assistant 76:2,9,13
Abadi 68:15	adjust 22:10	amendments 27:17 28:7	associated 22:8
Abebe 48:14 49:3 68:15 68:15 69:10,16,21 70:3,8,13,20	adopt 6:2 17:10 26:4	amount 14:8 37:15 45:15	association 18:12 26:22 41:19 64:16
abide 13:20	adopted 65:6	Anacostia 46:3	association's 27:6
ability 41:2	adopting 43:8	analyzes 38:18	associations 21:2 23:6 23:16 27:4,4 28:14 30:17,22 31:7
able 7:15 12:7 23:21 33:16 65:18	adoption 6:19	anger 5:16	assumed 5:9 10:13
abolish 45:12	advanced 20:12	announced 15:2	assuming 4:13 33:14
Abraham 58:10 76:21	advantage 19:3 56:13	answer 21:4 69:6 74:16	assure 21:9
absence 62:3	adversary 80:9	answers 69:9	assuring 20:4
absolutely 80:15	advise 15:20	ANTHONY 1:15	attached 36:15
accept 24:1	advised 77:15	anybody 47:17	attending 80:18
acceptable 14:16	advises 15:1	apologies 3:5	attention 9:16
acceptance 9:9	advocate 53:18	app 10:22 17:22 18:10 18:13 20:13 22:7,18 23:8,10,21 24:2,9,14 24:19,22 25:19 51:14 53:20 64:20 65:2	attrition 40:15 61:1
accepted 5:18	affairs 21:4	appearance 42:19	August 5:10
access 7:15 8:1 34:21 44:19	affect 8:8	appeared 20:18	Aurora 52:19 53:5
accessibility 12:11 28:1	affiliation 30:11 48:21 53:4 56:16 58:13 60:11 62:18	applause 62:6 67:10,16 72:21	authority 11:5 22:12
accessible 7:18 12:14 13:18 15:10 18:15 20:4 25:14 27:7,15 28:5 31:18 41:7,13,19 42:4 65:11,14	affirmative 16:13 17:16 26:11 29:14 32:19 34:5 43:19 48:4	Applicants 7:13	authorization 28:11
accessible/best 28:16 28:18,21 31:8	afford 12:7 59:15	applied 64:2	authorize 27:3
accomplishments 14:3	afternoon 64:1	apply 70:15	authorized 42:9
account 28:1,8	age 27:18	appreciate 53:19 56:7 56:11 78:18	availability 12:14 22:20 24:21
accounts 35:15 36:8	agencies 8:13	approached 5:22	available 10:15 23:10 24:5 36:16 41:10 46:19 50:3 61:9 66:9
achieve 11:2	agenda 14:22 15:2,4,11 15:13,17 16:16 17:19 29:16 32:19 43:9 48:6	appropriate 6:3 35:21 42:6	average 38:22 39:2,3
achieved 37:12	agendas 13:12	approval 3:21 8:5 21:11 25:22 29:3	
achieving 40:20 43:2	Agent 64:15	approve 15:7,18 16:6 16:17 17:20 26:19 32:1,22 34:11 42:14 45:19 50:9 52:9	B
acknowledge 67:14	aggressively 38:5	approved 21:19 24:9 27:5 30:16 31:12 41:21 43:20 70:10	B 2:7
acquire 11:13	aging 5:17	approves 30:12	B-A-D-I 68:16
Act 22:13 26:14 42:10	ago 9:6 36:5 59:1 80:1 80:2	approving 34:13	B-A-H-T-A 76:21
acting 10:2	agree 27:5	approximately 7:12 39:19,20	B-I-R-B-O 73:4
action 2:18 8:5 15:3 26:16 48:7	agreed 44:20	apps 20:21	back 57:6,19 58:7 59:2 59:11,17,21 62:2,4,13 63:8,10 64:5 71:19,20 73:10,17 75:20
actions 29:19	ahead 75:1	area 11:15 39:7 46:18 46:22	background 19:15
active 36:21 37:1 39:12 39:18	aisle 70:22	areas 37:3 39:6	bad 65:7
actively 39:21	Aklog 48:14,17,18 49:1 49:3 53:10	Army 63:6	badly 79:17
activities 12:22	alerting 22:21		Bahta 76:20,21
actual 36:8,9	Alexandria 77:6		balance 37:9 38:7 43:2 56:5
adapt 10:18 21:7	alleviate 8:3		bank 77:15
add 30:8	allow 11:12 18:6 40:2 59:21		base 7:19
adding 7:19			based 5:16 6:11 35:13 36:3 38:19 39:8
			basis 8:15 36:18
			beginning 53:14

behalf 3:14
believe 49:5 51:5,13,14
 51:18 76:1
believed 42:6
believes 24:20 42:16
belong 5:3
beneath 15:12
benefit 23:4
benefits 7:20 11:19,22
best 6:12 11:3 21:14
 27:7 28:5
better 9:17 10:21 64:21
 74:10
beyond 42:18
big 4:15 59:14
bigger 8:12
bills 59:15 64:8
Birbo 72:22 73:1,3
 74:17,21
bit 53:12
black 16:1,18,22 17:4
blame 79:19,20
block 4:16
blocks 47:8
board 4:22 23:12 49:10
 60:10 62:8
body 67:15
booked 22:6
booking 20:12
borne 8:21
bottom 15:6,14
bought 77:2
bound 25:11
branding 7:8
break 67:18
briefly 30:3
bring 33:17
brings 43:22
brink 5:12
broke 59:10 79:18
brought 11:17
building 4:19
burdening 40:22
Burns 3:20 16:10 17:13
 26:8 29:11 32:16 34:2
 43:16 48:1
business 4:1 13:9
 19:13 20:20 23:1 25:5
 60:20 61:3,5 64:14,19
 67:6 79:18
businesses 19:10 20:7
 20:9
busy 38:3
buy 8:18 59:3,15,16
bypassed 75:1

C

C 2:7

cab 15:8 49:9,15 50:11
 51:4 52:12 53:8,18
 54:5,6 57:3 58:14
 60:10 61:6,9,19 71:14
 79:7
cabs 10:15 51:16 60:21
 61:12,14
calendar 36:21 39:15
 40:7
call 2:10 3:3,8,18 16:9
 17:12 18:22 26:7
 29:10 32:15 34:1
 43:15 47:22
called 44:21 62:13
calls 5:19 47:6
camera 38:20
Camry 77:3
capability 6:21 46:11
capacity 47:2 79:5
capital 6:13
CAPS 28:19 32:8 42:1
 45:17
CAPS-DC 7:21 44:14
 70:5,10
car 10:3 16:1 17:1 57:8
 57:10 59:3,10,16,17
 71:16 73:7,9,9,17,20
 73:21 74:10 76:22
 77:8,10,11,13
card 5:18 6:22 9:9,22
 24:11,15,18 53:19
 77:5
cards 10:2
care 75:10
carried 38:20
carry 44:18 45:13 47:2
cars 16:18 17:4 51:16
 53:22 73:22 74:4
case 3:6 58:20 59:20
cases 74:3
cash 24:17
catch 73:13
cause 25:2 37:17
center 39:5
central 23:14 42:17
certain 28:12 33:2,10
 33:19 34:7 46:1 60:21
certainly 52:17 54:20
Chair 4:16
chairman 5:10 14:1
 26:17 49:2 50:7 53:13
 53:15 59:19 60:3
 63:12,13 64:3
Chairman's 63:15
chairmanship 10:13
Chairperson 1:10,13
 3:4 4:4 15:16 16:5,12
 17:7,15 25:21 26:10

29:2,13 31:21 32:11
 32:18 34:4 43:18 48:3
 48:11,19 52:15 53:2
 55:20 56:2,6,12 58:8
 58:12,16 60:1 62:9,11
 64:12 65:20 66:1,8,11
 67:8,12 68:4,8,13
 69:4,14,19 70:1,6,11
 70:17,21 71:5 72:19
 73:2 74:15,19,22 76:1
 76:8,13,18 78:10,17
 78:19 79:3 80:14
challenge 5:22 11:21
 35:17
challenges 18:19 22:17
Chambers 1:10 3:10
chance 52:3 74:8,9
change 8:7 15:1,22
 28:10 32:8 37:13
 44:14 72:1 80:12
changed 10:12 51:7
 55:1,3
changes 5:20 18:16,19
 27:16 28:9 30:8,10
 31:15,18 35:18 65:1
chapter 16:1,21 27:16
 27:17 28:7 30:6 32:7
 34:13 43:10 65:8
Chapters 15:8,18 16:7
 16:14,17 17:17,20
 26:13,21 28:9 29:4
 32:2 33:1,18 34:6
 44:7 45:20
charge 45:4,12
charged 34:18 35:6
chase 38:5
check 73:12,14
checks 19:15
children 58:3
chose 49:18
circumstances 39:13
 41:17 45:3
cities 13:8
citizen 57:4,21 62:20
city 1:9 6:13 8:10,13
 24:22 39:5 43:11 61:7
 72:7
city's 6:2
citywide 46:21
class 13:10 15:19
classroom 7:14
clean 34:21
clear 31:4 68:19 69:17
 69:21 70:9
clearly 9:4 71:15
clerk 77:10
closing 51:20
CNG 66:7,9,10,13,15

Co-op 18:1,8,11 22:16
 23:3,7,10,11,15 24:8
 24:16,19,21 44:10
 68:19 69:2
Cohn 1:13 3:19 14:9
color 7:5 14:14 30:8
Columbia 1:1 17:21,22
 18:7,9 26:14 38:11
 46:2
combination 47:3
combine 30:2 34:9 44:2
come 20:20 57:13
 71:20 75:19,22
comfort 74:11
coming 45:15 71:13
comment 2:20 4:9 33:3
 42:12 44:12 48:12,22
 53:13 68:17
comments 2:15 4:5 9:7
 26:1 29:21 47:16
 48:16 49:6 56:8 64:19
 66:4,19 76:17
Commission 1:3,5,9
 2:14,18 3:9 4:1,3,4,6
 4:11,13,21 5:4,7,10
 5:14 6:1 7:10 8:11,16
 10:8,19,21 11:4,21
 14:19 15:3,20 16:10
 16:13 17:13,16 18:4
 19:5 21:18 22:1,13
 23:9 24:20 26:8,11,16
 29:11,14 30:16 32:16
 33:4,6,15 34:2,5,18
 35:5,17,20 36:22
 38:12 41:5 42:5,16,21
 43:16,19 44:21 45:6
 46:13,16 47:13,15
 48:1,4,7,14 49:2 50:8
 50:14 51:21 52:16
 56:8 57:20 59:20 60:3
 62:5 67:2 68:17,17
 69:5 78:1 79:20 80:17
Commission's 8:14
 14:2 18:2 21:20 25:13
 34:15 36:6,16 38:8
 41:12 42:9
Commissioner 1:13,14
 1:14,15 2:15 75:21
commissioners 1:12
 14:4 62:15
committed 19:5
Communication 4:3
 48:8
Communications 2:14
 4:5
community 3:14 5:14
 14:12 46:17,17
companies 8:8 19:1

21:1 23:5,13,16 30:19
31:15 65:2,9,19 68:11
68:18 69:18,20 70:9
73:7,8
company 10:14 15:8
28:19 41:21 45:14
65:13 68:20,21,22
69:1,2,11,11,13,13
70:15 73:17,21 78:22
compelled 14:7
compensation 8:8
compete 10:21 13:8
20:6 21:22 46:14
competition 10:7 18:21
19:9
competitive 10:22 23:8
43:6
complaints 9:6
completed 36:6
completes 30:3 48:6
compliance 31:19 41:4
complicated 46:9
complied 67:3
complimentary 9:7
comply 31:16
component 35:4 38:10
38:17
concept 20:11
concern 19:19 77:19
78:9
concerning 67:19
concluded 80:22
concludes 80:17
concluding 5:8
condition 8:10 39:11
conditions 10:11 12:6
21:21 30:9 54:7
conduct 40:9
conferences 12:21
confident 13:13 51:3
congestion 38:2
conjunction 7:22
connect 51:15
consequences 38:1
conservation 41:15
consider 44:6
consideration 11:18
18:6 24:8 44:3 52:18
56:9 72:8
consistent 7:6 16:2
20:3 41:11
consistently 36:22 80:7
consumer 10:19 35:12
consumer's 11:3
consumers 20:13 36:1
36:12 43:3
contact 70:1,6 77:15
continuance 35:6

continue 13:15 21:20
27:20 76:4
continued 25:15
continues 36:13
contribute 9:1
contributions 14:7
convenience 24:16
70:2
conveniently 12:15
conventions 12:21
conversations 54:8
conversion 27:14
converted 27:15
convinced 8:13
coordinated 41:22
copy 77:14
Corps 63:6
cost 8:20 65:12
Council 1:9 3:9 8:10,13
34:12 42:13 43:11
counsel 1:17 15:1,20
16:19 18:1 27:1 29:22
30:3 32:4 70:2,7,18
76:2,14
counsels 76:10
country 3:14 5:21 6:14
couple 5:8 53:9
course 45:22
courtesy 20:2
covering 55:20
covers 38:15
create 6:1,12 18:7
21:20 22:16 67:5
created 79:6
creates 65:8,18
creating 22:18 68:2,11
creation 13:2 25:18
27:3
credit 5:18 6:21 9:9,22
10:2 20:10,10 24:11
24:17 53:19 77:5
critical 6:7 24:18,22
25:17
Crocker 1:14 3:19
14:11
cruising 47:4
current 17:3 21:4 25:14
27:18 39:10 40:1 41:3
41:4
customer 6:18 7:19
12:15 13:11,20 19:16
24:14 74:11
customers 11:7
cut 7:11
Cyril 1:14 14:11

D

D-E-M-I-S-S-E 58:20

D.C 1:3,10 3:9 5:10 6:10
8:2,22 10:14 18:3
24:2,22 25:19 38:20
49:9,16,18 54:6 57:1
57:4,7,21 61:15 63:5
64:15 66:7,16 67:3,4
68:22
data 36:4 38:11 39:17
dataset 35:14
day 4:11 29:20 44:12
64:10
days 7:13,13 31:8,19,20
33:15 77:21,22 78:1,3
DC 23:9 34:18 77:12,21
DCTC 28:7 50:3,15 51:6
71:10 72:16 74:13
77:4 78:2,6
DDOT 5:1
DDSs 22:10
deadlines 31:18
deaf 33:4
deal 65:16
dealing 33:10 76:9
deals 45:21
debate 19:12
debates 69:8
December 1:7 3:11
77:7,12
deciding 51:8
decision 50:4
decline 9:6
define 46:18
defined 40:18 69:20
delay 21:12 39:3
delays 37:4 39:5
deliver 20:15
demand 10:17 11:9,14
24:7 36:3,9 37:2,3,9
37:10,20 38:2 39:12
40:1 46:10 68:2,6
demands 6:19 13:11
22:11
demise 21:12
Demisse 58:10,11,14
58:19
denied 71:21
denying 71:12
Department 4:19 13:7
depend 25:8,15
deployed 63:7 64:9
depriving 41:1
deregulate 22:3
deserve 51:20
designated 17:4
designed 9:13
designs 7:6
Despite 20:17 25:18
detailed 36:7 49:5

determination 2:12 7:1
determinations 18:2,5
34:16 36:17
determine 3:17
determined 5:22 60:22
62:7
develop 11:22 14:10
developed 7:22
developing 10:21 13:7
23:9
development 35:7
deviate 9:18
dictates 10:17
difference 70:5 74:2
different 19:11 53:1
73:7 79:11
differently 52:7
difficult 10:6 45:2 46:10
47:10
difficulty 11:20
digital 20:14,18 22:4,8
24:15
digitally 22:6
directed 60:4
directing 9:16
directly 22:16 23:4
directors 23:12
disability 12:2
disappointed 57:14
discovered 45:1
discussion 17:8 29:5
32:12 39:8
disparate 20:22
dispatch 5:19 10:14
20:14,18 22:3,4,8,18
23:14 68:18,20,22
69:1,11,17,19
dispatches 24:3
displeasure 5:13
disruption 5:16 40:21
distance 39:2
District 1:1 6:6 7:20
8:12,21 13:4 17:21,22
18:7,9,13 19:4 20:18
21:15 25:3 26:13 31:2
34:20 35:5 36:3,8
38:11 39:11 42:15
45:7,11 46:2
District's 5:11 7:6 13:7
21:6 38:3,15
DMV 59:6,18 71:17 77:7
77:12,17,18,21 78:3
doctor's 64:7
doing 57:12 67:21
79:14
dollars 72:3
dome 7:2 9:10 77:4
domiciled 27:11 31:1

Dominion 60:10
double 72:13
downtown 39:5,7
dramatic 12:19
dramatically 10:12
drawn 24:3
drive 12:4 49:9 50:11
 51:4 52:11 61:9,19
 74:9
driven 13:18 39:2
driver 19:14 37:16,21
 41:1 42:19 53:18 54:6
 57:3 58:15 65:15,18
 67:20,22
drivers 6:11,17,22 8:8
 8:19 9:9 11:20 20:1,5
 21:3 23:6,18 25:3
 33:5,19 35:13 36:1
 38:22 45:14 51:15
 53:8 54:5 60:10 61:6
 66:19 67:6 70:14
 71:14 74:6 78:22 79:9
 79:20
driving 9:21 12:7 57:2
 57:17 62:21 63:5 72:6
 78:6
dropped 68:12
due 12:13 20:10,21
 27:10
duty 7:3

E

E 2:7,7
earlier 22:2
earned 37:15
earnings 54:7
easier 7:3
easy 46:3
echo 66:19
economic 6:3,6 14:17
 51:17,21
economically 37:12
economy 14:17
effect 45:7
efficiency 28:2 66:5
efficient 11:1 13:17
 34:22 41:9,20 68:1
 74:10
effort 21:20
efforts 6:9 13:16 14:5
 25:14 54:6
eight 72:2 73:6 77:22
either 8:18 17:5 24:15
 47:2,16
elbow 60:20 61:5
electronic 10:14
electronically 10:16
elects 23:12

element 24:18
elephant 67:19
eligible 8:1 27:12 28:14
 28:22 30:22 31:2
 44:18,22 45:4 49:11
eliminate 19:7
eliminates 45:16
eliminating 8:7
ELLIOTT 1:14
embark 13:4
embraced 20:14
emergency 59:11 75:19
 75:19
emphasize 56:1,2
encourage 8:4 13:14
 41:8,14
endorse 10:9
energy 41:14
enforce 56:14
enforcement 19:6
enforcing 7:4 10:10
engage 49:18 54:16
engaged 54:18 69:8
engine 73:12,14
Engineers 63:6
Enhancing 7:17
enormous 14:8 25:2
ensure 6:3 9:21 14:15
 34:20 37:1 54:7
ensures 40:21
entertainment 67:15
entire 22:5
entitled 80:22
entry 49:13 66:21
environment 13:14
equilibrium 37:8
equipment 32:7 42:19
erode 11:10
ESQ 1:17
essentially 44:8
establish 11:5,19 39:14
established 13:14
establishing 40:6 65:2
Establishment 22:13
 42:10
estimated 24:6
evening 64:2
everybody 55:5 75:2
evidence 4:20
evolving 10:19
exactly 55:21 71:17
exam 49:19,20,21 50:6
 50:12,17,20 51:1,10
 52:1,9,13 55:2
examination 38:14
examines 38:9,10
example 51:2 59:9
exams 49:10

excellent 13:1
excess 30:13
excessive 68:2,6
exclude 42:6
Excluded 53:6
exclusive 23:11
exclusively 5:3 31:3
Excuse 60:7 62:22
exercising 11:4
exhausted 71:9
exhortations 33:4
existence 25:16
existing 27:20 28:17
 40:17
exists 4:13
expanded 7:10
expect 12:4
expected 47:4
expecting 78:8
expeditious 36:11 43:3
experience 35:12
expired 77:20
explain 16:19 27:1
 29:22 30:4 69:22 70:7
express 57:13 58:15
extended 51:22
extension 30:12 31:19
extent 37:11 54:12
extra 65:12
eye 53:16,16

F

F 2:7
F-R-A-N-K-E-L 78:15
face 6:7 18:20 43:5
faced 5:12
facilitate 18:12
facilitating 22:20
facilities 7:11 13:6
facing 10:7
factor 13:2
factors 12:18 35:15
 38:8 39:9
failed 21:8 52:8
fair 12:8 14:15 20:5
 35:1 36:13 43:5 44:16
 72:16
fairness 56:4
fall 38:14,21 50:15
family 46:5 58:3 72:1,2
 72:14
far 61:21 65:1
fare 8:6 22:5 45:1
fares 5:20 11:9 22:3,7
 22:11 35:1 38:6 44:15
faster 62:14 68:2
fault 9:16 64:7 80:8,8
fax 77:16

feedback 14:12
feel 55:11
feelings 57:13 58:15
fees 7:14 33:2,5,8,10,19
 34:7
fellow 71:14
Ferguson 1:14 3:19
field 7:10 21:22
fight 8:12
fighting 5:19
file 24:16
final 15:18,21 16:6,14
 16:17,20,21 17:17,20
 21:10,19 22:2 24:8
 25:22 26:12,20 29:4
 29:15 33:16 65:6 67:4
finally 66:18 71:10
 76:19
financial 8:11
find 47:10 51:3
findings 18:2,4 34:16
finished 51:10 55:16
first 5:2 18:20 20:18
 22:1 24:3 28:13 38:10
 51:6 60:3 64:22
five 7:13 12:11 27:8
 28:4 29:17 30:4 61:15
 64:3
fixing 21:5
fleet 5:17 7:19 41:14
fleets 31:17
flexibility 22:9
flood 74:4
focused 19:21
focusing 20:7
folks 54:15
follow 53:9
followed 9:13 49:20
for-hire 19:21
forced 65:11
forces 51:18
formation 24:20
formed 18:12
Former 15:9
forms 37:18
forth 11:17 12:1 13:15
forum 48:19
forward 27:18,21 43:1
found 38:22
four 28:4 64:1,3 80:2
Frankel 78:13,15,18,21
 79:15
free 31:4
frequently 79:7
friends 46:5
fuel 13:17 27:8 28:2,5
 28:16,18,21 31:8 66:5
 66:9,10,13 74:9

fuel-burning 53:21
full 1:5 45:15 46:10
fully 20:19 52:2
funding 8:14
funds 8:17
further 11:9,21 21:12
 35:6 39:7
future 55:10

G

G-A-S-H-A-W 73:3
G-E-B 71:7
G-H-A-L-C-H-I 60:14
gained 19:2
game 51:7
garage 73:10
Gashaw 73:1
gasoline 28:2
gathering 14:12
Gavel 68:12
gazillion 55:13,14
Gebremariam 71:3,4,7
general 1:17 8:17 15:1
 15:19 16:18 18:1 27:1
 29:22 30:3 32:4 70:2
 70:7,18 76:2,9,14
generator 6:6
gentleman 62:12
geographic 11:15
getting 61:3,3,8 62:1
 77:9
give 24:13 52:8 56:15
 57:6,19,22 69:12
 73:15 74:8,12,14,18
 75:11,11,11,18,20
given 3:13 14:4 20:10
 39:1,18 42:10 49:9
 51:9 52:2
gives 22:15
giving 70:14 74:2,2
go 26:15 29:19 33:13
 33:16 47:7,7,8 53:11
 62:12,14,15 73:9
 75:15,18 79:7,12
God 63:18,18
goes 42:18 61:21
going 9:19 10:5,5 27:18
 27:21 53:11 55:13
 56:14 57:20 59:11
 60:4 62:12,14 64:6
 70:22 73:15,15 74:4
 75:1 76:6 78:2 80:15
good 49:1 60:2 72:22
 79:17
Government 1:1 8:12
 48:8
gradual 40:3
grants 46:13,14

gratitude 14:20
Gray's 6:12
Great 56:10
greater 8:4
greener 53:21
groceries 47:7
group 49:4,7,8 50:5
 52:4 53:8 54:10
grouping 32:3
growing 44:16
growth 45:10
guides 7:15
guy's 71:9

H

H 11:5 52:9 54:10
H-A-M-I-D 63:3
H-tag 27:12 28:17 49:9
 49:11 55:4 67:1 73:5
 74:2,12
H-tags 28:15 30:22 50:1
 50:9 51:9 54:9,17
 55:12,14 60:5,17
 61:11 66:18 70:14
hack 73:13
hacker's 49:20 50:17
 51:1,10 52:9
hail 12:16 25:6 46:4
hails 19:7 23:2 47:5
half 4:16 39:1 50:19
Hamid 62:19,19 63:2,3
hand 37:16,19
hands 25:20
happened 61:2 63:13
happening 4:10
hard 42:21 51:17
harm 25:2
hate 79:16
he'll 70:7
health 12:2 13:7
hear 54:8
hearing 4:9,15 5:2 32:3
 34:17 44:6,13
hearings 29:21 47:14
Hello 76:20
help 22:15 76:7,10
Hi 58:10 72:22
high 13:19
higher 11:9
highest 61:16 66:14
hindrance 8:3
hinges 12:18
hire 7:9 9:14 12:18
 18:21 19:2,12 20:15
 22:10 43:7
Historically 21:6
hobbled 5:15
hold 30:20 49:8 51:4

67:16
holds 47:13 50:10
 52:11 55:18
home 59:11 63:10
 75:18
homeless 58:3,6
honestly 55:12
hope 80:11
Hopefully 78:8
hospital 59:14
hospitality 6:5 12:21
hospitalized 59:13
hotel 21:16 25:8
hour 39:1
hours 38:21 63:21,22
 64:1,2
hundred 72:3
hurt 79:17
hurting 72:1
hurts 72:4
hybrid 51:16 77:3

I

idea 53:20,22
ideas 79:17
identified 22:17 33:9
 39:9
identify 7:3
II 2:14 4:3
III 2:18 15:3
ill 63:9,17
illegal 19:6,8 23:2
immediately 59:6
impact 35:12 38:4
impacted 25:4
impacts 33:9 37:14
implementation 40:13
 79:16
implemented 41:6
imploding 5:12
importance 35:22
 42:10
important 6:14 26:16
 35:4 47:15 56:1
imposed 33:19
impression 14:1 60:5
improve 6:9 42:22 54:6
improved 41:18
improvement 35:7
improving 45:9
in-person 38:19
inactive 39:22 40:18
incentives 12:10 54:1
 66:16
incentivized 66:14
include 13:16 31:22
 33:2
including 18:14 19:13

37:2 38:2 54:5
income 37:15,21
increase 9:7 12:10,19
 12:20 23:1 37:20 41:7
 41:12 42:4 74:5
increased 43:6
increasing 7:17 12:17
 74:6
incredibly 12:5
independent 21:2 23:6
 23:17
individual 12:4,12
 37:21 58:14
individuals 11:12 13:19
 46:14 48:13
induce 13:3
industries 21:17 25:8
industry 5:11,12,20 6:4
 6:5,10 8:20 9:2,4,20
 10:6,9,18,20 13:15
 14:9,10,17 16:2 18:1
 18:7,8,16 19:12,19,21
 21:1,7,8,16 22:15
 25:20 34:20 35:7,18
 36:12 37:8 38:9 40:10
 40:22 41:1 43:1,4
 51:14,19 53:17 54:1,3
 61:15 80:16
industry-owned 18:11
ineligibility 40:16
inequity 55:8
informal 49:7
information 19:16 32:8
 32:10 38:12 45:2
 69:12
informed 35:21
initially 10:13
initiate 32:21 34:15
initiating 33:10
initiatives 6:15 13:13
 41:6,11
inordinate 37:5
input 14:21
inspections 19:14
inspector 73:13
installation 7:2
installed 77:5
instance 21:8
instances 28:12
insurance 12:3 19:15
insured 19:22
integral 35:4
integrated 24:10
Integration 24:13 44:8
intent 30:4
interest 21:15 35:12
interests 11:3 19:11
introduction 64:22

investment 35:2
 involvement 11:22
 Iraq 63:7
 issue 42:18 51:8 71:9
 issued 40:4 41:17 50:2
 issues 19:17 44:10 69:7
 item 15:4,5,6,11,17
 16:16 17:19 26:19
 30:5,15 31:10,22
 32:22 33:17 34:8
 43:22 44:14
 items 2:18 15:3,12,17
 29:16 32:12,19 43:8
 48:7
 IV 2:20 48:22

J

JACQUES 1:17
January 4:13 5:1 80:19
jitney-like 11:13
job 47:12 75:14,15
join 23:17 27:5
jointly 30:20 65:9
Jointly-Titled 15:9
Jones 71:11
JUANDA 1:17
judicial 67:15
judicially 11:15
Judiciary 3:10
jurisdiction 27:11
jurisdictions 54:5
 60:21

K

K-A-H-S-A-Y 56:21
Kahsay 56:18,22 58:21
kept 67:13
key 13:9
kick 65:18
kids 72:15
kind 56:4
kindly 59:19 72:18
know 10:4 15:13 29:18
 33:12 44:15 45:22
 50:14 53:15 63:17
 69:12 71:18 73:6 75:5
known 6:20 42:1 45:22
 49:13 80:4,7

L

L 2:7
lack 12:13
lacked 5:14
lady 75:13
largely 20:21
Larry 74:22 78:12,14
 80:14
late 3:5

law 21:10 41:4 72:10
lawyers 75:10
lead 6:1 11:8 12:1 14:9
 21:12
leaders 80:6
Leadership 49:4
leads 37:16
leave 14:1 62:3
leaving 61:2
led 54:6
left 35:10 63:9
legal 25:17 35:19
legally 19:4 49:10
legislative 67:14
legitimate 20:15

LERNER 1:17 15:4,21
 16:20 18:3 27:2 30:5
 32:6
letter 50:16,18 63:12
 71:12
letters 75:12,16,17
level 21:22 66:14
leverage 20:19
license 7:12 28:12 40:4
 40:11,16 41:3 49:8
 50:10 51:4 52:11
 55:18 61:8 63:8 64:5
 67:20 73:6 74:3,14
 79:22

licensed 36:11 49:14
 50:22 53:8 54:13
 60:19 61:1
licensee 73:5
licensees 74:13
licenses 28:8 36:20
 40:4,18 41:17

licensing 27:1 30:17
 40:19 49:18 51:11
 67:20,21,22
life 3:13 12:2 66:6
light 7:2 73:12,14
lights 9:10
limit 10:8 56:7 67:11
limited 5:15 41:17 68:7
 68:10 74:8
limiting 67:5,21
limits 66:22
line 65:1 71:1 75:2
Linton 1:10,13 3:4,20
 4:4 15:16 16:5,12
 17:7,15 25:21 26:10
 29:2,13 31:21 32:11
 32:18 34:4 43:18 48:3
 48:11,19 49:2 52:15
 53:2,13 55:20 56:2,6
 56:12 58:8,12,16 60:1
 62:9,11 64:12 65:20
 66:1,8,11 67:8,12

68:4,8,13 69:4,14,19
 70:1,6,11,17,21 71:5
 72:19 73:2 74:15,19
 74:22 76:1,8,13,18
 78:10,17,19 79:3
 80:14

list 55:17 73:19,21
listened 80:5
lists 55:19
Literally 58:6
little 53:12
live 46:15 47:6 77:6,8
liveable 54:7
living 63:4,19
local 9:3 13:5 60:11
 64:16
locations 39:7
long 37:4 43:2 74:12
longer 7:13 8:16 37:17
 50:1
look 25:11 69:7 71:22
looking 15:13 38:5,12
looks 64:21
loss 25:1,4
lost 6:17 72:14
lot 10:4 55:12 57:11
 59:1 60:20 64:21
 79:12,13
Lottery 4:22
lovely 75:13
lower 65:17
lowers 31:20
lowest 5:21
Luxury 15:19

M

M 1:10,13
M-A-S-S-O-U-D 60:13
M-E-D 60:13
M-E-N-A-S-S-E 71:7
Madam 48:8
major 14:6
majority 16:12 17:15
 26:10 29:13 32:18
 34:4 43:18 48:3
making 6:22 24:17 50:3
 68:1
man 72:2
manage 8:20 18:8
 69:11
management 9:1
mandate 20:8
mandated 24:21
mandates 41:12
mandatory 69:3
market 6:8 18:17 23:8
 35:19 36:3 38:5 39:10
 40:9 51:18,18 61:13

marketplace 10:11 11:1
 60:22
Massoud 60:9
matter 34:17 35:22
 42:15 54:13 55:10
 80:22
matters 11:17 19:18
 53:16
maximum 37:11
Mayor 6:12
mean 60:19 61:8 73:5
 77:19
meaningful 21:9 25:12
 35:11
means 11:1 20:15 22:7
 25:7 29:18 31:11
 41:10,20 71:10
Medghalchi 60:2,9,9,13
 60:16 62:10
medical 13:5,9
meet 11:14 13:10 25:16
 37:2 39:12 40:1 70:18
meeting 1:5 4:12,14,14
 5:7 31:13 64:20 80:17
 80:19
meetings 46:18
member 49:3 60:10
members 4:6 14:19
 23:15 27:6,9 28:13
 30:21 31:6 41:18 49:2
 49:17 50:7 51:13,20
 52:3 59:20 60:3
Menasse 71:4
merely 21:3 22:14 24:4
 42:11
messages 40:21
met 1:9 6:19 70:12
meter 6:20 18:6 24:11
 36:5 77:5
meters 6:18
Metro 8:1 44:19 47:8
Metropolitan 4:19
midstream 51:8
miles 39:3
million 45:8
mind 14:4
minimal 40:21
minute 56:14,15
minutes 39:4 56:17
 68:5
misstated 66:2
mix 79:12
MIXON 1:17 48:10
 56:20 58:17 60:7,12
 60:15 62:22 64:17
 67:7
mode 54:2
modern 6:19 19:22

26:21 27:3 28:14
30:17,21 36:4 41:18
modernization 13:16
14:11
modernize 6:9 41:14
51:14
modifies 31:14
moment 2:11 3:12,15
moments 67:4
money 45:11 59:16
72:14
month 22:2 38:13 57:9
58:4 72:3,13 79:8
months 11:19 36:5 52:1
71:20 73:6
moratorium 54:17
morning 3:5 49:1 60:2
72:22
motion 6:14 17:10 26:3
29:7 47:21
MOU 44:20
move 13:15 43:1 47:15
48:11 62:13
moved 4:18 16:8 17:11
26:5,6 29:8,9 33:21
33:22 43:13,14 47:20
moving 4:21,22 5:1
MTA 65:7,18 70:5,14,14
70:15
MTAs 26:22
MTS 6:20 24:12 32:2,5
32:7
Muhammad 1:15 3:19
multiple 10:15 24:14
54:5

N

N 2:7,7
N.W 1:10
name 31:3 48:20 49:3
53:4,5 56:15,18,22,22
58:10,17,20 60:8,12
61:18 62:17,18,19
63:1,2 64:17 68:15
71:3 73:1,2,4 75:6
76:20,21 78:14
names 55:18
nastily 10:3
national 16:2
nature 20:22
near 4:15 55:10
nearly 21:1
necessary 9:21 36:2
51:6 55:10 65:5
need 22:21,22 25:17
36:22 38:7 45:16 46:4
46:22 56:5 60:18
63:19 64:5 65:20

69:12 80:12
needed 43:2
needs 10:7 11:21
negative 38:3
neighborhood 11:12
45:21 46:8
neighborhoods 46:1,15
47:5,7
network 19:1
never 49:9 50:9 52:10
79:9,9
new 4:18 6:16 7:19 13:2
13:11,17 14:10 18:17
18:17 19:10 20:7,9,11
27:12 28:14,15 41:19
42:20 43:6 73:5 74:13
newly 49:14
nice 64:10
niche 13:11
non-renewal 40:17
non-renewals 40:16
non-residents 8:22
nonsmoking 17:5
normal 39:13
normally 44:18
Nos 34:8
note 78:2
noted 39:16
notice 42:12 57:7,15
notion 53:21
November 31:13 49:22
50:4,17
number 7:18 12:20 14:3
36:10,20 37:1,6,13
39:14,17 41:7,13 42:4
46:1,17 59:10,11,12
60:21 61:16 66:3 67:5
74:3,5,7 75:9,18

O

O 2:7,7
O-S-M-A-N 63:3
objection 30:1 31:22
33:14 34:9,14 44:2,3
objectives 11:2
Obligation 15:8
obligations 31:5
observations 38:19
obtain 25:7
obtained 39:17 50:18
October 77:2,20
offer 19:13 58:5
offered 49:21
offering 10:20
office 1:3 27:12 30:12
40:8 52:8 63:15 64:3
74:13
offices 4:17
Okay 53:2 56:21 58:16
63:2 70:3 74:17,21
78:10,12
old 1:9 3:9 4:19 20:11
47:9 75:18 76:22
once 23:12,13 51:1
61:9 73:10
ongoing 19:12 40:9
online 7:15
op 25:19
open 49:13 66:21 67:6
74:14
opening 67:22 70:13,15
operate 19:3 24:11
39:21 49:15
operated 23:3
operating 38:13
operation 16:18 37:2
39:18
operational 38:10
operator 65:10,10
operators 7:4 22:22
35:2 36:14 43:5 64:15
opinion 9:3
opportunities 13:2
20:20 23:2 51:21
opportunity 22:15
23:19 42:14 48:13
55:4
opposed 54:10
optimize 36:11
options 7:7 10:15 24:14
37:7 42:20
order 2:10 3:3,8 6:10
8:3 19:20 37:7 58:1
ordered 32:20 77:1
orders 16:14 17:17
26:12 29:14 34:5
43:19 48:4
ordinary 28:2 40:15
organization 79:6
original 77:14
Osman 62:19 63:2
outcome 21:14
outlines 14:5
outside 31:1
outstanding 13:5 54:13
over-saturated 61:13
overall 40:3
overcome 11:20
oversight 34:19
owner 28:17 41:2 59:5
69:12
owner/operator 49:12
owner/operators 52:3
55:5
owners 8:19 17:6 20:5
21:2 23:6,17 25:3

27:5 33:20 35:2,13
36:1,14 41:8 43:5
78:22
owners/operators 50:2
51:22
ownership 30:11

P

P-R-O-C-E-E-D-I-N-G-S
3:1
p.m 80:21
page 15:14
paid 8:6 22:6 33:6
71:19
painted 77:3
panel 14:9
paratransit 42:1
parity 31:5
part 27:14
participant 8:7
participants 18:17
21:16 35:19
participate 8:4 23:4,19
41:22 47:13 65:3,4
68:19
participating 28:20
participation 14:18
particularly 14:7
partner 53:7 54:10
partners 54:4
parts 38:9
pass 60:6
passed 12:13 50:12,20
52:13 55:2 77:22 78:4
passenger 19:14 37:2
37:17 38:18 39:3
45:17
passenger's 22:19
passengers 10:3 20:2
22:22 25:11 37:4,6,14
37:18 40:6 45:4 61:19
passing 49:10
patients 13:6
patrons 25:10
patterns 38:13
Paul 1:13 14:9
pause 54:8
pay 7:14 44:22 45:14
58:4 59:15 65:12
paying 72:12
payment 24:10,14,15
24:17 42:20 45:18
payments 5:18 6:21
peak 24:7
penalized 23:22 72:12
pending 21:10
people 3:6 10:1 12:6
47:3,6,9 49:8,14 50:5

50:15,19 54:14 55:15
55:15 57:12 58:22
60:4,17,18 61:1,2,3,7
61:11,14,21 62:8
73:19 79:13
percent 12:10 27:6 55:1
62:1 65:16
percentages 31:17
period 2:20 29:20 38:14
40:8,19 44:12 48:12
48:22
permitted 22:5
person 44:22 50:9,10
51:11 52:10,11 58:9
62:11 64:13 70:21
72:20 79:4
personal 14:20
perspective 27:19
pharmacies 47:8
pick 61:19
picked 7:1
picture 79:11
pills 64:8
pilot 11:11 42:1 46:9,12
place 4:15 10:2 41:8
46:21 49:15,17 54:19
62:5 65:14
placed 28:3,15
places 28:17
plan 13:8 27:5,13,14
74:12
played 62:4
playing 21:22 62:2
please 58:17 63:1 67:16
pocket 72:3
podium 53:3
point 12:6 14:8 71:13
71:14 74:1
Police 4:19
policy 6:12 42:15 65:7
67:4 71:22 72:17
politely 5:13
pollution 41:15
poor 8:9
popularizing 20:12
population 12:19
portion 4:22
position 5:9 78:14
positioned 35:21
positive 9:8 54:2 79:14
possibility 21:11
possible 12:22 19:7
29:21 50:21 51:1
potential 12:18 44:13
46:8
precise 46:22
predominant 25:6
preferences 10:19

prepared 9:18 21:18
53:12
present 1:12,16 3:20,21
3:22 16:11 17:14 18:1
26:9 29:12 32:17 34:3
35:9,21 43:17 48:2
presentation 52:16,20
presents 18:4
preside 5:6
presiding 1:11
pressure 43:6
pretty 54:22
preventing 37:3
previously 17:2 55:21
previously 16:4 27:10
66:20
price 14:16
primary 6:6 28:10
prior 51:19
private 16:4 17:2 18:21
19:2 21:10 22:9 43:7
probably 54:20
problem 73:18 74:10
75:8 78:3,7
problems 73:11 79:1
proceed 4:1 14:22
15:16 32:4 34:17
process 29:20 32:21
33:7,14 42:11 49:18
51:12 53:11,14 54:16
54:18 55:2,16 68:1
77:9
processed 52:2
processing 51:10
profession 72:5
professionalism 20:3
profound 35:22
program 7:21 11:11,20
12:1 28:19,20 42:2
45:8,10 47:11
programs 6:15 41:6,10
42:3
project 46:9,12 53:7
promote 18:12
promoting 13:5
promptly 42:4
promulgating 22:2
properly 58:1
property 57:16,16
proposal 12:9 29:3
35:11,22
proposed 15:7 16:4
17:2 24:7 26:20 29:17
30:18 31:12,13 32:1
32:20 33:1,11,18 34:6
34:10,11,12 36:18,19
39:14 40:2,10 42:7,8
42:16,22 43:9,20 44:1

44:7,11 45:20 47:12
48:5 65:4,8
proposes 45:6 46:13
proposing 11:11 46:7
propulsion 41:10,21
proven 35:16
provide 6:8,20 9:16
25:9 35:1 36:13 40:5
provided 7:7 20:1 23:20
providers 24:10
provides 36:17 43:4
providing 14:13 19:21
23:5 39:21 41:3 50:10
52:11
PSP 44:10
PSP/Co-op 44:8
public 2:20 5:13 7:7,8
9:3,8,14,14 10:16,17
12:17 19:11,19,20
20:5 29:21 34:19 35:4
38:4 42:15 44:13
47:14 48:12,22 67:3
72:7
publication 15:7,18
16:6,14,17 17:20
26:12,20 29:3 30:16
31:12 32:1 33:1 34:6
43:20 45:19
publications 29:19
published 17:18 29:15
32:20 48:5
pull 75:1
purposes 24:19
pursuant 27:13
put 12:1 20:11 25:14
28:21 31:6

Q

qualified 13:19 44:17
qualify 46:13
qualifying 49:19 50:6
50:12 52:1,13
quality 6:1,8 19:22
34:22 37:14 38:4 43:3
45:9
question 25:21 29:2
32:14 33:20 43:8,12
47:18 68:16 69:6 70:4
73:4 74:11,14,16 78:9
questions 2:16 16:5,7
17:8 26:1 29:5 32:12
69:8 70:19
queue 55:15
quickly 19:17 22:10
quit 75:13,15
quorum 2:12 3:17,22
quota 11:5 34:13 36:19
39:15 40:6,13,14,20

42:7,8 54:9,14 55:9
67:5
quotas 42:17 54:10
55:9

R

R-EM-A-R-I-A-M 71:8
R-O-Y-A-L-E 64:18
raise 18:19
rapid 35:17
rates 6:16 23:8
reach 12:6,10 37:8
reached 10:8 40:14
reaction 9:8
read 65:20,22 66:3,11
69:14,16
reading 34:15
reads 15:6
ready 26:3 32:14 33:20
43:12 47:18 59:2
real 18:19 21:11 22:11
55:7
reality 54:15
really 9:19 57:14 63:19
64:2
reason 11:6 21:3 42:7
61:4
reasonable 35:1 51:5
reasons 41:16 51:6
59:8,9,12
receive 23:21
received 8:16 50:10
52:10
recently-launched 7:21
recognition 7:8
recognize 9:12
recognized 36:22
Recognizing 38:7
recommendations 12:1
14:13
recommending 8:5
record 3:4 48:16,21
53:4 58:18 60:8 71:6
76:17 80:20
records 50:18 51:2
redone 4:18,21
reduce 23:1 33:2,11
reducing 33:19
reduction 11:8 33:15
34:7 37:20 40:3 41:15
redundant 15:6
references 16:3 17:1
refusing 23:22
regarding 9:15 34:16
73:4
register 27:10 77:7,13
registered 22:8
registering 77:10

registration 77:20
regulation 44:9 57:15
 64:21 65:21 66:12
 69:15,20 77:21
regulations 6:3 13:21
 22:2,4 33:13 77:4
regulatory 29:20 32:21
 33:13 34:19
reject 42:14
relate 34:8 44:10
related 12:22 53:16
relative 38:1
relevant 35:14,15 38:8
reliable 35:14
relinquished 63:8
relooked 66:17
remain 19:20 28:3 37:7
remarks 2:15 5:8 9:19
 52:17,21 53:1,12 56:7
 60:4
remember 44:11
remembrance 3:13
remove 17:1
removed 15:12 77:1
removes 16:3
removing 40:4 59:5
rendered 46:16
rendering 13:1
renewals 33:11 40:17
renewed 71:19
rent 58:5 73:7,22
rentals 68:10
renting 59:16
rents 57:9
repainted 30:7
repainting 30:6,9
repeating 71:8
replace 15:9 27:17 31:7
replaced 15:5 27:22
reported 32:9 36:4
Reports 48:8
representing 49:8
request 50:8 51:5 57:19
 77:17
requests 23:21
require 13:1 24:9 30:19
 66:8 77:13
required 23:13,14,18
 28:20 30:10 31:5
 40:11 65:3,16 68:18
 69:2,13,18
requirement 17:3 25:17
 69:1
requirements 31:16
 35:20 66:6,22 70:12
requires 39:11 66:9
 72:11
requiring 27:13 30:7

research 35:14 39:10
researchers 36:6
resident 56:19 57:1,21
residents 8:21 18:13
 21:15 34:21
resolution 34:13 43:10
 43:21
resolve 44:9
resolved 19:18
resources 5:15
respect 5:14 31:15
 53:10
respectable 80:9
respond 67:17
responding 5:19 47:5
response 4:8 17:9 26:2
 29:6 32:13 44:5,16
 47:19 71:11
responsibility 10:10
 14:15 23:7
responsible 14:2 73:16
restaurant 21:17 25:8
restore 6:17
result 11:7 18:17 37:5
 40:12
results 37:20
retire 12:7
retirement 12:2 26:22
retitle 31:2
return 20:5 35:1 36:13
 43:5 72:17
returned 59:1,1,8,13
 71:9,19
reveals 39:10
revenue 6:17 11:8 33:8
review 42:14 51:2
reviewed 55:17
reviews 38:20
revise 72:17
Revised 15:14
revoked 40:12
ride 8:22 10:16 12:16
 18:22 20:13 22:6
 45:15 46:4,4 79:8
rider 53:17
riders 6:11 7:8,19 8:1
 8:18 9:9 51:15
ridership 11:10
rides 6:21 22:3 25:9
riding 61:17
right 12:12 15:13 20:3
 23:17 39:21 45:8 49:1
 55:22 75:6 80:15
road 27:19
rogue 7:4
role 47:22
roll 3:17,18 16:9 17:12
 26:7 29:10 32:15 34:1

43:15
Ron 1:10,13
room 4:12,15 5:3 67:19
rows 62:12,14
Royale 64:14,18
RTCIS 39:17
rule 27:18,21 28:6 30:8
 30:18 40:10,17,19
 56:14,15 57:14 65:5
 67:12,18
rulemaking 14:10 15:7
 15:18,21 16:6,14,17
 16:20,21 17:17,20
 18:5 21:19 22:14
 25:22 26:12,20 27:2
 29:4,15,17 31:10,11
 31:14,14 32:2,6,21
 33:1,12,18 34:6,11
 36:18,19 39:14 40:2
 42:8,12 43:9,21 44:1
 44:7 45:20 47:12 65:5
rulemakings 48:5
rules 17:4 22:16 24:7,8
 27:20,21,22 30:6,19
 32:2,5,7,8 43:1 51:7
 55:1,3 61:22 62:2,5
run 23:11 74:12

S

S 2:7
S-I-M-M-S 64:19
Sadly 50:1
safe 19:22 25:9 34:22
safety 19:14 38:4 42:19
 43:2
sale 66:10,13
satisfied 37:11
save 45:10
saving 7:20 45:7 59:16
saying 9:19 78:3
says 15:14 59:4 69:17
 69:17 71:14 78:20
scarce 38:6
scattered 20:22
scheme 7:5 14:14
Scott 71:11 75:16,16
 76:15
screened 20:1
se 54:11
second 15:14 19:10
 31:13 38:17 51:13
 65:4
seconded 16:8 17:11
 26:5 29:8 33:21 43:13
 47:20
secretary 1:17 3:16
 16:9 17:12 26:7 29:10
 32:15 34:1 43:15

47:22 48:9 56:16
Section 30:18 59:4
security 19:16
sedan 16:1,22
sedans 16:4 17:2
see 75:21 76:4 79:13
seek 37:18
seeking 18:14 37:4,6
 38:18
seen 9:6 18:16 53:16
self-denial 9:15
self-policing 9:20
sell 8:19
send 74:15 75:12 77:17
sending 71:11
seniority 72:5
sent 50:15,18
separate 52:19
series 6:15
seriously 59:20
serve 19:10 36:3
served 79:5
service 5:8,14 6:1,8
 7:17 8:9 9:17 11:13
 13:1,20 14:16 15:19
 18:14 19:22 20:4 22:5
 22:9,11,21,22 23:5,21
 24:5,10 25:7,13 28:3
 28:3,15,19,22 30:13
 34:22 36:7,9,11 37:5
 37:11,14 38:4,19
 39:22 41:9 42:1 43:3
 45:9,21 46:8,15,20
 51:15 59:5 71:16
services 8:18,19,22
 19:13 37:10 39:12
 40:5
servicing 11:2
serving 10:14 72:6
session 69:6
set 6:14,16 22:5 23:8,13
sets 36:19
seven 29:17 30:4 47:2
severely 25:4
Shannon 4:15
ShareCar 61:17
sharing 18:22
she'll 76:10
shorter 39:6
show 79:9,9
showed 50:19 75:19
shrinking 8:11
shut 56:16
sick 61:3
side 46:3 55:7
signed 24:4
significant 7:14 65:1
significantly 39:6

silence 2:11 3:12,15
similar 58:21
Simms 64:14,18,18
 65:22 66:3,10,13 67:9
 67:11,17 68:6,10,14
simple 11:6 50:8 54:22
simply 12:8 45:16
 59:10
Sims 64:14
single 10:14 24:4 44:3
 66:7,15
sir 48:18 61:21 62:17
 62:22 68:5,13 70:22
 71:2 72:19 76:18
 78:11,13,16
sitting 79:1
six 29:17 30:4 47:3
 65:16 71:20 73:6
 79:22
size 36:13
slightly 53:1
slow 21:7
Small 3:20
Smaller 23:16
Smalls 16:10 17:13
 26:8 29:11 32:16 34:2
 43:16 48:1
SmartPhone 20:13
smoking 17:5
solely 40:12
somebody 54:4 69:22
 76:7
soon 19:3 54:15
sound 35:14
source 19:8 25:12
speaker 55:21
specific 27:22
specifically 42:9 49:19
 50:11 52:12 54:17
specifically-designat...
 11:14
spell 56:20 58:17 60:8
 60:12 62:18 63:1
 64:17 71:5 73:2
spent 79:6
spoke 58:21
Square 3:10 10:1
stability 6:4
stabilize 51:19
Staff 1:16 48:8
stage 33:9
stand 80:19
standard 13:20 61:15
standardized 7:2
standing 75:2
stands 79:7
start 3:5,12 55:8
started 9:5 33:7 51:11

59:16
starting 36:5
starving 8:10 61:6
state 21:4 53:3 60:8
 62:17
stated 71:15
statement 67:18
station 66:7,15
statute 65:17
statutes 67:3
statutory 11:5 31:16
 41:12
stay 19:5,21 62:16
step 21:18
steps 21:9 22:1
stiff 18:21
stop 12:7 47:9
stopped 50:3 59:18
 63:11
strategist 53:6
street 1:10 19:7 23:2
 25:6,15 73:14 74:4,7
 77:1
streets 38:3 42:5
stressful 12:5
stronger 9:4
struggled 11:18
study 7:15 36:7,8,10,15
 36:17 38:8,10,17,22
 39:9 40:9 47:12
studying 33:8,8,8 46:6
subject 27:20 42:11
Subsequently 45:1
subsidy 45:14
substantially 35:11
suburban 39:6
success 10:6 13:9
 25:19 44:16
successfully 20:6,11
suddenly 59:18
suggest 76:3
summon 10:16
sun 61:18
superceding 31:10
supply 36:8 37:9 68:7
support 8:11 18:5
 26:18 47:22 62:1 72:2
supported 8:17 14:18
 26:6 29:9 33:22 43:14
sure 46:10 53:5 56:8
surrender 40:16 59:6
surrendered 40:12 57:5
 66:20 71:17
survival 21:9 25:1
survive 63:18
sustain 14:16 33:6
sustainable 36:12 43:4
sweeping 18:16

switch 6:17 8:14
system 6:13,18,20 9:22
 13:10 32:10 36:5
 38:12,20 44:22 45:13
 45:17 49:13,16 66:9
 66:21
systems 24:12,12
 53:20

T

T 2:7,7,7
T-E-F-E-R-I 56:22
tag 29:1 57:6,7,10,16
 57:17,18,22 58:2,7,22
 59:6,13,17,18,21
 63:10,16,19,20 64:10
 71:18,19 75:8,18
 76:22 77:19
tags 11:6 52:10 54:11
 61:22 62:2,4 66:20
 71:9,10,12,16,21
 72:12,17 77:11 80:1,3
tailored 42:3
take 8:6 10:10 21:8 28:1
 28:8 44:19 47:6 50:16
 51:1 52:17 54:8 56:9
 56:13 59:20 62:3
taken 22:1 26:17 50:5
 72:3,7
talk 76:12 79:8
talked 75:9,12 76:15
talking 55:9 56:6
tangible 37:22
Tapscott 3:20 16:11
 17:14 26:9 29:12
 32:17 34:3 43:17 48:2
task 14:12
tax 8:17
taxi 5:17 6:10,12,20
 8:20,21 10:17 13:10
 14:14 15:8 23:9 24:2
 24:22 25:19 36:4 37:7
 46:4 64:15 78:6
taxicab 1:3 3:9 5:10,11
 10:22 17:22,22 18:3,6
 18:8,9 21:6 22:3,6
 23:5,13 24:11 25:5,7
 26:14,21,22 27:18
 28:11 30:17,21 34:18
 34:22 35:3 36:7,20
 37:4,10 38:9,11 40:3
 40:10,11,22 41:1,14
 41:18,21 49:12 52:8
 53:16,20 62:21 63:5
 78:22 79:20
taxicabs 18:14,20
 20:19 21:13,21 22:7
 22:19 24:5 25:1,2,9
 25:12,16 27:3 32:9
 36:2,9,10 37:1,9,13
 37:16,19 38:1,5,16
 39:12,18,20,22 40:9
 41:8 44:17 65:3 79:8
taxis 6:2,7 8:2 9:1
taxpayer 45:7
taxpayers 7:20 45:11
teaching 7:14
Team 49:4
Teamsters 60:11 64:16
tech 19:10,13 20:9
technical 44:9
technologies 18:18
 42:21
technology 7:11 10:18
 35:19
Teferi 56:18,18,21,22
tell 32:4 48:20 69:6
telling 50:16 75:11
tenure 10:12 78:16
terminology 15:22 16:3
 16:22
test 60:6
testing 7:16
thank 3:16 26:17 52:14
 52:15 56:10 58:7,8
 59:21 62:9,10 64:10
 64:12 67:8 68:8,13,14
 70:20 72:18,19 74:19
 74:21 76:5 78:10,13
 78:15,17 80:13,14,18
thanking 80:10
Thanks 60:15
thereof 47:4
thing 5:5 12:12 57:12
 74:5,6 79:4
things 4:10 53:10 63:14
 64:8 79:13,18 80:12
think 26:15 47:14 54:1
 55:8,12,22 65:4 68:17
 79:4 80:15
thinking 54:2 59:2,17
third 13:2 20:9 51:17
thousand 61:14
three 9:5 12:18 18:15
 20:17 29:16 30:2
 35:18 38:13 42:22
 44:1,2 47:8 59:12
 64:1 75:9
three-four 64:1
thwarted 6:22
ticket 73:15
tickets 77:9
time 3:11 4:7 5:2,6 7:12
 12:16 14:5 24:3 30:13
 31:15 39:4,4 46:7
 54:9,14 56:7,11 65:1

67:7 72:14,15 75:22
78:8 79:7
timely 49:20 52:8
times 24:6 37:17 38:18
51:17 61:15 64:4 66:4
79:8
title 9:13 59:4 71:15
77:14,14,17 78:7
titled 30:21 65:9
today 4:2,11 8:5 9:5
11:18 12:9 18:6 24:8
50:11,22 51:4 52:12
55:16 64:20 80:18
today's 21:19 36:18
told 54:22 55:3 63:11
63:17 73:18,20
tools 10:20
top 58:4
topic 52:22
total 39:11
totally 4:20
tourism 13:9 21:17
tourists 25:7
Toyota 77:2
traditional 21:13,21
25:1,9,16
traffic 38:20
trained 20:1
training 42:20
transferrable 28:11
29:1
transit 35:5
transition 7:5 8:1 13:17
53:19
transitioning 53:21
transmission 34:12
73:11,18
transmitted 42:13
43:10
transportation 7:7 19:1
20:16 35:3 37:6,18
treat 52:6
treating 20:2
tremendous 14:20
trip 24:1 36:4 39:2
trips 38:13,15 39:1
truly 19:18
try 76:10
trying 67:18
turn 6:10 11:8 61:22
turned 80:3
twice 64:2
twist 20:11
two 4:10 30:9,11 34:10
38:9 39:1 43:20 47:17
48:5,12 56:13,14,17
57:8 59:11 61:14 67:2
68:4 70:9,12 75:17

76:16
type 22:14

U

U.S 57:4,21 62:20 63:6
UDC 49:4,7 53:7
ultimately 7:22
unable 27:9
unanimously 3:21
underserved 11:16
37:3
understand 57:22
60:18 61:7
understanding 68:21
undertake 22:14
undertaken 6:9
unenviable 14:12
unfair 19:8 52:5,6 54:14
65:8
unfairness 55:7
unfinished 13:12
Unfortunately 5:5 9:12
57:5
unhappiness 6:11
uniform 7:5 14:13 30:8
universal 10:22 17:21
18:9 22:18 26:13
53:20 64:20
universally 5:17
unmet 37:3
unnecessary 38:2
unreliable 5:18
update 16:22 32:2,5,7
use 8:4,21 9:14 12:17
18:8,13 20:12,21 23:8
23:11 41:2,9 44:22
45:13
user-fee 8:14
users 6:2 24:13
uses 41:20
usual 42:11
utilization 42:20

V

vacant 74:4
vacants 74:7
valuable 14:20 47:15
value 7:17 72:6
van 44:14 45:21 46:8
vans 8:2 46:19 47:1
Vasquez 52:19,22 53:5
53:6 55:22 56:4,10
vehicle 12:14 15:9,10
19:14,20 21:10 22:18
24:17 26:22 27:1,10
27:14 28:2,4,8,12,16
28:18,21 30:10 35:2
36:20 38:12 39:4 40:4

41:2,3,20 42:19 59:5
65:12,14 66:6 67:20
67:21
vehicle's 30:12
vehicle-for 19:11
vehicle-for-hire 9:4
19:19 34:20
vehicles 7:3,9,18 9:14
9:22 11:7,13 12:17
13:18 17:5 18:15,21
19:2,4,22 22:10 24:4
24:6 25:15 27:7,8,19
30:7,20 31:3,7,9 41:9
41:13 42:5 43:7 66:13
vehicles-for-hire 20:6
venue 67:16
verbal 4:8 17:9 26:2
29:6 32:13 44:5 47:19
version 49:6
VI 2:22
viability 14:17
viable 19:20 36:12 37:7
43:4
vicinity 22:19
vigorous 19:6
Virginia 77:6,7
virtue 31:1
visitors 13:3 18:13
21:16 34:21
vital 14:10
voluntary 40:15
vote 15:6,17 16:6,16
17:19 26:3,19 30:2
32:1,22 33:17 34:10
45:19 48:1
voted 16:13 17:16
26:11 29:14 32:19
34:5 43:19 48:4
votes 3:21 16:10 17:13
26:8 29:11 32:16 34:2
43:16

W

wait 37:17 38:18 39:4
75:3
waited 61:1
waiting 73:19,21
walk 7:16
want 4:6 9:14 10:1
20:13 53:17 57:22
58:15,20 67:5 69:7
70:8,22 75:5,21 78:1
78:6
wanted 33:3 53:9,13
78:14
wants 47:17 61:19
70:15
warehouse 4:20

Washington 1:10 57:1
57:21 63:4 64:15 66:7
66:16
way 12:2 60:20 61:5
we'll 15:16 80:18
we're 56:14 62:12 70:22
79:14
we've 46:17 61:17,17
67:12,13
website 36:16
Wednesday 1:7 3:10
week 39:18 73:10 78:9
welcome 53:3 61:10
went 72:10 73:7 77:7,12
whatsoever 45:18
wheelchair 7:18 12:11
12:13,14 13:18 15:10
18:15 20:4 22:20
25:11,13,14 27:7,15
28:1,5,16,18,21 31:8
31:17 41:7,13,19
65:11,13
wheelchairs 47:3
windfall 65:9,19 68:11
WMATA 7:22 44:21
45:1
word 55:13
work 14:8,18 35:9 58:1
63:6,21,22,22 69:10
72:13 76:4,6,10
workable 11:22
worked 35:8,9 42:21
76:5
worker 53:7 57:5
working 46:16 54:7
76:2,3,14
world 6:13 13:6,10
22:11 79:11
world's 6:14
worldwide 13:8
would-be 50:2
wouldn't 55:4
write 63:12 74:17 75:16
writing 74:16
wrong 14:1 72:9
wrote 63:12

X

Y

Y-A-A-K-O-U-B 75:7,7
Yaakoub 75:5,6,6,7,7
76:6,12,15
year 30:14 45:8 50:5
52:7
years 5:2 9:6 12:5,11
18:16 20:17 21:13
27:8 28:4,6 35:18

36:21 39:15 40:7
 42:22 46:1 49:17
 51:19 52:1 54:19 57:2
 57:3,8 59:1 60:20
 61:12 62:21 63:4
 66:15 67:2 72:6 75:9
 75:17,17 76:16 78:6
 79:21 80:1,2

Z

zone-based 6:18

0

1

1 5:11 15:17 77:7
1,000 39:20
1.6 61:14
10 1:7 15:8 26:21 28:7
 29:4 34:8,13 43:9,10
 65:8
10:00 1:10
10:35 3:11
10:36 3:2
100 12:10 21:1 27:6
 38:21 62:1
1010 30:18
10th 3:11
11 33:2,18 34:7,8 43:9
11/19 55:17
12 15:19 16:7,15,21
 28:6 43:22 63:21
 66:14
12/10/14 15:15
12:04 80:21
120 31:7
13 44:14 63:21
14 15:11 16:18 17:17
145 50:20,22
15 2:18
1500 21:2
16 17:21 26:13 44:7
18 32:2,8 36:5
180 31:19
19 45:20
1930s 49:16
1985 79:6

2

2 16:16 77:12
2,000 24:6
2009 49:4,7,19 50:6,13
 52:7,13 53:7,11 54:13
 54:16 55:10
2010 50:4 51:9 54:17
2011 5:11
2012 6:16
2013 49:22 50:15,17

71:20
2014 1:7 38:14,21
2015 36:21 39:15 40:7
 42:17
2016 36:21 39:15 40:7
 42:17
25 62:21 63:4 78:6
28 77:2

3

3 2:10 17:19 77:20
30 12:5 29:20 33:15
 44:12 57:2,3 72:6
31 9:13 59:4 71:15

4

4 2:14 26:19 44:7
4.4 39:3
40 73:19
400,000 38:15
441 1:10
49 2:20
4th 1:10

5

5 15:8 26:21 28:9 29:4
 30:5,6 32:19
50 55:1
505.2 59:4
5950 39:19

6

6 15:4,6 26:21 27:16,17
 28:9 29:4 30:15 32:2
 32:19
6,141 39:11
60 31:20 77:21,22 78:3
609 27:21 30:13
67 75:17
671 50:19,22 51:3 55:14
 55:15

7

7 31:10 32:20
7.5 39:4
70 49:17 54:19

8

8 31:22 32:20 33:1,18
 34:7 44:7

9

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This is to certify that the foregoing transcript

In the matter of: Commission Meeting

Before: DC Taxicab Commission

Date: 12-10-14

Place: Washington, DC

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