

## DEPARTMENT OF FOR-HIRE VEHICLES

### NOTICE OF SECOND EMERGENCY RULEMAKING

The Acting Director of the Department of For-Hire Vehicles (“Department” or “DFHV”), pursuant to the authority set forth in Sections 8(c) (2), (3), (7), and (19), 14, and 20a, of the District of Columbia Taxicab Commission Establishment Act of 1985 (“Establishment Act”), effective March 25, 1986, effective March 10, 2015 (D.C. Law 6-97, as amended by the Transportation Reorganization Act of 2016, effective June 22, 2016 (D.C. Law 21-0124); D.C. Official Code §§ 50-301.07(c) (2), (7), (19) and (20), 50-301.13, and 50-301.20 (2012 Repl. & 2015 Supp.), hereby gives notice of the adoption, on an emergency basis, of amendments to Chapter 20 (Fines and Civil Penalties) of Title 31 (Taxicabs and Public Vehicles For Hire) of the District of Columbia Municipal Regulations (DCMR).

This second emergency rulemaking is necessary as the Department finds there is an immediate need to preserve and promote the safety and welfare of District residents to ensure that civil fines are immediately available civil penalties for serious violations such as fraud, misrepresentation, larceny, aggressive driving, and illegal driving maneuvers, and for numerous other violations as set forth in § 816. This second emergency rulemaking amends the recently-adopted Chapter 20, published as final in the D.C. Register on May 20, 2016, to add civil fines for serious violations such as fraud, misrepresentation, larceny, aggressive driving, and illegal driving maneuvers, and for numerous other violations as set forth in § 816. Prior to the enactment of Chapter 20, these violations were punishable by a \$500 civil fine for “unlawful activities” under a schedule of fines in § 825, in addition to other civil penalties (vehicle impoundment, and license suspension, revocation, or nonrenewal). When Chapter 20 was published as final, however, fines for these violations were inadvertently omitted. The Commission therefore finds there is an immediate need to preserve and promote the safety and welfare of District residents by ensuring that lawful, reasonable, and appropriate civil fines are immediately available for these violations, in addition to civil penalties other than fines

Notice of emergency and proposed rulemaking was adopted by the Department on June 29, 2016 and has not yet been published in the *D.C. Register*. The emergency rulemaking, which expires on October 27, 2016, took effect immediately. This second emergency rulemaking, which took effect immediately, was adopted by the Department on October 6, 2016 and shall remain in effect for one hundred and twenty (120) days after the date of adoption (expiring February 3, 2017), unless earlier superseded by an amendment or repeal by the Department, or the publication of final rulemaking, whichever occurs first.

#### **CHAPTER 20, FINES AND CIVIL PENALTIES, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, of the DCMR is amended as follows:**

**Subsection 2000.8 of Section 2000 is amended as follows:**

**SCHEDULE 3 (Fines for Entities, Owners, and Operators) is amended as follows:**

The fine for fraudulent and unlawful actions is amended to read as follows:

**Schedule 3**  
**Fines For Entities, Owners, and Operators**  
**Maximum Fines Based On Circumstances**

|  |              |
|--|--------------|
| <p style="text-align: center;"><b>Fraudulent and unlawful actions</b></p> <ul style="list-style-type: none"> <li>• Falsifying or tampering with manifest (§ 823)</li> <li>• Displaying, possessing, or presenting a fraudulent copy or altered government issued operator identification (Face) card or vehicle inspection (DCTC) card (§ 814.7)</li> <li>• Tampering with meter or meter seals (§ 1323)</li> <li>• Knowingly operating with non-functioning meter or operating without a meter</li> <li>• Improperly sealed meter (§ 1321)</li> <li>• Improper conduct and/or unlawful actions (§ 816)</li> </ul> | <p>\$500</p> |
|--|--------------|