

DISTRICT OF COLUMBIA TAXICAB COMMISSION

NOTICE OF FINAL RULEMAKING

The District of Columbia Taxicab Commission (“Commission”), pursuant to the authority set forth in Sections 8(c) (2), (3), and (19), and 14 of the District of Columbia Taxicab Commission Establishment Act of 1985 (“Establishment Act”), effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code §§ 50-301.07(c) (2) (3), and (19), and 50-301.13 (2014 Repl. & 2015 Supp.)) hereby gives notice of its intent to adopt amendments to Chapters 8 (Operating Rules for Public Vehicles for Hire) and 16 (Dispatch Services and District of Columbia Taxicab Industry Co-Op) of Title 31 (Taxicabs and Public Vehicles For Hire) of the District of Columbia Municipal Regulations (DCMR).

This final rulemaking amends Chapter 8 to: (1) encourage the use of shared riding through a clarified structure for calculating shared ride fares which incentivizes the adoption of digital meters, an innovative technology that would apportion shared ride fares in a manner that maximizes consumer choice and operator income; and (2) broadens the ban on electronic refusal to haul, to protect consumers and support the agency’s efforts to eliminate discrimination in for-hire transportation. The rulemaking also amends Chapter 16 by clarifying the implementation date by which all taxicab operators must be logged in to the DC TaxiApp while providing service.

Proposed rulemaking was adopted by the Commission on January 20, 2016 and published in the *D.C. Register* on May 20, 2016 at 63 DCR 007704. The Commission received no comments during the comment period expiring June 20, 2016. Changes made from the proposed rulemaking were to correct grammar and typographic errors, clarify the Commission’s intent, and lessen the burdens on affected stakeholders. No substantial changes were made from the proposed rules.

The Commission voted to adopt these rules as final on June 23, 2016, and they will become effective upon publication in the *D.C. Register*.

Chapter 8, OPERATING RULES FOR PUBLIC VEHICLES FOR HIRE, of Title 31 DCMR, TAXICABS AND PUBLIC VEHICLES FOR HIRE, is amended as follows:

Section 801, PASSENGER RATES AND CHARGES, is amended as follows:

Subsection 801.8 is amended to read as follows:

801.8 Charges for group and shared rides shall be assessed as follows, and in the manner set forth in an applicable administrative issuance:

(a) For shared rides:

- (1) In vehicles with digital meters: only one flag drop rate shall be charged, without regard to the number of destinations. Shared rides may be arranged through digital meters approved by the Office pursuant to § 602, which shall allow passengers to apportion the total fare in a manner that maximizes consumer choice and operator income pursuant to an administrative issuance; and

- (2) In vehicles with legacy (non-digital) meters: as each passenger reaches his or her destination, the metered fare shall be paid by the passenger(s) leaving the taxicab, at which time there shall be a new flag drop and the passenger(s) remaining in the group shall pay in the same manner until the last passenger(s) arrives at his or her destination and the final metered taxicab fare is then paid. There shall be a new flag drop for each leg of the trip.
- (b) For group rides booked by street hail, telephone dispatch, or digital dispatch, and paid through in-vehicle payment, the metered fare, including the additional passenger fee under § 801.7(c)(2)(E), shall be paid by the last passenger(s) leaving the taxicab.
- (c) For group rides booked by digital dispatch and paid through digital payment, the fare shall be charged and paid consistent with all applicable requirements of this title applicable to a trip which is not a group ride.

Section 819, CONSUMER SERVICE AND PASSENGER RELATIONS, is amended as follows:

A new Subsection 819.12 is added to read as follows:

819.12 Proof that an operator has failed to accept two (2) or more requests for service transmitted to the operator through the app of any DDS registered with the Office under Chapter 16, including but not limited to the DC TaxiApp, during the same two (2) hour period of any tour of duty, shall be treated as a refusal to haul under § 818.2 or § 819.5, unless the operator’s actions do not violate either: the District of Columbia Human Rights Act, D.C. Official Code § 2-1401.01, *et seq.*, Title 4 of the D.C. Municipal Regulations, or any other applicable anti-discrimination law or regulation; or any policy maintained by the DDS.

Chapter 16, DISPATCH SERVICES AND DISTRICT OF COLUMBIA TAXICAB INDUSTRY CO-OP, is amended as follows:

Section 1612, DISTRICT OF COLUMBIA UNIVERSAL TAXICAB APP, is amended as follows:

Subsection 1612.1 is amended to read as follows:

1612.1 Not later than one hundred eighty (180) days after the effective date of this section (“implementation date”), each DCTC taxicab operator shall at all times throughout each tour of duty:

- (a) Be logged into the District of Columbia Universal Taxicab App (“DC TaxiApp”); and
- (b) Be able to timely receive and accept all requests for service.