

DISTRICT OF COLUMBIA TAXICAB COMMISSION

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The District of Columbia Taxicab Commission (Commission), pursuant to the authority set forth in section 8(c)(2) of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code §§ 50-310(a) (2009 Repl.; 2012 Fall Supp.)); section 12 of the 1919 District of Columbia Taxicab Act, approved July 11, 1919 (41 Stat. 104; D.C. Official Code § 50-371 (2009 Repl.)); hereby gives notice of its intent to amend Chapters 1 (District of Columbia Taxicab Commission: Rules of Organization), 4 (Taxicab Payment Services), 8 (Operation of Taxicabs), 11 (Public Vehicles for Hire Consumer Service Fund and 12 (Luxury Services – Owners, Operators and Vehicles) of Title 31 (Taxicabs and Public Vehicles for Hire) of the District of Columbia Municipal Regulations (DCMR).

The proposed amendments: (1) clarify that the Chairman shall designate in an administrative order the employee who shall serve as Secretary to the Commission, (2) update existing fees authorized by the Commission, (3) propose new fees that may be charged by the Office, (4) clarify the exact amount of the integration service fee, and (5) correct inconsistencies in this title as it relates to the amount of the passenger surcharge.

These rules are necessary to fund operations without which the Office cannot offer testing or licensure to new drivers in the District. Further, as a result of Section 2(j)(1) of the Public Vehicle for Hire Innovation Amendment Act of 2013, effective April 23, 2013 (D.C. Law 19-270; 60 DCR 1717) (“Innovation Act”) the Office must be “actively accepting and processing applications for the licensure of public vehicle-for-hire operators and vehicles” in order to enforce violations of intra-District transport. Without setting these fees, the Office cannot prohibit intra-District transport by non-District drivers, which unfairly impacts District public vehicle for hire owners and drivers. These rules serve an immediate need to preserve and promote the safety and welfare of the District taxicab industry and the District residents and visitors they serve.

These rules will also comply fully with Sections 8(c)(19) and 20a(g) of the Taxicab Service Improvement Amendment Act of 2012, effective October 22, 2012 (D.C. Law 19-184; 59 DCR 9431) (“Improvement Act”), and Section 2(b)(3) of the Innovation Act, both of which are expected to be applicable on October 1, 2013 (pursuant to Sections 7007, 7017, and 10001 of the Fiscal Year 2014 Budget Support Act of 2013, passed on second reading on June 26, 2013 (to be enrolled version of Bill 20-199)); and Sections 7007, 7017, and 11001 of the Fiscal Year 2014 Budget Support Emergency Act of 2013, passed on emergency basis on June 26, 2013 (Enrolled version of Bill 20-337)).

The rules were adopted on September 11, 2013, and will become effective on Friday, September 13, 2013. The Commission also hereby gives notice of the intent to take final rulemaking action to adopt proposed rules in not less than thirty (30) days after the publication of this notice in the *D.C. Register*.

Chapter 1, DISTRICT OF COLUMBIA TAXICAB COMMISSION: RULES OF ORGANIZATION, is amended as follows:

Subsection 101.2 is amended to read:

101.2 The Secretary to the Commission shall be an employee of the Office of Taxicabs designated by his or her position title in an administrative order issued by the Chairman. Contact information for the Secretary shall be posted on the Commission's website.

Chapter 4, TAXICAB PAYMENT SERVICES, is amended as follows:

Section 499, DEFINITIONS, is amended as follows:

Subsection 499.2 is amended as follows:

The definition of "Integration service fee" is amended to read as follows:

"Integration service fee" - a thirty five cent (\$0.35) fee paid by the vehicle owner to the PSP for the use of the MTS whenever a digital payment is made.

Chapter 8, OPERATION OF TAXICABS, is amended as follows:

Subsection 827.1, Annual Operator ID License, is amended to add:

New Face Card with security features (D.C. OneCard): \$12.50 per card

Subsection 827.1, Pre-License Testing, is amended to read:

Pre-License Testing

First Testing:	\$100
Second and additional testing:	\$30

Chapter 11, PUBLIC VEHICLES FOR HIRE CONSUMER SERVICE FUND, is amended as follows:

Subsection 1103, PASSENGER SURCHARGE, is amended as follows:

1103.1 Each trip provided in a public vehicle for hire licensed by the Office shall be assessed a twenty-five cent (\$0.25) per trip passenger surcharge.

A new subsection 1104 is added to read:

1104 FEES

1104.1 The following fees, in addition to any other fees prescribed by this title, and in accordance with applicable law, shall be paid to the Commission and deposited into the Public Vehicle for Hire Consumer Service Fund:

Proposed MTS Application Fee (§ 403.3):	\$1000
Per Vehicle Registration Fee -- Initial and Renewal Applications (§§ 501 or 1202)	\$50
Late Renewal Application Fee – Taxicab Company, Association or Fleet (§ 501.9)	\$250
Late Renewal Application Fee – Public Vehicle for Hire Owner/Operator (§ 1014.3)	\$25 (1 – 15 days late) \$50 (16 – 50 days late) \$100 (31 – 45 days late) \$150 (45 – 90 days late)
Late Renewal Application Fee – PSP or DDS (§§ 406 or 1604.6)	\$500
Transfer of Ownership – Taxicab Company, Association, or Fleet (§ 507.2)	\$500
Digital Dispatch Service Amend Fee (§§ 1604.3(c) and 1604.5)	\$300
Digital Dispatch Service Application Fee – (§1604.3(c))	\$500
Pair of vehicle registration stickers	\$1.00
Taximeter cable seals (§ 1323)	\$0.50

Chapter 12, LUXURY CLASS SERVICES, is amended as follows:

Subsection 1202.1 is amended to read as follows:

1202.1 No LCS organization, or owner of an independently operated LCS vehicle, shall operate in the District without first paying the applicable fee and obtaining a certificate of authority to operate. Applicable fees are as follows:

- (a) LCS organizations: four hundred seventy five dollars (\$475), and;
- (b) Owners of independently operated vehicles: two hundred fifty dollars (\$250).

Copies of this proposed rulemaking can be obtained at www.dcregs.dc.gov or by contacting Jacques P. Lerner, General Counsel and Secretary to the Commission, District of Columbia Taxicab Commission, 2041 Martin Luther King, Jr., Avenue, S.E., Suite 204, Washington, D.C. 20020. All persons desiring to file comments on the proposed rulemaking action should submit written comments via e-mail to dctc@dc.gov or by mail to the DC Taxicab Commission, 2041 Martin Luther King, Jr., Ave., S.E., Suite 204, Washington, DC 20020, Attn: Jacques P. Lerner, General Counsel and Secretary to the Commission, no later than thirty (30) days after the publication of this notice in the *D.C Register*.