

**DEPARTMENT
OF
FOR-HIRE VEHICLES**

ADMINISTRATIVE ISSUANCE

Title: Background Checks for Public
Vehicle-for-Hire Operator's Licenses

Series/Number: AI-2016-008

Approved: June 30, 2016

Revised: n/a

Effective: July 1, 2016

I. BACKGROUND

The Department of For-Hire Vehicles ("Department") has the statutory obligation to establish the standards, conditions, and requirements of public vehicle-for-hire service in the District. To protect the safety of customers and general public, the Department's regulations provide that no person shall operate a public vehicle-for-hire except upon evidence that the applicant possesses good moral character and is otherwise qualified to offer rides to the public. To this end, the Department has issued regulations prohibiting the issuance of an operator's license (commonly called a "face card") to an applicant who has been convicted of, or is on parole or probation for, certain criminal offenses within the three years prior to the filing of the application. The regulations also prohibit the issuance of a license to an applicant who has been convicted of certain traffic offenses or who has eight (8) or more points on his or her driver's license.

II. PURPOSE

This administrative issuance provides guidance on: (1) the items covered by background checks as a means of verifying compliance with the above standards and the applicable regulations; (2) the issuance of provisional operator's licenses (where such licenses are authorized by Title 31) to applicants who meet requirements for safety and consumer protection and are thereafter subject to additional screening prior to the issuance of full licenses; and (3) the use of periodic background checks to ensure ongoing compliance with the above standards and applicable regulations. A background check may be conducted by the Department, by another government agency, or by a private business, as authorized by Title 31 or other applicable law.

III. POLICY

The Department shall not issue a new or renewal operator's license, or a provisional operator's license, to an individual who has not successfully passed the background checks required by this administrative issuance, as follows:

New and Renewal Operator's License

Each applicant for a new or renewal operator's license shall undergo and successfully pass the following background screening:

- (a) A federal Bureau of Investigations fingerprint-based records check or comparable official law enforcement-administered check which provides Federal arrest and criminal conviction history;
- (b) A state and local criminal records check;
- (c) A social security number check;
- (d) A District of Columbia, Maryland and Virginia driving record check; and
- (e) A District of Columbia, Maryland and Virginia Sex Offender Registries check.

Provisional Operator's License

Each applicant for a provisional operator's license shall undergo and successfully pass the following background screening:

- (a) An official law enforcement-administered check which provides federal arrest and criminal conviction history;
- (b) A state and local criminal records check;
- (c) A social security number check;
- (d) An MSA driving record check; and
- (e) An MSA sex offender registry check.

If, at any time, the Department finds that an individual who has been issued a provisional operator's license is not eligible for an operator's license, the Department shall, via the same document:

- (a) Provide notice of its decision to deny a full operator's license to the individual and a summary of the reasons for its decision; and
- (b) Order the immediate suspension of the individual's provisional DFHV operator's license.

The Department shall deny the application for a new or renewal DFHV operator's license of any individual who does not pass all required background checks or who otherwise fails to meet the requirements for a public vehicle-for-hire operator's license.

Background Checks During License Periods

The Department may conduct background checks and receive alerts about licensees during the effective periods of operator's licenses, with or without notice, to support ongoing compliance

with this administrative issuance and with any requirement of Title 31 or other applicable law, as the Department deems reasonably necessary for safety and consumer protection. The Department may take any action authorized by Chapter 7 based on the results of a background check or alert received during a license period.

IV. DEFINITIONS

“MSA” – the multistate area, consisting of the District of Columbia, the State of Maryland, and the Commonwealth of Virginia.

“Provisional operator’s license” – a temporary license that permits the licensee to operate a specific class of public vehicle-for-hire based upon a determination by the Department that the licensee meets sufficient requirements for licensing but remains subject to additional requirements, including additional background screening, prior to the issuance of a full license.

V. AUTHORITY

31 DCMR §§ 1001, 1002, 1004, 1014, 1205, 1206, and 1208; Establishment Act, D.C. OFFICIAL CODE §§ 50-301.13 and 47-2829.

VI. PROCEDURES

None.

SO ORDERED:

DEPARTMENT OF FOR-HIRE VEHICLES

By: Ernest Chrappa
ERNEST CHRAPPA
Acting Director