

**DEPARTMENT
OF
FOR-HIRE VEHICLES**

ADMINISTRATIVE ISSUANCE

Title: New Vehicle Licenses for Operators
Who Surrendered Them From 2007-2011

Series/Number: AI-2017-02

Approved: March 16, 2017

Replaces: N/A

Effective: March 17, 2017

I. BACKGROUND AND PURPOSE

The Department of For-Hire Vehicles (“DFHV”) has adopted final rulemaking to amend Chapters 10, 18, and 99 of Title 31 of the DCMR (“Rulemaking”). This rulemaking was published in the *D. C. Register* on February 24, 2017, and creates a new pathway for applicants to obtain DFHV vehicle licenses. See *D.C. Register* February 24, 2017, 64 DCR at 002254. This administrative issuance provides guidance to individuals who wish to apply for new DFHV vehicle licenses and corresponding DMV “H” tags pursuant to the Rulemaking. For purposes of this administrative issuance, the term “H tags” shall mean both the DFHV vehicle license and corresponding DMV “H” tags that are issued to a taxicab owner.

II. DEFINITIONS

“*Bona fide* reason” - one or more of the following reasons, which reasonably and actually prevented the applicant from working as a taxicab operator in the District or from using his or her H tags, thereby requiring the applicant to surrender his or her H tags pursuant to 31 DCMR § 506 (Taxicab Removal from Service) during the Surrender Period, as defined herein:

- (a) A significant family or personal health need;
- (b) An accident or mechanical condition (regardless of cause) reasonably requiring repairs to the vehicle or replacement of the vehicle which the applicant was unable to afford at the time;
- (c) A legal obligation;
- (d) A military obligation; or
- (e) Any other justification reasonably requiring the applicant to surrender his or her H tags.

Bona fide reasons shall not include voluntary decisions to engage in other types of economic or non-economic activity, such as personal travel or employment in other industries.

“Surrender Period” - July 6, 2007 through and including July 6, 2011.

III. AUTHORITY

District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986, D.C. Official Code §§ 47-2829 (b), 50-301.07 (c) (2) (3), 50-301.13, 50-301.19, and 50-301.29; 31 DCMR §§ 506 and 1010.

IV. PROCEDURES

Each applicant shall complete the online application available [here](#) and submit all required documentation with the application. Each applicant shall have possessed a valid DFHV taxicab operator's license continuously and without interruption since the earliest date by which DFHV determines the *bona fide* reason(s) would no longer have prevented the applicant from operating a taxicab.

The Department shall review the online application and all supporting documentation to determine whether the applicant meets the following requirements:

- (a) The applicant surrendered his or her H tags to DMV during the Surrender Period;
- (b) The applicant surrendered his or her H tags in actual, good faith, reasonable reliance on § 506;
- (c) The applicant has demonstrated that one or more *bona fide* reasons apply in his or her case; and
- (d) The applicant has either:
 - (1) Not previously made a request to DMV for new or "returned" H tags because the applicant actually and reasonably believed that the request would have been futile; or
 - (2) If the applicant made a request to DMV for new or "returned" H tags, the applicant made the request within 12 months following the first business day after the latest date by which the factual circumstances giving rise to the *bona fide* reason(s) ended.

To verify the information provided by the applicant, DFHV may consult any lawful source, including historic electronic trip data.

Each applicant who is not a District resident shall also be required to own and operate an independent taxicab business ("ITVB") in order to receive new H tags pursuant to this administrative issuance. Where required for this purpose, the applicant shall submit an application for an ITVB simultaneously with the application submitted pursuant to this administrative issuance.

Each applicant understands and shall acknowledge that a DFHV vehicle license issued pursuant to this administrative issuance shall be used only for one of the following vehicles:

- (a) A new 100% electric vehicle;
- (b) A wheelchair accessible vehicle not more than two (2) model years older than the current calendar year; or
- (c) Any vehicle which meets the requirements of § 609 and is placed into service under a dispatch agreement with an approved Transport DC provider, which shall be submitted with the One Stop application for the vehicle.

Applicants shall be notified of the decision to grant or deny the application within 21 calendar days from the acceptance of the online application by DFHV.

Each applicant whose application has been approved shall submit a completed One Stop application and place a vehicle, which complies with this administrative issuance, into active service not later than 180 days following the date of the Department's decision.

Each vehicle placed into service pursuant to this administrative issuance shall be equipped with a DTS and a cruising light, consistent with Administrative Issuance [AI-2017-01 \(DTS Implementation\)](#).

SO ORDERED:

DEPARTMENT OF FOR-HIRE VEHICLES

By: Ernest Chrappah
ERNEST CHRAPPAH
Director