

**DEPARTMENT
OF
FOR-HIRE VEHICLES**

ADMINISTRATIVE ISSUANCE

Title: For-Hire Industry Mediation Program

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Revised: N/A

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I. BACKGROUND AND PURPOSE

The Department of For-Hire Vehicles (“DFHV” or “Department”) is authorized to hear complaints and disputes occurring within the vehicle-for-hire industry and to foster positive intra-industry relationships. *See* D.C. OFFICIAL CODE § 50-301.07. Disputes among industry stakeholders – those which do not involve passengers or members of the general public – raise costs and lower supply-side market fluidity among stakeholders. These disagreements concern such subjects as an account balance when a rental operator wishes to transfer from one taxicab company to another, the condition of returned MTS equipment when an owner wishes to change payment service providers, and contract issues between a taxicab company and a supplier of taxicab equipment. These disputes often cannot be resolved without resort to formal legal mechanisms, which are time-consuming for all parties. They are also expensive, with the result that individual operators often feel pressured to accept unfavorable outcomes. To facilitate the fair, prompt, and low-cost resolution of industry disputes, the Department is creating the For-Hire Industry Mediation Program (“FIM” or “Program”) within the Office of Hearings and Conflict Resolution. The Program will be available at no charge to resolve any type of dispute within the vehicle-for-hire industry where all affected parties agree to participate.

II. DEFINITIONS

“FIM” – the For-Hire Industry Mediation Program, a mediation program offered by the Department to resolve intra-industry disputes.

“FIM mediator” — a Department staff member who facilitates one or more sessions of confidential, informal mediation in the Program.

“Provider of for-hire service” – a person that provides any service to or on behalf of the vehicle-for-hire industry, that is licensed, registered and/or regulated by the Department, including without limitation, dispatch businesses (including the D.C. Taxicab Industry Co-op), public vehicle-for-hire businesses, private sedan businesses, and businesses licensed to provide support services such as dome light installation businesses and taximeter installation businesses, or that provides any good or service, including any third-party supplier of taxicab equipment to vehicle owners.

III. AUTHORITY

D.C. Taxicab Commission Establishment Act of 1985, eff. March 25, 1986, D.C. OFFICIAL CODE § 50-301 *et seq.*; 31 DCMR §§ 400 and 600 *et seq.*

IV. PROCEDURES

- (1) Where a dispute exists among two (2) or more providers of for-hire services, the providers may contact the Department together to seek FIM mediation, or any one of them may contact the Department alone, after which the Department shall contact the remaining providers to request their voluntary participation.
- (2) No party is obligated to participate in the Program.
- (3) If all parties agree to mediate, a session will be promptly scheduled. Each party may send one individual to speak on its behalf in mediation sessions, and may be accompanied by one representative, such as an attorney. The FIM mediator may access Department records to prepare for mediation.
- (4) Mediation sessions are confidential and closed to the public. All parties must sign a form in which they agree that all information acquired in a mediation session will be kept confidential by the Department and the parties, and that, in any legal proceeding, no party will attempt to use such information or to subpoena the FIM mediator.
- (5) The mediator will lead the mediation session with the goal of reaching an agreement acceptable to both parties. If the FIM mediator believes that one (1) or more additional mediation sessions will be productive for promptly resolving or narrowing the dispute, the mediator may schedule such sessions.
- (6) The FIM mediator will not provide a binding decision. If a settlement is reached in mediation, the mediator may agree to prepare an agreement for both sides to review with their separate legal counsel, but shall not be required to do so. The FIM mediator will not provide legal advice to the parties.

SO ORDERED:

DEPARTMENT OF FOR-HIRE VEHICLES

By: Ernest Chrappah
ERNEST CHRAPPAH
Director