

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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OFFICE OF THE D.C. TAXICAB COMMISSION

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GENERAL COMMISSION MEETING

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WEDNESDAY
MARCH 9, 2016

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The Commission met at 2235 Shannon
Place, S.E., Washington D.C., at 10:00 a.m.,
Ernest Chrappah, Chairman, presiding.

COMMISSIONERS PRESENT:

ERNEST CHRAPPAH, Chairman
ANTHONY MUHAMMAD, Commissioner

STANLEY TAPSCOTT, Commissioner

LINWOOD C. JOLLY, Commissioner

DOTTI LOVE WADE, Commissioner

STAFF PRESENT:

JACQUES P. LERNER, ESQ., General Counsel

JUANDA MIXON, Secretary to the Commission

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1 P-R-O-C-E-E-D-I-N-G-S

2 10:34 a.m.

3 CHAIRMAN CHRAPPAH: Good morning, and
4 welcome to today's General Commission Meeting. We
5 are located in 2235 Shannon Place, S.E.

6 Today is March 9th, 2016, and the time
7 is 10:35.

8 We have two Commission Action Items,
9 and one Notice of Intended Rulemaking.

10 But before we get in to the substance
11 of today's session, I'd like us to observe a
12 moment of silence for all those who've departed,
13 especially Inspector Ransom.

14 Some of you may be familiar with her,
15 but my experience with her was a little bit
16 different. She started right around the same time
17 that I started, in June, and for the brief moment
18 that we got to know each other, there are a
19 couple of things that stood out to me.

20 One was that she was a very quick
21 learner. The second was that in spite of previous
22 experiences, being an ANC Commission, being an

1 advocate, and working in a different environment,
2 she was very dedicated and committed to public
3 service.

4 She took the time to understand issues
5 that people were facing, and thought about ways
6 to solve their problems while going about their
7 duties in a graceful and professional manner.

8 She's no longer with us, and it's a
9 stark reminder about the icy hands of death. When
10 the time comes, the time is there. You don't
11 know. I don't know. So as we look about, and take
12 a look at this issue, always remember that life
13 is really short, and if there's somebody you need
14 to give a hug to, give a hug to. There is
15 somebody that you have a problem with, speak to
16 them, because you never know.

17 On that note, let's please begin a
18 moment of silence for all those who departed, and
19 again, especially for Inspector Albrette Ransom.

20 (Moment of Silence.)

21 CHAIRMAN CHRAPPAH: Thank you. Last
22 month, I presented a concept for reinventing the

1 vehicle-for-hire industry, and that was in large
2 due to something that almost everybody knows, and
3 that is the landscape and environment, and the
4 new transportation ecosystem that we've been
5 accustomed to has changed dramatically. Granted--

6 AUDIENCE MEMBERS: Can't hear you.

7 CHAIRMAN CHRAPPAH: Granted, the Agency
8 was established in 1985. Over the last 31 years
9 or so, there's been dramatic changes. The last
10 four years, in particular, we've seen increased
11 consumer convenience, different modes of hailing
12 vehicles for hire. But more importantly, we've
13 seen a different set of rules being applied to
14 different classes of vehicles.

15 Our research indicates that there's
16 been some unintended consequences as well. The
17 reality is that there's always legislation, and
18 then we have regulations that either conform to
19 the legislation, or provide a framework for
20 operation.

21 However, increasing complaints of low
22 wages from vehicle-for-hire operators and

1 drivers, increasing incidents of safety
2 incidents, and a clear manifestation of the
3 imbalance and unfair competition, is something
4 that we are hoping to address. We don't think
5 there is a "silver bullet" that will solve all
6 the problems within the industry.

7 However, we can get to the root cause
8 by having constructive conversations, robust
9 discussions, and collaborating to shape the
10 future. The future is in your hands, people. You
11 have an opportunity to shape it, mold it, in a
12 way that will make it more interesting, more
13 safe, and also provide expanded economic
14 opportunities. That is the genesis of what is now
15 called the Xclass.

16 Today, if you've not already had a
17 chance to, we've posted a Notice of Internal
18 Rulemaking, and this is a slightly different
19 pathway of crafting regulations.

20 What we are presenting to the public
21 is an opportunity to see details behind a concept
22 that we talked about at a previous meeting, and

1 to provide input before we start the actual
2 rulemaking process.

3 But what we also know is that the time
4 to act is now, because our failure to do anything
5 will further widen the gap between the private
6 vehicles-for-hire and the public vehicles-for-
7 hire.

8 So I'd like to encourage you all to
9 participate in the conversations, help shape the
10 future. One of the things we're doing on our
11 part, and thanks to Commissioner Jolly for
12 suggesting that, is forming a work group that is
13 diverse, it includes people from all spectrums of
14 the industry, to take a laser focus on some of
15 the issues, and provide recommendations.

16 Public comment is always another
17 opportunity for people to speak their minds, and
18 let us know what they are thinking. Our hope is
19 that within the next 45 days, we will have some
20 solid recommendations and have a stronger
21 foundation to shape the regulation.

22 Nothing has been set in stone now, but

1 at least the public and stakeholders within the
2 industry have a clearer sense of the problems
3 we're trying to tackle, and how the Xclass can
4 address that.

5 There are a couple of announcements
6 that I also want to make, up front. One is about
7 the DC Taxi app. As most of you know, has been in
8 public beta for about a month now. And we
9 published an Administrative Issuance for full
10 integration into, in taxicab equipment.

11 We've also been reaching out to
12 drivers around the ACH information, so that they
13 can get paid faster. So I'd like to ask you to
14 spread the word. However, we've also looked into
15 and will be rolling out a direct pay card. The
16 pay card is like a Visa card, so that whatever
17 money you earn doing electronic hails to the DC
18 Taxi app will be made almost instantly available.
19 We want people to get their money quicker.

20 We also have been reaching out for
21 drivers to send their selfies, or pictures that
22 they would like to be part of their profile. We

1 certainly have pictures of drivers based off
2 applications that were submitted for renewal. But
3 this is an opportunity for you to also provide a
4 different picture, if you so choose to.

5 Furthermore, to underscore the
6 Administration and the Commission's efforts, and
7 commitment, to helping shape the industry, we are
8 also going to be issuing a Request For Proposal
9 for a firm to help reestablish the core in a way
10 that is participatory, and includes all
11 stakeholders.

12 The idea is that once the co-op is put
13 in place, we will transition management and
14 marketing of the app to the co-op. That has
15 always been the commitment of the Agency, and
16 we'll be pursuing that aggressively.

17 We've also had conversations, and
18 looking forward to partnering with some of the
19 taxicab companies to help with driver training
20 and rollout.

21 Some of the companies that we've had
22 initial conversations with include District,

1 Yellow, UVC and VIP. We'll be reaching out to
2 more companies to expand the training base, so
3 that drivers can get the help necessary to adapt
4 to the digital environment that we are in.

5 The second announcement is that we are
6 going to be extending an opportunity for drivers
7 in the vehicle-for-hire industry with a focus on
8 taxi drivers to join, if they are interested, a
9 pilot for delivery services.

10 As you are aware, the industry is
11 evolving quickly, rapidly, and there are
12 different economic opportunities that are coming
13 up. So for drivers who are interested, they can
14 simply just email dctc3@dc.gov at the appropriate
15 time they will onboarded and enrolled to take
16 advantage of additional income opportunities.

17 The third item -- as you know, the
18 fourth item is something that I want to remind
19 you based off the newsletter that just went out.
20 We'll be having a series of regular town halls on
21 March the 17th at 1:30, March 23rd at 10:30, and
22 March 28th at 4:00 p.m.

1 This will be an opportunity for you to
2 speak your mind, or ask me or ask members of my
3 staff, or any of the Commissioners who will be
4 able to attend, questions you have. Also
5 suggestions you have. We are making ourselves
6 very accessible. We are here to serve the people.
7 We are here to serve the industry. So pick one of
8 those days that is most convenient for you, or
9 pick all the dates if you want to attend all of
10 them, so you can get with us directly.

11 The last announcement is that we'll
12 also be following up with all drivers, to make
13 sure that they have valid email addresses, and
14 those who don't have email addresses will get an
15 opportunity to either have a resident agency
16 email address on file, so that we can improve the
17 information dissemination process.

18 There's also a security component to
19 this. As mentioned last year, we are looking to
20 put online some of the services that people come
21 here physically for, and it will be very
22 important for each driver to have their account,

1 so that if, for example, you want to initiate a
2 One-Stop process, you don't necessarily have to
3 come here. You can go online and initiate the
4 process. There are a lot of opportunities that we
5 can take advantage of with electronic
6 communications. But this is just a start.

7 So I know there are some who do not
8 necessarily have a email address. Emails are
9 free. We're looking to providing some training on
10 how you can set up an email address. There are
11 resources at the public libraries.

12 But again, if you don't even want to
13 bother with any of that, what we'll ask is that
14 you designate someone, or an email address where
15 you can receive notifications. It is very
16 important, and at some point, we will require it
17 in order to transact with us.

18 So we want to ease people into the
19 environment where we are operating under, and
20 also expand different channels of communicating
21 with us.

22 So that's it for now. We'll move into

1 the Commission Action Items.

2 The first Commission Action Item
3 covers Chapters 5 and 6, but as is the process,
4 we have to establish a quorum. So before getting
5 in to the substance, I would invite Madam
6 Secretary to call the roll, and see about
7 establishing a quorum.

8 SECRETARY MIXON: Commissioner
9 Ferguson.

10 (No response.)

11 SECRETARY MIXON: Commissioner Jolly.

12 COMMISSIONER JOLLY: Here.

13 SECRETARY MIXON: Commissioner
14 Muhammad.

15 COMMISSIONER MUHAMMAD: Here.

16 SECRETARY MIXON: Commissioner Smalls.

17 (No response.)

18 SECRETARY MIXON: Commissioner
19 Tapscott.

20 COMMISSIONER TAPSCOTT: Here.

21 SECRETARY MIXON: Commissioner Wade.

22 COMMISSIONER WADE: Present.

1 SECRETARY MIXON: Commissioner
2 Chrappah.

3 CHAIRMAN CHRAPPAH: Present.

4 SECRETARY MIXON: Chairman, we do have
5 a quorum.

6 CHAIRMAN CHRAPPAH: Thank you.

7 Chapter 5 clarifies the uniform color
8 requirements as a repainting, as a condition of
9 vehicle extensions, and prohibits legacy numbers.

10 General Counsel, do you want to recap
11 what is in here as we're moving through.

12 GENERAL COUNSEL LERNER: Okay.

13 CHAIRMAN CHRAPPAH: General Counsel
14 confirms my summary pretty much suffices for the
15 notice of the final rulemaking.

16 So at this point, do I have a motion?

17 COMMISSIONER WADE: I move that we
18 accept the final rulemaking as proposed.

19 CHAIRMAN CHRAPPAH: All right. So can
20 we call this item for a vote.

21 COMMISSIONER MUHAMMAD: I have a
22 question. This is Chapter 5 and 6?

1 CHAIRMAN CHRAPPAH: Yes.

2 COMMISSIONER MUHAMMAD: You have to
3 have the car already painted before you can apply
4 for an extension?

5 CHAIRMAN CHRAPPAH: Counsel.

6 GENERAL COUNSEL LERNER: No, I think
7 the interpretation would be that if the vehicle
8 is completely approved for an extension, it meets
9 all the requirements, that at that point it would
10 be required to repaint very quickly, as
11 determined by the Office. So no, wouldn't have to
12 show up for the inspection, painted; no.

13 CHAIRMAN CHRAPPAH: Thank you,
14 Commissioner Muhammad.

15 COMMISSIONER MUHAMMAD: I second.

16 CHAIRMAN CHRAPPAH: Thank you.

17 Okay. Thank you. Madam Secretary, you
18 can call the vote now.

19 SECRETARY MIXON: So this is for
20 Chapter 5 and 6 final rules.

21 Commissioner Ferguson.

22 (No response.)

1 SECRETARY MIXON: Commissioner Jolly.

2 COMMISSIONER JOLLY: Yes.

3 SECRETARY MIXON: Commissioner

4 Muhammad.

5 COMMISSIONER MUHAMMAD: Yes.

6 SECRETARY MIXON: Commissioner Smalls.

7 (No response.)

8 SECRETARY MIXON: Commissioner

9 Tapscott.

10 COMMISSIONER TAPSCOTT: Yes.

11 SECRETARY MIXON: Commissioner Wade.

12 COMMISSIONER WADE: Yes.

13 SECRETARY MIXON: Commissioner

14 Chrappah.

15 CHAIRMAN CHRAPPAH: Yes.

16 SECRETARY MIXON: The vote is five yes.

17 CHAIRMAN CHRAPPAH: Thank you.

18 The second Commission Action Item
19 covers Chapters 10 and 18, and these are proposed
20 rules to authorize new H-tags for licensed
21 operators who surrendered their tags, and who
22 meet current requirements for vehicle licensing.

1 As you all know, H-tags is a "hot topic" in our
2 industry, and over the last eight months or so,
3 we've made significant progress and proposed
4 specific pathways for individuals to become
5 entrepreneurs, and also own their own taxis.

6 What this rule, or proposed
7 rulemaking, touches on is an additional pathway
8 that targets those who previously had vehicle
9 licenses, surrendered them, went out of the
10 country, or have some extenuating mitigating
11 conditions that prompted the surrendering of the
12 tags, and want it back. And it also addresses
13 some of the recommendations in the Panel on
14 Industry's report. Specifically, an individual
15 who is looking for an H tag would have to
16 purchase either a full chassis vehicle two model
17 years old, or an electric vehicle, and also
18 participate in a Transport DC program for three
19 years. There are a few other items that are in
20 there, and General Counsel, do you want to touch
21 on that?

22 GENERAL COUNSEL LERNER: Just

1 amplifying what the Chairman said, the three year
2 period is two years prior to the imposition of
3 the moratorium, which would be July 6, 2010
4 through July 6, 2013, I believe, and there are a
5 number of specific requirements for being
6 considered for the program, that are in the rule,
7 and as the Chairman touched on, bona fide reasons
8 would be looked at very carefully by the office
9 to determine that there was in fact a good,
10 legitimate, and true reason for having
11 surrendered the tags.

12 And the operator has to be a current
13 operator, someone who has worked actively in the
14 industry from the surrender through the present.
15 There is a three year requirement for going into
16 Transport DC, and there is then a -- if the
17 operator is approved, there is a choice. There
18 are three options for getting a vehicle, and one
19 of them that the Chairman -- the Chairman
20 mentioned the first two.

21 The third one is that any vehicle can
22 be chosen if it meets the requirements of the

1 retirement under -- the vehicle retirement rule
2 under 609.7. But if that occurs, then the
3 individual has to replace the car when 3,000
4 Transport DC trips are completed.

5 CHAIRMAN CHRAPPAH: Thank you. Do any
6 of the Commissioners have any questions on this
7 proposed rule?

8 COMMISSIONER TAPSCOTT: Yes. I have a
9 question. What are the views on tag issues? Are
10 we following what we recommended the committee,
11 the 219, I believe, get their tags back with no
12 strings attached? Or I'm confused about that.

13 CHAIRMAN CHRAPPAH: Okay. Counsel will
14 address that. Thanks, again.

15 GENERAL COUNSEL LERNER: Yes. Let me
16 answer. Yes. In the H-tag report, on page -- this
17 is page five, the number of drivers who at least
18 submitted information forms, who said that they
19 surrendered tags, was 232. That's correct.

20 COMMISSIONER TAPSCOTT: 232 --

21 GENERAL COUNSEL LERNER: Yes. It's that
22 group.

1 COMMISSIONER TAPSCOTT: Yes.

2 GENERAL COUNSEL LERNER: That may not
3 fit exactly, because those were the ones who
4 identified themselves as providing the
5 information. But we would assume that it's some
6 number in that range, who would have the ability
7 to apply for the program, and then if they were
8 found to have those bona fide reasons, then yes,
9 they'd be eligible.

10 COMMISSIONER TAPSCOTT: They'd get
11 their tags back with no strings attached?

12 GENERAL COUNSEL LERNER: Yes.

13 COMMISSIONER TAPSCOTT: I mean, don't
14 have to have a wheelchair car and all that?

15 GENERAL COUNSEL LERNER: Not quite. I
16 would say that that is -- that given that things
17 the industry has changed, there are conditions
18 that meet the current conditions of the industry
19 rather than what happened at the time. I mean,
20 these are actually new tags. You know, there
21 isn't any return of an H-tag.

22 These are new tags that are being

1 issued in consideration of the reasons that they
2 turned them in, and so looking at those reasons,
3 which are in the report, this rulemaking would
4 address those fairness issues that were raised by
5 that group of 200 drivers.

6 COMMISSIONER TAPSCOTT: Okay.

7 COMMISSIONER WADE: So I'll just use
8 Mr. Gebremariam as an example. I can't? Okay.
9 Well, we've had several cab drivers who
10 surrendered their licenses, and then when they
11 came back, there was a moratorium in effect, and
12 they could not get their tags back.

13 GENERAL COUNSEL LERNER: That would be
14 covered in that.

15 COMMISSIONER WADE: That would be
16 covered in that.

17 CHAIRMAN CHRAPPAH: Yes.

18 COMMISSIONER WADE: Okay. But to
19 address Commissioner Tapscott who said
20 unconditional license, all licenses have some
21 conditions; right?

22 CHAIRMAN CHRAPPAH: Yes.

1 COMMISSIONER WADE: The conditions are
2 the ones that are current and in keeping with the
3 regs that have been passed since the moratorium
4 was lifted?

5 CHAIRMAN CHRAPPAH: That's correct.

6 COMMISSIONER WADE: Okay. I just want
7 to make clear, make sure the audience is clear,
8 that it's not unrestricted. There are always
9 restrictions on licenses. They come with
10 conditions. So this will be in keeping with the
11 industry norm, but those people who fell into
12 that specific category will now be eligible to
13 get their H-tags back?

14 CHAIRMAN CHRAPPAH: That's correct. And
15 an example is that currently, any new vehicle
16 that is introduced into service will have to be
17 painted in a uniform color scheme. So looking at
18 the environment we are in now, that is a
19 condition that applies now.

20 (Simultaneous speaking.)

21 COMMISSIONER WADE: And they have to be
22 a part of the DC --

1 CHAIRMAN CHRAPPAH: The Transport DC
2 program.

3 COMMISSIONER WADE: Transport DC
4 program.

5 CHAIRMAN CHRAPPAH: Yes.

6 COMMISSIONER WADE: And that's true
7 with any new H-tag; is that correct?

8 CHAIRMAN CHRAPPAH: Not any new H-tag.
9 The Transport DC is an opportunity for drivers to
10 earn money that would otherwise not come to them.
11 So we are saying if you get a vehicle license, we
12 want you to take advantage of those economic
13 opportunities, so that you can also provide a
14 service that is working remarkably well in the
15 city, not only saving millions in subsidies, but
16 also providing a sort of guaranteed revenue
17 stream for those involved.

18 COMMISSIONER WADE: Thank you.

19 COMMISSIONER TAPSCOTT: I'm still a
20 little confused about the 231. Can you explain,
21 have the attorney explain how those 231, what
22 conditions those 231 would be able to get their

1 tags back?

2 CHAIRMAN CHRAPPAH: A couple of things.
3 The 232 is based off people who filed -- I don't
4 want to call it an application -- but submitted a
5 form at that time.

6 COMMISSIONER TAPSCOTT: Okay.

7 CHAIRMAN CHRAPPAH: Some have moved on
8 to other things. Some have even like, you know,
9 acquired full chassis vehicles. Things have
10 changed a little bit. But what we are targeting
11 is specifically those who had a vehicle license
12 at some point, turned it in, want a new vehicle
13 license. There's nothing like an old vehicle
14 license. Who wants a new vehicle license
15 consistent with the needs of the riding public
16 and the industry. So we are saying that's fine,
17 this is an additional pathway, over and beyond
18 all the pathways that have been made available
19 during our term here.

20 COMMISSIONER MUHAMMAD: I have a
21 question.

22 CHAIRMAN CHRAPPAH: Yes?

1 COMMISSIONER MUHAMMAD: Would that
2 include those who do not have a hack license?

3 CHAIRMAN CHRAPPAH: No. Not at all.

4 COMMISSIONER MUHAMMAD: A tag and
5 license are two different things.

6 CHAIRMAN CHRAPPAH: No. Not at all.

7 COMMISSIONER MUHAMMAD: So they have to
8 have the hack license --

9 CHAIRMAN CHRAPPAH: Yes.

10 COMMISSIONER MUHAMMAD: Yes, and
11 continues with it.

12 CHAIRMAN CHRAPPAH: Yes. So if somebody
13 gave up their Face Card, living out of the
14 industry for two years, they wouldn't qualify for
15 this.

16 With that said, do I have a motion to
17 call this for a vote?

18 COMMISSIONER MUHAMMAD: Move.

19 COMMISSIONER JOLLY: Second.

20 CHAIRMAN CHRAPPAH: Madam Secretary.

21 SECRETARY MIXON: This is for Chapters
22 10 and 18, proposed rules.

1 Commissioner Ferguson.

2 (No response.)

3 SECRETARY MIXON: Commissioner Jolly.

4 COMMISSIONER JOLLY: Yes.

5 SECRETARY MIXON: Commissioner

6 Muhammad.

7 COMMISSIONER MUHAMMAD: Yes.

8 SECRETARY MIXON: Commissioner Smalls.

9 (No response.)

10 SECRETARY MIXON: Commissioner

11 Tapscott.

12 COMMISSIONER TAPSCOTT: Abstain.

13 Further clarification.

14 SECRETARY MIXON: Commissioner Wade.

15 COMMISSIONER WADE: Yes.

16 SECRETARY MIXON: Commissioner

17 Chrappah.

18 CHAIRMAN CHRAPPAH: Yes.

19 SECRETARY MIXON: The vote is four yes,
20 one abstain.

21 CHAIRMAN CHRAPPAH: Thank you, Madam

22 Secretary. We'll move to the fourth section of

1 today's agenda, and that is about Government
2 Communications and Staff Reports, and our General
3 Counsel will provide a status of a pending case
4 before the Commission, and also some additional
5 comments before.

6 GENERAL COUNSEL LERNER: Thank you, Mr.
7 Chairman.

8 Yes, this is a status report that was,
9 item that was requested to be put on the agenda
10 by a member of the public. Gebremarium v. DCTC
11 and DCTC v. Teferra who appeals from decisions of
12 the Office of Taxicabs. Those matters were heard
13 by the Commissioners sitting in a quasi-judicial
14 capacity at the February 10th General Meeting of
15 the Commission.

16 At that time, a representative for the
17 individuals was heard, the Office of Taxicabs had
18 an attorney here, Mr. Mingal, who's out at this
19 time, and questions were asked and answered. The
20 Commissioners had an opportunity to discuss the
21 matter publicly, and then at that point, after I
22 think at least an hour, in total, maybe more, the

1 vote was taken on the decision.

2 And then following that vote, the
3 process is that -- and I believe we announced
4 this at the time but I'm going to explain it
5 again -- decisions are now being written to
6 conform with the votes taken by all the
7 Commissioners, and those are now actually
8 actively being written and prepared for
9 consideration and approval by each and every one
10 of the Commissioners. When they're ready and then
11 they agree with them, they will be signed and
12 then there will be an opinion -- there'll be a
13 decision in each of those cases.

14 But at this point, just to make it
15 clear to everyone present, these are contested
16 cases. They adjudicate the rights of these
17 individuals before the Commission. The record is
18 closed. No further argument or evidence is being
19 taken on those matters, and it would not be
20 appropriate, for that reason, to offer any
21 further argument, at this time, addressing either
22 of those matters, and just to note, it wouldn't

1 be fair to the Office of Taxicabs either, since
2 there's no one from the Office of Taxicabs here
3 to respond in the event that such an argument
4 were offered.

5 So I'd just like to offer that word of
6 caution. Thank you.

7 CHAIRMAN CHRAPPAH: With that said, we
8 move to the Public Comment Period.

9 Madam Secretary, could you go over the
10 registered speakers and call them in order.

11 SECRETARY MIXON: Yes. We have three
12 speakers that registered ahead of time, and said
13 that they would bring ten copies of their
14 statements. I will call your name as best as I
15 can. You bring me the statement, and then sign
16 and say and spell your name. Sign in. I will
17 start your time at five minutes.

18 So Mr. -- is it Mehdi Yese. Y-e-s-e?

19 MR. YESE: Yes.

20 SECRETARY MIXON: Okay, sir.

21 So yes, sir, if you could speak into
22 the microphone, say your name, spell it, and then

1 I will start with the time.

2 MR. YESE: Sure. My name is Mehdi
3 Yese. It's M-e-h-d-i Y-e-s-e.

4 SECRETARY MIXON: You may start.

5 MR. YESE: Okay. And before we start,
6 obviously five minutes is not enough for me to go
7 over everything here, and I have actually another
8 guest speaker here who is registered. His name is
9 Tarik Hossain. And if the Commissioners, they
10 release and gives me the permission, he would
11 like to yield at least four minutes of his time,
12 so that I'll have a little bit extra time, and
13 then he will continue with the remaining time.

14 CHAIRMAN CHRAPPAH: No. You have your
15 five minutes, and then we'll give other people
16 the opportunity, and time provided, we'll
17 consider, we'd like to ask him to speak for
18 himself.

19 MR. YESE: Okay. Okay, sir. Then I'd
20 like to skip a lot of pages here. The first ones
21 that I'm going to miss, skip, is the Who am I?
22 And then why I'm here today. Maybe I'll start

1 with why I'm here today.

2 I'm here today because we've been
3 getting harassed a lot with DCTC Safety
4 Inspectors. I mean, how would you feel if you get
5 15 tickets at, at three, three -- three times?
6 Each time you'll get five tickets, and they'll
7 look something like this.

8 So I'm here today because of that, and
9 my drivers are scared to drive in Washington,
10 D.C., and I want to know, what do you require
11 from me and from my drivers? That's why I'm here,
12 because I want to end this menace that's keep
13 repeating in a vicious circle.

14 We get these tickets, we go to court,
15 it gets dismissed, and then we see other DCTC
16 Hack Inspectors pulling us over and giving the
17 tickets. The vicious circle continues on.

18 So today, I'd like to ask the panel:
19 What do we need to do?

20 CHAIRMAN CHRAPPAH: Mr. Mehdi, you may
21 not be aware, there's a process. This is not a
22 question-and-answer session.

1 MR. YESE: Okay. So where can I get
2 like answers to --

3 CHAIRMAN CHRAPPAH: If you go to our
4 website, you have multiple channels to submit
5 questions.

6 MR. YESE: I did, but the responses
7 that I got were either six months later, when I
8 submitted emails, and I have those emails, or if
9 I call or leave a message, and, you know, I will
10 not get anything in return. That's why I came
11 here. And I have never ever gone this, before, in
12 my life, came in front of a Commissioner, talk
13 like this. And I'm sure there are thousands of us
14 in same shoes, outside, the streets in
15 Washington, D.C., having the same issues about
16 DCTC Hack Inspectors problem, the harassments
17 that we're having.

18 I have a lot of problems that I can
19 talk to you here, and it'll take at least an
20 hour. But of course since you have given me only
21 five minutes, I can talk so much. So if you
22 cannot, then I'll just, you know, go over these

1 slides real quickly, and I list a couple of
2 things under Hack Inspectors. Rude officers.
3 There are no integrity, no professionalism, and
4 they're predetermined to give tickets. No
5 listening abilities are there with, with your
6 Hack Inspectors. You will expect officers to
7 have integrity and professionalism. Instead, they
8 usually scream and will not let you answer their
9 questions because they already know the answers,
10 and predetermined to give tickets.

11 So whatever the situation is, they
12 will ask the question, then answer it by
13 themselves, without letting us respond to their
14 questions. This is a madness. Power tripping is
15 the key word. Power tripping is the key word.
16 They know that they can do anything they want,
17 and they like to show off their power, and, and
18 issue as many tickets as they can issue, and then
19 most of the time judges dismiss the tickets.
20 This madness is created by power-tripping
21 officers , and the vicious circle continues on
22 every day. And their lives. Just recently, one of

1 my driver was ticketed for no insurance.

2 You know what the DCTC Hack Inspector
3 did? He took the documents, and then he stole
4 the insurance documents from the driver, gave him
5 a ticket for no insurance. Can you believe it?

6 So my question is -- obviously you're
7 not going to answer right now -- what we should
8 do next time if something like this happens?

9 Should we call the police presence, or should we
10 start recording the events, so that we'll have
11 some kind of proof in our hand, and we'll say,
12 hey, look, here's, here's what happens.

13 Otherwise it'll be my word against
14 his, obviously. Or should we just stay at their
15 mercy? Harassment is, is happening any way
16 possible.

17 One of my driver again -- he stopped
18 for bathroom, came back, and there was a ticket,
19 and he thought it was a parking ticket. It turns
20 out to be loitering ticket. And I didn't realize
21 it up until he, he, he gave it to me. And then I
22 asked him what happened.

1 He said, well, I just used the
2 bathroom, came out, and I had this ticket. So
3 this is clear indication that they do not want us
4 to be present anywhere, even if, if you have to
5 go to the bathroom or something like that. Okay.

6 Another time, the driver got tickets
7 because he was waiting for a tow truck. His --
8 his car was broke down, he was overheated, and he
9 was waiting and he was ticketed.

10 So this, this is about, about DCTC
11 office, in general, and the problems that we are
12 facing every day.

13 The licensing issue. What is UberX?
14 What is Lyft? I know that we are -- they are
15 here, and, and they're, they're driving in their
16 private cars, and we are fully licensed. We have
17 for-hire tags. We have WMATC. And then we're
18 operating, you know, with, with full, full
19 insurance, and these guys are picking up people
20 anywhere they like. How can you regulate private
21 vehicles?

22 SECRETARY MIXON: Okay. Sir, your five

1 minutes is up.

2 MR. YESE: But you can go ahead and
3 take a look at all, all the items here, and I
4 tried to do as, as quick as possible, but I wish
5 that we had more time to talk about this. This is
6 a big problem in the city, and it's not going
7 away. I think what I'm going to do is I'm going
8 to start getting other drivers involved, sign up,
9 and then get a petition. I don't know how many
10 thousands of drivers I would get, and then
11 present you this. Maybe at that point, you'll
12 give me more time --

13 CHAIRMAN CHRAPPAH: Thank you, Mr.
14 Mehdi.

15 Thank you for your comment. Perhaps
16 some of your colleagues will on-board you on some
17 of the things that have changed over the last few
18 months, and as much as we want to educate the
19 general public, there are a couple of things that
20 we will address, head on.

21 For one, we take these allegations
22 you've made seriously. I can assure you that

1 before the next Commission meeting, you'll
2 receive a written statement addressing the
3 allegations you've made, factual inaccuracies
4 will be corrected, and you'll be asked to provide
5 direct evidence on some of the allegations that
6 you made.

7 And if you cannot substantiate them,
8 we'll look in to it, and encourage you to only
9 come forth with things that are factual, so that
10 you don't damage the reputation of the industry.
11 Quite too often, we hear things of this nature,
12 and when we are provided facts, we take action.

13 We take comfort in the fact that there
14 is an adjudication system that is independent of
15 the actions taken by the Commission. That is why
16 there is the Office of Administrative Hearings.

17 So again, thank you for the feedback.
18 You may not be aware, perhaps you are, there is
19 something on our website called Inspector
20 Feedback, and every single message that comes out
21 of it is responded to. So I can assure you,
22 you'll be hearing from us. Thank you.

1 Next speaker, Madam Secretary.

2 SECRETARY MIXON: Yes. Mr. Tarik
3 Hossain, if I'm saying it right. H-o-s-s-a-i-n.

4 MR. HOSSAIN: Yes.

5 SECRETARY MIXON: Okay. You have your
6 statement with you, sir?

7 MR. HOSSAIN: No, I don't have a
8 statement with me.

9 SECRETARY MIXON: Okay.

10 CHAIRMAN CHRAPPAH: You don't have a
11 statement?

12 MR. HOSSAIN: No. I do not.

13 CHAIRMAN CHRAPPAH: You have two
14 minutes, as a courtesy to others. Five minutes
15 for written statements. No written statement --
16 two minutes.

17 SECRETARY MIXON: So yes. If you would
18 sign in, say your name, spell it, and then I will
19 start the time.

20 MR. HOSSAIN: Tarik Hossain. T-a-r-i-
21 k. H-o-s-s-a-i-n.

22 SECRETARY MIXON: Sir, you may start.

1 MR. HOSSAIN: Hi. I'm a legal driver.
2 I live in the State of Virginia, and I do have to
3 come to D.C. to pick up client, and lift them and
4 pick up.

5 I do have also a 31C license, and when
6 I was getting that, I did read that, that if
7 there is a prearrangement to pick up client from
8 D.C., I'm allowed to do that. And I was doing
9 same thing all the time. I was still getting
10 ticket, even though I have 31-C license. Also I
11 have many feeds. So I was thinking, is there
12 any, any possibility that I can do this job,
13 continue job, or should I take retirement?

14 CHAIRMAN CHRAPPAH: Okay. Thank you. Is
15 that the end of your statement?

16 MR. HOSSAIN: Yes. That's all.

17 CHAIRMAN CHRAPPAH: All right. Thank
18 you.

19 MR. HOSSAIN: Thank you.

20 CHAIRMAN CHRAPPAH: And as Mr. Tarik
21 posed his question, we'll address those things.
22 But we don't dictate how long people should work,

1 where they work, and you guys know that. But I'd
2 also like to refresh the audience memory to some
3 of our outreach efforts. Specifically, we hosted
4 training workshops for black cars, limo
5 operators, where we went over what is Title 31,
6 what is the definition of loitering, what is the
7 definition of point to point, and the most
8 frequently-issued tickets, and how drivers and
9 operators can be in a position where they are not
10 subject to those things.

11 I don't have the roster here in front
12 of me, obviously, but if there are limo operators
13 here who missed those sessions, we would
14 encourage them to get in touch with our Client
15 Services, and we'll look for an opportunity to
16 provide more workshops, because the law is the
17 law and we simply enforce the law.

18 As you also are aware, there was a
19 story about tickets issued, not just by
20 enforcement personnel, but also the Metropolitan
21 Police Department. Tickets are never pleasant,
22 but there are rules that have to be followed, and

1 the Administration will continue to be sensitive
2 to the plight of drivers. But law enforcement and
3 enforcement activities is necessary for safety.

4 Third speaker. Madam Secretary, who do
5 we have?

6 SECRETARY MIXON: Yes. Mr. Addis
7 Gebreselassie.

8 Do you have your statement, sir?

9 MR. GEBRESELASSIE: Yes.

10 SECRETARY MIXON: So again, if you
11 would state and spell your name. Then start. You
12 will have five minutes.

13 MR. GEBRESELASSIE: My name is Addis,
14 A-d-d-i-s, last name, Gebreselassie. G-e-b-r-e-s-
15 e-l-a-s-s-i-e. I'm vice chairman of Washington,
16 D.C. Operators Taxicab Association, affiliated
17 with Teamsters. I'm focusing today, was three
18 major things that very much concern our drivers.
19 One of them is extension of VCMD. The second
20 issue is about H-tag, returning H-tag, and if it
21 is helpful for us if -- only if it does help the
22 drivers about the Xclass, the new format.

1 Our concern is some of our members
2 were denied vehicle extension, which is like very
3 much clear, after they do pass 150 point in
4 vehicle inspection. It is authorized by the
5 Taxicab Commission.

6 The second thing is they have to pass
7 by D.C. DMV station. They have to pass inspection
8 as well, too. After they just pass all this
9 inspection, and remember, they are paying a --
10 for this 150 points inspection, they are paying
11 additional, close to 200 dollars. After that,
12 they are paying fifty dollar for a Taxicab
13 Commission, for that inspection purpose.

14 That's Taxicab Commission, after they
15 are requiring all this documents. All this
16 inspection. They're doing their own inspection.
17 The last inspection when they do, they denied it,
18 the -- the drivers for that extension, which we
19 found it, and we

20 submitted to you. Clearly, why they
21 are going through all this, in the first place,
22 if the Taxicab Commission doing their own

1 inspection? They don't have to send them to some
2 100 point -- 150 points in the first place, if
3 denied by the Taxicab Commission anyway.

4 They paying additional money. If any
5 drivers -- if any drivers, if they don't have
6 enough money to buy all this, they don't want to
7 go through all this. They'd rather buy new cars.
8 Everybody love to drive a new car. But why? What
9 is the reason? It's not even make sense. Just
10 make them to pay all this fees, money, after that
11 denied by the Taxicab Commission.

12 I submit all the letters, denied by
13 the Taxicab Commission.

14 The second issue is it is not clear,
15 now, about the, the 231 drivers, which, that you
16 said they are -- you are going to return their
17 tag without any attachment. Or it is not clear
18 now. We need the clarity of this. For instance,
19 are they have to buy a wheelchair-accessible car
20 in order for them to get their H-tag? I mean, if
21 you can, would you please answer me that
22 question, because everybody's not even -- it's

1 not clear for everybody. We need clear things.
2 How you return. You return their tag to them or
3 you just attach something, make them to buy only
4 the wheelchair-accessible cars?

5 CHAIRMAN CHRAPPAH: You waiting for
6 me?

7 MR. GEBRESELASSIE: Yes. I mean --

8 CHAIRMAN CHRAPPAH: I mean, you should
9 know better.

10 MR. GEBRESELASSIE: I mean, if you can
11 -- if you can, this is -- this is the ruling
12 today, so clarity of something. Everybody can
13 understand it. Are -- are something attached to
14 this, or simply we just told them that, hey, you
15 will get your H-tag? Thank you. That --

16 CHAIRMAN CHRAPPAH: That's four pages
17 of proposed rulemaking.

18 MR. GEBRESELASSIE: I clearly
19 understand. We've gone through a lot of them. It
20 takes all this time. On that purpose, if you told
21 them that to buy a wheelchair-accessible car,
22 that means you already put it on a website,

1 anybody, even new drivers can do that. What is
2 the new thing that we did for them? It is open
3 for everybody. Everybody can buy a wheelchair-
4 accessible car. You -- if they sign up for three
5 years, Transport DC, you issue them H-tag. What
6 is the difference for this 231 people? That's
7 the only question that I have.

8 CHAIRMAN CHRAPPAH: Addis, you will
9 have the pleasure of meeting with our General
10 Counsel, and he's going to walk you through,
11 paragraph by paragraph, and even, if necessary,
12 sentence by sentence, what the proposed
13 rulemaking is intended to. Okay?

14 MR. GEBRESELASSIE: Absolutely, I
15 understand. But today, most of the drivers came
16 here to get some, some clear answer. Are they get
17 their tag back? That's the only question that
18 people have.

19 CHAIRMAN CHRAPPAH: Cheers. Thank you.

20 (Applause.)

21 CHAIRMAN CHRAPPAH: Madam Secretary, do
22 we have any unregistered speakers? We would take

1 two unregistered speakers.

2 SECRETARY MIXON: Okay. May I see
3 hands. I can already tell you, I'm going to pick
4 people that have not spoken before. I want to be
5 as fair as possible. Okay. Sir, one from this
6 side. Sir, in the striped shirt, when he's
7 finished, so you will have two minutes. So as
8 with everybody else, if you will clearly say and
9 spell your name, and then we will start with your
10 two minutes.

11 MR. TEFERI: Thank you very much for
12 this opportunity, for the Commissioners. My name
13 is Kahsay, K-a-h-s-a-y, T-e-f-e-r-i.

14 CHAIRMAN CHRAPPAH: You may start.

15 MR. TEFERI: My name is Kahsay Teferi.
16 I'm a resident of Washington, D.C., 930 M Street,
17 Washington, D.C., zip code 20001.

18 I am a U.S. citizen. I work and I pay
19 my tax as a resident of Washington, D.C. I have
20 been driving, as a cab driver, for more than 35
21 years. I'm -- I'm still driving. I'm still active
22 driver. I have been returning my H-tag, and I get

1 back tag, I get back any time I request to use
2 it. Actually, I have both visits, which I
3 surrendered to the DMV for more than two-three
4 times. I can show it to you for the reference, to
5 DMV.

6 I know the rule and regulation, D.C.
7 Title 31, Chapter 5, Section 502-2. That's DMV.
8 Any car, or your car, if it is out of service, or
9 if you cannot use it, you have to surrender in to
10 forty -- 48 hours. Still, if you go to DMV, it
11 allows, still now, it allows you. Whatever has
12 happened, or if you cannot use your car, or if it
13 is out of service, you have to return back to
14 DMV, you have to return, surrender your tag
15 immediately, even until now. Based on this rule
16 and regulation, I return my tag before, and I get
17 it without any problem. I donate my tag -- I
18 mean my -- I donate my taxi to breast cancer
19 research association. I have the receipts.

20 SECRETARY MIXON: Okay. Sir, your two
21 minutes is up.

22 MR. TEFERI: I just want to conclude

1 that I'm requesting as a resident, I need to get
2 mine back, my, my H-tag. You know, the
3 Commission, not only me, people who are giving,
4 based on the rule and regulations surrounding
5 their tag. We should get our tag back, without
6 any problem. Thank you, so much.

7 CHAIRMAN CHRAPPAH: Thank you, Kahsay.

8 (Applause.)

9 MR. REID: My name is Namon Reid.

10 SECRETARY MIXON: And would you spell
11 it, please.

12 MR. REID: N-a-m-o-n. Reid. R-e-i-d.

13 SECRETARY MIXON: Sir, you may start.

14 MR. REID: I've been driving a cab
15 since 1968, and I was born and raised in
16 Washington, D.C. And I continue to drive a cab,
17 up until now. About 10 or 12 years ago, I decided
18 to turn in my tag and start renting. And the
19 reason I did that, because it was hard getting my
20 cab through inspection, you know, twice a year.

21 So I decided at that time, probably be
22 better for me just to rent. Had I known this day

1 would come, then I'd never turn my tags in. Right
2 now, I would like to ride off in the sunset. But
3 I just can't, cause I don't get enough Social
4 Security to make it on. What I want to do is be
5 able to get my tags back and work. I don't want
6 welfare. I want to work.

7 (Applause.)

8 MR. REID: And my thing is -- give me
9 that opportunity. Like I said, had I known, I
10 would of never turned in my tag, 10-12 years ago.
11 And the reason I don't know anything about
12 writing up for that, the tag thing, cause I was
13 in the hospital back in June, July. So right now,
14 I'm going through it -- you know what I mean. So
15 I just want a opportunity to work. You know,
16 that's all I'm asking. Let me get my tags back.

17 (Applause.)

18 MR. REID: And that being said, just
19 understand where I'm coming from. It's rough out
20 here. Thank you.

21 CHAIRMAN CHRAPPAH: Thank you, Mr.
22 Reid. I empathize to the economic conditions that

1 drivers face. If there was a magic wand to solve
2 all the problems, trust me, I'd be waving that
3 multiple times. But the testimony we've heard
4 today, our understanding of issues that
5 fundamentally affect the industry is not lost on
6 anyone here. We also know, that at least today,
7 we've not had a company representative speak on
8 this issue. But the whole idea about H-tags and
9 industry evolution is a balancing act, and we
10 have to make sure that while we give people
11 expanded opportunities, we don't disenfranchise
12 others.

13 So we are looking to resolve most of
14 the issues in an expedited manner. The commitment
15 to listening, however unpleasant it may be
16 sometimes, will not change. The commitment to
17 finding innovative solutions to some of the
18 complex challenges we have will not change. We
19 are continually going to ask, not for patience,
20 but understanding of the decisions we make,
21 because those decisions are based on weighing all
22 perspectives, all stakeholders' interests, with

1 the understanding that one solution is not going
2 to fit all, but we'll continue providing more
3 solutions to the issues that the industry faces.

4 On that note, I'd like to ask if any
5 of my fellow Commissioners have some words they
6 want to share with the audience.

7 COMMISSIONER WADE: I'd just like to
8 thank everyone for taking time out of their
9 scheduling and discovery order today, to come out
10 and show your support for your industry. This is
11 your industry, and I encourage you to continue to
12 stay together, band together, and let us know
13 your concerns. That's the only way we can address
14 them, is if you vocalize them, either
15 electronically or through the written, old-
16 fashioned written word way. Thank you.

17 COMMISSIONER JOLLY: I would just also
18 add that I think one of the major two issues
19 today here, one being H-tags, and the perceived
20 impact of the changes of the -- that the
21 regulations.

22 But I understand that a lot of people

1 are working, and I run a business, I'm working
2 all the time, and sometimes there are things that
3 I don't see, emails that I don't read. But I'd
4 like to -- I know that the general counsel will
5 be in touch with several of you who have specific
6 concerns about how to do your specific case. Or
7 just if there are any potential ways to get H-
8 tags back, without going through the prescribed
9 application route that's available now. And I
10 will be willing to work with the General Counsel,
11 to make sure that at a minimum, you get your
12 questions answered, and you get that
13 understanding.

14 The second thing I would say is that
15 I do appreciate the public comment section,
16 because that's where I get to learn something
17 about the gentleman from -- Mr. Yese, I saw he
18 had left -- but I did appreciate how he put
19 together his presentation.

20 I have rolled with the hack
21 inspectors. I have seen both sides of the
22 equation. I just think, down the road, we need to

1 continue the conversation about where the balance
2 between enforcement, and understanding that we're
3 here to support you and not get in the way of you
4 making money, and then in the same day losing
5 that money to tickets that may or may not be
6 justified.

7 So I do understand that, and I do
8 appreciate everyone's participation here today.
9 That's it.

10 COMMISSIONER MUHAMMAD: I too want to
11 thank all you for coming out, and we found out
12 the secret weapon to make you come out --
13 offering H-tags.

14 (Laughter.)

15 COMMISSIONER MUHAMMAD: You know that
16 we'll get you in this room. Business is warfare.
17 You have more options to drive a whole lot of
18 other things besides a taxicab, with less
19 regulations. Take some of your options and look
20 at them. Look at some of your options. And I
21 would also like to discuss drivers who are 70
22 years, and older, to not have to pay or go

1 through some of the regulations that the younger
2 drivers have to go through.

3 (Applause.)

4 COMMISSIONER MUHAMMAD: Thank you, Mr.
5 Chairman.

6 CHAIRMAN CHRAPPAH: Thank you. On that
7 note --

8 COMMISSIONER TAPSCOTT: Could I add to
9 that?

10 CHAIRMAN CHRAPPAH: Absolutely. Please.

11 COMMISSIONER TAPSCOTT: I just want to
12 thank you for that 70 year driver. I fall in that
13 category. I will be 90 my next birthday. I've
14 been driving for 50 some years.

15 (Applause.)

16 CHAIRMAN CHRAPPAH: All right. On that
17 note, I'd like to say today's meeting is
18 adjourned. The next Commission meeting is April
19 13, 2016, 10:00 a.m., at the same place. Have a
20 good day.

21 (Whereupon, the above-entitled matter
22 went off the record at 11:36 a.m.)

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In the matter of: Commission Meeting

Before: DC Taxicab Commission

Date: 03-09-16

Place: Washington, DC

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