

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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OFFICE OF THE D.C. TAXICAB COMMISSION

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FULL COMMISSION MEETING

+ + + + +

WEDNESDAY  
MARCH 11, 2015

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The Commission met in the Public Hearing Room, 2235 Shannon Place, S.E., Washington, D.C., at 10:00 a.m., Anthony Muhammad, Acting Chair, presiding.

COMMISSIONERS PRESENT:

ANTHONY MUHAMMAD, Commissioner

BETTY SMALLS, Commissioner

STANLEY TAPSCOTT, Commissioner

STAFF PRESENT:

JUANDA MIXON

MONIQUE BOCOCK, ESQ., Assistant General

Counsel

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

2 (10:37 a.m.)

3 ACTING CHAIR MUHAMMAD: DCTC will now  
4 come to order. We will have a moment of silence.

5 (Moment of silence.)

6 ACTING CHAIR MUHAMMAD: Thank you.  
7 Commissioner Rogers had a previous engagement.  
8 He had to do a budget hearing. He may come in  
9 later, but we will conduct the business of the  
10 DCTC.

11 Ms. Mixon will establish a quorum.

12 MS. MIXON: Commissioner Ferguson.

13 (No response.)

14 MS. MIXON: Commissioner Muhammad.

15 ACTING CHAIR MUHAMMAD: Present.

16 MS. MIXON: Commissioner Smalls.

17 COMMISSIONER SMALLS: Here.

18 MS. MIXON: Commissioner Tapscott.

19 COMMISSIONER TAPSCOTT: Here.

20 MS. MIXON: Commissioner Rogers.

21 (No response.)

22 MS. MIXON: Commissioner Muhammad, we

1 have three out of five for a quorum.

2 ACTING CHAIR MUHAMMAD: Thank you. We  
3 do have a quorum and we can conduct official  
4 business of the DCTC.

5 Do we have any comments from any  
6 commissioners, remarks, comments, questions?

7 Commissioner Tapscott.

8 (No response.)

9 ACTING CHAIR MUHAMMAD: Commissioner  
10 Smalls?

11 COMMISSIONER TAPSCOTT: Yes, I would  
12 like to make a comment. I have been sick and I  
13 haven't been able to attend the last meeting, so  
14 I'm a little reluctant to what I'm voting on  
15 today, so I will try to go through it and make a  
16 fair vote today.

17 ACTING CHAIR MUHAMMAD: Let's give Ms.  
18 Tapscott a round of applause. In August, he'll  
19 be 89 years old.

20 (Applause.)

21 ACTING CHAIR MUHAMMAD: And, still  
22 serving the D.C. government.

1           We'll hear from our general counsel,  
2           Ms. Boccock, on the vote to approve publication of  
3           emergency and proposed rulemaking for conforming  
4           Title 31 to the requirement of the Vehicle-for-  
5           Hire Innovation Act of 2014.

6           MS. BOCOCK: Good morning. Today we  
7           are considering the vote to approve publication  
8           of emergency and proposed rulemaking conforming  
9           Title 31 requirements of the Vehicle-for-Hire  
10          Innovation Amendment Act of 2014.

11          The proposed rulemaking would amend  
12          Chapters 2, 4, 6, 7, 8, 9, 10, 11, 12, 14, 16,  
13          and 99 of Title 31 of the DCMR. It would also  
14          add a new Chapter 19, again, in order to conform  
15          Title 31 with the new Vehicle-for-Hire Act, which  
16          should now be, I believe, in effect, actually,  
17          starting yesterday.

18          The emergency rulemaking is required  
19          to prevent certain provisions of Title 31 from  
20          being rendered null and void due to a conflict  
21          with provisions of the new law, to create a  
22          consistent legal framework for the operation of

1 the District's Vehicle-for-Hire industry, to  
2 minimize legal exposure to the District, to  
3 create rules and procedures necessary for the  
4 Office of Taxicabs to implement and comply with  
5 the new law, and to create rules and procedures  
6 for the District enforcement officials to enforce  
7 the new law.

8 No provision in the emergency or  
9 proposed rulemaking is intended to exceed or  
10 alter any person's legal obligations under the  
11 Establishment Act, as amended by the Vehicle-for-  
12 Hire Act.

13 If adopted today by the Commission,  
14 the emergency rules will be in effect for 120  
15 days, expiring July 9, 2015, unless earlier  
16 suspended by an amendment or appeal by the  
17 Commission or by the publication of final  
18 rulemaking, whichever occurs first.

19 So, again, these are two things that  
20 are combined, the emergency rulemaking and the  
21 proposed rulemaking. And, obviously, the  
22 proposed rulemaking will be subject to the 30-day

1 comment period, same as any other proposed  
2 rulemaking.

3 ACTING CHAIR MUHAMMAD: Any comments?

4 COMMISSIONER TAPSCOTT: Yes. I would  
5 like to make a comment. Relating to the bill  
6 that the council passed, so we have no choice  
7 really because the counsel had made a law and  
8 we're just complying with the law.

9 MS. BOCOCK: Correct. So, the, the  
10 Vehicle-for-Hire Innovation Amendment Act of 2014  
11 is the, the law that D.C. Council passed end of  
12 last year, so what we need to do is we need to  
13 essentially implement that, so you are correct.  
14 Basically, with this rulemaking is, is to make  
15 sure that our Title 31 does conform with that  
16 law.

17 COMMISSIONER TAPSCOTT: Thank you.

18 ACTING CHAIR MUHAMMAD: Do we have a  
19 motion?

20 COMMISSIONER SMALLS: So moved.

21 ACTING CHAIR MUHAMMAD: A second?

22 COMMISSIONER TAPSCOTT: Second.

1           ACTING CHAIR MUHAMMAD: Moved and  
2 seconded. All in favor of the motion state by  
3 aye.

4           (Choruses of ayes.)

5           ACTING CHAIR MUHAMMAD: Do you want to  
6 have a roll call?

7           MS. MIXON: Yes.

8           Commissioner Ferguson.

9           (No response.)

10          MS. MIXON: Commissioner Muhammad.

11          ACTING CHAIR MUHAMMAD: Yes.

12          MS. MIXON: Commissioner Smalls.

13          COMMISSIONER SMALLS: Yes.

14          MS. MIXON: Commissioner Tapscott.

15          COMMISSIONER TAPSCOTT: Yes.

16          MS. MIXON: Commissioner Rogers.

17          (No response.)

18          MS. MIXON: Three out of five.

19          PARTICIPANT: Yes.

20          ACTING CHAIR MUHAMMAD: Motion passed.

21          Thank you.

22          The next Commission item, vote to



1 approve publication of final rulemaking for  
2 Chapters 4, 8, and 16 requiring PSPs to integrate  
3 with the District of Columbia Universal Taxicab  
4 Application D.C. TaxiApp and requiring taxicab  
5 operators who use a DDS that does not let  
6 passenger surcharges to establish and maintain an  
7 individual taxicab operator surcharge account.

8 Counsel.

9 MS. BOCOCK: This final rulemaking  
10 amends Chapters 4 and 16 of Title 31 to require  
11 each payment service provider, a PSP, to  
12 integrate with the District of Columbia Universal  
13 Taxicab Act, D.C. TaxiApp as we call it, for  
14 which service and support are provided by the  
15 District of Columbia Taxicab Industry Co-op.

16 Integration between the PSPs and the  
17 D.C. TaxiApp would expand the payment choices  
18 available to passengers who use the D.C. TaxiApp,  
19 allowing them to make both in-vehicle payments,  
20 such as cash or payment card, as well as digital  
21 payments. The existing rules allowing  
22 integration between any digital dispatch service,

1 or DDS, and any PSP would not be affected by  
2 these amendments.

3 The amendments to Chapter 8 require  
4 each taxicab operator who uses a DDS which does  
5 not ensure that the passenger surcharge is  
6 collected from the passenger and paid to the  
7 District for each taxicab trip to establish and  
8 maintain an individual taxi operator surcharge  
9 account, to ensure that the District is paid all  
10 passenger surcharges as required by this title.

11 Chapter 8 also, is also amended to  
12 clarify that once a trip has been accepted by a  
13 taxicab operator through a digital dispatch, the  
14 taxicab operator must pick up the passenger and  
15 complete the trip, and that failure to do so  
16 shall be treated as a refusal to haul under  
17 Chapter 8.

18 The proposed rulemaking was adopted by  
19 the Commission on December 10, 2014, and  
20 published in the D.C. Register on January 9,  
21 2015. The Commission did receive a comment  
22 during that period, and that comment was

1 considered. However, no substantial changes have  
2 been made from when it was initially proposed.

3 COMMISSIONER TAPSCOTT: Question. Who  
4 owns this app?

5 MS. BOCOCK: The D.C. Taxicab app?

6 COMMISSIONER TAPSCOTT: Yes.

7 MS. BOCOCK: Or, TaxiApp? It will be  
8 owned by the District. It will be essentially  
9 licensed to the Co-op in order to maintain --

10 COMMISSIONER TAPSCOTT: There's no  
11 individual owners in this?

12 MS. BOCOCK: No. It would be -- well,  
13 the District, again, would actually own it and  
14 it'd be licensed out to the Co-op.

15 COMMISSIONER TAPSCOTT: Because I'm  
16 not familiar with this. Thank you.

17 ACTING CHAIR MUHAMMAD: Do we have a  
18 motion?

19 COMMISSIONER SMALLS: So moved.

20 COMMISSIONER TAPSCOTT: Second.

21 ACTING CHAIR MUHAMMAD: Moved and  
22 seconded. All in favor state by aye.

1 (Choruses of ayes.)

2 ACTING CHAIR MUHAMMAD: Nays?

3 Abstention?

4 I abstain.

5 COMMISSIONER TAPSCOTT: I abstain.

6 MS. MIXON: Ready for the roll call?

7 ACTING CHAIR MUHAMMAD: Yes, roll

8 call.

9 MS. MIXON: All right. Commissioner

10 Ferguson.

11 (No response.)

12 MS. MIXON: Commissioner Muhammad.

13 ACTING CHAIR MUHAMMAD: Abstain.

14 MS. MIXON: Commissioner Smalls.

15 COMMISSIONER SMALLS: Aye. Yes.

16 MS. MIXON: Okay.

17 Commissioner Tapscott.

18 COMMISSIONER TAPSCOTT: Abstain.

19 MS. MIXON: Commissioner Rogers.

20 (No response.)

21 MS. MIXON: We have one yes, two

22 abstains for the final rulemaking.

1           ACTING CHAIR MUHAMMAD: Do we have any  
2 government communications' staff reports?

3           MS. MIXON: No, sir, not at this time.

4           ACTING CHAIR MUHAMMAD: Public comment  
5 period.

6           MS. MIXON: We have three registered.

7           ACTING CHAIR MUHAMMAD: Mr. Yeates.

8           MR. YEATES: Yes, sir.

9           MS. MIXON: And, if you would sign in  
10 also, please.

11           MR. YEATES: All right. Good morning,  
12 Commissioners. I came here to speak on the loss  
13 of my tags and hope for renewal, also to bring to  
14 your attention agencies and policies that played  
15 a significant role in my, my specific problem.

16           Now, in October 13, I -- on October --  
17 in October of 2013, I received two tickets. One  
18 for no manifest, a second for 11 to 15 miles an  
19 hour over the speed limit. I was told that  
20 Office of -- the Office of Administrative  
21 Hearings would start adjudicating all taxi  
22 tickets, but this was going to be new for them,

1 so they could not immediately give me a date of  
2 when my hearing would be.

3           Shortly after they began adjudicating  
4 the tickets, they decided to separate the Title  
5 31 tickets from the moving violations' tickets.  
6 In my case, they sent my moving violation ticket  
7 to the DMV to be adjudicated.

8           I was given no prior notice of this  
9 change. When I called the DMV, DMV told me the  
10 ticket, the ticket had already been adjudicated  
11 and I was found liable due to a failure to --  
12 found liable due to a failure to appear.

13           I thought this was a miscommunication  
14 between government agencies, so hopefully, it  
15 would be resolved shortly, or so I thought. I  
16 was successful in having the ticket suspended up  
17 until 2000 -- 2000 -- October 1st of 2015, which  
18 means that no action would be taken against me,  
19 but in that time frame, I only had -- they would  
20 also put three points on my driving record and  
21 that would put me over the allotted renewal  
22 points for my hack license.

1                   And, also, I met Mr. -- I met Mr.  
2                   Scott in this time, and I put in for the 60 days  
3                   -- 60-day extension of the time allotted to me by  
4                   the Taxi Commission to have my, my renewal.

5                   Also, I have no knowledge of --  
6                   because I had no knowledge of the -- or control  
7                   of when the DMV would set the new hearing, I  
8                   waited as long as I could and decided to request  
9                   to pay the fine in full if they would, if they  
10                  would waive the points. It was approved some  
11                  months later.

12                  Two days after that, I had my hack  
13                  license back, but I could not register my car  
14                  because I could not get it done within the 60-day  
15                  time period. It was not my fault that the Office  
16                  of Administrative Hearings didn't adjudicate the  
17                  ticket and separate the ticket from the DMV  
18                  ticket. It was also not my fault that DMV  
19                  adjudicated a ticket without no advance notice or  
20                  extended a ticket for the two-year time frame.

21                  Let me see. I don't believe that the  
22                  Office of Administrative Hearings nor the DMV or

1 the Taxi Commission intended for me to lose my  
2 tags, but they were still lost in that -- they  
3 were still lost.

4 I'm requesting the Commission to  
5 respectfully -- I'm respectfully requesting the  
6 Commission to give Mr. Scott the ability to help  
7 me renew my tags or reissue the, reissue my tags.  
8 So, I was wondering if I can put this letter in  
9 the record for, I believe, I think, from speaking  
10 to people, there was a panel on industry that's  
11 going to convene shortly, and I was hoping to put  
12 this document in for the panel can review it if  
13 that would be possible.

14 ACTING CHAIR MUHAMMAD: Yes, sir.

15 MR. YEATES: Yes, sir.

16 ACTING CHAIR MUHAMMAD: You can give  
17 it to her. Thank you.

18 MR. YEATES: Thanks.

19 ACTING CHAIR MUHAMMAD: Mr.  
20 Nazanderan, down, come on. Take your time.

21 MR. NAZANDERAN: I don't have my  
22 notes. Can I talk or --



1                   ACTING CHAIR MUHAMMAD: Yes.

2                   MR. NAZANDERAN: Thanks. I'm sorry.

3                   MS. MIXON: And, sir, would you also  
4 please sign in there.

5                   MR. NAZANDERAN: Sure.

6                   MS. MIXON: Thank you.

7                   MR. NAZANDERAN: Now, how many of you  
8 are cab drivers here? Most of you? That's good.  
9 How many of you had occasions where you take a  
10 passenger from point A to point B, the credit  
11 card system is down, the credit card cannot get  
12 processed, the credit card doesn't have any  
13 money, declined, the passenger doesn't have any  
14 credit card, you didn't get paid?

15                   And, it was a Thursday or Friday, you  
16 took a passenger to Dulles Airport, \$70 a ride,  
17 it's going to take you four or five hours to get  
18 back to D.C. You're forced to pay 25 cents sales  
19 tax that you didn't collect, you're forced to pay  
20 tax on income that you didn't earn, and the  
21 system is forcing you to take credit card.

22                   You don't have to take credit card,

1       okay. Bowser doesn't have immunity and these  
2       guys doesn't have -- General Counsel -- Miss,  
3       what's your name?

4                   MS. BOCOCK: Monique Bocock. I'm the  
5       assistant general counsel.

6                   MR. NAZANDERAN: Oh, assistant general  
7       counsel. What's he called? Lerner, he's a  
8       general counsel interim. They don't have  
9       immunity blanket in here. They can be sued.

10                   You are not slaves. You don't work  
11       for free. Not only free, you get forced to pay  
12       taxes that you didn't collect. They have no  
13       right to impose their version of credit card  
14       processing garbage, which is nothing but theft.

15                   You heard Mr. -- a lot of you, you  
16       heard of decoy passengers?

17                   PARTICIPANT: Yes, sir.

18                   MR. NAZANDERAN: Decoy, people who are  
19       not really genuine bona fide passengers. They're  
20       getting in the cab just to get the cab driver in  
21       trouble. They can be sued. They should be sued.  
22       There's no bona fide passenger.

1            Passenger is a -- it's a trap  
2 actually. He is getting paid by the credit card  
3 processing garbage, by Mary Cheh, by David Grosso  
4 to trap you.

5            Nobody in this building, nobody in  
6 this building or any hack inspector has the right  
7 to impound your vehicle. Impounding your vehicle  
8 because police power and they don't have it. All  
9 they can do -- these are paper butchers. They  
10 can give you tickets, not impound.

11           They impound your car to three  
12 designated impounding lots. Two of the three is  
13 owned by City Council members. You have a brand-  
14 new hybrid vehicle, they impound your vehicle to  
15 parking lot on 1915 Belleville Road, that's  
16 indoor garage, they can put -- your car stays  
17 there at least 24 hours.

18           They can put your car unless change  
19 your engine and transmission, brand-new, to them  
20 use -- you have no way of proving who did it, and  
21 you'll be forced to pay regardless of what the  
22 judge says, you'll be forced to pay the

1       impoundment.

2                   And, that goes to David Grosso and  
3       Mary Cheh.  Nothing funny in here.  That's  
4       called, "Raping process."  There is no cab driver  
5       on the board of hospitality industry, but there  
6       are two hospitality industry members on the Board  
7       of Taxicab Commission.  Interesting, isn't it?

8                   Cab drivers are worthless pieces of  
9       garbage, the slaves of hospitality industry.  No,  
10      we are not slaves.

11                   There are plenty of illegal vehicles.  
12      Vehicles that have Indiana and Tennessee license  
13      plates working in this here Uber.  Vehicles not  
14      only registered as a vehicle-for-hire, license  
15      plates Indiana and Tennessee working with --  
16      there is no -- nobody -- no important, but cab  
17      driver park his car illegally.

18                   He gets ticket, he can also get  
19      impounded because he might use not proper  
20      language.  Proper language is this.

21                   Jack Lerner is getting hundreds of  
22      thousands of dollars of salary benefits and

1 compensation and kickbacks. Mary Cheh and David  
2 Grosso eat -- attend restaurant on 9th and U  
3 Street for free. There is a birthday party, 145  
4 people for free because that can pull the trick  
5 10:59:28.

6 We don't have to put up with this kind  
7 of garbage. Come out and join us at teamsters.  
8 We will help you defeat these primitive  
9 criminals. Primitive criminals are Jack Lerner  
10 or anybody.

11 Sorry, I've been so overt.

12 ACTING CHAIR MUHAMMAD: Thank you,  
13 sir.

14 Now, we hear from Mr. LeKuch.

15 MR. LEKUCH: I don't have anything  
16 written down. That's the way I like it. Thank  
17 you, Mr. Muhammad. Mr. Rogers, I'm sorry you're  
18 not here.

19 But, everybody, I got to know you guys  
20 over the past few years. I'm pretty excited  
21 about an initiative I've been working on to give  
22 to you guys, give to taxicab companies instead

1 of, you know, these credit card  
2 companies/hitch/whoever/some of your vendors who  
3 just want and take your money and drain from you.

4 I've come up with something to, to  
5 give back and things are really coming together.  
6 I'm at the point of, you know, attaining venture  
7 capital for what it is I'm going to do. I've  
8 talked to a good portion of those in here.

9 I even had the privilege of meeting  
10 with Mr. Scott and Eric, and they've asked me to  
11 meet certain guidelines, and also to adhere to  
12 the 1992 D.C. Law Act on advertising, which I'm  
13 happy to do and we will do, so I don't think you  
14 should just thank me for what I'm going to do  
15 here in D.C., but thank Mr. Scott because DCTC  
16 will get money from what we are going to do, in  
17 addition to cab companies.

18 So, I think I've talked to -- well,  
19 I've talked to most cab companies here in D.C.  
20 and met their approval, and I've talked briefly  
21 to some in here, not everyone in particular, so  
22 for any of those interested, just, you know, if

1 you want to learn more, then come talk to me  
2 after.

3 I don't think there's anything else to  
4 say.

5 Congratulations, Mr. Tapscott.

6 COMMISSIONER TAPSCOTT: Thank you.

7 MR. LEKUCH: That was nice of you, Mr.  
8 Muhammad. Thanks for joining us today. And,  
9 just joking. Anyway, if you have any questions,  
10 just come up to me, talk to me. Thanks.

11 ACTING CHAIR MUHAMMAD: Thank you.

12 MR. LEKUCH: Yes, thanks.

13 ACTING CHAIR MUHAMMAD: Do we have any  
14 other public comments that are not on the list?

15 Please sign your name.

16 MS. MIXON: And, yes, and would you  
17 also state your name so the reporter can get it,  
18 and spell it?

19 MS. WILLIAMS: Yes. My name is  
20 Felecia Williams. That's spelled, F-E-L-E-C-I-A,  
21 Williams, W-I-L-L-I-A-M-S. I'm just here. This  
22 is my first time coming to a meeting. I've been

1 driving a cab for almost 30 years, and I just  
2 thought I would, you know, I've been hearing  
3 about this DDS, so I just wanted to speak on it.

4 I happened to go on the computer  
5 yesterday and see all about what's going on and  
6 what's going -- how it's going to affect us  
7 taxicab drivers. And, it, you know, and this 25-  
8 cent surcharge because I'm trying to figure out  
9 how it's going to make us responsible to pay this  
10 25-cent surcharge being that the DDS is not going  
11 to be taking it out of our, out of our monies,  
12 and, and the fines that we're going to be  
13 charged.

14 And, I just want to make sure that  
15 when you look at this DDS system that you  
16 understand that cab drivers sometimes forget,  
17 and, you know, we have to pay these 25-cent  
18 surcharges now, which is kind of good because we  
19 go down to the cab companies, and the taxicab  
20 companies already you have to pay a fee, you  
21 know, to have this, to pay the surcharge because  
22 when we go down to the taxicab companies, of



1 course, they're charging us this extra monies,  
2 which is like, I think, I'm with VIP.

3 And, VIP is charging me like \$1.84,  
4 plus I have to pay the 20, you know, the 25  
5 cents, so -- so I'm getting paid -- besides my  
6 insurance, right now my expenses are the -- I  
7 guess, you can say it comes out to \$11.04 a week  
8 I'm paying plus the 25-cent surcharge, which goes  
9 to, which goes to D.C. Government.

10 Okay, that's no problem. Now, you get  
11 this DDS system in here, okay. Now, now the cab  
12 companies have an opportunity to say, "Okay, you  
13 got the DDS, we're going to charge you \$11, then  
14 we're going to charge you something else for  
15 using a DDS, then you got to pay the 25-cent  
16 surcharge."

17 I want to make sure that we don't get  
18 charged more expenses from the taxicab companies  
19 because they're installing this DDS system, which  
20 believe me, I have went to school on this DDS  
21 because I've read about it and trying to figure  
22 out how DCTC is going to implement this because

1 all DCTC want from the taxicab drivers is 25  
2 cents, but now the taxicab companies have an  
3 opportunity to say, "Hey, okay, let's charge more  
4 now. We're going to charge more because you've  
5 got this DDS system."

6 So, everybody in here, please, you  
7 know, read about this DDS because I just don't  
8 want to pay more expenses than what I'm paying  
9 right now, which is costing me a whole lot  
10 besides my insurance fees. And, I don't think  
11 everybody is really understanding the DDS, except  
12 the people that have the DDS.

13 And, the Co-op, I would like to know  
14 who's on the Co-op because the Co-op for the DDS  
15 should be taxicab drivers. The taxicab drivers  
16 should own a part of this DDS, okay, because we  
17 are the ones that's out here running this,  
18 running the taxicab industry.

19 And, I feel that this DDS should be a  
20 shareholder thing for taxicab drivers, so you  
21 make sure that when you put this DDS in that the  
22 taxicab drivers own part of this DDS system. We

1 are the Co-ops.

2 D.C. can own DDS, I don't care, but  
3 let the cab drivers get a share of this DDS where  
4 we get, we get benefits, we get health insurance,  
5 we get everything because the Co-op should be the  
6 cab drivers. And, if the cab drivers are out  
7 here running the business, let the cab drivers  
8 have health insurance, let the cab drivers have  
9 benefits, let the cab drivers not be charged for  
10 all this stuff.

11 And, I'm speaking, I know these cab  
12 drivers told me that I should come up here and  
13 speak, so you let them know that I'm up here  
14 putting my two cents in because I've been out in  
15 this business for 30 years doing just like the  
16 regular cab drivers, so the Co-op should be the  
17 cab drivers.

18 And, I'll be at the next meeting to  
19 saying the same thing. Thank you.

20 ACTING CHAIR MUHAMMAD: Thank you.

21 Anyone else want to speak?

22 And, the Co-op is set up for cab

1 drivers to be members.

2 MS. WILLIAMS: Thank you, sir. I did  
3 not know that. Thank you.

4 MR. DEMISSE: Good morning, Member of  
5 the Commission. I just have a couple of  
6 questions.

7 MS. MIXON: But, sir, before you  
8 start, for the reporter, if --

9 ACTING CHAIR MUHAMMAD: Your name and  
10 print it, please.

11 MR. DEMISSE: My name is Abraham  
12 Demisse, A-B-R-A-H-A-M, Demisse, D-E-M-I-S-S-E.  
13 The first question I have maybe it goes to the  
14 assistant counsel. On the final rulemaking  
15 today, a new subsection, Section 8, 819.10, that  
16 was added, "Once a trip has been accepted by a  
17 taxicab operator through digital dispatch, the  
18 taxicab operator shall not fail to pick up the  
19 passenger or to complete the trip after the  
20 passenger has been picked up."

21 So, I just wanted to know, does that  
22 take away drivers' rights, which currently are

1 now driver to refuse fare when passenger is, is  
2 unruly or intoxicated? I just want to know.

3 That's --

4 MS. BOCOCK: It doesn't affect those  
5 provisions of Title 31, so those provisions are  
6 still in place. It's not impacted by this  
7 change. The change is pretty much exactly as you  
8 read it.

9 It's just if once a trip is accepted,  
10 then it has to be completed. Like I said though,  
11 the other provisions of Title 31 that you  
12 mentioned are still in effect.

13 MR. DEMISSE: In effect, okay. So, in  
14 this condition, driver still has a right to  
15 refuse the passenger?

16 MS. BOCOCK: If it meets the criteria  
17 in --

18 MR. DEMISSE: Yes.

19 MS. BOCOCK: -- correct.

20 MR. DEMISSE: Okay. The second  
21 question I have is last hearing the Chairman  
22 stated that Panel on Industry which will come up

1 with a solution for H-tag was going to start in a  
2 few weeks. And, I think it has been on news now.  
3 I just want to know, is it -- the date, has it  
4 been set up or do you know when it will start?

5 ACTING CHAIR MUHAMMAD: No, they  
6 haven't started yet, and I have not been given a  
7 date.

8 MR. DEMISSE: Okay. That's it. Thank  
9 you so much.

10 ACTING CHAIR MUHAMMAD: Thank you.

11 MS. WILLIAMS: Can I have one more  
12 question?

13 ACTING CHAIR MUHAMMAD: You can ask a  
14 question.

15 MS. WILLIAMS: I just want to also say  
16 this one more thing. When the -- when the DDC --  
17 DDS is implemented, and it says that the taxicab  
18 companies that's taking the surcharge fee, the  
19 25-cent surcharge fee, they have to come up with  
20 a plan on how they're going to collect the  
21 surcharge fees from us.

22 I just want to make sure that there's

1 no other fees, and the fees that we're paying  
2 now, being that the DDS will own the application,  
3 do we still -- does the taxicab company still  
4 have the right to charge us extra fees being that  
5 they no longer own us. We are the ones that are  
6 responsible to pay the surcharge.

7 I don't -- I hope you understand what  
8 I'm trying to say. The taxicab -- the DDS is  
9 owned by D.C., okay. The DDS is owned by D.C.  
10 The DDS says, "Okay, we're responsible to pay the  
11 25-cent surcharge," okay, so the taxicab  
12 companies that we're paying the surcharge to  
13 right now is collecting 25 cents from us, okay.  
14 We go to them.

15 But, right now with our credit card  
16 system, I can understand them collecting the  
17 extra \$11 that I pay a week because of the fact  
18 that I'm paying a credit card system, but that's  
19 like an administrative fee that we're paying for  
20 when they implement the credit card system.

21 Now, with the DDS, they don't have the  
22 implementation of the credit card system, okay.

1 We have responsibility of going to them to pay  
2 the quarters, so it's not like they have extra  
3 work to do because there's no longer them doing  
4 the credit card.

5 So, all I want to do is make sure they  
6 got to take away -- if the taxicab company should  
7 be taking the fees from us if the DDS system is  
8 implemented because they no longer have the  
9 responsibility of the credit card system, if you  
10 understand what I'm trying to say.

11 I know what I'm trying to say because  
12 these are the fees coming out of my pocket, okay.  
13 So, all I want to make sure is that there's no  
14 other fees coming out of our monies if this DDS  
15 system is operated because right now, we're  
16 paying an extra fee, which I understand the \$11 a  
17 week because of the credit card system, okay.

18 So, the credit card system is going to  
19 be taken away from the taxicab companies because  
20 now we have what? The DDS, okay, and the DDS  
21 will be taking care of all that.

22 ACTING CHAIR MUHAMMAD: No. The DDS



1 is a digital dispatch service.

2 MS. WILLIAMS: That's right. That's  
3 right.

4 ACTING CHAIR MUHAMMAD: Not a credit  
5 card service.

6 MS. WILLIAMS: But -- but when -- but  
7 when the monies go through that DDS system,  
8 right, who processes that DDS system? Not the  
9 taxicab companies.

10 MS. BOCOCK: Are you talking about the  
11 PSP?

12 MS. WILLIAMS: No. No, the PSP is the  
13 payment service providers, which we pay that  
14 quarter to, so I'm talking about the digital, the  
15 handheld service that we have. That's the DDS,  
16 right?

17 ACTING CHAIR MUHAMMAD: No.

18 MS. WILLIAMS: What's the DDS?

19 ACTING CHAIR MUHAMMAD: Digital  
20 dispatch where you will pick up a passenger when  
21 they dispatch it to your taxicab.

22 MS. WILLIAMS: Through what?

1                   ACTING CHAIR MUHAMMAD: A service  
2 provider, whatever that is, the Co-op.

3                   MS. WILLIAMS: Right, but isn't it  
4 going to be like through a phone or through a  
5 computer or through something? I mean --

6                   ACTING CHAIR MUHAMMAD: Well, the  
7 service that's already in your car.

8                   MS. WILLIAMS: Okay, but is it -- oh,  
9 okay, let me talk to him then.

10                  ACTING CHAIR MUHAMMAD: Yes.

11                  MS. WILLIAMS: I understand.

12                  ACTING CHAIR MUHAMMAD: Yes, sir.  
13 Become a member of the Co-op. Become a member of  
14 the Co-op.

15                  MS. WILLIAMS: Yes, sir. Yes, sir, I  
16 understand. Thank you.

17                  MR. NAZANDERAN: I'd like to make a  
18 comment that we are not slaves. I don't know  
19 what Ron Linton or Mary Cheh or David Grosso or  
20 who else added to Title 31 some intoxicated  
21 person, you don't have to take him, you just kick  
22 him out. Intoxicated person does something, he

1 tells you, you take him to a court of law, the  
2 judge says, "He was drunk, he's not responsible."

3 You are not responsible for taking him  
4 too either. You leave him on the sidewalk until  
5 he regains his sobriety. Intoxicated person is  
6 unruly person, doesn't deserve a cab ride. I  
7 don't care what they did to the Title, stupid  
8 Title 31 that doesn't exist.

9 Tell him to take -- tell them give you  
10 a ticket, take it to, the ticket to court. When  
11 a judge rules on it, then bring it to here, and  
12 stick it to Jack Lerner's ass.

13 Sorry for being so overt, Mr.  
14 Muhammad.

15 ACTING CHAIR MUHAMMAD: You don't have  
16 to pick up an intoxicated person. That's still  
17 going to be in the Title 31 --

18 MR. NAZANDERAN: But, he gets in my  
19 cab, then I have to take him because he's already  
20 in my cab.

21 ACTING CHAIR MUHAMMAD: No, you don't.

22 MR. NAZANDERAN: What did she say

1 then?

2 ACTING CHAIR MUHAMMAD: She said you  
3 don't.

4 MS. BOCOCK: I said that the  
5 provisions that are currently in Title 31, which  
6 deals with that type of behavior and conduct on  
7 the part of the passenger, those provisions are  
8 still in effect. They're not -- they're not in  
9 place --

10 MR. NAZANDERAN: You said every --  
11 once the passenger's trip initiated, then it has  
12 to be completed.

13 ACTING CHAIR MUHAMMAD: That's on the  
14 digital dispatch.

15 MR. NAZANDERAN: That's on the digital  
16 dispatch. We have that digital dispatch?

17 ACTING CHAIR MUHAMMAD: No.

18 MR. NAZANDERAN: No. One other thing,  
19 if a person gets into my cab and says, "Take me  
20 to West Virginia." I said, "I don't want to go  
21 to West Virginia," and hack inspector give me  
22 ticket. On what ground? Because Jack Lerner --

1 by the way, Jack Lerner doesn't hate you. He's  
2 loving you. He's making money out of you.

3 Sorry, Mr. Muhammad.

4 ACTING CHAIR MUHAMMAD: Yes. Thank  
5 you.

6 Anyone else would like to have a  
7 comment before we close the meeting?

8 Do you have a comment?

9 MR. SIMMS: Yes, sir.

10 MS. MIXON: And, again, if you'd state  
11 and spell.

12 ACTING CHAIR MUHAMMAD: State and  
13 spell. This will be our last comment before we  
14 adjourn.

15 MR. SIMMS: Royale Simms, R-O-Y-A-L-E  
16 S-I-M-M-S. My comment is related to the  
17 regulations specifically proposed today. The  
18 taxicab surcharge account in Chapter 8, the  
19 amendment, is chasing a problem. It's not  
20 necessary regulation.

21 I would encourage the Commission to  
22 delay filing of limitation of this rule, amend

1 it, and then, and then present it again at the  
2 next meeting. It'll make the rule less  
3 burdensome so there would not be a need for  
4 another public meeting, public hearing on it.

5 ACTING CHAIR MUHAMMAD: It didn't  
6 pass.

7 MR. SIMMS: Oh, it didn't pass?

8 ACTING CHAIR MUHAMMAD: No.

9 MS. BOCOCK: No, it did.

10 MR. SIMMS: It did pass?

11 ACTING CHAIR MUHAMMAD: One passed.

12 MS. MIXON: Okay. The record is for  
13 the first item the publication of the emergency  
14 and proposed rulemaking. That one, all three  
15 commissioners present said yes. For the second  
16 one, the publication of the final rulemaking for  
17 Chapters 4, 8, and 16, we had one yes, two  
18 abstentions of the commissioners present.

19 MR. SIMMS: Well, I'll say thank you  
20 -- thank you to the Commission. If this rule  
21 does come up again, I would -- I would encourage  
22 just to eliminate the surcharge account because

1 it is -- it's a burden for drivers -- it would be  
2 a burden for drivers.

3 Thank you.

4 ACTING CHAIR MUHAMMAD: Thank you.

5 Do you have another comment?

6 COMMISSIONER TAPSCOTT: I'd like to  
7 know why that -- who did the ruling on that? Did  
8 it pass or it didn't pass?

9 PARTICIPANT: It didn't.

10 COMMISSIONER TAPSCOTT: I'd like  
11 clarification on it.

12 (Off the record comments.)

13 ACTING CHAIR MUHAMMAD: Commissioner  
14 Tapscott wanted clarification on the final  
15 rulemaking on Chapters 4, 6, and 8 -- 4, 8, and  
16 16, that motion.

17 COMMISSIONER TAPSCOTT: I don't think  
18 it passed. That's what I'm thinking.

19 PARTICIPANT: I don't think it passed,  
20 but I can -- you want to take a recess?

21 PARTICIPANT: No, it did not pass. It  
22 only had one vote and two abstentions.

1                   COMMISSIONER TAPSCOTT: That's right,  
2 two abstains, so you have one vote.

3                   PARTICIPANT: It didn't pass.

4                   PARTICIPANT: Do you want to take a  
5 recess?

6                   PARTICIPANT: We don't need --

7                   ACTING CHAIR MUHAMMAD: No, we're going  
8 to adjourn then. DCTC now is adjourned.

9                   (Whereupon, the above-entitled matter  
10 was adjourned at 11:19 a.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Full Commission Meeting

Before: DC Taxicab Commission

Date: 03-11-2015

Place: Washington, D.C.

was duly recorded and accurately transcribed under  
my direction; further, that said transcript is a  
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Court Reporter

**NEAL R. GROSS**

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