

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
MAY 13, 2015

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The Commission met in the D.C. Taxicab Commission Hearing Room, Suite 2023, 2235 Shannon Place, S.E., Washington, D.C., at 10:00 a.m. Eric Rogers, Interim Chairperson, presiding.

COMMISSIONERS PRESENT:

ERIC M. ROGERS, Interim Chairperson
ANTHONY MUHAMMAD, Commissioner
STANLEY W. TAPSCOTT, Commissioner

STAFF PRESENT:

JUANDA MIXON, Secretary to the
Commission

JACQUES P. LERNER, ESQ., General
Counsel

MONIQUE BOCOCK, ESQ., Assistant
General

Counsel

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

2 (10:31 a.m.)

3 CHAIRPERSON ROGERS: We're here today
4 at 2235 Shannon Place for our General Commission
5 meeting of the District of Columbia Taxicab
6 Commission. Today's date is Wednesday, May 13,
7 2015, at about 10:30, give or take, 10:31, and
8 we're calling this meeting to order.

9 First, let's have a moment of silence.

10 (Moment of silence)

11 CHAIRPERSON ROGERS: Okay. Madam
12 Secretary, could you please determine whether now
13 we have a quorum.

14 MS. MIXON: Commissioner Muhammad.

15 COMMISSIONER MUHAMMAD: Present.

16 MS. MIXON: Commissioner Small.

17 (No response)

18 MS. MIXON: Commissioner Tapscott.

19 COMMISSIONER TAPSCOTT: Here.

20 MS. MIXON: Commissioner Rogers.

21 CHAIRPERSON ROGERS: Present.

22 MS. MIXON: A quorum has been

1 determined.

2 CHAIRPERSON ROGERS: Yea. We can vote
3 on some stuff. Wonderful. As always, I'd like to
4 amend the agenda to allow the public witnesses to
5 go first. Do I have any objections to amending
6 the agenda to allow public witnesses to go first,
7 before we vote on our matters? Any objection?

8 MR. LERNER: Will we give them the
9 time? Give them a time.

10 CHAIRPERSON ROGERS: Okay. Each public
11 witness will be given three minutes to submit
12 their oral testimony or comments, and we will be
13 sticklers to that rule. So do we have any public
14 witnesses that would like to testify, and if you
15 do decide to testify, please use the sign-in
16 sheet.

17 So do we have --- so I've been
18 corrected. So you signed up. So Mr. Massoud
19 Medghalchi, Larry Frankel, Naim Abdelkrim, and
20 Gashaw Birbo, in that order, you will be given
21 five minutes to testify. Any other folks who have
22 not signed up will be given two minutes. And

1 please sign in on the sign-in sheet. So you can
2 do that before or after.

3 MR. MEDGHALCHI: Good morning. Thank
4 you for the opportunity to testify. I would like
5 to open, Mr. Chairman, by first giving you the
6 most due respect for the way you've conducted
7 yourself since you've been here. Because I'm
8 going to be on the attack soon. And it's not
9 against you. It's the legacy of your office. You
10 cannot get rid of that, because we're living with
11 it too. I do have the utmost respect for you, and
12 if we had people like you before, we wouldn't be
13 in the mess we are in right now.

14 However, I want everyone to remember,
15 when they go on the attack, or they think about
16 our industry, they're thinking, unfortunately,
17 about the picture that's been portrayed in the
18 past few years. That's a horrible picture of our
19 industry, and it was DCTC that was responsible
20 for it, from chairman selling licenses to
21 licensing unqualified drivers who couldn't speak
22 English. We don't know how they passed the test,

1 that --- that had passing rate of single digit in
2 it, the first time, and the person couldn't even
3 speak English. We got stuck with the legacy of
4 that. The reputation hurt the industry, and it
5 became a tidal wave over 30 years.

6 We've been given promises after
7 promises, but the fact is the DCTC never had
8 really an interest in enforcing the laws because
9 they had put the wrong people on the streets.
10 That would a backfired at them. So for 30 years,
11 this has gone on. Don't rock the boat.

12 Unfortunately, our boats are getting rocked
13 today, in a bad way. We're losing our
14 livelihood, and we're getting beaten down because
15 of the legacy, of what has happened by DCTC.

16 There are people out there that were
17 driving cabs, that gave us the bad reputation, or
18 driving Uber cars now. I saw one of them
19 yesterday. I'm going to give this as a snippet,
20 because the group broke in to two. One group got
21 in to my cab and they said: Follow the Uber car.
22 They were going to be going to Dupont Circle from

1 Kalorama and 18th Street. He made a U-turn, went
2 northbound, made the right turn. For people that
3 don't know, that's completely the opposite way.

4 Made the right turn, eastbound, went
5 down Ontario, made the right turn on Kalorama,
6 came back to point zero where he had picked them
7 up, and proceeded southbound.

8 We went and dropped them off at a
9 Dupont bar. I took his picture. I have it on my
10 phone. Whenever anyone does anything stupid on
11 the streets, I take their picture because usually
12 it's an Uber car. Believe me --- I have a lot of
13 pictures.

14 He went northbound on 19th Street, made
15 a U-turn, came back, and made the right turn on
16 to Q to go to Connecticut. That's a one-way
17 street. I have his picture.

18 Unfortunately, we get stuck with the
19 reputation of damn cab drivers when that happens,
20 even when it happens with an Uber car. It's just
21 like for 20 years, people came in to the city
22 after the city was no longer the murder capital

1 of the world, and they used to wave their finger
2 and say, oh, I've heard about you guys, you're
3 the murder capital of the world.

4 At which point I said: Good. Don't
5 move here. I have a good thing going.
6 Unfortunately, they figured it out and they moved
7 in. But that's the kind of reputation we're
8 dealing with.

9 As I've told you in private meeting,
10 the professionals are leaving the business. The
11 scabs, the ones that gave this business a bad
12 reputation, are coming in.

13 I have been given promises from Mr.
14 Stark, the chief enforcer, that our jobs that get
15 stolen on the street by the black cars will be
16 fixed. They will have 24 hour around-the-clock
17 officers on the street. I've been given lip
18 service for the past couple a years.

19 I'm tired of it. My jobs. Every time
20 I turn down five people because it's illegal to
21 pick five up in my car, the black car picks them
22 up. They sit in front of restaurants, office

1 buildings, and loiter. No one ever bothers them.

2 But the cabs get moved because they can be
3 identified.

4 Uber Xes, nowadays, are even
5 soliciting people on the street.

6 MS. MIXON: That's five minutes.

7 MR. MEDGHALCHI: May I continue?

8 CHAIRPERSON ROGERS: Yes. Go ahead.

9 MR. MEDGHALCHI: Thank you. I am at
10 the end of my rope, suffering so much indignity
11 in the way of getting a bad reputation, being
12 mouthed off by people. The tidal wave that's
13 built up is one thing. And then to lose your job
14 to these guys. One of them --- I usually confront
15 them. One of them --- I'm going to give you an
16 example to see where my anger is, because one of
17 these days, the anger is not just in me. It's a
18 whole bunch a people out there, and it's going to
19 translate into tragedy. I'm telling you --- there
20 will be bloodshed on the streets one of these
21 days.

22 When you cannot find a job for two

1 hours, for a hour and change, and finally you
2 were happy you were finding a job, and the SUV
3 steals it from you, right in front of you, you
4 get angry. I confronted one of them. He spat at
5 me. I went to chase him. I was stopped at the
6 loop that takes you from north to southbound on
7 Connecticut by people that needed a cab.

8 I had gone over an hour at that point
9 without, without a fare. They got in my car. The
10 lady --- do you know what the lady told me? She
11 saw my anger, and I told her what had happened.
12 She said: You can't blame the people because it's
13 becoming a usual thing to get in to these black
14 cars. They're acting just like cabs.

15 We had, time and time again, told Mary
16 Cheh --- and I have a lot of other names for her,
17 that I cannot say here, and none of them are
18 nice. They're four-letter words. And she gave it
19 lip service. She brought that company in. We told
20 her what was going to happen once people get used
21 to getting into private cars.

22 We asked her to take us with, with ---

1 with --- to a meeting with the police chief,
2 because the police need to be trained. If we have
3 to do it --- Larry brought that up. We will train
4 them. We will show them how to identify these
5 cars, what they're doing. We can show them the
6 spots where, where they do these things.

7 I have a book full of tag numbers. But
8 unfortunately, I have to do this, right now, in
9 front of you, and you're the last person I want
10 to do this to. But if I have to, I will take
11 legal action, because I'm not getting
12 enforcement. I'm losing my livelihood. And
13 believe me, I told Mary Cheh there was a rape
14 waiting to happen, and it did, few months later.

15 I'm telling you --- there is a tragedy
16 waiting to happen on the street. You need
17 enforcement.

18 CHAIRPERSON ROGERS: Thank you, sir.

19 MR. MEDGHALCHI: Thank you.

20 CHAIRPERSON ROGERS: Appreciate your
21 comments. Larry Frankel. Go on, Larry. And don't
22 forget to sign in. And what Massoud brings up is

1 --- while Larry's signing in --- is a very good
2 point, and it's an issue that the Commission
3 takes very seriously, and, you know, in the
4 process of --- and last March, we did raise the
5 fines, 750 for accepting illegal street hails and
6 the like, but recognizing, though, that raising
7 the fines, and some of the increased enforcement
8 that we've done, it's still not making a dent in
9 the problem. So we probably will have to look at
10 other ways to attack the issue.

11 I do want to mention --- not rebut ---
12 but do want to say that we were in the midst of a
13 hiring frenzy for public vehicle enforcement
14 officers, hack inspectors, and hopefully by early
15 summer, the next few weeks or so, we will be
16 moving to the 24/7 enforcement.

17 That again, we'll have, I think all
18 total, 24 --- 24 or so hack inspectors for
19 12,000 operators, including Ubers, so on and so
20 forth, plus you could do the math on exactly how
21 well that's going to go. It'll make a dent, but
22 it won't make a significant dent.

1 So, collectively, we're going to have
2 to start thinking of some innovative ways to go
3 after --- I like the fact that you have a list of
4 tags and situations. Perhaps --- I'm not asking
5 anyone to do anything illegal --- but perhaps
6 video. If you can get video of it happening.

7 MR. MEDGHALCHI: Actually, if I may --
8 - I'm sorry. One thing I was going to bring up
9 that I forgot --- state operation would be the
10 best. If it hits the media, and you have groups
11 being picked up, solicited by these cars, within
12 two weeks it'll stop, I promise you, if Mary Cheh
13 is willing to in her legislation the way she
14 handcuffed us, to do it to them, because they're
15 the real culprit in this.

16 CHAIRPERSON ROGERS: Okay.

17 MR. FRANKEL: Well, actually, part of
18 what I was going to speak.

19 CHAIRPERSON ROGERS: Are we stealing
20 your ideas?

21 MR. FRANKEL: No, no, no, you're not
22 stealing any of my ideas, whatsoever, because

1 they're very basic, and that's what I find so
2 disturbing about the present. There isn't rocket
3 science to the type of enforcement that's needed.
4 And Channel 9, throughout the last three to four
5 years, made very evident, that when they went out
6 after midnight with hack inspectors, that they
7 have gotten, by embarrassing the Taxicab
8 Commission to have those people out there, those
9 officers out there, I can assure you, as a full-
10 time cab driver, just one night -- just one night
11 of them pulling over 15, 20 illegal drivers, I
12 made a living for the rest of the week.

13 The problem is that enforcement has to
14 begin at the weakest link, and the weakest link
15 is the street. When they're --- these criminals,
16 which they are, that take advantage of licensed
17 and legal drivers and companies, when they see
18 that somebody is there to monitor them, they run
19 to a different area of crime. The problem is, is
20 that for the last four years, by media --- by
21 media, this Commission invited those people to be
22 there between midnight and 8:00 a.m.

1 We saw gypsy cab drivers. We saw
2 people coming from every area of this country
3 with all types of vehicles, that could function
4 here, without any regulation, between midnight
5 and 8:00, because the chairman got on the news,
6 time after time after time, and stated there was
7 no enforcement between midnight and 8:00 a.m. I
8 felt personally attacked, because that's when I
9 work. That's when I loved to work.

10 I don't do that anymore. I don't stay
11 out past 10:00. I occasionally monitor by going
12 out, because I want to go back to being a cab
13 driver, and having some independence, some
14 functionality. But I can't have it, because first
15 of all, not only is there no enforcement on the
16 criminals. There's no enforcement, and no
17 rationale, for people coming in to this industry
18 who want to come in for jobs that are available.

19 Uber, and its sidekicks, and what we
20 don't like about something new, proved, though,
21 to us, the problems in this industry, and they
22 didn't make it worse. They just showed how bad

1 the problem could be. Because it's out of their
2 hands now. The drivers saw the --- I mean, we
3 blame Uber, but what has happened through mis-
4 regulation, the fact that what is being
5 regulated, and made as law, doesn't have anything
6 to do with the street, is now --- there's signs
7 that can be attached, just like we can all go out
8 there and make an Uber sign, and we can put it on
9 the side of our vehicle.

10 And there's nothing to stop us. And
11 what I personally feel sorry for, because I've 20
12 years of trying to keep people safe --- there's a
13 young lady out there who had a miserable moment,
14 a tragic miserable moment over the weekend,
15 because of these things exist.

16 This didn't have to happen. A rape
17 didn't have to happen. A woman did not --- or a
18 citizen did not have to feel secure about getting
19 in to a car she didn't call but had a sign on it
20 that made her feel safe.

21 This happens hundreds of times a week,
22 not just once. Us cab drivers know it because

1 we're told that. We ask the people to come here.
2 We ask the people to go to the police. They're
3 scared.

4 The cab drivers are intimidated by
5 poor enforcement that has been punitive to us.

6 MS. MIXON: Five minutes.

7 MR. FRANKEL: So there's a disconnect.
8 They're not here, because that disconnect has
9 gone for so long. And we have all the remnants of
10 what we don't like. Even being regulated to speak
11 is a punitive measure incorporated by the
12 previous chairman, because for the 16 years
13 before he came here, I could speak without being
14 interrupted.

15 So that's how far down the road we've
16 come of disconnect. I love being a cab driver.
17 I'll work to stay one. Thank God I no longer have
18 to be one. But there are people who --- dependent
19 families who depend on it. So please --- please,
20 before June, do something, because when June and
21 summer starts, there is no business, and all of
22 us will be out of business and gone. The worst

1 summer I ever had was last summer. Thank you.

2 CHAIRPERSON ROGERS: Thank you, Larry.

3 Appreciate your comments.

4 PARTICIPANT: I'm just signing up to
5 speak. That's all. Is this where I sign?

6 CHAIRPERSON ROGERS: Yes. So are you
7 Naim?

8 PARTICIPANT: Yes.

9 CHAIRPERSON ROGERS: Okay.

10 PARTICIPANT: Oh, no, no. I thought you
11 said Nate. I'm just signing up. I'm not Naim.

12 CHAIRPERSON ROGERS: So is Naim here?

13 (No response)

14 CHAIRPERSON ROGERS: Okay. Let's move
15 on. Gashaw Birbo.

16 (No response)

17 CHAIRPERSON ROGERS: Okay. Then, sir,
18 you're up.

19 MR. CARLO: Okay.

20 MS. MIXON: And sir, when you start,
21 please say and spell your name, so that the court
22 reporter has it.

1 MR. CARLO: My name is William Carlo.
2 C-a-r-lo. Yes, I want to speak about the senior
3 drivers, and what's happening with the senior
4 drivers is that a lot of the guys are getting
5 sick. They're being hospitalized, and they can
6 hardly make it anymore. But yet, you've got this
7 rule where they have to buy a new car every five
8 years.

9 And after 65 years old, you can't take
10 it out in the streets, working every day, to
11 afford a new car. I mean, you know what it's
12 like out there, and when you're old --- and all
13 that stress out there. I mean, you've got people
14 that can't even take the stress from going to
15 work and come back home. But when you have to
16 drive eight hours a day, 12 hours a day, to try
17 to live in the most expensive city in the United
18 States, you have to really put in your time.

19 And at 65, 70 --- you know --- see, we
20 don't have a pension. We don't have a pension at
21 all. We have no safety net. No safety net. We got
22 nothing going for us. I see guys out there that

1 are homeless now, living in their cabs. Older
2 guys. Because they just can't afford it anymore.
3 And I think there should be a caveat or an
4 exception for drivers over 65, or 67, to not have
5 to meet that requirement to get a new cab every
6 five years, because these guys, they just --- I
7 mean, it's sad. I mean, you don't really
8 understand what driving a cab is until you're at
9 Connecticut and K, in August, and you got all
10 your bills coming due. You're sick. You're a
11 senior, your car's running hot, and there's
12 nobody on the street.

13 I was on K Street one August, and 17
14 cabs went around the block. There wasn't one
15 person in any of them. This is a --- what you
16 don't understand --- this is a seasonal job. This
17 is not come and get them every day. This is
18 seasonal.

19 And so our seniors, they're in bad
20 shape, and they need some help.

21 And by making that exemption for them
22 on the year of the car, would go a long way in

1 helping these seniors. Because I'm in and out of
2 the hospital. I got, you know, prostate issues.
3 I'm in and out of the hospital. Some days, I can
4 hardly make it. The next day I might feel all
5 right. But you can't get out there.

6 CHAIRPERSON ROGERS: Let me ask you
7 this. With the age limit, 65, sixty --

8 MR. CARLO: Yes.

9 CHAIRPERSON ROGERS: 65 or 67. Would
10 you also attach years of service to that --

11 MR. CARLO: Yes. Okay; yes. Yes. That's
12 fine. I've been doing it 40 years. I've been in
13 this jungle for 40 years. I feel more trepidation
14 behind the wheel of a cab than I did in Vietnam.
15 I've known 10 drivers been murdered, and thank
16 God I've been able to escape that. But I mean,
17 the city owes us something after 40 years.

18 No pension. No nothing. Them guys are
19 on canes, because number one, when you drive a
20 cab, your back is going to go on you. You know,
21 the older guys, they're in pitiful health.
22 Pitiful. And if you don't drive a cab, you don't

1 know this stuff, and if nobody's ever, you know,
2 explained it to you, you wouldn't know.

3 But the seniors are in trouble and
4 they need your help, and I hope you're better man
5 than Linton, because Linton didn't give a damn
6 about us. And he's a old man hisself. But he's
7 sitting in a air-conditioned office in the
8 summertime, making \$150,000 a year. In the
9 winter, he's got a heated office. He's sitting
10 back in there, drinking coffee. But we're out
11 there, at 67, 68, 69, 70, and even further,
12 grinding it out, trying to make it, in the most
13 expensive city in the United States.

14 So I hope you can feel some compassion
15 for us, because we really need it. Thank you very
16 kindly.

17 CHAIRPERSON ROGERS: Thank you,
18 William. I appreciate your comments, and I
19 definitely have always thought about the
20 operators being professional operators --

21 MR. CARLO: And like I said a number of
22 years we've been driving at that age.

1 CHAIRPERSON ROGERS: And I do feel that
2 the Commission does need to look in to that and
3 do something, and to be honest with you, do
4 something fairly swiftly.

5 MR. CARLO: All right.

6 CHAIRPERSON ROGERS: Because we don't
7 want to lose too many drivers, so when we do do
8 something, it's, you know, it's helping ten
9 people as opposed to 100 people, or something
10 like that. But I do like the idea of --- I'm not
11 going to lie to you --- I do like the idea of
12 allowing drivers at a certain age, with a certain
13 number of years, to stay in their vehicles,
14 assuming that they're well-maintained, and, you
15 know, ride well, and so on and so forth. I do
16 think that, unfortunately, you know, some of our
17 rules that keep the fleet modern, and so on and
18 so forth, does impact that subset negatively, and
19 I do think we have the obligation, to be honest
20 with you --

21 MR. CARLO: And they probably know all
22 this when I was younger I never would have driven

1 a cab. This is the worst job in the United
2 States. But now I'm in it, you know, I can't, I
3 can't do anything; you know. But we would --- I
4 mean, we deserve something from the city, you
5 know, for all we've put in to the city. We've
6 put a lot --- we've put our heart and soul in the
7 city, and I think the city owes us a little bit
8 something. We're not asking for money, but just,
9 you know, that raise would be, would go a long
10 way to helping us.

11 CHAIRPERSON ROGERS: Okay.

12 MR. CHUBBS: Good morning, Mr.
13 Chairman.

14 CHAIRPERSON ROGERS: Good morning.

15 MR. CHUBBS: Commissioners. I can't say
16 it as well as this gentleman said it.

17 MS. MIXON: Just before you start,
18 please, your name for the court reporter.

19 MR. CHUBBS: Okay. My name is E.J.
20 Chubbs, No. 69, Independent. Chubbs. C-h-u-b-b-s.
21 And I want to speak on the same thing that this
22 gentleman spoke on. You know, I have spoke on it

1 a couple times. We are just driving --- two
2 things. We are discriminating because we are
3 driving all the black senior citizens out of
4 business. And why I said that --- the only old
5 drivers is the black citizen. You know, I mean
6 drivers been driving for 50, 60 years. You know,
7 we don't have --- all this other is Johnny come
8 lately, and I don't know how they're even coming,
9 because all a my time, when I first started in
10 1964, the law said, unless it has been changed,
11 unbeknown to me, you must be a citizen of, of the
12 United States. You must live in the state of
13 Washington, D.C. for one year before you can even
14 apply for a license.

15 But I see them coming this month, got
16 a license next month. So this is, again, what's
17 running our business down, and getting --- giving
18 us a bad name. But nevertheless, I'm a senior
19 citizen, been driving here for 50 years, and I
20 just see the regular is so unfair. And just like
21 this gentleman said --- we should have --- we're
22 not asking you to give us anything, but just ---

1 we'll service this city for 50 and 60 years. We
2 have made the city what it is now, and y'all just
3 taking all of our rights. You're making rules and
4 regulations, and just wiping all of the old
5 drivers out, because they cannot --- they don't
6 work full weeks, they work a couple hours a day,
7 and some of them just want to get out the house,
8 and they should have that right when they have
9 served the city for 50 and 60 years.

10 And I see --- I don't even like to
11 talk about Uber. But I see Uber pulls up to the
12 hotel. They got pickup trucks. They got all kinds
13 a things that they're taking our fares, and y'all
14 are making all these regulation for us, who have
15 serviced the city, and, and I, particular, is so
16 unhappy that -- I drive a Lincoln Town Car. They
17 stopped making them in 2008.

18 Now I bought one, looking forward to
19 my business because I knew I couldn't get it
20 financed as a taxi. So I struggled and bought it,
21 and paid for it, to utilize in my business. Now
22 --- and the car has 78,000 miles on it. Brand

1 new. Not used, or anything. And top of the line.
2 They tell me now I can't utilize that in my
3 business because it's an 08.

4 I mean, that is just so unfair. They
5 started off when they was going to make these
6 rules. The rules was they first made --- and Mr.
7 Tapscott know --- that you could drive your car
8 until 500,000 miles. Then they broke it down to
9 400,000 mile. Then somebody come up with this
10 brain idea, eight year --- seven years or
11 something. Then it's no more usable. But the
12 other thing is --- and I know a lot of them like
13 me. Back in the day, we could not get a taxicab
14 financed, I mean a real taxicab, so what I did,
15 and many of my senior citizens, we bought a car,
16 expecting to put it in, in my business later. And
17 we paid for it.

18 Then we would put that in the
19 business, and then buy another car. So that way,
20 if we --- see, I can get --- I can go to any
21 dealer, if I'm a private buyer, and buy my car.
22 And the other thing is, you cannot put it in to a

1 taxi unless you own the title. Okay? So that's
2 another hang-up. So I am very upset about that,
3 and my 04 --- my taxi's my business and people -
4 -- I appreciate --- people tell me all the time -
5 -- oh, your car is so nice and clean. And my
6 thing --- I tell them this is my office. Which it
7 is. That's my office. I take care a my thing, and
8 I, I spoke on this too. This waiver thing. The
9 money we have to pay to get a waiver, I don't see
10 why we got to do it. I still --- I think they
11 done stopped it.

12 But you got to take and get the
13 hundred and ---, costs you \$150. Then you got to
14 bring it back over here and let them check it.
15 Another \$50. That's money for a senior citizen
16 who work maybe one day, two day, or two or three
17 hours. Like the gentleman said, y'all owe us
18 something. I mean, everywhere you go, it has some
19 exemption for senior citizen. You all just make
20 a blunt -- blunt law that goes across the board,
21 and it's so unfair; you know? And I did get the
22 waiver, but only 18 months, and like I told you,

1 I'm proud of my car. I takes care of it. Looks,
2 drive, and doability, and I thought I was going
3 to get two years. I only got 18 months.

4 But now when you get round to the 18
5 month, what I'm going to do now? I got --- I got
6 a 08 that I bought for my business, sitting in my
7 driveway, unusable. I mean, that is --- that is
8 crazy. With 7-, 8,000 miles on it. In --- in
9 another two years, I may put another 10,000 miles
10 on it. You know? Because I'm not driving it that
11 much, and most time I'm in my cab, and just like
12 the gentleman said --- I'm the same way. I have a
13 water problem. So I can't get out there in the
14 street, and I stay where I can utilize the
15 bathroom.

16 Even in this city for a bathroom, you
17 can't --- if you find a place, that you can use
18 it, you can't stop. You know, you got a ticket.
19 And very few places that you can go. So I
20 utilize one that is convenient for me. And like
21 one of the other gentlemen was saying, you know,
22 I have a lot of respect for the hack inspectors.

1 I know they can't be everywhere, all the time.
2 But we seem to get a lot of tickets, and when the
3 others just doing what they want. You know? I
4 mean, it's, it's the --- but when I started, been
5 50 years ago, it has really --- the industry ---
6 and we are losing. I'll give you an example.

7 I'm working one hotel on Capitol Hill,
8 and I see Uber now. The bellman, he gets excited
9 because he drives a cab. He hated it. And every -
10 -- here's what it is. The young professionals
11 that comes in this city, they only use Uber. I
12 mean, five people come out. Four is waiting for
13 Uber. Okay? What I get now is my standard
14 client, are the old peoples, and a lot of them
15 say, you know, I drove a cab when, when I was
16 going to college, and I'm not going to drop the
17 cab drivers. And tips very well. You know, he's -
18 -- I know what a, what a --- what it is to drive
19 a taxicab.

20 But the young professionals that come
21 in here, they only use Uber; you know? So that's
22 my statement.

1 CHAIRPERSON ROGERS: Thank you, Mr.
2 Chubbs. I appreciate your comments, and I've been
3 listening very intently to the discussion, and,
4 you know, in a quick and formal poll of my
5 colleagues, I think we are going to do something
6 about at least the senior issue. So in the next
7 month or two, we will be probably proposing a
8 rule to do exactly as you're saying, to allow
9 drivers at a certain age, I don't know the age
10 yet, got to do the research and all that stuff --
11 - with a certain number of years, to maintain
12 their vehicle as long as they want to stay in
13 their vehicle, as long as they maintain their
14 license, so on and so forth. Again, subject to
15 basically the standards of Mr. Chubbs' car, that
16 it's an office, and it's clean, and it's nice,
17 and it rides well, subject to inspection.

18 I may require more frequent
19 inspections since we're giving that benefit. I
20 don't know. We'll figure it out, discuss it, and
21 stuff.

22 But I think it is a very good --- it's

1 something that the city should do. You know, It's
2 something that the city should do, and in a
3 conversation that I had with Council Member Cheh
4 at the end of my budget oversight hearing, you
5 know, she asked me the question --- you know, is
6 there room for independent operators in the new
7 D.C. taxi market?

8 And I said of course there is. You
9 know, it's the backbone of the taxi market. But
10 it's up to us, as a Commission, to do what we can
11 to ensure, to the extent that we can, that
12 independents, especially older independents, have
13 the ability to stay employed and do what they
14 love to do.

15 But again, you know, with the
16 conditions that the car has to be as pristine as
17 Mr. Chubbs'. We can't have a bunch of junk on the
18 road. I can't have that. Look at other ways to
19 help folks like that. But I can't have that.

20 So stay tuned. Probably, the July
21 meeting, we may have something proposed for that,
22 because I think that is something that we should

1 do. So thank you for bringing that to the
2 Commission's attention, Mr. Carlo, Mr. Chubbs. We
3 appreciate that.

4 Mr. Bethea, something outside of what
5 your official --

6 MR. BETHEA: Yes. I would like to say
7 something outside of my official mode of being
8 here, of filing the petition request. I am a 44
9 year veteran cab driver in this city. These
10 gentlemen who have gotten up and spoken very
11 eloquently, they are personal friends that I've
12 known as long as I've driven a cab. So I don't
13 have to reinforce what those issues are. But I'd
14 like to speak from a standpoint of me talking
15 with owners of the cab companies in the last 30
16 days, since the last hearing I engaged in, coming
17 to this venue. It is one that is very, very
18 dismal.

19 These drivers have indicated by their
20 testimony --- I've spoken to over 22 owners.
21 Yesterday, I had the privilege of meeting with
22 the largest fleet owner in the city, Mr. Jerry

1 Schaeffer. Every company owner has stated the
2 same testimony. Even with the wherewithal of
3 Jerry Schaeffer's operation, he has clearly said
4 he is aware that within 12 to 18 months, most
5 companies won't exist. Even he won't be able to
6 keep his operations going, because if the cab
7 drivers aren't able to make a profit, they can't
8 make a profit.

9 So I don't know whether this body is
10 aware of the new ruling that just came out of the
11 federal court in New York, where the jurisdiction
12 brought a law suit against the 10,000 pound
13 gorilla in the room called Google, which is a ---
14 Google, which is a subsidiary of them which you
15 probably be more knowledgeable about them than I
16 am.

17 But it's very clear to me, that this
18 body has to do something about bringing the
19 necessary federal action forward, so that the
20 rates that Uber is charging is not 40 percent
21 cheaper than a cab ride, and putting it on the
22 side of a Metro bus that comes through Fort

1 Totten, and while the people coming out and catch
2 --- to catch Uber, the driver's got to sit there,
3 dumbfounded, and see the advertisement on the
4 side of the D.C. Metro bus, telling them that
5 their livelihood's being taken from them by a
6 company that does not own a vehicle for
7 transportation, of any mode, and they're using
8 commercial lease contracts to flood the market
9 with drivers.

10 They simply go out and get in to a 52
11 month lease contract, where they are paying from
12 \$170 to \$270 a week. They put a lojack in the
13 vehicle, and these drivers hit the street. They
14 have to sign a waiver, where the 170 to 270 is
15 drawn down before those drivers see a dime, plus
16 20 percent for each job, and they have completely
17 raped the cab and limo industry.

18 The lease contract option being made
19 available for our drivers will give the companies
20 and drivers the ability to fight fire with fire
21 because it can reduce the weekly note to a
22 monthly note, and improve their cash flow. So

1 I'd like to send with that, but I wanted to get
2 that in, because to me it is unconscionable, that
3 the D.C. government would allow them to come in
4 to the city.

5 And that was not done by this body.
6 This was done by our legislative branch, the
7 mayor and the City Council. I understand that
8 your budget, and your oversight comes through
9 that Council. And I'm not putting that at your
10 feet. I have the ultimate respect for you, and
11 the way that you and your general counsel have
12 conducted yourself since you've been in office.
13 You inherited this mess.

14 But we've got all type of entities out
15 here who have come forward, and asked for these
16 legislative mandates to be put in place, and I
17 will address that issue when I officially get up
18 to talk about the filing of the grievance. Thank
19 you.

20 CHAIRPERSON ROGERS: Thank you, Mr.
21 Bethea. Are there any others wishing to testify?
22 Number one and number two, sign your name, and

1 then we'll move on.

2 MS. MIXON: And again, before you begin
3 speaking, please say and spell your name for the
4 court reporter.

5 MR. HASSAN: My name is Abdelwahab
6 Hassan. A-b-d-e-l-w-a-h-a-b Hassan, H-a-s-s-n.
7 a-n.

8 CHAIRPERSON ROGERS: talk in the mike.
9 Talk in to the mike.

10 MR. HASSAN: Abdelwahab Hassan. A-b-d-
11 e-l-w-a-h-a-b. Hassan. H-a-s-s-a-n.

12 MS. MIXON: Thank you.

13 MR. HASSAN: Sorry. Mr. Chairman,
14 member of the Commission, I definitely feel the
15 desire to have a fair system, that this serve the
16 public, and fair to the drivers and the
17 companies. As we all know, the D.C. drivers have
18 gained a meter instead of complicated zone map,
19 cleaner cars for now, credit card payment method,
20 and regulated prices on drivers. But I see that
21 there is no enough cabs in the peak times for
22 riders of D.C.

1 I pick the customers in front of the
2 Capitol Hill at 2:00 p.m., who have been waiting,
3 trying to get a cab for more than 10 minutes.
4 Other who waited more than that in the midtown.
5 And even in Adams Morgan in the weekends, there
6 was no cabs, as it used to be, and customers had,
7 had to call Uber, and pay double prices. And
8 even for the evening, around 9:00 p.m., guests --
9 - the city is full of guests, and guests to D.C.
10 coming out of restaurants were not finding cabs.
11 Also there was also cabs coming back from
12 outlying areas, fares, that was able to serve
13 the outlying areas when they are coming back,
14 but now those areas are less and less cabs, and
15 they have to use Uber.

16 Mr. Chairman, the 6,000 cabs number is
17 deluding. Some cabs --- some cab companies are
18 holding tags, and have no real cause, because the
19 closed entry system has made each tag worth 250 a
20 week, and escalating with each new hack license
21 issue --- new hack license issue, making bigger
22 waiting lists.

1 Also, there is a very serious issue,
2 that cab companies after feeling more power
3 started being lax on the safety and maintenance
4 of their cars, and have the attitude of take it
5 or leave it. This is very serious for the safety
6 for --- of the public and could become deadly.

7 They can manage not to pay insurance
8 for the tags, and they can easily find out what
9 tags are not being --- not being used. With open
10 industry system, I trust individuals to care for
11 their car's safety more than the companies.

12 Also, Mr. Chairman, the closed entry system has
13 made it difficult for any person to return his or
14 her tag when he is --- has to go somewhere. They
15 became just a number, and give you wrong
16 information about the actual available cars.

17 Mr. Chairman, the D.C. taxi work
18 capacity is not like New York. D.C. work has peak
19 times and seasonable times, but also has lax
20 times, of course because the population of New
21 York, 8.5 million, here is only less than a
22 million, 860,000.

1 The open entry system and drivers in
2 D.C. have adapted to these times, and we're able
3 to serve them very efficiently.

4 As you know, living in D.C. has become
5 very expensive, especially for the families and
6 drivers, and driver have to live in Virginia and
7 Maryland. But residency rules allowed some cab
8 companies to put their names on the driver's
9 registration and abuse them, and charging them
10 \$50, or threaten them to lose their tags. All
11 this from the old policies. I understand that
12 you're, you're trying to overhaul the whole
13 system.

14 So Mr. Chairman, the cab companies are
15 interested to the closed entry system. They can
16 make \$50,000 a week from the rental, and with
17 this money comes power. They can hire
18 consultants, lobbyists, and make friends, and
19 write the rules as happened in Maryland and
20 Virginia.

21 Mr. Chairman, the previous Commission
22 regulations have helped driving out individuals

1 from the system with applying many restrictions,
2 like not giving them replacement tag, and the
3 residence regulations, and newer, expensive cars,
4 and issuing tags to companies, and many more.

5 In conclusion, I personally have hope
6 in you in to making a evolution in the
7 regulations, to return to the, to the open entry
8 system, returning the balance between tags and
9 drivers, who can start now by stopping issuing
10 hack licenses to those who have no hope finding
11 cars, finding out which tags has no cars, with
12 the companies issuing more tags to individuals,
13 enforcing some parking regulations to limit the
14 number of tags to a company, a company can have.

15 If you have the will to go back to the
16 open entry system, you will find a way to do it.
17 For the tag --- for the year limitation, I was
18 thinking if, to make it easy for everyone, the
19 more important issue is to have a --- a good car.
20 The issue is to have a good car. Sometimes a good
21 car doesn't mean 2010, because cab companies can
22 go and get a 2012 with 150,000 miles, or a

1 salvage, or whatever, and they can fix it. You
2 know, they can buy it cheap, and they have the
3 means to do, to do that.

4 I'm thinking if a lower mileage, and
5 a limit of use of mileage, a good car would be
6 like, say, 60,000. Sometimes you can get a very
7 good car, which is 2007, 2008. So like I say. So
8 the limit would like 60,000 mile, 70,000 mile ---
9 very good car.

10 CHAIRPERSON ROGERS: No. I agree,
11 because I just bought a used car myself --

12 MR. HASSAN: Yes.

13 CHAIRPERSON ROGERS: --- which is a
14 2007 --

15 MR. HASSAN: Yes.

16 CHAIRPERSON ROGERS: --- with 40,000
17 miles and I'm very happy with it, so --

18 MR. HASSAN: Yes, yes. Very, very
19 good. So you, you say --- you say the mileage,
20 say the mileage --- 60 or 70 ,and also the amount
21 of, of miles you put on. You put 20,000, 30,000.
22 Not the year, because the years, when you come to

1 a model, like 2010, 11, the cars becomes very
2 expensive, drives people out of work, and, you
3 know, many drivers are not working any more in
4 the system. It's just a number. They have to find
5 another job. They are working other jobs. And I
6 have hope in you, Mr. Chairman. Thank you.

7 CHAIRPERSON ROGERS: Thank you.

8 Appreciate your comments. I believe we have one
9 last comment. Please, sir, come on up, and then
10 we'll move on to our regular business.

11 MR. MEKASHA: My name is Samuel

12 Mekasha.

13 CHAIRPERSON ROGERS: Can you spell your
14 last name for the record.

15 MR. MEKASHA: M-e-k-a-s-h-a.

16 CHAIRPERSON ROGERS: And don't forget
17 when you're done testifying to sign in, so we
18 have you --

19 MR. MEKASHA: Yes. I already did.

20 CHAIRPERSON ROGERS: Okay.

21 Thank you, sir. Please continue.

22 MR. MEKASHA: I really appreciate you

1 give us this opportunity to be heard, Mr.
2 Chairman, and I have a feeling that you're very
3 different from previous chairman, because you're
4 listening to us, and I'm very appreciative of
5 that. And the reason why I'm here is I drove in
6 Washington for 26 years, and I have to leave to
7 take care of my father, and I return my tag, and
8 I came back, and they told me I cannot have my
9 tags.

10 So I'm renting now. Like he said, I'm
11 62 years old, and I don't have no pension, no
12 other income. So for me to rent a cab is very
13 difficult because I don't have the energy to work
14 like I used to. Cab business had been very good
15 to me. Yes.

16 But time changes. Everything change.
17 So I tried to get a job somewhere else, because I
18 can't be able to rent. My wife is diabetic. She
19 don't work. I'm the only one who take care of the
20 family, and when I went to look for a job as a
21 bus driver, my record shows that I have hack
22 infractions, and those have --- hack infractions

1 are seven years ago, eight years ago.

2 The way I understand, you're supposed
3 to have --- yes, you're supposed to have driving
4 records, driving violation on your record. But
5 they put hack infraction on your record because
6 you live in Washington, D.C. That's not fair. If
7 you live in Virginia, you can get 10 hack
8 infraction in one month. It don't show on your
9 record.

10 So I get punished, both ways. I don't
11 get no tags, and I cannot be able to get a job.
12 Is not fair. If you live in Virginia, it's not on
13 your record. But if you live in D.C., it's on
14 your record.

15 As a matter of fact, if you have a
16 moving violation, after two-three years it goes
17 away. This one, it does not. So it's not fair.

18 So you get punished for living in D.C.

19 CHAIRPERSON ROGERS: And you're a D.C.
20 resident?

21 MR. MEKASHA: Yes, sir.

22 CHAIRPERSON ROGERS: We'll look in to

1 it, because our understanding of the law is that
2 that shouldn't occur.

3 MR. MEKASHA: Yes. Driving record. Yes.
4 Driving record. Yes. Your driving record is for
5 driving only. If you kill somebody, they don't
6 put it on your driving record.

7 CHAIRPERSON ROGERS: Let me ask this.
8 The infractions that you got, what were they? Do
9 you remember?

10 MR. MEKASHA: Like dirty cab, no
11 driving manifest. Very minor things, you know?

12 CHAIRPERSON ROGERS: But not a moving
13 violation or --

14 MR. MEKASHA: No, no. Moving violation
15 --- I drove taxi. That's my business. I know. It
16 is very simple. When you have driving record,
17 that means moving violations are supposed to be
18 on your driving record.

19 CHAIRPERSON ROGERS: Understood.

20 MR. MEKASHA: Yes. But even your
21 driving record goes away after two years, three
22 years. It depends, you know, what --- so I don't

1 have my record, but I'll be very glad to show it
2 to you.

3 CHAIRPERSON ROGERS: No, that's fine.

4 MR. MEKASHA: I have had dirty tag
5 ticket seven years ago. Still on my record.

6 CHAIRPERSON ROGERS: So let's do this.

7 MR. MEKASHA: Yes.

8 CHAIRPERSON ROGERS: Get with the
9 Commission secretary, schedule a meeting with me
10 and my staff ---

11 MR. MEKASHA: Okay.

12 CHAIRPERSON ROGERS: --- so that we
13 can review the issue. Okay.

14 MR. MEKASHA: Yes.

15 CHAIRPERSON ROGERS: So let's talk
16 after the meeting --

17 MR. MEKASHA: Okay. I'll do that.

18 CHAIRPERSON ROGERS: --- so we can get
19 your information, so we can do some research.

20 MR. HASSAN: Yes, okay.

21 CHAIRPERSON ROGERS: It's puzzling to
22 us, so we want to --

1 MR. HASSAN: Yes. I wish I brought my
2 record. I'll show it to you. I mean, I have it
3 for --- you know, they turn me down because they
4 say --- it's no points on them, but they look
5 like a criminal rap sheet. And I'm not criminal.

6 CHAIRPERSON ROGERS: I understand. I
7 understand. But let's talk after the Commission
8 meeting so that we can --

9 MR. HASSAN: Okay. Another thing is I,
10 I --- one of our group they have a meeting with
11 you, and you said he could bring a handicap van.
12 You know, I'm --- try to be in the business
13 again, try to be in the business, and I don't
14 know whether I get handicap van or not, because,
15 you know, things are not very clear.

16 CHAIRPERSON ROGERS: So the rule is,
17 current rule is you have a vehicle, you have a
18 tag, you want to replace it.

19 MR. HASSAN: Yes.

20 CHAIRPERSON ROGERS: You can replace it
21 with --- if you replace it with a brand new
22 wheelchair-accessible vehicle.

1 MR. HASSAN: Yes. I don't have tag. I'm
2 renting. I don't have tag.

3 CHAIRPERSON ROGERS: You would get,
4 though, a transferrable tag.

5 MR. HASSAN: So I can go buy --- so I
6 can go buy a handicap van and --

7 CHAIRPERSON ROGERS: You have to have
8 a tag, and subject to the replacement schedule,
9 or ready to turn over that vehicle, and then turn
10 that vehicle in to --- the tag in to a --

11 MR. HASSAN: Handicap.

12 CHAIRPERSON ROGERS: Then what you'll
13 get is a new tag that's got an extended life.

14 MR. HASSAN: But --- yes.

15 CHAIRPERSON ROGERS: So you've got 12
16 years.

17 MR. HASSAN: How about if I lose my
18 tag? I return my tag?

19 CHAIRPERSON ROGERS: Unfortunately, in
20 this --- your particular instance, that rule
21 wouldn't apply, but, you know, we are --- which
22 my staff will talk about later on -- we have the

1 Panel on Industry which, is looking at all of
2 these H tag issues, to make recommendations to me
3 and the Commission on how and when we should
4 release more tags for individuals like yourself
5 who turn them in --

6 MR. HASSAN: I was 26 years, and I just
7 cannot make a living with renting cabs. I just --
8 - like, like he said, take it or leave it
9 situation. You know, they don't repair the cars,
10 they're not safe cars, so --

11 CHAIRPERSON ROGERS: No. I understand.

12 MR. HASSAN: Yes. And they --- and they
13 --- it's very difficult, Mr. Commissioner, so --

14 CHAIRPERSON ROGERS: I understand.

15 MR. HASSAN: Okay. Thank you. That's
16 what I want to say.

17 CHAIRPERSON ROGERS: But don't leave.
18 So we want to talk to you after the hearing, if
19 you have time.

20 MR. HASSAN: Yes. Okay. Okay.

21 CHAIRPERSON ROGERS: Okay.

22 MR. HASSAN: Thank you.

1 CHAIRPERSON ROGERS: Thank you, sir.
2 Okay. Let's move on in the agenda. Do any of the
3 Commissioners have any comments or questions? Any
4 statements that they want to make? Mr. Tapscott?

5 COMMISSIONER TAPSCOTT: Thank you. I
6 want to thank you drivers for bringing a lot of
7 issues up this morning that are very important.
8 Because a lot of you say, "you're putting cab
9 drivers out of business." And just a matter of
10 fact, for the year that is brought up, and the
11 Commission has talked about doing better in these
12 areas. I think we've got a little light at the
13 tunnel, but we need more light, and I want you
14 all to know that I'm in your corner for most of
15 everything that you all talked about today.

16 (Applause)

17 CHAIRPERSON ROGERS: Thank you, sir.
18 Commissioner Muhammad, do you have any comments?

19 COMMISSIONER MUHAMMAD: No.

20 CHAIRPERSON ROGERS: No comments. Okay.
21 Let's move on to item three, Commission Action
22 Items, and the votes. So I will tag team with our

1 general counsel. He doesn't have a microphone, so
2 we really will tag team. So the first item is a
3 vote to approve publication of final rulemaking
4 or Chapter 5, modifying the rules on when a
5 taxicab must be painted in the uniform color
6 scheme. Mr. General Counsel.

7 MR. LERNER: Yes. This is a final rule
8 that's previously gone through the notice and
9 comment process. It expedites conversion of the
10 fleet, and I believe maybe Mr. Scott would know
11 better, but I believe we're certainly well over
12 50 percent now repainted in the uniform color, or
13 painted in the uniform color, if it's a new
14 vehicle, is that correct?

15 CHAIRPERSON ROGERS: Yes.

16 MR. LERNER: Okay. Good. And so the two
17 additions, the two changes are that there's ---
18 there must be repainting at the time a vehicle
19 changes association from perhaps one fleet to
20 another, or if someone is applying for a waiver,
21 an extension of time on the road, for more than
22 one year -- not one year, but if it's two to

1 three years that they're asking for, then they
2 would need to be --- they would be required to
3 repaint if that extension, that waiver is
4 granted. So that would be this rule if it's
5 published.

6 CHAIRPERSON ROGERS: Okay. Okay. We
7 have the rule before us. Any comments? Comments,
8 comments on the rule?

9 (No response)

10 CHAIRPERSON ROGERS: Do I have a motion
11 to approve the rule?

12 COMMISSIONER TAPSCOTT: Move.

13 CHAIRPERSON ROGERS: The motion has
14 been properly moved. And do I have a second?

15 COMMISSIONER MUHAMMAD: Second.

16 CHAIRPERSON ROGERS: And seconded. All
17 in favor of Item 1 signify by saying aye.

18 (Chorus of ayes.)

19 CHAIRPERSON ROGERS: All opposed?
20 Abstentions?

21 (No response.)

22 CHAIRPERSON ROGERS: The ayes have it.

1 (Whereupon, the motion was duly
2 carried.)

3 CHAIRPERSON ROGERS: The second rule is
4 to vote to approve publication of final
5 rulemaking for Chapters 5, 10 and 99, repealing
6 the rules to authorize the formation of Modern
7 Taxicab Associations. Mr. General Counsel.

8 MR. LERNER: Yes, these are final rules
9 which completed the notice and comment period. I
10 believe we did not get any comments at all on
11 this one. No changes have been made, I believe
12 that's correct, from the proposed rulemaking.
13 This, as you may recall, the Modern Taxicab
14 Association rules were briefly final.

15 They were voted to be repealed, went
16 through the proposal, proposed comment period,
17 and at this point they've completed the process.
18 The Modern Associations would have distributed
19 hundreds of new tags, certainly we knew that, and
20 that was done without any study of the actual
21 situation with the H tags, which are many of the
22 things that we hear, including at the meeting

1 today.

2 So instead, those issues have been put
3 to the Panel on Industry, and then this, I guess
4 process, would be removed, and it may be one of
5 the things --- that's part of the recommendations
6 from the panel, perhaps not --- but at this
7 point, if this is approved, then those rules
8 would be final and they would be removed from
9 Title 31.

10 CHAIRPERSON ROGERS: We have the rule
11 before us. Any comments? Comments? Comments?

12 (No response)

13 CHAIRPERSON ROGERS: Do I have a motion
14 to approve the rule?

15 COMMISSIONER TAPSCOTT: Move.

16 CHAIRPERSON ROGERS: Do I have a
17 second?

18 COMMISSIONER MUHAMMAD: Second.

19 CHAIRPERSON ROGERS: The motion's been
20 properly moved and seconded. All in favor of Item
21 2 signify by saying aye.

22 (Chorus of ayes.)

1 CHAIRPERSON ROGERS: All opposed?
2 Abstentions?

3 (No response.)

4 CHAIRPERSON ROGERS: Motion passes.
5 (Whereupon, the motion was duly
6 carried.)

7 CHAIRPERSON ROGERS: Second. Excuse me.
8 Third. Vote to approve publication of final
9 rulemaking for Chapters 6 and 18 updating the
10 Modern Taximeter System, MTS trip data fields
11 which must be captured and transmitted to the
12 Office of Taxicabs. Mr. General Counsel.

13 MR. LERNER: Yes. Again, these are
14 final rules that have completed the notice and
15 comment period. I believe we did not get any
16 comments on these. These would add just a few
17 data fields. I think there's three, actually, and
18 the necessary data flow that's required for the
19 Transport D.C. Program, which was formerly CAPS.
20 Those would be added and it will be done if the
21 Commission votes to publish these rules.

22 CHAIRPERSON ROGERS: Thank you. We have

1 the rule before us. Is there a motion?

2 COMMISSIONER TAPSCOTT: Move.

3 CHAIRPERSON ROGERS: Is there a second?

4 COMMISSIONER MUHAMMAD: Second.

5 CHAIRPERSON ROGERS: The motion has
6 been properly moved and seconded. Any comments?
7 Comments, comments, comments? No comments? Okay.

8 (No response.)

9 CHAIRPERSON ROGERS: All in favor of
10 Item 3 signify by saying aye.

11 (Chorus of ayes.)

12 CHAIRPERSON ROGERS: Opposed?

13 (No response.)

14 CHAIRPERSON ROGERS: Any abstentions?

15 (No response.)

16 (Whereupon, the motion was duly
17 carried.)

18 CHAIRPERSON ROGERS: Number four.

19 Vote to approve publication of final
20 rulemaking for Chapters 8 and 11 decreasing
21 certain administrative fees in Title 31. So is
22 what everybody wanted. You want to decrease fees.

1 We're decreasing the fees. Everybody's head
2 looked up then. A few of them, not all. A few of
3 them. And everybody's getting quiet now. Got to
4 read the rule to find out which ones. So --

5 MR. LERNER: Yes. That's true. So these
6 rules have completed notice and comment, and a
7 number of fees are being reduced. The one that
8 stands out in my mind, that I'm sure will be
9 delightful music to everyone's ears, is the one
10 stop being cut in half, and I don't recall what
11 the other ones were but --- because that was one
12 of the ones that's the most unpopular, I always
13 remember that one. So read it and you'll see the
14 ones that may be of concern to you. If approved,
15 that's what would happen in the rules.

16 CHAIRPERSON ROGERS: All right. So I'm
17 sure everybody will say aye to this one, even
18 though you're not on the Commission. So is there
19 a motion to approve item number 4?

20 COMMISSIONER MUHAMMAD: Move to
21 approve.

22 CHAIRPERSON ROGERS: Second?

1 COMMISSIONER TAPSCOTT: Second.

2 CHAIRPERSON ROGERS: It's appropriately
3 moved and seconded. All in favor --- any
4 comments? Comments, comments? All in favor,
5 please signify by saying aye.

6 (Chorus of ayes.)

7 CHAIRPERSON ROGERS: All opposed? Any
8 abstentions?

9 (No response.)

10 CHAIRPERSON ROGERS: the motion passes.

11 (Whereupon, the motion was duly
12 carried.)

13 CHAIRPERSON ROGERS: All right. I
14 didn't hear any ayes from the audience. There we
15 go. Number five. Vote to approve publication of
16 proposed rulemaking for Chapter 1, updating the
17 administrative procedures of the Commission.

18 MR. LERNER: Yes. These are proposed
19 rules, which if approved for publication, would
20 propose to change Chapter 1, which are the
21 administrative rules of the Commission, to do
22 such things as affect how voting is done, the

1 types of meetings that are allowed, notice
2 that's required for meetings, or business, like
3 whether speakers come first or so forth, and
4 various other tweaks, all of which are in the
5 notice. And those are proposed. So they just,
6 once they're published, they'd be out there. We
7 encourage folks on this and anything to submit
8 comments on anything that matters to you.

9 CHAIRPERSON ROGERS: We have the matter
10 before us. Any comments? Comments?

11 (No response.)

12 COMMISSIONER MUHAMMAD: Move.

13 CHAIRPERSON ROGERS: Okay. The motion
14 --- excuse me. The matter has been properly
15 moved. Do I have a second?

16 COMMISSIONER TAPSCOTT: Second.

17 CHAIRPERSON ROGERS: The matter has
18 been properly seconded. All in favor, please
19 signify by saying aye.

20 (Chorus of ayes.)

21 CHAIRPERSON ROGERS: All opposed? Any
22 abstentions?

1 (No response.)

2 CHAIRPERSON ROGERS: The motion passes.

3 (Whereupon, the motion was duly
4 carried.)

5 CHAIRPERSON ROGERS: Number six. Vote
6 to approve publication of emergency and proposed
7 rulemaking for Chapter 16 to expedite ---
8 actually, we're removing that one, right? Okay.

9 So we will, on number 6,
10 Commissioners, vote to approve publication of
11 emergency and proposed rulemaking for Chapter 16
12 to expedite the formation of D.C. Taxi Industry
13 Co-op and clarify its requirements, we still have
14 to get some further information from our lawyers
15 on legal sufficiency and the like. So we will
16 remove this from this agenda, have a special
17 Commission meeting in two weeks or so, whenever
18 the --- the soonest that we can have it, and vote
19 on that, because we should have the documents
20 that we need to move forward on that, and
21 definitely, some other stuff as well.

22 MR. LERNER: Want me to go to point No.

1 9?

2 CHAIRPERSON ROGERS: Point Number 7.

3 No. This 7 is different. Seven is the
4 integration requirements forcing the co-op to
5 integrate with any new PSPs that come in to the
6 District. So let's let the General Counsel
7 discuss it, and then we can have ---

8 Yes. So a vote to approve publication
9 of proposed rulemaking for Chapter 4, to modify
10 the integration rules where the co-op integrates
11 with the new PSP to require each business to pay
12 its own costs. So Mr. General Counsel, please.

13 MR. LERNER: Thank you. This is a
14 proposed rule, which if approved would open a
15 comment period to -- it's a very short rule. The
16 existing rule, I think it's been voted final for
17 publication, I don't know if it's actually been
18 published yet, would be to require the co-op, and
19 any additional PSP that comes in to the industry,
20 share the costs of integration, and then the
21 Commission realized that perhaps that's not the
22 most equitable thing, since the co-op might have

1 \$10 of costs for that, and the new PSP might have
2 \$10,000. It's not really fair to make the parties
3 split that total bill. So, really, the
4 modification is really just to go from sharing
5 those costs, 50/50, to having each party, each
6 business pay its own expenses for the
7 integration. That's the only thing, so --

8 CHAIRPERSON ROGERS: Comments?

9 COMMISSIONER TAPSCOTT: Comment. We
10 have Chapter 16 on hold. Is this part of some of
11 Chapter 16? Why don't we put that on hold until
12 we revisit Chapter 16?

13 CHAIRPERSON ROGERS: Okay. Mr.
14 Muhammad, you want to do the same?

15 (Off microphone remarks.)

16 CHAIRPERSON ROGERS: Fine. So we will
17 not vote on this and we'll do it at the Special
18 Commission meeting. So now we are on --

19 MR. LERNER: Number 6.

20 CHAIRPERSON ROGERS: So let's --- we
21 are going to vote to accept the petition of
22 Positive Change Purchasing Cooperative LLC,

1 received by the Office of Taxicabs on March 9,
2 2015. If the Commission recalls, this is a buyers
3 co-op to assist drivers --- well, it requires a
4 rule change, but to assist drivers in the
5 acquisition of wheelchair-accessible vehicles and
6 the like. But I'll let Mr. Bethea have the floor.
7 Mr. Bethea.

8 MR. BETHEA: Good morning, once again,
9 Chairman Rogers, and to the entire Commission. My
10 name is Ronald Bethea. I'm the CEO and president
11 of the Positive Change Purchasing Cooperative
12 LLC. We're registered in Maryland and the
13 District of Columbia as legal entities. What we
14 have put forth in our petition, I would first
15 like to sort of set the tone for the audience, so
16 they will have some clarity as to why I have
17 filed this petition.

18 On July 10th, 2012, the District of
19 Columbia passed the DCTC Service Improvement Act
20 amendment of 2012. The D.C. Taxicab Act to
21 improve the taxicab service in the District.
22 Section 22 of the D.C. act addresses

1 accessibility, requiring the D.C. Taxicab
2 Commission, DCTC, to establish a Disability
3 Taxicab Advisory Committee, the committee to
4 advise the Commission on how to make taxicab
5 service in the District more accessible to the
6 people with disabilities. The committee was
7 mandated to transmit to the mayor, and the
8 council, a comprehensive report on
9 recommendations that range from subject,
10 regarding accessible taxi service.

11 The full committee, which has met 13
12 times between January 13th and February of 2014,
13 and a compilation of representatives from the
14 D.C. Office of Disability Rights, the Office of
15 Human Rights, the Commission on Persons With
16 Disabilities, the D.C. taxicab Companies
17 associations, operators, the Office of the Chief
18 Financial Officer, Disability Advocates, and the
19 D.C. Taxicab Commission.

20 Half of the committee is comprised of
21 members represented --- representatives of the
22 Disability Advocacy Committee. The committee

1 convened as a whole, and also met in
2 subcommittees in these areas.

3 A: they established the legal
4 requirements for improving accessible taxicab
5 services. B: the need for accessible taxicab
6 service in the District. C: how other
7 jurisdictions are providing wheelchair
8 accessible service.

9 D: timetable plan rapidly increasing
10 the number of accessible taxis to meet the need
11 of taxicabs in the District. E, which is the
12 most important, the description of the types of
13 grants, loans, tax credits, and other financial
14 assistance, and incentives that could be provided
15 to the taxicab companies, associations,
16 operators, to offset the cost of purchasing and
17 retrofitting, maintaining, and operating
18 wheelchair-accessible taxis.

19 A recommendation package of grants,
20 loan, tax credits, and other types of financial
21 assistance, and incentives, that could be
22 provided to taxicab companies, associations,

1 operators, to which the taxicab --- in the
2 District, to move to a fleet of 100 percent
3 wheelchair-accessible taxis. Now that's very
4 important.

5 They're talking about moving the fleet
6 to 100 percent. That mean every vehicle in the
7 city be wheelchair-accessible. I called,
8 Commissioner, every representative that was
9 associated through these different agencies. Not
10 one of them showed here to testify today on
11 behalf of the companies that urgently need
12 relief.

13 I would like to go strictly and
14 address the area of which we're here today,
15 because area 609, which deals with the issue of
16 vintage on the age of taxicabs also comes in to
17 play in this matter.

18 The issue of amending Title 31(c),
19 Section 31(d), R123, July 10, 1992, the filing of
20 a lease agreement. The owner of each license in
21 the District of Columbia, and license to any
22 person shall, within 30 days of entering in to a

1 lease agreement, file with the Office of Taxicab
2 the following information on the form provided by
3 the office. Name, address, telephone number,
4 number of registered owners of the vehicle.

5 And that is the crux of the problem.

6 As a lessee, who's going to a leasing company, my
7 name is never going to appear on the title of the
8 vehicle while under the lease contract.

9 Therefore, the option for cab companies, cab
10 drivers, limousine companies, and limousine
11 drivers, independent owner/operators, are being
12 denied the option of using lease contracts to
13 purchase these vehicles to be put in to the
14 taxicab and limousine industry.

15 The leasing industry is to the
16 transportation industry, the same thing that the
17 mortgage industry is to the real estate industry.
18 They are the financing backbone of the industry.
19 We have never had that option, because this rule
20 has been on the books for cabs all the time. The
21 limousine companies, at one time, could use lease
22 contracts. The law was changed. They no longer

1 can use lease contracts options to put vehicles
2 in to the limousine business.

3 Therefore, we're asking your panel to
4 accept our petition, whereas the D.C. Taxicab
5 Association, company fleets, independent owners
6 of limos or taxicabs licensed, in good standing
7 with the DCTC, be able to register a vehicle with
8 the DCTC, and the D.C. Department of Motor
9 Vehicles, while under the lease contract with a
10 commercial leasing company.

11 If the taxicab, limo company, fleet,
12 or independent owner execute the buy-out option
13 at the beginning of the lease contract, that
14 having the lease name, having the, having the
15 lessee's name on the title of the vehicle be
16 waived, if the lessee is entering in to that
17 contract to purchase a wheelchair-accessible
18 vehicle or a hybrid vehicle to be put in to
19 service in the limo and taxicab industry in the
20 District of Columbia.

21 That is very, very, very important. I
22 have been able to work with an outstanding

1 gentleman by the name of Mr. Michael Shank with
2 Mobility Works. Mr. Shank has taken the time to
3 travel from Akron, Ohio, to be present with us,
4 here, today. Mr. Shank has worked very closely
5 with putting me in contact with financing
6 contacts. With him today is a gentleman here from
7 Ford Motor Company.

8 It does not matter where the company
9 is located, unless this law is changed ---
10 because everything is being done via the
11 internet. We, in fact, have received a letter
12 from Mr. Jeffrey Blankenship, who I would like to
13 read in to the record, concerning our letter of
14 intent that we have received from Second City
15 Leasing.

16 Second City Leasing is located in
17 Chicago, Illinois. They in fact do all the
18 financing for Yellow Cab of Chicago. Mr.
19 Blankenship was not able to travel to be here
20 today, but I spoke with him, and he said that I
21 did have his permission to read this in to the
22 record. This is dated February the 2nd, 2015.

1 Mr. Bethea: It was a pleasure talking
2 with you about the Positive Change Purchasing
3 Program. You are working in the D.C. area. As I
4 mentioned, Second City Leasing deals with many
5 taxicab fleets across the country, providing
6 financing options for vehicles used in that
7 industry.

8 We are excited about the possibility
9 of working with members of the co-op by providing
10 financing for qualified applicants to purchase
11 wheelchair-accessible and hybrid vehicles.

12 Early, I provided you with information regarding
13 how we structure our financing and criteria for
14 potential avenues. Please feel free to contact me
15 if any questions regarding this matter.

16 Now their program is very, very basic.
17 A person has a credit score of 2650 and two years
18 of experience in the business. How this
19 particular program works with this particular
20 leasing company is basic. They find --- we will
21 fund the vehicle you choose. Who knows the
22 business better than you, what type of vehicle

1 best works for you in the business? We're not ---
2 they do not limit the choice of one or two
3 vehicle models. The individual lessee goes out
4 and finds the seller, chooses to sell the vehicle
5 and negotiate the best possible price. Then the
6 vehicle will be financed.

7 The lease-to-own programs give you the
8 best of both worlds. Number one. You get a 100
9 percent write-off of payments during the lease
10 contract. At the end of the lease, you buy the
11 vehicle for a final balloon payment of \$100, free
12 and clear. \$101. Free and clear. There is no
13 mileage restrictions during the lease, or
14 conditions, or reports.

15 This is just an example of a number of
16 leasing operations that I have contacted. I
17 contacted the National Vehicle Leasing
18 Association, and I have received correspondence
19 from Mr. Mike Mathey, who is executive director
20 for the National Vehicle Leasing Association,
21 because I was trying to get a representative from
22 their organization to weigh in on this hearing

1 today, to testify on the benefits of leasing
2 companies could provide for limousine drivers,
3 limousine companies, cab drivers, and cab
4 companies, as providing with the lease option to
5 be able to purchase these new hybrid vehicles,
6 based on the mandates that have been put in
7 place.

8 We all know that it was not on this
9 agency. And I want to make that very clear to the
10 drivers in the listening audience. The
11 legislative arm is the City Council and the
12 mayor. That is who passed the legislation. After
13 that legislature appeared on the Federal
14 Register, back in February, here, it fell to Mr.
15 Rogers and the panel here, to deal with this
16 issue. It's dropped in their laps.

17 The only way I know to fight fire is
18 with fire. Uber has destroyed this industry using
19 lease contacts to put private people in vehicles
20 and send them out on the street. I know this to
21 be a fact. This is not something I heard. I went
22 and signed up with Uber to see how it works. I

1 found out they're going to a dealership in
2 Virginia.

3 They put down a thousand dollars cash.
4 No credit report is being run. They put a lojack
5 on the vehicle. They have studied the D.C.
6 taxicab model. They're using these people as
7 independent owner/operators, as private
8 contracts. You ever heard the word called
9 independent owner/operator? We used to be that.
10 Okay.

11 Now they, in fact, charge one 170 to
12 270 a week. These drivers have to sign a waiver
13 with Uber, where the payment is taken out before
14 they see a dime in their paycheck, plus 20
15 percent for the use of their app to get the job.
16 There's no way that this industry can exist when
17 these drivers can get on the street with using
18 the lease contract, and they're not able to use
19 the lease option to drive a vehicle to meet these
20 mandates, when grant money was supposed to be in
21 place. And tax incentives.

22 But that's not on --- the onus is not

1 on this body here. I know where it falls. I have
2 a copy of the proposed bill by Councilwoman Shea,
3 offering a \$10,000 tax credit over five years. It
4 is too much additional administrative overhead
5 for the companies.

6 I met with Mr. Jerry Schaeffer
7 yesterday and shared with this. He is very
8 supportive of this process of lease contracts be
9 afforded the companies. I've spoken to
10 approximately 22 company owners. And let me make
11 it very plain. Most of them say within 12 to 18
12 months, they'll be out of business, if they don't
13 get any way to get relief to meet these mandates.

14 I see this Commission having not a lot
15 of options. I would hope that you all would vote
16 to accept this petition, because it will open the
17 door. It's not a magic bullet, but for those
18 companies, and those drivers who have the credit
19 score, and can meet the qualifications of the
20 different leasing options out there, because
21 every leasing company's criteria and regulations,
22 which you all know will be different. But we ---

1 they deserve an opportunity to be able to have
2 that option. And thank you For letting me make my
3 presentation.

4 CHAIRPERSON ROGERS: Thank you, Mr.
5 Bethea.

6 Now do your guests, do they want to
7 come forward, the gentleman from Akron --

8 MR. BETHEA: Mobility Works?

9 CHAIRPERSON ROGERS: Yes. Do you have
10 anything that you want to present to the
11 Commission? Just here in support? Okay. Okay.
12 Ford does. Come on up, Mr. Motor Company. Ford
13 Motor Company.

14 MR. GOSLINE: Good morning. My name's
15 Arthur Gosline. G-o-s-l-i-n-e. I'm with Ford
16 Motor Company. I'm the commercial business
17 manager in the Mid Atlantic, and I'd just like to
18 comment on his comments. Is that when we talk --
19 - I deal with a lot of businesses, whether it be
20 sole proprietors that have one vehicle, or very
21 large fleets, and I will tell you that leasing
22 has become a very dramatic change in the market.

1 A lot of companies are going to leasing. It's a
2 very good way, with either open-end or closed-end
3 leases, with unlimited mileage and that sort of
4 thing.

5 It lends itself very well to the
6 taxicab industry. So it would be a very good
7 thing to consider, and based on other industries,
8 and certainly what you guys do. So I just wanted
9 to add those comments. Thank you very much for
10 the time.

11 CHAIRPERSON ROGERS: Sure. Question.

12 MR. GOSLINE: Yes?

13 CHAIRPERSON ROGERS: Just so that I
14 understand. So let's say we change the rules, or
15 what have you, to allow the practice to happen.
16 So me, as an independent owner/operator, you
17 know, would come to you, or, you know, a company
18 or the cooperative, what have you, so for the ---
19 you know --- enter in to a five year lease.

20 So with that five year lease, you
21 know, I pay my monthly payments and the like, I
22 have no restriction on the mileage, it's

1 understood that, you know, there will be
2 alterations to the vehicle, from the vehicle as
3 purchased. So meters, dome light --

4 MR. GOSLINE: Right.

5 CHAIRPERSON ROGERS: --- paint schemes
6 and so on and so forth. At the conclusion of the
7 lease, does the operator --- what happens at the
8 conclusion? Is it typically --

9 MR. GOSLINE: I'll speak generally in
10 terms of lease. That that would be an open-end
11 lease. So with an open-end lease, and basically
12 there is no mileage restriction, and what you're
13 --- whoever signed up for that lease is
14 responsible for the residual value of the vehicle
15 at that time.

16 So what they would do is say that ---
17 let's use round numbers. Say it's a \$10,000
18 vehicle. And they say at the end of the lease,
19 that it's going to be worth a thousand dollars.
20 Then they'll pay down on that \$9,000 difference,
21 right? And at the end of the lease, it's going to
22 be worth a thousand dollars.

1 Now if that vehicle's only worth a
2 \$100, then they're going to need to come to the
3 table with \$900 to settle that difference. Now if
4 the vehicle's worth \$2,000, they're only
5 responsible for that thousand dollars. Either way
6 that it goes. Now there can be 78,000 miles on
7 the vehicle, like the one gentleman was referring
8 to. It could be 780,000 miles on the vehicle.
9 Plus what that residual value is on the vehicle

10 As far as the improvements that you
11 put on the vehicle, that's going to determine,
12 based on what happens, what determine the value
13 of the vehicle at the end of the term. So it may
14 deter from it or it may add to it. It just
15 depends on what happened to the vehicle.

16 So, you know, they may have replaced
17 the seats a couple of times. They may have done -
18 -- put the dome light on. They have put some
19 other lights on it. But whoever the other person
20 is that finds a fair market value on the vehicle,
21 that's going to determine it. Five years is an
22 example. There are leases out there that are two

1 years. There are leases out there that are five
2 years. And there are some that are in between.

3 The open-end lease is the most common
4 lease for a business. There's closed-end leases
5 which we use a lot for personal use, where it
6 says ten --- that's what you'll see on the TV ---
7 lease this, whatever vehicle, for whatever number
8 it is, and, you know, it's 10,000 miles a year.
9 Well, that doesn't apply, that type of a lease
10 doesn't work real well in the taxicab industry.
11 So that's why he was talking about an open-end
12 lease. Okay.

13 CHAIRPERSON ROGERS: Okay. And then one
14 final question for me. So at the close of the
15 lease, like you said, the owner/operator pays
16 that residual value. They then own the car?

17 MR. GOSLINE: They have a couple of
18 options. They can either ---- an example that I
19 gave, that they put a \$1,000 residual on it and
20 it's worth \$2,000, they can walk away and whoever
21 the lease owner is would have that vehicle. If
22 the vehicle's worth \$100, then they do have to

1 pay the \$900, for them to take it, and take care
2 --- give it to auction, or whatever they're going
3 to do with it. Or what they can do is they can
4 say, you know what? I'm just going to take this
5 from being owned by the lessor, and I'm going to
6 --- I want to own the vehicle. So what I'm going
7 to do is I'm going to pay you \$1,000, and now
8 it's going to be titled to my name.

9 CHAIRPERSON ROGERS: Okay.

10 MR. GOSLINE: Some companies will
11 actually go and re-lease the vehicle for another
12 \$1,000, because there are some real tax benefits
13 to leasing, in that it's a --- when it's an
14 operating lease, is if he's paying, pick a
15 number, \$500 a month for that, then they don't
16 own the vehicle. It's like paying the lights, or
17 paying the heat or the air conditioner. He's
18 paying that \$500. So it's an expense to his
19 company. There's no accelerated depreciation.
20 There's no depreciation on it. That is up to the
21 company that actually owns the vehicle, that
22 would be having that.

1 CHAIRPERSON ROGERS: Okay.

2 MR. GOSLINE: But like I say, there are
3 leasing companies that are emerging because the
4 popularity of the tax benefits, the cash flow is
5 much more positive, and some of these things. And
6 when we're changing the industry in D.C. with the
7 taxis, where we have these very expensive upfits,
8 whether it be alternative fuels, or whether it be
9 the wheelchair-accessibility, and the
10 requirements, and then we're going from buying
11 old police cars, if you will, that are at the end
12 of their life, and putting those in --- you can
13 pay cash for those --- to vehicles that are very
14 expensive and very difficult to pay cash for,
15 then, you know, it's a very good alternative that
16 can help, be a very good solution for the
17 operators, and for the businesses that are
18 operating within D.C.

19 CHAIRPERSON ROGERS: Commissioners, do
20 you have any questions?

21 COMMISSIONER TAPSCOTT: I have one.

22 CHAIRPERSON ROGERS: Mr. Tapscott

1 first; then Mr. Muhammad.

2 COMMISSIONER TAPSCOTT: Go ahead, Mr.
3 Muhammad.

4 CHAIRPERSON ROGERS: Mr. Muhammad.

5 COMMISSIONER MUHAMMAD: My voice is
6 down. I would just like, actually, just to make a
7 motion to accept the petition of Positive Change
8 Purchasing Cooperative LLC. That's my motion, --

9 CHAIRPERSON ROGERS: You're jumping
10 ahead --

11 COMMISSIONER MUHAMMAD: --- to accept
12 the petition.

13 CHAIRPERSON ROGERS: You're jumping
14 ahead of yourself, but all right.

15 COMMISSIONER MUHAMMAD: It's a motion.
16 You can vote it up or down.

17 CHAIRPERSON ROGERS: Can you withdraw
18 your motion, let Mr. Tapscott ask his question,
19 and then --

20 COMMISSIONER TAPSCOTT: He has --

21 CHAIRPERSON ROGERS: -- and then
22 reintroduce your motion?

1 COMMISSIONER MUHAMMAD: Yes.

2 CHAIRPERSON ROGERS: Okay. So the
3 motion is withdrawn. Mr. Tapscott.

4 COMMISSIONER TAPSCOTT: Yes. My first
5 question is, when you put a wheelchair-accessible
6 vehicle, like Mr. Chubb has his own private
7 vehicle, and you're going to make him put a
8 wheelchair --- my question is with a owner, such
9 as Mr. Chubb, who owns his vehicle, and if my
10 understanding is right, he will have to put a
11 wheelchair-accessible vehicle on the street.

12 And I think there would have to be
13 some modifications in a cab that we use in D.C.
14 Once that cab is modified for a wheelchair-
15 accessible vehicle, and I'm talking about the
16 motorized wheelchairs --- once the lease is up,
17 how will you get rid of that car? Can it be
18 converted back to a regular vehicle?

19 MR. GOSLINE: Well, there's a couple a
20 issues that they ask there. I can't address the
21 requirement. Maybe Mr. Lerner could address that.
22 But as far as the leasing portion of it, is that

1 the upfits that are put on there --- and I use
2 the word upfit when I refer to a wheelchair
3 accessibility or alternative fuel.

4 When you put those on there, there is
5 no requirement that it comes off. The lessee is
6 responsible for the residual of that vehicle. So
7 if that improvement that was put on the vehicle
8 improves the market value of that vehicle, then
9 it's going to be very positive for the lessee.

10 And in my previous example, if it's worth a
11 \$1,000, or that you had a \$1,000 residual on it
12 because they put a wheelchair-accessibility on
13 there, it's now worth \$4,000, he's still going to
14 be able to buy that vehicle for a thousand
15 dollars.

16 COMMISSIONER TAPSCOTT: Well, I'm a
17 little confused on it. In other words, you're
18 going to lease all cabs. I cannot, as a
19 owner/operator, own my cab. I've got to get it
20 from a leasing company?

21 MR. GOSLINE: No. That is one option
22 that is available. Because you're not paying on

1 the full amount on it, then you are --- so the
2 \$1,000. You're not paying on that, you're not
3 paying that down. Then your payment, many times,
4 can be less than it is if you finance it.

5 The other part is, is that sometimes,
6 depending on the leasing company, the amount for
7 a down payment will change as far as versus
8 financing, because they hold the vehicle, they
9 actually own the vehicle, then they're able to
10 sometimes have a lower down payment requirement
11 on it. So that becomes a little bit more
12 attractive for some of the operators.

13 CHAIRPERSON ROGERS: So if we accept
14 the rule, or change the rules to allow that to
15 happen, now that's just a different option.

16 MR. GOSLINE: Well, you can do what you
17 normally do, go to Ford and just by a regular
18 Ford car, and then convert it yourself, and then
19 pay your --- but you own it, outright, your name
20 is on the title, but you pay your monthly finance
21 charges, assuming that you finance it. Or you
22 can choose the lease option, which --- and

1 perhaps for certain individuals, in certain
2 financial situations, may be more beneficial, as
3 I'm understanding it.

4 You know, you'll know at the beginning
5 of the lease, okay, I'm going to buy this
6 wheelchair vehicle, it's \$30,000, I'm going to
7 pay \$300 a month for five years, and then, at the
8 end of that five year term, there's a certain
9 amount of money, if I want the vehicle, to buy
10 from the leasing company, a certain amount that's
11 already predetermined in the contract.

12 So say it's \$3,000. So at the end of
13 five years, you have multiple options. You can
14 buy the vehicle for \$3,000. You can refinance it.
15 Some companies will allow you to refinance that
16 residual. You can refinance or you can enter in
17 to another lease, because you, you know, for
18 whatever reason, you don't want that same
19 vehicle, you want another vehicle, so you go
20 through that same process again.

21 Now the long and short of it is
22 depending on how much miles you put on it, how

1 many --- the year of the vehicle, presuming it
2 was new. Folks will have to do their own business
3 calculation to see whether or not it makes sense
4 for them to own it outright, pay that money and
5 have that asset, not worry about that depreciable
6 asset, and just basically maintain a fairly new
7 vehicle, always.

8 AUDIENCE MEMBER: There's also a
9 federal law that protects the lessee. There's a
10 maximum amount they can charge to enter a lease.
11 In other words, they can't just charge you what
12 they want. So there's a limit on federal law
13 that protects the buyer on the maximum of what
14 the seller can charge for the vehicle. I think
15 it's a maximum of three months, but most of the
16 time it's much lower.

17 CHAIRPERSON ROGERS: So it's different
18 options. So it's basically --- it's not forcing -
19 -- so let me be clear. I don't think that this
20 petition forces anybody to use this method of
21 finance, is what I'm going to call it, to get a
22 newer vehicle on the road. It's just a different

1 option.

2 MR. GOSLINE: It's an additional
3 option. You pay cash, you know, finance it your
4 conventional way, or you can lease it. So all
5 it's doing is taking it from being just two
6 options to being a third option for the way that
7 they could purchase a vehicle or be able to
8 operate a vehicle.

9 COMMISSIONER TAPSCOTT: Maybe I
10 misunderstood, but the requirement will be that
11 every cab in D.C. must have a wheelchair-
12 accessible vehicle.

13 CHAIRPERSON ROGERS: No. No. no. He was
14 just saying that there's where if you --- there
15 are individuals now, there's some groups in the
16 city that want the Commission to force every cab
17 to be wheelchair-accessible. In public comments
18 I've made to the City Council, I think the
19 adequate number for wheelchair-accessible
20 vehicles is 20 percent of our entire fleet. But
21 that's what I've said in public, in our public
22 oversight hearing.

1 So, you know, we'll still have to do
2 further research to find whatever that hard
3 number is, to meet the service demands of the
4 disabled community, to ensure that they get
5 adequate service within the period of time that
6 we feel they should be able to get it. But right
7 now, currently, there is no requirement that a
8 100 percent of all taxicabs in the District of
9 Columbia are wheelchair-accessible. But there is
10 a movement.

11 You know, it is a policy movement of
12 this
13 Commission, of the Mayor, and the City Council to
14 increase the number of wheelchair-accessible
15 vehicles.

16 Because of cost, you know, as the gentleman
17 mentioned from Ford, it is really expensive, so
18 this could be a solution, if you will, to get
19 more wheelchair vehicles in to the system quicker
20 without burdening drivers with a huge debt, if
21 that makes sense.

22 COMMISSIONER TAPSCOTT: Isn't there a

1 mandate now, that a company that has, let's say a
2 100 cabs, a fleet, be mandated to put a certain -
3 -

4 MR. BETHEA: 6 percent.

5 CHAIRPERSON ROGERS: Yes, sir.

6 COMMISSIONER TAPSCOTT: Six percent on
7 that.

8 CHAIRPERSON ROGERS: Yes, sir. But
9 every cab company actually has to --

10 (Simultaneous speaking)

11 COMMISSIONER TAPSCOTT: I was talking
12 about an individual --

13 AUDIENCE MEMBER Only companies.

14 CHAIRPERSON ROGERS: Only companies.

15 COMMISSIONER TAPSCOTT: Well, I just
16 heard --- unless I misunderstood it --- that
17 every cab in this proposal must have a wheelchair
18 --

19 MR. BETHEA: No, sir. What I was
20 referring to, Mr. Tapscott, is the advocacy
21 groups, the Spinal Cord Association of
22 Washington, D.C., Independent Living --- these

1 groups that got the actual first federal law
2 passed, and that was to put it on to the City
3 Council. That's what they're pushing for. But I
4 didn't go in to the numbers as it relates to a
5 100 percent. I was talking about where they were
6 trying to push it. But the actual mandate now is
7 6 percent this year, 12 percent next year, 20
8 percent the following year, and I think it goes
9 up, what? 33 percent?

10 CHAIRPERSON ROGERS: I think it stops
11 at 20.

12 MR. BETHEA: Okay. So we have a
13 increase, mandate that's now law, that these
14 organizations pushed for, and they're still
15 pushing for a 100 percent.

16 COMMISSIONER TAPSCOTT: I understand
17 what the law is right now, about the 6 percent
18 and all that. But your statement, what maybe --

19 MR. BETHEA: You misunderstood.

20 COMMISSIONER TAPSCOTT: That you said
21 all cabs in D.C. will be mandated to have
22 wheelchair accessibility.

1 MR. BETHEA: I said based on what the
2 reports state, that the D.C. Taxicab Disability
3 Subcommittee, recommendations, was that the D.C.
4 government move forward to a 100 percent
5 wheelchair-accessibility. So I'm sorry if you
6 misunderstand. That's what I was --

7 CHAIRPERSON ROGERS: So there's a
8 policy debate that's ongoing between -- there's a
9 policy debate going on outside of the Commission,
10 that is pushing for a 100 percent. Our public
11 statements, and the law and regulations, have it
12 at 20 percent.

13 COMMISSIONER TAPSCOTT: It's a little
14 hard for me. I guess I'm a little bit backwards
15 to really to vote on this at this particular time
16 with no information that I can read myself. No
17 literature, whatsoever.

18 MR. BETHEA: All the things in the
19 petition --

20 COMMISSIONER TAPSCOTT: I have no copy
21 of the petition. I have no copy of the petition.

22 MR. LERNER: Without getting in to the

1 policy issues or the merits of the petition, I
2 just want to clarify a couple of things. There
3 are many things in the law that was referenced.
4 The Service Improvement Act, which speak to the
5 Commission's authority and obligations regarding
6 wheelchair-accessible vehicles on the road, and a
7 lot of policy issues as to what that --- and then
8 legal issues, actually, as to what those
9 percentages are, and looking at the entire
10 fleets, not just the company's. But there are a
11 number of rules that just for, you know, for
12 clarification, they're the rules on the
13 percentages of fleets of all taxicab companies.
14 That's the 6 percent which was talked about,
15 eventually winds up at 20 percent, and I think
16 that's in three years; right? December 31st of
17 next year is 12, and then it jumps another ---
18 then it stops at that amount. But again, that's
19 only the fleets of companies.

20 Then there are other things in the
21 existing rules, and the law, that deal with other
22 things. One of them is the ability to replace

1 your vehicle. When you replace your vehicle ---
2 and you don't have to wait until the deadline in
3 609. You're always allowed to do it sooner. There
4 are incentives for putting a wheelchair-
5 accessible vehicle on the road, and if it happens
6 to be both wheelchair-accessible, and the best
7 fuel or propulsion that's available at the time,
8 an additional incentive, beyond getting more time
9 on the road, the owner of the vehicle,
10 independent owner or a company, can also come and
11 just swap their regular vehicle license for a
12 transferable vehicle license at no cost, if you
13 have what we call the H tag. It's not really the
14 H tag. It's the DCTC vehicle license.

15 You can get a transferable license,
16 which allows you to sell that to any person. And
17 there are other things as well. There's Transport
18 D.C. There's a number of other things, in
19 addition to just the 6 percent, all of which
20 incentivize and generally do not require moving
21 up --- although on the companies does. For
22 companies, they actually must purchase those

1 additional vehicles, and if you participate in
2 what used to be CAPS and is now Transport D.C.,
3 you must get vehicles at a certain milestone.

4 But just to clarify, there's no across
5 the board, everybody in the city, by a certain
6 date, must be driving a wheelchair-accessible
7 vehicle. That is not the case. It's not in the
8 rules. I know because I look at them
9 occasionally.

10 (Laughter)

11 CHAIRPERSON ROGERS: Okay. Any other
12 questions?

13 AUDIENCE MEMBER: May I?

14 CHAIRPERSON ROGERS: Go ahead.

15 AUDIENCE MEMBER: Is there a model
16 that's most desired or coveted by companies that
17 are using, that give us some comparable figures
18 to what the leasing would cost for a driver? For
19 the corporation who's come here to --- what that
20 same car cost for leasing --

21 MR. GOSLINE: Well, to answer your
22 first question, the most desirable is a Ford

1 product.

2 (Laughter)

3 MR. GOSLINE: But second to that ---
4 but no, I mean, it's ultimately going to be what
5 the product is that fits the needs. You know. So
6 the residual actually changes, and correct me on
7 this if --- at any time that I'm wrong, but the
8 residual will change based on what vehicle that
9 you're driving. Because different vehicles carry
10 different residuals based on time and mileage,
11 and all that sort of thing.

12 So, you know, what type of vehicle
13 that you want to put in --- what I'm talking
14 about, leasing, then that's pretty much what it
15 is. And if you're talking about wheelchair-
16 accessible, there's certain vehicles that are ---
17 Ford Motor Company --- we don't do wheelchair ---
18 we don't put the wheelchair-accessibility in the
19 vehicle.

20 So it's not on every vehicle that you
21 can put a wheelchair-accessibility on. It's only
22 certain vehicles.

1 But the nice thing is that now a lot
2 of those vehicles are the very good fuel economy
3 and low operating costs, and that sort of thing.
4 And they'll still maintain five passengers, and,
5 you know, that sort of thing, so --

6 CHAIRPERSON ROGERS: Final question?

7 AUDIENCE MEMBER: When you say 6
8 percent, for example, there is a cab company and
9 they have affiliates, you know, drivers?

10 MR. GOSLINE: No.

11 AUDIENCE MEMBER: Are they --- cabs
12 count as 6 percent?

13 MR. GOSLINE: No. It doesn't affect
14 the co-ops.

15 CHAIRPERSON ROGERS: It's only cabs
16 that are owned by the company.

17 AUDIENCE MEMBER: For example, you have
18 with the company and they buy --

19 CHAIRPERSON ROGERS: They would love
20 that. Don't get me wrong. They would love that.

21 AUDIENCE MEMBER: Possibility for me
22 driving handicap --

1 CHAIRPERSON ROGERS: But you're not
2 getting any --- well, the benefit for you is
3 guaranteed business. With Transport D.C., you're
4 guaranteed 20 bucks a trip. So like he mentioned,
5 you know, or somebody mentioned, sitting at H
6 Street, looking for business, with Transport D.C.
7 we have 12,000 customers that need to get to
8 doctor's appointments, dialysis clinics, medical
9 clinics and so on and so forth. Some are far;
10 some are close. So yes, you lose some money, you
11 gain some money. But the --

12 AUDIENCE MEMBER: Just 20 dollars?

13 CHAIRPERSON ROGERS: The total cost is
14 \$33, you know, for the trip. \$13 goes to the cab
15 company, \$20 goes to the operator, and you get
16 five dollars cash, up front, and then the \$15
17 comes in a day later, just similar to --

18 AUDIENCE MEMBER: Just like your credit
19 card.

20 CHAIRPERSON ROGERS: --- with your
21 credit cards and stuff like that. So that's the
22 benefit guaranteed business; you know. So you can

1 come out at 8:00 o'clock in the morning, and know
2 by 5:00 o'clock you're going to make, you know, a
3 100, 120, 130, 140, 150 --- doing my math ---
4 \$160.

5 (Laughter)

6 CHAIRPERSON ROGERS: I'm telling you
7 from the facts, because I have P.G. County,
8 Montgomery County calling me, to figure out what
9 we're doing, so they can do the same thing. So a
10 lot of it is, you know, if you know that K Street
11 is dead, then don't be on K Street, especially if
12 it's a seasonable business, as folks are telling
13 me. If you know it's seasonal, here's some
14 business that we're generating for you, to cover
15 you during that season.

16 So a lot of it is, you know, the
17 business owners are going to have to make a
18 choice, because you are business owners that,
19 okay, do I want to invest my money in a
20 wheelchair-accessible vehicle, get in to the
21 Transport D.C. Program, and make that money.

22 The city government spends 200 some

1 odd million dollars a year in transporting
2 special needs population, special ed kids, senior
3 citizens, and so on and so forth. They have a lot
4 of contracts with a lot of your competitors and
5 so on and so forth, to move those people from
6 point A to point B. So one of the things that
7 the Commission is doing is getting a lot of that
8 business for you guys, because you keep telling
9 me that you're hurting. And you are hurting, so
10 I'm trying to give you some business that I know
11 that we can orchestrate, to at least have a
12 floor. You know, at least have a floor. So --

13 (Simultaneous speaking)

14 CHAIRPERSON ROGERS: Say again.

15 AUDIENCE MEMBER: --- dispatch

16 CHAIRPERSON ROGERS: Right now, it's
17 Transco and Yellow Cab. But come the next fiscal
18 year, on October 1 of this year, we'll probably
19 expand it because the business is growing. You
20 know, folks are --

21 AUDIENCE MEMBER: Is it going to be on
22 the radio or --

1 CHAIRPERSON ROGERS: Say again.

2 AUDIENCE MEMBER: How are you going to

3 --

4 CHAIRPERSON ROGERS: Right now, it's by
5 radio dispatch.

6 AUDIENCE MEMBER: How long in the
7 future --

8 CHAIRPERSON ROGERS: In the future,
9 which I will announce --

10 MR. TAPSCOTT: Write your questions
11 down.

12 CHAIRPERSON ROGERS: In the future, you
13 can be dispatched through the Universal Taxi App,
14 which has a wheelchair-accessible feature. So a
15 customer can request a wheelchair vehicle,
16 specifically.

17 AUDIENCE MEMBER: Like an app?

18 CHAIRPERSON ROGERS: Yes. The city's
19 app. So Mr. Bethea, do you have any --- oh.

20 COMMISSIONER TAPSCOTT: I'm going to
21 vote to put this on for us to look at.

22 CHAIRPERSON ROGERS: Okay.

1 COMMISSIONER TAPSCOTT: It might be
2 changed, because I'm not clear on it --

3 CHAIRPERSON ROGERS: Okay.

4 COMMISSIONER TAPSCOTT: -- a 100
5 percent. But I have a problem as a cab driver,
6 that I get dispatched on a job at Georgetown
7 Hospital, that's going out Benning Road
8 somewhere, and that job --- I had one yesterday,
9 30 dollars. When I get at the end, I get 15
10 dollars. So I've lost 15 dollars. Why are these
11 companies making 13 dollars off of me running a
12 trip? What are they doing for their money?

13 CHAIRPERSON ROGERS: Now keep in mind,
14 though, this is --- these trips would --- you
15 would not have these trips if it wasn't for us,
16 because these are Metro Access trips. So let me
17 explain the program. So Metro --- the city spends
18 money for Metro Access. We spend about 55
19 dollars, 56 dollars per trip, regardless of the
20 duration, regardless of the direction from Metro
21 Access.

22 So as a pilot, we engaged Metro, and

1 the District Department of Transportation, to let
2 the taxicab industry take those trips at a
3 reduced cost. So that reduced cost --- the
4 negotiated rate, it's 33 dollars per trip, and
5 the negotiated split was 13 dollars for the cab
6 company, 20 dollars for the driver, with 5
7 dollars getting --- you'll get cash, so that the
8 participant will give you 5 dollars as soon as
9 you complete the trip, and then the balance comes
10 through the reimbursement --

11 COMMISSIONER TAPSCOTT: I have to wait
12 to okay it from my company for them to pay me,
13 and then they're getting 13 dollars. I'm losing
14 15 dollars, and they're getting 13 dollars.

15 CHAIRPERSON ROGERS: No, I understand
16 from your perspective on that, but my counter to
17 that would be you would not have that trip but
18 for the program. So the way I look at it, it's a
19 net, because you wouldn't have gotten that trip,
20 because they wouldn't have called Transco or
21 Yellow for that trip. See what I mean?

22 COMMISSIONER TAPSCOTT: Yes, but you

1 know, I might be at 38th and Reservoir Road, and
2 I don't take this trip, and at 37th and Reservoir
3 Road, they have a trip on a side, taking me to
4 Dulles Airport, but I can't go to Dulles Airport
5 because I got this job that I'm going to lose 15
6 dollars.

7 CHAIRPERSON ROGERS: I understand. I
8 understand.

9
10 COMMISSIONER TAPSCOTT: There's
11 something wrong with the picture, is where I'm
12 concerned, but I'm willing to look at, and we'll
13 put it on the -- for that later.

14 CHAIRPERSON ROGERS: Okay.

15 COMMISSIONER TAPSCOTT: -- and look at
16 it later. Thank you, sir. Mr. Muhammad.

17 COMMISSIONER MUHAMMAD: Yes. Thank
18 you, Mr. Bethea, as we went all around about
19 dealing with this petition that you have brought
20 up. Thank you, Mr. Ford. As I made the motion,
21 this is just, as you stated, a third option to
22 purchase a car and have it registered in your

1 name, and the DCTC, and at DMV, and you can drive
2 it as your own car. That's why I made the motion
3 to give drivers the ability to get a new vehicle
4 without putting all of your --- or mortgaging
5 your house to put it up, where you will be able
6 to have it in your name.

7 I'm making the motion again, that we
8 accept the petition of Positive Change Purchasing
9 Cooperative, LLC.

10 CHAIRPERSON ROGERS: So the motion has
11 been made. Is there a second?

12 COMMISSIONER TAPSCOTT: Well, I'm ---
13 somebody's motion --

14 (Simultaneous speaking)

15 CHAIRPERSON ROGERS: Please, please,
16 please.

17 (Call to order)

18 CHAIRPERSON ROGERS: Mr. Tapscott.

19 COMMISSIONER TAPSCOTT: Nobody
20 influenced me. I have my own mind. I don't need
21 the orders to tell me what to do. Thank you very
22 much. But if we're accepting the motion without

1 further looking at the picture, the whole story,
2 I would gladly put it on the agenda for us to
3 look at another date, not make a motion to accept
4 it.

5 CHAIRPERSON ROGERS: We're accepting it
6 for that purpose. I'm sorry, so let me be clear.
7 So the motion on the floor now is to accept the
8 petition of Positive Change Purchasing
9 Cooperative, LLC to the Commission. It was
10 submitted to the Office of Taxicabs, so now we
11 want to accept it as --- for the Commission to
12 consider in review.

13 COMMISSIONER TAPSCOTT: Okay. Well that
14 was a misunderstanding.

15 CHAIRPERSON ROGERS: Okay. So I have a
16 second?

17 COMMISSIONER TAPSCOTT: So I'll accept
18 it for that.

19 CHAIRPERSON ROGERS: Okay. So the
20 motion has been properly approved, and moved, and
21 seconded. The Commission now will accept the
22 petition of Positive Change Purchasing

1 Cooperative, LLC for review and consideration.
2 Furthering that, I am going to remand this
3 petition to the Panel on Industry to review, and
4 make recommendations to the full Commission on
5 what rule changes, if any, the Commission should
6 do in response to this petition.

7 COMMISSIONER TAPSCOTT: No problem.

8 CHAIRPERSON ROGERS: Okay? Okay? Okay.

9 MR. LERNER: Thank you, Chairman
10 Rogers. Thank you for your time.

11 COMMISSIONER MUHAMMAD: Did we vote
12 this?

13 CHAIRPERSON ROGERS: We voted, and we
14 have it, and it'll go to the Panel on Industry,
15 which you are a member, so you guys, when you
16 have your public hearings --- excuse me for a
17 second --- when you have your public hearings,
18 discuss it, you know, talk about it, whatever,
19 make recommendations to us, as a full body, on
20 whether or not we should change the rules. These
21 two will confer with you guys. Mr. Tapscott will
22 confer with you on the actual implications of the

1 rules, and whether or not we need to do all of
2 it, some of it, and the like, because I think
3 there is some leniency, or leeway, in the rules,
4 that do some of what the petitioner wants. So
5 the general counsel will review it completely,
6 and then issue you guys their opinion, so when
7 you're doing your public outreach, discussions,
8 and so on and so forth, you'll have that. Okay?

9 MR. LERNER: I understand.

10 CHAIRPERSON ROGERS: Mr. Bethea

11 MR. BETHEA: I wanted to make sure that
12 Mr. Tapscott had some clarity of the mission
13 here. Mr. Michael Shank could probably even talk
14 to this even better. But in my research, in doing
15 this, I found out, say, the price on a new
16 minivan might run you around 30,000 dollars.

17 After the modifications are done, it
18 increases the value of that vehicle, almost
19 double. Most of these vehicles are at 30 to
20 60,000 after they finish with the modification.
21 During the lease contract, whatever the company
22 or the individual driver negotiate with the

1 leasing company that they choose to do business
2 with, there'll be some depreciation.

3 But it's not going to be 50 percent
4 depreciation of that vehicle. And if that person
5 can get that vehicle at 40 --- because I've seen
6 some buyers buy some of the larger fleet owners,
7 where they're buying these vehicles for almost
8 half of the retail market price, because they're
9 buying more than one vehicle. They're getting
10 them for almost half their price.

11 At the end of that lease contract, if
12 you're under lease contract, the person that's
13 buying that vehicle, at the end, will have quite
14 a bit of equity left with that vehicle, because
15 it's not going to depreciate, even if you go
16 online to any of the Mobility Works, or go in to
17 any of their websites, you're going to see, if
18 you look at those vehicles, and look at the
19 mileage on some of those used vehicles, you will
20 see that some of those used vehicles are very,
21 very, very -- still highly priced in terms of
22 what they cost, even when you're purchasing a

1 used vehicle.

2 So I think it's a win-win. The lease
3 option provides a win-win option for the drivers
4 and companies, and as Commissioner Muhammad
5 elegantly said, all we're trying to do is provide
6 that option, and I would like for Mr. Corbett,
7 one of my board members, to speak briefly, if you
8 would.

9 MR. CORBETT: Sure. My name is Thomas
10 Corbett. I'm a 35 year licensed limo, taxicab
11 driver in D.C., and I myself purchased a vehicle
12 under a lease agreement. My limousine, my last
13 limousine, I purchased under lease buy-back, an
14 open-lease agreement, and without that lease
15 agreement I would not have been able to
16 participate in the limousine industry, because at
17 the outset, I was afforded a 3500 dollar savings,
18 or above 3500 dollar savings in the initial tax
19 payment.

20 Of course in D.C. there's no tax on
21 leases. When I bought it, leases were --- when I
22 bought, when I purchased the vehicle, leases were

1 allowed in D.C. But now I'm at that crossroads
2 where I need to renew my equipment, and the lease
3 isn't available to me. So I feel the pinch
4 personally. You know, I have to come up with my
5 down payment, plus an additional, nowadays, the
6 new required vehicles are SUVs which you see all
7 over the street, that Uber's flooding the market
8 with.

9 These guys are paying double. Well, I
10 have to have that kind of outlay, plus the down
11 payment, and tax in D.C. is, I think, depending
12 on the weight of the vehicle, between 7 and 8
13 percent for the vehicles that are required for
14 the limo industry now.

15 And you're talking about 4800, 5000
16 dollars tax at the time I register the vehicle,
17 which a lease will alleviate me of that cost at
18 the outset.

19 Of course when I finish at the end of
20 the term, I will have to pay a tax at that time
21 when I register my car, but the present value of
22 the vehicle will be much less than what it was at

1 the sale point of the vehicle, of the lease. And
2 that's pretty much what I had to say.

3 CHAIRPERSON ROGERS: Okay. Thank you,
4 sir.

5 MR. CORBETT: All right. Thank you.

6 CHAIRPERSON ROGERS: Oh, Mr. Tapscott.

7 COMMISSIONER TAPSCOTT: Is the rule for
8 taxicab and limousine, that you don't have to pay
9 no D.C. taxes on it?

10 MR. CORBETT: Well, taxis, I don't
11 think there's tax on taxi anyway. I didn't on my
12 taxi. But limousines, they are taxed. There is a
13 tax on limousines. Unlike taxis. When you got
14 your taxi, you didn't pay tax; right? My
15 limousine, I do. I have to pay tax on it.

16 COMMISSIONER TAPSCOTT: Well, you know
17 --

18 MR. CORBIN: 8 percent is quite a bit
19 on a new outlay of 60,000 dollars.

20 COMMISSIONER TAPSCOTT: I guess you're
21 looking at just as speculating as I am. I've
22 driven a cab for 54 years, and I have never owed

1 a note on a cab.

2 MR. CORBIN: Same for me. I've never
3 owned a note on a cab.

4 COMMISSIONER TAPSCOTT: To anyone. So

5 --

6 (Simultaneous speaking)

7 COMMISSIONER TAPSCOTT: I know, and
8 I've investigated leasing in an ordinary vehicle.
9 It costs you a lot more money to lease a vehicle
10 than it does you to buy one.

11 MR. CORBETT: That was not my
12 experience.

13 (Simultaneous speaking)

14 COMMISSIONER TAPSCOTT: Well, that's
15 been my experience. That's why I don't lease.

16 MR. CORBETT: Well, as I said before,
17 there's a law that protects you on the residual
18 price they can charge you for the vehicle. In my
19 experience --- I can only speak for myself. My
20 experience was it was a much, much less.

21 COMMISSIONER TAPSCOTT: You know, I
22 understood it's going to cost you to lease a

1 vehicle somewhere around 200, 250 dollars. Is
2 that a week or month?

3 MR. CORBETT: That's a month.

4 COMMISSIONER TAPSCOTT: Okay.

5 MR. CORBETT: On a leased vehicle. A
6 month.

7 COMMISSIONER TAPSCOTT: Two hundred and
8 fifty dollars, now that's going to be added to
9 what I'm paying to keep my cab on the street now.
10 So like it would cost me, right now, you have to
11 figure a 100 dollars to keep my cab on the
12 street. Now I got another 200 dollars to add to
13 that.

14 MR. CORBETT: Well, with these new
15 mandates and requirements, we're all going to
16 have to get a new vehicle, and we're no longer
17 going to be able to take --

18 (Simultaneous speaking)

19 COMMISSIONER TAPSCOTT: Well, I'm not
20 debating it any longer. Like I said, I will be
21 looking at it. I will promise you that. But I'm
22 not going to sit here and vote on this, to this

1 thing as a bill right now.

2 CHAIRPERSON ROGERS: Thank you. So
3 let's -- moving on in the agenda. Government
4 Communications and Staff Reports. Mr. Lindsay,
5 Charles, if you don't mind coming up and giving a
6 report on 50/50 Program and the Panel on
7 Industry.

8 MR. LINDSAY: Good afternoon.

9 CHAIRPERSON ROGERS: Well, actually,
10 just do the Panel on Industry.

11 MR. LINDSAY: Okay. Good afternoon. My
12 name is Charles Lindsay, program manager, here,
13 at D.C. Taxi. So I've been charged with managing
14 the Panel on Industry. To date, the Panel on
15 Industry information form is up on the DCTC
16 website. We encourage you to fill out the in ---
17 fill in the necessary portals, and in addition,
18 there's a narrative section, and we encourage
19 everyone to fill out the narrative as best they
20 can.

21 You can also pick up a form here at
22 DCTC Headquarters, 2235 Shannon Place, in Driver

1 Services.

2 The window for the information sheet
3 was for May 1st through June 1st. So we have about
4 a thirty --- the June 1st, because May 31st is a
5 Sunday. So we just extended it a day.

6 After all information is gathered,
7 staff and I are going to review all of the
8 information, you know, compile data over the ---
9 from June 1st through June 2nd through June 30th.
10 The Panel on Industry will actually start having
11 hearings in July. We're going to have four
12 hearings. One in the morning, one in the
13 afternoon, one in the evening, and one on the
14 weekends. We haven't set those dates yet, but
15 we'll set them probably over the next few weeks.

16 From there, once the panel --- we're
17 going to randomly select individuals who submit
18 information to testify in front of the panel.
19 We're going to take all that information,
20 conduct, put together a report. We're going to
21 make recommendations to the chairman, and the
22 chairman will take that information and do what

1 he feels best for the industry.

2 CHAIRPERSON ROGERS: Thank you, sir. I
3 appreciate that report. One final report on my
4 end. The Universal Taxi App --- thank you -- is
5 moving along swimmingly and about --- thank you,
6 gentlemen. Thank you, gentlemen. Probably in
7 about two or three weeks --- I think it's two
8 weeks now at this --- that was three weeks ago --
9 - we will be conducting limited testing,
10 depending on how well that testing goes, how well
11 my developers built it, so hopefully there aren't
12 too many bugs, then we'll do some more full-
13 fledged beta testing, with actual drivers and
14 passengers paying through the app.

15 So the initial testing is just
16 ensuring the functionality. You know, dummy
17 payments, and the like, in different parts of the
18 city, to ensure cell phone coverage and all that
19 good stuff.

20 Assuming that that works well, then
21 we'll proceed on to Phase II, which is the true
22 beta testing where actual payments will be made,

1 actual trips will be taken quietly. We want to
2 make sure everything is okay before we launch
3 full-fledged. So we're a little bit delayed from,
4 I guess some of the more public statements
5 earlier in the year. But we're not that much
6 delayed. So we're a few months, maybe not even
7 that much, a couple months out from a full launch
8 of the Universal Taxi App. It looks pretty. It is
9 very pretty. I have to say it looks a lot better
10 than Uber's, and hopefully, and maybe at the next
11 Commission meeting, we can do a actual live demo,
12 so folks can see what it looks like.

13 Please check our website, because
14 assuming beta testing goes well --- I mean the
15 initial field testing goes well, and beta testing
16 is proceeding, we will start the process of
17 training drivers on the app, how to use the app,
18 and just kind of have a big, almost release
19 party, or a big build-up to the actual release,
20 and probably in the next month or so I'll set a
21 hard date of this is when it's going to come out.

22 So that's when we'll do our

1 advertising. Hopefully, we'll get some stickers
2 that everyone --- or something, not necessarily
3 stickers, that people can put in their cabs to
4 say, hey, it's coming, it's here. You know, I'll
5 think of some creative way that we can generate
6 some attention.

7 So crossing my fingers, that no more
8 hangups, it is working, it is coming, it is
9 wonderful.

10 Any further last thoughts or comments
11 before we adjourn this meeting?

12 COMMISSIONER TAPSCOTT: Yes. On the
13 app, I've been attending some of the meetings,
14 and on first couple meetings I was at, I thought
15 we was in a dog fight. And it sort of turned me
16 off a whole lot. But I really would like to see,
17 Mr. Chairman, someone take the bull by the horns
18 and get more information out to the drivers who's
19 going to be affected by this app.

20 Right now, I don't see any literature
21 going out to the drivers from these companies,
22 what the app is going to do for them, or what the

1 app is not going to do for them. We need to get
2 more information to the drivers who will be
3 affected, and that way, it might make this thing
4 work a little bit easier if the drivers know, and
5 it might be a block. I don't know. But I would
6 just like to see more information that we can
7 force the companies, because the way I see it,
8 it's going to be run by the companies.

9 So force them to put the information
10 out to the drivers, more than we're doing now.

11 Thank you.

12 CHAIRPERSON ROGERS: Thank you, Mr.
13 Tapscott, and I agree with you, wholeheartedly,
14 that we do need to do a better job at getting
15 information out to drivers, and one of the ways
16 that our crack staff at DCTC figured out to do
17 that, is a Driver Appreciation Day, which we'll
18 do some time in the summer, probably in July,
19 just to show DCTC's commitment to operators,
20 professional operators, and at that time we'll
21 have, I'm hoping, maybe Ford Motor Company, and
22 some other vendors for the taxicab industry

1 present to hock their wares, if they will.

2 One special feature. DCTC staff will
3 --- I know I will be -- will wash cabs and clean
4 cabs. So I'll be out there with my little, I
5 guess T-shirt, my short shorts, you know, doing
6 my thing.

7 (Laughter)

8 CHAIRPERSON ROGERS: But I felt it
9 important to show operators that we do appreciate
10 the work that they do, and how difficult the work
11 is, and a way for drivers to interact with DCTC
12 staff in a non-adversarial way, whether it be
13 renewing something, whether it be requesting
14 something, whether it be coming to a Commission
15 meeting to voice something, just a very fun and
16 interesting day, and hopefully at that time, when
17 we have it, it may coincide with the actual
18 release of the app, so maybe we'll get the mayor
19 and the like to come and have a really big
20 festival and if we're not ready for that, at the
21 very least, we'll still wash the cars, have some
22 hotdogs, hamburgers, and whatever else I can

1 throw on a grill and not burn up.

2 But it'll be a fun-filled day. You
3 know, bring families and the like. Hopefully,
4 we'll have moon bounce, pony rides. We'll see.

5 COMMISSIONER TAPSCOTT: My point is I
6 just want the companies, and I don't think we
7 should be the ones have to put the literature
8 out.

9 CHAIRPERSON ROGERS: No. I'm with you.

10 COMMISSIONER TAPSCOTT: Because the
11 companies --- there's some hidden things that's
12 going on with the companies. Like I've been
13 informed by some of the companies, when that app
14 comes out, each driver that's driving for that
15 company --- because they're claiming they got 500
16 cabs, and they don't.

17 That 500 cab include my cab, which
18 they do not own. And what I understand, that
19 they're going to charge me, and every other cab
20 driver that joins that company 2,000 dollars to
21 join the company. Okay. I have no more to say.
22 I'm trying to look out for the driver. That's all

1 I'm trying to do.

2 CHAIRPERSON ROGERS: And we appreciate
3 that, and that is one of the reasons why, you
4 know, we pulled back that one item, number six,
5 so that we can further look at it with the
6 lawyers, to ensure that, you know, we're not
7 doing anything that's going to adversely affect
8 drivers.

9 But it's the Commission's intention,
10 in developing the app, was to give the industry
11 the tools to compete fairly, without overly
12 burdening them with additional costs and so on
13 and so forth. So as you saw in those dog fights,
14 I was very stern in how I wanted things to
15 happen, so that -- crystal clear, open and
16 transparent, and the like.

17 One final thing. I mean you, and then
18 you, and then we are done. Yes, sir? Behind you.
19 Behind you.

20 (Off mic comments)

21 CHAIRPERSON ROGERS: Who's your PSP?

22 AUDIENCE MEMBER: I'm sorry?

1 CHAIRPERSON ROGERS: Who's your PSP?
2 Your carrier?

3 (Off mic comments)

4 CHAIRPERSON ROGERS: Well, remember,
5 the city tried that. You know, it didn't quite go
6 so well, about 18 months ago.

7 (Off mic comments)

8 CHAIRPERSON ROGERS: I understand.

9 (Off mic comments)

10 CHAIRPERSON ROGERS: That's true. In
11 two weeks, we'll have another general taxicab ---
12 I've created a Taxicab Advisory Group to help
13 advise me and the Commission on future changes in
14 Title 31, and issues like this, how we should
15 address it.

16 AUDIENCE MEMBER: It should be uniform
17 for everybody.

18 CHAIRPERSON ROGERS: I understand,
19 well, come to the meeting. When you signed up,
20 did you leave your email? Do you have an email
21 address?

22 AUDIENCE MEMBER: Yes, sir.

1 CHAIRPERSON ROGERS: Give me your email
2 address so we can put you on the list, so that
3 you can come to the meetings. It's only once a
4 month, unless you want to be more involved. Okay.
5 So get with Ms. Mixon and she'll get you on
6 board.

7 AUDIENCE MEMBER: Did the --- did it
8 get registered when --

9 CHAIRPERSON ROGERS: It did not. I met
10 with them --- what's today? Wednesday. Yesterday.
11 So we clarified, you know, how it should be in
12 the language, and so on and so forth. So my
13 instinct is that it will be registered by Friday.
14 It may be registered today. I just haven't gotten
15 any notice. But they were talking about, with
16 their lawyers and the like, to ensure the proper
17 way of doing it. You know. Though I gave general
18 directions, I need to make sure that,
19 specifically, once they put the names to it, they
20 can do the things that I want them to do.

21 AUDIENCE MEMBER: So you accepted the
22 general --- you accepted people who -- so it's

1 gotten, gotten through that process?

2 CHAIRPERSON ROGERS: Yes.

3 (Off mic comments)

4 CHAIRPERSON ROGERS: It's waiting for
5 the --- you know, going to DCRA, filing it,
6 getting it done, and establishing, like we
7 mentioned, a bylaw committee, so that we can get
8 beyond the foolishness, and get to some good
9 things, because as I mentioned before, the app is
10 now almost ready to engage the industry with.
11 Okay. Do you like it? Do you not like it? What
12 do you want to change? We're at that point now.
13 So I need them informed, so we can have those
14 conversations.

15 One final question in the back, sir,
16 with the wonderful hat.

17 AUDIENCE MEMBER: A question about the
18 meter having a credit card. There should be a
19 minimum in utilizing that credit machine. Some
20 people are paying 2 dollars, 3 dollars, 3.50 to
21 get that credit card processed and --

22 CHAIRPERSON ROGERS: Let me ask you

1 this. What's your --- not your lease term --- but
2 your PSP terms and conditions? How long are you
3 stuck with your PSP, is my question?

4 AUDIENCE MEMBER: I don't hear the
5 question.

6 CHAIRPERSON ROGERS: How long are you
7 stuck with your PSP? Three years? Five years?
8 Seven years? What type of contract do you have
9 with them? Check your --

10 Because the problem is that since
11 there's seven different PSPs, each one has their
12 own business practice. So some may charge you a
13 cheaper processing charge, but they charge you
14 more for the equipment, the initial installation,
15 vice-versa, and the like.

16 (Off mic comments)

17 CHAIRPERSON ROGERS: Yes. So one of the
18 things that we're going to do to help drivers
19 make better-informed decision is we're going to
20 put the rates --- not rates --- but the terms and
21 conditions of every PSP on our Web site. So if
22 you decide, once your time ends --- that's why I

1 was asking, is it three years, five years, so on
2 and so forth. So there's a group of folks who may
3 have entered in to month to month, is what I'm
4 going to call it, or three year contracts, who
5 are about to opt out within the next six to
6 twelve months or so. We want to have that
7 information up there to, one, encourage
8 competition, but then two, so folks can make a
9 good business choice.

10 You know, I want to go with CMT as
11 opposed to Verifone or --

12 (Simultaneous speaking)

13 CHAIRPERSON ROGERS: I understand.
14 That's what he was talking about.

15 (Off mic comments)

16 CHAIRPERSON ROGERS: So I thank
17 everybody. I believe having no further business
18 to come before this Commission, we are adjourned.

19 (Whereupon, the above-entitled matter
20 went off the record at 12:55 p.m.)
21
22

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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: General Commission Meeting

Before: DC Taxicab Commission

Date: 05-13-2015

Place: Washington, D.C.

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