

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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OFFICE OF THE D.C. TAXICAB COMMISSION

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FULL COMMISSION MEETING

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WEDNESDAY
MAY 14, 2014

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The Commission met in the Old City Council Chambers, 441 4th Street, N.W., Washington, D.C., at 10:05 a.m., Ron M. Linton, Chairperson, presiding.

COMMISSIONERS PRESENT:

RON M. LINTON, Chairperson
RALPH BURNS, Commissioner
PAUL COHN, Commissioner
CYRIL CROCKER, Commissioner
ANTHONY MUHAMMAD, Commissioner
BETTY SMALLS, Commissioner

STAFF PRESENT:

SHARON McINNIS
JUANDA MIXON

LEWIS SPARKS

JACQUES LERNER, ESQ., General Counsel

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10:05 a.m.

CHAIRPERSON LINTON: Good morning and welcome this morning to the General Commission Meeting of the D.C. Taxicab Commission. We're meeting in the Old Council Chambers, One Judiciary Square. It's Wednesday, May 14th. The time is now at 10:05.

As is our custom, I would like to call to order and have a moment of silence in honor of those who have given their lives in the service of their community and their country.

Thank you.

The Secretary will determine a quorum and before she does, let me call to your attention and for the record that a change in the statute adopted over a year ago provides that the Chairman would select the Secretary of the Commission who had by statute and by regulation been the General Counsel.

1 The change was made because of the amount of
2 work on the General Counsel and the legal
3 aspect and finally, we changed the regulations
4 with the recent publication.

5 And so, we've come to the point
6 where the Chairman may now officially appoint
7 a Secretary to the Commission and I'm going to
8 issue an executive order this coming --
9 sometime today or tomorrow naming Juanda Mixon
10 as the Secretary of the Commission. She has,
11 as you know, been the Acting Secretary for
12 some time and it's, I think, time that we made
13 her officially the Secretary.

14 So, we welcome you, Ms. Mixon, as
15 our new Secretary and will the Secretary
16 please call the roll for determination of a
17 quorum.

18 MS. MIXON: Commissioner Burns?

19 COMMISSIONER BURNS: Present.

20 MS. MIXON: Commissioner Cohn?

21 COMMISSIONER COHN: Present.

22 MS. MIXON: Commissioner Crocker?

1 COMMISSIONER CROCKER: Present.

2 MS. MIXON: Commissioner Ferguson?
3 Commissioner Muhammad? Commissioner Smalls?

4 COMMISSIONER SMALLS: Here.

5 MS. MIXON: Commissioner Tapscott?
6 Commissioner Linton?

7 CHAIRPERSON LINTON: Present. A
8 quorum being present, we will continue with
9 our order of business and the second item on
10 the agenda is Commissioner Remarks, Comments
11 or Questions. Do any of the Commissioners
12 have any statements they wish to make at this
13 time, any comments or questions?

14 Commissioner Smalls. Nothing.
15 Commissioner Cohn.

16 COMMISSIONER COHN: No, I'm fine.
17 We are having a meeting with some members of
18 the teamsters after this session to discuss
19 their letter and some issues that they may
20 have.

21 CHAIRPERSON LINTON: That's a
22 meeting of the Panel on Industry. Correct?

1 The Panel on Industry will meet after we have
2 adjourned.

3 Commissioner Burns, any --

4 COMMISSIONER BURNS: No comments
5 at this time.

6 CHAIRPERSON LINTON: Commissioner
7 Crocker.

8 COMMISSIONER CROCKER: Yes,
9 Chairman, I would like to applaud you on your
10 excellent selection of the Secretary.

11 CHAIRPERSON LINTON: Thank you
12 very much and I was wondering why I didn't
13 hear any applause from the announcement, but
14 there we go. One of the few people on the
15 Commission that repeatedly gets compliments
16 from the constituencies we serve.

17 The next item on our agenda is
18 Commission Action Items and the Commission has
19 no pending action items to consider at this
20 meeting. So, we'll move on.

21 Is there any Government
22 Communications or Presentations, Madam

1 Secretary?

2 MS. MIXON: No Government
3 Communications.

4 CHAIRPERSON LINTON: Then we have
5 the General Counsel's Report. Is the General
6 Counsel prepared to make a report at this
7 time?

8 MR. LERNER: I am, Chairman. I
9 have an update on Commission Actions that have
10 been taken so far this calendar year following
11 the general meeting on March 12th.

12 On April 4th, the Commission
13 published final rules to make the Secretary as
14 designed by the Commission and updated certain
15 administrative fees charged for services
16 provided by the Office of Taxicabs
17 establishing late fees and vehicle fees.

18 On April 11th, Commission
19 published final rules raising fines on payment
20 service companies that provide the MTS
21 systems, establishing fines for failing to
22 provide necessary trip data.

1 The same day, also published were
2 -- published for the second time emergency and
3 proposed rules to clarify the fee between DDSs
4 and PSP businesses and adjust other fees that
5 were not set by the earlier rules.

6 On April 18th, the Commission
7 published for the third time proposed rules to
8 create a new Chapter 7 establishing
9 comprehensive and uniform rules for due
10 process and enforcement for the entire Title
11 31 and streamlining the process for public
12 complaints.

13 On April 25th, the Commission
14 published for the second time emergency and
15 proposed rules requiring taxicab companies to
16 pay rental drivers within 24 hours or one
17 business day the amounts that they are owed
18 under the new credit card systems and that's
19 the same amount -- same requirement as for
20 independent drivers who own their own cars and
21 imposing the same fine \$1,000.

22 On May 2nd, the Commission

1 published proposed rules to address various
2 compliance issues including requirements for
3 double seals on meters and functions of dome
4 lights.

5 The same day, the Commission
6 published proposed rules to address compliance
7 issues involving payment service providers.

8 On May 2nd, the Commission
9 published final rules for Chapter 16 which
10 established minimal requirements for digital
11 dispatch services requiring them to come into
12 the Office of Taxicabs to register so that the
13 office is aware of who's in business in the
14 City and provide a demonstration of their
15 handheld for technical and enforcement
16 purposes and I believe at this time, five of
17 the 60 DDSs in the District are registered.

18 On May 9th, the Commission
19 published the first of a two-part publication
20 of its first proposed rulemakings to create a
21 new class of public vehicle for hire service:
22 private sedan services. There are six --

1 there will be six chapters altogether.

2 Chapters 8, 12 and 14 were published that
3 day.

4 Chapter 8 deregulates taxicab
5 fares for rides booked by DDSs. Allows the
6 DDS to set the entire fare which is the same
7 as for black cars and for proposed private
8 sedan services. That does not apply to street
9 hail rides.

10 It makes conforming changes in
11 Chapter 12 which currently refers to black
12 cars as sedans and throughout that chapter,
13 the references will now be to black cars.

14 And under Chapter 14, it
15 integrates the operation of proposed private
16 sedans into the existing rules for what will
17 now be called black cars.

18 Those are the regulatory actions
19 that have been taken to date this year.

20 CHAIRPERSON LINTON: Thank you,
21 Mr. General Counsel. Does any Commissioner
22 have a question for the General Counsel?

1 Commissioner Smalls, Cohn, Burns? That's
2 none. All right.

3 We do have additional staff
4 reports for the Commission. At this time, I
5 would like to ask the Acting Administrator for
6 the Office of Taxicabs Ms. McInnis to make a
7 report that she has and it includes at the end
8 a procedural vote on acceptance or rejection
9 of what she's about to show us.

10 MS. MCINNIS: Good morning. I'm
11 going to present to you a diagram and it's for
12 the new logo for the D.C. Taxicab Commission.
13 Chairman has informed me that the
14 Commissioners will vote on this logo this
15 morning hopefully. So, I will just pass that
16 out.

17 I should add that this logo will
18 be utilized in the new building that we are
19 anticipating occupying on Shannon Place.
20 They're going to actually have it set up in
21 the reception area on the second floor and the
22 third floor and additionally, it could be used

1 on any document or official communication of
2 the Taxicab Commission.

3 CHAIRPERSON LINTON: Is there a
4 reason why they can't see it while you're
5 talking about it?

6 MS. MCINNIS: Yes, I'm going to
7 give it to them now. You can pass out and you
8 will know -- you can just give them. On this
9 -- what I'm giving you now, it's rated -- it
10 resembles the same color scheme as the new
11 taxicab with the -- the swoosh on there looks
12 a little bluish, but I guarantee you it will
13 be silver. The same silver color that's used
14 on the taxicabs. So, it'll be red and silver
15 on a white background.

16 CHAIRPERSON LINTON: And am I
17 correct, Ms. McInnis, that this design came
18 from our designer that we contracted with to
19 do the other designs?

20 MS. MCINNIS: That is correct.
21 The same designer that did the vehicles is the
22 same person that came up with this clarified

1 design.

2 There were a number of others that
3 we looked at, but a consensus was reached that
4 this one would transfer across all types of
5 medium. You can't -- because right now,
6 you're looking at a color version, but you
7 want to depict something that would also
8 transfer in black and white and look equally
9 as well. So, that's what some of the thought
10 process that went into picking this particular
11 design.

12 CHAIRPERSON LINTON: Before I open
13 it up for discussion, is there a motion to
14 adopt?

15 COMMISSIONER CROCKER: Moved.

16 CHAIRPERSON LINTON: Support?

17 COMMISSIONER BURNS: Second.

18 CHAIRPERSON LINTON: Does any
19 Commissioner wish to raise any questions or
20 make any comments prior to our vote on this?

21 COMMISSIONER COHN: Sure. It
22 should be a capital D and a capital -- never

1 mind.

2 CHAIRPERSON LINTON: All right.
3 Hearing none, this is a procedural matter.
4 So, a voice vote is acceptable.

5 As many as are in favor of
6 adopting this logo say aye.

7 (Ayes.)

8 CHAIRPERSON LINTON: Those that
9 are opposed? The ayes have it. This is the
10 logo that we've adopted.

11 Thank you, Ms. McInnis.

12 MS. MCINNIS: Thank you.

13 CHAIRPERSON LINTON: At this time,
14 I think we also have a report from our
15 Director of Enforcement and Education Lewis
16 Sparks. Mr. Sparks. Director Sparks.

17 MR. SPARKS: Good morning,
18 Chairman and Commission. I have a brief
19 Education and Enforcement report for you this
20 morning.

21 CHAIRPERSON LINTON: Talk into the
22 microphone please. The Chairman's a little

1 bit --

2 MR. SPARKS: On the education and
3 driver training front, we recently held
4 another exam April 26 and we tested 372
5 applicants and of that lot, 268 passed the
6 exam.

7 That brings to a total, Mr.
8 Chairman, 2,828 people has passed the
9 licensing examination since we began the
10 process in late 2013 and of that lot, you
11 should know that 504 have actually come in and
12 received or had new face cards issued to them.

13 CHAIRPERSON LINTON: How many?

14 MR. SPARKS: Five hundred and
15 four. Okay.

16 On the enforcement front, I'm
17 pleased to announce that our two new hack
18 inspector recruits have successfully completed
19 their formalized training consisting of
20 certified classroom training and field
21 training to the extent of 400-plus hours.

22 They're now out in the street with

1 the rest of our inspectors. That brings to a
2 total of 14 inspectors who are out there
3 conducting driver surveys and compliance
4 surveys to make sure that our drivers and
5 their vehicles are in compliance with Title
6 31.

7 CHAIRPERSON LINTON: Thank you,
8 Chief Sparks.

9 MR. SPARKS: That's my report,
10 sir.

11 CHAIRPERSON LINTON: Does any
12 member of the Commission have any questions
13 for Chief Sparks or any comments they wish to
14 make? Commissioner.

15 COMMISSIONER SMALLS: I would like
16 to know what -- I would just like to know type
17 of preparation are you giving these taxi
18 drivers before they take the exam about the
19 history of the City? Because they don't seem
20 to know anything about the monuments or any
21 points of interest in the City.

22 When I go to foreign countries and

1 other cities, the taxicab drivers are very
2 knowledgeable.

3 What are you doing here?

4 MR. SPARKS: Well, Commissioner,
5 the formalized training is provided by three
6 accredited institutions and there is a well-
7 defined curriculum. I don't know all of the
8 topics in the curriculum, but I do imagine
9 that's one of the topics that is covered and
10 that they're tested on. But, I certainly will
11 confirm that for additional information about
12 that if you need --

13 CHAIRPERSON LINTON: Let me answer
14 that. The Office of Taxicabs -- Commissioner,
15 I would recall to you that the Office of
16 Taxicabs did have under the requirement of the
17 statute a firm that developed under our
18 guidance a curriculum that meets the
19 requirements of the statutes that includes
20 what you're talking about. That we have
21 accredited three institutions that offer a
22 two-week course that is mandatory if they want

1 to take the examination for a license and that
2 all of these have gone through that course and
3 part of that curriculum is knowing the City.

4 Commissioner Burns, you had a
5 question.

6 COMMISSIONER BURNS: Yes. Good
7 morning.

8 CHAIRPERSON LINTON: Is your mike
9 on? When we get in our own building, it's
10 going to be a lot easier.

11 COMMISSIONER BURNS: How about
12 now? Okay. You mentioned 2800 people have
13 taken the test.

14 MR. SPARKS: Yes, sir.

15 COMMISSIONER BURNS: Now, is that
16 -- refresh my memory. Is this a yearly test?
17 Is this an every three-year test? Is this --
18 what is the process for a taxi driver to have
19 the proper credentials and training or is this
20 a one-time testing?

21 MR. SPARKS: It's almost a monthly
22 exam. We give exams --

1 CHAIRPERSON LINTON: No, that's
2 not the question. They have to present their
3 certificate of completion for the training.

4 COMMISSIONER BURNS: Right.

5 CHAIRPERSON LINTON: They go to
6 one of these three institutions they select.
7 They take the training. They get a
8 certificate of completion. Then they're
9 eligible to come in and take that test.

10 COMMISSIONER BURNS: Right.

11 CHAIRPERSON LINTON: After they
12 take the test if they pass, they are then
13 eligible for to apply for a hack license or a
14 sedan, a limousine license or a universal
15 license. That is all three.

16 They go through their background
17 check. Clearing that and paying their fee,
18 they then get their license.

19 Under the statute, I would remind
20 you, Commissioner, that those who already are
21 licensed are now required to have a refresher
22 course before each renewal of their license.

1 We're in the process --

2 COMMISSIONER BURNS: Which occurs
3 how often?

4 CHAIRPERSON LINTON: Well, it'll
5 be -- most of them renew every two years.

6 COMMISSIONER BURNS: Okay. Thank
7 you.

8 CHAIRPERSON LINTON: So, before
9 they can renew the next time, they will have
10 to show completion of that refresher course.
11 We're in the process of setting up the process
12 by which the refresher course will be given
13 and will be mandated.

14 COMMISSIONER BURNS: Thank you.

15 MR. SPARKS: Thank you, Mr.
16 Chairman.

17 CHAIRPERSON LINTON: Any other
18 questions? If not, that completes the staff
19 reports.

20 We'll move on now to the public
21 comment period and we do have a member of the
22 public Mr. Al Parker. Is Mr. Parker with us?

1 Mr. Parker? I don't see him.

2 Is there any other person in the
3 audience from the public that would like to
4 address the Commission at this time? No one
5 coming forward.

6 That completes the Commission's
7 business for this day.

8 I remind you that the Panel on
9 Industry will remain and will be meeting with
10 stakeholders on a number of issues and
11 questions at hand.

12 With that, we will adjourn until
13 the next meeting June 11th at 10:00 a.m. in
14 the Old Council Chambers.

15 (Whereupon, at 10:21 a.m., the
16 hearing was adjourned.)

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In the matter of: Full Commission Meeting

Before: DCTC

Date: 05-14-2014

Place: Washington, D.C.

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