

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
NOVEMBER 12, 2014

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The Commission met in the Old City
Council Chambers, 441 4th Street, N.W.,
Washington, D.C., at 10:00 a.m., Ron M.
Linton, Chairperson, presiding.

COMMISSIONERS PRESENT:

RON M. LINTON, Chairperson
PAUL COHN, Commissioner
CYRIL CROCKER, Commissioner
ELLIOTT FERGUSON, Commissioner
STANLEY TAPSCOTT, Commissioner
BETTY SMALLS, Commissioner

STAFF PRESENT:

JUANDA MIXON
MONIQUE BOCOCK, ESQ., Associate General
Counsel

T-A-B-L-E O-F C-O-N-T-E-N-T-S

	PAGE
I. Call to Order.	4
Moment of Silence.	4
Determination of Quorum.	4
II. Commission Communication	5
Commissioner Remarks, Comments or Questions.	5
III. Commission Action Items:	
Vote to approve publication of final rulemaking to amend Chapter 6 - Age of Taxicabs.	6
Vote to approve publication of final rulemaking to amend Chapter 8 - Meter rates for trips booked by digital dispatch17
Vote to approve publication of final rulemaking for Chapters 8 and 99 - Shared rides19
Vote to approve publication of proposed rulemaking for Chapter 10 - Refresher training.22
Vote to approve publication of proposed rulemaking for Chapters 4, 5, 7, 8, 10, 12, 13, and 15 - Standards for license denials and company accessible vehicle minimums21
Vote to approve publication of proposed rulemaking for Chapters 8 and 18 - Dispatched public vehicles-for-hire comply with Title 31 and amendment to CAPS-DC.26

T-A-B-L-E O-F C-O-N-T-E-N-T-S
C-O-N-T-I-N-U-E-D

PAGE

Resolution to approve Rate
Structure Review (D.C. Code
§50-317) and Decision on
Petition to Modify Rate Structure
filed January 31, 201427

Resolution to adopt prior
determinations and findings
as official records.27

IV. Government Communications and
Staff Reports.28

V. Public Comment Period.29

VI. Adjournment.44

Next Meeting: General Commission

Meeting December 10, 2014 at 10:00 a.m., 441
4th Street, NW, Old Council Chambers.

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6
7
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P-R-O-C-E-E-D-I-N-G-S

(10:23 a.m.)

CHAIRMAN LINTON: Good morning. I call to order the meeting of the DC Taxicab Commission, Old Council Chambers, One Judiciary Square, Wednesday, November 12th, the time's 10:23 a.m.

My apologies for the delay in getting started, but the modern age of technology was aborted by the inadequacy of the human mind.

We are now are in order and ready to get started. So as is our practice, I want to ask for a moment of silence in recognition of those who have given their lives to the service of their country and their community. We'll take a minute.

(Moment of Silence.)

CHAIRMAN LINTON: Thank you. Secretary, call the role as to any quorum.

MS. MIXON: Commissioner Burns.

(No Response.)

1 MS. MIXON: Commissioner Cohn.

2 COMMISSIONER COHN: Present.

3 MS. MIXON: Commissioner Crocker.

4 COMMISSIONER CROCKER: Present.

5 MS. MIXON: Commissioner Ferguson.

6 COMMISSIONER FERGUSON: Present.

7 MS. MIXON: Commissioner Muhammad.

8 (No Response.)

9 MS. MIXON: Commissioner Smalls.

10 COMMISSIONER SMALLS: Here.

11 MS. MIXON: Commissioner Tapscott.

12 COMMISSIONER TAPSCOTT: Present.

13 MS. MIXON: Commissioner Linton.

14 CHAIRMAN LINTON: Present. A

15 Quorum being present, we'll continue with our

16 agenda. And the second item on the Agenda,

17 Commission Communications, any remarks from

18 our Commissioners this morning, and the

19 beginning of our meeting. I don't see any.

20 Are there any communications, Ms. Madame

21 Secretary?

22 MS. MIXON: No, sir.

1 CHAIRMAN LINTON: Then we'll move
2 on to the Commission Action Items under Agenda
3 Item Number III. The first is a vote to
4 approve publication of final rulemaking to
5 amend Chapter 6, Age of Taxicabs. And I would
6 like to read the determination and findings
7 for the Commission. For those who are
8 determined to vote yes, this is our statement
9 for that reasoning.

10 The DC Taxicab Commission is
11 committed to ensuring that commute consumers,
12 who use the District's metered taxicabs are
13 driven in clean, efficient, safe, well-
14 maintained vehicles.

15 Until 2012, this was an elusive
16 goal, as the taxicab fleet included a large
17 proportion of vehicles with body damage, rust,
18 peeling paint, musty interiors, ripped and
19 warn upholstery, dirty carpets, leaky trunks,
20 and similarly unacceptable conditions.

21 These conditions were not
22 unexpected, as a sizeable portion of the fleet

1 then consisted of vehicles 12 to 15 years of
2 age and older.

3 Reducing vehicle age is an
4 important aspect of fleet modernization. The
5 existing age of Taxicab Rule in Paragraph 609
6 of Title 31 of DCMR, enacted in 2012, limits
7 the age of vehicles to five years, at the time
8 they enter service, and seven years total time
9 on the road, a five-seven year age policy.

10 The Commission's Age Policy is
11 consistent with, if not more generous than
12 policies of other similarly situated
13 metropolitan areas.

14 For example, New York City limits
15 vehicles to 36 months for double-shifted
16 vehicles, and five years for all other
17 vehicles. Boston limits vehicles to six years
18 on the road. Philadelphia taxicab must be
19 taken off the road after eight years. The Age
20 Policy is not being revisited at this time.

21 The Commission has consistently
22 recognized the need to gradually phase in its

1 Age Policy, because the immediate imposition
2 of an age policy could disrupt service to
3 consumers with the sudden loss of large
4 numbers of vehicles.

5 The current age of Taxicab Rule,
6 in Paragraph 609, works in just this manner,
7 on January 1st of each year more and more of
8 the oldest vehicles are removed from service,
9 until the entire fleet is in compliance with
10 the Age Policy.

11 The existing phase-in schedule,
12 under 609, started on January 1st, 2013, and
13 ends on January 1st, 2017, when the entire
14 fleet of District taxicab must be in
15 compliance with the Age Policy.

16 The dates in the existing age of
17 Taxicab Rules are hard dates, meaning that 100
18 percent of the noncompliant vehicles must be
19 off the street on January 1st, or they are
20 subject to being ticketed and towed by DCT
21 Vehicle Inspectors, or MPD Officers.

22 The Commission votes today on

1 whether or not to approve, as final, a
2 proposed rulemaking, which completed the
3 regulatory process in January 2014.

4 The rulemaking would make
5 important and timely changes in 609, including
6 changes that would expedite the removal of
7 some older vehicles, while adding measures to
8 soften the impact on vehicle owners.

9 The Commission has recently
10 received feedback from owners of vehicles, who
11 are concerned about the impact of the proposed
12 rulemaking. Some of this feedback relates to
13 a letter to a vehicle owner, two vehicle
14 owners, from the Department of Motor Vehicles,
15 which incorrectly stated that there was an
16 emergency related to the Commission's Vehicle
17 Age Policy and the proposed amendment to 609.

18 This letter, which was not
19 authorized by the Commission, or written in
20 consultation with the Commission, has created
21 needless confusion and does not accurately
22 reflect the Age Policy.

1 To set matters straight, it is
2 important to understand that the proposed
3 rules are merely a refinement of the existing
4 rules in 609, making a number of changes,
5 which the Commission believes are necessary to
6 better implement the removal process
7 consistent with the five-seven Age Policy.

8 Neither the Age Policy, nor the
9 2017 calendar year deadline for full
10 implementation would be changed, if the
11 proposed rules are approved today. Though,
12 phase-in schedule would be expedited, and all
13 implementation dates would be softened to
14 reduced their impact on owners.

15 Here is what the proposed rules
16 would do and what they would not do. The
17 proposed rules would not change the underlined
18 five-seven year age policy, 2004 and older
19 vehicles would not be removed from service
20 during the remainder of 2014, which is no
21 different than the existing rules.

22 The proposed rules actually give

1 1997 and older vehicles one more year on the
2 road, as the existing rules required all 2000
3 and older vehicles to be removed on January 1,
4 2014.

5 The proposed rules would extend
6 the time for compliance in 2015 and 2016,
7 because the current rules requires all
8 noncompliant vehicles to be off the road on
9 January 1, but the proposed rules allow the
10 vehicles to be removed by their inspection
11 dates in 2015 and 2016.

12 Although the removal date from
13 2004 and older vehicles would advance from
14 2016 to 2015 under the proposed rules, adding
15 the time until inspection would allow many
16 2004 and 2003 vehicles to stay in service for
17 additional months in 2015.

18 The proposed rules would establish
19 a more gradual phase-in of the Age Policy,
20 removing three model years in 2016, and three
21 more in 2017, while the current rules will
22 remove only two model years in 2016, and will

1 remove six in 2017.

2 Owners of vehicles facing
3 retirement would continue to be able to
4 request a waiver of the rule, by the Office of
5 Taxicab, for cars in sufficiently good, safe,
6 clean condition that had been properly
7 inspected, allowing them to seek an additional
8 from one to three years on the road. Owners
9 of these vehicles need not wait and should
10 submit their request promptly.

11 The phase-in schedule of the
12 existing rules and proposed rules compares as
13 follows: The existing 609, all 2002 and older
14 must be retired on January 1, 2015. Under the
15 proposed, 2004 and older would be phased out
16 at inspections during 2015.

17 Under the existing rule, all 2004
18 and older must be retired on January 1, 2016.
19 Under the proposed rules, 2007 and older would
20 be phased out at inspection during 2016. 2010
21 and older, under the existing rules, must be
22 retired on January 1st, 2017. Under these

1 proposed rules, 2010 and older would be phased
2 out at inspection during 2017.

3 The proposed changes to the Age of
4 Taxicab Rules are a timely and necessary step
5 in the right direction, as reducing the age of
6 vehicles is a key component of a broader
7 approach to modernization.

8 If approved today, the proposed
9 rules will address ongoing consumer complaints
10 and increasing rejection of taxicab service in
11 favor of other emerging services.

12 So called rideshare services, also
13 known as private vehicles-for-hire, enjoy
14 distinct competitive advantage over metered
15 vehicles, both fair and unfair, which are
16 expected to gain legal protection through a
17 Bill recently passed by the Council.

18 The proposed rules would set the
19 stage for further more refined efforts, by the
20 Commission, to modernize the metered vehicle
21 industry in comprehensive proposed rules still
22 in the rulemaking process.

1 The Commission is looking beyond
2 the mere age of vehicles to consider such
3 other important factors, as fuel efficiency
4 and wheelchair accessibility.

5 Those rules would not apply in
6 ordinary gasoline-powered vehicles, which
7 would continue to be subject to the existing
8 Age Policy, and whatever phase-in schedule
9 that exists under the age of taxicabs.

10 Rules in 609. If the proposed
11 rules, under consideration today, are approved
12 as final, they will promptly bolster the
13 Commission's commitment to provide consumers
14 with high quality experience provided by
15 professional operators driving newer, cleaner,
16 more efficient, and safer vehicles. It is an
17 important step in the Commission's ongoing
18 effort to modernize the industry.

19 The question is on, the adoption
20 of the Item Number 1 to vote to approve
21 publication of final rulemaking to amend
22 Chapter 6, Age of Taxicabs, is there a motion

1 to act?

2 COMMISSIONER COHN: So moved.

3 CHAIRMAN LINTON: It has been
4 moved. Is there support?

5 COMMISSIONER CROCKER: Second.

6 CHAIRMAN LINTON: It has moved and
7 supported. The vote to approve publication of
8 final rulemaking to amend Chapter 6, Age of
9 Taxicabs. The secretary will call the roll.
10 Excuse me. Yes, sir?

11 COMMISSIONER TAPSCOTT: Is a
12 discussion in order now?

13 CHAIRMAN LINTON: Is what?

14 COMMISSIONER TAPSCOTT: Is a
15 discussion in order now?

16 CHAIRMAN LINTON: You can do it
17 after you vote.

18 COMMISSIONER TAPSCOTT: Well
19 that's too late.

20 CHAIRMAN LINTON: Well, you --

21 COMMISSIONER TAPSCOTT: You know -

22 -

1 CHAIRMAN LINTON: Do you want to
2 make a statement?

3 COMMISSIONER TAPSCOTT: May I make
4 a statement?

5 CHAIRMAN LINTON: You may make a
6 statement.

7 COMMISSIONER TAPSCOTT: This
8 document you read, sir, if we'd of had this
9 document on Wednesday when we met and had our
10 meeting, I mean, on Tuesday, whatever day it
11 was, it would have shed a different light.
12 But this is completely different that we had
13 a meeting on, as far as I'm concerned, and
14 what has been in the past.

15 Giving me this document today is
16 not helping me to vote the way that I had
17 planned on voting. It is confusing. So I'm
18 going to have to be voting against this,
19 because we did not have this document in the
20 past.

21 CHAIRMAN LINTON: Is there any
22 other comment?

1 (No Response.)

2 CHAIRMAN LINTON: Secretary will
3 call the role.

4 (Roll Call Vote.)

5 CHAIRMAN LINTON: Yes. The
6 majority having voting in affirmative the
7 Commission will order the publication of the
8 final rulemaking to Chapter 6, Age of
9 Taxicabs.

10 Second item on the Agenda, vote to
11 approve publication of final rulemaking to
12 amend Chapter 8, meter rates for the trips
13 booked by digital dispatch. Associate General
14 Counsel will, please, address that matter.

15 MS. BOCOCK: Okay. All right,
16 hopefully, this is on. This final rulemaking,
17 if adopted, would allow digital dispatch
18 services, registered under Chapter 16, to set
19 the entire fare when a taxicab is booked by a
20 digital dispatch and the dispatch service
21 processes digital payment.

22 The operator would still be

1 required to use the modern taxicab system for
2 all digitally dispatched trips, to ensure that
3 the payment service providers report trip data
4 to the Office of Taxicabs for enforcement,
5 research, and passenger surcharge
6 reconciliation.

7 The taxi meter would still display
8 the metered fare, but passengers would pay
9 only the fare set by the digital dispatch
10 service.

11 This gives the digital dispatch
12 service the authority to set the entire fare,
13 which will allow taxicabs to operate more
14 competitively with the new private vehicles-
15 for-hire.

16 CHAIRMAN LINTON: All right, and
17 you do understand that under that arrangement,
18 the digital dispatch service and the driver or
19 owner of the vehicle engaged would be in
20 agreement on how that fares would be set and
21 what the shares of the fares would be between
22 them, and that this would apply only to those

1 customers who had pre-filed their credit cards
2 with the digital dispatch service.

3 So the question is on to vote to
4 approve, is there a motion?

5 COMMISSIONER COHN: Moved.

6 CHAIRMAN LINTON: It's been moved,
7 is there support?

8 COMMISSIONER CROCKER: Second.

9 CHAIRMAN LINTON: It has been
10 moved and second. The Secretary will call the
11 role.

12 (Roll Call Vote.)

13 CHAIRMAN LINTON: Yes. A majority
14 having approved the motion, the Commission
15 will order publication of final rulemaking to
16 amend Chapter 8, Meter rates for trips booked
17 by digital dispatch.

18 Item 3, vote to approve
19 publication of final rulemaking for Chapter 8
20 and 99, shared rides. Would Associate General
21 Counsel, please, explain.

22 MS. BOCOCK: Okay. This final

1 rulemaking, if adopted, would give the Office
2 of Taxicabs the flexibility to designate
3 shared ride locations on a as need basis, in
4 order to better serve the riding public,
5 owners, and operators, as well as the venues
6 that benefit from shared riding.

7 Current rules identify only fixed
8 locations. Shared riding is only permitted at
9 designated locations with taxi stands where
10 starter groups, passengers according to
11 commonality of destination.

12 CHAIRMAN LINTON: All right, with
13 a little more clarification, is that this
14 would allow the Office of Taxicabs, under
15 Commission direction, to declare shared ride
16 venues on a as needed basis, so that that
17 would be done on where there were a
18 significant number of customers needing rides,
19 and it would be an incentive to drivers to
20 respond, because it would add as much as \$9 a
21 ride to their income, by using shared ride
22 venues on that.

1 So the question is on adoption of
2 this proposed regulation, is there a motion?

3 COMMISSIONER COHN: So moved.

4 CHAIRMAN LINTON: Support?

5 COMMISSIONER CROCKER: I second.

6 CHAIRMAN LINTON: It has been
7 moved and second. The Secretary will call the
8 role.

9 (Roll Call Vote.)

10 CHAIRMAN LINTON: The majority
11 having voted in the affirmative, the
12 Commission will move for the publication of
13 the final rulemaking for Chapters 8 and 99,
14 shared rides.

15 Item 4 on the Agenda, and the
16 remaining items, in fact, are all initiating
17 a rulemaking process. The vote is for a
18 publication of a proposed rulemaking, not for
19 adoption of the rule, itself.

20 The first item proposed for
21 publication is rulemaking for Chapters 4, 5,
22 7, 8, 10, 12, 13, and 15, standards for

1 license denials and company assessable
2 vehicles minimums.

3 This proposed regulation should
4 have been posted on the website, if not, it
5 certainly will be up by late today. Are there
6 any comments from the Counsel on this matter?

7 (Off microphone discussion)

8 CHAIRMAN LINTON: Oh, I skipped,
9 excuse me. It's been pointed out that I'm
10 reading too fast. Item 4, actually, is a vote
11 on approving publication of a proposed
12 rulemaking for Chapter 10, refresher training.

13 You may recall, the Commission
14 will recall that in 2012 one of the pieces of
15 legislation adopted by the City Council,
16 statutorily required that all drivers seeking
17 to renew their hack licenses would have been
18 required to show proof that they had attended
19 a refresher course.

20 This proposed rulemaking defines
21 the refresher training and the process that
22 shall be utilized. This is a proposed

1 rulemaking, if adopted, it will be open for 30
2 days for public comment, public hearing, and
3 its action will come after that occurs.

4 So the question is on whether we
5 move forward to publish the proposed
6 rulemaking and initiate the rulemaking
7 processing?

8 COMMISSIONER COHN: Can I make a
9 comment?

10 CHAIRMAN LINTON: Yes, you may.

11 COMMISSIONER COHN: I have a
12 question for the Counsel. Can we take all the
13 proposed rulemakings as one item, since
14 they're --

15 CHAIRMAN LINTON: Yes, you may
16 make a motion to that effect.

17 COMMISSIONER COHN: I would like
18 to make a motion to that effect.

19 CHAIRMAN LINTON: Is there support
20 of that motion?

21 COMMISSIONER FERGUSON: I would
22 second it.

1 CHAIRMAN LINTON: It's been moved
2 and second. That's a procedural matter. Is
3 there objection?

4 (No Response.)

5 CHAIRMAN LINTON: Chair hears
6 none, so with the unanimous consent, we will
7 combine the remaining items that, one is
8 Agenda Item IV is proposed, which is the one
9 we just discussed, proposed rulemaking on
10 refresher.

11 Number 5 is the one which I read
12 out of order, vote to approve publication of
13 proposed rulemaking deals with standards for
14 license denials and company assessable vehicle
15 minimums. Do you want to comment on that?

16 MS. BOCOCK: Certainly. So this
17 rulemaking does several things, one, is it
18 clarifies the rules for the statutory phase-in
19 of the minimum percentages of wheelchair
20 accessible vehicles and fleets of companies
21 that own taxicabs and black cars, and includes
22 a provision to provide companies with

1 additional time to comply where they have
2 provided the Office of Taxicabs with a plan
3 for full compliance within 180 days.

4 The second thing that this
5 proposed rulemaking does is it establishes
6 procedures for appealing denials of
7 applications for new, or renewal, of any type
8 of license, or certificate of operating
9 authority, issued under Title 31.

10 And lastly, this proposed
11 rulemaking would establish rules to suspend,
12 or revoke, the privileges of non-District
13 drivers to operate in the District under
14 reciprocity rules.

15 And under this rule, an operator's
16 authority to drive in the District, under the
17 reciprocity rules, could be suspended, or
18 revoked, for the same types of serious
19 violations that would justify taking actions
20 against a driver licensed by the Office. So
21 those are the key --

22 CHAIRMAN LINTON: Okay.

1 MS. BOCOCK: -- parts of this
2 particular proposed rulemaking.

3 CHAIRMAN LINTON: And the last one
4 in this group is Agenda Item 6, vote to
5 approve publication of proposed rulemaking for
6 Chapter 8 and 18, dispatch public vehicles-
7 for-hire comply with Title 31 and Amendment to
8 CAPS-DC.

9 This simply sets out that if a
10 private vehicle-for-hire dispatch service
11 engages a metered vehicle for its wheelchair
12 access availability, that it will have to do
13 so complying fully with that Title 31
14 requirements in using a metered vehicle and
15 will not be able to avoid those rules and
16 recommendations.

17 So the question is on motion to
18 proceed to publish these proposed rulemakings
19 to open the regulatory process, is there a
20 motion?

21 COMMISSIONER COHN: So moved.

22 CHAIRMAN LINTON: It's been moved,

1 is there support?

2 COMMISSIONER FERGUSON: Second.

3 CHAIRMAN LINTON: Then Secretary
4 will call the role.

5 (Roll Call Vote.)

6 CHAIRMAN LINTON: A majority
7 having voted in the affirmative, the
8 Commission orders that these items all be
9 published and the regulatory process
10 initiated.

11 The last item on the Commission
12 Action Item Agenda III is a resolution to
13 approve rate structure review and decision on
14 petition to modify rate structure filed July
15 31, 2014.

16 As is required, under the Statute,
17 the Commission, every two years, has to issue
18 a statement reviewing the rate structure.
19 This has been provided in advance to all of
20 the Commission members. It will be on the
21 website of the Commission.

22 And its conclusion is that, at

1 this moment in time, the taxicab rate
2 structure, as adjusted by the Commission in
3 2012, will not be changed in any fashion, at
4 this point in time.

5 So the question is on adoption of
6 this review. This is a procedural motion, it
7 does not require a vote, a recorded vote, so
8 is there a motion to adopt?

9 COMMISSIONER COHN: So moved.

10 CHAIRMAN LINTON: Is there
11 support?

12 COMMISSIONER CROCKER: Second.

13 CHAIRMAN LINTON: As many as are
14 in favor say aye.

15 (Chorus of Ayes.)

16 CHAIRMAN LINTON: Opposed?

17 MALE PARTICIPANT: No.

18 CHAIRMAN LINTON: The ayes have
19 it. This review of the rate structure is
20 adopted. That then concludes the Commission
21 action items.

22 The Agenda Item IV, Government

1 Communications Staff Reports, Madame
2 Secretary, any Government Communications?

3 MS. MIXON: None at this time.

4 CHAIRMAN LINTON: Any staff
5 reports?

6 MS. MIXON: None at this time.

7 CHAIRMAN LINTON: Then we will
8 proceed to the public comment period. We have
9 one individual who has asked to speak to the
10 Commission, Mr. Gashaw Birbo. Are you here,
11 sir?

12 MR. BIRBO: Yes.

13 CHAIRMAN LINTON: Would you take
14 the podium and proceed with your presentation.
15 Thank you, very much.

16 (Off microphone discussion)

17 MR. BIRBO: Good morning.

18 (Off microphone discussion)

19 MR. BIRBO: Give respect to
20 Chairman, all Commissioners. First off, I
21 would like to thank you for the opportunity I
22 am given, I am being given.

1 I participated on the previous
2 general portion hearing and ask that DCTC to
3 reconsider the decision not to issue H-tag to
4 the new web trained drivers like me, by
5 explaining the facts that's going on the
6 ground of taxicab business.

7 Based on my last presentation, I
8 was asked by an inspector, Chairman Mr.
9 Linton, to come up with my opinion on the
10 issuance of H-tag.

11 In my opinion, I believe that the
12 following points would be better, if taken
13 into consideration to issue H-tag for new
14 licenses. Number one, D.C. residents.

15 D.C. residents should be given
16 priority for H-tag because of the fact that we
17 are going to pay taxes in the city while
18 working as cab driver in the long run.

19 Number 2, the next point is,
20 giving opportunities that city residents would
21 have a positive impact on employment. And the
22 third point is, as of jurisdictions, residents

1 can use opportunity in their status as a
2 residents. Being a resident of the smallest
3 state of the nation, such kind of opportunity
4 would be greatly affecting those who reside
5 here.

6 And the other point is, first come
7 first serve should be taken into
8 consideration. Those D.C. residents who took
9 the new taxicab license two day class on the
10 first round should be given the most priority.
11 If permission could be obtained from the
12 schools that participated in training the
13 drivers.

14 The second point is, those who
15 pass, who took the first round class the first
16 pass through more proper procedures and
17 trainings that is a very recent ones taking
18 working place by paying just a dollar out of
19 100. I was among the first of the trainees of
20 September 6th and December 2017 that paid a
21 total amount of \$700, to get the license.

22 And the last point is, most

1 opportunities have time limits to be
2 benefitted by the most interested ones. It's
3 because of our very motivated interest to be
4 the first round trainees and licensees.

5 Finally, I would like to say that
6 some companies are sending their H tag to
7 individuals in the family and friendship
8 neighbor.

9 I believe that H-tag each round
10 should be controlled rationally by DCTC and
11 individuals who has a very limited number of
12 taxis, and who are mishandling it. Thank you.

13 CHAIRMAN LINTON: Thank you, very
14 much. I appreciate your comments. It will be
15 taken into careful consideration by the
16 Commission.

17 MR. BIRBO: Okay. Thank you.

18 CHAIRMAN LINTON: Is there anyone
19 else at this time who would like to address
20 the Commission on a two-minute time? Mr.
21 Simms.

22 (Off microphone discussion)

1 MR. SIMMS: Thank you, Commission.

2 (Off microphone discussion)

3 MR. SIMMS: Thank you,
4 Commissioners, for the time. My name's Royale
5 Simms. I represent the Washington, D.C. Taxi
6 Operators Association.

7 CHAIRMAN LINTON: Could you speak
8 up a little bit, sir?

9 MR. SIMMS: My name's Royale
10 Simms. I represent the Washington, D.C. Taxi
11 Operators Association. I just wanted to make
12 brief comments about the adoption of Chapter
13 6 in this forum, right now.

14 The timing of Chapter 6 is
15 problematic. It worked as a "gotcha" for
16 drivers. It was adopted on an emergency and
17 proposed basis, and in March the emergency
18 regulations expired, and it was not addressed
19 by the Council vote, what, March, April, May,
20 June, July, August, September, October,
21 November, eight months. It was left on the
22 table for eight months.

1 And then, a letter was sent out
2 from the DMV that was incorrect, as admitted
3 by the Chairman. And this incorrect letter
4 was not addressed, or corrected, by this
5 Council, so now drivers who had to have
6 inspection, I appreciate the softening of the
7 rule to where it goes to the next inspection
8 date, but now drivers who have early
9 inspection, say in August, or October, they're
10 still caught.

11 Their first inspection will be in
12 January. And now they still have to replace
13 their vehicles in January, so there's nothing
14 done for those drivers.

15 This was a total drop of the ball
16 on the Council. This rule should have either
17 been addressed earlier when the emergency rule
18 expired, or it should have been put off until
19 the next administration to address this issue.
20 I'm disappointed in that fact. Thank you.

21 CHAIRMAN LINTON: Thank you, Mr.
22 Simms.

1 MR. SIMMS: Thank you.

2 CHAIRMAN LINTON: Is there anyone
3 else? That gentleman over there.

4 MR. CHUBBS: Good morning. I want
5 to --

6 CHAIRMAN LINTON: Would you give
7 me your name, sir, for the record?

8 MR. CHUBBS: My name is E. J.
9 Chubbs, Independent Cab Number 69.

10 CHAIRMAN LINTON: Thank you.

11 MR. CHUBBS: I want to address
12 this Chapter 6, age of cabs. And I'm
13 speaking, I'm speaking for all the drivers,
14 but primarily, for the older senior citizen
15 drivers, who have served this city for 50-60
16 years, and now we only use our cab to
17 subsidize our Social Security.

18 You all are putting all us older,
19 I'll just give you a list of all the older
20 guys, we can't afford to go out and buy a new
21 car.

22 I give you two scenarios. I have

1 an '04 Lincoln Town car. I bought a '08
2 Lincoln Town car, because that was the end of
3 the buy, it had 63,000 miles on it. Now, and
4 I'll put my '04 up against any '13 you got out
5 here in the street. That's the way I operate.

6 Now they tell me about the end of
7 December that my '04 must come off the street,
8 my '08 that I bought, call myself preparing,
9 now you all going to put me out of business.
10 I can't afford, that car just work just enough
11 to subsidize my Social Security.

12 And when I said I, I'm speaking to
13 the older American drivers. And you know, the
14 old American drivers are the black drivers.
15 I've been driving here for 50 years.

16 And now, all of a sudden that I
17 need help, I need to be able to go out and
18 make a run my telephone bill, or something.
19 Now, you're going to put me out of business.

20 CHAIRMAN LINTON: Not necessarily.

21 MR. CHUBBS: That makes is so
22 unfair.

1 CHAIRMAN LINTON: Put in for a
2 waiver. If your car is what you say it is,
3 you may get another three years. You need to
4 go through the process. You may not be out of
5 a car. Give it a shot.

6 COMMISSIONER FERGUSON: Chairman
7 Linton.

8 CHAIRMAN LINTON: Yes?

9 COMMISSIONER FERGUSON: Could you
10 reference, in the document that you read, the
11 specific area that references the waiver, so
12 that he'll, so that that would be clearer, in
13 terms of how he can pursue that?

14 (Off microphone discussion)

15 CHAIRMAN LINTON: Yes. Any car
16 owner, whose car is subject to removal, under
17 the rule that we adopted, is eligible to
18 submit, and you can submit it beginning
19 tomorrow, a request for a waiver from removal.

20 You will be assigned, you will,
21 it'll undergo an inspection, and if in fact it
22 meets, we know and you know, and as you're

1 saying that there are some of you who have
2 cars that have been kept in mint condition,
3 and that those cars will pass and be
4 acceptable, in terms of what customers want to
5 ride in, they'll get waivers and you'll have
6 additional years for those cars to be on the
7 street.

8 MR. CHUBBS: One other thing. I
9 checked on the waiver. And my car, you can
10 get an inspection that, every time I go to
11 inspection I go through inspection. I don't
12 have to go back for a recall.

13 But, I checked on the paper of the
14 waiver. There's 150 questions. And I only
15 got one place. You can't take it to D.C.
16 Inspection, you got to take it to other places
17 and it costs you \$150 just for the
18 questionnaire.

19 Now, if they say, and you go to a
20 place, they going to make some money. If they
21 just say you need a car, you can't get the
22 waiver.

1 CHAIRMAN LINTON: No, but they
2 don't make the decision on whether you get the
3 waiver, or not. The DCTC makes --

4 MR. CHUBBS: Don't they have to
5 sign-off on it?

6 CHAIRMAN LINTON: They have to
7 submit their inspection, DCTC will then make
8 the decision whether it failed, or passed.

9 (Off microphone discussion)

10 MR. CHUBBS: Well I think, and one
11 other question. I think it should be some
12 kind of waiver --

13 (Off microphone discussion)

14 CHAIRMAN LINTON: We've already
15 issued waivers.

16 MR. CHUBBS: I'm talking about, it
17 should be some kind of waiver for senior
18 citizens that have served this city for 50-60
19 years, and that's what you have from the black
20 drivers. I know we have a lot of younger
21 drivers. But, you know, we have served this
22 city well.

1 CHAIRMAN LINTON: Well we hear you
2 and we'll take a look at that.

3 MR. CHUBBS: All right, thank you.

4 CHAIRMAN LINTON: Well. Anybody
5 else want two minutes?

6 MR. OPE: Good morning.

7 CHAIRMAN LINTON: Your name, sir?

8 MR. OPE: Edward, O-P-E, last
9 name.

10 CHAIRMAN LINTON: Would you spell
11 that for the clerk?

12 MR. OPE: O-P-E, Ope. In terms of
13 the waiver, I think that's too late, number
14 one. Number 2, I have a '94 Lincoln Town car.
15 I was standing at that the Hyatt Regency Hotel
16 when you came around one time, before they
17 decided to get rid of the old cars, they check
18 all the cars in line, and you came to me,
19 because I have '94 Lincoln Town car.

20 You check in and out, it was in
21 good shape. He said oh, this is a nice car.
22 Because I said all now the vehicle, I got to

1 maintain good record and maintenance of my car
2 for the customers.

3 Each time my customer get into cab
4 the always love to -- they don't even want to
5 get out, because it smells good, it looks
6 good. And when I go through inspection, the
7 one-time inspection, I passed. I always pass
8 when I go through.

9 Taxi cab system in D.C., I think
10 we have the best taxi cab system in D.C.
11 compared to other states. They do not vote on
12 whatever parts other cities -- we maintain
13 good running cars here in D.C.

14 Whatever problem we have here
15 about taxi cab cars is back roots in D.C., so
16 I don't know, maybe you can, you're talking
17 about a waiver, you just got the waiver, is
18 too late now, or are you going to reactivate
19 the waiver, so that I can go back for
20 inspection? But my inspection is due, but
21 that means I was, I decided to come here and
22 explain myself to you today.

1 We have other cars still on the
2 street they is a 1985 station wagon, I think
3 it was Dyer or Diamond? He's still driving
4 his car and the car looks good. That's for
5 Number 2.

6 I need, we all need a uniform
7 color. If we can get a uniform color,
8 everything will be, you know, okay with us,
9 out here in D.C. Because of our customers,
10 they forget the car, they don't know which
11 car, they don't know which, I mean, they don't
12 know which is the taxicab. But if you have a
13 uniform color they should be able to pinpoint
14 which of the car they got the license. Thank
15 you very much, sir.

16 CHAIRMAN LINTON: Thank you.

17 MR. OPE: Okay.

18 CHAIRMAN LINTON: One last one.

19 Yes, sir.

20 MR. DESDA: Thank you for the
21 opportunity. My name is Abede Desda, from
22 D.C. Drivers United for Equal Rights.

1 MS. MIXON: Spell your name,
2 please.

3 MR. DESDA: Okay. My name is
4 Abede Desda, A-B-E-D-E, first name, last name
5 is D-E-S-D-A. I thank you for the
6 opportunity, and I have two things to address.

7 The first thing is we are
8 submitting application to form a new taxi cab
9 association to solve post-2006 drivers, and
10 before we solved that problem, and we are
11 facing another problem now.

12 Cars with a model year of 2004 and
13 under will phase out. And then, on the
14 amendment I heard that those of 2004 may stay.
15 But our drivers are not able to change any of
16 their old cars just because of the problem
17 with our registration.

18 Many of our members aren't ready
19 to buy a brand new car. As you all know, it
20 is not easy to buy a brand new car without
21 lien on it. If we have lien on it, we're not
22 able to title and register it in Washington,

1 D.C. So most of our members are living
2 outside Washington, D.C.

3 Those members of ours, if, number
4 one, if we are not able to form the company
5 soon, members too, if they don't get any kind
6 of extension until we get the problem solved,
7 they will be out of the business.

8 So I'm collecting letters that we
9 are going to submit to the Commission, soon,
10 so we need a solution that should be addressed
11 as soon as possible.

12 CHAIRMAN LINTON: Good. We'll look
13 forward to getting your letters. We're
14 working on that problem, and I think we're
15 moving ahead on it.

16 MR. DESDA: Oh. Thank you, sir.

17 CHAIRMAN LINTON: Thank you. We
18 will stand in adjournment until the December
19 meeting, December 10th. Thank you all very
20 much.

21 (Whereupon, the meeting was
22 concluded at 11:03 a.m.)

A			
\$150 38:17	ahead 44:15	believes 10:5	certainly 22:5 24:16
\$700 31:21	allow 11:9,15 17:17	benefit 20:6	certificate 25:8
\$9 20:20	18:13 20:14	benefitted 32:2	Chair 24:5
A-B-E-D-E 43:4	allowing 12:7	best 41:10	Chairman 4:3,19
a.m 1:10 3:19 4:2,7	amend 2:8,10 6:5	better 10:6 20:4	5:14 6:1 15:3,6,13
44:22	14:21 15:8 17:12	30:12	15:16,20 16:1,5,21
Abede 42:21 43:4	19:16	BETTY 1:15	17:2,5 18:16 19:6,9
able 12:3 26:15 36:17	amendment 2:22	beyond 14:1	19:13 20:12 21:4,6
42:13 43:15,22	9:17 26:7 43:14	bill 13:17 36:18	21:10 22:8 23:10
44:4	American 36:13,14	Birbo 29:10,12,17,19	23:15,19 24:1,5
aborted 4:10	amount 31:21	32:17	25:22 26:3,22 27:3
acceptable 38:4	Anybody 40:4	bit 33:8	27:6 28:10,13,16
access 26:12	apologies 4:8	black 24:21 36:14	28:18 29:4,7,13,20
accessibility 14:4	appealing 25:6	39:19	30:8 32:13,18 33:7
accessible 2:18	application 43:8	BOCOCK 1:19 17:15	34:3,21 35:2,6,10
24:20	applications 25:7	19:22 24:16 26:1	36:20 37:1,6,8,15
accurately 9:21	apply 14:5 18:22	body 6:17	39:1,6,14 40:1,4,7
act 15:1	appreciate 32:14	bolster 14:12	40:10 42:16,18
action 2:7 6:2 23:3	34:6	booked 2:11 17:13	44:12,17
27:12 28:21	approach 13:7	17:19 19:16	Chairperson 1:11,13
actions 25:19	approve 2:8,10,12,14	Boston 7:17	Chambers 1:10 3:20
add 20:20	2:16,20 3:3 6:4 9:1	bought 36:1,8	4:5
adding 9:7 11:14	14:20 15:7 17:11	brand 43:19,20	change 10:17 43:15
additional 11:17 12:7	19:4,18 24:12 26:5	brief 33:12	changed 10:10 28:3
25:1 38:6	27:13	broader 13:6	changes 9:5,6 10:4
address 13:9 17:14	approved 10:11 13:8	Burns 4:21	13:3
32:19 34:19 35:11	14:11 19:14	business 30:6 36:9	Chapter 2:9,11,15
43:6	approving 22:11	36:19 44:7	6:5 14:22 15:8 17:8
addressed 33:18	April 33:19	buy 35:20 36:3 43:19	17:12,18 19:16,19
34:4,17 44:10	area 37:11	43:20	22:12 26:6 33:12
adjournment 3:16	areas 7:13		33:14 35:12
44:18	arrangement 18:17	C	Chapters 2:13,17,20
adjusted 28:2	asked 29:9 30:8	C-O-N-T-E-N-T-S 2:1	21:13,21
administration 34:19	aspect 7:4	3:1	check 40:17,20
admitted 34:2	assessable 22:1	C-O-N-T-I-N-U-E-D	checked 38:9,13
adopt 3:7 28:8	24:14	3:1	Chorus 28:15
adopted 17:17 20:1	assigned 37:20	cab 30:18 35:9,16	Chubbs 35:4,8,9,11
22:15 23:1 28:20	Associate 1:19 17:13	41:3,9,10,15 43:8	36:21 38:8 39:4,10
33:16 37:17	19:20	cabs 35:12	39:16 40:3
adoption 14:19 21:1	association 33:6,11	calendar 10:9	cities 41:12
21:19 28:5 33:12	43:9	call 2:3 4:4,20 15:9	citizen 35:14
advance 11:13 27:19	attended 22:18	17:3,4 19:10,12	citizens 39:18
advantage 13:14	August 33:20 34:9	21:7,9 27:4,5 36:8	city 1:9 7:14 22:15
affirmative 17:6	authority 18:12 25:9	called 13:12	30:17,20 35:15
21:11 27:7	25:16	CAPS-DC 2:22 26:8	39:18,22
afford 35:20 36:10	authorized 9:19	car 35:21 36:1,2,10	clarification 20:13
age 2:9 4:9 6:5 7:2,3	availability 26:12	37:2,5,15,16 38:9	clarifies 24:18
7:5,7,9,10,19 8:1,2	avoid 26:15	38:21 40:14,19,21	class 31:9,15
8:5,10,15,16 9:17	aye 28:14	41:1 42:4,4,10,11	clean 6:13 12:6
9:22 10:7,8,18	eyes 28:15,18	42:14 43:19,20	cleaner 14:15
11:19 13:3,5 14:2,8		cards 19:1	clearer 37:12
14:9,22 15:8 17:8	B	careful 32:15	clerk 40:11
35:12	back 38:12 41:15,19	carpets 6:19	Code 3:3
agenda 5:16,16 6:2	ball 34:15	cars 12:5 24:21 38:2	Cohn 1:13 5:1,2 15:2
17:10 21:15 24:8	Based 30:7	38:3,6 40:17,18	19:5 21:3 23:8,11
26:4 27:12 28:22	basis 20:3,16 33:17	41:13,15 42:1	23:17 26:21 28:9
agreement 18:20	beginning 5:19 37:18	43:12,16	collecting 44:8
	believe 30:11 32:9	caught 34:10	color 42:7,7,13

COLUMBIA 1:1
combine 24:7
come 23:3 30:9 31:6
 36:7 41:21
comment 3:14 16:22
 23:2,9 24:15 29:8
comments 2:6 22:6
 32:14 33:12
Commission 1:3,5,9
 2:5,7 3:18 4:5 5:17
 6:2,7,10 7:21 8:22
 9:9,19,20 10:5
 13:20 14:1 17:7
 19:14 20:15 21:12
 22:13 27:8,11,17
 27:20,21 28:2,20
 29:10 32:16,20
 33:1 44:9
Commission's 7:10
 9:16 14:13,17
Commissioner 1:13
 1:14,14,15,15 2:5
 4:21 5:1,2,3,4,5,6,7
 5:9,10,11,12,13
 15:2,5,11,14,18,21
 16:3,7 19:5,8 21:3
 21:5 23:8,11,17,21
 26:21 27:2 28:9,12
 37:6,9
Commissioners 1:12
 5:18 29:20 33:4
commitment 14:13
committed 6:11
commonality 20:11
Communication 2:5
communications
 3:11 5:17,20 29:1,2
community 4:16
commute 6:11
companies 24:20,22
 32:6
company 2:18 22:1
 24:14 44:4
compared 41:11
compares 12:12
competitive 13:14
competitively 18:14
complaints 13:9
completed 9:2
completely 16:12
compliance 8:9,15
 11:6 25:3
comply 2:21 25:1
 26:7
complying 26:13
component 13:6
comprehensive
 13:21

concerned 9:11
 16:13
concluded 44:22
concludes 28:20
conclusion 27:22
condition 12:6 38:2
conditions 6:20,21
confusing 16:17
confusion 9:21
consent 24:6
consider 14:2
consideration 14:11
 30:13 31:8 32:15
consisted 7:1
consistent 7:11 10:7
consistently 7:21
consultation 9:20
consumer 13:9
consumers 6:11 8:3
 14:13
continue 5:15 12:3
 14:7
controlled 32:10
corrected 34:4
costs 38:17
Council 1:10 3:20 4:5
 13:17 22:15 33:19
 34:5,16
Counsel 1:20 17:14
 19:21 22:6 23:12
country 4:16
course 22:19
created 9:20
credit 19:1
Crocker 1:14 5:3,4
 15:5 19:8 21:5
 28:12
current 8:5 11:7,21
 20:7
customer 41:3
customers 19:1
 20:18 38:4 41:2
 42:9
CYRIL 1:14

D

D-E-S-D-A 43:5
D.C 1:3,10 3:3 30:14
 30:15 31:8 33:5,10
 38:15 41:9,10,13
 41:15 42:9,22 44:1
 44:2
damage 6:17
data 18:3
date 11:12 34:8
dates 8:16,17 10:13
 11:11
day 16:10 31:9

days 23:2 25:3
DC 4:4 6:10
DCMR 7:6
DCT 8:20
DCTC 30:2 32:10
 39:3,7
deadline 10:9
deals 24:13
December 3:19
 31:20 36:7 44:18
 44:19
decided 40:17 41:21
decision 3:4 27:13
 30:3 39:2,8
declare 20:15
defines 22:20
delay 4:8
denials 2:18 22:1
 24:14 25:6
Department 9:14
Desda 42:20,21 43:3
 43:4 44:16
designate 20:2
designated 20:9
destination 20:11
determination 2:4
 6:6
determinations 3:8
determined 6:8
Diamond 42:3
different 10:21 16:11
 16:12
digital 2:11 17:13,17
 17:20,21 18:9,11
 18:18 19:2,17
digitally 18:2
direction 13:5 20:15
dirty 6:19
disappointed 34:20
discussed 24:9
discussion 15:12,15
 22:7 29:16,18
 32:22 33:2 37:14
 39:9,13
dispatch 2:11 17:13
 17:17,20,20 18:9
 18:11,18 19:2,17
 26:6,10
dispatched 2:21 18:2
display 18:7
disrupt 8:2
distinct 13:14
District 1:1 8:14
 25:13,16
District's 6:12
DMV 34:2
document 16:8,9,15
 16:19 37:10

dollar 31:18
double-shifted 7:15
drive 25:16
driven 6:13
driver 18:18 25:20
 30:18
drivers 20:19 22:16
 25:13 30:4 31:13
 33:16 34:5,8,14
 35:13,15 36:13,14
 36:14 39:20,21
 42:22 43:9,15
driving 14:15 36:15
 42:3
drop 34:15
due 41:20
Dyer 42:3

E

E 35:8
earlier 34:17
early 34:8
easy 43:20
Edward 40:8
effect 23:16,18
efficiency 14:3
efficient 6:13 14:16
effort 14:18
efforts 13:19
eight 7:19 33:21,22
either 34:16
eligible 37:17
ELLIOTT 1:14
elusive 6:15
emergency 9:16
 33:16,17 34:17
emerging 13:11
employment 30:21
enacted 7:6
ends 8:13
enforcement 18:4
engaged 18:19
engages 26:11
enjoy 13:13
ensure 18:2
ensuring 6:11
enter 7:8
entire 8:9,13 17:19
 18:12
Equal 42:22
ESQ 1:19
establish 11:18
 25:11
establishes 25:5
example 7:14
excuse 15:10 22:9
existing 7:5 8:11,16
 10:3,21 11:2 12:12

12:13,17,21 14:7
exists 14:9
expected 13:16
expedite 9:6
expedited 10:12
experience 14:14
expired 33:18 34:18
explain 19:21 41:22
explaining 30:5
extend 11:5
extension 44:6

F

facing 12:2 43:11
fact 21:16 30:16
 34:20 37:21
factors 14:3
facts 30:5
failed 39:8
fair 13:15
family 32:7
far 16:13
fare 17:19 18:8,9,12
fares 18:20,21
fashion 28:3
fast 22:10
favor 13:11 28:14
feedback 9:10,12
Ferguson 1:14 5:5,6
 23:21 27:2 37:6,9
filed 3:5 27:14
final 2:8,10,13 6:4 9:1
 14:12,21 15:8 17:8
 17:11,16 19:15,19
 19:22 21:13
Finally 32:5
findings 3:8 6:6
first 6:3 21:20 29:20
 31:6,7,10,15,15,19
 32:4 34:11 43:4,7
five 7:7,16
five-seven 7:9 10:7
 10:18
fixed 20:7
fleet 6:16,22 7:4 8:9
 8:14
fleets 24:20
flexibility 20:2
following 30:12
follows 12:13
for-hire 18:15 26:7
forget 42:10
form 43:8 44:4
forum 33:13
forward 23:5 44:13
friendship 32:7
fuel 14:3
full 1:5 10:9 25:3

fully 26:13
further 13:19

G

gain 13:16
Gashaw 29:10
gasoline-powered
 14:6
general 1:19 3:18
 17:13 19:20 30:2
generous 7:11
gentleman 35:3
getting 4:9 44:13
give 10:22 20:1 29:19
 35:6,19,22 37:5
given 4:15 29:22,22
 30:15 31:10
gives 18:11
giving 16:15 30:20
go 35:20 36:17 37:4
 38:10,11,12,19
 41:6,8,19
goal 6:16
goes 34:7
going 16:18 30:5,17
 36:9,19 38:20
 41:18 44:9
good 4:3 12:5 29:17
 35:4 40:6,21 41:1,5
 41:6,13 42:4 44:12
gotcha 33:15
Government 1:1 3:11
 28:22 29:2
gradual 11:19
gradually 7:22
greatly 31:4
ground 30:6
group 26:4
groups 20:10
guys 35:20

H

H 32:6
H-tag 30:3,10,13,16
 32:9
hack 22:17
hard 8:17
he'll 37:12
hear 40:1
heard 43:14
hearing 23:2 30:2
hears 24:5
help 36:17
helping 16:16
high 14:14
hopefully 17:16
Hotel 40:15
human 4:11

Hyatt 40:15

I

identify 20:7
II 2:5
III 2:7 6:3 27:12
immediate 8:1
impact 9:8,11 10:14
 30:21
implement 10:6
implementation
 10:10,13
important 7:4 9:5
 10:2 14:3,17
imposition 8:1
inadequacy 4:10
incentive 20:19
included 6:16
includes 24:21
including 9:5
income 20:21
incorrect 34:2,3
incorrectly 9:15
increasing 13:10
Independent 35:9
individual 29:9
individuals 32:7,11
industry 13:21 14:18
initiate 23:6
initiated 27:10
initiating 21:16
inspected 12:7
inspection 11:10,15
 12:20 13:2 34:6,7,9
 34:11 37:21 38:10
 38:11,11,16 39:7
 41:6,7,20,20
inspections 12:16
inspector 30:8
Inspectors 8:21
interest 32:3
interested 32:2
interiors 6:18
issuance 30:10
issue 27:17 30:3,13
 34:19
issued 25:9 39:15
it'll 37:21
item 5:16 6:3 14:20
 17:10 19:18 21:15
 21:20 22:10 23:13
 24:8 26:4 27:11,12
 28:22
items 2:7 6:2 21:16
 24:7 27:8 28:21
IV 3:11 24:8 28:22

J

J 35:8
January 3:5 8:7,12
 8:13,19 9:3 11:3,9
 12:14,18,22 34:12
 34:13
JUANDA 1:18
Judiciary 4:6
July 27:14 33:20
June 33:20
jurisdictions 30:22
justify 25:19

K

kept 38:2
key 13:6 25:21
kind 31:3 39:12,17
 44:5
know 15:21 36:13
 37:22,22 39:20,21
 41:16 42:8,10,11
 42:12 43:19
known 13:13

L

large 6:16 8:3
lastly 25:10
late 15:19 22:5 40:13
 41:18
leaky 6:19
left 33:21
legal 13:16
legislation 22:15
letter 9:13,18 34:1,3
letters 44:8,13
license 2:18 22:1
 24:14 25:8 31:9,21
 42:14
licensed 25:20
licensees 32:4
licenses 22:17 30:14
lien 43:21,21
light 16:11
limited 32:11
limits 7:6,14,17 32:1
Lincoln 36:1,2 40:14
 40:19
line 40:18
Linton 1:11,13 4:3,19
 5:13,14 6:1 15:3,6
 15:13,16,20 16:1,5
 16:21 17:2,5 18:16
 19:6,9,13 20:12
 21:4,6,10 22:8
 23:10,15,19 24:1,5
 25:22 26:3,22 27:3
 27:6 28:10,13,16
 28:18 29:4,7,13
 30:9 32:13,18 33:7

34:21 35:2,6,10
36:20 37:1,7,8,15
39:1,6,14 40:1,4,7
40:10 42:16,18
44:12,17
list 35:19
little 20:13 33:8
lives 4:15
living 44:1
locations 20:3,8,9
long 30:18
look 40:2 44:12
looking 14:1
looks 41:5 42:4
loss 8:3
lot 39:20
love 41:4

M

M 1:10,13
Madame 5:20 29:1
maintain 41:1,12
maintained 6:14
maintenance 41:1
majority 17:6 19:13
21:10 27:6
making 10:4
MALE 28:17
manner 8:6
March 33:17,19
matter 17:14 22:6
24:2
matters 10:1
mean 16:10 42:11
meaning 8:17
means 41:21
measures 9:7
meeting 1:5 3:18,19
4:4 5:19 16:10,13
44:19,21
meets 37:22
members 27:20
43:18 44:1,3,5
mere 14:2
merely 10:3
met 1:9 16:9
meter 2:11 17:12
18:7 19:16
metered 6:12 13:14
13:20 18:8 26:11
26:14
metropolitan 7:13
microphone 22:7
29:16,18 32:22
33:2 37:14 39:9,13
miles 36:3
mind 4:11
minimum 24:19

minimums 2:19 22:2
24:15
mint 38:2
minute 4:17
minutes 40:5
mishandling 32:12
MIXON 1:18 4:21 5:1
5:3,5,7,9,11,13,22
29:3,6 43:1
model 11:20,22
43:12
modern 4:9 18:1
modernization 7:4
13:7
modernize 13:20
14:18
modify 3:4 27:14
moment 2:3 4:14,18
28:1
money 38:20
MONIQUE 1:19
months 7:15 11:17
33:21,22
morning 4:3 5:18
29:17 35:4 40:6
motion 14:22 19:4,14
21:2 23:16,18,20
26:17,20 28:6,8
motivated 32:3
Motor 9:14
move 6:1 21:12 23:5
moved 15:2,4,6 19:5
19:6,10 21:3,7 24:1
26:21,22 28:9
moving 44:15
MPD 8:21
Muhammad 5:7
musty 6:18

N

N.W 1:10
name 35:7,8 40:7,9
42:21 43:1,3,4,4
name's 33:4,9
nation 31:3
necessarily 36:20
necessary 10:5 13:4
need 7:22 12:9 20:3
36:17,17 37:3
38:21 42:6,6 44:10
needed 20:16
needing 20:18
needless 9:21
neighbor 32:8
Neither 10:8
new 7:14 18:14 25:7
30:4,13 31:9 35:20
43:8,19,20

newer 14:15
nice 40:21
non-District 25:12
noncompliant 8:18
11:8
November 1:7 4:6
33:21
number 6:3 10:4
14:20 20:18 24:11
30:14,19 32:11
35:9 40:13,14 42:5
44:3
numbers 8:4
NW 3:20

O

O-F 2:1 3:1
O-P-E 40:8,12
objection 24:3
obtained 31:11
occurs 23:3
October 33:20 34:9
Office 1:3 12:4 18:4
20:1,14 25:2,20
Officers 8:21
official 3:9
oh 22:8 40:21 44:16
okay 17:15 19:22
25:22 32:17 42:8
42:17 43:3
old 1:9 3:20 4:5 36:14
40:17 43:16
older 7:2 9:7 10:18
11:1,3,13 12:13,15
12:18,19,21 13:1
35:14,18,19 36:13
oldest 8:8
one-time 41:7
ones 31:17 32:2
ongoing 13:9 14:17
Ope 40:6,8,12,12
42:17
open 23:1 26:19
operate 18:13 25:13
36:5
operating 25:8
operator 17:22
operator's 25:15
operators 14:15 20:5
33:6,11
opinion 30:9,11
opportunities 30:20
32:1
opportunity 29:21
31:1,3 42:21 43:6
Opposed 28:16
order 2:3 4:4,12
15:12,15 17:7
19:15 20:4 24:12
orders 27:8
ordinary 14:6
outside 44:2
owner 9:13 18:19
37:16
owners 9:8,10,14
10:14 12:2,8 20:5

P

P-R-O-C-E-E-D-I-N...
4:1
PAGE 2:2 3:2
paid 31:20
paint 6:18
paper 38:13
Paragraph 7:5 8:6
PARTICIPANT 28:17
participated 30:1
31:12
particular 26:2
parts 26:1 41:12
pass 31:15,16 38:3
41:7
passed 13:17 39:8
41:7
passenger 18:5
passengers 18:8
20:10
PAUL 1:13
pay 18:8 30:17
paying 31:18
payment 17:21 18:3
peeling 6:18
percent 8:18
percentages 24:19
period 3:14 29:8
permission 31:11
permitted 20:8
petition 3:4 27:14
phase 7:22 43:13
phase-in 8:11 10:12
11:19 12:11 14:8
24:18
phased 12:15,20
13:1
Philadelphia 7:18
pieces 22:14
pinpoint 42:13
place 31:18 38:15,20
places 38:16
plan 25:2
planned 16:17
please 17:14 19:21
43:2
podium 29:14
point 28:4 30:19,22
31:6,14,22

pointed 22:9
points 30:12
policies 7:12
policy 7:9,10,20 8:1,2
 8:10,15 9:17,22
 10:7,8,18 11:19
 14:8
portion 6:22 30:2
positive 30:21
possible 44:11
post-2006 43:9
posted 22:4
practice 4:13
pre-filed 19:1
preparing 36:8
present 1:12,17 5:2,4
 5:6,12,14,15
presentation 29:14
 30:7
presiding 1:11
previous 30:1
primarily 35:14
prior 3:7
priority 30:16 31:10
private 13:13 18:14
 26:10
privileges 25:12
problem 41:14 43:10
 43:11,16 44:6,14
problematic 33:15
procedural 24:2 28:6
procedures 25:6
 31:16
proceed 26:18 29:8
 29:14
process 9:3 10:6
 13:22 21:17 22:21
 26:19 27:9 37:4
processes 17:21
processing 23:7
professional 14:15
promptly 12:10 14:12
proof 22:18
proper 31:16
properly 12:6
proportion 6:17
proposed 2:15,17,20
 9:2,11,17 10:2,11
 10:15,17,22 11:5,9
 11:14,18 12:12,15
 12:19 13:1,3,8,18
 13:21 14:10 21:2
 21:18,20 22:3,11
 22:20,22 23:5,13
 24:8,9,13 25:5,10
 26:2,5,18 33:17
protection 13:16
provide 14:13 24:22

provided 14:14 25:2
 27:19
providers 18:3
provision 24:22
public 2:21 3:14 20:4
 23:2,2 26:6 29:8
publication 2:8,10,12
 2:14,16,20 6:4
 14:21 15:7 17:7,11
 19:15,19 21:12,18
 21:21 22:11 24:12
 26:5
publish 23:5 26:18
published 27:9
pursue 37:13
put 34:18 36:4,9,19
 37:1
putting 35:18

Q

quality 14:14
question 14:19 19:3
 21:1 23:4,12 26:17
 28:5 39:11
questionnaire 38:18
questions 2:6 38:14
quorum 2:4 4:20 5:15

R

rate 3:3,4 27:13,14
 27:18 28:1,19
rates 2:11 17:12
 19:16
rationality 32:10
reactivate 41:18
read 6:6 16:8 24:11
 37:10
reading 22:10
ready 4:12 43:18
reasoning 6:9
recall 22:13,14 38:12
received 9:10
reciprocity 25:14,17
recognition 4:14
recognized 7:22
recommendations
 26:16
reconciliation 18:6
reconsider 30:3
record 35:7 41:1
recorded 28:7
records 3:9
reduced 10:14
reducing 7:3 13:5
reference 37:10
references 37:11
refined 13:19
refinement 10:3

reflect 9:22
refresher 2:15 22:12
 22:19,21 24:10
Regency 40:15
register 43:22
registered 17:18
registration 43:17
regulation 21:2 22:3
regulations 33:18
regulatory 9:3 26:19
 27:9
rejection 13:10
related 9:16
relates 9:12
remainder 10:20
remaining 21:16 24:7
remarks 2:5 5:17
removal 9:6 10:6
 11:12 37:16,19
remove 11:22 12:1
removed 8:8 10:19
 11:3,10
removing 11:20
renew 22:17
renewal 25:7
replace 34:12
report 18:3
reports 3:12 29:1,5
represent 33:5,10
request 12:4,10
 37:19
require 28:7
required 11:2 18:1
 22:16,18 27:16
requirements 26:14
requires 11:7
research 18:5
reside 31:4
resident 31:2
residents 30:14,15
 30:20,22 31:2,8
resolution 3:3,7
 27:12
respect 29:19
respond 20:20
Response 4:22 5:8
 17:1 24:4
retired 12:14,18,22
retirement 12:3
review 3:3 27:13 28:6
 28:19
reviewing 27:18
revisited 7:20
revoke 25:12
revoked 25:18
rid 40:17
ride 20:3,15,21,21
 38:5

rides 2:13 19:20
 20:18 21:14
rideshare 13:12
riding 20:4,6,8
right 13:5 17:15
 18:16 20:12 33:13
 40:3
Rights 42:22
ripped 6:18
road 7:9,18,19 11:2,8
 12:8
role 4:20 17:3 19:11
 21:8 27:4
roll 15:9 17:4 19:12
 21:9 27:5
Ron 1:10,13
roots 41:15
round 31:10,15 32:4
 32:9
Royale 33:4,9
rule 7:5 8:5 12:4,17
 21:19 25:15 34:7
 34:16,17 37:17
rulemaking 2:8,10,13
 2:15,17,20 6:4 9:2
 9:4,12 13:22 14:21
 15:8 17:8,11,16
 19:15,19 20:1
 21:13,17,18,21
 22:12,20 23:1,6,6
 24:9,13,17 25:5,11
 26:2,5
rulemakings 23:13
 26:18
rules 8:17 10:3,4,11
 10:15,17,21,22
 11:2,5,7,9,14,18,21
 12:12,12,19,21
 13:1,4,9,18,21 14:5
 14:10,11 20:7
 24:18 25:11,14,17
 26:15
run 30:18 36:18
running 41:13
rust 6:17

S

safe 6:13 12:5
safer 14:16
saying 38:1
scenarios 35:22
schedule 8:11 10:12
 12:11 14:8
schools 31:12
second 5:16 15:5
 17:10 19:8,10 21:5
 21:7 23:22 24:2
 25:4 27:2 28:12

31:14
secretary 4:20 5:21
 15:9 17:2 19:10
 21:7 27:3 29:2
Security 35:17 36:11
see 5:19
seek 12:7
seeking 22:16
sending 32:6
senior 35:14 39:17
sent 34:1
September 31:20
 33:20
serious 25:18
serve 20:4 31:7
served 35:15 39:18
 39:21
service 4:16 7:8 8:2,8
 10:19 11:16 13:10
 17:20 18:3,10,12
 18:18 19:2 26:10
services 13:11,12
 17:18
set 10:1 13:18 17:18
 18:9,12,20
sets 26:9
seven 7:8
shape 40:21
shared 2:13 19:20
 20:3,6,8,15,21
 21:14
shares 18:21
shed 16:11
shot 37:5
show 22:18
sign-off 39:5
significant 20:18
silence 2:3 4:14,18
similarly 6:20 7:12
Simms 32:21 33:1,3
 33:5,9,10 34:22
 35:1
simply 26:9
sir 5:22 15:10 16:8
 29:11 33:8 35:7
 40:7 42:15,19
 44:16
situated 7:12
six 7:17 12:1
sizeable 6:22
skipped 22:8
smallest 31:2
Smalls 1:15 5:9,10
smells 41:5
Social 35:17 36:11
soften 9:8
softened 10:13
softening 34:6

solution 44:10
solve 43:9
solved 43:10 44:6
soon 44:5,9,11
speak 29:9 33:7
speaking 35:13,13
 36:12
specific 37:11
spell 40:10 43:1
Square 4:6
staff 1:17 3:12 29:1,4
stage 13:19
stand 44:18
standards 2:18 21:22
 24:13
standing 40:15
stands 20:9
STANLEY 1:15
started 4:9,13 8:12
starter 20:10
state 31:3
stated 9:15
statement 6:8 16:2,4
 16:6 27:18
states 41:11
station 42:2
status 31:1
Statute 27:16
statutorily 22:16
statutory 24:18
stay 11:16 43:14
step 13:4 14:17
straight 10:1
street 1:10 3:20 8:19
 36:5,7 38:7 42:2
structure 3:3,4 27:13
 27:14,18 28:2,19
subject 8:20 14:7
 37:16
submit 12:10 37:18
 37:18 39:7 44:9
submitting 43:8
subsidize 35:17
 36:11
sudden 8:3 36:16
sufficiently 12:5
support 15:4 19:7
 21:4 23:19 27:1
 28:11
supported 15:7
surcharge 18:5
suspend 25:11
suspended 25:17
system 18:1 41:9,10

T

T-A-B-L-E 2:1 3:1
table 33:22

tag 32:6
take 4:17 23:12 29:13
 38:15,16 40:2
taken 7:19 30:12 31:7
 32:15
talking 39:16 41:16
Tapscott 1:15 5:11
 5:12 15:11,14,18
 15:21 16:3,7
taxes 30:17
taxi 18:7 20:9 33:5,10
 41:9,10,15 43:8
taxicab 1:3 4:4 6:10
 6:16 7:5,18 8:5,14
 8:17 12:5 13:4,10
 17:19 18:1 28:1
 30:6 31:9 42:12
taxicabs 2:9 6:5,12
 14:9,22 15:9 17:9
 18:4,13 20:2,14
 24:21 25:2
taxis 32:12
technology 4:10
telephone 36:18
tell 36:6
terms 37:13 38:4
 40:12
thank 4:19 29:15,21
 32:12,13,17 33:1,3
 34:20,21 35:1,10
 40:3 42:14,16,20
 43:5 44:16,17,19
thing 25:4 38:8 43:7
things 24:17 43:6
think 39:10,11 40:13
 41:9 42:2 44:14
third 30:22
three 11:20,20 12:8
 37:3
ticketed 8:20
time 7:7,8,20 11:6,15
 25:1 28:1,4 29:3,6
 32:1,19,20 33:4
 38:10 40:16 41:3
time's 4:7
timely 9:5 13:4
timing 33:14
title 2:22 7:6 25:9
 26:7,13 43:22
today 8:22 10:11
 13:8 14:11 16:15
 22:5 41:22
tomorrow 37:19
total 7:8 31:21 34:15
towed 8:20
Town 36:1,2 40:14
 40:19
trained 30:4

trainees 31:19 32:4
training 2:15 22:12
 22:21 31:12
trainings 31:17
trip 18:3
trips 2:11 17:12 18:2
 19:16
trunks 6:19
Tuesday 16:10
two 9:13 11:22 27:17
 31:9 35:22 40:5
 43:6
two-minute 32:20
type 25:7
types 25:18

U

unacceptable 6:20
unanimous 24:6
undergo 37:21
underlined 10:17
understand 10:2
 18:17
unexpected 6:22
unfair 13:15 36:22
uniform 42:6,7,13
United 42:22
upholstery 6:19
use 6:12 18:1 31:1
 35:16
utilized 22:22

V

V 3:14
vehicle 2:18 7:3 8:21
 9:8,13,13,16 13:20
 18:19 24:14 26:11
 26:14 40:22
vehicle-for-hire
 26:10
vehicles 6:14,17 7:1
 7:7,15,16,17,17 8:4
 8:8,18 9:7,10,14
 10:19 11:1,3,8,10
 11:13,16 12:2,9
 13:6,15 14:2,6,16
 18:14 22:2 24:20
 26:6 34:13
vehicles-for-hire
 2:21 13:13
venues 20:5,16,22
VI 3:16
violations 25:19
vote 2:8,10,12,14,16
 2:20 6:3,8 14:20
 15:7,17 16:16 17:4
 17:10 19:3,12,18
 21:9,17 22:10

24:12 26:4 27:5
 28:7,7 33:19 41:11
voted 21:11 27:7
votes 8:22
voting 16:17,18 17:6

W

wagon 42:2
wait 12:9
waiver 12:4 37:2,11
 37:19 38:9,14,22
 39:3,12,17 40:13
 41:17,17,19
waivers 38:5 39:15
want 4:13 16:1 24:15
 35:4,11 38:4 40:5
 41:4
wanted 33:11
warn 6:19
Washington 1:10
 33:5,10 43:22 44:2
way 16:16 36:5
we'll 4:17 5:15 6:1
 40:2 44:12
we're 43:21 44:13,14
We've 39:14
web 30:4
website 22:4 27:21
Wednesday 1:7 4:6
 16:9
wheelchair 14:4
 24:19 26:11
work 36:10
worked 33:15
working 30:18 31:18
 44:14
works 8:6
written 9:19

X

Y

year 7:9 8:7 10:9,18
 11:1 43:12
years 7:1,7,8,16,17
 7:19 11:20,22 12:8
 27:17 35:16 36:15
 37:3 38:6 39:19
York 7:14
younger 39:20

Z

0

04 36:1,4,7
08 36:1,8

1

1 11:3,9 12:14,18
 14:20
10 2:15,17 3:19 21:22
 22:12
10:00 1:10 3:19
10:23 4:2,7
100 8:17 31:19
10th 44:19
11:03 44:22
12 1:7 2:17 7:1 21:22
12th 4:6
13 2:17 21:22 36:4
15 2:18 7:1 21:22
150 38:14
16 17:18
17 2:11
18 2:21 26:6
180 25:3
19 2:13
1985 42:2
1997 11:1
1st 8:7,12,13,19
 12:22

2

2 30:19 40:14 42:5
2000 11:2
2002 12:13
2003 11:16
2004 10:18 11:13,16
 12:15,17 43:12,14
2007 12:19
2010 12:20 13:1
2012 6:15 7:6 22:14
 28:3
2013 8:12
2014 1:7 3:5,19 9:3
 10:20 11:4 27:15
2015 11:6,11,14,17
 12:14,16
2016 11:6,11,14,20
 11:22 12:18,20
2017 8:13 10:9 11:21
 12:1,22 13:2 31:20
21 2:19
22 2:15
26 2:22
27 3:5,9
28 3:12
29 3:14

3

3 19:18
30 23:1
31 2:22 3:5 7:6 25:9
 26:7,13 27:15
36 7:15

4

4 2:3,3,4,17 21:15,21
 22:10
44 3:16
441 1:10 3:19
4th 1:10 3:20

5

5 2:5,6,17 21:21
 24:11
50 36:15
50-317 3:4
50-60 35:15 39:18

6

6 2:9,9 6:5 14:22 15:8
 17:8 26:4 33:13,14
 35:12
609 7:5 8:6,12 9:5,17
 10:4 12:13 14:10
63,000 36:3
69 35:9
6th 31:20

7

7 2:17 21:22

8

8 2:11,13,17,21 17:12
 19:16,19 21:13,22
 26:6

9

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Commission Meeting

Before: DC Taxicab Commission

Date: 11-12-14

Place: Washington, DC

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