

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
DECEMBER 9, 2015

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The Commission met in the Hearing Room, Suite 2032, 2235 Shannon Place, S.E., Washington, D.C., at 10:00 a.m., Ernest Chrappah, Chairman, presiding.

COMMISSIONERS PRESENT:

- ERNEST CHRAPPAH, Chairman
- ELLIOTT FERGUSON II, Commissioner
- LINWOOD C. JOLLY, Commissioner
- DOTTI WADE, Commissioner
- ANTHONY MUHAMMAD, Commissioner
- BETTY SMALLS, Commissioner
- STANLEY W. TAPSCOTT, Commissioner

STAFF PRESENT:

- JUANDA MIXON, SECRETARY TO THE COMMISSION
- JACQUES P. LERNER, ESQ., General Counsel

C O N T E N T S

Call to Order 4

Moment of Silence 4

Determination of Quorum 5

Commission Action Items

1. Ch. 4 - Emergency Rulemaking to
Establish the PSP Surcharge Bond
at \$100,000..... 6

Vote..... 12

2. Ch. 4 - Final Rulemaking to Revise
all Fines in Title 31 and Create
a Fine Schedule..... 12

Vote..... 24

3. Ch. 5 and 6 - Proposed Rulemaking
to Clarify Uniform Color Requirements
Add a Repainting Requirement for
Vehicle Extensions, and Prohibit
Legacy Numbers..... 27

Vote..... 32

4. Ch. 5 - Proposed Rulemaking to
Extend Customer Service Standards
to Independent Owners..... 40

Vote..... 43

5. Ch. 10, 18, 99 - Final Rulemaking
to Allow Companies to Meet WAV
Requirements and Obtain New DCTC
Vehicle Licenses Where Vehicles
are Placed into Transport DC..... 45

Vote..... 59

6. Ch 10 - Proposed Rulemaking to

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Allow Conditions for New Vehicle
and Operator Licenses..... 60

Vote..... 67

7. Ch. 12 - Proposed Rulemaking to
Require Limousine Owners to Report
Trip Data..... 71

Vote..... 73

Government Communications and Staff
Reports 74

Public Comment Period 65

Adjournment

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

2 10:21 a.m.

3 CHAIRMAN CHRAPPAH: Welcome to the
4 General Commission Meeting. My name is Ernest
5 Chrappah, Chairman of the D.C. Taxicab Commission.

6 We are located in public Hearing Room
7 2032 at 2235 Shannon Place, S.E. Washington, D.C.
8 Today is Wednesday, December 9. And the time is
9 10:22.

10 We have seven Commission Action Items
11 for today, which continues to reflect the
12 administration's commitment to improving passenger
13 experience, reducing the burden of regulations on
14 drivers and companies, and ensuring the viability
15 for the vehicle for hire transportation eco system.

16 Today we are joined via videoconference
17 by Commissioner Linwood Jolly. You can see him up
18 on the screen. And he will be participating in
19 today's session.

20 COMMISSIONER JOLLY: Good morning.

21 CHAIRMAN CHRAPPAH: Good morning.
22 Before we get into the details for the Action Items,

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1 please join me in observing a moment of silence for
2 those who are departed.

3 (Moment of silence)

4 CHAIRMAN CHRAPPAH: At this time, I
5 will turn it over to our Secretary, Juanda Mixon for
6 the determination of a quorum.

7 SECRETARY MIXON: Commissioner
8 Ferguson?

9 COMMISSIONER FERGUSON: Present.

10 SECRETARY MIXON: Commissioner Jolly?

11 COMMISSIONER JOLLY: Here.

12 SECRETARY MIXON: Commissioner
13 Muhammad?

14 COMMISSIONER MUHAMMAD: Present.

15 SECRETARY MIXON: Commissioner Smalls?

16 COMMISSIONER SMALLS: Here.

17 SECRETARY MIXON: Commissioner
18 Tapscott?

19 COMMISSIONER TAPSCOTT: Here.

20 SECRETARY MIXON: Commissioner Wade?

21 COMMISSIONER WADE: Present.

22 SECRETARY MIXON: Commissioner

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1 Chrappah?

2 CHAIRMAN CHRAPPAH: Present.

3 SECRETARY MIXON: We have a full
4 complement of Commissioners.

5 CHAIRMAN CHRAPPAH: Thank you.

6 SECRETARY MIXON: We have a quorum as it
7 stands.

8 CHAIRMAN CHRAPPAH: Thank you again.
9 The first Agenda Item we have is emergency
10 rulemaking to establish the PSP, payment service
11 provider surcharge bond at \$100,000.00.

12 The background to this is we are looking
13 for opportunities, and history has proved that
14 there may be a time where a payment service provider
15 may exit their business. And we had an experience
16 with Glieke.

17 So, as we look to reduce the risk and
18 liability of our drivers not getting paid, it has
19 become necessary to raise the surcharge bond from
20 what used to be \$50,000.00. That PSPs provided
21 documentation for \$100,000.00 that they've been
22 advised of.

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1 Do -- is there anything that the General
2 Counsel might want to add to it?

3 GENERAL COUNSEL LERNER: Yes, this is
4 the -- this is an emergency issuance of the same
5 rulemaking that was issued. Approved as proposed
6 at the November, I believe it was November.

7 No, actually it was the October 14,
8 General Commission Meeting.

9 CHAIRMAN CHRAPPAH: Okay. Do any of
10 the Commissioners have any questions or comments
11 regarding this matter?

12 COMMISSIONER MUHAMMAD: Yes, I have.
13 Were the PSP warned or notified prior to this? How
14 much time were they notified that this is going to
15 go from \$50,000.00 to \$100,000.00?

16 Since they probably already had the
17 \$100,000.00 already?

18 CHAIRMAN CHRAPPAH: PSPs were notified
19 during the Office of Taxicabs process of engaging
20 with them, with respect to their renewal process.
21 And it was also identified and communicated at the
22 October 14, 2015 gathering.

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1 So, we believe there's been ample notice
2 that is going out to the industry. But more
3 importantly, it is prudent to take actions to put
4 the drivers and the revenue sources.

5 COMMISSIONER MUHAMMAD: So this is the
6 first time I'm hearing of it.

7 CHAIRMAN CHRAPPAH: I cannot speak to
8 why from October 14 to date, the message has not gone
9 home. But, the office remains open.

10 And we'll be happy to talk in details
11 about this. And answer any questions you may have.

12 But again, this dates back to October
13 14, 2015. Are there any other questions regarding
14 this matter?

15 COMMISSIONER WADE: Yes. What was the
16 rationale for doubling of the fee?

17 CHAIRMAN CHRAPPAH: When we look at the
18 failure of Gliecke, the \$50,000.00, which was the
19 initial amount, was not sufficient to cover the
20 surcharge and the money collected. And to cover
21 the risk associated with their liquidation.

22 So, an analysis was done. And it was

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1 determined that the amount needed to at least
2 double.

3 And we will continue to engage with PSPs
4 to figure opportunities to make sure drivers have
5 a minimal risk.

6 COMMISSIONER WADE: Thank you.

7 CHAIRMAN CHRAPPAH: You're welcome.

8 COMMISSIONER TAPSCOTT: I have a
9 question. Is this sort of penalizing the other
10 PSPs that we have now because Glieke messed up?

11 CHAIRMAN CHRAPPAH: Not at all. And
12 there's no penalty here because if a PSP doesn't
13 fail, or the PSP doesn't violate some of our
14 regulations, there will not be any sort of
15 liquidated bond.

16 COMMISSIONER MUHAMMAD: So, the PSP
17 will pass this cost onto the driver. Which it will
18 double whatever they paid for and paying for the
19 rental of the credit card machine and the service
20 that it does sending the money to the bank.

21 It will double the cost to the driver.
22 Because I'm a business man, I'm not going to eat that

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1 cost by myself, of \$50,000.00.

2 COMMISSIONER WADE: But, do you have --
3 it's a bond, correct?

4 CHAIRMAN CHRAPPAH: That's correct.

5 COMMISSIONER WADE: So, you don't have
6 to pay the entire \$50,000.00. You pay for a
7 \$50,000.00 bond so that the cost would be negligible
8 that would be passed on?

9 CHAIRMAN CHRAPPAH: That's correct.
10 And actually, we don't anticipate any cost being
11 transferred over to drivers.

12 This is purely about protecting
13 drivers. And we've already collected information
14 on the existing pricing structure.

15 And it is part of the element that is
16 being reviewed before a PSPs operating authority
17 will be renewed. Because we are committed to
18 increasing competition among PSPs driving down the
19 cost of the credit card and the NTS equipment in
20 vehicles.

21 And we are absolutely confident that
22 with competition and the feedback we've received

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1 from the industry, the ultimate cost to drivers will
2 go down.

3 COMMISSIONER WADE: But there is no
4 guarantee.

5 CHAIRMAN CHRAPPAH: Technology in
6 general brings opportunities for lower costs. And
7 based on the evidence that we have thus far, we have
8 every reason to believe drivers will see cheaper
9 costs.

10 COMMISSIONER WADE: Thank you.

11 CHAIRMAN CHRAPPAH: You're welcome.
12 Any other questions on this matter?

13 (No response)

14 CHAIRMAN CHRAPPAH: Do I have a motion
15 to call Item One for vote?

16 COMMISSIONER WADE: I move that we call
17 Item One for the vote.

18 CHAIRMAN CHRAPPAH: Second anybody?

19 COMMISSIONER TAPSCOTT: Second.

20 SECRETARY MIXON: All right.

21 CHAIRMAN CHRAPPAH: Madam Secretary,
22 we are ready for a vote.

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1 SECRETARY MIXON: Yes. Commissioner
2 Ferguson?

3 COMMISSIONER FERGUSON: Yes.

4 SECRETARY MIXON: Commissioner Jolly?

5 COMMISSIONER JOLLY: Yes.

6 SECRETARY MIXON: Commissioner
7 Muhammad?

8 COMMISSIONER MUHAMMAD: No.

9 SECRETARY MIXON: Commissioner Smalls?

10 COMMISSIONER SMALLS: Abstain.

11 SECRETARY MIXON: Commissioner
12 Tapscott?

13 COMMISSIONER TAPSCOTT: Yes.

14 SECRETARY MIXON: Commissioner Wade?

15 COMMISSIONER WADE: Yes.

16 SECRETARY MIXON: Commissioner
17 Chrappah?

18 CHAIRMAN CHRAPPAH: Yes.

19 SECRETARY MIXON: The vote is five yes,
20 one no, one abstain.

21 CHAIRMAN CHRAPPAH: Thank you, Madam
22 Secretary. The second Action Item is final

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1 rulemaking to revise all fines in Title 31 and
2 create a fine schedule.

3 In June, when this administration
4 started, we made a commitment to reduce the burden
5 of regulations on drivers. And we proposed a
6 revision of the fine structure and also a reduction
7 in actual fines. We received good feedback along
8 the process.

9 And I am pleased that we are where we are
10 today. The result of this process is that you can
11 go to a single place in Title 31 and see a schedule
12 of fines by Schedule 1, Schedule 2, Schedule 3,
13 Schedule 4.

14 It is completely transparent now. It's
15 at their reading grade level that they can easily
16 identify the infraction and what the fine structure
17 is.

18 But more importantly, we also have in
19 place now warning systems and opportunities for
20 enforcement officers to give warnings. And at a
21 later time, actually give the notice of infraction
22 or the tickets that have some dollar value attached

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1 to it.

2 But the single, most important piece is
3 that as a driver, you cannot get a fine that exceeds
4 \$500.00. When in the past it could be as much as
5 \$1,000.00.

6 This is a serious commitment to the
7 drivers who want to do good. Who provide good
8 service. And to demonstrate the administration's
9 commitment to reducing the burden of regulations.

10 With that said, General Counsel Lerner,
11 is there something you would like to add to this?

12 GENERAL COUNSEL LERNER: Yes. We've
13 just had some questions about whether any fines go
14 up here. And I'm pretty sure that no fines were
15 actually increased.

16 They either remain the same or went
17 down. And as the Chairman already indicated,
18 everything was gathered in a single place where it's
19 easier, much easier to see where fines are.

20 To find what the applicable fines are.
21 And also to get a sense of how fines compare across
22 different chapters of Title 31. Which makes it a

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1 lot more transparent.

2 So, it's very helpful we think both for
3 stakeholders and for enforcement purposes.

4 CHAIRMAN CHRAPPAH: Can you touch a
5 little bit on the comments you received from the
6 private sedan businesses and computing the expected
7 risk?

8 GENERAL COUNSEL LERNER: Yes. We did
9 have one comment. I don't recall which business it
10 was off the top of my head.

11 But, we had a statement that -- the
12 overall thrust of the comment was that the fines for
13 the -- for private sedan businesses and the digital
14 dispatch services that work with them, or in fact
15 are them.

16 In some cases it's the same company,
17 were disproportionately high to legacy -- for fines
18 for legacy industries.

19 In fact, having taken a look at that, the
20 Commission concluded that no, the fines were
21 deliberately set that high after very carefully
22 looking at them back in connection with the rewrite

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1 of Title 31 to conform with the Vehicle for Hire
2 Amendment Act of 2014 back in March of this year.

3 And the reasons that the fines are so
4 high for certain things, is first of all, those
5 fines that they were talking about were on the
6 businesses. Not on the operators. At least the
7 ones they were complaining about.

8 And what they said was, it didn't seem
9 right that they should be so high. And the reason
10 is that the risk is much different.

11 Those companies, as far as we know, and
12 actually I think we do know this at some point from
13 communications with them, actually have thousands
14 of vehicles associated with each one.

15 And I think a minimum one is maybe at a
16 \$1,000 level. And in some instances, many
17 thousands. And we know from the legislation that
18 the actual Vehicle for Hire Amendment Act itself,
19 that insurance is a very, very major part of it.

20 And one of the fines is set at \$25,000.00
21 a day for not having that insurance. Because when
22 that insurance goes down, it's not that one car is

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1 uninsured, it's that thousands of cars are
2 uninsured.

3 So, you're not talking about a small
4 risk. You're talking potentially a huge risk.

5 And so that's how it's just that the
6 industry operates in different ways. And those
7 risks carry -- present and therefore require
8 different fines.

9 CHAIRMAN CHRAPPAH: Thank you. Any
10 questions, comments from our Commissioners?

11 COMMISSIONER TAPSCOTT: Yes. You
12 know, we discussed about the insurance, not having
13 an insurance card with you, but you're paid up. And
14 this is going to be covered in this bill?

15 CHAIRMAN CHRAPPAH: That's pending.

16 COMMISSIONER TAPSCOTT: Oh, that's
17 pending.

18 CHAIRMAN CHRAPPAH: A rulemaking. One
19 of them is final, yes, it will have an effect on
20 this. This is just purely the schedule of fines.

21 But once the pending rulemaking on
22 allowing digital insurance cards is made final,

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1 then we can make headway.

2 COMMISSIONER TAPSCOTT: Thank you. I
3 make a motion.

4 COMMISSIONER WADE: Chairman?

5 CHAIRMAN CHRAPPAH: Yes, Commissioner?

6 COMMISSIONER WADE: Yes, I just wanted
7 to make sure that everyone understood that this
8 law's document actually reflects the whole code.
9 And that the references in here are specifically to
10 basically refer the penalty part to the new Chapter
11 18, Section 20.

12 Is that correct?

13 CHAIRMAN CHRAPPAH: That's correct.
14 Because all -- this basically consolidates the
15 table where you can see all fines that are
16 applicable.

17 GENERAL COUNSEL LERNER: That's the
18 attachment?

19 CHAIRMAN CHRAPPAH: Yes.

20 COMMISSIONER WADE: Thank you.

21 COMMISSIONER MUHAMMAD: Yes, what's
22 the difference between regular rulemaking and

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1 emergency? Because it seems like every rulemaking
2 is always emergency.

3 It's a rush. It's a -- why is it always
4 emergency?

5 CHAIRMAN CHRAPPAH: Commissioner
6 Muhammad, the difference between the proposed
7 rulemaking path and the emergency rulemaking path
8 rests on the gravity and the urgency.

9 Whenever we take the path of emergency
10 rulemaking, it is to protect the public and the
11 industry. And that is the reason for emergency
12 rulemaking.

13 The history of the Commission shows that
14 whenever there's a need to protect the public from
15 harm, it is better to take action swiftly, rather
16 than to delay action.

17 And as you look at the Commission Action
18 Items, you will notice that today as an example,
19 there's only one emergency rulemaking. And that is
20 to protect drivers.

21 But I'm sure our General Counsel Lerner
22 could elaborate more on the differences between

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1 proposed and emergency rulemaking. Many of which
2 you received - the documents - and you participated
3 in those meetings as well.

4 GENERAL COUNSEL LERNER: I appreciate
5 the question. Actually we're very careful about
6 when we put emergency rulemaking up for
7 consideration by the Commission.

8 It is only when there is an immediate
9 need to preserve and promote the safety and welfare
10 of the District residents. And what that tends to
11 mean is that there is something which if it's not
12 done immediately, is going to threaten harm to
13 District residents.

14 Is going to cause a legal exposure to the
15 District. It's going to -- something that must be
16 done right away, or the rates or obligations of
17 stakeholders, or the safety of the public will be
18 in jeopardy.

19 Otherwise, everything goes through the
20 normal notice and comment process under the APA.
21 And may or may not be approved by the Commission
22 ultimately as final after stakeholders have a

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1 chance to look at it and the Commission has a chance,
2 the Commissioners have an opportunity to review
3 comments and so forth.

4 But, it is certainly not at all true that
5 everything goes through emergency rulemaking. The
6 agendas -- all the votes that have been taken by this
7 Commission are available. The public can see it.
8 It's completely transparent.

9 Every rulemaking that has been issued as
10 emergency, the public can find out what those are.
11 They're easily available on our website.

12 And very careful consideration went
13 into it. And I can say certainly since I've been
14 General Counsel, we've been extremely circumspect
15 in the things that we put before the Commission for
16 consideration as emergency.

17 And I don't think that we've been
18 excessive. Or that we've done anything legally
19 wrong.

20 I think it has been correct in all
21 instances. And the Commission has then done what
22 it thought was the right thing to do as well.

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1 COMMISSIONER WADE: Yes, is there
2 normally a 120 day period between the emergency
3 rulemaking and the actual final rulemaking that
4 gives, I think, three months to the public to
5 respond to the emergency?

6 CHAIRMAN CHRAPPAH: You're absolutely
7 correct. It's 120 days. And during that process,
8 comments can still be provided. And more often
9 than not comments are provided.

10 So, the fundamental thing here is that
11 it is not only a transparent process, but it
12 considers input from all stakeholders, while taking
13 action to protect the public at the right time,
14 right not waiting to much later.

15 And some of the examples that I can think
16 of particularly recent, was around the notion of
17 having safety devices in vehicles. Over the summer
18 we experienced a spike in attempted robberies and
19 assaults on drivers.

20 And the narrative is usually the reverse
21 about drivers attacking the passengers. So, to
22 address and try to remedy the situation, we put

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1 forth some emergency regulations with regard to
2 implementing safety devices in vehicles.

3 COMMISSION LOVE WADE: Thank you.

4 COMMISSIONER TAPSCOTT: I have one
5 thing here. And it might be out of order. And you
6 can let me know.

7 We are having a rash of robberies of cab
8 drivers in D.C. here lately. I think one youth has
9 been caught. Six or eight robberies, the number of
10 robberies in D.C.

11 How come that's not being reported by
12 the Commission? Or should it be reported by the
13 Commission?

14 Should we discuss this? I don't know
15 whether that will go in with this fine and things
16 or not. Just a question.

17 CHAIRMAN CHRAPPAH: Well, as
18 Commissioners and people who are in a position to
19 make decisions, reading and being in tune with
20 things that are happening, is something that is part
21 of the normal process.

22 And during our work sessions, we have

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1 conversations with statistics about trends in the
2 crime and things of that nature.

3 With respect to the most recent incident
4 where a youth was apprehended, that is something
5 that started earlier in the summer. And the law
6 enforcement process took its course.

7 So, we are not investigators. We don't
8 get involved because we have to protect the fidelity
9 of that process.

10 But, enforcement personnel have
11 excellent relationships with the Metropolitan
12 Police Department. And they provide us
13 statistics.

14 And also some of the dispatch companies
15 in the industry also provide incident reports to me
16 and my team members. So we have a pulse on some of
17 the things that are happening.

18 Would encourage drivers who may be
19 sitting here. So, also if you're comfortable
20 reporting these sort of incidents so that we can
21 have a much better sense of the status quo and the
22 impact of regulations once we advance them forward.

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1 COMMISSIONER TAPSCOTT: All right.
2 Thank you.

3 CHAIRMAN CHRAPPAH: You're welcome.

4 COMMISSIONER FERGUSON: If I could make
5 one point. I'd like to commend the Chairman and the
6 Commission Staff for actually reducing the fines.

7 You know, we've been here many times and
8 heard of increases and things that penalize for a
9 variety of reasons. And so this is the first time
10 in a long time that we've seen a decrease of this
11 magnitude.

12 So, I just want to commend you and your
13 team for doing this. I think it's a step in the
14 right direction.

15 CHAIRMAN CHRAPPAH: Thank you. And I
16 guess at this time, it's also sort of appropriate,
17 with the Christmas holiday season.

18 So this may be Santa saying, you know,
19 drivers yes, we recognize the hard work you do. And
20 this is our gift to you.

21 COMMISSIONER TAPSCOTT: Can I amend the
22 -- can I make a motion to do it?

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1 COMMISSIONER FERGUSON: Can I -- and I
2 second the motion.

3 CHAIRMAN CHRAPPAH: Okay. Madam
4 Secretary?

5 SECRETARY MIXON: Yes. Commissioner
6 Ferguson?

7 COMMISSIONER FERGUSON: Yes.

8 SECRETARY MIXON: Commissioner Jolly?

9 COMMISSIONER JOLLY: Yes.

10 SECRETARY MIXON: Commissioner
11 Muhammad?

12 COMMISSIONER MUHAMMAD: No.

13 SECRETARY MIXON: Commissioner Smalls?

14 COMMISSIONER SMALLS: Yes.

15 SECRETARY MIXON: Commissioner
16 Tapscott?

17 COMMISSIONER TAPSCOTT: Yes.

18 SECRETARY MIXON: Commissioner Wade?

19 COMMISSIONER WADE: Yes.

20 SECRETARY MIXON: Commissioner
21 Chrappah?

22 CHAIRMAN CHRAPPAH: Yes.

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1 SECRETARY MIXON: The vote is six yes,
2 one no.

3 CHAIRMAN CHRAPPAH: Thank you, Madam
4 Secretary. The third Action Item we have in front
5 of us is proposed rulemaking to clarify uniform
6 color requirements and repainting requirements for
7 vehicle extensions and prohibit legacy numbers.

8 Over the course of the last year, and in
9 particular this summer, we've received numerous
10 feedback about the PVI Number, which is the Public
11 Vehicle Identification Number on vehicles. And
12 also, some concerns about the legacy numbers.

13 The legacy numbers are not tracked by
14 this agency or any other District agency that we are
15 aware of. And we are striving for consistency not
16 only at the identification level of the vehicles for
17 hire, but also identification of those vehicles
18 within fleets.

19 And more importantly, in presenting a
20 uniform appearance to the riding public. So, those
21 are some of the underlying reasons for this proposed
22 rulemaking.

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1 And as it goes through process, we would
2 encourage you all who are here, and those who may
3 get transcripts of this meeting, to provide your
4 commentary. At this time, I want to ask my fellow
5 Commissioners if there are any questions regarding
6 this matter?

7 COMMISSIONER TAPSCOTT: Well, you know
8 I talked to you about it. I'm definitely opposed
9 to this.

10 Especially on the extensions. In most
11 cases, either an extension was given for that car
12 to be taken off the road in certain time.

13 And I just cannot see the sense of
14 painting a car six months if you're going to take
15 it off the road, you're going to put it back into
16 your private care. So, you're having two paints.

17 You know, why not let the time run out.
18 It can't be oh, even up to two years, it can't be
19 one year more that we going to have that colors on
20 the car.

21 And the numbering, that was discussed on
22 many times by your predecessor. That we could put

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1 any numbers on the car that we wanted.

2 They have to be red. And you know, this

3 --

4 CHAIRMAN CHRAPPAH: The number had to
5 be red?

6 COMMISSIONER TAPSCOTT: No, the car had
7 to be red. But we could keep our number like my cab
8 is 14. The name is Capitol. We could keep that on
9 the car.

10 We never had no problem. And now you're
11 saying we need to do away with it. I just can't
12 understand why -- um, this branch can't have the
13 same idea and carry out the same.

14 Every time we get a new Commission or
15 change or something, there's a lot of changes made
16 that affects the drivers and the public. I mean,
17 you know, for instance Capitol Cab has been in
18 business for years.

19 There are a lot of people that will not
20 ride in other cars but a Capitol Cab. And it's just
21 changing that idea of good service.

22 Everybody knows Capitol Cab gives good

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1 service. I'm not bragging. But, -- and not that
2 other companies don't too.

3 But, what is the difference because I
4 got my number 14 on my cab? You know, we need to
5 think about these things.

6 CHAIRMAN CHRAPPAH: Okay. So, I think
7 that's the beauty for the proposed rulemaking
8 process. And then what -- it's in front of
9 Commissioners.

10 And this is important for transparency.
11 And for the public to also realize is that ideas can
12 be baked. And it can be discussed within
13 Commissioners.

14 But, it ultimately needs to be put out
15 for the people that it is impacted the most. And
16 the public to provide commentary.

17 One of the things that I've made clear
18 to my colleagues that's not Commissioners, is that
19 we have to encourage that dialog. And hearing from
20 the people directly.

21 So, you can be on a side where you favor
22 or you don't approve of something. But,

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1 ultimately, our responsibility is to hear from the
2 broader stakeholders that we regulate and the
3 public.

4 And as to your question or comment with
5 respect to Capitol 14, there are many 14s that
6 appear on vehicles. Which one matches to a
7 specific individual, the public doesn't know that.

8 And that is why it has become important
9 to focus on the PVIN numbers. But again, we can
10 continue to have these conversations.

11 And I actually think it is important for
12 the public to weigh in. And that is why it is a
13 proposed rulemaking.

14 COMMISSIONER WADE: So, this is to get
15 the proposal out to the public for their comment.
16 And what's the time period for the comment? On the
17 proposed rulemaking?

18 COMMISSIONER TAPSCOTT: It's only 30
19 days for proposed rulemaking.

20 CHAIRMAN CHRAPPAH: Thirty days, yes.

21 COMMISSIONER WADE: Thirty days?
22 Okay.

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1 CHAIRMAN CHRAPPAH: And usually the
2 comment helps shape the idea into something better.
3 And that's I think I find one of the most exciting
4 parts about this job.

5 When we post something out and people
6 provide us with a comment.

7 COMMISSIONER WADE: I move then that we
8 -- I move to place the proposed rulemaking.

9 COMMISSIONER SMALLS: Second.

10 CHAIRMAN CHRAPPAH: Do I have a motion?

11 COMMISSIONER WADE LOVE: Yes, that was
12 my motion.

13 COMMISSIONER SMALLS: And I had second.

14 CHAIRMAN CHRAPPAH: Thank you. Ms.
15 Secretary, we're ready for a vote.

16 SECRETARY MIXON: Commissioner
17 Ferguson?

18 Yes.

19 SECRETARY MIXON: Commissioner Jolly?

20 Yes.

21 SECRETARY MIXON: Commissioner
22 Muhammad?

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1 No.

2 SECRETARY MIXON: Commissioner Smalls?

3 Yes.

4 SECRETARY MIXON: Commissioner
5 Tapscott?

6 No.

7 SECRETARY MIXON: Commissioner Wade?

8 Yes.

9 SECRETARY MIXON: Commissioner
10 Chrappah?

11 CHAIRMAN CHRAPPAH: Yes.

12 SECRETARY MIXON: The vote is five yes,
13 two no.

14 CHAIRMAN CHRAPPAH: Thank you,
15 SECRETARY MIXON.

16
17 COMMISSIONER FERGUSON: So, for
18 clarification, within the next 30 days, any member
19 of the Commission or anyone could give feedback as
20 to the proposed rulemaking. And then we will
21 deliberate on it again before anything is
22 confirmed?

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1 CHAIRMAN CHRAPPAH: Absolutely.
2 During the coming period. The other thing that
3 we've also done, and this is for some of you who this
4 may be new to.

5 Is that on our website, there's a
6 section to provide comment. And to engage in
7 robust conversations about proposed rulemaking or
8 ideas.

9 So, while we have the public commentary
10 period process that we will follow for every
11 proposed rulemaking, you can give us direct
12 feedback instantly now on our website, about any
13 idea that we put forth.

14 (Not transcribe remarks from 10:51:26
15 to 10:52:19 per Chairman)

16 CHAIRMAN CHRAPPAH: I ask that the lady
17 who makes note, I ask for those comments to be taken
18 out of the transcript. It is inflammatory.

19 And there is a process to edit certain
20 thoughts. And this is certainly not appropriate.

21 COMMISSIONER MUHAMMAD: And I'm just
22 exercising my Second Constitutional Amendment.

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1 For the record.

2 CHAIRMAN CHRAPPAH: With that being
3 said, we will move to the next Agenda Item. Unless
4 I see Commissioner Tapscott. Thank you.

5 COMMISSIONER TAPSCOTT: Before we go,
6 one thing I was concerned about is this rulemaking.
7 It has to be done in 30 days.

8 Does that mean we won't meet no more
9 until December something, which is about 30 days
10 from now? Is that Christmas holiday come in to an
11 extended but beyond 30 days?

12 GENERAL COUNSEL LERNER: Just to
13 clarify the proposed -- the normal process for
14 notice and comment rulemaking is, once the
15 Commission approves for publication, as it just
16 has, a proposed rule, it moves through the policy
17 and legal approval process of the Executive Branch.

18 And once everybody signs off on it, and
19 there are a lot of people who have to sign off on
20 it, up through the Mayor's office and through the
21 Attorney General's office, it finally gets put into
22 the D.C. Register.

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1 On the day that it is published, it opens
2 a 30-day comment period. And during that time,
3 that's when we accept comments.

4 In addition, the -- this agency goes
5 even further, and welcomes comments on -- that are
6 taken through the website in addition. And we even
7 take comments before the comment period.

8 Now, when the comment period is over,
9 that is when we stop our comments. Because there
10 has to be an end at some point.

11 And then we look at them and they're
12 reviewed. And they're presented. They're
13 discussed at the work sessions, as you know
14 Commissioner.

15 COMMISSIONER TAPSCOTT: That's the
16 reason why I was just asking.

17 GENERAL COUNSEL LERNER: Yes.

18 COMMISSIONER TAPSCOTT: Because I got
19 the impression this had to be done. And I didn't
20 want the public to get the impression it's going to
21 be within 30 days.

22 GENERAL COUNSEL LERNER: No. It will

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1 not be done within 30 days from this moment. It
2 can't be, because it has to be reviewed first and
3 then published.

4 COMMISSIONER TAPSCOTT: Thank you.

5 GENERAL COUNSEL LERNER: You're
6 welcome.

7 CHAIRMAN CHRAPPAH: That's great. But
8 the public can always go to our website. Our
9 website doesn't have a time clock on it.

10 So, that's a direct channel.
11 Commissioner Wade?

12 COMMISSIONER WADE: Yes, so after our
13 30 day comment period, then there's an additional
14 comment period when it's published before it goes
15 to the D.C. Registry?

16 CHAIRMAN CHRAPPAH: No. The 30 day
17 official comment period starts when it's published
18 in the D.C. Register. The comments that we take on
19 our website is sort of rolling.

20 It's available at any given point in
21 time. So, there's a convergence at some point
22 where we will look at the comments, the unofficial

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1 comments so to speak that we've received on our
2 website.

3 The official comments that we've
4 received after the proposed rulemaking was
5 published in the Register. And then we'll have
6 conversations as Commissioners about everything
7 that we've heard.

8 And if there are substantial changes
9 necessary, it will be made. And then it goes out
10 for public comment period again.

11 And that process keeps going on and on
12 and on. Until we get to a level where the idea is
13 fully baked, so to speak.

14 And then we present it up for a vote.

15 COMMISSIONER WADE: Okay. Thank you.

16 CHAIRMAN CHRAPPAH: Thanks. And Madam
17 Secretary, do we have a vote? Remind me?

18 SECRETARY MIXON: For this one?

19 CHAIRMAN CHRAPPAH: Yes.

20 SECRETARY MIXON: We've only got -- so,
21 I think I need that from you. But we're on this
22 here. This one here.

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1 CHAIRMAN CHRAPPAH: So yes. So now we
2 can move to Action Item Four?

3 SECRETARY MIXON: Um-hum.

4 CHAIRMAN CHRAPPAH: Okay. Before we
5 move to Action Item Four, any comment on the
6 proposed rulemaking before we wrap that one up?

7 (No response)

8 CHAIRMAN CHRAPPAH: Okay.

9 COMMISSIONER JOLLY: Oh, SECRETARY
10 MIXON?

11 SECRETARY MIXON: Yes, sir?

12 COMMISSIONER JOLLY: Could you clarify
13 exactly which rulemakings we're about to vote on?
14 I heard you, but I want to just make sure it matches
15 what I -- because I don't think that is.

16 SECRETARY MIXON: Sure. Okay. We had
17 taken three votes. The first one was on Chapter 4,
18 the emergency rulemaking to establish the PSP
19 surcharge bond at \$100,000.00.

20 So, that one was --

21 COMMISSIONER JOLLY: And then what was
22 the second one?

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1 SECRETARY MIXON: Okay.

2 COMMISSIONER JOLLY: And then five and
3 six were done, correct?

4 SECRETARY MIXON: Yes.

5 CHAIRMAN CHRAPPAH: That's correct.

6 COMMISSIONER JOLLY: Okay. I just
7 wanted to make sure that I'm tracking.

8 SECRETARY MIXON: Sure. Okay.

9 CHAIRMAN CHRAPPAH: Thank you.

10 COMMISSIONER JOLLY: We're on the
11 Chapter 5 amendment?

12 SECRETARY MIXON: Yes.

13 COMMISSIONER JOLLY: Thank you.

14 SECRETARY MIXON: You're welcome.

15 CHAIRMAN CHRAPPAH: So, the fourth
16 Agenda Item we have is Chapter 5, proposed
17 rulemaking to extend customer service standards to
18 independent owners.

19 We've received a lot of feedback from
20 passengers and drivers and companies that sometimes
21 when you call the number listed on a cab, nobody
22 picks it up. When they call the number for an

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1 independent, no response.

2 So, as we look to establish parity, and
3 we also look to rationalize the level of
4 professionalism that people can experience within
5 the industry, it has become important to extend the
6 basic customer service standards to independent
7 operators as well.

8 For example, having a working phone
9 number. Having an address where the DCTC
10 newsletter or some communication can be sent to you.

11 And some of these things that we are
12 discussing, shouldn't come as a surprise. It is
13 something that customers expect. And the vast
14 majority of the industry expects as well.

15 But, we are taking the extra step to
16 making sure it is actually clear in the rules what
17 we expect of independent owners who participate in
18 this transportation eco system.

19 Is there any questions or comments from
20 the fellow Commissioners?

21 COMMISSIONER MUHAMMAD: Yes. It asks
22 for the independent driver to have a website also.

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1 Is it possible they can just have a Facebook page?

2 A website costs money. It has to be
3 maintained. A Facebook is -- can be maintained
4 free.

5 CHAIRMAN CHRAPPAH: Yes. Facebook,
6 social media presence, Weebly, any place that is
7 accessible online, really qualifies for this.

8 COMMISSIONER MUHAMMAD: And if those
9 are just some of the riders that may be on it when
10 we vote, it's things that in some of these rules that
11 we did, oh, I didn't know that was in there.

12 So, if we read the whole rulemaking,
13 we'll see some other things that we may agree with
14 or disagree with. So, at the end of that, I saw it.

15 Justice. The rule of fair dealing one
16 with another.

17 COMMISSIONER WADE: So are you making a
18 recommendation to --

19 COMMISSIONER MUHAMMAD: Yes.

20 COMMISSIONER WADE: Change with the --

21 COMMISSIONER MUHAMMAD: No, but he said
22 okay.

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1 COMMISSIONER FERGUSON: So there's no
2 recommendation. It's just a statement.

3 COMMISSIONER MUHAMMAD: Yes.

4 COMMISSIONER WADE: You're not making
5 just a statement.

6 COMMISSIONER MUHAMMAD: Yes. He said
7 it was all right to do that. Does it have to be in
8 writing?

9 CHAIRMAN CHRAPPAH: The language, as it
10 is to date, does not preclude anybody who wants to
11 use their Facebook presence to meet the online
12 identity or website requirements.

13 Tomorrow there may be my book, it may be
14 your book. It will be something different.
15 Rather than just stipulating exactly what it should
16 look like, we are setting a framework for things
17 that will meet the requirements.

18 And that is how we make the rules
19 progressive. And not have ourselves left with
20 legacy rules that need to be changed rapidly.

21 And again, this is a proposed
22 rulemaking. Meaning, we want to hear from people

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1 about how this impacts and how this benefits them.

2 COMMISSIONER FERGUSON: We're clear.

3 COMMISSIONER WADE: Thank you.

4 CHAIRMAN CHRAPPAH: Are there any
5 further questions or comments on this matter?

6 (No response)

7 CHAIRMAN CHRAPPAH: Do I have a motion?

8 COMMISSIONER SMALLS: So moved.

9 COMMISSIONER FERGUSON: Second.

10 CHAIRMAN CHRAPPAH: Thank you. Madam
11 Secretary, we are ready for a vote.

12 SECRETARY MIXON: Commission Ferguson?

13 COMMISSIONER FERGUSON: Yes.

14 SECRETARY MIXON: Commissioner Jolly?

15 COMMISSIONER JOLLY: Yes.

16 SECRETARY MIXON: Commissioner
17 Muhammad?

18 COMMISSIONER MUHAMMAD: Yes.

19 SECRETARY MIXON: Commissioner Smalls?

20 COMMISSIONER SMALLS: Yes.

21 SECRETARY MIXON: Commissioner
22 Tapscott?

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1 COMMISSIONER TAPSCOTT: Yes.

2 SECRETARY MIXON: Commissioner Wade?

3 COMMISSIONER WADE: Yes.

4 SECRETARY MIXON: Commissioner
5 Chrappah?

6 CHAIRMAN CHRAPPAH: Yes.

7 SECRETARY MIXON: The vote is seven
8 yes.

9 CHAIRMAN CHRAPPAH: Thank you. We'll
10 move to the fifth Action Item. That covers
11 Chapters 10, 18 and 99. This is final rulemaking
12 to allow companies to meet their wheelchair
13 accessible vehicle WAV requirements.

14 And to obtain new DCTC vehicle licenses
15 where vehicles are placed into Transport DC.
16 Counsel Lerner, do you want to provide some context
17 on this since this is our final, and it's gone
18 through the various stages of the rulemaking
19 process?

20 GENERAL COUNSEL LERNER: Yes. This
21 rulemaking was in fact -- did exactly that. And in
22 fact was the subject of emergency rulemaking for a

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1 while, prior to what is now, I think, complete
2 compliance with the six percent WAV requirement
3 that was required now almost a year ago by statute.

4 This gave some flexibility to those
5 companies to allow them to put vehicles into the
6 what was then called CAPS DC. And is now known as
7 Transport DC.

8 And it gave a boost -- first of all, it
9 allowed those companies an option for how they could
10 comply. While also facilitating putting those
11 vehicles on the road in expanding Transport DC.

12 And it did a number of other things to
13 give Transport DC the flexibility that the office
14 needed to allow it to grow to it's current level.
15 It was substantially lower, I think, a year ago then
16 it is now.

17 And this makes various adjustments
18 throughout Chapter 18 to facilitate that growth.

19 CHAIRMAN CHRAPPAH: So, if you're not
20 sure, this allows companies to get these tags, the
21 vehicles licenses for their participation in
22 Transport DC.

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1 GENERAL COUNSEL LERNER: Yes. It is
2 conditioned, you cannot get that tag unless that
3 vehicle is a new wheelchair accessible vehicle
4 placed into Transport DC.

5 And it must be actively used in
6 Transport DC continuously for three years.

7 CHAIRMAN CHRAPPAH: Thank you. Do --
8 are there any questions or comments from fellow
9 Commissioners on this matter?

10 COMMISSIONER SMALLS: I move that we --

11 COMMISSIONER MUHAMMAD: Yes, I have a
12 comment.

13 COMMISSIONER SMALLS: I'll hold.
14 Sorry.

15 COMMISSIONER MUHAMMAD: Okay. For two
16 months I attempted to get an item on the Agenda.

17 GENERAL COUNSEL LERNER: Subject to
18 this?

19 COMMISSIONER MUHAMMAD: Which is a
20 preapproval of credit card for drivers. So, if
21 some of you in the audience wonder why I seem so
22 dissatisfied, it's because me as a Commissioner,

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1 never can get an item on the Agenda.

2 When I see others have things on the
3 Agenda and they don't show up. Now, I hope this
4 stays in the record.

5 Because if it don't, I'll just go
6 somewhere else to make sure it will be in the record.
7 If this is just proposed, why couldn't it be
8 proposed to get -- to have drivers preapproved of
9 credit card? If it's just proposed?

10 Because if you're robbed, you're robbed
11 for money, cash. And if the credit card doesn't
12 work at the end, you get zero.

13 And I'm in a hurry, I'm not giving you
14 nothing by it. And you leave with no money at all.

15 So, no, it don't pertain to that. But
16 I'm saying it now.

17 CHAIRMAN CHRAPPAH: Thank you for your
18 comments Commissioner Muhammad. We have a
19 structure where we go through certain
20 conversations.

21 And there's always an opportunity to air
22 your feedback comments as it pertains to a topic.

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1 So, we can follow where things are headed.

2 As it relates to the preapproval of
3 credit cards, this is not the first time that topic
4 has come up. There are a couple of things that has
5 happened over the last two years, I would say.

6 But more recently, over the last 60 days
7 we've discussed the pros and cons of preapproved
8 credit cards. And how to mitigate potential
9 discrimination and lawsuits that could arise from
10 this.

11 We further placed an item on our website
12 for the public to comment, and drivers to comment.
13 And in fact, at the most recent Commission meeting,
14 you were -- not Commission, the work session, you
15 were not there to elaborate on what else you would
16 like to see.

17 The issue's not dead. This is
18 something that we're paying close attention to.
19 And at the appropriate time, with your
20 availability, we could get into the details and also
21 provide additional information that we've received
22 from the public about this.

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1 And naturally, if it becomes robust
2 enough, it will go through the rulemaking process.

3 COMMISSIONER SMALLS: I would --

4 COMMISSIONER MUHAMMAD: I'm mad when
5 the airline asks for me to preapprove my airline
6 fare before I get on the plane. And say -- and don't
7 let me pay when I get to the end.

8 I'm mad because they won't let me fly to
9 California and then I pay them when I get there. I
10 wish I could do that.

11 But the only transportation industry in
12 and on the planet that pays at the end of the trip
13 is the taxis. The only one.

14 And we don't call it discrimination when
15 they ask you to pay in advance. Cab drivers
16 discriminated over \$3.00?

17 And yes, this is the second month that
18 I've brought it up. And it still has gone nowhere.

19 So, why I bring it up now? Because it
20 goes nowhere when I bring it to the Secretary of the
21 Council or to the Chair. It goes nowhere.

22 CHAIRMAN CHRAPPAH: Thank you,

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1 Commissioner Muhammad. We have to move forward.

2 COMMISSIONER MUHAMMAD: So when I
3 wasn't there at the work session because I was
4 tending to my mother who passed.

5 CHAIRMAN CHRAPPAH: Do you want to --
6 yes, Commissioner Smalls, do you want to make a
7 comment please?

8 COMMISSIONER SMALLS: I just want to
9 deviate a bit. I understand about expanding
10 Transport DC with wheelchair access.

11 But, I have been told that the clients
12 can only be persons who are affiliated with Metro.
13 And not everyone can use this.

14 Has that changed?

15 CHAIRMAN CHRAPPAH: No. That's not
16 changed. The Transport DC program is a special
17 arrangement between the City, DCTC, WMATA and DDOT.

18 So, clients who can participate for the
19 \$5.00 fare, have to be registered MetroAccess
20 customer. However, the vehicles, the 150 plus
21 wheelchair access vehicles, are available to
22 anybody.

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1 And in fact, I've been seen recent
2 postings on Twitter about how now you can literally
3 street hail a wheelchair accessible vehicle. That
4 is something remarkable.

5 And I'm sure at some points the people
6 who have been impacted the most, who are able to move
7 around with the freedom they need on demand, will
8 testify to the benefits of the program.

9 It's one of the things that is working
10 remarkably well. Where other jurisdictions are
11 looking to the District to say, how did you do this?

12 You know, so yes, at some point it will
13 be nice for everybody to move around for \$5.00. But
14 I'm sure what we're hearing from drivers, that is
15 not going to be enough.

16 So, the goal is to make sure that the
17 program grows. And at the same time, the vehicles
18 are available for regular service.

19 COMMISSIONER SMALLS: I -- you know, I
20 think it's great. But I also feel that we should
21 be looking into the fact that say for instance
22 persons who go to hospitals for visits and are not

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1 MetroAccess clients.

2 I think that they should be permitted to
3 use this facility.

4 CHAIRMAN CHRAPPAH: They are. There's
5 no barrier.

6 COMMISSIONER SMALLS: They can use
7 that?

8 CHAIRMAN CHRAPPAH: They can use that.

9 COMMISSIONER SMALLS: Oh. Oh, fine.

10 CHAIRMAN CHRAPPAH: Yes, yes.

11 COMMISSIONER SMALLS: I'm clarified
12 then.

13 COMMISSIONER WADE: But they don't get
14 the \$5.00 rate.

15 CHAIRMAN CHRAPPAH: That's correct.

16 COMMISSIONER SMALLS: Oh, is that --

17 COMMISSIONER WADE: Yes. See --

18 COMMISSIONER SMALLS: Oh, no. What
19 I'm asking about, is why can't they get the \$5.00
20 rate?

21 (Laughter)

22 COMMISSIONER WADE: Well, everybody

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1 would like that.

2 COMMISSIONER SMALLS: But, if they were
3 going to the --

4 COMMISSION TAPSCOTT: They need to
5 drive down with regular people.

6 COMMISSIONER SMALLS: I said
7 hospitals. I didn't talk about anything else.
8 But I think that that should be considered.

9 COMMISSIONER FERGUSON: If it's a
10 medical emergency is what you mean?

11 COMMISSIONER SMALLS: Yes. If you
12 have medical emergencies, going to the hospital, or
13 people who have appointments going to the hospital,
14 they should be allowed to be -- they should be
15 allowed to pay that \$5.00 to take Transport DC.

16 CHAIRMAN CHRAPPAH: We're looking to
17 ways to make the transportation system accessible
18 to all, subject to finding that one day.

19 COMMISSIONER SMALLS: Okay.

20 COMMISSIONER WADE: So, does that mean,
21 Chairman that if I'm certified with my other
22 certified, I can call and go to any authorized

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1 location? Or I can go anywhere?

2 CHAIRMAN CHRAPPAH: Anywhere in the
3 District, you can get service. You call the number
4 that we have.

5 Or you can hail the wheelchair access
6 who will be using the DC taxi cab. And service will
7 be provided.

8 COMMISSIONER WADE: For \$5.00?

9 CHAIRMAN CHRAPPAH: That's correct.

10 COMMISSIONER WADE: But you have to be
11 a part of the MetroAccess --

12 CHAIRMAN CHRAPPAH: That's correct.

13 COMMISSIONER WADE: Registry. And I
14 understand that. Because it protects the public.
15 And the city actually is picking up the difference
16 between the actual fair and the \$5.00 that the
17 persons are paying.

18 And so, as we ask for expansion to the
19 public, you realize that you are asking us taxpayers
20 --

21 COMMISSIONER SMALLS: I understand.

22 COMMISSIONER WADE: To pick up the

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1 difference in that cost. So, as a personal
2 taxpayer, I don't want everybody who wants a cheap
3 ride to a hospital, I don't want to pay for them.

4 So, if you are medically required, or
5 medically needed, and you've gone through the
6 process, I have no problem with supplementing.
7 But, I think it's not fair to you or to us to
8 supplement the entire city because they want to go
9 to the hospital for \$5.00.

10 I'd love to do that.

11 (Laughter)

12 COMMISSIONER SMALLS: Well, I don't
13 mean it like that.

14 COMMISSIONER WADE: Yes, but I'm just
15 saying, but that's how it would happen. That would
16 lead to abuses.

17 COMMISSIONER MUHAMMAD: An ambulance
18 costs \$500.00

19 COMMISSIONER WADE: Right.

20 COMMISSIONER MUHAMMAD: The ambulance
21 charge \$500.00.

22 COMMISSIONER WADE: Absolutely.

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1 Absolutely. So, wouldn't it be cheaper to take a
2 regular cab if you're not MetroAccess?

3 COMMISSIONER SMALLS: I still say that
4 need to be a consideration for hospitals though.

5 CHAIRMAN CHRAPPAH: Thank you for the
6 comment. Commissioner Tapscott?

7 COMMISSIONER TAPSCOTT: Thank you. I
8 don't want to say anything on this. But, you're
9 boiling down the cab companies or cab drivers, are
10 giving free service.

11 Right now, if you get in the cab in the
12 southeast and want to go to Sibley Hospital, the cab
13 driver only gets \$5.00. The District or the
14 company subsidizes the other \$15.00.

15 That ride costs about \$35.00. So,
16 which means, that me as a cab driver, I've taken the
17 passenger for nothing after the \$20.00.

18 I'm riding the passenger free. I can't
19 make it on free rides.

20 COMMISSIONER SMALLS: I can't
21 understand that. I don't understand that.

22 COMMISSIONER TAPSCOTT: You can't?

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1 All right. You get in the cab over in --

2 COMMISSIONER SMALLS: I don't --

3 COMMISSIONER WADE: Well, personally,
4 I don't know of a \$35.00 cab far in D.C.

5 COMMISSIONER TAPSCOTT: Oh, yes.

6 COMMISSIONER WADE: Me personally, I'm
7 saying personally.

8 COMMISSIONER TAPSCOTT: Oh, yes. I
9 understand.

10 COMMISSIONER WADE: I don't.

11 COMMISSIONER TAPSCOTT: So, that's the
12 reason what I'm saying --

13 COMMISSIONER WADE: So that's not --
14 but is that the norm?

15 COMMISSIONER SMALLS: No.

16 COMMISSIONER TAPSCOTT: It can be -- it
17 can be. You know, I might get five trips back to
18 back where I lose money off of it.

19 Every trip ain't going to be from Sibley
20 from Southeast to the hospital, to Sibley. But, it
21 can be from Barnaby Place to even another hospital,
22 Washington Hospital Center.

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1 It's more than \$20.00. So, the cab
2 driver's absorbing the difference of that \$20.00.

3 CHAIRMAN CHRAPPAH: Commissioner
4 Tapscott, I think they have a question, please.

5 MS. CASE: I know it's not my time or
6 appropriate, but I've liked that the lack of actual
7 correct information on this is upsetting to me.
8 Who counts on this program.

9 This program is funded. The only
10 reason that it happens is that it is taking from the
11 pile of money D.C. already has budgeted for
12 MetroAccess transport, which is \$56.00.

13 The Transport DC trips cost them only
14 \$28.00. This program has already saved the
15 District \$2.5 million in the third and fourth
16 quarters.

17 You will hear this in my testimony.

18 CHAIRMAN CHRAPPAH: Thank you, Heidi.

19 MS. CASE: That's why, we have anyone --

20 CHAIRMAN CHRAPPAH: Thank you for that
21 information on those. And I think we have --

22 MS. CASE: Can I just say that this --

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1 CHAIRMAN CHRAPPAH: We have a section
2 -- we have a section reserved on the public
3 commentary period where we'd welcome additional
4 comments.

5 But, I quickly want to move this
6 business forward. Because we want to make good use
7 of time.

8 So, for our people who have come here and
9 people who have attended. So, what I ask is, do I
10 have a motion for this to be called up for a vote?

11 COMMISSIONER WADE: Yes, I move that we
12 call this for a vote.

13 CHAIRMAN CHRAPPAH: Okay.

14 COMMISSIONER SMALLS: Second.

15 CHAIRMAN CHRAPPAH: Thank you. Madam
16 Secretary?

17 SECRETARY MIXON: And yes, this is
18 Chapter 10, 18, 99, final rulemaking to allow
19 companies to meet the WAV requirement.

20 So, Commissioner Ferguson?

21 COMMISSIONER FERGUSON: Yes.

22 SECRETARY MIXON: Commissioner Jolly?

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1 COMMISSIONER JOLLY: Yes.

2 SECRETARY MIXON: Commissioner

3 Muhammad?

4 COMMISSIONER MUHAMMAD: No.

5 SECRETARY MIXON: Commissioner Smalls?

6 COMMISSIONER SMALLS: Yes.

7 SECRETARY MIXON: Commissioner

8 Tapscott?

9 COMMISSIONER TAPSCOTT: Yes.

10 SECRETARY MIXON: Commissioner Wade?

11 COMMISSIONER WADE: Yes.

12 SECRETARY MIXON: Commissioner

13 Chrappah?

14 CHAIRMAN CHRAPPAH: Yes.

15 SECRETARY MIXON: The vote is six yes,

16 one no.

17 CHAIRMAN CHRAPPAH: Thank you. The

18 sixth Agenda Item we have is proposed rulemaking to

19 allow conditions for new vehicle and operator

20 licenses. As we look at a transportation policy,

21 public and private vehicle for hire transportation

22 policy, we are beginning to see transportation

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1 diverts underserved areas and areas of greater
2 need.

3 An example of greater need is wheelchair
4 access wheeled vehicles. So, what this rulemaking
5 proposes, or sets in motion, is the idea that the
6 Commission can give vehicle and operator licenses
7 targeted to areas of need.

8 And those are the conditions that are
9 being referenced. Some other conditions may be
10 more fuel efficient vehicles.

11 Some of the conditions may be wheelchair
12 accessible vehicles. Do I have any questions or
13 comments regarding this matter?

14 COMMISSIONER MUHAMMAD: Yes. Was a
15 feasibility study done for these underserved areas
16 where it was noted that they need this extra boost
17 of service? And is it a document that I can see?

18 From this commission? Not from an
19 outside agency.

20 CHAIRMAN CHRAPPAH: Yes. Multiple
21 studies have been done prior to my tenure and also
22 during my tenure. And the reports, some are

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1 available online. And some are available on
2 demand.

3 So, we would be happy to have somebody
4 brief you. Walk you through the data findings.
5 And also walk you through some of the implications.

6 And I'll also call your attention to the
7 study that was done around the Neighborhood Van
8 Program, aka jitneys. And also call your attention
9 to a few data points that were published recently.

10 Not only by private sedan around
11 under-served areas. But also trends we have seen
12 that were presented to Commissioners during the
13 work session around trip volumes in Ward 4, 7 and
14 8.

15 And also, you can also use as a proxy,
16 the emergence of alternative transportation
17 absence around those areas. Which suggest there's
18 a demand, but the demand is not aligned with supply.

19 COMMISSIONER MUHAMMAD: Would Ward 3 be
20 an underserved area?

21 CHAIRMAN CHRAPPAH: I don't determine
22 what is an underserved area. The data and the

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1 feedback that we look at provide us those answers.

2 COMMISSIONER MUHAMMAD: Because you
3 only had two Wards, 7 and 8.

4 CHAIRMAN CHRAPPAH: As it relates to?

5 COMMISSIONER MUHAMMAD: The
6 underserved.

7 CHAIRMAN CHRAPPAH: No. Underserved
8 areas are not only the geographic construct, but
9 also a function of need. What we are seeing today
10 is that people with disabilities fall into an
11 underserved area category.

12 If we expand our thinking beyond an
13 underserved area being a particular Ward, or a
14 geographic area, then we have our options to provide
15 holistic solutions.

16 Commissioner Tapscott?

17 COMMISSIONER TAPSCOTT: Yes. I
18 advanced to you and I talked to you on this at our
19 work session, I'm totally against this.

20 And I will not be voting for it. This
21 -- all this is does is put more people out on the
22 street to drive cabs and take the business away from

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1 cab drivers.

2 COMMISSIONER MUHAMMAD: It's the
3 discrimination that GENERAL COUNSEL LERNER was
4 talking about.

5 COMMISSIONER TAPSCOTT: There's no job
6 that in transportation that a cab should not be able
7 to do. It's because some people have gotten in the
8 habit from Safeway, Giant, of taking these people
9 who have had a lot of trouble, rate overcharge, and
10 different things.

11 And we're going to license these people
12 just because someone says I can't get a cab in these
13 areas. Which I know for a fact is wrong.

14 I took --

15 CHAIRMAN CHRAPPAH: Commissioner
16 Tapscott, let me correct you for the record. This
17 item is proposed rulemaking to allow conditions for
18 new operator license. It is not final.

19 It doesn't say anything about people
20 getting licenses for jitneys. No. If you look at
21 the details on the proposed rulemaking, it will be
22 clear that we are crafting policy to enable creative

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1 solutions to problems that exist today.

2 COMMISSIONER TAPSCOTT: You know, I've
3 been a driver in this city for 50 some years. I have
4 served the Southeast public for most of these 50
5 years.

6 We had one of the Council in Ward 3 come
7 in here and make all kinds of statements that she
8 wanted to get a cab in Southeast and she couldn't
9 get one. She called a certain company and couldn't
10 get one.

11 I took it personally myself and traced
12 that back. And she lied. She had never called
13 that company whatsoever.

14 And that's the most of the trend.
15 Because a person cannot get a cab right away. That
16 and then they're going to say the cabs don't serve
17 that area.

18 So, I wanted it to be taken into
19 consideration. I will be voting against this.

20 CHAIRMAN CHRAPPAH: Your vote is your
21 right. And I want you to exercise that.

22 But again, what is being advanced here

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1 is to allow the Commission to give vehicle licenses
2 to areas of need.

3 COMMISSIONER TAPSCOTT: I don't want
4 that.

5 CHAIRMAN CHRAPPAH: Do I have any
6 further questions, comments on this matter?

7 COMMISSIONER MUHAMMAD: Would that be
8 discriminating? Doing this?

9 CHAIRMAN CHRAPPAH: What? I don't
10 understand.

11 COMMISSIONER MUHAMMAD: Making a
12 separate license for the poor. Because that's
13 mainly what you're saying really for the black area.
14 You don't want to say it.

15 You sound like Donald Trump. This is
16 what you're really saying. I want to make it for
17 this black area.

18 COMMISSIONER WADE: I didn't read that.

19 COMMISSIONER MUHAMMAD: You don't read
20 that?

21 COMMISSIONER WADE: No, I don't --

22 COMMISSIONER MUHAMMAD: You don't see

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1 that?

2 COMMISSIONER WADE: No, I don't. And
3 actually, I spent a lot of time on this particular
4 issue.

5 Because it did to me imply that new
6 licenses would be issued. But I know you guys are
7 out here driving.

8 But, I'm out here riding. And I'm not
9 lying when I said it was difficult to get cabs.

10 And not only to go there, to come to pick
11 me up there. I live in Northwest now. I can't walk
12 out my door and stand outside and cross the street
13 without a cab stopping.

14 But I guarantee you, and there are areas
15 in the city, and people of -- as you indicated with
16 a certain -- with disabilities, who cannot walk out
17 their door and catch a cab.

18 This is a reality. So, I think it's --

19 COMMISSIONER MUHAMMAD: I can't catch
20 one either.

21 COMMISSIONER WADE: I think it's a good
22 idea to put it out there to the public. This is a

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1 proposal.

2 So that you can discuss it. You'll
3 never discuss it if we don't put it out there to you.

4 COMMISSIONER MUHAMMAD: I mean, some
5 things I don't even want to consider.

6 COMMISSIONER WADE: We've got to have
7 an opportunity to discuss.

8 COMMISSIONER MUHAMMAD: That's why I
9 vote against. I don't even want to consider it.

10 CHAIRMAN CHRAPPAH: Okay. Thank you
11 for the comments. At this point, do I have motion
12 to --

13 COMMISSIONER SMALLS: So moved.

14 COMMISSIONER WADE: Second.

15 CHAIRMAN CHRAPPAH: All right. Madam
16 Secretary?

17 SECRETARY MIXON: Yes. This is for
18 Item 6, Chapter 10, proposed rulemaking to allow
19 conditions for new vehicle and operator licenses.

20 Commissioner Ferguson?

21 Yes.

22 SECRETARY MIXON: Commissioner Jolly?

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1 Yes.

2 SECRETARY MIXON: Commissioner

3 Mohammed?

4 No.

5 SECRETARY MIXON Commissioner Smalls?

6 Yes.

7 SECRETARY MIXON: Commissioner

8 Tapscott?

9 No.

10 SECRETARY MIXON: Commissioner Wade?

11 Yes.

12 SECRETARY MIXON: Commissioner

13 Chrappah?

14 CHAIRMAN CHRAPPAH: Yes.

15 SECRETARY MIXON: The vote is five

16 yes, two no.

17 CHAIRMAN CHRAPPAH: Thank you. The

18 last Commission Action Item is Chapter 12, proposed

19 rulemaking to require limousine owners to report

20 trip data.

21 Over the last couple of years, trip data

22 from public vehicles for hire has been limited to

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1 taxi. As the industry grows, it has become
2 important to look at congestion.

3 To look at service to people who --
4 customers with disabilities. And to be able to
5 make appropriate decisions that is grounded on
6 facts.

7 So what this proposed rulemaking will do
8 is set a framework where all public vehicles for
9 hire will provide anonymous trip data. So that
10 from a planning perspective, we can see if people
11 with disabilities are not getting the service they
12 need.

13 At the same time, we can see their
14 response time. And we can look at a transportation
15 system more holistically.

16 And at the same time raise the bar for
17 other participants in the public vehicles for hire,
18 to meet some of the standards that taxi operators
19 currently have to comply with.

20 Are there any other questions? Or
21 comments regarding this matter?

22 COMMISSIONER MUHAMMAD: What do they

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1 supply now?

2 CHAIRMAN CHRAPPAH: Nothing. Do I
3 have a motion?

4 COMMISSIONER WADE: Yes. I move that
5 we place this for a vote, this item.

6 COMMISSIONER FERGUSON: And I second
7 it.

8 CHAIRMAN CHRAPPAH: Thank you. Madam
9 Secretary?

10 SECRETARY MIXON: Yes. This is for
11 Chapter 12, proposed rulemaking to require
12 limousine owners to report trip data.

13 Commissioner Ferguson?

14 COMMISSIONER FERGUSON: Yes.

15 SECRETARY MIXON: Commissioner Jolly?

16 COMMISSIONER JOLLY: Yes.

17 SECRETARY MIXON: Commissioner
18 Muhammad?

19 COMMISSIONER MUHAMMAD: No.

20 SECRETARY MIXON: Commissioner Smalls?

21 COMMISSIONER SMALLS: Yes.

22 SECRETARY MIXON: Commissioner

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1 Tapscott?

2 COMMISSIONER TAPSCOTT: Yes.

3 SECRETARY MIXON: Commissioner Wade?

4 COMMISSIONER WADE: Yes.

5 SECRETARY MIXON: Commissioner

6 Chrappah?

7 CHAIRMAN CHRAPPAH: Yes.

8 SECRETARY MIXON: Your vote is six yes,
9 one no.

10 CHAIRMAN CHRAPPAH: Thank you. Now we
11 can move to the fourth section of our overall
12 Agenda.

13 This has been a spirited conversation.
14 And it has all been beneficial not only for me. But
15 I'm sure for members of the public and people who
16 are attending.

17 But I'm sure our registered speakers are
18 itching to speak what is on their mind. I see a few
19 faces eagerly waiting for this opportunity.

20 So, Madam Secretary, do we have anything
21 with respect to Staff Reports?

22 SECRETARY MIXON: No Staff Reports.

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1 CHAIRMAN CHRAPPAH: Okay. So, let's
2 move to the public comment period.

3 SECRETARY MIXON: Okay. First up I
4 have Mr. Darryl Jenkins. If you would come to the
5 podium please.

6 State your name again, spell it for the
7 record. Did you bring written comments?

8 MR. JENKINS: No, ma'am, I didn't.

9 SECRETARY MIXON: Oh, okay. I'll let
10 you know when your time is up. It's five minutes,
11 just what you want to know.

12 Let the record show the speaker he has
13 five minutes. Do keep in mind, next time we will
14 need your written comments.

15 MR. JENKINS: Thank you, ma'am.

16 SECRETARY MIXON: And -- okay, after
17 you state your name and spell it, then we will --
18 I will start the time.

19 MR. JENKINS: Darryl Jenkins. Spelled
20 D-A-R-R-Y-L. Last name Jenkins, J-E-N-K-I-N-S.

21 SECRETARY MIXON: Okay. Go ahead.

22 MR. JENKINS: Well good morning, ladies

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1 and gentlemen. Thank you for an opportunity to
2 allow me to speak here.

3 I first want to start off and say it
4 really troubles me as the Commissioner's Chairman,
5 Counsel, of their disrepresenting the industry that
6 I chose to provide for my family. There seems to
7 be a great division among you all.

8 It would seem that you all don't even
9 talk behind closed doors before you come out here.
10 It just appears you're not prepared to elaborate to
11 us as to what your agenda really is without the
12 miscommunication.

13 That's what I see. But, moving on from
14 that, I am the proud owner of Jenkins Limousine
15 Service. Been providing service for the
16 Washington, D.C. for 15 years.

17 Fifteen years. A legal Limousine
18 company in the city. And every year come about to
19 basically tax the industry.

20 But I haven't heard anything in 15 years
21 in reference to strengthening the Limousine/Car
22 service. Every change has been about more money.

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1 And your argument is, or your comment
2 for reason of doing it, is for the public. For the
3 public.

4 We spend a lot of money every year to
5 make sure that we're properly licensed and
6 insurance -- and insured, I'm sorry, to provide
7 service to the public.

8 The industry as you know has changed
9 with the technology. There's other companies, I
10 will not go into details about the name.

11 But there's a lot of competition out
12 here that's constantly draining the
13 professionalism of car service and limousine
14 service in Washington, D.C.

15 Yet, D.C. Taxicab Commission or the
16 District of Columbia get nothing from these other
17 car service apps or whatever that's coming about.
18 You come in. You work. You take the clientele and
19 you leave the city. That's it.

20 But you tax the mess out of the legal law
21 abiding citizens here. Every year there's change
22 and you say it's for the better of the people.

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1 The people at this point has been given
2 a welfare mentality with the transportation
3 industry. That's where the industry has gone.

4 Taxi cabs, app services, no one is even
5 talking about car service other than give me more
6 money. Regulations, we need change.

7 My question to the Commissioner,
8 Counsel, everyone, who are we listening to about
9 these changes? Can I ask the question to any of
10 you?

11 Do any of you all use car service in D.C.
12 other than cabs or other apps? You don't really
13 have to answer that.

14 But -- but, what are we doing to
15 strengthening the car services in Washington, D.C.?
16 My understanding is when I first signed up for this
17 is, every transportation company in the District of
18 Columbia that's legally operating should be
19 registered with the D.C. Taxicab Commission.

20 That is not so today. But you regulate
21 us as the legal ones. They're spending the money.
22 Every year fees go up.

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1 Service go down because of competition.
2 Well, where competition comes means less work,
3 because there's more competition out there.

4 But if you're going to regulate one, you
5 probably should regulate all. So, my
6 understanding is, we can't regulate certain car
7 companies because we have established that they are
8 a private service.

9 Hum? Really? How are we to compete
10 with a \$5.00 fair and a \$50,000 to \$100,000 car
11 providing for the clients?

12 If you say that we're going to leave it
13 to the public that should be the same thing. We're
14 going to leave it to the public for the cabs.

15 We're going to leave it to the public for
16 the sedans and limousines. We're going to leave it
17 to the public for the other car service.

18 At this point, the way it's been
19 manipulated, smart money says, I'm going to take the
20 \$3.00 fair. I don't really care if he has a suit
21 or tie on.

22 I don't really care about the industry

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1 standard. I just want basic transportation from
2 point A to point B.

3 That's what we're promoting. A welfare
4 mentality for the transportation industry. That's
5 just my opinion.

6 Again, I would love to hear some answers
7 to my questions. I just repeated it three times.
8 What are we doing to strengthening the care service
9 industry?

10 What are we getting for our money? We
11 need more bang for our buck. It's not happening.

12 I am really disappointed. We have
13 changes coming, I understand. But I would like to
14 know what they are before I spend my money to renew
15 this year.

16 SECRETARY MIXON: Okay, sir. That's
17 five minutes.

18 MR. JENKINS: Thank you for your time.

19 SECRETARY MIXON: Thank you.

20 CHAIRMAN CHRAPPAH: Okay, hold on Mr.
21 Jenkins. Do you have a written statement?

22 MR. JENKINS: Do I have a written

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1 statement?

2 CHAIRMAN CHRAPPAH: Yes.

3 MR. JENKINS: No, sir. I just
4 basically spoke from the heart, sir. But this is
5 what I've been feeling for the last 15 years.

6 CHAIRMAN CHRAPPAH: Right. Thank you
7 for expressing your thoughts. When you sign up to
8 speak, it is required that you provide a written
9 statement.

10 So, at some point, I would encourage you
11 to put your thoughts again on paper, so that we can
12 take a critical look at it. Because the way the
13 forum is set up, this is not a question and answer
14 session.

15 But, I want to make sure people are
16 heard. And whenever there are circumstances or
17 events where things are mischaracterized, we'll
18 correct that.

19 And also use that unfortunately to share
20 things that are happening to strengthen the
21 industry. So, thank you. But make sure we get a
22 written statement.

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1 Okay? Madam Secretary?

2 COMMISSIONER SMALLS: I would just like
3 to say something. I understand exactly what you're
4 saying.

5 But what happens is, I think the public
6 needs to deal with the Council first. Because --
7 the City Council. Because we -- the rules and
8 regulations really have been established by the
9 City Council.

10 We are working within the framework that
11 has been set down for us by the Council. You need
12 to start at the Council.

13 MR. JENKINS: I understand that ma'am.
14 I'd just like to say though, I send my money to the
15 D.C. Taxicab Commission.

16 And that's where I expect my
17 representation to come from.

18 COMMISSIONER FERGUSON: That's not how
19 it works. You really -- you got a -- you have a
20 Councilmember who oversees the Transportation
21 Committee.

22 That and, you know, I'd really rather

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1 have Chairman Chrappah explain it to you. But,
2 that's where it starts.

3 If you've got recommendations or
4 concerns, and one, it's great to articulate them
5 verbally. But they should be in writing.

6 So, therefore, we can understand what
7 those concerns are. But you really need to make
8 some time to talk to your elected officials.

9 Because we're not elected. We are
10 appointed by the City Council to enforce things that
11 they have put in front of us, and make
12 recommendations.

13 So, with all due respect to your
14 comments and concerns, if you don't start there
15 first, then you're really, you know, you're going
16 to spend another 15 years upset.

17 MR. JENKINS: But does this Committee
18 care though? All transportation company providers
19 in Washington, D.C. is governed by the Council.

20 COMMISSIONER WADE: Yes. That's the
21 rules set by the Council. Everything that any
22 government agency in this city does is predicated

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1 on rules set by the Council.

2 Who go through the same process we do.
3 An emergency rule might be, or a proposed rule make
4 it and then final rule make it.

5 So, and that Transportation Committee
6 that Commissioner Ferguson referenced, is the
7 starting point. And what happens is, once the
8 Council passes this, it comes down to whatever
9 agency it is.

10 In our case the DCTC. We then must pass
11 rules and regs in support of the changes that
12 they've made.

13 That's what this big fines thing was all
14 about. That's what all of these things was about.

15 To bring the Taxicab Commission's rules
16 and regs into line with the new regulations that we
17 just got that covers private vehicles. We have to
18 incorporate that into our official framework.

19 So, it's not the Commission who writes
20 the law. We just promulgate the rules to make them
21 work.

22 MR. JENKINS: Frankly, I'm speechless.

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1 COMMISSIONER FERGUSON: And contrary
2 to your concerns in regards to behavior and dialog
3 up here, I think we probably have probably one of
4 the most effective and understanding Chairmen of
5 the Commission that I've -- I mean, this is only the
6 second one.

7 So, I think you have an opportunity to
8 spend some time with him and his team, sharing some
9 of your feedback. And I think the -- you know, you
10 spend some time with the current Taxicab Commission
11 Staff and Chairman and log in the chance to hear our
12 concerns from a different perspective.

13 MR. JENKINS: Thank you.

14 COMMISSIONER MUHAMMAD: And the
15 Chairman didn't pay him to say that. I don't know
16 why he's doing it.

17 (Laughter)

18 COMMISSIONER MUHAMMAD: He wasn't in
19 the back plan.

20 COMMISSIONER FERGUSON: Well, it's
21 nothing -- it's not rubbing on the back. It's not
22 -- and there's a fundamental difference between

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1 getting things done and listening.

2 And listening to the heartburn that you
3 may have heard up here that we all have to deal with.
4 And also focusing on the needs of the drivers.

5 And enforcing laws that quite frankly we
6 don't set.

7 MR. JENKINS: I'm going to close with --
8 thank you, sir. I'm going to close with this.

9 My intention was for you all to hear my
10 heart. I wasn't prepared to make a statement.

11 But, I think there's nothing I said in
12 here's new. Everybody in Washington, D.C.,
13 Capitol Hill to the White House feels exactly what
14 I said.

15 But, my heart came out. I didn't mean
16 to make it a personal towards you guys. And there's
17 a procedure properly for everything.

18 I do understand that. I'd like to say
19 that.

20 CHAIRMAN CHRAPPAH: Thank you, Mr.
21 Jenkins. Madam Secretary, who do we have as the
22 next speaker?

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1 SECRETARY MIXON: Yes, Ms. Heidi Case.
2 Okay. If you will state and spell your name, then
3 I will start the timer.

4 MS. CASE: Hello. My name is Heidi
5 Case. H-E-I-D-I C-A-S-E.

6 I don't think it's on. Do you want me
7 to do that again? Or -- my name? Or you got that?

8 SECRETARY MIXON: Yes. You may start.

9 CHAIRMAN CHRAPPAH: Heidi, let me
10 interrupt for a second. So that we can get -- we
11 can set expectations on a couple of things while
12 others coming in.

13 Written testimony is very helpful.
14 Because it removes any ambiguity about I didn't
15 understand what somebody said. To actually this is
16 what is written here.

17 And I've already picked up on a few
18 things that are factually inaccurate. And I'll
19 give you the opportunity to correct them in a
20 moment.

21 But, let it be known for the record that
22 things that anybody states that are factually

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1 inaccurate, we will correct that.

2 So, please proceed.

3 MS. CASE: Good morning Chairman
4 Chrappah and fellow Commissioners. My name is
5 Heidi Case and I'm a Transport DC rider and
6 advocate.

7 I'm also a member of the Taxicab
8 Commission's Accessibility Advisory Committee.
9 But my comments are my own and not that of the AAC.

10 What is not on my -- I do have a comment
11 as I was mentioning earlier. Last time I came, we
12 talked about having an open house for taxi drivers
13 to talk to them about the Transport DC Program.

14 And allow them to have interaction,
15 questions, with the disability community. And I
16 would like now, when we get that date, and
17 Commissioner Chrappah suggested, was very
18 interested in that.

19 That we also extend that invitation to
20 all of the Commissioners who might want to come and
21 hear more about the Program. There were just two
22 things mentioned that I have to respond to.

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1 The -- anyone is able to go to Metro and
2 follow the process to get a MetroAccess card, which
3 will allow you to use the Transport DC Program.

4 And it is a federally required program.
5 The District and the Federal Transportation dollars
6 at WMATA must provide due to the ADA.

7 And Commissioner Tapscott, although
8 some fares may be more than \$20.00, the majority of
9 the time, they're actually \$10.00, \$11.00, \$12.00.

10 So, those drivers on those occasions are
11 actually making more than they would. And then
12 sometimes they're paid for less.

13 And the idea is that that balances out.
14 Not one single time have I ever had a trip that was
15 more than \$20.00.

16 And just yesterday, I went from my home
17 in Shaw all the way to Georgetown University and it
18 came -- hospital. And it came out right at \$20.00.

19 So, every other trip they have made more
20 money than they normally would, rather than less.
21 I'm really am here to talk about the Transport DC
22 Program.

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1 It's important to the disability and
2 senior community. The Program provides a unique
3 and flexible transportation option to the
4 disability community.

5 It is an alternative to MetroAccess that
6 costs the District budget 50 percent less per trip.
7 And it can be used with little or no notice for
8 family or medical emergencies.

9 And also spontaneously, personal
10 business, for educational or religious
11 opportunities.

12 Once the packet was available to all DC
13 MetroAccess customers, this last April for use in
14 trips to any destination within D.C., the growth in
15 the number of trips has been both rapid and amazing.
16 That is a reflection of the fact that there were
17 previously unmet transportation needs of people
18 with disabilities.

19 And as to your comments, I am the leader
20 of a group called Transit Riders for Equity and
21 Accessibility. And we not only advocate for people
22 with disabilities and accessibility issues, but

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1 equity in the fares for people of lower income who
2 do not have all the other options.

3 So, I am very much in support of people
4 needing. But that also the District support those
5 people transportation needs.

6 Also, we advocate for that. And I'm in
7 agreement with you. This is reflected in the
8 increase from approximately six thousand trips in
9 one month in June, to double that number with over
10 12 thousand individual trips taken by D.C.
11 residents.

12 During this same period of time, the
13 MetroAccess trips by D.C. residents dropped by five
14 percent, as recorded at the Metro Accessibility
15 Advisory Committee, AAC, in November.

16 At this meeting, Transport DC was
17 considered a success. And the numbers proved it is
18 what was reported that it -- which was the goal, to
19 limit the number of MetroAccess trips.

20 Each trip taken by a D.C. resident who
21 is MetroAccess eligible, costs \$28.00 a trip for the
22 District. This is in comparison to the cost of

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1 \$56.00 for MetroAccess trips.

2 SECRETARY MIXON: Okay. Ms. Case,
3 your five minutes is actually up now. I'm sorry.

4 MS. CASE: Chairman Chrappah, there is
5 an attempt to cut those 12 thousand trips by you for
6 a limit it to only four thousand trips per month.

7 CHAIRMAN CHRAPPAH: Ms. Case?

8 MS. CASE: And that would limit the
9 savings. And people with disabilities would be in
10 the streets.

11 CHAIRMAN CHRAPPAH: Excuse me, Ms.
12 Case?

13 MS. CASE: I hear you. Do you hear me?
14 If you really care at all --

15 CHAIRMAN CHRAPPAH: Okay. We have
16 heard your testimony. We have your written
17 testimony. And we'll go through it.

18 And in the interest of giving people the
19 same opportunity that they expect to testify.

20 MS. CASE: The last man went back and
21 forth several times.

22 CHAIRMAN CHRAPPAH: You ask for the

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1 next speaker to come.

2 MS. CASE: This is my people, Ride
3 Center Advocate of the Year Award.

4 CHAIRMAN CHRAPPAH: Okay. Thank you.

5 MS. CASE: And what this means is I am
6 someone who does not quit.

7 CHAIRMAN CHRAPPAH: Thank you for the
8 comments. We'll continue to engage with you.

9 SECRETARY MIXON?

10 SECRETARY MIXON: Yes.

11 CHAIRMAN CHRAPPAH: Do you have the
12 next speaker?

13 SECRETARY MIXON: Yes. Next I have Mr.
14 Dennis Butler.

15 MR. BUTLER: Dennis Butler. B --
16 D-E-N-N-I-S B-U-T-L-E-R.

17 SECRETARY MIXON: Okay. And did you
18 bring a written statement today?

19 MR. BUTLER: I'm sorry, would you ask
20 them about that later today?

21 SECRETARY MIXON: Yes, you may come and
22 give it to us later today.

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1 CHAIRMAN CHRAPPAH: Perfect. Thank
2 you, Dennis.

3 SECRETARY MIXON: You may start.

4 MR. BUTLER: Okay. I'd like to commend
5 the -- first thank you for allowing me a moment to
6 speak. And I'd like to commend you on the -- well,
7 I've come to speak on DC or Transport DC, and commend
8 you on the Program.

9 It's been fairly successful for the
10 period in which it's been implemented. And it
11 generated a lot of good review as rides.

12 And my hope is that going forward that
13 you'll continue to support the program at the
14 present levels, if not increased levels to realize,
15 as you might say, the public benefits of the program
16 going forward.

17 Thank you very much. That's it.

18 CHAIRMAN CHRAPPAH: Thank you very
19 much, Mr. Butler. And continue sharing your
20 thoughts with us.

21 And I also want to thank you and your
22 organization for the conversations we've had in the

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1 past about how we can make sure our transportation
2 system is successful for all.

3 And thank you for the good work that you
4 do in the community.

5 Next speaker, SECRETARY MIXON?

6 SECRETARY MIXON: Yes. Mr. Laurence
7 Frankel.

8 MR. FRANKEL: One two, yes.

9 SECRETARY MIXON: So yes, if you would
10 spell your name. After that I will start the timer.

11 MR. FRANKEL: First name Laurence,
12 L-A-U-R-E-N-C-E. Frankel, F-R-A-N-K-E-L.

13 SECRETARY MIXON: Thank you.

14 MR. FRANKEL: Well, this session has
15 been quite interesting and I'm okay with the
16 Chairman. So, there fairly is a way, I would like
17 to also start by saying Commissioner Ferguson, it
18 is good to see you in flesh and blood.

19 And Commissioner Jolly, it is good to
20 see you in here.

21 COMMISSIONER JOLLY: Good morning.

22 MR. FRANKEL: Good morning. Those

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1 things, I'm glad you have taken care of. Because
2 I found it rather disappointing to the democracy
3 that there was during that.

4 I would like to remind you all that you
5 do represent the drivers and the companies of the
6 District of Columbia that are professional. And
7 that even if you don't like something the City
8 Council is telling you, you should be there.

9 I only saw the Chairman and Commissioner
10 Tapscott on December 4. The Mary Cheh who was doing
11 this whole Commission in.

12 Now, I do thank you both for your service
13 because you both went there on your own time. Not
14 on office time. So, I thank you.

15 But let me go ahead. What I need to
16 address today is how insulting this Commission is
17 without even knowing how insulting you are.

18 Legacy numbers is a nice way of putting
19 a spin on 50 and 60 years of service by many drivers.
20 Independent drivers in the District of Columbia
21 have their name on the side of their cab.

22 They are being ruined. They are being

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1 pushed completely out. So there's no longer any
2 independents.

3 Very, very few D.C. cab drivers are
4 independent small business. Less than 400 are
5 left.

6 Most cab drivers own their own vehicles
7 and have H tags in their names. But their name is
8 not printed on the driver's door.

9 Only real independent, owner operators
10 have their names on the sides of the taxi cabs.
11 These are the operators who are allowed to maintain
12 their independence by intimidating regulations.

13 Before 2006, almost all cab drivers were
14 independent owner operators. Former Chairmans
15 Swain and Linton, and this Commission over the last
16 nine years destroyed the possibility for an
17 individual to own and operate a taxi.

18 This is why I maintain that the DCTC is
19 anti small business. The Commission's original
20 charter, Commissioner Ferguson, was to protect not
21 only the public, but small business cab drivers.

22 Most of these 400 are retired senior

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1 citizens who can only work part time hours. The
2 condition of this industry is not profitable for our
3 full time cab drivers.

4 The crushing expense of credit card
5 machines, tracking devices, over priced no license
6 hang jobs, and additional charges invented to put
7 them specifically are driving out what drivers are
8 left.

9 New subsections passed today, 505.12
10 and 505.14, especially 505.14 are just the type of
11 undermining regulations to put all financial burden
12 on these drivers. 505.14 says each independent
13 taxi cab driver shall -- owner, shall maintain a
14 website containing only current and accurate
15 information about the company or associations.

16 Sounds fine when you don't realize that
17 most of these guys are not computer literate because
18 they're over the age of 75. They are your heros.

19 They are your World War II, your Korean,
20 your Vietnam, your Middle East military heros.
21 They're also the heros of the civil rights
22 movements.

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1 And they are forced out of this business
2 by even small regulations like this. It's what's
3 causing the extra at least \$150.00.

4 This Commission needs to review its
5 priorities. And reset its course. And to give
6 back the industry to protect the individual driver
7 rather than the big business providing special
8 interests.

9 Thank you.

10 CHAIRMAN CHRAPPAH: Thank you Mr.
11 Frankel.

12 (Applause)

13 CHAIRMAN CHRAPPAH: Madam Secretary,
14 do we have any people who what to speak now that did
15 not register?

16 SECRETARY MIXON: Do we have one or two
17 people who wish to speak? Maybe who have not spoken
18 before a Commission meeting before?

19 Do we have one or two people who have not
20 spoken before?

21 CHAIRMAN CHRAPPAH: Who have not spoken
22 before.

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1 SECRETARY MIXON: Okay. I don't see
2 any of those hands. Do we have time for one or two
3 that have addressed the Commission?

4 CHAIRMAN CHRAPPAH: Now, let me ask to
5 my fellow Commissioners if there's something you
6 wanted to add before there was the concluding all
7 for this meeting? Any other comments?

8 SECRETARY MIXON: Hey, Commissioner
9 Jolly, did you hear that? Did you have any comments
10 you wanted to say before we conclude the meeting?

11 COMMISSIONER JOLLY: Just yes. I took
12 some notes on a lot of the comments from --
13 particularly from the people who testified.

14 And I think the message that I heard is
15 that as a Commission, we probably need to be a little
16 more intentional about getting the message out
17 about the proposed Action Items that we passed.

18 The rulemaking and how it is the
19 intention, or our intention to help support some,
20 and as far as Mr. Frankel's point about supporting
21 small business men.

22 I'm interested in what the fellow

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1 Commission members are really trying to make sure
2 that we get the message out there that we are trying
3 to help the taxicab industry. We're trying to
4 level the playing field.

5 However, there are some rulemaking
6 items that have been in the queue for a few months
7 with the Commission. And I noted after
8 Commissioner Wade and myself joined, there were
9 things that had been sort of in the queue for
10 probably again, about two months.

11 We're getting those things out. And I
12 think Chairman Chrappah is now in a position where
13 we can be proactive and start looking at some of
14 these issues.

15 So, I took some notes. And when I get
16 back, you know, I'll get back into the work session.
17 We can talk in more detail.

18 CHAIRMAN CHRAPPAH: Thank you.
19 Commissioner Wade?

20 COMMISSIONER WADE: Yes. I would like
21 to make a statement also about the apparent discord
22 that you may think you see among the Commissioners.

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1 We're seven distinct individual
2 personalities. We all have passion for the service
3 that we provide to this City.

4 We go about it in a different way. We
5 do meet. We do discuss. But you're not going to
6 find seven people who are going to be agreeable on
7 all things at all times.

8 We come from different perspectives and
9 different backgrounds. So, where we may not agree
10 on the policy or the issue, we're not disagreeable
11 among each other.

12 And I think that's very important for
13 the public who watch us interact. Understand that
14 we have passions about what we're doing.

15 Commissioner Muhammad has a set of
16 passions. Commissioner Tapscott has a set of
17 passions. I have a set of passions. Commissioner
18 Ferguson does.

19 But, they're not the same. My concern
20 is primarily with protecting the public.
21 Commissioner Muhammad's as a driver has more
22 insight on the concerns of the taxicab drivers.

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1 So, we don't look at this issue the same
2 way. But we look at the same issue. And we try to
3 resolve it in such a way that's beneficial.

4 We don't necessarily have to agree.
5 Our democracy system allows us the majority rule.

6 So, while you may not get an unanimous
7 vote on everything, that does not mean that we don't
8 get along and that we're in disruption. We are not
9 disruptive.

10 We just differ on approaches. And I
11 think that's good for you. I think it's good for
12 the public. I think it's good for the Commission.
13 Thank you.

14 CHAIRMAN CHRAPPAH: Thank you very much
15 for those comments. And for everyone who took the
16 time to make it to today's meeting.

17 I'd like to thank you. This is our
18 final meeting for this year. The next time that we
19 see you in a forUm of this nature, will be in 2016.

20 So, I'll encourage you to have a safe and
21 happy holiday. The next Commission meeting is
22 January 13, 2016. Same venue.

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1 And please thank you for your time. And
2 enjoy the holidays. Goodbye.

3 (Whereupon, the above-entitled matter
4 went off the record at 12:01 p.m.)

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