

## DISTRICT OF COLUMBIA TAXICAB COMMISSION

### NOTICE OF FINAL RULEMAKING

The District of Columbia Taxicab Commission (“Commission” or “DCTC”), pursuant to the authority set forth in Sections 8(c)(2), (3), (7), (10), and (19), and 14, 20, and 20j of the District of Columbia Taxicab Commission Establishment Act of 1985 (“Establishment Act”), effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code §§ 50-307(c)(2), (3), (7), (10), and (19), 50-313, 50-319, and 50-329 (2014 Repl. & 2015 Supp.)), hereby gives notice of its intent to adopt amendments to Chapter 10 (Public Vehicles for Hire) and Chapter 18 (Wheelchair Accessible Paratransit Taxicab Service) of Title 31 (Taxicabs and Public Vehicles For Hire) of the District of Columbia Municipal Regulations (“DCMR”).

This final rulemaking amends Chapters 10 and 18 to allow licensed independent taxicab operators to join the CAPS-DC (now known as “Transport DC”) program, giving them an opportunity to obtain new DCTC taxicab vehicle licenses from the Office of Taxicabs (and corresponding “H” tags from the Department of Motor Vehicles) on conditions which include the purchase of wheelchair accessible vehicles that must be actively used in the program for at least three (3) years. The rules are part of the Commission’s ongoing efforts to make new DCTC taxicab vehicle licenses available, consistent with the Panel on Industry’s H-Tag Report, available at <http://dctaxi.dc.gov/page/panel-industry>, while also enabling taxicabs to continue filling the gap in wheelchair service, which is almost entirely unaddressed by other vehicle-for-hire services.

Emergency and proposed rulemaking was adopted by the Commission on January 20, 2016 and was published in the *D.C. Register* on April 1, 2016 at 63 DCR 004888. The Commission received one comment during the comment period which expired on May 2, 2016. The commenter supports the rulemaking but expressed concern about the possibility that competitive pressures might somehow impact the income of drivers who participate in Transport DC, without requesting any changes in the rule. Accordingly, the Commission did not make any changes in response to this comment. Changes were made in this final rulemaking from the proposed rulemaking solely to correct grammar and typographic errors, and to clarify the Commission’s intent, but no substantial changes have been made.

The Commission voted to adopt these rules as final on May 11, 2016, and they will become effective upon publication in the *D.C. Register*.

**Chapter 10, PUBLIC VEHICLES FOR HIRE, of Title 31 DCMR, TAXICABS AND PUBLIC VEHICLES FOR HIRE, is amended as follows:**

**Section 1010, ISSUANCE OF DCTC VEHICLE LICENSES, is amended as follows:**

**Subsection 1010.18 is amended to read as follows:**

1010.18        Each company, taxicab owner, or operator of a vehicle participating in CAPS-DC pursuant to a dispatch agreement under §§ 1010.17 or 1010.19 shall be subject to the prohibitions and penalties of §§ 1807 and 1808.

**A new Subsection 1010.19 is added to read as follows:**

1010.19 A new DCTC taxicab vehicle license shall be issued to an applicant who possesses a current and valid DCTC taxicab operator's license, provided that:

- (a) The license is used exclusively for the purchase and placement into active service of a wheelchair accessible vehicle with the best fuel available;
- (b) Notwithstanding the provisions of § 609, the vehicle purchased and placed into active service is not more than two (2) model years old (with reference to the current calendar year), or such earlier model year as the Office may establish in an administrative issuance;
- (c) The applicant executes a written dispatch agreement with a taxicab company approved to participate in CAPS-DC for a period of not less than three (3) years, during which time the vehicle shall be in continuous, active service and available for dispatch in accordance with all of the applicable operating requirements of § 1806, a copy of which shall be filed with the Office; and
- (d) The license shall be subject to suspension or revocation if, at any time and for any reason, the vehicle or the applicant is not in compliance with a requirement of subparagraphs (a), (b), or (c) of this subsection.

**Chapter 18, WHEELCHAIR ACCESSIBLE PARATRANSIT TAXICAB SERVICE, is amended as follows:**

**Section 1806, TAXICAB COMPANIES AND OPERATORS – OPERATING REQUIREMENTS, is amended as follows:**

**Subsection 1806.8, is amended to read as follows:**

1806.8 Each company shall maintain with the Office a current and accurate inventory of all active operators and vehicles approved for and providing CAPS-DC service, including all vehicles associated with the company pursuant to a dispatch agreement under § 505.11 or § 1010.17, updated in such manner and at such times as determined by the Office, with the following information:

- (a) For each operator: name, cellular telephone number, DCTC operator's license number, and an indication of whether the operator has completed the wheelchair service training pursuant to § 1806.6, and, if so, the date of completion; and
- (b) For each vehicle: year, make, model, color, PVIN, tag number, and an indication of whether the vehicle is wheelchair accessible.