

DISTRICT OF COLUMBIA TAXICAB COMMISSION

NOTICE OF PROPOSED RULEMAKING

The District of Columbia Taxicab Commission (“Commission”), pursuant to the authority set forth in Sections 8(c) (2), (3), (5), (7), (10), (12) and (19), 14, and 20 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), (5), (7), (10), (12), and (19), 50-313, and 50-319 (2012 Repl. & 2015 Supp.), and D.C. Official Code § 47-2829 (b), (d), (e), (e-1), and (i) (2012 Repl. & 2015 Supp.)), hereby gives notice of its consideration of amendments to Chapter 16 (Dispatch Services and District of Columbia Taxicab Industry Co-Op), Chapter 20 (Fines and Civil Penalties), and Chapter 99 (Definitions) and to adopt a new Chapter 22 (Dispatched Public Vehicles) of the District of Columbia Municipal Regulations (DCMR).

This proposed rulemaking would create a new Chapter 22, for a pilot program of digitally-dispatched public vehicles known as “Xclass”. Xclass would be a new, public vehicle-for-hire service that combines innovative technologies to not only meet the specific needs of today’s drivers and passengers, but also to address the major policy challenges created by the recent years of for-hire innovation. In safety, Xclass would answer the need for background screening that does not discourage drivers from entering the market, by giving new drivers a choice of a basic screening to quickly get on the road, or an enhanced fingerprint-based screening to also let them drive taxicabs, black cars, and limousines. New District-based “Xclass businesses” would be incentivized to conduct their own screenings and further innovate to increase safety without raising costs. In insurance, Xclass would leverage the alternatives that have been innovated for new market entrants, allowing coverage through any policy acceptable for public or private vehicles. In trip data, Xclass would address the lack of parity inherent in the current patchwork of requirements – data is provided by taxicabs, pending approval for limousines, and exempted for private sedans. Other jurisdictions use this information for transportation, zoning, and other important policymaking needs. In the District, improved trip data would not only better inform the Commission’s policies and programs, it would also provide more complete information for city-wide efforts such as congestion planning, and initiatives such as Vision Zero.

Xclass’s simple regulatory framework would include ultra-low barriers to entry, such as minimal equipment requirements, no up-front application fees, and an allowance for drivers to choose from among a broad variety of vehicles, including not merely their own personal cars, but also leased vehicles, and vehicles rented from Xclass businesses. In market competition, Xclass would address the information disparity between businesses and passengers, which hurts the industry in many ways, including by depriving drivers of trips in the areas they are driving because they are not on the apps the drivers are using, and by allowing businesses to artificially inflate fares with proprietary-sourced statements about service availability. In keeping Xclass all-digital, Xclass would respond to research showing that the demand for digitally-hailed rides is growing about 350% per year (compared to single-digits for street hails), demand which would be met with the addition of at least 1,000 digitally-dispatched vehicles. And by utilizing a 100% open network, Xclass would allow all of the District’s digital dispatch services to provide ride

requests to Xclass drivers, spurring competition, dampening reactive pricing, increasing passenger choice, and offering more consistent revenue for drivers.

The proposed rules would also make necessary changes in Chapter 16 to require digital dispatch services to make quarterly payments of one percent of gross receipts if they choose to dispatch Xclass vehicles, in Chapter 20 to add relevant fines, and in Chapter 99 to add appropriate definitions.

The Commission also hereby gives notice of the intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days after the publication of this notice of proposed rulemaking in the *D.C. Register*. Directions for submitting comments may be found at the end of this notice.

A new Chapter 22, PILOT PROGRAM FOR DISPATCHED PUBLIC VEHICLES-FOR-HIRE (XCLASS), of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, of the DCMR, is added as follows:

2200 APPLICATION AND SCOPE

2200.1 This chapter authorizes a pilot program for a new public vehicle-for-hire service known as “dispatched public vehicles-for-hire” or “Xclass”.

2200.2 This chapter shall be interpreted to comply with the language and intent of the Establishment Act.

2200.3 In the event of a conflict between a provision of this chapter and a provision of another chapter of this title, the more restrictive provision shall control.

2200.4 The provisions of this chapter pertaining to operators and vehicles shall not apply to an autonomous vehicle or semi-autonomous vehicle, consistent with all applicable federal and District law and regulations.

2201 GENERAL REQUIREMENTS

2201.1 Each Xclass trip shall be arranged by and paid through a digital dispatch service registered under Chapter 16 and linked to an Xclass digital meter in the Xclass vehicle.

2201.2 Any individual with a current and valid DCTC operator’s license (face card) may provide Xclass service by notifying the Office pursuant to § 2202.1, but no additional license is required. An individual who does not have a DCTC operator’s license may provide Xclass service by applying for a Level I or Level II Xclass operator’s license either at the Office or through any Xclass business approved to process Xclass operator’s license applications.

- 2201.3 A Level I Xclass operator's license shall allow its holder to provide Xclass service. A Level II Xclass operator's license shall be the equivalent of a DCTC operator's license, allowing its holder to operate all public vehicles-for-hire, including taxicabs, black cars, and limousines, in addition to Xclass vehicles.
- 2201.4 A licensed Xclass operator may use any vehicle registered, inspected, and insured in the MSA to provide Xclass service, including the operator's own personal vehicle, a vehicle rented from an Xclass business, and a vehicle rented from a company whose primary business is renting cars by the day, week, or month. Each licensed Xclass vehicle shall display an Xclass vehicle decal.
- 2201.5 Any District-based business registered with DCRA, with a bona fide place of business in the District, may operate as an Xclass business by obtaining Xclass operating authority under this chapter, including all new businesses, and all existing taxicab companies, luxury class service organizations, digital dispatch services, and private sedan businesses.
- 2201.6 Any Xclass business may rent Xclass vehicles. In addition, any Xclass business may process applications for individuals applying for Level I and Level II Xclass operator's licenses, applying such standards for Level II licensing as the business deems appropriate, including, at a minimum, a Federal Bureau of Investigation fingerprint-based criminal background check or other screening determined by the Office to be at least the equivalent thereof, pursuant to an applicable administrative issuance.
- 2201.7 The Office shall issue all Xclass licensees. Each Xclass operator's license, whether a Level I or Level II Xclass operator's license, shall be based on a direct application to the Office, or an application processed and certified by an Xclass business whose operating authority has an endorsement to process such applications.
- 2201.8 A digital dispatch service or private sedan business registered with the Office under this title seeking which is issued Xclass business operating authority shall comply with all applicable rules of this chapter to the same extent as any other Xclass business, provided however, that the rules of this chapter shall not apply to the operations of a digital dispatch service or private sedan business other than its Xclass operations.
- 2201.9 The Office may issue an administrative issuance concerning Xclass to:
- (a) Provide guidance about eligibility, licensing, and operating requirements for Xclass operators, vehicles, and businesses;
 - (b) Provide guidance to Xclass businesses for processing Level I and Level II Xclass operator's licenses;

- (c) Provide guidance to Xclass operator's about the use of the digital meter and the display of the Xclass vehicle decal;
- (d) Establish uniform Xclass licensing periods not shorter than 12 months; and
- (e) Establish other reasonable requirements within the jurisdiction of DCTC.

2201.10 Xclass service shall operate through digital dispatch only. An Xclass operator shall not solicit or accept street hails, or use taxicab or limousine stands.

2201.11 Notwithstanding any other provision of this chapter, no Xclass license or operating authority shall be issued to a person not in good standing with the Office, including a person that holds a DCTC license which is pending an enforcement action, or which has been suspended or revoked.

2201.12 Nothing in this chapter shall alter the rights or obligations of any person under regulations or laws other than those applicable to the Office or the Commission.

2202 LICENSING PROCESS

2202.1 An individual who has a current and valid DCTC operator's license (face card) may provide Xclass service with no additional license. The operator shall provide his or her name, and the number and issuance date of the license to the Office prior to beginning work as an Xclass operator.

2202.2 The Office shall accept an Xclass application, executed under oath, which includes:

- (a) Basic contact information for the applicant;
- (b) For each individual who does not have a current and valid DCTC operator's license (face card) and who is applying for a Level I or Level II Xclass operator's license:
 - (1) The applicant's social security number, and driver's license number; and
 - (2) Proof that the applicant meets the eligibility requirements of § 2203.1 for a Level I or Level II operator's license;
- (c) For each vehicle for which an applicant seeks an Xclass vehicle license:
 - (1) The name of the owner; and the vehicle's make, model, model year, vehicle identification number (VIN), vehicle registration number, and vehicle tag number;

- (2) If the applicant has or is applying for Xclass business operating authority and is not affiliated through ownership or joint venture with a digital dispatch service registered with the Office under Chapter 16 and required to make quarterly payments to the District pursuant to § 1604.7: proof that the vehicle is wheelchair accessible; and
 - (3) Proof that the vehicle meets the eligibility requirements of § 2203.2;
- (d) For each entity applying to be an Xclass business:
- (1) If the applicant has a current and valid DCTC operating authority for a taxicab company or luxury class service organization: the number and date of issuance of the authority, and, if not, basic contact information for its owner, manager, and registered agent; its taxpayer identification number; and proof that it is registered with DCRA and has a bona fide place of business in the District;
 - (2) Proof that the business meets the eligibility requirements of § 2203.3; and
 - (3) An indication of whether the applicant wishes to process Level I and/or Level II Xclass operator's licenses, and, if so, proof of the business's standards for screening applicants, which shall include a Federal Bureau of Investigation background check or greater, and such other information about its process(es) for screening applicants as required in an administrative issuance;
- (e) Such other reasonable information and documentation about applicants as required by an administrative issuance.

2202.3 The information required by § 2202.1 (b) for the licensing of an Xclass operator shall be obtained by the Office directly from the applicant or through an Xclass business whose operating authority has an endorsement allowing it to process Xclass operator's license applications.

2202.4 An applicant applying to renew an Xclass license or operating authority shall meet all requirements for a new license or operating authority, or such portion thereof as the Office may require by administrative issuance. An Xclass operator seeking to renew a Level II operator's license shall also meet any additional standards of an Xclass business through which the operator chooses to renew.

2202.5 The Office shall charge no application fee for any Xclass license or operating authority, provided however that where Xclass service is provided with a vehicle

owned by an Xclass business not affiliated through ownership or joint venture with a digital dispatch service registered with the Office under Chapter 16 and required to make quarterly payments to the District pursuant to § 1604.7, if the vehicle is not wheelchair accessible, the application fee for the Xclass vehicle decal shall be five hundred dollars (\$500), to be paid as follows: five percent (5%) of the total fare for all Xclass trips until application fee is paid in full, provided however, that the remaining balance of the application fee shall be waived if the vehicle does not complete sufficient trips during the licensing period to pay the application fee in full.

2202.6 The Office shall issue all decisions to grant or deny Xclass licenses and operating authorities within the period(s) established by an administrative issuance.

2202.7 An individual who provides Xclass service while not in possession of both a valid and current Level I Xclass operator's license, Level II Xclass operator's license, or DCTC operator's license (face card); and a valid and current Xclass vehicle decal, shall be guilty of unlicensed hacking, and subject to all penalties provided in this title, in the Establishment Act, and in the Impoundment Act.

2203 ELIGIBILITY REQUIREMENTS

2203.1 An individual applicant shall be eligible to provide Xclass service if the Office finds, based on a direct application to the Office or on an application processed by an Xclass business, that the individual:

- (a) Holds a current and valid DCTC operator's license (face card) to provide taxicab, black car, and/or limousine service, or the individual:
 - (1) Resides in the MSA;
 - (2) Is at least eighteen (18) years of age;
 - (3) Possesses a current and valid motor vehicle operator's permit (driver's license) from any jurisdiction in the MSA;
 - (4) Does not have any condition that may prevent the applicant from providing safe service to the public, in compliance with all applicable motor vehicle laws;
 - (5) Has not been convicted of an offense against the traffic regulations of the District or any jurisdiction with a frequency or severity showing a disrespect for traffic laws, as established by the point system described in 18 DCMR § 303; or of a traffic offense which showing a disregard for the safety of persons or property, and does not have more than seven (7) points on his or her license in any jurisdiction;

- (6) Is not addicted to the use of legal or illegal intoxicants;
- (7) Is not on parole or probation, provided that if the applicant is on parole or probation based on a conviction other than one listed in subpart (8) of this part, the application may be considered if accompanied by a letter from a parole or probation officer recommending the issuance of the license;
- (8) Has not been convicted of any of the following crimes (or an attempt to commit any of the following crimes) within the seven (7) years immediately preceding the application:
 - (A) Murder, manslaughter, mayhem, malicious disfiguring of another, abduction, kidnapping, burglary, theft, breaking and entering, robbery, larceny, or any other felony;
 - (B) Assault with the intent to commit any offense punishable by imprisonment in the penitentiary;
 - (C) Assault on any law enforcement official, including a hack inspector or police officer;
 - (D) A sexual offense;
 - (E) A violation of the narcotic laws, except simple narcotics possession without intent to distribute (a misdemeanor) or possession of drug paraphernalia;
 - (F) Any criminal offense involving fraud; or
 - (G) Identity theft;
- (b) Has successfully completed the Xclass training required by an administrative issuance;
- (c) Is not barred from licensing by the Clean Hands Act;
- (d) Is covered by insurance that meets the requirements of Chapter 9 or Chapter 19;
- (e) Meets other reasonable requirements under the jurisdiction of DCTC; and
- (f) For a Level II Xclass operator's license: satisfactory completion of a Federal Bureau of Investigation fingerprint-based criminal background

check, which, if processed by an Xclass business, shall include proof of compliance with any additional standards imposed by the business.

2203.2 A vehicle shall be eligible to be used for Xclass service if the Office finds that the vehicle:

- (a) Is owned and used by the applicant as a personal vehicle, or is rented or leased from any source, including an Xclass business;
- (b) Is properly registered and safety inspected by any jurisdiction in the MSA;
- (c) Is covered by insurance that meets the requirements of Chapter 9 or Chapter 19.

2203.3 A business shall be eligible for operating authority as an Xclass business if the Office finds that the business:

- (a) Has current and valid DCTC operating authority for a taxicab company or luxury class service organization; or meets the following requirements:
 - (1) Is a District-based business, with a *bona fide* place of business in the District;
 - (2) Is registered with DCRA with all necessary endorsements;
 - (3) Carries such commercial insurance as necessary in connection with its business, including the vehicle insurance required for its Xclass vehicles, and worker's compensation insurance for its workplace; and
- (b) Provides any reasonable source of wheelchair service for Xclass customers who request it, which meets all applicable requirements of this title, provides the same level of customer service as provided by the business's non-accessible vehicles, and complies with any applicable administrative issuance.

2203.4 A business eligible for operating authority as an Xclass business under § 2202.3 shall also be eligible for an endorsement to process Level I and/or Level II Xclass operator's license applications if it provides proof that it will conduct a background check on each applicant sufficient to determine that the applicant is in compliance with the eligibility requirements in § 2203.1, provides its standards for Level II licenses to include a Federal Bureau of Investigation fingerprint-based criminal background check or greater, and complies with such other requirements as provided in an administrative issuance.

2204**OPERATING REQUIREMENTS**

2204.1

Each licensed operator shall, while providing Xclass service:

- (a) Remain in compliance with the eligibility requirements of § 2203.1;
- (b) Provide service only when logged into an Xclass digital meter;
- (c) Display the Xclass decal on the vehicle;
- (e) Maintain in the vehicle for inspection by a vehicle inspection officer, police officer, or other District enforcement official:
 - (1) A current and valid MSA personal driver's license;
 - (2) A current and valid MSA motor vehicle registration;
 - (3) Written or electronic proof of a current and valid Level I or Level II Xclass operator's license, or current and valid DCTC operator's license (face card) for any other public vehicle-for-hire service such as taxicabs, black cars, and/or limousines;
 - (4) Written or electronic proof of the personal motor vehicle insurance coverage required by D.C. Official Code § 31-2403; and
 - (5) Written or electronic proof that the operator is covered by an insurance policy that complies with Chapter 9 or Chapter 19;
- (d) Cooperate fully with vehicle inspection officers, police officers, and other District enforcement officials as required by this title.
- (e) In the event of an accident:
 - (1) On the scene or as directed by a vehicle inspection officer, police officer, or District enforcement official: provide the operator's full contact information, the owner's contact information (if the owner is not the operator), and the vehicle's Xclass and personal motor vehicle insurance information to all parties, insurance adjusters, and others who request it; and
 - (2) Within 48 hours: notify the Office and take such other reasonable steps as required in an administrative issuance;
- (f) Maintain an election with the Office about the operator's choice of providing additional services, which, if elected, shall require the operator to provide service as stated in an applicable administrative issuance;

- (g) Not discriminate against any individual while providing Xclass service. Discriminatory conduct shall include but not be limited to:
 - (1) Refusal of service on the basis of a protected characteristic;
 - (2) Using derogatory or harassing language on the basis of a protected characteristic under D.C. Official Code § 2-1402.31;
 - (3) Refusal of service based on the pickup or drop-off location;
 - (4) Refusal of service based solely on disability; and
 - (5) Rating a passenger on the basis of a protected characteristic;
- (h) Not provide service while using, or under the impairment of, legal or illegal intoxicants;
- (i) Operate the vehicle at all times in a safe manner, in strict compliance with all applicable motor vehicle laws and regulations; and
- (j) Meet additional reasonable safety, consumer protection, and other requirements under the jurisdiction of the Commission as stated in an administrative issuance.

2204.2 Each licensed vehicle shall, while used to provide Xclass service:

- (a) Be in compliance with the eligibility requirements of § 2203.2;
- (b) Be covered by an insurance policy that complies with Chapter 9 or Chapter 19; and
- (c) Meet additional reasonable safety, consumer protection, and other requirements within the jurisdiction of the Commission as stated in an administrative issuance.

2204.3 Each business with operating authority shall, while conducting its operations:

- (a) Be in compliance with the eligibility requirements of § 2203.3;
- (b) Maintain with the Office a current and accurate registry of its associated Xclass operators and its Xclass vehicles;
- (c) Enforce reasonable policies to ensure that its associated operators and vehicles are at all times in compliance with §§ 2204.1 and 2204.2, respectively, and other applicable laws and regulations of the District;

- (d) Maintain a 24-hour customer support system;
- (f) Establish and maintain zero tolerance policies against:
 - (1) Its operators' use of, or impairment by, legal or illegal intoxicants; and
 - (2) Discrimination and discriminatory conduct, which are at least as strict as the requirements of § 2204.1 (g);
- (g) Display on its website:
 - (1) Its customer support system;
 - (2) Its zero tolerance policies established pursuant § 2204.3 (f);
 - (3) Its procedure to allow reporting of violations of its zero tolerance policies;
 - (4) An indication of whether the business processes Xclass operator's licenses, and if the business processes Level II operator's licenses, the business's standards for criminal background checks, which shall include a Federal Bureau of Investigation fingerprint-based background check, or greater; and
 - (5) Contact information for the Office;
- (h) Conduct a timely investigation when a passenger alleges that an operator has violated one a zero tolerance policy; immediately suspend the operator until the end of the investigation upon receipt of a written complaint that the operator has violated its policy on the use or impairment by legal or illegal intoxicants; and promptly report to the Office the outcome of any investigation adverse to an operator;
- (i) File a public complaint with the Office against any person who engages in conduct that constitutes a clear threat to public safety or consumer protection, or which constitutes grounds for immediate suspension of a license under this title;
- (j) Maintain its business records, including its records relevant to its compliance with this chapter, for five (5) years;
- (k) Maintain compliance with the insurance requirements applicable to businesses that provide the insurance required by Chapter 19, and

maintain such additional insurance as may be necessary to protect its employees in the business's workplace; and

- (1) Meet additional reasonable safety, consumer protection, and other requirements within the jurisdiction of the Commission as stated in an administrative issuance.

2205 PROHIBITIONS

- 2205.1 No person shall violate a provision of this chapter.
- 2205.2 No person shall provide or participate in providing Xclass service except as required by this chapter.
- 2205.3 No Xclass operator shall solicit or accept a street hail, loiter, engage in false dispatch, use a taxicab or limousine stand, or accept ride requests through a digital dispatch service that is not registered for Xclass service under Chapter 16.
- 2205.4 No Xclass operator shall fail or refuse to timely accept a ride request received through the digital meter while the operator is signed in and available to provide service except where consistent with the policy of the digital dispatch service that provides the ride request.
- 2205.5 No Xclass operator shall fail or refuse to timely accept a request for an additional service where the operator has elected to offer such service, if the request is received through the digital meter while the operator is signed in and available to provide service. Proof that an operator has failed to provide service as required in an applicable administrative issuance shall be sufficient to permit the Office to administratively disqualify the operator from providing additional services for a reasonable period not to exceed thirty (30) days, a decision which shall not be subject to appeal, but which shall not be used or considered by the Office for any other purpose against the operator.
- 2205.6 No Xclass business shall allow an operator to log in to the app of the business's associated or affiliated DDS at any time when the operator does not have a valid and current Xclass operator's license or the vehicle does not have a valid and current Xclass decal.
- 2205.7 No Xclass business or digital dispatch service shall allow an operator or vehicle to violate this chapter.

2206 PENALTIES

- 2206.1 An individual who violates this chapter or an applicable provision of another chapter of this title is subject to:

- (a) Suspension, revocation, or non-renewal of the Office's approval of the individual's Xclass or DCTC operator's license, and Xclass vehicle license;
- (b) Civil fines as set forth in Chapter 20; or
- (c) Any combination of the sanctions listed in parts (a) and (b) of this subsection.

2206.2 A business entity that violates this chapter or an applicable provision of another chapter of this title is subject to:

- (a) Suspension, revocation, or non-renewal of its Xclass operating authority, and Xclass vehicle licenses;
- (b) Civil fines as set forth in Chapter 20; or
- (c) Any combination of the sanctions listed in parts (a) and (b) of this subsection.

2206.3 A digital dispatch service that violates this chapter shall be subject to the suspension, revocation, or non-renewal of its registration under Chapter 16, or any combination of sanctions listed in this chapter or in Chapter 16.

2206.4 The enforcement of this chapter shall be governed by the procedures in Chapter 7.

2206.5 The loss (for any reason, including suspension, revocation, or non-renewal) of an individual's DCTC operator's license for taxicab, black car, or limousine service, or of a business's DCTC operating authority as a taxicab company or LCS organization, where such license or operating authority was the basis upon which an Xclass license or operating authority was issued, shall automatically, and without additional and specific notice to the individual or business, disallow such individual or business from operating in Xclass until the individual's DCTC operator's license for taxicab, black car, or limousine service, or the business's DCTC operating authority as a taxicab company or LCS organization is restored and the individual or business is again in good standing with the Office.

Chapter 16, DISPATCH SERVICES AND DISTRICT OF COLUMBIA TAXICAB INDUSTRY CO-OP, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, of the DCMR, is amended as follows:

Section 1600 is amended as follows:

Subsection 1600.2 is amended to read as follows:

1600.2 Additional provisions applicable to the businesses, owners, operators, and vehicles which participate in providing vehicle-for-hire services appear in other chapters of this title as follows: taxicab (Chapters 4-11); black cars (Chapters 12 and 14); private sedans (Chapter 19); and dispatched public vehicles (Xclass) (Chapter 22).

Subsection 1600.3 is deleted and reserved.

Section 1604 is amended as follows:

Subsection 1604.7 is amended to read as follows:

1604.7 Every three (3) months, based on the District's fiscal year calendar, each digital dispatch service shall separately transmit to the Office of the Chief Financial Officer (OCFO), for deposit into the Consumer Service Fund in accordance with Chapter 11 of the Title, each of the following amounts, reflecting business activity from (1) October through December; (2) January through March; (3) April through June; and (4) July through September:

- (a) For trips by taxicabs: the per trip taxicab passenger surcharge; and
- (b) For trips by black cars, private sedans, and Xclass vehicles: one (1) percent of all gross receipts.

Chapter 20, FINES AND CIVIL PENALTIES, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, of the DCMR, is amended as follows:

Section 2000, FINES AND CIVIL PENALTIES, is amended as follows:

Subsection 2000.8 is amended as follows:

Schedule 1, Fines for Entities, Maximum Fines Based on Circumstances, is amended to add as follows:

Xclass Businesses	\$25,000 per day
Failure to maintain insurance on all its Xclass vehicles and all its associated Xclass operators	
Xclass Businesses	\$3,000
Failure of an Xclass business to:	

<ul style="list-style-type: none"> • Maintain a required zero tolerance policy • Investigate an alleged violation of a zero tolerance policy • Maintain its business records as required • Maintain with the Office a current and accurate registry of its Xclass operators and vehicles • Ensure that each of its associated Xclass vehicle is compliant with all operating requirements other than insurance • Maintain a 24-hour customer support system • Prevent an operator from logging in to the app of the business's associated or affiliated DDS if the operator does not have a current and valid Xclass operator's license or DCTC operator's license • Perform an Xclass operator background screening or ensure that an operator meets all applicable eligibility requirements 	
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Schedule 2, Fines for Entities and Owners, Maximum Fines Based on Circumstances, is amended to add as follows:

Xclass Businesses	\$1,000
Violation of Chapter 22 by a business where the fine is not specified	

Schedule 3, Fines for Entities, Owners and Operators, Maximum Fines Based on Circumstances, is amended to add as follows:

Xclass Vehicle Owners (other than Xclass Businesses)	\$500
Operating without the insurance required by this chapter	
Violation of Chapter 22 by an owner other than a business where the fine is not specified	\$250

Schedule 4, Fines for Owners and Operators, Maximum Fines Based on Circumstances, is amended to add as follows:

Xclass Operators	\$250
<ul style="list-style-type: none"> • Soliciting or accepting a street hail • Refusal to haul • Engaging in false dispatch • Providing service other than through an approved digital meter 	

<ul style="list-style-type: none"> • Operating without an Xclass decal 	
<ul style="list-style-type: none"> • Violation of Chapter 22 by an operator where the fine is not specified 	\$150

Chapter 99, DEFINITIONS, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, of the DCMR is amended as follows:

Section 9901, DEFINITIONS, is amended as follows:

Subsection 9901.1 amended to add the following:

“Autonomous vehicle” - a vehicle in which operation occurs without direct operator input to control the steering, acceleration, and braking, and which is capable of monitoring road conditions and performing navigation for an entire trip without human conduction.

“DCTC operator’s license” – a license issued by the Office allowing its bearer to operate a taxicab, limousine, black car, or Xclass vehicle.

“Dispatched public vehicle” – a public vehicle-for-hire, including a rented or leased vehicle, or former taxicab, that is not a salvaged vehicle, that has a seating capacity of eight (8) or fewer passengers exclusive of the driver, and that is hired by digital dispatch, for which the fare is calculated by a digital dispatch service based on time and distance.

“DMV” – the District of Columbia Department of Motor Vehicles.

“Level II Xclass operator’s license” – a DCTC operator’s license that provides the same authority to its holder as a Level I Xclass operator’s license, as defined in this Chapter, and also allows its holder to operate any other public vehicle-for-hire, including a taxicab, black car, and limousine.

“Level I Xclass operator’s license” – a DCTC public vehicle-for-hire operator’s license that authorizes its holder to provide Xclass service consistent with the requirements of this chapter and other applicable laws.

“Semi-autonomous vehicle” – a vehicle which has automation of at least two primary control functions designed to work in unison to relieve the operator of control of these functions, such as adaptive cruise control with lane centering.

“Uniform resource locator” - a protocol for specifying addresses on the Internet.

- “URL”** – a uniform resource locator, as defined in this chapter.
- “Xclass business”** – a business that rents Xclass vehicles to Xclass operators, as defined in this chapter.
- “Xclass decal”** – evidence of an Xclass vehicle license, as defined in this chapter.
- “Xclass digital meter system”** - a digital meter system approved by the Office for use in Xclass, which provides the Office with vehicle location information and trip sheet data when the operator is on duty, and which is linked electronically, or via a DCTC network, API, website, mobile app, URL, or hardware, to one or more digital dispatch services to provide ride requests and process payments.
- “Xclass operating authority”** – operating authority for an Xclass business.
- “Xclass operator”** – a public vehicle-for-hire operator who holds an Xclass operator’s license, as defined in this chapter.
- “Xclass operator’s license”** – unless otherwise indicated, either a full Xclass operator’s license or a partial Xclass operator’s license, as defined in this chapter.
- “Xclass vehicle”** – a dispatched public vehicle, as defined in this chapter.
- “Xclass vehicle license”** – a DCTC license allowing a vehicle to be used in Xclass, as defined in this chapter.
- “Xclass” or “Xclass service”** – the public vehicle-for-hire service consisting of Xclass vehicles, as defined in this chapter.

Copies of this notice of proposed rulemaking can be obtained at www.dcregs.dc.gov or by contacting Secretary to the Commission, District of Columbia Taxicab Commission, 2235 Shannon Place, S.E., Suite 3001, Washington, D.C. 20020. All persons desiring to file comments should submit written comments via e-mail to dctc@dc.gov or by mail to the DC Taxicab Commission, 2235 Shannon Place, S.E., Suite 3001, Washington, DC 20020, Attn: Secretary to the Commission, no later than thirty (30) days after the publication of this notice in the *D.C. Register*.