

DISTRICT OF COLUMBIA TAXICAB COMMISSION

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The District of Columbia Taxicab Commission (“Commission”), pursuant to the authority set forth in Sections 8(c) (1), (2), (3), (7), and (19), 14, and 20j, of the District of Columbia Taxicab Commission Establishment Act of 1985 (“Establishment Act”), effective March 25, 1986, as amended by the Vehicle-for-Hire Innovation Amendment Act of 2014 (“Vehicle-for-Hire Act”), effective March 10, 2015 (D.C. Law 6-97; D.C. Official Code §§ 50-301.07(c) (2), (7), (19) and (20), 50-301.13, and 50-301.29 (2012 Repl. & 2015 Supp.)), hereby gives notice of its intent to adopt amendments to 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 emergency and proposed rulemaking would amend Chapter 18 to immediately modify the requirements: (1) that taxicab companies approved to provide service in CAPS-DC (now known as “Transport DC”) add a wheelchair accessible vehicle for every 3,000 trips completed in the program, allowing the addition of these vehicles at such greater intervals as may be established in an administrative issuance; and (2) for a fixed, flat rate fare of thirty three (\$33) for each Transport DC trip, changing the requirement from a fixed fare to a cap on the fare. This emergency rulemaking is necessary as the Commission finds there is an immediate need to preserve and promote the safety and welfare of District residents to make the foregoing changes to ensure the financial viability of the Transport DC program, which serves the ongoing paratransit needs of the community, including by providing wheelchair service.

This emergency rulemaking was adopted by the Commission on June 23, 2016, and took effect immediately. The emergency rules shall remain in effect for one hundred and twenty (120) days after the date of adoption (expiring October 21, 2016), unless earlier superseded by an amendment or repeal by the Commission, or the publication of final rulemaking, whichever occurs first.

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.

CHAPTER 18, WHEELCHAIR ACCESSIBLE PARATRANIST TAXICAB SERVICE, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, of the DCMR is amended as follows:

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

Subsection 1806.5 (a), is amended to read as follows:

1806.5 Each company shall add a vehicle to its fleet which complies with subparagraph (b) each time the company completes three thousand (3,000) CAPS-DC trips, or such greater number of trips as may be established in an administrative issuance.

Subsection 1806.10 is amended to read as follows:

1806.10 The rates and charges, and acceptable forms of payment, for each CAPS-DC trip shall be in accordance with the following requirements:

- (a) The fare for a CAPS-DC trip shall not exceed a flat rate of thirty three dollars (\$33) as stated in an administrative issuance, plus any gratuity which a passenger chooses to add to the total fare, payable as follows:
 - (1) Not more than five dollars (\$5.00) of the CAPS-DC fare shall be paid by the passenger by any means allowed by Chapter 8, including a payment card or cash; and
 - (2) The remaining fare shall be paid by District.
- (b) No passenger surcharge shall be collected from a passenger for a CAPS-DC trip.

Copies of this 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 on the proposed rulemaking action 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*.