

## DISTRICT OF COLUMBIA TAXICAB COMMISSION

### NOTICE OF SECOND PROPOSED RULEMAKING

The District of Columbia Taxicab Commission (Commission), pursuant to the authority set forth in § 8(b)(1)(C), (F), and (G) of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-307(b)(1)(C), (F), and (G)) (2009 Repl.), hereby gives notice of its intent to adopt amendments to chapter 6 (Taxicab Parts and Equipment) of title 31 (Taxicabs and Public Vehicles for Hire) of the District of Columbia Municipal Regulations (DCMR).

The proposed amendments will: (1) establish an age and mileage limit on when a vehicle may be placed into service as a taxicab; (2) establish an age and mileage limit on how long a vehicle may remain in service as a taxicab and establish a schedule for the removal of older cars from service over a five (5) year period; and (3) clarify that “salvaged” vehicles may no longer be placed in service as a taxicab. Effective dates will be included in the Notice of Final Rulemaking.

The proposed rules were originally published on December 23, 2011 at 58 DCR 11119. The comment period expired on January 23, 2012. The Commission held a public hearing on Wednesday, January 11, 2012, to receive oral comments on the Commission’s proposed amendments to Chapter 6. The Commission received some valuable comments from the public and revised the proposed rules in light of the suggestions and comments received at the public meeting and during the written comment period. Revisions have been made to section 609 in response to those comments.

This second proposed rulemaking incorporates revisions made after considering comments received. The Commission will consider additional comments received in response to this Notice of Second Proposed Rulemaking.

The Commission 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 in the *D.C. Register*.

**Chapter 6, TAXICAB PARTS AND EQUIPMENT, of title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, of the DCMR is amended as follows:**

**Section 609, AGE OF TAXICAB, is amended to read as follows:**

#### **609           AGE OF TAXICAB**

609.1           Effective \_\_\_\_\_, , no vehicle that is more than five (5) model years old (or has accumulated mileage in excess of three hundred thousand miles (300,000 mi.)) may be placed into service as a taxicab in the District of Columbia, whether owned, rented, or leased.

609.2 Further, effective December 31, 2012, the following 5-year schedule of vehicle removal from service will apply to all public vehicles for hire currently in service as a taxicab in the District of Columbia, whether owned, rented, or leased. Any subsequent vehicles to be placed into service must meet the requirements of subsection 609.1.

<b>5 YEAR REMOVAL PLAN</b>		
<b>Disposal Year</b>	<b>Age Policy</b>	<b>Model Year</b>
<b>2013</b>	15 years and older	1997 and older
<b>2014</b>	12 - 14 years	2000 - 1998
<b>2015</b>	9 - 11 years	2003 - 2001
<b>2016</b>	7 - 8 years	2005 - 2004
<b>2017</b>	6 years	2006

**\*\* Vehicles must go out of service on Dec 31st of the year listed.**

609.3 A Waiver Petition may be filed with the Commission to request a one-time extension of time/waiver from the removal schedule.

- (a) Standards for a waiver include, but are not limited to
  - 1 Owner may only apply for a waiver in the year the vehicle must be removed from service.
  - 2 Vehicle must have passed its last required inspection.
  - 3 Waiver may be granted for a maximum of 3 years, or any lesser period.
  - 4 A denial of waiver may not be appealed.
- (b) A waiver application fee established by the commission must be paid at the time of application.
- (c) A panel of three persons, which may include Department of Motor Vehicles representative, Hack Inspector, and a Commission staff person or General Counsel, will review all requests for waiver
- (d) No extension of time/waiver may be granted for salvaged vehicles.

609.4 Effective immediately, no additional salvaged (including rebuilt salvaged) vehicle may be placed into service as a taxicab in the District of Columbia.

Copies of the proposed rulemaking can be obtained at [www.dcregs.dc.gov](http://www.dcregs.dc.gov) or by contacting Dena C. Reed, General Counsel and Secretary to the Commission, District of Columbia Taxicab Commission, 2041 Martin Luther King, Jr., Avenue, S.E., Suite 204, 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](mailto:dctc@dc.gov) or by mail to the DC Taxicab Commission, 2041 Martin Luther King, Jr., Ave., S.E., Suite 204, Washington, D.C. 20020, Attn: Dena C. Reed, General Counsel and Secretary to the Commission, no later than thirty (30) days after the publication of this notice in the *D.C Register*.