

## DISTRICT OF COLUMBIA TAXICAB COMMISSION

### NOTICE OF SECOND PROPOSED RULEMAKING

The Chairperson of the District of Columbia Taxicab Commission (Commission), pursuant to the authority set forth in section 6(a) and (d) of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-305(a) and (d)) (2009 Repl.); section 105 of the 2005 District of Columbia Omnibus Authorization Act, approved October 16, 2006 (120 Stat. 2023; D.C. Official Code § 50-381(a) (2011 Supp.)); Mayor's Order 2007-231, dated October 17, 2007; Mayor's Order 2009-104, dated June 15, 2009; and Mayor's Order 2011-116, dated July 11, 2011, hereby gives notice of the intent to adopt amendments to section 801 (Passenger Rates and Charges) of chapter 8 (Operation of Taxicabs) of title 31 (Taxicabs and Public Vehicles for Hire) of the District of Columbia Municipal Regulations (DCMR).

Proposed amendments will: (1) increase the "additional mile" rate from twenty-five cents (\$0.25) per one sixth mile (1/6 mi.) to twenty-seven cents (\$0.27) per one eighth mile (1/8 mi.) which represents a mileage rate increase from one dollar and fifty cents (\$1.50) per mile to two dollars and sixteen cents (\$2.16) per mile (for both intra-city and interstate fares); (2) increase the waiting time rate from fifteen dollars (\$15) per hour to twenty-five dollars (\$25) per hour; (3) amend luggage fee and additional passenger fee; (4) amend language relating to carriage of small dogs or other small animals; (5) eliminate other extra fees including , large bag fee, trunk fee, unenclosed animals fee, personal service fee, and fuel surcharge fee and; (6) change the snow emergency rate into a flat fee.

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 subsections 801.6, 804.1, and 804.10 in response to those comments. The Commission approved this proposed rulemaking for republication on February 8, 2012.

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 Chairperson hereby gives notice of his 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 8, OPERATION OF TAXICABS, of title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, of the District of Columbia Municipal Regulations is amended as follows:**

**Section 801, PASSENGER RATES AND CHARGES, is amended as follows:**

**Subsection 801.3 is amended to read as follows:**

- 801.3 The regular metered fare rates for all trips within the District of Columbia and the Washington Metropolitan Area are as follows:
- (a) Three dollars (\$3) upon entry (drop rate) and first one eighth (1/8) of a mile;
  - (b) Twenty-seven cents (\$0.27) for each one eighth (1/8) of a mile after the first one eighth (1/8) of a mile; and
  - (c) The wait rate is twenty-five dollars (\$25) per hour.

**Subsection 801.6 is amended as follows:**

**Paragraph (c) is amended to read as follows:**

- (c) Luggage fee – A fee of \$.50 per piece of luggage is authorized for each piece of luggage the operator places in his trunk. Briefcases, purses, bags of groceries, and parcels of similar size shall not be considered luggage.

**Paragraph (g) is amended to read as follows:**

- (g) Small dogs or other small animals – when securely enclosed in a carrier designed for that purpose, small dogs or other small animals may accompany a passenger without charge. Other animals not so enclosed may be carried at the discretion of the driver.
  - (1) A driver may refuse to transport any passenger traveling with a small dog or other small animal if the driver presents to the passenger an Exemption Certificate from the Commission that certifies that he/she suffers from a diagnosed medical condition, such as allergies, and which prevents him/her from traveling with such small dogs or other animals.
  - (2) No driver shall have a personal pet or animal of any kind in a public vehicle for hire (taxi or limousine) while holding the vehicle out for hire or transporting passengers.

**Paragraph (l) is amended to read as follows:**

- (l) Additional passenger fee for vans – A \$1 per passenger fee may be charged for the second, third and fourth passenger (for a maximum additional passenger fee of three dollars (\$3) per trip), in a for vans

**Paragraphs (b), (d), (e), and (m) are repealed.**

**Section 804, SNOW EMERGENCY FARES, is amended as follows:**

**Subsection 804.1 is amended to read as follows:**

804.1 During a snow emergency fare period, as may be declared by the Mayor or the Chairperson of the District of Columbia Taxicab Commission (Chairperson), a flat fee of fifteen dollars (\$15) per trip originating in the District of Columbia shall be added to the metered fare.

**Subsection 804.2 is amended to read as follows:**

804.2 Snow emergency fare periods shall begin at such times as the Mayor or the Chairperson makes a public announcement that snow emergency fares are authorized. The Chairperson shall make that announcement when informed by the Department of Public Works that it is necessary to dispatch snow plows. The Chairperson or the Mayor may also make an announcement under the following conditions:

- (a) It is snowing and there has been significant accumulation of snow on the streets;
- (b) The Metropolitan Police Department and the Department of Public Works have informed the Chairperson or the Mayor that hazardous driving conditions exist throughout the city; or
- (c) Additional accumulation is predicted of such significant proportions that hazardous driving conditions are expected to persist for at least twelve (12) hours.

**Subsection 804.4 is amended to read as follows:**

804.4 Snow emergency fare periods shall automatically expire twelve (12) hours after they are declared in effect unless the Mayor or the Chairperson determines during the first twelve (12) hour period that the snow emergency fare shall be effective for an additional fixed period.

**Subsection 804.5 is amended to read as follows:**

804.5 If the original snow emergency fare period is extended, that decision shall be communicated in accordance with established Commission procedures.

**Subsection 804.6 is repealed.**

**Subsection 804.10 is amended to read as follows:**

804.10 During snow emergency periods, there shall be prominently displayed on the back of the front seat of the taxicab, and pointed out to the passenger by the driver, a sign in size and form prescribed by the Commission, which shall read as follows:

SNOW EMERGENCY FARE

DURING SNOW EMERGENCY FARE PERIODS, AS DECLARED BY THE MAYOR OR THE CHAIRPERSON OF THE DISTRICT OF COLUMBIA TAXICAB COMMISSION, PASSENGERS SHALL ADD A FLAT FEE OF FIFTEEN DOLLARS (\$15.00) PER TRIP ORIGINATING IN THE DISTRICT TO THE METERED FARE, NOT INCLUDING ANY OTHER APPLICABLE EXTRA CHARGES OR SURCHARGES.

THE BEGINNING AND ENDING OF SNOW EMERGENCY FARE PERIODS WILL BE PUBLICIZED ON OR IN RADIO, TELEVISION, OR NEWSPAPERS AND ON THE TAXICAB COMMISSION WEBSITE.

IF DISPUTES ARISE, THE PASSENGER(S) SHALL PAY THE FARE STATED BY THE DRIVER AND THE DRIVER MUST FURNISH A RECEIPT. THE PASSENGER(S) MAY FILE A COMPLAINT IN WRITING WITHIN FIFTEEN (15) DAYS IN ACCORDANCE WITH THE STATEMENT OF PASSENGER RIGHTS POSTED IN THIS TAXICAB. THE COMPLAINT SHALL BE FILED WITH THE DISTRICT OF COLUMBIA TAXICAB COMMISSION.

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 postal mail or hand delivery 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, not later than thirty (30) days after the publication of this notice in the *D.C. Register*.