

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 section 8(a) and (b)(1) (E) and (J) 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(a) and (b)(1) (E) and (J) (2009 Repl.); hereby gives notice of emergency and proposed rulemaking action taken on February 8, 2012, to amend Chapter 8 (Operation of Taxicabs) of title 31 (Taxicabs and Public Vehicles for Hire) of the District of Columbia Municipal Regulations (DCMR). The amendment will authorize shared riding at Nationals Park to relieve the public safety hazard created by the mass exodus of patrons seeking taxi service after Nationals Park events.

This emergency rulemaking action is necessary to protect the public safety and welfare. Specifically, the exodus of large numbers of patrons seeking taxi service after Nationals Park events has resulted in pedestrian and vehicle congestion around the stadium and an unsafe pedestrian environment. There is currently no organized management of taxicab services around the stadium. Those taxi operators attempting to meet their public service obligations are thwarted by the unstructured exodus of patrons from the games as they simply walk into the streets looking for taxicab service. Patrons wandering into the streets in search of taxi service regularly put themselves in harms ways. The urgent search for taxi service after events at this venue has repeatedly resulted in patrons being aggressive with each other and willingly accepting transport from unlicensed, unknown and unsafe transportation services such as “gypsy cabs” and limousines and taxis from surrounding jurisdictions who are illegally pilfering fares from DC licensed operators, thus negatively impacting the economic well-being of license public vehicle for hire operators. Further, the lack of safe, reliable taxicab services around the venue may negatively impact the District of Columbia’s patrons who rely on taxicab services when leaving the games at the venue causing patrons to forego attending games; thus, impacting the District of Columbia’s economic base.

This Emergency and Proposed rule was adopted February 8, 2012 and became effective on February 8, 2012. The emergency rulemaking will expire one hundred twenty (120) days after the effective date of the emergency rulemaking.

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 in the *D.C. Register*.

Chapter 8, OPERATION OF TAXICABS, of title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, of the DCMR is amended as follows:

Section 801 (Passenger Rates and Charges), is amended as follows:

Subsection 801.10 is amended to read as follows:

801.10 As provided in § 808, Shared Riding is only allowed from Union Station, Verizon Center and Nationals Park at the direction of a Starter at designated taxi stands. The fare for Shared Riding shall be calculated in accordance with § 801.7, except that additional passenger fees do **not** apply.

Subsection 808.2 is amended to read as follows:

- 808.2 Shared riding, as defined in § 899, is only permitted at Union Station, Verizon Center, and Nationals Park at such times as are determined to be necessary to achieve adequate service by a Starter employed or authorized by Union Station, Verizon Center or Nationals Park .
- (a) The starter shall have the sole authority to determine when a taxicab shall depart after taking on passengers, except that after an initial passenger has been taken on, the starter shall not unreasonable delay the departure of the taxicab for the purpose of securing additional passengers;
 - (b) The general direction of the destination of the first passenger shall determine the general direction of that particular trip. Other passengers whose destinations lie generally in that direction may be transported to the extent of the design capacity of the taxicab;
 - (c) Passengers shall be discharged in the order of the arrival at their respective destinations. In the event any questions arise as to the order of arrival at any destination, the question shall be resolved in favor of the passenger who entered the taxicab first; and
 - (d) Passengers have the right to refuse shared riding.

Subsection 808.3 is added to read as follows:

808.3 Where shared riding is authorized in this Chapter, for Nationals Park, an operator shall not pick up a passenger except at the designated taxi stand nor discharge a passenger except at the designated discharge stand. The designated taxi sand and discharge stand shall be conspicuously posted by Nationals Park. Violations of this subsection are subject to a fine of One Hundred (\$100) dollars.

Section 899, DEFINITIONS, is amended as follows:

899 DEFINITIONS

899.1 The following words and phrases in the Definition section are amended to read as follows:

Shared Riding – a group of two (2) or more passengers arranged by a Starter at Union Station, Verizon Center or Nationals Park with common or different destinations.

Taxicab - a passenger vehicle for hire, as authorized in §601, having a seating capacity for eight (8) or fewer passengers, inclusive of the driver, and operated or offered as a vehicle for passenger transportation for hire.

Copies of the rulemaking can be obtained at www.dcregs.dc.gov or by contacting Dena C. Reed, General Counsel and Secretary to the Commission, District of Columbia Taxicab Commission, at 2041 Martin Luther King, Jr., Avenue, S.E., Suite 204, Washington, D.C. 20020.