

## DISTRICT OF COLUMBIA TAXICAB COMMISSION

### NOTICE OF FINAL RULEMAKING

The District of Columbia Taxicab Commission, pursuant to the authority set forth in D.C. Official Code § 47-2829(e) (2001) and sections (8) (b) (1) (C), (D), (E), (F), (G), (I), (J), and 20a 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), (D), (E), (F), (G), (I), (J) and 50-320)(2001)), hereby gives notice of the adoption of amendments to Chapter 11 (Taxicab Commission Fund Assessments) of Title 31 (Taxicab and Public Vehicles for Hire) of the District of Columbia Municipal Regulations (DCMR).

The proposed amendments will: 1) incorporate statutory amendments to section 20a of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-320(2001)), made by the section 6041 of the Fiscal Year 2010 Budget Support Act of 2009, effective March 3, 2010 (DC Law 18-111; 57 DCR 181(January 8, 2010)), which expanded the pool of public vehicle operators that are subject to the fifty dollar (\$50) payment to the District of Columbia Taxicab Commission Fund (Assessment Fund) by including operators of both taxicabs and public vehicles for hire; 2) place accounting responsibility for the assessment fund in the Chief Financial Officer; and 3) update the purposes for which the assessment funds may be used by the Commission.

This proposed amendment was originally published for public comment on July 22, 2011 at 58 DCR 6097. The comment period expired on August 22, 2011. A public hearing was held on February 2, 2012, where oral comments were received. A few comments of general objection were received and considered, however no substantive changes were made to the proposed rulemaking.

The Taxicab Commission adopted the rulemaking as final on \_\_\_\_\_, 2012. These final rules will become effective upon publication of this notice in the *D.C. Register*.

#### **Chapter 11, TAXICAB COMMISSION FUND ASSESSMENTS, of title 31, TAXICAB AND PUBLIC VEHICLES FOR HIRE, of the DCMR is amended as follows:**

##### **Section 1100, PURPOSE, is amended as follows:**

##### **Subsection 1100.1 is amended to read as follows:**

1100.1        The purpose of this chapter is to establish procedural and substantive rules governing assessments levied against taxicab operators and passenger vehicle for hire operators as provided for in section 20a of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-320 (2001)).

##### **Section 1101, ASSESSMENT OF TAXICAB OPERATORS, is amended to read as follows:**

**1101 ASSESSMENT OF TAXICAB OPERATORS AND PASSENGER VEHICLE FOR HIRE OPERATORS**

- 1101.1 Effective February 1, 1991, and September 30, 2010, respectively, each taxicab operator and each passenger vehicle for hire operator licensed by the Commission shall be assessed fifty dollars (\$50) per year upon the issuance or renewal of each operator license identification (Face) card issued pursuant to D.C. Official Code § 47-2829(e) and (h)(2001).
- 1101.2 The assessment levied pursuant to § 1101.1 shall be paid by each taxicab operator and each passenger vehicle for hire operator licensed by the Commission in addition to the annual license fee authorized pursuant to D.C. Official Code § 47-2829(e) and (h)(2001).
- 1101.3 The Office of Taxicabs (Office) shall collect the assessment levied at the time of the issuance or renewal of the operator license identification (Face) card of each taxicab operator and each passenger vehicle for hire operator.
- 1101.4 The Office shall have deposited into the District of Columbia Taxicab Commission Fund (Fund), established pursuant to section 20a of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-320(a)(2001)), all assessments collected from taxicab operator and passenger vehicle for hire operators licensed by the Commission.
- 1101.5 On an annual basis, or at other times as directed by the Commission, the Office of the Chief Financial Officer shall provide a written report to the Commission of all monies collected and deposited in the Fund.

**Section 1102, USE OF ASSESSMENT FUND, is amended as follows:**

**Subsection 1102.1 is amended to read as follows:**

- 1102.1 Monies in the Fund shall be used by the Commission to pay the costs of the Commission, including the costs of operating and administering programs, investigations, proceedings, and inspections, and costs for improving the District's taxicab fleet.