

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 § 8(c)(3), (5), (19), and (20) 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(c)(3), (5), (19) and (20) (2012 Supp.)) (“Act”), hereby gives notice of the adoption on an emergency basis of 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).

It is necessary to adopt these rules on an emergency basis because there is an immediate need to preserve and promote the safety and welfare of the District’s taxicab industry by addressing legal uncertainty created by the language and format of the existing regulations. The failure to immediately implement these regulatory changes would perpetuate this legal uncertainty for vehicle owners and operators and thereby also negatively impact passengers. The amendments will: (1) clarify the remaining removal schedule for taxicab vehicles for the period of January 1, 2014 through January 1, 2017, and (2) correct an associated cross-reference within the chapter. **No substantive change requiring the earlier removal from service of any vehicle in service on January 1, 2014, under the existing regulations is intended by this rulemaking.**

The emergency rulemaking was adopted on December 11, 2013, shall take effect immediately, and shall remain in effect for one hundred twenty (120) days after the date of adoption (expiring March 13, 2014), unless earlier superseded by an amendment or repeal by the Commission, or the publication of final rulemaking, whichever occurs first.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 its 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 to read as follows:

Section 609, AGE OF TAXICAB, is amended as follows:

Subsection 609.2 is amended to read as follows:

609.2 The Commission establishes the following schedule to implement the vehicle age policy in § 609.4. The schedule gradually removes older vehicles from service in order to prevent a significant loss of service that would result if the age policy were immediately implemented in full, which would negatively impact owners, passengers, and residents. The schedule applies to all public vehicles for hire serving as taxicabs in the District, whether owned, rented, or leased. Mileage is not a factor in this schedule.

- (a) Not later than January 1, 2014, or prior to the next regularly scheduled DMV vehicle inspection required by D.C. Official Code § 50-1101(a), all vehicles manufactured in model years 1997 and earlier must be removed from service.
- (b) Not later than January 1, 2015, all vehicles manufactured in model years 2004 and earlier must be removed from service.
- (c) Not later than January 1, 2016, all vehicles manufactured in model years 2007 and earlier must be removed from service.
- (d) Not later than January 1, 2017, all vehicles manufactured in model years 2010 and earlier must be removed from service.

Subsection 609.4 is amended to read as follows:

609.4 Beginning January 1, 2018, no vehicle that is more than seven (7) model years old on that date or on January 1st of any succeeding year (or that has accumulated mileage in excess of four hundred thousand miles (400,000 mi.)) may remain in service as a taxicab in the District of Columbia, whether owned, rented, or leased. For purposes of illustration, a vehicle manufactured in model year 2011 may not remain in service on or after January 1, 2018, and a vehicle manufactured in model year 2012 may not remain in service on or after January 1, 2019.

Subsections 609.6 through 609.10 are DELETED.

Copies of this proposed rulemaking can be obtained at www.dcregs.dc.gov or by contacting Jacques Lerner, 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 this proposed rulemaking should submit written comments via e-mail to 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: Jacques Lerner, General Counsel and Secretary to the Commission. Comments should be filed within thirty (30) days after publication of this notice in the *D.C. Register*.