

DISTRICT OF COLUMBIA TAXICAB COMMISSION

NOTICE OF FINAL RULEMAKING

The District of Columbia Taxicab Commission (“Commission”), pursuant to the authority set forth in Sections 8 (c) (2), (3), (7), (14), (16), (17) and (19), 14, and 20j of the District of Columbia Taxicab Commission Establishment Act of 1985 (“Establishment Act”), effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code §§ 50-307(c)(2), (3), (7), (14), (16), (17), and (19), 50-313 and 50-329 (2012 Repl. & 2014 Supp.)), 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).

This final rulemaking enhances the Commission’s efforts to modernize the taxicab fleet. These final rules amend Chapter 6 by expediting the phase out (grandfathering) of vehicles under § 609.2, which are not in compliance with the current age limits in § 609.4. As a result of this amendment, all vehicles not in compliance with § 609.4 must be retired not later than January 1, 2017. These final rules also clarify the rules for vehicle extensions under § 609.7. The proposed rulemaking was adopted by the Commission on August 12, 2015 and published in the *D.C. Register* on October 2, 2015 at 62 DCR 013041. The Commission received no comments to the sections of § 609 amended by this rulemaking during the comment period, which expired on November 1, 2015. No substantial changes were made to the proposed rules. Any changes made were to correct grammar, clarify initial intent, and lessen the burdens established by the proposed rules.

The Commission voted to adopt this rulemaking as final on November 18, 2015, and it will become effective upon publication 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, TAXICAB VEHICLE RETIREMENT, is amended as follows:

Subsections 609.2 and 609.7 are amended to read as follows:

609 TAXICAB VEHICLE RETIREMENT

609.2 Notwithstanding the provisions of § 609.1, each standard gasoline-powered vehicle which is licensed and in service on the effective date of this section shall be retired as provided in the “Age of Taxicabs” rule in § 609, published in the *D.C. Register* on November 28, 2014 at 61 DCR 12279, for which vehicle mileage is not a factor except as provided in part (d), and which provides as follows:

- (a) Not later than January 1, 2014, or the next regularly scheduled DMV vehicle inspection required by D.C. Official Code § 50-1101(a), whichever is later, all vehicles manufactured in model years 1997 and earlier shall be removed from service.

- (b) Not later than January 1, 2015, or the next regularly scheduled DMV vehicle inspection required by D.C. Official Code § 50-1101(a), whichever is later, all vehicles manufactured in model years 2004 and earlier shall be removed from service.
- (c) Not later than January 1, 2016, or the next regularly scheduled DMV vehicle inspection required by D.C. Official Code § 50-1101(a), whichever is later, all vehicles manufactured in model years 2007 and earlier shall be removed from service.
- (d) Not later than January 1, 2017, all taxicab vehicles which are not in compliance with §§ 609.3-609.5 shall be removed from service.

609.7

The owner of a vehicle in service which is subject to retirement pursuant to §§ 609.3-609.5 requesting a one (1) year extension of the retirement deadline, not to exceed December 31, 2016, or such later date as may be set in an administrative issuance, subject to the following requirements:

- (a) Only one (1) application may be filed concerning a specific vehicle, regardless of whether the application is granted or denied.
- (b) The vehicle shall:
 - (1) Have passed its two (2) most recent required DMV inspections;
 - (2) Be in excellent mechanical condition, as determined by the Office, or by an independent third party inspection service approved by the Office;
 - (3) Be in excellent condition in appearance, including having no body damage on its exterior;
 - (4) Not be a salvaged vehicle; and
 - (5) Not have been driven more than three hundred thousand (300,000) miles at the time the application is filed.
- (c) The vehicle and its owner shall be in compliance with all applicable provisions of this title, including without limitation the insurance requirements of Chapter 9 and the equipment requirements of Chapter 8; and
- (d) The application for extension shall be filed by the owner on a form established by the Office, executed under oath, together with a filing fee of fifty dollars (\$50) and accompanied by information and documentation.

- (e) If the application is granted, the extension shall not extend the applicable service life based on age by more than one (1) year or based on mileage by more than thirty three thousand (33,000) miles.