

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), (5), (7), (12), (15), and (19), 14, and 20 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), (5), (7), (12), (15), and (19), 50-313, and 50-319 (2012 Repl. & 2015 Supp.)), and D.C. Official Code § 47-2829 (b), (d), (e), (e-1), and (i) (2012 Repl. & 2015 Supp.), hereby gives notice of its intent to adopt amendments to Chapter 5 (Taxicab Companies, Associations and Fleets) of Title 31 (Taxicabs and Public Vehicles-for-hire) of the District of Columbia Municipal Regulations (DCMR).

This final rulemaking amends the Chapter 5 to enhance customer service standards and establish greater parity in operating and licensing rules in the taxicab industry by: (1) establishing requirements for independent taxicabs owners to obtain certificates of operating authority, to be renewed on an annual basis; and (2) implementing new standards for taxicab companies and associations. The proposed rulemaking was adopted by the Commission on July 8, 2015 and published in the *D.C. Register* on September 11, 2015 at 62 DCR 012443. The Commission did not receive any comments during the comment period, which expired on October 11, 2015. Changes were made by the Commission to correct grammar, clarify initial intent, clarify proposed procedures, or lessen the burdens established by the proposed rules, including a change to the title of the chapter and a statement of existing legal requirements for proof of insurance. No substantial changes were required, however, and none were made.

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 5, TAXICAB COMPANIES, ASSOCIATIONS AND FLEETS, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, of the DCMR, is amended to read as follows:

The Title of Chapter 5 is amended to read as follows:

TAXICAB COMPANIES, ASSOCIATIONS, FLEETS, AND INDEPENDENT OWNERS

Section 501, INITIAL AND RENEWAL CERTIFICATE AND LICENSES; FILING REQUIREMENTS, is amended as follows:

New subsections 501.3 (n) and (o) are added to read as follows:

- 501.3 (n) Certification that it is in compliance with the operating requirements of § 510.
- (o) Proof of insurance including workers compensation.

Section 505, INDEPENDENT TAXICABS, is amended as follows:

Section 505 is amended to read as follows:

- 505.1 The Office shall not issue any new independent taxicab numbers. Each taxicab vehicle in operation in the District shall be identified by the PVIN assigned to it pursuant to this title.
- 505.2 Effective December 31, 2015, each independent taxicab owner (“applicant”) shall apply annually for a certificate of operating authority using a form provided by and in a manner established by the Office, for which the Office shall charge a fee of fifty dollars (\$50), which shall include the following information and documentation:
- (a) The applicant’s residence and business addresses;
 - (b) The applicant’s home and mobile telephone numbers and email address;
 - (c) The name of the taxicab company fleet or taxicab association with which the applicant is associated, if any;
 - (d) The make, model, year of manufacture, and vehicle identification number of the applicant’s vehicle;
 - (e) The PVIN of the applicant’s vehicle;
 - (f) The odometer reading of the applicant’s vehicle;
 - (g) Whether the applicant’s vehicle is wheelchair accessible; and
 - (h) The type of fuel used by the applicant’s vehicle.
- 505.3 Each independent taxicab owner shall report to the Office any change in the information required by § 502.5 within three (3) business days.
- 505.4 Each independent taxicab shall be in compliance with the uniform color scheme requirements of §§ 503.1 and 503.3.
- 505.5 An independent taxicab number shall not be displayed on a vehicle that is not painted in the uniform color scheme, except where consistent with § 503.3 (d).
- 505.6 Each independent taxicab shall have displayed on the exterior of each rear door the following markings, in the following order, centered, from top to bottom, which shall comply with § 505.12:
- (a) The name of the taxicab owner, or the owner’s trade name or insignia;

- (b) The word “taxicab” unless the word “cab” or “taxicab” is part of the trade name or insignia;
- (c) The vehicle’s Independent taxicab number centered within a rectangular box, so as to be clearly visible from the rear; and
- (d) A bona fide 24-hour customer service telephone number which is either a toll free number or a local number with a “202” area code.

505.7 Except as provided otherwise in this title, all information required by § 1010.14 shall be updated within three (3) business days.

505.8 All letters and numbers on independently operated taxicabs shall be Gothic in style, three (3) inches high, three-eighths (3/8) of an inch wide, with three-eighths (3/8) of an inch between each digit and the inside edge. The letters and numbers shall be painted as follows on taxicabs not yet required by this title to be painted in the uniform color scheme:

- (a) On taxicabs with the body painted black, the numbers, letters, and boxes required by this section shall be white; and
- (b) On taxicabs with the body painted white, the numbers, letters, and boxes required by this section shall be black.

505.9 No independent taxicab number issued for a taxicab vehicle may be transferred to another taxicab vehicle.

505.10 If an independent taxicab number assigned by the Office is surrendered by the owner or revoked by the Commission, the number shall be null and void and may not be reclaimed, reassigned, reissued, renewed, or redistributed by the Office.

A new section 510 is added to read as follows:

510 TAXICAB COMPANIES AND ASSOCIATIONS – OPERATING REQUIREMENTS

510.1 Each taxicab company shall report the sales tax for all taxicab rentals to DCRA, Office of Tax and Revenue or other appropriate agency.

510.2 Each taxicab company shall maintain a bona fide 24-hour customer service telephone number which is either a toll free number or a local number with a “202” area code.

- 510.3 Each taxicab company and association shall maintain a computerized data system capable of electronically submitting to the Office all information required by this Title and other applicable law.
- 510.4 Not later than December 31, 2015, each taxicab company and association shall maintain a data system which allows it to track its owned and associated vehicles in real time whenever such vehicles are providing taxicab service. The system shall not be used to track in real time an independently owned vehicle that is not providing taxicab service.
- 510.5 Each taxicab company and association shall provide one or more safety devices for all its owned and associated vehicles which conforms to the equipment standards of § 603.8 (n) (3), as specified in an administrative issuance, including a device which also provides for driver's safety.
- 510.6 Each taxicab company and association shall maintain a website containing only current and accurate information about the company or association.
- 510.7 Not later than December 31, 2015, each taxicab company and association shall maintain the following current and accurate records, in an electronic format, for each of its owned or associated vehicles:
- (a) Whether the vehicle is owned or associated;
 - (b) The fleet number, if any;
 - (c) The make, model, year of manufacture, and vehicle identification number;
 - (d) The PVIN;
 - (e) The odometer reading;
 - (f) Whether the vehicle is wheelchair accessible; and
 - (h) The type of fuel used by the applicant's vehicle.
- 510.8 Each taxicab company and association shall require each operator with whom it is associated to comply with § 816 (Standards of Conduct; Unlawful Activities Prohibited) and § 822 (Operation of Public Vehicles for Hire) through a lease or other written agreement.
- 510.9 No taxicab company or association shall seek to prevent a taxicab owner from terminating the owner's association with the company or association, provided however, that a company or association may, as a condition for termination, require the taxicab owner to:

- (a) Fulfill any outstanding contractual obligations; and
- (b) Satisfy any outstanding debts or liabilities owed to a third party.

510.10

A party to a termination or proposed termination of the association of a taxicab owner and a taxicab company or taxicab association may request mediation by the Office pursuant to an administrative issuance. Mediation offered by the Office shall be voluntary and any mediation decision shall be non-binding.