

Capital Reporting Company
D.C. Taxicab Full Commission Meeting 06-22-2011 09-12-2011

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GOVERNMENT OF THE DISTRICT OF COLUMBIA

TAXICAB COMMISSION

OFFICE OF THE D.C. TAXICAB COMMISSION

Full Commission Meeting

Wednesday, June 22, 2011

National Parks Police

1901 Anacostia Drive SE

Second Floor Auditorium

Washington, D.C. 20020

(866) 448 - DEPO

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1 A P P E A R A N C E S

2 D.C. TAXICAB COMMISSION

3 Ms. Dena Reed, Interim Chairperson

4 Commissioners

5 Mr. Paul Cohn

6 Mr. Bart Lasner

7 Mr. Inder Raj Pahwa

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1 P R O C E E D I N G S

2 MS. REED: Good morning. Sorry for the
3 confusion. It is now 10:09. This is the D.C. Taxicab
4 Commission public meeting and public hearing. Today is
5 Wednesday, June 22. I'm Dena Reed, the interim Chair
6 of the D.C. Taxicab Commission. I have with me -- I'm
7 going to call roll to establish quorum. Commissioner
8 Burns.

9 (Pause)

10 MS. REED: Commissioner Cohn.

11 MR. COHN: Present.

12 MS. REED: Commissioner Kubly.

13 (Pause)

14 MS. REED: Commissioner Lasner.

15 MR. LASNER: Present.

16 MS. REED: Commissioner Pahwa.

17 MR. PAHWA: Present.

18 (Pause)

19 MS. REED: With the number of four members,
20 we have a quorum to conduct official business and have
21 a public hearing.

22 (Pause)

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1 MS. REED: I want to start the meeting with a
2 few housekeeping items. I want to note we're at an
3 alternate location. We're trying this location because
4 it has more space and has more consistent air
5 conditioning than we use to. This is just a test run
6 to see if this is a space we can use more frequently.
7 It is likely to be used more for public hearings than
8 for the general meetings, but we'll see how that goes.

9 As we get to the public hearing portion for
10 public comment, remember the time limit is three
11 minutes. Please be respectful of those -- their three
12 minutes. For organizations, we will allow five minutes.
13 I ask you again for orderly conduct. Please turn off
14 all cell phones; if you would, put them on silent, on
15 vibrate.

16 And again, if you're parked on the circle out
17 front, you should move your car to the seawall. If
18 you're out front, they're probably going to ticket
19 and/or tow your vehicle. So if you're out front,
20 please go move your vehicle.

21 Mr. Philip Barlow, are you here? I invited
22 Mr. Barlow from the Department of Insurance and Banking

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1 to hear some of the comments I got last meeting about
2 your insurance concerns, the value and quality of your
3 cab insurance I assume he's going to give you. I
4 wanted him to come and hear some of the concerns
5 directly from you instead of me trying to repeat them.
6 I gave him a copy of last month's record, but there's
7 still some pieces I think he needs to hear from you
8 all, so I invited him to attend with us today.

9 I'm going to give you an update on the
10 proposed amendments chapters 6 and 8. I got some
11 fantastic comments, a lot of really good comments on
12 chapters 6 and 8, and there are going to be a number of
13 revisions made. I met with the commissioners on the
14 15th to review each and every comment and approve quite
15 a few amendments.

16 So that means we're going to have to
17 republish chapters 6 and 8 with the amendments. My
18 plan is to republish by next Friday, so I want to today
19 call for a vote from my commissioners to republish
20 chapters 6 and 8. I'll do that in a minute.

21 (Pause)

22 MS. REED: Also I think I finally have some

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1 traction on fare adjustment. I have one more meeting
2 with the Mayor's staff where I will give some more
3 details on what fare increase and adjustments that the
4 Mayor is willing to allow me to move forward with. I
5 hope to have those by the end of the week, and I would
6 like to publish those also by next week, so please be
7 on the lookout for an amendment that would -- it's
8 going to be labeled fare adjustment, so please watch
9 Web site for publication of that ruling.

10 At this time, I want to call for a Commission
11 vote for the approval of minutes from the April 13 and
12 the May 11 meetings. Can I have a call for it on the
13 floor?

14 MR. COHN: So moved.

15 MR. LASNER: Second.

16 MS. REED: No second?

17 MR. LASNER: We already.

18 MS. REED: Okay. I'm sorry. Okay. And I
19 also at this time call for the Commission to vote for
20 approval of the republication of proposed amendments to
21 chapter 8 and chapter 6.

22 MR. LASNER: Why don't we vote on one and

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1 then the other.

2 MS. REED: One and the other. Actually my
3 agenda should say 6 and 8 not just 8, so there's an
4 error on there. So can I have a --

5 MR. PAHWA: (inaudible), so moved.

6 MS. REED: I want to do a chapter at a time.
7 So chapter 6?

8 MR. PAHWA: So moved chapter 6.

9 MR. LASNER: I'll move for chapter 8.

10 MR. COHN: Second.

11 MS. REED: At this time, I call Commissioner
12 Lasner.

13 MR. LASNER: Aye.

14 MS. REED: Commissioner Cohn.

15 MR. COHN: Aye.

16 MS. REED: Commissioner Pawha.

17 MR. PAHWA: Aye.

18 MS. REED: That's chapter 6. Chapter 8.

19 COMMISSIONER: Aye, (inaudible).

20 MS. REED: Commissioner Lasner.

21 MR. LASNER: Aye.

22 MS. REED: Commissioner Pawha.

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1 MR. PAHWA: Aye.

2 MS. REED: The republication will have an
3 actual list of what the amendments are and what
4 section, so you'll be able to refer to the exact
5 section for the most part without being impacted
6 because you won't have to kind of fish your way through
7 that. All right.

8 (Pause)

9 MS. REED: Oh, I'm sorry. I called for a
10 vote on the minutes. The minutes for April 13.

11 MR. COHN: Yes. Moved and seconded.

12 MS. REED: So they're all approved. Okay.

13 (Pause)

14 MS. REED: So now I'm going to move into the
15 public hearing. The public hearing I get to receive
16 comments on proposed amendments to chapter 5, which is
17 the taxicab companies, associations, and fleets; and
18 chapter 9, which is the insurance provision.

19 As you come up to make your comments, please
20 identify which chapter you are speaking of. And if you
21 have a comment on a specific section of a chapter,
22 please note it for me. It helps me as I go through the

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1 transcript to refer to sections and speak to them
2 directly. If you have general comments, that's fine as
3 well.

4 MS. REED: The first public speaker is Mr.
5 Charles Crawford.

6 (Pause)

7 MS. REED: Good morning, Mr. Crawford.

8 MR. CHARLES CRAWFORD: Good morning. May I
9 (inaudible) --

10 MS. REED: I can't quite hear you.

11 (Pause)

12 MR. CHARLES CRAWFORD: Hello.

13 MS. REED: There you go. Okay.

14 MR. CHARLES CRAWFORD: I appreciate the
15 opportunity to testify. I am here to testify on behalf
16 of the American Council of the Blind of Maryland and
17 Equal Rights Center Board, which I am a member of, and
18 I wanted to make a general commentary because it's
19 really important for those of us without vision who
20 attempt to use a taxicabs in the District or anywhere
21 else for that matter to be able to rely upon the
22 taxicabs to actually pick you up and take you where you

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1 want to go without a problem. And unfortunately, as
2 some as you may be aware, there have been problems in
3 the past relative to the carrying of persons with
4 visual impairment and their service animals.

5 And I've experienced that on a number of
6 occasion, and the last time that I came to the taxi
7 Commission in Washington, we had a discussion relative
8 to the fact that I couldn't see the driver, so
9 therefore how could I be certain that the driver was
10 the person that I was complaining about, and that posed
11 an interesting legal problem.

12 That was before 2004; 2005 I had a cerebral
13 aneurism, so I haven't really been taking taxis much
14 since then because I have to rely on paratransit.
15 However, there many people that I know and who take
16 taxies and do require the services of cabs to transport
17 them.

18 So a couple of things that I really want to
19 emphasize if at all possible here is, one, to ensure
20 that the level of responsibility is for the cab vis-the
21 jurisdiction of the Taxicab Commission to be assigned
22 directly to the person or persons who are responsible

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1 for the taxicab. So whether or not your friend is
2 driving, whether or not your grandmother is sick,
3 whether or not any other reason you might have for
4 saying that you were not the driver at the time is
5 irrelevant to the problem because the problem really is
6 whoever is responding with the taxicab has the
7 responsibility to ensure that all the requirements of
8 law and regulations are met. So, therefore, I am very
9 strongly suggesting that whatever happens within the
10 regulation that point be made out really clear.

11 Lastly, I would say relative to the
12 information that the consumer or person who rides in
13 the cab needs to have and the driver needs to have.
14 There needs to be some communication on a positive
15 basis of the information that service animals are
16 welcome to be transported in the back seat, and that
17 should be something not only made available to the
18 consumers, people who ride in them, but also to the
19 people who drive them. So a sign of some nature that
20 hopefully is also accessible to persons with visual
21 impairment within the cab to remind the drivers that
22 they have a responsibility to take passengers with

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1 service animals (inaudible) that would be really
2 important because I know in New York City I believe
3 there is a requirement for that already.

4 That's basically all I can say in this
5 limited time I have available, but I really want to say
6 I appreciate the opportunity, and I look forward to the
7 rest of hearing. If you have any questions, I'll be
8 glad to answer them.

9 (Pause)

10 MS. REED: Thank you, Mr. Crawford.

11 MR. PAHWA: The next speaker is Haimanot
12 Bizuayehu. I hope I spelled it correctly -- or
13 pronounced it correctly.

14 (Pause)

15 MR. HAIMANOT BIZUAYEHU: Good morning.
16 My name is Haimanot Bizuayehu. I'm the chairman of the
17 United Venture Consortium, which is one of the largest
18 taxicab companies with over 500 driver-members. I'm
19 here today for you to make my (inaudible)
20 Commission's -- (Pause) (Crosstalk)

21 MS. REED: (inaudible).

22 MR. HAIMANOT BIZUAYEHU: (inaudible)?

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1 MS. REED: No.

2 MR. HAIMANOT BIZUAYEHU: So I'm here today to
3 make my general comment. I just to make a couple of
4 general comment in regard to the publishing of the
5 proposed rulemaking on chapter 5 and 9. And I would
6 also (inaudible) objection to those (inaudible).

7 My general comment is the District of
8 Columbia (inaudible) Establishment Act of 1985, D.C.
9 Law 697, (inaudible) Code, 15058 requires that the
10 Commission have nine members. Three of those shall be
11 from the industry members. They shall have experience
12 in the taxicab industry (inaudible) in the District.
13 Parens (ph) 3 say, (inaudible) seek a member of the
14 Commission who meet that requirement -- of that
15 requirement of the statute. It actually requires that
16 the panel on regs and rule shall have one industry
17 member, D.C. Code 1606B (ph).

18 Again, it appears knowing that three members
19 have (inaudible) participated in drafting of these
20 proposed rules for their approval (inaudible) as
21 required by the law. And (inaudible) legally for the
22 Commission may not exercise rulemaking authority under

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1 the act.

2 So I advise this body to go from (inaudible)
3 on this proposed rulemaking (inaudible) that legally
4 (inaudible) Commission. Thank you very much, and I'll
5 submit the written comments on the chapters.

6 MS. REED: Thank you.

7 MR. PAHWA: Thank you.

8 (Pause)

9 MR. PAHWA: Kate Taylor.

10 MS. KAT TAYLOR: Kat Taylor.

11 MR. PAHWA: Yes.

12 (Pause)

13 MS. KAT TAYLOR: Good morning. I am Kat
14 Taylor, and I'm speaking on behalf of the Equal Rights
15 Center and its members. I'm the disability rights
16 program manager at the ERC. I want to thank you for
17 the opportunity to testify today and to speak with you
18 about a critically important issue that is raised by
19 the proposed amendment to chapter 5 of Title 31 of the
20 proposed taxicab regulations.

21 For nearly 30 years, the Equal Rights Center
22 has been promoting equal opportunity in housing,

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1 employment, disability rights, immigrant rights, and
2 access to public accommodations and government services
3 for people here in the District and across the country.
4 Today we have more than 3,000 members throughout the
5 United States.

6 I would first like to applaud taxicab drivers
7 who do abide by civil rights law and the Taxicab
8 Commission for its desire to strengthen the
9 antidiscrimination and enforcement provision of the
10 D.C.

11 taxi regulations. However, the proposed
12 amendments do not in the ERC's opinion go far enough to
13 protect D.C.

14 residents and visitors to our nation's
15 capital. The need to strengthen the antidiscrimination
16 provision is evident by the ongoing discrimination the
17 ERC has documented since 2003.

18 In that year, the Equal Rights Centers in
19 collaboration with the Washington Lawyers' Committee
20 for Civil Rights and Urban Affairs investigated race
21 discrimination by taxicabs in the District. In an
22 intensive investigation of 45 District taxicab

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1 companies, the ERC documented a 36-percent rate of
2 discrimination against Black individuals seeking taxi
3 service, and we continue until today to receive race-
4 based complaints.

5 The second issue the ERC continues to receive
6 complaint regarding is discrimination against blind
7 individuals using service dogs. More than 25 million
8 individuals in the United States report have vision
9 loss, and approximately 2.5 million of those are
10 legally blind. Nearly, 13,000 people with vision loss
11 live in the District of Columbia alone. Taxicab
12 service is an integral part of everyday life of both
13 District residents and many visitors, all of whom are
14 entitled to the same good and services and access
15 others receive every day.

16 While there is no question that both Federal
17 and District of Columbia law prohibits unequal
18 treatment of taxicab riders who rely on service dogs,
19 the ERC testing clearly demonstrates that the taxi
20 industry is simply ignoring the law.

21 Between March and May 2010, the ERC conducted
22 30 tests of taxicabs in the District of Columbia using

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1 blind testers with service dogs. The ERC's testing
2 documented that in 18 out of 30 tests the blind tester
3 with a service dog was subjected to discriminatory
4 treatment. These consistent and long-term patterns of
5 discrimination by taxicabs in the District clearly
6 demonstrates the need for revised regulations that
7 ensure adequate training for taxicab drivers and other
8 customer service personnel and hold drivers accountable
9 for discriminatory actions.

10 In regards to training, all taxicab
11 companies' personnel need effective education in
12 antidiscrimination laws and their direct application to
13 taxi service in the District. Increasing awareness
14 about the dangers of discrimination and the legal
15 obligation to provide equal opportunity is a proven
16 mean of effectively combating this problem. Attendance
17 at an approved civil right training designed and
18 implemented by civil rights experts and organization
19 should be required for initial and renewal certificates
20 and licenses.

21 In regards to enforcement, the ERC recommends
22 language would make all provisions of the regulations

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1 applicable to independently operated taxicab as well as
2 to taxicab companies, associations, and fleets. The
3 current language in the regulation is troubling in that
4 independent operators would not be bound by the
5 antidiscrimination for license or provisions.

6 Lastly, increased penalties for
7 discrimination are clearly needed and should be
8 incorporated into the regulation to expressly make
9 violations of the antidiscrimination provisions of both
10 the taxicab regulation and the D.C. Human Rights Act a
11 basis for suspension or revocation of a taxicab license
12 and is grounds for liability for the conduct of
13 employees.

14 I urge the Commission to review the ERC's
15 written materials for specific guidance and language
16 suggestions.

17 As the nation's capital and a jurisdiction
18 with strong protections against discriminations, the
19 District should be a leader in providing equal
20 opportunity in all of its services. However,
21 discrimination by taxicabs will continue as long as the
22 enforcement is inconsistent and the requirements are

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1 unclear for the riders and taxicab drivers.

2 Again, thank you very much for your time
3 today. I hope you will consider the ERC's
4 recommendation and take into account the personal
5 experiences of others who are testifying today. Thank
6 you.

7 (Pause)

8 MR. PAHWA: Next is Michael D. Kirkwood.

9 (Pause)

10 MR. MICHAEL KIRKWOOD: Good morning. My name
11 is Michael Kirkwood, and I'm here representing the
12 District of Columbia Office of Human Rights. Our
13 office wishes to provide relevant testimony regarding
14 the notice of proposed rulemaking published on May 27,
15 2011, in Volume 58/21 of the District of Columbia
16 Register for the Commission to consider.

17 As you may know, the D.C. Office of Human
18 Rights is an agency of the District of Columbia
19 government that seeks to eradicate discrimination,
20 increase equal opportunity, and protect human rights in
21 the city. The office enforces the D.C. Human Rights
22 Act of 1977 and other laws and policies on

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1 nondiscrimination. The office is also the advocate for
2 the practice of good human relations and useful
3 understanding among the various racial, ethnic, and
4 religious groups of the District of Columbia.

5 We enforce the act through the following
6 activities: Investigating and process complaints of
7 unlawful discrimination in employment, housing, public
8 accommodations, and educational institutions. Places
9 of public accommodations include restaurants,
10 hospitals, financial institutions, insurances
11 companies, and, yes, taxicab companies. We protect the
12 equal employment opportunity rights of District
13 government employees.

14 We review, approve, and monitor the
15 affirmative action plans of all District government
16 departments and agencies. This includes review of
17 special departmental emphasis programs for the
18 disabled. We investigate complaints and conditions
19 causing community tension and conflict which could lead
20 to breaches of the peace and public disorder.

21 We conduct hearings on major issues affecting
22 the protection and promotion of human rights. We

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1 assess local and Federal law and policies with respect
2 to discrimination. We provide information on human
3 rights laws and policies to the community at large, and
4 we make recommendations to the Mayor and the City
5 Council of the District of Columbia based on reports,
6 studies, and hearings conducted by the office.

7 As part of our mandate, we enforce violations
8 of the act in employment, housing, education, and
9 places of public accommodation. The Commission and
10 District taxicabs constitute a public accommodation
11 which must adhere to the act.

12 Since the proposed amendment includes
13 language to revise notice of nondiscrimination, we wish
14 to suggest further provisions for the section. The
15 present regulation states discrimination prohibited,
16 Section 508.1, "No company, association, or fleet shall
17 discriminate based upon, race, color, religion,
18 national origin, sex, age, marital status, personal
19 appearance, sexual orientation, family
20 responsibilities, physical handicap, matriculation, or
21 political affiliation concerning employment of
22 operators of taxicabs leasing to operators including

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1 individuals owning or operating their taxicabs."

2 The Commission has determined that this
3 regulation requires revision because it fails to
4 include not only the latest protected group or traits
5 it also includes outdated language including the term
6 physical handicap. As such, the proposed language
7 states, "No taxicab company, association, or fleet
8 shall discriminate based upon race, color, religion,
9 national origin, sex, age, marital status, personal
10 appearance, sexual orientation, gender identity and
11 expression, family responsibility, political
12 affiliation, disability, or source of income and place
13 of residence or business."

14 Although this office applauds the
15 Commission's effort in updating this section, we
16 believe further provisions are necessary.
17 Unfortunately, this office has received formal and
18 informal complaints of discriminatory treatment by
19 taxicab drivers. These complaints have included a
20 failure to pick up African- American constituents, a
21 failure to transport persons with disabilities
22 including those with service or support animals, and

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1 allegations of discriminatory treatment of gay
2 constituents.

3 As a result, we think Section 508 requires
4 further guidance which would not only give drivers
5 guidance as what constitutes discriminatory conduct it
6 would make them accountable to the Commission and to
7 our office and, most importantly, to the people of the

8 District for any discriminatory acts.

9 Therefore, we suggests the following: "508.2,
10 Discriminatory conduct may include but is not limited
11 to the following, subsection A, not picking up a
12 passenger on the basis of any protected characteristic
13 or trait --

14 MS. REED: Mr. Kirkwood, do you have a copy
15 of that to submit?

16 MR. MICHAEL KIRKWOOD: I can email it to you.

17 MS. REED: Can you wrap up and please send it
18 to me?

19 MR. MICHAEL KIRKWOOD: Sure. -- "Including a
20 visually impaired individual with a service animal;
21 subsection B, requesting that a passenger get out of a
22 cab on the basis of a protected characteristic or

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1 trait; subsection C, using derogatory or harassing
2 language on the basis of a protected characteristic or
3 trait; and subsection D, refusing calls in specific
4 geographic areas of the District."

5 You want me to wrap up?

6 MS. REED: Yes.

7 MR. MICHAEL KIRKWOOD: Okay. Finally, I will
8 say this. Our office in addition to doing all the
9 things that I stated that we do we also provide
10 training, and we extend that to the Commission and also
11 to any private company that may wish to avail itself of
12 our training.

13 Thank you for the opportunity to speak.

14 MS. REED: I will say we have been in contact
15 with your office, the director, and your attorney -- is
16 it Taylor?

17 MR. MICHAEL KIRKWOOD: Alexis Taylor.

18 MS. REED: Alexis Taylor, right. She had
19 agreed to provide training for our refresher course,
20 which we are still working on putting together, so we
21 have been working with your office.

22 MR. MICHAEL KIRKWOOD: Fantastic. Thank you.

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1 MR. PAHWA: Pete Tucker.

2 MR. PETER TUCKER: Good morning, Ms. Reed,
3 and members of the Taxicab Commission. My name is Pete
4 --

5 MS. REED: Good morning.

6 MR. PETER TUCKER: -- my name is Pete Tucker.
7 I report at fightback.org. First, I want to commend
8 you on finding a larger place. I wanted to (inaudible)
9 get back to have Commission meeting where a location
10 that was too small that folks are not able to attend,
11 so I think it's a step in the right direction in here
12 or elsewhere to have a place suitable for a larger
13 audience we have here today.

14 I am testifying because as a journalist I've
15 not been able to interview you, and you are head of a
16 public agency, and -- so you're rolling your eyes, Ms.
17 Reed, but

18 --

19 MS. REED: I'm not rolling my eyes, Mr.
20 Tucker, but go on.

21 MR. PETER TUCKER: As a head of a public
22 agency making very public decisions which have very a

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1 public impact, you have a role to speak to the public.
2 So my comments regarding chapters 5 and 9 as well as
3 (inaudible) as well as every decision this body takes
4 is that it must be done (inaudible) pointed out this
5 Commission stands in violation of the 1985 Taxicab
6 Commission Establishment Act as there is not a single
7 industry representative on the Board despite
8 (inaudible) called for.

9 And beyond that, I understand you have a
10 discomfort in speaking to journalists, and that would
11 be one thing if in your capacity as interim Chair you
12 were acting merely as a placeholder; but in fact you
13 are moving forward with very significant changes in the
14 industry offering proposals to Title 31, the regulatory
15 framework which covers the industry. And as such, it
16 seems to me that you have a very clear responsibility
17 to speak to the public, to speak to the press, and make
18 the case in a forum not where you control the mics and
19 where you can pick up a mic and throw it and do
20 whatever you want but where you have to sit down and
21 face questions. As a head of a public agency, Ms. Reed,
22 I think that you have that public responsibility.

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1 MS. REED: Thank you, Mr. Tucker.

2 MR. PAHWA: Negede Abebe.

3 (Pause)

4 MR. NEGEDE ABEBE: Good morning -- (Pause)

5 MR. NEGEDE ABEBE: Good morning. Thank you
6 for the opportunity. My name is Negede Abebe, the
7 chairman and (inaudible), one of the major taxicabs in
8 the District --

9 MS. REED: Put the microphone --

10 MR. PAHWA: Mic (inaudible) -- (Pause)

11 MR. NEGEDE ABEBE: My name is Negede Abebe --
12 (Pause)

13 MR. PAHWA: Much better.

14 MR. NEGEDE ABEBE: My name is Negede Abebe.
15 I'm (inaudible), one of the major taxicabs in the
16 District. First of all, thank you for this opportunity;
17 and second, I'm very sorry for the (inaudible). I
18 would like to say that my cab (inaudible) strict
19 procedure, (inaudible) regulation, no discrimination
20 against any passenger based on race, gender,
21 (inaudible).

22 We have a solution for this kind of

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1 discrimination. My company and (inaudible) taxicab
2 drivers we're working with (inaudible) system where
3 passengers can order a cab and visually see the
4 (inaudible). So in the future, this might be one of
5 the area where that's a solution that's (inaudible).

6 After I've said this, I would like to go and
7 make some comment. My first comment is under 1985
8 Establishment Act, (inaudible) three members of the
9 (inaudible), the major (inaudible) taxi drivers. We
10 don't have anyone in the Taxicab Commission, any
11 representation, the driver were elected, and
12 (inaudible). So we, again and again, ask the Commission
13 to put three members of the taxicab industry and the
14 drivers. It's very important at least to add
15 establishment that (inaudible).

16 Then I would like to make some comments on
17 particular sections.

18 (Pause)

19 MS. REED: Mr. Abebe, do you have any
20 comments to hand in?

21 MR. NEGEDE ABEBE: Yes. I'll do that. I
22 will.

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1 (Pause)

2 MR. NEGEDE ABEBE: One of my comments is
3 regarding independent operators. It says on one of the
4 sections that independent operators must target
5 (inaudible) for some reason out of business
6 (inaudible). I was (inaudible). They were not allowed
7 to (inaudible) as independent operators, and we believe
8 that independent operators are the major player of
9 (inaudible), and they have been (inaudible) independent
10 operators, owner/operators have to be the major player,
11 and they should have to be continuing adding their
12 numbers (inaudible). So this has to be considered.

13 The other is section 507.2. This section
14 (inaudible) in terms of time for the drivers and the
15 companies, not (inaudible) time proposed by the
16 companies and drivers would be (inaudible). So here we
17 (inaudible).

18 MS. REED: Mr. Abede, your time is well up.
19 I want to ask you to submit your comments in writing,
20 and you can put in that person.

21 MR. NEGEDE ABEBE: Okay. Let me going to
22 this one. Section 9.2 is repealed from the previous

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1 (inaudible), and this section was (inaudible) would
2 take out section 9.4.2 from the previous (inaudible),
3 but this will deprive the companies and
4 owners/operators (inaudible), so we would like to
5 (inaudible) this -- anything go against the owners or
6 the companies just have to be (inaudible).

7 MS. REED: Thank you.

8 MR. COHN: Thank you.

9 MS. REED: For the record, there is and
10 always will be equal (inaudible).

11 MR. NEGEDE ABEBE: Yes.

12 MR. PAHWA: Next is Courtney Cezair.

13 (Pause)

14 MS. COURTNEY Cezair: Good morning. Thank
15 you for allowing me to testify. My name is Courtney
16 Souziere, and I'm actually visiting here in Washington,
17 D.C., an intern with the Equal Rights Center
18 (inaudible), but I have a mobility disability and have
19 a service dog, and every time that I try and catch a
20 cap in D.C., I cannot get a cab. I cannot get a cab to
21 stop, and -- actually, that's not true. I was able to
22 catch a cab once, and this is probably over a dozen

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1 times from like when (inaudible). My friends basically
2 have to go out and catch a cab, and then I get behind
3 them, and we all like scootch (ph) into the car, and
4 then we have to argue with the taxicab driver.

5 The one time that I was able to catch a cab
6 alone I did not have my service dog with me. A lot of
7 cab drivers also don't realize the people with
8 disabilities we have service animals and that they also
9 have to be transported, and it soured my experience
10 here in Washington, D.C. And so I just wanted to
11 submit my comments because this is a real problem, and
12 it doesn't reflect well on Washington that it's so
13 difficult to catch a cab if you have a service animal.
14 It's a very trying experience where you cannot get a
15 cab, so (inaudible).

16 MS. REED: Where are you coming from?

17 MS. COURTNEY Cezair: I live in Maine, and I
18 go to college at Mount (inaudible).

19 MS. REED: And what has been your experience
20 there?

21 MS. COURTNEY Cezair: Well, in Maine there's
22 not a lot of taxicabs, but I grew up in Northern New

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1 Jersey and New York, and I will say that it's easier to
2 catch a cab going up town as a person of color with a
3 service animal in New York City than it has been for me
4 to catch a cab in Washington, D.C. So I think that
5 says a lot about what people are experiencing
6 (inaudible).

7 MR. PAHWA: Thank you. Barrington Hammond.

8 (Pause)

9 MR. BARRINGTON HAMMOND: My name is
10 Barrington Hammond. Good morning to all. I'm here to
11 say that I started this process of obtaining a hack
12 license before 2006 and has now successfully completed
13 that process and now have a hack license. However, I'm
14 unable to become an independent. I do live in
15 Montgomery County, Maryland, but I am a Washingtonian,
16 and I was born and raised in Washington, D.C., and it
17 will always be my home.

18 There is no reason that as I believe Michael
19 Kirkwood, Esquire, has spoke, that I should be
20 discriminated against because of place of residence.
21 So I believe that we should make sure not only me but
22 others that had started the process before 2006 to

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1 become hack license operators be entitled to that of
2 independent, and I hope that I see that through. Thank
3 you.

4 MS. REED: Thank you.

5 MR. PAHWA: Thank you. Jim Dickson.

6 (Pause)

7 MR. JIM DICKSON: Good morning. My name is
8 Jim Dickson. I'm a Washington, D.C., resident --

9 MS. REED: Put your mic close to your mouth
10 so I can hear you.

11 MR. JIM DICKSON: Good morning. My name is
12 Jim Dickson. I am a Washington, D.C., resident, and
13 I'm vice president of the American Association of
14 People with Disabilities. We have 582 members in the
15 District. I have lived in the District for 27 years.
16 The taxicab service when trying to hail a cab on the
17 street in this city is a natural disgrace. My work
18 takes me to many other cities, New York, Chicago, San
19 Francisco. I can stand on a corner and hail a cab
20 without any problem. In D.C., I have nothing but
21 problem.

22 My business has me using four to six cabs a

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1 week here in the city going to meetings, going usually
2 from downtown to meeting in other parts of downtown or
3 on the Hill. The service is so bad that the only way I
4 can effectively flag a cab is to stop a stranger on the
5 street, ask that person to flag me a cab. Every time
6 this happens, the Good Samaritan who's helping me says,
7 "Here comes the cab. The cab is slowing down. Now the
8 cab is driving away." It happens over and over and
9 over. You do a terrible job -- (Commotion in hearing
10 room.)

11 MR. JIM DICKSON: What's the problem.

12 MR. PETER TUCKER: I'm a reporter
13 (inaudible).

14 (Commotion in hearing room.) (Off the
15 record) (On the record)

16 MR. JIM DICKSON: ...because he wanted to
17 take pictures of a public meeting. I would like the
18 record also to show that my colleagues from the Equal
19 Rights Center when they showed up for this public
20 meeting this morning was told that this was only for
21 taxicab drivers. I find that totally -bizarre.

22 (Commotion in hearing room.) (Applause)

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1 MR. JIM DICKSON: I wish to continue with my
2 testimony.

3 MS. REED: Please do.

4 MR. JIM DICKSON: I want to make -- I have
5 several points. There are cab drivers in this city who
6 do a terrific job.

7 (Applause)

8 MR. JIM DICKSON: There are cab drivers in
9 this city who know of the problems that those of us who
10 use service animals have, and they have stopped and
11 said, "They're not stopping for you, Jim. Can I take
12 you somewhere," for which I'm very grateful. I have
13 gone to taxicab stands, and the cab in front drives
14 away; the cab driver behind not only takes me but gives
15 me the name and number of the taxi that refused to
16 transport me.

17 Over the years, I have filed many complaints
18 with the Commission for refusal to transport. The
19 Commission has lost my complaints. There have been
20 other times when your staff tried to argue me out of
21 pursuing the complaint. I have gotten into taxicabs --
22 (Commotion in hearing room.) (Off the record) (On the

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1 record)

2 MR. JIM DICKSON: ...that the fee for
3 transporting my dog. I wanted to bring -- (Commotion
4 in hearing room.)

5 MR. JIM DICKSON: -- in a cab driver and him
6 how much the fee is -- (Commotion in hearing room.)

7 MR. JIM DICKSON: -- what I conclude from
8 this behavior is that the commission does a terrible
9 job at training cab drivers. It's a disgrace. A
10 disgrace. I totally endorse the recommendation of the
11 Equal Rights Center. Speaking for AAPD, the disruption
12 that we saw here today reflects the poor administration
13 and poor process of this Commission, and we are going
14 to now start talking to City Council members because I
15 have zero faith, zero faith that you are going to stop
16 the discrimination against people with disabilities.

17 (Applause) (Commotion in hearing room.)

18 (Off the record) (On the record)

19 MR. PAHWA: I say adjourn the meeting.

20 (Commotion in hearing room.) (Pause)

21 MS. REED: Is anybody staying to give
22 comments?

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1 FEMALE SPEAKER: No, I want to make a
2 comment.

3 (Commotion in hearing room.) (Pause)

4 MS. REED: If people want to stay and give
5 their comments on the record, you're welcome to do
6 that. I want -- (Commotion in hearing room.)

7 MS. REED: If you want to stay, you can have
8 a seat.

9 MR. PAHWA: Shut the door.

10 (Commotion in hearing room.)

11 MS. REED: If you want to stay, please have a
12 seat and I'll call your (inaudible) -- (Commotion in
13 hearing room.)

14 MR. PAHWA: Shut the door. Who want to stay,
15 stay.

16 MS. REED: If you want to stay, please have a
17 seat.

18 (Commotion in hearing room.)

19 MS. REED: If you want to stay, please have a
20 seat.

21 (Commotion in hearing room.)

22 MS. REED: You are all welcome to stay.

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1 Please have a seat.

2 (Commotion in hearing room.)

3 MR. PAHWA: Sit down if you have -- shut the
4 door. Nobody is coming in.

5 (Commotion in hearing room.) (Pause)

6 MR. PAHWA: Sit down.

7 MALE SPEAKER: But he's (inaudible).

8 MR. PAHWA: I know, but let the people sit
9 down (inaudible). We can't let the talk -- (Commotion
10 in hearing room.) (Pause)

11 MR. PAHWA: Can you all please sit down?
12 Have a seat please.

13 (Pause)

14 MR. PAHWA: Mr. Bethea, please start.

15 MR. RONALD BETHEA: My name is -- (Pause)

16 MR. RONALD BETHEA: My name is Ronald Bethea.
17 I'm the CEO of Sedan Service Plus. Many of you know me
18 because I've advocated on behalf of taxicab drivers,
19 sedan drivers, and the disabled community. In fact I
20 wrote the first proposal to secure wheelchair access
21 for taxicabs in this city. What -- (Applause)

22 MR. RONALD BETHEA: -- the community overall

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1 does not realize is that independent owner/operators of
2 taxicabs were not even allowed to apply for the grant
3 money in 2008. If you go to D.C. Taxicab Commission
4 Web site, you will see an application that's posted
5 there. That application was not there in 2008.

6 I've gone on public record time and time
7 again about the fact of the discrimination issue. I
8 work southeast Washington, D.C. I drive to take folks
9 who look like me to their destination at 3:00 or 4:00
10 in the morning. What is not being discussed is the fact
11 that taxicab drivers we've already been legislated out
12 of business. Let me make it simple because of the time
13 limit.

14 I prepared a document called Talking Points.
15 It's an outline to a legal brief that outline the
16 improprieties back to 1985 against taxicab drivers in
17 this city. There was a domicile regulation of 2007
18 which was passed. In that particular legislation, if
19 you did not own a cab, you could no longer own a cab at
20 this time if you didn't already have a vehicle on the
21 street. There was a lot of information in that bill to
22 put a commuter tax on independent owner/operators who

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1 lived in Maryland and Virginia because you had to pay
2 an additional \$100 in order to get your tags.

3 Drivers were aware of this because we had to
4 go to court in order to get tags for our vehicles. The
5 policies of the D.C. Taxicab Commission based on the
6 compensatory code of Dr. Nealy Pullman (ph), a noted
7 human -- a well-known doctor in this compensatory code
8 of racism based on the economic policies against the
9 independent owner/operators by the D.C. government have
10 been discriminatory, and they have been racist.

11 Any time that you would single out drivers,
12 where you would launch a campaign where in fact over
13 close to \$1 million worth of tickets have been written
14 on taxicab drivers over the last three years by D.C.
15 taxicab inspectors -- hack inspectors. I know they
16 have a job to do, but they do have the right to stop a
17 moving vehicle. They do not have police powers. Now
18 Title 31C is being amended to give these drivers that
19 opportunity.

20 I know because of the sake of time and the
21 disruption in the meeting there are a lot of things
22 that I would like to say I will not get an opportunity

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1 to say today. But I will say to you that if you think
2 you have a problem with getting cab service in this
3 city, you will have an even larger because 2,200
4 drivers, as I said, have already been forced out of
5 business. We don't have a vested interest in this
6 city. There has been two so-called medallion bill put
7 up by the Council. There's some political games being
8 played. There will not be a public hearing on that
9 bill by Mr. Wells until September, and these new
10 changes -- these new chapters in Title 31C will be the
11 final nail in our coffin.

12 This is a very serious, serious matter
13 because when I went to the Web site and tried to
14 download this information on my computer I could not
15 even get -- download that document. So I had no way of
16 reading that document before coming to this hearing
17 today to be able make an intelligent conversation about
18 these proposed changes. I have a hard copy because of
19 a gentleman who came to the last Commission meeting,
20 and I was able to read that. The legislation is just -
21 -

22 MS. REED: Your time is up.

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1 MR. RONALD BETHEA: Thank you very much --

2 MS. REED: Thank you.

3 MR. RONALD BETHEA: -- for giving me an
4 opportunity to speak.

5 MS. REED: Thank you.

6 MR. PAHWA: Next is -- (Applause) (Pause)

7 MR. BILLY RAY EDWARDS: First, I'd just like
8 to say as a 47-year taxicab driver in the District of
9 Columbia and a committee taxicab driver and an activist
10 within the industry, I'm appalled with this meeting and
11 this meeting today dealing with chapter 5 and 9 of the
12 D.C. taxicab Title 31 regulations simply because there
13 has been no representation on the Taxicab Commission
14 like myself with years of experience, and I have 47
15 years of experience as a taxicab driver, and I was not
16 allowed to sit at the table or no one that I know that
17 was allowed to sit at the table.

18 I am very, very concerned about the
19 representation. That's why I think this meeting is a
20 farce, and we need to let the people know that this is
21 a farce.

22 And the comment that I have, just like Mr.

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1 Bethea, I tried to download that document off of my
2 computer, and I couldn't do it. I couldn't download
3 the document, so how can I make an intelligent comment
4 on the issue of chapter 5 and 9. I can't do that. But
5 I will say to all you drivers, I will say there were a
6 law in 1959 called the Public Law 85792 -- commit it to
7 your thoughts -- 85792, the 85th Congress that had an
8 opportunity for drivers to come together as a
9 collective and form their own insurance company.
10 That's how this industry was usurped in the first place
11 was through the insurance.

12 If D.C. Taxicab Commission and the D.C.
13 public insurance agency that covers the insurance of
14 this industry, I have approached them, sent (inaudible)
15 with them, and asked them to tell us how much we need
16 for a sinking fund so these companies cannot take
17 control of this industry like they are doing at this
18 point in time with the medallion system and other
19 things, and it's all a sinking fund.

20 And I give you some other information that
21 maybe you folks don't know that come from around the
22 world and drive a taxicab in D.C. From 1837 to 2007, a

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1 D.C.

2 taxicab driver by law of the District of
3 Columbia and the Federal law was not required to pay
4 taxes in this country. Why? Because of the
5 Emancipation Proclamation Act. You can check it.

6 There is no Federal statute or D.C. statute until 2000-
7 something that required D.C.

8 taxicab drivers to pay taxes.

9 You know you folks, I can go back to 2007
10 down at Mississippi Avenue, you gave up your freedom
11 and independence; but yet still, you was willing to
12 walk out, you was willing to walk out of here because
13 you know it's injustice from a reporter, but I have a
14 problem with a reporter that insert hisself in the
15 story. Do you understand what I'm saying to you? I'm
16 not joking about (inaudible). If you want to a
17 journalist to have journalistic integrity, and I don't
18 think that this man had journalistic integrity by
19 challenging this Commission today. And that's my point
20 of view.

21 MS. REED: Thank you.

22 MR. PAHWA: Thank you.

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1 (Applause)

2 MR. PAHWA: Carol Robinson.

3 (Pause)

4 MS. CAROLYN Robinson: I'm Carolyn Robertson.

5 I first want to say that it's nice that we're in this
6 building. We should've had the meeting last week. The
7 information was incorrect. The Commissioners should be
8 committed to attend these meetings since we don't have
9 them but once every month, one every other month. It
10 is a travesty that we are being discriminated against,
11 and I want to say to Jim and the other lady --
12 Courtney, you may want to call a dispatch service, and
13 you can be guaranteed a cab.

14 I've been a public service vehicle operator
15 for 36 years, and I work with Yellow Cab Company of
16 D.C. We even have contracts with people with
17 disabilities. Maybe you ought to try to do that.

18 But I'm also appalled with the Commission
19 attempting to change the regulations. We have not had
20 an updating of Title 31 since 2005. We was supposed to
21 get a raise in 2007 when the meters were instituted.
22 We are struggling. We are dying. Things are not

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1 getting better. I am upset because my rent is getting
2 ready to go up \$200 as of August 1, and it's no way
3 humanly possible that I can pay rent, stay above water,
4 and continue in this industry.

5 In regards to the handicapped vehicle, which
6 I will attend today, I go to the Council of Governments
7 meeting who gave up the money for the handicapped
8 vehicles, and individuals were not allowed to apply for
9 those grants. I went before Schafer and Spooner went
10 over there. I know Wendy Klecher (ph), and
11 Councilmember Graham was supposed to try to make a
12 revision for individuals. I would love to have a
13 \$40,000 vehicle for just \$7,000. You all are not
14 making things pleasant for us. And for you, Ms. Reed,
15 I applaud you for attempting to do things, but you have
16 not met the mark. Thank you.

17 MS. REED: Thank you.

18 (Applause)

19 MS. CAROL Robinson: I could say a lot of
20 things (inaudible).

21 (Pause)

22 MR. PAHWA: Seged Shorghazoda.

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1 (Pause)

2 MR. SEGED SHORGHAZODA: Hi, just (inaudible).

3 Two years ago when they raised the license fee, process

4 fee and some (inaudible). Last year, I they were

5 making, now they're making all of those things, you're

6 supposed to give us (inaudible). Some (inaudible) to

7 only 5 percent. But you taxed us at 5 percent the full

8 year. That's from 20 (inaudible). That's about 10

9 cents you're supposed to (inaudible).

10 If you're going to (inaudible) every year

11 you're going to give us 5 percent, that's what the bare

12 minimum is 10 cents (inaudible) great, (inaudible)

13 Commission. Every time Mayor said -- if you go to the

14 Mayor, Mayor says \$19 is (inaudible). But right now, I

15 go over (inaudible) because they think it's still \$19

16 (inaudible) from the rate shift. I can't (inaudible).

17 You have a law you don't obey. You passed the law.

18 You have not obey. You just don't (inaudible). For

19 those people (inaudible), I pick you up, I pick up the

20 guy, don't have -- don't pay anything. He has a piece

21 of paper there (inaudible). You pick him up, and just

22 write how much it's going to be on his hand to give him

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1 the money. But we can pick you up, but the thing is
2 some of us (inaudible). If you think that right now is
3 hard, that one is more harder.

4 That's the problem you going to have. The
5 cab driver doesn't make money, (inaudible) going to be
6 (inaudible). Cab driver makes some money, he doesn't
7 give a damn. He (inaudible). That's my opinion. But
8 we pick you up. I pick up so many (inaudible). But
9 thing is that there are some (inaudible) that's their
10 fault. But the things that you come and tell us all of
11 the cab drivers, no good, that's wrong.

12 MR. PAHWA: Thank you. Abidi Aldon (ph).

13 (Pause)

14 MR. PAHWA: Leroy Armes.

15 (Pause)

16 MR. LEROY ARMES: Good morning. My name is
17 Leroy Armes. I'm a licensed driver in the District of
18 Columbia

19 MS. REED: Try getting near the mic.

20 MR. LEROY ARMES: Sorry.

21 MS. REED: We're not (inaudible) on the mic.

22 MR. LEROY ARMES: My name is Leroy Armes.

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1 I'm a licensed -- (Pause)

2 MR. LEROY ARMES: -- I'm a licensed driver in
3 the District of Columbia, and my comments have been
4 changed because of the events in the room. So I first
5 want to apologize. I'm sorry, sir -- I don't know the
6 gentleman's name but spoke last for the trouble that he
7 had --

8 MS. REED: Jim Dickson.

9 MR. LEROY ARMES: -- Mr. Dickson, I apologize
10 for the cab drivers and as a human being as to how you
11 were treated. My comment is also to Mr. Kirkwood.
12 Again, as a cab driver and just as a human being, I
13 fully support handicapped people, people with any kind
14 of handicapped or disability being able to catch a cab
15 in the District of Columbia. And I don't think that we
16 can begin to have a productive conversation if we deny
17 some facts.

18 And there are drivers who will pick up a
19 person with a seeing-eye dog. There are drivers who
20 will not pick up a young Black male. There are drivers
21 who will violate certain rules, and for us to stand
22 here and deny that existence does not serve us well.

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1 But I'd also like to say, especially to Mr.
2 Kirkwood, because your testimony seems to include
3 handicapped and people in wheelchairs, and so I just
4 want to get on the record that drivers are in a
5 dilemma.

6 When I get a call, when I respond to a
7 dispatch call, I don't even know if the person is
8 handicapped until I commit to the job; and then when
9 the information comes up that'll say it's a person in a
10 wheelchair, all right.

11 When I arrive at that destination, if the
12 person in the wheelchair is able to transport
13 themselves from the wheelchair into the cab, there's no
14 problem, which the driver will put the suitcase in the
15 trunk, and we're off. But if that person is unable to
16 do that, the driver sometimes cannot physically lift up
17 a person; or if we pick up someone along the street and
18 we ask them, "When we get to your destination, how will
19 you get out the cab? Is there someone to assist you,"
20 and that person says no, we don't know what to do
21 because we don't know what our liability is.

22 If I help Mrs. So-and-So out the car and she

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1 trips, or I pick up a gentleman -- I mean all these --
2 these are real -- these are not just dreamed-up
3 instances. I pick up someone and try to help him into
4 his wheelchair and he falls on the grounds. What's my
5 liability? So as you pursue good service for your
6 constituents understand that.

7 With regard to this wheelchair-accessible
8 program, I know for a fact that the Yellow Cab when you
9 call and ask for a cab and you say "I have a
10 wheelchair" that job is dispatched like any other job.
11 An 80-year- old driver might arrive there and then find
12 you in a wheelchair who is unable to assist you. I
13 don't know if it's a loophole. I don't know if you
14 just don't make it clear, but people who need
15 wheelchair cab who need assistance, that kind of lift,
16 must ask for one. So educate them about how to get
17 what they need.

18 Lastly, and this is for people who may not
19 have been at hearing before. Part of the disruptions
20 and the frustration that you get in this room is
21 because of years of neglect from the D.C. Taxicab
22 Commission. If you go back just a few years, you have

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1 to understand that the last several commissioners that
2 we have had at least one has hired for selling
3 licenses. There have been all kinds of scandals, not
4 from drivers but from people in position. We are
5 taking a serious hit financially, and we just cannot
6 get a sense that we are being heard.

7 The reason why we ask for representation on
8 this board is because you cannot work out the nuances
9 of changing regulations in these hearings. We're
10 generally allowed three minutes to speak. The
11 Commission does not respond. We don't understand what
12 their rationale is. We can't explain to them what that
13 particular proposal does in the real world, and the
14 comment period -- the fact of the matter is -- I don't
15 know -- we got probably 6,000 drivers --

16 MS. REED: Ten.

17 MR. LEROY ARMES: -- 10,000 drivers, all but
18 1,500 have pretty much just given it up. Mr. Cohn,
19 we're in a situation now where -- even today, I almost
20 didn't come because I'm saying "What's the use?" You
21 never seem to hear it. You tell us that we are the
22 face of Washington, D.C. You tell us that how we

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1 conduct our business is a tool that you use in selling
2 conventions and all kinds of things that make money,
3 but you ask the drivers who receive the smallest part
4 of the billions of dollars that come in through
5 tourists to give up -- every proposal costs us money.
6 I'll make one example, and I'm finished.

7 This last proposal to change the way shared
8 riding is handled. Currently, passengers -- and this
9 is a real-life situation -- two people get in at
10 Rayburn. They're at the meeting. They decide they want
11 to ride together for whatever reason. One says, "I'm
12 going to 16th and K." One says, "Well, I'm go to 20th
13 and M. Let's ride together." That's their decision. I
14 start the meter. I added a buck and a half for the
15 second passenger. When I get to 16th and K, currently,
16 I shut off the meter, and I receive the fare that's on
17 the meter. Let's say it's \$8. I start the meter
18 again, and I take the second passenger to his
19 destination. Let's say he goes a mile. That's \$3 drop
20 and another buck and a half the rate for a mile. I get
21 \$4.50 from him.

22 Under your proposal, the current proposal,

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1 the two people get in. I drop the meter one time, \$3,
2 buck and a half for the second passenger. When we get
3 to where the first person gets out, they make whatever
4 deal they're going to make about the fare, and then I
5 continue on the next mile for that person's
6 destination, and the only thing that's added is a buck
7 and a half more.

8 I've gone from under the first circumstance
9 the fare was \$8 -- let's just assume that it was \$8 --
10 and then I made \$4.50. So that was \$12.50 on a ride.
11 Under your proposal, I now make \$9.50 because you
12 didn't let me reset the meter. In addition, if the
13 first passenger asks for a receipt, how do I comply?
14 If we could've talked about this in the beginning, some
15 of this could've been resolved, and that's why we're
16 asking for industry representation. I promised that
17 that was going to be my last comment. I want to make
18 one more.

19 (Laughter)

20 MR. LEROY ARMES: How you guys do the
21 comments is unfair on its face. According to a
22 Commissioner at the last meeting, you look at the

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1 comments that come in; where there are a lot of
2 comments, you pay attention to them. Well, if there's
3 one comment, ahh, they're not so interested in that.
4 Everyone comment should be taken on its own merit. The
5 fact of the matter is, you know it and we know it,
6 there is no unified voice of cab drivers. We all agree
7 on certain things, but we don't all sign up for
8 everything. And so I'm just asking you guys in your
9 official duty exercise some humanity. Thank you.

10 MS. REED: I got to make one point --

11 (Applause)

12 MS. REED: -- make one point on the
13 rulemaking comment period. I sat with you guys and
14 each and every comment, every paragraph was read,
15 noted, considered, and that has resulted in significant
16 changes to the proposed rulemaking. It was never --

17 MR. LEROY ARMES: Well, I thank you for it.

18 MS. REED: -- my -- well, since I've been
19 here involved in this process. I'll put this in as a
20 comment, your concerns that your issues are not being
21 addressed. Every comment has merit. Whether I agree
22 with them or not, every comment has merit.

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1 MR. LEROY ARMES: I appreciate that, and I
2 accept you word. Please accept that I do not -- I'm
3 not in the habit of making up lies --

4 MS. REED: I'm not saying you --

5 MR. LEROY ARMES: -- I was told that as the
6 end of the last meeting how the comments were handled.
7 If that person was -- if that was a mistake, that was
8 his mistake, and so that's why I asked that you --

9 MS. REED: I think he was trying to explain
10 how whether or not a rulemaking get republished. It
11 depends upon both the volume and the substantive nature
12 of --

13 MR. LEROY ARMES: Well, we're on the page
14 that each comment should be taken on its own merit.
15 Thank you.

16 MR. PAHWA: Terry L. Swinson.

17 MR. COHN: May I make a comment --

18 MR. PAHWA: Oh, I'm sorry.

19 MR. COHN: -- about that.

20 MR. PAHWA: I'm sorry.

21 MR. COHN: We're heard from several people,
22 and I'm assuming that you want it on the public record,

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1 so we can still put it on the public record. It's not
2 an issue to me, but you have to understand that there
3 are three -- we have sent three names forward to the
4 Mayor's office for representation on the Commission.
5 That are --

6 MS. REED: That are taxi operators.

7 MR. COHN: -- they're taxi operators. Now we
8 do not control the people that come onto the board or
9 onto the Commission. They are appointed by the Mayor
10 and approved by the Council, so just for the record, if
11 you have issues, go the Mayor's office and ask him why
12 he's hasn't moved on the nominations. It's completely
13 out of our control at this point in time, and I
14 understand your frustration, but yet we have moved to
15 have three drivers on the Commission. Just for the
16 record. Thank you.

17 MR. PAHWA: Peter Harmon.

18 (Pause)

19 MS. REED: Pete, you want to take the
20 microphone down?

21 MR. PETER HARMON: No, I'm fine. Okay. I'm
22 not going to sit up here and complain about the

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1 harassment by the hack (inaudible). It's just like --

2 (Pause)

3 MR. PETER HARMON: Can you hear me? Can you
4 hear me now?

5 MR. PAHWA: Yes.

6 MS. REED: Yes.

7 MR. PETER HARMON: I'm not going to sit here
8 and cry about how (inaudible) is. It's kind of like
9 asking for a (inaudible).

10 (Laughter)

11 MS. REED: I like that.

12 MR. PETER HARMON: You know and I know
13 exactly what's happening. The taxi medallion bill put
14 legislation in black and white what this Taxicab
15 Commission has been doing for the last three or four
16 years, which is trying to run independent cab drivers
17 out of business, run small fleet owners out of business
18 so they can bring in large companies, and create a
19 medallion system, reduce the number of cabs from 9,000
20 to 3,000 or less. If the medallion bill doesn't go
21 anywhere, this is a backup plan or another plan; having
22 a five-year age limitation so we have the newest cabs

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1 in the country and the lowest fare -- I might add even
2 lower than even the Third World, even lower than Mexico
3 City, (inaudible), or anybody else. It's just a means
4 to drive us out of business.

5 We know that some of these companies involved
6 coming in have been promised a fare increase from the
7 (inaudible). It can apply well in Radar Cabs
8 (inaudible), and basically, we know what is happening
9 between the harassment, minor (inaudible) in the
10 regulation, our licensed, after we buy a brand-new cab,
11 if we can afford to do it, the next week our licensed
12 will be revoked because of the air pressure in the tire
13 is low. That's what is says. It's say revoked, \$1,000
14 fine, suspension, or revocation. The fine will
15 quadruple on the second offense, the third offense
16 within two years.

17 I read the regulations, unless you changed
18 them since then. I understand also anybody that has a
19 cab currently that's' 10-years old will have to meet
20 and take it off the road. Is that correct? It's that
21 up to 10 years will be things that are grandfathered
22 in. What about fleet owners that own cabs that are

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1 over 5-years old. It says only owner/operators can
2 keep a cab that's over 5 year until it get 10-years
3 old; then he has to replace it with a new cab. Is that
4 correct? And fleet owners right now would have to
5 replace their cab?

6 MS. REED: I have to look up the regulation
7 (inaudible) --

8 MR. PETER HARMON: Huh?

9 MS. REED: I'll look at the regulation. I
10 don't recall --

11 MR. PETER HARMON: Well, that's what you --
12 you wrote them, correct?

13 (Laughter)

14 MS. REED: We wrote them. I don't remember
15 everything I -- (Laughter)

16 MS. REED: -- I don't remember every single
17 paragraph --

18 MR. PETER HARMON: But you're the lawyer
19 though.

20 (Laughter)

21 MS. REED: I've been writing --

22 MR. PETER HARMON: You're the attorney and

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1 the Commissioner, right?

2 MS. REED: Continue with your comment.

3 MR. PETER HARMON: All right. Well, that's
4 what the printed regulation, the hard copy I saw said.
5 Okay. (inaudible) doing the meter we can have your
6 licensed suspended or revoke. Mr. Cohn.

7 MR. COHN: Yes, sir.

8 MR. PETER HARMON: When you give a receipt
9 for the customer at the cash register, some inspector
10 or somebody comes in in your restaurant and gives you a
11 \$1,000 fine because there was a time when that receipt
12 is wrong about five minutes, you'd be a little upset?
13 Would you? You think that's right?

14 MR. COHN: I haven't had that experience --

15 MR. PETER HARMON: Well, we've had it.
16 Because they do it -- (Crosstalk)

17 MR. PETER HARMON: -- and hack inspectors say
18 the meter is out of calibration, the receipt that's
19 printed off of (inaudible) it's a \$1,000 fine. Any
20 meter violation gets a revocation of the license. Now
21 you represent the hotel and restaurant industry,
22 correct?

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1 MR. COHN: Correct.

2 MS. REED: Restaurant not hotel.

3 (Crosstalk)

4 MR. PETER HARMON: Restaurant. Okay. I
5 drive a cab -- (Laughter) (Crosstalk)

6 MR. PETER HARMON: -- and we're an integral
7 part in getting people from restaurants, the bars, the
8 hotels. Now would you like to have one-third or as one-
9 fifth as many cabs out in the street and people are
10 standing waiting 30 minutes out in the rain and cold
11 instead of sitting in your restaurant or bar drinking?

12 MR. COHN: (inaudible).

13 MR. PETER HARMON: Okay. Well, I think you
14 ought to consider this regulation right now. The five-
15 year age limitation, Third World cab rates, is designed
16 to put us out of business. The same as the medallion
17 law, which is direct -- that's just to say, "You're out
18 of business." If you're the 95 percent of cab drivers
19 don't live in the District, you are out of business.
20 This is the backdoor way of going, "Oh, we'll have new
21 cabs for the customers." We'll have the newest cabs in
22 the country and the lowest fares.

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1 Now the IRS says it cost 58 cents a mile to
2 run an automobile. We're getting \$1.50 a mile. My
3 meter shows I go 2.2 miles for every revenue mile I
4 produce. That means I'm getting about 65 cents a mile
5 in revenue for every mile I can (inaudible). The only
6 money I make is from the initial start to get to the
7 passengers. So basically what they are doing, they're
8 price -- and that's with not a brand-new cab. When
9 they have to put a brand-new cab on, you're asking
10 about another \$200 a week in depreciation and interest.
11 And it's (inaudible). I know that once we're gone,
12 fares will go up, and they'll probably raise the age
13 limitation to 10 years or so, which is the industry
14 standard --

15 MR. COHN: We had these -- well, I don't know
16 about that. Most of the cities around the country have
17 an age limit on cabs. It's about 10 years --

18 MR. PETER HARMON: Yes, but not 5 years.

19 MR. COHN: But it's not 10 years either.

20 MR. PETER HARMON: It's 8 or 10 years
21 generally.

22 MR. COHN: The --

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1 MS. REED: If they have closed systems, they
2 didn't have that many cabs in the first place.

3 MR. PETER HARMON: Right. We got more cabs
4 per residents by far. That's why people get cabs.

5 (Crosstalk)

6 MR. PETER HARMON: People that are disabled
7 won't see an empty cab much less be able to get one.
8 And that goes for everybody. Basically what --
9 Washington, D.C., had five cabs -- five times the cabs
10 per residence than the next highest city; that's
11 Boston. We have 15 cabs per thousand; they have 3 cabs
12 per thousand. You have 1,800 cabs for the same
13 population as us. To support that many cabs, and they
14 have \$2.80 a mile, almost double our fare.

15 This medallion bill proposed selling all
16 these medallions for \$30 million, they're worth \$750
17 million in Boston, makes everything else in D.C.
18 government corruption wise small potatoes.

19 MS. REED: Thank you, Mr. Harmon

20 MR. PETER HARMON: But you know -- one more -
21 -

22 MS. REED: Okay.

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1 MR. PETER HARMON: -- (inaudible). You
2 realize that the bars now in Boston close at 12:30 at
3 night when Metro closes and taking cabs using a double
4 fare. The good Irishmen of Boston have to stop
5 drinking at midnight because they restrict the number
6 of cabs, and I don't think any bar or restaurant in
7 Adams Morgan wants to close at midnight.

8 MR. COHN: You're a little incorrect there.
9 The liquor serving time in Boston is much greater than
10 ours, which we close at 1:00 and 2:00 o'clock.

11 (Crosstalk)

12 MR. COHN: We're a little (inaudible) --

13 MR. PETER HARMON: Well, excuse me,
14 about a year ago they changed it -- (Crosstalk)

15 MR. PETER HARMON: Twelve-thirty when the MTA
16 closes in Boston --

17 MR. COHN: Right, that's --

18 MR. PETER HARMON: -- they changed the
19 closing time for bars to 12:30.

20 MS. REED: Thank you, Mr. Harmon.

21 MR. COHN: Thank you, sir.

22 MR. PETER HARMON: You can look it up.

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1 MS. REED: I want to make a couple of points
2 before we adjourn. The five-year-age limitation that I
3 got one of the comments on, and that's one of the
4 things that you will see amended. It was not desired
5 or intended that once the measure passed that every
6 driver had to go out and get a brand-new car. That was
7 not the intent. So the language was a little fuzzy on
8 that, so that's been cleared up. It's not the --

9 FEMALE SPEAKER: So what --

10 MALE SPEAKER: Excuse me. Is that --

11 FEMALE SPEAKER: -- so what --

12 MS. REED: Let me put a (inaudible) on it.

13 FEMALE SPEAKER: That was from what
14 (inaudible) and the task force.

15 MS. REED: I'm talking about the regulations,
16 what the proposed regulations are. So that's one of
17 the many things that are being revised to clear it up
18 in the regulations.

19 Also, as I indicated at the start of the
20 meeting, I had some real traction with the Mayor's
21 office on getting the fare increased. I'm meeting with
22 them tomorrow to see what it is or what they're going

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1 to allow me to do. So I'm hoping to, again, prepare to
2 really move on that. I understand the frustration.
3 I'm really as frustrated as you all are with what I can
4 and can't do, but I'm still trying to press forward and
5 get you all what you need. Ms. Robertson.

6 MS. CAROL ROBERTSON: Yes. The only thing I
7 wanted to say that originally from Councilmember
8 Brown's task force that I was a part of -- and I think
9 if Abdul is still here and Mr. Chubb is still here --
10 that that part of the regulation that was supposed be
11 put -- that was a recommendation that former Chairman
12 Leon Swain wanted in regards to the vehicles, which
13 really is going to be difficult to see -- part of the
14 problem with the open system and also allowing these
15 multijurisdictional limousines that are riding around
16 like taxicabs taking all our business, those are the
17 problems. Discussing these things with the -- no pun
18 intended, gentlemen -- with the ill-informed
19 Commissioners isn't going to help the industry.

20 MALE SPEAKER: Excuse me. Could I get
21 some clarif- -- (Crosstalk) (Pause)

22 MALE SPEAKER: -- interest on the age

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1 limitation? I mean --

2 MS. REED: It will be in the regulation. I
3 want you to see it in writing. I don't want to try to
4 repeat it here. I want you to see it in black and
5 white.

6 MS. CAROL ROBERTSON: Well, can you also make
7 it so that we can download the documents off the
8 Internet?

9 MS. REED: I don't understand what the
10 problem is, but I'll do my best to make sure --

11 MS. CAROL ROBERTSON: (inaudible)

12 MS. REED: -- I pulled it up and was able to
13 download it, no difficulties, technical difficulties --
14 I actually loaded the documents on there, not just the
15 link but the documents, so I really can't understand
16 why... Yes, sir?

17 MR. J.P. HOWELL: Just a quick question --

18 MS. REED: Did you put your name on the
19 record? Are you?

20 MR. J.P. HOWELL: I signed onto the roll in
21 the back. I can tell you my name though. I'm J.P.
22 Howell.

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1 MS. REED: Okay.

2 MR. J.P. HOWELL: I'm an attorney with Akin
3 Gump Strauss Hauer & Feld --

4 MS. REED: Uh-huh.

5 MR. PAHWA: Can you stand there please. Come
6 on just wrap it up.

7 MS. REED: It's fine with where you are.

8 MR. J.P. HOWELL: Yes.

9 MR. PAHWA: Okay, go ahead. Just wrap it up.

10 MS. REED: Did you just say that?

11 MR. J.P. HOWELL: First off, I want to
12 commend you on submitting driver names to the Mayor to
13 be placed onto the Commission, and I just wanted to ask
14 if -- wanted to ask when those names were submitted.

15 (Pause)

16 MR. COHN: A minimum before Mr. Swain left.

17 MS. REED: January --

18 MR. PAHWA: Yes.

19 MS. REED: -- January, and then another name
20 came later --

21 MS. CAROL ROBERTSON: January?

22 MS. REED: January --

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1 MR. J.P. HOWELL: Okay.

2 MS. REED: -- actually, no. Let me back up.
3 That was done -- there was a name submitted before the
4 new Mayor initially.

5 MR. J.P. HOWELL: Okay.

6 MS. REED: Then there were --

7 MS. CAROL ROBERTSON: You're not talking
8 about Ferguson are you?

9 MS. REED: I'm not discussing the names but -
10 -

11 MR. PAHWA: (inaudible).

12 MS. REED: Then there was that name and a
13 second name we submitted in January, and I think a
14 third name was just before Mr. Swain left.

15 MR. PAHWA: About eight weeks ago.

16 (Crosstalk)

17 MR. J.P. HOWELL: Thanks.

18 MS. REED: Mr. Bethea. Then we're going to
19 wrap up and close out. I'm sorry, Mr. Chubbs.

20 MR. RONALD BETHEA: I just have one brief
21 question. These proposed rulemaking in chapter 8 -- I
22 mean 5, 9, and 6, correct? With these new amendments?

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1 MS. REED: Thus far.

2 MR. RONALD BETHEA: Thus far. I know that
3 this meeting here has to be a rewrite because of
4 amendments -- suggestions that came -- and comments
5 that came in, but when will this process go to the
6 Council or does it go to the Council, become law, or
7 does it become law because it's on the register? So
8 how many days will it take before these new amendments
9 become law in Title 31C?

10 MS. REED: The first proposal and comment
11 period is 30 days, followed by any republication,
12 followed by either 15 or 30 days, so --

13 MS. CAROL Robinson: Either?

14 MS. REED: Either, yes.

15 MS. CAROL Robinson: So how will we know?

16 MS. REED: You'll know when a rule is
17 published how many days. Then from that point, you'll
18 get an actual date when it becomes effective.

19 MR. RONALD BETHEA: So we'll have the full
20 proposal before City Council?

21 MS. CAROL Robinson: No. No.

22 MS. REED: These rules do not go before the

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1 City Council.

2 MR. PAHWA: Mr. Chubbs next.

3 MS. REED: Mr. Chubbs.

4 (Pause)

5 MR. E.J. CHUBBS: Good morning.

6 MS. REED: Good morning.

7 MR. PAHWA: Good morning.

8 MS. REED: It's still morning?

9 FEMALE SPEAKER: Yes.

10 MALE SPEAKER: Just barely.

11 MR. E.J. CHUBBS: I'm E.J. Chubbs,

12 independent cab number 69, and I normally don't miss a

13 meeting, but I like to listen and analyze what I hear.

14 If you talk all the time and don't listen, you can't

15 learn, but we have a problem as cab drivers and the

16 Taxi Commission: We don't talk with each other. We

17 talk at each other. And it's an attitude that people

18 have toward taxi drivers, and they would use terms like

19 "Oh, you just a taxi driver." I tell them. I've been

20 in this business since 1964. I said, "No, I am a small

21 businessman," and that's the way I have always tried to

22 operate my business. Just like you have law firm.

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1 You're a business. I am a business, and get things
2 like people will ask you says, "How long you been
3 driving?" And I tell them and they say, "Well, who is
4 the most important person you've had in cab?" I say,
5 "You are." (Laughter)

6 MR. E.J. CHUBBS: They so, "Oh, no." I say,
7 "Yes, you are. You are a paying client." So I think
8 now as the Commission and us taxis -- we got some many
9 different groups -- and I apologize for the outrage of
10 this morning, but the Taxi Commissioners they represent
11 us, supposed to have our best interest at heart, and
12 like to when I recommend something I like to recommend
13 it as being beneficial for the general riding public as
14 well as the taxi companies because I've learned years
15 ago if you just recommend something that's supposed to
16 be beneficial to the cab driver you will never succeed.
17 You must show where it's going to be beneficial as to
18 the handicapped -- where it's going to be beneficial
19 for the handicapped, the general riding public. And
20 somehow or another, we are not doing this.

21 And I'd like to speak to the Taxi
22 Commissioners. We need a cleaning of house. I mean we

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1 don't need commissioners -- know they are part
2 (inaudible). We don't need commissioners come to a
3 meeting when they decide it's convenient. Either you
4 be a commissioner or you don't be a commissioner. Half
5 the time we don't even have a quorum because of the
6 commissioners.

7 And back to the Mayor -- I'm jumping -- but
8 the Mayor I can't see how he see fit to fill all of
9 these positions in the taxi industry is taking so long.
10 But it don't take no time to fill the hotel/restaurant
11 certification. That's came like an automatic. So how
12 are you trying to help us or protect us when we don't
13 even have representation sitting up there to represent
14 us, somebody who has been in the industry, knows how
15 the industry function, or just appointing somebody --
16 no offense -- from the hotel/restaurant association,
17 the tourism association that has no idea of how the
18 taxi industry runs. I have a problem with that and I
19 (Pause) I guess I lost my train of thought.

20 (Laughter)

21 MR. E.J. CHUBBS: But I said some of the
22 things. But again, I'd like to reiterate, we need to

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1 clean house for the Taxi Commission. Either we're
2 going to have a commissioner or we abolish the
3 Commission.

4 I was working with the taxi association back
5 when we was in the Public Service Commission, and I was
6 somewhat instrumental of putting this Commission
7 together that right now I'm ashamed of. Okay.

8 The other thing: We touched on the task
9 force. We spent countless evenings -- and thank you,
10 Ms. Cohn, for all those nice meals.

11 (Laughter)

12 MR. E.J. CHUBBS: We spent every evening --

13 MS. ROBINSON: He fed us.

14 MR. COHN: I didn't feed you. I fed him.

15 (Laughter)

16 MR. E.J. CHUBBS: We spent countless evenings
17 working on this task force. We had a time span on this
18 task force, and I think we did a wonderful job of
19 putting this task force together, so far as I can see,
20 so far as I know, that task force paper went into the
21 trash can.

22 Ms. Robinson: Nothing was --

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1 (Crosstalk)

2 MR. E.J. CHUBBS: Nothing that we put
3 together have had (inaudible). Thank you for your
4 time.

5 MR. COHN: Thank you.

6 MS. REED: Thank you. One more.

7 MR. PAHWA: Last one.

8 (Pause)

9 MR. MUJAHID AHMAD: Thank you for giving an
10 opportunity to speak. I really appreciate it.

11 MS. REED: Your mic is not picking you up.

12 (Pause) (Crosstalk)

13 MR. MUJAHID AHMAD: Okay. Thanks for giving
14 me the opportunity to speak on behalf of (inaudible).
15 My name is Mujahid Ahmad, and I'm a cab driver almost
16 for 20 years in D.C. --

17 MS. REED: Did you sign up on the list?

18 MR. MUJAHID AHMAD: Mujahid Ahmad, that's my
19 name. There are two things I would like to --

20 MS. REED: Can you spell that for me?

21 MR. MUJAHID AHMAD: M-U --

22 MS. REED: Can you spell the last name?

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1 MR. MUJAHID AHMAD: Sure. The last name is
2 Ahmed, A-H-M-A-D. There are two things I would like to
3 talk about. First of all, the proposed suggestions
4 that guys for 5-years limit for taxicab drivers to own
5 a taxicab for five years --

6 MS. REED: Okay. That's in chapter 8.

7 MR. MUJAHID AHMAD: -- (inaudible) --

8 MS. REED: That's not today's chapter.

9 MR. MUJAHID AHMAD: Yes.

10 MS. REED: All right.

11 MR. MUJAHID AHMAD: So if you check other
12 jurisdictions around this area surrounding such as
13 Alexandria, Arlington, Frederick County, and also
14 Montgomery County. None of them has five-year limits
15 according to my knowledge. Most of them have -- I mean
16 has limit either 300,000 mileage; if you got that's,
17 then you got to change your vehicle. Or they say that
18 there has to be a (inaudible) or you can change it if
19 the car is old up to eight years, then you are required
20 to change it. But if you have a hybrid car, that would
21 be a limit after 10 years because they want to go green
22 and they want to change all those cars and makes sure

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1 that people go ahead and buy those cars because those
2 cars cost a lot of money. Most of us we drive
3 (inaudible) than those kind of cars because they are
4 (inaudible) cars. We go outside and we (inaudible).
5 They've been driven by police officer for almost two or
6 three years, and we buy them for almost \$7,000 (ph),
7 and the next one that you can buy is \$9,000.

8 So I think we should increase whatever the
9 suggestion is should be equal to other restrictions
10 around the area whether it be 8 year, 10 years is much,
11 much better for all of us, even the cab driver and also
12 for the (inaudible) as long as the car is not crossing
13 300,000 miles, I think it's okay. Even if the car is,
14 let's say, 6-years old, if it cross 300,000 mileage,
15 then you have to change it. So please think about
16 those things when you guys are proposed those things.

17 And second thing, about the fare increase. I
18 came here. I talked about it in the last meeting and
19 everything. We have the lowest fare around the
20 jurisdictions. And are we doing anything about any
21 increases (inaudible) you can get us like (inaudible)
22 per mile because (inaudible) have \$1.50 per mile, and

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1 when you're going to do it, and how long it will take.

2 Thank you so much. I appreciate you (inaudible).

3 MR. PAHWA: Thank you.

4 MR. COHN: Thank you.

5 MR. PAHWA: I need a motion to adjourn the
6 meeting.

7 MS. REED: (inaudible) -- (Crosstalk)

8 MR. COHN: Yes, (inaudible). Let the Chair.

9 MS. REED: With that, I'll entertain a motion
10 to close the Commission's meeting.

11 MR. COHN: So moved.

12 MR. LASNER: I second it.

13 FEMALE SPEAKER: When is the next meeting.

14 MS. REED: The matter is -- the Commission is
15 closed. The next meeting is scheduled for July 13.

16 Again, please be on --

17 Ms. Robinson: Is that going to be a full
18 Commission meeting or is that going to be a (inaudible)
19 meeting?

20 (Whereupon, at 11:57 a.m. Full
21 Commission Meeting of the D.C. Taxicab
22 Commission was concluded.)

1 CERTIFICATE OF TRANSCRIBER

2

3 I, DERICK MARX RAWLS, do hereby certify that this
4 transcript was prepared from audio to the best of my
5 ability.

6 I am neither counsel nor party to this action nor
7 am I interested in the outcome of this action.

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