

## DISTRICT OF COLUMBIA TAXICAB COMMISSION

### NOTICE OF PROPOSED RULEMAKING

The District of Columbia Taxicab Commission (“Commission”), pursuant to the authority set forth in Sections 8(a), 8(c)(2), (5), (12), (19), and 20a 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 §§ 47-2829 (j) and 50-307(a), (c)(2), (5), (12), and (19) (2012 Repl. & 2013 Supp.), hereby gives notice of its intent to adopt amendments to chapter 10 (Public Vehicles for Hire) of Title 31 (Taxicabs and Public Vehicles for Hire) of the District of Columbia Municipal Regulations (DCMR).

The proposed rules would amend Chapter 10 to establish a quota on the number of DCTC taxicab vehicle licenses which may be used to place vehicles into service under Title 31. The proposed quota is based on information to be placed into the official record of the Commission’s public proceedings from the date of the Commission’s approval of the proposed rulemaking, including a market study of the District’s taxicab industry which has determined that a quota of six thousand one hundred and ninety-one (6,191) vehicle licenses would optimize the taxicab industry, resulting in an average passenger wait time of five (5) minutes. The quota proposed by this rulemaking would be in the public interest and would not unduly and significantly harm the taxicab industry. The proposed rules would amend Chapter 99 (Definitions) to add a necessary definition.

Pursuant to D.C. Official Code § 47-2829(j)(2) (2012 Repl. & 2013 Supp.), these proposed rules will be submitted to the Council for a sixty (60) day period of review. Directions for submitting comments may be found at the end of this notice. The Commission also hereby gives notice of the intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days after the publication of this notice of proposed rulemaking in the *D.C. Register*, and an approval of the rulemaking by the Council, whichever occurs later.

**Chapter 10, PUBLIC VEHICLES FOR HIRE, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, of the DCMR is amended as follows:**

**Section 1010, ISSUANCE OF VEHICLE LICENSES TO OWNERS OF PUBLIC VEHICLES FOR HIRE, is amended as follows:**

**New subsections 1010.21 through 1010.25 are added as follows:**

1010.21        The Commission finds that a limit on the number of DCTC vehicle licenses for taxicabs, other than for vehicles identified in § 1010.25 (“quota”), is in the public interest and does not unduly and significantly harm the taxicab industry in the District, based on the information and documentation placed into the official record of the Commission’s public proceedings from the date of the Commission’s approval of the proposed rulemaking.

1010.22 Pursuant to § 1010.21, and following a 60-day Council review required by D.C. Code § 47-2829 (j), during which the rules have not been disapproved by the Council, the Commission establishes the following quota for calendar years 2015 and 2016 (“quota implementation period”): six thousand one hundred and ninety-one (6,191) taxicabs.

1010.23 During the quota implementation period, the quota shall be implemented as follows:

- (a) By not renewing the DCTC vehicle license for an inactive taxicab; and
- (b) By ordinary attrition, including through the surrender of DCTC vehicle licenses, failures to renew DCTC vehicle licenses, and ineligibility for renewal of DCTC vehicle licenses other than ineligibility for renewal pursuant to part (a) of this subsection.

1010.24 During the quota implementation period, the Office shall comply with § 1010.23, not issue any DCTC vehicle licenses for taxicabs, except as permitted by § 1010.25, until the number of DCTC vehicle licenses for taxicabs is below five percent (5%) of the quota, at which time the Office may commence and thereafter continue issuing new DCTC vehicle licenses for taxicabs in accordance with the applicable provisions of this title and other applicable laws so long as the number of DCTC vehicle licenses for taxicabs remains at or below the quota.

1010.25 The quota shall not apply to a new DCTC vehicle license to be issued to:

- (a) A member of a modern taxicab association (“MTA”) which meets the requirements of § 504, for a new taxicab that is part of an approved plan for conversion of the MTA’s vehicles to one hundred percent (100%) new, best available propulsion, wheelchair accessible vehicles; or
- (b) A taxicab company participating in the Coordinated Alternative Paratransit Service Pilot Program under Chapter 18, for a new, best available propulsion, wheelchair accessible vehicle that the company is required to purchase as a condition of participation in the program.

**CHAPTER 99, DEFINITIONS, is amended as follows:**

**Section 9901, is amended as follows:**

**Subsection 9901.1, is amended to read as follows:**

**“Inactive vehicle license”** – a DCTC vehicle license for a vehicle which has not completed at least thirty-six (36) tours of duty in the prior twelve (12) months of which at least eighteen (18) tours of duty are in a six (6) month period.

Copies of this proposed rulemaking can be obtained at [www.dcregs.dc.gov](http://www.dcregs.dc.gov) or by contacting Juanda Mixon, Secretary to the Commission, District of Columbia Taxicab Commission, 2041 Martin Luther King, Jr., Avenue, S.E., Suite 204, Washington, D.C. 20020. All persons desiring to file comments on the proposed rulemaking action should submit written comments via e-mail to [dctc@dc.gov](mailto:dctc@dc.gov) or by mail to the DC Taxicab Commission, 2041 Martin Luther King, Jr., Ave., S.E., Suite 204, Washington, DC 20020, Attn: Juanda Mixon, Secretary to the Commission, no later than thirty (30) days after the publication of this notice in the *D.C. Register*.