

**DISTRICT OF COLUMBIA TAXICAB COMMISSION**

**NOTICE OF SECOND EMERGENCY RULEMAKING**

The District of Columbia Taxicab Commission (“Commission” or “DCTC”), pursuant to the authority set forth in Sections 8(c)(2), (3), (7), (10), and (19), and 14, 20, and 20j of the District of Columbia Taxicab Commission Establishment Act of 1985 (“Establishment Act”), effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code §§ 50-307(c)(2), (3), (7), (10), and (19), 50-313, 50-319, and 50-329 (2014 Repl. & 2015 Supp.)), hereby gives notice of its intent to adopt amendments to Chapter 10 (Public Vehicles for Hire) and Chapter 18 (Wheelchair Accessible Paratransit Taxicab Service) of Title 31 (Taxicabs and Public Vehicles For Hire) of the District of Columbia Municipal Regulations (“DCMR”).

Emergency rulemaking action, pursuant to Section 6(c) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(c) (2012 Repl.)), is used when necessary to preserve the peace, health, safety, welfare, or morals of District residents. This second emergency rulemaking is required to: (1) immediately increase the number of wheelchair accessible vehicles participating in Transport DC, to improve the quality of service in the program, including service response time; and (2) immediately increase the number of wheelchair accessible vehicles available throughout the District, in compliance with the Establishment Act and other applicable laws.

Emergency and proposed rulemaking was adopted by the Commission on January 20, 2016 and was published in the *D.C. Register* on April 1, 2016 at 63 DCR 004888. The first emergency rules shall remain in effect for one hundred twenty (120) days after the date of adoption (expiring May 19, 2016), unless earlier superseded by an amendment or repeal by the Commission, or the publication of final rulemaking, whichever occurs first. This second emergency rulemaking was adopted by the Commission on May 11, 2016, and shall remain in effect for one hundred twenty (120) days after the date of the adoption (expiring September 8, 2016), unless earlier superseded by an amendment or repeal by the Commission, or the publication of final rulemaking, whichever occurs first. This second emergency rulemaking is required to prevent a lapse in coverage from the first emergency rulemaking.

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

**Section 1010, ISSUANCE OF DCTC VEHICLE LICENSES, is amended as follows:**

**Subsection 1010.18 is amended to read as follows:**

1010.18 Each company, taxicab owner, or operator of a vehicle participating in CAPS-DC pursuant to a dispatch agreement under §§ 1010.17 or 1010.19 shall be subject to the prohibitions and penalties of §§ 1807 and 1808.

**A new Subsection 1010.19 is added to read as follows:**

1010.19 A new DCTC taxicab vehicle license may be issued to an applicant who possesses a current and valid DCTC taxicab operator’s license provided that:

- (a) The license is used exclusively for a wheelchair accessible, best fuel

vehicle purchased and placed into active service;

- (b) Notwithstanding the provisions of § 609, the vehicle is not more than two (2) model years older than the current calendar year, or such earlier model year as the Office may establish in an administrative issuance;
- (c) The applicant executes a written a dispatch agreement with a taxicab company participating in CAPS-DC, for a period of not less than three (3) years, during which the vehicle shall be in continuous active service and available for dispatch in accordance with all of the applicable operating requirements of § 1806, a copy of which shall be filed with the Office; and
- (d) The DCTC taxicab vehicle license shall be subject to suspension or revocation if, at any time and for any reason, the vehicle or independent taxicab owner fails to comply with the provisions of subparagraphs (a), (b), or (c) of this subsection.

**Chapter 18, WHEELCHAIR ACCESSIBLE PARATRANSIT TAXICAB SERVICE, is amended as follows:**

**Section 1806, TAXICAB COMPANIES AND OPERATORS – OPERATING REQUIREMENTS, is amended as follows:**

**Subsection 1806.8, is amended to read as follows:**

1806.8 Each company shall maintain with the Office a current and accurate inventory of all active operators and vehicles approved for and providing CAPS-DC service, including all vehicles associated with the company pursuant to a dispatch agreement under § 505.11 or § 1010.17, updated in such manner and at such times as determined by the Office, with the following information:

- (a) For each operator: name, cellular telephone number, DCTC operator's license number, and an indication of whether the operator has completed the wheelchair service training pursuant to § 1806.6, and, if so, the date of completion; and
- (b) For each vehicle: year, make, model, color, PVIN, tag number, and an indication of whether the vehicle is wheelchair accessible.