

**DISTRICT OF COLUMBIA TAXICAB COMMISSION**

**NOTICE OF FINAL RULEMAKING**

The District of Columbia Taxicab Commission (“Commission”), pursuant to the authority set forth in Sections 8(c)(2), (3), and (19), and 14 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), and (19), and 50-313 (2014 Repl. & 2015 Supp.)), hereby gives notice of its intent to adopt amendments to Chapter 6 (Taxicab Parts and Equipment) and Chapter 99 (Definitions) of Title 31 (Taxicabs and Public Vehicles For Hire) of the District of Columbia Municipal Regulations (DCMR).

This final rulemaking simplifies the taxicab vehicle retirement rules in Chapter 6 by establishing a single age limit and a single mileage limit for all taxicab vehicles. The existing retirement rule in § 609 impose multiple limits, based on a combination of fuel-efficiency and wheelchair accessibility. This approach has proven to be ineffective for incentivizing the deployment of greater numbers of fuel efficient and accessible vehicles, in part due to confusion among stakeholders about the existing rule. The rules also clarify applicable requirements for owners of vehicles that have been granted vehicle extensions. This rulemaking would also add new definitions to Chapter 99.

The proposed rulemaking was published in the *D.C. Register* on March 25, 2016 at 63 DCR 004464. The Commission received comments during the comment period which expired on April 25, 2016. Comments were received from the District of Columbia Transportation Operators Association and the Washington D.C. Taxi Operators Association. Both of these organizations requested that the age limit be raised to eight (8) model years and that the mileage limit be eliminated. In response to these comments, the Commission has increased the age limit to eight (8) model years, from the seven (7) years stated in the proposed rules. This change decreases the burdens on affected stakeholders and is therefore not a substantial change. Other changes have been made to correct typographic and grammar errors, and to clarify intent. No substantial changes have been made.

The Commission voted to adopt these rules as final on May 11, 2016, and they will become effective upon publication in the *D.C. Register*.

**Chapter 6, TAXICAB PARTS AND EQUIPMENT, of Title 31 DCMR, TAXICABS AND PUBLIC VEHICLES FOR HIRE, is amended as follows:**

**Section 609, TAXICAB VEHICLE RETIREMENT, is amended as follows:**

**Subsections 609.3 through 609.6 are amended to read as follows:**

- 609.3           Maximum age: eight (8) model years.
- 609.4           Maximum mileage: three hundred fifteen thousand (315,000) miles.
- 609.5           Pursuant to §§ 609.3 and 609.4, a vehicle shall be retired not later than the earlier of the following:
  - (a)       December 31<sup>st</sup> of the calendar year in which the vehicle reaches its

maximum age, as provided in § 609.3; or

(b) When it reaches its maximum mileage, as provided in § 609.4.

609.6 No vehicle shall be placed into service if:

(a) It would have one (1) year or less prior to retirement under § 609.5;

(b) It has been driven more than one hundred thousand (100,000) miles, regardless of whether it has previously been used as a public vehicle-for-hire; or

(c) It has been salvaged or rebuilt.

**New Subsections 609.10 through 609.11 are added to read as follows:**

609.10 Notwithstanding the requirements of §§ 609.1-609.4, no vehicle that is licensed and in active service on the effective date of this rulemaking shall be required to be retired sooner than required by the prior vehicle retirement rules published in the *D.C. Register* on January 2, 2015 at 62 DCR 000119.

609.11 If the Office issues an administrative issuance requiring owners to provide the Office with periodic updates about the safety and mechanical condition of an extended vehicle, or its mileage, each owner of an extended vehicle shall comply with such administrative issuance. Notwithstanding any other provision of this title, failure to comply with such administrative issuance may result in the following enforcement actions:

(a) An immediate suspension of the vehicle extension;

(b) A proposed suspension of the vehicle extension;

(c) A civil fine of one hundred dollars (\$100);

(d) Any civil penalty provided by another provision of this title; or

(e) A combination of the penalties in subparagraphs (a)-(d).

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

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

**Subsection 9900.1 is amended to add the following:**

**“Extended vehicle”** – a vehicle which is the subject of an extension under § 609.7.

**“New vehicle”** – any vehicle owned by its manufacturer, or a dealer holding a valid franchise for the sale of such vehicle, or a bank or a finance company and which has never before been titled or registered in this or

any other jurisdiction, except the kind of title issued only to dealers, provided however that:

- (a) A vehicle may also be classified as a “new” vehicle when titled for the first time in the District by any person applying for a certificate of title who produces a manufacturer’s statement of origin or other evidence of ownership in the form required by the laws of the jurisdiction in which the vehicle was purchased, and which vehicle has never before been titled or registered in any jurisdiction, and
- (b) The model year of the vehicle cannot be more than one (1) year earlier than the current calendar year.