

## **DISTRICT OF COLUMBIA TAXICAB COMMISSION**

### **NOTICE OF THIRD EMERGENCY RULEMAKING**

The District of Columbia Taxicab Commission (“Commission”), pursuant to the authority set forth in Sections 8(c) (1), (2), (3), (4), (7), (10), (11), (14), (16), (18), (19) and (20), 14, 15, and 20j of the District of Columbia Taxicab Commission Establishment Act of 1985 (“Establishment Act”), effective March 25, 1986, as amended by the Vehicle-for-Hire Innovation Amendment Act of 2014 (“Vehicle-for-Hire Act”), effective March 10, 2015 (D.C. Law 6-97; D.C. Official Code §§ 50-307(c)(1),(2),(3), (4) (7), (10), (11), (14), (16), (18), (19) and (20), 50-313, 50-314, and 50-329 (2012 Repl. & 2014 Supp.)), hereby gives notice of its intent to adopt amendments to Chapter 2 (Panel on Rates and Rules: Rules of Organization and Rules of Procedure for Ratemaking), Chapter 4 (Taxicab Payment Service Providers), Chapter 6 (Taxicab Parts and Equipment), Chapter 7 (Enforcement), Chapter 8 (Operation of Taxicabs), Chapter 9 (Insurance Requirements), Chapter 10 (Public Vehicles-for-hire), Chapter 11 (Public Vehicles-for-hire Consumer Service Fund), Chapter 12 (Luxury Services - Owners, Operators, and Vehicles), Chapter 14 (Operation of Black Cars), Chapter 16 (Dispatch Services and District of Columbia Taxicab Industry Co-op) and Chapter 99 (Definitions) and add a new Chapter 19 (Private Vehicle-for-Hire), of Title 31 (Taxicabs and Public Vehicles-for-hire) of the District of Columbia Municipal Regulations (DCMR). The Commission also hereby gives notice of its intent to change the name of Title 31 to “Vehicles-for Hire.”

This third emergency rulemaking amends Chapters 2, 4, 6, 7, 8, 9, 10, 11, 12, 14, 16, and 99, and add a new Chapter 19, in order to conform Title 31 of the DCMR to the provisions of the Vehicle-for-Hire Act. The second emergency rulemaking is required to: (1) prevent provisions of Title 31 from being rendered null and void due to a conflict with the provisions of the Vehicle-for-Hire Act; (2) create a consistent legal framework for the operation of the District’s vehicle-for-hire industry; (3) maintain uniform treatment of stakeholders between classes of service, where relevant; (4) minimize legal exposure to the District; (5) create rules and procedures necessary for the Office of Taxicabs (“Office”) to implement and comply with the Vehicle-for-Hire Act; and (6) create rules and procedures for District enforcement officials to enforce the Vehicle-for-Hire Act. No provision in this emergency rulemaking is intended to exceed or alter any person’s legal obligations under the Establishment Act, as amended by the Vehicle-for-Hire Act.

This third emergency rulemaking shall be effective beginning on October 14, 2015, the intent of the Commission being to extend without interruption the second emergency rulemaking which was adopted by the Commission on July 10, 2015, which took effect immediately and which remained in effect for one hundred and twenty (120) days after the date of adoption, expiring on November 5, 2015. The first emergency rulemaking was combined with a notice of proposed rulemaking which was published in the *D.C. Register* on August 14, 2015 at 62 DCR 011313. The second emergency rulemaking was published in the *D.C. Register* on August 21, 2015 at 62 DCR 011603. This third emergency rulemaking shall remain in effect for one hundred and twenty (120) days after the date of adoption (expiring February 11, 2016), unless earlier

superseded by an amendment or repeal by the Commission, or by the publication of final rulemaking, whichever occurs first.

**Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, is renamed to read as follows: VEHICLES FOR HIRE.**

**Chapter 2, PANEL ON RATES AND RULES: RULES OF ORGANIZATION AND RULES OF PROCEDURE FOR RATEMAKING, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, of the DCMR, is repealed and reserved.**

**Chapter 4, TAXICAB PAYMENT SERVICE PROVIDERS, of Title 31 TAXICABS AND PUBLIC VEHICLES FOR HIRE, is amended as follows:**

**Section 410, ENFORCEMENT, is amended as follows:**

**Subsection 410.1 is amended to read as follows:**

410.1           The enforcement of this chapter shall be governed by Chapter 7.

**Subsection 410.2 is repealed and reserved.**

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

**Subsection 600.4 is repealed and reserved.**

**Section 610, NOTICE OF PASSENGER RIGHTS, is amended as follows:**

**Subsection 610.1 is amended to read as follows:**

610.1           There shall be displayed in a conspicuous location in each taxicab in clear view of the passenger a notice in a form created by Office which contains the following information:

- (a)    A statement that a taxicab must accept credit cards through the approved taximeter system;
- (b)    A statement that a taxicab shall not operate without a functioning taximeter system;
- (c)    A statement that failure to accept a credit card is in violation of the law and is punishable by a fine; and

- (d) Information required for passengers to submit an alleged violation or complaint, including the Commission's telephone number and website address.

**Subsection 610.2 is repealed.**

**Section 611 is amended to read as follows:**

**611 PENALTIES**

611.1 Each violation of this chapter by a taxicab company, independent owner, or taxicab operator shall subject the violator to:

- (a) The civil fines and penalties set forth in § 825 or in an applicable provision of this chapter, provided, however, that where a specific civil fine or penalty is not listed in § 825 or in this chapter, the fine shall be:
  - (1) One hundred dollars (\$100);
  - (2) Two hundred fifty dollars (\$250) where a fare is charged to any person based on information entered by the operator into any device other than as required for an authorized additional charge under § 801.7 (b); and
  - (3) Double for the second violation of the same provision and triple for each violation of the same provision thereafter, in all instances where a civil fine may be imposed;
- (b) Impoundment of a vehicle operating in violation of this chapter;
- (c) Confiscation of an MTS unit or unapproved equipment used for taxi metering in violation of this chapter;
- (d) Suspension, revocation, or non-renewal of such person's license or operating authority; or
- (e) Any combination of the sanctions listed in (a)-(d) of this subsection.

611.2 A PSP that violates a provision of this chapter shall be subject to the penalties in Chapter 4.

**Section 612, PENALTIES, is amended to read as follows:**

**612 ENFORCEMENT**

612.1 The enforcement of this chapter shall be governed by Chapter 7.

**Chapter 7, ENFORCEMENT, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, of the DCMR is amended to read as follows:**

**Section 700, APPLICATION AND SCOPE, is amended to read as follows:**

700.1 This chapter is intended by the Commission to establish fair and consistent procedural rules for enforcement of and compliance with this title.

700.2 This chapter applies to all persons regulated by this title.

700.3 The provisions of this chapter shall be interpreted to comply with the language and intent of the Establishment Act, as amended by Vehicle-for-Hire Act, and of the Impoundment Act.

700.4 No provision of this chapter requiring a delegation of authority from the Mayor shall apply in the absence of such authority.

700.5 In the event of a conflict between a provision of this chapter and a provision of another chapter of this title, including a penalty provision, the provision of this chapter shall control.

700.6 The provisions of this chapter shall apply to all matters and contested cases pending on the date of final publication of this chapter to the extent allowed by the Administrative Procedures Act and other applicable law.

**Section 702, COMPLIANCE ORDERS, is amended to read as follows:**

**702 COMPLIANCE ORDERS**

702.1 An authorized employee or official of the Office or a District enforcement official may issue a written or oral compliance order to any person licensed or regulated by this title or other applicable law. Oral compliance orders may be issued during traffic stops, as provided in § 702.7.

702.2 A compliance order may require the respondent to take any lawful action related to enforcement, compliance, or verification of compliance, with this title or other applicable law, to the extent authorized or required by this title and the Establishment Act or other applicable law, through an order to:

- (a) Appear at the Office for a meeting or other purpose provided that the order clearly states that the appearance is mandatory;

- (b) Make a payment to the District for an amount such person owes under a provision of this title or other applicable law;
- (c) Allow an administrative inspection of a place of business;
- (d) Surrender, or produce for inspection and copying, a document or item related to compliance with this title or other applicable law, such as an original licensing or insurance document, at:
  - (1) The location where document or item is maintained in the ordinary course of business;
  - (2) The Office; or
  - (3) Another appropriate location as determined by the Office or a District enforcement official in their sole discretion;
- (e) Submit a vehicle or equipment in the vehicle for testing or inspection in connection with a traffic stop;
- (f) Provide information to locate or identify a person, where there is reasonable suspicion of a violation of this title or other applicable law; or
- (g) Take any lawful action to assist with or accomplish the enforcement of a provision of this title or other applicable law.

702.3

Each compliance order shall include the following information:

- (a) The action the respondent must take to comply;
- (b) Except for oral compliance orders, the deadline for compliance; and
- (c) If the compliance order is in writing:
  - (1) A statement of the circumstances giving rise to the order;
  - (2) A citation to the relevant chapter of this title or other applicable law; and
  - (3) If the order requires a person to provide information to assist the Office or a District enforcement official in an enforcement action against a person with whom the respondent is believed to be or has

been associated: the name of and contact information for such person to the extent available.

702.4 Where a compliance order is issued to a private sedan business to allow the Office to inspect and copy records under § 702.2 (d), the following limitations shall apply:

- (a) The Office's inspection shall be limited to safety and consumer protection-related records to ensure compliance with the applicable provisions of Chapter 19, where the Office has a reasonable basis to suspect non-compliance; and
- (b) Any records disclosed to the Office shall not be released by the Office to a third party, including through a FOIA request.

702.5 OAH may draw an adverse inference where any person who is required by this title or other applicable law to maintain documents or information fails to maintain such documents or information as required.

702.6 A written compliance order shall be served in the manner prescribed by § 712.

702.7 The civil penalties for failure to comply with a compliance order are established as follows:

- (a) Each individual who fails to timely and fully comply with a compliance order shall be subject to a civil of five hundred dollars (\$500), which shall double for the second violation, and triple for the third and subsequent violations.
- (b) Each entity that fails to timely and fully comply with a compliance order shall be subject to a civil fine of one thousand dollars (\$1,000), which shall double for the second violation, and triple for the third and subsequent violations.

702.8 Each traffic stop shall comply with the following requirements:

- (a) It shall comply with all applicable provisions of this title and other applicable laws.
- (b) No vehicle shall be stopped while transporting a passenger without reasonable suspicion of a violation of this title or other applicable laws.
- (c) An oral compliance order may be issued in connection with a traffic stop for the purpose of:

- (1) Determining compliance with this title and other applicable laws;
  - (2) Securing the presence and availability of the operator, the vehicle, and any other evidence at the scene;
  - (3) Preventing hindrance, disruption, or delay of the traffic stop;
  - (4) Ensuring the orderly and timely completion of the traffic stop;
  - (5) Requiring full and complete cooperation by the operator;
  - (6) Requiring the operator to provide access to a device for the purpose of demonstrating compliance with this title and other applicable law;
  - (7) Making inquiries regarding the operator and/or vehicle to government agencies for law enforcement and related regulatory purposes; and
  - (8) Protecting the safety of the vehicle inspection officer, the operator, or any other individual.
- (d) Notwithstanding the requirements of § 702.8 (c), a vehicle inspection officer shall not take possession of a device which may contain evidence relevant to the enforcement of this title or other applicable law, unless:
- (1) The device is or appears to be a component of a taxicab's modern taximeter system (MTS);
  - (2) The operator denies ownership, possession, or custody of the device;
  - (3) The operator abandons the device or attempts to transfer its possession with intent to prevent access to the device for purposes of enforcement; or
  - (4) The operator is determined to be an unlawful operator in violation of D.C. Official Code § 47-2829.
- (e) The term "possession" as used in paragraph (d) of this section shall not include handling, operation, or examination of a device for purposes of enforcement of this title or other applicable law.

- (f) A private sedan operator's lack of registration with a private sedan business registered under Chapter 19 may be considered evidence of a violation of D.C. Official Code § 47-2829.

**Section 703, ENFORCEMENT ACTIONS, is amended as follows:**

**Subsections 703.7 and 703.8 are amended to read as follows:**

- 703.7 In addition to any other enforcement action authorized by this title or other applicable law, where a private sedan business certifies an intentionally false or misleading statement on a form required by this title or other applicable law, the Office may refer the matter for civil and/or criminal investigation by an appropriate agency of the District or federal government.
- 703.8 The circumstances giving rise to a respondent's suspension may be considered by the Office in any determination of whether to issue or renew a license to the respondent.

**A new subsection 703.9 is added to read as follows:**

- 703.9 Each impoundment of a vehicle shall be conducted in compliance with the Impoundment Act.

**Section 704, NOTICES OF INFRACTION, is amended as follows:**

**Subsection 704.1 is amended to read as follows:**

- 704.1 The Office or a District enforcement official (including a vehicle inspection officer) may issue an NOI, imposing a civil fine or other civil penalty, whenever the Office or the District enforcement official has reasonable grounds to believe the respondent is in violation of a provision of this title or other applicable law.

**Chapter 8, OPERATION OF TAXICABS, is amended as follows:**

**The title of Chapter 8 is amended to read as follows:**

Chapter 8, OPERATING RULES FOR PUBLIC VEHICLES-FOR-HIRE

**Section 800, APPLICATION AND SCOPE, is amended to read as follows:**

- 800.1 This chapter shall apply to every person that provides a public vehicle-for-hire service subject to licensing or regulation by the Commission.
- 800.2 The provisions of this chapter shall be interpreted to comply with the language and intent of the Establishment Act.



**Subsections 800.3 and 800.4 are repealed.**

**Section 819, CONSUMER SERVICE AND PASSENGER RELATIONS, is amended as follows:**

**A new subsection 819.10 is added to read as follows:**

819.10 Once a trip has been accepted by a public vehicle-for-hire operator through a digital dispatch service, the public vehicle-for-hire operator shall not fail to pick up the passenger or to complete the trip after the passenger has been picked up. A violation of this subsection shall be treated as a refusal to haul pursuant to § 818.2 or 819.5. In addition, a violation of § 818.2 may be reported to the D.C. Office of Human Rights.

**Section 823, MANIFEST RECORD, is amended as follows:**

**A new subsection 823.7 is added to read as follows:**

823.7 A trip manifest maintained in an electronic format by an operator who connects with a passenger through digital dispatch may include a phrase “as directed” or similar phrase in lieu of including a passenger’s trip destination; provided, that the destination is included upon completion of the trip.

**Section 825, TABLE OF CIVIL FINES AND PENALTIES, is amended as follows:**

**Subsection 825.2 is amended as follows:**

**Conduct**

Unlawful activities as outlined in § 816	\$500
Threatening, harassing, or abusive conduct or attempted threatening, harassing, or abusive conduct as outlined in § 817	\$750
Violation of any affirmative obligation or prohibition outlined in Chapter 5 of this title	\$500 Impoundment of the vehicle, license suspension, revocation, or non-renewal, or a combination of the sanctions listed in § 817

**Passenger Safety and Service**

Loading or unloading in crosswalk	\$50
Overloading	\$50
Asking destination/violation of § 819.9	\$50
Refusal to haul/discrimination/violation of § 818/819.4	\$750
Illegal shared ride	\$250

**Chapter 9, INSURANCE REQUIREMENTS, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, of the DCMR is amended as follows:**

**The title of Chapter 9, INSURANCE REQUIREMENTS, is amended to read as follows:**

**Chapter 9, INSURANCE REQUIREMENTS FOR PUBLIC VEHICLES FOR HIRE**

**The title of section 900, APPLICATION AND SCOPE OF INSURANCE REQUIREMENTS, is amended to read as follows:**

**900 APPLICATION AND SCOPE**

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

**Section 1000, GENERAL REQUIREMENTS, is amended as follows:**

**Subsections 1000.1 and 1000.2 are amended to read as follows:**

- 1000.1 No individual shall operate a public vehicle-for-hire in the District unless such individual has a valid DCTC operator’s license (face card), the vehicle has a valid DCTC vehicle license, and the operator and vehicle are in compliance with all applicable provisions of this title and other applicable laws.
- 1000.2 Notwithstanding the provisions of § 1000.1, a valid DCTC operator’s license (face card) and valid DCTC vehicle license shall not be required where the operator is in strict compliance with the applicable provisions of § 828 (reciprocity regulations).

**Section 1001, ELIGIBILITY FOR HACKER’S LICENSE, is amended as follows:**

**Subsection 1001.9 is amended to read as follows:**

1001.9 The Chairperson shall not issue nor renew a license under this chapter to a person who has not, immediately preceding the date of application for a license, been a bona fide resident for at least one (1) year of the Multi-State Area (“MSA”), and has not had at least one (1) year’s driving experience as a licensed vehicle operator within the MSA during such one (1) year period.

**Section 1003, HEALTH REQUIREMENTS, is amended as follows:**

**Subsection 1003.1 is amended to read as follows:**

1003.1 Each application (including a renewal application) shall be accompanied by a certificate from a licensed physician who is a resident of the MSA, certifying that, in the opinion of that physician, the applicant does not have a physical or mental disability or disease which might make him or her an unsafe driver of a public vehicle-for-hire.

**Subsection 1003.7 is amended to read as follows:**

1003.7 An operator’s license shall not be issued or renewed under this chapter for an individual who has a mental disability or disease that would negatively impact his or her ability to meet the requirements of this chapter with respect to the operation of a public vehicle-for-hire, unless he or she provides a certificate from a licensed physician who is a resident of the MSA certifying that, in the opinion of that physician, the person’s mental disability or disease, as may be currently treated, does not negatively impact his or her ability to meet the requirements of this chapter with respect to the operation of a taxicab. If the person’s mental disability or disease, or his or her treatment, substantially changes during the period of licensure, he or she shall provide a re-certification from a physician who is a resident of the MSA or shall immediately surrender his or her license to the Commission.

**Section 1004, INVESTIGATION AND EXAMINATION OF APPLICANTS, is amended as follows:**

**Subsection 1004.3 is amended to read as follows:**

1004.3 The examination shall test the following subject areas:

- (a) General familiarity with the MSA, including history and geography;
- (b) Monuments, landmarks, and other places of interest;
- (c) Customer service for interaction with passengers and the general public;

- (d) Business and accounting practices;
- (e) Cultural sensitivity;
- (f) Disability accommodation and non-discrimination requirements;
- (g) Familiarity with applicable provisions of this title, Title 18 of the DCMR (Vehicles and Traffic), and other applicable laws; and
- (h) Such other topics as the Office may identify in an administrative issuance.

**Section 1005, ISSUANCE OF LICENSES, is amended as follows:**

**Subsection 1005.5 is amended to read as follows:**

1005.5 A person to whom an operator's license has been issued shall continue to reside within the MSA during the term of the license and shall, no later than five (5) days after the termination of the residence within the MSA, surrender the license to the Office.

**Section 1013, COMPLAINTS AGAINST OPERATORS OF PUBLIC VEHICLES FOR HIRE, is repealed and reserved.**

**Chapter 11, PUBLIC VEHICLES FOR HIRE CONSUMER SERVICE FUND, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, of the DCMR is amended as follows:**

**Section 1100, PURPOSE, is amended as follows:**

**Subsection 1100.1 is amended to read as follows:**

1100.1 The purpose of this chapter is to establish procedural and substantive rules governing assessment and collection of all funds to be deposited into the Public Vehicle-for-hire Consumer Service Fund as authorized by Section 20a of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-320 (2012 Repl. & 2014 Supp.)), and the Vehicle-for-hire Act of 2014.

**Subsection 1100.2 is amended to read as follows:**

1100.2 Consumer Service Fund shall consist of:

- (a) All funds collected from a passenger surcharge on taxicab trips;

- (b) All funds collected by the Commission from the issuance and renewal of a public vehicle-for-hire license pursuant to D.C. Official Code § 47-2829 (2012 Repl. & 2014 Supp.), including such funds held in miscellaneous trust funds by the Commission and the Office of the People’s Counsel prior to June 23, 1987, pursuant to D.C. Official Code § 34-912(a) (2012 Repl. & 2014 Supp.);
- (c) All funds collected by the Commission from the Department of Motor Vehicles through the Out-Of-State Vehicle Registration Special Fund, pursuant to Section 3a of the District of Columbia Revenue Act of 1937, effective March 26, 2008 (D.C. Law 17-130; D.C. Official Code § 50-1501.03a (2012 Repl. & 2014 Supp.);
- (d) All taxicab operator and passenger vehicle-for-hire operator assessment fund fees collected by the Commission pursuant to Subsections (c) and (d) of Section 20a of the Act; and
- (e) All funds collected by the Office of the Chief Financial Officer from the quarterly payments of a digital dispatch service pursuant to § 1604.7.

**Section 1103, PASSENGER SURCHARGE, is amended as follows:**

**Subsection 1103.1 is amended to read as follows:**

1103.1 Each trip provided by taxicab licensed by the Office, shall be assessed a twenty-five cent (\$0.25) per trip passenger surcharge.

**Chapter 12, LUXURY SERVICES – OWNERS, OPERATORS, AND VEHICLES, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, of the DCMR is amended as follows:**

**The title of Chapter 12 is amended to read as follows:**

**Chapter 12, LUXURY CLASS SERVICES – OWNERS, OPERATORS, AND VEHICLES**

**Section 1201, GENERAL REQUIREMENTS, is amended as follows:**

**Subsection 1201.3 is amended to read as follows:**

1201.3 Operator requirements. An individual shall be authorized to provide luxury class services if he or she:

- (a) Has a valid and current driver’s license issued by the District of Columbia, the State of Maryland, or the Commonwealth of Virginia;

- (b) Has a valid and current DCTC operator's license authorizing the person to provide luxury class service under § 1209; and
- (c) Is in compliance with Chapter 9 (Insurance Requirements) of this title.

**Subsection 1201.5 is amended to read as follows:**

1201.5 Operating requirements. Luxury class service shall not be provided unless, from the time each trip is booked, through the conclusion of the trip, all of the following requirements are met:

- (a) The operator is in compliance with § 1201.3;
- (b) The vehicle is in compliance with § 1201.4;
- (c) The owner is in compliance with § 1202.1;
- (d) The operator is maintaining with the Office current contact information, including his or her full legal name, residence address, cellular telephone number, and, if associated with an LCS organization, contact information for such organization or for the owner for which the operator drives;
- (e) The operator informs the Office of any change in the information required by subsection (d) within five (5) business days through U.S. Mail with delivery confirmation, by hand delivery, or in such other manner as the Office may establish in an Office issuance;
- (f) The operator is maintaining in the vehicle a manifest that:
  - (1) Is either:
    - (A) In writing, compiled by the operator not later than the end of each shift using documents stored safely and securely in the vehicle; or
    - (B) In electronic format, compiled automatically and in real time throughout each shift;
  - (2) Is in a reasonable, legible, and reliable format that safely and securely maintains the information;
  - (3) Reflects all trips made by the vehicle during the current shift;

- (4) Includes:
  - (A) The date, the time of pick up;
  - (B) The address or location of the pickup;
  - (C) The final destination, which may be phrased “as directed” for electronic manifest maintained in accordance with Chapter 16; and
  - (D) The time of discharge; and
- (5) For manifest maintained in a non-electronic format, does not include terms such as “as directed” in lieu of any information required by this paragraph in accordance with § 1201.8; and
- (6) Is kept in the vehicle readily available for immediate inspection by a District enforcement official (including a public vehicle enforcement inspector (hack inspector)).
- (g) Where limousine service is provided, the trip is booked by contract reservation based on an hourly rate;
- (h) Where black car service is provided, the trip is conducted in accordance with the operating requirements of Chapter 14 of this title;
- (i) The trip is not booked in response to a street hail solicited or accepted by the operator or by any other person acting on the operator’s behalf; and
- (j) There is no individual present in the vehicle who is not the operator or a passenger for whom a trip is booked or payment is made.

**A new subsection 1201.8 is added to read as follows:**

1201.8 A trip manifest maintained in an electronic format by an operator who connects with a passenger through digital dispatch may include a phrase “as directed” or similar phrase in lieu of including a passenger’s trip destination; provided, that the destination is included upon completion of the trip.

**Section 1204, LICENSING OF LCS VEHICLES, is amended as follows:**

**Subsection 1204.4 is amended to read as follows:**

1204.4 The DMV or any District enforcement official may inspect the vehicle to

determine whether it meets the definitions of “black car”, “limousine”, or both, as set forth in § 9901.1, consistent with the applicant’s stated intentions for the use of vehicle.

**Section 1212, ENFORCEMENT OF THIS CHAPTER, is amended as follows:**

**Subsections 1212.2 through 1212.10 are repealed.**

**Chapter 14, OPERATION OF BLACK CARS, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, of the DCMR is amended as follows:**

**Section 1400, APPLICATION AND SCOPE, is amended to read as follows:**

- 1400.1 This chapter establishes regulations for the businesses, operators, and vehicles which participate in providing black car service.
- 1400.2 Additional provisions applicable to the operators and vehicles which participate in providing black car service appear in Chapter 12.
- 1400.3 Additional provisions applicable to the digital dispatch services which participate in providing black car service appear in Chapter 16.
- 1400.4 The provisions of this chapter shall be interpreted to comply with the language and intent of the Establishment Act, as amended by Vehicle-for-Hire Act, and by the Impoundment Act.
- 1400.5 No provision of this chapter requiring a delegation of authority from the Mayor shall apply in the absence of such authority.
- 1400.6 In the event of a conflict between a provision of this chapter and a provision of another chapter of this title, the more restrictive provision shall control.

**Section 1402, OPERATING REQUIREMENTS, is amended as follows:**

**Subsection 1402.6 is amended to read as follows:**

- 1402.6 The fare for black car service, if any, shall:
  - (a) Be based on time and distance rates as set by the DDS except for a set fare for a route approved by the Office order for a well-traveled route, including a trip to an airport or to an event;
  - (b) Be consistent with the DDS’ statement of its fare calculation method posted on its website pursuant to Chapter 16;



- (c) Be disclosed to the passenger in a statement of the DDS' fare calculation method in accordance with Chapter 16;
- (d) Be used to calculate an estimated fare, if any, and disclosed to the passenger prior to the acceptance of service;
- (e) State whether demand pricing applies and, if so, the effect of such pricing on the estimate; and
- (f) Not include a gratuity that does not meet the definition of a "gratuity" as defined in this title.

**Section 1404, PENALTIES, is amended as follows:**

**Subsection 1404.2 (f) and (g) are amended to read as follows:**

- (f) For a violation of § 1403.3 by soliciting or accepting a street hail: a civil fine of seven hundred fifty dollars (\$750);
- (g) For a violation of § 1403.3 by engaging in false dispatch: a civil fine of one thousand dollars (\$1,000);

**Chapter 16, DISPATCH SERVICES AND DISTRICT OF COLUMBIA TAXICAB INDUSTRY CO-OP, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, of the DCMR is amended as follows:**

**Section 1600, APPLICATION AND SCOPE, is amended to read as follows:**

- 1600.1 This chapter establishes regulations for the businesses, operators, and vehicles which participate in providing dispatch services, and establishes the District of Columbia Taxicab Industry Co-op.
- 1600.2 Additional provisions applicable to the businesses, owners, operators, and vehicles which participate in providing taxicab service appear in Chapters 4-11.
- 1600.3 Additional provisions applicable to the businesses, owners, operators, and vehicles which participate in providing black car service appear in Chapters 12 and 14.
- 1600.4 The provisions of this chapter shall be interpreted to comply with the language and intent of the Establishment Act, as amended by Vehicle-for-Hire Act, and by the Impoundment Act.

- 1600.5 The definitions in Chapter 99 shall apply to all terms used in this chapter.
- 1600.6 The phrase “company that uses digital dispatch for public vehicle-for-hire service”, as used in the Establishment Act, as amended by the Vehicle-for-Hire Act, shall include only a digital dispatch service, as defined in Chapter 99, and shall not include any other person regulated by this title in connection with the provision of a public vehicle-for-hire service, such as a taxicab company.
- 1600.7 In the event of a conflict between a provision of this chapter and a provision of another chapter of this title, the more restrictive provision shall control.

**Section 1601, GENERAL REQUIREMENTS, is amended as follows:**

**Subsections 1601.3 and 1601.4 are amended to read as follows:**

- 1601.3 No person regulated by this title shall be associated with, integrate with, or conduct a transaction in cooperation with, a dispatch service that is not in compliance with this chapter.
- 1601.4 No telephone dispatch service shall participate in providing a vehicle for hire service in the District unless it is operated by a taxicab company with current operating authority under Chapter 5.

**Section 1602, RELATED SERVICES, is amended as follows:**

**Subsection 1602.2 is repealed.**

**Section 1603, OPERATING REQUIREMENTS FOR ALL DISPATCH SERVICES is amended to read as follows:**

**1603 TELEPHONE DISPATCH SERVICES – OPERATING REQUIREMENTS**

- 1603.1 Each telephone dispatch service shall operate in compliance with this title and other applicable laws.
- 1603.2 Each telephone dispatch service shall be licensed to do business in the District of Columbia.
- 1603.3 Each gratuity charged by a telephone dispatch service shall comply with the definition of “gratuity”.
- 1603.4 Each telephone dispatch service shall comply with the requirements for passenger rates and charges set forth in § 801.

- 1603.5 Each telephone dispatch service shall provide a passenger seeking wheelchair service with such service, when available, and if not available through the telephone dispatch service, shall make reasonable efforts to assist the passenger in locating available wheelchair service through another source within the District.
- 1603.6 Where a telephone dispatch service shares a request for wheelchair service with another person, the passenger's destination shall not be provided.
- 1603.7 Each telephone dispatch service shall maintain a customer service telephone number for passengers with a "202" prefix or a toll-free area code, posted on its website, which is answered or replied to promptly during normal business hours.
- 1603.8 Each telephone dispatch service shall maintain a website with current information that includes:
- (a) The name of the telephone dispatch service;
  - (b) Contact information for its bona fide administrative office or registered agent authorized to accept service of process;
  - (c) Its customer service telephone number or email address, and;
  - (d) The following statement prominently displayed:

Vehicle-for-hire services in Washington, DC are  
regulated by the DC Taxicab Commission  
2235 Shannon Place, S.E., Suite 3001  
Washington, D.C. 20020-7024  
[www.dctaxi.dc.gov](http://www.dctaxi.dc.gov)  
dctc3@dc.gov 1-855-484-4966 TTY: 711

and;

- (e) A link to § 801 allowing passengers to view applicable rates and charges.
- 1603.9 Each telephone dispatch service shall comply with §§ 508 through 513, to the same extent as if it were a taxicab company.
- 1603.10 Each telephone dispatch service shall provide its service throughout the District.
- 1603.11 Each telephone dispatch service shall perform the service agreed to with a passenger in a dispatch, including picking up the passenger at the agreed time and

location, except for a bona fide reason not prohibited by § 819.5 or other applicable provision of this title.

1603.12 Protection of certain information relating to passenger privacy and safety.

- (a) A telephone dispatch service shall not:
  - (1) Release information to any person that would result in a violation of the personal privacy of a passenger or that would threaten the safety of a passenger or an operator; or
  - (2) Permit access to real-time information about the location, apparent gender, or number of passengers awaiting pick up by a person not authorized by the telephone dispatch service to receive such information. Where a telephone dispatch service shares a request for wheelchair service with another person pursuant to § 1603.5, the passenger's destination shall not be provided.
- (b) This subsection shall not limit access to information by the Office or a District enforcement official.

1603.13 A telephone dispatch service shall not transmit to the operator any information about the destination of a trip, except for the jurisdiction of the destination, until the trip has been booked. Where a telephone dispatch service shares a request for wheelchair service with another person pursuant to § 1603.5, the passenger's destination shall not be provided.

1603.14 Each telephone dispatch service shall store its business records in compliance with industry best practices and all applicable laws, make its business records related to compliance with its legal obligations under this title available for inspection and copying as directed by the Office, and retain its business records for five (5) years.

1603.15 Each telephone dispatch service shall comply with all applicable provisions of this title and other laws regulating origins and destinations of trips, including all reciprocal agreements between governmental bodies in the Washington Metropolitan Area governing public vehicle-for-hire service such as those in § 828.

1603.16 A telephone dispatch service shall not transmit to the operator any information about the destination of a trip, except for the jurisdiction of the destination, until the trip has been booked.

1603.17 Each telephone dispatch service shall store its business records in compliance with industry best practices and all applicable laws, make its business records related to compliance with its legal obligations under this title available for inspection and copying as directed by the Office, and retain its business records for five (5) years.

1603.18 Each telephone dispatch service shall comply with all applicable provisions of this title and other laws regulating origins and destinations of trips, including all reciprocal agreements between governmental bodies in the Washington Metropolitan Area governing public vehicle-for-hire service such as those in § 828.

**Section 1604, REGISTRATION, is amended to read as follows:**

**1604 DIGITAL DISPATCH SERVICES – OPERATING REQUIREMENTS**

1604.1 Each digital dispatch service shall operate in compliance with this title and other applicable laws.

1604.2 Each digital dispatch service shall calculate fares and, where applicable, provide receipts to passengers, as provided in: Chapter 8 for taxicabs, Chapter 14 for black cars, and Chapter 19 for private sedans.

1604.3 Each digital dispatch service shall submit proof that the company maintains a website containing information on its:

- (a) Method of fare calculation
- (b) Rates and fees charged, and
- (c) Customer service telephone number or email address

1604.4 If a digital dispatch service charges a fare other than a metered taxicab rate, the company shall, prior to booking, disclose to the passenger:

- (a) The fare calculation method;
- (b) The applicable rates being charged; and
- (c) The option to receive an estimated fare.

1604.5 Each digital dispatch service shall review any complaint involving a fare that exceeds the estimated fare by twenty (20) percent or twenty-five (25) dollars, whichever is less.

- 1604.6 Each digital dispatch service shall provide its service throughout the District.
- 1604.7 Every three (3) months, each digital dispatch service shall separately transmit to the Office of the Chief Financial Officer (OCFO), for deposit into the Consumer Service Fund in accordance with Chapter 11 of the Title, each of the following amounts:
- (a) For trips by taxicab: the per trip taxicab passenger surcharge; and
  - (b) For trips by black cars and private sedans: one (1) percent of all gross receipts.
- 1604.8 An authorized representative of each digital dispatch service shall certify in writing under oath, using a form provided by the Office, that each amount transmitted to OCFO pursuant to § 1604.7 meets the requirements of § 1604.7, accompanied by documentation of the digital dispatch service's choosing which reasonably supports the amount of the deposit. Each certification and supporting documentation shall be provided to OCFO.
- 1604.9 Not later than January 1, 2016, each digital dispatch service shall ensure that its website and mobile applications are accessible to the blind and visually impaired, and the deaf and hard of hearing.
- 1604.10 Each digital dispatch service shall train its associated operators in the proper and safe handling of mobility devices and equipment, and how to treat individuals with disabilities in a respectful and courteous manner. Completion of training acceptable to qualify an individual for an AVID operator's license issued by the Office shall satisfy this training requirement.
- 1604.11 Each digital dispatch service shall:
- (a) Use technology that meets or exceeds current industry standards for the security and privacy of all payment and other information provided by a passenger, or made available to the digital dispatch service as a result of the passenger's use of the digital dispatch service;
  - (b) Promptly inform the Office of a security breach requiring a report under the Consumer Personal Information Security Breach Notification Act of 2006, effective March 8, 2007 (D.C. Law 16-237, D.C. Official Code §§ 28-3851, *et seq.*), or other applicable law;

- (c) Not release information to any person that would result in a violation of the personal privacy of a passenger or that would threaten the safety of a passenger or an operator; and
- (d) Not permit access to real-time information about the location, apparent gender, or number of passengers awaiting pick up by a person not authorized to receive such information. Where a digital dispatch service shares a request for service with another person for the purpose of providing wheelchair service to a passenger, the passenger's destination shall not be provided.

1604.12 Subsection 1604.11 shall not limit access to information by the Office.

1604.13 During a state of emergency declared by the Mayor, a digital dispatch service which engages in surge pricing shall limit the multiplier by which its base fare is multiplied to the next highest multiple below the three highest multiples set on different days in the sixty (60) days preceding the declaration of a state of emergency for the same type of service in the Washington Metropolitan Area.

1604.14 Each digital dispatch service shall comply with § 828.

**Section 1605, PROHIBITIONS, is repealed.**

**A new Section 1605, DIGITAL DISPATCH SERVICES – REGISTRATION, is added to read as follows.**

**1605 DIGITAL DISPATCH SERVICES - REGISTRATION**

1605.1 No digital dispatch service shall operate in the District unless it is registered with the Office as provided in this section.

1605.2 Each digital dispatch service operating in the District on the effective date of the Vehicle-for-Hire Act of 2014 shall register with the Office within five (5) business days of the effective date of this chapter, and all other digital dispatch services shall register with the Office prior to commencing operations in the District.

1605.3 Where a digital dispatch service provides digital dispatch for an associated or affiliated private sedan business, the digital dispatch service and its associated or affiliated private sedan business shall contemporaneously apply for registration under this chapter and Chapter 19, respectively.

1605.4 Each digital dispatch service shall register by completing an application form made available by the Office, which shall include information and documentation:

- (a) Demonstrating that the digital dispatch service is licensed to do business in the District;
- (b) Demonstrating that the digital dispatch service maintains a registered agent in the District;
- (c) Demonstrating that the digital dispatch service maintains a website that complies with § 1604.3;
- (d) Describing in writing the digital dispatch service's app, with accompanying screenshots, to allow District enforcement officers to understand the functionality of the app, and to verify during a traffic stop:
  - (1) If the vehicle is a public vehicle-for-hire: that the operator and the vehicle are associated with the digital dispatch service;
  - (2) If the vehicle is a private sedan: that the operator and the vehicle are registered with the digital dispatch service's associated or affiliated private sedan business and not under suspension; and
  - (3) The time and location of the most recent request for service.
- (e) A certification that the digital dispatch service is in compliance with the operating requirements of § 1604.

1605.5 Each registration application form filed under § 1605.3 shall be executed under oath by an individual with authority to complete the filing and shall be accompanied by a filing fee of five hundred dollars (\$500).

1605.6 The Office shall complete its review of a registration application form within fifteen (15) business days of filing. Each applicant shall cooperate with the Office to supplement or correct any information needed to complete the review. The Office may deny registration where it appears the private sedan business will not be operating in compliance with this title and other applicable laws.

1605.7 Each registration under this section shall be effective for twenty four (24) months.

1605.8 Each registered digital dispatch service shall renew its registration at least fourteen (14) days prior to its expiration as provided in § 1605.6.

1605.9 Each registered digital dispatch service shall promptly inform the Office of any of the following occurrences in connection with its most recent registration:



- (a) A change in the operation of its app which affects how a District enforcement official uses the app during a traffic stop to determine that the operator and vehicle are in compliance with this title and other applicable laws;
- (b) A change in contact information; and
- (c) A materially incorrect, incomplete, or misleading statement.

**Section 1606, ENFORCEMENT, is repealed.**

**A new Section 1606, PROHIBITIONS, is added to read as follows.**

**1606 PROHIBITIONS**

- 1606.1 No person shall violate an applicable provision of this chapter.
- 1606.2 No dispatch service shall provide dispatch for a person subject to regulation under this title which the dispatch service knows or has been informed by the Office is not in compliance with this title and other applicable laws.
- 1606.3 No dispatch service shall attempt through any means to contradict or evade the requirements of this title or other applicable laws.
- 1606.4 No dispatch service shall impose additional or special charges for an individual with a disability for providing services to accommodate the individual or require the individual to be accompanied by an attendant.
- 1606.5 No fee charged by a dispatch service in addition to a taximeter fare shall be processed by a payment service provider (PSP), or displayed on or paid using any component of an MTS unit, except for a telephone dispatch fee under § 801, or where a digital dispatch service and the PSP have integrated pursuant to Chapter 4.
- 1606.6 Each digital dispatch service shall ensure that a private sedan operator cannot log in to the digital dispatch service's app while the operator is suspended or after the operator has been terminated by the private sedan business.

**Section 1607, PENALTIES, is repealed.**

**A new section 1607, ENFORCEMENT, is added to read as follows:**

**1607 ENFORCEMENT**

1607.1 The provisions of this Chapter shall be enforced pursuant to Chapter 7.

**A new section 1608, PENALTIES, is added to read as follows:**

**1608 PENALTIES**

1608.1 A dispatch service that violates this chapter shall be subject to:

- (a) A civil fine established by a provision of this chapter;
- (c) Enforcement action other than a civil fine, as provided in Chapter 7; or
- (d) A combination of the sanctions enumerated in parts (a) and (b).

1608.2 Except where otherwise specified in this title, the following civil fines are established for violations of this chapter by a dispatch service, which shall double for the second violation of the same provision, and triple for the third and subsequent violations of the same provision thereafter:

- (a) A civil fine of one thousand dollars (\$1,000) where no civil fine is enumerated;
- (b) A civil fine not to exceed twenty five thousand dollars (\$25,000) per day or portion thereof, based on the circumstances, for a violation of § 1604.7 by a digital dispatch service for failure to timely transmit to OCFO any amount required to be transmitted under that subsection, provided however, that a penalty shall not be assessed under both this section and § 1907.4 (x) where a digital dispatch service and a private sedan business are not separate legal entities;
- (c) A civil fine of two thousand five hundred dollars (\$2,500) per day or portion thereof for a violation of § 1604.8 by a digital dispatch service for failure to timely provide a required certification for an amount required to be transmitted to OCFO; and
- (d) A civil fine of two thousand five hundred dollars (\$2,500) for a violation of § 1604.8 by a digital dispatch service for failure to ensure that a private sedan operator suspended or terminated by a private sedan business is unable to log in to the digital dispatch service's app.

**A new Chapter 19, PRIVATE VEHICLES-FOR-HIRE, of the DCMR is added to read as follows:**

**1900 APPLICATION AND SCOPE**

- 1900.1 This chapter establishes regulations for the businesses, operators, and vehicles which participate in providing private vehicle-for-hire service.
- 1900.2 The provisions of this chapter shall be interpreted to comply with the language and intent of the Establishment Act, as amended by Vehicle-for-Hire Act, and of the Impoundment Act.
- 1900.3 The definitions in Chapter 99 shall apply to all terms used in this chapter. The phrase “company that uses digital dispatch for public vehicle-for-hire service”, as used in the Establishment Act, as amended by the Vehicle-for-Hire Act, shall include only a digital dispatch service, as defined in Chapter 99, and shall not include any other person regulated by this title in connection with the provision of a public vehicle-for-hire service, such as a taxicab company or association.
- 1900.4 In the event of a conflict between a provision of this chapter and a provision of another chapter of this title, the more restrictive provision shall control.

## **1901 GENERAL PROVISIONS**

- 1901.1 Each private sedan business shall be registered under this chapter.
- 1901.2 Each digital dispatch service associated or affiliated with a private sedan business shall be registered with the Office under Chapter 16.
- 1901.3 Nothing in this chapter shall be construed as soliciting or creating a contractual relationship, agency relationship, or employer-employee relationship between the District and any other person.
- 1901.4 The District shall have no liability for the negligent, reckless, illegal, or otherwise wrongful conduct of any individual or entity which provides private sedan service.

## **1902 PRIVATE SEDAN BUSINESSES - REGISTRATION**

- 1902.1 Each private sedan business operating in the District shall be registered with the Office as provided in this section.
- 1902.2 Each private sedan business operating in the District on the effective date of the Vehicle-for-Hire Act of 2014 shall register with the Office within five (5) business days of the effective date of this chapter, and all other private sedan businesses shall register with the Office prior to commencing operations in the District.

- 1902.3 Each private sedan business and its associated or affiliated digital dispatch service shall contemporaneously apply for registration under this chapter and Chapter 16.
- 1902.4 Each private sedan business shall apply for registration by providing a certification on a form made available by the Office, which shall include the following information and documentation:
- (a) Proof that the private sedan business is licensed to do business in the District;
  - (b) Proof that the private sedan business maintains a registered agent in the District;
  - (c) Proof that the private sedan business maintains a website that includes the information required by § 1903.3;
  - (d) Proof that the private sedan business has established a trade dress required by § 1903.8, including an illustration or photograph of the trade dress;
  - (e) Identification of the private sedan business's associated or affiliated digital dispatch service;
  - (f) Proof that the private sedan business or its associated private sedan operators are in compliance with the insurance requirements of § 1905, including a complete copy of the policy(ies), the accord form(s), all endorsements, the declarations page(s), and all terms and conditions; and
  - (g) Contact information for one or more designated individuals with whom the Office shall be able to communicate at all times for purposes of enforcement and compliance under this title and other applicable laws, including cellphone number(s) and an email address which shall be dedicated exclusively to the purposes of this paragraph.
- 1902.5 Each certification filed under § 1902.4 shall be executed under oath by an individual with authority to complete the filing and shall be accompanied by a filing fee of twenty five thousand dollars (\$25,000) for each initial certification, and one thousand dollars (\$1,000) for each renewal certification.
- 1902.6 The Office shall complete its review of a certification within fifteen (15) business days of filing. All proof of insurance shall be subject to a review by DISB. Each applicant shall cooperate with the Office to supplement or correct any information needed to complete the review. The Office may deny registration where it appears the private sedan business will not be operating in compliance with this title and other applicable laws.

- 1902.7 Each registration under this section shall be effective for twenty four (24) months.
- 1902.8 Each registered private sedan business shall renew its registration by filing a certification at least fourteen (14) days prior to its expiration as provided in § 1902.7.
- 1902.9 Each registered private sedan business shall promptly inform the Office of either of the following occurrences in connection with its most recent registration:
- (b) A change in contact information; or
  - (c) A materially incorrect, incomplete, or misleading statement.
- 1902.10 No document submitted with an application for registration under § 1904.4 shall contain any redaction or omission of original text except for insurance premium amounts or text redacted or omitted with the written permission of the Office.
- 1902.11 Proof of insurance consistent with § 1902.4 (f) shall immediately be filed with the Office for each insurance policy obtained by a private sedan business to replace an existing, lapsing, terminated, or cancelled policy. The Office shall review the proof within ten (10) business days of filing. The private sedan business shall cooperate with the Office to supplement or correct any information needed to complete the review. The Office may suspend or revoke the private sedan business's registration where it appears the private sedan business will not be operating in compliance with the insurance requirements of this title or other applicable laws.

### **1903 PRIVATE SEDAN BUSINESSES – OPERATING REQUIREMENTS**

- 1903.1 Each private sedan business shall create an application process for an individual to apply to the private sedan business to register as a private sedan operator.
- 1903.2 Each private sedan business shall maintain a current and accurate registry of the operators and vehicles associated with the business.
- 1903.3 Each private sedan business shall display the following information on its website:
- (a) The private sedan business's customer service telephone number or electronic mail address;
  - (b) The private sedan business's zero tolerance policies established pursuant to §§ 1903.9 and 1903.11 of this section;

- (c) The private sedan business's procedure for reporting a complaint about an operator who a passenger reasonably suspects violated the zero tolerance policy §§1903.9 and 1903.11 of this chapter; and
- (d) A telephone number or electronic mail address for the Office.

1903.4 Each private sedan business shall verify that an initial safety inspection of a motor vehicle used as a private sedan was conducted within ninety (90) days of when the vehicle enters service and that the vehicle passed the inspection and was determined to be safe by a licensed mechanic in the District, pursuant to D.C. Official Code § 47-2851.03(a)(9) or an inspection station authorized by the State of Maryland or the Commonwealth of Virginia to perform vehicle safety inspections, provided however, that an initial safety inspection need not be conducted if the vehicle is compliant with an annual state-required safety inspection.

1903.5 Each safety inspection conducted pursuant to § 1903.4 shall check the following motor vehicle equipment to ensure that such equipment is safe and in proper operating condition:

- (a) Brakes and parking brake;
- (b) All exterior lights, including headlights, parking lights, brake lights and license plate illumination lights;
- (c) Turn signal devices;
- (d) Steering and suspension;
- (e) Tires, wheels, and rims;
- (f) Mirrors;
- (g) Horn;
- (h) Windshield and other glass, including wipers and windshield defroster;
- (i) Exhaust system;
- (j) Hood and area under the hood, including engine fluid level and belts;
- (k) Interior of vehicle, including driver's seat, seat belts, and air bags;

- (l) Doors;
- (m) Fuel system; and
- (n) Floor pan.

1903.6 Each private sedan business shall verify the safety inspection status of a vehicle as described in § 1903.5 on an annual basis after the initial safety inspection is conducted.

1903.7 Each private sedan business shall perform the background checks required by § 1903.16 on each applicant before such individual is allowed to provide private sedan service and update such background checks every three (3) years thereafter.

1903.8 Each private sedan business shall establish and maintain a trade dress policy as follows:

- (a) A trade dress:
  - (1) Utilizing a consistent and distinctive logo, insignia, or emblem;
  - (2) Which is sufficiently large and color contrasted so as to be readable during daylight hours at a distance of at least fifty (50) feet;
  - (3) Which is reflective, illuminated, or otherwise patently visible in darkness; and
- (b) A policy requiring the trade dress to be displayed in a specific manner in a designated location on the vehicle at all times when the operator is logged into the private sedan business's associated or affiliated DDS, in a manner consistent with all DMV regulations and other applicable laws, and removed at all other times.

1903.9 Each private sedan business shall establish and maintain a policy of zero tolerance for the use of alcohol or illegal drugs or being impaired by the use of alcohol or drugs while a private sedan operator is logged into the private sedan business's associated or affiliated DDS.

1903.10 Each private sedan business shall:

- (a) Conduct an investigation when a passenger alleges that a private sedan operator violated the zero tolerance policy established by § 1903.9; and

- (b) Immediately suspend for the duration of the investigation required by subparagraph (b) of this subsection, a private sedan operator upon receiving a written complaint from a passenger submitted through regular mail or electronic means containing a reasonable allegation that the operator violated the zero tolerance policy established by § 1903.9.

1903.11 Each private sedan business shall establish a policy of zero tolerance for discrimination and discriminatory conduct on the basis of a protected characteristic under D.C. Official Code § 2-1402.31, while a private sedan operator is logged into a private sedan business's associated or affiliated DDS.

1903.12 Discriminatory conduct under § 1903.11 may include but shall not be limited to:

- (a) Refusal of service on the basis of a protected characteristic, including refusal of service to an individual with a service animal unless the operator has a documented serious medical allergy to animals on file with the private sedan business;
- (b) Using derogatory or harassing language on the basis of a protected characteristic of the passenger;
- (c) Refusal of service based on the pickup or drop-off location of the passenger;
- (d) Refusal of service based solely on an individual's disability which leads to an appearance or to involuntary behavior which may offend, annoy, or inconvenience the operator or another individual; and
- (e) Rating a passenger on the basis of a protected characteristic.

1903.13 It shall not constitute discrimination under § 1903.11 for a private sedan operator to refuse to provide service or to cease providing service to an individual who engages in violent, seriously disruptive, or illegal conduct.

1903.14 Each private sedan business shall:

- (a) Conduct an investigation when a passenger makes a reasonable allegation that an operator violated the zero tolerance policy established by § 1903.11; and
- (b) Immediately suspend, for the duration of the investigation conducted pursuant to subparagraph (a) of this subsection a private sedan operator upon receiving a written complaint from a passenger submitted through



regular mail or electronic means containing a reasonable allegation that the operator violated the zero tolerance policy established by § 1903.11.

- 1903.15 Each private sedan business shall maintain records relevant to the requirements of this section for the purposes of enforcement.
- 1903.16 Each private sedan business shall register private sedan operators in accordance with the following requirements:
- (a) Each individual applying to register with a private sedan business (“applicant”) shall be at least twenty one (21) years of age.
  - (b) A third party accredited by the National Association of Professional Background Screeners or a successor accreditation entity shall conduct the following examinations:
    - (1) A local and national criminal background check;
    - (2) The national sex offender database background check; and
    - (3) A full driving record check.
  - (c) A private sedan business shall reject an application and permanently disqualify an applicant who:
    - (1) As shown in the local or national criminal background check conducted in accordance with subparagraph (b) of this subsection, has been convicted within the past seven (7) years of:
      - (A) An offense defined as a crime of violence under D.C. Official Code § 23-1331 (4);
      - (B) An offense under Title II of the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3002 *et seq.*);
      - (C) An offense under section 3 of the District of Columbia Protection Against Minors Act of 1982, effective March 9, 1983 (D.C. Law 4-173; D.C. Official Code § 22-3102);
      - (D) Burglary, robbery, or an attempt to commit robbery under An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1323; D.C. Official Code §§ 22-801, 22-2801 and 22-2802);

- (E) Theft in the first degree under section 112 of the District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D.C. Official Code § 22-3212);
  - (F) Felony fraud or identity theft under sections 112, 121, or 127b of the District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D.C. Official Code §§ 22-3212, 22-3221, and 22-3227.02); or
  - (G) An offense under any state or federal law or under the law of any other jurisdiction in the United States involving conduct that would constitute an offense described in subparagraphs (A), (B), (C), (D), (E), and (F) of this paragraph if committed in the District;
- (2) Is a match in the national sex offender registry database;
- (3) As shown in the national background check or driving record check conducted in accordance with subsections (b)(1) and (b)(3) of this section, has been convicted within the past seven (7) years of:
- (A) Aggravated reckless driving under section 9(b-1) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1123; D.C. Official Code § 50-2201.04 (b-1));
  - (B) Fleeing from a law enforcement officer in a motor vehicle under section 10b of the District of Columbia Traffic Act, 1925, effective March 16, 2005 (D.C. Law 15-239; D.C. Official Code § 50-2201.05b);
  - (C) Leaving after colliding under section 10c of the District of Columbia Traffic Act, 1925, effective April 27, 2013 (D.C. Law 19-266; D.C. Official Code § 50-2201.05c);
  - (D) Negligent homicide under section 802(a) of An Act To amend an Act of Congress entitled "An Act to establish a Code of Law for the District of Columbia", approved March 3, 1901, as amended, by adding three new sections to be numbered 802(a), 802(b), and 802(c), respectively,

approved June 17, 1935 (49 Stat. 385; D.C. Official Code § 50-2203.01);

- (E) Driving under the influence of alcohol or a drug, driving a commercial vehicle under the influence of alcohol or a drug, or operating a vehicle while impaired under sections 3b, 3c, or 3e of the Anti-Drunk Driving Act of 1982, effective April 27, 2013 (D.C. Law 19-266; D.C. Official Code §§ 50-2206.11, 50-2206.12, and 50-2206.14);
- (F) Unauthorized use of a motor vehicle under section 115 of the District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D.C. Official Code §22-3215); and
- (G) An offense under any state or federal law or under the law of any other jurisdiction in the United States involving conduct that would constitute an offense described in subparts (A), (B), (C), (D), (E), or (F) of this part if committed in the District; or

- (4) Has been convicted within the past three (3) years of driving with a suspended or revoked license under section 13(e) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1123; D.C. Official Code § 50-1403.01(e)), according to the driving record check conducted in accordance with § 1902.16 (b).

1903.17 Each private sedan business shall allow its operators to use only vehicles which:

- (1) Have a manufacturer's rated seating capacity of eight (8) persons or fewer, including the operator;
- (2) Have at least four (4) doors and meet applicable federal motor vehicle safety standards for vehicles of its size, type, and proposed use; and
- (3) Are not more than ten (10) model years of age at entry into service and not more than twelve (12) model years of age while in service.

1903.18 A private sedan business may offer service at no charge, suggest a donation, or charge a fare, provided however, that if a fare is charged the private sedan business shall comply with the provisions of § 1604.4.

1903.19 Each private sedan business shall possess the insurance required by § 1905 and be registered with the Office as required by § 1905.4.

- 1903.20 Each private sedan business shall notify the Office immediately upon the suspension or termination of an operator, by providing the operator's name, address, driver's license information, and the vehicle's make, model, year, color, and tag information.
- 1903.21 Each private sedan business shall designate and maintain one or more individuals with whom the Office shall be able to communicate at all times for purposes of enforcement and compliance under this title and other applicable laws, whom the private sedan business shall identify in its registration under § 1902.4, and shall maintain an email address dedicated exclusively to the purposes of this paragraph.
- 1903.22 Each private sedan business shall ensure a private sedan operator cannot log in to the app of the private sedan business's associated or affiliated DDS app while the operator is suspended or after the operator is terminated by the private sedan business.

#### **1904 PRIVATE SEDAN OPERATORS – REQUIREMENTS**

- 1904.1 Each private sedan operator shall comply with the following requirements for providing private sedan service in the District of Columbia.
- (a) The operator shall provide service only when registered with and not under suspension by a private sedan business which is registered under this chapter. The provision of private sedan service while under suspension shall be deemed a failure to be registered with any private sedan business.
  - (b) The operator shall accept trips only through the use of, and when logged into, an app provided by a digital dispatch service, registered under Chapter 16, and associated or affiliated with the private sedan business with which the operator is registered.
  - (c) The operator shall not solicit or accept a street hail, engage in false dispatch, or use a taxicab or limousine stand.
  - (d) The operator shall not be logged in to the app of a private sedan business's associated or affiliated digital dispatch service without displaying the trade dress of such private sedan business in the manner required by its trade dress policy as established pursuant to § 1903.8.
  - (e) The operator shall keep the following documents present in the vehicle, readily accessible for inspection by a vehicle inspection officer, police officer, and other District enforcement official:

- (1) A current and valid personal driver's license issued by a jurisdiction within the MSA;
  - (2) A current and valid motor vehicle registration issued by a jurisdiction within the MSA;
  - (3) Written proof of the personal motor vehicle insurance coverage required by D.C. Official Code § 31-2403; and
  - (4) If the private sedan business with which the operator is registered does not provide the insurance coverage required by § 1905: proof that the operator is maintaining the insurance coverage required by § 1905.
- (f) The operator shall fully and timely cooperate with vehicle inspection officers, police officers, and other District enforcement officials, during traffic stops, and during all other enforcement and compliance actions under this title and other applicable laws. A violation of this paragraph shall be treated as a violation of a compliance order under § 702.(g)
- (g) The operator shall, in the event of an accident arising from or related to the operation of a private sedan originating in or occurring in the District:
- (1) Notify the private sedan business with which the operator is associated if required by the private sedan business; and
  - (2) Notify the Office within three (3) business days if the accident is accompanied by the loss of human life or by serious personal injury without the loss of human life. The notice shall include a copy of each report filed with MPD or other police agency, a copy of each insurance claim made by the private sedan operator, and such other information and documentation as required by the Office.
- (h) The operator shall be chargeable with knowledge of the applicable provisions of this title and other applicable laws, applicable notices published in the *D.C. Register*, and applicable administrative issuances, instructions and guidance posted on the Commission's website.

**1905**

**PRIVATE SEDAN BUSINESSES AND OPERATORS - INSURANCE REQUIREMENTS**

- 1905.1 Each private sedan business or private sedan operator shall maintain a primary automobile liability insurance policy that provides coverage for the vehicle and the operator when the operator is engaged in a prearranged ride of at least one million dollars (\$1,000,000) per occurrence for accidents involving a private sedan operator, for all private sedan trips originating in or occurring in the District, under which the District is a certificate holder and a named additional insured.
- 1905.2 Each private sedan business or private sedan operator shall maintain a primary automobile liability insurance policy that provides coverage for the vehicle and the operator, for all private sedan trips originating in or occurring in the District, under which the District is a certificate holder and a named additional insured, for the time period when the operator is logged in to a private sedan business's DDS, showing that the operator is available to pick up passengers but is not engaged in a prearranged ride.
- 1905.3 The coverage amounts under § 1905.2 shall be minimum coverage of at least fifty thousand dollars (\$50,000) per person per accident, with up to one hundred thousand dollars (\$100,000) available to all persons per accident, and twenty-five thousand dollars (\$25,000) for property damage per accident and either:
- (a) Offers full-time coverage similar to the coverage required under § 15 of the Act;
  - (b) Offers an insurance rider to, or endorsement of, the operator's personal automobile liability insurance policy as required by § 7 of the Compulsory/No Fault Motor Vehicle Insurance Act; or
  - (c) Offers a liability insurance policy purchased by the private sedan business that provides primary coverage for the time period in which the operator is logged into the private sedan business's DDS showing that the operator is available to pick up passengers.
- 1905.4 Each private sedan business that purchases an insurance policy under this chapter shall provide proof to the Office, at the time of registration, that the private sedan business has secured the policy, and shall provide proof of its compliance with § 1905.11 within five (5) business days of such compliance.
- 1905.5 A private sedan business shall not allow a private sedan operator who has purchased his or her own policy to fulfill the requirements of this chapter to accept a trip request through the DDS used by the private sedan business until the private sedan business verifies that the operator maintains insurance as required under this chapter. If the insurance maintained by a private sedan operator to fulfill the insurance requirements of this chapter has lapsed or ceased to exist, the

private sedan business shall provide the coverage required by this chapter beginning with the first dollar of a claim.

- 1905.6 If more than one insurance policy purchased by a private sedan business provides valid and collectable coverage for a loss arising out of an occurrence involving a motor vehicle operated by a private sedan operator, the responsibility for the claim shall be divided on an equal basis among all of the applicable policies; provided, that a claim may be divided in a different manner by written agreement of all of the insurers of the applicable policies and the policy owners.
- 1905.7 In a claims coverage investigation, a private sedan business shall cooperate with any insurer that insures the private sedan operator's motor vehicle, including providing relevant dates and times during which an accident occurred that involved the operator to determine whether the operator was logged into a private sedan business's DDS showing that the operator is available to pick up passengers.
- 1904.8 The insurance requirements set forth in this chapter shall be disclosed on each private sedan business's website, and the business's terms of service shall not contradict or be used to evade the insurance requirements of this chapter.
- 1905.9 Within ninety (90) days of the effective date of the Vehicle-for-Hire Act, a private sedan business that purchases insurance on an operator's behalf under this chapter shall disclose in writing to the operator, as part of its agreement with the operator:
- (a) The insurance coverage and limits of liability that the private sedan business provides while the operator is logged into the business's DDS showing that the operator is available to pick up passengers; and
  - (b) That the operator's personal automobile insurance policy may not provide coverage, including collision physical damage coverage, comprehensive physical damage coverage, uninsured and underinsured motorist coverage, or medical payments coverage because the operator uses a vehicle in connection with a private sedan business.
- 1905.10 An insurance policy required by this chapter may be obtained from an insurance company authorized to do business in the District or with a surplus lines insurance company with an AM Best rating of at least A-.
- 1905.11 Each private sedan business and operator shall have one hundred twenty (120) days from the effective date of the Vehicle-for-Hire Act to procure primary insurance coverage that complies with the requirements of § 1905.2; provided however, that until such time, each private sedan business shall maintain a contingent liability policy meeting at least the minimum limits of § 1905.2 that

will cover a claim in the event that the private sedan operator's personal insurance policy denies a claim.

1905.12 Each insurance policy required by this chapter shall provide that the Office receive all notices of policy cancellations and changes in coverage.

1905.13 Each private sedan business shall ensure that the Office receives all notices of policy lapses.

1905.14 Each private sedan business shall file proof of insurance as required by § 1902.11 whenever an insurance policy is obtained to replace an existing, lapsing, terminated, or cancelled policy, including where a private sedan business changes from allowing its associated operators to provide the coverage required by the chapter to providing the coverage itself.

## **1906 PROHIBITIONS**

1906.1 No person shall violate any applicable provision of this chapter.

1906.2 No private sedan operator shall threaten, harass, or engage in abusive conduct, or attempt to use or use physical force against any District enforcement official.

1906.3 No private sedan operator shall provide service if such operator is not registered with a private sedan business registered under this chapter.

1906.4 No private sedan operator shall log in to the app of the DDS associated or affiliated with the private sedan business with which the operator is registered during any period when the operator has been suspended by the private sedan business. An operator suspended by a private sedan business shall be deemed not registered with such private sedan business.

1906.5 No private sedan operator shall provide service while under the influence of illegal intoxicants, or under the influence of legal intoxicants that have been prescribed with a warning against use while driving or operating equipment.

1906.6 No private sedan operator shall solicit or accept a street hail, engage in false dispatch, or use a taxicab or limousine stand.

1906.7 No private sedan operator shall access or attempt to access a passenger's payment information after the payment has been processed.

1906.8 No private sedan operator or private sedan business shall engage in conduct which hinders or prevents the District from receiving an amount which the private sedan



business's associated or affiliated digital dispatch service must transmit to OCFO pursuant to § 1604.7.

1906.9 No private sedan business shall commence operating in the District after March 11, 2015 unless it has been granted a registration by the Office pursuant to § 1902.6.

1906.10 No insurance policy which provides the coverage required by this chapter shall contain language that does not conform with this title or the Act.

1906.11 No private sedan business or private sedan operator shall attempt through any means to contradict or evade the requirements of this title or other applicable laws.

## **1907 PENALTIES**

1907.1 Each violation of this chapter by a private sedan operator shall subject the operator to:

- (a) A civil fine established by a provision of this chapter;
- (b) Impoundment pursuant to the Impoundment Act, where a vehicle is operated without a document required by § 1904.1 (e);
- (c) Enforcement action other than a civil fine, as provided in Chapter 7; or
- (d) A combination of the sanctions enumerated in parts (a) through (c).

1907.2 Each violation of this chapter by a private sedan business shall subject the business to:

- (a) A civil fine established by a provision of this chapter;
- (b) Enforcement action other than a civil fine, as provided in Chapter 7; or
- (c) A combination of the sanctions enumerated in parts (a) and (b).

1907.3 The following civil fines are established for violations of this chapter by a private sedan business or private sedan operator, which shall double for the second violation of the same provision, and triple for the third and subsequent violations of the same provision thereafter:

- (a) For a violation of a provision of this chapter, where no civil fine is enumerated:

- (1) By a private sedan operator: a civil fine of one hundred fifty dollars (\$150); and
  - (2) By a private sedan business: a civil fine of one thousand dollars (\$1,000).
- (b) A civil fine of two hundred fifty dollars (\$250) for a violation of § 1904.1 (d) by a private sedan operator for failing to display trade dress while providing service;
  - (c) A civil fine of two hundred fifty dollars (\$250) for a violation of § 1904.1 (e) (4) by a private sedan operator for failure to maintain in the vehicle proof of insurance required by § 1905;
  - (d) A civil fine of two hundred fifty dollars (\$250) for a violation of § 1904.1 (g) (2) by a private sedan operator for failure to notify the Office within three (3) business days where there has been an accident accompanied by the loss of human life or by serious personal injury without the loss of human life
  - (e) A civil fine of one thousand dollars (\$1,000) for a violation of § 1905 by a private sedan operator for failure to maintain the insurance required by § 1905;
  - (f) A civil fine of seven hundred fifty dollars (\$750) for a violation of § 1906.2 by a private sedan operator for threatening, harassing, or engaging in abusive conduct toward a District enforcement official;
  - (g) A civil fine of two thousand five hundred dollars (\$2,500) for a violation of § 1906.2 by a private sedan operator for attempting to use or for using physical force against any District enforcement official;
  - (h) A civil fine of five hundred dollars (\$500) for a violation of § 1906.4 by a private sedan operator by logging in to the app if the operator knows the private sedan business is under suspension;
  - (i) A civil fine of two thousand five hundred dollars (\$2,500) for a violation of § 1906.5 by a private sedan operator for providing service while under the influence of an illegal or legal intoxicants;
  - (j) A civil fine of five hundred dollars (\$500) for a violation of § 1906.6 by a private sedan operator for using a taxicab or limousine stand;

- (k) A civil fine of seven hundred fifty dollars (\$750) for a violation of § 1906.6 by a private sedan operator for soliciting or accepting a street hail;
- (l) A civil fine of one thousand dollars (\$1,000) for a violation of § 1906.6 by engaging in false dispatch;
- (m) A civil fine of three thousand dollars (\$3,000) for a violation of § 1903.2 by a private sedan business for failure to maintain a current and accurate registry of the operators and vehicles associated with the business;
- (n) A civil fine of one thousand five hundred dollars (\$1,500) for a violation of §§ 1903.4-1903.7 by a private sedan business for failure to conduct an appropriate motor vehicle safety inspection or failure to verify that such an inspection has been completed;
- (o) A civil fine of three thousand dollars (\$3,000) for a violation of §§ 1903.9-1903.14 by a private sedan business for failure to maintain a required zero tolerance policy, failing to investigate a violation, or failure to suspend an operator;
- (p) A civil fine of two thousand five hundred dollars (\$2,500) for a violation of § 1903.20 by a private sedan business for failure to immediately notify the Office upon the suspension or termination of an operator;
- (q) A civil fine of four thousand dollars (\$4,000) for a violation of § 1903.21 by a private sedan business for failure to maintain 24/7/365 communication for enforcement and compliance purposes;
- (r) A civil fine of two thousand five hundred dollars (\$2,500) for a violation of § 1903.22 by a private sedan business for failure to prevent a private sedan operator from logging in to the app of the private sedan business's associated or affiliated digital dispatch service while the operator is suspended or after the operator has been terminated;
- (s) A civil fine of three thousand dollars (\$3,000) for a violation of § 1903.15 by a private sedan business for failure to maintain business records;
- (t) A civil fine of five thousand dollars (\$5,000) for a violation of § 1903.16 (b) by a private sedan business for failure to conduct a required check of an operator's criminal background, presence on the national sex offender registry database, or driving record;
- (u) A civil fine of seven thousand dollars (\$7,500) for a violation of § 1903.16 (b) by a private sedan business for allowing the registration of an operator

where the private sedan business knew or should have known the operator was ineligible for registration;

- (v) A civil fine not to exceed twenty five thousand dollars (\$25,000) per day based on the circumstances, for a violation of § 1905 by a private sedan business, for each day or portion thereof where a private sedan business fails to maintain in force and effect insurance coverage it has notified the Office it will provide;
- (w) A civil fine of five thousand dollars (\$5,000) for a violation of § 1905 by a private sedan business other than for a failure to maintain in force and effect insurance coverage it has notified the Office it will provide; and
- (x) A civil fine of twenty five thousand dollars (\$25,000) per day or portion thereof for a violation of § 1906.8 for engaging in conduct which hinders or prevents the District from receiving an amount which the private sedan business's associated or affiliated digital dispatch service must transmit to OCFO pursuant to § 1604.7, provided however, that a penalty shall not be assessed under both this section and § 1608.2 (b) where a digital dispatch service and a private sedan business are not separate legal entities.

1907.4 An operator charged with a violation of § 1906.7 for false dispatch may be adjudicated liable for the lesser-included violation of solicitation or acceptance of a street hail, in the discretion of the trier of fact based on the evidence presented, but shall not be held liable for both violations.

1907.5 In addition to any other penalty or action authorized by a provision of this title, the Office may report violations to another government agency for appropriate action which may include the denial, revocation or suspension of any license that may be issued by the other agency.

**Chapter 99, DEFINITIONS, of Title 31, TAXICABS AND PUBLIC VEHICLES-FOR-HIRE, of the DCMR, is amended to read as follows:**

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

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

**“App”** - an application, as defined in this chapter.

**“Application”** – a piece of software designed to fulfill a particular purpose, which is downloadable by a user to a mobile device, such as a tablet or smartphone. For purposes of this title, unless otherwise stated, an app's purpose shall be assumed to be the digital dispatch of, or the digital dispatch and digital payment of, trips by

vehicles-for-hire.

**“Black car”** – a luxury class vehicle which operates exclusively through advance reservation made by a digital dispatch service, which may not solicit or accept street hails, and for which the fare is calculated by time and distance.

**“Compulsory/No Fault Motor Vehicle Insurance Act”** - the Compulsory/No Fault Motor Vehicle Insurance Act of 1982, effective September 18, 1982 (D.C. Law 4-155; D.C. Official Code § 31-2406) (2012 Repl. & 2014 Supp.).

**“Consumer Service Fund”** – the Public Vehicle-for-Hire Consumer Service Fund as authorized by the Establishment Act, as defined in this chapter, as amended by the Vehicle-for-Hire Act, as defined in this chapter.

**“Digital dispatch”** – hardware and software applications and networks, including mobile phone applications, used for the provision of vehicle-for-hire services.

**“Digital dispatch service”** – a dispatch service that provides digital dispatch for vehicles-for-hire. The phrase “company that uses digital dispatch for public vehicle-for-hire service”, as used in the Establishment Act, as amended by the Vehicle-for-Hire Act, shall include only a digital dispatch service, and shall not include any other person regulated by this title in connection with the provision of a public vehicle-for-hire service, such as a taxicab company.

**“DISB”** – the Department of Insurance, Securities and Banking.

**“Dispatch”** – a means of booking a vehicle-for-hire through advance reservation.

**“Dispatch service”** – an organization, including a corporation, partnership, or sole proprietorship, operating in the District that provides telephone or digital dispatch, as defined in this chapter, for vehicles-for-hire.

**“District enforcement official”** - a vehicle inspection officer or other authorized official, employee, general counsel or assistant general counsel of the Office, or any law enforcement officer authorized to enforce a provision of this title or other applicable law.

**“Establishment Act”** - the District of Columbia Taxicab Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code §§ 50-301 *et seq.* (2012 Repl. & 2014 Supp.).

**“Hack Inspector”** – a vehicle inspection officer as defined in this chapter.

**“Limousine”** – a luxury class vehicle which operates exclusively through advance

reservation by the owner or operator, which may not solicit or accept street hails, and for which the fare is calculated by time.

**“Luxury class vehicle”** – a public vehicle-for-hire that:

- (a) Has a manufacturer’s rated seated capacity of fewer than 10 person;
- (b) Is not a salvaged vehicle or a vehicle rented from an entity whose predominant business is that of renting motor vehicles on a time basis; and
- (c) Is no more than ten (10) model years of age at entry into service and no more than twelve (12) model years of age while in service.

**“MSA”** – the Multi-State Area as defined in this chapter.

**“Multi-State Area”** – the area comprised of the District of Columbia, the State of Maryland and the Commonwealth of Virginia.

**“Pre-arranged ride”** - A period of time that begins when a private sedan operator accepts a requested ride through digital dispatch (an app), continues while the operator transports the passenger in the operator’s private sedan, and ends when the passenger departs from the private sedan.

**“Private sedan”** – a private motor vehicle that shall:

- (a) Have a manufacturer’s rated seating capacity of eight (8) or fewer, including the private vehicle-for-hire operator;
- (b) Have at least four (4) doors and meet applicable federal motor vehicle safety standards for vehicles of its size, type, and propose use; and
- (c) Be no more than ten (10) model years of age at entry into service and no more than twelve (12) model years of age while in service.

The term “private sedan” in this title is synonymous with the term “private vehicle-for-hire” as defined in the Establishment Act, as amended by the Vehicle-for-Hire Act.

**“Private sedan business”** – an organization, including a corporation, partnership, or sole proprietorship, operating in the District that uses digital dispatch to connect passengers to a network of operators of private sedans, as defined in this chapter.

**“Private sedan operator”** – an individual who operates a personal motor vehicle to provide private sedan service, as defined in this chapter, in association with a

private sedan business, as defined in this chapter.

**“Private sedan service”** - a class of transportation service by which a network of private sedan operators, as defined in this chapter, registered with a private sedan business, as defined in this chapter, provides vehicle-for-hire service through a digital dispatch service, as defined in this chapter.

**“Public vehicle-for-hire”** – classes of for-hire transportation which exclusively use operators and vehicles licensed by the Office pursuant to D.C. Official Code § 47-2829.

**“Sedan”** – a black car as defined in this chapter. The terms “sedan” and “black car” are synonymous in this title.

**“Taxicab”** – a class of public vehicle-for-hire which may be hired by dispatch or hailed on the street, and for which the fare complies with the provisions of § 801.

**“Telephone dispatch”** – a traditional means for dispatching a vehicle-for-hire, originating with a telephone call by the passenger. The term “telephone dispatch” in this title is synonymous with the term “dispatch” as defined in the Establishment Act, as amended by the Vehicle-for-Hire Act.

**“Trade Dress”** – a logo, insignia, or emblem established by a private sedan business for display on its associated vehicles while providing service.

**“Vehicle-for-hire”** – a public vehicle-for-hire or a private sedan, as defined in this chapter.

**“Vehicle-for-Hire Act”** – the Vehicle-for-Hire Innovation Amendment Act of 2014, effective March 10, 2015 (D.C. Law 20-0197); D.C. Official Code §§ 50-301 *et seq.*

**“Vehicle-for-hire industry”** – all persons directly involved in providing public vehicle-for-hire and private sedan services, including companies, associations, owners, operators, and any individual who, by virtue of employment or office, is directly involved in providing such services.

**“Vehicle inspection officer”** – an Office employee trained in the laws, rules, and regulations governing vehicle-for-hire service to ensure the proper provision of service and to support safety through street enforcement efforts, including traffic stops of vehicles-for-hire, pursuant to Establishment Act, as amended by the Vehicle-for-Hire Act, and other applicable provisions of this title and other applicable laws.

**Subsection 9901.1, is amended to remove the following definitions:**

**“Public vehicle inspection officer”** – a Commission employee trained in the laws, rules, and regulations governing public vehicle-for-hire services to ensure the proper provision of service and to support safety through street enforcement efforts, including traffic stops of public vehicles-for-hire, pursuant to protocol established by the Commission

**“Vehicle”** – a public vehicle-for-hire subject to licensing and regulation by the Commission.