

DISTRICT OF COLUMBIA TAXICAB COMMISSION

NOTICE OF FINAL RULEMAKING

The District of Columbia Taxicab Commission (“Commission”), pursuant to the authority set forth in Sections 8(c)(2), (3), (5), (7), (12), (15), and (19), 14, and 20 of the District of Columbia Taxicab Commission Establishment Act of 1985 (“Establishment Act”), effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code §§ 50-307(c)(2) (3), (5), (7), (12), (15), and (19), 50-313, and 50-319 (2012 Repl. & 2015 Supp.)), and D.C. Official Code § 47-2829 (b), (d), (e), (e-1), and (i) (2012 Repl. & 2015 Supp.), hereby gives notice of its intent to adopt amendments to Chapter 10 (Public Vehicles for Hire) and Chapter 99 (Definitions) of Title 31 (Taxicabs and Public Vehicles-for-hire) of the District of Columbia Municipal Regulations (DCMR).

This final rulemaking deletes the regulations in Chapter 10 which authorize the issuance of DCTC transferable taxicab vehicle licenses. These licenses function similarly to medallions, allowing licensees to perpetually maintain vehicle licenses from the Commission, without regard to active participation in the industry, current District licensing policy, and current industry best practices. A related definition in Chapter 99 is also deleted.

Proposed rulemaking was adopted by the Commission on October 14, 2015 and published in the *D.C. Register* on December 4, 2015 at 62 DCR 015693. The Commission did not receive any comments during the comment period, which expired on January 3, 2016 and no substantial changes have been made.

The Commission voted to adopt these rules as final on January 20, 2016, and they will become effective upon publication in the *D.C. Register*.

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

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

- 1010.1 Nothing in this chapter shall be construed as creating a right of action against the District of Columbia based on the loss or diminution in value of, or in the loss of transferability of, any legal right or property interest which was due, in whole or in part, to action or inaction by any person in violation of the provisions of this title or other applicable law, including any person not subject to the jurisdiction of the District or the Office.
- 1010.2 Nothing in this chapter shall be construed to alter the legal rights or obligations of any person under any provision of the D.C. Municipal Regulations other than the rules and regulations of the Commission in this title.
- 1010.3 Each owner of a public vehicle-for-hire prior to operating in the District shall obtain a DCTC vehicle license from the Office, except as provided in § 1010.4.

- 1010.4 A DCTC vehicle license is not required for the following vehicles:
- (a) Sightseeing vehicles owned by a school, school board, or similar body;
 - (b) Sightseeing vehicles transporting passengers to the District from a point outside the District, if the total operation of the vehicle does not exceed fifteen (15) days during any license year (April 1st through March 31st); and
 - (c) Sightseeing vehicle registered elsewhere than in the District which does not operate for more than fifteen (15) days during any license year (April 1st through March 31st).
- 1010.5 The owner of the vehicle (“applicant”) shall file an application for a license with the Office, which shall determine whether or not the vehicle shall be registered in the District, as required by all applicable provisions of this title, DMV regulations and other applicable laws. The Office’s determination shall be noted on the application.
- 1010.6 If the Office determines that a vehicle need not be registered in the District, the applicant shall meet the requirements of § 1010.13.
- 1010.7 Each applicant shall submit the application to the Office of the Chief Financial Officer (“OCFO”) for a determination of applicable taxes. OCFO shall note compliance with any applicable tax requirements upon the application.
- 1010.8 Each applicant whose vehicle is registered in the District shall present evidence that the vehicle has been inspected by DMV and is in compliance with all other provisions of this title relating to vehicle safety and passenger comfort.
- 1010.9 Each applicant shall present evidence satisfactory to the Office that the vehicle is insured under the provisions of Chapter 9. The Office shall act as agent for the purpose of enforcing insurance regulations and shall maintain records necessary to perform that function.
- 1010.10 Each application shall be made on a form provided by the Office, and shall state the owner’s full name, place of residence and business addresses, and any other information and documentation required by the Office.
- 1010.11 DMV, acting as agent for the Office, shall inspect taxicabs to ensure compliance with the equipment requirements of the Commission’s regulations, including authorized vehicle type, paint color(s), trade name, insignias, rate and passenger rights signs, meter seals, dome lights, upholstery condition, sanitation, and other provisions of this title.

- 1010.12 The Office shall determine from its own records whether a taxicab owner is in compliance with the color and insignia requirements with respect to company, association, or independent taxicab status.
- 1010.13 The Office, upon receipt of an application for a public vehicle-for-hire and evidence satisfactory to the Office that all requirements of this title have been met, and upon receipt of the proper fee, shall issue the appropriate vehicle license to the owner.
- 1010.14 The Office shall collect the prescribed fees for each DCTC vehicle license sought by the applicant.
- 1010.15 Each vehicle license shall be in form prescribed by the Office and shall contain any information which the Office deems appropriate.
- 1010.16 The Office shall record and maintain records of assignments made by licensees to whom licenses have been issued under this chapter. Each assignment shall be made in the form prescribed by the Office.

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

Section 9901, Definitions, is amended as follows:

The following definition is hereby deleted:

“DCTC transferable taxicab vehicle license” - A DCTC taxicab vehicle license which may be transferred from its owner to any person by any lawful means, without reapplication, and which provides its owner with a corresponding privilege to apply to DMV for registration and tags, as stated in § 1010 and subject to all DMV rules and regulations and other applicable laws. A DCTC transferable taxicab vehicle license shall not guarantee its holder's privilege to be issued DMV vehicle registration or tags where the issuance of registration or tags would be inconsistent with DMV rules or regulations or other applicable laws.