

1
2 Councilmember Tommy Wells

Councilmember Mary M. Cheh

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9 A BILL
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14 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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18 Councilmembers Mary M. Cheh and Tommy Wells introduced the following bill, which was
19 referred to the Committee on _____.
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21 To amend the District of Columbia Taxicab Commission Establishment Act of 1985 to update
22 the findings of the Council, to update the purposes of the act, to update definitions under
23 the act, to make technical amendments, to create a new Executive Director for the Office
24 of Taxicabs and provide for appoint, to eliminate the standing panels, to update duties of
25 the Commission, to update procedures of the Commission, to update the authority to
26 regulate public-vehicles-for-hire, to update licensure requirements, to establish the Public
27 vehicles-for-hire Consumer Service Fund, to create an offense for assault on a public
28 vehicle-for-hire inspector; to amend the Taxicab Fare Payment Act to update the offense
29 of failure to pay or attempt to avoid payment; to amend An Act Making appropriations to
30 provide for the expenses of the government of the District of Columbia for the fiscal year
31 ending June 30, 1920, and for other purposes to update the offense of loitering; to amend
32 Chapter 28 of Title 47 to revise fines, to update training and examination requirements,
33 and to authorize the creation of a points system for new licensees.
34

35 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
36 act may be cited as the “District of Columbia Taxicab Commission Service Improvement
37 Amendment Act of 2011”.

38 Sec. 2. The District of Columbia Taxicab Commission Establishment Act of 1985,
39 effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301 *et seq.*), is amended as
40 follows:

1 (a) Section 2 (D.C. Official Code § 50-301) is amended to read as follows:

2 “(1) Passenger transportation by public vehicles-for-hire, particularly by taxicabs,
3 is an integral and important component of public transit within the District.

4 “(2) The business of transporting passengers and baggage for hire by taxicab is
5 an important public interest requiring governmental supervision, regulation, and control.

6 “(3) Governmental regulation of the taxicab industry in the District has been and
7 is currently marked by a lack of incentives to properly induce modernization of vehicles, quality
8 service, and innovative technology.

9 “(4) Considering the importance of the taxicab industry to the overall public
10 transportation system within the District, there should be established a means of funding and
11 regulation for the furtherance of coherent, efficient, and enforceable regulation of vehicles-for-
12 hire, and for the establishment of sound taxi and livery transportation policy.

13 “(5) Recommendations have been made over the course of several decades by
14 various private and commissioned studies, task forces, public and private groups, individuals,
15 and Congressional committees and subcommittees urging regulatory and operational reform of
16 the taxicab industry.

17 “(6) Based upon the consistency of recommendations made over the years
18 relating to regulatory reform of the system of taxi supervision, and based upon the Council’s own
19 evaluation of the present structure of governmental regulation, the Council finds that improved
20 regulatory, educational, and enforcement performance is in the public interest.

21 “(7) The taxicab industry within the District is largely comprised of thousands of
22 individual licensees conducting business on a self-employment basis.

23 “(8) In view of these findings, the Council of the District of Columbia believes

1 the citizens of the District of Columbia will benefit from the enactment of the District of
2 Columbia Taxicab Commission Service Improvement Amendment Act of 2011.”.

3 (b) Section 3 (D.C. Official Code § 50-302) is amended as follows:

4 (1) Subparagraph (a)(4)(G) is amended to read as follows:

5 “(G) Foster good will and a cooperative spirit among the taxicab industry, the
6 government, the hospitality industry, and the public; and”.

7 (2) New subparagraphs (H) and (I) are added to read as follows:

8 “(H) Promote policies of energy conservation, the reduction of pollution,
9 including through the use of hybrid, biodiesel, compressed natural gas, electric, and other
10 alternative fuel vehicle models, the reduction of traffic congestion, and policies that promote a
11 more livable city; and

12 “(I) Provide reasonable access to wheelchair accessible taxicabs.”.

13 (3) New paragraphs (5), (6), and (7) are added to read as follows:

14 “(5) To fund the Commission activities from a dependable, secured, and
15 restricted Fund;

16 “(6) To improve the delivery of taxi service to the community; and

17 “(7) To improve the functioning of the Commission.”.

18 (4) Subparagraph (b)(2)(C) is amended by striking the phrase “ownership of
19 taxicabs.” and inserting the phrase “ownership of taxicabs; and” in its place.

20 (5) A new subparagraph (b)(2)(D) is added to read as follows:

21 “(D) Issue rules and establish policies which shall promote operators of taxicabs
22 continued access to the ownership of taxicabs.”.

23 (c) Section 4 (D.C. Official Code § 50-303) is amended to read as follows:

1 “Section 4. Definitions.

2 “For the purpose of this subchapter, the term:

3 (1) “Alternative Fuel” means advanced fuels, which can be any materials or
4 substance that can be used as fuels, other than conventional fuels such as fossil fuels, including
5 biodiesel, compressed natural gas (CNG), electricity, and ethanol; the term “alternative fuel”
6 shall also apply to hybrid vehicles which use alternative forms of power, such as electricity.

7 (2) “CNG Vehicle” means an automobile powered by dedicated compressed
8 natural gas.

9 “(1) “Capital City Plan” means the formal alphabetical and numerical pattern and
10 layout of streets within the District’s 4 quadrants, the formal pattern and layout of avenues and
11 circles within the District, and the formal system and pattern of addresses within the District.

12 “(2) “Commission” means the District of Columbia Taxicab Commission
13 established by section 5.

14 “(3) “Commissioner” means the Commissioner of Department of Insurance,
15 Securities, and Banking.

16 “(4) “District” means the District of Columbia.

17 “(5) “Executive Director” means the Executive Director of the Office of
18 Taxicabs established by section 13.

19 “(6) “Fund” means the Public vehicles-for-hire Consumer Service Fund
20 established by section 20f.

21 “(7) “Hospitality industry” means any person or entity involved in the operation,
22 management, support, or ownership of a restaurant, catering business, hotel business,
23 conference, travel, or tourism business, tour or tour guide business, or public transportation.

1 “(8) “Industry member” mean a person experienced in the transportation or
2 hospitality industry.

3 “(9) “Limousine” means a public passenger vehicle used exclusively for contract
4 livery services for which the rate is fixed solely by the hour.

5 “(10) “Office” means the Office of Taxicabs established by section 13.

6 “(11) “Passenger” vehicle-for-hire” means:

7 “(A) Any motor vehicle-for-hire operated in the District by an individual
8 or any entity as a taxi or a limousine;

9 “(B) Any motor vehicle-for-hire operated exclusively within the District
10 between fixed termini or on a schedule, exclusive of vehicles operated by the Washington
11 Metropolitan Area Transit Authority or other public authorities; or

12 “(C) Any other private motor vehicle-for-hire not operated on a schedule
13 or between fixed termini and operated exclusively in the District, inclusive of taxicabs.

14 “(12) “Public vehicle-for-hire” means any passenger vehicle-for-hire licensed
15 pursuant to D.C. Official Code § 47-2829, including taxicabs and limousines. All passenger
16 vehicles-for-hire are considered to be public vehicles-for-hire.

17 “(13) “Taxi or taxicab” means any passenger vehicle-for-hire having a seating
18 capacity of 8 or less passengers, exclusive of the driver, and operated as a vehicle for passenger
19 transportation for hire by taxicab.

20 “(14) “Taxicab association” means a group of taxicab owners organized for the
21 purpose of engaging in the business of taxicab transportation for common benefits regarding
22 operation, color scheme, or insignia. An association must have a minimum of 20 taxicabs having
23 a uniform color scheme and having unified control by ownership or by association.

1 “(15) “Taxicab company” means any person, partnership, or corporation engaging
2 in the business of owning and operating a fleet or fleets of taxicabs having a uniform color
3 scheme. A company must have a minimum of 20 taxicabs having a uniform color scheme and
4 having unified control by ownership or by the company.

5 “(16) “Taxi or taxicab fleet” means a group of 20 or more taxicabs having a
6 uniform color scheme and having unified control by ownership or by association.

7 “(17) “Taxicab industry” means all taxicab companies, associations, owners, and
8 operators, or any person who by virtue of employment or office is directly involved in the
9 provision of taxicab services within the District.

10 “(18) “Taxi or taxicab operator” means any person operating or licensed to
11 operate a taxicab for hire in the District of Columbia.

12 “(19) “Taxi or taxicab owner” means any person, corporation, partnership, or
13 association which holds the legal title to a taxicab the registration of which is required in the
14 District of Columbia. If a taxicab is the subject of an agreement for the conditional sale or lease
15 with the right of purchase upon performance of the condition stated in the agreement and with an
16 immediate right of possession vested in the conditional vendee or lessee, or if a mortgagor of a
17 taxicab is entitled to possession, then the conditional vendee, lessee, or mortgagor shall be
18 considered the owner for the purpose of this act.

19 “(20) “Taxicab rate structure” means the rates, fares, charges, and methodologies
20 used to determine the price of taxicab service.

21 “(21) “Taxicab service” means passenger transportation service originating in the
22 District in which the passenger directs the points between which the service is to be provided,
23 and which is provided at a time chosen by the passenger, and the fare and fees for which is

1 proscribed by the Commission.

2 “(22) “Wheelchair accessible vehicle” means an Americans with Disabilities Act
3 of 1990 (“ADA”) compliant vehicle which accommodates a passenger using a wheelchair or
4 other personal mobility device who needs a ramp or lift to enter or exit the vehicle. Such vehicle
5 must comply with the provisions in 49 C.F.R. Part 38.1 – 38.39.”.

6 (d) Section 5 (D.C. Official Code § 50-304) is amended by striking the phrase “taxicab
7 industry” and inserting the phrase “public vehicle-for-hire industry” in its place.

8 (e) Section 6 (D.C. Official Code § 50-305) is amended as follows:

9 (1) Subsection (a) is amended as follows:

10 (A) By striking the phrase “taxicab industry operations” in the third
11 sentence and inserting the phrase “the field of transportation administration or regulations, the
12 hospitality industry, public safety, or taxicab management or operations” in its place.

13 (B) By striking the last sentence.

14 (2) Subsection (d) is amended by striking the phrase “Chief of the Office” and
15 inserting “Executive Director” in its place.

16 (3) Add new subsections (e) and (f) to read as follows:

17 “(e) The Chairperson of the Commission shall appoint the Secretary to the
18 Commission and the Executive Director of the Commission and of the Office of Taxicabs.

19 “(f) Each member of the Commission must execute a Non-Disclosure Statement
20 prior to his or her first official deliberative session with the Commission.”.

21 (f) Section 7 (D.C. Official Code § 50-306) is amended to read as follows:

22 “Section 7. Organization.

1 “The Commission may organize task-specific panels as Commission needs dictate as
2 determined by the Chairperson. All acts and orders of any such panel shall be the act or order of
3 the full Commission.”.

4 (g) Section 8 (D.C. Official Code § 50-307) is amended to read as follows:

5 “Sec. 8. Duties of Commission; jurisdiction; powers.

6 “(a) The Commission is charged with the responsibility for the continuance, further
7 development, and improvement of the public passenger vehicle-for-hire industry within the
8 District, and for the overall regulation of taxicabs and limousines and taxicab and limousine
9 companies, fleets, and associations.

10 “(b) A majority of the appointed Commissioners shall constitute a quorum for
11 transacting business and for taking official action or votes. However, public hearings may be
12 conducted without the presence of a quorum.

13 “(c) The responsibility of the Commission specified in subsection (a) of this section shall
14 be effected as follows:

15 “(1) The Commission shall have authority, power, and duty to:

16 “(A) Establish reasonable rates for taxicab service for the transportation
17 of passengers and their property within the District, including all charges incidental and directly
18 related to the provision of taxicab services;

19 “(B) Establish reasonable fares for taxicab service, including, but not
20 limited to, meter rates and fees;

21 “(C) Establish criteria, standards, and requirements for public vehicle-for-
22 hire licensing;

1 “(D) Establish criteria, standards, and requirements for the licensing of
2 public vehicle-for-hire owners, operators, companies, associations, and fleets, including the
3 setting of reasonable license fees;

4 “(E) Establish standards, conditions, and requirements of public vehicle-
5 for-hire service;

6 “(F) Establish standards for driver and passenger safety, including:

7 “(i) All owners of licensed taxicabs operating the District of
8 Columbia shall have 1 year from the effective date of this Act to security devices, including alert
9 buttons in each taxicab that will notify the Metropolitan Police Department that a passenger or
10 driver is in need of assistance; and

11 “(ii) Increased enforcement by hack inspectors, including during
12 late evening and early morning hours, of unlicensed or out-of-jurisdiction taxicab and limousine
13 operators attempting to provide passenger service in the District;”.

14 “(G) Establish standards and requirements relating to the modernization
15 of equipment and equipment design. These improvements shall include:

16 “(i) All owners of licensed taxicabs operating the District of
17 Columbia shall have 1 year from the effective date of this Act to install equipment that facilitates
18 payment of a taxicab fare by alternatives to cash, including credit cards, debit cards, cyber-cash,
19 and other generally acceptable means of purchasing goods and services. Such devices shall be
20 able to print receipts;

21 “(ii) All owners of licensed taxicabs operating the District of
22 Columbia shall have 1 year from the effective date of this Act to install global positional system
23 (GPS) devices;

1 electricity, or ethanol, it shall display a term or symbol approved by the Commission that
2 identifies the vehicle as a clean energy vehicle in a minimum of 2 prominent locations on the
3 exterior of the vehicle;

4 “(iv) All owners of licensed taxicabs operating in the District of
5 Columbia shall, if feasible, replace old taxicabs, which have reached the end of their allowed
6 lifespan under regulations, with vehicles that are fuel efficient by the standards of the National
7 Highway Traffic Safety Administration, are hybrids, or use alternative fuel, such as ethanol,
8 compressed natural gas, biodiesel, electricity, or other commercially available technology. The
9 Commission may provide grants and/or no- or-low cost loans to applying owners of licensed
10 taxicabs operating in the District to offset the cost of replacing an expired vehicle with an
11 alternative fuel-powered vehicle, or a hybrid vehicle, as established by rulemaking.

12 “(v) The Mayor shall, after holding a public hearing and taking
13 into consideration public comments, issue rules requiring the installation of uniform cruising
14 lights by all owners of licensed taxicabs operating in the District of Columbia within 1 year of
15 the effective date of this Act. These cruising lights should clearly identify when a taxicab is
16 occupied, on-call, off-duty, or available to accept a fare.

17 “(vi) The Mayor shall, after holding a public hearing and taking
18 into consideration public comments, issue rules requiring all taxicabs operating in the District of
19 Columbia to be of a uniform color and have an emblem symbolizing the flag of the District of
20 Columbia. In the event the Mayor determines a uniformed color scheme is appropriate:

21 “(I) The Mayor shall issue rules allowing all vehicles
22 operated by taxicab companies, fleets, and associations to place an insignia on the vehicle,

1 requiring such an insignia to be of a certain size and placement on the vehicle, as established by
2 rulemaking; and

3 “(II) All operating taxicabs shall comply with such rules
4 within 1 year of the effective date of this Act.

5 “(vii) All owners and operators of licensed taxicabs operating in
6 the District of Columbia shall have 1 year from the effective date of this Act to install meters that
7 can provide receipts to passengers, provide a location through global positioning, can digitally
8 provide all trip information (electronic manifest) to the Commission in real-time, and can record
9 and report all fares and earnings for tax purposes; and

10 “(viii) The elimination of the use of paper manifests. Each meter
11 shall be capable of providing daily manifests digitally to the Commission.

12 “(H) In situations of public emergency or because of extraordinary
13 circumstances affecting the taxi industry, regulate the rates charged for the lease of taxicabs by
14 taxicab companies, associations, and fleets considered necessary to protect the public interest;

15 “(I) Establish reasonable civil fines and penalties for violations of rules
16 issued by the Commission, or orders issued by the Commission, including penalties consisting of
17 license suspension and revocation;

18 “(J) Establish any rule relating to the regulation and supervision of the
19 public vehicle-for-hire industry not specifically delineated in this act, so long as the rule is
20 consistent with this act, is reasonable, and is related to the furtherance and protection of the
21 public interest in public vehicle-for-hire transportation;

1 “(K) Advise agencies and authorities of government having jurisdiction
2 over public transportation or public highways and space within the District regarding the routing
3 of taxicabs and the location of taxicab stands within the District;

4 “(L) Advise the Mayor regarding the entering, modifying, and terminating
5 of reciprocal agreements respecting taxicabs with governmental bodies in the Washington
6 metropolitan area;

7 “(M) Establish the composition of primary taxicab or limousine operator
8 training courses, driver refresher training courses, and training for operators of wheelchair-
9 accessible taxicabs, and how often such course will be offered and by what accredited institution
10 or institutions; provided, the primary training course shall be offered at least annually and shall
11 be taken by operators as necessary, as established by rulemaking:

12 “(i) All primary operator and refresher courses shall provide
13 training pursuant to D.C. Code § 47-2829(e)(2)(A).

14 “(ii) All training courses for operators of wheelchair-accessible
15 taxicabs shall provide training on:

16 “(I) A review of the Americans with Disabilities Act of
17 1990, including all legal requirements that apply to transportation of persons with disabilities;

18 “(II) Passenger assistance techniques, including a review
19 of various disabilities, hands-on demonstrations, disability etiquette, mobility equipment training
20 (including familiarity with lift and ramp operations and various types of wheelchairs and
21 personal mobility devices), and safety procedures;

22 “(III) Training with an actual person using a wheelchair or
23 personal mobility device;

1 “(P) Incentivize taxicab service in geographically underserved areas of
2 the District, which may include the placement of taxicab and limousine stand locations in
3 geographically underserved areas within the District, as established through rulemaking;

4 “(Q) Receive, respond to, hear, and adjudicate complaints lodged in the
5 Office of Taxicabs against taxicab operators, companies, associations, fleets, and taxi dispatch
6 services by consumers and officials or employees of government involved in public vehicle-for-
7 hire enforcement or administration, or refer such contested matters to the Office of
8 Administrative Hearings. With respect to complaints, the Commission shall:

9 “(i) Make available on its website resources for the public to file
10 complaints electronically;

11 “(ii) Initially respond, in writing, to a complainant within 72 hours
12 of receipt of the complaint by the Commission confirming receipt of the complaint;

13 “(iii) Provide training in the rules and regulations governing
14 taxicab operators to all personnel responsible for reviewing complaints;

15 “(iv) Provide information on its website about the appeals process
16 for complaints deemed not to show a violation; and

17 “(v) Conduct annual performance and compliance audits of the
18 complaints received by the Commission, how those complaints were handled, and how those
19 complaints were used to improve the provision of taxicab service in the District;

20 “(R) When determined by it to be necessary to protect the public interest,
21 hear complaints and disputes occurring within the taxi industry, including, but not limited to,
22 complaints and disputes between companies, associations, companies and associations, operators

1 or owners, and operators or owners and companies or associations; and, to address industry-wide
2 problems, issue reasonable rules for the governance of intra-industry relationships;

3 “(S) Hear and decide appeals taken from license denials and proposed
4 revocations or suspensions issued by the Office of Taxicabs or refer the contested matter to the
5 Office of Administrative Hearings;

6 “(T) Hear and decide complaints and appeals taken from any order, act,
7 practice, or policy implemented by the Office of Taxicabs relating to the taxicab industry; and

8 “(U) Undertake the investigation of any aspect of taxicab operations and
9 practices, and issue reasonable rules to address the subject of the investigation.

10 “(2) In exercising the rulemaking and ratemaking authority vested in it, the
11 Commission shall adhere to and be subject to the requirements of subchapter I of Chapter 5 of
12 Title 2, which provisions shall apply to the Commission as an agency of government. The
13 Commission shall, in giving notice of intended action under § 2-505, afford interested persons an
14 opportunity to make public comment. A public hearing is required when a ratemaking or
15 rulemaking action is referred to a panel for deliberation. Adequate notice of such hearing shall be
16 given as required by rules of the Commission. In exercising its rulemaking and ratemaking
17 authority, the Commission shall act by a majority vote of the Commission.

18 “(3) No rule or rate shall be effective unless a majority of the full Commission
19 has voted affirmatively for the adoption of the rule or rate, and no proxy by a member shall be
20 allowed.

21 “(d) The Commission is empowered to issue orders which shall have binding effect in
22 exercising any authority conferred by this section.

23 “(e) Appeals from final decisions of the Commission may be taken to the Office of

1 Administrative Hearings pursuant to the Office of Administrative Hearings Establishment Act of
2 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.01 *et seq.*).”.

3 (h) Sections 9 and 10 (D.C. Official Code §§ 50-308 and 50-309) are repealed.

4 (i) Section 10b (D.C. Official Code § 50-309.02) is amended to read as follows:

5 “Sec. 10b. Commission Panel – appointment, powers, and duties; appeals.

6 “(a) The Chairperson may appoint a Panel of Commissioners, or a single Commissioner,
7 from time to time to hear and adjudicate consumer and industry complaints filed against taxicab
8 owners, operators, companies, associations, fleets, and radio dispatch operations. These Panels
9 (or a single Commissioner) may also hear and decide appeals taken from license denials and
10 proposed revocations or suspensions issued by the Office of Taxicabs, appeals from Notices of
11 Infractions issued by Public Vehicle Inspection Officer, and fines issued as a result of the
12 consumer complaint process.

13 “(b) The Panel (or a single Commissioner) may:

14 “(1) Preside over a hearing in a contested matter;

15 “(2) Compel the attendance of a witness by subpoena;

16 “(3) Administer an oath, take testimony of a witness under oath, and dismiss,
17 rehear, or continue a case; and

18 “(4) Issue decisions for review and approval of the Chairman of the Commission,
19 to be issued as the final decision of the Commission, or refer the matter for contested hearing
20 before the Office of Administrative Hearings pursuant to the Office of Administrative Hearings
21 Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-
22 1831.01 *et seq.*).”.

23 (j) Section 11 (D.C. Official Code § 50-310) is amended to read as follows:

1 “Sec. 11. Internal and procedural rules.

2 “(a) The Commission shall establish rules for the general conduct of its organizational
3 affairs and shall establish rules of procedure of general applicability consistent with subchapter I
4 of Chapter 5 of Title 2. Such rules shall include specific guidelines to implement due process
5 requirements.

6 “(b) The proposed rules shall be in compliance with any requirements imposed upon the
7 Commission by subchapter I of Chapter 5 of Title 2.”.

8 (k) Section 12 (D.C. Official Code §50-311) is amended to read as follows:

9 “Sec. 12. Full Commission meetings; annual report.

10 “(a) The chairperson shall be responsible for, and shall assure coordination and
11 communication between, the Commission and any appointed Panel. All members of the
12 Commission shall be kept apprised of the business of the full Commission.

13 “(b) The chairperson shall call a meeting of the full Commission periodically, but no less
14 than once every 2 months, to discuss general affairs of the Commission and matters pertaining to
15 the taxicab industry, to establish and set general policies of the full Commission, and to outline
16 goals and future directions of the Commission. Meetings of the full Commission shall include
17 the participation of other governmental agencies involved in taxicab administration, such as the
18 Metropolitan Police Department, the Office of Taxicabs, and the Washington Metropolitan Area
19 Transit Commission.

20 “(c) The full Commission shall make an annual report to the Council during the annual
21 public oversight and budget hearings. The report shall contain, but not be limited to, information
22 and statistics relating to licensing, enforcement, the status of taxicab equipment, estimated
23 industry revenues, and passenger carriage, and shall outline briefly the activities and goals of the

1 Commission.

2 “(d) The full Commission shall periodically evaluate program development and
3 implementation of the hacker’s license training course and may issue policy directives pertaining
4 to program content and program direction.”.

5 (l) Section 13 (D.C. Official Code § 50-312) is amended as follows:

6 (1) Subsection (e) is amended as follows:

7 (A) Paragraph (3) is amended to read as follows:

8 “(e)(3) Maintain a system of public records relating to licensed owners and
9 operators of public vehicles-for-hire, including limousines and taxicabs and taxicab companies,
10 associations, and fleets, including:

11 “(A) Developing, maintaining, and keeping current a body of information
12 for public and government use relating to public vehicle-for-hire industry operations within the
13 District, regionally, and nationwide; and

14 “(B) Providing statistics, analyses, studies, and projections relating to
15 matters such as revenue, operational costs, passenger carriage, profits, practices, and
16 technologies characterizing the public vehicle-for-hire industry;”.

17 (B) Paragraph (9) is amended by striking the word “and” at the end.

18 (C) Paragraph (10) is amended to read as follows:

19 “(10) Inspect public vehicles-for-hire for compliance with regulations
20 established by the Taxicab Commission and the Department of Motor Vehicles for safety
21 requirements;”.

22 (C) New paragraphs (11)-(13) are added to read as follows:

1 “(11) Provide street enforcement of the rules and regulations of the
2 Taxicab Commission through the use of Hack Inspectors who are civil enforcement officers;

3 “(12) Collect a fee to recover the actual costs of producing and
4 distributing official Commission vehicle decals, stickers, information placards; and

5 “(13) Establish, within the Office, a Transportation Liaison, who shall
6 serve as liaison between the Office and the District Department of Transportation on policies
7 related to transportation.”.

8 (2) Subsection (f) is amended to read as follows:

9 “(f) There shall be no less than twenty (20) Hack Inspectors to be employed in
10 enforcing the laws, rules, and regulations pertaining to public vehicles-for-hire. A primary
11 function of the Hack Inspectors shall be to ensure the proper provision of service and to support
12 safety through street enforcement efforts, including traffic stops of public vehicles-for-hire
13 within Commission proscribed protocol.”.

14 (3) Subsection (h)(2) is amended to read as follows:

15 “(2) The Office may immediately suspend or revoke a license issued under the
16 authority of this act, where the Office has determined that an imminent danger is posed to the
17 public. Within 3 business days of the issuance by the Office of an immediate suspension or
18 revocation, a hearing shall be held before the Commission or the matter may be referred over to
19 the Office of Administrative Hearings pursuant to the Office of Administrative Hearings
20 Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-
21 1831.01 *et seq.*)”.

22 (m) Section 14 (D.C. Official Code § 50-313) is amended to read as follows:

23 “Sec. 14. Regulation of passenger vehicles-for-hire.

1 “(a) The Commission may issue any reasonable rule relating to the supervision of public
2 passenger vehicles-for-hire it considers necessary for the protection of the public.

3 “(b) The Commission may establish standards, criteria, and requirements for the
4 licensing of the different classes of passenger vehicles-for-hire and the owner and operators
5 thereof, and may establish appropriate classes of license fees for the ownership and operation of
6 public passenger vehicles-for-hire subject to the requirements of this section; provided, that no
7 license requirement for operating authority shall be mandated by the Commission which is
8 duplicative of the jurisdiction of the Washington Metropolitan Area Transit Commission.

9 “(c) No person, corporation, partnership, or association shall operate a public passenger
10 vehicle-for-hire in the District without first having procured all applicable licenses and meeting
11 all requirements as mandated by the Commission. Any violation of this subsection shall subject a
12 violator to a civil fine or penalty.

13 “(d) The Commission may establish reasonable civil fines and penalties for violation of
14 any rule issued pursuant to the authority of this section.

15 “(e) All rules and regulations applicable to public passenger vehicles-for-hire in effect on
16 March 25, 1986, shall remain effective until amended or repealed by the Commission.”.

17 (n) Section 18 (D.C. Official Code § 50-317) is amended as follows:

18 (1) Subsection (a) is amended to read as follows:

19 “(a) Within 12 months of March 25, 1986, and thereafter at such intervals as required by
20 the Commission, the Commission shall undertake a review of the taxicab rate structure. The
21 review required by this section shall be undertaken by holding at least 1 public hearing, upon
22 notice with opportunity to comment. After consideration of the information received, the
23 Commission shall publish such rate study.”.

1 (2) Subsection (b) is amended by striking the phrase “The panel and the full
2 commission,” and inserting the phrase “The Commission,” in its place.

3 (o) Section 20 (D.C. Official Code § 50-319) is amended as follows:

4 (1) The headline is amended to read as follows:

5 “Sec. 20. Regulation of taxicab operation and license requirement.”.

6 (2) Subsections (a) and (b) are amended to read as follows:

7 “(a) No person, corporation, partnership, or association shall operate a taxicab,
8 taxicab company, association, or fleet, a taxicab service, or any public passenger vehicle-for-hire
9 service within the District without first procuring all applicable licenses required by the
10 Commission pursuant to the authority of this act or, in the event of licensure by another
11 jurisdiction, the provision of that taxi or public passenger vehicle-for-hire service must be
12 pursuant to a reciprocity agreement. Any violation of this section shall be punishable by a civil
13 fine or other penalty provided by law or Commission regulations. For purposes of this
14 subsection, the term “operate” shall include the provision of taxicab service or public passenger
15 vehicle-for-hire service of any type which physically originates in the District.

16 “(b) A license to operate a taxicab company, association, or fleet shall expire annually
17 from the date of its issuance. Applications for renewal shall be made in a manner and at a fee
18 prescribed by the Commission.”.

19 (3) Paragraphs (b-1)(1), (2), and (3) (D.C. Code § 50-319) are repealed.

20 (4) A new subsection (d) is added to read as follows:

21 “(d) In the case of licensure by another jurisdiction, the provision of that taxi or public
22 passenger vehicle-for-hire service must be pursuant to, and in compliance with, the reciprocity
23 agreement and the Commission’s regulations on reciprocity. Any fine or penalty for a violation

1 of this section or implementing regulations by a taxi or public passenger vehicle-for-hire from
2 another jurisdiction shall be punishable in a manner that is at least equal to the enforcement
3 against a District taxi or public vehicle-for-hire found to be in violation of the laws, rules, or
4 regulations of surrounding or corresponding jurisdictions.”.

5 (p) Section 20a(c) (D.C. Official Code § 50-320(c)) is amended to read as follows:

6 “(c) After June 24 1987, continued resources for the Fund shall be provided through an
7 assessment levied against taxicab and passenger vehicle-for-hire operators as determined by
8 Commission rule. Monies deposited into the Fund after June 24, 1987, shall be used by the
9 Commission for the costs of the Commission, including the costs of operating and administering
10 programs, investigations, proceedings, and inspections, and any costs including any costs for
11 improving the District’s taxicab fleet or proceeding by the Commission concerning taxicab and
12 passenger vehicle-for-hire rates and regulations approved pursuant to section 8. No assessment
13 imposed by the Commission on an operator pursuant to this subsection shall exceed \$50 per year.
14 Nothing in this subsection shall affect any requirements imposed upon the Commission by
15 subchapter I of Chapter 5 of Title 2.”.

16 (q) By adding new sections 20f and 20g to read as follows:

17 “Sec. 20f. Public vehicles-for-hire consumer service fund.

18 “(a) There is established within the District of Columbia Treasury a fiduciary fund to be
19 known as the Public vehicles-for-hire Consumer Service Fund (“Fund”). The Fund shall be a
20 revolving, segregated, non-lapsing fund administered by the Commission.

21 “(b) The Fund shall consist of the deposit of the following funds:

22 “(1) All funds collected from a passenger surcharge for every taxi ride
23 originating in the District of Columbia. Procedures for the implementation and administration of

1 such surcharge amount shall be established by the Commission in accordance with its
2 rulemaking authority; and

3 “(2) All funds collected by the Commission from the issuance of a public
4 vehicle-for-hire license pursuant to D.C. Official Code § 47-2829.

5 “(c) The fund shall be used exclusively for the purpose of paying the costs of the
6 Commission, including the costs of operating and administering programs, investigations,
7 proceedings, and inspections, costs to improve the District’s public vehicles-for-hire industry
8 (fleet and operator quality), and the costs for administering the Fund.

9 “(d) The funds deposited into the Fund and allocated to the Commission shall not revert
10 to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a
11 fiscal year, or at any other time, but shall be continually available for the uses and purposes set
12 forth in this section, subject to the District of Columbia’s budget and appropriations process and
13 authorization by Congress.

14 “(e) The funds deposited into the Fund and allocated to the Commission may also be
15 used to:

16 “(1) Establish a program to provide a taxi fare discount for low-income senior
17 citizens aged 65 and older, and persons with disabilities; and

18 “(2) Provide grants and/or no- or-low cost loans to owners of licensed taxicabs
19 legally operating and incorporated in the District to incentivize the purchase and use of fuel
20 efficient vehicles, wheelchair-accessible vehicles, and to offset costs associated with meeting the
21 mandates of this Act, as established by rulemaking.”.

22 “Sec. 20g. Assault on a public vehicle-for-hire inspector.

23 “(a) Whoever without justifiable and excusable cause, assaults, resists, opposes, impedes,

1 intimidates, or interferes with a Public vehicle-for-hire Inspector (Hack Inspector) on account of,
2 or while that Hack Inspector is engaged in the performance of his or her official duties, shall be
3 guilty of a misdemeanor and, upon conviction, shall be imprisoned not more than 180 days or
4 fined not more than \$1,000 or both, and his or her public vehicle-for-hire license shall be
5 revoked without further administrative action by the Commission.

6 “(b) A person who violates subsection (a) of this section and causes significant bodily
7 injury to a Hack Inspector, or commits a violent act that creates a grave risk of causing
8 significant bodily injury to the Hack Inspector, shall be guilty of a felony and, upon conviction,
9 shall be imprisoned not more than 10 years or fined not more than \$10,000 or both, and his or
10 her public vehicle-for-hire license shall be revoked without further administrative action by the
11 Commission.

12 “(c) It is neither justifiable nor excusable cause for a person to use force to resist the civil
13 enforcement authority of a Hack Inspector when such enforcement authority is exercised by an
14 individual he or she has reason to believe is a Hack Inspector, whether or not such enforcement
15 action is lawful.”.

16 Sec. 3. Section 2 of the Taxicab Fare Payment Act of 1980, effective February 26, 1981
17 (D.C. Law 3-117; D.C. Official Code § 50-351), is amended to read as follows:

18 “No person who engages a taxicab shall refuse or fail to pay or attempt to avoid payment
19 of the lawful charge due the driver or owner of the taxicab. Any person who violates this section
20 shall, upon conviction, be guilty of a misdemeanor and punished by a fine of not less than \$300
21 or imprisonment for not more than 30 days.”.

22 Sec. 4. Section 12 of An Act Making appropriations to provide for the expenses of the
23 government of the District of Columbia for the fiscal year ending June 30, 1920, and for other

1 purposes, approved July 11, 1919 (41 Stat. 104; D.C. Official Code § 50-371), is amended to
2 read as follows:

3 “(a) The loitering of public vehicles-for-hire (taxicabs, limousines, or vehicles of all
4 descriptions) around or in front of the hotels, theaters, or public buildings in the District of
5 Columbia, either by stopping, except to take on or discharge a passenger, or by unnecessarily
6 slow driving, is hereby prohibited, and any driver of any such public vehicle-for-hire who
7 willfully causes the same to loiter either by stopping or slow driving as aforesaid shall be deemed
8 guilty of loitering as prohibited. The District of Columbia Taxicab Commission is hereby
9 authorized and empowered to make any regulations that may be necessary in furtherance of the
10 purpose of this section, and the District of Columbia Taxicab Commission is hereby given
11 authority to revoke the license of the driver of any public vehicle-for-hire (taxi or limousine)
12 who is in violation of this section more than five (5) times in one year.

13 “(b) It shall be unlawful for any keeper or proprietor, or agent acting for the keeper or
14 proprietor, of any licensed hotel in the District of Columbia to exclude any District licensed
15 taxicab driver from picking up passengers at any hack stand or other location where taxicabs are
16 regularly allowed to pick up passengers on the hotel premises.

17 “(c) Any agent of the licensed hotel in the District of Columbia found to be in violation
18 of this provision shall be subject to a fine of not less than \$300, or imprisonment for not more
19 than 90 days, or both, for each violation hereof.”.

20 Sec. 5. Section 47-2829 of the District of Columbia Official Code is amended as follows:

21 (a) Subsection (d) (D.C. Official Code § 47-2829(d)) is amended by striking the phrases
22 “\$25 or” and “but in no event to exceed \$100.”.

23 (b) Subsection (e)(1) (D.C. Official Code § 47-2829(e)(1)) is amended as follows:

1 (1) By striking the phrase “subsection (c)” and inserting the phrase “subsection
2 (d)” wherever it appears;

3 (2) By deleting the phrase “\$75 or” wherever it appears; and

4 (3) By deleting the phrase “, but in no event to exceed \$200” wherever it appears.

5 (c) Subsection (e)(2) (D.C. Official Code § 47-2829(e)(2)) is amended as follows:

6 (1) The lead-in language is amended to read as follows:

7 “(2) Upon March 15, 1985, the following additional licensing requirements shall
8 apply to all persons who apply for a license to operate any public passenger vehicle-for-hire
9 licensed under the terms of subsections (d) and (h) of this section:”.

10 (2) Subparagraph (A) is amended to read as follows:

11 “(A) Completion of the primary public passenger vehicle-for-hire license training
12 course as established by the Commission and administered by an accredited educational
13 institution, including, but not limited to, the University of the District of Columbia, for a fee of
14 not less than \$100 for each person. Upon completion of the course, the applicant shall be issued a
15 certificate of completion which shall include the date of completion and shall be presented to the
16 Office of Taxicabs with the application for a license. Prior to issuing the certificate, each person
17 shall have passed an examination consisting of the subject matters taught in the course and an
18 evaluation of the person’s English communication skills. The Chairperson of the Commission,
19 with the approval by majority vote of the full Commission, may designate appropriate
20 representatives of the Office of Taxicabs, the Commission itself, and representatives of the
21 taxicab industry to advise the Commission on problems and issues facing the taxicab industry
22 and to assist in developing and implementing the course. The Mayor shall designate appropriate
23 representatives of the Metropolitan Police Department to participate on the advisory board. At a

1 minimum, the training course shall be designed to develop the applicant’s knowledge of the
2 following:

3 “(i) The geography of the District, with particular emphasis on major
4 streets and avenues throughout the District of Columbia, significant government buildings,
5 attractions, destinations, restaurants, and tourist sites, and historical knowledge of the District of
6 Columbia;

7 “(ii) District laws and regulations governing the taxicab industry and the
8 penalties for violating these laws and regulations;

9 “(iii) District traffic laws and regulations, including, but not limited to,
10 the rights and duties of motorists, pedestrians, and bicyclists and the penalties for violating these
11 laws and regulations;

12 “(iv) Public relations skills, including cultural awareness and sensitivity
13 training, appropriate social customs and courtesies which should be extended to the public,
14 conflict resolution, and knowledge of the hospitality industry;

15 “(v) Small business practices, including methods of accounting and
16 manifest maintenance, fare computations for intra-District of Columbia trips and interstate trips,
17 and general management principles;

18 “(vi) Driving skills and knowledge of the rules of the road; and

19 “(vii) The Americans with Disabilities Act, including all legal
20 requirements that apply to transportation of Persons with Disabilities.”

21 (3) The lead-in language to subparagraph (B) is amended to read as follows:

22 “(B) Completion of an examination which shall consist of a minimum of 100
23 questions, the passing grade of which shall be 70% answered correctly, which shall, at a

1 minimum, test:”.

2 (4) Subparagraph (C) is amended to read as follows:

3 “(C) Each applicant may repeat the examination no more than 3 times. However,
4 upon the third failure, the applicant must repeat the hacker’s license training course and present a
5 new certificate of completion before being allowed to sit for the examination again. The Office
6 of Taxicabs, under the direction of District of Columbia Taxicab Commission, shall construct a
7 pool of no less than 300 questions from which questions shall be drawn for each examination
8 which is administered. This pool shall be kept from public dissemination and shall be
9 substantially revised at a minimum of every 2 years to protect the integrity of the examination.”.

10 (5) A new subparagraph (D) is added to read as follows:

11 “(D) Upon passage of the examination, each applicant has up to 1 year in which
12 to complete the application process for licensure. After 1 year, the passing score from the prior
13 examination is no longer valid for licensure, and the applicant must repeat the license training
14 course, present a new certificate of completion, and take the examination.”.

15 (d) Subsection (e-1) (D.C. Official Code § 47-2829(e-1)) is amended to read as follows:

16 “(e-1) The District of Columbia Taxicab Commission may develop a comprehensive
17 point system to evaluate the record of a person licensed under the terms of subsection (e) of this
18 section, and owners of taxicabs licensed under the terms of this paragraph. The point system or
19 revisions of it shall be approved by the Commission. Each violation of every rule or regulation
20 pertaining to the ownership and operation of taxicabs, including violations of general traffic laws
21 and regulations while operating a taxicab, shall be given a point value effective for 3 years. The
22 record maintained by the Office of Taxicabs for each licensee shall be assigned the point value
23 for the violation upon the final determination of liability by the District of Columbia Taxicab

1 Commission, the Bureau of Traffic Adjudication, the Office of Administrative Hearings, or any
2 other governmental body charged with making a final determination of liability. The
3 comprehensive point system shall include the maximum point total to determine when the Office
4 of Taxicabs shall propose to suspend or revoke the license. If the license of a person licensed
5 pursuant to subsection (e) of this section is revoked pursuant to this subsection or other law or
6 regulation, the person must complete the requirements contained in subsection (e)(2)(A) and (B)
7 of this section before the person may receive a new license. If the license of a person licensed
8 pursuant to subsection (e) of this section is suspended pursuant to this subsection or other law or
9 regulation, the licensee must complete the requirements contained in subsection (e)(2)(A) of this
10 section and present to the District of Columbia Taxicab Commission the certificate of
11 completion for the hacker's training course before the period of suspension is terminated.”.

12 (e) Subsection (e-3) (D.C. Official Code § 47-2829(e-3)) is amended by striking the
13 phrase “Commission’s Panel on Rates and Rules” and inserting the word “Commission” in its
14 place.

15 (f) Subsection (e-4) (D.C. Official Code § 47-2829(e-4)) is amended to read as follows:

16 “(e-4) After March 25, 1987, the Office of Taxicabs under the direction of the District of
17 Columbia Taxicab Commission, and prior to March 25, 1987, the Department of Public Works
18 shall, by regular or electronic mail and within 5 business days of a final decision of suspension,
19 revocation, or non-renewal of a taxicab operator license, notify the association, corporation,
20 organization, or person that maintains a taxicab lease or taxicab association or company
21 membership agreement with the operator that the operator’s privilege to operate a taxicab in the
22 District of Columbia has been suspended, revoked, or not renewed. The association, corporation,
23 organization, or person that maintains a lease with the operator shall upon receipt of the notice

1 terminate any lease agreement, written or otherwise, with the operator, and shall take reasonable
2 steps to assure the return to the owner of any vehicle leased to the operator. The District of
3 Columbia Taxicab Commission shall promulgate regulations to carry out the purposes of this
4 subsection.”.

5 (g) Subsection (h) (D.C. Official Code § 47-2829(h)) is amended as follows:

6 (1) By striking the phrase “subsections (c) and (d)” and inserting the phrase
7 “subsections (d) and (e)” in its place.

8 (2) By deleting the phrases “\$25 or” and “, but not to exceed \$100,”.

9 (h) Subsection (i) (D.C. Official Code § 47-2829(i)) is amended to read as follows:

10 “(i) No person shall engage in driving or operating any vehicle licensed under the terms
11 of subsection (h) of this section without having procured from the Mayor of the District of
12 Columbia or his designated agent a license which shall only be issued upon evidence satisfactory
13 to the Mayor of the District of Columbia, that the applicant is a person of good moral character
14 and is qualified to operate such vehicle, and upon payment of an annual license fee of an amount
15 set by the Mayor. Such license shall be carried upon the person of the licensee or in the vehicle
16 while engaged in driving such vehicle when such vehicle is being used for hire. Application for
17 such license shall be made in such form as shall be prescribed by the Mayor of the District of
18 Columbia. Each annual license issued under the provisions of this paragraph pertaining to public
19 passenger vehicles used exclusively for contract livery services for which the rate is fixed solely
20 by the hour (Limousine) shall be numbered, and there shall be kept in the Office of Taxicabs a
21 record containing the name of each person so licensed, his annual license number, and all matters
22 affecting his qualifications to be licensed hereunder. No license issued under the provisions of
23 this subsection shall be assigned or transferred.”.

1 (i) A new subsection (j) is added to read as follows:

2 “(j) The District of Columbia Taxicab Commission is authorized to establish a public
3 vehicle-for-hire operators licensing quota which provides that the number of new taxi operator
4 licenses may be limited and may be issued on a competitive basis.”.

5 (j) A new subsection (k) is added to read as follows:

6 “(k) The District of Columbia Taxicab Commission is authorized to establish a public
7 vehicle-for-hire licensing quota which provides that the number of new taxicab vehicle licenses
8 may be limited, after making a determination that the market is saturated with taxi vehicles and
9 would benefit from a stabilization or reduction of new vehicles.”.

10 Sec. 6. Fiscal impact statement.

11 The Council adopts the fiscal impact statement in the committee report as the fiscal
12 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
13 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

14 Sec. 7. Effective date.

15 This act shall take effect following approval by the Mayor (or in the event of veto by the
16 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
17 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
18 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
19 Columbia Register.