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A BILL  
19-630

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend the District of Columbia Taxicab Commission Establishment Act of 1985 to update the findings of the Council, the purposes of the act, definitions under the act, to make technical amendments, to provide for the appointment of a Secretary to the Commission, to eliminate the standing panels, to update duties and procedures of the Commission, to update the authority to regulate public vehicles-for-hire, to update licensure requirements, to establish the Public Vehicles-for-Hire Consumer Service Fund, to create an offense for assault on a public vehicle-for-hire inspector, to create an offense for fleeing from a public vehicle-for-hire inspector; to amend the Taxicab Fare Payment Act of 1980 to update the offense of failure to pay or attempt to avoid payment; to update the offense of loitering; to amend Chapter 28 of Title 47 to revise fines and to update training and examination requirements.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Taxicab Service Improvement Amendment Act of 2012”.

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

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

(1) Paragraph (1) is amended by striking the word “taxicab” and inserting the phrase “public vehicles-for-hire, particularly by taxicabs,” in its place.

(2) Paragraph (2) is amended by striking the phrase “charged with”.

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

1                   “(3) The taxicab industry in the District has been and is currently marked  
2 by an absence of modern vehicles, quality service, and innovative technology.”

3                   (4) Paragraph (4) is amended as follows:

4                   (A) Strike the word “taxi” and insert the word “taxicab” in its place.

5                   (B) Strike the phrase “public transportation” and insert the phrase “the  
6 overall public transportation system” in its place.

7                   (C) Strike the phrase “centralized regulatory mechanism” and insert the  
8 phrase “means of funding and regulation” in its place.

9                   (5) Paragraph (5) is amended as follows:

10                  (A) Strike the word "regulatory" and insert the phrase “regulatory and  
11 operational” in its place.

12                  (B) Strike the phrase “and the creation and consolidation of regulation into  
13 a single agency or bureau” and insert a period in its place.

14                  (6) Paragraph (6) is amended by striking the phrase “regulatory consolidation”  
15 and inserting the phrase “improved regulatory, educational, and enforcement performance” in its  
16 place.

17                  (7) Paragraph (7) is amended by striking the phrase “, although impressed with  
18 certain characteristics of a public utility, is nonetheless wholly” and inserting the phrase “is  
19 largely” in its place.

20                  (8) Paragraph (8) is amended to read as follows:

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

1 that the citizens of the District will benefit from the enactment of the Taxicab Service  
2 Improvement Amendment Act of 2012.”.

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

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

5 (A) Paragraph (4) is amended as follows:

6 (i) Subparagraph (F) is amended to read as follows:

7 “(F) Foster good will and a cooperative spirit among the taxicab industry,  
8 the government, the hospitality industry, and the public;”

9 (ii) Subparagraph (G) is amended to read as follows:

10 “(G) Promote policies of energy conservation, the reduction of pollution,  
11 including through the use of alternative fuel vehicle models, the reduction of traffic congestion,  
12 and policies that promote a more livable city; and”.

13 (iii) A new subparagraph (H) is added to read as follows:

14 ~~“(H) Promote wheelchair-accessible taxicab service.”.~~

15 “(H) Provide specific policies and programs to increase wheelchair-  
16 accessible taxicab service to the disabled throughout the District.”.

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

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

20 “(6) To improve the delivery of taxicab service to the community; and

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

1           (2) Subsection (b)(2) is amended as follows:

2                   (A) Subparagraph (C) is amended by striking the phrase “ownership of  
3 taxicabs.” and inserting the phrase “ownership of taxicabs; and” in its place.

4                   (B) A new subparagraph (D) is added to read as follows:

5                           “(D) Issue rules and establish policies that shall encourage taxicab  
6 operators to purchase taxicabs.”.

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

8                           “(1A) “Alternative Fuel” means advanced fuels, which can be any materials or  
9 substances that can be used as fuels, other than conventional fuels such as fossil fuels, including  
10 biodiesel, compressed natural gas (CNG), electricity, and ethanol. The term “alternative fuel”  
11 shall also apply to hybrid vehicles that use alternative forms of power such as electricity.

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

15                           “(2) Repealed.

16                           “(2A) “CNG Vehicle” means an automobile powered by compressed natural gas.

17                           “(3) “Commission” means the District of Columbia Taxicab Commission  
18 established by section 5.

19                           “(3A) “Commissioner” means the Commissioner of the Department of Insurance,  
20 Securities, and Banking.

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

1           “(4A) “Fund” means the Public Vehicles-for-Hire Consumer Service Fund  
2 established by section 20a.

3           “(4B) “GPS” means Global Positioning Satellite.

4           “(4C) “Hospitality industry” means any person or entity involved in the operation,  
5 management, support, or ownership of a restaurant, catering business, hotel business, conference  
6 business, travel business, tourism business, tour business, or tour guide business.

7           “(4D) “Industry member” means a person experienced in the transportation or  
8 hospitality industry.

9           “(4E) “Limousine” means a public vehicle-for-hire that operates exclusively  
10 through advanced registration, charges exclusively on the basis of time, and shall not accept  
11 street hails.

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

13           “(5A) “Passenger surcharge” means a fee assessed to passengers for each public  
14 vehicle-for-hire ride in an amount not to exceed 50 cents.

15           “(6) “Public vehicle-for-hire” means:

16                   “(A) Any passenger motor vehicle operated in the District by an individual  
17 or any entity that is used for the transportation of passengers for hire, including as a taxicab,  
18 limousine, or sedan; or

19                   “(B) Any other private passenger motor vehicle that is used for the  
20 transportation of passengers for hire but is not operated on a schedule or between fixed termini

1 and operated exclusively in the District, or a vehicle licensed pursuant to D.C. Official Code §  
2 47-2829, including taxicabs, limousines, and sedans.

3 “(6A) “Public vehicle-for-hire industry” means all public vehicle-for-hire  
4 companies, associations, owners, and operators, or any person who, by virtue of employment or  
5 office, is directly involved in the provision of public vehicle-for-hire services within the District.

6 “(6B) “Public vehicle inspection officer” means a District of Columbia Taxicab  
7 Commission employee trained in the laws, rules, and regulations governing public vehicle-for-  
8 hire service to ensure the proper provision of service and to support safety through street  
9 enforcement efforts, including traffic stops of public vehicles-for-hire, pursuant to protocol  
10 prescribed by the Commission.

11 “(7) Repealed.

12 “(7A) “Sedan-class vehicle” means a public vehicle-for-hire that operates  
13 exclusively through dispatch, charges exclusively on the basis of time and distance, and shall not  
14 accept street hails.

15 “(8) “Taxicab” means a public passenger vehicle-for-hire that may be hired by  
16 dispatch or hailed on the street and for which the fare charged is calculated by a Commission  
17 approved meter with uniform rates determined by the Commission.

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

1           “(10) “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 logo or  
3 insignia. A company must have a minimum of 20 taxicabs having a uniform logo or insignia and  
4 having unified control by ownership or by the company.

5           “(11) “Taxicab fleet” means a group of 20 or more taxicabs having a uniform logo  
6 or insignia and having unified control by ownership or by association.

7           “(12) “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           “(13) “Taxicab operator” means any person operating or licensed to operate a  
11 taxicab in the District of Columbia.

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

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

21           “(16) “Taxicab service” means passenger transportation service originating in the

1 District in which the passenger directs the points between which the service is to be provided, the  
2 service is provided at a time chosen by the passenger, and the fare and fees for which are  
3 prescribed by the Commission.

4 “(17) “Underserved area” means a designated zone, as determined by the  
5 Commission, with an established need for greater taxicab service.

6 “(18) “Washington Metropolitan Area” means the area encompassed by the  
7 District of Columbia; Montgomery County, Prince Georges County, and Frederick County in  
8 Maryland; Arlington County, Fairfax County, Loudon County, and Prince William County, and  
9 the cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park in Virginia.

10 “(19) “Wheelchair-accessible vehicle” means a vehicle compliant with the  
11 Americans with Disabilities Act of 1990, approved July 26, 1990 (42 U.S.C. §12101 *et seq.*)  
12 (“ADA”), that accommodates a passenger using a wheelchair or other personal mobility device  
13 who needs a ramp or lift to enter or exit the vehicle. The vehicle must comply with the  
14 provisions in 49 C.F.R. Part 38.1 – 38.39.”.

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

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

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

19 (A) Strike the phrase “taxicab industry operations” and insert the phrase  
20 “the field of transportation administration or regulation, the hospitality industry, public safety, or  
21 taxicab management or operations” in its place.

1 (B) Strike the last sentence.

2 (2) Subsection (d) is amended by striking the phrase “Chief of the Office” and  
3 inserting the phrase “Commission staff” in its place.

4 (3) A new subsection (e) is added to read as follows:

5 “(e) The Chairperson of the Commission shall appoint the Secretary to the Commission.

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

7 “Sec. 7. District of Columbia Taxicab Commission - Organization.

8 “The Commission may organize task-specific panels as its needs dictate. All acts and  
9 orders issued by a panel shall be ratified by a majority of the appointed members of the  
10 Commission before taking effect.”.

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

12 “Sec. 8. Duties of Commission; jurisdiction; and powers.

13 “(a) The Commission is charged with the continuance, further development, and  
14 improvement of the public vehicle-for-hire industry within the District, and for the overall  
15 regulation of limousines, sedans, taxicabs, and taxicab companies, taxicab fleets, and taxicab  
16 associations.

17 “(b) A majority of the appointed Commissioners shall constitute a quorum for  
18 transacting business and for taking official action or votes; however, public hearings may be  
19 conducted without the presence of a quorum.

20 “(c) The Commission shall have the authority, power, and duty to:

21 “(1) Establish reasonable rates for taxicab service for the transportation of

1 passengers and their property within the District, including all charges incidental and directly  
2 related to the provision of taxicab services;

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

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

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

9                   “(A) Within one year of the effective date of this act, provide for the  
10 installation of security devices in all taxicabs; and

11                   “(B) Increased enforcement by public vehicle inspection officers,  
12 including during late evening and early morning hours, of unlicensed or out-of-jurisdiction  
13 taxicab and limousine operators attempting to provide passenger service in the District;

14           “(7) Establish standards and requirements relating to the modernization of  
15 equipment and equipment design;

16           “(8) In situations of public emergency or because of extraordinary circumstances  
17 affecting the taxicab industry, regulate the rates charged for the lease of taxicabs by taxicab  
18 companies, associations, and fleets considered necessary to protect the public interest;

19           “(9) Establish reasonable civil fines and penalties for violations of rules and  
20 orders issued by the Commission, including penalties consisting of license suspension and  
21 revocation;

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

4           “(11) Advise the Mayor regarding the execution, modification, and termination  
5 of reciprocal agreements with governmental bodies in the Washington Metropolitan Area  
6 regarding taxicabs;

7           “(12) Establish primary public vehicle-for-hire operator training courses, driver  
8 refresher training courses, and training for operators of wheelchair-accessible taxicabs, and  
9 determine how often these courses will be offered; provided, that the primary training course  
10 shall be offered as needed and shall be taken by operators as necessary, as established by  
11 rulemaking, pursuant to D.C. Official Code § 47-2829(e)(2)(A).

12           “(13) Provide for the training and oversight of public vehicle inspection officers,  
13 who shall be responsible for enforcing all rules and regulations promulgated by the Mayor  
14 governing public vehicles-for-hire, particularly with respect to taxicabs and limousines, pursuant  
15 to Section 20n;

16           “(14) Establish policies encouraging energy conservation, the reduction of  
17 pollution, including through the use of alternative-fuel vehicles, the reduction of traffic  
18 congestion, an increase in services to persons with disabilities, and policies that promote a more  
19 livable city;

20           “(15) Create incentives for and study taxicab service in underserved areas, which  
21 may include the placement of taxicab and limousine stand locations in underserved areas, the

1 study of GPS data to inform transportation policy, and examining the supply of taxicabs in the  
2 District, as established through rulemaking;

3 “(16) Receive, hear, respond to, and adjudicate complaints lodged in the Office  
4 of Taxicabs against taxicab operators, companies, associations, fleets, and taxi dispatch services  
5 by consumers and officials or employees of government involved in public vehicle-for-hire  
6 enforcement or administration, or refer such contested matters to the Office of Administrative  
7 Hearings, pursuant to Section 20p;

8 “(17) When determined to be necessary to protect the public interest, hear  
9 complaints and disputes occurring within the taxicab industry, including complaints and disputes  
10 between companies, associations, operators, or owners; and, to address industry-wide problems,  
11 and issue reasonable rules for the governance of intra-industry relationships;

12 “(18) Hear and decide appeals taken from license denials and proposed  
13 revocations or suspensions issued by the Office of Taxicabs, or refer the contested matter to the  
14 Office of Administrative Hearings;

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

17 “(20) Undertake the investigation of any aspect of taxicab operations and  
18 practices necessary to protect public safety; and

19 “(21) Establish any rule relating to the regulation and supervision of the public  
20 vehicle-for-hire industry not specifically delineated in this act, so long as the rule is consistent

1 with this act and related to the furtherance and protection of the public interest in public vehicle-  
2 for-hire transportation.

3 “(d) In exercising the rulemaking and ratemaking authority vested in it, the Commission  
4 shall adhere to and be subject to the requirements of Title I of the District of Columbia  
5 Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code §  
6 2-501, *et seq.*), which shall apply to the Commission as an agency of government. The  
7 Commission shall, in giving notice of intended action in accordance with section 6 of the District  
8 of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C.  
9 Official Code § 2-505), afford interested persons an opportunity to make public comment. A  
10 public hearing shall be required when a ratemaking or rulemaking action is referred to a panel for  
11 deliberation. Adequate notice of such hearing shall be given as required by rules of the  
12 Commission. In exercising its rulemaking and ratemaking authority, the Commission shall act by  
13 majority vote. No proxy by a member shall be allowed.

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

16 “(f) Appeals from final decisions of the Commission may be taken to the Office of  
17 Administrative Hearings, pursuant to the Office of Administrative Hearings Establishment Act of  
18 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.01 *et seq.*).”.

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

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

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

1                   (1) Strike the phrase "Office of Taxicabs." and insert the phrase "Office of  
2 Taxicabs, appeals from Notices of Infractions issued by public vehicle inspection officers, and  
3 fines issued as a result of the consumer complaint process." in its place.

4                   (2) Subsection (b) is amended as follows:

5                   (1) Subsection (b)(4) is amended to read as follows:

6                   “(b)(4) Issue decisions for review and approval by the Commission, to be issued as the  
7 final decision of the Commission, or refer matters for contested hearing before the Office of  
8 Administrative Hearings, pursuant to the Office of Administrative Hearings Establishment Act of  
9 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.01 *et seq.*).”.

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

11                  “Sec. 11. Internal and procedural rules.

12                  “(a) The Commission shall establish rules for the general conduct of its organizational  
13 affairs and shall establish rules of procedure of general applicability consistent with Title I of the  
14 District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204;  
15 D.C. Official Code § 2-501, *et seq.*). These rules shall include specific guidelines to implement  
16 due process requirements.

17                  “(b) The proposed rules shall comply with any requirements imposed upon the  
18 Commission by Title I of the District of Columbia Administrative Procedure Act, approved  
19 October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501, *et seq.*).”.

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

1           (1) Subsection (a) is amended by striking the phrase “both panels of the  
2 Commission, and shall have authority to resolve disputes and issues of jurisdiction arising  
3 between panels.” and inserting the phrase “the Commission and any appointed panel.” in its  
4 place.

5           (2) Subsection (c) is amended by striking the phrase “Mayor and the Council on  
6 or before the 2nd Monday of January each year.” and inserting the phrase “Council during its  
7 annual public oversight and budget hearings.” in its place.

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

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

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

11           “(e)(3) Maintain a system of electronic public records relating to licensed owners and  
12 operators of public vehicles-for-hire and public vehicle-for-hire companies, associations, and  
13 fleets, including:

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

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

20           (B) Paragraph (9) is amended by striking the word “and” at the end of the  
21 sentence.

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

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

4 (D) New paragraphs (11), (12), and (13) are added to read as follows:

5 “(11) Provide street enforcement of the rules and regulations of the Taxicab  
6 Commission through the use of public vehicle inspection officers who are civil enforcement  
7 officers;

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

10 “(13) Establish within the Office a transportation liaison who shall serve as  
11 liaison between the Office and the District Department of Transportation on policies related to  
12 transportation.”.

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

14 “(f) The Commission shall employ no fewer than 20 public vehicle inspection officers to  
15 enforce the laws, rules, and regulations pertaining to public vehicles-for-hire. A primary function  
16 of public vehicle inspection officers shall be to ensure the proper provision of service and to  
17 support safety through street enforcement efforts, including traffic stops of public vehicles-for-  
18 hire, pursuant to protocol prescribed by the Commission.”.

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

20 “(2) The Office may immediately suspend or revoke a license issued under the  
21 authority of this act where the Office has determined that the operator of a vehicle poses an

1 imminent danger to the public. Within 3 business days of the issuance by the Office of an  
2 immediate suspension or revocation, an administrative hearing shall be held before the  
3 Commission, or the matter may be referred to the Office of Administrative Hearings, pursuant to  
4 the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C.  
5 Law 14-76; D.C. Official Code § 2-1831.01 *et seq.*).

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

7 (1) The heading is amended to read as follows:

8 “Sec. 14. Regulation of public vehicles-for-hire.”.

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

10 (A) Strike the word “Mayor” and insert the phrase “the Commission” in its  
11 place.

12 (B) Strike the phrase “passenger vehicles for hire” and insert the phrase  
13 “public vehicles-for-hire” in its place.

14 (C) Strike the phrase “he or she” and insert the word “it” in its place.

15 (3) Subsection (b) is amended as follows:

16 (A) Strike the word “Mayor” wherever it appears and insert the word  
17 “Commission” in its place.

18 (B) Strike the phrase “passenger vehicles for hire” wherever it appears and  
19 insert the phrase “public vehicles-for-hire” in its place.

20 (4) Subsection (c) is amended as follows:

1 (A) Strike the word “Mayor” and insert the word “Commission” in its  
2 place.

3 (B) Strike the phrase “passenger vehicles for hire” and insert the phrase  
4 “public vehicles-for-hire” in its place.

5 (5) Subsection (d) is amended as follows:

6 (A) Strike the word “Mayor” and insert the word “Commission” in its  
7 place.

8 (B) Strike the word “fines” and insert the phrase “fines and penalties” in  
9 its place.

10 (6) Subsection (e) is amended to read as follows:

11 “(e) All rules and regulations applicable to public vehicles-for-hire in effect on  
12 Month, Day, 2012 that are consistent with this act shall remain effective until amended or  
13 repealed by the Commission.”.

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

15 (1) Subsection (a) is amended by striking the phrase “the Commission’s Panel on  
16 Rates and Rules” and inserting the phrase “the Commission” in its place.

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

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

20 (1) The heading is amended to read as follows:

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

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

2           “(a) No person, corporation, partnership, or association shall operate a limousine or  
3 taxicab, limousine or taxicab company, association, fleet, limousine or taxicab service, or any  
4 public vehicle-for-hire service, including dispatch service, within the District without procuring  
5 applicable licenses required by the Commission pursuant to this act. If a taxicab or public  
6 vehicle-for-hire is licensed by another jurisdiction, that taxicab or public vehicle-for-hire service  
7 may be provided in the District only pursuant to a reciprocity agreement or regulation. Any  
8 violation of this section shall be punishable by a civil fine or other penalty provided by law or  
9 Commission regulations. For the purposes of this subsection, the term “operate” shall include  
10 providing taxicab service or public vehicle-for-hire service of any type which physically  
11 originates in the District.

12           “(b) The length of time a license is valid to operate a taxicab company, association, or  
13 fleet, and application for renewal of such license shall be determined in a manner and at a fee  
14 prescribed by the Commission.”.

15           (3) Paragraph (b-1) is repealed.

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

17           “(d) In the case of licensure by another jurisdiction, that taxicab or public vehicle-for-  
18 hire may only provide service in the District pursuant to, and in compliance with a Commission  
19 approved reciprocity agreement. Any fine or penalty for a violation of this section or  
20 implementing regulations by a taxicab or public vehicle-for-hire from another jurisdiction shall  
21 be punishable in a manner that is at least equal to the enforcement against a District taxicab or

1 public vehicle-for-hire found to be in violation of the laws, rules, or regulations of surrounding  
2 or corresponding jurisdictions.”.

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

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

5 “Sec. 20a. Public Vehicles-for-Hire Consumer Service Fund.

6 (2) Subsection (a) is amended to read as follows:

7 “(a) There is established within the District of Columbia Treasury a fiduciary fund to be  
8 known as the Public Vehicles-for-Hire Consumer Service Fund (“Fund”). The Fund shall be a  
9 revolving, segregated, non-lapsing fund administered by the Commission. The Fund shall consist  
10 of the following:

11 “(1) All funds collected from a passenger surcharge;

12 “(2) All funds collected by the Commission from the issuance and renewal of a  
13 public vehicle-for-hire license pursuant to D.C. Official Code § 47-2829, held in miscellaneous  
14 trust funds by the Commission and the Office of the People’s Counsel prior to June 23, 1987,  
15 pursuant to § 34-912(a). These funds shall be accounted for under procedures established  
16 pursuant to subchapter V of Chapter 3 of Title 47, or any other applicable law; and

17 “(3) All funds collected by the Commission from the Department of Motor  
18 Vehicles through the Out-Of-State Vehicle Registration Special Fund, pursuant to section 3a of  
19 the District of Columbia Revenue Act of 1937, effective March 26, 2008 (D.C. Law 17-130;  
20 D.C. Official Code § 50-1501.03a);

21 “(4) All funds collected by the Commission pursuant to subsections (c) and (d) of

1 this section;

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

3 ~~“(b) Except as provided in subsection (i) of this section, the Fund shall be used~~  
4 ~~exclusively to pay the costs incurred by the Commission, including operating and administering~~  
5 ~~programs, investigations, proceedings, and inspections, improving the District’s public vehicles-~~  
6 ~~for-hire industry, and the costs of administering the Fund. Nothing in this subsection shall affect~~  
7 ~~any requirements imposed upon the Commission by Title I of the District of Columbia~~  
8 ~~Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code §~~  
9 ~~2-501, et seq.).~~

10 “(b) The funds deposited into the Fund and allocated to the Commission:

11 “(1) Shall be used to pay the costs incurred by the Commission, including  
12 operating and administering programs, investigations, proceedings, and inspections, improving  
13 the District’s public vehicles-for-hire industry, and the costs of administering the Fund.

14 “(2) May be used to provide grants, loans, incentives, or other financial assistance  
15 to owners of licensed taxicabs legally operating and incorporated in the District to offset the cost  
16 of acquiring, maintaining, and operating wheelchair-accessible vehicles;

17 “(3) May be used to establish a program to provide a taxicab fare discount for  
18 low-income senior citizens aged 65 and older and persons with disabilities; and

19 “(4) May be used to provide grants, loans, incentives, or other financial assistance  
20 to owners of licensed taxicabs legally operating and incorporated in the District to incentivize the  
21 purchase and use of alternative-fuel vehicles, directing licensed taxicabs to underserved areas.

1 and to offset costs associated with meeting the mandates of this act, as established by  
2 rulemaking.

3 “(5) Nothing in this subsection shall affect any requirements imposed upon the  
4 Commission by Title I of the District of Columbia Administrative Procedure Act, approved  
5 October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501, *et seq.*).

6 (4) New subsections (g), (h), (i), (j) and (k) are added to read as follows:

7 “(g) Procedures for the implementation and administration of a passenger surcharge  
8 amount shall be established by the Commission in accordance with its rulemaking authority.

9 “(h) The monies 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's budget and appropriations process and authorization  
13 by Congress.

14 ~~“(i) 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 taxicab fare discount for low-income senior~~  
17 ~~citizens aged 65 and older and persons with disabilities; and~~

18 ~~—————“(2) Provide grants to owners of licensed taxicabs legally operating and~~  
19 ~~incorporated in the District to incentivize the purchase and use of alternative-fuel vehicles,~~  
20 ~~wheelchair-accessible vehicles, directing licensed taxicabs to underserved areas, and to offset~~  
21 ~~costs associated with meeting the mandates of this act, as established by rulemaking.~~

1 (j) The Commission shall conduct a mandatory yearly review of the passenger surcharge  
2 amount and shall adjust the surcharge amount based on revenue over needed spending.”.

3 “(k) The District of Columbia Auditor shall conduct an audit of the Fund at least once  
4 every 3 fiscal years.

5 (q) Sec. 20e (D.C. Official Code § 50-324) is repealed.

6 (r) New sections 20f, 20g, 20h, 20i, 20j, 20k, 20l, 20m, 20n, 20o, and 20p are added to  
7 read as follows:

8 ~~“Sec. 20f. Assault on a public vehicle for hire inspector.~~

9 ~~——“(a) Whoever without legal cause assaults, impedes, intimidates, or interferes with a  
10 public vehicle inspection officer on account of, or while that public vehicle inspection officer is  
11 engaged in the performance of his or her official duties, shall be guilty of a misdemeanor and,  
12 upon conviction, shall be imprisoned for no more than 180 days or fined no more than \$1,000  
13 and his or her public vehicle for hire license shall be revoked without further administrative  
14 action by the Commission.~~

15 ~~——“(b) A person who violates subsection (a) of this section and causes significant bodily  
16 injury to a public vehicle inspection officer, or commits a violent act that creates a grave risk of  
17 causing significant bodily injury to a public vehicle inspection officer, shall be guilty of a felony  
18 and, upon conviction, shall be imprisoned no more than 10 years or fined no more than \$10,000  
19 and his or her public vehicle for hire license shall be revoked without further administrative  
20 action by the Commission.~~

21 ~~——“(c) It is neither justifiable nor excusable for a person to use force to resist the civil~~

1 enforcement authority exercised by an individual believed to be a public vehicle inspection  
2 officer, whether or not the enforcement action is lawful.”

3 ~~——“(d) Prosecution for violations under this section shall be conducted in the name of the  
4 United States Attorney for the District of Columbia, or his or her assistants.~~

5 “Sec. 20g. Fleeing from a public vehicle inspection officer in a public vehicle-for-hire.

6 “(a)(1) An operator of a public vehicle for hire who knowingly fails or refuses to bring  
7 the vehicle to an immediate stop, or who flees or attempts to elude a public vehicle inspection  
8 officer, following a signal to bring the vehicle to a stop or to disengage the engine if already  
9 standing or idling, shall be fined no more than \$1,000, or imprisoned for no more than 180 days.

10 “(2) An operator of a public vehicle for hire who violates paragraph (1) of this  
11 subsection and while doing so drives the public vehicle for hire in a manner that would constitute  
12 reckless driving under D.C. Official Code § 50-2201.04(b), or causes property damage or bodily  
13 injury, shall be fined no more than \$5,000, or imprisoned for no more than 5 years.

14 “(b) It is an affirmative defense under this section if the operator of a public vehicle-for-  
15 hire can demonstrate, by a preponderance of the evidence, that his or her failure to stop  
16 immediately was based upon a reasonable belief that his or her personal safety or the safety of  
17 passengers was at risk. In determining whether the operator has met this burden, the court may  
18 consider the following factors:

19 “(1) The time and location of the event;

20 “(2) Whether the public vehicle inspection officer was in a vehicle clearly  
21 identifiable by its markings, or, if unmarked, was occupied by a public vehicle inspection officer

1 in uniform or displaying a badge or other sign of authority;

2 “(3) The operator’s conduct while being followed by the public vehicle inspection  
3 officer;

4 “(4) Whether the operator stopped at the first available reasonably lighted or  
5 populated area; and

6 “(5) Any other factor the court considers relevant.

7 “(c)(1) The Chairman of the Commission may suspend the public vehicle-for-hire  
8 operator’s license of a person convicted under subsection (a)(1) of this section for a period of no  
9 more than 180 days and may suspend for a period of no more than one year or revoke the  
10 operator’s license of a person convicted under subsection (a)(2) of this section without further  
11 proceeding.

12 “(2) A suspension of an operator’s license under paragraph (1) of this subsection  
13 for a person who has been sentenced to a term of imprisonment for a violation of subsection  
14 (a)(1) or (2) of this section shall begin following the person’s release from incarceration.

15 “(d) Prosecution for violations under this section shall be conducted in the name of the  
16 United States Attorney for the District of Columbia, or his or her assistants.

17 ~~“Sec. 20h. Wheelchair accessible taxicabs.~~

18 ~~“(a) Each taxicab company or association with 20 or more taxicabs in its fleet shall~~  
19 ~~dedicate 5% of its taxicab fleet to wheelchair accessible taxicabs. The Commission shall report~~  
20 ~~to the Council within 18 months of the effective date of this act on the number of wheelchair-~~  
21 ~~accessible taxicabs that are providing service and whether demand is being sufficiently met. The~~

1 Commission may provide subsidies and grants to applicants and owners of licensed taxicabs to  
2 offset the cost of buying, retrofitting, and maintaining a vehicle for use as a wheelchair-  
3 accessible taxicab.

4 ———“(b) The Commission shall determine what role wheelchair-accessible taxicabs can play  
5 in meeting the District’s transportation needs in accordance with the Americans with Disabilities  
6 Act of 1990, approved July 26, 1990 (42 U.S.C. §12101 *et seq.*), including the feasibility of  
7 contracting with the Washington Metropolitan Area Transit Authority and any other  
8 governmental entity, and shall report to the Council within 18 months of the effective date of this  
9 act the estimated cost savings from such contracts. All drivers who operate wheelchair-accessible  
10 taxicabs shall receive training in how to properly use the equipment and work with disabled  
11 passengers. The training shall be coordinated through the Commission or taxicab companies.

12 ———“(c) Wheelchair-accessible taxicabs shall:

13 ———“(1) Be retrofitted to accommodate wheelchair and personal mobility devices up  
14 to 30 inches in width;

15 ———“(2) Have rear entry or side entry ramps or lifts that enable a passenger and  
16 driver to easily and comfortably gain access to the interior of the vehicle upon entry and exterior  
17 upon drop off;

18 ———“(3) Have safety devices to secure the wheelchair or personal mobility device to  
19 the vehicle and protect the passenger;

1 ~~—————“(4) Display the international wheelchair insignia or other insignia approved by~~  
2 ~~the Commission that identifies the vehicle as a wheelchair accessible vehicle in a minimum of 2~~  
3 ~~prominent locations on the exterior of the vehicle.~~

4 ~~—————“(d) All licensed wheelchair accessible taxicab operators shall:~~

5 ~~—————“(1) Grant priority to requests for service from passengers who use wheelchairs,~~  
6 ~~and once dispatched to a call from a customer using a wheelchair shall not accept any other fare~~  
7 ~~while traveling to the fare. In the absence of a request for service to a passenger who uses a~~  
8 ~~wheelchair, a wheelchair accessible taxicab operator may transport any person; and~~

9 ~~—————“(2) When accepting fares, if not carrying a passenger or not responding to a~~  
10 ~~dispatched call for service, shall stop and inquire of a prospective passenger in a wheelchair or~~  
11 ~~mobility device attempting to street hail a taxicab whether the passenger wishes to ride in that~~  
12 ~~taxicab or, if the driver is not driving a wheelchair accessible taxicab and is affiliated with a~~  
13 ~~taxicab company that offers such services, wishes to have the driver contact a dispatch service to~~  
14 ~~send a wheelchair accessible taxicab.~~

15 ~~—————“(e) Any individual, company, or affiliation that owns, leases, rents, or operates~~  
16 ~~wheelchair accessible taxicabs subsidized by the District shall:~~

17 ~~—————“(1) Operate taxicabs equipped with dispatch technology and maintain the~~  
18 ~~capacity to broadcast and to receive transmissions from every wheelchair accessible taxicab~~  
19 ~~operating under their service;~~

20 ~~—————“(2) Promptly dispatch a wheelchair accessible taxicab in response to a~~  
21 ~~wheelchair accessible taxicab service request. If a wheelchair accessible vehicle cannot be~~

1 ~~dispatched within 20 minutes, dispatch shall call another company with wheelchair-accessible~~  
2 ~~vehicles to handle the request, and contact the customer with the name and telephone number of~~  
3 ~~the dispatch service for the available wheelchair-accessible taxicab. If no wheelchair-accessible~~  
4 ~~taxicabs are currently available to respond to a customer's request, dispatch shall notify the~~  
5 ~~customer and record the customer's name and phone number and the names of the other dispatch~~  
6 ~~services contacted; and~~

7 ~~\_\_\_\_\_“(3) Record all requests for wheelchair-accessible taxicab service, noting the date~~  
8 ~~and time of the request for service, the service address, the vehicle number dispatched, and the~~  
9 ~~time that the wheelchair-accessible taxicab was dispatched to respond to the call.~~

10 ~~\_\_\_\_\_“(f) An operator of a wheelchair-accessible taxicab shall not deny a dispatch request for~~  
11 ~~wheelchair-accessible service, unless the taxicab is unavailable to provide service to due to~~  
12 ~~already being engaged. The Commission shall enforce this provision through rulemaking.~~

13 ~~\_\_\_\_\_“Sec. 20h. Accessible taxicabs.~~

14 ~~\_\_\_\_\_“(a) Taxicab service in the District shall be accessible to the disabled and in compliance~~  
15 ~~with the Americans with Disabilities Act of 1990, approved July 26, 1990 (42 U.S.C. § 12101 et~~  
16 ~~seq.).~~

17 ~~\_\_\_\_\_“(b) (1) Within 90 days of the effective date of the Taxicab Service Improvement~~  
18 ~~Amendment Act of 2012, the Commission shall establish a Disability Taxicab Advisory~~  
19 ~~Committee to advise the Commission on how to make taxicab service in the District more~~  
20 ~~accessible to the disabled.~~

21 ~~\_\_\_\_\_“(2) (A) The Committee shall include representatives from the following:~~

1 “(i) The Office of Disability Rights;

2 “(ii) The Department of Disability Services;

3 “(iii) The Commission on Persons with Disabilities;

4 “(iv) The disability advocacy community;

5 “(v) Taxicab companies, associations, or operators;

6 “(vi) The Office of Chief Financial Officer, when appropriate; and

7 “(vii) The DC Taxicab Commission.

8 “(B) At least half of the Committee shall be members or representatives of the  
9 disability community.

10 “(3) On or before February 15, 2013, the Committee shall transmit to the Mayor  
11 and to the Council a comprehensive report and recommendations on the following:

12 “(A) The legal requirements for providing accessible taxicab service;

13 “(B) The demand for accessible taxicab service in the District;

14 “(C) How other jurisdictions are providing accessible taxicab service;

15 “(D) The appropriate number of accessible taxicabs needed in the District;

16 “(E) A timetable and plan to rapidly increase the number of accessible  
17 taxicabs to meet the appropriate number of accessible taxicabs in the District; and

18 “(F) A description of the types of grants, loans, tax credits, and other types  
19 of financial assistance and incentives that could be provided to taxicab companies, associations,  
20 and operators to offset the cost of purchasing, retrofitting, maintaining, and operating accessible  
21 taxicabs.

1 “(G) A recommended package of grants, loans, tax credits, or other types  
2 of financial assistance and incentives that could be provided to taxicab companies, associations,  
3 and operators to offset the cost of purchasing, retrofitting, maintaining, and operating accessible  
4 taxicabs.

5 “(4) On or before September 30, 2013, and each year thereafter, the Committee  
6 shall transmit to the Mayor and to the Council a report on the accessibility of taxicab service in  
7 the District and how it can be further improved.

8 “(c) (1) Each taxicab company or association with 20 or more taxicabs in its fleet shall  
9 dedicate a substantial percentage of its fleet to accessible taxicabs as follows:

10 “(A) At least 10% of each taxicab fleet shall be wheelchair-accessible.

11 “(B) Based on the recommendations of the Committee, which shall be  
12 given great weight, the Commission shall increase this requirement to ensure that the District’s  
13 taxicab system meets the legal requirements and demand for accessible taxicab service.

14 “(2) The Commission may withhold the renewal of licenses of taxicab companies  
15 or associations that do not meet the requirements of this subsection.

16 “(3) The Commission may provide grants, loans, and other types of financial  
17 assistance and incentives to applicants and owners of licensed taxicabs to offset the cost of  
18 buying, retrofitting, maintaining, and operating a vehicle for use as a wheelchair-accessible  
19 taxicab.

20 “(d) The Commission shall seek to partner with the Washington Metropolitan Area  
21 Transit Authority, the Office of the State Superintendent of Education, and any other

1 governmental entity to provide accessible transportation services using taxicabs, and shall report  
2 to the Council within 18 months of the effective date of the Taxicab Service Improvement  
3 Amendment Act of 2012 on the status of such agreements the estimated cost savings from such  
4 contracts.

5 “(e) All drivers who operate wheelchair-accessible taxicabs shall receive training in how  
6 to properly use the equipment and work with disabled passengers. The training shall be  
7 coordinated through the Commission or taxicab companies.

8 “(f) Wheelchair-accessible taxicabs shall:

9 “(1) Be retrofitted to accommodate wheelchair and personal mobility devices up  
10 to 30 inches in width;

11 “(2) Have rear-entry or side-entry ramps or lifts that enable a passenger and driver  
12 to easily and comfortably gain access to the interior of the vehicle upon entry and exterior upon  
13 drop off;

14 “(3) Have safety devices to secure the wheelchair or personal mobility device to  
15 the vehicle and protect the passenger;

16 “(4) Display the international wheelchair insignia or other insignia approved by  
17 the Commission that identifies the vehicle as a wheelchair-accessible vehicle in a minimum of 2  
18 prominent locations on the exterior of the vehicle.

19 “(g) All licensed wheelchair-accessible taxicab operators shall:

20 “(1) Grant priority to requests for service from passengers who use wheelchairs,  
21 and once dispatched to a call from a customer using a wheelchair shall not accept any other fare

1 while traveling to the fare. In the absence of a request for service to a passenger who uses a  
2 wheelchair, a wheelchair-accessible taxicab operator may transport any person; and

3 “(2) When accepting fares, if not carrying a passenger or not responding to a  
4 dispatched call for service, shall stop and inquire of a prospective passenger in a wheelchair or  
5 mobility device attempting to street-hail a taxicab whether the passenger wishes to ride in that  
6 taxicab or, if the driver is not driving a wheelchair-accessible taxicab and is affiliated with a  
7 taxicab company that offers such services, wishes to have the driver contact a dispatch service to  
8 send a wheelchair-accessible taxicab.

9 “(e) Any individual, company, or affiliation that owns, leases, rents, or operates  
10 wheelchair-accessible taxicabs subsidized by the District shall:

11 “(1) Operate taxicabs equipped with dispatch technology and maintain the  
12 capacity to broadcast and to receive transmissions from every wheelchair-accessible taxicab  
13 operating under their service;

14 “(2) Promptly dispatch a wheelchair-accessible taxicab in response to a  
15 wheelchair-accessible taxicab service request. If a wheelchair-accessible vehicle cannot be  
16 dispatched within 20 minutes, dispatch shall call another company with wheelchair-accessible  
17 vehicles to handle the request, and contact the customer with the name and telephone number of  
18 the dispatch service for the available wheelchair-accessible taxicab. If no wheelchair-accessible  
19 taxicabs are currently available to respond to a customer’s request, dispatch shall notify the  
20 customer and record the customer’s name and phone number and the names of the other dispatch  
21 services contacted; and

1 “(3) Record all requests for wheelchair-accessible taxicab service, noting the date  
2 and time of the request for service, the service address, the vehicle number dispatched, and the  
3 time that the wheelchair-accessible taxicab was dispatched to respond to the call.

4 “(f) An operator of a wheelchair-accessible taxicab shall not deny a dispatch request for  
5 wheelchair-accessible service, unless the taxicab is unavailable to provide service to due to  
6 already being engaged. The Commission shall enforce this provision through rulemaking.”.

7 “Sec. 20i. Modernization of taxicabs.

8 “(a) The Commission shall have one year from the effective date of this act to modernize  
9 the taxicab fleet, both vehicles and equipment improvements, to include:

10 “(1) A meter system that facilitates non-cash payment of a taxicab fare, including  
11 credit cards, debit cards, and other generally acceptable means of purchasing goods and services  
12 as defined by the Commission, prints receipts to passengers automatically, and allows non-cash  
13 payment to be made in the rear compartment of the taxicab without handling by the taxicab  
14 operator. This system shall contain an authenticated login unique to each individual taxicab  
15 operator, and shall electronically collect trip-sheet data through the use of global positioning  
16 satellite (GPS) technology. GPS data shall not be collected unless a taxicab operator is currently  
17 logged into the meter system and is actively searching for a fare or transporting a fare. The  
18 meter system shall consist of an information monitor for the taxicab operator that is able to send  
19 and receive text messages, and shall allow for integration with web, tablet, or cellular phone  
20 dispatch applications that can transmit the location of potential passengers to the taxicab operator  
21 information monitor. The Commission may elect to certify the technology that can integrate with

1 the meter system. The system shall also include an information monitor for passengers that, at a  
2 minimum, shall provide audio-visual content, including advertising, and is capable of being  
3 muted or turned off by the passenger for the duration of the ride;

4 “(2) Uniform cruising lights that clearly display a taxicab’s identification  
5 number, as well as identify when a taxicab is occupied, on-call, off-duty, or available to accept a  
6 fare; and

7 “(3) Uniform color and an emblem symbolizing the flag of the District. The  
8 Commission shall issue rules allowing all vehicles operated by taxicab companies, fleets, and  
9 associations to place an insignia or logo on the vehicle, requiring the insignia to be of a certain  
10 size and placement on the vehicle. If a taxicab is powered by an alternative fuel it may display on  
11 the exterior of the vehicle a term or symbol approved by the Commission that identifies the  
12 vehicle as such.

13 “(b) The Commission is authorized to make rules and regulations regarding the  
14 installation or use of counterfeit or non-compliant public vehicle-for-hire equipment or  
15 technology systems. Any person who willfully installs or uses any counterfeit or imitation public  
16 vehicle-for-hire equipment or technology systems shall be guilty of a misdemeanor and upon  
17 conviction, shall be imprisoned no more than 180 days or fined no more than \$1,000.

18 “Sec. 20j. Fuel-efficient taxicabs.

19 “(a) Within 5 years of the effective date of this act, each owner of a licensed taxicab  
20 operating in the District shall maintain average vehicle greenhouse gas emissions at a level set by  
21 the Commission in consultation with the District Department of the Environment (DDOE) that

1 will allow an overall goal of a 20% reduction in taxicab fleet greenhouse gas emissions by the  
2 year 2020. Wheelchair-accessible vehicles are exempt from compliance with greenhouse gas  
3 emission standards.

4 “(b) By April 1 of each year, the Commission, in consultation with DDOE, shall  
5 publicize a fuel-efficient taxicab guide. The guide shall list emission levels and average miles-  
6 per-gallon standards that will allow the District to achieve its taxicab fleet greenhouse gas  
7 reduction goal. The guide shall identify available funding sources and incentives for fuel-  
8 efficient and alternative-fuel vehicles. The Commission shall post the guide on its website and  
9 shall distribute the guide at no charge to taxicab operators. The Commission shall reevaluate and  
10 update the guide each year. The Commission may provide grants to owners of licensed taxicabs  
11 operating in the District to offset the cost of replacing an expired vehicle with an alternative fuel  
12 vehicle as established by rulemaking. The Commsision may adopt rules and regulations to  
13 implement this section.

14 “Sec. 20k. Loitering of taxicabs.

15 “(a) The loitering of public vehicles-for-hire around or in front of hotels, theaters, or  
16 public buildings in the District, either by stopping, except to take on or discharge a passenger, or  
17 by unnecessarily slow driving, shall be prohibited. An operator of any public vehicle-for-hire  
18 who willfully causes the vehicle to loiter either by stopping or slow driving shall be deemed  
19 guilty of loitering as prohibited. The Commission is authorized and empowered to make any  
20 regulations necessary in furtherance of the purpose of this section and given authority to revoke  
21 the license of the driver of any public vehicle-for-hire who is in violation of this section more

1 than 5 times in one year.

2 “(b) It shall be unlawful for any keeper or proprietor, or agent acting for the keeper or  
3 proprietor, of any licensed hotel in the District to discriminate against any District licensed  
4 taxicab driver by excluding him or her from access to any hack stand or other location where  
5 taxicabs are regularly allowed to pick up passengers on the hotel premises, except that any  
6 taxicab or taxicab operator that is not in compliance with taxicab vehicle safety requirements or  
7 operator requirements may be denied a passenger and shall be reported to the Commission.

8 “(c) Any agent of the licensed hotel in the District found to be in violation of this  
9 provision shall be subject to a fine of not more than \$300, or imprisonment for not more than 90  
10 days, for each violation hereof.

11 “Sec. 20l. Refusal to pay for a taxicab.

12 “No person who engages a taxicab shall refuse or fail to pay or attempt to avoid payment  
13 of the lawful charge due the driver or owner of the taxicab. A person who violates this section  
14 shall, upon conviction, be guilty of a misdemeanor and punished by a fine of no more than \$300  
15 or imprisonment for no more than 30 days.

16 “Sec. 20m. Public vehicles for hire, exclusive of taxicabs and limousines.

17 “(a) The Commission is authorized to create and regulate classes of public vehicles-for-  
18 hire independent of taxicabs and limousines, including but not limited to sedan-class vehicles.  
19 The Commission is authorized to promulgate rules and regulations governing the conduct of  
20 such vehicles, including, but not limited to, the type of vehicles, number of inspections, licensing  
21 of drivers, advertising, safety of the driver and of the public, fares, financial obligations, and any

1 other provisions necessary to provide safe public passenger transportation.

2 “(b) Sedan-class vehicles shall operate exclusively through dispatch and shall not accept  
3 street hails. Sedan-class vehicles shall calculate fares exclusively using a time and distance  
4 method. When booking a trip, a passenger shall have access to the rate, method of calculation,  
5 and average cost of a trip from the starting point to the destination prior to accepting the trip. The  
6 sedan operator shall provide the total fare amount to the passenger before the passenger exits the  
7 vehicle. The Commission shall post on its website and periodically update a list of the average  
8 fares of sedan class vehicles along particular routes.

9 “Sec. 20n. Public vehicle inspection officer training.

10 “Public vehicle inspection officers shall undergo training on the rules and regulations  
11 governing passenger vehicles-for-hire and undergo yearly performance evaluations. Public  
12 vehicle inspection officers shall be prohibited from making traffic stops of on-duty taxicabs  
13 while a taxicab is in the act of transporting a fare, unless there is probable cause of a violation  
14 and shall act in accordance with all rules governing their duties, as established through  
15 rulemaking.

16 “Sec. 20o. Dispatch services.

17 “(a) All taxicab companies, taxicab associations, taxicab or fleets with 100 or more  
18 licensed taxicabs shall install radio or digital dispatch equipment in each taxicab. This equipment  
19 shall link to a central dispatch service within each company. Each licensed taxicab operator  
20 affiliated or contacted with a taxicab company, association, or fleet with more than 100 licensed  
21 taxicabs shall be available via dispatch at all times while accepting fares and may not turn off the

1 dispatch equipment while in service. Once a taxicab operator chooses to accept a dispatch  
2 request, that operator must accept the fare, regardless of the fare's location within the District.

3       “(b) The Commission shall provide a hotline that links potential fares to each of the  
4 available taxicab dispatch services available within the District. This hotline shall be available 24  
5 hours a day, 365 days a year and be listed on the front page of the Commission's website. The  
6 Commission shall provide a comprehensive list of dispatch services within the District on its  
7 website, including the company name, phone number, and website, if available.

8       “Sec. 20p. Complaints.

9       “(a) The Commission shall:

10               “(1) Allow the public to file complaints electronically on its website;

11               “(2) Within 72 hours of receiving a complaint, confirm in writing to the  
12 complainant that the complaint has been received;

13               “(3) Respond, in writing, to the operator against whom the complaint was filed,  
14 with a detailed description of the complaint against him or her, including the time, date, location,  
15 circumstances of the alleged incident, and the potential penalties, as well as provide clear  
16 instructions of the procedures used to adjudicate the complaint, the rights of the recipient to  
17 contest the complaint, and the documents, evidence, or materials necessary for proper  
18 adjudication of the complaint;

19               “(4) Provide training in the rules and regulations governing taxicab operators to  
20 all personnel responsible for reviewing complaints;

21               “(5) Provide information on its website about the appeals process for complaints;

1           “(6) Conduct annual performance and compliance audits of the complaints  
2 received by the Commission, how those complaints were handled, and how those complaints  
3 were used to improve the provision of taxicab service in the District;

4           “(7) Employ hearing examiners or hearing officers to hear and adjudicate  
5 complaints or other matters before the Commission or refer such matter to the Office of  
6 Administrative Hearings, pursuant to the Office of Administrative Hearings Establishment Act of  
7 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.01 *et seq.*)”.

8           Sec. 3. Section 2 of the Taxicab Fare Payment Act of 1980, effective February 26, 1981  
9 (D.C. Law 3-117; D.C. Official Code § 50-351), is repealed.

10          Sec. 4. Section 12 of An Act Making appropriations to provide for the expenses of the  
11 government of the District of Columbia for the fiscal year ending June 30, 1920, and for other  
12 purposes, approved July 11, 1919 (41 Stat. 104; D.C. Official Code § 50-371), is repealed.

13          Sec. 5. Subtitle F of Title VI of the Fiscal Year 2013 Budget Support Act of 2012, passed  
14 on 1st reading on May 15, 2012 (Engrossed version of Bill 19-743), is repealed.

15          Sec. 6. Section 47-2829 of the District of Columbia Official Code (D.C. Official Code  
16 § 47-2829) is amended as follows:

17           (a) Subsection (d) is amended as follows:

18               (1) Strike the phrase “\$25 or”.

19               (2) Strike the phrase “,but in no event to exceed \$100.”.

20           (b) Subsection (e) is amended as follows:

21               (1) Paragraph (1) is amended as follows:

1 (A) Strike the phrase “subsection (c)” and insert the phrase “subsection  
2 (d)” wherever it appears.

3 (B) Strike the phrase “\$75 or” wherever it appears.

4 (C) Strike the phrase “, but in no event to exceed \$200” wherever it  
5 appears.

6 (2) Paragraph (2) is amended as follows:

7 (A) The lead-in language is amended as follows:

8 (i) Strike the word “vehicle” and insert the phrase “public vehicle-  
9 for-hire” in its place.

10 (ii) Strike the phrase “subsection (d)” and insert the phrase  
11 “subsections (d) and (h) of this section” in its place.

12 (B) Subparagraph (A) is amended to read as follows:

13 “(A) Completion of the primary public passenger vehicle-for-hire license  
14 training course as established by the District of Columbia Taxicab Commission for a fee of no  
15 less than \$100 for each person. Upon completion of the course, the applicant shall be issued a  
16 certificate of completion which shall include the date of completion and shall be presented to the  
17 Office of Taxicabs with the application for a license. Prior to issuing the certificate, each person  
18 shall have passed an examination consisting of the subject matters taught in the course and an  
19 evaluation of the person’s English communication skills. At a minimum, the training course shall  
20 be designed to develop the applicant’s knowledge of the following:

1                   “(i) The geography of the District, with particular emphasis on  
2 major streets throughout the District, significant government buildings, attractions, and tourist  
3 sites, and historical knowledge of the District;

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

6                   “(iii) District traffic laws and regulations, including the rights and  
7 duties of motorists, pedestrians, and bicyclists and the penalties for violating these laws and  
8 regulations;

9                   “(iv) Public relations skills, including cultural awareness and  
10 sensitivity training, appropriate social customs and courtesies that should be extended to the  
11 public, conflict resolution, and knowledge of the hospitality industry;

12                   “(v) Small business practices, including methods of accounting  
13 and manifest maintenance, fare computations for intra-District trips and interstate trips, and  
14 general management principles;

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

16                   “(vii) The legal requirements that apply to transportation of  
17 persons with disabilities, including providing equal access to transportation and complying with  
18 the Americans with Disabilities Act of 1990, approved July 26, 1990 (42 U.S.C. §12101 *et*  
19 *seq.*).”.

20           (c) A new subparagraph (A-1) is added to read as follows:

1                   “(A-1) All courses for operators of wheelchair-accessible taxicabs shall  
2 provide training as to:

3                   “(i) The legal requirements that apply to transportation of persons  
4 with disabilities, including providing equal access to transportation and complying with the  
5 Americans with Disabilities Act of 1990, approved July 26, 1990 (42 U.S.C. §12101 *et seq.*);

6                   “(ii) Passenger assistance techniques, including a review of  
7 various disabilities, hands-on demonstrations of how to assist those with disabilities, mobility  
8 equipment training (including familiarity with lift and ramp operations and various types of  
9 wheelchairs and personal mobility devices), and safety procedures;

10                   “(iii) Training with an actual person using a wheelchair or  
11 personal mobility device;

12                   “(iv) Sensitivity training, including customer service and conflict  
13 resolution techniques; and

14                   “(v) Overall training in passenger relations and courtesy.

15           (d) Subparagraph (B) is amended by striking the phrase "which shall test" and inserting  
16 the phrase “which shall, at a minimum, test” in its place.

17           (e) Subparagraph (C) is amended to read as follows:

18                   “(C) Each applicant may repeat the examination no more than 3 times.

19 Upon the third failure, an applicant must repeat the hacker’s license training course and present a  
20 new certificate of completion before being allowed to sit for the examination again. The Office  
21 of Taxicabs, under the direction of Commission, shall construct a pool of no fewer than 300

1 questions from which questions shall be drawn for each examination that is administered. This  
2 pool shall be kept from public dissemination and shall be substantially revised at a minimum of  
3 every 2 years to protect the integrity of the examination.”.

4 (f) A new subparagraph (D) is added to read as follows:

5 “(D) Upon passage of the examination, each applicant has 90 days in  
6 which to complete the application process for licensure. After 90 days, the passing score from  
7 the prior examination is no longer valid for licensure, and the applicant must repeat the license  
8 training course, present a new certificate of completion, and retake the examination.”.

9 (g) Subsection (e-1) is amended to read as follows:

10 “(e-1) The District of Columbia Taxicab Commission may develop procedures to  
11 evaluate the record of a taxicab operator’s license under the terms of subsection (e) of this  
12 section, and the owners of taxicabs licensed under the terms of this paragraph. The record  
13 maintained by the Office of Taxicabs for each licensee shall contain any violations associated  
14 with the license upon the final determination of liability by any governmental body charged with  
15 adjudicating violations. Any procedure shall clearly state the grounds for suspension or  
16 revocation of a license. If the license of a person licensed pursuant to subsection (e) of this  
17 section is revoked, the person must complete the requirements contained in subsections (e)(2)(A)  
18 and (B) of this section before the person may receive a new license. If the license of a person  
19 licensed pursuant to subsection (e) of this section is suspended, the licensee must complete the  
20 requirements contained in subsection (e)(2)(A) of this section and present to the Commission the  
21 certificate of completion of the required course before reinstatement.

1 (h) Subsection (e-2) is amended by striking the phrase “and any points assessed against  
2 the licensee in accordance with subsection (e-1) of this section;”

3 (i) Subsection (e-3) is amended by striking the phrase “Commission’s Panel on Rates  
4 and Rules” and inserting the word “Commission” in its place.

5 (j) Subsection (e-4) is amended as follows:

6 (1) Strike the phrase “registered mail” and insert the phrase “regular mail” in its  
7 place.

8 (2) Strike the phrase “, which shall come before the Council of the District of  
9 Columbia (“Council”) for a 45-day period of review, excluding Saturdays, Sundays, holidays,  
10 and days of Council recess.” and insert a period in its place.

11 (3) Strike the phrase “If the Council does not approve or disapprove the proposed  
12 regulations, in whole or in part, by resolution within this 45-day review period, the proposed  
13 regulations shall be deemed approved.”

14 (k) Subsection (h) is amended as follows:

15 (1) Strike the phrase “subsections (c) and (d)” and insert the phrase “subsections  
16 (d) and (e)” in its place.

17 (2) Strike the phrase “\$25 or”.

18 (3) Strike the phrase “, but not to exceed \$100,”.

19 (l) Subsection (i) is amended by striking the phrases “\$75 or” and “, but in no event to  
20 exceed \$200.”

21 (m) A new subsection (j) is added to read as follows:

1           “(j)(1) The Commission may establish limits on the number of operator’s licenses or  
2 vehicle licenses that the agency issues; provided, that the Commission shall not establish limits  
3 without first making a determination that the limits are in the public interest and do not unduly  
4 and significantly harm the taxicab industry in the District.

5           “(2) Within 60 days of the effective date of this act, the Commission shall submit  
6 to the Council a report on current access and ability of applicants to obtain a taxicab operator  
7 license. The report shall also include the status of the qualifying examination and any course  
8 relating to that application process.

9           “(3) A rulemaking by the Commission under paragraph (1) of this subsection  
10 must be approved by the Council prior to implementation. A resolution shall be submitted to the  
11 Council for a 60-day review period, excluding Saturdays, Sundays, legal holidays, and days of  
12 Council recess. If the Council does not approve or disapprove the rule by resolution within this  
13 60-day period, the proposed limits shall be deemed approved.”.

14       Sec. 6a. Applicability.

15  
16       This act shall apply upon the inclusion of its fiscal effect in an approved budget and  
17 financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in  
18 a certification published by the Council in the District of Columbia Register.

19       Sec. 7. Fiscal impact statement.

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

1           Sec. 8. Effective date.

2           This act shall take effect following approval by the Mayor (or in the event of veto by the  
3 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as  
4 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
5 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
6 Columbia Register.