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## Opinions

### The D.C. Taxi Commission's problem with Uber

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By Ron Linton, Published: January 27

David Alpert [[Local Opinions, Jan. 15](#)] has seen the future, and it is here. Reserving a taxi or limousine ride from a smartphone is not new to the District, and it is perfectly legal — if done properly. The newly arrived Uber car service is not being operated properly, in conformance with the law.

And that's not because of any regulation imposed by the D.C. Taxicab Commission but because of a law passed by the D.C. Council. In the District, limousine vehicles are public passenger vehicles for hire that provide "[contract livery service](#)" and must be licensed. Contract livery service — let's just call it limousine service — has a rate fixed solely by the hour. Whether the law is good or bad public policy is a matter for the council to decide. But the taxi commission has to operate in real time, which means regulating and enforcing the law as it is written.

This means that any public vehicle for hire that holds itself out as a limousine must contract with a passenger *before* the service is provided on an hourly service charge. There would have been no violation if [the Uber limousine driver who took me](#) to the Mayflower Hotel on Jan. 13 had said, when asked how much the trip cost, something like: "\$25 based on a \$50 hourly rate if the ride is less than 30 minutes, but \$50 if over a half hour. And we have a half-hour minimum." But he didn't. He said he wouldn't know the cost until we got there and the time and distance were calculated, thus converting his service into a taxi. That is the Uber price structure.

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and distance basis, he is required by law to have an approved meter and to follow the approved rate schedule. He didn't meet that threshold, and therefore he made an unlawful charge.

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One thing we didn't anticipate when we took this action was that a Virginia-based limousine vehicle and driver would be sent to provide transportation that began and ended in the District. Providing such a service requires a D.C. public-vehicle-for-hire license plate and operators' license and proof of valid insurance. This would have been a violation without regard to the Uber pricing system. We learned from this test trip that Uber had made no effort to vet its driver or to ensure that city regulations were adhered to.

Now, it's understandable that people don't like to have regulations meddle with their daily lives, but regulations are used to make sense out of chaos and to protect the consumer. Unfortunately, since they are written by human beings, the rules need to undergo constant revision in an effort to meet changing conditions and public demand.

Where do we go from here, then? Mr. Alpert suggest that taxis or limousines arranged for via smartphone technology be allowed to charge whatever they want in an all-out price war. He should be careful what he wishes for. It isn't just riders and drivers who would be affected if such a system became the norm. Given the congestion, confusion and pedestrian hazards likely to result, those using private vehicles, buses, bicycles, trucks and even sidewalks to move about the city would be sure to share their unhappiness with public officials, leading us right back to what? Regulation, of course.

Frustration with the condition of the D.C. taxicab industry is understandable. But problems that have developed over several decades cannot be rectified in six months. Many changes are underway, and the performance of the industry will improve dramatically in the next several years. It doesn't makes sense to allow a company to set up shop in the District and operate without regard to existing laws and regulations, but we would welcome Uber as a compliant partner in the District.

The writer is chairman of the D.C. Taxicab Commission.

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**bmccull** wrote:

2/1/2012 8:39 PM EST

Your 'welcome' to Uber as a 'compliant partner' is at odds with conducting a sting. Just who were you protecting? Has the public suffered? Or is it just that everything should stay the same?

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