

## DISTRICT OF COLUMBIA TAXICAB COMMISSION

## PANEL ON RATES AND RULES

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The District of Columbia Taxicab Commission ("Commission"), by its Panel on Rates and Rules, pursuant to the authority set forth under §§ 8(b)(1)(A), 9(b) and 18(a) of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code §§ 50-307(b)(1)(A), 50-308(b), 50-317(a) (2001)), hereby gives notice of its emergency and proposed rulemaking action taken on Wednesday, July 26, 2006 to add §§ 802.12 and 802.13 to Chapter 8 of Title 31 of the District of Columbia Municipal Regulations (DCMR) governing taxicab rates and charges to ensure that wait time charges reflected in Chapter 8 conform to Appendix 8-2 (Taxicab Zone Map and Charges).

On Wednesday, December 14, 2005, the Commission took emergency and proposed rulemaking action, published in the *D.C. Register* on January 6, 2006 amending the wait time charges for taxicab rides. At that time, the Commission proposed to no longer charge wait time for the initial first three (3) minutes, but instead require passengers to be charged one dollar (\$1.00) for every two (2) minutes or any fraction thereof.

Subsequently, on January 18, 2006, the Commission voted to amend its prior rulemaking action and reinstated the wait time charges that applied to taxicab rides prior to January 6, 2006. The notice of proposed rulemaking was published in the *D.C. Register* on February 24, 2006 and a public hearing was held on April 12, 2006. The Commission on July 26, 2006 subsequently determined that the February 24, 2006 proposed rulemaking as published in the *D.C. Register* incorrectly stated the "quarter hour charge" as five dollars and fifty cents (\$5.50). The July 26, 2006 emergency and proposed rulemaking spells out what is considered as wait time and changes the "quarter-hour charge" to six dollars and twenty-five cents (\$6.25), which accurately reflects quarter hour increments of the twenty-five dollars (\$25.00) per hour charge reflected in Appendix 8-2 (Taxicab Zone Map and Charges).

The effective date of this rulemaking is the date of its adoption, Wednesday, July 26, 2006. The emergency rule will expire one hundred and twenty (120) days after its adoption, November 24, 2006, or upon publication of a notice of final rulemaking in the *D.C. Register* which supersedes the emergency rule, whichever occurs first. The Commission also gives notice of its intent to take final rulemaking action to adopt the proposed rule in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

The Commission found that the rulemaking should be changed to preserve the status quo and to allow taxicab operators to continue to meet their public service obligations to provide vital transportation service to the public. Increased operating costs without a fair return on investment could cause taxicab operators to leave the industry or discontinue service. Any potential reduction in taxicab service could affect senior citizens and persons with disabilities who rely on

taxicab services for access to medical care, extended health services, physical therapy, social, and other supportive services.

The Commission found that the rulemaking should be added to ensure that both taxicab riders and taxicab drivers are clear as to the appropriate charges and to avoid the potential misunderstanding as to the difference between wait time and stop en route charges.

The following section in 31 DCMR Chapter 8 is added and Appendix 8-2 (Taxicab Zone Map and Charges) is amended as follows:

**802 OTHER CHARGES**

802.12 Passengers may be charged for waiting time which is defined as time spent by the driver waiting for a passenger to enter the taxicab on a dispatch call or time spent by the driver waiting for a passenger to return to the taxicab on a round trip fare.

802.13 Wait time charges shall apply as follows:

- a. There shall be no charge for wait time up to four (4) minutes and fifty-nine (59) seconds;
- b. From five (5) minutes up to nine (9) minutes and fifty-nine (59) seconds, the charge is two dollars (\$2.00);
- c. From ten (10) minutes up to fourteen (14) minutes and fifty-nine (59) seconds, there is an additional charge of one dollar and fifty cents (\$1.50); and
- d. If the wait time reaches fifteen (15) minutes, the entire charge shall convert to the twenty-five dollars (\$25.00) hourly rate, reflected in Appendix 8-2, Taxicab Zone Map, pro-rated as six dollars and twenty-five cents (\$6.25) for each fifteen (15) minutes or quarter hour. Fractions of a quarter hour after the first fifteen (15) minutes shall be charged the full quarter hour charge of six dollars and twenty-five cents (\$6.25).

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments in writing not later than thirty (30) days from the date of publication of this notice in the *D.C. Register*. Comments should be filed with Doreen E. Thompson, General Counsel, District of Columbia Taxicab Commission, 2041 Martin Luther King, Jr., Avenue, S.E., Suite 204, Washington, D.C. 20020. Copies of the proposed rulemaking may be obtained by writing to the above address.