

DISTRICT OF COLUMBIA DEPARTMENT OF TRANSPORTATION**NOTICE OF EMERGENCY AND PROPOSED RULEMAKING**

The Director of the District Department of Transportation, pursuant to the authority of section 7 of the Performance Parking Pilot Zone Temporary Act of 2008 (Act), effective June 5, 2008 (D.C. Law 17-170; 55 DCR 5185), or any substantially identical permanent legislation, Mayor's Order 2008-56 (March 28, 2008), sections 3 and 5(3) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code §§ 50-921.02 and 50-921.04(3)), and sections 6(a)(1), (a)(5), and (a)(6) of the District of Columbia Traffic Act, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code §§ 50-2201.03(a)(1), (a)(5), and (a)(6)), hereby gives notice of the adoption on an emergency basis of amendments to Chapter 24 of Title 18 (Vehicles and Traffic) of the District of Columbia Municipal Regulations (DCMR). The proposed amendments implement the Adams Morgan Taxicab Zone Pilot Program established by the Act.

Emergency rules were adopted on May 15, 2008, and published in the *D.C. Register* on May 30, 2008, at 55 DCR 6221, in a combined Notice of Emergency and Proposed Rulemaking (Combined Rulemaking). The emergency rules expired on September 11, 2008. However, in the interim, the Adams Morgan Taxicab Zone Emergency Amendment Act of 2008, effective July 16, 2008 (D.C. Act 17-428; 55 DCR 8252), expanded the boundaries of the Adams Morgan Taxicab Zone to include additional streets that were not contemplated in the Combined Rulemaking. Thus, a second rulemaking is necessary so that the public may comment on the new areas comprising the Adams Morgan Taxicab Zone, and these proposed rules supersede those published on May 30, 2008.

Emergency rulemaking action is necessary because members of the Adams Morgan business community have identified the urgent need for a taxicab zone to prevent the recurrence of severe congestion caused by taxicabs cruising for customers in Adams Morgan along the busiest sections of 18th Street, N.W. Immediate solutions must be implemented to alleviate congestion, improve the efficiency of curbside parking, and protect the public safety.

This emergency rulemaking was adopted on September 9, 2008, and became effective immediately on that date. The emergency rulemaking will expire on January 6, 2009, or upon publication of a Notice of Final Rulemaking in the *D.C. Register*, whichever occurs first.

The Director also gives notice of intent to take final rulemaking action to adopt this rulemaking in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Title 18 DCMR is amended as follows:

Chapter 24 (Stopping, Standing, Parking, and Other Non-Moving Violations) is amended by adding new subsections 2409.9 through 2409.16 to read as follows:

- 2409.9 Subsections 2409.9 through 2409.16 implement and apply to the Adams Morgan Taxicab Zone during the Adams Morgan Taxicab Zone Pilot Program. The pilot program commences on May 15, 2008, and concludes on October 1, 2010.
- 2409.10 The Director designates the following areas as the Adams Morgan Taxicab Zone:
- (a) The width of 18th Street, N.W., from the intersection of 18th Street, N.W., and Wyoming Avenue, N.W., to the intersection of 18th Street, N.W., and Columbia Road, N.W.; and
 - (b) The width of Columbia Road, N.W., from the intersection of Columbia Road, N.W., and Biltmore Street, N.W., to the intersection of Columbia Road, N.W., and Euclid Street, N.W.
- 2409.11 The Adams Morgan Taxicab Zone hours shall be:
- (a) From 9:00 p.m. Thursday to 4:00 a.m. Friday;
 - (b) From 9:00 p.m. Friday to 4:00 a.m. Saturday; and
 - (c) From 9:00 p.m. Saturday to 4:00 a.m. Sunday.
- 2409.12 No taxicab operator shall pick up a passenger for hire during Adams Morgan Taxicab Zone hours, except at a designated taxicab stand.
- 2409.13 A taxicab shall stand only in a taxicab stand during Adams Morgan Taxicab Zone hours to await passengers for hire.
- 2409.14 The Director shall post signage to identify zone hours, zone restrictions, and taxicab stand locations.
- 2409.15 The Director may list taxicab stand locations in a public notice to be published in the D.C. Register.
- 2409.16 Except as provided in §§ 2409.9 through 2409.15, Title 31 of the District of Columbia Municipal Regulations shall apply to the Adams Morgan Taxicab Zone.

All persons interested in commenting on the subject matter in this proposed rulemaking action may file comments in writing, not later than thirty (30) days after the publication of this notice in the *D.C. Register*, with Associate Director, Transportation Policy and Planning Administration, District Department of Transportation, 2000 14th Street, N.W., 7th Floor, Washington, D.C. 20009. Comments may also be sent electronically to publicspace.committee@dc.gov. Copies of this proposal are available, at cost, by writing to the above address, and are also available electronically, at no cost, on the District Department of Transportation's web site at www.ddot.dc.gov.