

**DISTRICT OF COLUMBIA TAXICAB COMMISSION CHAIRPERSON
NOTICE OF FINAL RULEMAKING**

The Chairperson of the District of Columbia Taxicab Commission, pursuant to the authority set forth under section 105 of the 2005 District of Columbia Omnibus Authorization Act, approved October 16, 2006 (120 Stat. 2023; D.C. Official Code § 50-381(a) (2009 Supp)), Mayor's Order 2009-104, dated June 15, 2009, and Mayor's Order, 2007-231, dated October 17, 2007, hereby gives notice of the adoption of a new section 219 and amendments to section 220 of Chapter 2 in Title 31 of the District of Columbia Municipal Regulations ("DCMR"). This rulemaking establishes procedures and criteria to be applied by the D.C. Taxicab Commission in reviewing and adjusting rates for the continued implementation of the time and distance metered taxicab system established in the District of Columbia on May 1, 2008. The rules were previously published as proposed rulemaking in the D.C. Register on June 26, 2009 (56 D.C. Reg. 5137). No comments were received in response to that notice and no changes have been made. These final rules will be effective upon publication of this notice in the D.C. Register.

A new Section 219 of Chapter 2 in Title 31 is added as follows:

**219 CRITERIA AND PROCEDURES FOR RATE MAKING FOR THE
TAXIMETER SYSTEM**

- 219.1 Effective June 15, 2009, the Commission was delegated the Mayor's authority to review and adjust rates ("rate making") necessary for the implementation of the time and distance metered taxicab system ("taximeter system") in the District of Columbia under Section 105(a) of the 2005 District of Columbia Omnibus Authorization Act, approved October 16, 2006, 120 Stat. 2023, D.C. Official Code § 50-381(a).
- 219.2 The Commission's Panel on Rates and Rules ("Panel") shall be responsible for undertaking periodic reviews of the rate structure for the taximeter system and making recommendations to the Commission on whether a modification or adjustment in rate structure is warranted, and if determined to be warranted, recommend the amount of the modification or adjustment.
- 219.3 Pursuant to §106.1 of this title, action to adopt any rate increase or adjustment shall require a majority vote of the Commissioners present and voting at a meeting, which meets the quorum requirement provided in §104.1 of this title.
- 219.4 Any rate making by the Commission shall adhere to and be subject to the requirements of the D.C. Administrative Procedures Act, effective October 21, 1968, 82 Stat. 1206, D.C. Official Code § 2-305.

- 219.5 The Commission may not take any of the following actions without the prior consent of the Mayor:
- (a) Implement a rate increase in less than one (1) year from a prior rate increase;
 - (b) Implement any single rate increase over five percent (5%), rounded up to the nearest nickel (5 cents), above the prior rates;
 - (c) Modify the structure of the “regular metered rate of fare” provided in §§801.3 through 801.5 of this title, effective May 1, 2008; and
 - (d) Establish any additional “extra charges or surcharges” or modify the “extra charges or surcharges” applicable to the taximeter system as provided in §801.6 of this title, effective May 1, 2008, including but not limited to adding a fuel surcharge authorized in §801.6(m) of this title or modifying the charges applicable to group riding as determined in §801.7 of this title or shared riding as determined in §801.10 of this title.
- 219.6 Prior to any rate making, the Panel shall undertake a review of the taximeter system rate structure which shall include an opportunity for public comment. The Panel shall at a minimum take the following actions:
- (a) Hold two (2) public hearings at locations accessible to all District residents for which thirty (30) day notice is provided in the *D.C Register*; and
 - (b) Provide an opportunity for the public to submit views orally or in writing at the public hearings.
- 219.7 In determining under §219.2 of this section whether a rate adjustment is warranted, and if so, the amount of such an adjustment, the Panel and the full Commission shall take the following actions:
- (a) Consider the rates of taximeter systems in surrounding jurisdictions, the cost of operating a taximeter system, and the public use of the taximeter system in the District; and
 - (b) Balance equitably the interest of owners and operators of taxicabs, taxicab companies and associations, and dispatch services in procuring a reasonable rate of return on investment and adequate compensation for labor provided against the public interest in

maintaining a taximeter system which is affordable and accessible to a broad cross section of the public.

- 219.8 The provisions in this section apply to any determination regarding rates made by the full Commission whether the rate making proceeding is initiated by the Commission, the Panel, or through an individual petition under § 221.1 of this chapter.

Section 220 is amended as follows:

- 220.1 The provisions of §§ 219, 220-256, and 299 shall govern rate making proceedings before the Panel.

Sections 220.2 and 220.3 are repealed.