

DISTRICT OF COLUMBIA TAXICAB COMMISSION

**NOTICE OF EMERGENCY AND PROPOSED RULEMAKING
AND
PUBLIC HEARING**

The District of Columbia Taxicab Commission (“Commission”), by its Panel on Rates and Rules, pursuant to the authority set forth under §§ 8(b)(1)(C), (F), and (G) of the District of Columbia Taxicab Commission Establishment Act of 1985, as amended, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code §§50-307(b)(1)(C), (F), and (G)) (2001), hereby gives notice of emergency rulemaking action taken on January 21, 2010 to amend Chapter 6, Section 601 of Title 31 of the District of Columbia Municipal Regulations (“DCMR”). The proposed amendment of § 601 provides those taxicab owners and operators with sport utility vehicles (SUVs) registered by the Department of Motor Vehicles with Commission taxicab tags to continue to operate as taxicabs in the District of Columbia and be allowed to complete the taxicab inspection process for a period of one (1) year after the date of this rulemaking. During the one (1) year period, the Commission intends to consider whether SUVs should be allowed to operate as taxicabs on an ongoing basis and, if so, what standards should apply to SUVs operated as taxicabs.

This emergency action is necessary in order to avoid an immediate negative economic impact on taxicab owners and operators who have been allowed to register SUVs as taxicabs and who would be negatively impacted were they to immediately be prohibited from meeting the ongoing taxicab registration and taxicab inspection requirements.

This emergency rule was adopted January 21, 2010 and became effective on January 22, 2010. The emergency rulemaking will expire one hundred twenty (120) days after the effective date of the emergency rulemaking.

The Commission also gives notice of its intent to take final rulemaking action to adopt these proposed rules (which are identical to the emergency rules) in not less than thirty (30) days after the date of publication of this notice in the *D.C. Register*.

Title 31 DCMR Chapter 6 (Taxicab Parts and Equipment), Section 601 is amended as follows:

A new subsection 601.1A is added to read as follows:

601.1A Notwithstanding the provisions of §601.1 above, taxicab owners or operators with sport utility vehicles registered with the Department of Motor Vehicles with Commission taxicab tags shall be allowed to continue to operate as taxicabs and be allowed to complete the taxicab inspection process if they comply with all other laws and regulations; provided, the authority to operate and complete the inspection process under this subsection shall expire one (1) year after the effective date of this rulemaking.

The Commission Panel on Rates and Rules held a Special Meeting and Public Hearing on the proposed rulemaking on:

January 21, 2010

9:00 am

DC Taxicab Commission

2041 Martin Luther King, Jr. Avenue, S.E.

Suite 204

Washington, DC 20020

The public hearing provided an opportunity for interested persons to appear and present their views and data regarding the Commission's proposed rulemaking action.

Copies of the proposed rulemaking can be obtained at the Commission's web site at dctc.dc.gov or by contacting Dena C. Reed, General Counsel and Secretary to the Commission, District of Columbia Taxicab Commission, 2041 Martin Luther King, Jr., Avenue, S.E., Suite 204, Washington, D.C. 20020. Any person desiring to file written comments on the proposed rulemaking action must submit their written comments to the above address not later than thirty (30) days after the publication of this notice in the *D.C Register*.