

4
5
6
7
8
9 A BILL

10
11 B19-892

12
13
14 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

15
16
17
18 To amend the District of Columbia Taxicab Commission Establishment Act of 1985 to clarify
19 the regulation of sedan-class vehicles and businesses providing dispatch service to public
20 vehicles-for-hire in the District of Columbia, to update the procedures for the
21 Commission hotline, and to amend Chapter 28 of Title 47 of the District of Columbia
22 Official Code to create a public vehicle-for-hire license.

23
24 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
25 act may be cited as the “Public Vehicle-for-Hire Innovation Amendment Act of 2012”.

26
27 **Title I. Industry innovation**

28 Sec. 2. The District of Columbia Taxicab Commission Establishment Act of 1985,
29 effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301 *et seq.*), is amended as
30 follows:

31 (1) Section 4(20) (D.C. Official Code § 50-303(20)) is amended as follows:

32 (A) Strike the word “dispatch” and insert the phrase “digital dispatch” in
33 its place; and

1 (B) Strike the phrase “charges exclusively on the basis of time and
2 distance” and insert the phrase “charges exclusively on the basis of time and distance, except for
3 trips to airports, which may be charged on a flat-fee basis” in its place.

4 (2) Section 20j (D.C. Official Code § 50-329) is amended as follows:

5 (A) Subsection (a) is amended as follows:

6 (i) Strike the phrase “fares,”; and

7 (ii) Strike the phrase “to provide safe public passenger
8 transportation” and insert the phrase “; provided, that the rules and regulations are necessary for
9 the safety of customers and drivers, consumer protection, or the collection of non-personal trip
10 data information” in its place.

11 (B) Subsection (b) is amended to read as follows:

12 “(b) Sedan-class vehicles shall operate exclusively through a digital dispatch service as
13 defined by and meeting the requirements of section 20l. Sedan-class vehicles shall calculate fares
14 exclusively on the basis of time and distance, except trips to airports, which may be charged on a
15 flat-fee basis, and shall not solicit or accept street hails.”.

16 (C) Subsection (c) is amended to read as follows:

17 “(c) The Commission shall determine appropriate distinctions between the different
18 classes of public vehicles-for-hire.”.

19 (D) A new subsection (d) is added to read as follows:

20 “(d) An owner of a licensed taxicab or company may convert a vehicle from a taxicab to
21 a sedan-class vehicle or a company from a taxicab company to a sedan company; provided, that
22 the vehicle and company complies with the requirements of sedan-class vehicles. By rule, the
23 Commission shall determine the process and requirements for this conversion.”.

24 (3) Section 20l(b) (D.C. Official Code § 50-331) is amended as follows:

1 (A) Subsection (b) is amended to read as follows:

2 “(b) A digital dispatch service shall be exempt from regulation by the Commission, other
3 than rules and regulations that are necessary for the safety of customers and drivers, consumer
4 protection, and the collection of non-personal trip data information; provided, that:

5 “(1) If the digital dispatch service connects a customer to a taxicab, the fare shall
6 be calculated in accordance with the taxicab fare structure established by the Commission
7 through an approved taxicab meter system;

8 “(2) If the digital dispatch service connects a customer to a public vehicle-for-hire
9 other than a taxicab, prior to booking the vehicle the dispatch service shall calculate the fare
10 according to the method required for that class of vehicle, and shall disclose to the customer the
11 fare calculation method, the applicable rates being charged, and the option for an estimated fare;

12 “(3) The public vehicles-for-hire operating through dispatch service shall be
13 licensed and shall provide service in a manner that complies with all laws, rules, and regulations
14 applicable to public vehicles-for-hire in the District;

15 “(4) The dispatch service and the operators it employs, contracts with, or affiliates
16 with shall comply with all reciprocal agreements between governmental bodies in the
17 Washington Metropolitan Area governing public vehicle-for-hire service; provided, that the
18 Commission is actively accepting and processing applications for the licensure of public vehicle-
19 for-hire operators and vehicles, is accepting and processing applications for the establishment of
20 companies and associations; unless, the Commission issues rules establishing limits on the
21 number of vehicles and licenses issued pursuant to section 47-2829(j) of the District of Columbia
22 Official Code, which requires the Committee both to conclude that such limits are in the public
23 interest and do not unduly and significantly harm the taxicab industry in the District and to
24 submit the rules to the Council for approval;

1 “(5) Upon completion of the trip, the customer shall receive a paper or electronic
2 receipt that lists the origination and destination of the trip, the total distance and time of the trip,
3 and a breakdown of the total fare paid, including fees and gratuity, if any;

4 “(6) The dispatch service shall provide customers with the ability to request a
5 wheelchair accessible vehicle;

6 “(7) The dispatch service shall not transmit any information about a customer,
7 except for the jurisdiction of his or her destination, to an operator of a public vehicle-for-hire
8 until the customer has booked the trip and has entered the vehicle;

9 “(8) The dispatch service shall not allow any public vehicle-for-hire operator it
10 employs, contracts, or affiliates with to rate, evaluate, or discriminate against passengers in any
11 way or to otherwise refuse to provide service to or from any area of the District;

12 “(9) The dispatch service provides service throughout the entire District; and

13 “(10) The dispatch service is licensed to do business in the District, maintains a
14 registered agent in the District, is registered with the Commission as a digital dispatch service,
15 and maintains a website, which shall contain information on its method of fare calculation, the
16 rates and fees charged, and provides a customer service telephone number or email address.”.

17 (B) New subsections (c) and (d) are added to read as follows:

18 “(c) The Commission shall provide contact information, including hyperlinks, if
19 available, for each of the available public vehicle-for-hire dispatch services within the District.
20 The Commission shall list this information or a link to this information on the front page of the
21 Commission website and shall include the company name and any other appropriate information
22 including a hyperlink to the website or phone number listing of each company.”.

23 “(d) For the purposes of this section, “digital dispatch service” means any business that
24 provides a service that connects a passenger to a public vehicle-for-hire via advanced

1 reservation, including computer, mobile phone application, text, email, or web-based
2 reservations, or by such other means as the Commission may define by rule.”.

3 (4) Section 20m(1) (D.C. Official Code § 50-332(1)) is amended to read as
4 follows:

5 “(1) Allow the public to file complaints electronically on its website and through
6 a hotline. This hotline shall be available 24 hours a day, 365 days a year and be listed on the
7 main page of the Commission’s website and in every taxicab.”.

8 Sec. 3. Section 47-2829(j) of the District of Columbia Official Code is amended by
9 adding new subparagraphs (4) and (5) to read as follows:

10 “(4) The Commission shall create a single public vehicle-for-hire driver’s license
11 that entitles the holder to operate any public vehicle-for-hire, including a taxicab, limousine,
12 sedan-class vehicle, and other classes of public vehicles for hire. This license shall be granted by
13 the Commission through a single course, examination, and licensure application process.

14 “(5)(a) The Commission shall seek to expedite the licensure of public vehicle-for-
15 hire drivers and vehicles, as well as the formation of new public vehicle-for-hire companies and
16 associations.

17 “(b) On or before July 15, 2013, the Commission shall submit a report to
18 the Council:

19 (1) Stating the number of public vehicle-for-hire companies,
20 associations, licensed drivers and vehicles, by class, as of December 31, 2012, and June 30,
21 2013;

22 (2) Estimating the number of public vehicle-for-hire companies,
23 associations, licensed drivers and vehicles, by class, projected for December 31, 2013, and June
24 30, 2014; and

1 (3) Identify and Discuss the Commission’s efforts to train, inspect,
2 and license new drivers and vehicles.”.

3
4 **Title II. Technical and conforming amendments.**

5 Sec. 4. The District of Columbia Taxicab Commission Establishment Act of 1985,
6 effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301 *et seq.*), is amended as
7 follows:

8 (1) Section 8(c) (D.C. Official Code § 50-307) is amended by adding a new
9 paragraph (20) to read as follows:

10 “(20) Charge reasonable fees for services it is authorized to provide under this act,
11 with funds to be deposited in the Public Vehicles-for-Hire Consumer Service Fund created by
12 section 20a.”.

13 (2) Section 20a(a) (D.C. Official Code § 50-320(a)) is amended as follows:

14 (A) Paragraph (3) is amended by striking the word “and”;

15 (B) Paragraph (4) is amended by striking the period and inserting the
16 phrase “; and” in its place.

17 (C) A new paragraph (5) is added to read as follows:

18 “(5) All funds collected by the Commission pursuant to section 8(c)(20).”.

19 (3) Section 20f(b)(3) (D.C. Official Code § 50-____) is amended by striking the
20 phrase “February 15” and inserting “March 30” in its place.

21 (4) Section 20h(b) (D.C. Official Code § 50-327(b)) is amended to read as
22 follows:

1 “(b) The Commission shall publicize on its website fuel-efficiency information
2 available from DDOE about vehicles used as public vehicles-for-hire and, upon request
3 distribute this information at no charge to public vehicle-for-hire operators.”.

4 (5) Section 20i (D.C. Official Code § 50-328) is amended to read as follows:

5 “(a) No operator of a public vehicle-for-hire shall loiter around or in front of hotels,
6 restaurants, theaters, or public buildings in the District. For the purposes of this section, the term
7 “loitering” means the willful operation of a public vehicle-for-hire for the purpose of soliciting
8 passengers by stopping the vehicle, or by driving at such a slow speed as may impede or block
9 the normal and reasonable movement of traffic.

10 “(b) It shall be unlawful for any hotel, restaurant, or theater, or keeper or proprietor or
11 agent acting for the keeper or proprietor, of any hotel, restaurant, or theater in the District to
12 discriminate against a District licensed taxicab operator by excluding the operator from access to
13 a hack stand or other location where taxicabs are regularly allowed to pick up passengers on the
14 hotel premises; provided, that a taxicab or taxicab operator that is not in compliance with taxicab
15 vehicle safety requirements or operator requirements may be denied a passenger and reported to
16 the Commission.

17 “(c) It shall be unlawful for a hotel, restaurant, or theater, or keeper or proprietor or agent
18 acting for the keeper or proprietor of any hotel, restaurant, or theater in the District to solicit, or
19 offer to solicit passengers on behalf of any public vehicle-for-hire operator, company, or
20 association if the resulting trip would violate this act. This subsection shall not prohibit a hotel,
21 restaurant, or theater from entering into a written contract to provide its customers with the
22 services of public vehicles-for-hire on a pre-arranged basis, as long as these services are
23 provided in a manner that complies with all laws, rules, and regulations applicable to public
24 vehicles-for-hire in the District.”.

1 “(d) The Commission shall have authority to determine, by rule, appropriate fines and
2 penalties for violations of subsections (a), (b), and (c) of this section.”.

3 (6) A new section 20n is created to read as follows:

4 “Sec. 20n. Dome light and Taxicab Smart Meter System installation businesses.

5 “No person or business shall violate or aid and abet a violation of public vehicle-for-hire
6 laws, rules, and regulations applicable to the installation of a dome light or a Taxicab Smart-
7 Meter System. The Commission shall have authority to determine, by rule, appropriate fines and
8 penalties for violations of this section.”.

9 Sec. 5. Section 4(5) of the District of Columbia Smoking Restriction Act of 1979,
10 effective September 28, 1979 (D.C. Law 3-22; D.C. Official Code § 7-1703(5)), is amended by
11 striking the phrase “, except that smoking with the prior consent of all occupants of the vehicle
12 shall be permitted when the vehicle is a limousine”.

13 Sec. 6. Fiscal impact statement.

14 The Council adopts the fiscal impact statement in the committee report as the fiscal
15 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
16 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

17 Sec. 7. Effective date.

18 This act shall take effect following approval by the Mayor (or in the event of veto by the
19 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
20 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
21 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
22 Columbia.