

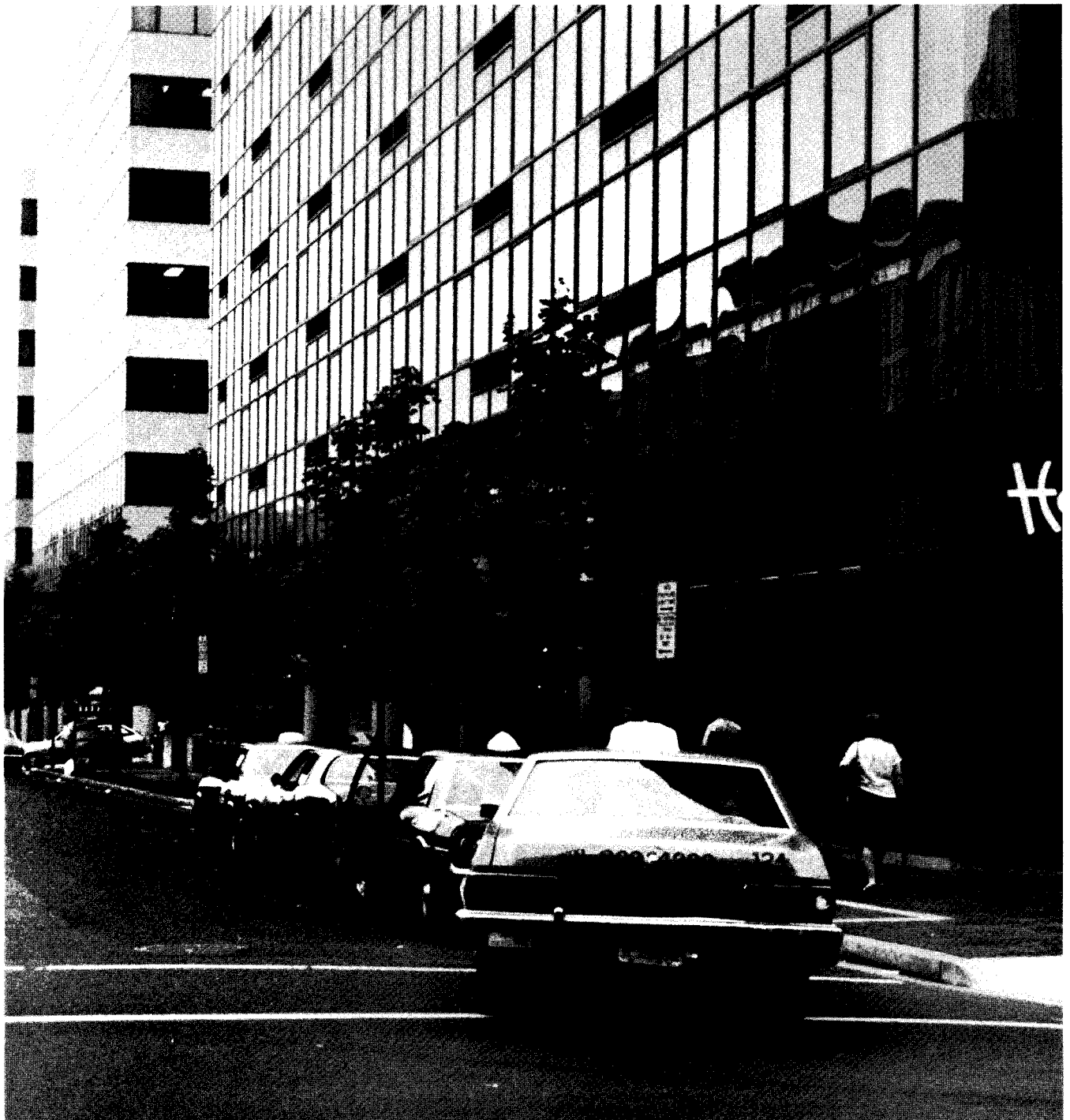


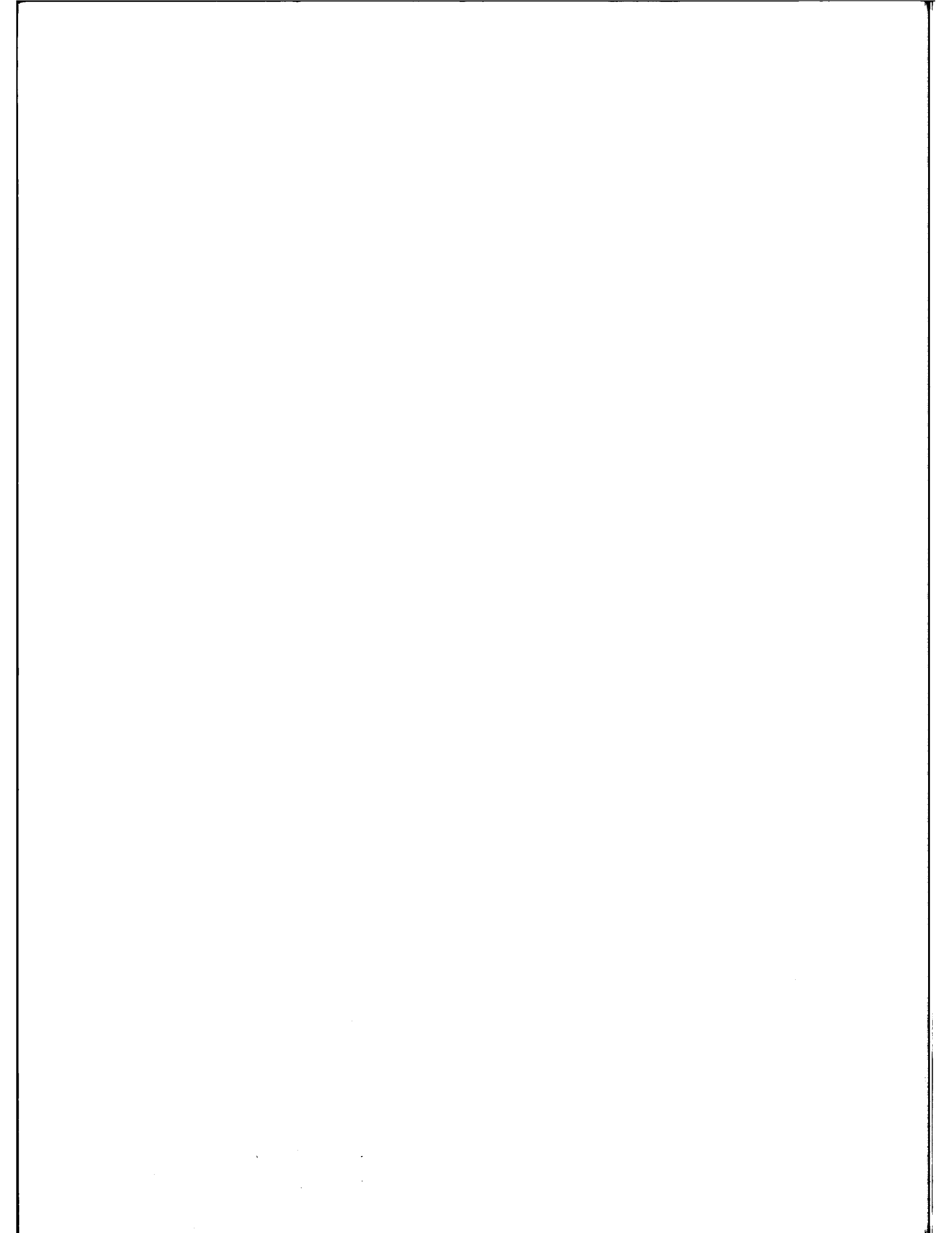
U.S. Department  
of Transportation

# Taxi Regulation in a Free Entry Market

## A Case Study of Washington, D.C.

October 1983





# **Taxi Regulation in a Free Entry Market**

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A Case Study of Washington, D.C.

Final Report  
October 1983

Prepared by  
Deborah L. Lyons  
Department of Urban and Regional Planning  
University of the District of Columbia  
Washington, D.C. 20008

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## Foreword

This document is an examination of taxi regulation in a free entry market, using the Washington, D.C. situation as the basis for a detailed case study. The study was completed in October 1983, and is being reprinted for national release in the Summer of 1984.

It should be noted that some significant events have occurred since the completion of the study. Washington, D.C. Councilman H.R. Crawford, who serves as chairman of the Metropolitan Washington Council of Governments Board, has introduced legislation in the District Council to limit the number of taxicab licenses, and better establish the status of aliens working as taxicab drivers. He has also asked for similar actions in the suburban jurisdictions around Washington.

In Washington, D.C. itself, Mr. Crawford's proposal would limit the number of licenses issued for taxicabs to 10,500. It would also modify the licensing examination for applicants to require a better knowledge of the streets, major activity centers, and destinations in Washington. The bill also contains language about the non-U.S. citizens who will be allowed to operate taxicabs, and clarifies their immigration status.

The actions were prompted by complaints by some taxi users that drivers spoke poor or no English, and that many were unable to take them to destinations they requested. Some of these problems will be unique to Washington, D.C., but readers of this report should be aware of them in their review of this document. Final action on Mr. Crawford's proposal is unclear at this point.

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16. Abstract This study examines taxi regulation in a free entry market, regulatory trends and regulators willingness to encourage increased private sector participation in public transportation. The specific objectives of this approach project were to: 1) Analyze in detail the current state of taxi regulations in a free entry market; 2) Identify and analyze any regulatory trends in the free entry market; 3) Ascertain and delineate the local public body's point of view on taxi regulation in the area; 4) Determine the willingness of local government to encourage greater private sector participation in public transportation; and 5) Formulate recommendations and strategies for increasing private sector participation in public transportation. The research team focused on four areas of taxi regulation: Entry controls, fare policy, operating standards and financial responsibility. A case study approach was used to examine and analyze the current state of taxi regulation in a free entry market, the local regulatory process and regulators' willingness to encourage increased private sector participation in public transportation. Both primary and secondary data sources provided the base of information used to identify, delineate and assess regulatory issues and formulate recommendations. Data collection and interviews were conducted in Washington, D.C.					
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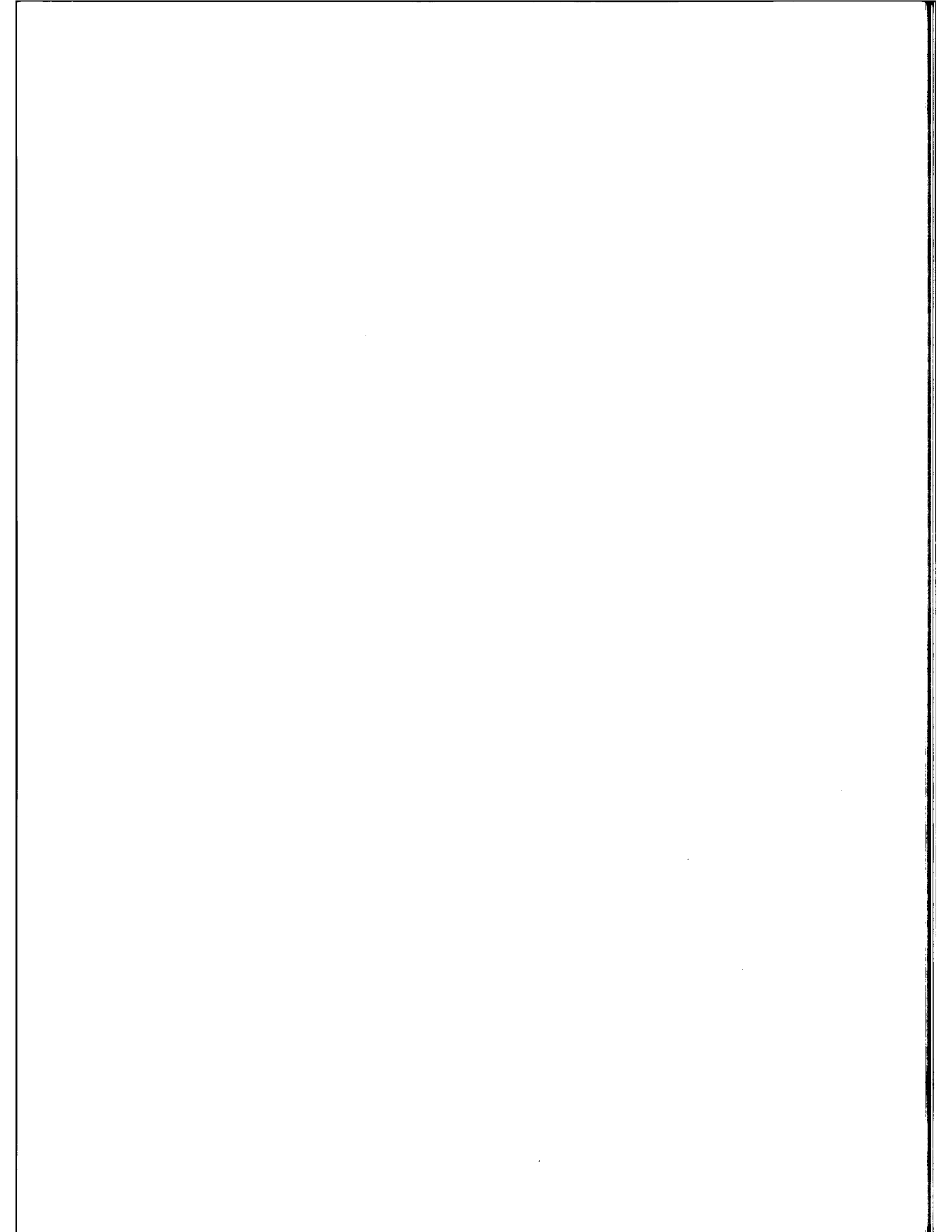
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## CHAPTER ONE

### INTRODUCTION

The taxi industry has traditionally been viewed as a provider of private transportation services to a public market. Still, the need to regulate the industry has generally been accepted as necessary and in the public's interest. Though the concept of regulatory control has found general acceptance, the extent and method of regulation have often been cited as barriers to the modernization and effectiveness of the services provided by the taxi industry.

The evolving view of the taxi industry has been as a private provider of public transportation services. As the interest in paratransit as a supplementary and/or complementary mass transit service has grown, the perception of the role of the taxi as a provider of public transportation has expanded. However, as expressed in the conference report on the 1976 Paratransit Workshop held by the Transportation Research Board, no consensus has been reached on: The standards of regulation for various modes; eligibility requirements for federal subsidies; or broadening the definition of mass transit.

Four major areas of taxi regulation have emerged as the foci of local, state and federal interests in modernizing taxi ordinances: entry controls; fare policy; service standards; and financial responsibility. Existing regulation in these areas have often been considered limiting factors in efforts to expand the participation of the taxi industry in public transportation. Therefore, to maximize the participation of the industry in public transportation more research is needed on the current state of taxi regulations in major cities and the local regulatory process.

#### 1.1 STUDY OBJECTIVES:

This study examines taxi regulation in a free entry market, regulatory trends and regulators willingness to encourage increased private sector participation in public transportation. The specific objectives of this research project were to:

1. Analyze in detail the current state of taxi regulations in a free entry market;
2. Identify and analyze any regulatory trends in the free entry market;
3. Ascertain and delineate the local public body's point of view on taxi regulation in the area;
4. Determine the willingness of local government to

encourage greater private sector participation in public transportation; and

5. Formulate recommendations and strategies for increasing private sector participation in public transportation.

The research team focused on four areas of taxi regulation: entry controls, fare policy, operating standards and financial responsibility. Relevant literature was reviewed, public records and files were examined and public officials and staff involved in the local taxi regulatory process were interviewed.

#### 1.2 APPROACH:

The research team used a case study approach to examine and analyze the current state of taxi regulation in a free entry market, the local regulatory process and regulators' willingness to encourage increased private sector participation in public transportation. Both primary and secondary data sources provided the base of information used to identify, delineate and assess regulatory issues and formulate recommendations. Data collection and interviews were conducted in Washington, D. C.

An extensive review of literature focusing on taxi regulation was completed. This review included literature on

entry controls, fare determination, operating standards, financial responsibility, and private sector participation in public transportation.

All public bodies involved in taxi regulation and their respective roles were identified. Public records and files of these agencies, from 1970 to present, were examined to determine regulatory issues and outcomes. Records and files examined included those of the D.C. City Council, Public Services Commission, Washington Metropolitan Area Transit Commission, and the D.C. Department of Transportation. Regulatory outcomes were grouped and analyzed by category.

Personal interviews were conducted with local public officials and staff involved in taxi regulation. The interviews focused on determining: the local public bodies perspective on identifiable regulatory trends; problems and issues not previously identified; opinions on the integration of taxi and paratransit services with mass transit; and willingness to encourage greater private sector participation in public transportation. An open-ended interview format was used to facilitate discussions and elicit information on issues not previously identified in public records and/or files.

Based upon data analyzed from the public records and files and personal interviews, perceived problems, issues, constraints and opportunities were identified. Alternative

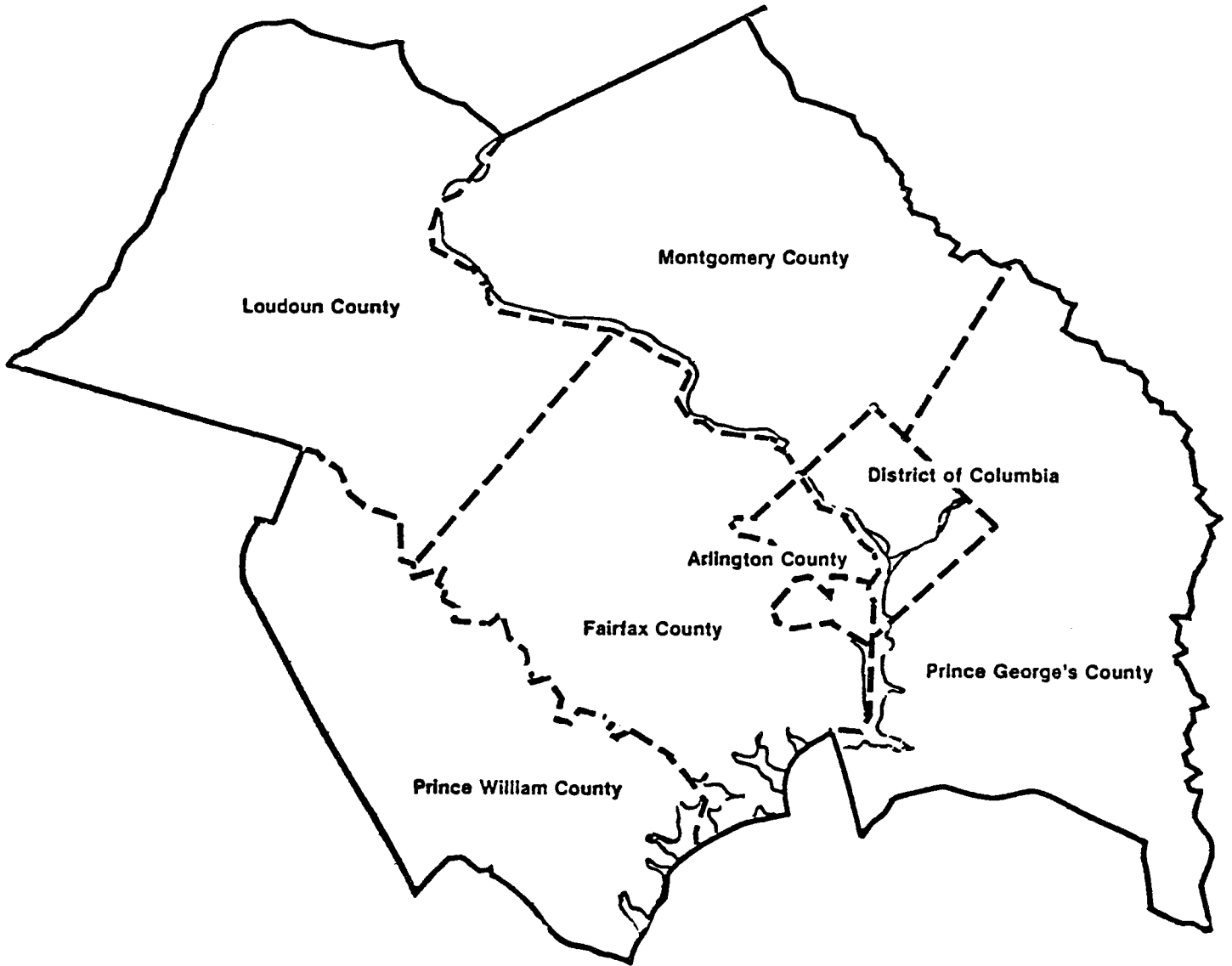


strategies for increasing private sector participation in public transportation were analyzed using four tests of feasibility: (1) physical feasibility - enough drivers/vehicles; (2) operational feasibility - conflicts with other modes; (3) institutional feasibility - constraints and/or barriers; (4) financial feasibility - potential costs to government.

### 1.3 CASE STUDY SITE:

Taxi regulation in Washington, D.C. differs in two important aspects from regulation in most other major U.S. cities. Washington is a free entry market while most cities are restricted; and Washington uses a zone system for fares while most cities use meters. Washington also has approximately three times as many taxis per resident as the next highest city, Atlanta (which is also free entry). Given the growing interest in removal of entry restrictions in major cities, this study provides an overview of regulatory issues, opportunities and constraints in the absence of entry restrictions.

Washington, D.C., the nation's capital, is comprised of 40,146 acres of land and is bordered by the states of Maryland and Virginia. The jurisdictions which make up the Washington metropolitan area include (see map No. 1):



Map 1  
Washington Metropolitan Area

- \* Washington, D.C.
- \* Montgomery County, Maryland
- \* Prince Georges County, Maryland
- \* Fairfax County, Virginia
- \* Arlington County, Virginia
- \* Alexandria, Virginia
- \* Loudon County, Virginia
- \* Prince William County, Virginia

According to the 1980 census, the Washington metropolitan area is the nation's 7th largest urban area with just over three million residents. Of that number, 638,000 persons reside in the central city. The Washington metropolitan area has grown rapidly since 1950, however, that growth has also reflected a shift in population from the central city to the suburb. While the suburban population increased by one and one-half million, the central city lost 165,000 inhabitants during that period.

Washington, D.C. was granted limited home rule by the U.S. Congress, effective 1975. For the first time in over 100 years, District residents were able to elect local government officials. The city has a strong mayor form of government. There are thirteen city councilmembers, with eight elected by ward, four elected at-large and the council chairperson elected at-large. While the District adopts a budget and passes laws, the Congress reviews and approves the

budget and retains veto authority over local legislation. In addition to an elected mayor and city council, the District of Columbia has many boards and commissions which are appointed to review and/or regulate matters under their jurisdiction.

In the area of transportation, the Public Services Commission and the Hacker's License Appeals Board are locally appointed and have jurisdiction over taxicabs in the city. Washington also participates in the:

Metropolitan Washington Council of Governments (COG) - which works to solve regional transportation problems as well as other multijurisdictional concerns.

Washington Metropolitan Area Transit Commission - which regulates interstate taxi fares.

Washington Metropolitan Area Transit Authority (METRO) - which operates the regional bus and rapid rail transit systems.

Transportation in Washington is both comprehensive and extensive. It includes a system of streets and highways; subway and bus service; special transportation services for the elderly and handicapped; and a large taxi industry. The D.C. Department of Transportation has formulated policies designed to discourage private autos and encourage the use of public transportation. Such policies include increased parking enforcement, a residential permit parking program,

exclusive bus lanes, bicycle paths, a commuter carpool matching service, and a redirection of traffic capacity on residential streets.

#### 1.4 REPORT ORGANIZATION:

This report is divided into six chapters and appendices. Chapter two provides the general background to the study through the exploration and analysis of existing literature on taxi regulation and private/public cooperation in public transportation. Chapter three delineates and examines the taxi regulatory structure and characteristics in the District of Columbia. Chapter four examines regulatory trends and current regulations under review. Chapter five identifies alternative strategies, opportunities and constraints in increasing private sector participation in public transportation.

The final chapter to the report summarizes the major findings, presents recommendation and implementation strategies for increasing private sector participation in public transportation and identifies areas which need further study. The appendices contain: D.C. taxi regulations; the proposed bill to reorganize the taxi regulatory structure; and a complete list of public officials and staff interviewed for this study.

## CHAPTER TWO

### TAXI REGULATION: AN OVERVIEW

The past response to the decline of privately owned and operated public transportation was the public takeover of failing systems accompanied by growing subsidies at the local, state and federal level. While takeover and direct subsidy strategies were employed in the rail and bus industries, the taxi industry has remained largely untouched by such remedies. Public subsidy of bus systems have kept the direct user cost artificially low while operating costs have soared. With the taxi industry now facing the rising costs and declining revenues experienced previously by the private bus companies, public takeover and widespread subsidies are no longer considered viable options for reversing the trend.

Although the taxi industry has been largely ignored by the public sector (Multisystems, Inc. 1978), there is a growing awareness of its importance as a provider of public transportation. According to a Control Data Corporation study (1977), the taxi industry can be placed on at least equal basis with the transit industry in terms of passenger service provided and significance to the U.S. economy. The taxi industry has provided a significant level of employment and

generated a high level of revenues without subsidy in urban areas. However, while recognition of the importance of taxis as public transportation has grown, development of objectives for integrating this mode into the overall planning for improved urban transportation has lagged (Barker, 1978).

Although there has been some sentiment expressed for complementing mass transit with taxi and other paratransit, no consensus has been reached related to: standards of regulation for various modes; eligibility requirements for federal subsidies; or, broadening the definition of mass transit (Paratransit, 1976). While consensus on regulation is difficult to achieve, a study by Kirby, et. al. (1974) divides taxi regulation into four major areas: entry controls, financial responsibility, service, and fares. Regulatory barriers in these areas have often been cited as effective in limiting attempts to expand the scope of private sector participation in public transportation (ITA, 1976).

This chapter provides a general background to the study through the exploration and analysis of existing literature on taxi regulation and public/private cooperation in public transportation. This review focuses on entry controls, fare determination, operating standards, financial responsibility, and private sector participation in public transportation.

## 2.1 ENTRY CONTROLS:

In the pre-depression era few regulations existed governing taxicabs. However, as the industry experienced rapid growth and prosperity in the 1920's, the interest in local taxi regulation grew also (Gilbert, Samuels, 1982). Most of this interest focused on protecting passengers by governing fares and insurance. However as the depression created economic chaos, Gilbert (1982) and Samuels (1980) point out that in the absence of entry controls, anyone who could obtain an automobile by loan, lease, hook, or crook, entered into the taxi industry. The outcome of such intense competition was often public brawls and/or illegal activities.

The depression era antics of many who had entered the taxi industry resulted in a universal outcry for taxi regulation in urban areas (Samuels, 1980). In order to assure the survival and continuity of the industry for the public convenience and interest, municipalities began to limit the number of taxicabs licenses to be issued. Thus, entry restrictions became an industry standard in major cities and remain so even today.

While entry controls were generally imposed to protect the public interests, there is a growing interest in removing and/or modifying them to allow increased competition in the



industry. Discussions revolving around the removal of entry restrictions still generate controversy and often are vigorously opposed by those currently in the taxi industry. Industry opposition often reflects a reticence on the part of present operators to give up present market protection. Where entry is tightly restricted, the value of the taxi license or medallion is often an unintended business asset resulting from public regulation.

Proponents of open entry generally take a negative view of entry control and service limitations as depriving the public of needed services with little discernable benefit (Kirby, et. al., 1974). Unless compelling reasons for restricting entry exist, such restrictions represent a clear failure to optimize industry performance (Brush, Abe, (1974). According to Olson and Kuehl (1974), under a free entry system, the optimum number of taxis is the result of the prices interacting with demand. The combination of demand and price induces drivers to provide taxi service as long as it remains worthwhile. However, under restricted entry, the optimum number of taxis derives from the service level specified by the regulatory body often at a higher price level.

Yezer (1975) concludes that ,other things being equal, higher levels of operating hours occur under free entry as opposed to restricted entry markets. Free entry provides an

incentive for increased service levels as long as revenue from putting in additional hours is greater than marginal costs per hour, including the wages of the driver.

Entry restrictions often limit the opportunity of individuals to enter the industry. Olson and Kuehl (1974) conclude that in tightly restricted areas such as Chicago, New York and Boston, where entry is only available through the purchase of an existing license at prices in excess of \$15,000, financing requirements make it easier for companies to buy. In cities with less restrictive entry policies, such as Atlanta, New Orleans, and to some extent Dallas, more independents can be found.

Several cities have been undergoing regulatory revisions in recent years. Changes in entry policies have been instituted in San Diego, Portland, Seattle, and Indianapolis. Preliminary responses to regulatory changes in these four cities has varied (Gelb, 1980) and depend on the local conditions preceding open entry. In general, free entry has not produced a consistent and sustained flood of applications for new permits. Results of revision are still being monitored in San Diego, Portland, and Seattle; however, Indianapolis returned to restricted entry.

Open entry in Indianapolis did not involve revisions to the ordinance or action by the city/county council. Rather, it resulted from the revocation of existing inactive licenses

which were then made available on an open entry basis.

Short-run results included increased competition and market saturation and an increase in complaints and criminal activity (Gilbert, 1980). However, Kirby (1980) points out that while some taxicab companies may be reorganized or fold as a result of a competitive supply situation, such occurrences should not be considered a failure of public regulation. The overriding concern of the regulators should be the adequacy of taxicab services available to the public.

## 2.2 FARE DETERMINATION:

Gilbert and Samuels (1982) point out that the depression era taxi rate wars and general tarnished image of the industry were largely responsible for taxi regulations requiring the use of taximeters and ending the zone and flat fare in many areas. While this taximeter requirement may have assuaged the public cry for honesty in the industry, it forced taxi operators to become providers of exclusive-ride service ending competition with mass transit modes.

The almost universal regulation of taxi fares has not eliminated the controversy behind the concept. Kirby (1980) summarizes two schools of thought on the issue: (1)  
"...service and fare regulation which goes beyond requirements for fare posting unnecessarily restricts the public services

available to the general public"; and (2) "...extensive controls on entry, service levels and fares are essential to ensure a stable and reliable supply of public transportation services and that relaxation of these controls would result in ruinous competition between providers and a decline in overall service levels."

Regulatory control over fare levels has usually resulted in delayed approval of fare increases. Teal, et.al. (1978) conclude that while inflation pushed input costs up significantly, political decision-makers have been slow and reluctant in authorizing fare adjustments to keep pace with rising costs. As pointed out by Kirby (1980) this problem has been exacerbated by the recent rapid inflation necessitating more frequent fare adjustments for the taxi industry. Gelb (1980) observes that regulators seek to distance themselves from taxi regulation and minimize their involvement in the acrimonious and increasingly frequent public hearings associated with rate review. Consequently, because of the complexity and time involved in the fare determination process, there has been increased interest in relaxing controls on fares in some areas.

Olson and Kuehl (1974) proposed minimum standards for a fare determination system in a study prepared for the D.C. Public Services Commission. Such standards include: an ability to recoup revenue requirements; equity in the rate

structure; clarity; low administrative costs; and stability. The authors also indicate that fare level and fare determination are largely independent of one another. Thus the method of fare determination is not likely by itself to affect overall demand and service levels.

The predominant methods for determining taxi fares are through the use of taximeters or a zone based system. Typically, the taximeter registers an initial "flag drop" charge with additional charges accumulating based on time and distance travelled. Under the zone based system, the city is typically divided into several geographical zones and/or subzones with fares computed based on travel within or between zones. Disadvantages generally associated with the taximeter include the inability of the passenger to predetermine fare and the disincentive for the driver to take the most direct route between trip origin and destination. Disadvantages of the zone system include potential passenger confusion and inequities of zone boundaries often resulting in disproportionate time and distance charges. (Kirby, 1980, Olson and Kuehl, 1974, Yezer, 1975).

Fare increases, even though necessary, are often detrimental to the taxi industry. Given the price elasticity of demand for conventional, exclusive-ride service, fare increases slowly price taxi services out of the reach of many members of their market. Accordingly, in order to avoid

financial ruin, the taxi industry has three options (Teal, et.al., 1978): provide contractual services desired by other organizations; increase productivity through the provision of shared-ride taxi services; and/or bolster revenues from the private sector with government subsidies.

With the expanding participation in shared-ride taxi services, new markets have opened up to the taxi industry. However, shared-ride services have presented a challenge to areas using taximeters to develop an equitable fare structure for this service. The grid fare system proposed by Kirby (1976, 1980) may be adapted to areas using either zones or taximeters. The grid fare structure is based on zones (on a much finer scale) as well as on distance travelled. Development of more advanced taximeters capable of multiple fare computations is also ongoing. However, the new meters will probably be beyond the economic reach of many independent taxi operators.

### 2.3 OPERATING STANDARDS:

The levels and types of services, driver qualifications and conduct, vehicle type, age and condition, and insurance requirements are all subject to varying degrees of local regulatory control. The earlier taxi ordinances focused primarily on rates, mandatory service, safety and cleanliness

requirements as well as the moral character of the taxi driver (Bauman, 1979). The scope of taxi regulation expanded during the 1930s.

Since the imposition of taximeter requirements, the predominant type of service offered by the taxi industry has been the exclusive-ride taxi service with the individual and/or pre-formed groups going to a passenger designation. Taxicab service has traditionally been secured through the use of taxi stands, street hailing, telephone and reservations. However, recent innovations and conceptual changes in the role of taxis have expanded services to include shared-ride public transportation services such as: dial-a-ride; hail-a-ride, subscriptions; jitney service; conventional fixed schedule, fixed route transit service; and feeder services, as well as package delivery, emergency, and rental and leasing arrangements (Kirby, 1980).

According to Bauman (1979), licensing procedures and requirements governing taxi operator/driver qualifications and conduct reflect a low cost trade-off between the interest of the regulators and the regulated. In exchange for control over conditions and terms of service, taxi operators "...were awarded the privilege of using public streets for private gain, at a nominal fee, and were also afforded some degree of protection from fly-by-night operators." Additionally, licensing fees and the creation of boards and commissions to

oversee taxi regulations reduces municipal costs and relieves local court systems of an unnecessary burden.

The enforcement of taxi regulations is often a neglected area of municipal operations. Enforcement is frequently left up to the local police departments and/or administrators, who, given other primary duties and responsibilities, must prioritize the use of the time to different areas. Therefore little is done to enforce regulations until or unless complaints are formally filed by passengers. Kirby (1980) proposes the use of self-regulation, an effective tool in other professions, to alleviate some of the enforcement problems as well as increase concern among taxi operators for the good of the industry as a whole.

San Diego, Seattle, Dade County, Florida, and Indianapolis have all proposed and/or implemented changes in some operating standard. In San Diego, new regulations broadened the scope of vehicle types and services to encourage fixed route and shared-ride service (Gelb, 1981). In Seattle, new regulations increased the frequency of taxi safety inspections to at least once a year and also in response to complaints and/or observations that an inspection was necessary or desirable (Gelb, et.al., 1980). Dade county proposed regionalizing taxi service through the elimination of geographical restrictions, improvements in dispatching systems, and encouragement of more flexible and innovative



services (Sachs, 1980). Indianapolis recognized, through its experience with open entry, the need for more stringent control over taxi driver qualifications and conduct in the absence of entry restrictions (Young, 1980).

#### 2.4 FINANCIAL RESPONSIBILITY:

Expanding the scope of taxi services necessitates the re-examination of the adequacy of existing codes and ordinances governing financial responsibility in the industry. Bauman (1979) observes that early requirements for bond posting or insurance centered around indemnification for damage to city property and only belatedly was expanded to cover accidental injuries to passengers and legal judgments against the company.

Samuels (1980) notes that during the prosperous pre-depression era, taxi fleets were assumed to be financially secure and often had their own insurance companies. During the post-depression bust many of these insurers filed for bankruptcy leaving many injured passengers and pedestrians without compensation. Consequently, Samuels points out, new regulations forced providers to demonstrate financial responsibility for damages resulting from operations, for payment of proper employees wages and for replacement of worn out equipment. Many companies, no longer able to shoulder the

financial responsibility, changed from employer-employee operations to lease operations, thereby eliminating the need to pay for minimum wages and social insurances required as employers.

The growing number of independents in the taxi industry and the expanded scope of services being offered may require changes in regulations governing financial responsibility. The impact of expanded services and specialized services on financial responsibility requirements as well as the adequacy of insurance monitoring procedures need to be examined further.

#### 2.5 PRIVATE SECTOR PARTICIPATION IN PUBLIC TRANSPORTATION:

The expanding perception of the scope of "mass transportation" in urban areas has precipitated a re-examination of the role of private providers in public transportation. The increasing use of paratransit services, often operated by the public sector without regards to impact on existing private carriers, has sparked a controversy over unfair subsidized competition in an already declining industry in many areas. The federal concern against undermining viable private operations has been demonstrated through both regulation and policy.

While Section 3(e) of the Urban Mass Transportation Act

of 1964, as amended, restricts the use of federal aid by local areas in acquiring or competing with a private mass transportation service, there are certain exceptions, if:

1. The Secretary finds that such assistance is essential to a program... for a unified or officially coordinated urban transportation system as a part of the comprehensively planned development of the urban area;

2. The Secretary finds that such program, to the maximum extent feasible, provided for the participation of private mass transportation companies; and

3. Just and adequate compensation will be paid to such companies for the acquisition of their franchises or property to the extent required by applicable State or local laws.

Administratively, UMTA interprets this section as requiring the Secretary to make findings concerning the adequacy of local planning and the feasibility of making greater use of private operators as opposed to requiring taking, utilization or compensation (Alschuler, 1980).

UMTA's recently issued policy statement regarding paratransit services calls for a greater private sector role in the provision of federally funded "mass transportation services". While there have been disagreements on what constitutes "mass transportation services", UMTA's definition requires it to be: (a) available to the general public on a continuing basis (potential riders must be guaranteed

service); and (b) operated as to allow ridesharing and effect a ridesharing policy without consent of the passenger.

Thus, privately operated exclusive-ride taxi services have not been considered a "mass transportation service".

UMTA's intent to include local taxi companies and other private carriers in the provision of mass transportation services was evident in policy statements and actions in 1976. As Alschuler (1980) points out, UMTA's policy was explicitly stated in a letter dated October 12, 1976 from Urban Mass Transportation Administrator Robert Patricéll to B. R. Stokes concerning Delaware's paratransit service:

"...It is against UMTA's policy to subsidize publicly-owned mass transportation systems and private non-profit organizations in wasteful competition with existing private operators when such operators are willing and able to provide paratransit services in an economic manner. Local taxi operators and other private carriers (whether or not they are currently providing mass transportation services) must be afforded full opportunity to bid for the provision of any general or special paratransit services proposed for the implementation with the assistance of federal funds..."

As a result of the above correspondence and negotiations with local taxi operators, Delaware contracted with taxi operators to provide 20 percent of the services through its paratransit service (DAST).

Altshuler (1976) observes that the increasing use of paratransit brings to the forefront the issue of taxi-transit competition; it raises difficult questions on how to integrate taxicabs into transit planning, transit subsidy policy, and publicly subsidized competition. Since, as Alschuler (1980) indicates, all available evidence to date demonstrates clearly that exclusive-ride taxicab operations are affected by the implementation of subsidized demand-responsive paratransit.

In order to become more involved in the provision of paratransit services, private operators must show that they are willing and able to provide quality transportation at a reasonable cost. They must demonstrate to the community, the Metropolitan Planning Organization, and local human services agencies that they can provide a credible and worthwhile alternative source of quality transportation (Multisystems, 1978).

Teal, et al.(1980) identifies two main problems in contracting for private sector participation in public transportation--"...difficulties in inducing taxi firms to participate at terms that are equitable to both sponsor and operator...and program administration". While a variety of standard contractual arrangements may be applied, transportation service agreements must include safeguards protecting each party from financially ruinous results (Multisystems, 1978).

User-side subsidies have evolved as an area of increasing interest in many areas. Generally, subsidy mechanisms have fallen into three major groups: scrip systems, ticket or coupon systems, and voucher or charge slip systems (Koffman, 1980). Scrip systems and ticket or coupon systems usually involve pre-purchase requirements which allow control over the amount of service and subsidy available. Vouchers usually involve no pre-purchase, making the level of subsidy more difficult to control, and are more susceptible to fraud by taxi drivers or owners. As Koffman indicates, to avoid pitfalls, attention must be given to the realities of the traditional cash basis of the taxicab business requiring prompt reimbursement and the transportation needs of each community.

Regulatory agencies are often an impediment to the development of potentially innovative taxi services. Regulators are traditionally conservative and slow in responding to requests for regulatory changes. Therefore, Multisystems (1978) proposes the use of a temporary approval concept to stimulate innovation. The advantage offered by this concept is to allow the testing of new ideas without being "locked into a system which is unacceptable". However, regulatory bodies often lack explicit authority for experimentation in the provision of services.

## CHAPTER THREE

### D. C. TAXI REGULATORY STRUCTURE AND CHARACTERISTICS

As stated earlier, taxi regulation in Washington, D.C. differs from other major U.S. cities in two important aspects: Washington is a free entry market while most cities are restricted; and Washington uses a zone system for fares while most cities use meters. Washington is also unique in that, being the nation's capital, it has been subject to congressional action as well as local legislative and regulatory activities relative to taxicab operations in the city. This chapter presents an overview of the local regulatory structure and process, the legislative, regulatory and administrative bodies involved or potentially involved in matters pertaining to taxicabs, the current taxi regulations in D.C., and the characteristics of the local taxi industry.

#### 3.1 REGULATORY FRAMEWORK:

##### 3.1.1 Congressional Influence:

While the U.S. Congress granted limited home rule to the District of Columbia, effective 1975, through the Governmental Reorganization Act of 1973, control over the budget and veto

authority over locally enacted laws were not relinquished. Consequently, local officials can and have been called before congressional committees on the District of Columbia to answer questions on the regulation and operation of taxicabs (primarily through the budget review process). Active congressional involvement in local taxi regulations dates back at least to 1932, when Congress imposed a prohibition on the use of taximeters in Washington, D.C. through a rider to the D.C. Appropriations Act. This congressionally imposed prohibition on meters has survived annually as a rider despite numerous attempts to eliminate it from the Appropriations Act.

Over the past three decades, several hearings on taxi regulation in D.C. have been held by the House of Representatives and Senate Committees and/or Subcommittees on the District of Columbia. In June and July of 1956, the House Subcommittee on Public Utilities, Insurance and Banking of the Committee on the District of Columbia held comprehensive hearings on the operation, regulation, and control of the taxicab transportation system in the District of Columbia. Outcomes from the hearings included recommendations for a complete overhaul of legislation covering taxicabs in the District of Columbia. Specific recommendations included; restrictions on the number of taxicabs and licenses in the city; abolition of the zone rate system, installation of taximeters, and rates guaranteeing fair wages for operators;



elimination or modification of blanket bonding arrangements to establish proper reserves; and the creation of a single bureau or agency to regulate and control taxicabs. However, these recommendations were not enacted into law.

The House and/or Senate Committees on the District of Columbia, in response to complaints from cab drivers, congressional representatives and staff aides, held hearings and proposed elimination of the congressional ban on taximeters in 1971, 1972, and 1973. In 1973 Congress passed and President Nixon signed legislation requiring a comprehensive study of taxi service in Washington and authorizing the Public Services Commission to study the feasibility of using meters in city taxicabs. One year later the Chairman of the House District Committee noted the lack of apparent progress being made in changing the taxi structure in D.C. (Washington Post, 8/19/74). However, he acknowledged that no final actions should be taken until the new city government was elected and in office under the provisions of the Governmental Reorganization Act.

### 3.1.2 D.C. City Council:

The Council of the District of Columbia is the city's legislative body and has been locally elected since 1975. The thirteen member body has eight members who are elected by ward, four members who are elected at-large, and the Council

Chairperson who is elected at-large. The Council's Transportation and Environmental Services Committee initiates and/or reviews proposed legislation and conducts hearings on transportation matters in Washington (including taxicabs). The Public Services and Cable Design Committee, in addition to other responsibilities, reviews, conducts hearings and makes recommendations to the Council on mayoral appointments to the Public Services Commission (which regulates taxicab operations in the city).

### 3.1.3 Public Services Commission (PSC):

The Public Services Commission (formerly the Public Utilities Commission) was established by the congressionally enacted DC Public Utility Law of 1913. The PSC is a three member, full-time, paid body appointed by the Mayor with the advice and consent of the City Council to four year terms. The Commission serves to ensure that public utilities provide "...services and facilities reasonably safe and adequate and in all respects just and reasonable; to oversee the sale of securities in D.C.; to regulate gas distribution, electric power, telecommunications, taxicabs, sightseeing buses, tour boats and some interstate bus routes." With respect to taxicabs, the PSC is responsible for overall ratemaking and rulemaking, and also has enforcement authority although enforcement has traditionally been carried out by other

bodies. The PSC, a quasi-independent commission, has a limited number of staff members and administrative services are provided primarily through the D.C. Department of Transportation.

#### 3.1.4 Office of the People's Counsel (OPC):

The office of the People's Counsel was established within the Public Services Commission in 1975 by Public Law 93-614 (88 Stat. 1975) to represent the public's interest in matters before the PSC. The People's Counsel is appointed by the Mayor with the advice and consent of the City Council to a three year term. The OPC also may "represent and appear for petitioners appearing before the PSC for the purpose of complaining in matters of rates or services"; may investigate services, rates and property valuations of public utilities under the jurisdiction of the PSC; and is authorized, in the public interest, to disseminate public information and to obtain consultative services, and technical assistance. The OPC has engaged consultants to study the fare determination system and has employed technical experts to testify on behalf of the people in recent and/or current taxi regulatory cases before the PSC.

3.1.5 Washington Metropolitan Area Transit Commission  
(WMATC):

The Washington Metropolitan Area Transit Commission (not to be confused with WMATA, the rail and bus operator) is a three member regional body with one member each appointed by the Governors of Virginia and Maryland and the Mayor of the District of Columbia. The WMATC was created in 1960 through the Washington Metropolitan Area Transit Regulation Compact (PL 86-794) to "...regulate and improve transit and alleviation of traffic congestion within the Metropolitan District on a coordinated basis without regard to political boundaries within the Metropolitan District". WMATC's primary responsibility in the regulation of taxicabs is to prescribe and enforce reasonable fares, operations and insurance requirements for interjurisdictional travel by taxicab. The fares may be based on mileage, on zones, or on any other system approved by the Commission. However, in deference to the District of Columbia, the WMATC may not require the installation of taximeters when they are not permitted or required by the jurisdiction licensing and otherwise regulating the operation and service of the taxicab. The WMATC does not license taxicabs.

3.1.6 Federal Aviation Administration (FAA):

The Federal Aviation Administration oversees the

operations and conduct of taxicab services at National Airport. While the FAA does not regulate fares, nor issue or suspend licenses, it sets the terms and conditions under which taxi drivers from Maryland, Virginia, and the District of Columbia may pick-up and discharge passengers at the airport.

### 3.1.7 Hackers' License Appeal Board (HLAB):

The Hackers' License Appeal Board was created in 1969 by Commissioner's Order 69-669 and replaced the Board of Revocation and Review of Hacker's Identification Card. As presently constituted (under Mayor's Order 80-169), the HLAB is a fourteen member body. The Mayor appoints 6 taxi industry members and 6 members who are not D.C. government employees and have no association with any organization or individual in the taxi industry. The Director of the D.C. Department of Transportation appoints two department employees as government members. The Board meets in three member panels comprised of one industry member, one public member, and one government member to: consider appeals from denials of licenses; revoke or suspend licenses; and recommend to the Mayor, changes in criteria or standards to be applied in the denial of applications and in the suspension or revocation of licenses. The HLAB hears passenger complaints upon referral from the D.C. Department of Transportation. The HLAB was given authority to impose fines in lieu of or in addition to

suspensions in 1982.

3.1.8 D.C. Department of Transportation (D.C. DOT):

A 1969 Memorandum of Agreement among the PSC, the Department of Finance and Revenue, the Department of Economic Development, the Department of Motor Vehicles, the Office of the Secretary, the Department of General Services, the Office of Budget and Executive Management, and the Metropolitan Police Department centralized many of the scattered administrative controls over the taxi industry in the Department of Motor Vehicles (which combined with the Department of Highways and Traffic in 1975 to become the Department of Transportation). The Agreement "...(1) transferred the function of issuing Hackers' Identification Faces from the Metropolitan Police Department to the Department of Motor Vehicles; (2) specified that the PSC would designate the Department of Motor Vehicles as its agent in enforcing taxi insurance regulations and processing hack licenses; (3) transferred the hack license issuance function from the DED to the DMV; (4) transferred the hack license fee collection function from the Department of Finance and Revenue to DMV; (5) transferred the lost property control function from the MPD to the DMV and assigned the DMV other minor public vehicle service functions; ...". Within the D.C. DOT the following offices are now responsible for various taxi

related functions:

3.1.8a Office of Mass Transportation - recommends and sets policies on taxi issues and operations in the District of Columbia. Policy issues such as the integration of taxi services with public transportation are investigated and reviewed in this office.

3.1.8b Bureau of Motor Vehicles - administers the taxi driver examination; issues the public vehicle driver permits; and conducts the annual safety inspections on taxicabs.

3.1.8c Public Vehicles Services - issues the hack identification cards; certifies vehicles; certifies insurance coverage on vehicles through the issuance of stickers; administers the passenger complaint system (making referrals to the HLAB for hearing when necessary); and processes lost and found items.

3.1.9 Metropolitan Police Department:

The Metropolitan Police Department, in addition to enforcing all traffic regulations, has a small staff of hack inspectors to enforce on street taxi regulations. There are presently a total of four hack inspectors to police 9,000 taxicabs.

### 3.1.10 Department of Insurance (DOI):

The Department of Insurance regulates the insurance companies which offer taxicab liability insurance. Minimum liability insurance limits are set by statute. In 19-- the D.C. City Council passed legislation delegating its authority to set insurance rates to the DOI.

The structure for controlling and regulating the taxicab industry in Washington, D.C. has been characterized as confusing, fragmented and inefficient in studies completed by congressional staff, the Mayor's Task Force on taxicabs and private consultants engaged to study the system. The regulatory structure in the District of Columbia consists of several offices, boards and commissions. Figures No. 1 and No. 2, on pages 37 and 38, depict the independent boards and commissions and administrative agencies involved in local taxi operations, respectively.

While the 1969 interagency agreement reduced the number of agencies involved in taxi operations, the various taxi related functions are still under the administrative or regulatory control of several bodies. A 1974 report of the Mayor's Taxicab Services Task Force recommended the centralization of the responsibility for establishment of taxicab service standards and their enforcement in one body, the Public Services Commission. Currently there is a bill



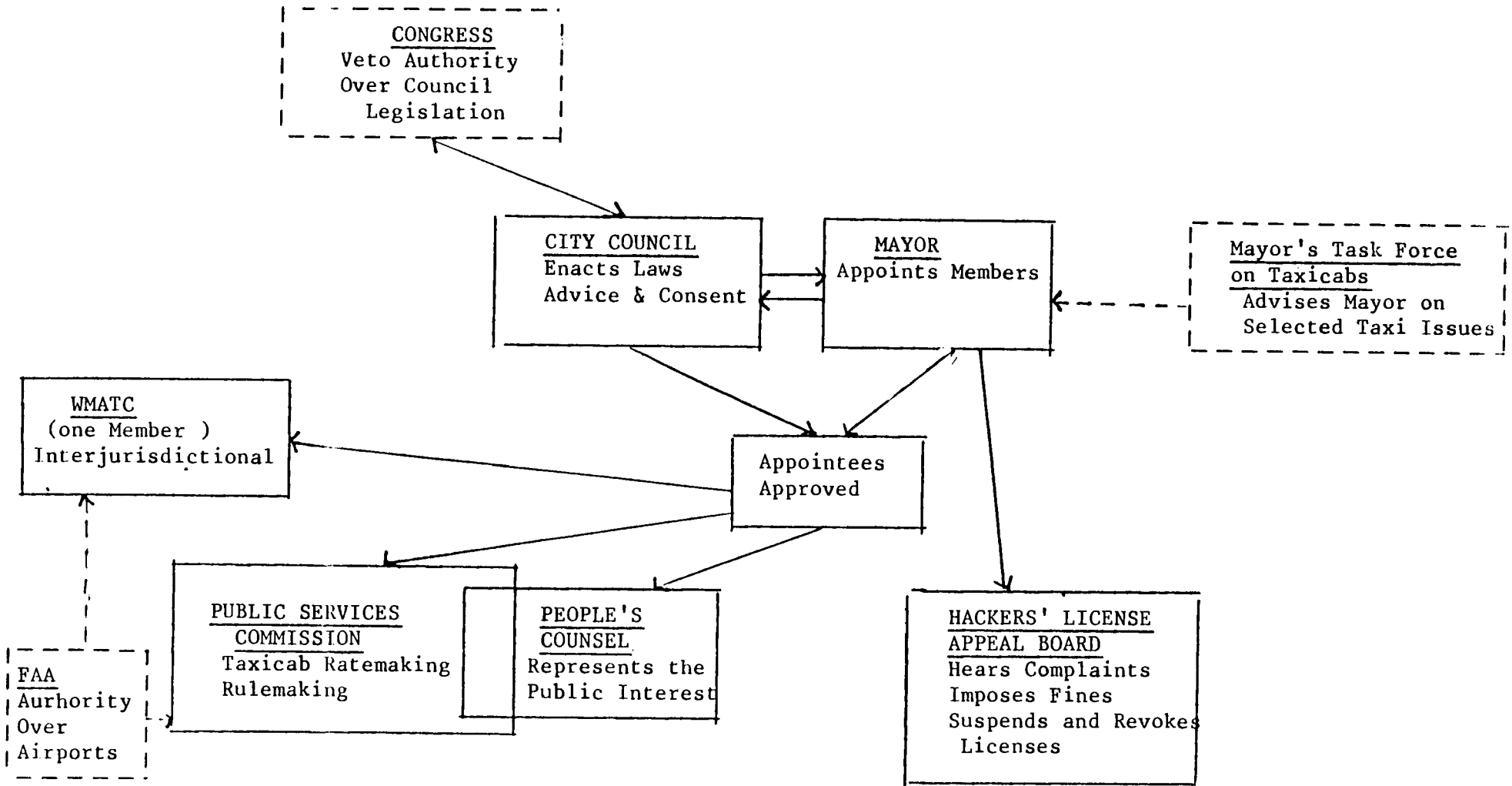


FIGURE NO.1

INDEPENDENT BOARDS, COMMISSIONS AND AGENCIES INVOLVED IN TAXI REGULATION IN WASHINGTON, D.C.

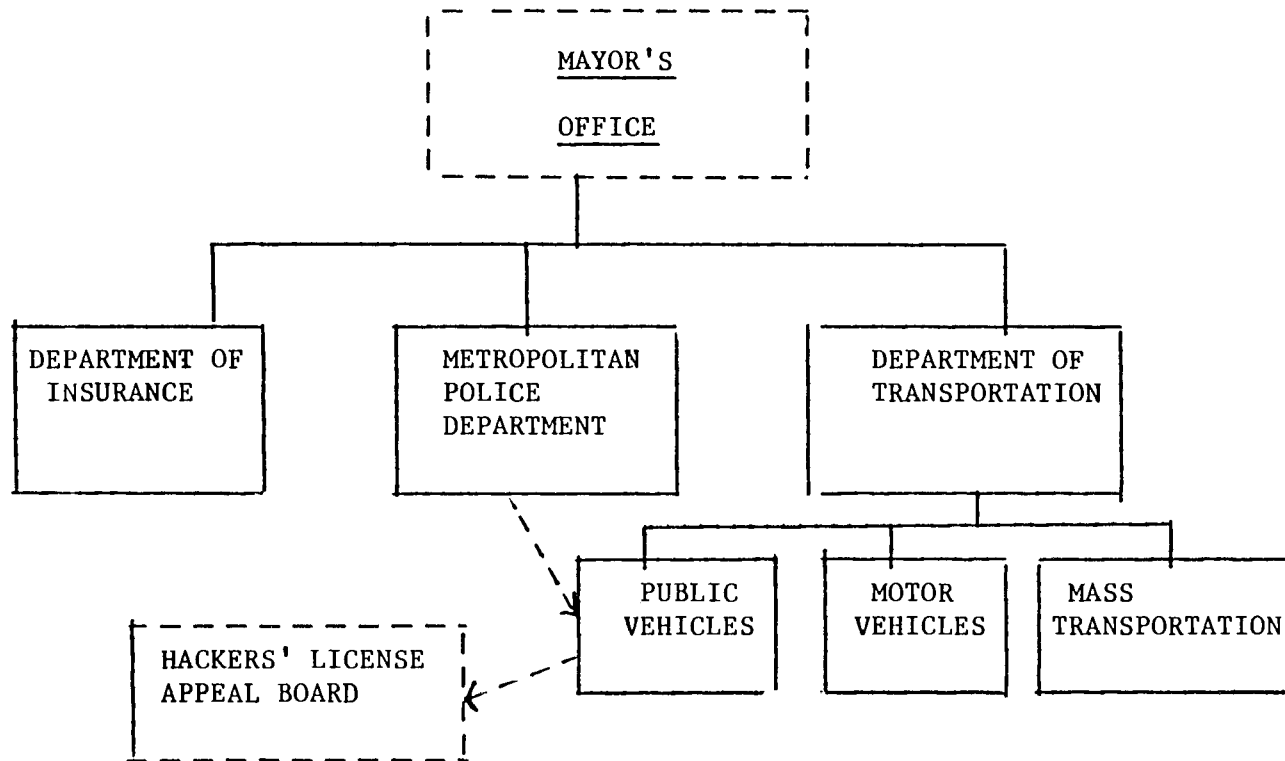


FIGURE NO. 2

ADMINISTRATIVE AGENCIES INVOLVED IN TAXICAB OPERATIONS  
IN WASHINGTON, D.C.

before the D.C. City Council to centralize all functions in one body, the D.C. Department of Transportation. At present, most regulatory issues are handled by the Public Services Commission. Most administrative responsibilities are housed within three offices in the D.C. Department of Transportation and enforcement is handled by three different bodies: the D.C. DOT, the Hackers' License Appeal Board, and the Metropolitan Police Department. Enforcement problems which occur outside of the District of Columbia city limits are generally handled by the Washington Metropolitan Area Transit Commission or, if at National Airport, the Federal Aviation Administration.

### 3.2 D.C. TAXI REGULATIONS:

Taxi regulations in Washington, D.C. can be grouped into four areas: entry controls, fare policy, operating standards, and financial responsibility and safety. The regulations are set forth in DCMR Title 15, "Public Utilities and Transportation" (Provisional edition), April, 1982, which consists of former Title 14 DCRR (Public Services Commission) and all amendments through April, 1982. While this document contains regulations pertaining to all regulated utilities in the city, those sections pertinent to taxicabs are included in the appendices to this report.

### 3.2.1 Definitions:

Before any discussion of the regulations, an understanding of the terms as applicable to the local taxi industry is necessary. Following are the definitions used in reference to taxi operations in the District of Columbia:

- a. Taxicab - Any passenger vehicle for hire having a seating capacity of less than eight passengers, exclusive of driver, except ambulances, or vehicles used exclusively for funeral purposes or contract livery services or for which the rate is fixed solely by the hour.
- b. Owner - Any person having legal or equitable title to a taxicab.
- c. Association - A group of taxicab owners organized for the purpose of common benefit as regards operation, color scheme, or insignia. Section 315.1 requires that an association maintain no less than 20 cabs in operating condition.
- d. Company - a person, partnership or corporation owning a fleet of taxicabs having a uniform color scheme.
- e. Fleet - A group of twenty or more taxicabs having a uniform color scheme and having unified control by ownership or by association.
- f. Independently operated taxicab - Any taxicab which is not part of a fleet and which does not operate under

uniform scheme of any fleet, company or association.

g. Operator - Any person, association, partnership engaged in the taxicab business except as a driver.

h. Driver - Any person who drives or is in actual physical control of a taxicab.

i. Hackers' identification card - The license issued under section 31(ed) of the License Act and on evidence satisfactory to the chief of police that the applicant is a person of good moral character and is qualified to operate a taxicab.

j. Individual riding - The transportation of a single passenger for an entire trip.

k. Group riding - The transportation of two or more passengers whose trip has a common point or origin and a common destination.

l. Shared riding - The transportation of two or more passengers whose trips have either a different point of origin or a different destination.

### 3.2.2 Entry Controls:

Washington, D.C. is considered a free or open entry market for taxicabs because there are no regulations governing the number of taxicabs, routes or areas of service in the city. While there are no restrictions on the number of taxicabs in the city, there are regulations covering vehicle

type and driver eligibility to meet licensing requirements.

### 3.2.2a Vehicle Type:

D.C. taxi regulations specify the type of vehicle which may be licensed as a taxicab. The vehicle must be "built-for-the-purpose or of sedan type" and have a seating capacity of less than eight passengers, exclusive of the driver. Also, the vehicle must be equipped with at least two doors for the entrance and exit of passengers, in addition to the door or doors which give access to the driver's seat. Vehicles licensed as taxicabs in the District of Columbia are typically four door sedans or station wagons. Regulations do not cover the age of the vehicle or accumulated mileage.

In order to secure a taxicab license in the city, a vehicle must pass a safety inspection, a certificate of insurance must be obtained, and a \$25.00 license fee must be paid. The license fee is for a one year period beginning April 1st, and is pro rated for less than a full year.

### 3.2.2b Driver Eligibility:

The number of taxicab drivers in Washington, D.C. is determined primarily by free market forces. However, standards of eligibility for licensing as a taxi driver are established through regulation. Applicants for a hacker's license must meet minimum eligibility requirements, pass a

written examination and become subject to a police investigation. Pre-licensing requirements include the following qualifications:

1. Must be at least 18 years of age;
2. Must be able to read, write, and speak the English language;
3. Must not be covered by diplomatic immunity;
4. Must possess a valid D.C. motor vehicle operator's permit;
5. Must have at least one year's verifiable driving experience as a licensed motor vehicle operator;
6. Must have resided, within the three year period immediately preceding the date of application, in the Metropolitan Area for at least one year;
7. Must not be afflicted with or suffering from any mental disability, or disease at the time of application (local physician's certificate required);
8. Must be physically and mentally capable of safely operating a public vehicle (local physician's certificate required);
9. Must have successfully passed the required examination;
10. Must be of good moral character. To be considered of good moral character the applicant must not be:
  - (a) an habitual drunkard;
  - (b) addicted to the use of drugs;
  - (c) on parole or probation at the time of filing for a

license, except under specified conditions (see section 601.13 of regulations);

(d) convicted of, under current indictment for or served any part of a sentence for any of the following crimes within three (3) years immediately preceding application: murder, manslaughter, mayhem, malicious disfiguring of another, abduction, kidnapping, burglary, housebreaking, robbery, larceny, assault, sex offense or violations of narcotics laws. (Fingerprint check is required).

Applicants must also submit three letters attesting to their honesty, sobriety, and good moral character from responsible residents of the metropolitan area who are engaged in a business or profession.

The written examination tests applicants' knowledge of appropriate fare charges and zone boundaries in the city. There is no specific required knowledge of locations of landmarks, tourist attractions, hotels, etc.

The fee for a hacker's license is \$5.00. There is no application fee, thus, the \$5.00 is payable only upon issuance of the license.

Applicants who are denied license for reasons other than failure to pass an examination may file again in six months or appeal the denial to the Hackers' License Appeal Board. Repeat examinations may be established for applicants who are denied licenses because of failing the qualifying examination.



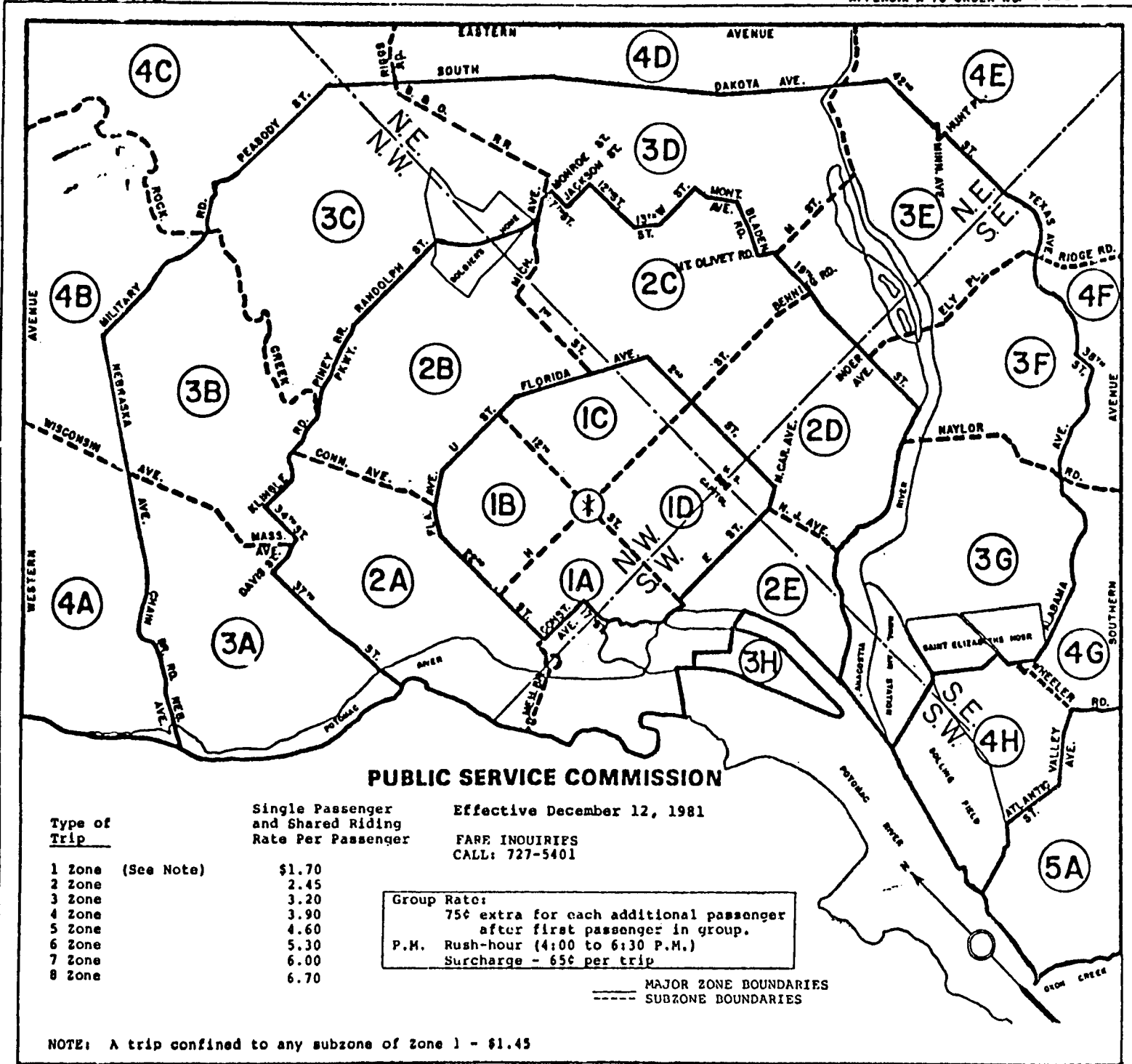
Less than one-third of the applicants pass the exam on the first try and less than 40 percent pass on the second try.

### 3.2.3 Fare Policy:

Fare policies and rates applicable to D.C. taxicabs are determined by the Public Services Commission if services are provided wholly within the District of Columbia, and by the Washington Metropolitan Area Transit Commission if interjurisdictional services are provided.

The present method of fare determination in Washington, D.C. is based on the Zone Fare Map which divides the city into eight (8) zones and twenty-six (26) subzones. Passenger rates are based on the number of zones or subzones through which the passenger travels in route to the final destination. The Taxicab Zone Map on Page 46 and subzone chart on page 47 identify zone boundaries and delineate passenger charges for taxicab services within the city. The Zone Map and charges must be displayed on the back of the front seat in a suitable frame in each taxicab for passenger inspection. Additionally, signs giving a description of the taxi rate must be displayed on both of the rear side windows.

The Public Services Commission determines the rate that taxi drivers may charge for travel within and between zones.



**PUBLIC SERVICE COMMISSION**

Effective December 12, 1981

**Type of Trip**

Single Passenger and Shared Riding Rate Per Passenger

FARE INQUIRIES  
CALL: 727-5401

1 Zone (See Note)	\$1.70
2 Zone	2.45
3 Zone	3.20
4 Zone	3.90
5 Zone	4.60
6 Zone	5.30
7 Zone	6.00
8 Zone	6.70

**Group Rate:**  
75¢ extra for each additional passenger after first passenger in group.  
P.M. Rush-hour (4:00 to 6:30 P.M.)  
Surcharge - 65¢ per trip

MAJOR ZONE BOUNDARIES  
SUBZONE BOUNDARIES

NOTE: A trip confined to any subzone of Zone 1 - \$1.45

# ZONE CHARGES

	Zone Charge	Single Passenger Rate & Shared Riding Rate Per Passenger	Each Addition Passage in Group
A ride confined to any Subzone or Zone 1	-	\$1.45	\$.75
A ride between any of the Subzones of Zone 1	1	1.70	.75
A ride confined to any Subzone of Zones 2,3,4, or 5	1	1.70	.75
A ride between a point in Zone 1 and a point within Zone 2 Subzones	2	2.45	.75
A ride between a point in Zone 1 and a point within Zone 3 Subzones	3	3.20	.75
A ride between a point in Zone 1 and a point within Zone 4 Subzones	4	3.90	.75
A ride between a point in Zone 1 and a point within Zone 5A	5	4.60	.75
Ride originating in one subzone and terminating in another, the zone charges is as shown below:			

## TO SUBZONE

		1A	1B	1C	1D	2A	2B	2C	2D	2E	3A	3B	3C	3D	3E	3F	3G	3H	4A	4B	4C	4D	4E	4F	4G	4H	5A
FROM SUBZONE	1A	-	1	1	1	2	2	2	2	2	3	3	3	3	3	3	3	3	4	4	4	4	4	4	4	4	5
	1B	1	-	1	1	2	2	2	2	2	3	3	3	3	3	3	3	3	4	4	4	4	4	4	4	4	5
	1C	1	1	-	1	2	2	2	2	2	3	3	3	3	3	3	3	3	4	4	4	4	4	4	4	4	5
	1D	1	1	1	-	2	2	2	2	2	3	3	3	3	3	3	3	3	4	4	4	4	4	4	4	4	5
	2A	2	2	2	2	-	1	1	1	1	2	2	2	2	2	2	2	2	3	3	3	3	3	3	3	3	4
	2B	2	2	2	2	1	-	1	1	1	2	2	2	2	2	2	2	2	3	3	3	3	3	3	3	3	4
	2C	2	2	2	2	1	1	-	1	1	2	2	2	2	2	2	2	2	3	3	3	3	3	3	3	3	4
	2D	2	2	2	2	1	1	1	-	1	2	2	2	2	2	2	2	2	3	3	3	3	3	3	3	3	4
	2E	2	2	2	2	1	1	1	1	-	2	2	2	2	2	2	2	2	3	3	3	3	3	3	3	3	4
	3A	3	3	3	3	2	2	2	2	2	-	1	1	1	1	1	1	1	2	2	2	2	2	2	2	2	3
	3B	3	3	3	3	2	2	2	2	2	1	-	1	1	1	1	1	1	2	2	2	2	2	2	2	2	3
	3C	3	3	3	3	2	2	2	2	2	1	1	-	1	1	1	1	1	2	2	2	2	2	2	2	2	3
	3D	3	3	3	3	2	2	2	2	2	1	1	1	-	1	1	1	1	2	2	2	2	2	2	2	2	3
	3E	3	3	3	3	2	2	2	2	2	1	1	1	1	-	1	1	1	2	2	2	2	2	2	2	2	3
	3F	3	3	3	3	2	2	2	2	2	1	1	1	1	1	-	1	1	2	2	2	2	2	2	2	2	3
	3G	3	3	3	3	2	2	2	2	2	1	1	1	1	1	1	-	1	2	2	2	2	2	2	2	2	3
	3H	3	3	3	3	2	2	2	2	2	1	1	1	1	1	1	1	-	2	2	2	2	2	2	2	2	3
	4A	4	4	4	4	3	3	3	3	3	2	2	2	2	2	2	2	2	-	1	1	1	1	1	1	1	2
	4B	4	4	4	4	3	3	3	3	3	2	2	2	2	2	2	2	2	1	-	1	1	1	1	1	1	2
	4C	4	4	4	4	3	3	3	3	3	2	2	2	2	2	2	2	2	1	1	-	1	1	1	1	1	2
	4D	4	4	4	4	3	3	3	3	3	2	2	2	2	2	2	2	2	1	1	1	-	1	1	1	1	2
	4E	4	4	4	4	3	3	3	3	3	2	2	2	2	2	2	2	2	1	1	1	1	-	1	1	1	2
	4F	4	4	4	4	3	3	3	3	3	2	2	2	2	2	2	2	2	1	1	1	1	1	-	1	1	2
	4G	4	4	4	4	3	3	3	3	3	2	2	2	2	2	2	2	2	1	1	1	1	1	1	-	1	2
	4H	4	4	4	4	3	3	3	3	3	2	2	2	2	2	2	2	2	1	1	1	1	1	1	1	-	2
	5A	5	5	5	5	4	4	4	4	4	3	3	3	3	3	3	3	3	2	2	2	2	2	2	2	2	-

## OTHER REGULATIONS

- GROUP RIDING.** (meaning the transportation of two or more passengers whose trip has a common point of origin and a common destination), is permitted at the discretion of the group at all times. No driver shall refuse to engage in group riding at any time.
- SHARED RIDING.** (meaning the transportation of two or more passengers whose trips have either a different point of origin or a different destination) is permitted at the reasonable discretion of the driver at all times (except at the railway terminal), having due regard for special circumstances or need of the first passenger or group of passengers to board the taxicab. However, a driver may not accept a subsequent passenger accompanying a pet or other animal (except for a seeing-eye dog) without the consent of the prior passenger(s).
- SHARED RIDING AT THE RAILWAY TERMINAL** (i.e., Union Station) is permitted at such times as are determined to be necessary to achieve adequate service by a staffer employed or authorized by the company owning the railway terminal property.
- As used above the word "passenger" shall not include one child five years of age or younger accompanied by an older person.
- No driver engaged in messenger or parcel delivery service shall refuse to transport a prospective passenger or passengers unless the cab is hired by the hour, or unless such service fairly meets the test of an emergency. Service shall be completed within a reasonable time, but not later than three hours after undertaken. Vehicle use limited to front seat or front floor, unless the person engaging the service accompanies the article or articles to be transported, or unless the vehicle is hired by the hour.
- The zone and subzone boundaries shown on the map on the other side of this card shall include both sides of the street, avenue, or road designated. Any trip originating on the street, avenue, or road designated as a zone or subzone boundary shall be considered as originating in the zone or subzone nearest to the point of destination. Any trip terminating on a street, avenue, or road designated as a zone or subzone boundary shall be considered as terminating in the zone or subzone nearest to the point of origin. The zone charges set forth above shall be used to determine the group passenger rates, shared riding rates, or the single passenger rates to be charged for taxicab service in accordance with the rates set forth on the other side of this card.
- Hand baggage, including large bags of groceries or articles of similar size, in excess of one piece per passenger shall be charged for at the rate of \$1.15 for each such piece.
- Brief cases and parcels of comparable size shall not be considered as hand baggage.
- Trunks or similar large articles shall be charged for at the rate of \$1.25 each. A trunk is herein described as a piece of baggage having a minimum dimension or cubic content in excess of 32" by 18" by 9" or 3 cubic feet, respectively.
- The charge for personal service shall be \$3.65; taxicab service in response to a telephone call, \$6.5 in addition to all other authorized charges; dismissal of a taxicab without using it after response to a telephone call, \$6.5 in addition to charge for responding; waiting time for each five minutes or fraction thereof, except for stops enroute, \$.75.
- Each stop not exceeding five minutes, enroute made at the direction of a passenger not requiring a diviation of more than five blocks other than to take on additional passengers shall be \$.30.
- The charge for a taxicab employed on an hourly basis shall be as follows:  
For the first hour or fraction thereof - \$9.00, for each additional fifteen minutes or fraction thereof - \$2.25.

The PSC changes the zone map when the map is proven to be unfair, unjust or discriminatory in providing adequate economic incentive to drivers or in assuring that equal service is available to all areas of the city. When the PSC is petitioned to change the rate, a Formal Case is convened. Interested parties representing the industry, government and the consumers (People's Counsel) are present as intervenor status. Pertinent data as well as testimony of the intervenors are considered in determining whether the new rates are necessary and the extent of rate adjustment.

Rate adjustments are changes in the charges for travel within or between zones and/or for special items or services. The zone map adjustment would entail an alteration in zone boundaries and may or may not be accompanied by a rate adjustment. The zone map has not been adjusted in 16 years. However, the PSC is currently considering a case to alter or change the fare determination system (Formal Case #719).

Taxi fares are computed for individual or single passengers, for group rides and for shared rides. Shared ride passengers each pay the single passenger fare. Group ride passenger charges are based on the single passenger fare plus \$ .75 extra for each additional fare. (Children 5 years of age or younger accompanied by an older person ride at no additional charge).

The zone based fare, unlike taximeter fare, does not

increase based on time delays caused by traffic congestion. Therefore, to increase service availability, the PSC authorizes taxi drivers to add a \$ .65 surcharge per trip to any fare and charges otherwise computed for rush hour trips (4:00-6:30 p.m. on business days). Each shared ride is deemed a separate trip.

Interjurisdictional taxi fares are set by WMATC for taxicabs in each jurisdiction. Authorized D.C. taxi fares are based on mileage charges calculated by actual odometer mileage readings. When travelling interstate in a group, \$ .75 for each additional passenger is charged. Under WMATC rules, the first passenger has control of the taxicab and other passengers are allowed only upon permission of the first passenger.

Other charges authorized for D.C. taxi drivers include snow emergency rates, excess hand baggage, trunks, personal services (radio dispatch calls), and carrying animals not enclosed in a box or basket. Drivers may not assess additional charges to handicapped persons for aids (such as wheelchairs), for loading or unloading such devices or for seeing eye dogs properly harnessed.

Taxi drivers may, at their discretion, demand payment in advance for rendering any authorized service. The driver may also charge a \$ .50 fee for going to obtain change if the passenger was informed in advance that the driver was unable

to change a large bill and presents the driver with such a bill after arriving at their destination. The passenger may avoid this charge by informing the driver while en route to their destination that change will be required.

If disputes arise over the taxi fare, the passenger is required to pay the stated fare. The driver must furnish a receipt to the passenger showing his name, identification card number, tag number, the time, date and place of origin and destination of the trip and the amount of fare. Procedures for filing complaints are required to be displayed in all taxis in a position clearly visible to the passenger.

Every taxi driver is required to maintain, in ink, a record of all trips made. The record, or manifest, is required to contain time and mileage at the beginning and end of a tour of duty; the time and place of origin and destination, number of passengers, and fare charged for each trip. Manifest are to be kept for one year and produced for inspection on command to any agency of the District Government or U.S. Government.

#### 3.2.4 Types of Service:

In addition to the traditional exclusive hail-a-ride service, D.C. taxi drivers are authorized to provide a variety of taxi services to the public.

1. Group ride service - Group rates apply only to passengers

having a common point of origin and common destination. Group riding is permitted at the discretion of the group. The taxi driver may not refuse to provide group ride services.

2. Shared ride service - is permitted at the reasonable discretion of the driver, with due regard to the special circumstances or need of the first passenger or group of passengers to enter the taxicab. After the first passenger has entered the taxi and the destination is determined, a deviation of more than five city blocks from the direct or most normally travelled route to the first destination is not permitted. Once the first passenger's destination has been determined, the driver may display a sign on his windshield which indicates the general route in which he will be travelling. Taxi drivers may not delay departures for more than two minutes for the purpose of shared riding. (The PSC is currently reviewing its ride sharing policies to determine if they are to be continued).

3. Messenger and parcel pick-up and delivery services - taxicabs may engage in messenger and parcel delivery services provided that such service is subordinate to passenger transport. Unless an emergency delivery is being made, a taxi driver may not refuse to transport a passenger while engaging in delivery services. However, deliveries must be completed within a reasonable time, not to exceed three hours. Fares charged for package delivery are zone based and the same as

for passenger service. If the person who engages the service does not accompany articles to be transported, the articles are restricted to the front seat or floor of the taxi with the rear compartment reserved for passengers.

4. Radio dispatch service - There is no requirement that D.C. taxicabs be equipped with radio dispatch equipment. While radio dispatch services are offered primarily through the large associations and fleets, fewer than 25 percent of D.C. taxis engage in such services. Charges for personal services are authorized for radio dispatch service. The telephone call charge is \$ .65 plus an additional waiting charge of \$ .75 for each five minutes of wait time. Dismissal of a taxicab without using it after response to a telephone call is charged at \$ .65 for the call, plus \$ .65 for the dismissal.

5. Contractual services - D.C. taxicabs may be hired by the hour. The charge for a taxi hired on an hourly basis is currently \$9.00 per hour and \$2.25 for each additional fifteen minutes or fraction thereof.

### 3.2.5 Operating Standards:

Every D.C. taxicab company or association is required to maintain an office in the District with a listed telephone number. Every taxicab company and/or association must file an annual report (or more frequently, if requested) with the PSC which includes a certificate of identity; if incorporated, a



copy of the certificate of incorporation, by-laws, rules and regulations relating to members or taxis operation under their color scheme; the fleet number, make, year and serial number of all taxicabs owned or operated under its name; and the name and address of the owner of each taxicab operated by the company or association. Associations and companies are required to maintain no less than 20 taxicabs in operating condition. Any changes in data must be reported to the PSC within five days.

The Public Services Commission approves all trade names, identifying insignia, or color scheme used by taxicabs in the city. Associations and companies must maintain at least 20 taxicabs in order to use a unique color scheme or insigne. Independent taxicab (unaffiliated) owners must paint their taxicab either black or white with a blue band along the sides and the rear. The name of the independent owner and the taxicab number enclosed in a rectangle box must be painted in three inch high gothic style letters on the rear doors of the vehicle.

All D.C. taxicabs are required to be of good substantial appearance and have nonabsorbent washable upholstery. The use of shades or curtains which shield passengers from observation is prohibited. The speedometer and odometer must be properly installed, maintained in good working order and exposed to view. The vehicle must also be equipped with a light capable

of illuminating the interior of the taxicab and controlled by the operation of the doors or manually controlled by the driver. Taxicabs may be equipped with safety warning lamps and/or a partition between the front and rear seats if the owner so desires.

The taxi license must be displayed in the taxicab for which it was issued. It must be firmly attached to the right sun visor or other part of the right front interior of the vehicle so that the number of the license is plainly visible. The driver's identification card must be displayed in a PSC approved bracket or receptacle and located on the right half of the dash so as to be visible to any passenger in the vehicle. Anytime the driver is more than 25 feet from the cab, the identification card must be removed from the vehicle.

Taxicabs in service are required to be clean both inside and out, including the trunk. Taxicab drivers are required, when the taxi is for hire, to be clean in dress and in person. Drivers must be fully attired in a manner not offensive to the public. Wearing of shorts or "T" shirts as an outer garment is specifically prohibited. Smoking or the playing of a radio other than one used for communications with a dispatcher is forbidden unless the driver secures passenger(s) permission in advance. The owners, operators and drivers of taxicabs may display a "no smoking" sign on the outside of the taxi, thereby requesting that passengers refrain from carrying or

smoking any lighted cigar, cigarette or pipe.

Taxi drivers set their own hours of operations with few restrictions. There is no minimum number of hours a taxi must be in service, but a maximum is set. In general a taxi driver may not operate a cab for passengers or parcels for more than 12 hours in any 24 hour period, unless the driving time is broken by a period of eight full hours of rest. Taxicabs may be and often are the personal family vehicle of the driver. Whenever the vehicle is not available for hire and being used without the intent of taking on passengers, an "Off Duty" or "Out of Service" sign must be displayed and the cruising light must be off. However, "Off Duty" signs may not be displayed during rush hours between 7:00 a.m. and 9:30 a.m. and 4:00 p.m. and 6:30 p.m. (The "Out of Service" sign is to be used when the taxicab is disabled or faced with an emergency).

The predominate method of operation for D.C. taxicabs is as a hail-a-ride service. Taxi drivers may not park adjacent to a curb, unless occupying a designated public vehicle stand for taxicabs, for the purpose of waiting for potential passengers. Drivers may not loiter around or in front of any hotel, theater, public building, or place of public gathering in the District, either by stopping, except to take on or discharge a passenger, or by unnecessarily slow driving. The driver may not leave the taxi for the purpose of soliciting patronage. When the taxi is occupying a stand, the driver

must stay within five feet of the taxicab at all times.

When on duty and not otherwise engaged, taxicab drivers are required to furnish service on the demand of any orderly person. Refusal to transport a passenger while the vehicle is available for hire is in violation of the regulations although it is a frequent occurrence. If the taxicab is proceeding to take on a passenger in response to a telephone call or previous appointment, or is engaged by the hour or making an emergency parcel delivery, the "On Call" sign must be displayed and the time and trip destination entered on the manifest. Use of the "On Call" sign for the purpose of selective hawking is prohibited.

#### 3.2.5.1 Complaints:

Violations of the taxi regulations are punishable by a civil fine not to exceed \$300, or suspension or revocation of license, or both, upon determination of liability by the Hackers' License Appeal Board. A notice of the procedure to be followed by persons wishing to file a complaint must be displayed in the taxi in a position clearly visible to passengers. Complaints must be filed with the D.C. Department of Transportation within thirty (30) calendar days of the alleged offense and must be in writing and signed by the complainant. The complainant's address and telephone number must be included.

The D.C. DOT notifies the taxi driver of the complaint and requires a driver response within ten (10) calendar days. If the driver fails to respond or if DOT is unable to conciliate and resolve the complaint between the passenger and driver within fifteen (15) calendar days after the driver responds, then the matter is referred to the HLAB for disposition. If warranted by the facts, the HLAB will hold a hearing not later than ninety (90) calendar days following receipt of the complaint and notify the parties by certified mail not later than fifteen (15) calendar days prior to the hearing. If the driver fails to appear, a default judgement against the driver will result. If the complainant fails to appear, the complaint will be dismissed.

Any monetary fines imposed by the HLAB must be paid by the driver within thirty (30) calendar days of the order, unless extended by the Board. The taxicab driver's identification license cannot be renewed if any fines remain unpaid at the time of renewal.

### 3.2.6 Financial Responsibility and Safety:

Section 350.3 of the regulations state that:

"The operation of taxicabs shall be conducted in accordance with the laws of the District of Columbia and with due regard for the safety, comfort and convenience of passengers, for the safe and careful transportation of

property, and for the safety of the general public. All reasonable efforts shall be made to promote such safety at all times and under all conditions".

Under Sec. 601.6 of the Motor Vehicle Inspection regulations, taxicabs must pass inspection semiannually. The inspection station stamp must be placed on all application forms for the taxi license. D.C. taxicab inspections cover the following items: braking systems; road lighting equipment, signal lamps, signal devices and reflectors; speedometer and odometer; windshield, wipers and mirrors; front and rear bumpers; fenders; tire equipment; horn and warning devices; exhaust emission systems; approved seat belts or safety harnesses in each seat position; air conditioning systems; as well as paint and paint colors.

No taxicab in the District of Columbia may carry more adult passengers than the designed capacity of the vehicle, and no more children (except children under five years of age carried in the arms of an adult) than can be seated comfortably on the seats. The taxicab must be loaded in a manner which does not obstruct the drivers view to the front or sides or interfere with his control over the vehicle.

All taxicabs in the District of Columbia are required to be insured. Although the District recently enacted a no fault insurance law, taxicabs have been exempted from the provisions of that law. Section 410.1 of the regulations makes it

unlawful to operate any public vehicle for hire in the District of Columbia unless and until there has been filed with and accepted by the PSC evidence that the vehicle is covered by either "...(a) a surety bond; or (b) by liability insurance in a surety or insurance company authorized to do business in the District of Columbia; or (c) a sinking fund created and maintained pursuant to the Act, conditioned for the payment to any person of any legal obligation of, or judgement recovered against, any owner of such vehicle, for death or for injury to any person or damage to any property, or both, arising out of ownership, maintenance, or use of such vehicle by any person for any purpose within the United States.

If an owner elects to take out a blanket insurance policy or a blanket bond, or to create and maintain a sinking fund the owner must satisfy the PSC that he is possessed of, and will continue to be possessed of, financial ability to pay judgements obtained against him. Any owner who has elected to create and maintain a sinking fund may not terminate the fund except by written application to and written approval of the PSC.

Compliance with insurance requirements is evidenced by: (a) depositing with the PSC, for each vehicle, a certificate of insurance; (b) depositing with the PSC a bond issued by a company certified to the PSC by the Superintendent of

Insurance; or (c) depositing with the D.C. Treasurer cash or securities of the United States Government as a sinking fund.

Statutory coverage and minimum limits of liability for taxicabs in the District of Columbia are as follows:

Bodily Injury	\$10,000 each person \$20,000 each accident
Property Damage	\$ 5,000 each accident

Rates of premiums are uniform for use by all companies:

Yearly Premium	\$450.00	Bodily Injury
	<u>193.44</u>	Property Damage
	\$644.28	Total
Two Weeks Premium	\$17.34	Bodily Injury
	<u>7.44</u>	Property Damage
	\$24.78	Total

D.C. taxicabs must obtain an official insurance sticker on a weekly basis. Weekly periods begin at 12:01 a.m. on Sunday and end at midnight on the following Saturday. Expired stickers must be removed before 9:00 a.m. on the Sunday following its expiration and immediately destroyed. Insurance stickers may not be issued for unlicensed vehicles. Insurance stickers may only be withheld from licensed vehicles for nonpayment of premium.

Accidents involving taxicabs (maintenance or operations) must be reported to the insurance carrier and to the Public Services Commission. Accidents involving loss of human life or personal injury must be reported immediately. Every taxicab owner must file with the PSC before the tenth day of each month a monthly summary of all accidents which occurred



in connection with the maintenance or operation of any vehicle of the owner. Violations of insurance regulations are deemed misdemeanors and upon conviction are punishable by a fine of not more than \$300 or by imprisonment of not more than ninety days, and/or cancellation of license.

### 3.3 TAXICAB INDUSTRY CHARACTERISTICS:

Being an open entry system, Washington, D.C. has far more taxicabs per capita than any other major U.S. city. A 1979 telephone survey conducted by the D.C. Department of Transportation, Office of Mass Transportation revealed that the District had as many as five times the number of taxicabs per capita as the next highest city, Atlanta. Only New York city exceeded Washington in the actual number of licenses issued. Table I on the following page ranks seventeen major U.S. cities by number of taxicabs licenses per 1000 residents.

Six jurisdictions within the Washington Metropolitan area issue licenses for taxicabs and taxicab drivers. As illustrated in Table II on page 63, Washington, D.C. surpasses the combined total of all other local jurisdiction in both number of taxis and number of drivers. The six jurisdictions issue licenses for and regulate taxicabs operating solely within their legal boundaries. Taxis in one jurisdiction may

TABLE I

NUMBER OF LICENSED TAXI OPERATORS IN SELECTED U.S. CITIES  
JULY, 1979

CITY	POPULATION	NUMBER OF LICENSEES	LICENSES PER 1000 POP.	RANK
WASHINGTON, D.C.	665,000	9,799	14.7	1
ATLANTA, GA.	497,000	1,400	2.8	2
NEW ORLEANS, LA.	593,000	1,500	2.5	3
BOSTON, MASS.	641,000	1,575	2.5	4
NEW YORK, N.Y.	7,895,000	11,755	1.5	5
CHICAGO, ILL.	3,367,000	4,600	1.4	6
BALTIMORE, MD.	906,000	1,151	1.3	7
PITTSBURGH, PA.	502,000	550	1.1	8
SAN FRANCISCO, CAL.	716,000	756	1.1	9
DETROIT, MICH.	1,511,000	1,358	0.9	10
PHILADELPHIA, PA.	1,949,000	1,750	0.9	11
CLEVELAND, OHIO	751,000	560	0.7	12
DALLAS, TEX.	844,000	507	0.6	13
MILWAUKEE, WISC.	717,000	423	0.6	14
SAN DIEGO, CAL.	697,000	304	0.4	15
HOUSTON, TEX.	1,233,000	473	0.4	16
LOS ANGELES, CAL.	2,816,000	1,024	0.4	17

Source: D.C. DOT, Office of Mass Transportation, Internal Memorandum July, 1979 Telephone Survey of Taxicab Supervisory Agencies by Harold Foster

TABLE II

NUMBER OF TAXICABS IN THE METROPOLITAN WASHINGTON AREA  
BY JURISDICTION, 1979

JURISDICTION	NUMBER OF TAXIS	NUMBER OF DRIVERS	NO. OF COMPANIES/ ASSOCIATIONS
WASHINGTON, D.C.	8,953	9,000	64
MONTGOMERY CO.	312	950	4
PRINCE GEORGES CO.	700	435	6
ARLINGTON	445	3,069	5
ALEXANDRIA	654	1,152	13
FAIRFAX CO.	168	168	4

Source: Virginia Edwards, "Legal, Policy and Practical Issues To Be Considered in Approaching a Regional Taxi System in the Washington, D.C. Metropolitan Area." (Unpublished paper submitted to the Department of Urban and Regional Planning, University of D.C.).

transport passengers to any point within another jurisdiction within the metropolitan area and, in all jurisdictions except Prince Georges County, Maryland, pick up a return fare.

Taxicabs within the District of Columbia are organized in associations and fleets or operate as unaffiliated businesses. Currently there are a total of sixty-four (64) taxi associations and fleets and 655 unaffiliated taxis representing a total of 8,953 taxicabs licensed to operate in the city. As Table III indicates, 58.9% of all licensed taxicabs in Washington operate under association colors, 33.8% belong to fleets and 7.3% are not affiliated with either.

There are wide variations in the size of taxicab associations and fleets in the city. Approximately 55% of all licensed taxis operate under the eight largest organizations (each representing a minimum of 250 taxis). Table IV illustrates the distribution of taxis by organization type and size. As shown in the table, half of all taxi associations and fleets are organized in groups representing 49 or fewer vehicles. Taxicab associations and fleets are required by regulation to have a minimum of 20 taxis operating under their color scheme or insigne at all times. However, ten (10) associations and one fleet do not currently meet that requirement.

Washington taxi drivers operate as independent business people under either owner-driver or lessee-driver

TABLE III

ORGANIZATION OF D.C. TAXICABS  
1983

<u>TYPE OF ORGANIZATION</u>	<u>NO. OF TAXIS</u>	<u>NO. OF ORGANIZATIONS</u>
ASSOCIATIONS	5,269	48
FLEETS	3,029	16
UNAFFILIATED	655	-
TOTAL	8,953	64

Source: D.C. DOT, Public Vehicles Branch

TABLE IV

DISTRIBUTION OF D.C. TAXICABS BY ORGANIZATION TYPE AND SIZE

<u>LICENSED TAXIS</u>	<u>ASSOCIATIONS</u>	<u>FLEETS</u>	<u>TOTAL TAXIS</u>
OVER 500	3	1	3,691 (41.2%)
250 - 499	3	1	1,263 (14.1%)
100 - 249	6	4	1,559 (17.4%)
50 - 99	7	8	1,046 (11.7%)
20 - 49	20	1	638 ( 7.1%)
2 - 19	10	1	102 ( 1.1%)
ONE	-	-	655 ( 7.3%)
TOTAL	48	16	8,953 (99.9%)

Source: D.C. DOT, Public Vehicles Branch

arrangements. Within associations and fleets, groups of taxis may be owned by one operator leasing the vehicles to individual drivers. Cross or multiple ownership in associations or fleets occurs also. Because of the short term leasing arrangements available, it is difficult to determine the number of taxi drivers operating under specific organizations at any given point in time.

The primary function taxicab fleets and associations perform in the city is the provision and sale of services to taxi operators/drivers. Typical services provided through a fleet or association include radio dispatch, gas, insurance, and maintenance and repair. Groups of associations, fleets and operators/drivers belong to several taxi interest groups formed to address political or industry-wide concerns related to taxi operations in the city. In absense of a union, there is no one unified voice representing the taxi industry, although some groups are more influential than others.

### 3.3.1 Fares:

Taxi rates in the District of Columbia are determined through a ratemaking process by the Public Services Commission requiring a public hearing. Tables V and VI compare Washington's fare determination process with other selected U.S. cities and with other local jurisdictions respectively. The legislative or administrative branches of government set

TABLE V

COMPARISON OF WASHINGTON, D.C. TAXICAB FARE DETERMINATION PROCESS  
WITH SELECTED U.S. CITIES, 1981

CITY	PROCEDURE	RATE SETTING AUTHORITY	PUBLIC HEARING REQUIRED
WASHINGTON	RATEMAKING	PUBLIC SERVICES COMMISSION	YES
ATLANTA	LEGISLATIVE AMENDMENT	CITY COUNCIL	NO <sup>~</sup>
BALTIMORE	RATEMAKING	STATE PUBLIC SERVICES COMM.	YES
BOSTON	ADMINISTRATIVE	POLICE COMMISSIONER	YES
CHICAGO	LEGISLATIVE ACTION	CITY COUNCIL	YES
CLEVELAND	LEGISLATIVE AMENDMENT	CITY COUNCIL	YES
DETROIT	LEGISLATIVE ACTION	CITY COUNCIL	YES
LOS ANGELES	ADMINISTRATIVE* RULEMAKING AND LEGISLATIVE ACTION	CITY COUNCIL & PUBLIC UTILITIES BOARD	YES
NEW YORK	RULEMAKING	TAXICAB AND LIMOUSINE COMM.	YES
PHILADELPHIA & PITTSBURGH	RULEMAKING	TARIFF SECTION TRANSPORTATION BUREAU STATE PUBLIC UTILITIES COMM.	NO

Source: Internal Memorandum, D.C. DOT

<sup>~</sup>Council Deliberations Open to Public

\*Council sets maximum up to which PUB may set rates.

TABLE VI

TAXICAB FARE DETERMINATION PROCESSES  
IN THE WASHINGTON METROPOLITAN AREA, 1981

JURISDICTION	PROCEDURE	RATE SETTING AUTHORITY	PUBLIC HEARING REQUIRED
WASHINGTON	RATEMAKING	PUBLIC SERVICES	YES
MONTGOMERY CO.	ADMINISTRATIVE RULEMAKING	COUNTY EXECUTIVE	YES
PRINCE GEORGES COUNTY	LEGISLATIVE AMENDMENT	COUNTY COUNCIL	NO*
ALEXANDRIA	LEGISLATIVE AMENDMENT	CITY COUNCIL	YES
ARLINGTON, CO.	LEGISLATIVE ACTION	COUNTY COUNCIL	NO*
FAIRFAX CO.	LEGISLATIVE AMENDMENT	COUNTY BOARD OF SUPERVISORS	NO*

Source: Internal Memorandum, D.C. DOT

\*Note: County deliberations are conducted in "sunshine" or open sessions.



taxi rates in all jurisdictions surrounding Washington, D.C. and in six of the other ten cities surveyed.

Taxi rates in Washington, D.C. are difficult to compare with other cities or local jurisdictions since D.C. fares are zone based, while the others are meter based with mileage charges. Current single passenger rates for taxi service within the city range from a low of \$1.70 for a one zone trip to a high of \$6.70 for an eight zone trip. The fare within a subzone is \$1.45. The maximum single passenger rate for a trip from the central business district to any point within the city is \$4.60 (based on five zones). Group rates add \$.75 for each additional passenger; shared ride passengers each pay the single passenger rate. For taxi services during the evening rush, the minimums and maximums increase by \$.65 to, \$2.35 and \$7.35 respectively. The established hourly rate for taxi service is \$9.00 for the first hour and \$2.25 for each additional 15 minutes or fraction thereof. Additional charges for other services (see chart on page 47) are as follows:

Excess hand baggage - \$.15 per piece

Trunks or similar large articles - \$1.25 per piece

Telephone call service - \$.65 plus \$.75 per 5 minute wait

En route stops not exceeding five minutes - \$.30

Interjurisdictional taxi rates are currently set by the Washington Metropolitan Area Transit Commission at:

\$1.70 - 1st mile or fraction thereof

.50 - each additional half mile or fraction thereof

.75 - each additional passenger in a group

.50 - airport gate fee if the passenger is picked up in the Airport loading area. (The gate fee is an airport dispatch charge to cabbies which may be passed on to the passenger).

The single passenger charge for a typical five mile interjurisdictional trip would be \$5.70. The rate is set to approximate the meter charges of the other local jurisdiction in the Metropolitan area. However, accusations of overcharging for taxi trips from National Airport are widespread.

### 3.3.2 Drivers:

There are currently 10,000 licensed taxi drivers in Washington, D.C. The majority of D.C. taxi drivers own their own cabs and pay dues to cab associations which furnish them with their gas, insurance, two way radios and vehicle repairs. Previous studies of industry characteristics indicate that 64-70 percent of the drivers classify themselves as part-time drivers operating less than thirty-five hours per week. Most drivers work 4 hours or less per day, 22 percent do not work on the average day and only 27 percent of the total driver force is available on the street at any particular time (NCPC, 1979).

Since there are no formal education and training requirements for D.C. taxi drivers, there are no reliable statistics available covering these areas. One prevailing assumption about the industry is that full-time drivers tend to be older and less educated than the part-time drivers who are often college students. Of those applicants taking the taxi driver examination, less than one-third pass on the first try and only 40 percent pass on the second try. No data is kept on applicants not passing the exam.

Based on a 2 percent randomly drawn computer sample of hackers' records maintained by the D.C. Department of Transportation (194 drivers), 94.8 percent of D.C. taxi drivers are male and 5.2 percent are female. The majority of drivers (68%) live in Washington, D.C., while a sizeable minority live in the Maryland (24%) and Virginia (8%) suburbs. The age distribution of D.C. taxi drivers is as follows:

20-29 years	- 11.3%
30-39 years	- 22.2%
40-49 years	- 19.1%
50-59 years	- 19.6%
60-69 years	- 19.6%
70+ years	- 8.2%

The median age of D.C. taxi drivers is 49 years.

### 3.3.3 Operating Costs:

A 1982 study, by Jack Martin and Company, of the Taxicab Rate Determination System included an estimate of the operating costs for city taxicab drivers on an hourly basis. Using the data provided in the study, Table VII on page 73 provides an estimate of the average annual costs (wages/profit not included) of operating a D.C. taxicab on a full-time (40 hrs/wk.) or part-time (20 hrs/wk.) basis, with or without radio dispatch services, as an owner or a renter.

Operating costs for drivers who rent their cabs exceed owner/driver costs by 41 percent for full-time drivers and 96 percent for part-time drivers. Operating as a radio dispatch cab increases costs to full-time drivers by 12 percent for owners and 16 percent for renters, and to part-time drivers by 15.9 percent for owners and 18.6 percent for renters.

The PSC sets the hourly rate for taxi service at \$9.00 per hour. Using this figure, in the absence of more reliable data, plus a 10 percent estimate for tips, the estimated wages of D.C. taxi drivers would be:

Full-time Owner/Driver - \$14,727 per annum	\$7.08/hr.
Full-time Renter/Driver - \$12,334 per annum	\$5.93/hr.
Part-time Owner/Driver - \$4,417 per annum	\$5.65/hr.
Part-time Renter/Driver - \$3,028 per annum	\$2.91/hr.

TABLE VII

## ESTIMATED AVERAGE ANNUAL VARIABLE AND FIXED OPERATING COSTS FOR FOUR CATEGORIES OF TAXICAB DRIVERS

COST CATEGORIES	OWNER		RENTER	
	FULL-TIME	PART-TIME	FULL-TIME	PART-TIME
VARIABLE COSTS				
FUEL (.95/hr)	\$1976.00	\$ 988.00	\$1976.00	\$ 988.00
MOTOR OIL (.10/hr)	208.00	104.00	--	--
TIRES (.07/hr)	145.60	72.80	--	--
PARTS (.23/hr)	478.40	239.20	--	--
TOTAL VARIABLE COSTS	\$2808.00	\$1404.00	\$1976.00	\$ 988.00
FIXED COSTS				
HACK ID	\$ 5.00	\$ 5.00	\$ 5.00	\$ 5.00
DRIVER REGISTRATION, TAGS & INSPECTION	60.25	60.25	--	--
PSC LICENSE	25.00	25.00	--	--
LIABILITY INSURANCE	676.00	676.00	--	--
COLLISION INSURANCE	245.00	245.00	--	--
ASSOCIATION DUES/STICKER	554.84	554.84	554.84	554.84
DEPRECIATION (4yrs.+)	1202.00	601.12	--	--
INTEREST ON CAR LOAN	287.00	143.00	--	--
VEHICLE RENTAL	--	--	5720.00	5720.00
TOTAL FIXED COSTS	\$3055.09	\$2310.21	\$6279.84	\$6279.84
RADIO COST				
DISPATCH SERVICE	\$ 572.00	\$ 572.00	\$ 572.00	\$ 572.00
RADIO DEPRECIATION	131.04	131.04	--	--
ADDITIONAL RENTAL FEE	--	--	780.00	780.00
TOTAL RADIO COST	\$ 703.04	\$ 703.04	\$1352.00	\$1352.00
TOTAL COST - NO RADIO	\$5863.09	\$3714.21	\$8255.84	\$7267.84
TOTAL COST - w RADIO	\$6566.13	\$4417.25	\$9607.84	\$8619.84

SOURCE: Jack Martin & Co., P.C. Taxicab Rate Determination System Study. Washington, D.C., 1982.

Since reliable data on the average revenue from the radio dispatch service fee is not available, no estimate of wages was made based on this service.

## CHAPTER FOUR

### REGULATORY TRENDS AND ISSUES

This chapter examines regulatory trends and issues pertinent to entry controls, fare policy, service and operating standards, financial responsibility, and private sector involvement in public transportation in Washington, D.C. Also included in this chapter of the report is an analysis, based on personal interviews and written documents, of the local public body's point of view on taxi regulation and the willingness of local public officials to encourage increased private sector participation in public transportation.

#### 4.1 REGULATORY ANALYSIS:

##### 4.1.1 Entry Controls:

The precise number of licensed taxicabs and taxi drivers in D.C. is difficult to pin point at any particular time since the numbers fluctuate on a daily basis. The average number of taxicabs and drivers has remained fairly stable over the past decade at approximately 9,000 vehicles and 10,000 drivers. However these figures have gone up and down, by as much as

1000-2000 vehicles and drivers at any particular point.

There have been several calls for the imposition of entry restrictions on the number of taxicabs in Washington, D.C. over the past few decades. The underlying supposition of the argument for entry restriction has been that service quality and driver wages would both increase if tighter restrictions were imposed. While a 1957 congressional study of taxi regulation in Washington recommended restrictions on the number of taxicabs, more recent consultant studies on the system found no compelling reason for eliminating the free entry system.

The assumption that restrictions on the number of taxicabs results in higher service levels and service quality has not been substantiated by the experiences in other major cities. Problems of discourteous drivers, discriminatory or selective service, overcharging and scarcity of cabs when needed have plagued cities with restricted entry as well. The 1974 study done for the PSC by the University of Maryland (Kreul and Olson) concluded that free entry was not the underlying cause of service problems.

The D.C. taxi driver, as an independent business person, offers his services to the public at his discretion with few limitations. Proponents of free entry believe that if the economic incentives are sufficient, the service levels and quality will improve. Many of the problems attributed to free



entry are actually problems of inadequate enforcement of existing regulations governing the behavior of taxi operators.

Regulatory changes on entry controls for D.C. taxi drivers has centered primarily on access to National Airport. Until January of 1974, the Federal Aviation Administration awarded an exclusive franchise, through a bidding process, to the Greyhound Corporation for the provision of passenger transportation. Nonfranchised cabs were barred from picking up passengers unless they were already discharging a passenger. When Greyhound taxi drivers went on strike in 1972 to protest low wages, the FAA opened airport access to D.C. and Virginia cabs for the duration of the strike.

Based on a determination of the need for additional cabs at the airport, the FAA suspended the exclusive franchise for taxi service at the airport effective January 1, 1974. Under the new regulations, any licensed cab from D.C., Maryland or Virginia could pick-up riders and pay a \$.50 fee to a dispatcher (provided by Greyhound) on departing from airport. However, open access to the airport brought immediate problems, complaints concerning gypsy cabs, and verbal and physical confrontations between dispatchers and taxi drivers. Between 1974 and 1976, the FAA issued new requirements for taxicab operations at National and Dulles Airports banning gypsy cabs and adopting a one passenger per cab rule.

Problems and complaints with taxi service from the

airports, particularly overcharging, have continued over the years. The FAA is currently considering issuing its own permits or otherwise restricting taxicab access to airport markets in an effort to gain control over drivers who service the airport. At present, the FAA cannot revoke or suspend licenses; they can only ban taxis, in extreme circumstances, from entering on federal property which results in a criminal trespass charge.

#### 4.1.2 Fare Policy:

The Public Services Commission (formerly Public Utilities Commission) attempted to require meters in all D.C. taxicabs as early as 1932 based on the supposition that the zone system was inherently discriminatory by nature and its low rates caused drivers to work excessive hours to earn a living. However, the U.S. Congress passed legislation forbidding the use of meters in the District of Columbia, thereby effectively stripping the Commission of its authority in that matter. The 1957 congressional study on taxicabs called for abolition of the zone rate system and the installation of taximeters, but, the recommendations were not enacted into law.

The method of fare determination in the city has been at the center of an ongoing controversy in Washington over the last two decades. Yet, the present zone map has not been changed in sixteen years. In 1973, the U.S. Congress, after

numerous prior attempts, passed legislation authorizing the PSC to at least study the feasibility of installing taximeters in D.C. taxicabs. However, the resulting consultant study did not recommend a switch to taximeters. Instead the study found a wide range of support for the District's zone system among both riders and drivers, and recommended changes in the way zones are drawn.

Problems arising from the 1973-74 gasoline shortage, led the PSC to adopt a ride sharing policy at the drivers discretion in 1974. The District's zone system was readily adaptable to the implementation of the shared ride concept. The District's fuel allocation office estimated that a 30 percent increase in taxi ridership and a 30-40 percent increase in radio dispatch services occurred as an immediate result of the new shared ride policy. Based on driver manifest, estimated taxi ridership increased by 80,000 additional fares per day from a ridership level of 275,000/day for the previous month, giving taxis a new status as "a mass transportation service".

In 1975, the PSC attempted to modify the shared ride policy by implementing a \$.50 "express charge" for riders wanting an exclusive ride (at the passenger's discretion). In conjunction with a proposed fare increase, the PSC proposed reduced family fares for large families and changes in the downtown zone boundaries. However, the Taxi Industry Group

sought and won an injunction, through the D.C. Court of Appeals, blocking implementation of the fare increase until other issues were resolved. In the negotiations which followed, the "express charge" concept, zone boundary changes and reduced family fares were eliminated.

In 1978, taxi drivers petitioned the PSC for a fare increase and a change in the zone rate system. In 1979, the fare rate determination system issue was separated from the fare increase issue and became Formal Case No. 719 after the PSC determined that the issue required detailed analysis and study. In 1980, as a part of ongoing case No. 719, the PSC ordered a study of the taxicab fare system, focusing on the zone map, to determine whether it is "fair, just and non-discriminatory". The PSC, in conjunction with the People's Counsel and the D.C. Department of Transportation, contracted with Jack Martin and Company (JMC) in 1981 to conduct a study of the D.C. taxicab rate determination system. The objectives of the JMC study, as stated in the final report, were to:

- \*"Obtain and analyze the data necessary to determine if the present taxicab fare zone map is fair, just, and non-discriminatory;

- \*Design an alternative taxicab fare zone map that addresses any deficiencies that make the present taxicab zone map an unfair, unjust, or discriminatory rate determination system;

- \*Develop a data analysis methodology which will enable the District government to conduct similar taxicab demand and operations studies in the future;

\*Determine the degree to which taxicab operations and revenues as reported deviate from actual taxicab operations as observed on the street; and

\*Design a standardized taxicab operations manifest that is compatible with automatic data processing equipment."

However, from the beginning, JMC experienced several technical and administrative problems in carrying out its tasks. One significant problem was the lack of adequate cooperation and participation by taxi drivers in the provision of data. The sampling methodology called for a random sample of 3,750 taxi owners (50 percent of the total) from whom sample manifest would be requested for the test week. Although the selected drivers were "ordered" to submit manifests under the authority of Section 355.1 of Title 14 (now Title 15), D.C. Rules and Regulations, on cards signed by the PSC, only 872 (23 percent) responded in any form to the request. Of those responding, only 698 (80 percent) submitted the requested manifest. (No actions were taken against those who failed to comply with the order). In the voluntary survey of taxi drivers, in spite of assistance from three taxicab associations, JMC was only able to secure 57 taxi driver respondents. Still, the final JMC study did recommend changes in the rate determination structure.

The Public Services Commission has not issued a final order in Formal Case No. 719. It was hoped that an order would be issued prior to the completion of this case study.

This final report was delayed three months in anticipation of the case being decided, but, no order has been issued to date.

In June, 1983, the PSC issued an order reversing the policy on shared taxi rides to allow passenger veto over additional riders. The PSC action caught the industry and city by surprise and was promptly challenged on procedural grounds. The Public Services and Cable Design Committee of the D.C. City Council immediately held hearings to consider stripping the PSC of its regulatory authority over taxicabs because of its alleged insensitivity to the taxi industry. In response to reactions to the order issued, the PSC agreed to delay implementation of the order and to seek public testimony on the issue. The Chairpersons of the Public Services and Cable Design Committee and the Transportation and Environmental Services Committee of the D.C. City Council have co-sponsored a bill to remove taxi regulatory authority from the PSC to the D.C. Department of Transportation (the proposed legislation is included in the appendices to this report). The Council will conduct hearings on the issue over the next several months.

#### 4.1.3 Fare Structure:

Since 1969, the Public Services Commission has adjusted the taxi rate structure four times: 1969, 1974, 1976 and 1981. (see Tables VIII, IX and X). Overall, in real dollars,

the taxicab rates have barely kept pace with the consumer price index (CPI for all urban consumers). Between 1969 and 1981, rates for single passengers increased from 121 to 142 percent (depending on trip origin and destination); at the same time, the CPI increased a total of 148%. In general, except in 1976, the rate adjustments have been somewhat lower than the CPI changes. The significant rate increases in 1976 reflected the sharp increases in gasoline and oil prices.

Taxicab fare rate structure is only one of a set of variables which constitute the broader equation. Variables such as new driver entry into the market, total ridership demand, and final wage rate are crucial in determining taxicab fare policy. More specifically, in the District of Columbia, important variables such as zone boundary configuration, city traffic patterns ("impedance factors"), and social factors play a major role. The economics of taxicab industry can sometimes be counterintuitive. Changes in prices do not necessarily produce changes in profits or total revenues in the same direction. A rise in price may increase or decrease profits or sales revenues. Increasing the fare price could actually cause such a fall in demand that profits could fall; on the other hand, decreasing fare prices may cause a boom in profits. Moreover, the quality of service may not follow price. A decrease in price may cause a rapid increase in

TABLE VIII  
 TAXICAB RATE SCHEDULE CHANGES FOR WASHINGTON, D.C.  
 1969-1981

	SINGLE PASSENGER FARE			
	1969	1974	1976	1981
WITHIN SUBZONE OF ZONE 1	0.60	0.74	0.90	1.45
BETWEEN SUBZONE OF ZONE 1	0.75	0.85	1.10	1.70
ANY SUBZONE OF ZONES 2,3,4,5	0.75	0.85	1.10	1.70
FROM ZONE 1 TO ZONE 2 (2 ZONES)	1.10	1.25	1.65	2.45
FROM ZONE 1 TO ZONE 3 (3 ZONES)	1.45	1.65	2.20	3.20



TABLE IX  
 TAXICAB RATE SCHEDULE CHANGES FOR WASHINGTON, D.C.  
 DURING 1969-1981

INDEXED: 1969-100

	SINGLE PASSENGER FARE			
	1969	1974	1976	1981
WITHIN SUBZONE OF ZONE 1	100	117	150	242
BETWEEN SUBZONE OF ZONE 1	100	113	147	227
ANY SUBZONE OF ZONES 2,3,4,5	100	113	147	227
FROM ZONE 1 TO ZONE 2 (2 ZONES)	100	114	150	223
FROM ZONE 1 TO ZONE 3 (3 ZONES)	100	114	152	221
CONSUMER PRICE INDEX	100	135	155	248

TABLE X  
 PERCENT CHANGE IN TAXICAB RATE ADJUSTMENTS FOR WASHINGTON, D.C.  
 1969-1981  
 (FROM PREVIOUS RATE ADJUSTMENT)

	PERCENT CHANGE		
	'69-'74	'74-'76	'76-'81
WITHIN SUBZONE OF ZONE 1	17	29	61
BETWEEN SUBZONE OF ZONE 1	13	29	55
ANY SUBZONE OF ZONES 2,3,4,5	13	29	55
FROM ZONE 1 TO ZONE 2 (2 ZONES)	14	32	48
FROM ZONE 1 TO ZONE 3 (3 ZONES)	14	33	45
CONSUMER PRICE INDEX	35	15	60

demand, which may lengthen waiting time, often considered the most important service factor from the customer's point of view. An increase in demand as a result of price decrease might result in such volume that more drivers would be enticed into the market, decreasing the waiting time. Obviously, the quality of service (i.e. waiting time) also has an effect on demand. If vacant capacity is small, waiting times are very large and consumers are only willing to pay a small fare for this level of service quality.

In the District of Columbia, there are several issues which have been the foci of attention of the taxicab industry as well as the policy makers. These issues are the center of contention and discussion in the on-going Formal Case Number 719 before the Public Services Commission, and are inherently related to the concept of fair, just and non-discriminatory fare rates; discussion of these issues are important in understanding the trends of fare schedules in the District of Columbia.

#### 4.1.4 Fare System:

In the zone system used in the District of Columbia, more accurately described as a "fixed zone system", fare determination is based on pre-established areas or zones in which a trip originates and ends. The major advantage of a

fixed zone system is that there is virtually no administrative costs; only a zone map is required to determine a fare. More important, the consumer knows the exact trip fare before trip commencement. Finally, the system promotes efficiency among drivers to take the most economic and efficient route from trip origin to trip destination.

There are disadvantages, and critics have utilized them to encourage a complete alteration of fare change. As shown in Table XI, in a zone system, two independent trips of identical distance could have significant differences in fare charge; and two independent trips with significant differences in distance could have identical fares. To the taxicab driver, this means that two trips of the same approximate cost could render two different amounts of revenue. Or, two trips which penetrate the same revenue, could be of two different costs. This phenomena, which is inherent in any zone system, has been referred to as "cross-subsidization". Supporters of the zone system contend that cross-subsidization exists in many economic activities--and particularly in transportation systems. Theoretically, the smaller the established boundaries of the fixed zone system, the more equitable the system. Moreover, boundaries should be established to divide a city into areas that take about equal amounts of time to pass through. Both of these concepts can minimize cross-subsidization.

TABLE XI  
STRAIGHT-LINE MILEAGE AND FARES FOR TAXICAB TRIPS  
BY NUMBER OF ZONES TRAVELLED

ZONES	RANGE	DIFFERENCE	FARE	RATE/MILE	DIFFERENCE
ONE	.4-1.8m	1.4m	\$1.70	\$4.25-\$.94	\$3.31
TWO	.4-4.3m	3.9m	\$2.45	\$6.13-\$.57	\$5.56
THREE	1.2-6.1m	4.9m	\$3.20	\$2.67-\$.52	\$2.15
FOUR	3.2-7.7m	4.5m	\$3.90	\$1.22-\$.51	\$ .71
FIVE	4.0-7.9m	3.9m	\$4.60	\$1.15-\$.58	\$ .57
SIX	5.2-9.0m	3.8m	\$5.30	\$1.02-\$.59	\$ .43
SEVEN	7.8-9.7m	1.9m	\$6.00	\$ .77-\$.62	\$ .15
EIGHT	9.5-10.2m	.7m	\$6.70	\$ .71-\$.66	\$ .05

SOURCE: Jack Martin & Co., P.C. Taxicab Rate Determination System Study. Washington, D.C., 1982.

In addition to cross-subsidization, there are other conceptual disadvantages. The system can encourage consumers to take trips uneconomical to drivers and discourage consumers of certain other trips which would have been normally made if rates were direct cost related. The system encourages drivers to look for one kind of trip and passengers for another. This is not desirable, because drivers may feel unhappy about the fare structure and, as a result, may provide poor service. Customers may feel that they are not getting their money's worth. Finally, the system is difficult to understand because there are many zones and many zone boundaries. This may be a source of complaints from customers about fare charges. According to a recent consumer study, more than half (50.5%) of all respondents felt that the District of Columbia's zone system was not easy to understand. There is a strong indication of dissatisfaction among drivers with the present zone boundaries. The same survey showed that virtually no driver (1.8%) felt that the subzones, as presently drawn, should remain the same.

As elaborated in technical literature, fare structure should be guided by the cost of providing service with consideration of desired level of service quality. The best indicator of cost of providing service is trip time and distance. The zone system is insensitive to time and only roughly insensitive to distance. The advantages and

disadvantages of meter systems have been discussed for possible utilization in the District of Columbia. In the United States, the meter system is perhaps the most widely used mechanism to measure time and distance. It is an accurate method, and consumers can easily understand the basis of fares. But there are also serious disadvantages to the meter system. First, meters are costly to purchase and maintain; also, meters can easily be tampered with. Moreover, the meter system does not encourage drivers to take the most efficient route. If drivers get lost, the consumer pays for the driver's ignorance. Finally, unlike the zone system, the fare is unknown to the passenger until the trip is over.

There is no concrete evidence that the meter system would provide higher level service than the zone system. In the District of Columbia, both the drivers and the consumers are not enthusiastic of a meter system. In a recent survey, only 7.5% of the drivers in the driver survey suggested installing meters when asked for suggestions in changing the taxicab zone system. Similarly, only 9% of the consumers suggested installing meters when asked for suggestions on how to improve the taxicab system in the District of Columbia. Similar findings were also made in previous studies in the District.

Another system, called the Mileage Rate Zone System (MRZS), has been proposed by Mr. Irving Schlaifer, a D.C. taxicab driver. The system is based on straight line distance

between the point of trip origin and trip destination. The MRZS system is more distance sensitive than the fixed zone system and therefore helps minimize cross-subsidization. In addition, the system encourages the driver to take the most efficient and lowest cost route from origin to destination.

There are disadvantages to the MRZS. The usage of straight line distance is not a true reflection of actual miles. Nor does it reflect time. Also, the introduction of a totally new system, an unfamiliar system, would require high cost as well as time to educate the public.

In summation, there is no clear consensus among the drivers, consumers, or policy makers in identifying and implementing a fare rate system. The choice of systems will continue to be a major issue in future taxicab formal hearings.

#### 4.1.5 Patterns of Supply and Demand:

The distribution of demand varies widely within the taxicab zone system. Recent data ascertained in a major study of taxicab fare system in the District of Columbia found that demand, which is defined in the report as the number of trips beginning in a zone system, is clearly concentrated in the downtown business subzones. This pattern of demand distribution is to be expected, and parallels other cities throughout the country. The downtown subzones have greater



business population density and economic activity. Thus, greater demand for taxicab service is expected. A partial breakdown of demand, as delineated in the study, by zones is as follows (see zone map):

ZONE	PERCENT OF TRIPS ORIGINATING IN ZONE
1	58.3%
2	29.0%
3	9.1%
4	3.1%

More than 87% of all trips originate in either Zone One or Zone Two. On the other hand, less than one trip in ten originates in Zone Three. Only about 3% of taxicab trips originate in Zone Four. The above data suggests that, due to the concentration of taxicabs in the inner zones of the downtown area, the probability that a consumer will be able to locate a taxicab is dramatically lower in the outer zones of the city. For the taxicab driver, the probability of a pick-up decreases away from the downtown area. This situation for the driver and the consumer is expected as a result of spatial patterns of urban areas. Major activity nodes, i.e., concentration of activities, engender high transportation service such as taxicabs.

In the District of Columbia, there is clearly interior service within the inner zones of the city. "Interior service" refers to the concentration of taxicab service in a particular area. It is evident that the focus of taxicab service is concentrated in these areas due to the concentration of economic and urban activities in the downtown areas. The location of the taxicab market tends to coincide with the location of these activities. The concentration of taxicab service in zones containing important business, government and economic activity centers, follows market forces. Zone boundaries, themselves, do not necessarily encourage interior service. However, a zone boundary system, coupled with a specific rate structure, could affect demand patterns which in turn would affect taxicab service.

The implication from the above discussion is that there are disparities in the availability of taxicab service to District residents who reside in various zones. Because taxicab service is concentrated in downtown areas, outlying areas of the city are not as fully served.

Based on recent consumer and taxicab driver surveys, there are indications that disparities in availability and service exist among various subzones.

Most of the consumers (68 percent) in high demand subzones felt that service and availability of taxicabs was good. On the other hand, only 18 percent in low demand

subzones felt service and availability was good. For taxicab dispatch service, 53 percent of consumer respondents living in low demand areas felt that they had to wait fifteen minutes or more for a taxicab compared to only 16 percent of respondents in high demand areas. Further, 29 percent of the consumers living in low demand areas felt that taxicabs were easy to hail in their neighborhoods compared to 81 percent of consumers living in high demand areas.

Most of the drivers (about two-thirds of the surveyed drivers) stated that they do not like to cruise in low demand subzones. This taxicab driver behavior follows logical market forces. It is obviously more profitable for the taxi driver to cruise high demand areas than low demand areas. However, the low level of taxicab service and availability in so called 'low demand areas can lead to the expectation by the residents that taxicab service will not be available when needed. Consequently, this low expectation may result in residents, who might otherwise choose taxicab service, choosing another mode of transportation. This low level of service may lead to low demand. In other words, there may be a potential market that drivers themselves are diminishing as a result of their hacking pattern.

The causes of poor service and availability of taxicabs for low demand subzones are not difficult to ascertain. The economics of taxicab operation require the high probability of

return fares, and by definition, low demand subzones do not meet that probability. The JMC study of the District's taxicab system states: "...Drivers can make a better profit on the individual trip which originates in the subzones identified as low demand, but then lose that profit in time spent in search of a new fare in an area where the probability of such a fare is very low." The same report also states that service and availability in low demand areas will continue to be only average or poor unless new economic incentives are developed.

#### 4.1.6 Taxicab Service:

Taxicab service problems clearly exist in the District of Columbia. The key indicator is that there are between 500 and 750 formal complaints registered annually according to the D.C. Hacker's Office. These figures represent a small portion of actual areas of contention between drivers and consumers; according to the Consumer Survey in the JMC report, fewer than 4 percent of disagreements are formally registered.

There are two major categories of complaints. The first category includes rates, fares, and charges. JMC's Consumer Survey showed that over 55 percent of respondents felt that they had been overcharged for a taxicab ride. The second category is consumers being refused service by a taxicab driver when the taxicab was empty and available. As many as

47 percent of all respondents in JMC's Consumer Survey reported that they had been refused taxicab service. Moreover, a majority of the drivers in JMC's Driver Survey admitted that they have refused, at some time, to pick-up street hailed fares.

An area which deserves special scrutiny is the interstate taxicab trips -- particularly the trips to National and Dulles Airports. Numerous cases of fare overcharge have been reported in local newspapers. Recently, reporters from the Washington Post took ten survey trips at different times from National Airport to the Shoreham Hotel. On every one of the ten trips the reporters were overcharged up to \$7.40 per ride. The article documents case after case of overcharging incidents. ("Taxi Fare From Airport Defies Reasonable Guess", The Washington Post, December 22, 1981).

The cause of overcharging problems in interstate trips may be due to the confusion and flexibility in the method of computing the trip fare which is based on taxicab odometer readings. One suggestion to counter this overcharging problem on interstate trips is to require a more prominent display of the fare schedule for interstate trips. The drivers should also be required to inform the passenger of the odometer reading before the commencement of these trips.

Another area of complaint is discrimination by taxicab drivers in servicing areas of low demand such as areas east of

the Anacostia River. (see zone map) For these areas, in addition to the problems of low demand, there is also a widely perceived safety problem for taxicab operators. The safety issue is related to crime against hackers. A January, 1980 report by the Mayors Task Force on Taxicab Driver Concerns ("Taxicab Driver Security in the District of Columbia: Findings and Recommendations") states: "Two-thirds of all drivers surveyed (65%) are currently so concerned for their personal safety that their concerns have affected their methods of hacking. They either do not hack at all during certain times of the day or week, do not hack in certain parts of the District, or avoid certain types of passengers. The remainder of the survey respondents (35%) were concerned about their personal safety but reported that these concerns did not affect their usual hacking methods".

A survey by Jack Martin and Company (JMC) indicates that two-thirds of the drivers surveyed do not like to cruise for fares in certain subzones because they fear for their safety. The consensus of drivers is that these are areas east of the Anacostia River. Therefore, drivers selectively discriminate in the degree of service that they offer to these consumers.

There have also been frequent charges of discrimination against blacks and females in the provision of taxi services. While some taxi drivers have claimed fear of crime as a reason for withholding services from black males, some prominent

blacks, including members of Congress, D.C. City Council, and the media have been victimized by this practice. Another "rationale" for discriminatory services has been a group classification, by drivers, of blacks and females as "poor tippers". This type of discriminatory service is in violation of D.C. taxi regulations.

Consumers do have a recourse against taxi drivers-- a complaint can be submitted. Complaints must be received in writing by the D.C. DOT, signed by the complainant, stating his or her telephone number. The complaint must be received within 30 days of the incident. If a hearing is required, failure of either the complainant or the driver to appear at the hearing causes the absentee to lose the case. If judgement is against the driver and a fine is imposed, he or she has 30 days to pay the fine. (In 1982, the D.C. City Council authorized the HLAB to impose fines up to \$300). An adverse judgement also may result in the suspension or revocation of a driver's license.

A major problem of the complaint process is the processing time. The process can take more than 4 months. A speedier process is needed. A hearing should be held on all complaints within two weeks. Another possible problem is the requirement for all parties to appear; out-of-towners cannot effectively complain without a special trip to the District. An "on-the-spot" complaints procedure, which permits a

complainant to go directly to an agency to lodge complaints, should be examined. An expeditious complaints procedure is an important vehicle to stifle noncompliance of regulations by the taxicab drivers, and to assure public confidence in the enforcement procedures.

Another problem with the complaint process results from the different arenas in which complaints may be heard. Complaints involving overcharges, by D.C. drivers, from the airports (interstate) are heard by the Washington Metropolitan Area Transit Commission. However, WMATC does not have the authority to suspend or revoke licenses and must seek action by either the Hackers' License Appeal Board or the District Court. In 1981 the WMATC did take action against a D.C. driver by barring the driver from interstate taxi service; however, enforcement of such an order in absence of a license suspension would be difficult.

Misconduct charges which occur at the airports, being on federal property, must be resolved by the Federal Aviation Administration. At present, enforcing a banishment of a taxi driver from the airports involves arresting the offender for trespassing on federal property. To be effective, there must be coordination in the overall complaint process.

#### 4.1.7 Driver Security:

The issue of crime against taxi drivers has received high



priority in the District of Columbia. In response to the increasing robbery of drivers (49 hold-ups in two months), in 1973, the Metropolitan Police Department assigned four officers to cruise the city as cab drivers in high risk areas in an effort to catch criminals.

In 1976 the taxi industry began participating in a new crime fighting program whereby taxi drivers agreed to report crimes they see in progress as well as fires, accidents, traffic malfunctions and suspicious circumstances to the D.C. police.

After a rash of hold-ups and murders of taxi drivers in 1977, the Mayor expanded police patrols into streets and alleys in the far east sections of the cities where many of the crimes were committed. In 1979, the Mayor established the Task Force on Taxicab Driver Concerns to identify major problems with the District's taxicab industry. At the time the most immediate problem facing taxicab drivers was the problem of driver security. The Task Force Final Report and recommendations were submitted to the PSC as a part of Formal Case No. 719. In response to report recommendation, taxi drivers are allowed to install warning lights on the outside of their vehicles at the owners' discretion.

#### 4.1.8 Financial Responsibility:

Taxi regulation in the area of financial responsibility

during the past decade has centered around the periodic increases in insurance premiums. Insurance limits for D.C. taxicabs are set by statute and have not changed substantially. In 1977, the D.C. City Council passed D.C. Law 1-127 "Taxicab Insurance Rate Approval Act" authorizing the Superintendent of Insurance to exercise its power to set taxicab insurance rates. Taxicabs were exempted from the 1983 "No-Fault" Insurance Provisions enacted for D.C. motorists.

The Washington Metropolitan Area Transit Commission uses the D.C. established insurance limits for D.C. taxicabs.

#### 4.1.9 Other Regulatory Issues and Concerns:

In an effort to open hack stands at several Washington, D.C. hotels, the D.C. City Council passed D.C. Law 4-89, "Taxicab Act of 1981", making it unlawful for any hotel in D.C. to exclude any District licensed taxicab driver from picking up passengers at any hackstand or other location where taxicabs are regularly allowed to pick up passengers on the hotel premises. Prior to passage of the law, several major hotels awarded exclusive contracts to service their hotels. All but two of the contracts were held by one company, Yellow Cab Company. In 1983 the Washington Hilton Hotel announced a plan to charge a \$10 monthly fee for any taxicabs using its taxicab stand. A group of taxicab drivers then petitioned the PSC to block implementation of the plan on the basis that the

fee violated the 1981 law passed by the City Council.

Consolidation of taxi regulations under one agency has been an ongoing issue in the District of Columbia. As noted earlier, the regulatory process was streamlined in 1969 with many of the scattered functions being consolidated under the Department of Motor Vehicles (now part of the D.C. DOT). However, the taxi regulatory process is still considered fragmented and confusing. There have been numerous calls to consolidate administrative, licensing and enforcement activities (including by the 1974 Mayor's Taxicab Task Force Report) under one agency, but there are differences of opinion as to which agency. The consolidation issue is presently before the D.C. City Council.

There was public concern expressed as early as 1974 on the impact of Metro on the D.C. taxicab industry. However, there have been no definitive studies on the relationship between the taxicabs and the subway. In the Planning Report for the proposed Comprehensive Plan for Washington, D.C., the city is currently considering methods for better integrating taxicabs into the public transportation system. Methods being examined include an increase in the number of taxicabs through the city; particularly at high demand locations and District Metrorail stations; "hailing stations" in areas where taxi stands are not feasible; taxi call boxes at Metro stations; and greater emphasis on taxi service at Metro stations for

current and future Metrorail operations.

#### 4.2 REGULATORS' PERSPECTIVES:

A series of open-ended interviews were conducted with public body regulators and staff involved in D.C. taxi regulation. The purpose of the interviews was to determine the local public body's perspective on problems and issues surrounding taxi regulation and coordinated mass transit, and their willingness to increase private sector participation in public transportation. Interviews were conducted with members of the D.C. City Council, the Washington Metropolitan Area Transit Commission, the Hackers License Appeal Board, and the D.C. Department of Transportation. While interviews were sought with members of the Public Services Commission, (the primary taxi regulators), they were declined since many issues pertinent to this study were presently before the Commission in Formal Case No. 719. However, the PSC's Executive Director did participate in a limited interview.

While interviews with members of different public bodies involved varying questions, the general focus of the interviews was:

- \* To determine views on the role of taxicabs in the provision of transportation in urban areas;
- \* To elicit opinions on the present regulatory structure

for taxicabs in the District of Columbia; and

\* To examine the willingness to consider alternative concepts for increasing taxicab participation in public transportation.

The view of the taxicab industry as a provider of public mass transportation is accepted as a general concept, however, with reservation. Mass transportation in the District of Columbia is viewed primarily as the service provided by Metrobus and Metrorail through the Washington Metropolitan Area Transit Authority. The perception of the role of taxicabs is as a private business providing a necessary service to the public. In the absence of reliable statistics on the actual level of taxi ridership, there is some hesitancy in considering the taxi industry as a mass transit carrier potentially approaching the service levels of the bus system. However, if the 1974 fuel allocation office estimates on taxi service levels, based on driver manifests, is at all reliable, the 275,000 daily ridership level would certainly justify the mass transit characterization of the taxi industry in D.C.

The local public body is sympathetic and concerned about the plight of the taxi driver in Washington, D.C. This has been demonstrated through the creation of the Taxi Driver Task Force by two consecutive mayors, legislative activity opening up market access to the small independent associations and drivers, and the general reluctance to enact regulations which

might create financial hardships for the independent driver. This concern for the taxi driver, however, is balanced by a sensitivity to the plight of many citizens who have had negative experiences with members of the taxi industry. The widespread problem of refusal to serve and overcharging, particularly on airport trips, have contributed to a negative public image of the taxi industry in Washington, D.C. and have cost the industry support in some arenas. However, local regulators tend to view this issue as an enforcement problem rather than one requiring extensive regulatory revisions.

The issue of consolidation of taxi regulation under one agency is seen as separate from the issue of changes in regulations. Consequently, the proposed legislation to transfer regulatory authority over taxi regulation from the PSC to the D.C. DOT addresses regulatory structure and not necessarily specific regulations which affect taxi operations in the city. There is general support for the consolidation of taxi regulation under one agency; however, which agency and the extent to which all functions are collapsible remain two areas of contention.

Restricting the number of taxicabs/drivers in the city is not considered necessary to improve taxi services. Enforcement of regulations and, perhaps, education and training are considered more likely avenues to improving service in the city. There is currently a proposal being

pushed by some members of the taxi industry in conjunction with two colleges within the University of the District of Columbia to create a Taxicab Institute for the education and training of taxi drivers in small business operations. While that proposal calls for the mandatory participation of taxi drivers found guilty of rules violations, as well as new drivers, the public body's opinion has been that a lack of knowledge of the rules is not the primary reason for violations. Rather, the system which permits drivers to violate the regulations is responsible. The greater percentage of violators are seen as part-time drivers who are not interested in hacking on a full-time basis. However, the concept of a training program as a positive rather than punitive measure is of interest.

The taxicab industry in the District of Columbia is currently able to offer a variety of services within certain constraints. However, pricing for those services is pre-determined through regulatory control. There is virtually no public support for the implementation of an open or competitive fare system in the city. The collective opinion is that such a system is not feasible in this city; it would lead to disaster in the industry with a few large associations or fleets driving the independents out of business; and it would exacerbate the discrimination and selective service problems experienced by residents in the far east sections of

the city. Given the general level of public distrust of the taxi driver to compute fares honestly, support of such fare policies would probably outrage a large segment of the city's population.

In the area of contractual services to groups or organizations, the public body is more receptive to negotiated fares between the parties involved. Presently basic contractual services are bound by the \$9.00 hourly rate set by regulation.

There is neither wide spread support for nor opposition to subscription services being offered by taxi drivers to individual residents at the approved fare levels. The public body is receptive to experimentation in this area; however, if pre-payment is involved, then enforcement problems are foreseen. At present, taxi drivers cannot offer discounted fares nor recruit for such services.

The issue of public subsidies for taxi services is viewed with reticence. There is little interest in providing direct subsidies for taxicab drivers/owners and a great hesitancy to increasing user-side subsidies beyond those which currently exist under social service programs. Expansion of taxi services for the elderly is an issue considered but left to the judgement of the D.C. Office on Aging in determining how to expend their transportation dollars. There is concern that subsidization and expansion of taxi services will adversely



affect the bus ridership levels, thereby requiring additional subsidies for buses. There is some interest in experimenting with jitney type taxi services for neighborhood transportation in some underserviced transit dependent areas in the city. However, the challenge is to offer such services with minimum or no public subsidy and minimum regulation.

The coordination of taxi services with other mass transit services in the city is a stated objective of transportation policy. However, the integration of taxi services with mass transit is seen not as the creation of jitney type services, but rather as a need to provide taxi stands, taxi stations and/or taxi call boxes at metro stations and other high demand areas. As currently designed, most city metrorail stops have no bays or access areas for taxicabs.

The concept of regionalization of taxicab regulation and operations is generally considered a good idea, but an impractical one. Unlike Dade County, Florida, the Washington Metropolitan Area is a tri-state area composed of several independent counties and cities. Currently, the metrorail system is regionally operated and controlled. However, each jurisdiction negotiates with WMATA for its own bus service. Additionally, the surrounding jurisdictions use metered taxicabs and most restrict entry, while Washington uses a zone fare system and has open entry. The current compact agreement under the WMATA is considered the optimal arrangement and one

that works well in providing for regional taxi service.

## CHAPTER FIVE

### ALTERNATIVE STRATEGIES FOR INCREASING TAXICAB SERVICE LEVELS

This chapter presents an analysis of alternative methods for increasing taxicab participation in public mass transportation in Washington, D.C. The strategies presented are not mutually exclusive and can be complementary parts of an overall program. The selection of alternatives for examination was based on existing proposals which have not been implemented but are under consideration and/or concepts which were not categorically opposed by regulators and staff involved in taxi regulation in the city.

Alternative strategies were examined using four areas of feasibility: physical feasibility - enough drivers/vehicles; operational feasibility - conflicts with other modes; institutional feasibility - constraints and/or barriers; and financial feasibility - potential costs to government. Factors for analysis were developed for each area of feasibility.

#### 5.1 CRITERIA FOR FEASIBILITY:

##### 5.1.1 Physical Feasibility:

Physical feasibility of an alternative is based on

whether there are enough vehicles/drivers to make the concept viable. Physical feasibility, therefore, is dependent on the "availability" of vehicles/drivers who are both willing and able to participate. Factors considered under physical feasibility thus include;

1. Number of Vehicles
2. Number of Drivers
3. Service Level
4. Economic Incentive
5. Perceived Level of Safety

#### 5.1.2 Operational Feasibility:

The concept of operational feasibility is based on the organizational structure required and potential conflicts with other transit services. Factors considered include:

1. Organizational Structure
2. Service Demand
3. Bus Service Availability
4. Impact on Regular Taxicab Services

#### 5.1.3 Institutional Feasibility:

Institutional feasibility addresses the issue of ease of implementation. Barriers and constraints of a regulatory, administrative and/or policy nature can block what may otherwise be a worthwhile venture. Constraints considered

include:

1. Required Changes in Regulation
2. Required Administrative Changes
3. Conflict with Public Policies

#### 5.1.4 Financial Feasibility:

Financial feasibility examines the potential costs to government for implementation, operation and maintenance. Actual dollar figures were not used as the basis of analysis. Rather, the type of cost and ongoing requirements for funding were considered. Factors analyzed include:

1. Capital Costs
2. Start-up Costs
3. Operational Costs
4. Subsidy Requirement

#### 5.2 COMMUNITY JITNEY SERVICE:

The D.C. Department of Transportation, in 1976, developed a proposal to establish a community jitney service to "improve the intro-area mobility of the transportation disadvantaged". This proposal was developed in response to the recommendations of the Transit Corridor Study (UMTA, T-09-0033-24), prepared by the Department, that such a service be established to meet present travel needs of the transit dependent that were not

being met by existing or planned public transportation services. At the time, this proposal was not signed by the Office of the Mayor. Thus, it was not submitted to UMTA for funding consideration as a demonstration project.

Subsequently, however, the community jitney proposal was entered into the record as a part of the Public Services Commission Formal Case No. 719, in August, 1982.

The community jitney proposal is a comprehensive study, though some of the data is currently outdated, on the feasibility of implementing a paratransit service which creates "better and more comprehensive taxicab service" and at the same time improves the "intra-area mobility needs of the elderly, handicapped, unemployed and low income city resident". The discussion which follows analyzes the proposed service and re-examines some of the strategies for implementation.

The community jitney proposal sets requirements for the types of vehicles and drivers eligible for participation in the program. The proposal calls for standard, four-door sedan taxicab vehicles during the demonstration period of the project (with the presumption that optimum efficiency would eventually require vehicles with a seating capacity of from nine to twelve passengers). The District of Columbia currently has 9,000 licensed taxicab vehicles. There are over 50 different associations and/or fleets representing over 20

vehicles each. Therefore, the city has an exceptionally large pool of potentially available vehicles for participation in the program. This vehicle pool is constrained, however, by the number of eligible drivers.

The jitney operators are to be selected from among licensed D.C. taxicab operators who, at minimum:

1. "Must demonstrate and express sincere interest in participating in the program;
2. Must have been a licensed, full-time taxicab operator in the District for the past two years;
3. Can have no more than one chargeable accident while hacking within the past three years;
4. Must be familiar with the project area or be willing to learn the area prior to commencing service;
5. Must have or be willing to use a radio-equipped taxicab;
6. Must have a good driving record and cannot have been convicted of any felony or serious misdemeanor for the five years immediately prior to applying to participate in the service;
7. Must attend two two-hour jitney operators' orientation seminars"; and
8. Must post a \$100 performance bond.

The present pool of taxi drivers in the city is 10,000 with estimates of 20-30 percent for full-time drivers. Using the mid-point estimate (25 percent) there are approximately

2,500 taxicab drivers potentially available for participation in the service. The minimum qualifications for participation, however, reduces that number and probably significantly. Still, there is a large pool of potentially available participants. Based upon the success of such a program, driver interests may grow with more drivers operating on a full-time rather than part-time schedule.

There are potentially enough drivers/vehicles available to provide the level of service called for in the jitney proposal. The total service capacity of the existing taxicab industry in the city is woefully underutilized. At least two other factors impact on service availability -- economic incentives and perceived safety levels.

The jitney proposal projects a potential increase of 70 percent over present taxicab revenues generated in the same area of the city. Additionally, taxi drivers would be guaranteed an hourly rate of earnings for time spent in service. Drivers would still be able to provide regular taxicab services up to the combined maximum number of hours permissible under regulations.

The proposal also calls for the active participation of the Metropolitan Police Department and the Public Vehicle Services Division of the D.C. DOT in the "day-to-day oversight" of operations, particularly those elements concerning the personal safety of drivers and/or passengers.



The organizational structure for the demonstration project calls for the D.C. DOT, through the establishment of a Jitney Project Policy Board, to assume responsibility for maintaining administrative and budgetary control; a local jitney operator (taxicab company or association), under a third-party contract, to be responsible for the day-to-day management of the jitney service; and a Jitney Operations Complaint Board to adjudicate complaints on the level and quality of service, to evaluate operator performance and to act on suggested improvements. While such an organizational structure may be necessary during the experimental operating phase, it may further fragment taxi regulatory control if adopted on a permanent basis. Performance criteria on service level, quality and complaint adjudication can be written into the jitney operator contract and existing procedures used for appeals or issues not covered under contract.

The proposed jitney service is designed to minimize conflicts with other transit modes. The service is designed to operate in areas not presently serviced by standard buses; within the project area only with no crosstown or inter-community service provided; and from 10:00 a.m. to 6:00 p.m. Tuesday through Saturday, thus avoiding the morning rush hour. While bus service in the area is provided through WMATA, the level of service cannot be modified or cut back without the express approval of the District Government.

Therefore, Section 13(c) of the 1964 Urban Mass Transportation Act is not applicable. Also, other taxicab services to destinations outside of the project area are not affected.

The service will operate primarily as a hail-a-ride fixed route taxi service. Passengers will also be able to telephone requests for pick-up at or near their point of origin and/or arrange pre-scheduled contract pick-up. Demand for services is estimated at 75 percent of service capacity. While specific ridership figures were not provided, the anticipated number of paid trips (project revenues/cost per trip) is 276,490 for the 18 month project period. This figure reflects an increase in demand from 50 percent of service capacity (36,866 trips) during the first quarter to 75 percent of service capacity by the sixth quarter (55,258 trips). These estimates are based on a project area population of 28,230 persons at a density of 19,468 persons per square mile and 47.6 percent of all households not owning an automobile. While true ridership levels cannot be determined until after a test period, the projected figures appear to be reasonable since an extensive marketing campaign is proposed to advertise the service.

A major institutional constraint identified in the jitney proposal is the need for operating authorization from either the Public Services Commission or the Washington Metropolitan Area Transit Commission. Neither the PSC nor the WMATC has

explicit authority to approve experimental service concepts. However, the WMATC according to the proposal, can issue immediate temporary operating authority for a period of up to six months (without a public hearing). While the proposal called for D.C. DOT to seek operating authority from the WMATC, the proposal was actually submitted to the PSC as a part of Formal Case No. 719.

The authorization process through PSC was projected to take nine to twelve months to complete a public hearing and rate-setting procedure. The rate-setting procedure would be necessary to approve the jitney service fare which differs from the taxi rate. However, if the demonstration phase of the program is to be limited to the use of taxicab vehicles and drivers, and if the driver compensation was set at the PSC prescribed hourly rate for taxicab services, the need for a hearing and rate-setting procedure may be negated.

The city of Baltimore, in using taxicabs to provide paratransit services, pays the taxi driver the State Public Services Commission prescribed taxi fare rate by paying the appropriate fare plus gratuity minus the amount paid by the passenger. This payment plan was adopted as an alternative to the rate-making process. The District should examine the feasibility of using such an approach in its proposed jitney service. If under an hourly service contract, the contractor determines the route, and if the route deviation is within the

PSC prescribed five blocks (the proposed deviation is three blocks) for shared ride services, then a liberal interpretation of existing regulations may permit such services. Other than the hourly rate, contractual service provided by taxicabs is not specifically addressed in the regulations. Social service agencies regularly control the origin and destination of taxi trips for agency clientele.

The special jitney light and any changes to the taxi exterior would have to be approved by the PSC.

The proposed jitney concept avoids some of the problems associated with the use of script in subsidized taxi services. While the script system was considered to solve some security and accountability problems, its operational and user perception problems were considered to outweigh its benefits. An exact cash fare set at a rate slightly higher than the off-peak bus fare was proposed as most feasible to keep operating cost down. The taxi driver would be required to, at the beginning of a new circuit, record the starting time and vehicle odometer reading on a combined manifest-receipt book. Each passenger would receive a receipt torn from the sheet and, as an incentive to request and save receipts, the passenger would be offered one free ride for every ten receipts.

In keeping with the immediate cash payment patterns of compensation for independent taxi drivers, the proposed jitney

program calls for payment to the driver within 24 hours. The driver would be required to turn in all fares collected and the manifest-receipt book at the end of each shift. The driver would be paid for the previous day's work on the following morning.

The community jitney concept meets the public policy goal, as stated in the proposed comprehensive plan for the city, of better integrating taxi service with public transportation. However, as noted earlier in this report, the collective public body is hesitant to embrace any concept requiring ongoing public subsidies.

The potential costs to government for the implementation, operation and maintenance of a community jitney service can be extensive or minimal depending on the fare levels, demand for services and operational constraints associated with the program. The proposed program calls for minimal capital costs, significant start-up and first phase operational costs, and a potential for ongoing subsidization.

To minimize the potential costs to government, the service level could be predetermined based on desired number of shifts x the rate per shift. Administrative charges as a percent of direct costs could be open to competitive bid. As presently proposed, administrative costs for project management are 47.1 percent of the direct costs and direct costs are 100 percent of maximum revenue (100 percent service

capacity). Thus, the required ongoing subsidy level would be 47 percent of direct costs at 100 percent service capacity and 96 percent at 75 percent service capacity. To become financially feasible, the fares charged need to be set at a level based on perhaps 75 percent service capacity. As service levels expand, then the proportionate subsidy requirement for administrative cost should fall.

### 5.3 EDUCATION AND TRAINING OF TAXI OPERATORS:

The taxicab industry in the District of Columbia operates primarily as a collection of small businesses organized as sole proprietorships which may or may not subscribe to taxicab associations for selective services. The 1974 report of the Mayor's Taxicab Service Task Force concluded that, given the increased number of part-time drivers, cab associations often have little interest in aiding the full-time drivers or providing quality services; their primary goal is frequently just to sell provisions to the largest possible number of taxis. Thus, the study called for the development of an orientation program at the initial licensing to provide the driver with all of the information he needs to perform his public responsibility and to clarify questions he may have concerning it. The strategy was to appeal to the "professional pride" of the taxi driver.

The appendices to the 1980 Report of the Mayor's Task

Force on Taxicab Driver Concerns contained a conceptual proposal (submitted by the Alliance of Taxicab Businessmen of Washington, D.C.) to improve public transportation; improve the taxi driver's image; maximize efficient use of resources; and acquire funding for projects to increase taxicab participation in public transportation. One major solution contained in the proposal calls for the development of educational opportunities for taxicab drivers with special emphasis on small business management, the role of the taxicab driver in the total community, means of improving the public perception of the taxicab driver, and other areas. The proposal also called for the development of publications to give the taxicab driver information on the industry and other issues affecting the industry. Earlier this year, the Mayor awarded a contract to develop informative materials for use by the taxicab industry as "ambassadors" for the city.

The Alliance of Taxicab Businessmen of Washington, D.C. further developed its concept for the education of taxi drivers into a proposal for the establishment of a self-sustaining center (Hackers' Business Education Center) within the existing structure of the Institute for Small Business Development, College of Business and Public Management, University of the District of Columbia. The basic objectives of the proposed center are: to provide non-credit, short skill courses, conferences, seminars, and workshops

designed to enhance the business skills of taxicab operators, and to provide individual counseling for taxicab operators. The objectives could be expanded to include sessions on opportunities and strategies for expanding taxicab participation in the provision of public transportation.

As the number of independent operators in the taxi industry continues to grow, the training opportunities available through company sessions or programs has decreased. Training requirements for other public vehicle operators (i.e. bus operators, rail operators) is continually recognized; yet, the taxi driver is overlooked. The "professionalization" of the taxi driver is a legitimate and worthwhile public goal. In view of declining revenues in the taxi industry in general, there is an increased need for professional development and expansion of services if the industry is to remain viable as a full-time business endeavor. Training needs to go beyond the minimum knowledge required to pass the hackers' examination.

The 10,000 taxi drivers in the District of Columbia provide a sufficient base for the establishment of the proposed Hackers' Center. The concept should be presented in a positive manner to minimize industry opposition, and to avoid labeling as a disciplinary center for wayward taxi drivers. Mandatory participation by licensed operators is probably neither a desirable nor a workable goal. However, a mandatory orientation course for new licensees, at their



expense, is both a feasible and desirable goal. Counseling courses for rules violators should be optional with strong incentives for participation (i.e. in lieu of suspension) and also at the driver's expense.

The District does not require licensing of training programs for taxicab drivers. Still, there are presently only two schools in the city, both of which emphasize the minimal knowledge necessary to pass the hackers' examination. The proposed Center would not conflict with these schools since it is designed to work with the person who has already passed the hackers' examination.

The Public Vehicle Services Division of the D.C. DOT oversees the licensing of taxi drivers in the city, subject to appeal to the Hackers' License Appeal Board. Existing regulations do not give explicit authority to the D.C. DOT to require any training of taxi drivers. Thus, imposition of a mandatory training requirement for new drivers would require a change in the taxi regulations. The HLAB does not have explicit authority to require participation in training programs. Thus, it is not clear whether a driver could be given an option of suspension or counseling. The development of a point system for violations has been recommended in previous studies and would probably work best with the training and counseling option.

The proposed Hackers' Business Education Center is

designed to be self-sufficient with fees covering operating expenses. The University of the District of Columbia, being the public university, has a low tuition cost which is particularly affordable for city residents. Potential costs to government would involve curriculum design, course development and perhaps the cost of offering the initial session(s).

#### 5.4 CONTRACTUAL AND SUBSCRIPTION TAXICAB SERVICES:

Contractual and/or subscription taxicab services both exist in the District of Columbia; however, not at negotiated prices. A decade old shared ride taxi policy coupled with a zone fare system have allowed city taxi drivers to offer group services for some time. However, those services have not been developed to the fullest potential.

The 1974 Mayor's Taxicab Task Force study recommended that the public sector provide computer assistance in identifying potential group riders to and from work and to other destinations regularly visited for taxi pooling.

There are sufficient drivers and vehicles available to offer contractual and/or subscription services in the District of Columbia. Group ride/shared ride services offer an economic incentive for drivers and security problems are minimized by the pre-arranged nature of the service.

The District government may consider the provision of a

taxi pool information service. The D.C. DOT presently maintains such a service for carpooling; therefore, the addition of a taxi pool service should not present an insurmountable problem. The demand for subscription and/or contractual taxi service is not clear. The demand for such services may be affected by the price structure. The taxi operator cannot negotiate prices or offer discounts to potential passengers. Also, the taxi driver may not "recruit" passengers for his vehicle. Thus, the availability of such services is not highly visible.

Regulatory changes would be required to allow negotiated prices for services. While the public body appears willing to allow negotiated rates for contractual services provided through organizations, there is less willingness to consider deregulating fares for individual shared ride participants. One approach for lessening the shared ride costs for subscription services may be to allow the taxi driver to apply group ride fares. Under present regulation, unless there is a common origin and destination, the shared ride single passenger rate is to be charged each rider. Since the group would be pre-formed, through not necessarily sharing the "same" origin and destination, the fare for services would be computable in advance, thus allowing cost-sharing at the discretion of the group.

The potential costs to government would be negligible or

non-existent. Any costs would derive solely from maintenance of the taxi pool service.

#### 5.5 OTHER STRATEGIES UNDER CONSIDERATION:

The stated objectives and policies for use of mass transit in the proposed Comprehensive Plan for the District of Columbia, 1983, do not specifically address taxicab usage. However, the section on objectives and policies for use of private passenger automobile does address the improvement of taxi service as it relates to reduced dependency on the private automobile, and improvements in air quality and congestion levels. The stated policy is to:

"Improve taxi service in all areas of the city to provide links to Metrobus and Metrorail, train and air terminals; explore the use of innovative transit services on key routes, not only in rush-hour periods, but also to service non-work trips."

The Planning Report to the Comprehensive Plan states that the city is examining methods for better integrating taxis into the public transportation systems. Under consideration, are an increase in "taxi-stands throughout the District, particularly at high demand locations and District metrorail stations; "... hailing stations in areas where taxi stands are not feasible; and... greater emphasis... on taxi service at metro stations for current and future metrorail operations."

## CHAPTER SIX

### CONCLUSIONS AND RECOMMENDATIONS

The taxi regulatory framework in the District of Columbia has been characterized as fragmented, confusing, and uncoordinated in various studies and newspaper articles over the past three decades. While the degree of fragmentation has decreased during that time period, there are still several agencies with authority over different aspects of taxicab operations within the District of Columbia. Some coordination activities are presently underway within the agencies, particularly in the area of complaints against drivers.

Washington, D.C., through its open entry system, has fostered the development of a large and competitive taxicab industry consisting primarily of owner-drivers. While there is a large taxi industry in the city, the substantial majority of taxi drivers (70-80 percent) operate on a part-time basis. In the absence of a minimum service hours requirement, the individual taxi drivers collectively, through their hacking patterns, determine the quantity of taxi service available to the public at any particular point in time. Still, with approximately 75 percent of the drivers operating on a

part-time basis, combined with the estimated 2,500 full-time drivers, the service capacity exceeds the levels available in most other U.S. cities of comparable size.

While there have been congressional and media calls to restrict entry into the Washington, D.C. taxi industry, those calls have generally reflected concerns about service quality. However, many of the behavioral problems associated with "poor service" are also found in major cities with restricted entry markets. Locally, overcharging, selective service, and refusal to serve are seen as enforcement problems which will not disappear in response to an arbitrarily set limit on the number of taxi licenses. There is support for combining economic incentives, through an equitable fare system, with enhanced enforcement of regulations to improve service quality.

Washington's zone fare system, as presently structured, results in cross-subsidization in fare charges. Cross-subsidization, per se, is not automatically frowned upon if designed to meet some public policy objectives. There does appear to be substantial support in the city for changing the present system; however, there are various proposals on what changes should be made. There is a lack of substantial local support for the imposition of a taximeter fare system as a solution to economic problems or overcharging. The zone system has provided lower cost services to consumers, while

allowing the taxi driver to offer shared-ride services with minimum fare computation problems.

The formulation of a "transit pact agreement" in the area has allowed some degree of tri-state or regional taxicab service. The Washington Metropolitan Area is a tri-state region with various taxi regulatory structures. The signatories to the compact agreement authorize the Washington Metropolitan Area Transit Commission to set interjurisdictional taxi rates. With the exception of one jurisdiction, the compact members have a reciprocal agreement which allows drivers discharging passengers from one jurisdiction to pick up a return fare to their home jurisdiction.

The integration of taxi service with existing mass transit systems in Washington, while a stated objective of public policy, has not been accomplished to-date. The Metrorail system is a regionally governed and operated system. There are presently few surface stations within the city where taxi stations or taxi stands could be accommodated. The present surface system design provides for bus bays, kiss and ride drop-off points and limited parking. Provisions for taxi service integration were not a part of the system as originally designed.

The Metrobus system, while operated by the Washington Metropolitan Area Transit Authority, is not truly a regional system. Each local jurisdiction sets its own service level

and contracts with WMATA to provide the specified services. The Metrobus system in Washington provides special lift bus services for the handicapped, but uses taxi services only as a back-up in the unlikely event of service failure.

The local government is currently examining strategies for increasing taxi integration with other public transportation services. There is some concern, however, that taxi service be complementary to and not in competition with existing bus services. Replacement of existing bus services with paratransit services is not currently a policy objective in the District of Columbia, although it has occurred in some suburban areas.

#### 6.1 ISSUES WARRANTING FURTHER CONSIDERATION:

1. Several aspects of taxicab regulation in the District of Columbia are currently under review. At the same time, the local government is re-examining the role of the taxicab in the provision of public mass transportation services. Thus, coordination of public policy objectives and regulatory change should be comprehensively reviewed to minimize constraints and barriers to the development of innovative concepts for integrating taxicabs with public mass transportation.
2. Consolidation of authority over taxicab operations in one agency, to the extent feasible, and coordination with that agency for non-collapsible functions should be a priority for



the District of Columbia. This concept has been proposed in taxi studies over the last three decades. Given the changing role, needs and service concepts in the taxi industry, consolidation of authority with flexibility to address changing industry requirements through administrative processes might better serve the public interest.

3. Innovative concepts for increasing taxicab participation in public mass transportation and improving service quality in general should be given serious consideration in the District of Columbia. The concepts contained in Chapter Five of this report, as well as other strategies, warrant further consideration.

4. Enforcement of taxi regulations is an area which needs closer examination under a free entry system. In cities with restricted entry and high medallion prices, the "value" of the medallion may serve as a deterrent to flagrant violations of regulations by most taxicab owners. Since, under free entry, virtually anyone who desires to enter the industry can, the public sector has an added responsibility to assure that taxicab operators who abuse the public trust are permanently weeded out of the system. The development of a point system (similar to that used for traffic tickets) for specified violations of taxi regulations should be considered in the District of Columbia.

5. Proposals for significant regulatory reforms are

currently under consideration in three different arenas in the city. The Public Services Commission is currently considering changes to the taxicab rate determination system and the shared-ride taxi policy. The D.C. City Council is examining a proposal to remove taxicab regulatory authority from the PSC and consolidating it in the D.C. Department of Transportation. The Federal Aviation Administration has circulated a proposal for the creation of a special license for hacking at the National and Dulles Airports. All proposed changes would have significant impacts on the taxicab industry in the District of Columbia.

The Urban Mass Transportation Administration should consider monitoring the taxi regulatory atmosphere and changes in the District of Columbia. The implications of the proposed changes and their effect on the District's efforts to integrate taxi services with public mass transportation should be of particular interest, both locally and nationally.

APPENDIX A

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APPENDIX B

LIST OF INTERVIEW PARTICIPANTS

Donald Anderson, Public Vehicle Services Division, D.C.  
Department of Transportation

Gary Altman, Hackers' License Appeal Board

Gregory Barth, General Counsel, Washington Metropolitan Area  
Transit Commission

Pauline Chittams, Staff, Hackers' License Appeal Board

Melvin Doxie, Executive Director, Public Services Commission

Barry Fogel, Counsel, Transportation and Environmental  
Services Committee, D.C. City Council

Harold Foster, Office of Mass Transportation, D.C. Department  
of Transportation

Betty Anne Kane, Councilmember-at-large, Chairperson, Public  
Services and Cable Television Committee, D.C. City Council

Hilda Mason, Councilmember-at-large, Member, Transportation  
and Environmental Services Committee, D.C. City Council

Jerry Moore, Jr., Councilmember-at-large, Chairperson,  
Transportation and Environmental Services Committee, D.C. City  
Council

William Spaulding, Councilmember for Ward Five, Member,  
Transportation and Environmental Services Committee

Robert O.D. Thompson, Assistant Director, Bureau of Motor  
Vehicles, D.C. Department of Transportation



# Council of the District of Columbia

## Memorandum

District Building, 14th and E Streets, N.W. 20004

724-8000

To : Members of the Council

From: Betty Ann Kane, Councilmember At-Large *BAK*

Date : June 15, 1983

Subject: Proposed Legislation

Please find attached a copy of the "Public Service Commission Jurisdiction Act of 1983". This proposed legislation was filed with the Secretary to the Council today.

The major purpose of the proposed legislation is to withdraw from the Public Service Commission regulatory jurisdiction over taxis and to consolidate taxi regulation in the Department of Transportation.

As you are probably aware, in the past both taxi industry groups and the Consumer Utilities Board have argued strongly for consolidation of taxi industry regulation in one department of government. At present the regulatory scheme is fragmented, with authority over taxis being shared by the Public Service Commission, the Department of Transportation, the Hackers Appeals Board, and the Metropolitan Police Department.

Since the Department of Transportation presently handles most if not all of the day-to-day administration of taxis, the proposed bill would simply shift rulemaking authority regarding taxis away from the Public Service Commission and vest it in the body most familiar with the taxi industry operations.

In addition the proposed bill would create a Board of Taxi Regulation composed of two members of the public, two members of the taxi industry, and one official of the Department of Transportation to make recommendations to the Director of the Department of Transportation regarding taxi industry operations, including rules and regulations, and fare and zone boundary structures. Moreover, the proposed bill sets forth policy announcements regarding the taxi industry long overdue. The policies set forth in the proposed bill include vigorous enforcement of all rules and regulations relating to taxis; the elimination of discrimination in taxi passenger service; and the maintenance of a taxi transportation system which is affordable to the populace of the District of Columbia; which fairly compensates taxi operators; and which promotes policies of energy conservation, and reduction of pollution and traffic congestion.

I believe the attached bill will make a significant contribution to the efficient regulation of the taxi industry, and will foster a better cooperative working relationship between the industry, the government, and the public of the District of Columbia.

On this basis I urge your support and invite your co-sponsorship.

BAK:RFM:pm

Attachment

RECEIVED

'83 JUN 15 P4:00

OFFICE OF THE SECRETARY  
DIST. OF COLUMBIA A BILL

Betty A Kane  
Councilmember Betty Ann Kane

David A. Clarke  
Chairman David A. Clarke

5-224 Jerry A. Moore Jr.  
Councilmember Jerry A. Moore, Jr.

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 15, 1983

Councilmember Betty Ann Kane introduced the following bill,  
which was referred to the Committee on Public Services  
and Cable Television.

To repeal Public Service Commission authority over taxicab fares,  
charges, practices, operations, and services, and for other  
purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,  
That this act may be cited as the "Public Service Commission  
Jurisdiction Act of 1983".

Sec. 2. Legislative Purposes.

The District of Columbia Council finds, determines, and  
declares:

(a) That passenger transportation by taxicab is an integral  
and important part of the public transit system within the District  
of Columbia.

(b) That it is the express policy of the District of  
Columbia government to provide for efficient and fair regulation  
of the taxi industry and that to effect this policy regulation  
of taxis shall be withdrawn from the Public Service Commission  
and shall be vested in one agency of government, namely the  
Department of Transportation.

(c) That it is the express policy of the District of Columbia government in furthering the public interest in taxi transportation that vigorous enforcement of all rules and regulations relating to taxis be undertaken.

(d) That it is the declared policy of the District of Columbia government that discrimination in taxi passenger service be eliminated, and that quality and maximum service to all sections of the District of Columbia be provided.

(e) That it should be, and is declared to be, the policy of the District of Columbia to maintain a taxi transportation system which is affordable to the populace of the District of Columbia; which fairly compensates taxi operators; and which promotes policies of energy conservation, and reduction of pollution and traffic congestion.

Sec. 3. Definitions.

For purposes of this act the term:

(1) "Board" means the Board of Taxi Regulation as established by this act.

(2) "Department" means the Department of Transportation of the District of Columbia.

(3) "Director" means the Director of the Department of Transportation of the District of Columbia government.

(4) "Taxi" or "Taxicab" means a passenger vehicle for hire designed to carry 8 passengers or less, excluding the driver, and which is licensed pursuant to D.C. Code, sec. 47-2829 (d) to engage in the common carriage of the public.

(5) "Taxi operator" means an individual licensed to operate a taxi by the District of Columbia government.

Sec. 4. Director of the Department of Transportation to Regulate Taxicabs.

(a) The authority to regulate taxicab operations, practices, services, fares, and charges for transportation of passengers by taxicab within the District of Columbia is vested in the Director of the Department subject to the requirements contained in this act.

(b) The Director shall issue rules which are necessary to promote and protect the public interest in taxi transportation and which are necessary to carry out the policies and purposes of this act. All rules shall be issued by the Director in accordance with this act and the requirements of Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1201; D.C. Code, sec. 1-1501 et seq.)

(c) All fares and charges for taxi service within the District of Columbia, including any change in the configuration of zone boundaries of the taxi system, shall be established by the Director after notice and formal hearing.

(d) All fares and charges for taxi service shall be just and reasonable.

Sec. 5. Existing Taxi Regulations to Remain in Effect Until Amended or Repealed by the Director.

Until amended or repealed by the Director pursuant to the procedures prescribed by this act, all regulations relating to taxicabs contained in Chapters III, IV, VI, and VII of Title 15 of the District of Columbia Municipal Regulations, as amended, shall remain in effect.

Sec. 6. Board of Taxi Regulation - Established; Selection; Structure; Compensation; and Staff.

(a) There is established within the Department a Board. The Board shall be composed of 5 members, 2 of which shall be members of the general public having no interest in a taxi company or association and who neither own nor operate a taxi within the District of Columbia; 2 of which shall be members of the taxi industry either by owning or operating a taxicab within the District of Columbia; and 1 of which shall be an official of the Department.

(b) Except for the Board member who is an official of the Department, and whose appointment shall be automatic upon designation by the Director, members of the Board shall be nominated by the Mayor and shall be appointed with the consent and advice of the Council. The Mayor may remove any Board member for good cause. All members of the Board shall at all times be residents of the District of Columbia. The term of members shall be for 4 years.

(c) The Board member who is an official of the Department shall be chairperson of the Board, and shall preside over all Board proceedings.

(d) Board members may be compensated on a per diem basis. The chairperson of the Board shall receive no compensation other than that received as an official of the Department.

(e) The Director shall designate from within the Department such staff and personnel at such times as is reasonable and necessary for the Board to discharge the duties imposed by this

act. The Director shall also provide such office and meeting space as is necessary from time to time for the Board to discharge its duties.

Sec. 7. Board To Make Recommendations to the Director.

(a) The Chairperson shall convene the Board once a year and shall hold as many meetings as necessary to make an annual recommendation to the Director regarding changes in the rules and regulations of taxis, and changes in taxi system fares, charges, and zone boundaries.

(b) The Director shall request the Board to consider and include in its annual recommendation any rule or regulation proposed by the Director. Except in emergency situations calling for immediate implementation to protect public health and safety or the interest in public transit, the Director shall receive the annual recommendation of the Board prior to proposing any change in existing taxi rules or regulations. Any emergency rule promulgated by the Director shall be effective for no longer than 120 days.

(c) Prior to making its annual recommendation the Board shall hold at least one public hearing on the operation, practices, services, fares, charges, and zone boundaries of the taxi system of the District of Columbia and shall receive public testimony and written comments. All public testimony and written comments shall be forwarded to the Director along with the annual recommendations of the Board.

(d) In its first annual recommendation the Board shall consider and make recommendations to the Director regarding the following:

(1) Improvement of the existing fare structure and zone system to make its operation more equitable for the public and taxi operators;

(2) Improvement, including reorganization, of existing enforcement mechanisms and complaint procedures to assure effective and even-handed regulation of taxi operators and to assure proper service to all sections of the city;

(3) Creation of a mandatory industry-wide membership association for purposes of industry self regulation which shall include disciplinary action for members who are regulation violators; and which shall implement career development programs; public liaison programs; and programs for improvement of taxi industry/police relationships and communications and which shall utilize the taxi-industry in the prevention and detection of crime; and

(4) Development of programs in coordination with the District of Columbia government for the maximum utilization of taxis in times of public crisis or disaster.

Sec. 8. Amendments and Repealers.

(a) The definition of "common carrier" as contained in An Act making appropriations to provide for the expenses of the District of Columbia for fiscal year ending June 30, 1914, and for other purposes, approved March 4, 1913 (37 Stat. 975; D.C. Code, sec. 43-211) is amended to read as follows:

"The term 'common carrier' when used in Chapters 1-10 of this title includes express companies and every corporation, street railroad corporation, company, association, joint-stock company or association, partnership, and person, their leasees, trustees, or receivers, appointed by any court whatsoever,



owning, operating, controlling, or managing any agency or agencies for public use for the conveyance of persons or property within the District of Columbia for hire. Taxicabs, steam railroads, express companies subject to the jurisdiction of the Interstate Commerce Commission, the Washington Terminal Company, and the Norfolk and Washington Steamboat Company, and all companies engaged in interstate traffic upon the Potomac River and Chesapeake Bay and the Washington and Old Dominion Railway, excepting as to the regulation of its operation inside of the District of Columbia, and the Washington-Virginia Railway Company, excepting as to the regulation of its operation inside of the District of Columbia, are excluded from the operation of Chapters 1-10 of this title, and are not included in the term "common carrier"

(b) Paragraph 31(d) of An Act to amend section 7 of an Act entitled "An Act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903 and for other purposes", approved July 1, 1902, and for other purposes, approved July 1, 1932 (47 Stat. 556; D.C. Code, sec. 47-2829(d)) is amended to read as follows:

"(d) Owners of passenger vehicles for hire, whether operated from a private establishment or from public space, other than those licensed under subsections (b) and (c) of this section and under subsection (h) of this section, shall pay a license tax of \$25 per annum for each such vehicle used in the conduct of their business. Stands for such vehicles upon public space, adjacent to hotels or otherwise, may be established in the manner provided in sec. 40-703. The Public Service Commission is hereby authorized to make and enforce all such reasonable and usual

police regulations as it may deem necessary for the proper conduct, control, and regulation of all vehicles described in this and the preceding subsections and sec. 47-283 except taxicabs shall be subject to the control and regulation of the Director of the Department of Transportation. Licenses issued under this subsection shall date from April 1st of each year, but may be issued on or after March 1st of such year: Provided, however, that all licenses issued for a period prior to April 1, 1940, shall expire on March 31, 1940, and the license fee therefor shall be prorated accordingly.

(c) Paragraph 31(f) of An Act to amend section 7 of an Act entitled "An Act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903 and for other purposes", approved July 1, 1932 (47 Stat. 556; D.C. Code, sec. 47-2829(f)) is amended to read as follows:

"(f) All vehicles licensed under this section shall bear such identification tags as the Council of the District of Columbia may from time to time direct; and nothing herein contained shall exempt such vehicles from compliance with the traffic and motor vehicle regulations of the District of Columbia, nor shall it deprive the Public Service Commission of the District of Columbia from assuming control over vehicles not expressly exempted, under such regulations as the Public Service Commission may from time to time adopt and promulgate: Provided, that nothing contained in this chapter shall be construed so as to diminish the powers conferred on the Mayor of the District of Columbia under the provisions of Chapter 3 and 11 of Title 40, nor to diminish the powers conferred on the Public Service Commission of the District of

Columbia by said chapters and by Chapter 4 of Title 43 creating the Public Service Commission.

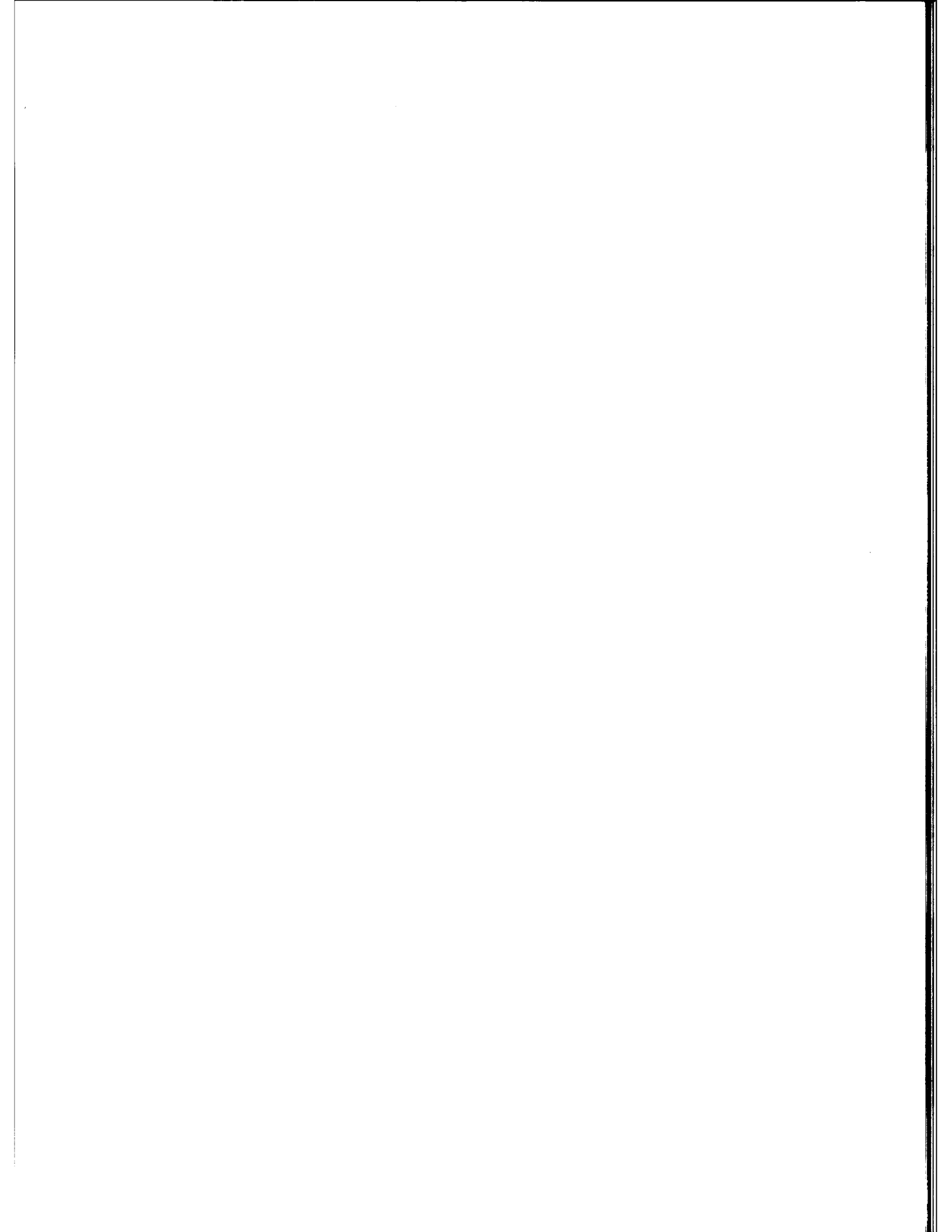
(d) An Act to provide that all cabs for hire in the District of Columbia be compelled to carry insurance for the protection of passengers, and for other purposes, approved June 29, 1938 (52 Stat. 1233; D.C. Code, sec. 44-301 et seq.) is amended by adding the following language to the end thereof:

"All of the conditions and requirements of this Chapter shall be applicable to passenger vehicles operated as taxicabs, except that the Director of the Department of Transportation shall enforce the provisions of this Chapter as regards taxicabs, and shall make all reasonable rules and regulations regarding the insurance of taxicabs which are necessary to make effective the purposes of this Chapter."

(e) The following provision of An Act making appropriations to provide for the expenses of the government of the District of Columbia for fiscal year ending June 30, 1910, and for other purposes, approved March 3, 1909 (35 Stat. 724; D.C. Code, sec. 1-314) is repealed:

"The Mayor of the District of Columbia is authorized and directed, after due investigation to prepare and put in immediate operation, subject to change from time to time, a reasonable scale of charges by cabs, taxicabs, and public vehicles, for the transportation of passengers in the District of Columbia, and the tariffs so prepared shall be the maximum charges that may be collected in the District of Columbia. The said Mayor is hereby empowered to prescribe the penalty or penalties for violation of any charge fixed by him."

(f) The following provision as contained in a Joint



Resolution Authorizing the Commissioners of the District of Columbia to locate a cab service, and for other purposes, approved June 7, 1898 (30 Stat. 747; D.C. Code, sec. 1-313) is repealed:

"The Mayor of the District of Columbia is authorized to locate, on the streets or parts of streets adjoining the stations of any railroad company in the District of Columbia, a stand for cabs, carriages, and other vehicles for the conveyance of passengers to and from the said railroad stations, said service to be established by the said railroad companies. The rates of charges for the service to be rendered by the said railroad companies shall be fixed by the Mayor of the District of Columbia."

Sec. 9. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act. approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)).

APPENDIX D  
CHAPTER III - TAXICABS

300.1 - These regulations shall apply to the operation of every taxicab licensed in the District of Columbia while being operated as a taxicab.

\*But see Sec. 1-1410a, D.C. Code 1967 ed. Supp.IV and Compact set out in note thereto, as to Washington Metropolitan Area Transit Commission's jurisdiction of interstate taxicab rates and minimum insurance coverage between points in the Metropolitan Area.

300.2 - All provisions of these regulations shall be liberally construed in order that the true intent and meaning of the same may be fully carried out.

300.3 - When used in these regulations, the following words and phrases shall, for the purpose of these regulations, have the meanings respectively ascribed to them as follows:

Association - A group of taxicab owners organized for the purpose of common benefit as regards operation, color scheme, or insignia.

Commission - The Public Service Commission of the District of Columbia (name changed from Public Utilities Commission to the Public Service Commission by Pub. Law 88-503, Aug. 30, 1964.)

Company - Any person, partnership or corporation owning a fleet of taxicabs having a uniform color scheme.

District or D. C. - District of Columbia.

Driver - Any person who drives or is in actual physical control of a taxicab.

Fleet - A group of twenty or more taxicabs having a uniform color scheme and having unified control by ownership or by association.

Identification Card - The license issued under section 31(e) of the License Act (Sec. 47-2331(e), D. C. Code 1967 ed.) and on evidence satisfactory to the Chief of Police that the applicant is a person of good moral character and is qualified to operate a taxicab.

Independently Operated Taxicab - Any taxicab which is not part of a fleet and which does not operate under the uniform color scheme of any fleet, company or association.

License Act - Public Law 237, 72nd Congress, 47 Stat. 550, approved July 1, 1932 sections 47-2301 et seq., esp. sec. 47-2331, D. C. Code, 1967 ed.

Operator - Any person, association, partnership or corporation engaged in the taxicab business except as a driver.

Owner - Any person having legal or equitable title to a taxicab.

Person - Every natural person, corporation, association or co-partnership.

Personal Service - as defined in section 305.5, infra.

Public Utilities Commission (PUL) - former name of Public Service Commission (see Commission, above).

Street - Any street, avenue or road designated on the Permanent System of Highways of the District of Columbia as a public thoroughfare.

Taxicab - Any passenger vehicle for hire having a seating capacity of less than eight passengers, exclusive of the driver, except ambulances, or vehicles used exclusively for funeral purposes or contract livery services or for which the rate is fixed solely by the hour.

300.4 - Section 21 of the Act of Congress approved August 30, 1964 (Public Law 88-503, 78 Stat. 620) provides: "The Public Utilities Commission of the District of Columbia established by paragraph 97 of section 8 of the Act of March 4, 1913, entitled 'An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes' (D. C. Code, sec. 43-201) hereafter shall be known as the 'Public Service Commission of the District of Columbia.' Wherever reference is made to the Public Utilities Commission of the District of Columbia in any Act of Congress, or in any compact authorized by an Act of Congress, or in any regulation or order, such reference shall be held to be a reference to the Public Service Commission of the District of Columbia."

300.6 - (a) A Hacker's Identification License may be suspended or revoked by the Hackers' License Appeal Board for violation of any provision of the following Parts of the Taxicab Regulations promulgated by the Public Service Commission: Part 305 - Rates, Fares and Charges; Part 310 - Group Riding; Part 335 - Cruising lights; Part 340 - Display of License, Rate Chart, Etc.; Signs; Ads; Part 345 - Operating Rules - General; Part 350 - Operating Rules - Personal Requirement for Drivers; Part 355 - Operating Rules - Miscellaneous; or Part 360 - Taxicab Stands. (Reg. 71-24 dated 11-29-71)

(b) Any person subjected to a violation listed in subsection (a) may file a complaint with the Director of the Department of Transportation (Director) within thirty (30) calendar days after the date of the act giving rise to the complaint. Complaints shall be in writing and shall be signed by the complainant, stating the complainant's address and telephone number.

(c) The Director shall, upon receiving a complaint, notify the responder driver of the nature of the complaint and that an answer must be filed with the Director within ten (10) calendar days following the date of notice of the complaint to the respondent driver. Upon receiving such answer, the Director shall notify the complainant of the contents or nature of the answer and shall take appropriate action to conciliate and resolve the complaint. If the Director is unable to conciliate and resolve the complaint, the Director shall, within fifteen (15) calendar days of receiving the respondent driver's answer or immediately following the failure of the respondent driver to answer the complaint within the stipulated time period, refer the matter to the Hackers' License Appeal Board, established by the Amendment of Order of the Commissioner 68-559, The Hackers' License Appeal Board, issued June 12, 1980 (M.).80-169; D.C. Code, title 1, appendix)(Board) for disposition.

(d) If the facts as alleged in any complaint filed with the Director are clearly not in violation of these regulations, the complainant shall be so notified.

(e) Where a complaint is forwarded to the Board pursuant to subsection (c), a hearing shall be held by the Board concerning the complaint not later than ninety (90) calendar days following receipt of the complaint by the Board. The Director shall send notice to the complainant and the respondent driver of the time, place, and subject matter of the hearing by certified mail, not later than fifteen (15) calendar days prior to the scheduled date of the hearing.

(f) Failure of a respondent driver to appear before the Board for a scheduled hearing shall result in a default judgment against the driver. Failure of the complainant to appear for a scheduled hearing shall result in dismissal of the complaint.

(g) Where the Board imposes a monetary fine pursuant to a hearing or default judgment, the driver shall pay the fine within thirty (30) calendar days after the date of the order of the Board, unless extended by the Board. No taxicab driver's identification license shall be renewed if any such fines remain unpaid by the driver at the time of renewal.

(h) There shall be displayed in a suitable frame on the back of the front seat of each taxicab, in such position as to be clearly visible to passengers, notice of the procedure to be followed by persons wishing to file a complaint based on violations of subsection (a).

(i) Any person who violates any of these regulations shall, upon determination of liability therefor, be subject to a civil fine not to exceed \$300, or suspension or revocation of his license, or both. Total fines imposed by the Board for violations arising from a single complaint shall not exceed \$300.

305.1 - All Charges for taxicab service provided wholly within the District of Columbia shall be in accordance with the schedule of rates established by the Commission.

305.2 - The following provisions shall govern the application of passenger rates established by the Commission:

(a) Passenger rates shall be charged for as shown in Appendix A, infra.

(b) Whenever a taxicab is occupied by only one passenger during the entire trip, the single passenger rate shall be charged.

(c) Whenever two or more passengers enter a taxicab at a common point of origin, group rates shall be charged only to those of said passengers who depart at a common point of destination. In all other cases in which two or more passengers occupy a taxicab during any trip, the single passenger rate shall apply to each passenger.

(d) As used in this section, the word "passenger" shall not include a child five years of age or younger accompanied by an

Sec. 300.6 amended by D.C. Law 4-89  
29 DCR 661-665, 2-12-82



older person. Such child may occupy a seat in the taxicab, unless the seat is needed to seat other passengers up to the designed capacity of the taxicab. At such time the child shall be carried in the arms of the accompanying older person. More than one child of five years of age or younger may be carried without charge: Provided, That each is accompanied by an older person capable of carrying the child in his arms. (as amended 3-9-65, P.S.C. Ord. No. 4900)

305.3 - The zone and boundaries set forth in the Zone and Rate Chart in Appendix A and as described in Appendix B, (both of which are hereby incorporated herein by reference) shall include both sides of the street, designated as such boundaries. Subject to such exceptions as the Commission shall make from time to time, any trip originating on a street designated as a zone or subzone boundary, or at premises having a street address on and being served by a private driveway from such street, shall be considered as originating in the zone or subzone nearest the point of destination. Any trip terminating on a street designated as a zone or subzone boundary, or at premises having a street address on and being served by a private driveway from such street, shall be considered as terminating in the zone or subzone nearest the point or origin.

305.4 Taxicab service in response to a telephone call shall be 65 cents in addition to all other charges. Dismissal of a taxicab without use, after response to a telephone call, shall be 65 cents in addition to the 65 cents for responding. Following the failure of a taxicab to respond to a telephone call within the specified time, or lacking any specified time, within 30 minutes from time of call, no charge shall be permitted if the taxicab is not engaged. (as amended 10-7-79, P.S.C. Ord. No. 7039)

305.5 - Hand baggage, trunks, personal service and hourly rates shall be charged for as shown in Appendix A, infra. A personal service is defined as any service requested by a passenger which requires the taxicab driver to leave the vicinity of the taxicab. (as amended 5-12-64, P.S.C. Ord. No. 4867, effective 5-24-64)

305.6 - Messenger service and parcel pick-up and delivery shall be at the same rate as for single passengers, as shown in Appendix A, infra. No license under General License Law is required according to D. C. Commissioner' Order 61 1750, Oct. 17, 1961, which provides: "Passenger vehicles for hire licensed under Sec. 47-2331 (d), D.C. Code, 1967, may engage in messenger and small parcel delivery service under such terms and conditions as the Public Service Commission may authorize, without obtaining a license under Sec. 47-2333, D. C. Code, 1961.

305.7 - (a) Small dogs or other small animals, when securely enclosed in a box or basket designed for that purpose and capable of being held on the lap of the passenger, any accompany a passenger without charge. Other animals not so enclosed may be carried at the discretion of the driver. A charge of \$1.00 Shall be authorized for carrying animals not enclosed. "Seeing-Eye" Dogs in proper harness and accompanied by a blind passenger shall be carried without charge.

(b) No driver who engages in shared riding, as defined in Sec. 310.1(c), shall accept a subsequent passenger accompanying any animal described in Subsection (a) above (other than a seeing-eye dog) without the consent of the prior passenger or passengers already being transported.

- 305.71 - A surcharge of 65¢ per trip shall be added to any fare and charges otherwise authorized for any trip originating between the hours of 4:00 P.M. and 6:30 P.M. on business days. For the purposes of this section, each shared ride is deemed to be a separate trip.
- 305.8 - Nothing shall be transported in any taxicab that will cause the interior of such vehicle to become soiled or offensive to passengers because of odor or appearance.
- 305.9 - Aids to handicapped passengers, such as folding wheelchairs, when accompanied by a handicapped person, shall be carried without charge. No driver shall make a personal service charge for loading or unloading these devices into or from the taxicab.
- 305.10 - There shall be displayed on the back of the front seat in a suitable frame in each taxicab so as to be available for inspection by the passengers, the chart of zones, zone charges, and other charges established by the Commission.
- 305.11 - There shall be displayed and maintained in good condition on both of the rear side windows or both of the windows of the rear doors or on the extreme ends of a "wrap-around" rear window in such a manner as to be seen from the side on the exterior of each taxicab, signs giving a description of the rates established by the Commission, the said signs to be identical in all respects with Appendix C to this section. In addition, a sign may be affixed to the reverse side of the above sign describing interstate rates as required by the Washington Metropolitan Area Transit Commission.
- 305.12 - Any taxicab driver may in his discretion demand payment in advance of the rendering of any service in accordance with the rates and charges established by the Commission.
- 305.13 - Every taxicab driver when requested by a passenger to do so shall give a receipt showing his name, identification card number, tag number, the time, date, and place of origin and destination of the passenger's trip, and the amount of the fare. In the case of messenger or parcel delivery service, the receipt shall describe the article or articles to be carried. For every receipt issued, there shall be a carbon duplicate retained by the driver for a period for three months.
- 305.14 -

This Section was repealed by Act 3-311  
(27 DCR 5636, 12/26/80)

305.15 - (a) In periods of snow emergency, as declared by the Public Service Commission, group riding (see Part 310 for definition, etc.) shall be authorized at the discretion of the driver. The fare during such snow emergencies shall be the applicable single passenger fare for each person riding in the taxicab. Note: There shall be no change in any other charge authorized by the Taxicab Regulations.

(b) Snow emergency fare periods shall begin at such times as the Public Service Commission makes a public announcement that snow emergency fares are authorized. The Commission will make such an announcement when it is informed by the Department of Highways and Traffic that it has been necessary to dispatch snow plows. The commission may also make such an announcement under the following conditions:

(1) It is snowing and there has been a significant accumulation of snow on the streets.

(2) The Metropolitan Police Department and the Department of Highways and Traffic have informed the Commission that hazardous driving conditions exist throughout the city.

(3) Additional accumulation is predicted of such significant proportions that hazardous driving conditions are expected to persist for at least 12 hours.

(c) The public announcement will be promulgated by the news media in accordance with established procedures. The snow emergency fare may be charged only to passengers who enter the vehicle after the time at which the fare becomes effective. Snow emergency fare periods shall end automatically twelve hours after they are declared in effect unless the District of Columbia Public Service Commission decrees during the first twelve-hour period that the snow emergency fare shall be effective for an additional period fixed by the Commission. If the commission does extend the original snow emergency fare period, its decision will also be promulgated by news media. The Commission's decision whether to extend the snow emergency fare period will be made in consultation with the Department of Highways and Traffic. The original period will not be extended if the actual snowfall has ceased and the main thoroughfares of the District of Columbia are readily passable to properly equipped motor vehicles. Announcements concerning the snow emergency fare period will be disseminated to all news media and to the Metropolitan Police Department.

(d) Each taxicab driver must check regularly, during periods when the snow emergency fare might be in effect, with news media, or with the Metropolitan Police Department, or with the Commission, to determine whether the snow emergency fare is authorized.

(e) Whenever the taxicab driver is to charge the emergency fare, the driver shall inform the passenger immediately upon his entering the

cab that special snow emergency fares are in effect and explain the fare briefly. In addition, during snow emergency periods, there shall be prominently displayed on the back of the front seat of the taxicab, and pointed out to the passenger by the driver, a sign in size and form prescribed by the Commission, which reads as follows:

#### SNOW EMERGENCY FARE

DURING SNOW EMERGENCY PERIODS, AS DECLARED BY THE PUBLIC SERVICE COMMISSION, EACH PASSENGER SHALL PAY THE APPLICABLE SINGLE PASSENGER FARE INDICATED ON THE FARE SCHEDULE. BEGINNING AND END OF SNOW EMERGENCY PERIODS WILL BE PUBLICIZED ON RADIO, TELEVISION OR IN NEWSPAPERS.

IF DISPUTES ARISE, PASSENGERS SHALL PAY FARE STATED BY THE DRIVER AND AND DRIVER MUST FURNISH A RECEIPT. PASSENGER SHOULD CALL 727-5401 OR 727-5402 and 727-6599 ANY WEEKDAY BETWEEN 8:15 A.M. AND 4:45 P.M. FOR ASSISTANCE IN (1) DETERMINING WHETHER SNOW EMERGENCY FARE WAS JUSTIFIED AND (2) OBTAINING A REFUND IF APPROPRIATE.

(f) Each taxicab driver shall maintain in his cab an adequate supply of snow emergency receipt forms, in size and form prescribed by the Commission, and shall furnish such a receipt, fully filled out, to any passenger requesting it. Whenever a passenger is given a receipt, the driver shall indicate that fact on his manifest by putting the letter "D" (for "Disputed") after the amount of the fare.

(g) The following procedures shall govern the disposition of disputed fares:

(1) The sign required by Paragraph (d) above and the receipt form required by Paragraph (e) above shall provide the passenger with the telephone number of the Public Service Commission.

(2) Upon calling the Commission, the passenger will be informed, upon the basis of the information contained on the receipt, whether the snow emergency fare was justified.

(3) If the fare was not justified, the passenger will be instructed to place his name and address on the back of the receipt and mail it to the Commission.

(4) The Commission will validate the receipt by stamping it and will forward it (i) in the case of members of fleets or association, to the applicable fleet or association and (ii) in the case of independent taxi owners, to the insurance company which insures the taxicab.

(5) When a fleet or association receives a validated receipt form from the Commission, such fleet or association shall have the duty of (i) collecting the amount shown from the driver involved when that driver next is issued an insurance sticker; (ii) forwarding that amount forthwith, by first class mail, to the passenger whose name is shown on the receipt and (iii) informing the Public Service Commission by mail or phone that the refund has been sent.

performed by the fleet or association under subparagraph (5) above shall be performed by the company insuring the taxicab in question. Said insurance company is authorized to collect an additional \$.25 from the driver involved for each fare refunded to reimburse it for its expenses.

(7) It shall be the duty of each taxicab driver to pay to the fleet, association, or insurance company, as the case may be, on demand by the said fleet, association or insurance company the amount shown on a snow emergency fare receipt validated by the Public Service Commission.

305.16 - (a) When the driver does not have available sufficient currency that he will be able to change a large bill presented to him in payment of the fare, the driver may, if he chooses, inform the passenger of that fact while en route to the passenger's destination, and ask whether change will be required. If the passenger states that such change will be required, the driver shall stop en route and provide an opportunity to change the bill in question. No charge for such stop shall be permitted.

(b) If the driver has informed the passenger of his lack of change, as set forth in paragraph (1) and the passenger, without notification, presents the driver at his destination with a bill requiring change which the driver is unable to provide, the driver may charge \$.50 for going to obtain change and returning to the passenger's original destination.

(c) In no other circumstances may a charge be imposed for deviations or stops required in order to obtain change.

(d) This regulation is not intended either to impose a requirement that a certain amount of change be carried by the driver or to excuse the driver from carrying change. The driver's responsibility is to provide a high standard of service to his passengers and part of that service be providing a reasonable amount of change. The amount of change to be carried must be determined by each driver on the basis of his own judgment and experience and the dictates of safety. The regulation is intended only to cover those situations in which the driver finds he is actually unable to change a bill offered to him.

305.17 Owners, operators and drivers of every taxicab (as defined in Sec. 300.3) operated in the District of Columbia, may display on the outside of a taxicab or other vehicle for hire, the universal "No Smoking" sign; provided, that said sign shall not exceed six (6) inches in diameter. Whenever said sign is displayed, the owner or operator of said taxicab may request of any passenger to refrain from the carrying or smoking any lighted cigar, cigarette or pipe.

310.1 - (a) Individual riding is the transportation of a single passenger for an entire trip.

(b) Group riding is the transportation of two or more passengers whose trip has a common point or origin and a common destination.

(c) Shared riding is the transportation of two or more passengers whose trips have either a different point or origin or a different destination.

Amended by Rulemaking  
DCR 27, 7-11-80

- 310.2 - (a) Group riding is permitted at the discretion of the group at all times. No driver shall refuse to engage in group riding at any time.
- (b) Shared riding, subject to the provisions of Sections 305.7 (dogs and small animals), 310.3 (general limitations on shared riding), and Section 310.4 (shared riding at railway terminal), is permitted at the reasonable discretion of the driver at all times, having due regard for special circumstances or need of the first passenger or group of passengers to board the taxicab.
- 310.3 - (a) Upon taking on a passenger the general direction of the destination of the first passenger shall determine the general direction of that particular trip. Thereafter, other passengers whose destinations lie generally in that direction may be taken on to the extent of the designed capacity of the taxicab: Provided, however, that after the first passenger has entered the taxicab and his destination has been determined, a deviation of more than five city blocks from the direct or most normally traveled route to the first destination is not permitted for the purpose of engaging in shared riding: Provided further, that an extension of the trip on the same direct route to carry other passengers to their destination shall not be considered to be such a deviation. All passengers shall be discharged in the order of the arrival at their respective destinations. In the event any question arises as to the order of arrival at any destination, the question shall be resolved in favor of the passenger who entered the taxicab the earlier.
- (b) At such times when shared riding is permitted and a taxicab has taken on a passenger, the taxicab will depart without undue delay. No taxicab driver shall delay such a departure for more than two minutes for the purpose of securing additional passengers.
- 310.4 - (a) Shared riding, as defined in Section 310.1(c) shall be permitted at the railway terminal at such times as are determined to be necessary to achieve adequate service by a starter employed or authorized by the company owning the railway terminal property. The starter shall control shared riding in all taxicabs coming upon the private property of the railway terminal to take on passengers.
- (b) At the railway terminal, the starter shall have the sole authority to determine when a taxicab shall depart after taking on passengers except that after an initial passenger has been taken on, the starter shall not delay departure of the cab for more than two minutes for the purpose of securing additional passengers.
- 311.1 - Once the destination of the first passenger or first group of passengers to enter a taxicab has been determined, the driver may display a sign on his windshield which indicates either the general route in which he will be traveling, or the general location towards which he will be traveling.
- 311.2 - No driver shall display any sign indicating the direction in which he is traveling or the locations towards which he is proceeding until such time as a passenger has occupied the taxicab and the passenger's destination has been determined.

- 311.3 - All directional signs displayed pursuant to this section shall be displayed at the bottom of the right half of the windshield so as to not obstruct the driver's vision. These signs shall be uniform in size and lettering. The letters shall be a minimum of two inches in height.
- 315.1 - An association shall maintain no less than 20 taxicabs in operating condition.
- 315.2 - A company shall own and maintain in operating condition no less than 20 taxicabs.
- 315.3 - Every association shall file with the Commission in addition to other data required by law:
- (a) Annually on June 15, and at such other times as may be required by the Commission, a certificate of identity on forms provided by the Commission.
  - (b) If incorporated, a copy of its certificate of incorporation.
  - (c) By-laws and other rules and regulations relating to the organization and operation of the association and its members.
  - (d) The name and residence address of the owner of each taxicab operated by the association and the address and telephone number of the association. The make, year, serial number, and the association fleet number of all such taxicabs, all of which shall be reported on forms provided by the Commission.
- 315.4 - Every company shall file with the Commission in addition to other data required by law:
- (a) Annually on June 15, and at such times as may be required by the Commission, a certificate of identity on forms provided by the Commission. Appended to the certificate shall be a list of the officers and directors with their residence addresses.
  - (b) A copy of the certificate of incorporation.
  - (c) By-laws and other rules and regulations relating to the operation of all taxicabs under its color scheme.
  - (d) The fleet number, make, year, and serial number of all taxicabs owned by the company shall be reported on forms provided by the Commission. The name and residence address of the owner of all taxicabs operating under the company's color scheme which are not owned by it, together with the information listed in Section 315.3, supra, and the address and telephone number of the company, all of which shall be reported on forms furnished by the Commission.

- 315.5 - All changes in the data required by Part 315 shall be reported to the Commission within five days.
- 315.6 - Every company and association shall maintain an office in the District in which there shall be a telephone listed in the name of the company or association.
- 320.1 - Every taxicab, except independently operating taxicabs, shall bear on each rear door an identifying design or trade name or the name of the owner or company operating the taxicab; the word "taxicab" or "cab" (unless such word is included in the owner's name or identifying design or trade name) and the taxicab fleet number. No association may operate under any trade name using any word such as "company", "corporation", or the like, implying that taxicabs operated under that name are in common ownership: Provided, however, That an individual owner of a taxicab for which he has obtained and filed with the Commission a written authorization from a company to use its identifying design and thereon, may during the continuance of such authorization have the identifying design and name of that company painted on the taxicab for which it is authorized. There shall not be placed on or in any taxicab any lettering, identifying design, word, or symbol which has, tends to have, or may have the effect of confusing, misleading or deceiving the public. Except as to identifying designs or trade names approved by the Commission, all letters and numbers shall be Gothic in style, three inches high and of solid stroke width of 3/8 inch.
- 320.2 - No taxicab shall have a fleet number larger than the number of taxicabs in the fleet with allowance for a reasonable number of vacancies, and the fleet number shall be placed on each rear door under and apart from the insigne or trade name and on the right rear of the body of the taxicab so as to be clearly visible from the rear.
- 320.3 - No lettering other than as set forth in Part 320 shall be placed on any taxicab without the approval of the Commission.
- 320.4 - No taxicab shall bear any trade name, identifying insigne, or color scheme not previously approved for it by the Commission.
- 320.5 - An association or owner of 20 or more taxicabs may, upon approval of the Commission, use a unique or special color scheme, with or without an identifying insigne to distinguish the vehicles of such association or owner from others. No association or owner shall use such a unique or special color scheme or insigne on a fleet containing fewer in number than 20 taxicabs maintained at all times for service.
- 320.5 - An applicant for a color scheme or insigne shall submit, with his application, color samples of the paint to be used showing manufacturer's number or color card for each sample, and shall submit a drawing on a form furnished by the Commission of a top and side view of a cab showing colors, insigne and style of lettering. Immediately upon approval of the color scheme by the Commission and prior to presenting the first cab so painted for inspection, there shall be submitted to the Commission six copies of a clear and distinguishable



color photograph, not smaller than three inches by three inches, of a side view of a taxicab painted as specified, showing colors, insigne, and style of lettering.

- 320.7 - Within 60 days after approval of a color scheme and insigne, every taxicab in the fleet or association shall be painted in accordance therewith.
- 320.8 - An independent taxicab (not affiliated with an association or a fleet of 20 or more taxicabs authorized by the Commission to use a unique or special color scheme) shall have its body, exclusive of metal trim, painted either black or white. It shall have a four-inch wide sapphire blue band extending along the sides and across the rear of the vehicle at the level of the bottom of the window openings. If the wheels are not completely covered by wheel covers, such part of each wheel as remains exposed shall be painted sapphire blue. The owner of a taxicab to be painted as an independent shall, prior to such painting, submit to the Commission for its approval an application listing the basic color together with all lettering or insigne to be used thereon.
- 320.9 - Each independently operated taxicab shall have painted on the exterior of each rear door the name of the owner. Independently operated taxicabs that had a trade name or insigne approved for use on or before March 14, 1962, may continue to use such trade name or insigne. If a trade name or insigne is used, it shall be placed on the exterior of the rear doors in lieu of the name of the owner, and the name of the owner shall be painted on the exterior of each front door. The word "taxicab" shall be painted on each rear door under the name, trade name or insigne, unless the word "cab" is part of the trade name or insigne.
- 320.10 - Each independently operated taxicab shall be assigned a number by the Public Service Commission, which number shall be placed within a rectangle on each rear door, centered under the owner's name, trade name or insigne, and on the right of the rear of the vehicle so as to be clearly visible from the rear.
- 320.11 - All letters and numbers on independently operated taxicabs shall be Gothic in style, three inches high with solid stroke width of  $\frac{3}{8}$  inch. The rectangle around the number shall be  $\frac{3}{8}$  inch stroke with  $\frac{3}{8}$  of an inch between any digit and the inside edge. On taxicabs having the body painted black, the numbers, letters and rectangles shall be white; on those with the body painted white, the numbers, letters and rectangles shall be black.
- 320.12 - Immediately upon withdrawing a vehicle from use as a taxicab, the owner shall paint out all distinctive insigne or trade, association, company or owner's name, assigned number and color band, and remove the cruising light.
- 325.1 - No vehicle licensed in the District shall be operated as a taxicab without the prior approval of the Commission and without having complied with the regulations established by the District of Columbia

for the inspection of passenger vehicles for hire, and standards established by the Commission.

- 325.2 - Every taxicab licensed under section 31(d) of the License Act (Sec. 47-2331(d), D.C. Code, 1967 ed.) shall be either of the built-for-the-purpose or of sedan type, and shall be equipped with at least two doors for the entrance and exit of passengers, in addition to the door or doors which give access to the driver's seat. All passenger doors shall be so constructed that they will remain securely fastened during normal operation but may be readily opened by a passenger in case of emergency.
- 325.3 - Every taxicab shall be of good substantial appearance and be so constructed and maintained as to provide for the safety of the public and for continuous and satisfactory operation and to reduce to a minimum, noise and vibration caused by such operation. Every taxicab shall be structurally sound as to all of its parts, shall not have broken or cracked fenders or glass, and shall be painted to give reasonable protection to all painted surfaces from structural deterioration. All identifying marks on taxicabs shall be clearly legible at all times.
- 325.4 - The upholstery covering and interior lining of every taxicab, licensed under section 31(d) of the License Act shall be of a nonabsorbent, washable material. The rear cushion shall be removable. No floor mat shall be permitted in any taxicab unless it shall be made of some nonabsorbent, washable material and be easily removable, except that approved floor covering material may be cemented in place on the floor of a taxicab when the whole area of the floor is covered.
- 330.1 - No taxicab licensed under section 31(d) of the License Act (Sec. 47-2331(d), D.C. Code, 1967 ed.) shall be equipped with shades or curtains which can be manipulated in such a way as to shield the occupants or driver from observation from without the vehicle.
- 330.2 - Every taxicab in service shall be equipped with a speedometer and odometer properly installed, maintained in good working order, and exposed to view. No taxicab shall be used in taxicab service while its speedometer or odometer is not working properly or is disconnected.
- 330.3 - Every taxicab shall be equipped with a light capable of illuminating the interior of the taxicab and controlled by the operation of the doors or manually controlled by the driver.
- 330.4 - A taxicab driver may remove his taxicab from service at any time when the taxicab is disabled or faced with an emergency: Provided, That a sign "Out of Service" is displayed in the lower right-hand portion of the windshield.
- 330.5 - A taxicab may be equipped with a partition between the front and rear seats. Such partition must be so installed that it does not obstruct the vision of the driver to the rear, must be able to be opened from the driver's side, must not impede ingress and egress from the

taxicab, must not constitute an undue hazard to passengers in the rear seat in case of accident and must meet any standards promulgated by the D. C. Department of Motor Vehicles (PSC Order No. 5158, 1-14-68).

330.6 - (a) A taxicab may be equipped with "safety warning lamps." Such lamps are to be installed in such a manner that two will be in the front of the vehicle between the radiator and the grill, so that the light from these lamps will be visible to persons in front of the vehicle, and one in the rear of the vehicle so that it is visible to persons in the rear of the vehicle. The front lamps are to be installed approximately 8 inches on each side of the vertical center line of the grill. The rear lamp is to be installed as near as possible to 8 inches (but not less than 8 inches) to the left of the vertical center line of the vehicle and either 2 inches above the top or 2 inches below the bottom of the rear bumper. The lens for the lamps shall be 2 1/2 inches in diameter with a 6 candle power bulb. These lamps, when lit, shall emit a steady, non-flashing light, and shall be operated by a silent foot switch. The lenses are to be of a green color and must meet all standards promulgated by the D. C. Department of Motor Vehicles.

(b) These safety warning lamps are to be used by the driver only to summon assistance in the event that he has sound reason to believe that he is being threatened with bodily harm (PSC Order No. 5163, 2-26-68).

335.1 - Every taxicab licensed in the District shall be equipped with a cruising light to distinguish it from other vehicles. An association or owner of 20 or more taxicabs may, upon application and approval by the Commission, equip its or his taxicabs with cruising lights of a design distinctive to that association or ownership. Applications for approval of such distinctive cruising light shall describe the light in reasonable detail and shall contain a drawing or picture thereof. No taxicab shall be equipped with a cruising light which has been approved by the Commission for the use of an association or the owner of a fleet of 20 or more taxicabs, unless it belongs to a member of the association or to the owner of the fleet for which the light is approved, or the written authorization of the owner of the fleet to use its cruising light, design and trade name has been obtained and is on file with the Commission.

335.2 - Independently operated taxicabs shall be equipped with cruising lights of the design approved by the Commission and on display in its Taxicab Bureau. Independently operated taxicabs presently equipped with a cruising light of a design other than the one approved for independent taxicabs may continue to operate with such light until the taxicab is replaced.

335.3 - The cruising light of a taxicab shall be illuminated at all times when the taxicab is for hire during the hours when driving lights are required and shall be turned off when the taxicab is not for hire.

335.4 - Whenever a taxicab is responding to a telephone call or previous engagement and is displaying the "On Call" sign as provided in these regulations, the cruising light shall be turned off.

- 335.5 - Whenever a taxicab driver removes his vehicle from public service, is proceeding to a place of his own choosing without intending to take on passengers, and is displaying the "Off Duty" sign, as provided in these regulations, the cruising light shall be turned off.
- 335.6 - No taxicab shall be operated in the public service unless its cruising light is in proper working condition.
- 340.1 - The license issued under section 31(d) of the License Act (Sec. 47-2331(d), D.C. Code, 1967 ed.) shall be displayed at all times in the taxicab for which it is issued. It shall be firmly attached to the right sun visor or some other part of the right front of the interior of the vehicle so that the number of the license shall be plainly visible.
- 340.2 - The identification card issued to the driver of any taxicab licensed under section 31(e) of the License Act (Sec. 47-2331(e), D.C. Code, 1967 ed.) shall be displayed in a bracket or receptacle of a type approved by the Commission and on display in its Taxicab Bureau, and shall be located on the right half of the dash so as to be visible to any passenger in the vehicle. At all times when the driver is not in the immediate vicinity of (not more than 25 feet from) the taxicab so as to be able to keep it under immediate observation to assure himself of its proper security, he must remove his identification from the vehicle.
- 340.3 - There shall be displayed in a suitable frame on the back of the front seat of each taxicab, in such position as to be clearly visible to passengers, the taxicab zone map on which shall be shown the tag number, the association or owner's name, and the taxicab number.
- 340.4 - No advertising or advertising device shall be placed on or in any taxicab without the approval of the Commission.
- 340.5 - No signs or other matter shall be affixed to any taxicab except such as may be authorized by the Commission. This section shall in no way affect any sign, sticker, or the like required by other public authority. (See Appendix F for authorized sign showing rates to National Airport.)
- 340.6 - A taxicab may be equipped with a locked safe mounted on the floorboard next to the driver, and if so equipped, such taxicab may display a decal on the right rear door or fender consisting of letters not more than three inches stating: "This driver protected by a locked safe."
- 345.1 - No taxicab shall be driven when it is so loaded or when there is in the front seat such number of persons as to obstruct the view of the driver to the front or sides or to interfere with his control over the taxicab. No taxicab shall carry more adult passengers than the designed capacity of the vehicle, and no more children (except children under five years of age carried in the arms of an adult) than can be seated comfortably on the seats.

- 345.2 - No taxicab driver shall stop to load or unload passengers while occupying any intersection or crosswalk, or in such a manner as to unduly interfere with the orderly flow of traffic. All taxicab drivers shall pull as close to the curb or edge of the roadway as possible to take on or discharge passengers.
- 345.3 - No taxicab driver shall stop or park his taxicab adjacent to any curb except: (i) while actually taking on or discharging passengers; (ii) when occupying a designated public vehicle stand for taxicabs; (iii) when answering a call or delivering a parcel; or (iv) when not holding his vehicle forth for hire, in which event the identification card shall be removed from the taxicab and the driver shall be away from the taxicab on business of his own.
- 345.4 - Every taxicab in service shall be kept clean both inside and out, including the trunk. The inside shall be kept in a sanitary condition and shall be swept and dusted thoroughly at least once each day. The interior shall be thoroughly cleaned with a suitable cleaning solution at least once every seven days.
- 345.5 - No person shall solicit patronage for taxicabs on the public streets or public space, or within railroad, air line, or bus stations or grounds thereof, or on sidewalks adjacent thereto. (as provided by Art.4, Sec. 13(b) Police Regulations, 1955 ed.)
- 345.6 - No driver of any taxicab or any person on his behalf shall solicit for any hotel, restaurant or other establishment, or attempt to divert patronage or business from such hotel, restaurant or other establishment in any manner whatsoever.
- 345.7 - No driver shall loiter with a taxicab around or in front of any hotel, theater, public building, or place of public gathering in the District, either by stopping, except to take on or discharge a passenger, or by unnecessarily slow driving. (as provided in Sec. 40-617, D. C. Code, 1967 ed.)
- 345.8 - Taxicab drivers shall follow the most direct or usually traveled route between the origin and destination of each trip.
- 345.9 - Taxicabs licensed under section 31(d) of the License Act (Sec. 47-2331(d), D. C. Code, 1967 ed.) may engage in a pick-up and delivery service limited to messages and parcels: Provided, That such service is subordinate to their primary obligation to transport passengers. No taxicab driver shall refuse to transport any passenger while engaged in such pick-up and delivery service, unless such service fairly meets the test of an emergency (where time is of the essence) delivery. The burden of proof shall rest upon the driver to establish the emergency character of the service being rendered. Every driver who undertakes to perform such service shall complete the delivery within a reasonable time, but in no event later than three hours after receiving the item to be delivered. Such service shall be limited to the use of the front seat or front floor of the vehicle, unless the person who engages the service accompanies the articles to be

transported. If the person who engages the service does not accompany the articles to be transported, the rear compartment of the vehicle shall be reserved solely for the transportation of passengers in accordance with these regulations.

- 345.10 - No person shall be issued a license for any taxicab under Section 47-2331(d), D. C. Code, 1967 ed., for the license period commencing April 1, 1966, and thereafter, unless he shall have paid, together with the cost of such license, any outstanding assessment against him ordered by the Public Service Commission pursuant to authority contained in Sec. 43-412, D. C. Code, 1967 ed. (PSC Order No. 5039,2-25-66)
- 350.1 - No person shall drive or be in physical control of a taxicab unless he has in his possession a valid license issued to him under section 31(e) of the License Act (Sec. 47-2331(e), D. C. Code, 1967 ed.), and a valid District of Columbia motor vehicle operator's permit.
- 350.2 - It shall be the duty of the owner of a taxicab and his agent or lessee to prevent any person from driving such taxicab unless such person has in his possession a valid license issued to him under section 31(e) of the License Act (Sec. 47-2331(e), D. C. Code, 1967 ed.), and a valid District of Columbia motor vehicle operator's permit. The fact that any unlicensed person is driving such vehicle will be prima facie evidence that he is doing so with the permission of the owner, agent or lessee. In the event a driver's identification card is suspended or revoked subsequently to his receiving authority from the owner, agent or lessee to operate a taxicab, the owner, agent or lessee shall be held to have knowledge of such fact only if notice of such revocation or suspension shall have been published or given to him by the Commission or another agency of the District of Columbia.
- 350.3 - The operation of taxicabs shall be conducted in accordance with the laws of the District of Columbia and with due regard for the safety, comfort and convenience of passengers, for the safe and careful transportation of property, and for the safety of the general public. All reasonable efforts shall be made to promote such safety at all times and under all conditions.
- 350.4 - No person shall drive a taxicab for hire when not clean in dress and in person. No person shall drive a taxicab for hire while wearing shorts or "T" shirt as an outer garment. No person shall drive a taxicab for hire when not fully attired or when attired in such a manner as to give offense to the public.
- 350.5 - No person shall drive or be in physical control of any taxicab for the purpose of carrying passengers or parcels for a period in excess of 12 hours in any 24 hour period, unless the driving time is broken by a period of eight full hours of rest. No person shall drive a taxicab for any period of time which, added to the period of time he has driven any vehicle other than a taxicab, totals more than 12 hours in any 24 hour period, unless the driving time is broken by a period of eight full hours of rest. No owner of a taxicab or his agent shall knowingly permit any taxicab owned by him to be driven in violation of this section.

- 350.6 - Drivers of taxicabs shall, at all times when on duty and not engaged, furnish service on the demand of any orderly person.
- 350.7 - No driver of a taxicab shall refuse to transport a passenger while holding his taxicab forth for hire. Any taxicab occupying a taxicab stand shall for the purposes of these regulations be considered to be held forth for hire. Any taxicab being operated on the streets: (a) when not occupied by a paying passenger; or (b) when not displaying on "On Call", or "Off Duty", or "Out of Service" sign as authorized by Sections 335.3 to 335.5, 330.4, supra, 335.4 to 355.6, infra; shall for the purpose of these regulations be considered to be held forth for hire.
- 350.8 - For the purposes of these regulations, a taxicab is not considered for hire when: (a) the driver ceases to hold his vehicle out for hire and is proceeding to a place of his own choosing without intending to take on passengers, and the "Off Duty" sign is displayed in accordance with the provisions of section 350.7, supra; (b) the driver is proceeding to take on a passenger in answer to a telephone call or previous appointment, or is engaged by the hour for the carriage of passengers or making an emergency delivery of a parcel or package and is displaying the "On Call" sign in compliance with the provisions of section 355.4 supra; (c) the taxicab is loaded to the designed capacity of the vehicle; and (d) during the time when group riding is at the discretion of the passenger and a passenger occupying the taxicab has not consented to the driver's engaging in group riding, as provided in Section 310.1, supra.
- 350.9 - Every driver of a taxicab shall, upon concluding taxicab operations for the day, make a diligent search of all parts of his taxicab for property left therein. He shall report all such property of any value promptly to any police precinct station.
- 350.10 - No taxicab driver shall, while his taxicab is occupied by a passenger, smoke or play any radio other than one used for communications with his dispatcher, unless he secures the concurrence of his passenger or passengers beforehand.
- 355.1 - Every driver of every taxicab shall maintain, in ink, on a form approved by the Commission, a record of all trips made by the taxicab while under his control. This record (manifest) shall contain but not be limited to: (a) the date, driver's name, taxicab company and number; (b) time and mileage out at beginning of tour of duty; (c) time and mileage at end of tour of duty; (d) time and place of origin and time and place of destination; and (e) number of passengers and fare charged for each trip. A complete and accurate record of all information required on said form shall be kept. Each trip record shall be made immediately following completion of the trip. This record shall be kept on file and available for inspection at the residence of the driver for a period of one year. The record shall be deemed to be a public record, and the operator shall produce the record for inspection on demand to any agency of the District of Columbia Government or the United States Government.

- 355.2 - Every association, partnership, company and fleet owner shall maintain at all times in its office the name, correct residence address, and telephone number of all drivers of taxicabs owned by it or its members, including the name of the driver driving each taxicab, and shall upon request furnish all of the above information to the Commission, Office of Public Vehicle Services of the Department of Motor Vehicles, Hacker's License Appeal Board, and all other branches of the District of Columbia Government.
- 355.3 - Every person licensed under section 31(e) of the License Act. (Sec. 47-2331(e), D. C. Code, 1967 ed.) shall maintain at the Office of Public Vehicle Services of the Department of Motor Vehicles, his correct name, residence address, telephone number and the association, company or owner for which or for whom he drives. In the event of any change in the above information, the licensee shall inform the Office of Public Vehicle Services of such change within 48 hours.
- 355.4 - Whenever a taxicab is proceeding to take on a passenger in answer to a telephone call or previous appointment, or is engaged by the hour for the carriage of passengers or making an emergency delivery of a parcel or package, he shall display a sign reading "On Call". The "On Call" sign shall not be displayed unless the driver is engaged in the manner outlined in the first sentence of this rule. Whenever the "On Call" sign is displayed, the driver shall immediately enter on his manifest the time at which he went on call and the destination to which he is proceeding.
- 355.5 - Whenever a taxicab driver ceases to hold his vehicle out for hire and is proceeding to a place of his own choosing without intending to take on passengers, he shall display a sign reading "Off Duty" or "Out of Service", whichever is appropriate under these regulations, and turn off his cruising light. He shall enter on his manifest: "Out of Service" or "Off Duty," the time and location: Provided, however, That the "Off Duty" sign shall not be displayed during rush hours between 7:00 a.m. and 9:30 a.m. and 4:00 p.m. and 6:30 p.m.
- 355.6 - All "On Call", "Off Duty", and "Out of Service" signs shall be displayed at the bottom of the right half of the windshield so as not to obstruct the driver's vision. These signs shall be uniform in size and lettering, three inches by fifteen inches with letters two inches in height: Provided; That such signs may be of a manufactured type and lighted from within, and may be smaller in dimension than three inches by fifteen inches when they have been approved by the Commission.
- 360.1 - No taxicab shall be placed upon or occupy any taxicab stand except for the purpose of being held forth for hire. Taxicabs shall be placed on stands only from the rear and shall be moved forward and to the front of the stand immediately as space becomes available by the departure or movement of preceding taxicabs. When a taxicab stand is occupied to its full capacity, no taxicab shall loiter or wait nearby for the purpose of occupying space on such stand. The driver of every taxicab occupying a stand shall stay within five feet of his taxicab at all times.



- 360.2 - In the event any taxicab on a taxicab stand attempts to leave, other taxicabs on the stand shall, if necessary, move so as to permit said taxicab to leave.
- 360.3 - No person shall stand or park a vehicle other than a taxicab in a taxicab stand, except that a driver of a passenger vehicle may stop momentarily therein for the purpose of and while actually picking up or discharging passengers: Provided, That such stopping does not interfere with any taxicab about to enter the stand. No taxicab stand shall be occupied by a taxicab in violation of regulations prohibiting parking, stopping, or standing on the street on which it is located during the hours 7:00 a.m. to 9:30 a.m. and 4:00 p.m. to 6:30 p.m. or during the existence of any snow or other emergency declared under the Traffic Act.
- 365.1 - Any person who violates any of these regulations shall, upon determination of liability therefor, be subject to a civil fine or other sanctions pursuant to the District of Columbia Traffic Adjudication Act.
- 365.2 - Penalties for violations (prohibiting soliciting by taxicab) cited in Section 345.5, supra, and Section 40-617, D. C. Code, 1967 ed., prohibiting loitering by taxicab, cited in Section 345.7, supra, shall be as prescribed by Section 40-617, D. C. Code, and not according to Section 365.1.

## APPENDIX C

Government of the District of Columbia

Department of Motor Vehicles

Office of Public Vehicle Services

(as amended, C.O. 69-670, 12-24-69)

### Standards for Use in the Review of Applicants for Taxicab Licenses

The following are the preliminary qualifications a new or renewal applicant must possess (and must certify to in an application) prior to (a) taking a written examination, and (b) becoming subject to Metropolitan Police Department investigation; however, no licensee on the effective date of these qualifications shall be precluded from consideration of license issuance. Applicant must:

- (1) Be able to read, write, and speak the English language.
- (2) Be not less than 21 years of age. (A birth certificate or other authentic proof of birth date may be required of applicant who has recently passed his 21st birthday.)
- (3) Give proof of not less than one year's driving experience as a licensed driver as a civilian or member of the Armed Services, and must hold a valid D.C. operator's permit at the time of filing of application for a hacker's license. (Must display permit at proper time.)
- (4) Not be covered by diplomatic immunity.
- (5) If a veteran of the Armed Forces, present a copy of separation record or equivalent at the time of submission of application. If an "active" member of the Armed Forces, must have written permission of the appropriate commanding officer.
- (6) Having resided for at least one year within the last three (3) years immediately preceding the date of the application in the District of Columbia or the metropolitan area. If licensed, applicant shall be required to continue to reside in the District of Columbia or metropolitan area in order to maintain a valid license. For the purposes of this requirement, the metropolitan area includes the City of Alexandria, Fairfax and Arlington Counties, and the City of Falls Church in Virginia; and Montgomery and Prince Georges Counties in Maryland. Applicant may be required to furnish a sworn statement from his place of employment, landlord or other responsible business person, when there is a question as to the residence according to the regulations. Post Office boxes shall not be acceptable as a place of residence.
- (7) Not be on parole or probation, (except that such a person may apply if a letter of permission from the probation or parole officer is filed

with the application), subject to the provisions of paragraph (8) below.

- (8) Have not been convicted or served any part of a sentence within the past three years for any of the following crimes, or an attempt to commit any of the same: (1) murder, manslaughter, mayhem, maliciously disfiguring another, abduction, kidnaping, burglary, housebreaking, robbery, larceny, or any sex offense; (2) assault with intent to kill, commit any sex offense or robbery; (3) assault with a dangerous weapon; or (4) assault with intent to commit any offense punishable by imprisonment in the penitentiary.
- (9) Not have any disease or combination of diseases, or disability to the extent that it would render him unsafe, or unsuited as a driver of a public vehicle. In addition, but not limited to, applicant must be free of contagious disease, epilepsy, vertigo, fainting spells, or "blackouts" from any causes; must not be addicted to the use of drugs or be an habitual drunkard. Hearing shall be unassisted or assisted by a lens, which may not be a contact corrective lens or a telescopic spectacle lens. The applicant's certification of his past medical history and present physical condition shall be certified on the proper form not more than 30 days prior to the acceptance of the application by a reputable physician licensed in the District of Columbia, and residing within the District of Columbia or its metropolitan area.

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You will be required to certify that you can qualify under the above "Standards": and if so, material for study is available. An examination date will be set on request when you are prepared. A full face picture is required at that time.

On date of examination you will bring three new photographs of yourself, two full face and one profile; head and shoulders, without head covering, size 1 3/4 x 1 7/8 inches. Bring a pen and pencil with you.

KEEP THIS INFORMATION FOR FUTURE REFERENCE.

APPENDIX D

When two or more passengers agree before entering a taxicab to travel together as a group to the same or different destination, the fare shall be computed under the party rate.

When two or more passengers travel in a taxicab together not as a group to the same or different destinations, the individual rates shall apply to each passenger. The first person engaging the taxicab has control of the taxicab, and other persons will be allowed to use the taxicab only upon the permission of the first passenger.

III. Insurance:

Taxicab operators domiciled in the District of Columbia and engaged in interstate operations over which the Commission (WMATC) has jurisdiction shall meet the minimum insurance requirements of the District of Columbia.

APPROXIMATE TAXICAB FARE FOR ONE PERSON\*

Between	and	National Airport (Main Terminal)
CAPITAL HILTON HOTEL		\$4.70
MAYFLOWER HOTEL		\$4.70
WASHINGTON HILTON HOTEL		\$5.50
SHOREHAM HOTEL		\$6.30

\*When traveling in a group, 75 cents for each additional passenger is charged

The ACTUAL FARE will be calculated by actual odometer mileage at the rate for interstate trips established by the Washington Metropolitan Area Transit Commission, effective December 9, 1968, as posted elsewhere in this vehicle. (As authorized under PSC Order No. 5418, 1-19-70.)

## APPENDIX E

### Procedure for Obtaining A License for A Passenger Vehicle for Hire Having A Seating Capacity of Less Than Eight Passengers

(September 24, 1964)

Taxicabs and limousines (except those used exclusively for funerals) are required to be licensed under Par. 31(d) of the License Act (Sec. 47-2331(d), D.C. CODE) AT A COST OF \$25.00 a year. The license year begins on April 1st.

Forms for applying for the license (copy attached hereto) can be obtained from taxicab company or association offices or from the Taxicab Bureau of the Public Service (formerly Public Utilities Commission of the District of Columbia).

When all information required is furnished on the form, it should be presented with the taxicab to one of the Department of Motor Vehicle inspection stations (see Appendix E for standards) for inspection.

After the vehicle has passed inspection and the Inspection Station stamp has been placed on the license application form, present the form, together with properly executed Certificate of Insurance (Appendix C. Chapter IV, Title 14, DCRR) from the insurance carrier, to the Taxicab Bureau of the Public Service Commission.

If all information required on the form is correct, the vehicle has been approved by the Inspection Station and the Certificate of Insurance is in order, the Taxicab Bureau will put Public Service Commission's stamp of approval on the license application form. It can then be taken to the Department of Motor Vehicles, Office of Public Vehicle Services, 469 C Street, N.W., (C.O. 69-670, 12-24-69) where, upon the payment of \$25.00 for a full year (pro rated for less than a full year), the license will be issued.

### LOST LICENSE

In the event a license is lost or destroyed, a duplicate can be obtained by submitting an affidavit on the form attached hereto, to the Taxicab Bureau of the Public Service Commission. There is usually a notary public available in the Taxicab Bureau before whom the affidavit can be executed.

Thereafter, the affidavit can be taken to the Office of Public Vehicle Services at the address shown above, where, upon the payment of a \$2.00 fee, a duplicate can be issued.

CHAPTER IV - TAXICAB INSURANCE

- 400.1 - Section 4 of Public Law 85-792 of the District of Columbia Taxicab Insurance Act of 1958 reads as follows: "Sec. 4. The Commission is empowered to make all reasonable rules and regulations which, in its opinion, are necessary to make effective the purposes of this Act." (Sec. 44-304, D.C. Code, 1967 ed.)\*
- \*Note: The Compact by the District of Columbia, Maryland, and Virginia authorized by and set in note to Sec. 1-1410a, D.C. Code 1967 ed. provides for limited regulation of taxicabs by the Washington Metropolitan Area Transit Commission between points in the District and Maryland and Virginia within the Metropolitan Area, as follows: "(c) Notwithstanding the provisions of paragraph (a) of this section, this Act shall apply to taxicabs and other vehicles used in performing a bona fide taxicab service having a seating capacity of eight passengers or less in addition to the driver thereof with respect only to (i) the rate or charges for transportation from one signatory to another within the confines of the Metropolitan District, and (ii) requirements for minimum insurance coverage." (Art. XII, SEC. 1(c) compact.
- 400.2 - As used in these regulations, the following terms shall have the meaning respectively ascribed to them: Act--Public Law 85-752, approved August 28, 1958, sec. 44-301 et seq, D.C. Code, 1967 ed.
- Commission - The Public Service Commission of the District of Columbia (formerly Public Utilities Commission, name changed to Public Service Commission by Public Law 88-503, August 30, 1964).
- D. C. or District - District of Columbia.
- Executive Secretary - the Executive Secretary of the Public Service Commission.
- License Act - Public Law 237, 72d Congress, 47 Stat. 550, approved July 1, 1932; sec. 47-2301 et seq. esp. sec. 47-2331, D. C. Code, 1967 ed.
- Owner - any corporation, company, association, joint-stock company or association, partnership, or person, their lessees, trustees or receivers appointed by any court whatsoever, operating, controlling, managing, or renting any passenger motor vehicle for hire in the District of Columbia, except as to operations licensed under section 31(b) of the License Act, sec. 47-2331(d), D. C. Code, 1967 ed. and except such common carriers as have been expressly exempted from the jurisdiction of the Commission. (cf. 44-306, D. C. Code, 1967 ed.)
- Superintendent of Insurance - The Superintendent of the Department of Insurance of the District of Columbia, or his designated agent.
- These regulations - Public Service Commission, Taxicab Insurance Regulations (1955 edition), Title 14, Chapter IV, District of Columbia Rules and Regulations (DCRR).

Vehicle - any passenger motor vehicle for hire in the District of Columbia except vehicles licensed under section 31(b) of the License Act, (sec. 47-2331(b), D. C. Code, 1967 ed.) and except vehicles operated by common carriers which have been expressly exempted from the jurisdiction of the Commission.

- 410.1 - It shall be unlawful to operate any vehicle in the District of Columbia unless and until there shall have been filed with and accepted by the Commission evidence that such vehicle is covered either (a) by a surety bond; or (b) by liability insurance in a surety or insurance company authorized to do business in the District of Columbia; or (c) by a sinking fund created and maintained pursuant to the Act, conditioned for the payment to any person of any legal obligation of, or judgment recovered against, any owner of such vehicle, for death or for injury to any person or damage to any property, or both, arising out of the ownership, maintenance, or use of such vehicle by any person for any purpose within the United States either (a) by a surety bond; or (b) by liability insurance in a surety or insurance company authorized to do business in the District of Columbia; or (c) by a sinking fund created and maintained pursuant to the Act, conditioned for the payment to any person of any legal obligation of, or judgment recovered against, any owner of such vehicle, for death or for injury to any person or damage to any property, or both, arising out of the ownership, maintenance, or use of such vehicle by any person for any purpose within the United States.
- 410.2 - Every insurance policy, bond, or sinking fund shall be conditioned for the payment of any judgment recovered against the owner of any vehicle, the limit of liability on any one judgment to be \$10,000 for bodily injury or death and \$5,000 for damage to property, and on all judgments recovered upon claims arising out of the same subject of action the limit of liability shall be \$20,000 for bodily injury or death and \$5,000 for damage to property, to be apportioned ratably among the respective creditors according to the amount of the owner's legal obligations to them.
- 410.3 - Every insurance policy form shall be approved by the Superintendent of Insurance and by the Commission and shall be substantially in the form as shown in Appendix A.
- 410.4 - Every bond shall be in a form approved by the Superintendent of Insurance and by the Commission and shall contain a description of each vehicle covered thereby, giving manufacturer's name and number.
- 410.5 - Every insurance policy or bond shall have attached thereto an endorsement prescribed by the Commission and shall be made in the form as shown in Appendix B.
- 420.1 - Should an owner elect to take out a blanket insurance policy or a blanket bond, or to create and maintain a sinking fund, such owner shall first satisfy the Commission that he is possessed of, and will continue to be possessed of, financial ability to pay judgments obtained against him.

- 420.2 Every owner creating and maintaining a sinking fund shall file with the Commission a certificate of sinking fund coverage containing a description of each vehicle covered thereby, including manufacturer's name and number, in the form as shown in Appendix E-1. All changes shall be in writing and filed promptly with the Commission.
- 420.3 - An owner who has elected to create and maintain a sinking fund may not terminate such fund except by written application to, and written approval of, the Commission.
- 420.4 - Compliance with the law shall be evidenced: (a) by depositing with the Commission, for each vehicle, a certificate of insurance in the form as shown in Appendix C and signed by the insured; or (b) by depositing with the Commission a bond issued by a company certified to the Commission by the Superintendent of Insurance; (c) or by depositing with the D. C. Treasurer (who shall serve as trustee) cash or securities of the United States Government as a sinking fund.
- 420.5 - The trustee of a sinking fund shall not be obligated to pay interest upon any funds deposited with him.
- 430.1 - Notice of cancellation of insurance or bond shall be given in writing to the Commission in the form as shown in Appendix D. A separate notice of cancellation for each vehicle shall be given on a 4" x 6" form approved by the Commission. Five days' notice of cancellation shall be given for nonpayment of premium; and 20 days' notice shall be given when cancellation occurs for any other reason. Cancellation shall be effective at 12:00 midnight on the fifth day following the date of receipt by the Commission of notice of cancellation for nonpayment of premium, and at 12:00 midnight on the 20th day following the date of receipt by the Commission of notice of cancellation for any other reason.
- 430.2 - Such notice shall be in the form as shown in Appendix E-II and shall be effective at 12:00 midnight on the 10th day following the receipt of notice by the Commission. Sinking fund coverage shall also cease when a member, authorized by the Commission to do so, has changed the colors and identity lettering on any vehicle or vehicles for operation in another association or independently, and has filed with the Commission a certificate of insurance or bond, or evidence of sinking fund coverage, if any, by the association to which his vehicle or vehicles has or have been transferred.
- 430.3 - Withdrawal of notice of cancellation of insurance or bond shall be made in the form as shown in Appendix D. A separate withdrawal of notice of cancellation for each vehicle shall be given on a 4" x 6" form approved by the Commission. Withdrawal of notice of cancellation shall be valid and acceptable to the Commission only if filed on or before the date of cancellation. If withdrawal of notice of cancellation is not filed within the time prescribed, a new certificate of insurance or bond shall be filed.



440.1 - (a) Except as hereinafter provided, no vehicle subject to the Act shall be operated in the District of Columbia without first having firmly affixed to the lower right-hand side of the windshield an official weekly insurance sticker evidencing the fact that the vehicle is covered by insurance, bond, or sinking fund. Weekly periods shall begin at 12:01 a.m. on Sunday and end at midnight on the following Saturday. The sticker for a weekly period may be attached to the windshield beginning at 6:00 p.m. on Friday preceding the week for which the sticker is valid. Each insurance company, bonding company, or organization maintaining a sinking fund shall, upon written receipt, obtain such stickers from the Commission and supply them to vehicle owners.

In lieu of such weekly stickers, insurance identification cards in the form as shown in Appendix F-1 issued by the Commission, may be carried in vehicles licensed under the provision of subsection (i) of section 31 of the License Act, as amended. Such cards shall be signed by the Executive Secretary or other official designated by the Commission, shall bear the seal of the Commission, and shall be issued for periods expiring on the expiration date of the policy. In the event of cancellation of insurance before the expiration date, the cards shall be returned to the Commission.

(b) No insurance company or bonding company shall issue an insurance sticker for any vehicle unless and until a certificate of insurance issued by such insurance company or bonding company for such vehicle is signed by the insured and on file with the Commission. No organization maintaining a sinking fund shall issue an insurance sticker for any vehicle unless and until such organization has on file with the Commission a certification that such vehicle is covered by such sinking fund.

(c) No insurance company, bonding company, or organization maintaining a sinking fund shall issue an insurance sticker for any unlicensed vehicle.

(d) Every insurance sticker shall be removed before 9:00 a. m. on the Sunday following its expiration, and shall be destroyed immediately.

(e) No insurance sticker other than one obtained from the Commission shall be displayed, except where required by public authority of another jurisdiction.

(f) Insurance stickers shall not be displayed on vehicles subject to the Act which are not actually covered by insurance, bond, or sinking fund.

(g) No certificate of insurance or surety bond shall be accepted from any insurance company or corporate surety unless there be on file with the Commission a valid and true copy of a certificate of approval issued by the Superintendent of Insurance, pursuant to Public Law 85-792, approved August 28, 1958, (secs. 44-301 et seq. D. C. Code 1967 ed.). No weekly insurance stickers or insurance identification cards shall be issued to any insurance company or corporate surety

unless there be on file with the Commission a true copy of the said certificate of approval authorized by Public Law 85-792.

(h) No insurance company, its agent, nor any taxicab company, association, nor owner of a rented taxicab shall withhold an insurance sticker for any other reason than the nonpayment of the insurance premium.

(i) In the event an insurance sticker has been lost, misplaced or stolen, the owner of the taxicab may apply to the Commission for a replacement upon filing an application in the form attached as Appendix F-2.

- 440.2 - No insurance company or corporate surety shall engage in or conduct the business of insuring or bonding any-risk arising out of the operation of any vehicle unless said company is authorized to do business in the District and is possessed of a certificate of approval issued by the Superintendent of Insurance.
- 440.3 - Every insurance company or corporate surety authorized to do business in the District shall comply with the rules and regulations pertaining to insurance companies promulgated by the Superintendent of Insurance and published in Title 33, DCRR.
- 440.4 - (a) Every owner shall give to the Commission immediate notice by telephone of each accident occurring within the District of Columbia accompanied by loss of human life or serious personal injury without loss of human life, arising directly or indirectly from or connected with the maintenance or operation of any vehicle of such owner. If such accident occurs during other than official working hours of the Commission, such notice shall be given as soon as possible thereafter.
- (b) Written reports of accidents involving loss of human life or personal injury shall be filed with the Commission by the owner within three days after the occurrence of each such accident. Such report shall be made on the form as shown in Appendix G.
- (c) Every accident attended with loss of human life or personal injury without loss of human life shall be reported immediately to the insurance carrier by the owner. All other accidents shall be reported by the owner to the insurance carrier within three days after the occurrence of such accidents.
- (d) In order to make the provisions of this section effective, every operator of a taxicab shall give immediate notice to the owner, company, partnership, or association under whose name and color scheme the vehicle is being operated, of each accident accompanied by loss of human life or personal injury without loss of human life, arising directly or indirectly from or connected with the maintenance or operation of such vehicle.

(e) Every owner shall file with the Commission before the tenth day of each month a monthly summary of all accidents which occurred in connection with the maintenance or operation of any vehicle of such owner.

450.1 - Each violation of these regulations shall be deemed a misdemeanor and upon conviction shall be punishable by a fine of not more than \$300 or by imprisonment for not more than ninety days, and/or cancellation of license. (sec. 44-307, D.C. Code, 1967 ed.)

## CHAPTER 6 PUBLIC VEHICLES FOR HIRE

### 600 GENERAL REQUIREMENTS

- 600.1 No person shall drive a public vehicle for hire in the District unless he or she has a valid identification license issued under the provisions of this chapter.
- 600.2 No owner of a public vehicle for hire shall operate or permit the vehicle to be operated in the District unless a license has been issued for that vehicle under the provisions of this chapter.
- 600.3 No person shall operate or permit to be operated any vehicle used for sightseeing purposes unless a certificate permitting that use is issued by the Director.
- 600.4 For the purposes of this chapter, the term "Director" shall mean the Director of the D.C. Department of Transportation (also referred to as the "Department" in this chapter) or his or her duly authorized agent, representative, or designee.
- 600.5 The Director shall administer and enforce the provisions of this chapter and may promulgate rules necessary for its administration, and shall prescribe and provide suitable forms required by or deemed necessary to accomplish the purposes of this chapter.
- 600.6 The Director shall maintain records which he or she may deem suitable or required to carry out the purposes of this chapter.
- 600.7 No person shall file or otherwise make any false statements to the Director pursuant to the provisions of this chapter.
- 600.8 Any person who violates any provision of this chapter shall, upon conviction, be punished by a fine not to exceed three hundred dollars (\$300), or imprisonment for not more than ninety (90) days.
- 600.9 Any order or act of the Director under the provisions of this Chapter shall be subject to review by the Hackers' Board. Application for review of any such order or act shall be made in accordance with the rules prescribed by the Hackers' Board.

### 601 ELIGIBILITY FOR A HACKER'S LICENSE

- 601.1 The Director shall not issue any license under this chapter to any person who is under eighteen (18) years of age.
- 601.2 The Director shall not issue any license under this chapter to any person who is unable to read, write, and speak the English language.
- 601.3 The Director shall not issue any license under this chapter to any person who is covered by diplomatic immunity.

601 ELIGIBILITY FOR A HACKER'S LICENSE (Continued)

- 601.4 The Director shall not issue any license under this chapter to any person who does not possess a valid D.C. motor vehicle operator's permit (See: Title 18 D.C. Municipal Regulations).
- 601.5 The Director shall not issue any license under this chapter to any person who has previously been adjudged to be afflicted with or suffering from any mental disability or disease and who has not at the time of application been restored to competency by the methods provided by law.
- 601.6 The Director shall not issue any license under this chapter to any person who is required by this chapter to take an examination unless that person has successfully passed the examination.
- 601.7 The Director shall not issue any license under this chapter to any person employed by a federal or District agency with a published or written policy that forbids the employee from operating a public vehicle for hire.
- 601.8 The Director shall not issue any license under this chapter to any employee of the Department whose employment is concerned directly with the issuance of licenses to operate public vehicles for hire.
- 601.9 The Director shall not issue any license under this chapter to any person who has not, within the three (3) years immediately preceding the date of application for a license, resided for at least one (1) year in the Metropolitan Area, and has not had at least one (1) year's driving experience as a licensed motor vehicle operator.
- 601.10 The Director shall not issue any license under this chapter to any person if the Director has good cause to believe that the applicant, by reason of physical or mental disability, would not be capable of safely operating a public vehicle.
- 601.11 The Director shall not issue any license under this chapter to any person who, in the judgment of the Director, is not of good moral character, under the standards laid down in §§601.12 through 601.14.
- 601.12 An applicant shall not be considered of good moral character if he or she is any of the following:
- (a) An habitual drunkard;
  - (b) Addicted to the use of drugs;
  - (c) On parole or probation at the time of the filing of his or her application for a license, except as provided in §601.13.
- 601.13 Notwithstanding the provisions of §601.12, if the parole or probation arose out of a conviction for a crime other than those listed in §601.14, the parolee's or probationer's application may be considered for approval by the Director if a letter from the appropriate parole or probation officer is submitted with the application stating that there is no objection to the issuance of a hacker's license.

601 ELIGIBILITY FOR A HACKER'S LICENSE (Continued)

- 601.14 An applicant shall not be considered of good moral character if he or she has been convicted of or has served any part of a sentence for any of the following crimes within the three (3) years immediately preceding the filing of the application, or is currently under an indictment for the commission or an attempt to commit any of the following crimes:
- (a) Murder, manslaughter, mayhem, malicious disfiguring of another, abduction, kidnapping, burglary, housebreaking, robbery, or larceny;
  - (b) Assault with intent to commit any offense punishable by imprisonment in the penitentiary;
  - (c) Any sex offense; or
  - (d) Any violation of the narcotic laws.

602 APPLICATION FOR A HACKER'S LICENSE.

- 602.1 Each application for a hacker's license shall be made on a form provided by the Director.
- 602.2 Each application shall set forth the applicant's full lawful name (including middle name, or names, if any), date of birth, sex, social security number, residence, and other information that the Director may require to determine the applicant's identity, competency, and eligibility, including a full statement of all criminal and traffic charges entered against the applicant in the District and elsewhere.
- 602.3 Each application shall be accompanied by two (2) new full face and one (1) profile head and shoulders photographs, size one and three-quarters inches by one and seven-eighths inches (1-3/4" x 1-7/8"),
- 602.4 Each application shall also be accompanied by three (3) sheets of fingerprints of the applicant taken at the headquarters of the Metropolitan Police Department. One (1) sheet of fingerprints shall be furnished to the Federal Bureau of Investigation (FBI).
- 602.5 Each application shall also be accompanied by individual letters from the applicant's most recent employer and from at least three (3) responsible residents of the Metropolitan Area who are engaged in a business or profession, who have known the applicant for a period of at least one (1) year, and who shall vouch for the sobriety, honesty, and general good character of the applicant. Each letter shall include the signature and current address of the writer.
- 602.6 If the applicant is a veteran of the United States Armed Forces, the application shall be accompanied by a copy of his or her separation record or equivalent.
- 602.7 If the applicant is a member of the Armed Forces at the time the application is filed, the application shall be accompanied by written permission of the appropriate commanding officer permitting the applicant to receive a hacker's license.

**603 HEALTH REQUIREMENTS**

- 603.1 Each application (including a renewal application for a hacker's license) shall be accompanied by a certificate from a physician who is a resident of the Metropolitan Area, certifying that, in the opinion of that physician, the applicant is not afflicted with any disease or infirmity which might make him an unsafe or unsatisfactory driver of a public vehicle.
- 603.2 The form of the physician's certificate shall be prescribed by the Director and may provide for such additional information relating to the applicant's past or present medical history as the Director may deem necessary.
- 603.3 The certificate shall be executed by the certifying physician within thirty (30) days of the date of filing of the application.
- 603.4 Each application (including a renewal application) shall also be accompanied by a certificate signed by the applicant on a form prescribed by the Director certifying that, to the best of the applicant's knowledge and belief, he or she has no disease or disability which would render him or her unsafe or unsatisfactory as a driver of a public vehicle. The form may provide for additional information relating to the applicant's past or present medical history or condition.
- 603.5 Each applicant shall have central visual acuity of at least 20/40 in one eye, either unassisted or assisted by glasses or contact lens, and shall have hearing of at least 10/20 in one ear.
- 603.6 No applicant shall be considered for a license if, at the time the application is filed, the applicant is suffering from a contagious disease, epilepsy, vertigo, fainting spells, blackouts, attacks of dizziness, or other medical condition that in the opinion of the Director may render the applicant unsafe or unsatisfactory as a driver of a public vehicle.

**604 INVESTIGATION AND EXAMINATION OF APPLICANTS**

- 604.1 Upon receipt of an application for a hacker's license, the Director shall investigate or cause to be investigated each applicant to verify the identity and determine the competency, fitness, and eligibility of the applicant for a license.
- 604.2 The Director shall examine each applicant for a hacker's license.
- 604.3 The examination shall include a test of the applicant's knowledge of the Metropolitan Area.
- 604.4 The examination may also include such further physical and mental examination as the Director finds necessary to determine the applicant's fitness to operate a vehicle of a type for which application for a license is made.

**605 ISSUANCE OF LICENSES**

- 605.1 The Director shall issue a license to any applicant who has complied with the requirements of this chapter.
- 605.2 The Director shall collect a fee of five (\$5.00) dollars for each license issued.
- 605.3 Each hacker's license shall have marked on its face a statement indicating it is valid only for the type of vehicle operation for which it is issued.
- 605.4 Each license shall contain a number, photograph of the licensee, and any other information that the Director deems desirable.
- 605.5 Any person to whom a hacker's license shall have been issued shall, during the term of the license, reside within the Metropolitan Area, and shall, no later than five (5) days following the termination of his residence within the Metropolitan Area, surrender the license to the Director.

**606 DENIAL OF LICENSE AND REAPPLICATION**

- 606.1 An applicant who has been denied a license to operate a public vehicle for hire for reasons other than for failure to complete successfully an examination may file a new application for a license after the expiration of not less than six (6) months after the denial, unless the denial is reversed by the Hackers' Board.
- 606.2 If an applicant files an appeal from a denial with the Hackers' Board and the Director's denial is sustained by the Board, or if a hacker's license has been revoked by the Board, no new application may be made until the expiration of any waiting period established by the Board for reapplication.
- 606.3 In determining the fitness of an applicant under §609.2, the Director shall not take into account the conduct or record of the applicant upon which the waiting period was fixed by the Board. The decision shall be based on the conduct or record of the applicant during and after the waiting period. If the applicant's conduct during the waiting period satisfies the personal conduct and other requirements of this chapter, the Director may issue a license to the applicant.
- 606.4 If the Director discovers information not previously known to him, which relates to the moral character of the applicant and was not a part of the record in the proceeding of the Hackers' Board, the Director may find, on the basis of that information, that the moral character of the applicant is such that it does not justify the issuance of the license and may refuse to issue a license.
- 606.5 The Director may establish repeat examinations for applicants who are denied licenses because of failing the qualifying examination under the provisions of §607. Repeat examinations may be scheduled to permit a fair and orderly routine which affords the applicants a reasonable opportunity to successfully complete the examination.



**607 LOSS, THEFT, OR DESTRUCTION OF LICENSE**

- 607.1 In case of the loss, theft, or destruction of any public vehicle operator's or owner's license issued pursuant to the provisions of this chapter, the licensee shall immediately notify the Director of that loss, theft, or destruction.
- 607.2 Upon application made under oath on the form prescribed by the Director, and upon payment of a fee of two dollars (\$2), the Director may issue a duplicate license.

**608 LICENSE TO OPERATE AN AMBULANCE, FUNERAL CAR, OR SIGHTSEEING VEHICLE**

- 608.1 The Director shall not issue any license under this section to any person not qualified for a hacker's license under this chapter, including the minimum standards of good moral character and health requirements, except that the residence requirement of one (1) year during the three (3) years immediately preceding the date of the application for a license is not applicable to a license issued under this section.
- 608.2 Each application for a license to operate an ambulance, funeral car, or sightseeing vehicle shall contain the same information, and shall be accompanied by the same type of photographs, health certificates, and letter of recommendation as that required for a hacker's license under this chapter, except that if an applicant has been a resident for less than one (1) year in the Metropolitan Area, the letters of recommendation shall be from persons residing in the state or other jurisdiction of the applicant's last place of residence prior to the establishment of residence in the Metropolitan Area, or from persons residing in his current place of residence if he is not residing in the Metropolitan Area.
- 608.3 Upon receipt of an application for a license under this section, the Director shall investigate or cause to be investigated each applicant to verify the applicant's identity and determine the competency, fitness, and eligibility of the applicant for a license.
- 608.4 The Director shall examine each applicant for license to operate an ambulance, funeral car, or sightseeing vehicle, including a test of the applicant's knowledge of the Metropolitan Area.
- 608.5 The examination may also include such further physical and mental examination as the Director finds necessary to determine the applicant's fitness to operate a motor vehicle of a type for which application for a license is made.
- 608.6 The Director shall issue a license to any applicant who has complied with the requirements of this section.
- 608.7 The Director shall collect a fee of five (\$5.00) dollars for each license issued to an applicant.

**608 LICENSE TO OPERATE AN AMBULANCE, FUNERAL CAR, OR SIGHTSEEING VEHICLE**  
(Continued)

- 608.8 Each ambulance, funeral car, or sightseeing vehicle identification license shall have prominently marked on its face a statement indicating it is valid only for the particular purpose or type of vehicle operation for which it is issued.
- 608.9 Each license shall contain a number, photograph of the licensee, and other information that the Director deems desirable.

**609 SPECIAL LICENSE TO OPERATE PUBLIC VEHICLES**

- 609.1 The Director, upon application, may issue a special public vehicle operator's identification license to any person otherwise qualified under this Chapter for the purpose of operating a public vehicle licensed under this Chapter for purposes other than for hire.
- 609.2 Each application shall be submitted on the form furnished by the Director, and shall set forth the applicant's full lawful name (including middle name or names, if any) date of birth, sex, social security number, residence, and other information that the Director may require to determine the applicant's identity, competency, and eligibility for a license.
- 609.3 A license shall be issued only to a person who, in the regular course of employment, operates a public vehicle licensed under this chapter for purposes other than for hire.
- 609.4 No license issued under this section shall be valid for the operation of a public vehicle when the vehicle is actually available for hire.
- 609.5 The vehicle being operated by the licensee shall exhibit a sign approved by the Director that bears in black lettering at least three inches (3") high on a white background the words "NOT FOR HIRE".
- 609.6 The Department shall not issue any license hereunder to any person who does not possess a valid District motor vehicle operator's permit or to any person who holds a valid license to operate a public vehicle for hire under the provisions of this chapter.
- 609.7 The Director shall issue a license to any applicant who has complied with the requirements of this section.
- 609.8 The Director shall collect a fee of five (\$5.00) dollars for each license issued to an applicant.
- 609.9 Each special license issued under this section shall be marked "NOT VALID FOR HIRE".
- 609.10 Each license shall contain a number, photograph of the licensee, and other information that the Director deems desirable.

610 ISSUANCE OF VEHICLE LICENSES TO OWNERS OF PUBLIC VEHICLES FOR HIRE

610.1 Each owner of a public vehicle for hire operating in the District must obtain a vehicle license from the Director, except as provided in §613.2.

610.2 A vehicle license is not required for the following vehicles:

(a) Sightseeing vehicles owned by a school, school board, or similar body;

(b) Sightseeing vehicles transporting passengers to the District from a point outside the District, if the total operation of the vehicle does not exceed fifteen (15) days during any license year (April 1 through March 31).

610.3 Any sightseeing vehicle registered elsewhere than in the District of Columbia which operates for more than fifteen (15) days during any license year (April 1 through March 31) must be licensed to operate as such vehicle by the Director.

610.4 The owner of the vehicle shall file an application for a license with the Director, who shall determine whether or not the vehicle must be registered in the District as well as elsewhere. If the vehicle must be registered in the District, the applicant for a license must meet all the requirements of §§613.7 and 613.8. The Director's determination shall be noted upon the application.

610.5 If the Director determines that the vehicle need not be registered in the District, the applicant must meet the requirements of §613.8.

610.6 Each applicant shall submit his application to the Director of the Department of Finance and Revenue for a determination of applicable taxes. The Director of Finance and Revenue shall note compliance with any applicable tax requirements upon the application.

610.7 Each applicant for an owner's license whose public vehicle is registered in the District shall present evidence that the vehicle has been inspected by the Department and is in compliance with Departmental inspection regulations and those of the Public Service Commission for the purpose of enforcing the Commission's safety and comfort regulations.

610.8 Each applicant shall present evidence satisfactory to the Director that the vehicle is insured under the provisions of Public Service Commission regulations. The Department shall act as agent for the purpose of enforcing the Commission's insurance regulations and shall maintain records necessary to perform that function.

610.9 Each application for a public vehicle for hire license shall be made on a form provided by the Director, and shall set forth the owner's full lawful name, the residence and business addresses of the owner of the vehicle to be licensed, and any other information required by the Director.

## 610 ISSUANCE OF VEHICLE LICENSES TO OWNERS OF PUBLIC VEHICLES FOR HIRE

(Continued)

- 610.10 The Department, acting as agent for the Public Service Commission, shall inspect taxicabs to ensure compliance with the Commission's regulations concerning paint color(s), trade name, insignias, rate signs, zone maps, cruising lights, upholstery condition, and sanitation.
- 610.11 The Department shall determine from its own insurance records whether a taxicab owner is in compliance with the color and insignia requirements of the Public Service Commission with respect to company, association, or independent taxicab status.
- 610.12 The Director, upon receipt of an application for a public vehicle for hire and evidence satisfactory to him that all requirements of this section have been met, and upon receipt of the proper fee, shall issue a license to the owner.
- 610.13 The fee for each license shall be one hundred dollars (\$100) for each vehicle having a seating capacity of eight (8) or more passengers, and twenty-five dollars (\$25) for each vehicle seating less than eight (8) passengers.
- 610.14 Each license shall be in such form and shall contain such information as the Director may prescribe.
- 610.15 The Director shall record and maintain records of assignments made by licenses to whom licenses have been issued under this chapter. Each assignment shall be made in the form prescribed by the Director.

## 611 OWNERS OF SIGHTSEEING BUSES LOCATED OUTSIDE THE DISTRICT

- 611.1 The owner of a public vehicle for hire transporting passengers from a point outside the District to the District must obtain a certificate authorizing the vehicle to be operated in the District if the vehicle operated is not a vehicle owned by a school, school board, or similar body; or is not licensed by the District.
- 611.2 Each application for a certificate to operate a sightseeing vehicle shall be made on a form provided by the Director, and shall contain the full lawful name and business address of the applicant, the name and business address of the owner of the vehicle, the identification of the vehicle, including bus number, make and state registration, whether the passengers are school children, and, if so, the name of the school, and the city and state where the school is located.
- 611.3 If the vehicle operation is to be conducted by a person other than the owner of the vehicle, the application shall state under what management, control, or arrangement the operation will be performed.
- 611.4 The Director, upon receiving an application for a certificate to operate a sightseeing vehicle in the District, shall issue a certificate to the applicant. No fee is required for the issuance of the certificate.

612 ARTICLES LOST AND FOUND IN PUBLIC VEHICLES FOR HIRE

- 612.1 Any property found in a public vehicle for hire by an operator of the vehicle shall be reported by the operator to any police station. The property may be submitted to any police station for forwarding to the Director or may be surrendered to the Director.
- 612.2 The Director shall establish a repository for property found in public vehicles for hire and forwarded to the Department for disposition.
- 612.3 The Director shall process any claims for such property for a period of five (5) days after which the property may be forwarded to the Property Clerk of the Metropolitan Police Department for proper disposition.

613 COMPLAINTS AGAINST OPERATORS OF PUBLIC VEHICLES FOR HIRE

- 613.1 The Director shall establish an office to receive and process complaints entered against operators of public vehicles for hire.
- 613.2 The Director shall establish and maintain records of all complaints which consist of allegations of facts tending to show violations of Public Service Commission regulations, Department regulations, or conduct tending to show the incompetency, unfitness, or ineligibility of the operator to operate or own a public vehicle for hire.
- 613.3 Complaints shall be in writing and shall be signed by the person making the complaint, stating the address and telephone number of the complainant.
- 613.4 The Director shall, upon receiving a complaint, notify the person against whom the complaint was made of the nature of the complaint and that an answer to the complaint must be filed with the Director.
- 613.5 Upon receiving the answer, the Director shall notify the complainant of the contents or nature of the answer, and the right to request further action if the answer is not satisfactory.
- 613.6 If the answer is not satisfactory to the complainant, the complainant may request that further action be considered by the Hackers' Board.
- 613.7 If further action on a complaint is requested, the Director shall forward all papers filed in connection with the case to the Hackers' Board for disposition.
- 613.8 If the facts alleged in any complaint are clearly not in violation of any rule, regulation, or applicable law, the complainant will be notified that the Department will take no further action and the reason for the non-action.

## CHAPTER 7 HACKERS' LICENSE APPEAL BOARD

### 700 GENERAL PROVISIONS

- 700.1 The Hacker's License Appeal Board (also referred to in this chapter as the "Board"), as established by Organization Order No. 13, as amended, considers appeals from adverse actions on applications for hacker's licenses, adjudicates complaints against hackers, and makes recommendations on criteria and standards for these actions.
- 700.2 The Chairman of the Board (also referred to in this chapter as the "Chairman"), or some member designated by the Chairman, shall preside at all hearings held by the Board.
- 700.3 The Chairman or a committee of the Board may act for Board. In any instance where ministerial action is required or permitted to be taken by the Board under this chapter, that action may be taken either by the Board or by the Chairman.
- 700.4 For the purposes of this chapter, the term "Director" means the Director of the D.C. Department of Transportation, or his or her duly authorized representative, agent, or designee.
- 700.5 For the purposes of this chapter, the term "license" means the license issued to hackers under subparagraph (e) or subparagraph (j) of paragraph 31 of §7 of the Act approved July 1, 1902, as amended (D.C. Code, §47-2829(e) and §47-2829(j), 1981 Edition).
- 700.6 On motion made within a reasonable time, and upon such terms as are just, the Board may relieve a party or a party's legal representative from an order, proceeding, or time limitation for any of the following reasons:
- (a) Mistake, inadvertence, surprise, or excusable neglect;
  - (b) Newly discovered evidence which by due diligence could not have been discovered in time to move for reconsideration;
  - (c) Fraud, misrepresentation, or other misconduct of any person affected by the proceedings; or
  - (d) Any other reason justifying relief from the operation of the rules relating to time limitations and continuances.

## 701 PARTIES

- 701.1 A party is either an appellant or a respondent. For the purposes of this chapter, the terms "interested person" and "affected party" mean a party or the Director.
- 701.2 An appellant is a person who appeals from an adverse decision of the Director on the applicant's application for a license.
- 701.3 A respondent is a person who responds to an Order to Show Cause why his or her license should not be suspended or revoked.

## 702 APPEALS

- 702.1 An appeal is taken by filing a written notice of appeal within ten (10) days after the date notice of the action or decision appealed from was personally served on the appellant, or within thirteen (13) days after it is mailed to the appellant.
- 702.2 If the notice is mailed, the Board shall record the date of mailing.
- 702.3 The notice of appeal shall be considered filed when received in the office of the Hackers' Appeal Board.
- 702.4 In computing the period of time for filing a notice of appeal with the Board, the date of personal service or of mailing shall not be included. If the last day of the period is a Saturday, Sunday, or legal or administrative holiday, the period shall run until the end of the next day which is not a Saturday, Sunday, or holiday.
- 702.5 A notice of appeal shall be filed on the form prescribed by the Board. The form may be secured from the Board office.
- 702.6 The appellant shall furnish all information required on the form.

## 703 APPEARANCE AND REPRESENTATION

- 703.1 A party appearing or having the right to a hearing before the Board shall have the right to be represented by an attorney admitted to practice before the Bar of the District of Columbia Court of Appeals.
- 703.2 If it shall appear to the Board that the issues or facts in an appeal are so involved or complex that, in the interests of justice, or of conserving time, or of facilitating the preparation of an adequate record, a party ought to be represented by an attorney, the Board may suggest that the party procure the services of an attorney, and in case the party elects to engage an attorney, the Board shall allow a reasonable period of time for the party to do so.
- 703.3 In order to appear as counsel for a party, an attorney shall certify that he has been admitted to, and is authorized to practice before, the Bar of the District of Columbia Court of Appeals.

704 RECORD ON APPEAL

- 704.1 Upon receipt of a notice of appeal, the Chairman shall promptly acknowledge receipt of the notice, advise the Director of receipt of the notice, and request the Director to compile and transmit to the Board the originals or copies of all documents pertinent to the appeal, including the following:
- (a) The decision from which the appeal is taken, together with the findings of fact, if any, on which the decision was based;
  - (b) All documents relied on by the Director in reaching a decision;
  - (c) A summary (or transcript, if any) of all testimony given and all statements made during the course of any proceedings, conferences, or investigations concerning the matter in dispute, conducted by the Director prior to the filing of the notice of appeal.
- 704.2 Notwithstanding the requirements of §704.1, the Director shall not include in the material forwarded to the Board any confidential interdepartmental or intradepartmental correspondence or documents or other information of a confidential nature.
- 704.3 Material documents of a confidential nature shall be forwarded separately to the Corporation Counsel (or the designated Assistant Corporation Counsel) who will, if possible, inform the Board and the appellant or appellant's counsel of the nature of the contents of such documents without revealing the confidential aspects of the documents.
- 704.4 The documents transmitted by the Director pursuant to §704.1 shall constitute the Appeal File, which shall be available for inspection at the offices of the Board.
- 704.5 On motion of the appellant, or on its own motion, the Board may require the Director to supplement the Appeal File in the manner directed by the Board.
- 704.6 In the absence of written objection to specific items in the file, the entire Appeal File shall constitute the record on appeal.
- 704.7 Any objection to an item in the Appeal File shall specifically state the ground(s) for the objection, shall be filed prior to the commencement of the hearing on the appeal, and shall be considered by the Board at the beginning of the hearing.
- 704.8 The record on appeal shall not be closed until a decision has been rendered by the Board.
- 704.9 The Board may, in its discretion or at any time prior to its decision, require the Director or a party to submit additional documentary or testimonial evidence, and, subject to the provisions of §704.2, shall afford the party or the Director, as the case may be, an opportunity to examine the additional evidence and to file with the Board written objection to its admissibility.



**705 HEARINGS: GENERAL PROCEDURES**

- 705.1 Each hearing will be held at a time and place designated by the Board.
- 705.2 The Board shall give the party and the Director at least seven (7) calendar days notice of the date, hour, and place of a hearing.
- 705.3 A hearing scheduled to be conducted by the Board will not be delayed by a motion for a continuance unless the motion is made at least two (2) days before the date on which the hearing is scheduled to be held, and, in the opinion of the Board, sets forth good and sufficient cause for a continuance.
- 705.4 Conflicting engagements of counsel, absence of counsel, or the employment of new counsel will not be regarded as good and sufficient cause for a continuance unless set forth in a motion filed promptly after notice of the hearing has been given..
- 705.5 The Board shall, in any case in which a party represents himself or herself, take any action which may reasonably be necessary to ensure that all information material to the party's case is developed to the fullest possible extent commensurate with the Board's function as an impartial hearing body.
- 705.6 Decorum and good order shall be maintained at all times during hearings. The Chairman may exclude or have removed from the hearing room any person violating any reasonable order of the Board. An attorney may, for contumacious conduct, after having been afforded an opportunity to be heard, be barred from further participation in a proceeding.

**706 SUBPOENAS**

- 706.1 A subpoena to compel a witness to appear and testify or to produce books, records, papers, or documents before the Board will be issued by the Board upon written request of a party or the Director.
- 706.2 The Director or the party requesting a subpoena shall be responsible for arranging for the service of the subpoena.
- 706.3 Subpeonas shall be issued in the name of the Chief Judge of the Superior Court of the District of Columbia.
- 706.4 Witnesses, other than those employed by the District of Columbia, are entitled to the same fees as are paid witnesses for attendance before the Superior Court of the District of Columbia.
- 706.5 Witness fees are not required to be tendered in advance of the appearance of a witness.
- 706.6 Subpoenas issued by the Board are enforceable in the manner set forth in D.C. Code, §4-803 (1981 Ed.) to the same extent as subpoenas of the Superior Court of the District of Columbia.

**707 WITNESSES AND EVIDENCE**

- 707.1 Witnesses before the Board shall be examined orally under oath of affirmation, which shall be administered by the Chairman or a member of the Board designated by the Chairman.
- 707.2 Any member of the Board may, in the course of a hearing, question any witness at any time during or after direct examination or cross-examination.
- 707.3 The Board shall, in any hearing held by it, give any person before it reasonable opportunity to present evidence, to examine and cross-examine witnesses, to argue in support of or in opposition to motions, to object to rulings of the Board and, orally or in writing, or both, to argue the merits of the appeal or present opposition to or support for any proposed suspension or revocation of a license.
- 707.4 Evidence presented at hearings before the Board shall be limited to matters material and relevant to the issues arising in the proceeding and as may be necessary to protect the public interest or to prevent injustice.
- 707.5 Evidence will be excluded in the discretion of the Board if it is repetitious or redundant.
- 707.6 The Board shall determine the materiality, relevance, and probative value of any evidence submitted.
- 707.7 Any person objecting to the admissibility of evidence shall state the grounds of the objection.
- 707.8 Formal exceptions to rulings made by the Board during the course of a hearing are unnecessary.
- 707.9 Any proffer made in connection with a ruling of the Board rejecting or excluding oral testimony shall consist of a statement for the record of the substance of the evidence which the offer contends would be adduced by that testimony. If the excluded evidence consists of evidence in written form, or of reference to documents or records, a copy of that written evidence shall be marked for identification and shall constitute the proffer.
- 707.10 Exhibits offered in evidence at any hearing before the Board shall, if received by the Board, be retained by it and may at any time during usual business hours be examined by any person affected by the proceedings.
- 707.11 The Board may, in its discretion, permit the withdrawal of original documents received in evidence or marked for identification as offers of proof and the substitution of photostatic or true copies.
- 707.12 If relevant and material matters offered in evidence are embraced in a book, paper, or document containing other matter not material or relevant, the person offering that evidence shall plainly designate the matter so offered, and the immaterial and irrelevant parts shall be excluded and, insofar as is practicable, be segregated.

707 WITNESSES AND EVIDENCE (Continued)

707.13 If any part of the record in any other proceeding previously held before the Board or part of the record in any civil or criminal action is offered in evidence, a true copy of that part shall be presented to the Board in the form of an exhibit unless:

- (a) The part is specified in a manner by which it can be readily identified; and
- (b) The person offering the part agrees to supply copies later or if required by the Board.

707.14 No document or other writing shall be accepted for the record after the close of a hearing except with the consent of the Board and when the receipt of that document will not prejudice or unfairly affect the interests of any person affected by the proceedings.

708 TRANSCRIPTS OF HEARINGS

708.1 Hearings shall be recorded under the supervision of the Board.

708.2 Upon request, official transcripts of a hearing shall be supplied by the Board to any individual affected by the proceedings. A private individual requesting a transcript shall pay the costs of producing the transcript.

708.3 Changes in the official transcript may be made only when the changes involve errors affecting substance.

708.4 A motion to correct a transcript shall be filed with the Board within (10) days of receipt of the transcript.

708.5 Upon approval of a motion to correct a transcript, the transcript may be changed by the Board to reflect the corrections.

709 FINDINGS AND DECISIONS

709.1 In each case in which the Board is authorized to render a final decision, the findings and the decision of the Board may, whenever practicable, be announced orally by the Chairman after the Board's deliberations.

709.2 All findings and the decision shall in any event be reduced to writing and signed by the Chairman.

709.3 An authenticated copy, the findings, and decision shall be forwarded by certified or registered mail to the party, and a copy shall be forwarded promptly to the Director. Subject to the provisions of this section, the findings and decision shall become final on the fifth (5th) day after a copy is forwarded to the party.

**710 WAITING PERIOD**

- 710.1 In each case in which it is decided that a license should be revoked or that a decision of the Director denying an application should be sustained, the Board shall set a waiting period within which the party affected may not make a new application for a license.
- 710.2 The waiting period shall be not less than six (6) months or more than five (5) years.
- 710.3 The length of the waiting period will be in the discretion of the Board, depending upon the gravity of the offense or charge upon which the revocation or denial was predicated.
- 710.4 If, upon expiration of the waiting period set by the Board, an application is filed, the applicant shall be issued a new license, if at the time of application, he or she satisfies the requirements for a license as set forth in this title.

**711 RECONSIDERATION**

- 711.1 A Petition for Reconsideration or for rehearing may be filed with the Board by any person affected by the proceedings within five (5) days after the date of mailing of a final order unless specifically ordered otherwise by the Board.
- 711.2 A Petition for Reconsideration shall be considered filed when received in the offices of the Board.
- 711.3 Neither the filing nor the granting of a petition shall operate as a stay of a final order unless specifically ordered by the Board.
- 711.4 A stay will be granted only for good cause shown, or if, in the judgement of the Board, it is necessary to avoid manifest injustice.

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