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2 Councilmember Marion Barry

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6 Councilmember Michael Brown

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10 Councilmember Harry Thomas, Jr.

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15 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

16 To require the District of Columbia Taxicab Commission to professionalize taxicab
17 services in the District of Columbia, establish a taxicab medallion system and implement
18 uniform standards for the taxicab industry in the District of Columbia.

19 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
20 act may be cited as the "Professional Taxicab Standards and Medallion Establishment Act of
21 2011".

22
23 **Sec. 2. Definitions.**

24 For the purposes of this act, the term:

25 (1) "Commission" means the District of Columbia Taxicab Commission
26 ("DCTC").

27 (2) "Company" means any company, corporation, partnership or association
28 engaging in the business of owning and operating taxicabs.

29 (3) "Medallion" means a metal plate designed and issued by the Commission
30 affixed to a taxicab authorizing it to be operated within the jurisdiction of the Commission or any
31 other jurisdiction that authorizes its operation as a vehicle for hire.

32 (4) "Taxicab" means any full-sized, four-door passenger vehicle for hire having a
seating capacity of to eight (8) or fewer passengers, exclusive of the driver, and it does not
include a compact or subcompact vehicle.

1 (5) "Individually operated taxicab" means any taxicab which is owned and
2 operated by an individual or as a sole proprietor.

3 (6) "Wheelchair accessible vehicle" means any vehicle which accommodates a
4 passenger using a wheelchair or other personal mobility device who needs a ramp or lift to enter
5 or exit the vehicle.

6 (7) "Low-emissions vehicle" ("LEV") means a vehicle approved for use as a
7 taxicab by the Commission that receives an air pollution score of 9.5 or higher from the United
8 States Environmental Protection Agency ("EPA") or its successor agency and is estimated to
9 emit 5.0 tons or less of equivalent carbon dioxide per year by the United States Department of
10 Energy ("DOE") or its successor agency; provided that such vehicle is powered by fuel for
11 which such vehicle meets the above-specified standards.

12 (8) "Geographically underserved areas" means east of the Anacostia River (Wards
13 7 and 8) and other designated areas of far northeast in Ward 5 as determined by the Commission.

14 **Sec. 3. Establishment of a Taxicab Medallion System.**

15 (a) Classes of medallions

16 (1) All medallions shall be classified as follows: (i) Class 1 Unrestricted
17 Individual and Company; (ii) Class 2 Restricted Individual and Company; (iii) Class 3 Low-
18 Emissions Vehicle (LEV) Individual and Company, Unrestricted or Restricted, (iv) Class 4
19 Wheelchair Accessible, Individual and Company Unrestricted, (v) Class 5 Individual permits,
20 Unrestricted and Restricted, for non-District resident DCTC ("DC tag") registered taxi drivers
21 pursuant to the Non-Resident Taxi Drivers Registration Amendment Act of 2008 effective
22 March 26, 2008 (D.C. Law 17-130); and, (v) Class 6 Unrestricted permits for conventions and
23 special events.

1 (A) A Class 1 Unrestricted medallion shall authorize the use of a vehicle

2 as a taxicab owned and/or operated by an individual or company anywhere within the District of
3 Columbia or any other jurisdiction that authorizes its use for transporting passengers.

4 (B) A Class 2 Restricted medallion shall authorize the use of a vehicle as a

5 taxicab owned and/or operated by an individual or company in the geographically underserved
6 areas as defined in Sec. 2(8) of this Act, and that such taxicab operator will be able to drive a
7 passenger to a destination outside the geographically underserved areas or any other jurisdiction
8 that authorizes its use for transporting passengers. Further, such a taxicab operator will be able to
9 pick up a passenger on its return trip and transport the passenger to a destination within the
10 geographically underserved areas.

11 (C) A Class 3 LEV Unrestricted medallion shall authorize the use of a

12 low-emissions vehicle as a taxicab owned and/or operated by an individual or company
13 anywhere within the District of Columbia or any other jurisdiction that authorizes its use for
14 transporting passengers; provided that the Commission places a cap on the number of LEVs.

15 (D) A Class 3 LEV Restricted medallion shall authorize the use of a low-

16 emissions vehicle as a taxicab owned and/or operated by an individual or company in the
17 geographically underserved areas as defined in Sec. 2(8) of this Act, and provided that such
18 taxicab operator be able to drive a passenger to a destination outside the geographically
19 underserved areas or any other jurisdiction that authorizes its use for transporting passenger(s).

20 (E) A Class 4 Wheelchair Unrestricted medallion shall authorize the use of

21 a wheelchair accessible vehicle as a taxicab owned and/or operated by an individual or company
22 anywhere within the District of Columbia or any other jurisdiction that authorizes its use for

1 transporting passengers; provided that the Commission places a cap on the number of wheelchair
2 accessible vehicles.

3 (F) A Class 5 Unrestricted permit for non-District resident DCTC ("DC
4 tag") registered taxi drivers pursuant to the Non-Resident Taxi Drivers Registration Amendment
5 Act of 2008 effective March 26, 2008 (D.C. Law 17-130) authorizing the use of vehicle for
6 transporting passenger anywhere within the District of Columbia or any other jurisdiction that
7 authorizes its use for transporting passengers.

8 (G) A Class 5 Restricted permit for non-District resident DCTC ("DC
9 tag") registered taxi drivers pursuant to the Non-Resident Taxi Drivers Registration Amendment
10 Act of 2008 effective March 26, 2008 (D.C. Law 17-130) authorizing the use of vehicle for
11 transporting passenger in the geographically underserved areas as defined in Sec. 2(8) of this Act,
12 and that such a taxicab operator will be able to pick up a passenger on its return trip and transport
13 the passenger to a destination within the geographically underserved areas.

14 (H) A Class 6 Unrestricted permit shall authorize the use of a vehicle for
15 use as a taxicab owned and/or operated by an individual or company anywhere within the
16 District of Columbia or any other jurisdiction that authorizes its use for transporting passengers
17 during conventions or special events. Such permits shall be limited to the duration of the
18 conventions or special events.

19 (b) Properties and pricing structure of medallions

20 (1) The number of Class 1 Unrestricted, Class 2 Restricted, Class 3 LEV
21 Unrestricted, Class 3 LEV Restricted and Class 4 Wheelchair Unrestricted medallions shall not
22 exceed 4,000 combined.

1 (2) The initial price for Class 1 Unrestricted medallions shall be set at \$5,000 for
2 Individual and \$10,000 for Company for each medallion, except an individual owner who has
3 been licensed to operate a taxicab in the District of Columbia for more than thirty (30) years and
4 more than twenty (20) years shall pay a price of \$500 and \$1,000 respectively for their
5 medallions. Qualified non-District resident DCTC ("DC tag") taxicab driver who meets the
6 requirements of Sec. 3(c)(1)(D) shall pay a price of \$4,000.

7 (3) The initial price for a Class 2 Restricted medallion shall be set at \$2,500 for
8 Individual and \$5,000 for Company for each medallion, except an individual owner who has
9 been licensed to operate a taxicab in the District of Columbia for more than thirty (30) years and
10 more than twenty (20) years shall pay a price of \$250 and \$500 respectively for their medallions.
11 Qualified non-District resident DCTC ("DC tag") taxicab driver who meets the requirements of
12 Sec. 3(c)(1)(D) shall pay a price of \$2,000.

13 (4) The initial price for Class 3 LEV Unrestricted medallions shall be set at
14 \$1,250 for Individual and \$2,500 for Company, except an individual owner who has been
15 licensed to operate a taxicab in the District of Columbia for more than thirty (30) years or more
16 than twenty (20) years shall pay a price of \$250 and \$500 respectively for their medallions.
17 Qualified non-District resident DCTC ("DC tag") taxicab driver who meets the requirements of
18 Sec. 3(c)(1)(D) shall pay a price of \$1,500.

19 (5) The initial price for Class 3 LEV Restricted medallions shall be set at \$750 for
20 Individual and \$1,250 for Company, except an individual owner who has been licensed to
21 operate a taxicab in the District of Columbia for more than thirty (30) years or more than twenty
22 (20) years shall pay a price of \$125 and \$250 respectively for their medallions. Qualified non-

1 District resident DCTC ("DC tag") taxicab driver who meets the requirements of Sec. 3(c)(1)(D)
2 shall pay a price of \$1,000.

3 (6) The initial price for Class 4 Wheelchair medallions shall be set at \$250 for
4 Individual and \$500 for Company. Qualified non-District resident DCTC ("DC tag") taxicab
5 driver who meets the requirements of Sec. 3(c)(1)(D) shall pay a price of \$1,000.

6 (7) The initial price for a Class 5 permit, Unrestricted or Restricted, granted
7 pursuant to Non-Resident Taxi Drivers Registration Amendment Act of 2008 effective March 26,
8 2008 (D.C. Law 17-130) shall be determined by the Commission.

9 (8) The initial price for a Class 6 Unrestricted permit to operate a vehicle for hire
10 during a convention or special event shall be determined by the Commission.

11 (c) Issuance of medallions and eligibility requirements

12 (1)(A) Within 180 days of the effective date of the Professional Taxicab
13 Standards and Medallion Establishment Act of 2011, the Commission shall make an initial
14 issuance of medallions through the process set forth in this subsection.

15 (B) All owners of record of low-emissions vehicles being used as taxicabs
16 as of the effective date of the Professional Taxicab Standards and Medallion Establishment Act
17 of 2011 shall be allowed, for each qualifying vehicle owned, to purchase a Class 3 LEV
18 medallion at the prices set forth in Sec. 3(b)(4) and (5).

19 (C) All owners of record of wheelchair accessible vehicles being used as
20 taxicabs as of the effective date of the Professional Taxicab Standards and Medallion
21 Establishment Act of 2011 shall be allowed, for each qualifying vehicle owned, to purchase a
22 Class 4 Wheelchair medallion at the prices set forth in Sec. 3(b)(6).

1 (D) An individual or a company owned and/or operated taxicab within the
2 District of Columbia as of March 1, 2006, and who is licensed to operate said taxicab as of the
3 date of the initial issuance of medallions shall, based upon seniority, be eligible to purchase a
4 medallion of their choice at the prices set forth in the Sec. 3(b)(2) and (3); provided that the
5 owner and/or operator is in full compliance with the DC taxicab laws and regulations, is in good
6 standing with the Commission, and can provide the Commission certification from the District of
7 Columbia Office of Tax and Revenue that he or she has filed and paid income taxes for an
8 individual for the last five (5) years and/or for a company for the last ten (10) years. Qualified
9 non-District resident DCTC ("DC tag") taxicab drivers must have possessed a valid DC Hack
10 License for at least twenty (20) years, be in good standing with the Commission and be in full
11 compliance with the DC taxicab laws and regulations.

12 (E) Notwithstanding the language of Sec. 3(c)(1) above, all qualified
13 individuals who reside in the District shall be issued their medallions first, and then based upon
14 the number of years a company has been located in the District and paid appropriate taxes and
15 required fees to the District, they shall be issued their medallions. Further, a company must
16 provide an affidavit that it has purchased the vehicle, that the vehicle is domiciled and insured in
17 the District of Columbia, and provide proof that the said vehicle has paid DC rental sales taxes.
18 Any company found in violation of the affidavit shall be subjected to a penalty of \$20,000 and its
19 right to operate taxicabs be revoked by the Commission.

20 (2) Once all taxicab medallions that may be issued under the terms of paragraphs
21 Sec. 3(c)(1) of this Act have been issued, the Mayor may offer for purchase a number of Class 1,
22 Class 2, Class 3, and Class 4 medallions. The Mayor is authorized to set the type and total

1 number of medallions to be issued, except that the total number of medallions issued under the
2 terms of this subsection shall not exceed 4,000.

3 (3) The Mayor may issue additional medallions above those to be issued under
4 subsection (2) of this section, provided such additional medallions shall be submitted by
5 resolution to the Council for approval.

6 (4) Initially, there shall be eight hundred (800) taxicabs with Restricted licenses or
7 Restricted medallions assigned to the "Geographically underserved areas". After one year's
8 experience, the Commission may make recommendations to increase or decrease this number
9 based on empirical data.

10 (d) Rights of medallion holders

11 (1) A medallion shall authorize the use of a specific vehicle as a taxicab. No
12 person shall advertise or engage a vehicle for use as a taxicab without holding a medallion for
13 each vehicle used therefore or as otherwise authorized by this Act.

14 (2) The owner of a medallion is not required to have a license to operate a taxicab.

15 (3) Medallions are the property of their owner and may be assigned or sold,
16 subject to the restrictions set forth in this Act.

17 (e) Transfer of medallions

18 (1) The owner of a Class 1 medallion and Class 2 medallion may assign the right
19 to operate the vehicle to an individual licensed to operate a taxicab. The right to operate a vehicle,
20 once assigned, may not be reassigned by the assignee.

21 (2) The owner of a Class 1 medallion and a Class 2 medallion may transfer the
22 medallion from one vehicle to another. A medallion may only be transferred to another vehicle
23 if the vehicle meets the requirements associated with the classification of the medallion.

1 (2) Medallions granted pursuant to this subsection shall not be transferable under
2 any condition until the owner has possessed it for a period of ten (10) years and has operated a
3 taxicab as owner and driver for a period of ten (10) years.

4 **Sec. 4. Uniform Vehicle Standards for the Taxicab Medallion System.**

5 (a) Applicability

6 (1) The specifications set forth in this section shall apply to every taxicab affixed
7 with a medallion within ninety (90) days after the effective date of the Act and to all other
8 licensed taxicabs upon the purchase of a new or different vehicle.

9 (b) Vehicle Modifications for Taxicab Service

10 (1) Paint and Finish.

11 (i) The exteriors of all taxicabs affixed with a medallion shall be painted
12 black, except for trim.

13 (2) Coherent System of Logos, Emblems and Insignias.

14 (i) The logo of DCTC Cab shall be printed on the taxicab in a manner to
15 be determined by the Commission.

16 (ii) The name of the company shall be printed on the taxicab in a manner
17 to be determined by the Commission.

18 (iii) The Commission may grant to any individual or company owned
19 and/or operated taxicab, upon proper application therefor, the exclusive right to use one or more
20 distinctive emblems or other identifying designs to be displayed on the vehicle of the applicant.
21 An application must include colored sketches of the proposed color of the emblems or designs,
22 together with such other and further information as the Commission may require.

1 (iv) A taxicab owner and/or operator shall not use an emblem granted to
2 another individual that is so similar as to lead to confusion in the mind of the public or an
3 emblem granted to a company unless he or she is a member or driver of said company. The
4 Commission may suspend the license of any owner or driver violating this provision.

5 (v) Individual and/or company owners of medallions shall operate vehicles
6 with medallions affixed to the front hood of the licensed taxicab that bears the medallion
7 number and the medallion class.

8 (vi) Any wheelchair accessible taxicab vehicle licensed by the
9 Commission shall display the international wheelchair insignia or other insignia approved by the
10 Commission that identifies such vehicle as an accessible vehicle, in a minimum of two
11 prominent locations on such vehicle's exterior.

12 (vii) Any low-emissions vehicle licensed by the Commission shall display
13 the words "CLEAN AIR VEHICLE" or such other term or symbol approved by the commission
14 that identifies such vehicle as a clean air vehicle in a minimum of two prominent locations on
15 such vehicle's exterior.

16 (3) Roof Light.

17 (i) Provision shall be made for installing and adequately wiring a roof light of
18 approved design on top of the roof.

19 (ii) Each roof light shall indicate available for hire, hired, or off duty.

20 (4) Vehicle Retirement.

21 (i) A vehicle which has reached retirement age shall be retired from taxicab
22 service. For the purpose of this subsection, "retirement age" shall mean 300,000 miles or six
23 years of age, whichever occurs first.

1 (ii) The Commission may move a taxicab from service before it reaches
2 retirement age if the Commission determines that the vehicle presents unsafe riding condition for
3 its passenger or for other issues.

4 **Sec. 5. Attrition of Taxicabs**

5 Unless the Mayor determines that the existing number of licensed taxicabs must be
6 maintained or increased pursuant to subsections 3(c)(2) and (3), the number of licensed taxicabs
7 will be reduced through attrition or other legal means available to the Commission under this Act.
8 When a taxicab license initially granted pursuant to DC Law 17-130 is not renewed voluntarily
9 or by actions of the Commission pursuant to the District laws or regulations, the number of
10 licensed taxicabs shall be reduced by that number.

11 **Sec. 6. Establishment of a Taxicab Operator Assistance Revolving Fund.**

12 (a) From the sale of the medallions under Sec. 3 of this Act, two million (\$2,000,000)
13 shall be set aside to fund a Taxicab Operating Assistance Revolving Fund (the "Fund"). The
14 Mayor may direct an agency of the District to administer the Fund. All monies deposited into the
15 Fund, and any interest earned thereon, shall not revert to the unrestricted fund balance of the
16 General Fund of the District of Columbia at the end of the fiscal year, or at any one time, but
17 shall be continually available for the uses and purposes set forth in subsections (c)(1),(2),(3) of
18 this section without regard to fiscal year limitation, subject to authorization from Congress. The
19 Fund shall sunset seven (7) years after its implementation.

20 (b) The Mayor may also select a financial institution experienced in dealing with loans,
21 and other financial matters and insurance associated with the taxicab industry to use and direct
22 the funds to carry out subsections (c)(1),(2),(3) of this section. If the Mayor selects such a
23 private entity, the \$2,000,000 will be provided to that entity for the purpose of implementing and

1 carrying out subsections (c)(1),(2),(3) of this section and the entity shall repay the \$2,000,000 to
2 the District after a ten-year (10) period.

3 (c) The \$2,000,000 shall be used solely for the purposes of providing financial assistance
4 to the one hundred and fifty (150) qualified District of Columbia residents granted a medallion
5 pursuant to Sec. 3(h) of this Act. The funds may be used for the following purposes:

6 (1) To provide a loan up to half (1/2) of the value of the vehicle to be purchased
7 as a licensed taxicab under the provision of this Act;

8 (2) To provide a loan for vehicle repair(s), and;

9 (3) To pay for any other purposes that the Commission may establish by
10 regulation.

11 **Sec. 7. Taxicab Operator Employment Training Program.**

12 The Mayor shall establish a Taxicab Operator Employment Training Program (the
13 "Program") to create job opportunity for residents of the District of Columbia.

14 (a) The Mayor shall identify and approve taxicab companies to participate in the Program.

15 (b) The Program shall be eligible to any District resident who has a valid motor vehicle
16 operator's permit and who has been a resident of the District of Columbia for a minimum of five
17 (5) consecutive years at the time of application.

18 (c) Participants in the Program shall undergo a two-month training period for a minimum
19 of forty (40) hours per week. Trainees shall receive twenty (20) hours of practical training and
20 twenty (20) hours of classroom study. Trainees shall receive the hourly minimum wage for a
21 total of twenty (20) hours each week to be paid by the approved taxicab companies.

22 **Sec. 8. Individual Medallion Ownership Verification.**

1 The Commission shall establish procedures and documentation to ensure the accuracy of
2 the number of years an individual owner applying for a medallion under subsection (3)(b)(1)
3 and (2) has been a licensed taxicab driver in the District and to ensure the accuracy of the
4 number of years of residency required under Sec. 3(h) and Sec. 7 of this Act.

5 **Sec. 9. District of Columbia Taxicab Industry Board.**

6 There is established a Taxicab Industry Board ("Board") for the District of Columbia to
7 oversee the implementation and enforcement of the medallion system, the laws and regulations
8 governing the taxicab industry. The composition of the Board shall be as follows:

9 (a) The Board shall be composed of three members, all of whom shall be residents of the
10 District of Columbia. Members shall have expertise in either the financial, account, legal, rate
11 setting, regulatory or similar and relevant professions. During his or her term, no member shall
12 hold any other public office.

13 (b) The Mayor shall appoint the members of the Board, including the Chairperson, that
14 have the qualifications of subparagraph (a) of this paragraph with the advice and consent of the
15 Council. Each member shall serve a term of 3 years except that in making the initial appointment,
16 the Chairperson shall be appointed for a term of three years and the two other members for terms
17 of two and one year, respectively. The chairperson shall serve as the chief administrative officer
18 of the Board.

19 (c) The chairperson shall be a full-time District of Columbia employee and shall receive a
20 salary equivalent to District Schedule Grade 17. The other two Board members shall not be
21 District of Columbia employees and shall be compensated at one half (1/2) of the Chairperson's
22 annual compensation.

1 (c) Where a vacancy occurs, the Mayor shall fill the vacancy with the appointee serving
2 out the unexpired term of his or her predecessor.

3 (d) The existing eight-member DC Taxicab Commission is hereby abolished upon the
4 effective date of this Act.

5 **Sec. 10. Program Implementation and Rulemaking.**

6 The Mayor may delegate the implementation of this Act to the Commission, to another
7 District government entity or to a District of Columbia employee or to a private entity. The
8 Mayor or his or her designee(s) shall have 120 days to implement and promulgate the regulations
9 of this Act.

10 **Sec. 11. Fiscal Impact Statement.**

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

14 **Sec. 12. Effective date.**

15 This act shall take effect upon its approval by the Mayor (or in the event of veto by the
16 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
17 provided in Sec. 602(c)(1) of the District of Columbia Home Rule Act, approved December 24,
18 1973 (87 Stat. 813; D.C. Official Code § 1-206(c)(1)) and publication in the District of Columbia
19 Register.