

A RESOLUTION

**Proposed
Resolution
20-423**

**See Emergency
D.C. Act 20-169
20 DCStat 2414**

To declare the existence of an emergency with respect to the need to amend Title 31 of the District of Columbia Municipal Regulations to amend the vehicle requirements for livery class vehicles used in for-hire service and to clarify the applicability of jurisdictional requirements; to amend the District of Columbia Taxicab Commission Establishment Act of 1985 to require the District of Columbia Taxicab Commission industry panel to recommend rules and modifications to established rules for classes of for-hire and ride-sharing vehicles, and to implement interim requirements for ride-sharing services pending commission rulemaking.

**Livery Class
Regulation
and Ride-
Sharing
Emergency
Declaration
Resolution of
2013**

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Livery Class Regulation and Ride-Sharing Emergency Declaration Resolution of 2013”.

Sec. 2. (a) Since 2011, for-hire transportation options in the District have increased dramatically. Consumers have an increasing number of ways to travel throughout the city. The ubiquity of mobile devices with sophisticated web or application-based platforms has also dramatically changed the way that individuals move around the city, particularly regarding for-hire transportation services like taxicabs and limousines as passengers can now request vehicles through their mobile phone applications. In light of these sweeping changes, many of the laws, rules, and regulations surrounding the for-hire industry needed to be reevaluated.

(b) In 2012, the Council passed the Public Vehicle-for-Hire Innovation Amendment Act of 2012 (“Innovation Act”), which ensured that innovative for-hire transportation services in the District would be able to freely operate. This law provided basic consumer protections for passengers and ensured that the regulatory authority granted to the District of Columbia Taxicab Commission (“Commission”) was narrowly tailored to implement the basic consumer protections provided in the law. However, the Commission’s recent rulemaking regarding colors, sizes, and types of vehicles that may be used in sedan and limousine class service (livery service) in the District does not serve the ultimate consumer protection goals of the Innovation Act. These rules limit the types of vehicles to larger, luxury sedans, and exclude smaller, more fuel efficient options for consumers, without a convincing consumer protection rationale.

(c) The Commission’s rules do the exact opposite of what the Innovation Act intended. Rather than encouraging customer choice and innovative transportation services, the Commission has eliminated entire colors, sizes, and classes of vehicles that may be operated as a sedan (e.g., the Toyota Prius). Many of these vehicles are currently operating in the District without incident. The Commission’s rules discourage innovative transportation choices and send the symbolic message that the District is uninterested in ensuring competition and consumer choice in for-hire services. This emergency legislation is necessary to ensure that these rules are eliminated.

(d) Additionally, the Commission recently created a panel to analyze and study different classes of service available in the District and how best to regulate these classes of service, including ride-sharing services (companies or organizations that use a website or application-based platform to connect passengers to drivers using their person, non-commercial vehicles). These ride-sharing services have proliferated recently in the District, and the Commission must address how these new services should be regulated, if at all. The Council should not impede this important work; however, in the interim period it is necessary to implement basic consumer protections until the Commission concludes its analysis and issues rulemaking. Therefore, this legislation not only sets out basic parameters under which ride-sharing services must operate in the interim period, but also sets a January 2014 deadline for the Commission's panel to submit its recommendations to the full Commission. This emergency legislation is necessary to ensure that the Commission moves as swiftly as possible, and that consumers are protected in the interim.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Livery Class Regulation and Ride-Sharing Emergency Amendment Act of 2013 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.