

**Performance Oversight Questions**  
**District of Columbia Taxicab Commission**

**A. ORGANIZATION AND OPERATIONS**

1. Please provide a complete, up-to-date **organizational chart** for the agency and each division within the agency. Please include an explanation of the roles and responsibilities for each division and subdivision within the agency.

**Response:**

Organization Chart (See Attachment I)

Division Roles and Responsibilities

Agency Management provides for administrative support and the required tools to achieve operational and programmatic results. The Agency Management also includes the Research Program, Legal Program, and Public Information. The Research Program provides industry data, knowledge, and awareness of trends for the purpose of planning, assessment, and rulemaking. The Legal Program provides compliance with legislative directives; technical structure; offers analysis; opinions to ensure appropriate rulemaking; and operational activities. Public Information provides updated facts pertaining to operations, rulemaking and media through various communication platforms including press releases, testimony and speech preparation, and website management. The program also monitors news to maintain awareness of market and coordinates the promotion of a positive public image.

The Driver and Consumer Service Program provide responses to resolve issues of passengers and drivers. The program activities are as follows:

- Complaints – documents and investigates the validity of information and prepares materials to seek resolution;
- Community Outreach – communicates with groups, organizations and individuals to inform of agency procedures and regulations and solicits feedback to enhance public awareness;
- Driver Assistance – accepts applications for driver licensing and vehicle registration and issues new licenses and renewals;
- Customer Service – assists with the retrieval of lost items and takes action to fulfill service inquiries.

The Enforcement and Education Program provides enforcement, compliance, and oversight of public vehicle-for-hire companies; and oversees training courses for license applicants and refresher courses for existing license holders to ensure behavioral standards and adherence to District laws and

District of Columbia, Taxicab Commission (DCTC) regulations. The program activities are as follows:

- Field Enforcement – performs hack inspections and issues notices of infraction;
- The Education program oversees the assessment, design, development, coordination, and implementation of training courses and programs for license and non-license applicants to ensure compliance with the DC laws and DCTC regulations.
- Fleet Management – supervises companies, associations and individuals in order to maintain accurate records of in-service vehicles.
  - Please include a list of the employees (name and title) for each subdivision and the number of vacant positions.

**Response:**

Listing of DCTC employees (See Attachment II)

- Has the agency made any organizational changes in the last year? If so, please explain.

**Response:**

There were no organizational changes in the past year.

2. Please list each **new program** implemented by the agency during FY 2013. For each initiative please provide:
- A description of the initiative.
  - The funding required to implement the initiative.
  - Any documented results of the initiative.

**Response:**

New Programs implemented in FY '2013:

- Implementation of the Modern Taximeter System (MTS) of the cashless payment options for the universal credit card service in 6,500 taxicabs. Through the regulation process required all licensed taxicab companies and independent owners to install the appropriate equipment by September 31, 2013. This initiative enhanced customer service by providing a non-cash payment option to passengers and for the collection of a passengers surcharge that funds the DCTC administrative operations and enforcement activities. Required funding for this initiative was in the amount of \$ 61,243.00.

- Design and installation of the Universal Dome Light for all taxicabs operating in the District of Columbia. DCTC provided the taxicab industry with two certified manufacturers for the new standardized dome lights. The new dome light design was patented by the District and is being used as a DC taxicab trademark. The new dome lights are unique to licensed DC taxis authorized to operate within the District making them recognizable and identifiable to passengers. The dome lights indicate in LED lighting the taxicab's unique number called the Public Vehicle Identification Number (PVIN) along with the taxis availability for hire; on-call; or off-duty status. The PVIN process will eliminate or reduce the "Refusal to Haul" of passengers as well as eliminate or reduce operation of illegal taxis. In turn, passengers would only be required to report the PVIN to DCTC when taxis fail to stop while displaying hire and on-call on the dome light. Required funding for this initiative was in the amount of \$11,888.00.
- Regulatory process and approval of the Uniform Taxicab Color Scheme.

In August of 2013, there were 6,500 registered taxis with different makes and models operating in the District of Columbia. Effective October 1, 2013, the Commission implemented the Uniform Taxicab Color Scheme through the approval of regulation to require taxicabs operating within the District to adhere to the newly adopted red and gray standard. Required funding for this initiative was in the amount of \$26,763.00.

3. Please provide a complete, up-to-date **position listing** for your agency, which includes the following information for each position:
  - Title of position.
  - Name of employee or statement that the position is vacant, unfunded, or proposed.
  - Date employee began in position.
  - Salary and fringe benefits, including the specific grade, series, and step of position.
  - Job status (continuing/term/temporary/contract).

*Please list this information by program and activity*

**Response:**

Position Listing (Attachment III)

4. Does the agency conduct annual **performance evaluations** of all of its employees? Who conducts such evaluations? What steps are taken to

ensure that all agency employees are meeting individual job requirements?

**Response:**

Yes, performance evaluations are conducted by supervisors and reviewed by agency management.

5. Please list all **employees detailed** to or from your agency, if any. Please provide the reason for the detail, the detailed employee’s date of detail, and the detailed employee’s projected date of return.

**Response:**

There are no employees detailed to or from DCTC, at this time.

6. Please provide the Committee with:
  - A list of all employees who receive cellphones, personal digital assistants, or similar communications devices at agency expense.

**Response:**

Employee	Cell Phone	Electronic Ticket Writer (Handheld)
Victor Ayala	X	X
Kalvin Bears	X	X
Andrea Benson	X	X
Mia Bowden	X	X
James Conrad, Sr.	X	X
Johnice Earle	X	X
Timothy Evans	X	X
Marques Hudgins	X	X
Erin Johnson	X	
James Lane, Sr.	X	X
Thomas Lea	X	X
Andy Lee	X	
Jacques Lerner	X	
Ron Linton	X	
Carl Martin	X	X
Patty Mason	X	
Garrett McBride	X	X
Sharon McInnis	X	
Eilma Mekonnen	X	X
Juanda Mixon	X	
David Person	X	
Linda Roberts	X	
John Scott	X	
Satina Smith	X	
Dennis Starks	X	
Sherry Tillman	X	
Neville Waters	X	

- A list of all vehicles owned, leased, or otherwise used by the agency and to whom the vehicle is assigned.

**Response:**

List of vehicles owned by DCTC:

<b>TAG #</b>	<b>MAKE</b>	<b>MODEL</b>	<b>YEAR</b>	<b>1st SHIFT</b>	<b>2nd SHIFT</b>	<b>3rd SHIFT</b>
7290	CHEVY	IMPALA	2009	J. LANE		M. HUDGINS
7291	CHEVY	IMPALA	2009	M. BOWDEN	C. MARTIN	T. EVANS
7292	CHEVY	IMPALA	2009		J. CONRAD	V. AYALA
7317	CHEVY	IMPALA	2009	K. BEARS		E.MEKONNEN
7322	CHEVY	IMPALA	2009	A. BENSON	J. EARLE	T. LEA
3975	FORD	TAURUS	2004			G. McBride
8664	DODGE	CARAVAN	2013	ADMIN	ADMIN	ADMIN

- A list of employee bonuses or special award pay granted in FY 2013 and FY 2014, to date.

**Response:**

In FY 2013 and FY 2014, no bonuses or special award pay was granted.

- A list of travel expenses, arranged by employee.

**Response:**

Jacques Lerner, General Counsel, attended the International Association of Transportation Regulators conference held in St. Louis, Missouri. The total travel expenses were in the amount of \$1,839.06.

- A list of the total overtime and worker's compensation payments paid in FY 2013 and FY 2014, to date.

**Response:**

<b>Payments</b>	<b>2013</b>	<b>2014</b>
<b>Overtime</b>	<b>\$5,817.00</b>	<b>\$8,738</b>
<b>Workers Compensation</b>	<b>N/A</b>	<b>N/A</b>

7. Please identify all **electronic databases** maintained by your agency, including the following:
- A detailed description of the information tracked within each system.

**Response:**

**Taxicab Commission Information System (TCIS):** The database used by DCTC as the system of records to store and retrieve the Digital Dispatch Services (DDS) and Payment Service Providers (PSP) information of daily trip records and vehicle inventory.

**e-Form:** The database used by DCTC as the system of records to store and retrieve the taxicab and limousine drivers' s indicative data such as the Face ID, contact information, data of birth, etc.

**VIVO:** The database used to store and retrieve vehicle information such as registration, owners' information, meter shops, etc., and to assign new Public Vehicle Numbers (PVIN). The PVIN is the unique identifier for each individual vehicle.

- The age of the system and any discussion of substantial upgrades that has been made or is planned to the system.

**Response:**

In Phase II of the Modern Taximeter System (MTS), DCTC will install and implement the Personal Information Module (PIM) that will provide driver verification, news, public service announcements, and advertising features. In addition, to enhancements of the existing TCIS application that would include more edit features; ad-hoc reporting; a broader data collection capabilities coupled with the consolidation of the data from the e-Form and VIVO database into a single integrated TCIS application.

- Whether the public can be granted access to all or part of each system.

**Response:**

Currently, DCTC shares information only with agencies within the DC Government. No public entity has access to DCTC system applications, at this time.

8. What has the agency done in the past year to make the activities of the agency more **transparent** to the public? In addition, please identify ways in which the activities of the agency and information retained by the agency could be made more transparent.

**Response:**

The Commission provides the public with the opportunity to comment at its General Commission Meetings. In addition, DCTC respond to all individual and media requests provide public awareness on operations and policies via the internet. The internet is a critical platform used by DCTC for informing both the taxi industry and public on the agency's programs, initiatives, and activities. DCTC will enhance their release process of minutes from the General Commission Meetings to make the information readily available to non-attendees to ensure public awareness of Commission regulatory decisions and actions.

9. How does the agency solicit **feedback** from customers? Please describe.
- What is the nature of comments received? Please describe.
  - How has the agency changed its practices as a result of such feedback?

**Response:**

The public is encouraged to provide feedback at regular General Commission Meetings and Public Hearings on regulatory matters. The agency web site encourages feedback by having a direct link to "Ask the Director" questions and offer opinions and suggestions.

Most comments pertain to industry-related issues related to regulations, and the clarification of rules and procedures. In addition customer feedback includes compliments, complaints, observations and suggestions.

Proposed rulemaking is modified to respond to comments as warranted

10. How has the agency tried to reduce agency **energy use** in FY 2013?

**Response:**

DCTC has reduced the number of individual desk top printers and implemented network printing for staff. In addition, DCTC has adopted emailing meeting documents, instead of printing paper documents.

11. Please complete the following chart about the residency of **new hires**:  
**Response:**

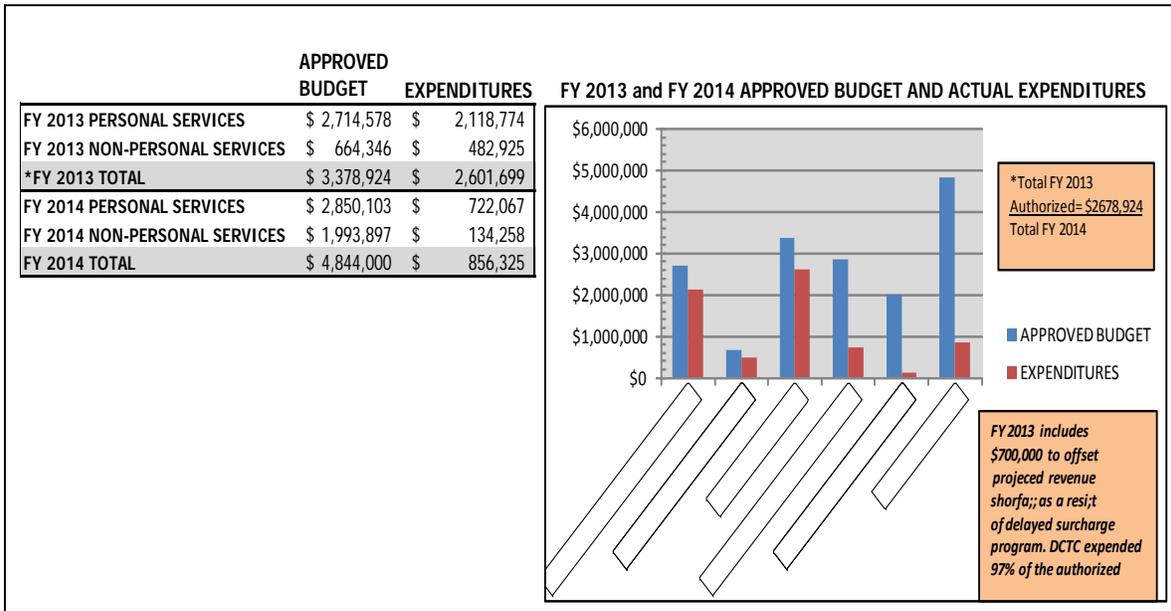
**Number of Employees Hired in FY 2013 and FY 2014, to date**

<i>Position Type</i>	<i>Total Number</i>	<i>Number who are District Residents</i>
Continuing	5	3
Term	1	1
Temporary	N/A	N/A
Contract	N/A	N/A

**B. BUDGET AND FINANCE**

12. Please provide a chart showing your agency's **approved budget and actual spending**, by division, for FY 2013 and FY 2014, to date. In addition, please describe any variance between fiscal year appropriations and actual expenditures.

**Response:**



FY 2013 REVISED APPROVE BUDGET/ EXPENDITURES by PROGRAM			
Program	Program Title	Revised Approved Budget	Expenditures
1000	AGENCY MANAGEMENT PROGRAM	157,887	122,303
2000	LICENSING AND DISPUTE RESOLUTION	809,414	742,333
3000	PASSENGER AND DRIVER PROTECTION	2,411,622	1,747,136
<b>Total TCO</b>		<b>3,378,924</b>	<b>2,611,772</b>
<i>*Budget Available for execution is minus \$700,000 or \$2,678,924 instead of \$3,378,924</i>			
FY 2014 REVISED APPROVE BUDGET/ EXPENDITURES by PROGRAM			
Program	Program Title	Revised Approved Budget	Expenditures
1000	AGENCY MANAGEMENT PROGRAM	\$ 395,508	\$ 90,805
2000	DRIVER AND CONSUMER SERVICE PROGRAM	\$ 2,446,188	\$ 288,818
3000	RESEARCH PROGRAM	\$ 308,622	\$ 193,988
4000	ENFORCEMENT AND EDUCATION PROGRAM	\$ 1,415,387	\$ 253,749
5000	PUBLIC ADJUDICATION	\$ 5,573	\$ -
6000	LEGAL PROGRAM	\$ 144,414	\$ 4,244
7000	PUBLIC INFORMATION	\$ 128,308	\$ 24,721
<b>Total TCO</b>		<b>\$ 4,844,000</b>	<b>\$ 856,325</b>
<i>*Program structures change approved for FY 2014</i>			

13. Please list any **reprogramming's**, in, out, or within, related to FY 2013 or FY 2014 funds. For each reprogramming, please list the total amount of the reprogramming, the original purposes for which the funds were dedicated, and the reprogrammed use of funds.

**Response:**

DCTC REPROGRAMMINS FOR FY 2013 and FY 2014				
FY 2013				
DATE	AMOUNT	FUND TYPE	ORIGINAL PURPOSE	REPROGRAMMED USE
DEC 2012	\$ 480,000	LOCAL	Debt Service	Support term positions added in FY 2012
MAR 2013	\$ 283,000	LOCAL	FY 2013 Supplemental	Additional positions, supplies, additional attorney, office equip
MAR 2013	\$ 25,000	SPECIAL PURPOSE	OFRM	Increase budget authority for Justice Dept Fingerprinting
JUN 2013	\$ 50,000	INTRA-DISTRICT	Vehicle Purchase	Contracts
JUL 2013	\$ 700,000	LOCAL	FY 2013 Supplemental	Offset anticipated o-type revenue shortfall
SEP 2013	\$ 227,584	SPECIAL PURPOSE	Budget erroneously loaded to Assessment Fund which no longer exists in FY 2013	Administrative correction completed to post budget to Consumer Service Fund
FY 2014				
DEC 2013	644000	LOCAL	FY 2014 SUPPLEMENTAL	Taxicab Color Scheme Incentive Program

14. Please provide a complete accounting for all **intra-District transfers** received by or transferred from the agency during FY 2013 or FY 2014, to date.

**Response:**

**DCTC INTRA-DISTRICT TRANSFERS (FY 2013 - FY 2014)**

FY 2013	
<b>TRANSFER IN</b>	
\$ 247,082	KV0 - DEPT OF MOTOR VEHICLES - Out of State License
<b>TRANSFER OUT</b>	
\$ 126,082	CB0 - OFFICE OF ATTORNEY GENERAL - LEGAL SUPPORT
\$ 42,724	PO0 - CONTRACTS & PROCUREMENT - PCARD
\$ 1,500	AS0 - OFFICE OF FINANCIAL RESOURCE MANAGEMENT - TELEPHONE REQUESTS
	FA0 - METROPOLITAN POLICE DEPT - JUSTICE DEPT FINGERPRINTING &
\$ 60,447	BACKGROUND CHECK
\$ 47,132	KT0 - DEPT OF PUBLIC WORKS - VEHICLE MAINTENANCE
\$ 61,243	TO0 - CHIEF TECHNOLOGY - TECH SUPPORT FOR TSMS

FY 2014	
<b>TRANSFER IN</b>	
\$ -	NO TRANSFER IN TO-DATE
<b>TRANSFER OUT</b>	
\$ 3,877	FA0 - METROPOLITAN POLICE DEPT - SECURITY SERVICES FOR DRIVER TESTING
\$ 49,000	KT0 - DEPT OF PUBLIC WORKS - VEHICLE MAINTENANCE
\$ 99,680	TO0 - CHIEF TECHNOLOGY - DC ONE CARD
\$ 15,000	PO0 - CONTRACTS & PROCUREMENT - PCARD

15. Please identify any **special purpose revenue accounts** maintained by, used by, or available for use by your agency during FY 2013 or FY 2014, to date. For each account, please list the following:

- The revenue source name and code.
- The source of funding.
- A description of the program that generates the funds.
- The amount of funds generated by each source or program in FY 2013 and FY 2014, to date.
- Expenditures of funds, including the purpose of each expenditure, for FY 2013 and FY 2014, to date.

**Response:**

DCTC SPECIAL PURPOSE REVENUE ACCOUNTS					
REVENUE CODE	REVENUE NAME	SOURCE OF FUNDING	DESCRIPTION OF PROGRAM	REVENUE GENERATED	
				FY 2013	FY 2014
2100	JUSTICE DEPARTMENT FINGERPRINTS	Funded by applicants requiring hacker and limousine licenses.	Metropolitan Police Department shall submit to the Taxicab Commission a voucher on a periodic basis to be reimbursed for the cost of producing fingerprint records.	\$ 65,191	\$ 60,448
2400	PUBLIC VEHICLES FOR HIRE CONSUMER SERVICE FUND	The fund receives a new 25cent surcharge per taxi ride; collects fees from the issuance and renewal of a public vehicle-for-hire license.	The fund may be used to pay for the costs incurred by the Taxicab Commission in operating and administering programs, investigations, proceedings, and to provide grants, loans, incentives, or other financial assistance to owners of licensed taxicabs in the District to offset the cost of acquiring, maintaining, and operating wheelchair-accessible vehicles.	\$ 890,992	\$ 814,382
FY 2013- Expenditures - Justice Department Fingerprints - \$60,448 FY 2014- Expenditures - Justice Department Fingerprints - \$19,630 <i>*Revenue generated from the Justice Department Fingerprints is not used for DCTC agency operations. Revenue collected supports the MOU to DC Metropolitan Police Department for services associated with background checks and fingerprinting drivers.</i>					
FY 2013- Expenditures Public Vehicles for Hire Consumer Service Fund - \$913,910 (difference of \$22,918 supported by agency fund balance) FY 2014- Expenditures Public Vehicles for Hire Consumer Service Fund -					
\$	722,067	Salaries			
\$	3,000	OFRM - Telephone Request			
\$	46	Local travel			
\$	104,694	Professional Services			
\$	6,200	Printing			
\$	180	Postage			
\$	800	Commission Board Stipends			
\$	7,110	Equipment			
\$	<b>844,097</b>	<b>Total Consumer Service Expenditures - FY 2014</b>			

16. Please provide a list of all projects for which your agency currently has **capital funds** available. Please include the following:

- A description of each project, including any projects to replace aging infrastructure (e.g., water mains and pipes).
- The amount of capital funds available for each project.
- A status report on each project, including a timeframe for completion.
- Planned remaining spending on the project.

**Response:**

DCTC does not have a capital budget.

17. Please provide a complete accounting of all **federal grants** received for FY 2013 and FY 2014, to date.

**Response:**

DCTC does not receive federal grants.

18. Please list each contract, procurement, lease, and grant (“**contract**”) awarded, entered into, extended and option years exercised, by your agency during FY 2013 and FY 2014, to date. For each contract, please provide the following information, where applicable:

- The name of the contracting party.
- The nature of the contract, including the end product or service.
- The dollar amount of the contract, including budgeted amount and actually spent.
- The term of the contract.
- Whether the contract was competitively bid or not.
- The name of the agency’s contract monitor and the results of any monitoring activity.
- Funding source.

**Response:**

Listing of Contracts, Procurements, and Leases (See Attachment IV)

19. Please provide the details of any **surplus** in the agency’s budget for FY 2013, including:

- Total amount of the surplus.
- All projects and/or initiatives that contributed to the surplus.

**Response:**

DCTC expended 97% of the authorized budget in FY 2013. The authorized budget posted in the budget tables includes \$700,000 which was to supplement the projected revenue shortfall as a result of the delayed surcharge implementation. Total surplus of \$77,225 is a position unfilled until FY 2014 and driver training requirements delayed.

**C. LAWS, AUDITS, AND STUDIES**

20. Please identify any **legislative requirements** that the agency lacks sufficient resources to properly implement.

**Response:**

IMPROVEMENT ACT

- D.C. Code 50-309.02(a) requires that “The Chairperson shall appoint at least one attorney to serve as a hearing examiner to adjudicate

consumer and industry complaints filed against taxicab owners, operators, companies, associations, fleets, and radio dispatch operations.”

- D.C. Code 50-312(e) (as amended) requires that the Commission “Maintain a system of electronic public records related to licensed owners and operators of public vehicles for hire and public vehicle for hire companies, associations and fleets, including (A) Developing, maintaining and keeping a current body of information for public and government use relating to public vehicle for hire industry operations within the District, regionally and nationwide; and (B) providing statistics, analyses, studies and projections relating to matters such as revenue, operational costs, passenger carriage, profits, practices, and technologies characterizing the public vehicle-for-hire industry.”
- D.C. Code 50-312(e)(13) requires that the Commission “Establish within the Office a transportation liaison who shall serve as liaison between the Office (of Taxicabs) and the District Department of Transportation on policies related to transportation.”
- Taxicab Service Improvement Act of 2012 at section 20l(b) requires that “The Commission shall provide a hotline that links potential fares to each of the available taxicab dispatch services available within the District. The hotline shall be available 24 hours a day, 365 days a year and be listed on the main page of the Commission’s website.”
- Taxicab Service Improvement Act of 2012 at section 20m(3) requires that the Commission “Respond, in writing, to the taxicab operator against whom the complaint was filed, with a detailed description of the complaint against him or her, including the time, date, location, circumstances of the alleged incident, and the potential penalties, as well as provide clear instructions of the procedures used to adjudicate the complaint, the rights of the recipient to contest the complaint, and the documents, evidence, or materials necessary for proper adjudication of the complaint.” Since 2011 the Commission has maintained an informal mediation process to resolve public complaints and collect fines expeditiously, in advance of and often without the need to file a formal notice of infraction (NOI) at the Office of Administrative Hearings (OAH). Following an initial review of a complaint to ensure it rises to the level of a violation of DCTC regulations, drivers are notified by mail that a complaint has been made against them and notified of the month the complaint alleges a violation took place and are requested to bring with them to a mediation at the Commission documents that demonstrate their

current compliance with DCTC regulations: their drivers license, Face Identification card, vehicle registration, vehicle insurance, and manifests for the month when the complaint alleges a violation took place. There is no separate and additional notice to the driver as it would be redundant of the information provided to the driver in connection with advising him of the opportunity for mediation. At mediation, the driver is presented with a copy of the complaint and given an opportunity to accept responsibility and pay associated fines. Drivers who would like to present evidence to the Commission to mitigate or disprove the allegations against them are often provided that opportunity in consultation with the mediation officer. Drivers are also often provided with more time to pay any associated fines, if they make such a request. An NOI is filed at OAH if the driver declines to accept responsibility. As a result, much of the information required by the legislative directive goes beyond what is fair and necessary to resolve public complaints, and there is no need to also provide this information in a separate and additional process *prior* to mediation. The Commission believes the legislative requirements should be altered to conform to its current practice. If the requirements are not altered, additional resources would be required to implement them.

#### TAXICAB AND PASSENGER VEHICLE FOR HIRE IMPOUNDMENT ACT OF 1992

- D.C. Official Code 50-331 *et. seq.* requires the Commission to hold a hearing on impounded vehicles prior to their release. *See, e.g.*, D.C. Code 50-331(d) (“ Within 3 business days of impoundment, the Chairperson of the Commission shall mail a notice, by first-class mail, certified or registered mail, return receipt requested, to the last known address of the owner and the operator of the impounded vehicle as identified in the records of the Office of Taxicabs.”). Such hearings are contemplated to be conducted by hearing examiners. The Commission does not currently possess the infrastructure to conduct such hearings; as a result, all impounded vehicles are returned the same day or the next business day, upon payment of impound fees, and no hearings are conducted.
- The law should be amended to allow the Commission to develop rules for proper compliant implementation of the law at Commission level, most importantly, to more specifically delineate impoundable offenses.
- The Council may also choose to amend the law to allow hearings to be heard by the Office of Administrative Hearings, as this law does not provide that impoundment hearings, if requested or required, be heard

by OAH. *See, e.g.*, Taxicab Service Improvement Amendment Act of 2012 at Sec. 8(c)(14) and (16); 8(f); 10b(4); 13(h)(2); 20m(7).

21. Please identify any statutory or regulatory **impediments** to your agency's operations.

**Response:**

- Last year, the Mayor's Office contacted the Commission for assistance in enforcing the "No U Turn across bike lanes" law in the District. However, Hack inspectors cannot write "No U-Turn tickets" to public vehicles for hire because the violation is a Title 18 violation; public vehicle enforcement inspectors (aka Hack Inspectors) are only authorized to write tickets for Title 31 violations. Hack Inspectors should have the authority to write tickets to public vehicles for hire from other DCMR titles, if necessary.
- Hack inspectors have no criminal enforcement power, therefore, the statutory misdemeanor for the installation or use of counterfeit or non-compliant public vehicle for hire equipment or technology (Taxicab Service Improvement Amendment Act of 2012 at 20g(b)) cannot be enforced by the agency.

22. Please list all **regulations** for which the agency is responsible for oversight or implementation. Please list by chapter and subject heading, including the date of the most recent revision.

**Response:**

Title 31 of the DCMR:

Chapter 1, District of Columbia Taxicab Commission: Rules of Organization, will be amended by a final rulemaking being considered by the Commission at the February 12, 2014 Commission meeting (sec. 101.2).

Chapter 2, Panel on Rates and Rules: Rules of Organization and Rules of Procedure for Ratemaking, last amended October 16, 2009 (secs. 219, 220).

Chapter 3, Panel on Adjudication: Rules of Organization and Procedure, last amended October 23, 1987.

Chapter 4, Taxicab Payment Services, was renamed, redesignated and promulgated throughout 2013, with the last amendment taking place on November 8, 2013 (secs. 401, 408, 409, 411, 499), and will be further amended by rulemakings being considered by the Commission at the February 12, 2014 Commission meeting.

Chapter 5, Taxicab Companies, Associations, and Fleets and Independent Taxicabs, was last amended August 30, 2013 (secs. 501, 503, 504 (repealed), 505, 506, 516 (repealed)).

Chapter 6, Taxicab Parts and Equipment, was last amended on August 30, 2013 (sec. 602, 609) and will be further amended by final rulemaking being considered by the Commission at the February 12, 2014 Commission meeting.

Chapter 7 is being renamed Enforcement with significant amendments in a third proposed rulemaking being considered by the Commission at the February 12, 2014 Commission meeting.

Chapter 8, Operation of Taxicabs, was last amended on August 30, 2013 (sec. 825), and will be further amended by rulemaking being considered by the Commission at the February 12, 2014 Commission meeting.

Chapter 9, Insurance Requirements, was last amended on August 30, 2013 (sec. 901, 906).

Chapter 10, Public Vehicles for Hire, was last amended on February 1, 2013 (sec. 1016).

Chapter 11, Public Vehicles for Hire Consumer Service Fund, will be amended by a final rulemaking considered by the Commission at the February 12, 2014 Commission meeting (secs. 1103 and 1104).

Chapter 12, Luxury Class Services, will be amended by a final rulemaking being considered by the Commission at the February 12, 2014 Commission meeting (sec 1202).

Chapter 13, Licensing and Operations of Taxi Meter Companies, was last amended on April 11, 2008.

Chapter 14, Operation of Sedans, was created as a new Chapter as of August 30, 2013.

Chapter 15, Licensing and Operations of Dome Light Installation Companies, was created pursuant to final rulemaking on December 7, 2012.

New Chapter 16 (Dispatch Services) is being created and a fourth emergency and proposed rulemaking action being considered by the Commission at the February, 2014 Commission meeting.

23. Please explain the impact on your agency of any **federal legislation or regulations** adopted during FY 2013 that significantly affect agency operations.

**Response:**

None.

24. Please provide a list of all **MOUs** in place during FY 2013.

**Response:**

**DCTC INTRA-DISTRICT TRANSFERS - FY 2013**

<b>TRANSFER IN</b>	
\$ 247,082	KV0 - DEPT OF MOTOR VEHICLES - Out of State License
<b>TRANSFER OUT</b>	
\$ 126,082	CB0 - OFFICE OF ATTORNEY GENERAL - LEGAL SUPPORT
\$ 42,724	PO0 - CONTRACTS & PROCUREMENT - PCARD
\$ 1,500	AS0 - OFFICE OF FINANCIAL RESOURCE MANAGEMENT - TELEPHONE REQUESTS
\$ 60,447	FA0 - METROPOLITAN POLICE DEPT - JUSTICE DEPT FINGERPRINTING & BACKGROUND CHECK
\$ 47,132	KT0 - DEPT OF PUBLIC WORKS - VEHICLE MAINTENANCE
\$ 61,243	TO0 - CHIEF TECHNOLOGY - TECH SUPPORT FOR TSMS

25. Please provide a list of all studies, research papers, and analyses ("**studies**") the agency requested, prepared, or contracted for during FY 2013. Please state the status and purpose of each study.

**Response:**

There were no studies completed during FY 2013.

26. Please list and describe any ongoing **investigations**, audits, or reports on your agency or any employee of your agency, or any investigations, studies, audits, or reports on your agency or any employee of your agency that were completed during FY 2013 or FY 2014, to date.

**Response:**

1. In December 2012, the agency investigated an allegation of a hack inspector improperly obtaining driver documentation by a driver. The investigation revealed no wrongdoing by the hack inspector and the matter was closed.
2. In April 2013, the agency investigated an allegation of hack inspector incompetency by a driver. The investigation revealed that the hack inspector had failed to return driver documentation to the driver following a vehicle inspection, and the hack inspector was counseled to be more careful with driver documentation.
3. In April 2013, the agency investigated an allegation of a hack inspector improperly issuing a citation by a driver. The investigation revealed no wrongdoing by the hack inspector, and the matter was closed.
4. In April 2013, the agency investigated an allegation of hack inspector harassment of a driver, by the driver. The investigation revealed no wrongdoing by the hack inspector, and the matter was closed.
5. In May 2013, the agency investigated an allegation of hack inspector rudeness by a driver. The investigation revealed no wrongdoing by the hack inspector, and the matter was closed.
6. In June 2013, the agency investigated an allegation of a hack inspector abusing their authority by a driver. The investigation revealed no wrongdoing by the hack inspector and the matter was closed.
7. In June 2013, the agency investigated allegations of discrimination by an employee against her supervisor in a claim filed with OHR. The investigation revealed that the allegations of discrimination were unfounded. OHR is still reviewing the claim to determine if an evidentiary hearing is warranted.
8. In June 2013, the agency investigated the basis of an OIG complaint alleging fraud and conflict of interest between a hack inspector and a DCTC licensee (a taxicab company owner). The investigation revealed no wrongdoing by the hack inspector. OIG closed the matter in July 2013.
9. In July 2013, the agency investigated an allegation of a hack inspector's misbehavior by a driver. The investigation revealed no wrongdoing by the hack inspector, and the matter was closed.

10. In August 2013, the agency investigated an allegation of a hack inspector “specifically targeting” a driver’s vehicle. The investigation revealed no wrongdoing by the hack inspector, but the hack inspector was counseled regarding the circumstances under which certain parking tickets can be written.
11. In August 2013, the agency investigated an allegation of a hack inspector improperly requesting driver documentation during a vehicle inspection by a driver. The investigation revealed no wrongdoing by the hack inspector, and the matter was closed.
12. In August 2013, the agency investigated the basis of an employee’s appeal to OEA of a 10-day suspension for neglect of duty, insubordination and unreasonable failure to give assistance to the public. The investigation revealed that the suspension was proper. OEA dismissed the appeal for lack of jurisdiction in October 2013.
13. In August 2013, the agency investigated the basis of an OIG complaint based on allegations by a driver that a hack inspector had solicited and taken a bribe. The hack inspector also filed a complaint against the driver for harassment. At the OAH hearing on the hack inspector’s complaint against the driver, the driver recanted his allegations of bribery to the Mediation Officer and admitted to harassing the hack inspector. Therefore, the Commission advised the OIG that further investigation of the hack inspector in this matter was not warranted.
14. In September 2013, the agency investigated an allegation of a hack inspector improperly requesting driver documentation by a driver. The investigation revealed no wrongdoing by the hack inspector, and the matter was closed.
15. In September 2013, the agency investigated an OIG complaint regarding a D.C. Government vehicle observed in the state of Maryland. The observed vehicle is assigned to this agency. The hack inspector operating the vehicle at the time of the observation provided a statement and was issued a letter of admonition, which was provided to the OIG.
16. In December 2013, the agency investigated an allegation of “unprofessional and inappropriate conduct” of a hack inspector by a driver during a routine traffic stop. The investigation revealed no wrongdoing by the hack inspector, and the matter was closed.
17. In January 2014, the agency investigated the basis of an OHR request for information concerning all refusal to haul complaints against taxicab drivers during the period of January 1, 2012 through January 31, 2014. The agency reported to OHR that 289 complaints of this type were filed during this period, of which 125 were disposed of with a finding of liability

against the driver, five were disposed of without such a finding, and the remainder are still pending (at the agency (with no NOI yet filed) or at OAH (with an NOI pending). OHR supplemented its request on February 7, 2014, seeking additional information about the drivers and the companies with which they are associated (if any) and the nature of the complaints, and further details about the mediation process.

27. Please identify all **recommendations** identified by the Office of the Inspector General, D.C. Auditor, or other federal or local oversight entities during the previous 3 years. Please provide an update on what actions have been taken to address these recommendations.

**Response:**

Each year, the Office of Police Complaints makes policy recommendations on 'Taxicab Drivers and MPD Enforcement of the District's Taxicab Regulations' which for FY13 were as follows:

Recommendation: DCTC should review for accuracy and clarify rules and regulations governing taxicab drivers, particularly those that address issues raised in this report, and make such revisions as are necessary to promote understanding and compliance.

DCTC response: Ongoing. DCTC reports that its current efforts to modernize the taxicab industry include rolling reconsideration of existing rules and regulations, with section-by-section amendments as appropriate both for clarity and to reflect changes being made in the program, such as requirements for credit card processing, uniform taxicab design, and a uniform dome light.

Recommendation: DCTC should consider making available translations of important rules and regulations in the non-English languages most commonly spoken by taxicab drivers.

DCTC Response: Not adopted. DCTC states that all taxicab drivers are required to speak, read, and write English as a condition of obtaining a license.

Recommendation: DCTC and UDC should assess the current UDC taxicab pre-license training course and work together to incorporate relevant provisions of Title 31 of the D.C. Municipal Regulations into the course content. Efforts should also be made to include a significant number of questions from Title 31 in the UDC simulated final examination.

DCTC Response: Adopted in part, pending in part. DCTC states that the “Taxicab Service Improvement Amendment Act of 2012” (“Improvement Act”) removes UDC from its responsibilities and vests authority for these educational services with the Commission. DCTC adds that the new curriculum was approved in July 2013. It consists of 4 modules that cover all of the mentioned areas of public concern.

Recommendation: DCTC should require taxicab drivers to attend annual refresher training that centers on Title 31 of the taxicab regulations and applicable District law.

DCTC Response: Adopted in part. DCTC regulations currently require a refresher training for operators when offered by the Commission.

Recommendation: DCTC and UDC should recruit interested MPD officers and DCTC hack inspectors to serve as instructors or guest presenters.

DCTC Response: Adopted in part. Public vehicle inspection officers (PVEIs, formerly known as hack inspectors) teach a module of the training required for new driver applicants. MPD is not involved in the current curriculum.

Recommendation: MPD and DCTC should establish regular joint training sessions for hack inspectors and MPD officers.

DCTC Response: Adopted in part. DCTC currently responds to requests from law enforcement agencies by providing on-site training by PVE Inspectors regarding their duties and responsibilities as public vehicle inspectors. Further information is provided to these agencies through informal methods, such as email updates to key personnel to be dispersed to the force, and regulation “cheat sheets” with current regulation changes that may most affect enforcement.

Recommendation: MPD should review and update its current training materials and general orders, offer annual in-service training on taxicab enforcement to all MPD officers, and continue to provide roll-call training to inform officers of important changes in taxicab rules and regulations.

DCTC Response: Adopted in part. DCTC has partnered with MPD to target certain violations in the areas of the city where it was determined these violation would most likely occur. Most recently, DCTC established a Task Force with MPD to conduct a six week long enforcement initiative from August 31 to October 5, 2013. During the initiative, the task force patrolled areas identified by targeted enforcement plans as high violation areas, issuing citations and impounding vehicles. This type of collaboration with MPD will continue as needs require.

Recommendation: Both MPD and DCTC should review taxicab citations issued by their respective agencies and seek to identify any problematic patterns or trends. To address concerns about discriminatory enforcement, MPD and DCTC should develop a system to review individual citations, in order to spot outliers, i.e. officers or inspectors whose citation issue rates are higher than average. This can be accomplished by noting which infraction specified in D.C. Mun. Regs. tit. 31 § 825 was incurred, which officer or inspector issued the citation, and any identifying information about the taxicab driver available from the citation. MPD and DCTC could coordinate to connect driver’s license and vehicle ID numbers to specific individuals.

DCTC Response: Adopted. DCTC continues to provide information to key personnel at MPD so that information can be distributed to its force. DCTC has established a Task Force with MPD and other law enforcement agencies to create a unified approach to taxicab enforcement. DCTC plans to push forward with training at MPD roll calls. Specifically, in March 2014 DCTC will begin to send hack inspectors to all MPD districts, all shifts, to provide training on both taxicab enforcement and PVE Inspectors responsibilities (i.e., PVE Inspectors do not have criminal enforcement power and require MPD assistance in those instances).

**D. PROGRAM-SPECIFIC QUESTIONS**

*I. General Agency Operations*

28. Please provide the following data as of September 30, 2012, September 30, 2013, and January 1, 2014:

**Response:**

	# of Operators			# of Companies			# of Associations			# of licensed vehicles		
	2012	2013	2014	2012	2013	2014	2012	2013	2014	2012	2013	2014
Taxicabs	8250	8250	6944	116	116	98	42	42	42	DMV	DMV	6704
Limousines	2032	2032	1517	73	73	39	n/a	n/a	n/a	DMV	DMV	298
Sedan-Class	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a

29. How many public vehicle-for-hire companies have been subject to DCTC compliance audits in FY 2012, FY 2013, and FY 2014 to date? What were the circumstances of the audit?
- How many of these compliance audits resulted in derecognizing of the company or association for non-compliance?

**Response:**

FY 2012: Anacostia Cab Co: Closed due repeated failure to comply with vehicle count requirement.

FY 2013: DC Express Cab Co: Closed due to repeated failure to comply with vehicle count requirement and no administrative office.

30. How much revenue has the passenger surcharge generated, by month, in FY 2013 and to date in FY 2014?

**Response:**

Surcharge Collected for FY 2013 and FY 2014

<b>FY2013</b>		
	February	
	March	
	April	
	May	
	June	
	July	3,176.75
	August	22,544.75
	September	95,995.50
<b>FY2014</b>	October	263,632.50
	November	323,955.25
	December	276,834.00
	January	289,009.25
<b>Total Surcharge</b>		\$ 1,275,148.00

31. How much revenue has been generated from DCTC's licensing activities in FY 2011, FY 2012, and FY 2013 to date?

**Response:**

Fiscal Year	Amount of Licensing Revenue
2011	1,247,945.50
2012	1,385,339.50
2013	1,798,140.75
2014	634,563.00*

\* For 10/1/13 through 1/31/14

## II. Modernization Program

32. What is the current compliance rate of installation of the modern taximeter system? Of those taxicabs, how many have installed the passenger information monitor?

### Response:

All 6,500 licensed taxicabs in the District had installed the MTS (modern taximeters system). Based on PSP reports, we estimate approximately 6,300 taxicabs have installed the passenger information monitor.

33. Assaults against passengers and public vehicle-for-hire operators have received increased attention in recent months. What is the status of DCTC's implementation of a passenger and driver alert system for taxicabs?

### Response:

We are working with consultants and OCTO to finalize the development of the passenger and driver alert system. The MOU will be signed in the next few weeks; the current implementation date is June 1<sup>st</sup>, 2014.

34. How many taxicabs have been painted in the District's new taxicab color scheme, to date? How many additional vehicles are expected to be painted in the remainder of FY 2014?

### Response:

DCTC estimated that 21.3% of the 6,500 taxicabs have been painted to the uniform color scheme, to date. It is expected that an additional 20% of the taxicab fleet will be painted by the end of FY 2014.

35. How many District taxicabs is wheelchair accessible? How many additional vehicles does the Commission anticipate will be accessible by the end of FY 2014?

**Response:**

Currently, there are 20 wheelchair accessible taxicabs. Legislation starts at the end of this year for taxicab companies to increase their numbers of wheelchair accessible taxicabs for FY 2014.

36. Is DCTC currently issuing operator and vehicle licenses to new applicants?

**Response:**

Yes, we are currently issuing both operator and vehicle licenses for luxury class sedans.

- If so, how many operator and vehicle licenses have been issued in each class in FY2013 and FY 2014 to date?

**Response:**

FY2013 – None

FY2014 – 100 New Operator licenses issued. Luxury Class Sedan (L-tag) vehicle licenses are available. As of February 12, 2014, no new applications have been submitted.

- If not, when does the Commission anticipate opening licensing for new operators and vehicles?

**Response:**

See answers above, there are currently available.

- What is the status for allowing new public vehicle-for-hire companies and associations to be formed?

**Response:**

Currently, the opportunity is available for public-vehicle-for-hire companies and associations to apply for luxury class sedans and limousines.

### III. Complaints and Enforcement

37. Please provide the following information concerning the scope of DCTC's complaint and enforcement operations:

<b>INFRACTIONS</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>
# of Title 31 Infractions issued by DCTC Hack Inspectors:	10,371	10,564	Report Requested
Three most common infractions:	1) fail to complete manifest 2) taxi loitering 3) operate unsafe vehicle	1) fail to complete manifest 2) taxi loitering 3) operate unsafe vehicle	1) fail to complete manifest 2) taxi loitering 3) operate unsafe vehicle
# of infractions appealed and dismissed:	866	622	Report requested
# of vehicles impounded by DCTC:	805	771	205 to date
Three most common reasons for impoundment:	1) unlicensed operator 2) unlicensed vehicle 3) no insurance	1) unlicensed operator 2) unlicensed vehicle 3) no insurance	1) unlicensed operator 2) unlicensed vehicle 3) no insurance

<b>COMPLAINTS</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>
# of Complaints received from the Public:	744	1156	370
Three most common complaints:			
1. Refusal to haul	167	94	36
2. Improper Fare	171	275	237
3. Conduct	81	298	58
4. Other (non-actionable complaints)	325	489	39
# of complaints investigated by DCTC:	0	0	0
# of complaints DCTC considers resolved (of those investigated):	632	751	74
# of complaints still considered unresolved:	112	405	296
# of complaints that resulted in a fine, suspension, or revocation:	632	751	74
# of cases associated with a complaint that were appealed and subsequently dismissed:	0	0	0
Average time from receipt of complaint to disposition of the complaint: It depends on whether the complaint is resolved at mediation or if it goes to court. Mediation; Court-OAH	60	60	45

<b>SUSPENSIONS/REVOICATIONS</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>
# of licenses suspended	1	8	6
Three most common reasons for suspension:	1)assault 2) 3)	1)assault 2)suspended license 3)possession of drugs	1)assault 2)suspended license 3)possession of drugs
# of licenses revoked	0	2	
Three most common reasons for revocation:	1) 2) 3)	1)suspended license 2)possession of drugs 3)	1) 2) 3)

38. How does DCTC track complaints received from the public? Does DCTC inform complainants when their complaint has been resolved and the resulting disposition of the complaint?

**Response:**

The Complaint process starts when DCTC receives a complaint from a rider, witness, bicyclist, or member of the public through the online process, fax, mail or walk-in. The Complaint information is put in the Complaint Tracking Database. The process continues with an acknowledgement letter of the complaint to the complainant and a standard notification letter to the driver at their address of record titled Notice of Complaint Alleging Violation of DC Taxicab Regulations. The letter informs the driver that a complaint was filed against him/her alleging that one or more DCTC regulations were violated. Further, the driver is directed to report to the DCTC office on a specific date and to bring with them certain information, including the manifest for the month the alleged incident occurred, their general driver’s license, DCTC taxi operator’s identification card, current DCTC taxi vehicle registration, and proof of current insurance coverage.

Yes, DCTC informs the complainant when their complaint has been resolved and the final disposition of the complaint. In addition, when required, DCTC mails the complainant a letter with a refund attached.

39. “Failure to haul” infractions by operators have received increased attention in recent months. How many “Failure to haul” citations did DCTC issue in FY 2013 and FY 2014 to date. What has DCTC done to address this problem?

**Response:**

Refusals to haul infractions are handled by two separate methods at DCTC. First, DCTC Inspectors issue citations for Refusal to Haul. Second, DCTC receives consumer complaints from members of the public alleging Refusal to Haul violations. The number of Refusal to Haul consumer complaints received by DCTC in FY 12 was 167 and in FY 13 were 94.

January 14-26, 2014, DCTC initiated a Refusal to Haul Project using a team of riders, consisting of White and Non-White riders, both male and female. During this period the riders made 166 taxicab hails. Of these hails, 27 (16%) resulted in a Refusal to Haul, either by the driver failing to stop at all or refusing to take the passenger once the destination was made known. The riders have submitted the requisite complaints involving these refusals to haul. The complaints will be followed up through the proper mediation process. DCTC intends to use this unknown rider process on and off in the future. This way, drivers will never know if the passenger they are contemplating refusing to haul is affiliated with DCTC and therefore could result in enforcement action against them. This should result in eradicating or at least certainly reducing the problem of drivers refusing to haul passengers.

40. To date, how many complaints has DCTC received related to non-installation of the modern taximeter system, operating with faulty or non-working modern taximeter equipment or refusal to accept credit or debit cards through the modern taximeter system?

**Response:**

In the first Quarter of FY 2014, there were 58 complaints received and to date, 19 complaints have been resolved.

*IV. Testing*

41. Please provide a copy of the most recent public vehicles-for-hire examination study materials and a sample copy of the examination.

**Response:**

DCTC is not involved in the training of applicants; therefore, we don't provide study material for the exam. The applicants use the materials given to them during the training session. We have provided a copy of the participants guides used.

We have not included a copy of the examination due to the sensitivity of the materials. DCTC staffs are available to provide a review of examination upon request.

(See ATTACHMENT V)

42. How many individuals have taken any public vehicle-for-hire examination in FY 2013 and FY 2014 to date? How many passed? How many have been successfully licensed?

**Response:**

FY 2013 No exam given (training initiated)

FY 2014 1,311 applicants have taken the exam  
659 applicants have passed the exam

As of February 12<sup>th</sup>, 2014, we have received 200 finger print results. As of February 18<sup>th</sup>, 2014, we will have issued 100 new driver identification cards.