

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
For-Hire Vehicle Advisory Council**



OFFICE OF THE CHAIRPERSON

February 6, 2019

The Honorable Kenyan McDuffie  
Chairman  
Council of the District of Columbia  
Committee on Business and Economic Development  
1350 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

Re: Responses to Fiscal Year 2018 Performance Oversight Questions

Dear Chairman McDuffie:

In response to the Committee on Business and Economic Development's request dated January 18, 2019, I am providing the following answers to your questions in advance of the Performance Oversight Hearing on the District of Columbia For-Hire Vehicle Advisory Council (FHVAC). Please contact me at your convenience if you have any questions or comments regarding these answers in advance of the hearing.

Sincerely,

FOR-HIRE VEHICLE ADVISORY COUNCIL

By: \_\_\_\_\_  
LINWOOD JOLLY  
Chairperson

- 1. Please provide a list of the Council's current members. For each member, please provide the following:**
  - a. The member's name;**
  - b. The Ward, agency or organization the member represents;**
  - c. Who appointed the member;**
  - d. The member's term of expiration; and**
  - e. The member's attendance record.<sup>1</sup>**

All members are appointed by the Mayor.

1. Jason Arvanites; Ward 6; Public Member (company providing vehicle for-hire service in the District); term expires January 30, 2020; Attendance: FY17 all meetings attended; FY18 attended October 2017 and March 2018 (missed September 2018) meetings; FY19 missed December 2018 meeting.
2. David Do; Ward 5; D.C. Agency Representative; no term\*; Attendance: FY17-FY18 all meetings attended (by prior Agency Representative Ernest Chrappah); FY19: all meetings to date attended.
3. Dawit Dagne; Ward 1; Public Member (operates a public or private vehicle for-hire); term expires January 30, 2020; replaced Hana Bekele, who resigned following the third meeting; Attendance: FY18 attended March 2018 (missed September 2018) meeting; FY19 attended December 2018 meeting.
4. Elliott Ferguson II; Ward 6; Public Member (hospitality/tourism industry); term expires July 18, 2019; Attendance: FY17 missed June 2017 meeting; FY18 missed October 2017 meeting; FY18 missed March 2018 and September 2018 meetings; FY19 missed December 2018 meeting.
5. Linwood Jolly (Chairperson); Ward 4; Public Member (unaffiliated with vehicle for-hire industry); term expires July 18, 2019; Attendance FY17, FY18, and FY19: all meetings to date attended.
6. Dottie Love-Wade; Ward 1; Public Member (unaffiliated with vehicle for-hire industry); term expires July 18, 2020; Attendance: FY17 missed June 2017 meeting; FY18 missed March 2018 and September 2018 meetings; FY19 attended December 2018 meeting.
7. Erik Moses; Ward 4; hospitality/tourism industry; term expires October 25, 2019; Attendance: FY17 all meetings attended; FY18 attended October 2017 meeting (missed March 2018 and September 2018 meetings); FY19 missed December 2018 meeting.

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<sup>1</sup> The transcript for the June 21, 2018 meeting is not available and therefore, attendance information for that meeting cannot be provided.

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8. Evian Patterson; Ward 1; D.C. Agency Representative; no term\*; Attendance: FY17 all meetings attended; FY18 attended October 2017 (missed March 2018 and September 2018) meeting; FY19 missed December 2018 meeting.

9. Jeffery Schaeffer; Maryland Resident; Public Member (company providing vehicle for-hire service in the District); term expires July 18, 2019; Attendance: FY17 all meetings attended; FY18 attended October 2017 (missed March 2018 and September 2018) meeting; FY19 attended December 2018 meeting.

10. Anthony Thomas; Ward 4; Public Member (operator of a public or private vehicle for-hire); term expires January 30, 2020; Attendance: FY17 all meetings attended; FY18 attended October 2017 and March 2018 (missed September 2018) meetings; FY19 missed December 2018 meeting.

11. Anthony Wash; Ward 6; Public Member (unaffiliated with the vehicle for-hire industry) term expires July 18, 2018; Attendance: FY17 missed June meeting; FY18 missed all meetings; FY19 attended December 2018 meeting.

\* Under D.C. Code 50-301.10a, only the nine community/public members have terms. See District of Columbia Taxicab Commission Establishment Act of 1985, as amended by the Transportation Reorganization Amendment Act of 2016 (“TRAA”) (Law 21–124, Act 21-378, eff. June 22, 2016).

**2. Please provide a list of the Council’s meeting dates, times, and locations for FY17, FY18, and FY19, to date.**

FY2017 meetings: February 8 (initial meeting of the FHVAC) and June 22. FY18 meetings: October 18, 2017 and March 22, June 21, and September 25, 2018. FY19 meetings: December 12; the dates, times, and locations for the additional meetings in FY19 have not yet been determined. Once they are determined, the appropriate advance notice will be provided. All meetings have been held beginning at 10:00 a.m. in the DFHV Public Hearing Room, 2235 Shannon Place, S.E., Second Floor, Washington, D.C. 20020.

**3. Did the Council receive funds in FY17, FY18, and FY19? If so, please provide the following:**

- a. The amount of the funding;**
- b. The source of the funding;**
- c. A list of all expenditures ; and**
- d. A description of how these funds furthered the Board’s/Council’s mission.**

No, the Advisory Council did not receive funds in FY17, FY18, or FY19.

- a. No funding has been received.
- b. DFHV provided staff support and administrative resources to the Council in FY17, and FY18, and continues to provide support in FY19.

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c. DFHV's resources have consisted of: providing space on the DFHV website to maintain a page describing the Council, its members, and its functions; providing space on the DFHV website to post notices and agendas for the Council's public hearings; allowing the Council to use the DFHV hearing room at Shannon Place, S.E. for its hearings; providing the services of DFHV's Executive Assistant for administrative support in connection with FHVAC's meetings; and providing court reporting services to create an official record of each hearing.

d. DFHV's resources have been used to publicly promote knowledge of and access to information about the Council, its functions, and meetings; and provided it with the space and resources to hold its meetings.

**4. During Council Period 22, the Council for the District of Columbia passed the "Omnibus Department of For-Hire Vehicles Amendment Act of 2018" into law. Included in its provision was to increase the stipend public members of the Advisory Council receive from \$25 to \$50.**

**a. Has the Advisory Council begun receiving the increased funding?**

Act is not yet in effect therefore is no additional funding received. This bill has an estimated effective date of **Feb. 26, 2019**

**b. How will the additional funding assist the Council in accomplishing its missions?**

The additional funding will be used as stipends for Advisory Council Members similar to the stipends that were received under the Taxicab Commission

**5. Please describe the Council's activities in FY17, FY18, and FY19 to date.**

The Advisory Council's goals and activities are to ensure that we serve as the point of contact for input from the residents and stakeholders of the industry. We have partnered with Councilmembers to hold meetings in Wards and we are planning additional meetings within the Wards to engage residents.

Meetings were held on February 8, 2017; June 22, 2017; October 18, 2017; March 22, 2018; September 25, 2018; and December 12, 2018. DFHV Director Ernest Chrappah attended and participated at all meetings in FY17 and FY18; Interim Director David DO attended and participated in the FY19 meeting. Issues that the Council has considered at meetings include: availability of taxicab vehicle licenses; competitive pressures on taxicabs created by private vehicles-for-hire (TNC vehicles); owners' concerns about the enforcement of the vehicle retirement rules against older vehicles that may present safety issues due to age and/or mileage; driver perception of the 25-cent surcharge – which is paid by passengers, not by drivers; costs to companies of providing wheelchair service to persons with disabilities, such as dispatch fees; burdens associated with regulatory compliance; driver perceptions about the process and

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availability of DFHV's grant programs to support acquiring new "H tags" in conjunction with purchasing a new vehicle; industry interest in expanding DFHV client service online; addressing driver confusion about the loitering rules; leveling the playing field with regard to District policy for point-to-point service by taxicabs and private vehicles-for-hire (TNC vehicles); the expansion of Neighborhood Ride Service program; WAV requirements and the decision not to deny operating authority based solely on the failure to comply with the 20% WAV requirement by December 31, 2018; the age requirement for taxicabs (eight years versus ten years); the disparity in regulatory authority between public and private vehicles for-hire; and the status of certain grant programs such as electric vehicles.

Outside of the Council's meetings, the Chairperson has brokered discussions between DFHV and the D.C. Electric Cab Operators Coalition. The Coalition, represented by Jessica Wasserman, Esq., publicly raised concerns about the electric vehicles (EVs) they had chosen to purchase, specifically the Nissan Leaf, as a means of acquiring new DFHV vehicle licenses (H-tags). The Leaf has a range of about 100 miles, which the Coalition's members asserted was too short for practical use as a taxicab. Although the members attributed their situation to the Department, the Chairperson's efforts led to a meeting between Director Chrappah and Ms. Wasserman in May 2017, after which the Coalition dropped the public pursuit of its concerns, and DFHV made two grant programs available to existing and new eligible EV purchasers (up to \$5,000 each) to offset the costs of acquiring or paying the loans on these vehicles. This was a positive outcome for all parties involved and will help the District move forward with EV adoption.

Also, the Chairperson recommended to the Director that the DFHV grant application process be simplified. The Department took action consistent with this recommendation, putting in place measures to streamline grant applications for EV owners. The application for the second grant program was greatly simplified compared to prior versions.

In addition, the Chairperson and Director Chrappah attended a town hall with Councilmember Todd on March 29, 2017: the Ward 4 Meeting with DFHV and FHVAC.

**6. Please describe the Council's goals for the remainder of FY19 and the timeline for completion?**

The remaining goals are to ensure that implementation of Taxi As a Service and to continue working with stakeholders to address concerns.

The Council believes that residents might benefit from greater uniformity in point-to-point service policy for taxicabs versus private vehicles-for-hire ("VFH") (TNCs). The Council will continue to explore possible solutions at subsequent meetings.

The Council would like to see DFHV increase its public engagement through more frequent live and virtual town halls, and other events. Notwithstanding substantial public awareness of the for-hire issues in the District, the Council believes that there is an opportunity to increase

engagement of residents and industry members at DFHV meetings and events. The Council believes the quality of FHVAC's recommendations to DFHV will be improved with greater community attendance and participation (to be implemented by end 2<sup>nd</sup> Q. FY18).

The Council is committed to continuing de-regulation of the industry and prioritizing programs that work. In addition, obtaining greater authority to regulate private vehicles for-hire will continue to be a priority.

**7. What challenges does the Council currently face? Please describe the challenges and how the Council plans to address them.**

The Council needs a budget to adequately engage residents and stakeholders. Additionally, stipends for members of the Council will incentivize participation whenever meetings are scheduled above and beyond the required meetings.

The FHVAC's meetings have proceeded in an orderly and productive manner. The Council believes, however, that it would elevate the public's and industry's perception of the Council for it to have written procedures for the conduct of its meetings. Plans for completing such procedures are still being finalized as of this date.

The Council's members currently serve without compensation. FHVAC supports passage of the "Omnibus District of Columbia Department of For-Hire Vehicles Amendment Act of 2017" (B22-0066, currently under Council Review, Public Hearing held June 19, 2017), which would reimburse the FHVAC's members for parking and related expenses.

**8. How does the Council represent and solicit feedback from residents? Please describe:**

- a. What the Council has learned from this feedback; and**
- b. How the Council has changed its practices or positions as a result of such feedback.**

The Council obtains feedback from our normally scheduled meetings whereby participants are able to register to speak or will be allowed to speak if present. They were advertised and scheduled at times appropriate for participation by residents. The meetings are a dialogue and allow Advisory Council members the ability to discuss, ask questions, and seek feedback. The conversational atmosphere allows for dialogue and in some cases, allows DFHV management to answer questions directly.

Our first meeting was hosted by Councilmember Brandon Todd, in Ward 4. The chairperson hosted a Council Work Session on January 17, 2018, to debut DFHV's 2018 goals and initiatives.

a. We have learned that residents have concerns regarding their choices for modes of transportation, security, and access to wheelchair accessible rides.

b. We have relayed these concerns to the DFHV Director, and DFHV has addressed the issues and provided updates on the DFHV website to reflect the changes.

**9. How does the Council represent and solicit feedback from drivers? Please describe:**

**a. What the Council has learned from this feedback; and**

**b. How the Council has changed its practices or positions as a result of such feedback.**

The Council recognizes that drivers have tremendous demands on their schedules and in light of this, we want to be flexible with meeting dates/times and even move meetings into Wards to encourage greater participation by drivers and residents. The Council's meetings were advertised and scheduled at times appropriate for participation by drivers. We also invited drivers to present their concerns at our meetings. The Council's membership includes driver representatives.

a. We have learned that drivers are concerned about the future of the industry and have expressed concerns regarding safety, security, and lowering the cost of doing business. There are also concerns about the age requirement for taxicabs and the disparity in regulatory authority between public and private vehicles for-hire.

b. The Council has worked with DFHV and supported the measures implemented with the Digital Taximeter System (DTS), has reduced the cost of doing business for taxi drivers. Concerns have also been relayed to DFHV, and DFHV has responded by providing a three-month grace period for taxicab companies and associations to come into compliance with the age requirement for 2019 operating authority; and by continuing to work with the Mayor to obtain more regulatory authority for private vehicles for-hire.

**10. How does the Council represent and solicit feedback from owners? Please describe:**

**c. What the Council has learned from this feedback; and**

**d. How the Council has changed its practices or positions as a result of such feedback.**

The Council's meetings were advertised and scheduled at times appropriate for participation by owners. In addition, we have advertised our meetings directly to the owners. Taxicab companies are also represented on the FHVAC.

a. Owners are concerned about the future of the industry and, in particular, they are interested in innovation to drive down costs and increase profits for drivers.

b. The Council has worked with DFHV to ensure that the views of owners are reflected in the decisions that are implemented. DTS was a major victory for owners, drivers, and residents.

**11. How does the Council represent and solicit feedback from Transportation Network Companies (TNC's)? Please describe:**

- a. **What the Council has learned from this feedback; and**
- b. **How the Council has changed its practices or positions as a result of such feedback.**

The Council's meetings were advertised and scheduled at times appropriate for participation by TNCs. TNCs are also represented on the Council and they provide input on an ongoing basis. They are interested in innovation that enhances the software platforms that they operate, and in aligning their business operations with the goals of the DFHV, where possible.

a. The Council has seen some of the data that is now being supplied to DFHV, we have learned that residents benefit from the various transportation options available. We also see that competition has resulted in more affordable ride options.

b. The Council is in support of ensuring that residents of the District of Columbia are afforded the best set of transportation options at an affordable rate, yet guaranteeing safety and accessibility.

**12. How often has the chairperson of the FHVAC met with the Director (or designee) of the Department of For-Hire Vehicles (DFHV) to date? What were the dates of those meetings?**

I have held numerous meetings with Director Chrappah on a monthly basis but also many meetings that I request as issues arise. Director Chrappah was always available to me via phone, email or in person meetings. I met with the new Interim Director, David Do on December 11, 2018. I will continue to meet with Director Do as issues arise but also we will plan accordingly a monthly meeting.

**13. Has the DFHV made publicly available all recommendations discussed between the DFHV and the FHVAC, the DFHV's decision in response to the recommendations, and an explanation of the decision made by the DFHV? Please provide an overview of all recommendations.**

To FHVAC's knowledge, its informal recommendations and comments on DFHV's activities are fully reflected in the official transcripts of the Council's three meetings to date, available [here](#). The Council has not issued formal recommendations to the Department as of this time.