

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

1 To amend the District of Columbia Taxicab Commission Establishment Act of 1985 to authorize
2 the Department of For-Hire Vehicles to regulate and enforce traffic laws against carrier-
3 for-hire vehicles.

4
5 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
6 act may be cited as the “Carrier-for-Hire Oversight and Enforcement Amendment Act of 2024”.

7 Sec. X. The District of Columbia Taxicab Commission Establishment Act of 1985,
8 effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301.01 *et seq.*), is amended
9 as follows:

10 (a) Section 4 (D.C. Official Code § 50-301.03) is amended as follows:

11 (1) New paragraphs (3A) through (3H) are added to read as follows:

12 “(3A) “Carrier-for-hire” means a class of transportation service by which a
13 network of private operators, couriers, or carriers provide delivery, by any means or mode of
14 transportation, of parcels, food, or beverages in the District for compensation.”.

15 “(3B) “Carrier-for-hire company” means an organization, corporation,
16 partnership, or sole proprietorship, operating in the District that uses digital dispatch to connect
17 customers to a network of carrier-for-hire operators. The term:

18 “(A) Includes a third-party meal delivery platform, as that term is defined
19 in section 2(6) of the Fair Meals Delivery Act of 2022, effective March 10, 2023 (D.C. Law 24-
20 292, D.C. Official Code § 48-651(6)); and

21 “(B) Does not include a courier company, as that term is defined in section
22 2(2) of the Commercial Bicycle Operators Licensing Act of 1987, effective March 29, 1988
23 (D.C. Law 7-97; D.C. Official Code § 50-1631(2)).

24 “(3C) “Carrier-for-hire operator” means an individual who provides carrier-for-
25 hire services for a carrier-for-hire company on a contract basis. The term:

26 “(A) Includes a food delivery worker, as that term is defined in section
27 2(2A) of the Fair Meals Delivery Act of 2022, effective March 10, 2023 (D.C. Law 24-292; D.C.
28 Official Code § 48-651(2A)); and

29 “(B) Does not include an individual employee delivering parcels, food, or
30 beverages on behalf of the individual’s employer, where the employer is a business primarily
31 responsible for the production of the items or goods being transported.

32 “(3D) “Carrier-for-hire industry” means all carriers-for-hire, including companies,
33 associations, owners, operators, or any person who, by virtue of employment, contract, or office,
34 is directly involved in providing carrier-for-hire services within the District.

35 “(3E)(A) “Class 1” means any of the following delivery modes:

36 “(i) Pedestrians;

37 “(ii) Electric mobility devices;

38 “(iii) Bicycles;

39 “(iv) Electric bicycles; and

40 “(v) E-cargo bikes.

41 “(B) For the purposes of this paragraph the term:

42 “(i) “E-cargo bike” shall have the same meaning as provided in
43 section 9s(4) of the Department of Transportation Establishment Act of 2002, effective May 21,
44 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.27(4)).

45 “(ii) “Electric bicycle” shall have the same meaning as provided in
46 section 9s(5) of the Department of Transportation Establishment Act of 2002, effective May 21,
47 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.27(4)).

48 “(iii) “Electric mobility device” shall have the same meaning as
49 provided in section 2(6A) of the District of Columbia Traffic Act, 1925, approved March 3, 1925
50 (43 Stat. 1119; D.C. Official Code § 50-2201.02(6A)).

51 “(3F) “Class 2” means an electric-powered motor vehicle that:

52 (A) Has a seat or saddle for the use of the operator and is designed to
53 travel on no more than 3 wheels in contact with the ground;

54 (B) Is a motor-driven cycle or a motorcycle, as those terms are defined in
55 18 DCMR § 9901.1; and

56 (D) Is not a Class 1 delivery mode.

57 “(3G) “Class 3” means a motor vehicle powered by an internal-combustion
58 engine that:

59 (A) Has a seat or saddle for the use of the operator and is designed to
60 travel on no more than 3 wheels in contact with the ground;

61 (B) Is a motor-driven cycle or motorcycle, as those terms are defined in 18
62 DCMR § 9901.1; and

63 (D) Is not a Class 1 delivery mode.

64 “(3H) “Class 4” means all motor vehicles not classified as Class 1, 2, or 3.

65 (2) Paragraph (9A) is redesignated as paragraph (9A-i).

66 (3) Paragraphs (8A), (8A-i), and (8B) are redesignated as paragraphs (9A-ii), (9A-
67 iii), and (9A-iv), respectively.

68 (4) A new paragraph (9A) is added to read as follows:

69 “(9A) “Delivery mode” means the means of transportation used by a carrier-for-
70 hire operator to provide delivery service.

71 (5) The newly designated paragraph (9A-ii) is amended to read as follows:

72 “(9A-ii) “Digital dispatch” means the hardware and software applications and
73 networks, including mobile phone applications, which passengers and operators use to provide
74 vehicle-for-hire service and carrier-for-hire service.”.

75 (6) A new paragraph (14A) is added to read as follows:

76 “(14A) “Motor vehicle” shall have the same meaning as provided in section 2(11)
77 of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C.
78 Official Code § 50-2201.02(11)).”.

79 (7) A new paragraph (29A) is added to read as follows:

80 “(29A) “Trade dress” means a unique marketing logo, insignia, or emblem for
81 display on a vehicle that identifies, distinguishes, and is substantially inseparable from the source
82 of a product or service, using a specific style to differentiate from competitors.”.

83 (8) Paragraph (30B) is amended as follows:

84 (A) Strike the phrase “regulations governing public and private vehicle-
85 for-hire service” and insert the phrase “regulations governing public and private vehicle-for-hire
86 service and carrier-for-hire service” in its place.

87 (B) Strike the phrase “traffic stops of public and private vehicles-for-hire,
88 pursuant to protocol prescribed” and insert the phrase “traffic stops of public and private
89 vehicles-for-hire and carrier-for-hire vehicles, pursuant to protocol prescribed” in its place.

90 (b) Section 7(a) (D.C. Official Code § 50-301.06(a)) is amended as follows:

91 (1) Paragraph (1) is amended as follows:

92 (A) Subparagraph (G-i) is amended by striking the phrase “private
93 vehicle-for-hire companies to the extent authorized by section 20j-7(b).” and inserting the phrase
94 “private vehicle-for-hire companies and carrier-for-hire companies to the extent authorized by
95 this act.” in its place.

96 (B) Subparagraph (I) is amended to read as follows:

97 “(I) Serving as a liaison between the DFHV and the District Department of
98 Transportation, the Department of Public Works, the Metropolitan Police Department, and other
99 relevant agencies on policies related to transportation and traffic safety enforcement.”.

100 (C) A new subparagraph (I-i) is added to read as follows:

101 “(I-i) Serving as a liaison between the DFHV and other relevant District
102 agencies on policies related to the carrier-for-hire industry.”.

103 (2) Paragraph (2) is amended by striking the phrase “related to the regulation of
104 the vehicle-for-hire industry” and inserting the phrase “related to the regulation of the vehicle-
105 for-hire industry and carrier-for-hire industry” in its place.

106 (3) Paragraph (3) is amended by striking the phrase “communicating with and
107 educating the public and the vehicle-for-hire industry” and inserting the phrase “communicating
108 with and educating the public, the vehicle-for-hire industry, and the carrier-for-hire industry” in
109 its place.

110 (4) Paragraph (4)(F) is amended as by striking the phrase “Performing vehicle-
111 for-hire inspections” and inserting the phrase “Performing public and private vehicle-for-hire and
112 carrier-for-hire inspections” in its place.

113 (5) Paragraph (5) is amended by striking the phrase “and dispatch services,” and
114 inserting the phrase “dispatch services, and carrier-for-hire owners and operators,” in its place.

115 (c) Section 8 (D.C. Official Code § 50-301.07) is amended as follows:

116 (1) Subsection (b-1) is amended to read as follows:

117 “(b-1) The DFHV shall employ vehicle inspection officers to enforce the laws, rules, and
118 regulations pertaining to vehicles-for-hire and carriers-for-hire. A primary function of vehicle
119 inspection officers shall be to ensure the proper provision of service and to support safety
120 through street enforcement efforts, including traffic stops of public and private vehicles-for-hire
121 and carriers-for-hire, pursuant to protocol prescribed by the DFHV.”.

122 (2) Subsection (c) is amended as follows:

123 (A) Paragraph (19) is amended by striking the phrase “; and” and inserting
124 a semicolon in its place.

125 (B) A new paragraph (19A) is added to read as follows:

126 “(19A) Establish rules relating to the enforcement of traffic regulations against
127 carrier-for-hire vehicles; and”.

128 (e) Section 20j-4 (D.C. Official Code § 50-301.29d) is amended to read as follows:

129 “Section 20j-4. Trade dress requirements for private vehicles-for-hire.

130 “(a) A private vehicle-for-hire shall display a trade dress approved pursuant this section
131 at all times while the operator is logged into the private vehicle-for-hire company’s digital
132 dispatch. The trade dress shall be affixed on the windows of the vehicle-for-hire adjacent to

133 where passengers may sit in the rear of the vehicle. All trade dress required pursuant to this
134 section shall be approved for display by the DFHV. Approved trade dress shall be:

135 “(1) Sufficiently large and color contrasted so as to be readable during daylight
136 hours at a distance of at least 50 feet; and

137 “(2) Reflective, illuminated, or otherwise patently visible in darkness.

138 “(b) In addition to the requirements of this section, the DFHV may require private
139 vehicles-for-hire to display a standardized and clearly-identifiable insignia indicating to
140 consumers that a private vehicle-for-hire company is licensed to do business in the District.

141 “(c) A private vehicle-for-hire company shall provide an operator with trade dress
142 compliant with the requirements of this section before the operator begins providing service for
143 the company.”.

144 (d) New sections 20j-8 through 20j-13 are added to read as follows:

145 “Sec. 20j-8. General requirements for carriers-for-hire.

146 “(a) A carrier-for-hire company shall:

147 “(1) Create an application process for an individual to apply to register as a
148 carrier-for-hire operator;

149 “(2) Maintain an up-to-date registry of each carrier-for-hire operator (“operator”)
150 and vehicle associated with the carrier-for-hire company;

151 “(3) Require an operator to verify the vehicle the operator will use while logged
152 into the company’s digital dispatch;

153 “(4) Submit to the DFHV for the purposes of registration:

154 “(A) Proof that the carrier-for-hire company is licensed to do business in
155 the District and, if applicable, registered pursuant to section 6 of the Fair Meals Delivery Act of
156 2022, effective March 10, 2023 (D.C. Law 24-292, D.C. Official Code § 48-655);

157 “(B) Proof that the carrier-for-hire company maintains a registered agent
158 in the District;

159 “(C) An illustration or photograph of trade dress established by the
160 company, as required by section 20j-11; and

161 “(D) A written description of how the carrier-for-hire company’s digital
162 dispatch operates;

163 “(5) Submit to the DFHV and the District Department of Transportation the
164 following information in a format and frequency approved by the Director:

165 “(A) The total number of operators that utilized the company’s digital
166 dispatch in the District;

167 “(B) The registry of operators and vehicles associated with the carrier-for-
168 hire company;

169 “(C) A log of anonymized data relating to deliveries, which shall include
170 the following categories of information for each delivery originating or terminating inside of the
171 District:

172 “(i) The latitude and longitude of where each delivery originated,
173 calculated to 4 decimal degrees;

174 “(ii) The latitude and longitude for the point at which each delivery
175 terminated, calculated to four decimal degrees; and

176 “(iii) The date and time of request, pick-up, and drop-off; and

177 “(iv) The delivery mode by class (Class 1, Class 2, Class 3, or
178 Class 4) used by the carrier-for-hire operator;

179 “(v) The total cost to the customer for the order, including
180 delivery, service, or other fees charged to the customer; and

181 “(vi) The total miles driven, including both while en route to a
182 pick-up point and while en route to a drop-off point, in the District by operators that utilized the
183 carrier-for-hire company’s digital dispatch; and

184 “(D) Any additional data that the DFHV or DDOT deems necessary for
185 inclusion as set forth in rules adopted by the Mayor; provided, that such rules specify that such
186 data shall be anonymized and may be used only for the purposes of public safety, congestion
187 management, and transportation planning, including curbside management, road improvements,
188 traffic management, transit service planning, and the allocation of public monies for those
189 purposes; and

190 “(6)(A) Establish a policy of zero tolerance for the use of alcohol or illegal drugs
191 or being impaired by the use of alcohol or drugs while a carrier-for-hire operator is logged into a
192 carrier-for-hire company’s digital dispatch;

193 “(B) Immediately suspend, for the duration of the investigation conducted
194 pursuant to subparagraph (C) of this paragraph, a carrier-for-hire operator upon receiving a
195 written complaint from a customer submitted through regular mail or electronic means
196 containing a reasonable allegation that the operator violated the zero tolerance policy established
197 by subparagraph (A) of this paragraph; and

198 “(C) Conduct an investigation when a passenger alleges that a private
199 vehicle-for-hire operator violated the zero tolerance policy established by paragraph (A) of this
200 subparagraph.

201 “(b) The Mayor may request additional relevant information from a carrier-for-hire
202 company pertaining to any delivery referenced in a Metropolitan Police Department police
203 report, provided that the report references one or more incidents alleged to have occurred during
204 the time that a carrier-for-hire operator was performing a delivery in the District.

205 “(c) The Mayor, pursuant to pursuant to Title I of the District of Columbia
206 Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code §
207 2-501 *et seq.*), may issue rules to govern the sharing or publishing of conclusions and analysis
208 derived from information that is received pursuant to this section; provided, that the conclusions
209 and analysis shared shall not contain the original information that is received from a carrier-for-
210 hire company by the District pursuant to this section and any such shared or published data
211 derived from the information that is received by the District pursuant to this section shall be
212 anonymized and aggregated across all carrier-for-hire companies.

213 “Sec. 20j-9. Registration of carrier-for-hire operators.

214 “(a) To become a carrier-for-hire operator, an individual shall submit an application to
215 register with a carrier-for-hire company.

216 “(b) The Director is authorized, pursuant to Title I of the District of Columbia
217 Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code §
218 2-501 *et seq.*), to issue rules regarding background check requirements for carrier-for-hire
219 operators and to require a carrier-for-hire company to reject an application submitted under

220 subsection (a) of this section or to permanently disqualify from carrier-for-hire operator status an
221 applicant who violates background check requirements established by the Director.

222 “Sec. 20j-10. Insurance requirements for carriers-for-hire.

223 “(a) Any motor vehicle used by a carrier-for-hire operator shall carry insurance pursuant
224 to section 4 of the Compulsory/No Fault Motor Vehicle Insurance Amendment Act of 1982 (D.C.
225 Law 4-155, D.C. Official Code § 31-2403).

226 “(b) Carrier-for-hire companies shall certify with the DFHV that motor vehicles
227 associated with the carrier-for-hire operators utilizing the company’s digital dispatch are insured
228 pursuant to this section.

229 “(c) Within 9 months after the effective date of this subsection, the Director shall assess
230 whether the insurance requirements of this section are appropriate to the risk of carrier-for-hire
231 services, and shall report its findings and recommendations to the Council.

232 “Sec. 20j-11. Trade dress requirements for carriers-for-hire.

233 “(a)(1) A carrier-for-hire shall display a trade dress approved pursuant to subsection (b)
234 of this section at all times while the operator is logged into the carrier-for-hire company’s digital
235 dispatch. The trade dress shall be displayed in at least one location on the carrier-for-hire
236 operator’s vehicle, in a location determined to be acceptable by the DFHV.

237 “(2) Notwithstanding paragraph (1) of this subsection, a carrier-for-hire operator
238 transporting goods by foot or using a bicycle, motor-driven cycle, or other class 1, 2, or 3
239 delivery mode may, subject to approval of the Department, display trade dress on equipment
240 such as a delivery bag or carrier, helmet, or other apparel worn by the operator.

241 “(b) All trade dress required pursuant to this section shall be approved for display by the
242 DFHV. Approved trade dress shall be:

243 “(1) Sufficiently large and color contrasted so as to be readable during daylight
244 hours at a distance of at least 50 feet; and

245 “(2) Reflective, illuminated, or otherwise patently visible in darkness.

246 “(c) In addition to the requirements of this section, the DFHV may require carrier-for-hire
247 operators to display a standardized and clearly-identifiable insignia indicating to consumers that
248 a digital dispatch company is licensed to do business in the District.

249 “(d) A carrier-for-hire company shall provide an operator with trade dress compliant with
250 the requirements of this section before the operator begins providing service for the company.

251 “Sec. 20j-12. Certification, enforcement, and regulation of carriers-for-hire.

252 “(a) Every 24 months, a carrier-for-hire company shall certify on a form provided by the
253 DFHV that the carrier-for-hire company has complied with the requirements of this act.

254 “(b) The DFHV is authorized to inspect and copy the relevant safety and consumer
255 protection-related records of a carrier-for-hire company to ensure compliance with this act when
256 it has a reasonable basis to suspect non-compliance; provided, that any records disclosed to the
257 DFHV under this subchapter shall not be subject to disclosure to a third party by the DFHV,
258 including through a request submitted pursuant to the District of Columbia Freedom of
259 Information Act of 1976, effective March 25, 1976 (D.C. Law 1-96; D.C. Official Code § 2-501
260 *et seq.*).

261 “(c) If the Mayor determines that a carrier-for-hire company knowingly certified an
262 intentionally false or misleading statement on a form required by this act, the Mayor may impose
263 a civil fine as determined by rulemaking. A civil fine prescribed by this section shall be
264 applicable only after the carrier-for-hire company is afforded an opportunity for a hearing. These
265 penalties shall be in addition to any other penalties available by law.

266 “(d) Failure by a private vehicle-for-hire company or operator to adhere to the
267 requirements of this act may result in sanction by the DFHV, including fines and other penalties,
268 pursuant to the DFHV’s authority in section 8(c)(7) of this act.

269 “(e) The DFHV may issue any reasonable rule relating to the supervision of carriers-for-
270 hire it considers necessary for the safety of customers and operators, consumer protection, or the
271 collection of non-personal trip data information.”.

272 “Sec. 20j-13. Carrier-for-hire delivery mode shift.

273 “(a) The Director is authorized to establish programs and issue rules to encourage the use
274 of more sustainable and space-efficient carrier-for-hire delivery modes, with a preference for
275 class 1 and class 2 modes, and to limit class 4 modes, particularly in congested areas or areas
276 with limited curbside availability.

277 “(b) The DFHV shall maintain a publicly-accessible dashboard regarding delivery mode
278 in the carrier-for-hire industry, including a breakdown of delivery mode by neighborhood or
279 other geographic areas.”.

280 (e) Section 20k (D.C. Official Code § 50-301.30) is amended as follows:

281 (1) Subsection (a) is amended as follows:

282 (A) Strike the phrase “shall undergo training on the rules and regulations
283 governing private and public vehicles-for-hire and undergo” and insert the phrase “shall undergo
284 training on the rules and regulations governing private and public vehicles-for-hire and carrier-
285 for-hire vehicles and undergo” in its place.

286 (B) Strike the phrase “inspection officers shall be prohibited from making
287 traffic stops of on-duty private or public vehicles-for-hire in the act of transporting a fare, unless
288 there is reasonable suspicion of a violation” and insert the phrase “inspection officers shall be

289 prohibited from making traffic stops of on-duty private or public vehicles-for-hire in the act of
290 transporting a fare and carrier-for-hire vehicles in the act of transporting a parcel, food, or
291 beverage, unless there is reasonable suspicion of a violation” in its place.

292 Sec. 3. Conforming Amendments.

293 (a) The Food Delivery Insurance Requirements Act of 1990, effective September 20,
294 1990 (D.C. Law 8-162, D.C. Official Code § 50-101 *et seq.*), is repealed.

295 (b) The Department of For-Hire Vehicles Delivery Vehicle Traffic Enforcement
296 Expansion Temporary Amendment Act of 2024, effective September 4, 2024 (D.C. Law 25-205;
297 71 DCR 9325, is repealed.

298 Sec. 4. Applicability.

299 (a) This act shall apply upon the date of inclusion of their fiscal effect in an approved
300 budget and financial plan.

301 (b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in
302 an approved budget and financial plan and provide notice to the Budget Director of the Council
303 for certification.

304 (c)(1) The Budget Director shall cause the notice of the certification to be published in
305 the District of Columbia Register.

306 (2) The date of publication of the notice of the certification shall not affect the
307 applicability of the provisions identified in subsection (a) of this section.

308 Sec. 5. Fiscal impact statement.

309 The Council adopts the fiscal impact statement in the committee report as the fiscal
310 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
311 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

312 Sec. 6. Effective date.

313 This act shall take effect after approval by the Mayor (or in the event of veto by the
314 Mayor, action by the Council to override the veto) and a 30-day period of congressional review
315 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
316 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).