

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 12,155

IN THE MATTER OF:

Served September 18, 2009

Petition of METROPOLITAN WASHINGTON ) Case No. MP-2009-103  
AIRPORTS AUTHORITY for Amendment of )  
Interstate Rates and Charges for )  
WASHINGTON FLYER Taxicabs )

Investigation of Minimum Interstate ) Case No. MP-2009-104  
Insurance Requirements for )  
WASHINGTON FLYER Taxicabs )

Case No. MP-2009-103 is before the Commission on the petition of the Metropolitan Washington Airports Authority (Airports Authority) filed May 29, 2009, requesting that the Commission consider and approve changes in the interstate rates and charges for Washington Flyer taxicabs providing on-demand taxicab service at Washington Dulles International Airport (Dulles), which is operated by the Airports Authority.<sup>1</sup> The Commission initiated Case No. MP-2009-104 to consider the related matter of minimum insurance requirements for interstate trips in Washington Flyer taxicabs.

**I. SUMMARY OF AIRPORTS AUTHORITY'S PROPOSAL**

The current base rate for interstate trips in Washington Flyer taxicabs is \$2.80 for the first quarter mile and \$0.45 for each additional quarter mile. The Airports Authority proposes that the Commission increase the interstate base rate to \$3.25 for the first quarter mile and \$0.50 for each additional quarter mile. The Airports Authority proposes that the current waiting-time charge be increased from \$0.45 per 77 seconds (\$21.04 per hour) to \$0.50 per 80 seconds (\$22.50 per hour).

The Commission also prescribes certain incidental charges for interstate trips in Washington Flyer taxicabs, including but not limited to a \$1.50 extra passenger charge (which is subject to an exemption for children under the age of six), a \$0.50 extra baggage charge, a \$2.00 charge for trunks, and a \$1.50 personal service charge. The Airports Authority proposes that the Commission increase the extra passenger charge to \$2.00, eliminate the extra-passenger charge exemption for children under the age of six, and eliminate the incidental charges for extra baggage, trunks, and personal service.

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<sup>1</sup> Washington Flyer taxicabs are operated by three companies under contract with the Airports Authority: Dulles Taxi Systems, Inc., Dulles Airport Taxi, Inc., and Checker Airport Taxi, Inc.

## **II. SUMMARY OF NEW RATES, CHARGES, & MINIMUM INSURANCE**

For the reasons explained below, effective October 1, 2009, the base rate for interstate trips in Washington Flyer taxicabs shall be \$3.50 for the first quarter mile and \$0.50 for each additional quarter mile.

The charge for waiting time shall be \$0.50 per 80 seconds (\$22.50 per hour) and shall apply: (1) when the taxicab is traveling below 10 m.p.h.; (2) five minutes after an appointed pick-up time; and (3) during stopovers en route at the direction of a passenger.

The \$1.50 charge for each extra passenger and exemption for children under the age of six shall remain the same.

The \$2.50 snow emergency charge shall remain the same.

The incidental charges for extra baggage, trunks, and personal service shall be eliminated.

The minimum insurance requirement for interstate trips shall be the same as the minimum insurance coverage required by the Washington Flyer licensing authority for intrastate trips.

## **III. JURISDICTION**

Under the Washington Metropolitan Area Transit Regulation Compact,<sup>2</sup> (Compact), the Commission is responsible for prescribing the rates, charges, regulations, and minimum insurance requirements for interstate taxicab trips in the Washington Metropolitan Area Transit District,<sup>3</sup> including interstate trips to and from Dulles.<sup>4</sup>

The Commission's interstate taxicab jurisdiction applies when the taxicab: (a) has a seating capacity of 9 persons or less, including the driver; and (b) provides transportation from one signatory to another within the Metropolitan District.<sup>5</sup>

The Metropolitan District includes: the District of Columbia; the cities of Alexandria and Falls Church of the Commonwealth of Virginia; Arlington County and Fairfax County of the Commonwealth of Virginia, the political subdivisions located within those counties, and that portion of Loudoun County, Virginia, occupied by the Washington Dulles International Airport; Montgomery County and Prince George's County of the State of Maryland, and the political subdivisions located within those counties; and all other cities now or hereafter existing in Maryland or Virginia within the geographic

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<sup>2</sup> Pub. L. No. 101-505, § 1, 104 Stat. 1300 (1990) (codified at D.C. CODE § 9-1103.01 (2009); MD. TRANSP. CODE § 10-203 (2009); & VA. CODE §§ 56-529, 530 (2009)).

<sup>3</sup> Compact, tit. II, art. XI, §§ 1, 18.

<sup>4</sup> Compact, tit. I, art. I.

<sup>5</sup> Compact, tit. II, art. XI, §§ 1(b), 2, 3(f).

area bounded by the outer boundaries of the combined area of those counties, cities, and airports.<sup>6</sup>

For the purpose of prescribing interstate taxicab rates, charges, regulations, and minimum insurance requirements, the Metropolitan District also includes that portion of Anne Arundel County, Maryland, occupied by the Baltimore-Washington International Thurgood Marshall Airport, (BWI), except that this expansion of the Metropolitan District to include BWI does not apply to transportation conducted in a taxicab licensed by the State of Maryland or a political subdivision of the State of Maryland or operated under a contract with the State of Maryland.<sup>7</sup>

#### **IV. NOTICE AND OPPORTUNITY FOR COMMENT**

The Commission initiated these proceedings in Order No. 12,090 on July 15, 2009. The order discussed in detail the Airports Authority's proposed rate changes and the Commission's proposed minimum insurance change. The order also established a thirty-day comment period.

A copy of Order No. 12,090 was served the same day on the Airports Authority and three Washington Flyer taxicab companies and posted on the Commission's website. The Commission published notice of these proceedings, including the comment period, on July 19, 2009, in the Washington Times.

The Commission received comments from the Airports Authority and one of the Washington Flyer taxicab companies, Dulles Taxi Systems, Inc., (DTS). Their comments are discussed below. No other comments were received.

#### **V. TAXICAB RATE POLICY AND METHODOLOGY**

Under the Compact, the fare or charge for interstate taxicab transportation may be calculated on a mileage basis, a zone basis, or on any other basis approved by the Commission.<sup>8</sup>

"It has been the Commission's practice since 1961 to 'prescribe the rates and charges presently in effect in the local jurisdictions as the interstate rates and charges to the greatest extent possible.'"<sup>9</sup> Today, this means that in the case of a trip in a locally-licensed taxicab, the interstate rates and charges are the same as those prescribed by the jurisdiction in which the taxicab is licensed.<sup>10</sup>

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<sup>6</sup> Compact, tit. I, art. I.

<sup>7</sup> Compact, tit. II, art. XI, § 2.

<sup>8</sup> Compact, tit. II, art. XI, § 18(b).

<sup>9</sup> *In re Prescription of Dispatch Fee Surcharge for Interstate Taxicab Trips Originating at Ronald Reagan Washington National Airport*, No. MP-09-081, Order No. 12,004 (May 20, 2009).

<sup>10</sup> *Id.*

Washington Flyer taxicabs are not licensed by any local jurisdiction. They are licensed by the Commonwealth of Virginia. Virginia does not prescribe any intrastate rates and charges for Washington Flyer taxicabs that the Commission might adopt for use on interstate trips. The Commission instead sets interstate meter rates for Washington Flyer taxicabs by reference to the prevailing local meter rates.<sup>11</sup> The Commission has found comparability with local rates to be the "essential element" in devising an appropriate interstate rate structure for Washington Flyer taxicabs.<sup>12</sup>

As for incidental charges on interstate trips in Washington Flyer taxicabs, the Commission for many years has primarily adopted the incidental charges prescribed by the District of Columbia Taxicab Commission for District taxicabs<sup>13</sup> because those charges represent the "dominant" charges within the Metropolitan District after factoring in the number of taxicabs licensed by local jurisdictions in the Metropolitan District.<sup>14</sup> There have been three notable exceptions to this rule: the additional passenger charge, fuel surcharges, and a snow emergency charge.

Until 2006, the Commission prescribed a uniform additional passenger charge for all interstate taxicab trips in the Metropolitan District, and uniform rule for exempting children, without regard to licensing jurisdiction.<sup>15</sup> The Commission terminated the uniform additional passenger charge in 2006 and began adopting the locally prescribed charges for locally licensed taxicabs instead - thus mirroring the Commission's adoption of other local incidental charges for such taxicabs.<sup>16</sup> The Commission adopted the District of Columbia additional passenger charge for Washington Flyer taxicabs at that time without explanation.<sup>17</sup>

The Commission has set fuel surcharges for Washington Flyer taxicabs using several methods. In 1990, the Commission prescribed a temporary uniform per-trip fuel surcharge of \$0.75 for all interstate trips in the Metropolitan District, without regard to licensing jurisdiction, based on the incremental increase in the cost of two gallons of gasoline that year.<sup>18</sup> In 2001, the Commission adopted a temporary \$1.00 per-trip fuel surcharge for Washington Flyer taxicabs that was comparable to the fuel surcharges adopted by local

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<sup>11</sup> See *In re Interstate Taxicab Rates and Charges*, No. MP-05-132, Order No. 9240 (Jan. 6, 2006) (setting current rates for Washington Flyer taxicabs).

<sup>12</sup> *In re Interstate Taxicab Rates and Charges*, No. MP-05-132, Order No. 9065 at 3 (Oct. 18, 2005).

<sup>13</sup> *In re Interstate Taxicab Rates*, No. MP-01-23, Order No. 6226 at 3 (May 17, 2001).

<sup>14</sup> *In re Interstate Taxicab Rates*, Order No. 1295 (Dec. 28, 1973).

<sup>15</sup> Order No. 9240 at 7.

<sup>16</sup> *Id.* at 7.

<sup>17</sup> *Id.* at 10 & app. B.

<sup>18</sup> *In re Prescription of Fuel Surcharge on Interstate Taxicab Rates*, No. MP-90-18, Order No. 3586 (Nov. 14, 1990).

jurisdictions.<sup>19</sup> In 2005, the Commission adopted a temporary \$1.00 per-trip fuel surcharge for Washington Flyer taxicabs that was comparable to "the median area increase in compensation for a 25-mile trip", including local fuel surcharges, since the 2001 rate base year.<sup>20</sup> Finally, in 2008, the Commission adopted a temporary \$2.50 per-trip fuel surcharge for Washington Flyer taxicabs based on the incremental increase in the cost of gasoline for an average length trip in a Washington Flyer taxicab since the 2006 rate base year.<sup>21</sup>

Lastly, in 2006, the Commission prescribed a \$2.50 per-trip snow emergency surcharge for Washington Flyer taxicabs based on the median of such charges set by local jurisdictions.<sup>22</sup>

#### VI. THE AIRPORTS AUTHORITY'S PROPOSAL

The current interstate rates and charges for Washington Flyer taxicabs were prescribed by the Commission in January 2006.<sup>23</sup> The Airports Authority proposes that the Commission change the current rates and charges as follows:

	<b>Current</b>	<b>Proposed</b>
First 1/4 mile:	\$2.80	\$3.25
Each additional 1/4 mile:	\$0.45	\$0.50
Waiting time per hour:	\$21.04	\$22.50
Each additional passenger:	\$1.50	\$2.00
Hand baggage in excess of one:	\$0.50	\$0.00
Trunks:	\$2.00	\$0.00
Personal Service:	\$1.50	\$0.00
Snow emergency:	\$2.50	\$2.50

As noted above, the Airports Authority also proposes eliminating the extra-passenger charge exemption for children under the age of six.

#### VII. BASE METER RATES

The minimum interstate trip for Washington Flyer taxicabs is approximately twenty miles one way. Table 1 in Appendix A to this order displays the initial charge, mileage rate, and fare at twenty and thirty mile intervals for local taxicab licensing jurisdictions requiring the use of a taximeter.<sup>24</sup> Median values have been computed

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<sup>19</sup> *In re Dulles Taxi Systems, Inc., t/a Washington Flyer*, No. MP-01-01, Order No. 6147 (Mar. 16, 2001).

<sup>20</sup> *In re Interstate Taxicab Fuel Surcharge*, No. MP-05-049, Order No. 8778 (June 15, 2005).

<sup>21</sup> *In re Interstate Taxicab Fuel Surcharge*, No. MP-08-169, Order No. 11,561 at 2-4 (Sept. 5, 2008).

<sup>22</sup> Order No. 9240 at 9.

<sup>23</sup> *Id.*; see also *In re Interstate Taxicab Rates and Charges*, No. MP-05-132, Order No. 9265 (Jan. 17, 2006) (making technical correction).

<sup>24</sup> See ALEXANDRIA, VA., CODE § 9-12-132 (2009); ARLINGTON COUNTY, VA., CODE § 25.1-12 (2009); DISTRICT OF COLUMBIA 31 DCMR § 801.3 (as amended in 55 D.C. Reg. page No. 003836 (Apr. 11, 2008)); FAIRFAX COUNTY, VA., CODE § 84.1-6-3 (2008);

and are displayed as well. The corresponding current and proposed rates for Washington Flyer taxicabs are included for comparison.

As can be seen from Table 1, the initial charge and mileage rate set by the Commission in 2006 for Washington Flyer taxicabs yields interstate fares that today are below the median in the region. The Airports Authority's proposed initial charge and mileage rate would produce fares slightly above the median.

DTS offers the following observations in support of the Airports Authority's proposed base rate changes:

The Order, [Order No. 12,090], states that comparability with local taxicab rates is the "essential element" in devising an appropriate interstate rate structure for Washington Flyer taxicabs. DTS agrees, not just for the purpose of uniformity, but because local jurisdictions in setting or changing their rates utilize careful processes including analysis of industry conditions, public hearings and consideration by elected officials, so that the rates, and any changes, have a sound basis. A reasonable degree of uniformity between local rates and those prescribed by the Commission also improves consumer confidence in those members of the public who may use taxicabs licensed in more than one jurisdiction.

DTS believes that the proposed initial charge, mileage rate and waiting time/traffic delay charges as proposed by the Airports Authority are fair, reasonable, and consistent with the Commission's traditional methodology. To the extent that the initial and mileage rates may exceed the median of regional taxicab rates, it is to a miniscule degree, and even there they are in line with the jurisdictions that, like Dulles, have geographically larger service areas with longer dwell times and deadheads, e.g. Fairfax County, VA and Montgomery County, MD.

Consistent with Commission precedent<sup>25</sup> and the comments filed in this proceeding, the Commission finds that the proposed increase in the Washington Flyer interstate base rate from \$2.80 to \$3.25 for the first quarter mile, and from \$0.45 to \$0.50 for each additional quarter mile, is reasonable and warranted by the evidence in the record.

#### **VIII. WAITING TIME CHARGE**

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MONTGOMERY COUNTY, MD., COMCOR § 53.17.01.01 (2009); PRINCE GEORGE'S COUNTY, MD., CODE § 20-160 (2009).

<sup>25</sup> See Order No. 8778 at 3 (discussing policy of setting Washington Flyer rates at or above median).

The Airports Authority proposes that the waiting-time charge be increased from \$0.45 per 77 seconds (\$21.04 per hour) to \$0.50 per 80 seconds (\$22.50 per hour).

Table 2 in Appendix A depicts the waiting time charges in effect in six local jurisdictions requiring the use of a taximeter.<sup>26</sup> For ease of comparison, these charges have been converted into an hourly equivalent. Information on when waiting time charges accrue upon responding to a passenger pick-up and in slowed or stopped traffic is also displayed. Median values have been computed and are displayed as well. The corresponding current and proposed rates for Washington Flyer taxicabs are included for comparison.

As can be seen from Table 2, the waiting time charge set by the Commission in 2006 is below the median rate in the region. The Airports Authority's proposed waiting time charge would be slightly above the median waiting time charge.

The Airports Authority's proposal does not specify when waiting time charges should apply. Order No. 12,090 proposed that waiting time shall apply when Washington Flyer taxicabs are traveling below 10 m.p.h. or 5 minutes after an appointed pick-up time and that waiting time shall apply during stopovers en route at the direction of a passenger. DTS supports the Airports Authority's waiting time proposal, and the Airports Authority supports the Commission's proposal of when waiting time charges should apply.

Consistent with Commission precedent<sup>27</sup> and the comments filed in this proceeding, the Commission finds that the proposed increase in the Washington Flyer interstate waiting-time charge from \$0.45 per 77 seconds (\$21.04 per hour) to \$0.50 per 80 seconds (\$22.50 per hour) is reasonable and warranted by the evidence in the record; provided, that the waiting-time charge shall only apply: (1) when the taxicab is traveling below 10 m.p.h.; (2) five minutes after an appointed pick-up time; and (3) during stopovers en route at the direction of a passenger.

#### **IX. INCIDENTAL CHARGES**

The Commission has been prescribing incidental charges for interstate trips in Washington Flyer taxicabs for many years. The practice of allowing incidental charges is quite common among licensing jurisdictions in the Metropolitan District.<sup>28</sup>

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<sup>26</sup> See ALEXANDRIA, VA., CODE § 9-12-132(4) (2009); ARLINGTON COUNTY, VA., CODE § 25.1-12(c) (2009); DISTRICT OF COLUMBIA, 31 DCMR § 801.4 (as amended in 55 D.C. Reg. page No. 003836-37 (Apr. 11, 2008)); FAIRFAX COUNTY, VA., CODE § 84.1-6-3 (2008); MONTGOMERY COUNTY, MD., COMCOR § 53.17.01.01 (2009); PRINCE GEORGE'S COUNTY, MD., CODE § 20-160(4) (2009).

<sup>27</sup> Cf., Order No. 8778 at 3 (discussing policy of setting Washington Flyer base rates at or above median).

<sup>28</sup> See <http://wmatc.gov/Taxicabs.html>. (displaying rates and charges authorized by each local taxicab licensing jurisdiction).

The Airports Authority proposes that the Commission eliminate certain incidental charges currently authorized for interstate trips in Washington Flyer taxicabs, including the charge for hand baggage in excess of one per passenger, the charge for trunks and similar large articles, and the charge for personal service requested by a passenger. The Airports Authority asserts that "simplifying" these charges "would be perceived positively by Dulles Airport customers". DTS supports this conclusion by noting that "the majority of complaints now received about Dulles taxicab fares, while not large in number, seem to involve questionable luggage and service charges". Because eliminating these charges would presumably reduce driver revenue and net profit, the Airports Authority proposes that the Commission increase the extra passenger charge from \$1.50 to \$2.00 and eliminate the extra passenger exemption for children under the age of six "to maintain the average revenue for Washington Flyer Taxi operators".

The Commission has made an effort over the years "to neither unduly restrain nor enhance the rate scheme which the local jurisdiction has determined to be appropriate", provided that the proposed rate scheme not be "unduly preferential or unduly discriminatory . . . between riders".<sup>29</sup> The Airports Authority's proposal would place the burden of compensating Washington Flyer drivers for lost incidental charge revenue on the shoulders of extra passengers alone. It appears the Airports Authority regards the number of extra passengers as a "surrogate" for the number of luggage items<sup>30</sup> handled by Washington Flyer drivers, as DTS suggests. Survey data collected by the Airports Authority on two days in July 2009 in support of its proposal, however, do not support the implied premise that extra passengers are the predominant source of luggage items and consequently complaints about misapplied charges.

The Airports Authority surveyed 2,245 taxicab trips originating at Dulles on July 29 and 31, 2009. The survey collected data on extra passengers and extra baggage. A majority of extra passenger trips involved extra baggage (372 out of 654, or 56.88%), as did a majority of single passenger trips (805 out of 1,591, or 50.60%). The number of extra bags on single passenger trips totaled 1,025. The number of extra bags on extra passenger trips totaled 719. The data thus show that over forty percent of extra passenger trips involve no extra baggage, and Washington Flyer drivers handle more extra baggage overall on single passenger trips than they do on extra passenger trips. On this evidence, we cannot say that the number of extra passengers is an apt surrogate for the number of luggage items handled by Washington Flyer drivers.

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<sup>29</sup> Order No. 6226 at 2. The Airports Authority is considered a political subdivision. D.C. CODE § 9-1006(b)(2)(2009).

<sup>30</sup> The term "luggage items" as used here encompasses baggage, trunks, and associated personal service requests.

Likewise, there is nothing in the data and nothing in the Airports Authority's comments suggesting that the extra passenger charge exemption for children has been a significant cause of driver/passenger disputes. According to DTS the majority of customer complaints have not been about extra passenger charges. It appears that the only reason for abolishing the exemption is that the Airports Authority believes it to be a necessary part of the effort at maintaining average driver revenue.

We thus find that the Airports Authority has made a case for eliminating incidental charges for extra baggage, trunks, and personal service but not for compensating drivers for the resulting lost revenue by increasing an extra passenger charge that already is the highest in the region and withdrawing an extra passenger charge exemption for children that does not appear to be a significant source of disputes. An alternative means of compensating drivers is supported by the survey data, however.

As noted above, the Airports Authority surveyed 2,245 trips. The number of extra passengers in the survey totaled 1,044, for an average of 0.47 extra passengers per trip. Increasing the base rate by \$0.25 per trip for all trips should produce approximately the same revenue effect as increasing the extra passenger charge by \$0.50, while distributing the burden more evenly among all passengers. Indeed, the revenue impact should be somewhat greater and help offset the lack of future revenue from trunks and personal service, which were excluded from the survey.<sup>31</sup>

We therefore find that the combination of replacing the incidental charges for extra baggage, trunks, and personal service with a universal per-trip charge of \$0.25 and retaining unchanged the current extra passenger charge and exemption for children will help minimize the problem of misapplied incidental charges while maintaining comparability of Washington Flyer rates and charges with those set by local licensing jurisdictions in a manner that avoids placing the burden of maintaining comparability on a segment of riders that it would appear account for fewer than half of the luggage items handled by Washington Flyer drivers.

Simply adopting the District of Columbia's incidental charges, which has been the Commission's practice in the past, would result in pairing what has become the region's highest extra passenger charge, (\$1.50), highest personal service charge, (\$2.00), and second highest baggage charge, (one free, \$0.50 each thereafter), with a base rate that yields base fares above the regional median at relevant distances. We do not believe that such a rate structure would be "comparab[le] with prevailing local rates".<sup>32</sup>

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<sup>31</sup> Absolute revenue neutrality is not imperative inasmuch as the extra passenger rate that we are leaving intact is already the highest in the region.

<sup>32</sup> Order No. 9065 at 3.

## X. INSURANCE

As noted above, the Commission is responsible for prescribing minimum insurance requirements for interstate taxicab trips in the Metropolitan District, including interstate trips to and from Dulles Airport. From 1961 to 2008 the Commission's insurance regulations stipulated that: "Taxicab operators engaged in interstate operations over which the Commission has jurisdiction shall meet the minimum requirements of the respective states and political subdivisions thereof having jurisdiction over the intrastate operations of such taxicabs."<sup>33</sup>

In 2008, the Commission amended its insurance regulations to provide in pertinent part that: "A taxicab operator shall maintain the minimum insurance coverage required by the operator's licensing authority when engaged in interstate operations subject to this Commission's jurisdiction."<sup>34</sup>

Contrary to these regulations, the Commission issued numerous taxicab ratemaking orders over the years that expressly set the minimum insurance requirement for interstate trips in taxicabs not licensed by any local jurisdiction - including taxicabs licensed by the Commonwealth of Virginia and operating out of Washington Dulles International Airport - equivalent to the minimum insurance requirement for District of Columbia taxicabs.<sup>35</sup>

The Commission proposed in Order No. 12,090 that for purposes of clarification, and inasmuch as Washington Flyer taxicabs operate under authority issued by the Commonwealth of Virginia, the Commission would expressly set the minimum insurance requirement for interstate taxicab trips in Washington Flyer taxicabs equivalent to the minimum insurance requirement set by the Commonwealth of Virginia for taxicabs licensed to operate by the State.

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<sup>33</sup> *In re Rules of Prac. & Proc. & Regs.*, No. MP-91-05, Order No. 3600, app. Reg. No. 58-03(a) (Jan 17, 1991); *In re Commission Rules & Regs.*, Gen. Order No. 22, app. Reg. No. 62-03(b) (June 16, 1987); *In re Revision of Rules & Regs.*, Gen. Order No. 17, app. Reg. No. 62-03(b) (Sept. 30, 1966); *In re Organization & Rules & Regs.*, Gen. Order No. 2, app. Reg. No. 65-03(b) (Mar 22, 1961).

<sup>34</sup> Reg. No. 58-02(a).

<sup>35</sup> See e.g., *In re Interstate Taxicab Rates*, No. MP-01-23, Order No. 6226 (May 17, 2001) (prescribing DC minimum insurance coverage for Dulles taxicabs, among others); *In re Interstate Taxicab Rates*, No. MP-92-07, Order No. 3938 (May 13, 1992) (same); *In re Interstate Taxicab Rates*, No. MP-85-07, Order No. 2719 (June 17, 1985) (same); *In re Interstate Taxicab Rates*, No. MP-79-20, Order No. 1984 (Apr. 19, 1979) (prescribing DC minimum insurance coverage for taxicabs not locally licensed); *In re Interstate Taxicab Rates*, No. 301, Order No. 1502 (Feb. 13, 1976) (same); *In re Interstate Taxicab Rates*, Order No. 1295 (Dec. 28, 1973) (same). But see *In re Washington-Dulles Transp., Ltd.*, No. AP-90-09, Order No. 3470 (Mar. 14, 1990) (prescribing Virginia minimum insurance coverage for Dulles taxicabs).

DTS did not comment on this proposal. The Airports Authority offered the following comment.

The Airports Authority requires Washington Flyer taxicabs to carry liability insurance with a minimum coverage of \$350,000 combined single limit. This limit is considerably higher than the limit set by the Commonwealth of Virginia of \$125,000. Provided the Commission does not consider a minimum greater than the one already established by the Airports Authority, the Airports Authority has no comment on this issue.

We are unable to discern any reason for continuing to set the minimum insurance requirement for interstate taxicab trips in Washington Flyer taxicabs equivalent to the minimum insurance requirement for District of Columbia taxicabs in contravention of Regulation No. 58-02(a). Henceforth, the minimum insurance requirement for interstate trips in Washington Flyer taxicabs shall be the same as the minimum insurance coverage required by the Washington Flyer licensing authority for intrastate trips, as stipulated by Regulation No. 58-02(a). All Commission orders to the contrary are hereby overruled.

The Airports Authority is free to require a higher minimum and also is free to petition the Commission for relief in the event the Washington Flyer licensing authority prescribes a minimum in excess of the minimum required by the Airports Authority.<sup>36</sup>

THEREFORE, IT IS ORDERED:

1. That effective, October 3, 2009, the base rate and incidental charges for an interstate trip between points in the Metropolitan District in a Washington Flyer taxicab shall be the base rate and incidental charges specified in Appendix B to this order.

2. That effective, October 3, 2009, the minimum insurance requirement for interstate trips in Washington Flyer taxicabs shall be the same as the minimum insurance coverage required by the Washington Flyer licensing authority for intrastate trips, as stipulated by Regulation No. 58-02(a). All Commission orders to the contrary are hereby overruled.

3. That effective, October 3, 2009, the interstate rates and charges specified in Appendix B to this order shall be displayed in the right rear window of each Washington Flyer taxicab.

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<sup>36</sup> Although the Airports Authority is considered a political subdivision, *supra*, n.29, it appears that only "counties, cities and towns" may license and regulate taxicabs at the local level within the Commonwealth of Virginia. VA. CODE § 46.2-2067 (2009). And although the Dulles International Airport passenger terminal is located in Loudoun County, Virginia, Loudoun does not license and regulate taxicabs at this time.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS CHRISTIE AND BRENNER:

A handwritten signature in black ink, appearing to read 'W.S. Morrow, Jr.', written in a cursive style.

William S. Morrow, Jr.  
Executive Director

**Table 1 - LOCAL METER RATES**

<b>Jurisdiction</b>	<b>Initial Fare</b>	<b>Mileage Rate</b>	<b>Twenty Miles</b>	<b>Thirty Miles</b>
Alexandria	\$2.75	0.34 per 1/6 mile	\$43.21	\$63.61
Arlington	2.75	0.40 per 1/5 mile	42.35	62.35
Dist. of Columbia	3.00	0.25 per 1/6 mile	32.75	47.75
Fairfax	3.25	0.40 per 1/5 mile	42.85	62.85
Montgomery	4.00	0.50 per 1/4 mile	43.50	63.50
Prince George's	3.00	0.25 per 1/7 mile	37.75	55.25
Median	3.00	2.00 per mile	42.60	62.60
Current Wash. Flyer	2.80	0.45 per 1/4 mile	38.35	56.35
Proposed Wash. Flyer	3.25	0.50 per 1/4 mile	42.75	62.75

**Table 2 - WAITING TIME CHARGES**

<b>Jurisdiction</b>	<b>Waiting Time (per hour)</b>	<b>Begins minutes after pick-up time</b>	<b>Applies when cab is below m.p.h.</b>
Alexandria	\$22.67	3 min	7
Arlington	22.50	5 min	10
Dist. of Columbia	15.00	5 min	10
Fairfax	21.00	5 min	10
Montgomery	28.00	5 min	13
Prince George's	15.00	unspecified	12
Median	21.75	5 min	10
Current Wash. Flyer	21.04	unspecified	unspecified
Proposed Wash. Flyer	22.50	5 min.	10

**Table 3 - ADDITIONAL PASSENGER CHARGES**

<b>Jurisdiction</b>	<b>Extra Passenger Charge</b>	<b>No charge if add'l passenger is below age</b>
Alexandria	\$1.25	5
Arlington	1.00	6
Dist. of Columbia	1.50	6
Fairfax	1.00	12
Montgomery	1.00	5
Prince George's	1.00	6
Median	1.00	6
Current Wash. Flyer	1.50	6
Proposed Wash. Flyer	2.00	N/A

INTERSTATE TAXICAB RATES AND CHARGES  
FOR WASHINGTON FLYER TAXICAB SERVICE WITHIN THE  
WASHINGTON METROPOLITAN AREA TRANSIT DISTRICT

\$3.50 First 1/4 mile or fraction  
.50 Each additional 1/4 mile or fraction  
.50 Each 80 seconds of waiting time (\$22.50/hour)  
1.50 Each additional passenger in a pre-formed party

There shall be a surcharge of \$2.50 per trip during periods of snow emergency declared by the District of Columbia.

Waiting time shall include:

- 1) time consumed while a taxicab is waiting for passengers beginning 5 minutes after the time of arrival at a pick-up location. No time shall be charged for premature pick-up;
- 2) time consumed while a taxicab is stopped or slowed to a speed of less than 10 m.p.h.; and
- 3) time consumed for stopovers en route at the direction of the passenger.