

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 14,475

IN THE MATTER OF:

Served January 10, 2014

Petition of METROPOLITAN WASHINGTON )  
AIRPORTS AUTHORITY for Amendment of )  
Interstate Rates and Charges for )  
WASHINGTON FLYER Taxicabs )

Case No. MP-2014-004

This matter is before the Commission on the petition of the Metropolitan Washington Airports Authority (Airports Authority), filed October 28, 2013, requesting an increase in selected rates approved by the Commission in 2009 for interstate trips in Washington Flyer Taxicabs, which operate out of Washington Dulles International Airport (Dulles Airport) pursuant to contract with the Airports Authority. The petition proposes that the Commission increase the quarterly-mile rate that applies to such trips after the first quarter mile and that the Commission increase the waiting time rate that applies to such trips, as follows:

	<b>Current</b>	<b>Proposed</b>
Each 1/4 mi. after first 1/4 mi.:	\$0.50	\$0.54
Waiting time per hour:	\$22.50	\$24.00

The petition further proposes that the Commission authorize pass-through treatment of tolls incurred on interstate Washington Flyer trips over passenger-selected routes.

**I. JURISDICTION**

Under the Washington Metropolitan Area Transit Regulation Compact,<sup>1</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>2</sup> including interstate trips to and from Dulles Airport.<sup>3</sup> The Commission last prescribed interstate rates and charges for Washington Flyer taxicabs in 2009.<sup>4</sup>

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

<sup>2</sup> Compact, tit. II, art. XI, §§ 1, 18.

<sup>3</sup> Compact, tit. I, art. I.

<sup>4</sup> *In re Interstate Rates and Charges for Washington Flyer Taxicabs*, No. MP-09-103, Order No. 12,155 (Sept. 18, 2009), as amended by Order No. 12,156 (Sept. 21, 2009).

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 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>

## **II. 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>

Washington Flyer taxicabs are licensed by the Commonwealth of Virginia.<sup>11</sup> Virginia does not prescribe any intrastate rates and charges for Washington Flyer taxicabs that the Commission might adopt

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

<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> Order No. 12,155 at 3.

<sup>10</sup> *Id.* at 3.

<sup>11</sup> *Id.* at 4.

for use on interstate trips.<sup>12</sup> The Commission instead sets interstate meter rates for Washington Flyer taxicabs by reference to the prevailing local meter rates.<sup>13</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>14</sup>

As for pass-through treatment of tolls, the Commission expressly recognizes pass-through treatment of tolls as a valid incidental charge.<sup>15</sup>

In sum, 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>16</sup>

### **III. COMPARISON TO LOCAL METER RATES**

The minimum interstate trip for Washington Flyer taxicabs is approximately 20 miles one way. Table 1 in the appendix to this order displays the current WMATC-adopted base fares at 20- and 30-mile intervals for interstate trips in locally-licensed metered taxicabs and for interstate trips in Washington Flyer taxicabs. Table 1 also displays the proposed Washington Flyer base fares at 20- and 30-mile intervals. The median fares are included for comparison.

Table 2 in the appendix to this order displays the current WMATC-adopted hourly waiting rate for interstate trips in locally-licensed metered taxicabs and for interstate trips in Washington Flyer taxicabs. Table 2 also displays the proposed Washington Flyer hourly waiting rate. The median rate is included for comparison.

### **IV. COMMENTS**

The Commission invites comments on the proposed increase in selected Washington Flyer interstate taxicab rates and proposed authorization of pass-through treatment for tolls incurred on interstate trips in Washington Flyer taxicabs over passenger-selected routes.

THEREFORE, IT IS ORDERED:

1. This proceeding is hereby initiated under Title II of the Compact, Article XI, Section 18.

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<sup>12</sup> *Id.* at 4.

<sup>13</sup> *Id.* at 4.

<sup>14</sup> *Id.* at 4.

<sup>15</sup> See Fairfax County incidental charges at <http://www.wmatc.gov/>.

<sup>16</sup> Order No. 12,155 at 8. The Airports Authority is considered a political subdivision. D.C. CODE § 9-1006(b)(2)(2013).

2. That Commission staff shall cause notice of this proceeding to be posted immediately to the Commission's website.

3. Any person desiring to file comments in this proceeding shall submit them in writing within 30 days of the date of this order by faxing them to (301) 588-5262, emailing them to [taxi-rates@wmatc.gov](mailto:taxi-rates@wmatc.gov), or mailing them to 8701 Georgia Avenue, Suite 808, Silver Spring, MD 20910-3700.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS BRENNER, HOLCOMB, AND BELLAMY:



William S. Morrow, Jr.  
Executive Director

**Table 1 - LOCAL BASE FARES**

<b>Jurisdiction</b>	<b>20 Miles</b>	<b>30 Miles</b>
District of Columbia	\$46.43	\$68.03
Alexandria	\$46.20	\$67.80
<b>Proposed Flyer</b>	<b>\$46.16</b>	<b>\$67.76</b>
Fairfax	\$44.95	\$65.95
<b>Median Non-Flyer</b>	<b>\$44.68</b>	<b>\$65.68</b>
Arlington	\$44.40	\$65.40
Montgomery	\$43.50	\$63.50
<b>Current Flyer</b>	<b>\$43.00</b>	<b>\$63.00</b>
Prince George's	\$37.75	\$55.25

**Table 2 - WAITING TIME RATES**

<b>Jurisdiction</b>	<b>Hourly Rate</b>	<b>Begins minutes after pick- up time</b>	<b>Applies when cab is below m.p.h.</b>
Montgomery	\$28.00	5 min	13
District of Columbia	\$25.00	5 min	10
Alexandria	\$25.00	3 min	7
<b>Proposed Flyer</b>	<b>\$24.00</b>	<b>5 min</b>	<b>10</b>
<b>Median Non-Flyer</b>	<b>\$23.75</b>	<b>5 min</b>	<b>10</b>
Arlington	\$22.50	5 min	10
<b>Current Flyer</b>	<b>\$22.50</b>	<b>unspecified</b>	<b>unspecified</b>
Fairfax	\$21.18	5 min	10
Prince George's	\$15.00	unspecified	12