

Proposed Amendments to Metropolitan Washington Airports Regulations Regarding Abandoned Property and Taxicabs

The Authority is considering amending its regulations

1. to allow staff to dispose of inoperable vehicles directly to a demolisher;
2. to require taxicab drivers picking up passengers outside the Authority's system to record their manifests legibly and in ink and to include the person's destination;
3. to make it clear that the demerit points on a taxicab driver's license are calculated according to the Virginia system.

1. Abandoned, Inoperable Vehicles

The Authority's regulations provide that when a vehicle is abandoned at either airport and the owner fails to respond to a notice, the vehicle may be auctioned off. If two disinterested dealers determine that the vehicle is worth less than \$150, it may be disposed of by private sale or at a junkyard. This regulation was patterned after the Virginia statutory scheme for localities disposing of abandoned vehicles because, like Virginia localities, the Authority must work through the Virginia Department of Motor Vehicles to obtain titles to abandoned vehicles before they can be sold. The Airports Authority believed that there would be less confusion and quicker service if the Airports Authority followed the established procedure for Virginia cities, counties, and towns.

Virginia has amended its statute. In the case of an inoperable vehicle, Virginia law no longer requires notice to the owner, obtaining title from the Department of Motor Vehicles if the owner fails to claim the vehicle, or a disinterested determination of an inoperable, abandoned vehicle's value in order to dispose of it. Such a vehicle may be scrapped and given directly to a demolisher. (Va. Code §46.2-1205.) If the Airports

Authority similarly amended its regulation, it would save the Authority staff considerable time and effort in dealing with essentially worthless property.

Accordingly, the Authority is considering amending the Metropolitan Washington Airports Regulation 4.46 as follows (new language is underlined):

§ 4.46. Disposal of Abandoned Vehicles.

Should the owner of any motor vehicle, trailer, or semitrailer removed by the Authority police fail or refuse to pay costs incidental to removal or fail to respond to notice given as provided above, the Authority Property Manager may, after holding the vehicle thirty (30) days from receiving the vehicle into custody and after due notice of sale, dispose of the vehicle at public sale. The proceeds from the sale shall be forwarded by the selling officer to the Authority to be maintained for the owner. ~~However, if the value of the vehicle be determined by two (2) disinterested dealers or garagemen to be less than one hundred fifty dollars (\$150.00), it may be disposed of by private sale or at a junkyard.~~ The Authority shall pay from the proceeds of sale the cost of removal, storage, location of the owner and lienholders and notice of sale and the balance of the sale shall be held for the owner and paid to the owner, without interest or other charges, upon satisfactory proof of ownership.

Notwithstanding any other provision of this chapter, any inoperable motor vehicle, trailer, semitrailer or part of a motor vehicle, trailer, or semitrailer which has been removed by the Authority police pursuant to other provisions of this chapter may be disposed of to a demolisher, without the title and without the notification procedures. The demolisher, on taking custody of the inoperable abandoned vehicle, shall notify the Virginia Department of Motor Vehicles as provided in Section 46.2-1205 of the Virginia Code, as it may be amended from time to time.

2. Taxicabs and Other Vehicles for Hire

The Metropolitan Washington Airports Regulations require that vehicles for hire (taxicabs, limousines, sedans) may only pick up at the airports if their passengers have arranged the trip in advance – unless they have a contract with the Authority, i.e., Washington Flyer, Supershuttle, taxi permit holders at Reagan National. Some drivers

continue to solicit fares illegally and the Authority police have requested several minor changes to the regulations to help with their enforcement. The proposed changes:

In Sections 5.3, 5.5, 5.21, and 5.23, add a requirement that the driver's manifest or other record of the passenger's pre-arrangement of the trip indicate the passenger's destination and be written legibly, in ink.

In Section 5.8, which is applicable to permit applicants and holders at Reagan National Airport, clarify that the uniform, demerit points for repeated traffic violations are calculated under Virginia's system.

In context, the changes are shown as underlined and strike throughs:

§ 5.3. Operating Conditions for Vehicles for Hire Other than Taxicabs.

- (1) Notwithstanding any other provision of this Chapter, no driver of any limousine, executive sedan, or any other vehicle for hire whatsoever with a seating capacity of fifteen or fewer persons shall pick up or attempt to pick up a passenger at National unless:
 - (a) the driver, or, if an independent contractor, his company or, if an employee, his employer has a contract with the Authority authorizing him to pick up passengers for hire at National; or
 - (b) the driver comes to National to pick up a passenger in response to a request to transport that passenger received prior to his coming onto National, and he has a record of the date and time the request was received, the name of the person to be picked up and transported, the person's destination, and the date, time and point of the pickup. Records must be written legibly, in ink.
- (2) No driver of any limousine, executive sedan, or any other vehicle for hire shall solicit passengers, directly or indirectly, personally or in concert with another.
- (3) No driver of any limousine, executive sedan, or any other vehicle for hire shall operate his vehicle at National unless he and his vehicle are in compliance with the laws governing vehicles for hire in the jurisdiction in which his vehicle purports to be licensed or certificated. Every driver of vehicle for hire operated at National must be licensed or certificated to drive a vehicle for hire in at least one

jurisdiction. Every vehicle for hire operated at National must be licensed or certificated as a vehicle for hire in at least one jurisdiction.

§ 5.5. Operating Conditions for Taxicabs Picking up Passengers outside the Dispatch System.

In addition to the requirements of Section 5.4, every taxicab driver picking up or attempting to pick up passengers at National between the hours of 6:00 A.M. and 2:00 A.M. the following day shall do so only at the direction of the taxicab dispatcher through the taxicab dispatch system except under one of the following circumstances:

- (1) The taxicab driver or, if an independent contractor, his company or, if an employee, his employer has a contract with the Authority authorizing him to pick up passengers for hire at National; or
- (2) The taxicab driver comes to National to pick up a passenger in response to a request to transport that passenger received prior to his coming onto National, and his manifest shows the date and time the request was received, the name of the person to be picked up and transported, the person's destination, and the date, time and point of the pickup. Manifests must be written legibly, in ink.

§ 5.8. Denial of an Airport Taxi Operator's Permit.

The Airport Manager may refuse to issue an Airport Taxi Operator's Permit for any of the following reasons:

- (1) repeated or serious violations of the motor vehicle laws of any jurisdiction or the provisions of this chapter (the accumulation of twelve or more uniform demerit points, calculated according to the Commonwealth of Virginia's system, against the driver's license within a twenty-four month period shall be prima facie grounds for denial of a permit);
- (2) conviction, plea of guilty, or plea of nolo contendere to the violation of any law involving commission of a felony, any sex offense, soliciting for prostitution, or, in the last five (5) years, any other crime involving alcohol, marijuana, or any drugs classified as controlled substances;
- (3) procuring or attempting to procure an Airport Taxi Operator's Permit by fraud, misrepresentation, false or misleading statements, evasions, or suppression of material facts; or
- (4) procuring or attempting to procure more than one Airport Taxi Operator's Permit.

§ 5.21. Accepting Taxicab Passengers.

No taxicab (as defined in § 5.2) driver shall pick up, or attempt to pick up, passengers at Dulles unless:

- (1) he or, if an independent contractor, his company or, if an employee, his employer has a contract with the Authority authorizing him to pick up passengers for hire at Dulles; or
- (2) he comes to Dulles to pick up a passenger in response to a request to transport that passenger received prior to his coming onto Dulles, and the manifest shows the date and time the request was received, the name of the person to be picked up and transported, the person's destination, and the date, time and point of the pickup. Manifests must be written legibly, in ink.

§ 5.23. Operating Conditions for Vehicles for Hire Other than Taxicabs.

- (1) Notwithstanding any other provision of this Chapter, no driver of any limousine, executive sedan, or any other vehicle for hire whatsoever with a seating capacity of fifteen or fewer persons shall pick up or attempt to pick up a passenger at Dulles unless:
 - (a) the driver, or, if an independent contractor, his company or, if an employee, his employer has a contract with the Authority authorizing him to pick up passengers for hire at Dulles; or
 - (b) the driver comes to Dulles to pick up a passenger in response to a request to transport that passenger received prior to his coming onto Dulles and he has a record of the time the request was received, the name of the person to be picked up and transported, the person's destination, and the time and point of the pickup. Records must be written legibly, in ink.
- (4) No driver of any limousine, executive sedan, or any other vehicle for hire shall solicit passengers, directly or indirectly, personally or in concert with another.
- (5) No driver of any limousine, executive sedan, or any other vehicle for hire shall operate his vehicle at Dulles unless he and his vehicle are in compliance with the laws governing vehicles for hire in the jurisdiction in which his vehicle purports to be licensed or certificated. Every driver of vehicle for hire operated at Dulles must be licensed or certificated to drive a vehicle for hire in at least one jurisdiction. Every vehicle for hire operated at Dulles must be licensed or certificated as a vehicle for hire in at least one jurisdiction.

[End of Proposed Changes]