

**CITY OF ALEXANDRIA
TRAFFIC AND PARKING BOARD PUBLIC HEARING
MONDAY, FEBRUARY 22, 2021, 7:00 P.M.
VIRTUAL**

Due to the COVID-19 Pandemic emergency, the February 22 meeting of the Traffic and Parking Board is being held electronically pursuant to Virginia Code Section 2.2-3708.2(A)(3), the Continuity of Government ordinance adopted by the City Council on June 20, 2020 or Section 4-0.01(g) in HB29 and HB30, enacted by the 2020 Virginia General Assembly (Virginia Acts of Assembly Ch. 1283 and 1289), to undertake essential business. All the members of the Board and staff are participating from remote locations through a Zoom meeting. This meeting is being held electronically, unless a determination is made that it is safe enough to be held in person in the City Council Chamber at 301 King Street, Alexandria, VA. Electronic access will be provided in either event. The meeting can be accessed by the public through:

Register in advance for this webinar:

https://zoom.us/webinar/register/WN_QGe8g1vOTL-nOSWoDv8uxA

Meeting ID: 961 2999 0017

Passcode: 098971

Call in – **301.715.8592**

After registering, you will receive a confirmation email containing information about joining the webinar.

Public comment will be received at the meeting. The public may submit comments in advance to Bob Garbacz at bob.garbacz@alexandriava.gov no later than 24 hours before the meeting or make public comments through the conference call on the day of the hearing.

For reasonable disability accommodation, contact Jackie Cato at jackie.cato@alexandriava.gov or 703.746.3810, Virginia Relay 711.

**CITY OF ALEXANDRIA
TRAFFIC AND PARKING BOARD PUBLIC HEARING
MONDAY, FEBRUARY 22, 2021, 7 P.M.
VIRTUAL**

D O C K E T

1. Announcement of deferrals and withdrawals.
2. Approval of the January 25, 2021 Traffic and Parking Board meeting minutes.
3. **WRITTEN STAFF UPDATES**
 - a. None
4. **PUBLIC DISCUSSION PERIOD**
[This period is restricted to items not listed on the docket]

PUBLIC HEARING

5. **ISSUE:** Consideration of a request to remove two, on-street parking spaces on the north side of the 500 block of E. Mt. Ida Avenue
6. **ISSUE:** Consideration of a request to implement left turn restrictions at Westbound Cedar Street onto southbound Russell Road
7. **ISSUE:** Consideration of a request to remove and add parking on Commonwealth Avenue for safety and access improvements
8. **ISSUE:** Consideration of a request to remove parking spaces on Fillmore Avenue and reduce the taxi stand on Kenmore Avenue to install bikeshare stations
9. **ISSUE:** Consideration of an amendment to the City Code to improve taxicab regulation
10. **STAFF UPDATES:**

**CITY OF ALEXANDRIA
TRAFFIC AND PARKING BOARD PUBLIC HEARING
MONDAY, JANUARY 25, 2021, 7 P.M.
VIRTUAL MEETING**

MINUTES

BOARD MEMBERS PRESENT: Chairman, William Schuyler, Vice Chair, James Lewis, Jason Osborne, Annie Ebbers, Ann Tucker, and Casey Kane

BOARD MEMBERS ABSENT: Lavonda Bonnard

STAFF MEMBERS PRESENT: Hillary Orr, Deputy Director, Bob Garbacz, Division Chief of Traffic Engineering, Ryan Knight, Civil Engineering IV, Cuong Nguyen, Civil Engineering II, Megan Oleynik, Urban Planner II, Alex Block, Principal Planner, and Christine Mayeur, Principal Planner.

1. Announcement of deferrals and withdrawals: Item number 8 was deferred.
2. Approval of the December 21, 2020 Traffic and Parking Board meeting minutes:

BOARD ACTION: Mr. Lewis made a motion, seconded by Ms. Ebbers to approve the minutes of the December 21, 2020 Traffic and Parking Board meeting. The motion carried unanimously.

3. **WRITTEN STAFF UPDATES:**
 - a. Dockless Mobility Pilot extension
 - b. West End Capital Bikeshare update

4. **PUBLIC DISCUSSION PERIOD:** None

5. **PUBLIC HEARING FOLLOW-UP:**

Mr. Garbacz updated the Board about the No Left Turn from West Cedar Street to Southbound Russell Road.

PUBLIC HEARING

6. **ISSUE:** Consideration of a staff recommendations to update Residential Permit Parking District Boundaries for six districts in Old Town

DISCUSSION: Ms. Oleynik presented this item to the Board. The Board inquired about updating the boundaries of other districts in the future.

PUBLIC TESTIMONY: Ms. Ruggie and Ms Sibrover inquired about the proposed boundary limits and if restrictions would be changing on any of the streets.

BOARD ACTION: Mr. Lewis made a motion, seconded by Mr. Kane to recommend approving staff recommendations to update Residential Permit Parking District Boundaries for six districts in Old Town. The motion carried unanimously.

7. **ISSUE:** Consideration of an ordinance to limit parking of vehicles over 12,000 pounds or longer than 30 feet to 2-hours in commercial business areas unless actively loading or unloading and code updates to consolidate and clarify parking violation penalties.

DISCUSSION: Ms. Oleynik presented this item to the Board. The Board asked about how many Alexandria residents were opposed to the proposed parking restrictions. The Board expressed concern about where business would park their trucks and asked if staff had considered just restricting overnight parking. Lastly, the Board asked about reevaluating Wheeler Avenue parking so the bike lanes could be extended.

PUBLIC TESTIMONY: No one from the public spoke about this item.

BOARD ACTION: Mr. Kane made a motion, seconded by Ms. Ebbers to recommend approving the modification of an ordinance to limit parking of vehicles over 12,000 pounds or longer than 30 feet to 2-hours in commercial business areas unless actively loading or unloading and code updates to consolidate and clarify parking violation penalties. The motion carried unanimously.

8. **STAFF UPDATES:**

Mr. Block updated the Taxi Industry Code item
Ms. Mayeur discussed the parking removal at crosswalks program.
Mr. Kane provided a Transportation Commission update.

City of Alexandria, Virginia

Traffic and Parking Board

DATE: February 22, 2021

DOCKET ITEM: 5

ISSUE: Consideration of a request to remove two, on-street parking spaces on the north side of the 500 block of E. Mt. Ida Avenue

REQUESTED BY: Sarah Pearlstein, resident adjacent to 500 block of E. Mt. Ida Avenue

LOCATION: 500 block of E. Mt. Ida Avenue

STAFF RECOMMENDATION: That the Board makes a recommendation to the Director of T&ES to remove approximately two parking spaces on the 500 block of E. Mt. Ida Avenue.

BACKGROUND: The 500 block of E. Mt. Ida Avenue is located near the eastern edge of the Del Ray neighborhood, a block west of Route 1. This block is a narrow residential street that functions like an alley, as it has no residential frontages but provides access to several residential driveways for properties that front E. Custis Avenue and E. Randolph Avenue. The road is approximately 19 feet wide from curb to curb. Despite the narrow width, the road allows two-way traffic and parking along the north side.

DISCUSSION: Ms. Pearlstein lives in a residence that fronts E. Custis Avenue and has a driveway off E. Mt. Ida Avenue. Ms. Pearlstein has requested that two parking spaces immediately to the west of the No Parking Here to Corner sign be removed on E. Mt. Ida Avenue behind her driveway, because the narrow roadway makes it difficult for her to enter and exit her driveway when cars are parked there. Staff recognize the constraints on this narrow roadway and recommends approval of this request. Many of the houses in this area have off-street parking and do not rely on these on-street spaces.

OUTREACH: Ms. Pearlstein coordinated with the neighbors adjacent to the requested removal and received emails indicating support for the request (Attachment 2).

ATTACHMENT 1

Proposed Parking Removal Location, 2208 Mt Ida Avenue



ATTACHMENT 2

Parking Request Form and Support



On-Street Parking Modification Request Form

City of Alexandria, Department of Transportation & Environmental Services
Mobility Services Division | 421 King Street, Suite 235 | Alexandria, VA 22314

Please fill out the first page of this application and return to megan.oleynik@alexandriava.gov or mail to Megan Oleynik, Mobility Services, 421 King Street, Suite 235, Alexandria, VA 22314. Staff will contact the Project Champion to further refine proposed solution to address the issue that the applicant is trying to address.

Reason for the Request (*What are you trying to solve/address?*):

I am unable to maneuver out of my driveway when a car is parked on the other side of the street t

Type of On-Street Parking Modification Requested:

- Loading Zone Removal
- Parking Removal
- Parking Restriction Change (Non-RPP)
- Proposed restrictions _____
- Loading Zone Addition
- No Parking Sign Removal

Location: Behind 508 E Custis on Mt. Ida, across from driveway along the retaining wall of neighbor.
(Map or figure may be provided as an attachment)

Approximate number of spaces affected (assume 20 feet per space): 1-2

Project Champion (Point of Contact) Information:

Name: Sarah Pearlstein

Address: 508 E Custis Ave

Email: sarah.pearlstein9@gmail.com

Phone Number: 7037123989

- Best Way to Contact:** Email Phone
Best Time of Day to Contact: Morning Afternoon

Approximate location of request in red box below



1/11/2021

Gmail - Support for No Parking on MT Ida behind 508 E Custis Avenue



Sarah Pearlstein <sarah.pearlstein9@gmail.com>

Support for No Parking on MT Ida behind 508 E Custis Avenue

Warren Wylupski <wylupski@hotmail.com>
To: "sarah.pearlstein9@gmail.com" <sarah.pearlstein9@gmail.com>

Mon, Jan 11, 2021 at 3:14 PM

Hello,

I am writing to support my neighbor at [508 E Custis Avenue](#), Alexandria, and their request for a no-parking zone behind the driveway which is on Mt Ida, directly behind their house. They are our neighbor, and they are experiencing the same issues as us.

E Mt. Ida Avenue is extremely narrow between La Grande Ave. and E Randolph Ave. in Del Ray. When cars are parked across the street from a driveway on Mt. Ida it is extremely difficult to back out of the driveway and nearly impossible to pull into the driveway. We have lived in our home at [506 E Custis Avenue](#) for about eight years, and experience these issues almost every day. As this section of Mt. Ida is so close to Richmond Highway, trying to get in or out of the driveway when cars are parked across from the driveway frequently results in backed up traffic.

Please let me know if you would like any additional information.

Warren Wylupski
[506 E Custis Avenue](#)
[Alexandria, VA 22301](#)

From residents of 2210 E. Randolph Avenue:

1/29/2021

Gmail - Hi!



Sarah Pearlstein <sarah.pearlstein9@gmail.com>

Hi!

Ellis, Holly <Holly.Ellis@am.jll.com>
To: Sarah Pearlstein <sarah.pearlstein9@gmail.com>
Cc: Holly Ellis <holly.huff@gmail.com>

Fri, Jan 29, 2021 at 1:26 PM

Hi Sarah,

So sorry for not sending this sooner! Apparently I drafted it but never hit send! We are in support of the parking space removal however, we do have concerns about signage posting as it is already a very narrow sidewalk and another pole in the sidewalk would narrow it further. If it is possible to use street painting to indicate the blocked area, that would be an acceptable solution.

Also, I've put my personal email on here and my cell is below (it's the only cell I have and use it for work and personal). I am an avid cook so if you ever find yourself in need of a last min spice...I probably have it. As for JLL, I'm on the consulting team. I manage/support workplace strategies and change implementations... fun times right now haha! So looking forward to this being over so we can have y'all and the bambinos over for some fun.

Thanks!

Holly (and John)

City of Alexandria, Virginia

Traffic and Parking Board

DATE: February 22, 2020

DOCKET ITEM: 6

ISSUE: Consideration of a request to implement left turn restrictions at westbound Cedar Street onto southbound Russell Road

REQUESTED BY: Mr. Dick Blatt and Ms. Suzy Tomai

LOCATION: Cedar Street at Russell Road

STAFF RECOMMENDATION: That the Board recommends to the Director denial of the request to implement left turn restrictions from westbound Cedar Street onto southbound Russell Road.

BACKGROUND: Cedar Street is a residential street that is 22 feet wide with parking permitted along the north curb face, Attachment 1. There are several parallel streets to the north of Cedar Street. During the December 2020 Traffic and Parking Board meeting, Mr. Dick Blatt and Ms. Suzy Tomai spoke during the Public Discussion Period to request the Board consider a left turn restriction on Cedar Street onto Russell Road as a measure to reduce cut-through travel from Commonwealth Avenue to Russell Road.

Staff advised the speakers and the Board, a thorough analysis complete with robust data collection would be required to adequately address this request. Due to the stay at home advisement in response to the COVID-19 pandemic, travel behaviors do not reflect normal conditions. In addition, staff informed the Board that the City is evaluating a program to address cut-through traffic through several initiatives, at the request of City Council. Staff plans to present status of these efforts to Council later this year. However, considering Mr. Blatt and Ms. Tomai came before the Board with his request, the Board requested staff to proceed with conducting a preliminary investigation prior to Council's direction.

DISCUSSION: To determine if turn restrictions are appropriate, staff investigated traffic patterns on Cedar Street and other parallel streets.

The turning movement count data was collected at the Cedar Street and Russell Road intersection on a weekday between 3 PM to 7 PM. During this period, a total of 53 vehicle trips turned left from Cedar Street onto Russell Road, which equates to approximately 63% of the vehicles on Cedar Street at that time (Attachment 2).

A data collection device was placed on Cedar St, Rosemont Ave, Linden St, and Maple St between Commonwealth Ave and Russell Rd. to capture the daily trips along these streets on Tuesday, January 12, 2021 to Thursday, January 14, 2021. The average daily vehicle trips captured for each street can be found in table below:

Street	Average Daily Trips (both directions)
W. Cedar Street	360 vehicle trips per day
W. Rosemont Avenue	1290 vehicle trips per day
W. Linden Street	730 vehicle trips per day
W. Maple Avenue	280 vehicle trips per day

In addition, staff reviewed the collision history reported on or near Cedar St. from 2018 to 2020 as reported through VDOT’s Crash Analysis Tool, Tableau. Refer to the table below.

Street	Date	Time	Description
Commonwealth Ave at Cedar Street	4/25/2019	5:20 PM	Vehicle #1 attempted to make a left turn from Cedar Street and crashed into Vehicle 2 traveling southbound
Russell Road at Cedar Street	2/29/2020	1:00 PM	Vehicle #1 attempted making a u-turn from Cedar Street and crashed into Vehicle #2 traveling northbound

Based on the above findings, a left turn restriction from westbound W. Cedar Street onto southbound Russell Road is not recommended. Although there is a large percentage of vehicles making this left turn, the volume of vehicles making this movement is not excessive. The average daily trips along Cedar Street do not demonstrate its use as a primary cut-through route as it relates to other nearby parallel streets. Rosemont Avenue and Linden Street carry more vehicles than Cedar Street. In addition, the reported crashes on this portion of Cedar Street does not demonstrate a pattern in which turn restrictions are warranted to address a safety concern.

To improve conditions in this area, the City’s Commonwealth Avenue Improvement Project will include an enhancement at the Cedar Street intersection. Community members expressed concerns that motorists traveling southbound Commonwealth Avenue during the PM peak hour attempt to bypass queued traffic by driving in the bike lane and parking lane and turning right onto Cedar Street. The project includes extending green bike lane markings through the intersection, as well as potential lane separating devices on each side of the intersection further delineating the protected bike lane (Attachment 3). The enhanced lane designation will reduce the likelihood of vehicles encroaching the bike and parking lane to turn onto Cedar Street. This would likely result in less frequent cut-through travel on Cedar Street and safer conditions for all users of the street.

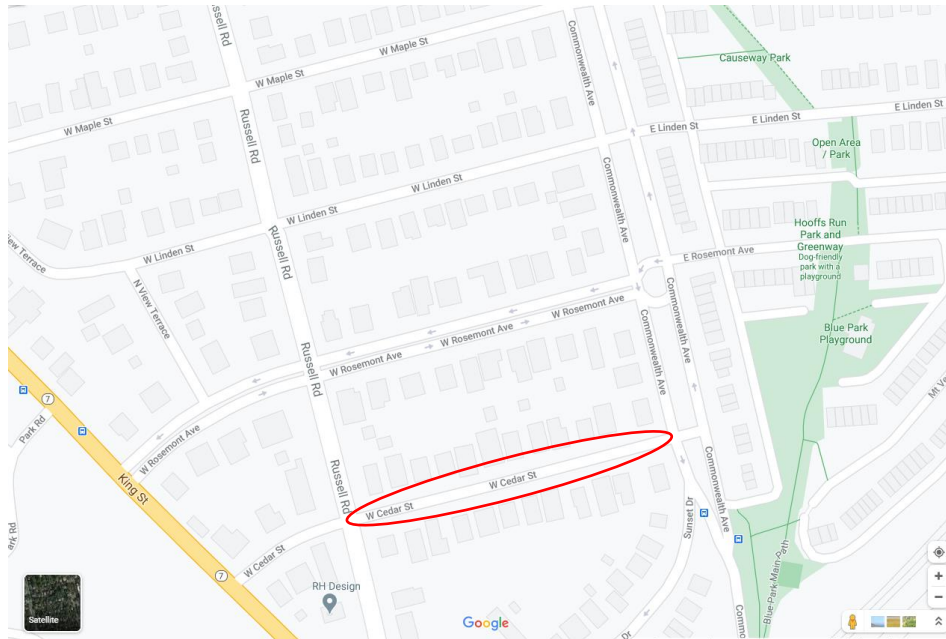
Moving forward, to address such requests for turn restrictions, the City plans to replicate the process that was followed for the turn restriction installed at E. Taylor Run Parkway and Moncure Drive as part of the Central Alexandria Traffic Study. This included robust traffic data

collection, significant community outreach led by community members, and a pilot program that allowed for observation and evaluation to determine the effectiveness and identify if unintended consequences of the turn restriction occur in other areas of the community.

OUTREACH: Staff notified Mr. Jol Silversmith, President of the Rosemont Civic Association of the request and staff's recommendation. Mr. Silversmith understood the circumstances presented and had no significant concerns with staff's approach and position. However, Mr. Silversmith did request, if additional measures or investigations are conducted, the Civic Association be involved early in the process.

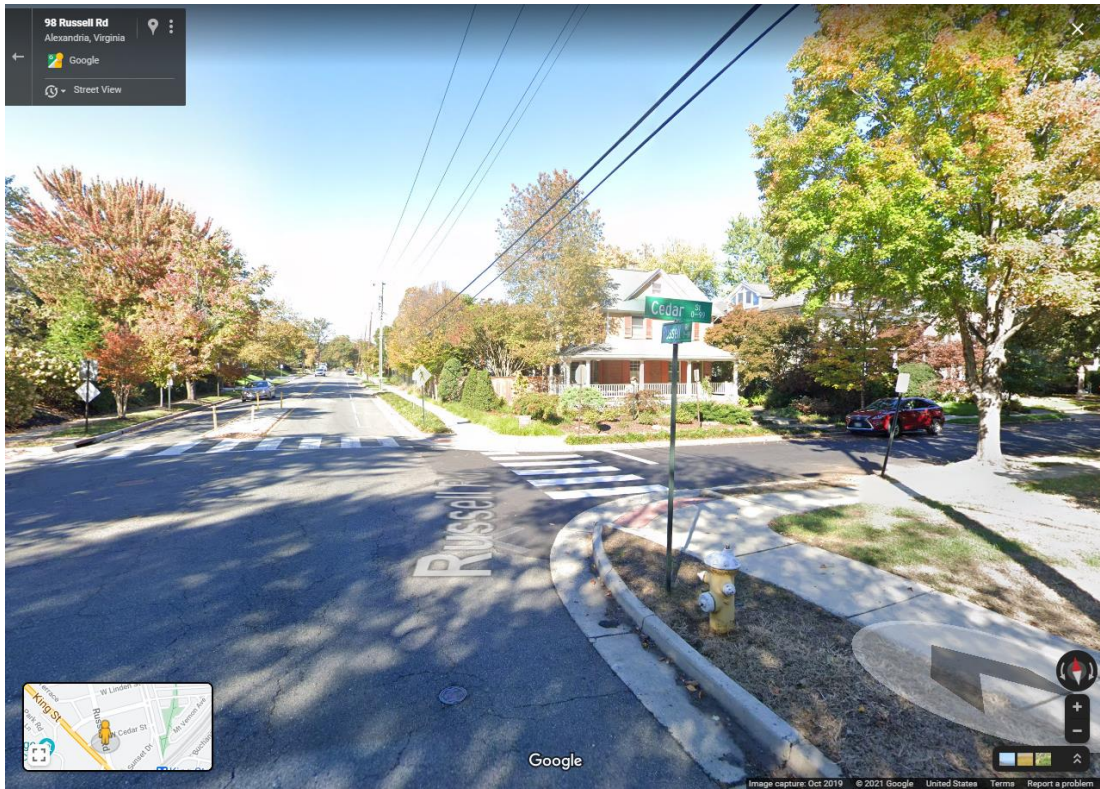
ATTACHMENT 1:

Aerial Image of Study Area



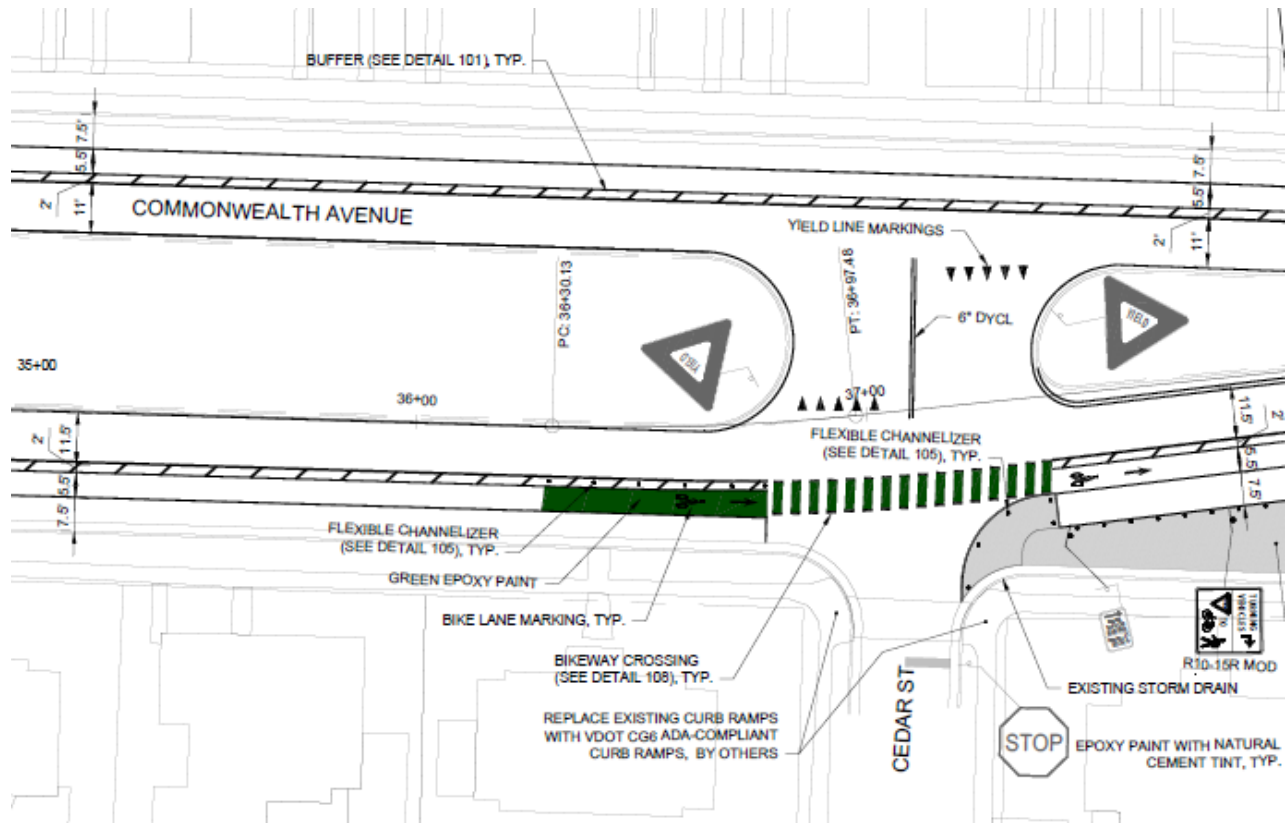
Street View of Russell Road and Cedar Street Intersection:

Looking northbound on Russell Road at Cedar Street westbound intersection.



ATTACHMENT 2:

Snapshot of Turning Movement Data Collected for Cedar Street from 3 PM to 7 PM



City of Alexandria, Virginia

Traffic and Parking Board

DATE: February 22, 2021

DOCKET ITEM: 7

ISSUE: Consideration of a request to remove and add parking on Commonwealth Avenue for safety and access improvements

REQUESTED BY: T&ES Staff

LOCATION: Commonwealth Avenue between Masonic View Avenue and Sunset Drive

STAFF RECOMMENDATION: The Board makes a recommendation to the Director of T&ES to remove and add parking spaces on Commonwealth Avenue between Masonic View Avenue and Sunset Drive for safety and access improvements proposed with the Commonwealth Complete Streets project.

BACKGROUND: Commonwealth Avenue between King Street and Braddock Road is scheduled to be repaved as part of regular street maintenance in Spring 2021. The City's [Complete Streets Policy](#) directs staff to use routine maintenance as an opportunity to consider changes that improve safety and convenience for all roadway users. Commonwealth Avenue is a neighborhood connector which provides access to King Street Metro Station, Matthew Maury Elementary School, George Washington Middle School, as well as numerous parks and places of worship.

In 2017, the City conducted a Safe Routes to School Walk Audit for Matthew Maury Elementary School. The [final report](#) included recommendations to improve safety and comfort for schoolchildren and families on Commonwealth Avenue. These recommendations include adding new crosswalks, upgrading existing crosswalks to high-visibility markings, upgrading curb ramps, installing median refuge areas, and adding curb extensions at key locations to improve residents' ability to cross Commonwealth Avenue.

In 2019, City staff initiated the Commonwealth Avenue Complete Streets project to implement the Maury Safe Routes to School recommendations and other appropriate safety measures as part of routine street maintenance. After conducting some initial community outreach via an annual repaving survey, the following project objectives were identified:

- Improve existing crossings and add new crossing opportunities
- Implement Safe Routes to School recommendations
- Increase visibility and pedestrian safety at intersections and crossings

- Reinstall and update traffic calming devices
- Update and enhance striping and signage along the corridor

DISCUSSION: Commonwealth Avenue is a two-lane road with on-street parking and bike lanes for much of the corridor. It is commonly used by residents to access Matthew Maury Elementary School, George Washington Middle School, King Street and Braddock Road Metro Stations, local parks, and other destinations. However, many intersections lack crosswalk markings at legal crossings. Additionally, most of the existing crossings on Commonwealth Avenue are extremely long, many more than 100 feet and some even exceeding 120 feet. The longer the crossing distance, the more exposed pedestrians are to traffic.

Staff worked with an engineering consultant to design new crosswalks, curb extensions, and median refuge spaces at key locations. Together, these treatments can improve pedestrian safety and comfort along the corridor by:

- Providing a clear crossing point that is easily seen by people driving
- Enhancing pedestrians' ability to see and be seen before entering the crosswalk
- Shortening crossing distances for pedestrians substantially (for example: at Walnut Street, pedestrian exposure to vehicular and bicycle traffic would be reduced from approximately 120 feet to less than 50 feet)
- Allowing pedestrians to cross only one lane at a time
- Preventing drivers from encroaching into crosswalks in the median
- Encouraging drivers to turn more slowly and exercise more caution at intersections

At certain locations, these safety treatments impact parking, largely due to atypical intersection geometries. The total proposed reduction in parking as a result of proposed safety treatments amounts to approximately 10 parking spaces across the entire corridor. In some locations, additional space was available to provide new parking to offset this parking loss. In total, approximately 7 parking spaces are proposed to be added. The net change in parking is 3 parking spaces removed over the 11-block project area. Attachment 1 provides an overview of the parking removal and additions as well as details for each intersection that has a parking impact.

In addition to these parking changes, some parking must be removed at other select locations to provide DASH bus access to bus stops. These parking changes are included in this docket for context as they reflect the most substantial administrative change to parking. Additionally, any minor parking changes (less than 10 feet and which do not result in a net change in the number of parking spaces) are not reflected in this docket and are anticipated to be approved administratively.

Staff also considered extending the existing bicycle lanes from Oak Street to Braddock Road based on community comments. However, staff ultimately opted not to do so as part of this project due to the amount of parking that would need to be removed, data limitations due to the pandemic, and the delay it would cause to scheduled maintenance due to additional engagement efforts. However, staff did inform interested residents that filling this bike lane gap is something that could be pursued as a standalone project at some point in the future.

Staff believes the proposed change in parking is worthwhile given the aforementioned benefits of the proposed safety and access improvements. The improvements to pedestrian crossings address community input and align with the City's goals outlined in the Transportation Master Plan, the Vision Zero Action Plan, Complete Streets Policy, and the Safe Routes to School program.

OUTREACH: Staff shared both the conceptual plans and 30% design plans with the Rosemont Citizens Association and Del Ray Citizens Association in summer and fall 2020. Feedback from both associations indicated general support for the enhanced crossings and curb extensions (Attachment 2). The 60% design plans, which were developed in February 2021, were posted to the website and shared with the Rosemont Citizens Association and Del Ray Citizens Association. Community comments on the 60% plans are being accepted through the end of February. As with previous design iterations, staff will strive to address community feedback as much as possible. However, because the design reflects community input received through previous engagement efforts, staff anticipates any further changes to the design to be minor.

Below is a summary of the community engagement efforts to date:

- *Repaving Feedback Form (Spring 2019):* In Spring 2019, City staff solicited community feedback on select streets (including Commonwealth Avenue) that were planned be repaved as part of an online feedback form. Staff received 141 responses related to Commonwealth Avenue. The top concern that residents selected was “people do not stop at stop signs or yield to pedestrians”, and the top desired change that residents selected was “add new or upgrade existing crosswalks”. A number of narrative comments were also provided (Attachment 3).
- *Matthew Maury Elementary Parent Travel Survey (Winter 2020):* In January 2020, ACPS conducted a survey (Attachment 4) to gather information on how students get to and from school. Of 72 respondents, 67 percent of students walk to school, while 7 percent bike to school. Of adults whose children do not walk or bike to/from school, over 90 percent cited concerns about “safety of intersections and crossings”, and over 70 percent cited the “speed of traffic along the route”. Survey respondents also provided narrative comments, many of which expressed concern about the safety of the intersection of Commonwealth Avenue and Oak Street.
- *30% Design Plans Feedback Form (Fall 2020):* In Fall 2020, the City released proposed roadway design plans for Commonwealth Avenue and solicited feedback from residents via an online feedback form in lieu of a public meeting due to the ongoing COVID-19 pandemic. This feedback form was also shared with the Rosemont and Del Ray Citizens Associations. The feedback form received 177 responses (Attachment 5). When asked to respond to the statement “This project meets my needs”, 55 percent either agreed, strongly agreed, or were neutral, 41 percent disagreed or strongly disagreed, and 3 percent did not know. The majority of those who disagreed or strongly disagreed cited concerns that the bike lanes were not proposed to be extended north of Oak Street. When respondents were asked what they didn't like or where unsure about on the plans, staff received 2 comments expressing concern about parking removal on Commonwealth and

11 comments indicating that more parking should be removed. Additionally, staff reached out to Grape + Bean to get their feedback on proposed improvements on Commonwealth Avenue, but did not hear back.

- *Community Petition (Fall 2020)*: On September 29, staff received a petition signed by 224 residents requesting bicycle and pedestrian improvements on Commonwealth Avenue (Attachment 6). Staff met with a number of residents on-site to hear their concerns and discuss the details of the petition. Staff did address a key provision of the petition to improve crossings throughout the corridor, particularly at Oak Street. However, staff ultimately opted not to proceed with the requests regarding extending the bike lane and adding protected bike lanes at this time due to parking impacts, data limitations, and maintenance timelines.
- *60% Design Plans (Winter 2021)*: In February 2021, the City released the updated design plans for Commonwealth Avenue. These plans are posted on the website and have been shared with the Rosemont and Del Ray Citizens Associations. These plans include design changes based on community input from the 30% design phase, including the addition of crosswalk protections at Linden Street and the adjustment of the Capital Bikeshare station at Oak Street to improve visibility at the intersection. The community is invited to provide feedback on these plans through the end of February.

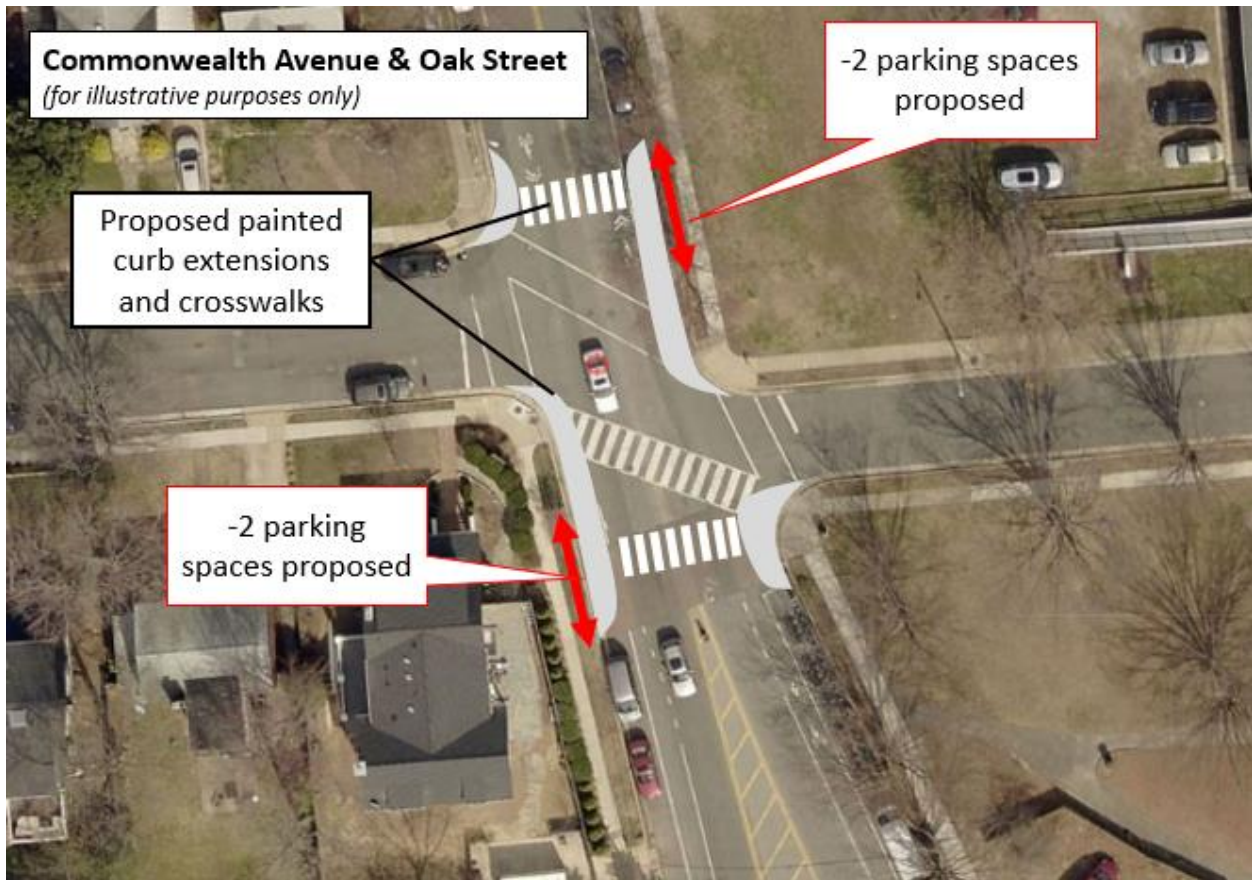
ATTACHMENT 1:
Locations (Aerial - Overview)



Locations of parking changes on Commonwealth Avenue.



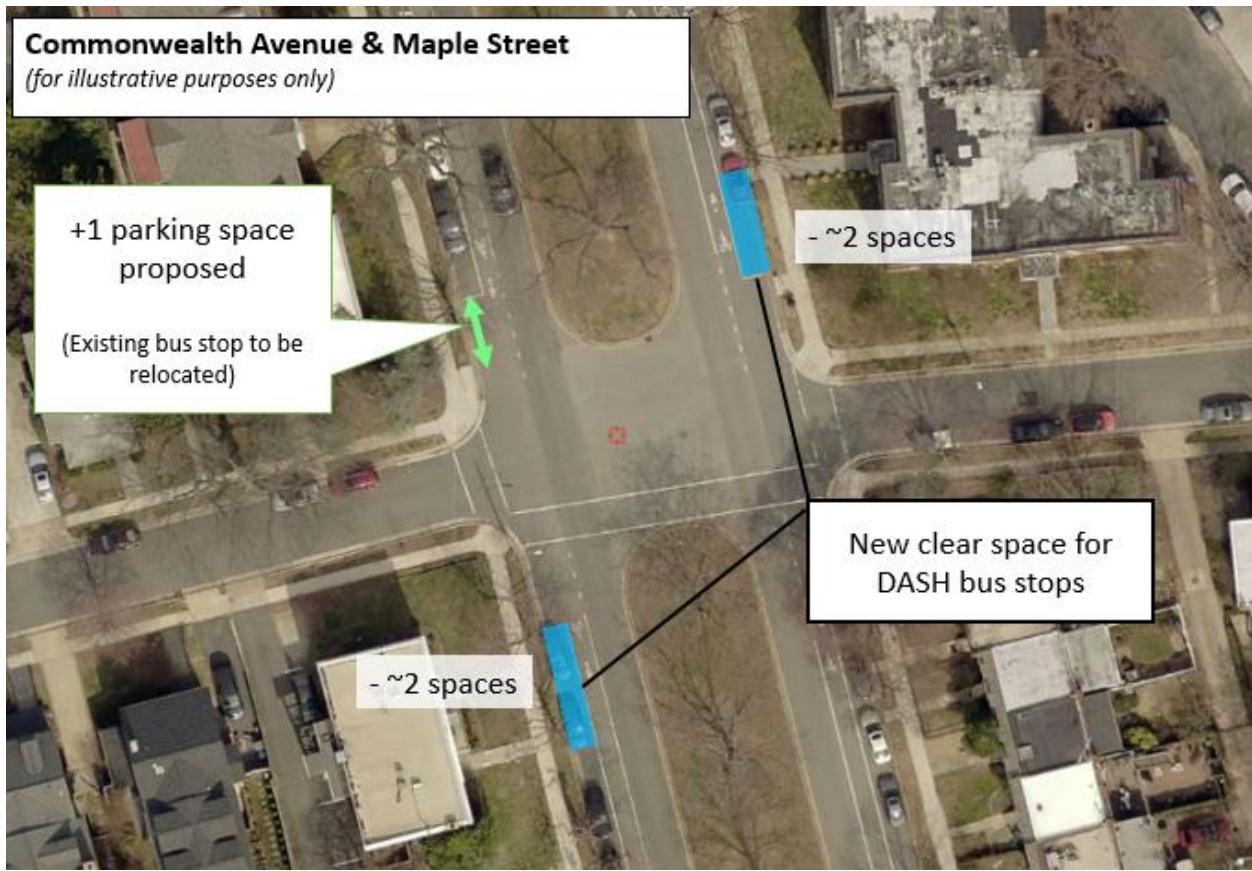
Parking changes at Commonwealth Avenue and Chapman Street. One parking space is proposed to be added to the northeast corner and the southwest of the intersection due to additional space available per City Code Sec. 10-4-41.



Parking changes at the intersection of Commonwealth and Oak Street. This is the primary school crossing for Matthew Maury Elementary. The existing crosswalks are approximately 65 feet long. Reconfiguring the crosswalk locations and providing painted curb extensions would reduce the crossing distance to approximately 24 feet and position pedestrians in a way that enables them to more easily look for oncoming traffic. Each of the adjacent properties is served by off-street parking.



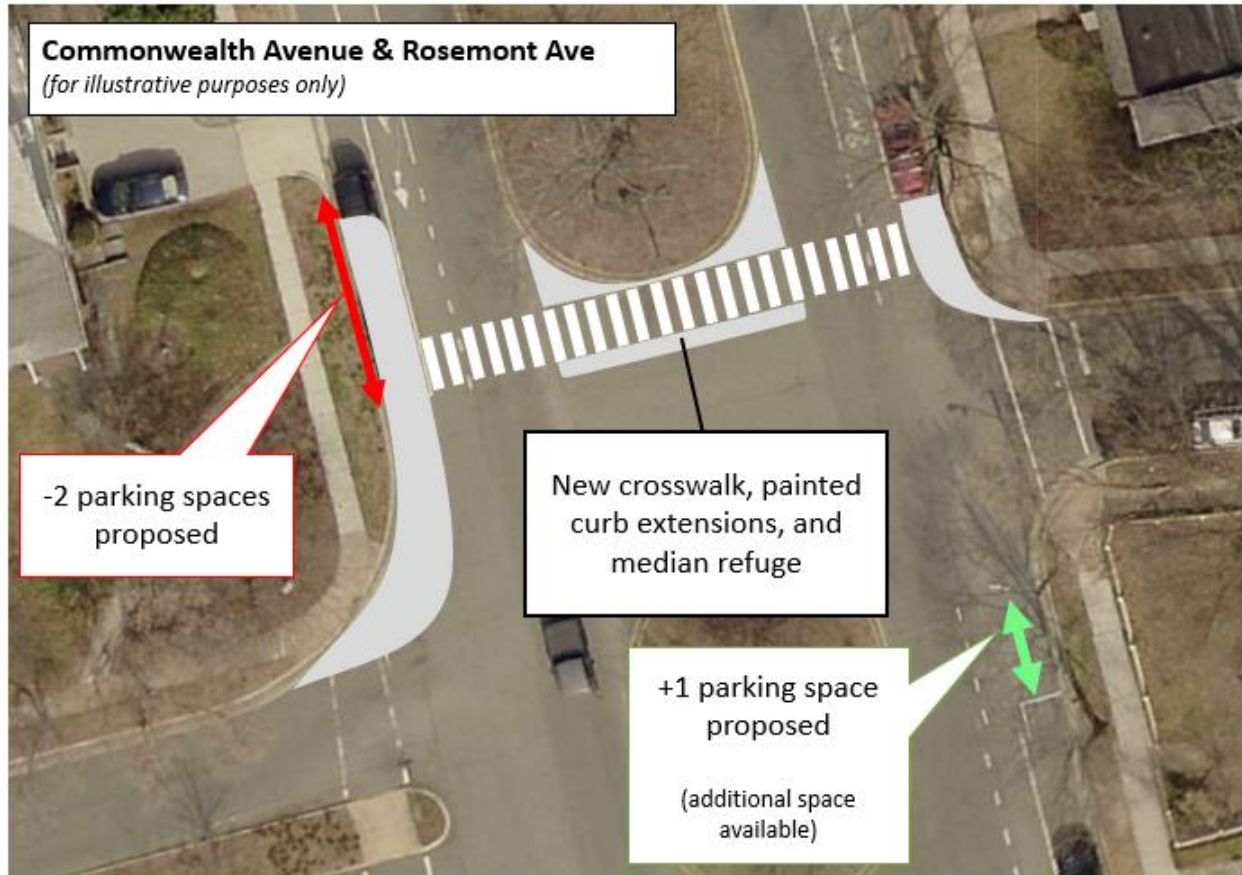
Parking changes at the intersection of Commonwealth Avenue and Walnut Street. The crossing on the north side is currently unmarked and is approximately 125 feet long. The proposed curb extensions and median refuge area would reduce the crossing distance to approximately 37 feet. Similar treatments are proposed on the south side of the intersection, but do not impact parking.



Parking changes at the intersection of Commonwealth Avenue and Maple Street. Crosswalk enhancements, including a curb extension and median refuge (not shown) are proposed on the south side of the intersection. The southbound bus stop on the northwest corner is proposed to be relocated to the southwest corner so it may be served by this enhanced crosswalk. Parking is proposed to be added to the existing bus stop location, while parking is proposed to be removed at the proposed bus stop locations to provide appropriate bus access to the stops.



Parking changes at Commonwealth Avenue and Linden Street. Parking is proposed to be added where additional space is available per City Code Section 10-4-41.



Parking changes at the intersection of Commonwealth Avenue and Rosemont Avenue. This intersection currently lacks any marked crosswalks across Commonwealth Avenue. The illustrated improvements would provide a clear crossing point at a challenging intersection and reduce the crossing distance from 110 feet to 37 feet. Due to the atypical intersection geometry, the proposed crosswalk impacts parking at the northwest corner. However, one space is proposed to be added at the southeast corner where additional space is available per City Code Section 10-4-41.



Parking changes at the intersections of Commonwealth Avenue and Cedar Street and Commonwealth Avenue at Sunset Drive. Staff has heard concern from residents regarding the number of drivers who cut through Sunset Drive to access King Street. Additionally, the crosswalk across Sunset Drive is used regularly by residents walking to King Street Metro Station or to Old Town. The illustrated improvements would potentially discourage drivers from cutting through Sunset Drive and reduce the crossing distance from approximately 25 feet to 15 feet.

ATTACHMENT 2:

Emails from Rosemont and Del Ray Citizens Associations on Conceptual Plans

From: [Jol A.Silversmith](#)
To: [Alexandria Carroll](#)
Cc: [president@delraycitizen.net](#); [Christine Maveur](#)
Subject: RE: Commonwealth Avenue Project
Date: Tuesday, August 25, 2020 7:32:55 PM
Attachments: [Commonwealth Repaving Comments.pdf](#)
[Fwd RE RE FW New Cityworks Service Request #192011.eml.msg](#)
[Re Fwd Commonwealth Ave Bike Lanes.eml.msg](#)
[Re Commonwealth Ave Bike Lanes.eml.msg](#)
[Commonwealth Ave Bike Lanes.eml.msg](#)
[Fwd RE RE FW New Cityworks Service Request #192011.eml.msg](#)
[Commonwealth Bike Lanes.eml.msg](#)
[Commonwealth Ave.eml.msg](#)
[Commonwealth Ave bike lane and safer school crossing.eml.msg](#)



ROSEMONT CITIZENS ASSOCIATION

Dear Ms. Carroll:

On behalf of the Rosemont Citizens Association, I would like to share the feedback we have received from community members about the City's plans to repave Commonwealth Avenue in 2021. I have attached a compilation of the posts that were made on our Facebook page, as well as some emails that were sent to me. Generally:

- * There is general support for the extension of the existing bike lanes. The majority of the comments received include this issue, and no opposition was received.
- * There is support for speed humps, although with caveats about visibility, protecting the bike lanes from intrusion by cars, and speed bumps that are improperly shaped and damage cars.
- * There is support for improved pedestrian crossings, especially at Oak Street, including curb bump-outs.

Some other questions have been raised, such as if any of the pedestrian crossings will be signaled, as well as if the bikeshare rack at Oak Street can be relocated, because it impedes visibility.

If any additional information would be helpful, please let me know. Best regards.

Jol Silversmith
President, RCA

From: [Virginia Bush, DRCA President](#)
To: [Alexandria Carroll](#)
Cc: [Jol A.Silversmith](#); [Christine Mayeur](#)
Subject: Re: Commonwealth Avenue Project
Date: Monday, September 14, 2020 8:51:57 PM

Thanks Jol and Christine.

I'm with the Del Ray Citizens Association and echo Jol's support of the safe speed bumps and increased pedestrian safety crossings. Although it is a wide road, it is surprisingly dangerous to cross.

In addition I would like to advocate for extending the bike lanes on Commonwealth. Last year DRCA members completed an extensive survey on improvements they would like to see in the Mt. Vernon Ave. community, and bike lanes were highly requested. Members have expressed interest in fully connecting the lanes down Commonwealth to the King Street metro and from the Braddock metro down East Braddock Rd. The area at the end of Commonwealth to the King Street metro (and under the bridge) has been identified by members as a hazardous area.

I hope the city will consider including this expansion in their plans.

Thanks,
Virginia

Virginia Bush
President
Del Ray Citizens Association
president@delraycitizen.net
<http://www.delraycitizens.org>

ATTACHMENT 3:
Repaving Feedback Form Comment Summary

COMMONWEALTH AVENUE REPAVING SURVEY

OVERVIEW

In preparation for the upcoming repaving project on Commonwealth Avenue from East Braddock Road to King Street, the City of Alexandria Transportation & Environmental Services Department issued a survey to gather community input on potential improvements to the roadway. The survey was open from March 6 to April 5, 2019, during which 141 responses were received. The feedback is summarized below.

RESPONDENT CONCERNS

The chart below depicts the concerns that survey respondents identified on the street.



“OTHER” Concerns

Survey respondents were able to select “other” as an option and provide narrative comments on their concerns with the street. The following summary is not intended to capture how many residents referenced a specific issue, but rather is intended to catalog the range of different concerns on the street, some of which may even conflict with one another. Comments regarding other locations in Alexandria were excluded from this summary.

- Safety concerns at Commonwealth and Oak Street intersection
- People driving use bike lanes to get around traffic
- People walking and biking don't obeying traffic laws
- Speed bumps are too high
- Bike lanes end abruptly with no warning
- Cut through traffic
- Traffic queuing from King Street intersection

- Too many restrictions on drivers
- Bike lanes are too close to door zone of parked cars
- Not enough signage or lighting at crosswalks
- Potholes
- Limited on-street parking
- Insufficient pedestrian safety infrastructure
- Missing sidewalk
- Intersection of Commonwealth and King Street is challenging
- People driving blocking bike lanes and crosswalks
- Limited visibility from side streets due to foliage and on-street parking
- People driving swerve around speed bumps

DESIRED CHANGES TO THE STREET

Respondents were also asked to identify changes that they would like to see on the street. The chart below depicts the results from this survey question.



“Other” Desired Changes

Respondents were also asked to identify changes that they would like to see on the street. The chart below depicts the results from this survey question. The following summary is not intended to capture how many residents referenced a specific issue, but rather is intended to catalog the range of different ideas about the street, some of which may even conflict with one another. Comments regarding other locations in Alexandria were excluded from this summary.

Intersections

- Improve visibility at intersections by restricting on-street parking and/or trimming vegetation
- Traffic signal or traffic calming at Commonwealth and Oak Street
- Traffic calming at Commonwealth and Oak Street (e.g. speed feedback signs)
- Install traffic signal at Commonwealth and Cameron Street
- Install more four-way stops

Pedestrian Issues

- Make crosswalks more prominent with markings, signage, etc.
- Flashing pedestrian lights to improve crossing safety
- Improve lighting at crosswalks, particularly at Oak Street and Sunset Drive
- Extend medians to provide pedestrian refuge islands
- Install new crosswalks where they don't exist currently

Bicyclist Issues

- Continue bike lane to King Street Metro
- Remove on-street parking or move bike lane out of the “door zone” of parked cars
- Switch the bike lane with the parking lane so people biking have protection from moving vehicles
- Traffic calming for children’s safety
- Repair speed cushions and improve their visibility
- Reduce residential speed limit to 20 mph
- Reduce cut-through traffic
- Reduce PM peak hour traffic
- Make side streets one-way

Speeding & Traffic

- Use consistent design for speed cushions
- Make speed bumps more tapered
- Implement other traffic calming measures besides speed cushions
- Remove speed cushion gaps
- Remove speed cushions
- Traffic calming on side streets to reduce cut-through traffic
- More police enforcement
- Education on traffic laws
- Clearer roadway signs
- Fix potholes
- More regular roadway maintenance
- Implement parking restrictions for non-residents near Metro station
- Remove all on-street parking

Other/General

ADDITIONAL RESIDENT COMMENTS

Survey respondents were able to submit additional narrative comments. These comments are summarized below.

Intersections

- Reduce delays at King Street intersection
- A stop sign at Commonwealth & Oak is desired
- Improved visibility at intersections is desired
- Crossing guards are helpful for managing vehicle and pedestrian traffic at Commonwealth and Oak Street, but more improvements are desired to make this intersection feel safe throughout the day
- Pedestrian and bicyclist safety is a concern at Commonwealth and Braddock Road
- Intersections that were noted include:
 - Sunset Drive
 - Oak Street
 - Walnut Street
 - Chapman Street
 - Braddock Road
- Improved lighting and signage is desired at crosswalks
- Expand existing sidewalks
- Pedestrian safety is a concern in general, but especially for students walking to school
- Additional lighting, crosswalk, and/or traffic signs/signal at Commonwealth and Oak Street is desired for pedestrian safety

Pedestrian Issues

- A speed table between King Street Metro and Sunset Drive is desired to improve safety for people crossing
- Flashing lights for pedestrian crossings are desired throughout the corridor
- Commonwealth Avenue is difficult to cross, especially for children and parents. Specific
 - Intersection bulb-outs are desired to shorten crossing distance for pedestrians
 - Sidewalks and curb ramps need to be improved for those with temporary or permanent disabilities

Bicyclist Issues

- Extend bike lanes on both sides of Commonwealth
 - Increase safety for bicyclists merging when the bike lane ends
 - Physical protection is desired for bike lanes, perhaps by switching the bike lanes with the parking lanes
 - Adjust bike lanes so they are not in the “door” zone of parked vehicles
 - Increase bike signage to reinforce right to ride on the roadway
 - People driving swerve into the bike or parking lane to avoid speed cushions
 - Commonwealth is one of the easiest streets in the City to travel by bike
- Speed cameras are desired
 - Reduce cut-through traffic on Linden Street
 - Traffic bottlenecks in this area
 - Remove speed cushions
 - Traffic calming throughout the corridor
 - Congestion is a concern during the PM peak hour
 - Existing speed cushions are difficult to traverse for people driving and biking
 - Converting side streets to one-way traffic is desired
 - 25 mph is too high for neighborhood streets

Speeding & Traffic

- Turn restrictions are desired to reduce cut-through traffic on Cedar Street
- Repair/replace speed cushions to be more effective
- Reduce turning radius at Commonwealth and Walnut Street to slow turning drivers

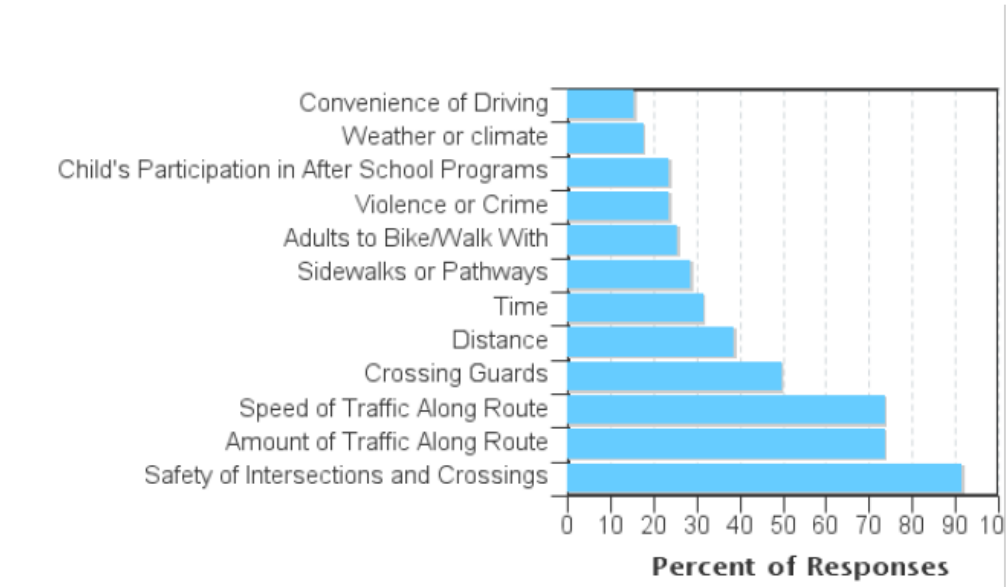
Other/General

- Reduce complexity of roadway
- Increase visibility and clarity of roadway markings and signage
- Make more improvements for people driving
- People walking and biking do not understand traffic laws
- Pavement condition is poor
- More enforcement is desired
- Commonwealth is a wide street and could accommodate better bike lanes, sidewalks, or a street car

ATTACHMENT 4:

Excerpts from Matthew Maury Parent Travel Survey

Issues reported to affect the decision to not allow a child to walk or bike to/from school by parents of children who do not walk or bike to/from school



Comments Section

SurveyID	Comment
1695947	The intersection at Commonwealth and Oak Street desperately needs a stop sign. Having a crossing guard there during the school commute hours is fine, but extremely insufficient for students who have afterschool programs and activities -- as well as for the rest of the neighborhood who would like to walk more in off hours.
1695951	The biggest impediment to my child walking without an adult is traffic. People ignore the school zone speed limit and also speed/drive recklessly on side streets. I've seen police controlling speed (writing tickets) at other ACPS schools, but don't recall seeing it at Maury.
1695943	The intersection at Commonwealth and Oak Street desperately needs a stop sign. Having a crossing guard there during the school commute hours is fine, but extremely insufficient for students who have afterschool programs and activities -- as well as for the rest of the neighborhood who would like to walk more in off hours.
1695945	The intersection at Commonwealth and Oak Street desperately needs a stop sign. Having a crossing guard there during the school commute hours is fine, but extremely insufficient for students who have afterschool programs and activities -- as well as for the rest of the neighborhood who would like to walk more in off hours.
1695784	Main intersections of concern are: Commonwealth and Oak, Russel and Oak, Braddock and Mount Vernon Ave. Crossing guards are great at the first two intersections, but for my child to walk during off hours, there would have to be better traffic lights\visibility. Cars are getting too aggressive in this area..measures to slow down the traffic further would be helpful
1695786	The intersection of E Oak and Commonwealth is a big reason that I and my neighbors do not feel comfortable allowing our children walk to and from school. Many students return home after the crossing guard leaves for the day and traffic simply will not stop to allow people to enter the crosswalk. Viability at the intersection is very poor for pedestrians, bicyclists and vehicles. I have waited several minutes with my child for a car to stop only to have a car coming from the other direction speed through the intersection (and through our walking path) while we are in the process of crossing. A cross walk light (similar to the one on Braddock Road or on Mainline Blvd near Potomac Yard) would greatly improve safety and viability at the intersection. I would feel more comfortable walking - especially in winter months - with that improvement.
1695797	The support of a crossing guard at E. Oak and Commonwealth Ave. makes crossing safer and possible during regular school hours. But, there is no crossing guard at the conclusion of after school programs and my child has faced challenges crossing here. Cars do not stop to allow her to cross the street, which I believe is due to poor visibility at this add-angled intersection. Traffic has become increasingly congested in recent years, often backing up along this road and we're seeing more cut through traffic as result of driving apps. Many neighbors have attempted to work with the city over the years to improve safety at this intersection for all users but nothing has changed (except speed bumps all along Commonwealth).
1695798	While the speed limit on King Street is 25 MPH most cars when it is not backed up drive 40 MPH

1695799	<p>why did the curb extensions that were planned as part of the russell road improvement plan never get built? why do the school zone speed signs only flash at normal dismissal and not from dismissal to 6pm when the last children leave for the day? cars on russell don't stop for people in crosswalks- why is there no sign reminding of city fine if cars don't stop for pedestrians in crosswalks (one in front of GW on Mt Vernon)? walking to MM is safer than when my child will walk to GW crossing Braddock & Mt Vernon during a time of day when cars are rushing and bad sun glare make Braddock more dangerous. if more affordable after care was offered at MM we would also walk home.</p>
1695800	<p>This survey was not as dear as it could be. My child already walks to school *with an adult*, but I answered questions 10 and 11 as if you were asking if I'd let my child walk *alone*. More substantively, Commonwealth is a very difficult street to cross, whether on foot or in a vehicle. There are blind spots in most directions. I think if the city were to limit street parking at the corners, that would go a long way toward helping drivers see oncoming traffic and pedestrians, and vice versa. The danger in crossing Commonwealth, and to a lesser degree in crossing Russell, is the biggest barrier to letting my child walk to and from school without an adult.</p>
1695801	<p>A four way stop sign and lights at Commonwealth and Oak would be a big improvement to the neighborhood (if I had to choose one it would be the stop sign because people ignore lights too - I've almost been run over several times at the braddock road metro with the lights on). The intersection at Oak is the most dangerous to cross for anyone. We have an amazing crossing guard before and after school but she isn't there for after school clubs or evening events. I don't even think it is a safe intersection for her to be guarding as I have seen some close calls with cars ignoring her (even though she is in bright yellow and blowing a whistle). Thank you for your attention to this very important matter.</p>
1695802	<p>Braddock and Russel Road crossing is very dangerous and the sidewalk is VERY narrow. You can almost touch the cars speeding down the hill on Braddock Rd while standing on the sidewalk. One mis-step, and a child is certain to get run over.</p>
1695806	<p>The most significant reasons I would be uncomfortable allowing my children to bike to school alone when they are older are (1) cars turning through bike lanes (e.g., the bike lane shares the righthand turn lane on Cameron Street by King Street metro, so we have to use the sidewalk); (2) cars running stop lights and not stopping for cross walks; and (3) the distance my children would need to travel without an adult. That being said, it has worked well for me to run to school with my youngest in a jogging stroller in the bike lane while my older daughters ride their bikes to school. If possible, it would be nice to have a covered bike rack at Maury Elementary and a second bike rack that is fixed to the ground with concrete (like the one adjoining the sidewalk).</p>
1695840	<p>Need more stop signs. Especially at Myrtle or Masonic and Russell. Cars make zero effort to stop for kids there.</p>
1695856	<p>The intersection at Oak and Commonwealth is not safe for kids to cross alone. The slant and distance make it unsafe to cross when crossing guard not there. Cars can't see the kids because of parked cars. I do let my son walk home solo when crossing guard is there but not if he does afterschool program. We need a stop sign there.</p>
1695862	<p>Walking to school is not as much of an issue, as there are crossing guards at Commonwealth and Russell, but in off hours, if I wanted to allow her to walk home alone, I worry that cars WILL NOT STOP on Commonwealth. A four-way stop with a pedestrian light would be a great step toward helping our kids be more independent.</p>
1695874	<p>my observations have been cars are not paying attn, especially for small children that are harder to hear. Riding a bike, with the current traffic is terrifying. Also, the intersections along braddock (mt. vernon, commonwealth) are seemingly treacherous.</p>

1695942	I am concerned about the children walking to school on the weekends. There should be stop signs or stop lights wherever there are crosswalk guards. In particular, there needs to be a stop sign at Oak St and Commonwealth so children can have a safe route to go play at the school on the weekend.
1695946	City needs to create safer intersections across Commonwealth Ave. to facilitate safe commuting to/from Maury Elementary. For example, raised crosswalk where crossing guard is based at Commonwealth and Oak Street is not aligned with the painted crosswalk. In addition, vegetation in the city's tree strip at the northwest corner of Commonwealth and West Walnut Street prevent a clear view of pedestrians at this corner.
1695953	We need to shorten the intersections on commonwealth utilizing bump-outs and/or protected bike lanes. I think that allowing parents to drop off in front of the school creates safety hazards for cyclists with parents illegally parking and children opening doors. Also, parents idle in front of the school. Idling is harmful to the air quality in front of the school.
1695955	My family and I bought our home in the Maury school bounds and close to the King Street Metro, VRE and Amtrak and DCA airport for walkability. We live on King but can cut down King and West Walnut to avoid traffic and never have to leave a sidewalk. We are a one car family and commute by walking and the Metro. We walk from our home to Maury to our son's preschool in the Carlyle to neighborhood to the metro and from the metro to the preschool to Maury to our home. West Walnut is very dimly lit at night and we need to wear lights and reflective vests. I wish there was more of a push to promote walking. We love it!
1695956	Please provide a crossing guard at Braddock and Mt Vernon for middle school students at GW. That intersection is very dangerous!
1695996	For walk to GW from our home (near central office) should have school/city police near bridge, and metro station and crosswalks.
1695758	We try to walk or bike in nice weather on Fridays when I have more time in the mornings. I have an infant as well, so it is easier to drive especially in the winter so the infant is not out in the cold during the walk.
1695760	My son walk to and from school with a friend, however, on days that he participates in an after school program, I pick him up. The intersection of Commonwealth and Oak St is very dangerous for children and adults to cross when the crossing guard is not present. Cars regularly speed through this stretch of road and parking is allowed too close to the intersection so that vehicles cannot always see pedestrians standing waiting to cross. Additionally, in the winter months, there is not enough lighting at the intersection for vehicles to see pedestrians.
1695761	The intersection of W. Oak and Commonwealth is SO scary. I will not let my 8th grader walk that way when there is not a crossing guard. It is impossible to see b/c of parked car, the bike rack and so much traffic. I would love to see at a minimum a flashing cross walk like at Braddock Road Metro by 7/11.
1695763	Roofed parking place for bikes would be great
1695764	Crossing Commonwealth Ave and Russell Road is very challenging. Need multiple improvements at intersections. Also, need to improve the intersection of Commonwealth and Braddock, particularly the right turn lane for east-bound traffic on Braddock which encourages fast turns. Needs a bulb-out or other calming.
1695765	Commonwealth Ave and Braddock Rd are the two major streets that pose the most danger due to poor visibility and/or weird light patterns. I have a Kindergartner so we walk with him for now.

1695766	Russell Rd/W Masonic needs a 4 way stop sign to be safer. Even for those who live in the area and drive with caution through that intersection, it's a tough one to navigate (and that is without addressing the people who do not drive with caution through that area). I would imagine that more parents may allow their kids to walk with better control at the W Masonic intersection.
1695767	It would be great to think that adding things like speed bumps and crosswalk lights will help. But I've seen first hand that it doesn't make any difference along Monroe Ave, near Simpson Field. Speed bumps, crosswalk lights were both installed and cars still drive way too fast and do not stop for pedestrians in crosswalks. And it's no safer for cars or bikes! I've constantly had cars beeping at me and trying to drive around me as I try to turn left from Monroe Ave onto Dewitt ave (where there is a pedestrian bump out that doesn't allow cars to pass). Cars cutting through Del Ray and Rosemont is a real traffic concern.
1695768	Please don't focus on intersections that already have crossing guards when there are so many that don't! The people on Oak and commonwealth who complain have no idea how good they have it. Braddock and commonwealth is an intersection where someone was literally killed as they crossed and one of my boys crossed there every day to get to GW. My younger one has us accompany him to Maury because there are no crossing guards anywhere but on oak. Please help those of us to the north side of the neighborhood get to school safer.
1695769	We love the crossing guard at W Oak and Commonwealth this year (right out in front of Maury). She's a gem and has a good command over traffic.
1695770	In good weather, we walk often - it's probably a 60/40 split with walking and the car. I would certainly send my child walking/biking more often if he could do it alone. The intersection of Commonwealth and Oak is the one place I fear for safety. Cars routinely ignore the crosswalk, even when adults are present.
1695772	There is no crosswalk at Rosemont & Commonwealth. A lighted crosswalk would be useful somewhere along Commonwealth. Probably at Oak. The paving on the bike path is somewhat dangerous since some pipe was redone in the fall. Hard to balance on a tandem bike
1695773	Good visibility at intersections is a must. Crossing guards help but are not on duty for after school and weekend activities at the schools. Currently cars/drivers have difficulty seeing pedestrians at Commonwealth/Chapman due to plants/trees and Commonwealth/Oak due to the odd diagonal arrangement of the streets.
1695775	We walk to/from schools together most days. Drivers on Commonwealth are my main concern. They regularly speed, despite the speed tables, and ignore pedestrians trying to cross. I have a specific recommendation that the speed table that seems to be intended to double as a cross walk be moved away from the intersection at Commonwealth and Chapman. Drivers can't see that it's a crosswalk because it is dark in color and the bumps are a challenge for anyone with mobility issues. Thank you for taking the time to ask the community.
1695776	The traffic at the intersection of Russell Rd and Braddock Rd is what scares me. The pedestrian walk button doesn't seem to always work and people don't seem to stop before turning into Braddock. Maybe that intersection requires a "No Turn on Red" In case it's not already there
1695777	Special needs also affect my decision to allow my child to walk or bike unaccompanied. With my child's particular special needs, I would not feel comfortable allowing her to walk or bike without an adult until she is much older (older middle school or high school).
1695778	The entire length of Commonwealth Ave. from E Braddock to the King St. metro is dangerous. We are on the east side and it is scary every day to cross the street with our children. There needs to be at traffic light somewhere in the middle of that stretch of road, speed bumps and perhaps police presence to ticket those drivers that do not yield to pedestrians in crosswalks.

1695780	I would love a guard at the Braddock/Mt. Vernon intersection and a morning law enforcement presence near the 7-11 near Braddock Metro. There are rarely any issues, but there are a few once in a while that make it difficult to allow my very capable child to walk alone to school. The area is also crowded with middle school students and there is no ACPS or law enforcement presence there.
1695781	Love the crossing guards at the school intersection on Russell and at Commonwealth/Oak. Note that the Commonwealth intersection after school activities remains dangerous for unaccompanied children - and is the main reason our daughter cannot walk unaccompanied to school at rush hours. Maybe a four way stop would be an easy solution?
1695783	Commonwealth Ave. and Oak Street need more traffic calming. Cars only stop when there is a crossing guard. The cross walk is worn out and there is no enforcement. We need flashing lights there.

Commonwealth Avenue Complete Streets Project

Community Feedback on 30% Design

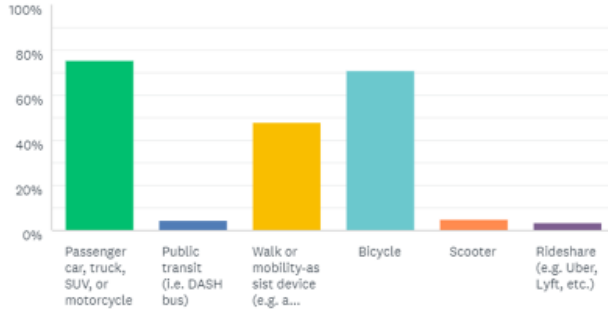
Community
Feedback
Form

- Open September 29 – October 15
- Shared with:
 - Rosemont & Del Ray Citizen Associations
 - Maury & GW school staff
 - Maury & GW PTAs
 - Commonwealth Baptist Church
 - Kingdom Hall of Jehovah’s Witnesses
- 177 responses
 - Additional comments received via email

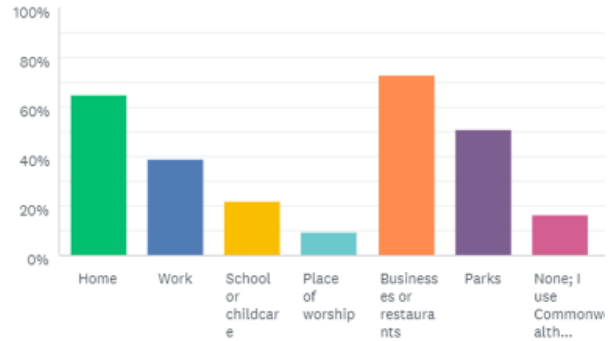


How & Why People Use Commonwealth

(177 responses)



How do you most commonly use Commonwealth Avenue?
Select all that apply.

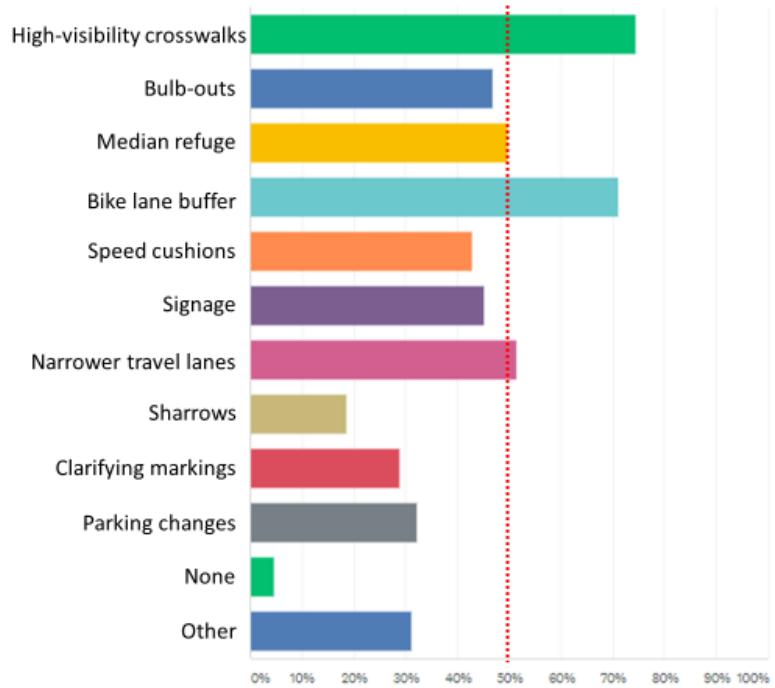


What destinations do you travel to on Commonwealth Avenue? Select all that apply.



Which of the following design elements do you see as beneficial for Commonwealth Avenue? Select all that apply.

(177 responses)

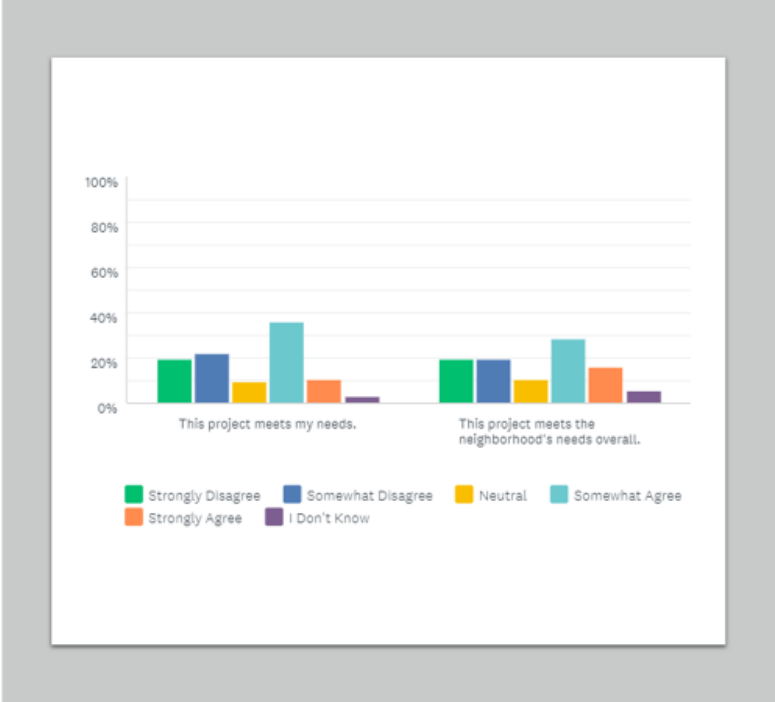


“This project meets my needs.”

- 46% agree or strongly agree
- 9% are neutral
- 41% disagree or strongly disagree
- 3% don't know

“This project meets the neighborhood's needs overall.”

- 45% agree or strongly agree
- 10% are neutral
- 39% disagree or strongly disagree
- 6% don't know



What do you not like or are unsure about?

Recurring themes:

- Bike lanes end (65)
- Traffic calming (11)
- Flexposts (10)
- Visibility issues (9)
- Bike lanes not protected (9)
- No traffic control (5)

- 33 people had no comments

Other comments:

- Funds better spent elsewhere/ project unjustified
- Narrowed lanes
- Buffer areas
- Bike lane transition at Sunset Dr
- Lack of crosswalk safety
- Speed cushion design
- Curb extensions (difficult for bikes)
- Complete Streets
- Crosswalks
- Lack of APS
- Lack of bulbout at Braddock and Chapman
- Lack of refuge at Linden St
- Lack of roundabout design
- Lack of streetlights
- Too many crosswalks
- Not enough data
- Too many signs

Additional Comments

Recurring themes:

- Extend the bike lanes (76)
- Protect the bike lanes (7)
- Relocate bikeshare station (5)
- Add stop signs (4)
- Support project overall (5)

- 54 people had no additional comments

Other comments:

- More improvements at Linden St
- Don't like flexposts
- Don't support project
- Lighting issues
- Flashing signs or RRFBs desired
- Don't relocate bikeshare station
- Changes not justified/funds better spent elsewhere
- Merging into shared lane is challenging
- No protected bike lanes
- Support traffic calming
- Traffic calming not needed
- Include green infrastructure
- Advisory bike lanes
- Preserve parking for residents
- Remove parking at corners
- Support pedestrian improvements
- Too inconvenient for drivers
- Improve peak hour traffic
- Keep cars out of bike lane

ATTACHMENT 6:
Community Petition (Cover Letter)

Mr. Yon Lambert
Director, Transportation & Environmental Services (T&ES)
301 King St
Alexandria, VA 22314

September 29, 2020

RE: Petition for a Safer Commonwealth Avenue

Dear Mr. Lambert,

As you know, the City intends to repave Commonwealth Ave. between Braddock Rd. and Sunset Dr. As residents of Rosemont, we view this project as an opportunity to improve safety for people who walk, people who ride bicycles, and people who drive. Commonwealth is utilized by all of our Rosemont neighbors and all Alexandrians as a thoroughfare to travel to Old Town, Del Ray, and Arlandria. As residents of Rosemont, we want a safer Commonwealth Ave for people to walk, ride bicycles, and drive. We asked our neighbors and friends to sign a petition to support four specific changes to this important street:

- 1) Construct a safer crossing at Oak St, add curb extensions throughout Commonwealth Ave, and significantly reduce crossing distance with new safety barriers;
- 2) Extend the bike lanes from Oak St. to Braddock Rd;
- 3) Implement protected bike lanes between Sunset Dr. and Oak St;
- 4) Provide a timeline to extend the bike lanes from Braddock Rd. to Cliff St. This extension will close the final significant bike lane gap on Commonwealth Ave.

One-hundred and thirty-eight (138) residents of Rosemont and eighty-six (86) residents from nearby neighborhoods totaling two-hundred and twenty-three (224) Alexandria residents signed the petition. Support was collected on September 12-13 and 26-27 by talking to residents walking and biking in Rosemont. From September 12-29, support was also collected via a flyer left at numerous households in Rosemont as well as email distribution.

We look forward to your help in achieving our goal of safer Commonwealth Ave for people who walk, ride bicycles, and drive. We ask that T&ES implement the three specific changes during repaving and provide a timeline to implement the fourth change.

Thank you for considering our petition and thank you for your service to our city.

Sincerely,

Justin Marks, 27 E Maple St
Nate McKenzie, 309 W Masonic View Ave
Peter Forney, 1 W Maple St, Unit 301

CC: Mark Jinks, Emily Baker, Hillary Orr, Chris Ziemann, Christine Mayeur, Alex Carroll

City of Alexandria, Virginia

Traffic and Parking Board

DATE: February 22, 2021

DOCKET ITEM: 8

ISSUE: Consideration of a request to remove parking spaces on Fillmore Avenue and reduce the taxi stand on Kenmore Avenue to install bikeshare stations

REQUESTED BY: T&ES Staff

LOCATION: 5000 and 5100 blocks of Fillmore Avenue; 4600 block of Kenmore Avenue

STAFF RECOMMENDATION: The Board make a recommendation to the Director of T&ES to remove parking spaces on Fillmore Avenue and a portion of the taxi stand on Kenmore Avenue for the installation of bikeshare stations in the West End.

BACKGROUND: At October’s Traffic & Parking Board meeting, the Board approved the removal of parking to install Capital Bikeshare stations in the West End as part of an expansion using bikeshare stations obtained from Arlington County. These stations are in good working condition and enable the City to deploy bikeshare to the West End ahead of the City’s planned expansion using Virginia Department of Transportation (VDOT) funding for station purchases. These stations will ultimately be replaced with new ones over the next few years once additional VDOT funding is available.

At the January Traffic and Parking Board meeting, Staff provided a written update regarding station installations and timing. Since that update, one station has been installed, two station installations have been scheduled for late February, and a fourth station will be installed in March.

Table 1: Status of Bikeshare Station Installations

Location	Status
North Hampton Drive at Ford Avenue	Installed in February
South Whiting Street at Lane Drive	Installation scheduled for late February
Taney Avenue at North Jordan Street	Relocated to Taney Avenue and North Howard Street. No change in parking. Installation is anticipated in late February

Virginia Theological Seminary	Location approved, City finalizing agreements with the property owner. Installation expected in March
Burke Library	Site infeasible, new location needed
Southern Towers	Site may be infeasible, new location needed
Bradlee Shopping Center	Site may be infeasible, new location needed

DISCUSSION: Staff has been working closely with the property owners for Southern Towers and Bradlee Shopping Center to find a location that is acceptable to them that meets the bikeshare operator’s location requirements. Staff have proposed a few locations at each site, but a location acceptable to everyone has not been identified yet. Additionally, after a further review of the station location at Library Lane on Seminary Road, staff found that there was not adequate space to fit a bikeshare station on City property. Given the time-sensitive nature of this project, coordination that is needed with Arlington County, and the need to finalize a location, staff has begun exploring other on-street locations as additional station locations.

Staff identified alternative locations near the Southern Towers and Burke Library locations. These locations still need to be approved by the bikeshare contractor and other departmental City staff. If approved, these stations can be installed in March. Staff has proposed four potential locations for the remaining three bikeshare stations in case a location is not approved by the Board, internal city departments or the bikeshare operator.

An important point of consideration in this review is the temporary nature of these stations. The intent is to replace these stations with new stations once funding is available. If specific locations need to be adjusted with the future station installation, staff can certainly address that need at that time.

Table 2: Proposed bikeshare station locations

Station Number	Station Location	Parking Removal	Right-of-Way or Private Property
1	Kenmore Avenue at Seminary Road, southeast corner (on-street)	3 taxi stand spaces	Public ROW
2	Fillmore Avenue at North Beauregard Street, southeast corner (on-street)	2-3 spaces	Public ROW
3a	Fillmore Avenue at Bisdorf Drive, southeast corner (on-street)	2-3 spaces	Public ROW
3b	Fillmore Avenue at North Beauregard, northwest corner (on-street)	2-3 spaces	Public ROW

Kenmore Avenue at Seminary Road

The station would be located in-street, adjacent to the bike lane on Kenmore Avenue, in front of the Seminary Plaza shopping center. The location would occupy approximately three spaces of a taxi stand along Kenmore Avenue. The existing taxi stand is approximately 185 feet in length. The bikeshare station will require approximately 55 feet. The remaining curb space (130 feet) would continue to be available for taxi operations; due to the low volume of taxi activity at this

taxi curb space, impacts to the taxi business are minimal. This location is near a shopping center, adjacent to a bicycle lane, and is 0.1 miles or a two-minute walk from Burke Library.

Fillmore Avenue at North Beauregard Street

Staff are proposing three possible locations for the bikeshare station on Fillmore Avenue, for two available bikeshare stations which would each require the removal of 2-3 parking spaces.

- Southeast corner of Fillmore Avenue at North Beauregard Street
- Southeast corner of Fillmore Avenue at Bisdorf Drive
- Northwest corner of Fillmore Avenue at North Beauregard Street

These bikeshare station locations would create a bikeshare network for the neighborhoods and communities along North Beauregard Street and Fillmore Avenue, and would build out the existing bikeshare system in the West End (nearest bikeshare station at North Beauregard and Berkeley Street is 0.5 miles away). The three locations are within 0.25 miles of each other, which supports the high density of housing in the community.

The bikeshare location on the southeast corner of Fillmore Avenue at North Beauregard Street is adjacent to a new affordable housing development and would be approximately a 7-minute walk or 0.3 miles from Southern Towers Apartments. The bikeshare location on the southeast corner of Fillmore Avenue at Bisdorf Drive is adjacent to a multi-unit housing development and is within walking distance of Southern Towers and other developments in the area. The location proposed for the northwest corner of Fillmore Avenue at North Beauregard Street would similarly be located near the new affordable housing development south of North Beauregard Street and near condominium and multi-unit housing north of North Beauregard Street.

OUTREACH: As noted, the short timeframe for installation has limited outreach and engagement for this expansion. However, staff has made an effort to notify as many property owners, residents, and associations as possible to minimize negative impacts. A citywide eNews was distributed in fall 2020 and staff will share an additional eNews to notify the community of the installations. Social media has also been used and will be used to alert the community of upcoming installations. The following organizations or groups were contacted. At the time of this memo, these parties were either supportive of the new proposed bikeshare station locations or had not provided any feedback.

- Condominium associations, property managers, and regional condominium management companies
- Taxi association
- Alexandria Public Libraries
- Private property owners

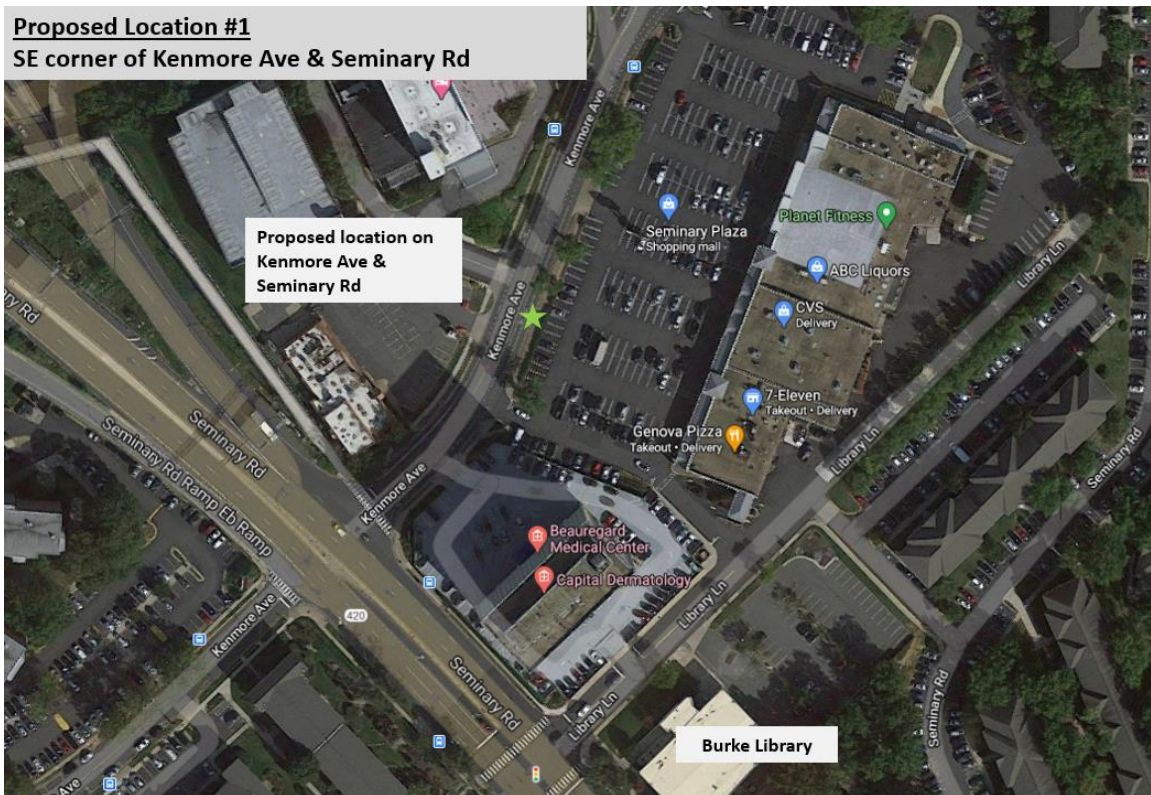
ATTACHMENT 1: PROPOSED BIKESHARE LOCATION #1 ON SOUTHEAST CORNER AT KENMORE AVE & SEMINARY ROAD

Proposed Location #1 – SE corner of Kenmore Ave & Seminary Road

- On-street
- 11 dock station
- Public Property
- Use of 2-3 taxi stand spaces requires approval of Traffic & Parking Board



Proposed Location #1 SE corner of Kenmore Ave & Seminary Rd



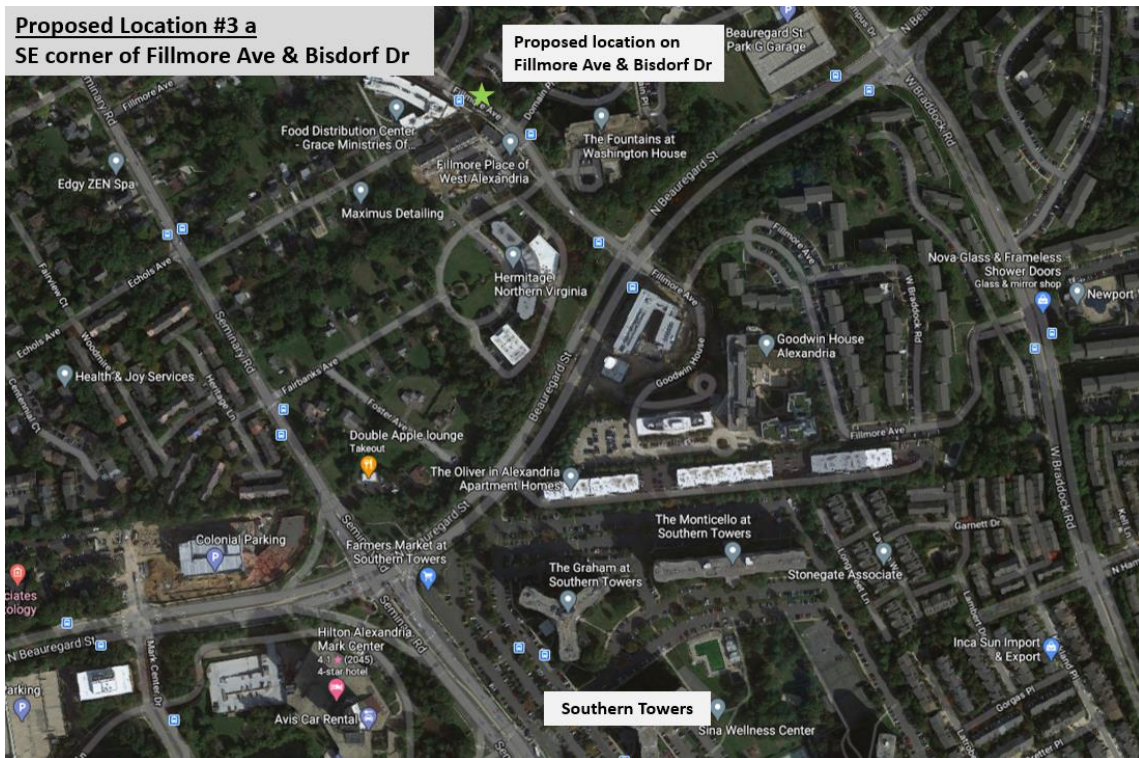
ATTACHMENT 3: PROPOSED BIKESHARE LOCATION #3A ON SOUTHEAST CORNER AT FILLMORE AVE & BISDORF DR

Proposed Location #3 a – SE corner of Fillmore Ave & Bisdorf Dr

- On-street
- 11 dock station, ~50 feet along curb
- Public Property
- Use of 2-3 parking spaces requires approval of Traffic & Parking Board



Proposed Location #3 a SE corner of Fillmore Ave & Bisdorf Dr



City of Alexandria, Virginia

Traffic and Parking Board

DATE: February 22, 2021

DOCKET ITEM: 9

ISSUE: Consideration of an amendment to the City Code to improve taxicab regulation

REQUESTED BY: T&ES Staff

LOCATION: Citywide

STAFF RECOMMENDATION: That the Traffic and Parking Board recommend the City Council change the Code to improve the efficiency of the City’s administration of taxicab regulations.

BACKGROUND: In 2019, the City’s Office of Performance and Accountability (OPA) released the “[Taxi Regulation Efficiency Analysis](#)” report. The report included several recommendations for changes to the City’s practices for regulating taxis, including several changes to the City Code. The primary purpose of the changes was to reduce the fees charged to taxis by reducing the scope of the City’s regulation and by streamlining the administration of those regulations.

In early 2020, staff convened internal working groups to discuss implementation of the recommendations. Staff developed a set of proposed changes but delayed the implementation due to the onset of the COVID-19 pandemic and the corresponding disruption of the taxi industry. In November 2020, staff presented the City’s biennial review of the taxi industry to the Board, which recommended large reductions in fees charged to taxis, consistent with the recommendations of the OPA report. The City Manager approved those fee reductions in December 2020. The biennial review also noted that staff would bring forward proposed changes to the Code in the spring of 2021. Staff briefed the Board on these potential changes in January 2021.

DISCUSSION: The proposed changes to the Code (Attachment 1) aim to simplify administration by eliminating outdated requirements and reducing the scope of the administration required for the hack office.

Staff are also seeking feedback about alternative methods for setting some elements of policy that are currently set in the code, such as fares. Staff have considered options of moving these

requirements to regulation or changing the nature of the Council action from a Code change to resolution.

Staff recommend elimination or reduction the following elements:

- Reduced investigation of applicants by the City (Section 9-12-24)
- Eliminate restriction on companies controlling more than 40% of the taxis authorized (Section 9-12-29 (3) and 9-12-32 (e))
- Eliminate requirement for companies to maintain a physical office within the City (Section 9-12-32 (d))
- Elimination of driver dress requirements (Sections 9-12-57 (m) and 9-12-60 (a)(10))

Additionally, the proposed changes include substantial modification of the existing code requirements including:

- Appointment of the hack inspector by the City Manager, rather than Chief of Police (Section 9-12-3)
- Use of state inspection instead of City-run inspections (Section 9-12-72 (a)(5))
- Requirement for taxi companies to provide third-party background checks, rather than City-provided background checks (Section 9-12-42.1)

The intent of these changes is to implement the recommendations of the OPA report as well as to reduce the scope of work for the hack office to streamline administration.

Staff also evaluated relocating several existing requirements from the City Code to the City's taxi regulation, which is approved by the City Manager per the City Code. In each case, the substance of the requirements would remain largely unchanged:

- Insurance or bond required (section 9-12-6)
- Color scheme of vehicles; insignia or trade name (section 9-12-28)
- Requirements for vehicles (section 9-12-81)
- Taxi Fares (section 9-12-132)

Transportation & Environmental Services staff are working with the City Attorney on the feasibility of different methods for updating these requirements and would appreciate feedback from the Board.

Finally, staff evaluated a request from a resident to add a requirement that taxis carry uninsured and underinsured (UM/UIM) coverage. Staff have included the language here (section 9-12-6 (a)(1)).

Taxi companies are opposed to the requirement to carry additional insurance. Neighboring jurisdictions such as Arlington County and Fairfax County do not currently require taxis to carry this type of insurance, but they are considering updating their requirements to include UM/UIM coverage. Transportation Network Companies, regulated at the State level, are required to carry UM/UIM coverage.

OUTREACH: Staff have discussed these changes with the taxi industry since the release of the OPA Report in 2020. The most recent biennial review of the taxi industry also previewed these changes. Staff have reached out to the taxi companies with some of the specific changes, but as of this writing have not received a response.

Regarding the request from a resident to require UM/UIM insurance coverage, staff separately reached out to the taxi companies for their position. None were supportive. Some companies feel that the current insurance requirements are sufficient. Other companies were opposed particularly due to the additional cost for drivers during a downturn for the industry.

ATTACHMENT 1

Proposed Changes to Taxi Code with Annotations

ARTICLE A. 1 - TAXICABS

DIVISION 1 - Generally

Sec. 9-12-1 - Definitions.

Unless otherwise expressly stated or the context clearly indicates a different intention, the following terms shall, for the purpose of this article, have the meanings indicated in this section:

- (1) *Board*. The traffic and parking board created by title 5, chapter 8, article A of this code.
- (2) *Certificate*. A certificate of public convenience and necessity issued by the city manager authorizing the operation of a taxicab company under the provisions of this article.
- (3) *Certificate holder*. Any taxicab company, or taxicab owner still holding a valid certificate issued prior to February 15, 1983, which has been granted a certificate of public convenience and necessity as provided in this article.
- (4) *Cruising*. The driving of a taxicab on the streets, alleys, or public places of the commonwealth in search of, or soliciting for, prospective passengers for hire.
- (5) *Director*. The director of the department of transportation and environmental services or the director's designee.
- (5.1) *Dispatch service*. A service that receives telephone, text or e-mail requests for taxi service and wirelessly dispatches those requests to taxicabs in the field.
- (5.2) *Dispatch call*. A taxicab trip generated by the customer contacting a central dispatch center and the call being dispatched to one of that company's taxicabs by the dispatch center.
- (6) *Driver*. The person operating any taxicab.
- (7) *Driver's permit*. The permit issued to a driver of a taxicab under the provisions of this article.
- (7.1) *Driver move*. When a driver leaves his existing company to another company that has a vacant authorization. A driver move may take place at any time and has no impact on the number of authorizations held under either company's certificate of public convenience and necessity.
- (7.2) *Reserved*.
- (7.3) *Documented city trip*. A non-dispatched trip served by the driver while on duty that originates without a call to a central dispatch center in one of the following manners: a) a pick-up from an authorized Alexandria taxi stand; b) a pick-up from a Metro Station located within the City of Alexandria; c) a pick-up from Washington Reagan Airport where the final destination is within the City of Alexandria; or d) a trip arranged by direct communication between the customer and the driver. With respect to each of the foregoing, in order to constitute a documented city trip, such trip must be contemporaneously documented on the company's business records via a regular established business procedure, so that a company record of the trip exists independent of what may be recorded in a driver's manifest, including, without limitation, the date of the trip, the time and location of both the origination and termination point of the trip and the number of passengers served on the trip.
- (8) *Hack inspector*. The individual designated by the ~~chief of police~~ City Manager to fill this position pursuant to this article.
- (9) *Manifest*. A daily record prepared by the driver of a taxicab of all trips made by the driver, showing the time and place of origin, destination, number of passengers and the amount of fare of each trip.

- (10) *Owner.* The person who holds legal title to any taxicab, or any person who holds beneficial title to any such taxicab or any person having possession of any such taxicab under a conditional sales contract, lease, bailment or any instrument in the nature of a lien.
- (11) *Person.* Any natural person, firm, partnership, limited partnership, corporation, company, limited liability company, joint venture, cooperative, association or joint stock association, including any trustee, receiver, assignee or personal representative thereof.
- (12) *Regulation.* The rules and regulations promulgated by the city manager pursuant to this article.
- (13) *Street.* The entire width between the boundary lines of every way or place of whatever nature open to the use of the public for purposes of vehicular travel in the commonwealth including streets, highways, alleys and publicly maintained parking lots.
- (14) *Taxicab.* Any motor vehicle having a seating capacity of not more than six passengers and not operating on a regular route or between fixed terminals, used in transportation of passengers for hire or compensation, and subject to regulation under this article and applicable law.
- (15) *Taximeter.* A meter, instrument or device, approved by the hack inspector, attached to a taxicab which accurately and reliably measures the distance driven and the waiting time upon which the fare is based.
- (16) *Taxicab company.* A person who regularly engages in the provision of taxicab services to and from points in the city and maintains a place of business within the city for the management and dispatch of such services.
- (17) *Taxicab services.* The operation of a motor vehicle upon the streets, on call or on demand, accepting or soliciting passengers indiscriminately for transportation for hire between such points along the streets as directed by the passenger or passengers being transported, except as excluded by applicable law.
- (18) *Vehicle permit.* A permit issued by city manager authorizing a taxicab to be associated with a taxicab company, and operated under its dispatch system and colors.

Sec. 9-12-2 - Compliance with article.

- (a) It shall be unlawful for any person to operate, drive or provide taxicab services in any taxicab required by this article to obtain a permit from the city, unless such person, and such taxicab, shall conform to and comply with the provisions of this article.
- (b) It shall be unlawful for any person to operate a taxicab company required by this article to obtain a certificate of public convenience and necessity from the city, unless such person shall conform to and comply with the provisions of this article.
- (c) Any person who violates any provisions of this article shall be guilty of a class 2 misdemeanor, unless another penalty is expressly provided in this article.

Sec. 9-12-3 - Hack inspector.

The chief of police City Manager shall appoint either a sworn officer or a civilian employee to serve at his pleasure as hack inspector, and one or more assistant hack inspectors. The hack inspector shall exercise the powers and duties provided for in this article and do all things necessary to make effective the provisions of this article. The chief of police City Manager may designate the hack inspector to administer some or all of his powers and responsibilities under this article.

Commented [AB1]: Changed authority to the City Manager

Sec. 9-12-4 - Authority of city manager.

- (a) The city manager may designate a person or persons to administer some or all of the provisions of this article.
- (b) The city manager is authorized to make such reasonable rules and regulations as may be necessary to administer the provisions of this article.

Sec. 9-12-5 - False statements prohibited.

- (a) It shall be unlawful for any person knowingly to make or cause to be made, either directly or indirectly, any false statement as an inducement for the issuance of a certificate of public convenience and necessity, vehicle permit or a driver's permit provided for in this article.
- (b) It shall be unlawful for person knowingly to make or cause to be made, either directly or indirectly, any false statement in any document required to be submitted pursuant to this article.

Sec. 9-12-6 - Insurance or bond required.

- (a) Every taxicab owner for which a vehicle permit has been issued under this article shall keep in full force and effect at all times either:
 - (1) A public liability and property damage insurance policy with a company authorized to do business within the state covering each driver authorized by the vehicle owner to operate the vehicle as a taxicab in at least the amount of \$450,000 combined single limit, with not less than \$300,000 coverage for death, not less than \$100,000 coverage for bodily injury, and not less than \$50,000 coverage for property damage, and every such policy shall contain a clause obligating the company issuing the same to give 15 days' notice in writing to the hack inspector and the company with which the owner is affiliated before any cancellation thereof; Every taxicab owner for which a vehicle permit has been issued under this article shall also keep in full force and effect at all times uninsured motorist coverage and underinsured motorist coverage in a minimum amount of \$100,000, and every such policy shall contain a clause obligating the company issuing the same to give 15 days' notice in writing to the hack inspector and the company with which the owner is affiliated before any cancellation thereof; or
 - (2) An indemnity bond of a surety company, authorized to do business within the state in the same amounts and for the same purposes as the insurance ~~policy~~ policies stated in subsection (1) of this section; provided, that the director of finance of the city, after investigation, shall be fully satisfied as to the financial responsibility of the surety company on such bond.
- ~~(b) (3)~~ Each certificate holder shall be responsible for maintaining records documenting compliance with the foregoing insurance requirements, including a certificate of insurance or insurance binder for all affiliated taxicabs and all authorized drivers. Such documents shall be available for inspection by the hack inspector during normal business hours. In addition, each certificate holder shall provide the hack inspector an annual report, at a time of the hack inspector's determination, setting forth:
 - A. All affiliated taxicabs, including make, model, production year and VIN;
 - B. All drivers authorized to drive each affiliated taxicab vehicle; and
 - C. The manner in which each authorized driver and affiliated taxicab comply with the requirements of this section, including, without limitation, the name of the insurer and a certification that the policy complies the requirements of this section.
- ~~(c) (4)~~ In the event that the insurance provider or surety changes for one of its affiliated vehicles or authorized drivers, the certificate holder shall report such change to the hack office in writing within 48 hours of receiving notice of same.

Commented [AB2]: New language to require uninsured/underinsured motorist coverage.

Commented [AB3]: Staff are considering moving this section to regulations; it is shown here to remain in the Code.

Secs. 9-12-7 through 9-12-20 - reserved.

DIVISION 2 - Certificates of Public Convenience and Necessity

Sec. 9-12-21 - Certificate required.

It shall be unlawful for any person to operate or engage in business as a taxicab company unless a certificate of public convenience and necessity shall have been issued pursuant to this article. It shall be unlawful for any person to operate or engage in business as a taxicab company under an expired, suspended or revoked certificate.

Sec. 9-12-22 - Initial application for a certificate.

- (a) An application for the initial issuance of a certificate of public convenience and necessity shall be made to the city manager, on or before May 1 of each year, on the form provided by the city manager.
- (b) The applicant shall provide the following:
 - (1) The full name and business address of the applicant and, if the applicant is a corporation, a certified copy of the articles of incorporation;
 - (2) The full name and address of the registered agent or other person or persons upon whom legal process may be served and upon whom all notices or other matters relating to the administration and enforcement of this article should be made;
 - (3) The trade name and the telephone numbers under which the applicant does or proposes to do business;
 - (4) The financial status and responsibility of the applicant;
 - (5) The maximum number and ownership of taxicabs to be operated ~~under the applicant's color scheme~~;
 - (6) A description of the type of service to be provided including the geographic area of the city to be served;
 - (7) A description of the communications system to be used with specific reference as to the applicant's plan to provide adequate dispatch service to the public;
 - (8) A description of ~~the color scheme, insignia and cruising light design~~ trade dress to be used on each taxicab, which shall conform to regulations issued by the city manager;
 - (9) ~~Any conviction, plea of guilty or nolo contendere of the applicant, or if the applicant is a corporation, each of the officers of the corporation, arising out of any violation of a federal, state or municipal law; [Reserved];~~
 - (10) The specific experience of the applicant in the transportation of passengers for hire and the management of a business engaged therein, including, without limitation, the disclosure of any ownership interest in any taxicab company anywhere at any time;
 - (11) All facts or circumstances which the applicant asserts to meet the applicant's burden of demonstrating that the public convenience and necessity requires granting the certificate;
 - (12) ~~Fingerprints of the applicant, or if the applicant is a corporation, each of the officers of the corporation; and [Reserved]~~
 - (13) Such additional information as the city manager may require.
- (c) All applications must be signed (1) by the president if a corporation or (2) by the legal representative if a business entity other than a corporation, and must be notarized.
- (d) Such forms shall include a statement that "It is unlawful for any person to make a false or misleading statement in connection with this application and the making of any false or misleading statement shall be grounds for denial of the application or subsequent revocation of a certificate, and for criminal prosecution."

Sec. 9-12-23 - Fees.

The fees and charges for an application for, and for the issuance and renewal of, a certificate shall be established by regulation, and no application shall be filed, and no certificate issued or renewed, unless and until such fees and charges shall have been paid.

Sec. 9-12-24 ~~Investigation of applicant.~~

~~Upon the filing of any application for a certificate, the chief of police shall make or cause to be made a thorough investigation of the qualifications, and traffic and criminal records, of the applicant. The results of this investigation shall be submitted to the city manager on or before the public hearing held under section 9-12-25. [Repealed]~~

Sec. 9-12-25 - Determination of public convenience and necessity; issuance of certificate.

- (a) *Burden*: The applicant shall have the burden of demonstrating that the public convenience and necessity require the operation of a new taxicab company and the authorization of any additional taxicabs that may be requested.
- (b) *Notice and written comments*: Upon receipt of a completed application for an initial certificate and authorization of any additional taxicabs, the city manager shall notify all existing certificate holders by mail, and the public by advertisement in a newspaper of general circulation published within the city, that the application has been filed, and that written comments on the application may be filed with the city manager within 30 days after publication of the notice. No application shall be considered complete unless all of the information in sections 9-12-22 and 9-12-32 has been provided.
- (c) *Public hearing*: The board shall hold a public hearing and make its recommendation to the city manager as to whether the public convenience and necessity requires granting the application for a new certificate and authorization of any additional taxicabs that may be requested. In making its recommendation, the board shall apply the criteria set forth in subsection (d) of this section. This hearing shall be held at the next regular meeting of the board after the written comment period has closed, and may be continued from time to time thereafter by the board.
- (d) *Criteria for consideration*. The city manager shall determine whether public convenience and necessity require the operation of a new company and authorization of any additional taxicabs that may be requested in the application. In making this determination, the city manager shall consider:
 - (1) The representations of the applicant as set forth in its application;
 - (2) ~~The results of the investigation made under section 9-12-24; [Reserved]~~
 - (3) Any information presented at the public hearing held pursuant to paragraph (c) of this section, and the recommendation of the traffic and parking board;
 - (4) Information as contained in the city manager's most recent report on the economic conditions of the taxi industry required by section 9-12-31;
 - (5) Any shortcomings or deficiencies in existing taxicab service and other forms of transportation for passengers already in existence;
 - (6) The probable permanence and quality of the service offered by the applicant;
 - (7) The financial status, qualifications and responsibility of the applicant as demonstrated by the applicant's ability to provide, maintain and operate the number of vehicles proposed to be operated in accordance with the character of service proposed in the application, ~~the applicant's criminal and traffic record and the applicant's credit record, if any;~~
 - (8) The experience of the applicant in taxicab operations as an owner or manager or as a taxicab driver; and
 - (9) The effect on promoting competition and improving the quality of taxi service provided in Alexandria. There shall be a prohibition, based on potential anti-competitive impact, against any entity owning, in whole or in part, an interest in more than one taxicab company authorized to do business in the city. Any entity in violation of this provision ~~as of [the effective date]~~ shall have 18 months from the effective date to come into compliance therewith.
- (f) *Decision*: The city manager may grant the certificate of public convenience and necessity applied for and approve any additional taxicabs requested by the applicant or approve a lesser number of taxicabs than requested, or the city manager may deny the certificate. If the city manager denies the certificate or grants the certificate with a lesser number of taxicabs than requested by the applicant, the city manager shall notify the applicant by certified mail.
- (g) *Re-application*: An applicant may not reapply for a certificate, or for the authorization of additional taxicabs, for one year from the date of decision by the city manager.

Sec. 9-12-26 - Certificate generally; form; term.

- (a) The certificate of public convenience and necessity shall state the following:

- (1) The name, home and business address of the certificate holder and registered agent or other person to whom legal process may be served or notice given.
- (2) The date of issuance; and
- (3) That the certificate has been issued subject to the provisions of this division and all other laws and ordinances governing the operation of a taxicab company.
- (b) Every certificate shall expire on December 31 next after issuance. Before expiration, each certificate holder shall file a renewal application with the hack inspector pursuant to section 9-12-27. In cases of death, sickness or unusual circumstances, the city manager may authorize the continued operation of an existing certificate until the following March 31.

Sec. 9-12-27 - Renewal of certificate.

Each certificate holder shall file an application for renewal of the certificate with the hack inspector by August 1 of each year on the form provided by the city manager.

Each application for a renewal of a certificate shall demonstrate compliance with section 9-12-32, and shall include a requested number of taxicab authorizations based on current service levels.

Sec. 9-12-28 - ~~Color scheme of vehicles; insignia or trade name.~~ Trade dress for vehicles.

- (a) Each applicant for a certificate shall adopt a ~~unique, identifying color scheme, insignia and trade name, different from the appearance of ordinary vehicles, trade dress for each authorized vehicle~~ which shall be submitted for approval with the application for the certificate. Upon the granting of the certificate and approval of the ~~color scheme, insignia and trade name~~ trade dress, the certificate holder shall cause all vehicles ~~that it operates~~ operated under the certificate to conform to such ~~color scheme and bear such insignia and trade name~~ trade dress. No other certificate holder, owner or driver shall use such ~~color scheme, insignia or trade name~~ trade dress.
- (b) No ~~color scheme, insignia or trade name~~ trade dress shall be approved if it conflicts with or imitates the ~~color scheme, insignia or trade name~~ trade dress used by another certificate holder in such manner as to mislead, confuse or tend to deceive the public.
- (c) It shall be unlawful and grounds for revocation of a certificate for any certificate holder to change or allow to be changed the approved ~~color scheme insignia or trade name~~ trade dress, except as hereinafter provided.
- (d) Any owner or driver connected with a certificate holder who is allowed to use the ~~color scheme, insignia, or trade name~~ trade dress of such certificate holder, shall immediately upon separation or discharge from the holder's company discontinue use of any taxicab until the ~~color scheme, insignia and trade name~~ trade dress on such taxicab has been changed or removed.

Sec. 9-12-29 - Sale or transfer of certificates of public convenience and necessity; transfer of company control.

- (a) A certificate of public convenience and necessity issued pursuant to this article shall remain the property of the city, and no such certificate may be sold or transferred by the certificate holder to any other person.
- (b) Merger or transfer of control of a taxicab company, either de facto or de jure, is prohibited unless approved by the city manager after a determination that such merger or transfer of control is in the public interest. Any person who proposes to merge or acquire control of a taxicab company shall submit to the city manager an application in writing, setting forth such relevant information as to the proposed merger or transfer as prescribed by regulation, and indicating whether the merger or transfer of control will be de facto or de jure.
- (1) The applicant shall have the burden of demonstrating that such merger or transfer of control will serve the public interest, and shall promptly respond to any requests for additional information required by the city manager.
- (2) The city manager shall cause an investigation of the financial status, qualifications and responsibility of the applicant and the experience of the applicant in the taxicab business to be conducted. The results of such

investigation shall be used by the city manager in determining whether the merger or transfer is in the public interest.

- (3) ~~The city manager shall not approve a merger which results in any person controlling more than 40 percent of the taxicabs authorized under this article. This limitation may be modified by the city manager upon a finding that the public convenience and necessity will be served by such a modification. [Reserved]~~
- (4) The city manager may approve or deny the request for merger or transfer of control. Before granting any such request, the city manager shall make an affirmative finding that the proposed merger or transfer of control is in the public interest. Absent such finding, the city manager shall deny the application, and notify the applicant.
- (5) In the event of a merger or transfer of control, the city manager may, in the manager's discretion, waive or modify the driver transfer limits set forth in section 9-12-30.

Commented [AB4]: Change per OPA Report Recommendation

Sec. 9-12-30 - Amending certificates of public convenience and necessity.

- (a) The number of taxicabs authorized by a certificate may be amended once every two years during the biennial review of the industry and the following procedures shall apply:
 - (1) A certificate holder may apply for an amendment to the number of vehicles authorized by the certificate, no later than August 1 of each year in which a review is conducted, on the form provided by the city manager.
 - (2) Reserved.
 - (3) A public hearing on all such applications shall be held by the board as part of the biennial review of the taxi industry pursuant to section 9-12-31, and the board shall make a recommendation thereon to the city manager.
 - (4) The board in making its recommendation, and the city manager in making the determination on such applications and proposed amendments, shall consider the factors prescribed in section 9-12-31.
 - (c) The decision on such applications shall be part of the city manager's order setting forth the conditions of the taxicab industry pursuant to section 9-12-31.
 - (d) Upon amendment as to the number of vehicles the certificate holder shall forthwith surrender the old certificate to the city manager, and the city manager shall issue a new certificate to the certificate holder.

Sec. 9-12-31 - Biennial review of taxi industry.

- (a) Between September 1 and November 15 of 2010, and during the same period every two years thereafter, the board and city manager shall conduct a review of the taxicab industry in Alexandria. The board shall conduct a public hearing, after giving reasonable notice to all applicants, existing certificate holders and the public. The board shall receive comment as to the economic condition of the taxicab industry, the adequacy of public service rendered by the industry, and whether any changes to the regulation of the industry are necessary or desirable, including changes to the number of taxicabs authorized for each taxicab company holding a valid certificate.
- (b) Performance information required to be submitted by certificate holders pursuant to section 9-12-32 shall be considered by the board and the city manager as part of the review.
- (c) In reviewing applications to renew certificates of public convenience and necessity, the board and city manager shall consider the certificate holder's record of compliance with section 9-12-32, and shall establish the maximum and minimum number of vehicles that may be affiliated with each certificate holder, as follows:
 - (1) The minimum number of authorized taxicabs for each certificate holder shall not be fewer than 10 percent less than the number authorized at the time of the biennial review, ~~except by operation of section 9-12-30(a)(2).~~ Notwithstanding the foregoing, the minimum number of authorized taxicabs for any company that has substantially met the level of dispatch service required under this Code for the intervening two years since the prior review shall not be reduced below the number of authorizations allowed in the prior review.
 - (2) The maximum number shall provide a sufficient number of taxicab authorizations for each certificate holder to provide a satisfactory level of dispatch service based on current and anticipated number of dispatch trips provided.

- (3) In the event that the board and city manager shall authorize the issuance of one or more new certificates, the minimum number of taxicabs authorized for each existing certificate holder may be further reduced by an additional five percent below the current authorization.
- (d) The board and city manager shall set the total number of vehicles to be authorized for each taxicab company holding a valid certificate, giving consideration to such factors as bear on public convenience and necessity, including but not limited to:
 - (1) the demonstrated need on a company-by-company basis on the number of cabs necessary to provide satisfactory public service, including ensuring adequate availability of taxicabs for dispatch service and taxi stands;
 - (2) changes in the number of trips actually served by taxicabs for each existing company;
 - (3) the ability of current drivers to earn a living wage;
 - (4) a demonstrated commitment to specifically serve the needs of the elderly and/or disabled community;
 - (5) the dispatch levels attained during the two-year period immediately preceding the biennial review, so that no company shall be granted more authorizations than supported by its actual dispatch performance for the prior two-year period; and
 - (6) such factors listed in section 9-12-25(d) as the board or city manager deem applicable.
- (e) [Reserved.]
- (f) Giving consideration to the comments received at the public hearing, and to any additional information made part of the record before it, the board shall forward its conclusions as to the status of the industry, and its recommendations as all matters included in the annual review of the industry, to the city manager. The report shall include the findings of fact upon which board's conclusions and recommendations are based. The report shall be transmitted to the city manager no later than November 15.
- (g) The biennial review of the taxicab industry shall also include a review of the fares and industry fees, including a review of the base fare, permitted additional charges and all fees charged to and by the certificate holders, owners and drivers. The public hearing before the board shall include comments on such fares, charges and fees and any recommended changes thereof. The board shall forward its conclusions, recommendations and findings of fact as to such fares, charges and fees as part of its report pursuant to subsection (f) of this section. In reviewing such fares, charges and fees, the board and city manager shall, without limitation, take the following factors into consideration:
 - (1) driver income compared to the City of Alexandria adopted living wage;
 - (2) cost of industry related regulatory and enforcement expenditures; and
 - (3) such factors listed in section 9-12-25(d) as the board or city manager deem applicable.
- (h) Not later than December 15 of the year in which the biennial review is conducted, the city manager shall issue an order stating the manager's findings and conclusions as to the economic condition of the taxicab industry and determinations as to any pending applications or proposals under section 9-12-30. In issuing his order, the city manager shall presume that the factual findings of the board are prima facie correct. If the manager disagrees with any of the recommendations of the board, the manager shall, with the issuance of the order, enumerate the reasons for not accepting such recommendations. The order of the city manager may be used by him in determining the public convenience and necessity under the provisions of this article.
- (i) Reserved.
- (j) After completion of the transfer review process and the review of all applications for new or renewed certificates of public convenience and necessity, the city manager may approve additional authorizations for existing companies that have requested same, based upon a finding that such a grant will be in the public convenience and necessity including, without limitation, promoting prompt dispatch and exceptional customer service.

Sec. 9-12-32 - Requirements for certificate holders.

Each certificate holder shall:

- (a) provide 24-hour service;
- (b) provide two-way dispatch service located within the boundaries of the city that meets the following:
 - (1) dispatch must be provided 24 hours a day, seven days a week;
 - (2) if less than 130 taxicabs are authorized under the certificate, dispatch may be provided not less than 16 hours a day, seven days a week;
 - (3) if the certificate has been issued for less than one year, dispatch may be provided not less than 16 hours a day, seven days a week until one year following the date of issuance, after which dispatch must be provided as set out in paragraph (1) or (2), depending on the size of the certificate holder;
- (c) provide the minimum level of service for dispatch and documented city trips and call response time as prescribed by regulation; however, in no circumstance may regulation set an average dispatch and documented city trip call volume equaling less than two calls per driver per day. In addition, in no circumstances may regulation provide more than 25% of the required call volume be satisfied by documented city trips. Dispatch and documented city trip service requirements shall be calculated based on the total number of properly documented calls served by the certificate holder during the time period reviewed by city staff;
- (d) ~~maintain a business office and required records within the boundaries of the city;~~ [Reserved]
- (e) have affiliated a minimum of 40 taxicabs ~~under its color scheme,~~ and a maximum of 50 percent of the total number of taxicabs authorized under this article. This limitation may be modified by the city manager upon a finding that the public convenience and necessity will be served by such a modification.
- (f) provide a minimum of one vehicle, or one percent of the vehicles authorized under the certificate, whichever is greater, for ADA compliant handicap accessible transportation, and every vehicle permit issued for a handicap accessible vehicle shall state on the permit that it is to be used for a handicap accessible vehicle only. Each certificate holder has an affirmative obligation to make such ADA complaint vehicles available during the hours in which it provides dispatch service for dispatch to a qualified handicapped passenger in the event not less than two hours notice is provided by the passenger;
- (g) maintain a record of all taxicabs affiliated with the certificate holder, of the owners thereof and of all drivers thereof, including the current address and telephone number for each such owner and driver. This record shall be turned in not less than annually by a date to be determined by the director of T&ES and otherwise be available at all times for examination and inspection by the director, hack inspector or any police officer and shall be preserved for 12 months;
- (h) provide an alternative dispute resolution process for disputes arising between owners and/or drivers of taxicabs and the certificate holder pursuant to division 7 of this article;
- (i) provide and adhere to written policies setting forth service requirements for drivers affiliated with the certificate holder and specifying disciplinary actions that the holder will take in the event the requirements are not met. All such requirements and disciplinary actions and any revision that may from time to time be added by the certificate holder shall be provided to every affiliated driver and posted in a conspicuous location in the taxicab company offices;
- (j) not unreasonably withhold its agreement to allow an affiliated driver to transfer the authorization under which the driver is driving to another qualified driver.
- (k) provide a 30-day notice to drivers of any changes in stand dues and post such changes in a conspicuous location in the taxicab company offices with a clearly stated reason for the change, and file such changes and reasons with the city, for informational purposes;
- (l) post the most current schedule of stand dues in a conspicuous location in the taxicab company offices;
- (m) file with the city, in a manner prescribed by regulation, for informational purposes, the requirements and disciplinary actions required by subsection (i) and the stand due schedule and any changes required by subsection (k).

Commented [AB5]: Change per OPA Report recommendation

- (n) maintain monthly performance information and provide the following information to the city manager on a periodic basis, no less than annually, in the manner prescribed by regulation:
 - (1) dispatch call volume totals;
 - (2) number of complaints by type;
 - (3) a schedule of current stand dues;
 - (4) dispatch call volumes and detailed call and pick up data files; and
 - (5) such other information as may be prescribed by regulation.
- (o) ~~provide on an annual basis in the manner prescribed by regulation financial statements prepared in accordance with generally accepted accounting practices, including, but not limited to, all financial information permitted by Virginia Code § 46.2-2062(B) and any other applicable state law. [Reserved]~~
- (p) all information submitted to the city manager under this section shall include a statement that "It is unlawful for any certificate holder to make a false or misleading statement and the making of any false or misleading statement shall be grounds for revocation of a certificate and criminal prosecution," and shall be signed by the certificate holder or authorized representative.
- (q) all financial data information submitted pursuant to this section shall be deemed confidential financial information pertaining to the certificate holder's business license pursuant to title 9 of the City Code and exempt from disclosure to the public pursuant to Virginia Code §§ 58.1-3 and 46.2-2602(B) and shall otherwise be kept confidential to the extent permissible under the Code of Virginia and the City Code.
- (r) in the event that the City of Alexandria adopts a paratransit and/or senior citizen transportation program involving all certificate holders, each certificate holder must participate in such a program.
- (s) all certificate holders who operate as taxicab companies must have written contracts setting forth the terms and conditions of their agreements with the drivers who operate under the vehicle authorizations granted to each certificate holder.
- (t) ensure that all affiliated vehicles accept major credit cards as payment for taxicab fares pursuant to a policy to be determined by the certificate holder, subject to the following conditions:
 - (1) If a certificate holder mandates that its affiliated drivers use a specific credit card processor, that company will:
 - i. charge drivers no more than 5% of the transaction for processing;
 - ii. provide a direct deposit option for drivers.
 - (2) Certificate holders are responsible for uniformity of service and can determine the type(s) of credit card device(s) that are allowable in their fleet;
 - (3) ~~Certificate holders shall provide the city with an annual report to be used in analyzing the effects of the mandatory credit card acceptance policy. [Reserved]~~
 - i. The report will contain information regarding the average and total number of credit card transactions per driver, the percentage of the certificate holder's trips paid for using a credit card, and the total and average transaction fees paid by the driver to the taxicab company to process the credit card payments, plus such other additional information as staff may ~~reasonable~~ *reasonably* require to assess the effects of the mandatory credit card policy.
 - ii. Companies that do not provide this data to the city will be considered to be out of compliance with the taxicab ordinance and subject to discipline pursuant to section 9-12-33.
 - (4) The certificate holder will ensure that for all credit card transactions, its affiliated drivers will issue a paper receipt showing date of transaction, cab number, driver name, and the amount of the transaction for all credit card transactions. The receipt may be hand-written;
 - (5) The certificate holder will ensure that all credit card processing equipment authorized for use by its affiliated drivers shall be PCI DSS compliant; and

- (6) The certificate holder will take affiliated taxicabs out of service if their credit card processing equipment is inoperable.

Sec. 9-12-33 - Civil penalties; revocation or suspension of certificates.

- (a) Any certificate holder who violates any provisions of section 9-12-32 shall be guilty of a class two civil violation.
- (b) Certificates of public convenience and necessity may be placed on probationary status for a period of 30 to 120 days, or revoked by the city manager for any of the following causes:
- (1) failure to manage and operate the company and fleet in such a manner as to serve the public adequately;
 - (2) failure to manage and operate the company and fleet in such manner as to cause the authorized taxicabs to be maintained in good order and repair;
 - (3) failure to manage and operate the company and fleet in such manner as to cause the insurance required by this article to be maintained for the authorized taxicabs;
 - (4) repeated and persistent violations by the certificate holder or by the drivers of authorized taxicabs of the Alexandria City Code or of the motor vehicle laws of Virginia.
 - (5) failure to report any accident as required by this article;
 - (6) failure to manage and operate the company and fleet in such manner as to cause any fees lawfully assessed upon the ownership or operation of any vehicle licensed under this article to be paid;
 - (7) failure to comply with the requirements of section 9-12-32; and
 - (8) failure to comply with any other provision of this article.
- (c) Prior to placing on probationary status or revoking any certificate, the city manager shall hold a hearing on the proposed revocation or probation. The certificate holder shall have the right to present his case in person or be represented by counsel licensed to practice law in the Commonwealth of Virginia. The certificate holder shall be given at least 10 days' notice by personal service, or by regular and certified mail, to the address shown on the certificate, of the grounds for revocation or probation and the time and place of the hearing thereon.
- (d) The city manager shall notify the certificate holder by regular and certified mail directed to the address shown on the certificate, of his decision to revoke or place on probationary status the certificate. Such decision notice shall include the grounds for revocation or probation and the length of time of probation.
- (e) A certificate holder whose certificate has been revoked may not reapply for a certificate for 365 days from the date of revocation.
- (f) The city manager may place on probationary status a certificate for such a period of time in excess of 120 days as he may, in his reasonable discretion, see fit.
- (g) If a certificate is placed on probationary status, the city manager shall impose such terms and conditions as the manager deems reasonably necessary to bring the certificate holder into compliance. In the event the certificate holder fails to comply within the time stated by the city manager, the certificate shall be revoked by operation of law.
- (h) Disposition of vehicle authorizations from a revoked certificate. The vehicle authorizations held by a certificate holder whose certificate is revoked under this section shall be returned to the city on the effective date of the revocation. Not less than 45 days prior to the effective date of revocation of the certificate, the city manager shall cause a public hearing to be held by the board regarding the public interest in the disposition of the authorizations. The board shall make a recommendation to the city manager as to the disposition of the authorizations. Not less than 21 days prior to the date of revocation, the city manager shall make a determination as to the disposition of the authorizations. There shall be a presumption, but not a guarantee, that the vehicle authorizations from a certificate holder that has its certificate revoked shall be allowed to transfer to other authorized certificate holders, unless the manager finds that such transfer will not be in the best interest of the public convenience and necessity.

- (i) The city manager's decision to place on probationary status or revoke a certificate may be reviewed on the record by the Circuit Court of the City of Alexandria, to determine whether the city manager applied the correct law, and whether the decision was arbitrary and capricious; provided a petition for review is filed with the court within 30 days of the decision. The filing of such petition shall not stay the effect of such revocation or suspension, unless otherwise ordered by the court. The court may affirm or reverse the decision of the city manager, or vacate the decision and remand the matter with instructions.

Sec. 9-12-34 - Authorizations not in use.

- (a) If a certificate holder fails to operate any authorized vehicles for more than 18 consecutive months, the authorization to operate such inactive vehicles shall terminate automatically and revert to the city, and the city manager shall issue a new certificate for the lesser number of authorized vehicles that remain in use.
- (b) The provisions of subsection (a) shall not be applicable to that portion of an increase in authorized vehicles granted under the provisions of section 9-12-30 for a period of 365 days after an increase in certificates is authorized.

Sec. 9-12-35 - Grandfathered certificates.

A certificate which was issued to an individual owner or driver prior to February 15, 1983, and remains in force and effect, including by renewal, on and after July 1, 2005, shall be subject to the following provisions:

- (a) The original holder of such an individual certificate may change affiliation at any time and for any reason, subject to compliance with the provisions of this section.
- (b) The provisions of section 9-12-32 shall not be applicable to renewals of grandfathered certificates held by an individual owner or driver.
- (c) Grandfathered certificates may only be transferred in the manner set forth in the following section (d).
- (d) Upon the holder's departure from the industry, the company with whom the grandfathered certificate is at that time affiliated may request that the grandfathered certificate be converted to a standard authorization, which, if granted, shall be in addition to the number of authorizations then affiliated with the company. The traffic and parking board shall consider any such request at a public hearing and will make the final determination regarding such request. The city manager shall promulgate regulations for processing such requests and scheduling them for hearing. In the event such a request is granted, then the grandfathered certificate holder may transfer the vehicle permit in the same manner and subject to the same regulatory requirements as those vehicle permits for vehicles with standard authorizations.

Secs. 9-12-36 through 9-12-40 - reserved.

DIVISION 3 - Driver's Permit

Sec. 9-12-41 - Driver's permit required, display.

No person shall operate a taxicab under the authority of a certificate of public convenience and necessity issued by the city, and no person who owns or controls a such a taxicab, shall permit it to be so driven, and no such taxicab shall be operated at any time for hire, unless the driver of such taxicab shall have first obtained and shall have then in force a driver's permit issued under the provisions of this division. Such permit shall be the property of the city, and shall be carried and displayed in a conspicuous place in the taxicab while being operated by the driver.

Sec. 9-12-42 - Application.

- (a) An application for a driver's permit under this division shall be made in writing under oath on forms provided for by the city manager, shall be filed with the hack inspector and shall provide the following:
 - (1) pertinent personal data;
 - (2) physical condition of the applicant;

- (3) ~~traffic record for five years previous to the date of the application including what driver's licenses have previously been issued to the applicant, and whether such license has ever been revoked or suspended~~ [Reserved];
- (4) ~~criminal record including state and local records~~ [Reserved];
- (5) ~~prior driving experience~~ [Reserved];
- (6) ~~whether or not the applicant has ever been convicted, forfeited or entered a plea of nolo contendere on any traffic or criminal charge of any kind; and if so, the details thereof; and~~ [Reserved]
- (7) a written certification from a company certificate holder that the applicant has taken and passed a written examination pursuant to section 9-12-46 herein, in a form reviewed and approved by the hack inspector.
- (8) a written certification from a company certificate holder stating that it has conducted a mandatory background screening of the applicant in accordance with Section 9-12-42.1 and further certifying that the company certificate holder has authorized the applicant as a driver.
- (9) a written certification from the applicant certifying that he or she has not had a taxicab driver's permit or a similar permit permanently revoked in any other jurisdiction.
- (b) ~~Each applicant shall apply for the permit in person and have his or her fingerprints taken, which fingerprints shall constitute a part of the application.~~ [Reserved]
- (c) Each applicant shall file with the application three copies of a recent photograph, of a size designated by regulation, one of which shall be attached to and become a part of the application, another to be permanently attached to the permit, if issued.
- (d) The application shall state thereon that "It is unlawful for any person to make a false statement on this application and discovery of a false statement shall constitute grounds for prosecution and for denial or revocation of this driver's permit."
- (e) Each applicant shall be subject to a brief oral examination by the hack inspector as to the applicant's ability to operate a taxicab, knowledge of the traffic laws of the city and state, knowledge of the city's roads and the laws of this article applicable to drivers at the time the driver's permit application is submitted; the applicant must successfully pass the oral examination before the hack inspector will further process the application for a driver's permit.

Commented [AB6]: Change per OPA report

Sec. 9-12-42.1 – Mandatory Background Screenings.

- (a) Before authorizing an applicant as a driver, a company certificate holder shall confirm that the person is at least 18 years old, possesses a valid driver's license, and has possessed a valid driver's license for at least six months.
- (b) Before authorizing an applicant to act as a driver, and at least once every two years after authorizing an individual to act as a driver, a company certificate holder shall obtain a national criminal history records check of that person. The background check shall include (i) a Multi-State/Multi-Jurisdiction Criminal Records Database Search or a search of a similar nationwide database with validation (primary source search) and (ii) a search of the Sex Offender and Crimes Against Minors Registry and the U.S. Department of Justice's National Sex Offender Public Website. The person conducting the background check shall be accredited by the National Association of Professional Background Screeners or a comparable entity that is approved by the department.
- (c) Before authorizing an individual to act as a driver, and at least once annually after authorizing an individual to act as a driver, a company certificate holder shall obtain and review a driving history research report on that person from the individual's state of licensure.
- (d) Before authorizing an individual to act as a driver, and at least once every two years after authorizing a person to act as a driver, a company certificate holder shall verify that the person is not listed on the Sex

Offender and Crimes Against Minors Registry or on the U.S. Department of Justice's National Sex Offender Public Website.

- (e) A company certificate holder shall not authorize an individual to act as a driver if the criminal history records check required above reveals that the individual:
- (1) is a person for whom registration with the Sex Offender and Crimes Against Minors Registry is required pursuant to Chapter 9 (§9.1-900 et seq.) of Title 9.1 of the Code of Virginia, or is listed on the U.S. Department of Justice's National Sex Offender Public Website; or
 - (2) has ever been convicted of or has ever plead guilty or *nolo contendere* to a violent felony offense as listed in subsection C of §17.1-805 of the Code of Virginia, or a substantially similar law of another state or of the United States, or pled guilty or *nolo contendere* to a violation of §46.2-894 of the Code of Virginia, or a substantially similar law of another state or of the United States; or
 - (3) within the preceding seven years has been convicted of or has plead guilty or *nolo contendere* to any of the following offenses, either under Virginia law or a substantially similar law of another state or of the United States: (i) any felony offense other than those included in subsection (2) above; (ii) an offense under §§18.2-266, 18.2-266.1, 18.2-272, or 46.2-341.24 of the Code of Virginia; or (iii) of any offense resulting in revocation of a driver's license pursuant to §46.2-389 or §46.2-391 of the Code of Virginia; or
 - (4) within the preceding three years has been convicted of or has plead guilty or *nolo contendere* to any of the following offenses, either under Virginia law or a substantially similar law of another state or of the United States: (i) three or more moving violations; (ii) eluding a law-enforcement officer, as described in §46.2-817 of the Code of Virginia; (iii) reckless driving, as described in Article 7 (§46.2-852 et seq.) of Chapter 8 of the Code of Virginia; (iv) operating a motor vehicle in violation of §46.2-301 of the Code of Virginia; or (v) refusing to submit to a chemical test to determine the alcohol or drug content of the person's blood or breath, as described in §18.2-268.3 or §46.20341.26:3 of the Code of Virginia.
- (f) A previously-authorized driver shall immediately inform each company certificate holder that has authorized him to act as an authorized driver, as well as the hack officer, of any event that may disqualify him from continuing to act as an authorized driver, including any of the following: the revocation, suspension, cancellation, or restriction of his driver's license; a motor vehicle moving violation; or a criminal arrest, plea, or conviction. Upon learning of a potentially disqualifying event, either from the driver, from other sources, or from the periodic checks required above, the company certificate holder shall immediately provide written notice of the same to the hack inspector. The driver and the company certificate holder shall cooperate with any request for information made by the hack inspector. A failure to comply with this subsection could result in the suspension or revocation of the driver's permit, or the company certificate holder's certificate of public convenience and necessity.
- (g) The hack inspector shall be entitled to review the results of the mandatory background screenings immediately upon request.

Sec. 9-12-43 - Charges for permit.

The fees and charges for an application for, and for the issuance and renewal of, a drivers permit shall be established by regulation, and no application shall be filed, and no certificate issued or renewed, unless and until such fees and charges shall have been paid.

Sec. 9-12-44 - Medical examination.

If the application indicates that the applicant's ability to safely operate a taxicab is reasonably in question, no driver's permit shall be issued or renewed until the applicant shall furnish a certificate from a reputable physician, certifying that, in such physician's opinion, the applicant's ability to safely operate a taxicab is not impaired.

Commented [AB7]: New Section per OPA Report recommendation to require background checks on file from the companies, as well as to mirror legal requirements to Virginia TNC code.

Sec. 9-12-45 - ~~Investigation of applicant.~~

~~Upon the filing of any application for a driver's permit under this division, the chief of police shall make a thorough investigation of the qualifications and traffic and criminal record of the applicant. Such investigation may include a local records check and a state records check. The result of this investigation shall be submitted to the hack inspector and to the board upon appeal. [Reserved]~~

Sec. 9-12-46 - Examination of applicant as to driving ability, etc.

Each applicant for a driver's permit pursuant to this division shall be required to pass a written examination in a form approved by the hack inspector as to the applicant's ability to operate a taxicab, knowledge of the traffic laws of the city and state, knowledge of the city's roads and the laws of this article applicable to drivers. The content, nature and form of such examination shall be determined by the hack inspector and may be periodically changed by the hack inspector from time to time as may be deemed necessary for the public interest and safety. This examination may be offered and taken by a company certificate holder or a third party and must be successfully completed, with a passing score of 75% or higher prior to application for a driver's permit pursuant to section 9-12-42.

Sec. 9-12-47 - Reserved.

Sec. 9-12-48 - Reserved.

Sec. 9-12-49 - Requirements for driver's permit.

A driver's permit shall not be issued to any person who:

- (a) is under 18 years of age;
- (b) ~~has ever been convicted, pleaded guilty or pleaded nolo contendere to a felony involving moral turpitude, or has been convicted, pleaded guilty or pleaded nolo contendere to a misdemeanor involving moral turpitude within the last five years; provided, however, that the board may waive the provisions of this subsection if the board determines that such waiver would not be contrary to the public interest; [Reserved]~~
- (c) has had a taxicab driver's permit or similar permit permanently revoked in any other jurisdiction;
- (d) ~~has ever been convicted, pleaded guilty, or pleaded nolo contendere to a charge of hit and run, leaving the scene of an accident or any similar charge where injury to a person was involved; [Reserved]~~
- (e) ~~has repeatedly been convicted, pleaded guilty, pleaded nolo contendere, or forfeited collateral for violations of the traffic or safety laws of any city, state or the federal government; [Reserved]~~
- (f) has not provided a written certification from a company certificate holder that the applicant has taken and passed a written examination pursuant to section 9-12-46 herein, in a form reviewed and approved by the hack inspector;
- (g) has not held a valid motor vehicle operator's license for a period of at least six months;
- (h) has not passed the applicable examinations required by section 9-12-46; ~~or~~
- (i) does not have a valid work authorization from the Immigration and Naturalization Service, if required; ~~and~~
- (j) has not been authorized by a company certificate holder as required by Sections 9-12-42 and 9-12-42.1.

Sec. 9-12-50 - Issuance or denial of driver's permit by ~~chief of police.~~ hack inspector.

- (a) ~~If the chief of police~~ hack inspector finds that an applicant has satisfied the requirements of this division the ~~chief of police~~ the hack inspector shall issue a driver's permit to the applicant.
- (b) ~~If the chief of police~~ hack inspector finds that an applicant has not met the requirements of this division, or that issuance of a driver's permit to the applicant would jeopardize the health, safety or welfare of the public, the chief of police shall deny the application, and give written notice thereof, including the reasons for the denial, to the applicant.

- (c) The city manager may by regulation provide for a program for the issuance of temporary driver's permits. The ~~chief of police hack inspector~~ may withhold issuance of the temporary permit if he reasonably believes that there are unresolved issues or additional information that may be required from an applicant. ~~If upon review of the application, including a local criminal check, the chief of police finds no reason to deny the application, a~~ A temporary permit may be issued to the applicant as provided by regulation. Any such temporary permit shall be valid for no more than 90 days from the date of issuance.

Sec. 9-12-51 - Appeal of a denial of a driver's permit.

- (a) When an application for a driver's permit under this division is denied, the applicant may appeal to the board, which shall hold a hearing on any such appeal and make a recommendation regarding same to the city manager pursuant to the procedures set forth herein.
- (b) Such applicant shall, within 10 days after being notified of the denial, file in writing with the hack inspector, a notice of appeal. The hack inspector shall schedule a public hearing before the board within a reasonable time. Notice of the hearing shall be given to the applicant at least 10 days before the hearing date.
- (c) The hack inspector shall immediately notify the applicant in writing of the board's recommendation.
- (d) The board shall make its recommendation to the city manager, who shall have authority to affirm or reverse the decision appealed from. If the city manager finds for the applicant, the ~~chief of police hack inspector~~ shall issue the driver's permit. If the city manager finds against the applicant, the decision of the ~~chief of police hack inspector~~ shall stand. The action of the city manager on appeal shall be final.
- (e) There shall be no rehearing and any such applicant shall not be considered for a period of at least one year after denial.

Sec. 9-12-52 - Information to be shown on permits.

Each driver's permit issued pursuant to this division shall at minimum contain the following information:

- (a) the permit number;
- (b) the name of the driver;
- (c) photograph of the driver;
- (d) the date of expiration; and
- (e) a statement that the permit is issued subject to the provisions of this article and may be suspended or revoked pursuant to the provisions of this article.

Sec. 9-12-53 - Expiration of permit.

Each driver's permit issued under this division, except for a 60-day temporary permit, shall expire two years from the date of issuance, unless sooner suspended or revoked.

Sec. 9-12-54 - Renewal of permit.

A driver's permit may be renewed for successive periods of two years, provided that the procedure set forth for original applications is followed, ~~including proof of compliance with the driver training requirement pursuant to section 9-12-47 and payment of~~ and all applicable fees have been paid.

Sec. 9-12-55 - Permits nontransferable.

No driver's permit issued under this division shall be transferable.

Sec. 9-12-56 - Records and reporting requirements.

- (a) *Accident reports.* The driver of every taxicab shall report within 24 hours, to the hack inspector, every accident, however slight, in which a taxicab or any other vehicle operated by such driver is involved.

- (b) *Manifest.* Every taxicab driver shall keep, on a form prescribed by the city manager, a manifest, which shall, at minimum, record the place, date and time the transportation of each paying passenger commenced and terminated, and the amount of the fare, all of which shall be recorded immediately upon the termination of each trip. All manifests shall be subject at all times to examination or inspection by any duly authorized city official, the hack inspector or any police officer. Every manifest shall be kept and preserved for 12 months, and shall be submitted to the city manager or the manager's designee as required by regulation.
- (c) *Disposition of property left in vehicles.* Every driver of a taxicab shall carefully preserve any money or other property left in the taxicab and shall immediately notify the taxicab company of the discovery of the property and turn over such money or other property to the taxicab company within 24 hours of discovery. All taxicab companies shall maintain a lost and found for such property and shall report all property so received to the hack inspector, as prescribed by regulation. Such money or other property shall be surrendered promptly to the owner, upon identification and proof of ownership.
- (d) *Drivers and company certificate holders to report changes of affiliation.* Every driver of a taxicab, as well as the company certificate holder to which the driver is changing affiliation, shall notify the hack inspector within five business days when he changes his affiliation to another taxicab company.

Sec. 9-12-57 - Service requirements.

The following are minimum service requirements that must be met by all drivers holding a driver's permit issued under this division:

- (a) *Additional passengers.* No driver already engaged with a passenger shall take an additional passenger, except with the consent of all passengers.
- (b) *Unlawful use of vehicles.* No driver shall use or permit the use of any taxicab for soliciting business for any person or house of ill repute, for selling intoxicating liquors, for lewd or indecent purposes or for transporting persons to houses of ill repute or places used for lewd indecent purposes.
- (c) *Entering and leaving vehicles.* No driver shall allow a passenger to enter or leave any taxicab except along the curb of a street.
- (d) *Stopping in intersections to load or unload prohibited; interfering with traffic.* No driver of any taxicab shall stop, load or unload any passengers in the intersection of any streets or on any crosswalk. No such driver shall in any way impede or interfere with the orderly flow of traffic on the streets.
- (e) *Priority of calls for service.* Every driver of a taxicab shall serve requests for service in the order of receipt of such calls.
- (f) *Nonpaying passengers.* No nonpaying passenger shall be transported in a taxicab with a paying passenger, except bona fide officers or employees of the owner or certificate holder, or a police officer engaged in the performance of his duty.
- (g) *Drivers to take shortest route to destination.* The driver of each taxicab shall drive the same over the shortest practical route from the point of engagement to the destination of the passenger or passengers.
- (h) *Number of passengers.* No driver of a taxicab shall carry at any one time more adult passengers than the number for which the vehicle was designed.
- (i) *Passengers to occupy rear seat first.* Passengers shall fill the rear seat before using the front seat, and no driver shall carry a passenger in the front seat unless the back seat is filled, except when otherwise requested by a passenger.
- (j) *Loitering at taxi stands.* No driver shall loiter or congregate with others in sidewalks adjacent to a taxi stand in such a manner as to violate section 9-12-115 of this division or in such a manner as to unreasonably inhibit or impede the flow of pedestrian traffic on the sidewalk.
- (k) *Cruising.* The city manager may prohibit cruising throughout the city or in designated areas within the city in times of emergency, or at other times when some activity takes place within the city which will produce abnormal traffic congestion and danger to pedestrians and the city manager finds that cruising would add to the congestion and danger. No such prohibition may be issued, except in case of an emergency, without notice and

public hearing before, and a recommendation from the board. When the city manager has issued such prohibition, it shall be unlawful for any person to cruise in the area designated.

- (l) *Refusal to carry passengers.* No driver of a taxicab shall refuse or neglect to convey any orderly person, upon request, unless previously engaged, off duty, or unable or forbidden by the provisions of this article to do so.
- (m) ~~*Cleanliness and appearance of drivers.* Drivers of taxicabs shall be clean and dressed in neat, clean clothing at all times when serving the public. Whenever a driver's appearance is significantly changed by haircut or hair style, or modification, addition, or removal of a beard, moustache, side burns, toupee, wig, hair coloring, or the like, he shall submit within 30 days of such change two copies of a new photograph of himself in compliance with the requirements of section 9-12-42. [Reserved].~~
- (n) *Responding to dispatch calls.* Every driver shall comply with the standards of dispatch service prescribed by regulation. Each driver must average not less than 50 percent of the average dispatch call volume set by regulation pursuant to section 9-12-32(c) for the company with which the driver is affiliated. Notwithstanding the foregoing, a company may set a different level of service for its drivers so long as the company meets the dispatch requirements set forth by regulation pursuant to section 9-12-32(c) and notifies the hack inspector of this policy.
- (o) *Complying with service regulations.* All drivers shall comply with customer service related provisions prescribed by regulation.
- (p) *Complying with company service standards.* Every driver shall comply with the service requirements issued by the taxicab company with which the driver is affiliated.
- (q) *Smoking in taxicabs.* Smoking shall be prohibited in taxicabs at all times.
- (r) *Cell phone and mobile device use.* Drivers shall not use cell phones or other mobile devices when transporting passengers except for emergencies and trip related activities.

Commented [AB8]: Removed per recommendation from the OPA Report.

Sec. 9-12-58 - Temporary suspension of permits and civil penalties.

- (a) ~~The chief of police or the~~ hack inspector shall have the power to suspend any driver's permit for a period not to exceed five days for any one or more of the following causes:
 - (1) any violation of section 9-12-56;
 - (2) any violation of section 9-12-57; or
 - (3) any violation of section 9-12-60.
- (b) In addition to the foregoing, any driver who violates sections 9-12-56, 9-12-57 or 9-12-60 shall be guilty of a class five civil violation. The hack inspector shall have the authority to assess the civil penalties set forth for such violations in City Code section 1-1-11 and shall coordinate with the office of the city attorney to determine when suspensions, civil penalties or a combination of both shall be imposed.

Sec. 9-12-59 - Appeal from temporary suspension.

~~Whenever the chief of police or~~ hack inspector has suspended a permit pursuant to section 9-12-58, the driver may appeal to the board, by filing a written notice of appeal with the hack inspector, within five days after being notified of his suspension. The hack inspector shall thereupon schedule, within a reasonable time, a hearing before the board. Notice of such hearing shall be given to the applicant at least five days before the hearing. Any suspension shall be stayed pending the hearing before and decision of the board. The board shall have authority to affirm, reverse or modify the suspension appealed from. The action of the board shall be final and there shall be no rehearing. There shall be no appeal to the traffic & parking board from the imposition of a civil penalty not accompanied by a suspension, but civil penalties not accompanied by a suspension may be contested in the manner set forth in City Code section 1-1-11(c)(3).

Sec. 9-12-60 - Suspension and revocation of permits by the board.

- (a) The board shall have the power to recommend that the city manager suspend or revoke any driver's permit issued under the provisions under this division for any one or more of the following causes:

- (1) violation of any law involving moral turpitude;
 - (2) failure to report any accident in which the driver is involved;
 - (3) violation of any law prohibiting the operation of motor vehicles while under the influence of any intoxicating beverage, controlled substance or drug;
 - (4) operation of a taxicab known by the driver not to be in good order or safe repair;
 - (5) repeated violations of traffic or safety laws of local, state or federal government;
 - (6) being impaired by a disease or infirmity which makes the driver an unsafe driver;
 - (7) violation of any law prohibiting hit and run driving, leaving the scene of an accident or similar law;
 - (8) failure to serve the public adequately;
 - (9) making a false statement prohibited by section 9-12-5 of this code;
 - (10) ~~repeated failure to be clean and dressed in neat, clean clothing at all times when serving the public;~~
[Reserved].
 - (11) doing any act or failing to do any act which act or omission jeopardizes the health, safety or welfare of the public;
 - (12) repeated suspension pursuant to section 9-12-58 of this code;
 - (13) repeated or egregious rude or discourteous conduct towards a passenger; or
 - (14) violation of any other provision of this article.
- (b) In any hearing by the board under this section, a conviction, plea of nolo contendere or forfeiture shall be conclusive evidence of a violation.
 - (c) The hack inspector shall give the holder of the permit at least 10 days' notice by personal service or by certified mail to the address shown on the permit of the grounds for suspension or revocation and the time and place of hearing.
 - (d) The board shall conduct a public hearing, and the city attorney, when requested by the hack inspector, shall present the case against the permit holder. The permit holder may present his own case or be represented by counsel.
 - (e) If the board finds that one or more of the causes specified in subsection (a) exists, the board shall recommend that the city manager suspend the driver's permit for not less than 30 days nor more than 120 days, or the board may recommend that the city manager revoke the driver's permit, as it may in its discretion see fit.
 - (f) When a driver's permit has been revoked, no application for a new permit shall be accepted for one year following the revocation.
 - (g) The city manager's decision to suspend or revoke a driver's permit may be reviewed on the record by the Circuit Court of the City of Alexandria, to determine whether the board and city manager applied the correct law, and whether the decision was arbitrary and capricious; provided a petition for review is filed with the court within 30 days of the decision. The filing of such petition shall not stay the effect of such revocation or suspension, unless otherwise ordered by the court. The court may affirm or reverse the decision of the city manager, or vacate the decision and remand the matter with instructions.

Secs. 9-12-61 through 9-12-70 - reserved.

DIVISION 4 - Vehicle Permits

Sec. 9-12-71 - Vehicle permit required; display.

No taxicab shall be operated under the authority of a certificate of public convenience and necessity issued by the city, and no person who owns or controls a such a taxicab, shall permit it to be so operated, and no such taxicab shall be operated at any time for hire, unless the owner of such taxicab shall have first obtained and shall have then

in force a vehicle permit issued under the provisions of this division. Such permit shall be the property of the city, and shall be carried and displayed in a conspicuous place in the taxicab.

Sec. 9-12-72 - Application.

- (a) An application for a vehicle permit under this division shall be made in writing under oath on forms provided by the city manager; shall be filed with the hack inspector and shall contain at minimum the following information:
- (1) full name of the applicant;
 - (2) applicant's current address;
 - (3) make, model and year of the vehicle;
 - (4) description of the insurance policy covering the vehicle; ~~and~~
 - (5) proof that the vehicle displays a valid state inspection decal and a valid state registration decal.
- (b) The application shall state thereon that "It is unlawful for any person to make a false statement on this application and discovery of a false statement shall constitute grounds for prosecution or denial or revocation of this vehicle permit."

Sec. 9-12-73 - Charges for vehicle permit.

The fees and charges for an application for, and for the issuance and renewal of, a vehicle permit shall be established by regulation, and no application shall be filed, and no vehicle permit issued or renewed, unless and until such fees and charges shall have been paid.

Sec. 9-12-74 - Issuance of permit; inspection of vehicle.

~~Upon receipt of an application for a vehicle permit, the hack inspector shall make or cause to be made an inspection of the vehicle. If the hack inspector finds that the vehicle complies with the provisions of this division and with the regulations promulgated pursuant to this article, the hack inspector shall issue a vehicle permit for such vehicle. If the vehicle is found by the hack inspector not to meet the requirements, the hack inspector shall notify the applicant of all defects which must be remedied for the permit to be issued. If the defects are not corrected on re-inspection, the application for a vehicle permit shall be denied.~~

Sec. 9-12-75 - Information to be shown on permits.

Each vehicle permit issued pursuant to this division shall contain at minimum the following information:

- (1) vehicle permit number;
- (2) name of the certificate holder under whose certificate the vehicle will be operated;
- (3) name of the owner;
- (4) expiration date;
- (5) year, make, model and vehicle identification number (VIN);
- (6) make and serial number of taximeter; and
- (7) the fact that the permit is issued subject to the provisions of this article and may be suspended or revoked if the provisions of this article are violated.

Sec. 9-12-76 - Expiration of permit.

All vehicle permits issued under this division shall expire one year from the date of issuance, unless sooner suspended or revoked. Vehicle permit issuance shall be coordinated with the ~~vehicle and~~ meter inspection schedule promulgated by the hack inspector. A vehicle permit shall be suspended by operation of law in the event that the state inspection or the state registration of the vehicle expires during the pendency of the vehicle permit. In such an

event, the vehicle permit shall be reinstated by operation of law once a new state inspection or a new state registration is obtained.

Sec. 9-12-77 - Renewal of permit.

A vehicle permit may be renewed, provided the applicant follows the procedure set forth for original applications. The renewed permit shall expire one year from the date of issuance.

Sec. 9-12-78 - Permit nontransferable before inspection.

- (a) A vehicle used as a taxicab may be transferred to a new owner, either for use as a taxicab or otherwise. However, if the vehicle is to be used as a taxicab by the new owner, the vehicle permit may not be transferred to the new owner unless and until the hack inspector has ~~inspected the vehicle and~~ determined that the vehicle complies with all requirements for a new permit. Such ~~inspection~~ determination shall be ~~conducted~~ made within a reasonable period of time.
- (b) If a vehicle ceases to be used as a taxicab, the permit for that vehicle shall forthwith be surrendered to the hack inspector, and a new permit applied for and obtained for the replacement vehicle, if any.

Sec. 9-12-79 - Suspension of permits.

- (a) ~~The chief of police or the~~ hack inspector shall have the power to suspend a vehicle permit for a period not to exceed five days for one of the following causes:
 - (1) failure to maintain the taxicab in good order and repair.
 - (2) violation of the requirements set forth in section 9-12-81 of this division.
- (b) ~~The chief of police or the~~ hack inspector shall have the power to suspend a vehicle permit until such time that the vehicle is safe to operate if the vehicle is found to be in violation of section 9-12-80 of this division.
- (c) ~~The chief of police or the~~ hack inspector shall have the power to suspend a vehicle permit until such time that the vehicle is insured as required by section 9-12-6 of this article.
- (d) In addition to the foregoing, any vehicle owner or driver who violates section 9-12-80 or 9-12-81 shall be guilty of a class two civil violation.

Sec. 9-12-80 - Vehicles to be in safe condition.

Every taxicab and the equipment used in connection therewith, subject to a vehicle permit pursuant to this division, shall be kept at all times in proper and safe mechanical and operating condition to the satisfaction of the hack inspector.

Sec. 9-12-81 - Requirements for vehicles.

Every taxicab and the equipment used in connection therewith, subject to a vehicle permit pursuant to this division, shall at all times comply with the following minimum standards set by regulation. ~~Every taxicab shall be equipped with a taximeter in compliance with section 9-12-131.~~

- (a) ~~Vehicles to be clean.~~ All taxicabs shall at all times be kept clean and sanitary to the satisfaction of the hack inspector.
- (b) ~~Ventilation of vehicles; lights.~~ Every taxicab shall be equipped with properly functioning heating, air conditioning and windows and passenger cabin lights.
- (c) ~~Body types of vehicles; seating capacity.~~ Every taxicab shall be of a vehicle type approved by regulation with four doors, at least two seats and not less than five passenger capacity; provided, however, that any taxicab, otherwise in compliance with the provisions of this article may, upon the written application to and approval of the city manager, and having only three doors, may be used to provide transportation to handicapped or otherwise physically disabled persons.

Commented [AB9]: Staff propose moving these requirements to regulations; it is shown here removed from the Code.

- ~~(d) *Shades and curtains.* No taxicab shall be equipped with shades or curtains which can shield any occupant from observation.~~
- ~~(e) *Speedometers.* Every taxicab shall be equipped with a standard speedometer, properly installed and kept in good working order at all times.~~
- ~~(f) *Rear view mirror.* Every taxicab shall be equipped with an adjustable rear view mirror, properly installed.~~
- ~~(g) *"Off duty" signs.* Every taxicab shall carry, prominently displayed on the front windshield, a sign bearing the words "off duty," whenever the vehicle is driven by an operator other than a duly licensed taxicab driver, or is transporting a nonpaying passenger, or is not in service.~~
- ~~(h) *Information to be displayed on outside of vehicle.*~~
 - ~~(1) Every taxicab shall bear on the rear thereof and on each side thereof in lettering at least three inches high the word "taxicab" or "cab."~~
 - ~~(2) The certificate number under which the taxicab is operated, clearly visible, shall be placed on the rear and on each side of each taxicab.~~
 - ~~(3) The prevailing rates of fare shall be displayed on each side of the taxicab by means of cards or stickers, furnished by the director of finance at a cost established by regulation, placed in the side rear window in such a manner as to be visible from the outside. The form, size and content of said cards or stickers shall be as approved by the hack inspector.~~
 - ~~(i) *Display of permit.* Every driver shall post his driver's permit in such a place as to be in full view of all passengers while the driver is operating a taxicab.~~
 - ~~(j) *Display light.* Every taxicab shall be equipped with a plainly visible light signal permanently affixed on the exterior of the cab of a design approved by the hack inspector, which signal shall be turned on and exhibited at all times when the taxicab is on duty and available for hire.~~
 - ~~(k) *Two way communication.* Every taxicab shall be equipped with a means of wireless two way communication, properly installed and kept in working order at all times. Such means of communication shall be operated in compliance with all applicable regulations of the Federal Communications Commission. Each unit will have the ability to conduct a two way conversation with the taxicab dispatcher.~~
 - ~~(l) *Age of vehicles.* Except for hybrid or alternative fuel vehicles, no vehicle permit shall be issued for a taxicab that is older than 10 model years. No vehicle permit shall be issued for a hybrid or alternative fuel taxicab that is older than 12 model years.~~
- ~~(m) *Taximeters.* Every taxicab shall be equipped with a taximeter in compliance with section 9-12-131.~~

Secs. 9-12-82 through 9-12-110 - reserved.

DIVISION 5 - Taxicab Stands

Sec. 9-12-111 - Establishment of stands.

The board may establish taxicab stands at such places as it deems necessary for the public convenience. The board's may act on its own motion or on the written application of any abutting owner, after a public hearing and 15 days' notice to the public and to the owner of the property abutting and across the street from the proposed taxicab stand. No stand shall be established which would tend to create a traffic hazard or aggravate an already existing hazard.

Sec. 9-12-112 - Abolition of stands.

- (a) The board may, after notice and public hearing, abolish any taxicab stand which in its opinion is either:
 - (1) no longer necessary for the taxicabs or for-hire vehicles using it;
 - (2) no longer in the best interest of the public convenience;

Commented [AB10]: Staff propose moving these requirements to regulations; it is shown here removed from the Code.

- (3) creating an unduly hazardous traffic condition; or
- (4) adversely affecting nearby property or the occupants thereof.

(b) The action of the board shall be final.

Sec. 9-12-113 - Doing business on street at other than duly established stands.

It shall be unlawful for any owner or driver of a taxicab or certificate holder to use as a place of business any parking meter space in the city or any portion of a street except at an authorized stand. For the purpose of this section, the actual transportation of passengers and the loading and unloading of passengers shall not be construed as doing business, but parking or standing while waiting for fares, calls, or dispatch shall be construed as doing business.

Sec. 9-12-114 - Use of stands.

- (a) Except as provided in section (b), vehicle stands shall be used only by on duty drivers authorized to perform taxicab services by this article.
- (b) Any person shall have the right to stop temporarily in any taxicab stand for the purpose of discharging or receiving passengers or for loading or unloading merchandise, and the owner or occupant of the abutting property shall have reasonable right of ingress and egress, but no person other than the driver of a taxicab authorized to use such stand shall park therein.

Sec. 9-12-115 - Drivers to attend and keep near vehicles at stands.

Drivers of taxicabs parked at any taxicab stand, shall at all times keep their taxicab attended and remain within 20 feet of their taxicab.

Secs. 9-12-116 through 9-12-130 - reserved.

DIVISION 6 - Fares

Sec. 9-12-131 - Taximeters.

- (a) All taxicabs shall be equipped with taximeters fastened in front of the passengers, visible to them at all times day and night; and, after sundown, the face of the taximeter shall be illuminated. Such taximeter shall be approved in advance by the hack inspector, operated mechanically or electronically and accurately track the movement of the vehicle via GPS or other commercially reliable means, as approved by the hack inspector in consultation with the director of T&ES. It shall be inspected and certified by the hack inspector at an annual cost determined by regulation for each meter, at all points and connections which, if manipulated, would affect its correct reading and recording. Each taximeter shall be equipped with a mechanism or display which indicates when the vehicle is engaged and when it is not engaged; and the driver shall actuate the taximeter at the commencement of each trip and stop the taximeter at the termination of each trip. Any taximeter shall be subject to inspection upon demand by the hack inspector, or any police officer, and if the taximeter is determined to be inoperative or inaccurate, the taxicab shall cease to be operated until the taximeter is repaired, inspected and certified by the hack inspector.
- (b) When any taxicab is operated pursuant to a contract as permitted under section 9-12-133, any provision of this section in conflict with the terms and conditions of such contract shall not apply.

Sec. 9-12-132 - Amount of fare to be charged.

- (a) The rates to be charged to passengers in taxicabs shall be as follows. It shall be unlawful to make any greater or lesser charge:
 - (1) For the initial meter charge, \$3.
 - (2) For the second and for each additional passenger who is five years of age or older, \$1.25.

- (3) For the first one-sixth of a mile traveled and each one-sixth mile or fraction thereof thereafter traveled for one or more passengers, \$0.36.
 - (4) For each one hour of waiting time for one or more passengers, \$25. The incremental cost of this charge shall be \$0.36 for each 52 seconds. Waiting time shall include time consumed while the taxicab is waiting and available to passengers beginning three minutes after the scheduled time of arrival at the place to which it has been called, time consumed while the taxicab is stopped or slowed for traffic to a speed of less than seven miles per hour and time consumed for delays or stopovers en route at the direction of a passenger. There shall be no charge for mileage when time is being charged for a taxicab that is stopped or slowed for traffic to a speed of less than seven miles per hour. Waiting time shall not include time lost on account of the inefficiency of a taxicab.
 - (5) For any item placed in the cab trunk or rear of the vehicle, \$0.50 if handled by the driver. The maximum charge for all such items shall be \$7.
 - (6) (Reserved)
 - (7) (Reserved)
 - (8) For each animal, \$2. There shall be no charge for guide dogs or service animals assisting persons with disabilities.
 - (9) For each trip originating at Ronald Reagan Washington National Airport, the airport fee shall be added to the fare for the trip.
 - (10) Taximeter fares shall be increased by \$5 during any period in which a snow emergency declaration of Level 2 or Level 3 has been made by the city manager or his designee, or in the event that the director of transportation and environmental services determines that driving conditions in the city are, or are reasonably expected to become, unduly hazardous due to the accumulation of snow, sleet or ice on the streets, regardless of the declaration of a snow emergency or the level thereof. The transportation division of the department of transportation and environmental services will notify each taxicab company by telephone of the exact time any such taximeter fare increase is to go into effect and the exact time that such fare increase is terminated.
 - (11) Taximeter fares may be increased by a surcharge authorized by the city manager, in the event that the city manager determines that a sudden increase in the cost of gasoline requires a surcharge to maintain stability in the provision of taxicab services in the city and to prevent the gas cost increase from having a serious adverse financial impact on the drivers of taxicabs. The surcharge shall continue in effect for such period, not to exceed one year, as the city manager shall determine, but may be terminated sooner if the manager determines that the surcharge is no longer warranted. The determination of the city manager shall be based on information provided by taxicab companies, and from such other sources as the city manager deems appropriate. The transportation division of the department of transportation and environmental services will notify each taxicab company in writing of any such surcharge. Such notice shall indicate the amount of the surcharge, and the period during which such surcharge shall be permitted. A copy of such notice, shall be displayed within the vehicle in addition to the rate card required under section 9-12-134.
- (b) This section shall not apply when any taxicab is operated pursuant to a contract provided for in section 9-12-133 of this chapter.
 - (c) Nothing contained herein shall prevent a certificate holder from establishing a coupon or reward program for its customers where a discount coupon, customer loyalty certificate or some other marketing device is accepted as part of the allowed fare set forth herein.

Sec. 9-12-133 - Taxicab services and fares for elderly or physically handicapped persons, or for other specifically authorized services, pursuant to a contract between a certificate holder and the city or a nonprofit private or public organization.

Any certificate holder may enter into a contract, on an annual or semiannual basis, with the city or any nonprofit private or public organization to provide taxicab services for elderly or for physically handicapped

Commented [AB11]: Staff are considering moving these requirements to regulations or to set them via Council resolution. They are shown here to remain in the Code.

persons, or for other specific services to the general public, as specified in the contract, under a fare schedule agreed upon in the contract. Any person operating a taxicab pursuant to such a contract shall comply with all other provisions of this article. Notwithstanding the foregoing, the city is not limited to contracting with a certificate holder for the provision of transportation services for such elderly or physically handicapped persons.

Sec. 9-12-134 - Display of rate of fare by card.

- (a) Every taxicab shall have displayed in such a place within the vehicle as to be in view of passengers a rate card to be furnished by the hack inspector, at a cost established by regulation, showing the rates prescribed by this article.
- (b) The rates shall also be displayed so as to be visible from the inside and outside of the vehicle ~~as provided in section 9-12-94.~~

Sec. 9-12-135 - Refusal of passenger to pay legal fare.

It shall be unlawful for any person to ride in a taxicab with intent to obtain passenger service without paying the lawful fare under the schedule set out in section 9-12-132 or 9-12-133, whichever applies. Refusal to pay for service shall be prima facie evidence of such intent under this section.

Sec. 9-12-136 - Receipts for amounts charged.

The driver of any taxicab shall, upon request by a passenger, provide a written receipt for the amount charged, stating the name of the driver, driver's permit number, vehicle permit number, company name, amount of fare and additional charges and the date of the transaction. Such receipt shall also include the taxicab company's phone number and the hack inspector's phone number and state that complaints as to fares and services may be made to either or both the company and the hack inspector.

Sec. 9-12-137 - Carrying additional passengers when engaged.

Once a passenger has engaged and entered a taxicab for taxicab services, no other person shall be transported in such taxicab until the destination is reached without the consent of such passenger.

Sec. 9-12-138 - Carrying several passengers to different destinations.

If two or more passengers, bound for different destinations, agree to engage a taxicab for taxicab services, the fare shall be allocated as follows: whenever a passenger gets out and pays the fare, the meter shall be reset upon that passenger's departure, but when the departing passenger does not pay the fare, the meter shall not be reset and the full fare shall be paid by the last passenger delivered.

Secs. 9-12-139 through 9-12-140 - reserved.

DIVISION 7 - Dispute Resolution

Sec. 9-12-141 - Scope.

The provisions of this division shall apply to every certificate of public convenience and necessity issued under division 2 of this article; to every driver's permit issued under division 3 of this article; to every person who operates a taxicab subject to this article, and to every person who suffers, permits or allows the operation ~~under such person's color scheme, insignia or trade name,~~ of a taxicab subject to this article, from and after July 1, 2005.

Sec. 9-12-142 - Required conditions.

Every certificate of public convenience and necessity issued under division 2, and every driver's permit issued under division 3, of this article, and the right to operate a vehicle, or to suffer, permit or allow the operation of a vehicle ~~under a person's color scheme, insignia or trade name,~~ pursuant to this article shall be subject to the following terms and conditions:

- (a) The license or permission held by any person who holds a valid driver's permit under division 3 to operate a vehicle under a taxicab company's ~~color scheme~~ certificate of public convenience and necessity shall not be terminated, suspended or impaired, and such driver's right to enjoy the resources and benefits provided by such company on the same basis as other similarly situated drivers for the company shall not be terminated, suspended or impaired, except where such termination, suspension or impairment is reasonable and for good cause.
- (b) For purposes of this section, "good cause" means one or more of the causes set forth in section 9-12-58 of this code for the temporary suspension of a driver's permit by the ~~chief of police or~~ hack inspector; one or more of the causes set forth in section 9-12-60 of this code for the suspension or revocation of a driver's permit by the board, or a material failure of a driver to comply with established, written rules or practices of the company or to perform in accordance with his or her written contract with the company, after reasonable notice and an opportunity to comply or perform.
- (c) Nothing in this section shall be deemed to impair the authority of the ~~chief of police,~~ hack inspector or board under this article.

Sec. 9-12-142 - Dispute resolution procedures.

Each taxicab company may opt to have a written dispute resolution procedure as part of its agreements with its drivers, so long as such a dispute resolution procedure incorporates, at a minimum, binding arbitration pursuant to the Commercial Arbitration Rules, R-1 through R-56 of the American Arbitration Association. In the event that a taxicab company does not have an agreement with any driver incorporating such a dispute resolution procedure and said taxicab company is involved in a dispute with such a driver, then such dispute will be subject to the provisions of this section, as follows:

Disputes subject to the provisions of this division shall be subject to the following procedures:

- (a) disputes shall first be the subject of an internal grievance procedure which shall be conducted as follows:
 - (1) the aggrieved party shall submit a complaint in writing to the taxicab company within 30 days from the date of the company's action, containing a written statement of the matter in dispute and the names, addresses and telephone numbers of each party to the dispute.
 - (2) within two weeks after the submission of the written complaint, the company shall appoint a representative from within the company to hear the dispute. Such representative shall be impartial, and shall have had no direct or indirect involvement in the dispute.
 - (3) within two weeks after said appointment, the representative shall conduct an informal hearing concerning the dispute.
 - (4) both parties shall use best efforts to resolve the dispute.
 - (5) within two weeks after the hearing has been concluded, the company representative shall render a written decision.
- (b) If the dispute is not resolved through the internal grievance procedure, both parties may agree to informal or formal mediation of the dispute, pursuant to subsection (c). If the parties fail to agree to mediation, either party may elect to proceed to arbitration, pursuant to subsection (d).
- (c) Informal or formal mediation.
 - (1) within two weeks after the internal grievance procedure has been concluded, any party requesting mediation shall submit a written notice requesting mediation to all parties.
 - (2) within two weeks after such notice has been submitted, the parties may agree to an impartial person to mediate the dispute in an informal process. If the parties do not so agree, the party requesting mediation shall submit a written Request for Mediation to the American Arbitration Association (AAA). If the parties are unable to agree to mediation, either party may elect to proceed to arbitration, pursuant to subsection (d).
 - (3) a request for mediation shall contain a brief statement of the dispute, and the names and addresses and telephone numbers of each party to the dispute.

- (4) the mediator shall notify all parties of the time, date and place of the mediation.
- (5) the costs of the mediation shall be borne equally by the parties unless they agree otherwise in writing.
- (6) the mediation conducted by AAA shall be in substantial accord with the American Arbitration Association Commercial Mediation Rules, M-1 through M-17. Copies of such rules shall be available at city hall.
- (7) the mediator may end the mediation if, in the sole discretion of the mediator, the continuation of the mediation would not be useful.
- (8) the parties in mediation shall use their best efforts to resolve the issues in controversy and the mediator may execute a written settlement agreement if agreed on by the parties but may not impose a settlement on the parties.
- (d) Where neither the internal grievance procedure, nor mediation if attempted, has resolved the issues in dispute, either party may submit the matter to arbitration, which shall be binding upon the parties. Such arbitration shall be conducted as follows:
 - (1) within two weeks after the mediation process or the internal grievance procedure has been concluded, the party requesting arbitration shall submit a written notice of intent to arbitrate to all parties.
 - (2) within two weeks after such notice has been submitted, an impartial person to arbitrate the dispute shall be agreed upon by the parties, or, if the parties do not so agree, the party requesting arbitration shall submit a written request for arbitration to the American Arbitration Association (AAA) and simultaneously mail a copy of the request for arbitration to every party to the dispute.
 - (3) a request for arbitration shall contain a brief statement of the dispute, and the names and addresses and telephone numbers of each party to the dispute.
 - (4) the arbitrator shall notify all parties and their representatives, if any, of the time, date and place of the arbitration.
 - (5) the costs of the arbitration shall be borne by the party which does not prevail, unless the parties agree otherwise in writing, or the costs are otherwise apportioned by the arbitrator if there is no prevailing party.
 - (6) the arbitration, whether conducted by AAA or another arbitrator chosen by the parties, shall be in substantial accord with the American Arbitration Association Commercial Arbitration Rules, R-1 through R-56. Such rules shall be made available to all parties at the Alexandria Hack Office.
 - (7) the arbitrator may conclude the arbitration hearing if in the sole discretion of the arbitrator, continuation of the hearing would not be useful.
 - (8) within two weeks after the arbitration hearing has been concluded, the arbitrator shall render an award in writing, which shall be binding upon the parties and which may be enforced by any court having jurisdiction over the parties.
- (e) For purposes of this section, "dispute" means a disagreement between a person who holds a division 3 permit and the company under whose ~~color~~ certificate of public convenience and necessity he or she drives over whether an action taken by the company to terminate, suspend or impair such person's license or permission to drive under the company's ~~color~~ certificate of public convenience or necessity, or to terminate, suspend or impair his or her right to enjoy the resources and benefits provided by the company, on the same basis as other similarly situated company drivers, was reasonable and based upon good cause.

Sec. 9-12-143 - Penalties.

A knowing failure to adhere to the dispute resolution procedures established by this division shall constitute a class four civil violation, pursuant to section 1-1-11 of this code, and may, in addition, constitute grounds for suspension or revocation of a certificate of public convenience and necessity issued under division 2, or driver's permit issued under division 3, of this article.

Sec. 9-12-144 - Regulations.

The city manager may promulgate such regulations as deemed advisable for the administration and enforcement of this division 7.

Secs. 9-12-145 through 9-12-150 - reserved.