



December 23, 2019

Director David Do  
Department of For-Hire Vehicles  
Executive Offices Suite 3001  
2235 Shannon Place SE  
Washington, D.C. 20020

**Taxis with Open Recalls Should Not Pass a DFHV Inspection**

Dear Director Do:

The Center for Auto Safety (Center) is writing today to urge the Department of For-Hire Vehicles (DFHV) to prohibit vehicles with unrepaired federal safety recalls in your jurisdiction from carrying passengers. Taxis with open recalls endanger not only drivers and passengers but also other road users, pedestrians, and cyclists. Vehicles are only recalled when there is a safety defect or a violation of a federal regulation. Recalls are never undertaken for cosmetic reasons, yet potentially thousands of District residents and visitors are unknowingly exposed every day to these deadly risks. Taxis are regulated by your Department, and consumers presume that your oversight protects them from the safety risk of recalled vehicles.

The Center, the nation's premier independent, non-profit consumer advocacy organization dedicated to improving vehicle safety, quality, and fuel economy, makes this request on behalf of our members and all drivers, passengers, and pedestrians who live in, or visit, the District of Columbia. The DFHV could easily address the unnecessary risk faced by consumers by suspending taxis whose inspection report shows open recalls. Anything less than such a requirement is willful neglect when it comes to the safety of your drivers and passengers.

We urge the DFHV to immediately take regulatory and enforcement steps to require all recalls be fixed prior to accepting passengers. There is no additional cost to determine whether a vehicle has open recalls, since the District of Columbia Department of Motor Vehicles (DC DMV) already includes recall information on its inspection reports.<sup>1</sup> Because passengers in taxis are not the vehicle owners, passengers would not know about the open recalls noted on the inspection report. To make District taxis safe for all, fixing recalled taxis must be required before they put unsuspecting passengers' lives at risk. Under D.C. Code § 50-301.07(c), the DFHV has the authority to "[e]stablish any rule relating to the regulation and supervision of the public vehicle-for-hire industry . . . so long as the rule is consistent with [other duties] and related to the

---

<sup>1</sup> *District Residents Provided With Recall Information on DC DMV Inspection Report*, D.C. DEP'T OF MOTOR VEHICLES (May 25, 2017), <https://dmv.dc.gov/release/district-residents-provided-recall-information-dc-dmv-inspection-report>.

furtherance and protection of the public interest in public vehicle-for-hire transportation,” and under D.C. Code § 50–301.13(a), “The DFHV may issue any reasonable rule relating to the supervision of public vehicles-for-hire it considers necessary for the protection of the public.” We believe the DFHV already has the authority to determine that fixing recalled taxis is “related to the furtherance and protection of the public interest” and to direct owners with a recalled vehicle to either fix the recalls or remove their vehicle from service.<sup>2</sup>

We also recommend making the recall-free requirement explicit and prominent on the DFHV’s website and other safety materials. Such a requirement is something the DFHV should be promoting, because maintaining a taxi fleet free from open recalls is a safety feature that attracts customers. Further, such a requirement could help the taxi industry stay competitive with rideshare companies such as Uber and Lyft, neither of which requires their vehicles to be repaired when under recall, a safety lapse which continues to place their drivers, customers, and everyone on the road at risk.

Today, there are over 70 million cars with open recalls across the country, including vehicles with exploding Takata airbags causing at least 24 deaths and General Motors vehicles with faulty ignition switches causing at least 124 deaths. As for District taxis, WUSA9 recently reviewed around 5,400 vehicle identification numbers (VIN) affiliated with District taxis and found one in six taxis has open recalls, with issues such as exploding airbags that could "send shrapnel flying," faulty ignition switches, and steering wheels that may detach.<sup>3</sup>

In conclusion, taxis with open recalls pose a serious safety risk for everyone in the District. Because taxi owners may be resistant to removing vehicles out of service due to potential lost income while the vehicles are being repaired, it is the statutory and moral responsibility of the DFHV to direct these repairs be made for everyone’s safety. The Center for Auto Safety urges the DFHV to take decisive actions and require District taxis to not be on the road with open recalls.

Thank you for your attention to this important matter,

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Levine". The signature is fluid and cursive, with a large loop at the end of the last name.

Jason Levine  
Executive Director  
Center for Auto Safety

---

<sup>2</sup> See also 31 DMCR § 608.4 (“No person shall drive, move, or permit the operation or use of any taxicab which is mechanically unsafe, improperly equipped, or otherwise unfit to be operated . . .”).

<sup>3</sup> Whitney Wild, *1 in 6 DC Taxis Have Open Recalls and Warnings are Regularly Ignored*, WUSA9 (May 9, 2018), <https://www.wusa9.com/article/news/local/dc/1-in-6-dc-taxis-have-open-recalls-and-warnings-are-regularly-ignored/65-548809101>.