

District of Columbia Taxicab Commission Accessibility Advisory Committee

BYLAWS

Adopted July 30, 2014

PREFACE

In DC, taxis and other forms of demand responsive service and systems provide important transportation alternatives. However, according to a 2002 study by the U.S. Bureau of Transportation Statistics, “Four times as many disabled people as nondisabled people lack suitable transportation options to meet their daily mobility needs.” In response to a growing awareness of this disparity and the need to provide universal access to demand responsive transportation, the DC Council formed the District of Columbia Taxicab Commission (DCTC) Disability Taxicab Advisory Committee.

Of the approximately 7,000 taxis, there are only 20 wheelchair accessible taxis in DC, as of January 2014. This is equivalent to about $\frac{1}{4}$ of 1 percent of the taxis in the District. There are no wheelchair accessible vehicles provided by transportation network companies (TNCs). These low numbers are a significant barrier to transportation for many individuals with disabilities that live, work in, and visit the District. As if this scarcity of accessible public vehicles-for-hire were not enough there is an additional barrier in getting taxis to provide service to individuals with disabilities.

On July 10, 2012 the District of Columbia Council passed the DC Taxicab Service Improvement Amendment Act of 2012 (DC Taxi Act). Section 20f of the Act recognized the need to address accessibility for individuals with disabilities, and required the DCTC to establish a Taxicab Advisory Committee (the Committee) to advise on:

- (A) The legal requirements for providing accessible demand responsive service,
- (B) The need for accessible demand responsive service in the District
- (C) How other jurisdictions are providing accessible demand responsive service and their applicability to the District of Columbia’s needs,
- (D) A timetable and plan to rapidly increase the number of accessible demand responsive services to meet the need of accessible demand responsive services in the District;
- (E) A description of the types of grants, loans, tax credits, and other financial assistance and incentives that could be provided to demand responsive service companies, associations, and operators to offset the cost of purchasing, retrofitting, maintaining, and operating accessible demand responsive services;
- (F) A recommended package of grants, loans, tax credits, or other types of financial assistance and incentives that could be provided to demand responsive service companies, associations, and operators to offset the cost of purchasing, retrofitting, maintaining, and operating accessible demand responsive services;
- (G) The means by which the District can achieve a fleet of 100% wheelchair-accessible demand responsive services; and
- (H) A proposed timeline and plan, including an analysis of the feasibility, costs, and benefits, for requiring all new demand responsive services to be wheelchair-accessible when replacing old demand responsive services that are removed from service.

Under the DC Taxi Act, the Committee was tasked with producing a comprehensive report and making recommendations to the Mayor and to the Council on 8 specific issues regarding accessible taxi service. The original membership was composed of representatives from the DC Office of Disability Rights; the Office of Human Rights; the Commission on Persons with Disabilities; DC taxicab companies, associations, and operators; the Office of the Chief Financial Officer; disability advocates; and the DC Taxicab Commission. Half of the Committee is comprised of members or representatives of the disability advocacy community. The full Committee has met 18 times between January 2013 and August 1, 2014.

The Committee's first report was made available to the public and posted on the DCTC web page February 2014 at <http://dctaxi.dc.gov/page/disability-advisory-committee>.

The Committee will continue to stand and to transmit its annual report to the DCTC Chairman and Commissioners, the Mayor and the DC Council, offering its suggestions on how to improve demand responsive service for individuals with disabilities in the District of Columbia. The Committee hopes that, with input from disability advocates, the demand responsive industry, and interested parties, DC will achieve a taxi fleet that is accessible to all.

The following Bylaws will serve to facilitate the orderly conduct of the Committee's business.

ARTICLE I NAME OF THE COMMITTEE

The name of the advisory group shall be the District of Columbia Taxicab Commission Accessibility Advisory Committee, and may be referred to as "DCTC AAC."

ARTICLE II MISSION

A. MISSION STATEMENT

The DCTC AAC is an advisory committee that provides annual and as-needed progress reports and recommendations on achieving 100% accessible service provision in demand responsive transportation and systems to the DCTC Chairman and Commissioners, the DC Mayor and Council. Each report and each meeting's minutes will be posted to the DCTC'S website.

- 1) The mission of the DCTC AAC is to actively seek input from a broad range of persons with disabilities, seniors, organizations with an expressed interest in ensuring accessibility, and others that may benefit from accessible demand responsive transportation services and systems on: operational issues, funding mechanisms, service provisions, including training, and new technologies. The DCTC AAC will educate itself and report on any issues that affect the accessibility of demand responsive transportation services; advise the DCTC, Mayor and Council on ways to resolve such issues; promote DCTC responsiveness to passengers who are persons with disabilities or seniors; and recommend possible solutions to the DCTC Chairman, commissioners and staff, based on public input, so that DCTC can effectively address the diverse concerns of seniors and persons with disabilities who use or would like to use demand responsive services in the District. The DCTC AAC supports open decision making.

- 2) The mission of the DCTC AAC is in line with the DC Human Rights Act (DCHRA) which prohibits discrimination on the basis of 19 classes, including disability. The intent of the Council in passing the DCHRA was to “secure an end in the District of Columbia to discrimination for any reason other than that of individual merit, including...discrimination by reason of...disability.” D.C. Code § 2-1401.01. Regarding public accommodations, the DCHRA prohibits any individual to “deny, directly or indirectly, any person the full and equal enjoyment of the goods, services, facilities privileges, advantages and accommodations of any place of public accommodations.” Demand responsive transportation services are considered public accommodations under the DCHRA.

B. GOALS OF THE DCTC AAC

- 1) To submit an annual report to the Chairperson, Mayor, and DC Council on the provision of accessible demand responsive transportation service and recommendations towards increasing provision of such service to all in the District. The report will include, at a minimum, requirements laid out by the DC Council and agreed upon by the DCTC AAC.
- 2) The DCTC AAC will work with the Chairperson and DCTC staff each year to develop additional items for the DCTC AAC Annual Work Plan that captures accessibility items on which DCTC is seeking advice from the DCTC AAC. The work plan will address itself to accessibility related operating items. The Chairman will transmit that work plan to the Commissioners;
- 3) To work with the DCTC staff to assist in developing a list of candidates to become DCTC AAC members for the approval by the Advisory Council and the Membership Subcommittee;
- 4) Encourage awareness by seniors and persons with disabilities and all District residents of the DCTC AAC and the opportunities that it provides to make their voices heard;
- 5) Seek input from a broad range of DCTC riders who are seniors, persons with disabilities, or those who would benefit, on accessibility related items;
- 6) Promote meaningful public participation in DCTC and DC Council decision-making processes on accessibility related items;
- 7) Encourage an open decision-making process by DCTC that clearly reflects the needs and concerns of DCTC riders who are seniors and persons with disabilities or others who would benefit from 100% accessible service;
- 8) Support improvements in the accessibility of DCTC's services;
- 9) Aim for a high level of rider satisfaction with DCTC; and
- 10) Strive for a high level of public confidence in DCTC.

C. RESPONSIBILITIES

The DCTC AAC shall serve in an advisory capacity providing recommendations to the DCTC, DC Council and Mayor and may work with staff to:

- 1) Educate themselves about demand responsive transportation services and the administrative process, as they relate to providing accessible transportation by taxi, public vehicle for hire, TNC or alternative transportation source;
- 2) Review, analyze, and prepare recommendations on issues that relate to the provision of accessible demand responsive transportation service;
- 3) Attend, listen, and speak at community meetings to better learn and represent passengers' perspectives;
- 4) Develop recommendations which take into consideration the accessibility needs of people who use demand responsive transportation and that consider the financial impacts of different solutions on both passengers, drivers, company owners, and the District;
- 5) Assist DCTC in soliciting consumer comments on pending DCTC regulations;
- 6) Assist DCTC to publicize DCTC programs and information affecting the transportation of customers who are seniors or who have disabilities, or would benefit from increased accessible service;
- 7) Execute and adhere to a DCTC AAC Standards of Conduct Policy;
- 8) Establish annual goals for the DCTC AAC;
- 9) Interact with any additional advisory councils or relevant DCTC panels or committees;

D. COMMUNICATION WITH DCTC and Council

To ensure communication of activities with the DCTC Chairman, Commissioners, staff and DC Council, the DCTC AAC will ensure that minutes of its monthly meetings are posted to the website. The DCTC AAC will report to the DCTC Chairman, Commissioners, and Council when requested or deemed necessary by the DCTC AAC.

ARTICLE III MEMBERSHIP

A. COMPOSITION

- 1) The term General is used to define the class of membership that includes all others and those, who hold no office, but may discuss issues and vote on them. Members may be considered for selection to workgroups or subcommittees, as long as they meet any other criteria.
- 2) The general membership of the DCTC AAC shall consist of continuing members of the DCTC Disabilities Advisory Committee created July 10, 2012 as part of the DC Taxi Act. These members were initially sought when DC administrators reached-out to organizations with interest in transportation accessibility in DC. Each organization was asked to put forward candidates for the DCTC AAC. Self-advocates were also sought.

- 3) The DCTC AAC shall consist of 25 voting members. Voting members include one representative each from the DC Office of Human Rights, the DC Office of Disability Rights, the Mayor's Commission on Persons with Disabilities, and the DC Office of the Chief Financial Officer; 8 voting members from the public vehicle for-hire industry, including taxis and TNC's; and 13 representatives from the disability and older adults communities. The Chair, in consultation with the Advisory Council and the Membership and Outreach Subcommittee, is bestowed with the authority to propose modifying the profile of the membership.
- 4) New membership applications will be considered based on the member's understanding and experience with activities that support or are related to the goals of the DCTC AAC. New members must have attended two (2) meetings before having made the decision to join. It is not a prerequisite that the potential new member be a resident of the District of Columbia, but residence may be a favorable factor. All who are eligible for membership must have a material interest in demand responsive ride services.
- 5) An advisory council of respected local disability and senior organizations will be established. The council will vet membership applications to ensure a broad range of stakeholders and perspectives. Membership on the Advisory Council shall be open, though limited to organizations with an interest in the rights of members of the disability and older adult communities in the District. Interested organizations shall contact the DCTC to become members of the Advisory Council.
- 6) All new membership applications will require both initial approval of the Membership and Outreach Subcommittee and at least three quarters of the General Committee members which must include the Chair.
- 7) Fifty percent plus one of the Committee will be comprised of members or strong advocates of the disability and older adults' communities. Members may include individuals with disabilities, advocates, caregivers, or family members. Older adults are welcome and one group to which we will reach-out.
- 8) Honorary, Emeritus, and/or ex-officio members may also be appointed by grant of the Chair, for reasons that enhance the Committee's "wealth". These members may comprise representatives of the demand responsive transportation industry who hold a monetary contract with the DCTC and have a conflict of interest. As defined in the Standards of Conduct, Article III for the DCTC AAC.
- 9) Honorary and ex-officio members are non-voting members

ARTICLE IV TERMINATION OF MEMBERSHIP

A. RESIGNATION

- 1) Members may resign by filing a written resignation with the Chair

- 2) A member's appointment to the DCTC AAC may be terminated upon an affirmative vote of the majority of members. A member's appointment to the DCTC AAC shall be terminated upon an affirmative determination that a member:
 - a. Has attended no regular meetings for three consecutive months or has missed two-thirds of the regular meetings within a six-month period.
 - b. At the time of appointment, materially misrepresented the DCTC AAC's actions or objective.
 - c. Engaged in a consistent pattern of disruptive behavior in DCTC AAC meetings which includes use of slurs, derogatory comments, or any other conduct, whether physical, verbal or written directed at another person or based upon another person's race, color, origin, sex, religion, sexual orientation, disability, or age.
- 3) The Chair will notify the member of the membership termination action and, at the discretion of the Officers, may then appoint a new member to serve the unexpired term of the terminated member.
- 4) **OBJECTION TO TERMINATION ACTION**

If the member that is being considered for termination believes they have not transgressed any rules, they have the right to present to the Advisory Council. If the Advisory Council is unable to reach a two-thirds decision, the membership should be assembled, both sides should make their presentations and a majority vote would determine the outcome.

ARTICLE V OFFICERS

A. CHAIR

The membership of the DCTC AAC will annually elect a Chairperson from its membership. The Chair must have been a member for the preceding term (or demonstrate knowledge of activities from the preceding term). The Chair shall be a strong advocate. The Chair must be without financial interest in increasing the numbers of accessible taxis.

- 1) It is the Chair's overall duty to support the DCTC AAC's Mission Statement. Within the context of the mission statement and this Committee's bylaws, the DCTC AAC Chair will oversee the development of an annual agenda, lead meetings and keep order within the corpus and the activities designated for it. (The Chair confers Committee activities onto members, to maintain order). The Chair represents the DCTC AAC by signing official communications of the DCTC AAC.

B. DEPUTY CHAIR

After the membership of the DCTC AAC confers one of the members will agree to serve as the Deputy Officer of the DCTC AAC. The Chair will select this member. If the membership is unable to decide, the Chair shall call for an election. The Deputy Chair shall be a strong advocate. The Deputy Chair must be without financial interest in increasing the numbers of accessible taxis.

C. The Deputy Chair shall serve an annual term that overlaps the Chair's term. In the absence or inability of the Chair to serve, for purposes of succession the individual next in line shall be the Deputy Chair. This individual shall have all of the powers and shall perform all of the duties of the Chair in an acting capacity.

D. EXECUTIVE COMMITTEE

The membership will assemble an Executive Committee (EC). The Executive Committee shall be composed of the Chair and no less than four or no more than six DCTC AAC members. Members of the Executive Committee need only be willing to participate in meetings and do the work required. Should the membership fall below four, the remaining members will select and issue invitations to members of the DCTC AAC. Failing the ability to recruit new DCTC AAC members, a broader based search will be conducted.

1) This Committee will measure performance issues in the context of the Mission Statement or the functioning of the DCTC AAC. The Executive Committee shall be responsible for constituting subcommittees or deliberating on issues of policy. Subcommittees may be created to address a one-time issue or may be established as permanent groups to address a regularly occurring activity. Policy is understood as being more detailed guidelines for the conduct of the DCTC AAC and its members.

2) The Annual Report Subcommittee and the Membership and Outreach Subcommittee, as the bylaws remark, have the status of a standing committee, however either committee may be dissolved and reconstituted as required. All committees of the EC are subject to this same property.

3) The EC shall lead the DCTC AAC's effort in succession planning. The DCTC AAC is culpable for furthering accessibility in demand response transportation under its purview. We are culpable for capable leadership. It is in the interest of the EC to ensure that leadership and the practice of good leadership be at hand for the Chair and the Deputy Chair. As necessary, this Executive Committee produces summary recommendations or other reports as requested.

4) STAFF SUPPORT

The DCTC will make appropriations necessary to hire a staff person or make a satisfactory person available to take notes during meetings, and prepare meeting notices, agendas, and other materials as required. The DCTC and the DCTC AAC shall reach a written understanding regarding materials' availability.

5) ADDITIONAL OFFICERS

Comprised of members, officers shall be elected to hold office that gives them the Committee's authority to conduct designated acts on the behalf of the Committee.

E. TERMS OF OFFICE

The term for each member of the DCTC AAC shall be renewed annually.

1) Terms shall commence in April and October, ideally with half membership being sworn in during April and the other half in October

- 2) Members may be considered for reappointment at the end of their term through the established selection process. The selection process shall consider the value of retaining historical knowledge as well as the value of new ideas.
- 3) Persons presently serving on the AAC will complete their current terms of office thereby continuing the staggered terms of office and thereby providing continuity of experience.

ARTICLE VI MEETINGS

A. REGULAR MEETINGS

All regular meetings of the AAC shall be held at least once a month, in accordance with Robert's Rules of Order, or a process agreed upon by the EC, and these bylaws. Meeting agendas shall be posted on the Committees page of the DCTC website. Meetings will be open to the public, held in a location accessible to people with disabilities, and within the Transit Zone. Materials will be made available in accessible formats by the DCTC upon request. The public may request unrestricted materials, with the understanding that they may be responsible for materials' costs (*e. g.* Disks or paper and the cost of reproduction).

B. The Chair may cancel a regularly-scheduled meeting at any prior meeting by a two-thirds affirmative vote of members present at a prior meeting where a quorum is present. The Chair, in consultation with the EC may reschedule or cancel a meeting due to an emergency situation, as may be determined by the Chair and EC. Notice shall be provided to the public of the cancellation or, if rescheduled, notice shall be provided to the public of the new meeting date. If there is an emergency that affects the District of Columbia government, the Committee will follow the actions of the DC government, as announced by regular emergency channels.

C. At least 72 hours prior to a regular meeting, an agenda must be posted which contains a brief general description of each item to be transacted or discussed at the meeting. Members of the public have the right, and should be solicited by the DCTC AAC, to attend and directly address the DCTC AAC on any item on the agenda that is within its subject matter, before or during the consideration of the item.

D. SPECIAL MEETINGS

Special meetings may be called by the DCTC AAC Chair when in the opinion of the Chair, the business of the AAC requires it, or by the request of a majority of the AAC membership. Notice for special meetings will conform to the requirements of notice for regular meetings.

E. QUORUM

A majority of the appointed members of the DCTC AAC (50 percent of the membership, plus one) must be present in order to constitute a quorum necessary for the transaction of the business of the DCTC AAC. No decision of the AAC shall be valid unless a majority of members present and voting concur by their vote.

ARTICLE VII

AGENDA, MINUTES AND RULES OF CONDUCT

A. AGENDAS

The DCTC AAC Chair, with the support of DCTC staff, will prepare an agenda for regular meetings. Members approve the agenda by vote as part of the meeting proceedings. Members may contact the Chair to have items put on the agenda. Also, each meeting agenda calls for members to put items on future agendas.

- B. The DCTC AAC staff liaison shall be responsible for distributing the final agenda and preparing or compiling the associated agenda materials for each meeting. Agenda materials shall normally be mailed or emailed, based on member preference, to members one week prior to each meeting.

C. MINUTES

Minutes of each DCTC AAC meeting shall be prepared by the DCTC AAC staff liaison and distributed to members, the Chairman, and the Commissioners, together with the agenda in advance of the next meeting. Committee members will review minutes in advance of the meeting in order to accept or propose edits to the minutes at the start of each meeting.

D. RULES OF CONDUCT

All regular and special meetings of the DCTC AAC shall be conducted in accordance with these bylaws and with the most current edition of Robert's Rules of Order, or a process agreed upon by the EC. In case of conflict, these bylaws shall take precedence over Robert's Rules of Order or the process agreed upon by the EC and noted in minutes. The following rules will be followed:

- 1) **Chair Responsibility:** The AAC Chair is responsible for the orderly conduct of the meeting. Every member desiring to speak shall address the Chair, and upon recognition by the Chair, shall speak only to the question under debate.
- 2) **Representation:** Representation of positions on issues shall conform to the following principles:
 - a. No member of the DCTC AAC shall misrepresent the position of the DCTC AAC on any issue, including the absence of any formal position on an issue, in any communication with the general public, including the media.
 - b. No member of the DCTC AAC shall be seen as representing any position of the DCTC to the general public, including the media, without first having been so authorized by the Board of Directors.
 - c. No member of the DCTC AAC shall be seen as representing any position of the DCTC AAC to the general public, including the media, without first having been so authorized by the DCTC AAC Executive Committee.
 - d. Every member is free to express individual opinions, after making a good faith effort to label his/her comments as such, to the general public including the media on any topic that the member chooses to address.

- e. Meetings shall be open to the public but closed to public participation in meeting discussions and votes. There shall be time set aside at the close of each meeting for up to 6 members of the public to make a brief 5 minutes statement. Members of the public wishing to address the DCTC AAC must contact the Chair or staff liaison one week prior to the meeting to indicate their interest. The Chair may call for a special meeting to hear public statements if there are more than 6 members of the public who wish to address the committee.
- f. Regular meetings shall be open to members of the press.

**ARTICLE VIII
SUBCOMMITTEES**

- A. The DCTC AAC will maintain two subcommittees to assist with completion of its work. Those subcommittees are the Annual Report Subcommittee, and the Membership and Outreach Subcommittee. These subcommittees will operate according to the requirements of these bylaws and Robert's Rules of Order, or other agreed upon process, as revised from time to time.
- B. Membership in these subcommittees shall be open to all members of the DCTC AAC. The DCTC Chair shall designate an individual to convene and conduct the meetings of the subcommittee until such time as the subcommittee membership selects a person to chair the subcommittee from among its membership.
- C. Notice for DCTC AAC and special DCTC AAC meetings shall be provided to all DCTC AAC members and the public in accordance with the procedures for notice of regular meetings of the DCTC AAC.

**ARTICLE IX
BYLAWS AMENDMENTS**

- A. The bylaws may be proposed for amendment or repeal by a motion that is made, seconded, and passed by a two-thirds (2/3) vote of regular members at any regular meeting. The 2/3 vote shall be based on the number of persons currently holding appointments to the DCTC AAC whether present at the meeting or not. Written and oral notice of the proposed amendment must be given at the prior regular monthly meeting to all members. The notice must contain both the original language and the proposed amending language to the bylaws. The proposed bylaws change will be made final upon approval by the Executive Committee. Any bylaw may be altered, amended or annulled at any time by a majority vote of the Executive Committee.

**ARTICLE X
TERM OF AAC**

- A. The EC will periodically review the operation of the DCTC AAC and may modify its composition, structure or bylaws. Such review shall occur at the beginning of the District's fiscal year in 2015 and 2016, then no less frequently than every three (3) years. The bylaws shall be reviewed in the event of a DCTC dissolution or District transit agency reorganization.

STANDARDS OF CONDUCT FOR MEMBERS OF THE AA

ARTICLE I INTRODUCTION

- A. Purpose: These Rules and Procedures are intended to implement a set of ethical standards for members of the DCTC AAC.
- B. Scope and Applicability: These Rules and Procedures shall govern the conduct of all members of the DCTC AAC in all their activities relating to their positions as members of the AAC of the District of Columbia Taxi Commission.
- C. Authority: These Rules and Procedures are adopted by the DCTC AAC EC and the DCTC.
- D. Relations to Other Laws: These Rules and Procedures do not supersede or abrogate any laws, rules or regulations of the United States or of the applicable state and local governing body.

ARTICLE II DEFINITIONS

- A. "Actual or Prospective Business Relationships with the DC Taxi Commission" shall mean any actual or prospective arrangement whereby an individual, corporation or other entity has entered into or has offered or proposed to enter into or has decided to offer or propose to enter into a financial transaction with the DC Taxi Commission wherein the Taxi Commission is obligated to purchase, sell, lease, transfer, receive or convey any interest in real or personal property or to construct or obtain construction, reconstruction or improvement of any facility or to furnish or obtain services including personal and/or consulting services.
- B. "Member" shall mean a person holding a valid appointment to the DCTC AAC of the DC Taxicab Commission.
- C. "Employ" or "is to employ" shall mean actual present employment and any contact regarding future employment whether initiated by a Member or a potential employer and includes without limitation exchange of letters or resumes and telephone or personal conversations conveying or intended to imply conveyance of an offer of or request for employment together with any negotiations related thereto.
- D. "Employment" shall mean full-time, part-time, regular or temporary work for compensation and Includes work as an independent contractor, but does not include government employment. Employment shall be deemed to exist if there is a regular relationship with a business, even if there is no relationship at the time a matter is before the DCTC AAC.
- E. "Financial interest" shall mean an actual or potential expectancy of receiving a benefit in the form of money or any other thing of value.
- F. "Financial Transaction" shall mean any arrangement whereby there is an expectancy that a party will receive or transfer a benefit in the form of money or any other thing of value including, but not limited

to, arrangements for purchase, sale, lease or other transfer or conveyance of any interest in real or personal property: construction, reconstruction, or improvement of any facility or property; and procurement of services, both personal and consulting.

G. "Gratuities" shall mean any gift, favor, entertainment, hospitality, transportation, loan or other tangible item or any intangible benefits (i.e., discounts, passes or similar consideration) for which the recipient did not pay fair market value and which is not offered to the public generally.

H. "Member's Business Associates" shall mean a person(s) who is engaged with a Member in a venture expected to result in a benefit to the Member or a resident of the Member's household in the form of money or other thing of value.

I. "Party" shall mean an individual, corporation, partnership or other legal entity.

J. "Residents of a Member's Household" shall mean a spouse or minor child and any other dependent who reside in the Member's household on other than a temporary basis.

ARTICLE III POLICY

A. General: In all matters, Members must conduct themselves according to the highest ethical standards. To that end it is imperative that Members of the DCTC AAC in their private financial relationships and in their conduct as a member of the DCTC AAC strictly avoid engaging in actions which create conflicts of interest or the appearance of a conflict of interest. It is likewise imperative that Members act and appear to act impartially in their conduct as Members of the DCTC AAC by avoiding any actions which might result in favored treatment or appearances thereof toward any individual, private organization, consultant, contractor or potential consultant or contractor.

B. Financial Transactions and Interest: A Member shall not vote on any recommendations being made to the DCTC or District government if: (1) the Member; (2) the residents of the Member's household; (3) the Member's business associates; (4) a party in which a Member, the residents of the Member's household or the Member's business associates have an ownership interest; or (5) an individual or organization that employs, or is to employ, any of the above, has a financial or other interest in the transaction or recommendation in excess of one thousand dollars (\$1,000.00) in a single transaction.

C. Gratuities and other valuable benefits: No Member or resident of a Member's household shall solicit anything of value from a DCTC contractor or prospective DCTC contractor, or from DCTC itself. Members must avoid accepting an unsolicited gratuity under circumstances in which it could reasonably be inferred that the gratuity was intended to influence, or could reasonably be expected to influence, the performance of the Member's duties on the AAC or was intended as a reward for any action on the Member's part. Otherwise, Members may accept unsolicited gratuities having a nominal intrinsic value of seventy-five dollars (\$75) or less with the following conditions:

- 1) Honorary and ex-officio members are non-voting members
- 2) The restriction shall not apply to solicitation or acceptance of bono fide religious or charitable donations, or political contributions by a Member or a resident of the Member's household, provided, with respect to political contributions to or for the benefit of a Member or a resident

of the Member's household, the contribution has been reported in accordance with the law of the Member's jurisdiction.

- 3) Members shall submit a report, on the form set forth as Attachment C, to the DCTC Chairman and to the DCTC AAC for receipt of articles, food, beverages and entertainment from any single separate demand responsive transportation industry source having an aggregate value in excess of two hundred dollars (\$200.00) in any fiscal year. Such reports shall be read into the minutes of the DCTC AAC.
- 4) The restriction shall not apply to solicitation or acceptance of expenses paid to the Member by DCTC or expenses paid by the jurisdiction represented by the Member in connection with service performed within the scope of the Members duties for the DCTC AAC. Expenses so paid shall be reported to the DCTC AAC and read into the minutes of the DCTC AAC.
- 5) Use of Position on the DCTC AAC: Members shall not use, nor give the appearance that they are using, their position with the DCTC AAC in a manner inconsistent with their responsibilities to the DCTC AAC. Members will not:
 - a. Disclose or permit others to disclose to anyone outside DCTC or the DCTC AAC information obtained through their position with the DCTC and not generally available to the public except to the extent necessary to fulfill the Member's public responsibility.

D. Members shall not offer money or anything of value for or in consideration of obtaining an appointment, promotion or privilege in the Member's official position with the DCTC AAC.

E. No party shall have, nor seek to have, actual or prospective business relationships with the DCTC AAC or DCTC if to do so would create a violation by a Member of the provisions of Paragraphs B of this article.

ARTICLE IV

DISCLOSURE OF FINANCIAL INTERESTS, AFFILIATIONS AND OUTSIDE EMPLOYMENT

- A. Members shall file disclosure forms with DCTC and with the DCTC AAC which shall be publicly available, in accordance with the Public Access to Records Policy of the DCTC.
- B. Prospective Members shall disclose on their application for appointment to the DCTC AAC any positions they hold or have held, and whether they are or are to be employed, by any group that advocates positions on any transportation issue. Members of the AAC shall file a new disclosure form within fifteen (15) days of any event which differs from that previously disclosed on their application for appointment to the DCTC AAC.

ARTICLE V

DISQUALIFICATION

- A. In any situation where a Member is precluded by these Rules and Procedures or by other applicable laws or regulations from performing the duties of the Members position with the DCTC AAC, the Member shall so notify the Executive Officer of the AAC and request that the DCTC AAC official records reflect that the Member will abstain from any participation in the matter to which the prohibition applies.

**ARTICLE VI
SANCTIONS**

- A. Any Member who shall willfully violate any provision of this Standards of Conduct Code shall be subject to removal from the DCTC AAC in accordance with Article IV.A of the AAC Bylaws.

**ARTICLE VII
SEVERABILITY**

- A. The provisions of these Rules and Procedures shall be severable and if any phrase, clause, sentence or provision is declared invalid, the validity of the remainder shall not be affected thereby.

**ARTICLE VIII
EFFECTIVE DATE; DURATION: RESPONSIBILITY**

- A. These Rules and Procedures shall become effective when adapted by the DCTC AAC and shall continue and remain in effect unless and until revoked by the DCTC AAC, or DCTC Chairman. The DCTC AAC Chair is responsible for interpreting and enforcing these rules, and, when necessary, shall seek appropriate legal counsel for assistance.

ATTACHMENT C

**FOOD, BEVERAGE OR PROMOTIONAL ITEM ACCEPTANCE REPORT BY MEMBERS OF THE ACCESSIBILITY
ADVISORY COMMITTEE**

Name

Item(s) Accepted

Approximate Value
Dates accepted

Received from Individual or Firm
Signature