



2ND DISTRICT OF COLUMBIA
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DISTRICT OF COLUMBIA
DEPARTMENT OF FOR-HIRE VEHICLES,
Petitioner,

v.

YAZAM, INC.
d/b/a EMPOWER,
Respondent.

Case No.: 2024-DFHV-V700001
NOI No.: V700001

FINAL ORDER

I. Introduction

This case arises under the Civil Infractions Act of 1985, as amended, (D.C. Official Code §§ 2-1801.01 - 2-1802.05), and the District of Columbia Municipal Regulations (DCMR). On March 14, 2024, the Department of For-Hire Vehicles (DFHV) issued the above-referenced Notice of Infraction (the NOI) charging Respondent Yazam, Inc., d/b/a Empower (Empower), for violating the following regulations:

- 1) 31 DCMR 1604.7 (Failure to transmit percentage of gross receipts).
- 2) 31 DCMR 1605.4 (e) (Failure to provide certification); and
- 3) 31 DCMR 1905.1 (Failure to maintain adequate insurance coverage).

DFHV alleged that the violations existed on November 16, 2020, and for each violation it sought a \$25,000 fine per day.

Empower filed an answer to the NOI with pleas of Deny, and it requested a hearing. At the hearing on February 25, 2025, Resheena L. Franklin, Assistant General Counsel, represented DFHV, and Matthew M. Madden, Esquire, represented Empower. Andy Lee, DFHV's IT Project Manager,

Dereje Belay, DFHV's Fiscal Officer at the D.C. Office of the Chief Financial Officer, and Travis Nembhard, DFHV's Administrator of Enforcement and Compliance, testified on behalf of DFHV. Joshua Sear, Respondent's Chief Executive Officer, testified on behalf of Empower. At the conclusion of the hearing, a schedule for the submission of proposed findings of fact and memoranda was agreed to.

Based on the testimony of the witnesses, my evaluation of their credibility, and the exhibits admitted into evidence, I make the following findings of fact and conclusions of law.

II. Findings of Fact.

Empower represents itself to be a software company that sells subscriptions to its software and other related support services primarily to drivers who use Empower's software to provide automobile rides to passengers. Empower's customers enter into a "Software as a Service Agreement" (the Subscription Agreement), and they agree to pay fees to use Empower's software. Empower's income is derived solely from the fees paid by drivers under the Subscription Agreement.

Empower's Subscription Agreement provides, *inter alia*, that drivers have "the sole right to determine when, where, how, how often, and for how long" drivers provide rides. Drivers determine their own fares, and payments from passengers go to the drivers through a third-party payment platform, Stripe, which is affiliated with Empower and it is integrated into Empower's app. Drivers keep all fares and fees they charge passengers.

Empower does not receive any payments of any kind related to a given ride booked via its software platform. The only payments Empower receives are the subscription fees paid by its drivers, which are not tied to rides provided by drivers using the Empower software.

In Empower's Subscription Agreement it provides that Empower will collect and retain various forms of data which provide trip data, including geolocation data, device and hardware information, usage information, and transaction data.

DFHV became aware of Empower operating in the District in November 2020, and it promptly issued a cease and desist order for Empower to cease operations due to its failure to register with DFHV

as a private sedan business (PSB) and digital dispatch service (DDS) (the Cease and Desist Order).¹ Empower claimed that it was not required to register with the DFHV as PSB and DDS. Empower promptly appealed DFHV's Order to the Office of Administrative Hearings (OAH).

On July 22, 2021, OAH affirmed the DFHV Cease and Desist Order holding that Empower is a private vehicle-for-hire company subject to DFHV's regulation under the Taxicab Commission Establishment Act, D.C. Official Code §§ 50-301.01-301.34 (the Act), and affirming DFHV's cease and desist order. *Yazam, Inc., d/b/a Empower v. Department of For-Hire-Vehicles*, OAH Case 2020-DFHV-00003 (July 22, 2021). Empower appealed the OAH decision to the District of Columbia Court of Appeals.

The court of appeals affirmed OAH's decision in part, determining that Empower is a private vehicle-for-hire company subject to DFHV's regulation, but it reversed the decision upholding DFHV's Cease and Desist Order. *Yazam, Inc. v. District of Columbia Department of For-Hire-Vehicles*, 310 A.3d 616 (D.C. 2024). The court of appeals held, in pertinent part:

(Empower's Subscription Agreement) requires Empower to provide digital-dispatch services to its subscribers/drivers so that the drivers can give rides to passengers in private vehicles for hire. Nothing more is required in our view to make Empower subject to regulation under the Act. *Id.*, at 625.

In the meantime, at the suggestion of DFHV in December 2020 Empower filed an application with DFHV to register as a PSB and DDS. DFHV determined the application to be incomplete in several respects. Empower's PSB application required it to identify whether the "source of primary insurance" will be the "business" or the "drivers." Empower checked the box indicating that drivers would obtain their own insurance. Mr. Lee, DFHV's Account manager for PSBs and DDSs who oversees intake and review of applications for registration by these companies, testified that Empower's application failed to provide certificates of coverage and full policy portfolio as proof of insurance proof of insurance coverage of \$1 million per incident, under which the District is a certificate holder and a named additional insured does not as required by 31 DCMR 1905.1. Mr. Lee further testified

¹ A "PSB" is an organization that uses digital dispatch to connect passengers to a network of operators of private sedans. A "DDS" is a dispatch service that provides digital dispatch for vehicles-for hire. 31 DCMR 9901.

that DFHV only accepts a certificate of coverage and a full insurance policy portfolio as proof of compliance, which must be reviewed and verified by the Department of Insurance, Securities and Banking.

Mr. Sear admitted that Empower does not verify that drivers have insurance coverage as required by the regulation. It verifies drivers' insurance by merely requiring drivers to produce an insurance card acknowledging the minimum insurance coverage mandated by the licensing jurisdiction. Thus, the representation on Empower's application that drivers would be the source of the required primary insurance was completely baseless.

Empower's DDS registration contained the certification referenced in 31 DCMR § 1605.4(e). The certification includes certification by applicants of compliance with the operating requirements of 31 DCMR 1604. The certification was signed by Mr. Sear, Empower's CEO, but the application did not provide the information and documentation regarding Empower's compliance with the detailed operating requirements of 31 DCMR § 1604, however.² As a result, after prolonged negotiations between the parties failed, the application was formally denied on May 23, 2025.

² 31 DCMR 1604 provides:

1604.1 Each digital dispatch service shall operate in compliance with this title and other applicable laws.

1604.2 Each digital dispatch service shall calculate fares and, where applicable, provide receipts to passengers, as provided in: Chapter 8 for taxicabs, Chapter 14 for black cars, and Chapter 19 for private sedans.

1604.3 Each digital dispatch service shall submit proof that the company maintains a website containing information on its:

- (a) Method of fare calculation
- (b) Rates and fees charged, and
- (c) Customer service telephone number or email address

1604.4 If a digital dispatch service charges a fare other than a metered taxicab rate, the company shall, prior to booking, disclose to the passenger:

- (a) The fare calculation method;

(b) The applicable rates being charged; and

(c) The option to receive an estimated fare.

1604.5 Each digital dispatch service shall review any complaint involving a fare that exceeds the estimated fare by twenty (20) percent or twenty-five (25) dollars, whichever is less.

1604.6 Each digital dispatch service shall provide its service throughout the District.

1604.7 Every three (3) months, based on the District's fiscal year calendar, each digital dispatch service shall separately transmit to the Office of the Chief Financial Officer (OCFO), for deposit into the Consumer Service Fund in accordance with Chapter 11 of the Title, each of the following amounts, reflecting business activity from (1) October through December; (2) January through March; (3) April through June; and (4) July through September:

(a) For trips by taxicab: the per trip taxicab passenger surcharge; and

(b) For trips by black cars and private sedans: one (1) percent of all gross receipts.

1604.8 An authorized representative of each digital dispatch service shall certify in writing under oath, using a form provided by the Office, that each amount transmitted to OCFO pursuant to § 1604.7 meets the requirements of § 1604.7, accompanied by documentation of the digital dispatch service's choosing which reasonably supports the amount of the deposit. Each certification and supporting documentation shall be provided to OCFO.

1604.9 Not later than January 1, 2016, each digital dispatch service shall ensure that its website and mobile applications are accessible to the blind and visually impaired, and the deaf and hard of hearing.

1604.10 Each digital dispatch service shall train its associated operators in the proper and safe handling of mobility devices and equipment, and how to treat individuals with disabilities in a respectful and courteous manner. Completion of training acceptable to qualify an individual for an AVID operator's license issued by the Office shall satisfy this training requirement.

1604.11 Each digital dispatch service shall:

(a) Use technology that meets or exceeds current industry standards for the security and privacy of all payment and other information provided by a passenger, or made available to the digital dispatch service as a result of the passenger's use of the digital dispatch service;

Since November 2020 Empower has continued to operate in the District without being registered with DFHV and complying with the applicable laws and regulations. For example, it is undisputed that during this period Empower has never transmitted to the District the percentage of gross receipts payments required by 31 DCMR 1604.7.

As a result, DFHV issued the instant NOI, and it initiated other proceedings.³

(b) Promptly inform the Office of a security breach requiring a report under the Consumer Personal Information Security Breach Notification Act of 2006, effective March 8, 2007 (D.C. Law 16-237, D.C. Official Code [§§ 28-3851](#) et seq.), or other applicable law;

(c) Not release information to any person that would result in a violation of the personal privacy of a passenger or that would threaten the safety of a passenger or an operator; and

(d) Not permit access to real-time information about the location, apparent gender, or number of passengers awaiting pick up by a person not authorized to receive such information. Where a digital dispatch service shares a request for service with another person for the purpose of providing wheelchair service to a passenger, the passenger's destination shall not be provided.

1604.12 Subsection 1604.11 shall not limit access to information by the Office.

1604.13 During a state of emergency declared by the Mayor, a digital dispatch service which engages in surge pricing shall limit the multiplier by which its base fare is multiplied to the next highest multiple below the three highest multiples set on different days in the sixty (60) days preceding the declaration of a state of emergency for the same type of service in the Washington Metropolitan Area.

1604.14 Each digital dispatch service shall comply with § 828.

³ On March 19, 2024, DFHV issued a Compliance Order to Empower, followed by another Cease and Desist Order on April 10, 2024. The Cease and Desist Order ordered Empower to:

- 1) Cease all vehicle for hire operations within the District of Columbia; and
- 2) Rectify all compliance issues, including registration and submission of all required documents.

On April 25, 2024, Empower filed an appeal of the Cease and Desist Order in OAH. The OAH court affirmed DFHV's Cease and Desist Order. *Yazam, Inc. v. District of Columbia Department of For-Hire Vehicles*, OAH Case 2024-DFHV-00001 (May 22, 2024). Empower's

appeal of the case to the District of Columbia Court of Appeals is pending. (D.C. Court of Appeals Case No: 24-AA-0582)

On July 29, 2024, DFHV filed a complaint in the Superior Court for the District of Columbia to enforce DFHV's April 10, 2024, cease and desist order and OAH's May 22, 2024, Final Order. On November 26, 2024, the court granted DFHV's motion for judgment on the pleadings and ordered Empower to immediately cease operations as a dispatch service and private sedan business until it registers with DFHV. *District of Columbia v. Yazam, Inc., d/b/a Empower* (Case No. 2024-CAB 4751).

Five (5) appeals to the District of Columbia Court of Appeals have arisen from the Superior Court Case:

1. 24-CV-1186 - Yazam, Inc. D/B/A Empower v. District of Columbia. - Appeal of the Superior Court's November 26, 2024, Order granting judgment on the pleadings. This appeal was consolidated with 25-CV-0185. Pending before the court of appeals.
2. 25-CV-0185 - Yazam, Inc. D/B/A Empower v. District of Columbia – Appeal of the Superior Court's February 3, 2025, Conditional Order of Contempt ordering Empower to pay \$25,000 per calendar day until it registered with DFHV as a Private Vehicle-For-Hire Company 24-CV-1186 and 25-CV-0185 are consolidated and are pending before the court of appeals.
3. 25-CV-0381 – Joshua Sear v. District of Columbia. Appeal of the Superior Court's March 19, 2025, contempt order. Appeal consolidated with 25-CV-0382 and 25-CV-0524 and are pending before the court of appeals...
4. 25-CV-0382 - Yazam, Inc. D/B/A Empower v. District of Columbia – Appeal of the Superior Court's March 19, 2025, contempt order. the court found that Empower remained in contempt of the court's November 26, 2024, and February 3, 2025, orders and that Empower's Chief Executive Officer, Joshua Sear, who has primary authority to bring Empower into compliance with the court's orders, was in contempt of the court's orders. On March 19, 2025, the court ordered the continuation of the existing \$25,000 daily fines against Empower and imposed a \$5,000 per day fine against Mr. Sear until the contempt is purged. Appeal consolidated with 25-CV-381 and are pending before the court of appeals.
5. 25-CV-0525 - Joshua Sear v. District of Columbia – Appeal of the Superior Court's denial of Sear's motion to vacate, motion to dismiss, and motion to stay the March 19, 2025, contempt order. Appeal consolidated with 25-CV-381 and are pending before the court of appeals.

III. Conclusions of Law.

A. The Violation of 31 DCMR § 1604.7

31 DCMR 1604.7 provides:

Every three (3) months, based on the District's fiscal year calendar, each digital dispatch service shall separately transmit to the Office of the Chief Financial Officer (OCFO), for deposit into the Consumer Service Fund in accordance with Chapter 11 of the Title, each of the following amounts, reflecting business activity from (1) October through December; (2) January through March; (3) April through June; and (4) July through September:

- (a) For trips by taxicab: the per trip taxicab passenger surcharge; and
- (b) For trips by black cars and private sedans: one (1) percent of all gross receipts.

Empower's position is that despite the fact that the court of appeals has held that it is a private vehicle-for-hire company which is subject to regulation by DFHV and is required to comply with the regulations governing private vehicle-for hire companies, it can continue to ignore or avoid the applicable regulations by continuing to operate under a Subscription Agreement with a business model which it maintains makes it impossible for it to comply with the regulations. Regarding the requirements of 31 DCMR § 1604.7, it maintains that since it has structured its arrangement with customers/drivers to be merely providing the use of its software for a fee and not payments tied to rides provided by the drivers it does not have gross revenue for "trips by black cars and private sedans" and, therefore, it cannot be in violation of the regulation.

When a company operates as a for-hire vehicle company it is incumbent on it to be able to have a mechanism to record the gross receipts generated from trips and then transmit 1% to the District. Empower attempts to separate itself from the financial transactions in providing trips by pointing to Stripe its third-party payment processor. Stripe is just a tool within Empower's app – it does not change the nature of the transaction. If Empower's logic were accepted, any company could avoid regulatory fees by outsourcing payment processing, rendering the gross receipts requirement meaningless. The failure to do this is violative of the regulation.

Furthermore, the regulation explicitly provides that the payments to be made to the District encompass a percentage of gross receipts from *any business activity* for trips by black cars and private sedans. Despite Empower's claim that it does not collect passenger fares, its role in providing the software for fees whereby drivers provide rides is business activity and the fees should have been reported pursuant to the regulation. It appears that Empower collects and maintains trip data as part of its normal operations such that it could transmit it to the District as part of its required gross receipts submissions.

DFHV proved by the preponderance of the evidence that Empower violated 31 DCMR 1604.7, as described and charged.

B. The Violation of 31 DCMR 1605.4 (e)

31 DCMR 1605.4 (e) provides:

Each digital dispatch service shall register by completing an application form made available by the Office, which shall include information and documentation:

(e) A certification that the digital dispatch service is in compliance with the operating requirements of § 1604.

DFHV proved by the preponderance of the evidence that Empower violated this regulation, as described and charged in the NOI. It is undisputed that Empower submitted an incomplete application, and that it has never provided the information and documentation required by regulation. Empower maintained that it was in compliance with the regulation simply by having Mr. Sear sign it. This ignores the clear and unambiguous language in the regulation that "certification" must include the required information and documentation that it was in compliance with the operating requirements of 31 DCMR 1604. Also, as explained below, Empower did not provide the required insurance documentation as part of its application in accordance with 31 DCMR 1902.4(f) which mandates that applicants for registration must provide, *inter alia*, "Proof that the private sedan business or its associated private sedan operators are in compliance with the insurance requirements of § 1905, *including a complete copy of the policy(ies), the accord form(s), all endorsements, the declarations page(s), and all terms and conditions.*" (Emphasis added)

C. The Violation of 31 DCMR 1905.1

31 DCMR 1905.1 provides:

Each private sedan business or private sedan operator shall maintain a primary automobile liability insurance policy that provides coverage for the vehicle and the operator when the operator is engaged in a prearranged ride of at least one million dollars (\$ 1,000,000) per occurrence for accidents involving a private sedan operator, for all private sedan trips originating in or occurring in the District, under which the District is a certificate holder and a named additional insured.

DFHV proved by the preponderance of the evidence that Empower violated this regulation, as described and charged in the NOI.

The regulation clearly requires that insurance coverage must be maintained either by the PSB company or the private sedan operator. The coverage must be for \$1,000,000 per occurrence and the District must be certificate holder and a named additional insured.

Mr. Lee testified that Empower's application for registration was incomplete because it failed to provide certificates of insurance coverage and full policy portfolio as proof of insurance proof of insurance coverage of \$1 million per incident, under which the District is a certificate holder and a named additional insured as required by 31 DCMR 1905.1. Mr. Lee further testified that DFHV only accepts certificates of coverage and a full insurance policy portfolio as proof of compliance, which must be reviewed and verified by the Department of Insurance, Securities and Banking. This is in accordance with 31 DCMR 1902.4(f) which mandates that applicants for registration must provide, *inter alia*, "Proof that the private sedan business or its associated private sedan operators are in compliance with the insurance requirements of § 1905, *including a complete copy of the policy(ies), the accord form(s), all endorsements, the declarations page(s), and all terms and conditions.*" (Emphasis added)

Here Empower admitted that it did not carry the required insurance and it could not provide the certificates of insurance for its drivers or otherwise verify that drivers carry the required insurance. Its

representation that drivers carry the required insurance was baseless and did not satisfy the requirements of the regulations.

D. Fines

The authorized fines for each of the alleged violations is \$25,000 per day. 31 DCMR 2000.

Empower urges the court to hold that the authorized fines are “Obviously and unconstitutionally excessive.” I will defer to the court of appeals to consider whether the fines authorized by D.C. Statute are unconstitutional. *See Archer v. District of Columbia Dep’t of Human Resources* 375 A.2d 523, 526 (D.C. 1077) where the court of appeals held that an administrative agency lacks authority to declare a statute unconstitutional. DFHV requests the court “impose a fine in an amount the Court deems fair and appropriate, considering the length of time Empower has been out of compliance.”

Although Empower applied to DFHV for registration in December 2020, it was not until February 29, 2024, that the court of appeals decided in *Yazam, Inc. v. District of Columbia Department of For-Hire-Vehicles, supra* that Empower was a PSB and DDS and was required to register with DFHV. Accordingly, I will impose the authorized fines beginning on that date.

IV. Order

Therefore, it is

ORDERED, that Respondent Yazam, Inc. d/b/a Empower is **LIABLE** for violating 31 DCMR 1604.7, 31 DCMR 1605.4 (e), and 31 DCMR 1905.1, as described and charged in the NOI; and it is further

ORDERED, that the Respondent must **PAY FINES in the amount of TWENTY-FIVE THOUSAND DOLLARS (\$25,000) per day for each violation, for a TOTAL of SEVENTY-FIVE THOUSAND DOLLARS (\$75,000) per day, calculated from February 29, 2024, until paid**; and it is further

ORDERED, that the reconsideration and appeal rights of any party aggrieved by this order are set forth below.

This Final Order is dated when it is served, as certified on the Certificate of Service found at the end of this document.

/s/ Robert E. Sharkey
Robert E. Sharkey
Administrative Law Judge

PAYMENT INSTRUCTIONS

Payment may be made with a credit card, or debit card. Visit <https://oah.dc.gov/service/paying-fine> to pay online.

Payments by check or money order may be mailed or delivered in person to the Clerk of the Office of Administrative Hearings. Checks or money orders must be made payable to “D.C. TREASURER.” Please write the case number in the memo line. Mail or deliver in person to:

Clerk, Office of Administrative Hearings
Marion S. Barry Jr. Building
441 Fourth Street, NW
Suite 450 North
Washington, DC 20001-2714

If you have questions, please call the Clerk, Office of Administrative Hearings: (202) 442-9094.

RECONSIDERATION AND APPEAL RIGHTS

Upon entry of this Final Order, you may ask the Administrative Law Judge to change this Final Order with a motion for reconsideration **OR** you may immediately appeal this Final Order to the District of Columbia Court of Appeals with a “Petition for Review”. There are important considerations – including time limitations – for each option as described below.

OPTION 1 - REQUEST THE ADMINISTRATIVE LAW JUDGE TO CHANGE THE FINAL ORDER OR GRANT A NEW HEARING

Motions for Reconsideration or for New Hearing. You may file a written request (a “motion”) with the Office of Administrative Hearings (OAH) asking the Administrative Law Judge to change a final order or schedule a new hearing. These requests are referred to as motions for reconsideration. OAH Rule 2830 explains the circumstances under which such a request may be made. Rule 2830 and other OAH rules are available at <https://oah.dc.gov> and at OAH’s office. Before filing your motion, you must serve the other party with notice regarding your request for reconsideration or new hearing.

How to File a Motion for Reconsideration or New Hearing. You may file a motion for reconsideration or new hearing at OAH using one of the following methods:

- OAH eFiling portal located at: <https://oah.dc.gov/page/oah-efiling-portal>
- Email: oah.filing@dc.gov
- Mail: OAH, 441 Fourth Street, NW, Suite 450 North, Washington, D.C. 20001-2714.

The motion must state when and how copies were served on the other party. Additional information and fill-in-the-blank motion forms can be found at: <https://oah.dc.gov/page/closed-case-forms>

Effect of Filing a Motion for Reconsideration or New Hearing. A motion for reconsideration or new hearing does not release your obligation to comply with the Final Order and to pay any fine or penalty. However, the time it takes you to file your motion may have other effects:

- **Within 10 Days of the Order.** A motion for reconsideration or new hearing that is filed within 10 calendar days of the date the Final Order was issued electronically (or 15 calendar days if OAH mailed the final order to you), will pause the deadline for seeking review with the District of Columbia Court of Appeals.
- **Between 10 and 120 Days.** A motion for reconsideration filed after the 10-calendar day deadline (referred to as a “motion for relief” from the Final Order) will *not* pause the deadline for seeking review with the District of Columbia Court of Appeals.
- **After 120 days.** Except under certain limited grounds, a motion for reconsideration or new hearing may not be considered if it is received at OAH more than 120 calendar days after the Final Order was filed (or 125 calendar days if OAH mailed the Final Order to you).

Note for Members of the U.S. Armed Forces. If you are a member of the United States Armed Forces on active duty, you may have certain rights under the Servicemembers Civil Relief Act, 50 U.S.C.S. Appx. § 501 *et seq.* If you qualify for these rights and you have **LOST** this case because you were not present, you **MAY** be able to have this case reopened. If you think you may qualify under this law, you must notify the Office of Administrative Hearings promptly to ensure that your rights are protected.

OPTION 2 - REQUEST THE DISTRICT OF COLUMBIA COURT OF APPEALS TO CHANGE THE FINAL ORDER

Petition for Review (Appeal). A party suffering a legal wrong or adversely affected or aggrieved by the Final Order may seek judicial review by filing a Petition for Review with the D.C. Court of Appeals. D.C. Appellate Rule 15 explains the circumstances under which a Petition for Review may be made. Please review the Court's rules, available at <https://www.dccourts.gov/court-of-appeals/dccarules> and its forms available at <https://www.dccourts.gov/services/forms>.

- *Note on Challenges to Fine Amounts.* Please note that, pursuant to District law, the D.C. Court of Appeals "may not modify a monetary sanction imposed by an Administrative Law Judge if that sanction is within the limits established by law or regulation." D.C. Official Code § 2-1831.16(g).

When to File Petition for Review. D.C. Appellate Rule 15 requires that the Petition for Review be received by the Court *within 30 calendar days of the date of the Final Order* (or 35 days if OAH mailed the final order to you).

How to File Petition for Review. As of March 31, 2023, the Court has suspended the requirement for paper copies and the Petition for Review may be delivered or mailed to the address below or emailed to: efilehelp@dcappeals.gov.

Clerk
District of Columbia Court of Appeals
430 E Street, NW, Room 115
Washington, D.C. 20001

Please visit the Court's website at <https://www.dccourts.gov/court-of-appeals> or call the Court's public office at (202) 879-2700 for up-to-date information. There is a \$100 fee for filing a Petition for Review. If you are unable to pay the filing fee, you may alternatively file a motion and affidavit asking to proceed without the payment of the fee when you file the Petition for Review.

Effect of Filing Petition for Review. Filing a Petition for Review does not release your obligation to comply with the final order and to pay any fine or penalty. If you file a Petition for Review with the D.C. Court of Appeals, the OAH Administrative Law Judge will also be unable to rule on any motions/requests to change the Final Order.

Legal Counsel Requirement for Corporate Entities: If you are seeking to file a Petition for Review on behalf of a corporation, LLC, partnership, or other business entity, be advised that your Petition for Review must be signed by legal counsel. D.C. App. R. 15(a)(6). Although a company may appear before the D.C. Office of Administrative Hearings through a non-attorney representative, a corporation must be represented by counsel in the D.C. Court of Appeals. *See, e.g., Moore Energy Res., Inc. v. D.C. Pub. Serv. Comm'n*, 785 A.2d 300, 304 (D.C. 2001) (noting "the long-standing precedent that a corporation cannot appear in court pro se").

Certificate of Service:

By Email:

Matthew Madden, Esquire
Hogan Lovells US LLP
matthew.madden@hoganlovells.com

I hereby certify that on September 17, 2025
document was caused to be sent to the parties
at the addresses and by the stated means.

/s/ Matthew Bradfield
Clerk/Deputy Clerk

By Email:

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