

immediately from the airport, passengers picked up without a prior request at the point of and immediately upon discharge of other passengers delivered there. As stated in the notice of proposed rule making preceding Amendment 159-13 (Notice 70-24; published in the FEDERAL REGISTER on July 1, 1970; 35 FR 10695), that rule-making action was undertaken to improve the inadequate service then being provided the traveling public which had resulted from the inability of operators under contract with the United States to accurately estimate in advance the number of vehicles needed to meet unforeseen peak-hour or other unexpected demand.

Experience under the regulatory scheme provided under Amendment 139-13, with its emphasis upon both "contract carriage" and restricted non-contract carriage, has proved to be inadequate in meeting the needs of the traveling public at Washington National Airport. The same problems which Amendment 159-13 sought to correct remain and have grown, primarily the failure of the ground transportation concessionaire to provide enough taxicabs to meet the increasing demand at the airport. In addition, the current system has proven uneconomical to all parties concerned: To taxicab operators as a result of too frequent "deadhead" trips; to the FAA as a result of the difficulty of the concessionaire to operate at peak efficiency; and to the traveling public who under most circumstances are not able to engage nonconcessionaire taxicabs as a result of current restrictions.

In addition to a substantial portion of the traveling public desiring taxicabs at Washington National Airport not being adequately serviced by the present exclusive franchise taxicab system, the franchise taxicab system has also resulted in traffic problems necessitating considerable police effort to relieve traffic congestion caused by nonfranchised taxicabs attempting to secure passengers. Further, the present system results in economic waste, including an unnecessary use of fuel, since franchised taxicabs leaving the airport generally return empty, and nonfranchised taxicabs returning to the airport also depart empty. To remedy these problems, the FAA is adopting the amendment set forth below.

This amendment to Part 159 removes certain of the current restrictions of § 159.3(a) as they apply to the operation of taxicabs at Washington National Airport. This amendment would permit taxicabs licensed in Virginia, the District of Columbia, and Maryland, subject to control by the airport authorities, to pick up airline passengers and other persons desiring transportation from Washington National Airport. It should be noted that the current restrictions would continue unchanged with regard to the operation of motor vehicles for the purpose of carrying passengers for hire, including taxicabs, at Dulles International Airport, and with regard to nontaxicab motor vehicle operations carrying passengers for hire at Washington National Airport. In addition, language has been

added specifically requiring persons subject to § 159.3 to comply with all airport regulations, official signs and signals and the directions of airport police, dispatchers, and other authorized personnel. This language has been added in response to the traffic problems which have arisen at the airport.

New paragraph (b) of § 159.3 contains the requirements applicable to the operation of taxicabs at Washington National Airport. It is anticipated that, initially, two Taxicab Pickup Zones will be established at the airport, one in the area of the Main Terminal and the other in the area of the North Terminal, within which taxicabs may solicit, pick up, and stand awaiting pickup. A charge of \$.50 will be levied upon the privilege of picking up passengers within the "Taxicab Pickup Zone" and not upon the number of persons picked up. Thus the \$.50 charge will be the maximum any given taxicab operator will pay for any given pickup, regardless of the number of passengers picked up. This requirement does not apply to areas outside of the designated Taxicab Pickup Zones or before 7 a.m., nor after 11 p.m. Furthermore, to insure that the needs of the traveling public will be met regardless of weather or peak demand situations, paragraph (b) provides for the use of a contract concessionaire to be employed only when the demand requires its use. As such, this concessionaire would not be employed to the exclusion of noncontract cabs but only to supplement them as needed.

In addition, the current requirement in paragraph (b) of § 159.3 that the operator of a motor vehicle subject to the requirements of that section must, with respect to passengers to be picked up in response to a prior request, show on his manifest certain information relative to that request, has been deleted in the case of taxicabs operating at Washington National Airport. As adopted, paragraph (b) has been changed to paragraph (c).

A new paragraph (d) has been added to § 159.3, to define "taxicab" as a motor vehicle which has a seating capacity of not more than six passengers in addition to the operator, is operated for the purpose of transporting passengers for hire between points along the public streets as the passengers may direct, and which does not operate on a regular route or schedule, or between fixed terminals.

Since this amendment relates to the management by the Federal Aviation Administration of public lands and relieves an existing restriction, I find that the general notice requirements of section 553(b) of Title 5, United States Code do not apply and that good cause exists for making it effective in less than 30 days.

This amendment is issued under the authority of section 2 of the Act of June 29, 1940, as amended (54 Stat. 688); section 4 of the Second Washington National Airport Act (Title 7, District of Columbia Code 1404); section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)); and § 1.47(a) of the Regulations of the Secretary (49 CFR 1.47(a)).

In consideration of the foregoing, § 159.3 of the Federal Aviation Regula-

See corrections

[Docket No. 13408; Amdt. No. 159-14]

PART 159—NATIONAL CAPITAL AIRPORTS

Motor Vehicles Carrying Passengers for Hire

The purpose of this amendment to Part 159 of the Federal Aviation Regulations is to remove the current restrictions on the operation of taxicabs at Washington National Airport and thereby permit an "open taxicab" policy at that airport.

By Amendment 159-13, effective January 15, 1971 (35 FR 19172), the FAA adopted new regulations governing the operation of motor vehicles used for the purpose of carrying passengers for hire on Washington National Airport and Dulles International Airport. That amendment, which amended § 159.3, prohibits the operation of a motor vehicle used for the purpose of carrying passengers for hire, including taxicabs, on the airports unless the operator is authorized to do so by contract with the United States, or the operator is on the airport to deliver passengers there or to pick up passengers immediately in response to a prior request, or the operator is to carry

tions is amended, effective January 1, 1974, to read as follows:

§ 159.3 Motor vehicles carrying passengers for hire.

(a) Except as provided in paragraph (b) of this section, no person may operate a motor vehicle for the purpose of carrying passengers for hire on the Airport unless—

(1) He is authorized to do so by contract with the United States; or

(2) He is operating that vehicle—

(i) To carry passengers to the Airport for delivery there;

(ii) To carry immediately from the Airport, in taxicabs passengers picked up in response to a prior request; or

(iii) To carry immediately from the Airport, passengers picked up, without a prior request, at the point of and immediately upon discharge of other passengers delivered there.

(b) Subject to restrictions imposed by Airport regulations, official signs and signals, and the directions of airport police, dispatchers or other authorized personnel, any person operating a taxicab at Washington National Airport may solicit and pick up passengers for hire on Washington National Airport; however, no person may pick up a passenger for hire within any area on Washington National Airport designated as a Taxicab Pickup Zone, unless—

(1) He has paid a \$.50 fee for each pickup (individual or group);

(2) He does so before 7 a.m., or after 11 p.m.; or

(3) He is authorized to do so by contract with the United States.

(c) Except in the case of taxicabs operating on Washington National Airport, a person operating a motor vehicle for the purpose of carrying passengers for hire on the airport in response to a prior request to pick up passengers there, must show on his manifest the time the request was made, the name of the person who made the request, and the time of the pickup.

(d) As used in this section, the term "taxicab" means any motor vehicle which has a seating capacity of not more than six passengers in addition to the operator, is operated for the purpose of transporting passengers for hire between points along the public streets as the passengers may direct, and does not operate on a regular route or schedule, or between fixed terminals.

Issued in Washington, D.C., on December 21, 1973.

JAMES E. DOW,
Acting Administrator.

[FR Doc.73-27255 Filed 12-27-73;8:45 am]

[Docket No. 18408; Amdt. No. 159-14]

PART 159—NATIONAL CAPITAL AIRPORTS
Motor Vehicles Carrying Passengers for Hire; Correction

The document amending Part 159 of the Federal Aviation Regulations effective January 1, 1974 (issued in Washington, D.C., on December 21, 1973; published in the FEDERAL REGISTER on December 28, 1973) to permit an "open taxicab" policy at Washington National Airport inadvertently omitted the words "in a taxicab" from subdivision (iii) of § 159.3(a)(2).

As corrected, subdivision (iii) of § 159.3(a)(2) reads as follows, effective January 1, 1974:

§ 159.3 Motor vehicles carrying passengers for hire.

(a) * * *

(2) * * *

(iii) To carry immediately from the airport in a taxicab, passengers picked up, without a prior request, at the point of and immediately upon discharge of other passengers delivered there.

* * * * *
Issued in Washington, D.C., on December 28, 1973.

ALEXANDER P. BUTTERFIELD,
Administrator.

[FR Doc.73-27330 Filed 12-28-73;3:27 pm]