

**Regulatory Agenda
Of the New York City Taxi and Limousine Commission**

Fiscal Year Ending June 30, 2014

Pursuant to Section 1042 of the Charter of the City of New York, the New York City Taxi and Limousine Commission (“TLC”) hereby publishes a Regulatory Agenda for the Fiscal Year ending June 30, 2014. This Regulatory Agenda describes briefly the subject areas in which it is anticipated that rules may be promulgated during the fiscal year.

The legal basis for each proposed rule is the authority conferred to the TLC pursuant to chapter 65 of the City Charter and Title 19, Chapter 5 of the Administrative Code of the City of New York, which confer upon the Commission the authority to promulgate rules relating to public safety, comfort and convenience, standards and conditions of service, the issuance, suspension and revocation of licenses, and the development of a transportation policy relating to for-hire vehicles and taxicabs.

The individuals and entities likely to be subject to the proposed rules are the owners and drivers of licensed medallion taxicabs, for-hire vehicles, commuter vans and paratransit services vehicles; the owners of bases dispatching for-hire vehicles, paratransit services vehicles and commuter vans; taxicab brokers; taxicab agents; and taximeter businesses.

An agency official knowledgeable about the subject area of each proposal is:

Meera Joshi
Deputy Commissioner for Legal Affairs/General Counsel
Taxi and Limousine Commission
33 Beaver Street, New York, New York 10004
Telephone: (212) 676-1135

1. **Penalty for Late Drug Testing**

The Commission expects to propose rules revising the procedure for imposing fines on taxi and for-hire vehicle drivers who fail to take their drug tests on time. Today, the Commission cannot impose a penalty until the second offense so there is little deterrence for licensees to take their first drug test on time. We seek to streamline the process and impose a penalty at the first offense. The Commission expects to consider this proposal in the Fall of 2013.

2. **Adjudications Rules**

The Commission expects to propose revisions to rules governing adjudications procedures to reflect the effects of the implementation of Mayoral Executive Order No. 148 (2011) which transferred the administrative tribunal of the TLC to the New York City Office of Administrative Trials and Hearings. The Commission expects to consider this proposal in the Spring or Fall of 2013.

3. **Stickers and Decals**

To reduce confusion at inspection and to aid in field enforcement, the Commission expects to propose rules requiring that expired license stickers and decals must be removed from a vehicle. In addition, the Commission expects to propose rules requiring side decals on paratransit vehicles. The Commission expects to consider these proposals in the Winter of 2013-14.

4. **Base and Vehicle Affiliation**

The Commission expects to propose rules governing affiliation of commuter vans with commuter van services and paratransit vehicles with paratransit bases to mirror the stricter requirements of existing rules governing affiliation of for-hire vehicles with for-hire vehicle bases. For example, under current rules, a commuter van base can unaffiliate a vehicle without informing the vehicle owner. As a result, the vehicle owner unknowingly operates unaffiliated and illegally. Furthermore, the Commission intends to make rules to revoke the license of a commuter van or paratransit base, which we cannot do currently. The Commission expects to consider these proposals in the Winter of 2013-14.

5. **Base Responsible for Vehicle Owner Appointments**

In practice bases act as agents for vehicle owners but there is no rule requiring bases to do so. The Commission expects to propose rules formalizing this practice so that a for-hire vehicle base is responsible for making appointments for vehicle license applications

and inspections. The Commission expects to consider these proposals in the Winter of 2013-14.

6. **Persistent Violator**

Persistent violator rules are currently in place for taxicab and for-hire vehicle drivers. To be consistent across all license types, the Commission expects to propose similar rules to commuter van and paratransit vehicle drivers. The Commission expects to consider these proposals in the Spring of 2014.

7. **Paratransit Electronic Trip Records**

Electronic trip records for paratransit bases do not have specific information linking outbound and inbound trips. The Commission expects to propose rules expanding and standardizing the requirements for submission of electronic trip records by paratransit bases. The Commission expects to consider these proposals in the Spring of 2014.

8. **Education Requirements**

The Commission expects to propose rules revising existing education requirements and options for licensees and license applicants. The revised rules would require licensees to take the defensive driving course from a TLC authorized provider. The Commission expects to consider these proposals in the Spring of 2013

9. **Smartphone App Requirements for For-Hire Vehicle Industries**

The Commission expects to propose rules regulating the use of smartphone apps for for-hire vehicle industries. There are no requirements in place today. The Commission expects to consider this proposal in the Fall of 2013.

10. **Insurance Requirements**

The Commission expects to propose rules regarding acceptable proof of insurance for all regulated industries and acceptable forms of insurance for for-hire vehicle industries. The purpose of the rule change is to prohibit umbrella policies as coverage unless the insuring base owns the vehicle(s). Umbrella policies have many exclusions and loop holes related to for-hire service. The propose rules would enumerate minimum insurance requirements for each vehicle as part of the primary insurance policy. The Commission expects to consider this proposal Winter of 2014.

11. Modify Double-Shifting Requirement

The Commission is considering rules to change the requirement that vehicles operated by fleets be double shifted and operate for at least two nine hour shifts every day. The current requirement will be reviewed in the context of vehicle and driver availability with the objective being modifying the requirement in a way that satisfies owners and drivers and maintaining the Commission's interest in assuring that taxicabs are always available. The Commission expects to consider this proposal in the Fall of 2013.

12. Staten Island Inspection Facility

The Commission recently approved a pilot program to allow vehicles affiliated with Staten Island bases to have DMV and visual inspections take place at a new TLC facility in Staten Island instead of travelling to Woodside for inspection. The Commission will evaluate the pilot program and will likely consider rules in the Spring of 2014.