



## **SUMMARY OF CHANGES TO THE TAXI AND LIMOUSINE TRIBUNAL RULES**

On January 15, 2014, new rules governing procedures at the OATH Taxi and Limousine Tribunal (“Tribunal”) go into effect. A few key changes are summarized below. The new rules are located in Title 48 of the Rules of the City of New York (“RCNY”) Chapter 5. You can find them at <http://www.nyc.gov/oath>.

### **Representation**

#### **You May Authorize Anyone to Represent You At The Tribunal**

- Anyone may represent you at the Tribunal as long as that person submits proof that you have authorized him or her to appear on your behalf. Representatives no longer have to be Authorized Industry Representatives or attorneys. You or your representative may submit the *Authorized Representative Form* to the Tribunal as proof of authorization.
- Anyone who represents five (5) or more respondents at the Tribunal within a calendar year must register with the Tribunal using the *Representative Registration Form*. (Family members representing a respondent and attorneys admitted to practice in New York State do not have to register.)

#### **All Respondents May Appear Through A Representative**

- You do not need to appear personally for a hearing, even if you are a non-licensee. Instead, you may have your representative appear on your behalf if you give your representative proper authorization, such as the *Authorized Representative Form*.
- Of course, you may also represent yourself. You do not need a lawyer or representative to represent you at the Tribunal.

## **Failure To Appear At A Hearing**

### **Easier to Request New Hearing After Failure to Appear**

- If you fail to appear for a hearing and a default decision is issued against you, you may file a motion to vacate the decision without stating a defense to the charge in the summons. If you file a motion to vacate the decision within 60 days, you only need to show a reasonable excuse for failing to appear. If you file your motion after 60 days but within 2 years, you only need to show a reasonable excuse for delay in presenting the motion and a reasonable excuse for failing to appear.

### **Only One Motion To Vacate Default Decision Will Be Granted, Except In Exceptional Circumstances**

- If your request to vacate a default decision was granted, and you fail to appear at the new scheduled hearing, your request to vacate the second default decision will only be granted in exceptional circumstances and in order to avoid injustice.

### **You May Not Appeal A Denial Of A Motion To Vacate**

- If your motion to vacate a default decision has been denied, you may not appeal that denial.

## **Language Assistance Services Available To All Respondents**

The Tribunal makes professional interpretation services available free of charge to any respondent who requests or requires it. You may still bring your own interpreter, if you wish.