

EXECUTIVE ORDER NO. 165

EMERGENCY EVACUATION AND RE-OCCUPATION AND TRANSPORTATION ORDER

October 31, 2012

WHEREAS, Executive Order 163 declares a state of emergency in the City of New York; and

WHEREAS, as forecasted, a severe storm hit New York City in recent days, causing heavy flooding, power outages, and disruption of public transportation and other vital services;

NOW, THEREFORE, it is hereby ordered:

§ 1. The Office of Emergency Management, Police Department, Fire Department, Department of Health and Mental Hygiene, Health and Hospitals Corporation, Department of Sanitation, Department of Housing Preservation and Development, Department of Sanitation, Department of Buildings, Department of Environmental Protection, Department of Transportation, New York City Housing Authority, Department of Housing Preservation and Development, Department of Design and Construction, Department of Homeless Services, Department of Correction, Department of Parks and Recreation, Department of Citywide Administrative Services, Office of Citywide Event Coordination and Management, Office of Labor Relations, School Construction Authority, Department of Education, Department of Information Technology and Telecommunications, Department for the Aging,

Department of Small Business Services, Department of Consumer Affairs, Office of Media and Entertainment and Department of Cultural Affairs, Taxi and Limousine Commission, and other relevant departments and agencies, are directed, by and through themselves and others as needed, to undertake whatever activities and measures are needed, including revocation of street activity and other related event permits, to protect life and property or bring the emergency situation under control.

§ 2. The evacuation order in Executive Order 163 remains in effect, except to the extent indicated in this Order. All members of the public (other than authorized government personnel and essential emergency personnel, and patients and residents of hospitals, nursing homes and senior homes) are ordered to remain outside of Zone A, as defined by the Office of Emergency Management, except as set forth below.

§ 3. Re-occupation of commercial and residential buildings shall take place in the following manner. The Commissioner of the Department of Buildings shall issue guidelines and directions for re-occupation of buildings in the various portions of Zone A. Such guidelines shall include what information, if any, owners of buildings must provide to the Department of Buildings prior to re-occupation. Owners, residents and employees of businesses may re-occupy buildings in Zone A only upon determination by the Department of Buildings that re-occupation is permitted.

§ 4. All passenger vehicles containing fewer than three persons (including the driver) are hereby prohibited from entering Manhattan via the Brooklyn Bridge, the Manhattan Bridge, the Ed Koch Queensboro Bridge, and the Williamsburg Bridge from 6 a.m. to midnight on Thursday, November 1, 2012 and Friday, November 2, 2012. The prohibition set forth immediately above shall not include: authorized emergency vehicles, buses;

paratransit vehicles; and commercial vehicles. The prohibition shall not apply to taxicabs after 4 p.m. on either day.

§ 5. The Chair (“the Chair”) of the Taxi and Limousine Commission (“TLC”) is authorized to determine that conditions warrant implementation of the provisions of sections 5 and 6 of this Order. Upon making such determination, the Chair is authorized, for the duration of the emergency, to:

(1) implement any of the actions enumerated in this section as the Chair determines necessary. Any such actions may be modified, continued, or discontinued as the Chair determines necessary;

(2) permit sharing of rides in all taxicabs, either with or without the passenger’s consent as the Chair directs, and to set rates of fares, and, if appropriate, fare zones, for all taxicabs, or to permit negotiation of such rates of fares;

(3) permit all for-hire vehicles licensed by the TLC to pick up passengers with or without pre-arrangement (“street hails”) throughout the City of New York, on such conditions as may be set by the Chair;

(4) permit sharing of rides, either with or without the passenger’s consent, as the Chair directs, in all for-hire vehicles licensed by the TLC, and set rates of fares, and, if appropriate, fare zones, for all such for-hire vehicles, and to permit negotiation of such rates of fares. In such event, all drivers of for-hire vehicles licensed by the TLC shall display their TLC operator’s license and the name of the affiliated base or authority inside the vehicle in a manner that is easily visible or accessible to the passengers;

(5) permit all commuter vans licensed as such by the TLC to operate outside of the geographical area set forth in their operation authorization.

§ 6. No TLC-licensed driver shall charge or permit the charging of any passenger a fare in excess of the authorized rate of fare for any trip.

§ 7. Any person who knowingly violates any provision of this Order is guilty of a class B misdemeanor.

§ 8. This Order shall take effect immediately. It shall remain in effect for five (5) days unless it is terminated or modified at an earlier date.

Michael R. Bloomberg
Mayor