

EXECUTIVE ORDER No. 58

January 14, 2005

PROCLAMATION OF A STATE OF EMERGENCY

Whereas, Employees of Command Bus Company and Green Bus Company, both of which companies have interim operating authority to provide service in areas of the City where bus service is not provided by the New York City Transit Authority, commenced a strike on January 10, 2005, and such strike has caused serious disruption of the City's transportation system; and

Whereas, It is necessary to insure public safety and the orderly transportation of people and goods in the City of New York; and

Whereas, The strike could cause an increase in the response time of emergency vehicles which will endanger the lives and health of the City's residents, commuters and visitors, inability to gain access to routine medical care, the loss of wages for thousands of persons, the loss of revenue, on a daily basis, for businesses in the City, and lost revenues for the City and the Board of Education, and significant increased expenditures by the City of New York;

Whereas, These circumstances would constitute an imminent peril to the public health and safety requiring the adoption of special rules, regulations, procedures and restrictions as emergency measures;

Whereas, Executive Law §24 authorizes the Mayor to promulgate local emergency orders upon a finding that the public safety is imperiled by the event of a public emergency or in the event of reasonable apprehension of immediate danger thereof, to protect life and property and to bring an emergency situation under control; and

Whereas, Executive Order No. 2, dated January 1, 2002, authorizes the Deputy Mayor for Operations to perform all the functions, powers or duties of the Mayor which the Mayor is authorized to delegate in the event that the Mayor is unable to perform such functions, powers or duties for a reason specified in subdivision a of section 10 of the New York City Charter;

Now, therefore, by the power vested in the Mayor of The City of New York, and the power vested in the Deputy Mayor for Operations pursuant to Executive Order No. 2, it is hereby ordered:

Section 1. State of Emergency. A state of emergency is hereby declared to exist within the City of New York.

§ 2. Commuter van and for-hire vehicle provisions. The following provisions shall apply to vehicles licensed by the New York City Taxi and Limousine Commission:

- (a) All for-hire vehicles and commuter vans licensed as such by the Taxi and Limousine Commission are authorized, for the duration of the emergency, to pick up passengers without prearrangement at such locations within the City as may be designated by the Chairperson of the Taxi and Limousine Commission.
- (b) All commuter vans licensed as such by the Taxi and Limousine Commission are authorized to operate outside of the geographical area set forth in their operation authorization, subject to geographic limits as may be designated by the Chairperson of the Taxi and Limousine Commission, and are further authorized to accept and discharge passengers on streets within such geographic limits which otherwise constitute bus routes and at points which otherwise constitute bus stops as approved by the Chairperson.

§ 3. This executive order shall take effect immediately.

Marc V. Shaw
Deputy Mayor for Operations