

CHAPTER 2 TAXICAB DRIVERS RULES

| | | |
|--------------|--|-----------|
| §2-01 | Definitions..... | 4 |
| §2-02 | Requirements for a Taxicab Driver's License to Operate a Medallion Taxicab..... | 6 |
| §2-03 | Driver License Applicant Training..... | 9 |
| §2-04 | Probationary Licenses..... | 10 |
| §2-05 | License Fees..... | 12 |
| §2-06 | Administrative Fees..... | 12 |
| §2-07 | Critical Driver Program..... | 12 |
| §2-08 | Drivers of Accessible Taxicabs..... | 14 |
| §2-09 | [Reserved]..... | 14 |
| §2-10 | Term of a License..... | 14 |
| §2-11 | Driver Continuing Education..... | 16 |
| §2-12 | Valid License Required..... | 17 |
| §2-13 | Improper Use of a License..... | 17 |
| §2-14 | License Must Be Safeguarded..... | 18 |
| §2-15 | License Must Be Readable..... | 18 |
| §2-16 | Reporting Requirements..... | 18 |
| §2-17 | Vehicle Must Be Licensed..... | 18 |
| §2-18 | [Reserved]..... | 18 |
| §2-19 | Drug Testing of Licensed Taxicab Drivers..... | 18 |
| §2-20 | Driving While Impaired..... | 19 |
| §2-21 | Safe Driving and Traffic Accidents..... | 20 |
| §2-22 | [Reserved]..... | 21 |
| §2-23 | Driver's Shift..... | 21 |
| §2-24 | Authorized Drivers..... | 21 |
| §2-25 | Driver's Shift Responsibilities..... | 22 |
| §2-26 | Condition of Taxicab..... | 23 |
| §2-27 | Items Which Must be Present in the Taxicab..... | 24 |
| §2-28 | Trip Records..... | 25 |
| §2-29 | [Reserved]..... | 26 |
| §2-30 | Taximeter Condition..... | 26 |
| §2-31 | Tampering with Taximeter, Taximeter Technology System | |

* [As reads in the Official Compilation of the Rules of the City of New York.]

| | | |
|--------------|--|-----------|
| | and Rooflight Prohibited | 27 |
| §2-32 | If Taximeter or Credit/Debit Card Acceptance Equipment Is Defective During Shift..... | 28 |
| §2-33 | Taximeter Operation..... | 29 |
| §2-34 | Overcharges Prohibited | 30 |
| §2-35 | Trips Beyond the City | 31 |
| §2-36 | [Reserved]..... | 32 |
| §2-37 | [Reserved]..... | 32 |
| §2-38 | [Reserved]..... | 32 |
| §2-39 | Non-Paying Passengers | 33 |
| §2-40 | [Reserved]..... | 33 |
| §2-41 | [Reserved]..... | 33 |
| §2-42 | Courteous..... | 33 |
| §2-43 | Seating..... | 33 |
| §2-44 | Luggage and Property..... | 34 |
| §2-45 | Route and Method of Payment..... | 34 |
| §2-46 | Reasonable Requests | 35 |
| §2-47 | Change | 35 |
| §2-48 | [Reserved]..... | 36 |
| §2-49 | [Reserved]..... | 36 |
| §2-50 | Refusals..... | 36 |
| §2-51 | [Reserved]..... | 38 |
| §2-52 | Off-Duty Procedure..... | 38 |
| §2-53 | Accepting Passengers While Off-Duty..... | 39 |
| §2-54 | Solicitation of Passengers..... | 40 |
| §2-55 | Solicitation Prohibited..... | 40 |
| §2-56 | Taxi Stands..... | 40 |
| §2-57 | Terminals..... | 41 |
| §2-58 | [Reserved]..... | 42 |
| §2-59 | Lost Property | 42 |
| §2-60 | Abuse and Physical Force Prohibited..... | 42 |
| §2-61 | Compliance with Law..... | 42 |
| §2-62 | Gifts Prohibited..... | 43 |
| §2-63 | Conviction of a Crime | 44 |
| §2-64 | [Reserved]* | 44 |
| §2-65 | Merchandise Solicitation Prohibited | 44 |
| §2-66 | Cooperating with TLC | 44 |
| §2-67 | [Reserved]..... | 45 |
| §2-68 | [Reserved]..... | 45 |
| §2-69 | [Reserved]..... | 45 |

* [As reads in the Official Compilation of the Rules of the City of New York.]

| | | |
|--------------|---|-----------|
| §2-70 | Program for Persistent Violators of Taxicab Drivers Rules <i>(effective date, October 15, 1989)</i> | 45 |
| §2-71 | [Reserved] | 50 |
| §2-72 | [Reserved] | 50 |
| §2-73 | [Reserved] | 50 |
| §2-74 | [Reserved] | 50 |
| §2-75 | [Reserved] | 50 |
| §2-76 | [Reserved] | 50 |
| §2-77 | [Reserved] | 50 |
| §2-78 | [Reserved] | 50 |
| §2-79 | [Reserved] | 50 |
| §2-80 | [Reserved] | 50 |
| §2-81 | [Reserved] | 50 |
| §2-82 | [Reserved] | 50 |
| §2-83 | [Reserved] | 50 |
| §2-84 | [Reserved] | 50 |
| §2-85 | [Reserved]* | 50 |
| §2-86 | Penalties for Violation of Rules Governing Taxicab Drivers | 51 |
| §2-87 | Penalties Mandated by Local Law | 56 |
| §2-88 | Additional Penalties | 57 |

Updated 10/1/08

* [As reads in the Official Compilation of the Rules of the City of New York.]

§ 2-01 Definitions.

Accessible taxicab. An “accessible taxicab” is a taxicab that complies with section 3-03.2 of this title.

Applicant. An "applicant" is a person seeking a license from the Commission to drive a taxicab in the City of New York.

Chauffeur's license. A "chauffeur's license" is a valid license of the State of New York to operate a vehicle for hire or a valid license of similar class from another state of which the licensee is a resident.

Commission. The "Commission" is the New York City Taxi and Limousine Commission.

Driver. A "driver" is a person licensed to drive a medallion taxicab in the City of New York.

Licensed vehicle. A “licensed vehicle” is a taxicab or coach authorized to accept passengers for hire pursuant to these Rules and the Administrative Code of the City of New York.

Mailing address of driver. The “mailing address of driver” is the address designated by the driver for the mailing of all notices and correspondence from the Commission and for service of summonses. However, a driver may also designate a post office box number address as a mailing address.

Medallion. A "medallion" is the plate issued and affixed by the Commission for displaying the license number of a taxicab on the outside of the vehicle.

Occupant classification system. An “occupant classification system” is a device that is placed by the original equipment manufacturer within a vehicle seat that detects whether a person is occupying the seat and detects the mass or weight of that person, for purposes of deploying an airbag protecting a passenger in that seat, in the event of a collision, with high force, low force, or not at all.

Passenger. A "passenger" is any individual who has hired or attempted to hire a taxicab for travel to a destination.

Person with a Disability. A person with a disability is an individual with a physical or mental impairment or incapacity, including a person who uses a wheelchair, crutches, three-wheeled motorized scooter, other mobility aid, or a service animal, but who can transfer from such a mobility aid to a taxicab with or without reasonable assistance.

Rate card. A "rate card" is a card issued by the Commission for a taxicab which displays the taxicab's license number, rates of fare and such other data as the Commission may prescribe.

Renewal applicant. A "renewal applicant" is a person seeking to renew a taxicab driver's license within the time period established by the Commission.

Service Animal. A service animal is a guide dog, signal dog or any other animal trained specifically to work or to perform tasks for an individual with a disability, including, but not limited to, guiding individuals with visual impairments, alerting individuals with hearing impairments to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair or retrieving dropped items.

Side Airbag. A "side airbag" is an airbag located by the original equipment manufacturer in a vehicle seat, and such airbag inflates between the seat occupant and the door.

Taxicab. A "taxicab" is a motor vehicle licensed and approved by the Commission to carry no more than five (5) passengers and authorized to accept hails from persons in the street.

Taxicab technology service provider. A "taxicab technology service provider" is a vendor who has contracted with the Commission to install and maintain the taxicab technology system in taxicabs.

Taxicab technology system. The "taxicab technology system" is hardware and software that provides the following four core services (collectively "four core services"): (i) credit, debit and prepaid card payment required by section 3-03(e)(7) of this title, (ii) text messaging required by section 3-03(e)(8) of this title, (iii) trip data collection and transmission required by section 3-06 of this title, and (iv) data transmission with the passenger information monitor required by section 3-07 of this title.

Taximeter. A "taximeter" is an instrument or device approved by the Commission by which the charge to a passenger of a taxicab is automatically calculated and on which such charge is plainly indicated.

Trip record: A "trip record" also known as a trip sheet or trip log, is the written, computerized, automated and/or electronic accounting of a taxicab ride. The trip data to be transmitted or recorded shall include the taxicab license number (medallion number); the taxicab driver's license number; the location of trip initiation; the time of trip initiation; the number of passengers; the location of trip termination; the time of trip termination; the itemized metered fare for the trip (tolls, surcharge, and tip, if paid by credit or debit card); the distance of the trip, the trip number, the method of payment, the total number of passengers, as well as such other information as may be required by the Commission. The electronic capture of required trip record data shall commence no later than the compliance date set forth in section 1-01 of this title. Trip record information shall be available to the TLC, the taxicab driver, medallion owner, taxicab owner and/or leasing agent upon reasonable demand based upon parameters set between the TLC and approved vendor(s). The trip record shall be kept in an approved archived form for a minimum of three years after the date of the taxicab ride.

Weapon. A weapon is any firearm (as defined in the New York State Penal Law) for which a license has not been issued as provided in the New York State Penal Law and the Administrative Code of the City of New York, electronic dartgun, gravity knife, switchblade knife, cane sword, billy, blackjack, bludgeon, metal knuckles, chuka stick, sandstick, slingshot, pilum ballistic knife, sand bag, sand club, wrist brace type slingshot, shirken, kung fu star, dagger, dangerous knife, dirk, razor, stiletto, imitation pistol or any other instrument or thing whether real or simulated, and capable of inflicting or threatening bodily harm, including but not limited to any other weapons, the possession of which is prohibited pursuant to the New York State Penal Law.

**§2-02 Requirements for a Taxicab Driver's
License to Operate a Medallion Taxicab.**

- (a) An applicant for a taxicab driver's license:
 - (1) must be at least 19 years of age;

- (2) if an applicant for an original license, must provide to the Commission proof of identity in the form of
 - (A) A valid form of photo identification issued by the United States, any state or territory thereof, or any political subdivision of such state or territory; and
 - (B) A valid, original social security card;
- (3) must be a holder of a valid New York State chauffeur's license, or a holder of an equivalent class of valid license from another state of which he or she is a resident and who provides the Commission with an abstract of his or her driving record from that state. For the purposes of these rules, a valid chauffeur's license, or a license of an equivalent class, shall mean a license, issued by the New York State Department of Motor Vehicles or by the agency of another state which issues such license, which is neither probationary, suspended, revoked, conditional, nor restricted as to use for violations of traffic laws or regulations;
- (4) must be of sound physical condition as certified to by a physician licensed to practice in New York State or in the state in which the applicant resides, on forms provided by the Commission. If the Commission has cause to believe that an applicant or driver has a physical or mental impairment that renders him or her unfit for the safe operation of a taxicab, it may direct the applicant or driver to appear before a duly licensed physician designated by the Commission, for an examination of his physical or mental condition. Failure to appear as directed may lead to suspension or revocation of an existing license;
- (5) must not be addicted to the use of drugs or intoxicating liquors;
- (6) must be able to speak, read, write and understand the English language;
- (7) must be of good moral character;
- (8) must be familiar with the geography, streets and traffic regulations of the City of New York and the rules and regulations of the New

York City Taxi and Limousine Commission, as well as the Vehicle and Traffic Law of the State of New York;

- (9) must be the holder of a certificate of attendance for the required hours of instruction in taxi related subjects at a school approved by the Commission; and
 - (10) must be the holder of a certificate of completion for the required hours of instruction in a defensive driving course from a school, facility or agency authorized by the Commission and certified by the New York State Department of Motor Vehicles. The course must have been completed within six (6) months prior to the date of application.
- (b) An application for a taxicab driver's license must be signed by the applicant and filed by him in person with the Commission, on the forms provided by the Commission. An applicant for a taxicab operator's license shall agree that service of any paper, notice, letter, summons, complaint or legal process of any kind or nature may be made by the City of New York, or any department thereof, upon the person to whom the license is issued by leaving a copy of any such paper, notice, letter, summons, complaint or legal process with any member of his or her family or other person with whom he or she may reside at the address listed in his or her application.
- (c) An applicant is required to be fingerprinted and to pass all prescribed tests, both oral and written, as administered by the Commission or at its direction.
- (d) Any member of the New York City Police Department, applying for a taxicab driver's license, and satisfying all the requirements herein for such a license, must present a letter from his commanding officer approving such application.
- (e) Any material falsification contained in an original or renewal application for a license or any failure to notify the Commission of any material change in the information contained therein, shall be cause for denial, suspension or revocation of such license, in addition to any other sanctions imposed by the Commission.

- (f) If at any time during the term of the taxicab driver's license the Commission becomes aware of information that the driver no longer meets the requirements for a taxicab driver's license, the Commission may deny his renewal application or suspend or revoke his license.
- (g) An applicant or renewal applicant or any person acting on his behalf shall not offer or give any gift, gratuity or thing of value to any employee, representative or member of the Commission, or any public servant. An applicant or renewal applicant shall immediately report to the Inspector General of the Commission any request or demand for any gift, gratuity or thing of value by any employee, representative or member of the Commission, or any public servant.
- (h) If the Commission determines that the applicant has failed to meet the requirements for a taxicab driver's license it will deny the license or its renewal and specify in writing to the applicant the reason for such denial.
- (i) An applicant for a taxicab driver's license, other than an applicant who is a City of New York Police Officer, shall be tested, at the applicant's expense, for drugs or controlled substances, as set forth in §3306 of the Public Health Law. Such testing shall be performed by an individual or entity designated by the Commission and possessing a requisite permit issued by the New York State Department of Health. A positive test shall result in the denial of a new application. Said determination shall be a final agency decision. A renewal applicant must be tested for drugs in accordance with §2-19(b) of this chapter.

§2-03 Driver License Applicant Training.

- (a) Except as set forth in subdivision (c) and (d) of this section, all applicants for a taxicab driver's license are required to attend and pass an authorized course of training in taxi-related subjects. This course shall contain eighty (80) hours of instruction. The course shall include, but not be limited to, instruction on Commission rules and procedures, geography, map reading skills, driver/passenger relations and courtesy, as well as any other material deemed appropriate or relevant by the Commission. An applicant must successfully complete such course, and pass an examination administered by the Commission on mandatory subjects, as

well as proficiency in the English language, as a prerequisite to obtaining a taxicab driver's license.

- (b) Providers of authorized training services must be approved by the Commission and must administer the curriculum required by the Commission as set forth in subdivision (a) or (c). The Commission must also approve any and all charges to applicants by authorized providers of training services.
- (c) Applicants who are City of New York Police Officers shall be exempt from the course requirement as set forth in subdivision (a). Such applicants must pass an examination administered by the Commission as a prerequisite to obtaining a taxicab driver's license.
- (d) Any applicant for a license under this chapter who previously held a taxicab driver's license pursuant to this chapter and who had previously met the requirements of section 2-03(a) of this chapter shall not be required to meet such requirements again and shall be deemed to have fulfilled the pre-requisite to obtaining a taxicab driver's license as specified in section 2-03(a) of this chapter, provided that
 - (1) Such applicant's prior taxicab driver's license expired solely because the applicant was not available to timely renew such license because the applicant was on active military service, and not as a result of any action taken or commenced by the Commission to suspend, revoke, or otherwise terminate such license;
 - (2) Such applicant's military service commenced prior to the expiration date of his or her prior license and such applicant applies for a new taxicab driver's license under these rules within ninety (90) days of completing active military service, and in no event later than three (3) years following expiration of the prior license, and applicant provides proof of the dates of active military service; and
 - (3) Such applicant meets all other requirements for obtaining a new taxicab driver's license.

§2-04 Probationary Licenses.

- (a) An applicant will be issued a probationary license valid for a period of one year subsequent to the date the license was issued. The Commission will evaluate the applicant at the conclusion of the one-year probationary period, and will determine if renewal of the license is appropriate. In making such determination, the Commission may consider the driving record, any violation of the Taxicab Drivers Rules, or any other evidence that suggests that the driver no longer meets all requirements for a license.

- (b) Issuance of a license following the probationary period will be automatically barred or the Commission may revoke a probationary license at any time if any of the following occurs during the probationary period:
 - (1) The driver is convicted of a crime in any jurisdiction.
 - (2) The driver is convicted of driving while impaired by alcohol or drugs.
 - (3) The driver is convicted of refusing to submit to a breathalyzer or other chemical test.
 - (4) The driver is convicted of leaving the scene of an accident.
 - (5) The driver accumulates eight or more points against his New York State Chauffeur's License or a comparable license issued by his State of residence, the total of which shall include points existing on the driver's State license prior to his or her application for a license with the Commission.
 - (6) The driver is convicted of three or more moving violations.
 - (7) The driver is convicted of two speeding violations.
 - (8) The driver accumulates four or more points in accordance with the Commission's persistent violator program described in Drivers Rule 2-70.
 - (9) The driver is convicted of two or more violations of Drivers Rules 2-34(a), 2-34(b), 2-50(a), or 2-50(b).

- (c) For purposes of subdivision (b) of this rule, the Commission will consider the date of occurrence rather than the date of conviction when determining if a violation occurred within the probationary period.

§2-05 License Fees.

- (a) In accordance with §19-505(j) of the Administrative Code of the City of New York, the fee for a taxicab driver's license shall be sixty dollars (\$60) annually.
- (b) The fee for an original license or a renewal thereof shall be paid at the time of filing the applications and shall not be refunded in the event of disapproval of the application.
- (c) A driver shall submit an application for renewal of his or her driver's license no later than the expiration date of the license. There shall be an additional fee of twenty-five dollars (\$25) for late filing of a license renewal application where such filing is permitted by the Commission.

§2-06 Administrative Fees.

- (a) An additional fee of twenty-five dollars (\$25) shall be paid for each license issued to replace a lost or mutilated license.

§2-07 Critical Driver Program.

- (a) The taxicab driver's license of any driver who, within a period of fifteen months, accumulates six or more points against his license issued by the Department of Motor Vehicles or an equivalent license issued by the driver's state of residence, unless previously revoked, shall be suspended for thirty days.
- (b) The taxicab driver's license of any driver who, within a period of fifteen months, accumulates ten or more points against his license issued by the Department of Motor Vehicles or an equivalent license issued by the driver's state of residence shall be revoked.

- (c) The Commission may at any time review the fitness of a driver to be licensed by the Commission in view of any moving violation, accident, or other driving related incident. Nothing contained herein shall preclude the imposition by the Commission of additional or more severe penalties, or any other action deemed appropriate, in accordance with the Rules of the Commission.
- (d) For the purpose of this rule, the points assigned by the Department of Motor Vehicles for any violation shall be deemed to have been accumulated as of the date of occurrence of the violation.
- (e) The relevant fifteen month period to be used for calculating any suspension or revocation imposed under subsection (a) or (b) herein shall be calculated from the date of the most recent occurrence which led to a conviction of a violation carrying points; provided however, that no action under subsection (a) or (b) shall be taken with regard to any violation carrying points which occurred prior to February 15, 1999.
- (f) For the purpose of calculating penalties pursuant to subsection (a) or (b), herein, a driver who has accumulated points for multiple violations arising from a single incident shall be deemed to have accumulated points for the single violation with the highest point total.
- (g) Any licensee who voluntarily attends and satisfactorily completes a motor vehicle accident prevention course approved by the Department of Motor Vehicles, and who furnishes the Commission with proof that the course was completed on or before August 31, 1999, shall have two (2) points deducted from the total number of points assessed for the purpose of determining any suspension or revocation pursuant to this Rule. No point reduction shall affect any suspension or revocation action which may be taken pursuant to these Rules prior to the completion of the course; and no person shall receive a point reduction unless attendance at the course is voluntary on the part of the licensee.
- (h) Any licensee who voluntarily attends and satisfactorily completes a motor vehicle accident prevention course approved by the Department of Motor Vehicles, and who furnishes the Commission with proof that the course was completed on or after September 1, 1999, shall have two (2) points deducted from the total number of points assessed pursuant to this

Rule. No point reduction shall affect any suspension or revocation action taken pursuant to these Rules prior to the completion of the course. No person shall receive a point reduction pursuant to this subsection more than once in any eighteen month period; and no person shall receive a point reduction unless attendance at the course is voluntary on the part of the licensee.

§2-08 Drivers of Accessible Taxicabs.

A driver of an accessible taxicab must also comply with chapter 16 of this title.

§2-09 [Reserved]

§2-10 Term of a License.

- (a) The term of a taxicab driver's license shall be as follows:
- (1) A license issued to a new applicant shall expire one year subsequent to the date the license was issued as provided in section 2-04 of this chapter.
 - (2) (A) A license issued to a renewing applicant shall expire two years from the date on which the previous license expired. The Commission may, in its discretion, extend the expiration date of such license by up to an additional thirty-one days.

(B) The holder of a renewal license under subparagraph (a)(2)(A) of this paragraph who is in the second year of such license and who has completed the drug test required by section 2-19 (b)(1) of this chapter for licensees in the first year of such license, may, upon written request to the Chairperson, advance the expiration date of his or her license to any date prior to the scheduled expiration of such license. One such request may be made during the term for such license. The request must be made on a form to be prescribed by the Chairperson or his or her designee and must be submitted in accordance with instructions on that form.

(C) The holder of a license seeking to renew such license after advancing the expiration date thereof hereunder must comply with all requirements for renewal applicants, including with the

requirements imposed by sections 2-02, 2-11 and 2-19 of this chapter; notwithstanding the provisions of section 2-19(b) of this chapter, the drug test provided for therein shall be performed no sooner than thirty (30) days prior to, and in any event no later than, such advanced expiration date. For purposes of section 2-19(b) of this chapter, a licensee who has advanced his or her expiration date shall be treated as being a licensee in the second year of a two-year license.

(D) (i) Notwithstanding the provisions of section 2-05(c) of this chapter, the holder of a renewal license under subparagraph (a)(2)(A) of this paragraph that expires between March 16, 2006, and June 23, 2006, inclusive, may request an extension of the time to submit a license renewal application on the ground that the licensee was unable to submit to license renewal drug testing as required by section 2-19(b)(1) of this chapter due to the licensee's absence from the New York City area during the entire time provided by that section for submission to such drug testing.

(ii) The request for an extension of time to submit a license renewal application shall be made in writing to the Chairperson or his or her designee and shall include documentation demonstrating that the holder of the license was absent from the New York City area during the entire time provided by section 2-19(b)(1) of this chapter for submission to drug testing for the renewal of such license, and was therefore not reasonably able to submit a license renewal application before the expiration of such license.

(iii) Any such request for an extension of time must be received by the Chairperson or his or her designee no later than September 15, 2006. If the Chairperson or his or her designee grants the request, the licensee's time to submit an application for renewal of his or her license shall be extended to six months after the expiration of his or her license.

(iv) A license renewal application submitted by a licensee granted such an extension must comply with all requirements for renewal applications, including payment of the late-filing fee provided by section 2-05(c) of this chapter, except that the drug test required by section 2-19(b) of this chapter shall be taken no sooner than thirty (30) days prior to the completion of such license renewal application.

(v) The expiration of a license shall not be affected by the licensee's eligibility for an extension, or request for an extension, of the time to submit a license renewal application under this paragraph, and such license shall remain expired until a renewal license is issued under item (iv) of this subparagraph.

- (3) A person who engages in a licensed activity after the expiration date of a license and before the issuance of a renewal license is engaged in unlicensed activity and may be subject to penalties pursuant to applicable statutes and regulations. Nothing contained herein shall prevent the Commission from taking any action pursuant to §2-04(b) with respect to conduct which occurred during the probationary period of a new applicant's license, either prior or subsequent to the expiration of the probationary period.

§2-11 Driver Continuing Education.

- (a) All licensees are required to attend and satisfactorily complete an authorized course of training in taxi-related subjects prior to the expiration of their probationary license pursuant to section §2-04 of this chapter. The course shall be a minimum of four hours and shall include an update of rule changes, a review of driver responsibilities and duties, driver-passenger relations, and an awareness of serving passengers with disabilities. A renewal applicant must successfully complete such course, as verified by the designated school, as a prerequisite to the first renewal of a taxicab driver's license. The course must be completed no sooner than sixty (60) days prior to, and in any event no later than the expiration date of the one-year probationary license.

- (b) All licensed taxicab drivers with licenses expiring November 30, 1997 through October 31, 1998 are required to meet the course training certification requirement of section (a) with their renewal application, as if such application is their first renewal application.
- (c) The authorized providers of a taxi driver refresher course shall charge each applicant enrolled in such course a fee of twenty dollars (\$20).
- (d) All renewal applicants are required to attend and complete a defensive driving course from a school, facility or agency authorized by the Commission and certified by the New York State Department of Motor Vehicles. A renewal applicant who submits a certificate of completion for an authorized defensive driving course completed less than three (3) years from the date of the renewal application shall be exempt from this requirement.

§2-12 Valid License Required.

- (a) A driver shall not operate a taxicab in the City of New York while his taxicab driver's license is revoked, suspended or expired.
- (b) A driver shall not operate a taxicab without a valid New York State chauffeur's license or a valid license of similar class of the state of which he is a resident.
- (c) A driver shall immediately surrender his taxicab driver's license to the Commission, upon the suspension or revocation of his chauffeur's license.
- (d) A driver shall comply with all restrictions endorsed by the Commission upon his taxicab driver's license.

§2-13 Improper Use of a License.

- (a) A driver shall not apply for or accept more than one taxicab driver's license without the Commission's written permission.
- (b) A driver shall not permit any other person to use the driver's taxicab driver's license while operating any vehicle.

§2-14 License Must Be Safeguarded.

- (a) A driver, within seventy-two (72) hours exclusive of weekends and holidays, shall notify the Commission in writing of the loss or theft of his taxicab driver's license.

§2-15 License Must Be Readable.

- (a) A driver shall immediately surrender for replacement and reissue, any unreadable or unrecognizable taxicab driver's license.

§2-16 Reporting Requirements.

- (a) A driver shall report any change of mailing address to the Commission, either in person or by registered or certified mail, return receipt requested within seven (7) days exclusive of weekends and holidays. Any notice from the Commission shall be deemed sufficient if sent to the mailing address furnished by the driver.
- (b) A driver shall submit four (4) new photographs to the Commission whenever his physical appearance has changed.

§2-17 Vehicle Must Be Licensed.

- (a) A driver shall not knowingly operate a vehicle for hire unless such vehicle is properly licensed by the Commission.

§2-18 [Reserved]

§2-19 Drug Testing of Licensed Taxicab Drivers.

- (a) If the Commission has reasonable suspicion to believe that a driver has a drug or controlled substance impairment that renders him or her unfit for the safe operation of a taxicab, it may direct that the driver be tested or examined for such impairment, at the driver's expense, by an individual or entity designated by the Commission and possessing a requisite permit issued by the New York State Department of Health. If the results of said test(s) or examination(s) are positive, the driver's

license may be revoked after a hearing. Failure of a driver to be tested or examined as directed may lead to suspension or revocation of such driver's license in accordance with §8-16 of this title.

(b)(1) Notwithstanding the foregoing, each licensee, other than a licensee who is a City of New York Police Officer, also shall be tested annually, at the licensee's expense, for drugs or controlled substances, as set forth in § 3306 of the Public Health Law. For licensees in the first year of a two-year license, such testing must occur no sooner than thirty (30) days prior to, and in any event no later than, the date one year prior to the expiration date of such license. For licensees in the second year of a two-year license, such testing must occur no sooner than thirty (30) days prior to, and in any event no later than the expiration date of such license. Such testing shall be performed by an individual or entity designated by the Commission and possessing a requisite permit issued by the New York State Department of Health.

(2) If the results of said test are positive, the driver's license may be revoked after a hearing in accordance with §8-15 of this title.

(3) Failure of a licensee in the first year of a two-year license to be tested no sooner than thirty (30) days prior to, and in any event no later than, the date one year prior to the expiration date of such license shall result in suspension of the driver's license in accordance with §8-17 of this title. If such licensee undergoes the required testing within thirty (30) days after the date one year prior to the expiration date of the current license, the suspension of the driver's license shall be lifted. If such licensee undergoes the required testing more than thirty (30) days after the date one year prior to the expiration date of the current license, such licensee shall also be required to pay a penalty of \$200 to have the suspension of the driver's license lifted.

(4) Failure of a licensee in the second year of a two-year license to be tested by the expiration date of such license shall result in denial of a license renewal application, if any, and expiration of the license.

§2-20 Driving While Impaired.

(a) A driver shall not operate a taxicab while his driving ability is impaired by either intoxicating liquor (regardless of its alcoholic content), drugs or

other controlled substances, nor while driving such taxicab or for six hours prior to driving or occupying such taxicab shall he consume any intoxicating liquor regardless of its alcoholic content or any drugs or other controlled substances.

§2-21 Safe Driving and Traffic Accidents.

- (a) A driver shall not operate his taxicab in such manner or at a speed which unreasonably endangers users of other vehicles, pedestrians, or his passengers.

- (b) A driver shall operate his taxicab at all times in full compliance with all New York State and New York City traffic laws, rules and regulations and all rules, regulations and procedures of the Port Authority of New York and New Jersey, the Triboro Bridge and Tunnel Authority, and any regulatory body or governmental agency having jurisdiction over motor vehicles, with respect to matters not otherwise specifically covered in these rules. Violations of the foregoing shall be classified as follows for purposes of this subdivision:
 - (1) Laws, rules or regulations governing stationary vehicles.

 - (2) Laws, rules or regulations governing moving vehicles, other than hazardous moving violations defined by paragraph (3) of this subdivision.

 - (3) Laws, rules or regulations governing moving vehicles which involve hazardous moving violations, defined as follows:
 - (i) speeding;
 - (ii) failing to stop for school bus;
 - (iii) following too closely;
 - (iv) inadequate brakes (own vehicle);
 - (v) inadequate brakes (employer's vehicle);
 - (vi) failing to yield right of way;
 - (vii) traffic signal violation;
 - (viii) stop sign violation;
 - (ix) yield sign violation;
 - (x) railroad crossing violation;
 - (xi) improper passing;

- (xii) unsafe lane change;
 - (xiii) driving left of center;
 - (xiv) driving in wrong direction;
 - (xv) leaving scene of an accident involving property damage or injury to animal.
- (c) A driver who, knowingly or having cause to know that personal injury has been caused to another person or that damage has been caused to the property of another person due to an accident involving the driver's taxicab, shall, before leaving the place where said damage or injury occurred, stop, exhibit to such other person his chauffeur's license, taxicab driver's license, and rate card, and give to such other person, his name, residence address, chauffeur's license number, taxicab driver's number, and taxicab medallion number, as well as the name of the taxicab's insurance carrier and the insurance policy number.
- (d) A driver, while operating a taxicab, shall immediately report to the owner of the vehicle any motor vehicle accident in which he is involved.

§2-22 [Reserved]

§2-23 Driver's Shift.

- (a) A driver shall not operate a taxicab for more than twelve (12) consecutive hours.

§2-24 Authorized Drivers.

- (a) A driver shall not operate a taxicab unless either:
- (1) the driver's name has been entered by TLC on the rate card, and a lease driver whose name is so entered is not operating past the expiration date for the lease; or
 - (2) the taxicab is operated by "Unspecified Drivers," and such fact has been noted by TLC on the rate card.
- (b) A driver who is permitted to operate a taxicab pursuant to a lease from the taxicab owner shall not sublease the taxicab to another party.

§2-25 Driver's Shift Responsibilities.

- (a) A driver, while operating a taxicab, shall not, without the Chairperson's written authorization, have in his or her possession or in the vehicle, a weapon as defined by §2-01 of these Rules, or any other instrument which is intended to be used as a weapon.
- (b) A driver shall be clean and neat in dress and person. A driver may not wear as outer clothing: underwear, tank tops, tube tops, body shirts, swimwear, bathing trunks, or cut-off shorts.
- (c) A driver shall not smoke in a taxicab.
- (d) During the workshift a driver shall not allow another person to operate the taxicab or occupy the driver's seat, except in the event of an emergency.
- (e) A driver while on duty shall not lock either of the rear doors except at a passenger's request or with his consent or for a reason specified in these rules. A driver may lock the front doors. However, this does not give drivers the right to refuse parties of four persons, in which one person must occupy the front seat.
- (f) The driver shall comply with the Air Pollution Control Code of the City of New York, and shall not cause or permit the engine of his taxicab to idle for longer than three minutes.
- (g) A driver shall not permit the taxicab to be operated for hire by another person who is not currently licensed by the Commission as a taxicab driver.
- (h) A driver shall not use a telephone while operating a taxicab, unless such taxicab shall be lawfully standing or parked.
- (i) A driver shall reimburse an E-Z Pass tag holder for all tolls paid through the use of the E-Z Pass immediately upon return of the vehicle to the E-Z Pass tag holder or his agent at the end of the shift or lease period. If a driver has a replenishment account with the owner or agent pursuant to §1-83 of the Taxicab Owners rules, the driver shall be required to

contribute to the reimbursement account any monies that have been depleted from the account to reimburse the owner or agent for E-Z Pass tolls paid by the owner or agent but not reimbursed.

§2-26 Condition of Taxicab.

- (a) A driver shall not operate a taxicab without continuing personal inspection and reasonable determination that all equipment, including brakes, tires, lights, signals and passenger seatbelts and shoulder belts are in good working order.
- (b) A driver, during his workshift, shall keep the taxicab's interior clean.
- (c) A driver, during his workshift, shall keep clean and free from obstruction the medallion number on the front and rear of the roof light so that the medallion number shall be plainly visible at all times.
- (d) A driver shall not (1) operate a taxicab having any equipment or mechanical devices not specifically enumerated in these rules, unless authorized in writing by the Commission; (2) place a cushion or other orthopedic device on the seat portion of a taxicab seat that is equipped with an occupant classification system; or (3) place a back rest or other orthopedic device on the back portion of a taxicab seat that is equipped with side airbags.
- (e) A driver shall not place any signs in a taxicab not specifically enumerated in these rules, unless authorized in writing by the Commission.
- (f) (i) For any taxicab that is required to be equipped with the taxicab technology system, such equipment shall at all times be in good working order and each of the four core services shall at all times be functioning.

(ii) In the event of any malfunction or failure to operate of such taxicab technology system, the driver shall file an incident report with the authorized taxicab technology service provider promptly and in no event more than one (1) hour following the driver's discovery of such malfunction or failure to operate or such time as the driver reasonably should have known of such malfunction or failure to operate, or the end of the driver's shift, whichever occurs first. If the owner or taxicab agent previously filed a timely incident report regarding such malfunction or

failure to operate, the driver shall not be required to file a separate incident report but shall obtain an incident report number from the owner, agent or taxicab technology service provider. A taxicab in which any of the four core services of the taxicab technology system, or any part thereof, are not functioning shall not operate more than forty-eight (48) hours following the timely filing of an incident report by the owner, driver or agent.

- (g) If any passenger information monitor is not operational and can be made operational by the driver, the driver shall do so.

§2-27 Items Which Must be Present in the Taxicab.

- (a) A driver shall not operate a taxicab unless the following are present in the taxicab:
 - (1) The taxicab technology system as defined in section 2-01 of this chapter, provided, however, that, if the taxicab is not yet required to be equipped with such taxicab technology system and whenever such taxicab technology system is inoperable for not more than forty-eight (48) hours following the filing of an incident report with the authorized taxicab technology service provider as set forth in section 2-26 of this chapter, the driver must maintain a written trip record also known as a “trip sheet,” containing such information as required by sections 2-01 and 2-28(a) of this chapter and section 3-06(b) of this title.
 - (2) his taxicab driver's license in the appropriate frame;
 - (3) the rate card assigned to the taxicab, bearing the serial number of the taximeter, in the frame alongside the frame for his taxicab driver's license;
 - (4) a New York City five (5) borough indexed street map; and
 - (5) receipts for passengers.
- (b) A driver shall not operate a taxicab after sunset unless all of the following items are illuminated so that they are clearly visible from the rear seat by a passenger with normal vision:

- (1) the face of the taximeter;
 - (2) his taxicab driver's license; and
 - (3) the rate card.
- (c) A driver shall not obstruct a passenger's view of any of the items required in a taxicab by these rules, including the taximeter.
- (d) A driver shall not operate a taxicab for hire that is not equipped with an E-Z Pass tag and shall use E-Z Pass at all crossings within the jurisdiction of the Metropolitan Transportation Authority, Triborough Bridge and Tunnel Authority, where E-Z Pass is accepted. Nothing contained herein shall preclude a driver from using his personal E-Z Pass tag for any toll.

§2-28 Trip Records.

- (a) Until a taxicab is required to be equipped with the taxicab technology system as defined in section 2-01 of this chapter, and thereafter whenever the taxicab technology system is inoperable for not more than forty-eight (48) hours following the filing of an incident report with the authorized taxicab technology service provider as set forth in section 2-26 of this chapter, a driver shall keep a written trip record in the taxicab as specified in section 2-27(a) and shall enter the following information legibly in ink, as follows:
- (1) at the start of each trip, the starting time, specific location and number of passengers;
 - (2) on completion of the trip, the destination, the time, the amount of the fare, and any tolls paid;
 - (3) the taximeter readings and the concluding time of his or her workshift;
 - (4) any toll bridges or tunnels used by the driver, whether or not with a passenger; and
 - (5) all other entries required by these rules.

- (b) Until a taxicab is required to be equipped with the taxicab technology system as defined in section 2-01 of this chapter, and thereafter whenever the taxicab technology system is inoperable for not more than forty-eight (48) hours following the filing of an incident report with the authorized taxicab technology service provider as set forth in section 2-26 of this chapter, a driver shall, at the beginning of each workshift, sign and certify on the written trip record that, with the exception of the taxicab technology system, the taxicab and its equipment are in good working condition and that, with the exception of such taxicab technology system, the items required in the taxicab are present, before operating the taxicab.
- (c) For any taxicab that is required to be equipped with the taxicab technology system, a driver shall transmit to an electronic database all necessary corrections that need to be made to the electronic trip record. A driver shall at no time make erasures or obliterations on any written trip record, shall correct any wrong entry only by drawing a single line through the incorrect entry and recording the date, time and reason for the change, and shall not leave blank lines between entries on any written trip record.
- (d) A driver shall at no time rewrite a written trip record either in whole or in part, unless authorized by the Commission.
- (e) Until a taxicab is required to be equipped with the taxicab technology system as defined in section 2-01 of this chapter, and thereafter whenever the taxicab technology system is inoperable for not more than forty-eight (48) hours following the filing of an incident report with the authorized taxicab technology service provider as set forth in section 2-26 of this chapter, a driver shall submit his written trip sheet to the owner at the conclusion of the driver's shift or lease period. Whenever a taxicab's taxicab technology system is inoperable for not more than forty-eight (48) hours following the filing of an incident report with the authorized taxicab technology service provider, the driver must maintain written trip records during the forty-eight (48) hours immediately following the filing of such incident report.

§2-29 [Reserved]

§2-30 Taximeter Condition.

- (a) A driver shall not drive a taxicab unless all taximeter seals and cable housing seals are in good condition and pressed by the Commission or its authorized designee. The serial number of the taximeter must be the same as that shown on the rate card assigned to the taxicab.
- (b) A driver shall not pick up or transport a passenger unless the taximeter is properly equipped with paper for the printing of receipts.
- (c) A driver while on duty shall not operate a taxicab unless the rooflight is lit when the taximeter is not in use, and unlit when the taximeter is in use.

§2-31 Tampering with Taximeter, Taximeter Technology System and Rooflight Prohibited.

- (a) A driver shall not operate a taxicab in which the taximeter or the seals affixed thereto by a licensed taximeter repair shop or the taxicab technology system have been tampered with, broken or altered in any manner. The operation of a taxicab with a broken taximeter seal shall give rise to a rebuttable presumption that the driver knew of the tampering or alteration and operated the taxicab with such knowledge.
- (b) A driver shall not tamper with, repair or attempt to repair, or connect any unauthorized device to, the taximeter or the taxicab technology system, or any seal, cable connection or electrical wiring thereof, or make any change in the vehicle's mechanism or its tires which would affect the operation of the taximeter or the taxicab technology system.
- (c) A driver shall not tamper with the roof light or any of the interior lights or connections except to replace a defective bulb or fuse. The rooflight of a taxicab shall be automatically controlled only by the movement of the taximeter button or ignition switch so that it is lighted only when the taximeter is in an off or "Vacant" position and unlighted when the taximeter is in a recording or "Hired" position. The operation of a taxicab with an unauthorized installation or device controlling interior or roof lighting shall give rise to a rebuttable presumption that the driver knew of the unauthorized installation or device and operated the taxicab with such knowledge.

- (d) It shall be an affirmative defense to a violation of section 2-31(b) that the driver: (1) did not know of or participate in the alleged taximeter or taxicab technology system tampering; and (2) exercised due diligence to ensure that taximeter-tampering or tampering with the taxicab technology system does not occur.

§2-32 If Taximeter or Credit/Debit Card Acceptance Equipment Is Defective During Shift.

- (a) A driver shall not pick up or transport a passenger when the taximeter is defective, until it has been repaired at a licensed taximeter shop or replaced by such shop with a taximeter which has been inspected, sealed and approved within the preceding twelve (12) months. Until a taxicab is required to be equipped with the taxicab technology system as defined in section 2-01 of this chapter, if the taximeter is equipped to accept credit or debit card payments for fares, a driver may not pick up or transport a passenger when the taximeter is incapable of accepting or processing credit or debit card transactions. When a taxicab is required to be equipped with the taxicab technology system, the driver may not pick up or transport a passenger when the system is incapable of accepting or processing credit or debit card transactions, unless: (i) in the event of any malfunction or failure to operate of the credit or debit card acceptance equipment, the driver promptly files an incident report with the authorized taxicab technology service provider, as set forth in section 2-26 of this chapter, and obtains an incident report number, and not more than forty-eight (48) hours have passed following the filing of such incident report, and (ii) the driver advises the passenger of the malfunction or failure to operate of the credit or debit card acceptance equipment prior to engaging the meter. In the event that the wireless payment equipment used to accept payment by credit and debit cards is inoperable at the destination of a trip as a result of a technical problem in the system's communication network that is not related to the equipment in the taxicab, the customer has the option of either (i) paying cash or (ii) requesting the taxicab driver continue to a location where the wireless payment system may communicate with its network. If a taximeter or its parts become defective during the driver's shift while a passenger is in the taxicab, or if the taxicab technology system or its parts become

defective while a passenger is in the taxicab such that the driver is unable to inform the passenger of the proper fare, the driver shall immediately notify the passenger and offer him or her the option of continuing the trip with a mutually agreed upon reasonable fare, or terminating the trip and paying the fare shown on the taximeter to that point.

- (b) Upon terminating a trip because of a defective taximeter or defective taxicab technology system, the driver shall illuminate the “Off Duty” light, lock the rear doors, transmit to an electronic database for entry on the electronic trip record that the taximeter and/or the taxicab technology system is defective or, until a taxicab is required to be equipped with the taxicab technology system as defined in section 2-01 of this chapter, and thereafter whenever the taximeter technology system is inoperable for not more than forty-eight (48) hours following the filing of an incident report as set forth in section 2-26 of this chapter, enter on the written trip record that the taximeter and/or the taxicab technology system is defective. Whether or not the taxicab is required to be equipped with the taxicab technology system, the driver shall return the taxicab immediately to the garage of record or a licensed taximeter repair shop.
- (c) A driver shall not charge a mark-up to any passenger for credit/debit card transactions.

§2-33 Taximeter Operation.

- (a) When a taxicab is occupied by anyone in addition to the driver, the taximeter shall immediately be placed in the recording or “Hired” position and kept in that position until arrival at the destination, provided that if the passenger is not being charged a fare, the driver, in lieu of activating the meter, may illuminate the “Off Duty” light and transmit to an electronic database for entry on the electronic trip record that he or she is off duty and transporting a non-paying passenger and the details of time and distance of the free fare or, until a taxicab is required to be equipped with the taxicab technology system as defined in section 2-01 of this chapter, and thereafter whenever the taxicab technology system is inoperable for not more than forty-eight (48) hours following the filing of an incident report with the authorized taxicab technology service provider as set forth in section 2-26 of this chapter, enter on his or her written trip record, that he or she is off duty and transporting a non-paying passenger and the details of time, distance and reason for the transportation without

charge. When the taxicab is engaged in a flat fare trip from Kennedy Airport to Manhattan or from Manhattan to Kennedy Airport in accordance with section 1-69(a) of this title, the driver shall transmit to an electronic database for entry on the electronic trip record or enter on the written trip record that this is a flat fare trip to or from Kennedy Airport and the details of time and distance. When a taxicab is occupied by a passenger who is a person with a disability, the driver shall place the taximeter in the recording or "Hired" position only after the passenger has safely entered the taxicab. A taxicab driver shall not place the taximeter in the recording or "Hired" position while the driver is assisting a person with a disability to enter the taxicab or while assisting with that passenger's mobility aid. Notwithstanding anything else contained in this section, a taxicab driver who is a driver of an accessible taxicab and who has accepted a dispatch of a wheelchair passenger pursuant to chapter 16 of this title shall turn on the meter as provided in section 16-08 (d) of this title.

- (b) Upon reaching the passenger's destination, the driver shall place the taximeter in a non-recording or "Time Off" position, inform the passenger of the fare due and leave the taximeter in a non-recording position until the fare is paid. If the passenger is an individual with a disability who requires assistance to exit the taxicab, the driver shall place the taximeter in a non-recording position before assisting such passenger and shall leave the taximeter in a non-recording position until such passenger has paid the fare and safely exited the cab.
- (c) Immediately after the passenger leaves the taxicab, the driver shall clear the taximeter, placing it in an off or "Vacant" position in which it must remain until the next passenger enters the taxicab.

§2-34 Overcharges Prohibited.

- (a) A driver shall not charge or attempt to charge a fare above the approved rates, as provided by these rules. A driver shall not impose or attempt to impose any additional charge for transporting a person with a disability, a service animal accompanying a person with a disability or a wheelchair or other mobility aid.

- (b) A driver shall not collect or attempt to collect separate fares from individual passengers who have shared a taxicab for part or all of a trip unless such fares are specifically authorized as part of a group riding program established by the Commission.
- (c) A driver shall give the correct change to a passenger who has paid the fare.
- (d) A driver shall not ask a passenger for a tip nor indicate that a tip is expected or required.

§2-35 Trips Beyond the City.

- (a) For a trip beyond the City of New York, except for the counties of Westchester or Nassau, or the facilities of the Port Authority of New York and New Jersey at Newark Airport, the following shall be applicable:
 - (1) the driver shall not start the trip until agreement has been made on a flat rate as set forth in Owner Rule §1-73;
 - (2) the driver shall place the taximeter in a recording position at the beginning of the trip, and the taximeter shall remain in such recording position within the limits of * City of New York;
 - (3) out-of-City destination shall be transmitted to an electronic database upon arrival at the destination for entry on the electronic trip record or, until a taxicab is required to be equipped with the taxicab technology system as defined in section 2-01 of this chapter, and thereafter whenever the taxicab technology system is inoperable for not more than forty-eight (48) hours following the filing of an incident report with the authorized taxicab technology service provider as set forth in section 2-26 of this chapter, entered on the written trip record; and
 - (4) the total charge shall be captured by an electronic database for entry on the electronic trip record or, until a taxicab is required to

* [As reads in the Official Compilation of the Rules of the City of New York.]

be equipped with the taxicab technology system as defined in section 2-01 of this chapter, and thereafter whenever the taxicab technology system is inoperable for not more than forty-eight (48) hours following the filing of an incident report with the authorized taxicab technology service provider as set forth in section 2-26 of this chapter, entered on the written trip record.

- (b) For a trip to the counties of Westchester or Nassau, or Newark Airport, the following shall be applicable:
 - (1) the driver shall place the taximeter in a recording position at the start of the trip and shall keep the taximeter in the recording position at all times;
 - (2) the driver must inform the passenger of the rate of fare, set forth in Taxicab Owners Rule 1-73, before the start of the trip, and for a trip to the Counties of Westchester or Nassau he or she shall advise the passenger when the taxicab crosses the City limit;
 - (3) the driver must inform the passenger before the start of the trip that all necessary tolls to and from the destination shall be paid by the passenger; and
 - (4) the total charge shall be transmitted to an electronic database for entry on the electronic trip record or, until a taxicab is required to be equipped with the taxicab technology system as defined in section 2-01 of this chapter, and thereafter whenever the taxicab technology system is inoperable for not more than forty-eight (48) hours following the filing of an incident report with the authorized taxicab technology service provider as set forth in section 2-26 of this chapter, entered on the written trip record.

§2-36 [Reserved]

§2-37 [Reserved]

§2-38 [Reserved]

§2-39 Non-Paying Passengers.

- (a) If a passenger refuses to pay the metered fare, the driver must place the meter in the off or “Vacant” position, illuminate the “Off Duty” light, transmit the relevant information and the amount of fare on the taximeter to an electronic database for entry on the electronic trip record or, until a taxicab is required to be equipped with the taxicab technology system as defined in section 2-01 of this chapter, and thereafter whenever the taxicab technology system is inoperable for not more than forty-eight (48) hours following the filing of an incident report with the authorized taxicab technology service provider as set forth in section 2-26 of this chapter, enter the words “Off Duty” and the amount of fare on the taximeter on the written trip record. Whether or not the taxicab is required to be equipped with the taxicab technology system, the driver shall proceed directly to the nearest police precinct, present the facts to the police and follow their instructions for resolving the dispute.

§2-40 [Reserved]

§2-41 [Reserved]

§2-42 Courteous.

- (a) A driver shall be courteous to passengers.

§2-43 Seating.

- (a) A driver shall not permit more than four (4) passen_ gers* to ride in a four (4) passenger taxicab, nor more than five (5) passengers in a five (5) passenger taxicab, except that an additional passenger must be accepted if such passenger is under the age of seven (7) and is held on the lap of an adult passenger seated in the rear.
- (b) A passenger who is unable to enter or ride in the passenger part of the taxicab, must be permitted to occupy the front seat alongside the driver. If a passenger's luggage, wheelchair, crutches, other mobility aid or other property occupies the rear passenger part of the taxicab, a passenger must be permitted to occupy the front seat alongside the driver.

* [As reads in the Official Compilation of the Rules of the City of New York.]

- (c) A driver shall not pick up additional passengers except if the passenger who hired the taxicab requests that the driver do so.

§2-44 Luggage and Property.

- (a) Upon request of a passenger, the driver shall load or unload a passenger's luggage, wheelchair, crutches or other property in or from the taxicab's interior or trunk compartment, and shall secure such compartment.
- (b) A driver shall not transport for hire any property, except blood or vital human organs, unless such property is in the possession of a passenger.

§2-45 Route and Method of Payment.

- (a) A driver shall take a passenger to his destination by the shortest reasonable route unless the passenger requests a different route, or unless the driver proposes a faster alternative route which the passenger agrees to. The driver shall comply with all reasonable and lawful routing requests of the passenger.
- (b) A driver shall comply with any request of a passenger during the trip to change his or her destination or terminate the trip, unless it is impossible or unsafe for the driver to comply with such request, and the passenger shall pay the amount shown on the taximeter until such time as the taxicab is required to be equipped with the taxicab technology system as defined in section 2-01 of this chapter or, after such time, the amount shown on the passenger information monitor, unless the taxicab technology system is inoperable for not more than forty-eight (48) hours following the filing of an incident report with the authorized taxicab technology service provider as set forth in section 2-26 of this chapter, or there is a discrepancy between the amount shown on the passenger information monitor and the taximeter. In that event, the passenger shall pay the amount shown on the taximeter, at the destination or time of termination.
- (c) In a taxicab equipped with the taxicab technology system as defined in section 2-01 of this chapter or otherwise equipped to accept credit and debit card payment for fares, the driver shall comply with any request of a passenger as to the method for payment of the fare, whether in cash or

by credit or debit card. Provided, however, that if such taxicab technology system is inoperable for not more than forty-eight (48) hours following the filing of an incident report with the authorized taxicab technology service provider as set forth in section 2-26 of this chapter, the driver shall not be required to accept payment by credit or debit card.

§2-46 Reasonable Requests.

- (a) A driver shall comply with all the reasonable requests of a passenger, including but not limited to giving upon request his name, his taxicab driver's license number and the medallion number.
- (b) A driver shall give a passenger a receipt for payment of the fare at the end of the trip. Such a receipt shall state the date, time, medallion number, fare paid, extras and the Commission Complaint Department telephone number.
- (c) All audio equipment controlled by the driver shall be turned on or off at the request of the passenger. The passenger shall have the right to select what is to be played on the audio equipment. Whether or not a taxicab is hired, an audio device shall be played at normal volume only, and all noise ordinances shall be complied with.
- (d) An air conditioning device in a taxicab shall be turned on or off at the request of a passenger.

§2-47 Change.

- (a) A driver shall be required to accept United States currency.
- (b) A driver must always be capable of making change of a \$20 bill, provided that if the driver finds himself or herself unable to change a \$20 bill during his or her workshift the driver may, with the passenger's consent, place the meter in an off or "Vacant" position, illuminate the "Off Duty" light, transmit the relevant information to an electronic database for entry on the electronic trip record or, until a taxicab is required to be equipped with the taxicab technology system as defined in section 2-01 of this chapter, and thereafter whenever the taxicab technology system is inoperable for not more than forty-eight (48) hours following the filing of an incident report with the authorized taxicab

technology service provider as set forth in section 2-26 of this chapter, make an appropriate written trip record entry. The driver shall then proceed to the nearest location where he or she may reasonably expect to obtain change.

§2-48 [Reserved]

§2-49 [Reserved]

§2-50 Refusals.

- (a) A driver shall not seek to ascertain the destination of a passenger before such passenger is seated in the taxicab.
- (b) A driver shall not refuse by words, gestures or any other means, without justifiable grounds set forth in §2-50(e) herein, to take any passenger to any destination within the City of New York, the counties of Westchester or Nassau or Newark Airport. This includes a person with a disability and any service animal accompanying such person.
- (c) A driver shall not require a person with a disability to be accompanied by an attendant. However, where a person with a disability is accompanied by an attendant, a taxicab driver shall not impose or attempt to impose any additional charge for transporting the attendant.
- (d) A driver shall not refuse to transport a passenger's luggage, wheelchair, crutches, other mobility aid or other property.
- (e) Justifiable grounds for the conduct otherwise prohibited by sections 2-50(a), 2-50(b), 2-50(c) and 2-50(d) shall be the following:
 - (1) another passenger is already seated in the taxicab;
 - (2) a hail from another person has already been acknowledged by the driver, and that other person is being picked up or is about to be picked up. Provided, however, that a driver shall not acknowledge the hail of a prospective passenger over the hail of another prospective passenger with an intent to avoid transporting the passenger whose hail was not acknowledged;

- (3) the passenger is carrying, or is in possession of any article, package, case or container, other than a wheelchair or other mobility aid, which the driver may reasonably believe will cause damage to the interior of the taxicab, impair its efficient operation, or cause it to become stained or foul smelling;
- (4) the driver is ending his or her workshift, has already illuminated the “Off Duty” sign, locked both rear doors, and has transmitted the relevant information to an electronic database for entry on the electronic trip record or, until a taxicab is required to be equipped with the taxicab technology system as defined in section 2-01 of this chapter, and thereafter whenever the taxicab technology system is inoperable for not more than forty-eight (48) hours following the filing of an incident report with the authorized taxicab technology service provider as set forth in section 2-26 of this chapter, indicated on the written trip record that he or she is off duty and proceeding to his or her garage or home;
- (5) it is necessary to take the taxicab out of service for one of the reasons specified in section 2-52(a) of this chapter, and the driver has already illuminated the “Off Duty” sign, transmitted the relevant information to an electronic database for entry on the electronic trip record or, until a taxicab is required to be equipped with the taxicab technology system as defined in section 2-01 of this chapter, and thereafter whenever the taxicab technology system is inoperable for not more than forty-eight (48) hours following the filing of an incident report with the authorized taxicab technology service provider as set forth in section 2-26 of this chapter, made the appropriate written trip record entry, and the driver has further locked both rear doors;
- (6) the driver is discharging his last passenger or passengers prior to going off duty, has already illuminated his “Off Duty” sign and transmitted the relevant information to an electronic database for entry on the electronic trip record or, until a taxicab is required to be equipped with the taxicab technology system as defined in section 2-01 of this chapter, and thereafter whenever the taxicab technology system is inoperable for not more than forty-eight (48) hours following the filing of an incident report with the authorized

taxicab technology service provider as set forth in section 2-26 of this chapter, made the appropriate written trip record entry;

- (7) the passenger is escorting or accompanied by an animal which is not properly or adequately secured in a kennel case or other suitable container. This provision shall not apply to service animals accompanying people with disabilities;
- (8) the destination is within the counties of Nassau or Westchester, or Newark Airport, and the driver has been operating the taxicab for more than eight (8) hours of any continuous twenty-four (24) hour period;
- (9) the passenger is disorderly or intoxicated. Provided, however, that a driver shall not refuse to provide service to a person with a disability solely because such person's disability results in an appearance or involuntary behavior which may offend, annoy, or inconvenience the driver;
- (10) a driver has a position on the "long haul" line at an airport taxi stand and the passenger desires "short haul" transportation and there is another taxicab available on the "short haul" line; or the driver has a position on the "short haul" line and the passenger desires "long haul" transportation and there is another taxicab available on the "long haul" line; or
- (11) if the passenger has refused a request by the driver to obey the no-smoking requirement of law; the driver may discharge the passenger after asking the passenger to cease smoking in the taxicab, but if he does discharge the passenger it must be at a safe location.

§2-51 [Reserved]

§2-52 Off-Duty Procedure.

- (a) Before going off duty a driver shall transmit the relevant information to an electronic database for entry on the electronic trip record or, until a taxicab is required to be equipped with the taxicab technology system as

defined in section 2-01 of this chapter, and thereafter whenever the taxicab technology system is inoperable for not more than forty-eight (48) hours following the filing of an incident report with the authorized taxicab technology service provider as set forth in section 2-26 of this chapter, shall enter on his or her written trip record the time, place and reason for going off duty; he or she shall illuminate the "Off Duty" light or display a "Relief Time" sign inside the windshield and visible from the street and he or she shall lock the rear doors.

- (b) Upon completion of the off duty activity a driver shall immediately transmit the relevant information to an electronic database for entry on the electronic trip record or, until a taxicab is required to be equipped with the taxicab technology system as defined in section 2-01 of this chapter, and thereafter whenever the taxicab technology system is inoperable for not more than forty-eight (48) hours following the filing of an incident report with the authorized taxicab technology service provider as set forth in section 2-26 of this chapter, enter on his or her written trip record the time thereof. The driver shall then turn off the "Off Duty" light or remove the "Relief Time" sign and return to service.
- (c) When the taxicab is operated for personal use, a "Personal Use-Off Duty" entry shall be transmitted to an electronic database for entry on the electronic trip record or made on the written trip record, and the "Off Duty" light shall be illuminated.
- (d) A driver shall illuminate the "Off Duty" light only by use of a manually operated switch on the taxicab dashboard.

§2-53 Accepting Passengers While Off-Duty.

- (a) A driver who has illuminated the "Off Duty" light may not solicit nor accept a passenger unless that driver is returning the taxicab to his or her garage or home and has transmitted the relevant information to an electronic database for entry on the electronic trip record or made a written trip record entry "Returning to garage (or home)" and the passenger's destination is directly en route thereto; when the last passenger is discharged, the driver shall lock the doors and return to his garage or home.

§2-54 Solicitation of Passengers.

- (a) A driver shall solicit a passenger only from the driver's seat and only with the words "taxi" or "cab" or "taxicab."
- (b) A driver may not use another person, other than a dispatcher at an authorized group-ride taxi line, to solicit a passenger, nor suggest to a passenger that an additional person be accepted as a passenger, except that a driver of an accessible taxicab shall accept dispatches as provided by chapter 16 of this title.
- (c) A driver shall not induce the hire of his taxicab by giving misleading information, including but not limited to, the times of arrival and departure of transportation facilities, the location of a building or place, or the distance between two points.

§2-55 Solicitation Prohibited.

- (a) A driver shall not solicit passengers within 100 feet of any bus stop, nor stop there unless hailed.
- (b) A driver may not, in omnibus fashion, pick up passengers at one or more locations.
- (c) A driver shall not solicit or cruise for the purpose of soliciting passengers:
 - (1) at Kennedy, La Guardia or Newark Airports; or
 - (2) within 100 feet of any authorized taxi stand; or
 - (3) within the private streets of Lincoln Center; or
 - (4) in any area of the City of New York where taxicab cruising is prohibited.

§2-56 Taxi Stands.

- (a) A driver has the right to take a position on any taxi stand having a vacancy, and no other taxicab driver may interfere with that right.
- (b) A driver may not occupy a taxi stand for the purpose of repairing his taxicab, except for minor emergency repairs.
- (c) A driver shall not overcrowd, crash or back into a front position on a taxi stand; he shall take the rear position on the line formed at such a stand, unless it is a relief stand that has a vacancy.
- (d) A driver may occupy a taxi stand only when he is on duty or when, for a period not to exceed one hour, he has gone off duty pursuant to §§2-52(a) through (c).
- (e) The driver of each of the first two taxicabs on a taxi stand, other than a relief stand, shall remain in the driver's seat ready to accept passengers; any other driver on such a stand shall be no more than fifteen feet from his taxicab unless if he is off duty and the required "Off Duty" light or "Relief Time" sign is visibly displayed.
- (f) The space immediately in front of a fire hydrant on a street, where parking is not prohibited, is an active taxi stand for one taxicab, except when forbidden by §2-55(c). However, the driver must be seated in his taxicab, ready for operation at all times.

§2-57 Terminals.

- (a) The rules regarding taxi stands also apply to special taxi stands and feed lines at air, rail, bus and ship terminals. Where taxicab holding areas are provided at such terminals, a driver, before leaving on relief time, shall park the taxicab in such holding area, to which he may not bring any passengers; upon returning, he shall take a rear position on the feed line.
- (b) Where at an airport taxi stand, there is a choice of "long haul" and "short haul" lines available to the taxicabs, a driver already on the "short haul" line may not accept a passenger who desires "long haul" transportation if there is an available taxicab on the "long haul" line; and conversely a driver already on the "long haul" line may not accept a passenger who

desires "short haul" transportation, if there is an available taxicab on the "short haul" line.

§2-58 [Reserved]

§2-59 Lost Property.

- (a) The driver shall inspect the interior of the taxicab and the trunk compartment, if used, immediately after termination of each trip to Kennedy, La Guardia and Newark Airports.
- (b) Property found by a driver in a taxicab shall be returned to the passenger if possible; otherwise it shall be taken without delay to the police precinct closest to where the passenger was discharged.
- (c) If the property is not returned to the passenger, the driver shall promptly inform the Commission of the details regarding the found property and the police precinct where it is held.

§2-60 Abuse and Physical Force Prohibited.

- (a) A driver shall not threaten, harass or abuse any passenger or any governmental or Commission representative, public servant or other person while performing his duties and responsibilities as a driver. A driver shall not distract or attempt to distract a service animal accompanying a person with a disability.
- (b) A driver shall not use or attempt to use any physical force against a passenger, Commission representative, public servant or other person while performing his duties and responsibilities as a driver. A driver shall not harm or use physical force against or attempt to harm or use physical force against a service animal accompanying a person with a disability.

§2-61 Compliance with Law.

- (a)
 - (1) A driver, while performing his duties and responsibilities as a driver, shall not commit or attempt to commit, alone or in concert with another, any act of fraud, misrepresentation or larceny against a passenger, Commission representative, public servant or any other person.
 - (2) A driver, while performing his duties and responsibilities as a taxicab driver, shall not commit or attempt to commit, alone or in concert with another, any willful act of omission or commission which is against the best interests of the public, although not specifically mentioned in these Rules.
- (b) A driver shall not use or permit any other person to use his taxicab for any unlawful purpose.
- (c) A driver shall not conceal any evidence of a crime nor voluntarily aid violators to escape arrest.
- (d) A driver shall report immediately to the police any attempt to use his taxicab to commit a crime or escape from the scene of a crime.
- (e) A driver shall, upon filing for Workers' Compensation benefits because of a disabling work-related injury, submit his or her driver's license to the Commission and cease driving, for so long as the driver claims a disability that prevents the driver from operating a taxicab. Such license shall not be returned until such driver presents to the Commission documentation of cessation of Workers' Compensation benefits due to recovery from such work-related disability, as provided in §1-43(d) of this title.

§2-62 Gifts Prohibited.

- (a) A driver or any person acting on his behalf shall not offer or give any gift, gratuity or thing of value to any employee, representative or member of the Commission, or any public servant, or any dispatcher employed at a public transportation facility.
- (b) A driver shall immediately report to the Commission and the NYC Department of Investigation any request or demand for a gift, gratuity or

thing of value by any employee, representative or member of the Commission or any public servant or any dispatcher employed at a public transportation facility or authorized group-ride taxi line.

- (c) A driver shall remove all currency from the taxicab's interior prior to its examination by any Commission personnel.

§2-63 Conviction of a Crime.

- (a) A driver shall notify the Commission in writing of his conviction of a crime within fifteen (15) days of such conviction, and he shall deliver to the Commission a certified copy of the certificate of disposition issued by the Clerk of the Court within fifteen (15) days of sentencing.

§2-64 Participation in Processions and Parades. [Repealed]

§2-65 Merchandise Solicitation Prohibited.

- (a) A driver shall not sell, advertise or recommend any service or merchandise to any passenger without prior written Commission approval.

§2-66 Cooperating with TLC.

- (a) A driver shall, at all times, cooperate with all law enforcement officers, authorized representatives of the Commission, the NYC Department of Investigation, and dispatchers at public transportation terminals and at authorized group-ride taxi lines, and shall comply with all their reasonable requests, including but not limited to giving, upon request, his or her name and taxicab driver's license number and exhibiting the rate card, the required electronic or written trip record and, when the taxicab is required to be equipped with the taxicab technology system as defined in section 2-01 of this chapter, if off duty produce the off-duty code receipt, and other documents required to be in his or her possession.
- (b) A driver shall promptly answer and comply as directed with all questions, communications, directives and summonses from the Commission or its representatives and the NYC Department of Investigation or its representatives. A driver shall produce his or her taxicab driver's license and DMV license, required electronic or written trip records and, when

the taxicab is required to be equipped with the taxicab technology system as defined in section 2-01 of this chapter, if off duty produce the off-duty code receipt, or other documents whenever the Commission requires him or her to do so.

- (c) A driver shall notify the Owner and the Commission by telephone immediately, and in writing within twenty-four (24) hours, upon the discovery of any of the following with respect to the following equipment:
 - (1) Any taximeter other than the taximeter approved by the Commission and indicated on the rate card, has been installed in the taxicab operated by the driver;
 - (2) Any taximeter seal in the taxicab operated by the driver has been removed or tampered with;
 - (3) Any unauthorized device has been connected to the taximeter, any seal, cable connection or electrical wiring of the taxicab operated by the driver, which may affect the operation of a taximeter;
 - (4) Any intervening connections, splices, “Y” connections or direct or indirect interruptions or connections of any kind whatsoever have been discovered on any wiring harness attached to the taximeter in the taxicab operated by the driver.

§2-67 [Reserved]

§2-68 [Reserved]

§2-69 [Reserved]

§2-70 Program for Persistent Violators of Taxicab Drivers Rules
(effective date, October 15, 1989).

- (a) Any driver who has been found guilty of three or more violations that occurred within a fifteen month period and whose license has not been revoked shall be required to attend a remedial or refresher course and will accumulate one point on his taxicab driver’s license. Any driver who

does not complete such course upon notification by the Commission shall have his license suspended until compliance.

- (b) Any driver who has accumulated six or more points against his taxicab driver's license within a fifteen month period and whose license has not been revoked shall have his license suspended for thirty days.
- (c) Any driver who has accumulated ten or more points against his taxicab driver's license within a fifteen month period shall have his license revoked.
- (d) For the purposes of subdivisions (a) through (c) of this section, a driver who has been found guilty of multiple violations arising from a single incident shall be deemed guilty of the single violation with the highest point total for purposes of this section.
- (e) The minimum penalties set forth in subdivisions (a) through (c) of this section shall not preclude the imposition by the Commission of additional or more severe penalties in accordance with Rules of the Commission.
- (f) The penalties set forth herein will be imposed following the hearing where the driver has been found in violation of rules that bring his accumulated point total to the level described in subdivisions (b) and (c). Persistent violator penalties will be in addition to those penalties imposed for the underlying rule violations.
- (g) Rule violations that occurred prior to July 26, 1998 will not be deemed to have any point value for the purpose of imposing any persistent violator penalty under this section.
- (h) The Schedule of Points is as follows:

| <u>Rule No.</u> | <u>Points</u> | <u>Reference Description</u> |
|-----------------|---------------|--|
| §2-12(a) | 2 | Operating a taxicab while taxi driver license is revoked, suspended or expired |
| §2-12(b) | 2 | Operating a taxicab without a valid class 1, 2, 3, 4, or equivalent state driver license |
| §2-12(c) | 1 | Failure to surrender taxi driver license |
| §2-13(a) | 3 | Applying for or possession of more than |

| | | |
|-------------------|---|--|
| | | one taxi driver license |
| §2-15(a) | 1 | Altered or mutilated taxi driver license |
| §2-17(a) | 3 | Operating an unlicensed vehicle |
| §2-21(a) | 4 | Reckless driving |
| §2-21(b)(3) | | Hazardous moving violations as follows: Speeding: |
| §2-21(b)(3)(i) | 3 | 1 to 10 miles above posted speed limit |
| | 4 | 11 to 20 miles above posted speed limit |
| | 5 | 21 to 30 miles above posted speed limit |
| | 6 | 31 to 40 miles above posted speed limit |
| | 8 | 41 or more miles above speed limit |
| §2-21(b)(3)(ii) | 5 | Failing to stop for school bus |
| §2-21(b)(3)(iii) | 4 | Following too closely |
| §2-21(b)(3)(iv) | 4 | Inadequate brakes (own vehicle) |
| §2-21(b)(3)(v) | 2 | Inadequate brakes (employer's vehicle) |
| §2-21(b)(3)(vi) | 3 | Failing to yield right of way |
| §2-21(b)(3)(vii) | 3 | Traffic signal violation |
| §2-21(b)(3)(viii) | 3 | Stop sign violation |
| §2-21(b)(3)(ix) | 3 | Yield sign violation |
| §2-21(b)(3)(x) | 3 | Railroad crossing violation |

| <u>Rule No.</u> | <u>Points</u> | <u>Reference Description</u> |
|-------------------|---------------|--|
| §2-21(b)(3)(xi) | 3 | Improper passing |
| §2-21(b)(3)(xii) | 3 | Unsafe lane change |
| §2-21(b)(3)(xiii) | 3 | Driving left of center |
| §2-21(b)(3)(xiv) | 3 | Driving in wrong direction |
| §2-21(b)(3)(xv) | 3 | Leaving scene of an accident involving property damage or injury to animal |
| §2-21(c) | 3 | Failure to stop after an accident |
| §2-21(d) | 3 | Failure to report accident to owner |
| §2-23(a) | 1 | Operation for more than 12 consecutive hours |
| §2-24(a)(1) | 1 | Driver's name not on rate card |
| §2-24(a)(2) | 1 | Vehicle operated by unspecified driver |
| §2-24(b) | 2 | Improper sublease |
| §2-25(e) | 2 | Locking rear doors while on duty |
| §2-25(g) | 5 | Permitting operation by unlicensed driver |
| §2-25(h) | 2 | Use of telephone while operating taxicab |
| §2-26(d) | 1 | Operating taxicab with unauthorized |

| | | |
|-------------|---|---|
| | | equipment |
| §2-27(a)(2) | 2 | Operating a taxicab without taxi driver license in the display frame |
| §2-27(a)(3) | 1 | Operating a taxicab without a rate card |
| §2-30(a) | 2 | Operating taxicab with broken meter seals, or with unauthorized meter |
| §2-30(c) | 1 | Rooflight not illuminated |
| §2-31(a) | 3 | Operating with taximeter seals broken |
| §2-31(b) | 3 | Tampering with taximeter or equipment |
| §2-31(c) | 3 | Tampering with rooflight |
| §2-32(a) | 1 | Failure to follow prescribed procedure when taximeter becomes defective during a trip |
| §2-33(a) | 1 | Improper operation of rooflight |
| §2-33(c) | 1 | Improper operation of rooflight after passenger leaves taxicab |
| §2-34(b) | 2 | Collection of separate fares from individuals sharing a taxicab ride |
| §2-34(c) | 2 | Failure to give correct change |

| <u>Rule No.</u> | <u>Points</u> | <u>Reference Description</u> |
|------------------------|----------------------|---|
| §2-35(a)(1-4) | 2 | Violation of rules applicable to trips beyond the limits of New York City |
| §2-35(b)(2) | 2 | Failure to inform a passenger of the rate of fare before the start of trips beyond the limits of New York City, or to inform a passenger when the taxi crosses the City limit |
| §2-42(a) | 2 | Discourteousness to passengers |
| §2-43(c) | 2 | Picking up additional passengers |
| §2-45(a) | 2 | Not using shortest reasonable route |
| §2-45(b) | 2 | Not complying with request to change destination |
| §2-46(a) | 1 | Failure to comply with a reasonable request from a passenger |
| §2-46(b) | 1 | Failure to give passenger a receipt |
| §2-52(a-b) | 1 | Abuse of procedure to go "OFF DUTY" |
| §2-53(a) | 1 | Abuses while "OFF DUTY" |

| | | |
|---------------|---|---|
| §2-54(a) | 1 | Soliciting |
| §2-54(c) | 3 | Soliciting passenger by giving misleading information |
| §2-55(a) | 1 | Soliciting near bus stop |
| §2-55(c)(1-4) | 1 | Soliciting at airports, near taxi stand, et al. |
| §2-60(a) | 3 | Harassment |
| §2-60(b) | 4 | Physical abuse |
| §2-61(a)(1) | 4 | Fraud or larceny |
| §2-61(a)(2) | 3 | Action against the best interests of the public |
| §2-61(b) | 3 | Using taxicab for any unlawful purpose |
| §2-61(c) | 3 | Concealing evidence of a crime |
| §2-61(d) | 3 | Failure to report attempt to use taxi to commit crime |
| §2-62(b) | 3 | Failure to report request for gift/gratuity |
| §2-63(a) | 3 | Failure to notify TLC of criminal conviction |
| §2-66(a) | 2 | Failure to cooperate with law enforcement officials |

| <u>Rule No.</u> | <u>Points</u> | <u>Reference Description</u> |
|-----------------|---------------|------------------------------|
|-----------------|---------------|------------------------------|

| | | |
|----------|---|---|
| §2-66(b) | 2 | Failure to comply with Commission request |
|----------|---|---|

- (i) Any licensee who voluntarily attends and satisfactorily completes a remedial or refresher course approved by the Commission and who furnishes the Commission with proof that the course was completed on or before August 31, 1999, shall have two (2) points deducted from the total number of points assessed for the purpose of determining any suspension or revocation pursuant to this Rule. No point reduction shall affect any suspension or revocation action which may be taken pursuant to these Rules prior to the completion of the course; and no person shall receive a point reduction unless attendance at the course is voluntary on the part of the licensee.
- (j) Any licensee who voluntarily attends and satisfactorily completes a remedial or refresher course approved by the Commission, and who furnishes the Commission with proof that the course was completed on or after September 1, 1999, shall have two (2) points deducted from the total number of points assessed pursuant to this Rule. No point reduction shall

affect any suspension or revocation action which may be taken pursuant to these Rules prior to the completion of the course. No person shall receive a point reduction pursuant to this subdivision more than once in any five year period.

- (k) It shall be an affirmative defense that the act which formed the basis for the violation was beyond the control and influence of the taxicab driver.

§2-71 [Reserved]

§2-72 [Reserved]

§2-73 [Reserved]

§2-74 [Reserved]

§2-75 [Reserved]

§2-76 [Reserved]

§2-77 [Reserved]

§2-78 [Reserved]

§2-79 [Reserved]

§2-80 [Reserved]

§2-81 [Reserved]

§2-82 [Reserved]

§2-83 [Reserved]

§2-84 [Reserved]

**§2-85 Procedures in the Event of a Violation of Commission Rules
[Repealed]**

§2-86

Penalties for Violation of Rules Governing Taxicab Drivers

| <u>Rule No.</u> | <u>Penalty.</u> | <u>Personal Appearance Required</u> |
|------------------------|--|--|
| | All fines listed below also include a separate license suspension, to run concurrent with any underlying suspension, until such fine is paid, unless such fine is paid by the close of business on the day assessed. | |
| §2-03(a) | \$25 | No |
| §2-03(b) | \$25 | No |
| §2-08 | See chapter 16 of this title | No |
| §2-12(a) | \$50 – 350 and/or suspension up to 30 days | Yes |
| §2-12(b) | \$100 – 350 and/or suspension up to 30 days; summary suspension until compliance pursuant to section 8-17(b) of this title. *Presentation of a valid license in effect at the time of the violation shall result in a dismissal of the charge | Yes |
| §2-12(c) | \$100 | No |
| <u>Rule No.</u> | <u>Penalty.</u> | <u>Personal Appearance Required</u> |
| | All fines listed below also include a separate license suspension, to run concurrent with any underlying suspension, until such fine is paid, unless such fine is paid by the close of business on the day assessed. | |
| §2-12(d) | \$50 | No |
| §2-13(a) | \$100 – 350 and/or suspension up to 30 days | Yes |
| §2-13(b) | Revocation and \$10,000 | Yes |
| §2-14(a) | \$50 | No |
| §2-15(a) | \$50 | No |
| §2-16(a) | Notice to correct within 10 days (Failure to comply with such notice shall be a violation of Rule 2-66(b).) | N/A** |
| §2-16(b) | \$50 | No |
| §2-17(a) | \$25 – 350 and/or suspension up to 30 days | Yes |
| §2-19(b)(3) | Suspension until compliance (If compliance after 30 days, \$200 penalty for reinstatement) | N/A** |
| §2-20(a) | Revocation | Yes |
| §2-21(a) | \$350 – 1,000 and/or suspension up to 30 days or revocation if driver is found guilty of having violated this rule more than 3 times | Yes |

| | | |
|-------------|---|-----|
| | within an 18 month period. | |
| §2-21(b)(1) | \$50 | No |
| §2-21(b)(2) | \$150 | No |
| §2-21(b)(3) | \$250 | No |
| §2-21(c) | \$50 – 350 and/or suspension up to 30 days or revocation if driver is found guilty of having violated this rule more than 3 times within a 12-month period. | Yes |
| §2-21(d) | \$50 – 350 and/or suspension up to 30 days | Yes |
| §2-23(a) | \$25 | No |
| §2-24(a) | \$100 – 350. For the third or subsequent violation within 36 months, the license may also be suspended for up to 30 days. | Yes |

| <u>Rule No.</u> | <u>Penalty.</u> All fines listed below also include a separate license suspension, to run concurrent with any underlying suspension, until such fine is paid, unless such fine is paid by the close of business on the day assessed. | <u>Personal Appearance Required</u> |
|------------------------|--|--|
| §2-24(b) | \$100 – 350. For the third or subsequent violation within 36 months, the license may also be suspended for up to 30 days. | Yes |
| §2-25(a) | Revocation | Yes |
| §2-25(b) | \$25 | No |
| §2-25(c) | For offenses occurring prior to July 26, 1999, \$50 for the first conviction within a 12 month period and \$150 for each subsequent violation. For offenses occurring on or after July 26, 1999, \$150. | No |
| §2-25(d) | \$50 | No |
| §2-25(e) | \$50 – 250 and/or suspension up to 30 days | Yes |
| §2-25(f) | \$25 | No |
| §2-25(g) | \$100 – 350 and/or suspension up to 30 days | Yes |
| §2-25(h) | \$200 | No |
| §2-25(i) | \$50 plus restitution to the E-Z Pass tag holder | Yes |

of any amount not reimbursed, and suspension until compliance with any restitution order

| | | |
|--------------|--|-----|
| §2-26(a) | \$25 | No |
| §2-26(b) | \$25 | No |
| §2-26(c) | \$50 | No |
| §2-26(d) | \$50 – 350 and/or suspension up to 30 days | Yes |
| §2-26(e) | \$25 | No |
| §2-26(f)(i) | \$250 and suspension until compliance | Yes |
| §2-26(f)(ii) | \$250 and suspension until compliance | Yes |
| §2-26(g) | \$100 | No |
| §2-27(a)(1) | \$30 | No |
| §2-27(a)(2) | \$50 | No |
| §2-27(a)(3) | \$50 | No |
| §2-27(a)(4) | \$25 | No |
| §2-27(a)(5) | \$25 | No |
| §2-27(b) | \$25 for violation of each subdivision hereof. | No |

No fine for violation of this rule shall exceed \$50.

Rule No.

Penalty.

Personal Appearance Required

All fines listed below also include a separate license suspension, to run concurrent with any underlying suspension, until such fine is paid, unless such fine is paid by the close of business on the day assessed.

| | | |
|----------|------|----|
| §2-27(c) | \$50 | No |
| §2-27(d) | \$50 | No |

| | | |
|---------------|--|----|
| §2-28(a)(1-5) | \$15 per omitted entry on an electronic or written trip record; provided that the total penalty for violation of this rule shall not exceed \$30 per electronic or written trip record | No |
|---------------|--|----|

| | | |
|----------|---|-------|
| §2-28(b) | Notice to correct within 10 days (Failure to comply with such notice shall be a violation of Rule 2-66[b].) | N/A** |
|----------|---|-------|

| | | |
|----------|---|-----|
| §2-28(c) | \$25 | No |
| §2-28(d) | \$50 | No |
| §2-28(e) | \$100 – 350 and/or suspension up to 30 days | Yes |
| §2-28(f) | \$50 | No |
| §2-30(a) | \$100 | No |

| | | |
|------------------------|--|--|
| §2-30(b) | \$25 | No |
| §2-30(c) | \$50 – 250 and/or suspension up to 30 days | No |
| §2-31(a) | \$50 – 350 and/or suspension up to 30 days | Yes |
| §2-31(b) | \$50 – 350 and/or suspension up to 30 days | Yes |
| §2-31(c) | \$50 – 350 and/or suspension up to 30 days | Yes |
| §2-32(a) | \$50 – 350 and/or suspension up to 30 days | Yes |
| §2-32(b) | \$50 | No |
| §2-32(c) | First violation: \$200; Second violation: \$300; Third violation: \$500; In addition to the penalty payable to the Commission, the administrative law judge may order the driver to pay restitution to the passenger, equal to the excess amount that was charged to the passenger. | Yes |
| §2-33(a) | \$100 if the occupant is a paying passenger \$25 if non-paying | No |
| §2-33(b) | \$50 | No |
| §2-33(c) | \$100 | No |
| §2-34(a) | *Mandatory penalties as set forth in §2-87 | Yes |
| §2-34(b) | \$50 – 150 | Yes |
| §2-34(c) | \$50 – 150 | Yes |
| §2-34(d) | \$50 | No |
| §2-35(a)(1) | \$100 | No |
| §2-35(a)(2) | \$100 | No |
| <u>Rule No.</u> | <u>Penalty.</u> All fines listed below also include a separate license suspension, to run concurrent with any underlying suspension, until such fine is paid, unless such fine is paid by the close of business on the day assessed. | <u>Personal Appearance Required</u> |
| §2-35(a)(3) | \$25 | No |
| §2-35(a)(4) | \$25 | No |
| §2-35(b)(1) | \$100 | No |
| §2-35(b)(2) | \$25 | No |
| §2-35(b)(3) | \$25 | No |
| §2-35(b)(4) | \$25 | No |
| §2-39(a) | | N/A** |
| §2-42(a) | \$150 | No |

| | | |
|------------------------|--|--|
| §2-43(a) | \$50 | No |
| §2-43(b) | \$75 for a violation involving a person \$25 for a violation involving luggage | No |
| §2-43(c) | \$100 | No |
| §2-44(a) | \$50 | No |
| §2-44(b) | \$100 | No |
| §2-45(a) | \$50 – 150 | Yes |
| §2-45(b) | \$50 – 200 | Yes |
| §2-45(c) | \$150-350 | Yes |
| §2-46(a) | \$50 – 100 | Yes |
| §2-46(b) | \$25 | No |
| §2-46(c) | \$25 | No |
| §2-46(d) | \$25 | No |
| §2-47(a) | \$100 | No |
| §2-47(b) | \$25 | No |
| §2-50(a) | *Mandatory penalties as set forth in §2-87 | Yes |
| §2-50(b) | *Mandatory penalties as set forth in §2-87 | Yes |
| §2-50(c) | *Mandatory penalties as set forth in §2-87 | Yes |
| §2-50(d) | *Mandatory penalties as set forth below | Yes |
| §2-50(e) | | N/A** |
| §2-52(a) | \$25 | No |
| §2-52(b) | \$25 | No |
| §2-52(c) | \$25 | No |
| §2-52(d) | \$75 | No |
| §2-53(a) | \$75 | No |
| §2-54(a) | \$50 | No |
| §2-54(b) | \$50 | No |
| <u>Rule No.</u> | <u>Penalty.</u> All fines listed below also include a separate license suspension, to run concurrent with any underlying suspension, until such fine is paid, unless such fine is paid by the close of business on the day assessed. | <u>Personal Appearance Required</u> |
| §2-54(c) | \$50-200 | Yes |
| §2-55(a) | \$100 | No |
| §2-55(b) | \$100 | No |
| §2-55(c) | \$50 | No |
| §2-56(a) | \$100 | No |
| §2-56(b) | \$50 | No |
| §2-56(c) | \$50 | No |
| §2-56(d) | \$50 | No |

| | | |
|------------------------|--|--|
| §2-56(e) | \$50 | No |
| §2-56(f) | \$50 | No |
| §2-57(a) | \$50 | No |
| §2-57(b) | \$100 | No |
| §2-59(a) | \$25 | No |
| §2-59(b) | \$50 – 250 | Yes |
| §2-59(c) | \$25 | No |
| §2-60(a) | \$350 – 1,000 and suspension up to 30 days or revocation | Yes |
| §2-60(b) | \$500 – 1,500 and/or suspension up to 60 days or revocation | Yes |
| §2-61(a)(1) | \$350 – 1,000 and/or suspension up to 60 days or revocation | Yes |
| §2-61(a)(2) | \$150-350 and/or suspension up to 30 days or revocation | Yes |
| §2-61(b) | \$100 – 350 and/or suspension up to 30 days | Yes |
| §2-61(c) | \$350 – 1,000 and/or suspension up to 30 days or revocation | Yes |
| §2-61(d) | \$100 – 350 and/or suspension up to 30 days | Yes |
| §2-61(e) | \$75 – 150 | Yes |
| §2-62(a) | Revocation and \$10,000 | Yes |
| §2-62(b) | \$100 | Yes |
| §2-62(c) | \$50 | No |
| §2-63(a) | \$50 – 250 | Yes |
| §2-65(a) | \$50 | No |
| §2-66(a) | \$50 – 350 | Yes |
| <u>Rule No.</u> | <u>Penalty.</u> | <u>Personal Appearance Required</u> |
| | All fines listed below also include a separate license suspension, to run concurrent with any underlying suspension, until such fine is paid, unless such fine is paid by the close of business on the day assessed. | |
| §2-66(b) | \$200 and suspension until compliance | Yes |
| §2-66(c) | \$500-1,500 and/or suspension up to 60 days or revocation | Yes |

**Not Applicable

§2-87 Penalties Mandated by Local Law.

The following penalties shall apply to those violations committed on or after February 15, 1990.

- (a)
- (1) Any driver who has been found to have violated a provision of §§ 2-34(a), 2-50(a), 2-50(b), 2-50(c) and 2-50(d) or any combination thereof, shall be fined not less than \$200.00 nor more than \$350.00. Any driver who has been found in violation of any of the provisions of such rules or any combination thereof, for a second time within a twenty-four month period, shall be fined not less than \$350.00 nor more than \$500.00, and the Commission may suspend the driver's license of such driver for a period not to exceed thirty days. The Commission shall revoke the driver's license of any driver who has been found to have violated any of the provisions of §§ 2-34(a), 2-50(a), 2-50(b), 2-50(c) and 2-50(d) or any combination thereof, three times within a thirty-six month period.

Nothing contained herein shall limit or restrict any other authority the Commission may have to suspend or revoke a driver's license.

- (2) Notwithstanding the provisions of paragraph (a)(1) above, the Commission shall revoke the driver's license of any person found to have violated §2-34(a) by charging or attempting to charge a fare of ten dollars or more above the approved rate of fare for taxicabs.
- (b) The twenty-four and thirty-six month periods referred to above are to be calculated with reference to the dates the violations occurred. The period begins to run from the date of the first violation. No violation committed prior to February 15, 1988 shall be counted as a prior violation.
- (c) The Commission shall not issue any license to any person, who has had his taxicab driver's license revoked pursuant to §§ 2-34(a), 2-50(a), 2-50(b), 2-50(c) and 2-50(d) for a period of one year from the date of such revocation.

§2-88 Additional Penalties.

- (a) Violation of any of these rules may also lead to revocation or suspension of a taxicab driver's license and/or fines in excess of those set forth in the above §§ 2-86 and 2-87, as provided in the "Procedures In The Event Of A Violation Of Commission Rules." In addition, a driver may be

required to obtain a certificate of attendance for the required hours of instruction in taxi related subjects at a school approved by the Commission. In addition to the penalties set forth above, the Commission may require a driver to return to the passenger the amount of any overpayment as determined by the hearing officer.