

**FHV Accessibility**  
*Trip Percentage Rule FAQ*

**Rule Basics**

In 2017, the Taxi & Limousine Commission approved a rule requiring all for-hire vehicle (FHV) bases to dispatch a percentage of trips each year to wheelchair-accessible vehicles (WAVs) starting January 14, 2019. This new rule will create more transportation options for passengers who use wheelchairs.

Some important features of the rule include:

- For the first year the rule is in effect (January 14, 2019 – June 30, 2019), bases must dispatch 5% of their trips to WAVs. The requirement will increase by 5% each year.
- Any trip your base dispatches to a WAV counts toward your percentage, even if the passenger did not specifically request a WAV.
- FHV bases of any class (livery, black car, green taxi) can dispatch to any class of FHV vehicle if it is a WAV. Bases can dispatch to any licensed FHV WAV and count it towards the percentage even if the vehicle is not affiliated with your base and you have no agreement with that vehicle's base.
- This rule will take effect on January 14, 2019 and applies to all FHV bases that do not opt into the FHV WAV rule exception (linkto: [http://www.nyc.gov/html/tlc/html/faq/faq\\_fhv\\_central\\_dispatch\\_exception.shtml](http://www.nyc.gov/html/tlc/html/faq/faq_fhv_central_dispatch_exception.shtml))

**Q: What percentage of trips does my base have to dispatch to WAVs each year?**

A: The trip percentage rule goes into effect on January 14, 2019. The first year of implementation will be January 14, 2019 to June 30, 2019. During that period, all FHV bases not participating in the pilot must dispatch at least 5% of all trips to WAVs. This phase-in continues through 2022, when the trip percentage requirement reaches its goal of 25%.

Year	Start Date	End Date	Minimum percentage of trips to WAVs
1	January 14, 2019	June 30, 2019	5%
2	July 1, 2019	June 30, 2020	10%
3	July 1, 2020	June 30, 2021	15%
4	July 1, 2021	June 30, 2022	20%
5 and beyond	July 1, 2022	June 30, 2023	25%

**Q: What vehicles qualify as a WAV?**

A: All FHV WAVs must be licensed by the TLC as FHV's and pass the TLC's WAV inspection, which includes an inspection of the rear or side entry, working condition of the ramp, appropriate

securement system, and anti-slip flooring. Several businesses have experience converting vehicles to WAVs for the New York City market. For examples of WAVs commonly used in the for-hire vehicle market, see the [list of WAVs approved for use as taxis](http://www.nyc.gov/html/tlc/html/industry/taxicab_vehicles_in_use.shtml) (link to: [http://www.nyc.gov/html/tlc/html/industry/taxicab\\_vehicles\\_in\\_use.shtml](http://www.nyc.gov/html/tlc/html/industry/taxicab_vehicles_in_use.shtml))

**Q: If my base doesn't receive any requests for WAVs, am I still required to dispatch trips to WAVs?**

A: Yes, all bases must dispatch trips to WAVs at the required percentages even if your base does not receive specific requests for an accessible vehicle.

**Q: Will bases be able to charge more for WAV trips required by this rule?**

A: No. All FHV base owners must provide persons using wheelchairs equivalent service with respect to response time, hours and days of service availability, and fares. It is a violation of TLC rules to charge more for trips in wheelchair accessible vehicles. TLC will perform audits to ensure trips are appropriately priced, and will enforce against violations of these rules if necessary.

**Q: Does this new rule apply to luxury limousine bases?**

A: Yes. The rule applies to all FHV bases – livery, black car, and luxury limousine – unless a base is participating in the pilot.

**Q: How will my base meet this requirement if I don't currently have affiliated WAVs?**

A: You have the final say in how you run your business, but some options you might consider are:

- Providing incentives (e.g., higher payments or lower affiliation fees) to your drivers who buy WAVs
- Affiliating green taxi WAVs
- Building a network of WAV drivers who work for other bases who would like extra trips from your base

**Q: Can I contract with another base to meet my requirement?**

A: No, each base must send a minimum percentage of their trips to WAVs directly. If you wish to use a central dispatch service, consider partnering with a base approved as an Accessible Vehicle Dispatcher under the exception to the trip mandate rule. When the TLC approves bases to be Accessible Vehicle Dispatchers, their contact information will be posted to the TLC

website [link to approved dispatcher page:

[http://www.nyc.gov/html/tlc/html/industry/approved\\_wav\\_dispatchers.shtml](http://www.nyc.gov/html/tlc/html/industry/approved_wav_dispatchers.shtml)}]

**Q: How will TLC know if I am complying with this rule?**

A: TLC will monitor trip records to determine compliance.

**Q: What are the penalties if my base fails to meet the rule?**

A: TLC may impose fines as outlined in the [rule](#), specifically \$50 for each 100 trips by which the base missed the percentage of trips it was required to dispatch to WAVs that year. An example of how this fine works: If a base dispatches 100,000 trips between July 1, 2018 and June 30, 2019, but only dispatches 2,500 trips to WAVs, the base will have missed the 5% requirement by 2,500 trips and be subject to a \$1,250 fine. If a base fails to dispatch enough trips to WAVs to meet at least half of its percentage requirement, the base is subject to suspension or revocation of its TLC base license.

**Q: Could yellow taxis be dispatched to meet a base's trip requirement?**

A: At this time, TLC does not allow cross-dispatching with yellow taxis.