

# **NEW YORK CITY TAXI AND LIMOUSINE COMMISSION**

## **Notice of Final Rule Promulgation**

**Notice is hereby given in accordance with Section 1043(b) of the Charter of the City of New York, that the Taxi and Limousine Commission (“TLC”) hereby amends its Taxicab Specifications set forth in Chapter 3 of the Rules of the City of New York to provide for additional leg room in sedans approved as taxicabs, and to authorize the TLC Chair to approve minivans for use as taxicabs.**

**The TLC is promulgating such regulations pursuant to the authority vested in it under Charter Sections 2303(a) and 2303(b); and under Sections 19-503 of the Administrative Code of the City of New York.**

**A public hearing in connection with these regulations was held on December 27, 2001.**

**Section 1.** Title 35 of the Rules of the City of New York, Chapter 3, Taxicab Specifications, Section 3-03, Taxicab Specifications on or After March 1, 1996, subdivision (c), is amended to read as follows:

*Italics indicates new material.*

Brackets [ ] indicates material to be deleted.

- (c) Vehicle Specifications.
  - (1) The vehicle shall be manufactured with heavy-duty equipment for taxicab, police or fleet service, except as provided in paragraph (7). There shall be a term in the VIN or in a body tag, which distinguishes the taxicab, police or fleet package from the standard sedan on which it is closed.
  - (2) The vehicle shall have EPA passenger compartment interior volume index of at least 107 cubic feet.
  - (3) The rear compartment of [the vehicle] *any sedan approved for use as a taxicab* shall meet the following dimensions as defined by the Society of Automotive Engineers:
    - (a) Minimum effective leg room (L51) must be at least [37] 43 inches.
    - (b) Effective head room (H63) must be at least 37.5 inches.
    - (c) The seat depth (L16) must be at least 18 inches.
  - (4) The front compartment of [the vehicle] *of any sedan approved for use as a taxicab* shall meet the following dimensions:
    - (a) Effective head room (H61) must be at least 37.5 inches.
    - (b) Maximum effective leg room (L34) must be at least [40] 42 inches.
    - (c) Total leg room (the sum of L34 and L51) must be at least [78] 85 inches.
  - (5) The vehicle shall be equipped with a factory installed air conditioning system. If the vehicle model has available air conditioning outlets for the rear seat area, then the vehicle shall be equipped with such outlets.

- (6) The vehicle may be equipped with an engine in which the maximum horsepower exceeds 220.
- (7) The vehicle may be a [Honda Odyssey wagon, Isuzu Oasis wagon or a Ford Explorer utility vehicle] *sedan*, which meets the requirements of paragraphs 5 and 6 of this subdivision, and of paragraph (1) of subdivision (d)[.], *or a minivan which has been approved by the Chairperson after a determination that the vehicle provides adequate safety and comfort to passengers, and which also meets the requirements of sections 5 and 6 of this subdivision.* If the Federal government *or the Commission* determines that any of such vehicles must be wheelchair accessible, then such vehicles shall be wheelchair accessible to the extent of such Federal or Commission determination and requirements.
- [(7)] (8) All windows of the vehicle must have a light transmittance of seventy (70) percent or more, with the exception of the uppermost six (6) inches of the front windshield.

### *Statement of Basis and Purpose*

The regulations promulgate herein by the New York City Taxi and Limousine Commission (“TLC”) are authorized under Section 2303(a) of the Charter of the City of New York (“Charter”), empowering the TLC to regulate and supervise the business and industry of transporting passengers by licensed vehicles for-hire in the City; under Section 2303(b) of such Charter, authorizing the TLC to promulgate rules and regulations reasonably designed to carry out its purposes; under section 2303(b)(6) of such Charter, authorizing the TLC to establish requirements for safety, design and comfort of vehicles; and under Section 19-503 of the Administrative Code of the City of New York, authorizing the TLC to promulgate rules and regulations necessary to exercise authority conferred upon it by the Charter.

These regulations amend the taxicab specifications to increase the minimum front and rear compartment legroom requirements for sedans approved for use as taxicabs. The regulations also authorize the TLC Chair to approve minivans that may be used as taxicabs.

The Society of Automotive Engineers (SAE) has developed uniform interior and exterior measurements for motor vehicles. These SAE measurements are relied upon to ensure that vehicle dimensions of different vehicle models can be compared. The SAE has developed uniform measurements to determine both front and rear compartment passenger legroom, headroom and seat depth. These measurements are an indicator of vehicle size and passenger comfort. Minimum dimensions for headroom, legroom, and rear seat depth have been part of the TLC Specifications for taxicabs, and vehicles that do not meet these minimum size dimensions cannot be approved for use as taxicabs without specific approval from the TLC Chair.

These amendments to the Taxicab Specifications increase the interior front and rear passenger compartment legroom requirements. Front compartment minimum legroom dimensions are increased from 40 to 42 inches. Rear compartment minimum legroom requirements are increased from 37 to 43 inches.

The purpose of these amendments is to ensure that sedans authorized for use as taxicabs meet minimum standards for passenger comfort. There are currently available several sedan models available and suitable as taxicabs

which meet these proposed minimum specifications for interior compartment legroom. These vehicles would provide a greater degree of passenger comfort than smaller sedans currently authorized for use as taxicabs provide. Vehicles with greater legroom are more comfortable, and provide ease in ingress and egress not available in smaller vehicles.

Additionally, these amendments authorize the TLC Chair to approve specific minivan models for use as taxicabs, after a determination that the vehicle meets reasonable safety and passenger comfort standards. Presently, the rules of the Commission, enacted in 1996, authorize three specific minivan/sport utility vehicle models to be used as taxicabs. The models that were approved in 1996 are no longer manufactured. Changes to these specific models have been made by their respective manufacturers, and these models are no longer suitable for use as taxicabs because of design changes.

There are other, newer minivan models that may be suitable for taxicab use. This regulation gives the TLC Chair the authority to approve specific models, after determining that these vehicles are safe and provide for adequate passenger comfort. Furthermore, the Chair could also disapprove models, previously suitable for use as taxicabs, that are no longer suitable for such use.

Minivans are exempted from the minimum headroom and legroom requirements set forth in subsections (3) and (4) of Section 3-03 of the Taxicab Specifications. SAE measurements for sedans are generally not comparable to minivans since minivans are generally built higher from the ground than sedans, have an open trunk compartment, and lack a transmission “hump”. Accordingly, this rule provides the Chair with greater discretion in approving specific models that provide adequate passenger comfort and meet the Commission’s safety requirements, even if these vehicles do not meet the specific headroom and legroom requirements applicable to sedans.

The Rule authorizing specific enumerated minivan models to be used as taxicabs was first approved by the Commission in 1996. Since the adoption of this Rule, there have been significant design changes made to these approved models, and they may no longer suitable be for use as taxicabs. Each year, manufacturers introduce new minivan models, change designs on existing models, and make other alterations which cause such models to be

either more or less suitable for use as taxicabs. This Rule amendment authorizes the TLC Chair to approve those models which are best suited for use as taxicabs, and to remove from approval models that have been altered and are no longer suitable for taxicab use. Pursuant to authority conferred upon the TLC in the New York City Charter and the Rules of the Commission, the Chair may authorize the testing of new vehicles and equipment pursuant to pilot programs. If such a pilot program is successfully completed, the Chair could approve a vehicle for use as a taxicab. This amendment empowers the Chair to approve such models without separate rulemaking specific to manufacturers or models.