

Prohibited Use of “Taxi” in FHV Advertisements

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The Taxi and Limousine Commission (TLC) wishes to remind its FHV licensees of the restrictions surrounding the use of the word “taxi” and other similar words by individuals and/or Bases in the advertising or offering of FHV car service.

Current TLC Rules prohibit Base Owners from advertising or holding themselves out for business as a “hack,” “taxi,” “taxicab,” “cab,” or “coach” service, or using any of those words to describe their business (see §59B-25(b) of TLC Rules).

Similarly, Local Law prohibits any person from advertising or holding themselves out as doing business as a “hack,” “taxi,” “taxicab,” “cab,” or “coach” service unless he or she holds a vehicle license and medallion for each vehicle (see §19-506(c) of the Administrative Code of the City of New York).

TLC would like to further clarify that the use of a smartphone application, website, or other electronic means to dispatch a FHV that contains in its name any of the words “hack,” “taxi,” “taxicab,” “cab,” or “coach” is considered advertising and holding themselves out for business as such, and is thus prohibited by TLC Rules and Local Law.

However, it has come to the TLC’s attention that the GetTaxi smartphone application and the YellowCabNYC.com website appear to be providing passengers with FHV service, and the TLC would like to remind its FHV licensees that the dispatch of FHV vehicles through such services – with their use of the words “taxi” and “cab” in their name – could cause those licensees to violate both the TLC Rules and Local Law as enumerated above.

This and other information detailing TLC requirements around the use of smartphone applications for the dispatch of FHVs was previously provided in TLC Industry Notice #11-16 dated July 18, 2011. FHV licensees and smartphone application developers interested in providing services to FHV licensees should re-visit that Industry Notice.