

# NEW YORK CITY TAXI AND LIMOUSINE COMMISSION

## **Notice of Promulgation of Rules**

Notice is hereby given in accordance with Section 1043(b) of the Charter of the City of New York (“Charter”) that the Taxi and Limousine Commission (“TLC”) promulgates rules to allow drivers and For-Hire Vehicle, Paratransit and Commuter Van vehicle owners more time to renew and reopen expired licenses. TLC also amends the rule exempting experienced drivers from the 24-hour Authorized Driver Education Training as well as the rule specifying who may request a taxi vehicle retirement hardship extension. Finally, TLC amends rules concerning the Agency’s authority to seize and forfeit vehicles operating for-hire without a TLC license, rules governing Commuter Vans, and certain other provisions for clarity.

These rules are promulgated pursuant to Sections 1043 and 2303 of the Charter and Section 19-503 of the Administrative Code of the City of New York.

These rules were published in the City Record on May 1, 2017 for public comment. On June 8, 2017, a public hearing on these rules was held by the TLC at its offices at 33 Beaver Street, 19th Floor, New York, New York, and the rules were adopted by the Commission on this same date. Pursuant to Section 1043(e)(1)(c) of the Charter, these rules will take effect 30 days after publication.

## **Statement of Basis and Purpose of Rules**

### **Licensing Rules Review**

The Taxi and Limousine Commission (“TLC” or “Agency”) recently reviewed its rules on how applicants obtain and renew their TLC licenses. As a result of this review, TLC is simplifying a number of rules. The amendments make it easier to own and operate a taxi or for-hire vehicle without compromising safety and consumer protections.

### **Renewing Expired Driver and Vehicle Licenses**

TLC rules currently prohibit licensees from renewing expired licenses.<sup>1</sup> Licensees who do not complete all renewal requirements before their license expires must apply for a new license and complete all new application requirements. Currently licensees must also submit their renewal application at least 30 days before the expiration date to avoid a \$25 late fee.

TLC does permit licensees who can prove that an unanticipated event prevented them from renewing the license before it expired to ask for more time. In these cases, drivers may request up to 90 more days to complete the renewal requirements, and For-Hire Vehicle (“FHV”), Paratransit, and Commuter Van vehicle owners may request 31 more days. Licensees not granted an extension or who are outside the extension period may not renew their license.

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<sup>1</sup> For example, TLC rule 80-06(e)(4) provides that applications for the renewal of a TLC Driver License will not be accepted after the expiration date and that such License cannot be renewed.

The rule amendments:

- Permit any driver to renew an expired license up to six months after the driver license expiration date,
- Permit the renewal of expired vehicle licenses up to 60 days after the vehicle license expiration date,<sup>2</sup> and
- Apply the \$25 late fee only to renewal applications submitted after the license has expired.

Under the new process, licenses will remain expired until the licensee completes all renewal requirements, and, as is the case today, a driver may not provide services until the license has been renewed. Such expired licenses will not be included in the lists of active licensees used by bases to determine which drivers have valid licenses.<sup>3</sup> Licensees will benefit because they will avoid having to reapply for a new license and comply with the requirements for new applicants so long as they meet the new extended deadlines. To encourage licensees to submit renewal applications earlier than 30 days before the expiration date, the rules also warn that renewal applications submitted later than this may not be processed to completion until after the expiration date.

#### Experienced Driver Education Exemption

Beginning in 1999, all applicants for a new taxi driver license were required to complete the 24-hour Authorized Driver Education Training (“Driver School”) regardless of their prior experience as a licensed TLC driver. In 2014, the taxi education rules were amended to exempt from Driver School experienced drivers who were licensed before 1999. To obtain the exemption, a driver must have had a prior TLC license before 1999 and must have applied for a new TLC license no more than two years after the prior license expired.

In 2016, TLC combined taxi and FHV driver licenses into one TLC Driver License. A driver who wishes to drive either a taxi or FHV must now apply for a TLC Driver License and complete Driver School. Although the experienced driver education exemption is available to all TLC Driver License applicants, it still applies only to those who had a prior license before 1999, making applicants for a new TLC Driver License who previously held an FHV license from 2000 to 2015 ineligible, regardless of years of experience.

To qualify all drivers who should be exempt from the Driver School requirement based on their years of experience and not on when they received their license, the rule amendments establish “experience” based on the duration of prior licensure and eliminate the pre-1999 licensure requirement. Specifically:

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<sup>2</sup> For vehicle owners, the period of time an expired license can be renewed is limited by the process through which TLC requests New York State Department of Motor Vehicles (“DMV”) revocation of DMV-issued TLC vehicle license plates. After vehicle license plates are revoked, a vehicle owner must apply for a new TLC license before the DMV will issue new TLC license plates for the vehicle.

<sup>3</sup> The TLC-published lists of active licensees are used by TPEP and LPEP vendors to determine which drivers can log into taximeters, while FHV bases, Paratransit bases and Commuter Van service owners use these lists to determine which drivers and vehicles can provide service.

- Applicants who are applying less than two years after their prior license expired are exempt if previously licensed for at least 10 years,
- Applicants who are applying between two and five years after their prior license expired are exempt if previously licensed for at least 15 years.

In addition, under the amended rules, TLC will no longer consider only one continuously-held prior license but will instead count the total years a driver was licensed by TLC.<sup>4</sup> However, as before, any prior revocation of a TLC-issued driver license will render an applicant ineligible for this exemption. If an applicant is eligible for the exemption, TLC will continue to apply the usual driver screening protocols including criminal background checks, driving record checks and drug testing before determining whether or not to grant the TLC Driver License.

### Taxi Vehicle Hardship Extension Requests

In 2001, TLC amended its vehicle retirement rules to provide for a Hardship Extension, which allows a vehicle owner with an economic or other personal hardship to continue operating the vehicle beyond the vehicle retirement date which would otherwise apply. The extension was limited to Independent Taxicab Owners and Long-Term Drivers whose vehicles were generally perceived to be safer and better maintained than vehicles owned by fleets or minifleets.<sup>5</sup>

Because TLC now holds all medallion owners to the same high safety standards, the reasons for limiting extensions to Independent Taxicab Owners and Long-Term Drivers no longer apply. Additionally, data from TLC safety and emissions inspections reveal, regardless of a medallion's classification, comparable yearly mileage and high inspection passing rates. Therefore, in line with recent TLC rule changes which standardize requirements that apply across the two classes of medallions,<sup>6</sup> as well as recent City Administrative Code changes which removed the required ratio of independent and minifleet medallions,<sup>7</sup> the amended rules permit any taxi owner to request a Hardship Extension. Vehicles granted an extension must continue to pass triannual safety and emissions inspections to remain in service.

### **Seizure and Forfeiture of Commuter Vans**

Local Law No. 8 of 2017 added unlicensed commuter van activity to the list of activities prohibited by Section 19-506(b)(1) of the Administrative Code. Accordingly, these amended rules clarify TLC's authority to seize and forfeit vehicles operating as unlicensed commuter vans is based on Section 19-506(b)(1), as well as in any other provision in the Administrative Code or

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<sup>4</sup> TLC will measure experience by determining the duration(s) of any prior TLC Driver License, Taxicab Driver License or FHV Driver License. If an applicant held more than one license at the same time, TLC will only count one license for purposes of determining experience (for example, an applicant who previously held a Taxicab Driver License between January 1, 1997 and December 31, 2006 and a FHV Driver License between January 1, 2005 and December 31, 2012 would have 15 years of experience).

<sup>5</sup> New York City Record, Jan. 29, 2002.

<sup>6</sup> On February 25, 2016 the Commissioners repealed the owner must drive rules, which required that owners of Independent Medallions operate the Medallion a minimum number of hours each year. Additionally, on April 23, 2015, the Commissioners adopted uniform taxi vehicle retirement rules, where different retirement lengths previously applied based on the classification of the associated Medallion.

<sup>7</sup> 2017 N.Y.C. Local Law No. 59

TLC rules prohibiting the operation of an unlicensed commuter van or unlicensed commuter van service.

### **Other Commuter Van Amendments**

This rule package also amends existing rules governing commuter van drivers, commuter van vehicle owners and commuter van service owners to reflect recent local laws signed by Mayor de Blasio on February 15, 2017. Pursuant to these amendments, commuter vans are no longer required to carry passenger manifests, applicants for a commuter van service license are not required to submit statements of public support, and commuter van service licensees are not required to renew their authorization every six years. Additionally, the local law amendments increased the penalties for operating a vehicle as a commuter van without a license. These amendments will make it easier to own and operate a properly licensed commuter van service while adding a deterrent to operating such a service illegally.

### **Additional Clarifications**

Finally, this rule package amends the definitions for Accessible Taxi Dispatcher and Dispatch Fee in chapter 58 of the TLC Rules to match the definitions of these terms in chapter 51, which were amended as part of the 2016 Citywide Accessible Dispatch rulemaking. Additionally, this rule package removes the outdated Taxi Accessibility Fee definition set forth in chapter 58.

These rules are authorized by Section 2303 of the Charter and Section 19-503 of the Administrative Code of the City of New York.

New material is underlined.

[Deleted material is in brackets.]

Section 1. Subdivision (c) of section 56-06 of Title 35 of the Rules of the City of New York is amended to read as follows:

(c) *When to File for Renewal*

- (1) A renewing Applicant must file a completed application at least 30 days before the expiration date of the License [in order to avoid a late fee]. The review of applications submitted less than 30 days before the expiration date may not be completed until after the expiration date of the License. Licenses are not Valid and cannot be used to drive a Vehicle after the License expiration date until the application for renewal is approved by the Commission.
- (2) A renewing Applicant can file a completed application [less than 30 days before] up to 180 days after the expiration date as a “late application,” if the Applicant pays a late fee of \$25. When a late application is submitted, the License will remain expired and not Valid to drive a Vehicle until the application for renewal is approved by the Commission.

- (3) [The postmark date is the date of filing for an application that is filed by mail. The date of submission is the date of filing for an application that is filed in person] Application Submission Date.
- (i) Applications filed online: The date of submission is the date an application is filed online.
- (ii) Applications filed in person: The date of submission is the date an application is filed in person.
- (4) [The Commission will not accept a renewal application after the expiration date of the License. If the application is not filed before] A License cannot be renewed more than 180 days after the expiration date [, the License cannot be renewed].

Section 2. Paragraph (2) of subdivision (d) of section 56-08 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (2) The Chairperson will deny an Application for a renewal License if the Applicant has not completed all of the requirements of an Application [by] within 180 days after the expiration date of the prior License.

Section 3. Subdivision (f) of section 56-11 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (f) *[Driver Must Not Drive with Expired Paratransit License.*
- (1) A Driver must submit an application for renewal of his or her License before its expiration date, unless the Commission extends the date.

§56-11(f)(1)	Fine: \$25	Appearance NOT REQUIRED
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- (2)] A driver who operates as a licensee after the expiration date of a License and before the renewal License has been issued is engaged in Unlicensed Activity [and can be subject to penalties under other applicable statutes and regulations].

Section 4. Subdivision (i) of section 57-03 of Title 35 of the Rules of the City of New York, defining the term Passenger Manifest, is repealed and subdivisions (j) and (k) are relettered subdivisions (i) and (j).

Section 5. Subdivision (c) of section 57-06 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (c) *When to File for Renewal*

- (1) A renewing Applicant must file a completed application at least 30 days before the expiration date of the License [in order to avoid a late fee]. The review of applications submitted fewer than 30 days before the expiration date may not be completed until after the expiration date of the License. Licenses are not Valid and cannot be used to drive a Vehicle after the License expiration date until the application for renewal is approved by the Commission.
- (2) A renewing Applicant can file a completed application [less than 30 days before] up to 180 days after the expiration date as a “late application,” if the Applicant pays a late fee of \$25. When a late application is submitted, the License will remain expired and not Valid to drive a Vehicle until the application for renewal is approved by the Commission.
- (3) [The postmark date is the date of filing for an application that is filed by mail. The date of submission is the date of filing for an application that is filed in person] Application Submission Date.
  - (i) Applications filed online: The date of submission is the date an application is filed online.
  - (ii) Applications filed in person: The date of submission is the date an application is filed in person.
- (4) [The Commission will not accept a renewal application after the expiration date of the License. If the application is not filed before] A License cannot be renewed more than 180 days after the expiration date [ , the License cannot be renewed].

Section 6. Subdivision (d) of section 57-06 of Title 35 of the Rules of the City of New York is amended to read as follows:

(d) *Failure to Complete Application Requirements.*

- (1) If a License is suspended, the Licensee must apply for renewal as required in [(d) above if the Licensee wants] subdivision (c) of this section to renew the License. Failure to complete the renewal requirements means that the License cannot be renewed.
- (2) The Chairperson will deny an Application for a renewal License if the Applicant has not completed all of the requirements of an Application [by] within 180 days after the expiration date of the prior License.
- (3) The Chairperson will not deny an Application under this Rule if completion is delayed because the Chairperson has not issued a final decision and the Applicant has complied with any requests made by the Chairperson.

Section 7. The penalty provisions of subdivisions (d) and (e), of Section 57-11 of Title 35 of the Rules of the City of New York are amended to read as follows:

§57-11(d) (1) §57-11(d) (2)	Fine: \$300 Fine: \$1,000 first violation; \$2,000 subsequent violations within 24 months	Appearance NOT REQUIRED Appearance NOT REQUIRED
§57-11(e)(1)&(2)(A)  §57-11(e)(2)(B)	Fine: \$500 first violation; \$1,000 subsequent violations within 24 months Fine: \$1,000 first violation; \$2,000 subsequent violations within 24 months	Appearance NOT REQUIRED  Appearance NOT REQUIRED

Section 8. Subdivision (a) of section 57-19 of Title 35 of the Rules of the City of New York is amended to read as follows:

(a) *Solicitation of Passengers*

- [(1)] A Commuter Van Driver must only transport passengers on a pre-arranged basis [, and whose names appear on the Passenger Manifest.
- (2) Requests for service and pre-arranged trips must be logged in and these records must be maintained at the business premises of the Commuter Van Service for verification].

§57-19(a)	Fine: \$50	Appearance NOT REQUIRED
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Section 9. Subdivision (a) of section 57-23 of Title 35 of the Rules of the City of New York is amended to read as follows:

(a) *Items in Vehicle.* A Commuter Van Driver must not operate a Commuter Van unless the following are present in the vehicle:

- (1) The Commuter Van License;
- (2) The Driver’s Commuter Van Driver’s License (this must be mounted in a protective holder behind the Driver’s seat);
- (3) The Authorization to operate a Commuter Van Service, or a legible photocopy; and
- (4) The vehicle registration and evidence of current liability insurance [;
- (5) The Passenger Manifest].

§57-23(a)(1)-([5]4)	Fine: \$25 per missing item; maximum penalty \$50	Appearance NOT REQUIRED
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Section 10. Section 57-24 of Title 35 of the Rules of the City of New York is amended to read as follows:

§57-24 [Vehicles – Written Trip Records

- (a) Passenger Manifest. A Commuter Van Driver must maintain a Passenger Manifest and enter the name of each passenger to be picked up legibly in ink before the passenger boards.

§57-24(a)	Fine: \$25	Appearance NOT REQUIRED]
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Section 11. Subdivision (b) of section 58-03 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (b) *Accessible Taxi Dispatcher*. The Accessible Taxi Dispatcher is the entity which, under contract with the Commission, will convey dispatches, or requests for accessible service to Drivers of Accessible Taxicabs and to Drivers of Accessible Street Hail Liveries to provide transportation for a [Wheelchair using] Passenger or group of Passengers, at least one of whom must be [in a wheelchair] mobility-impaired, for trips that originate in [Manhattan] New York City.

Section 12. Subdivision (h) of section 58-03 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (h) *Dispatch Fee* is the fee payable to the Driver of an Accessible Taxicab for completing a trip dispatched by the Accessible Taxi Dispatcher. [The Dispatch Fee will be calculated by combining:
- (1) an amount compensating the Driver for the time and distance traveled to the Passenger location. This amount will be based on TLC data for the average cost of a total fare at existing Rates of Fare in one-half mile increments (up to a maximum distance of 2.5 miles), and
  - (2) an amount compensating the Driver for time in waiting for and assisting the Passenger into the vehicle of ten minutes at the existing Rates of Fare for time. If no Passenger appears, the Driver shall still be entitled to this amount.

The Dispatch Fee will include tolls to the pickup location and will also include an additional \$5 Passenger no-show fee if the Passenger does not appear at the pickup location within a ten minute period. The Dispatch Fee will be posted on the TLC Website

and the amounts will be reviewed by the Chair annually or at the time of any Rate of Fare changes.

Examples: 1) Distance to Passenger pickup is 0.5 miles. TLC trip data indicates that an average fare for a 0.5 mile trip is \$5.00. Driver receives \$5.00 for this portion, and an additional \$5.00 which reflects a wait time of 10 minutes at \$0.50 per minute. Total is \$10.00 (\$5.00 and \$5.00) plus any tolls to the pickup location. 2) Distance to Passenger pickup is 1.0 miles. Driver receives \$10.00 for this portion and an additional \$5.00 for the wait time for a total of \$15.00 (plus any tolls to the pickup location).]

The Dispatch Fee is based on the distance travelled by the Driver between acceptance of the trip dispatch and arrival at the Passenger pickup location. The Dispatch Fee will compensate the Driver for the distance travelled to the Passenger location, as well as time spent waiting for and assisting the Passenger into and out of the vehicle, assumed to be an average of ten minutes, paid at the existing Rates of Fare for time.

Any tolls incurred by the driver in traveling to the pickup location will be added to the Dispatch Fee, at EZ-Pass rates and following the routing provided by the Accessible Taxi Dispatcher. The Dispatch Fee will be calculated based on the location of Passenger pickup, following the schedules below:

For trips with a Passenger pickup location in Manhattan:

<u>Maximum Distance (miles)</u>	<u>Dispatch Fee</u>
<u>Up to 0.5</u>	<u>\$10.00</u>
<u>0.5 - 1</u>	<u>\$15.00</u>
<u>1 - 1.5</u>	<u>\$20.00</u>
<u>1.5 - 2</u>	<u>\$25.00</u>
<u>More than 2</u>	<u>\$30.00</u>
<u>Passenger No-Show</u>	<u>Fee above plus \$5.00</u>
<u>Cancellation Fee</u>	<u>Fee above minus \$5.00</u>
<u>Necessary Tolls</u>	<u>Added to fee above at EZ-Pass rate</u>

For trips with a Passenger pickup location outside of Manhattan:

<u>Maximum Distance (miles)</u>	<u>Dispatch Fee</u>
<u>Up to 0.5</u>	<u>\$6.00</u>
<u>0.5 - 1</u>	<u>\$10.00</u>
<u>1 - 2</u>	<u>\$12.50</u>
<u>2 - 3</u>	<u>\$15.00</u>
<u>3 - 5</u>	<u>\$20.00</u>

<u>More than 5</u>	<u>\$25.00</u>
<u>Passenger No-Show</u>	<u>Fee above plus \$5.00</u>
<u>Cancellation Fee</u>	<u>Fee above minus \$5.00</u>
<u>Necessary Tolls</u>	<u>Added to fee above at EZ-Pass rate</u>

The \$5 Passenger No-Show Fee applies if the Passenger does not appear at the pickup location within ten minutes of driver’s arrival for on-demand trips or within ten minutes of the scheduled pickup time for reservation trips.

The Cancellation Fee applies if the Passenger cancels the trip after the Driver has traveled more than 0.5 miles to the Passenger pickup location following acceptance of the trip. The Cancellation Fee will be calculated by subtracting \$5.00 from the appropriate Dispatch Fee for the distance traveled by the Driver at the time of cancellation.

Example: The Driver of a Taxi making a trip of more than 2 miles to pick up a Passenger and the Passenger cancels the trip after the Driver has traveled at least half a mile will receive a net Dispatch Fee of \$25.00 (\$30.00 less the \$5.00 Cancellation Fee).

A Driver will not be entitled to collect more than two combined Cancellation and No-Show Fees in any Monday through Sunday weekly period.

Section 13. Subdivision (dd) of section 58-03 of Title 35 of the Rules of the City of New York, providing a definition of Taxi Accessibility Fee, is repealed, and subdivisions (ee) through (oo) are relettered subdivisions (dd) through (nn).

Section 14. Paragraph (2) of subdivision (c) of section 58-06 of Title 35 of the Rules of the City of New York, providing a late fee for applications for renewal filed after April 30 of each year in which a license expires, is repealed, paragraphs (3) through (5) are renumbered paragraphs (2) through (4), and paragraph (2), as renumbered by this section, is amended to read as follows:

([3]2) [The postmark date is the date of filing for an application that is filed by mail. The date of submission is the date of filing for an application that is filed in person] Application Submission Date.

- (i) Applications filed online: The date of submission is the date an application is filed online.
- (ii) Applications filed in person: The date of submission is the date an application is filed in person.

Section 15. Subdivision (h) of section 58-08 of Title 35 of the Rules of the City of New York, providing a fee for the late filing of taxicab license renewal applications, is repealed, and subdivisions (i) and (j) are relettered subdivisions (h) and (i).

Section 16. Subdivision (c) of section 59A-06 of Title 35 of the Rules of the City of New York is amended to read as follows:

(c) *When to File for Renewal.*

- (1) A renewing Applicant must file a completed application at least 30 days before the expiration date of the License [in order to avoid a late fee]. The review of applications submitted fewer than 30 days before the expiration date will not be completed until after the expiration date of the License. Licenses are not Valid after the License expiration date until the application for renewal is approved by the Commission.
- (2) A renewing Applicant can file a completed application [less than 30 days before] up to 60 days after the expiration date as a “late application,” if the Applicant pays a late fee of \$25. When a late application is submitted, the License will remain expired and not Valid until the application for renewal is approved by the Commission.
- (3) [The postmark date is the date of filing for an application that is filed by mail. The date of submission is the date of filing for an application that is filed in person] Application Submission Date.
  - (i) Applications filed online: The date of submission is the date an application is filed online.
  - (ii) Applications filed in person: The date of submission is the date an application is filed in person.
- (4) [The Commission will not accept a renewal application after the expiration date of the License. If the application is not filed before] A License cannot be renewed more than 60 days after the expiration date [, the License cannot be renewed].

Section 17. Subdivision (d) of section 59A-06 of Title 35 of the Rules of the City of New York, providing for an extension of the expiration date of a for-hire vehicle license, is repealed, and subdivisions (e) and (f) are relettered subdivisions(d) and (e).

Section 18. Paragraph (2) of subdivision (e) of section 59A-08 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (2) The Chairperson will deny an application for a renewal License if the Applicant has not completed all the requirements of an application [by] within 60 days of the expiration date of the prior License. This does not apply to inspections.

Section 19. Subdivision (c) of section 59B-06 of Title 35 of the Rules of the City of New York is amended to read as follows:

(c) *When to File for Renewal.*

- (1) A renewing Applicant must file a completed application at least 60 days before the expiration date of the License [in order to avoid a late fee].
  - (2) [A renewing Applicant can file a completed application less than 60 days before the expiration date as a “late application,” if the Applicant pays a late fee of \$25.
  - (3) The postmark date is the date of filing for an application that is filed by mail. The date of submission is the date of filing for an application that is filed in person] Application Submission Date.
    - (i) Applications filed online: The date of submission is the date an application is filed online.
    - (ii) Applications filed by mail: The date of submission is the postmark date.
    - (iii) Applications filed in person: The date of submission is the date an application is filed in person.
- ([4]3) The Commission will not accept a renewal application after the expiration date of the License. If the application is not filed before the expiration date, the License cannot be renewed.

Section 20. Paragraph (1) of subdivision (d) of section 59B-06 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (1) If a timely application for renewal of a License has been made as required in subdivision (c)[(1) or (2)], above, the Chairperson will extend the effectiveness of the License until review of the renewal application is completed.

Section 21. Subdivision (b) of section 59B-07 of Title 35 of the Rules of the City of New York, providing a fee for the late filing of a for-hire base license renewal application, is repealed and subdivisions (c) through (h) are relettered subdivisions (b) through (g).

Section 22. Subdivision (c) of section 60A-05 of Title 35 of the Rules of the City of New York, providing for an extension of the expiration date of a paratransit vehicle license, is repealed, and subdivisions (d) and (e) are relettered subdivisions (c) and (d) and , as relettered by this section, are amended to read as follows:

([d]c) *When to File for Renewal.*

- (1) A renewing Applicant must file a completed application at least 30 days before the expiration date of the License [in order to avoid a late fee]. The review of applications submitted fewer than 30 days before the expiration date will not be completed until after the expiration date of the License. Licenses are not Valid after the License expiration date until the application for renewal is approved by the Commission.

- (2) A renewing Applicant can file a completed application [less than 30 days before] up to 60 days after the expiration date as a “late application,” if the Applicant pays a late fee of \$25. When a late application is submitted, the License will remain expired and not Valid until the application for renewal is approved by the Commission.
- (3) [The postmark date is the date of filing for an application that is filed by mail. The date of submission is the date of filing for an application that is filed in person] *Application Submission Date.*
  - (i) Applications filed online: The date of submission is the date an application is filed online.
  - (ii) Applications filed in person: The date of submission is the date an application is filed in person.
- (4) [The Commission will not accept a renewal application after the expiration date of the License. If the application is not filed before] A License cannot be renewed more than 60 days after the expiration date [, the License cannot be renewed].

([e]d) *Suspended Licenses.*

- (1) If a License is suspended, the Licensee must apply for renewal as required in [(d) above if the Licensee wants] subdivision (c) of this section to renew the License. Failure to complete the renewal requirements means that the License cannot be renewed.
- (2) A License that is suspended is not Valid and cannot be used until the suspension ends. This is true even if the Applicant has filed an application for a renewal.

Section 23. Paragraph (2) of subdivision (f) of section 60A-07 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (2) The Chairperson will deny an application for a renewal License if the Applicant has not completed all the requirements of an application [by] within 60 days of the expiration date of the prior License.

Section 24. Subdivision (c) of section 60B-05 of Title 35 of the Rules of the City of New York is amended to read as follows:

(c) *When to File for Renewal.*

- (1) A renewing Applicant must file a completed application at least 60 days before the expiration date of the License [in order to avoid a late fee].
- (2) [A renewing Applicant can file a completed application less than 60 days before the expiration date as a “late application,” if the Applicant pays a late fee of \$25.

- (3) The postmark date is the date of filing for an application that is filed by mail. The date of submission is the date of filing for an application that is filed in person] Application Submission Date.
- (i) Applications filed online: The date of submission is the date an application is filed online.
  - (ii) Applications filed by mail: The date of submission is the postmark date.
  - (iii) Applications filed in person: The date of submission is the date an application is filed in person.
- ([4]3) The Commission will not accept a renewal application after the expiration date of the License. If the application is not filed before the expiration date, the License cannot be renewed.

Section 25. Subdivision (d) of section 60B-06 of Title 35 of the Rules of the City of New York, providing a fee for the late filing of a paratransit base station license renewal application, is repealed, and subdivision (e) is relettered subdivision (d).

Section 26. Subdivision (g) of section 61A-03 of Title 35 of the Rules of the City of New York, setting forth a definition of Passenger Manifest, is repealed, and subdivision (h) is re-lettered subdivision (g).

Section 27. Subdivision (c) of section 61A-05 of Title 35 of the Rules of the City of New York is amended to read as follows:

(c) *When to File for Renewal.*

- (1) A renewing Applicant must file a completed application at least 30 days before the expiration date of the License [in order to avoid a late fee]. The review of applications submitted fewer than 30 days before the expiration date will not be completed until after the expiration date of the License. Licenses are not Valid after the License expiration date until the application for renewal is approved by the Commission.
- (2) A renewing Applicant can file a completed application [less than 30 days before] up to 60 days after the expiration date as a “late application,” if the Applicant pays a late fee of \$25. When a late application is submitted, the License will remain expired and not Valid until the application for renewal is approved by the Commission.
- (3) [The postmark date is the date of filing for an application that is filed by mail. The date of submission is the date of filing for an application that is filed in person] Application Submission Date.

- (i) Applications filed online: The date of submission is the date an application is filed online.
  - (ii) Applications filed in person: The date of submission is the date an application is filed in person.
- (4) [The Commission will not accept a renewal application after the expiration date of the License. If the application is not filed before] A License cannot be renewed more than 60 days after the expiration date [, the License cannot be renewed].

Section 28. Paragraph (2) of subdivision (c) of section 61A-07 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (2) The Chairperson will deny an application for a renewal License if the Applicant has not completed all the requirements of an application [by] within 60 days of the expiration date of the prior License.

Section 29. The penalty provisions of subdivisions (b) and (e) of section 61A-10 of Title 35 of the Rules of the City of New York are amended to read as follows:

§61A-10(b)	Fine: \$[500] <u>1000</u> – first violation; \$[1,000] <u>2,000</u> – subsequent violation within twenty-four months	Appearance NOT REQUIRED
§61A-10(e)(1) and (3)	Fine: \$500 first violation; \$1,000 subsequent violations within 24 months	Appearance NOT REQUIRED
§61A-10(e)(2)	<u>Fine: \$1,000 first violation; \$2,000 subsequent violations within 24 months</u>	<u>Appearance NOT REQUIRED</u>

Section 30. Subdivision (c) of section 61A-16 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (c) Service Must Be Pre-Arranged. No Commuter-Van Vehicle Owner will permit transportation service unless the service is prearranged [and the prearrangement is shown on the Passenger Manifest].

Section 31. Section 61A-18 of Title 35 of the Rules of the City of New York is amended to read as follows:

§61A-18 [Records – Trip Record Information

- (a) Commuter-Van Service. The Vehicle Owner is responsible for ensuring that the following records are kept for all dispatched calls:
  - (1) The Passenger Manifest

§61A-18(a)(1)	Fine: \$50	Appearance NOT REQUIRED
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(2) Records of requests for service and trips

§61A-18(a)(2)	Fine: \$100	Appearance NOT REQUIRED
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(3) The records required by this paragraph must be kept for a period of one year and will be subject to inspection by authorized officers or employees of the Commission during regular business hours.

§61A-18(a)(3)	Fine: \$300	Appearance NOT REQUIRED]
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Section 32. Subdivision (a) of section 61A-28 of Title 35 of the Rules of the City of New York is amended to read as follows:

(a) Commuter-Van Vehicles must carry the following inside the Vehicle any time the Vehicle is in operation:

- (1) The Commuter-Van Vehicle License;
- (2) The Driver’s Commuter-Van Driver’s License (this must be mounted in a protective holder behind the Driver’s seat);
- (3) The Authorization to operate a Commuter-Van Service, or a legible photocopy; and
- (4) The Vehicle registration and evidence of current liability insurance [; and
- (5) A Passenger Manifest].

Section 33. Subdivision (k) of section 61B-03 of Title 35 of the Rules of the City of New York, setting forth a definition of Passenger Manifest, is repealed, and subdivision (l) is relettered subdivision (k).

Section 34. Subparagraph (i) of paragraph (3) of subdivision (i) of section 61B-04 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (i) The Commissioner of Transportation [can] may request that the Applicant provide [any] additional information relevant to his or her determination but shall not require statements of public support as part of the application.

Section 35. Subparagraphs (i) and (ii) of paragraph (4) of subdivision (i) of section 61B-04 of Title 35 of the Rules of the City of New York are amended to read as follows:

- (i) A Finding of Public Need will be in effect [for six years or] until the Authorization granted by the Commission is revoked[, whichever comes first] or such determination of the Finding of Public Need is revoked by the Commissioner of Transportation.
- (ii) [A Finding of Public Need can be renewed prior to its expiration. If the Finding of Public Need expires,] Upon the revocation of an authorization, no authorization to operate a commuter Van service shall be renewed unless a new determination of public need [must be] is made by the Commissioner of Transportation.

Section 36. Subdivisions (a) and (b) of section 61B-05 of Title 35 of the Rules of the City of New York are amended to read as follows:

- (a) *New Authorizations.* [The term of a] A new Commuter-Van Service Authorization [is two years from the date the Authorization is issued] will remain in effect until the authorization is revoked by the Commission or by the Commissioner of Transportation.
- (b) *TLC License Renewals.* The renewal term of [a Commuter-Van Service Authorization] the TLC license is two years from the date on which the previous [Authorization] license expired.

Section 37. Subdivision (d) of section 61B-05 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (d) *When to File for Renewal.*
  - (1) A renewing Applicant must file a completed application at least 60 days before the expiration date of the [Authorization] license [in order to avoid a late fee].
  - (2) [A renewing Applicant can file a completed application less than 60 days before the expiration date as a “late application,” if the Applicant pays a late fee of \$25.
  - (3) The postmark date is the date of filing for an application that is filed by mail. The date of submission is the date of filing for an application that is filed in person] Application Submission Date.
    - (i) Applications filed online: The date of submission is the date an application is filed online.
    - (ii) Applications filed by mail: The date of submission is the postmark date.
    - (iii) Applications filed in person: The date of submission is the date an application is filed in person.

([4]3) The Commission will not accept a renewal application after the expiration date of the [Authorization] license. If the application is not filed before the expiration date, the [Authorization] license cannot be renewed.

Section 38. Subdivision (e) of section 61B-06 of Title 35 of the Rules of the City of New York, providing a fee for the late filing of a commuter van vehicle license renewal application, is repealed.

Section 39. Subdivision (a) of section 61B-18 of Title 35 of the Rules of the City of New York is amended to read as follows:

(a) Commuter-Van Service. The Commuter-Van Service Owner is responsible for ensuring that the following records are kept [for all dispatched calls]:

(1) [The Passenger Manifest] The number of passengers each Commuter-Van Vehicle affiliated with the Commuter-Van Service picks up each day.

§61B-18(a)(1)	Fine: \$50	Appearance NOT REQUIRED
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(2) [Records of requests for service and trips

§61B-18(a)(2)	Fine: \$100	Appearance NOT REQUIRED
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(3) The records required by this paragraph must be kept for a period of one year and will be subject to inspection by authorized officers or employees of the Commission during regular business hours.

§61B-18(a)([3] 2)	Fine: \$300	Appearance NOT REQUIRED
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Section 40. Subdivision (a) of section 61B-28 of Title 35 of the Rules of the City of New York is amended to read as follows:

(a) Commuter-Van Vehicles must carry the following inside the Vehicle any time the Vehicle is in operation:

(1) The Commuter-Van Vehicle License;

(2) The Driver's Commuter-Van Driver's License (this must be mounted in a protective holder behind the Driver's seat);

(3) The Authorization to operate a Commuter-Van Service, or a legible photocopy; and

(4) The Vehicle registration and evidence of current liability insurance [; and

(5) A Passenger Manifest].

Section 41. Subdivision (e) of section 62-06 of Title 35 of the Rules of the City of New York, providing a fee for the late filing of a taxicab broker's license renewal application, is repealed.

Section 42. Subdivision (b) of section 62-09 of Title 35 of the Rules of the City of New York is amended to read as follows:

(c) *When to File for Renewal.*

- (1) A renewing Applicant must file a completed application at least 60 days before the expiration date of the License [in order to avoid a late fee].
  - (2) [A renewing Applicant can file a completed application less than 60 days before the expiration date as a "late application," if the Applicant pays a late fee of \$25.
  - (3) The postmark date is the date of filing for an application that is filed by mail. The date of submission is the date of filing for an application that is filed in person] *Application Submission Date.*
    - (i) Applications filed online: The date of submission is the date an application is filed online.
    - (ii) Applications filed by mail: The date of submission is the postmark date.
    - (iii) Applications filed in person: The date of submission is the date an application is filed in person.
- ([4]3) The Commission will not accept a renewal application after the expiration date of the License. If the application is not filed before the expiration date, the License cannot be renewed.

Section 43. Subdivision (c) of section 63-05 of Title 35 of the Rules of the City of New York is amended to read as follows:

(c) *When to File for Renewal.*

- (1) A renewing Applicant must file a completed application at least 60 days before the expiration date of the License [in order to avoid a late fee].
- (2) [A renewing Applicant can file a completed application less than 60 days before the expiration date as a "late application," if the Applicant pays a late fee of \$25.
- (3) The postmark date is the date of filing for an application that is filed by mail. The date of submission is the date of filing for an application that is filed in person] *Application Submission Date.*
  - (i) Applications filed online: The date of submission is the date an application is filed online.

- (ii) Applications filed by mail: The date of submission is the postmark date.
- (iii) Applications filed in person: The date of submission is the date an application is filed in person.

([4]3) The Commission will not accept a renewal application after the expiration date of the License. If the application is not filed before the expiration date, the License cannot be renewed.

Section 44. Subdivision (f) of section 63-06 of Title 35 of the Rules of the City of New York, providing a fee for the late filing of a taxicab agent’s license renewal application, is repealed.

Section 45. Subdivision (f) of section 64-07 of Title 35 of the Rules of the City of New York, providing a fee for the late filing of a taximeter license renewal application, is repealed, and subdivisions (g) through (i) are relettered subdivisions (f) through (h) and subdivisions (g) and (h), as relettered by this section, are amended to read as follows:

([h]g) When to File for Renewal.

- (1) A renewing Applicant must file a completed application at least 60 days before the expiration date of the License [in order to avoid a late fee].
- (2) [A renewing Applicant can file a completed application less than 60 days before the expiration date as a “late application,” if the Applicant pays a late fee of \$25.
- (3) The postmark date is the date of filing for an application that is filed by mail. The date of submission is the date of filing for an application that is filed in person] Application Submission Date.
  - (i) Applications filed online: The date of submission is the date an application is filed online.
  - (ii) Applications filed by mail: The date of submission is the postmark date.
  - (iii) Applications filed in person: The date of submission is the date an application is filed in person.

([4]3) The Commission will not accept a renewal application after the expiration date of the License. If the application is not filed before the expiration date, the License cannot be renewed.

([i]h) Suspended Licenses.

- (1) If a License is suspended, the Licensee must apply for renewal as required in [(h) above if the Licensee wants] subdivision (g) of this section to renew the License. Failure to complete the renewal requirements means that the License cannot be renewed.
- (2) A License that is suspended is not Valid and cannot be used until the suspension.

Section 46. The introductory paragraph of subdivision (a) of section 67-19 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (a) *Hardship Extension*: [An Independent] The owner of a Taxicab [Owner or a Long-Term Driver who owns the vehicle] may apply to the Chairperson for an extension of up to 12 months from the Scheduled Retirement Date. To obtain approval of a hardship extension:

...

Section 47. Subdivision (c) of section 68-17 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (c) Hearing on Unlicensed Activity.

- (1) The hearing against the Owner will be conducted at the Taxi and Limousine Tribunal at OATH according to the procedures in Chapter 5 of Title 48 of the Rules of the City of New York within five business days following a seizure. At the hearing, a determination will be made on the following:
- (i) Whether the Owner engaged in the Unlicensed Activity alleged in the summons.
  - (ii) If the Owner is found to have engaged in such Unlicensed Activity, then:
    - A. Whether the Owner has two or more violations of sections 19-506 (b), (c), or (k) of the Administrative Code in the past 36 months [(or in the case of a Commuter Van Owner,] or two or more violations for operating a Commuter Van without Authorization [of section 19-529.2 of the Administrative Code] in the past five years[]]; and
    - B. Whether it is necessary that the vehicle remain impounded pending a judgment of forfeiture.
- (2) A determination in a case of Unlicensed Activity with a Commuter Van will be issued within 1 business day of the conclusion of the hearing or Default.
- (3) If a new hearing is required (e.g., because a default decision has been vacated) and TLC continues to maintain possession of Owner's vehicle, the hearing must be held no later than 14 days after the decision triggering the new hearing.

Section 48. Subdivision (b) of section 68-18 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (b) A vehicle seized under the provision of subdivision (a) of Rule 68-17 is subject to forfeiture if either of the following are true:
- (1) The [vehicle is NOT a Commuter Van and the] Owner has been found to have committed [violation] two or more violations of subdivisions (b), (c) or (k) of section 19-506 of the Administrative Code [two or more times] within 36 months; or
  - (2) The [vehicle is a Commuter Van and the] Owner has been found to have committed [violation of section 19-529.2 of the Administrative Code two or more times] two or more violations of operating a Commuter Van without Authorization within 5 years.

Section 49. Subdivision (e) of section 75-07 of Title 35 of the Rules of the City of New York, providing a fee for the late filing of a taxicab technical service provider's renewal authorization application, is repealed, subdivisions (f) and (g) are relettered subdivisions (e) and (f), and subdivision (f), as relettered by this section, is amended to read as follows:

([g]f) *When to File for Renewal.*

- (1) [To avoid a late fee, a] A renewing Applicant must file a completed application at least sixty (60) days before the expiration date of the Authorization.
  - (2) [A renewing Applicant can file a completed application less than 60 days before the expiration date as a "late application," if the Applicant pays a late fee of \$25.
  - (3) The postmark date is the date of filing for an application that is filed by mail. The date of submission is the date of filing for an application that is filed in person] Application Submission Date.
    - (i) Applications filed online: The date of submission is the date an application is filed online.
    - (ii) Applications filed by mail: The date of submission is the postmark date.
    - (iii) Applications filed in person: The date of submission is the date an application is filed in person.
- ([4]3) The Commission will not accept a renewal application after the expiration date of the License. If the application is not filed before the expiration date, the License cannot be renewed.

Section 50. Subdivision (e) of section 77-07 of Title 35 of the Rules of the City of New York, providing a fee for the late filing of a dispatch service provider's renewal license application, is repealed, subdivisions (f) through (h) are relettered subdivisions (e) through (g), and subdivisions (f) and (g), as relettered by this section, are amended to read as follows:

([g]f) *When to File for Renewal.*

- (1) [To avoid a late fee, a] A renewing Applicant must file a completed application at least sixty (60) days before the expiration date of the License.
- (2) [A renewing Applicant can file a completed application less than 60 days before the expiration date as a “late application,” if the Applicant pays a late fee of \$25.
- (3) The postmark date is the date of filing for an application that is filed by mail. The date of submission is the date of filing for an application that is filed in person] Application Submission Date.
  - (i) Applications filed online: The date of submission is the date an application is filed online.
  - (ii) Applications filed by mail: The date of submission is the postmark date.
  - (iii) Applications filed in person: The date of submission is the date an application is filed in person.
- ([4]3) The Commission will not accept a renewal application after the expiration date of the License. If the application is not filed before the expiration date, the License cannot be renewed.

([h]g) *Suspended Licenses.*

- (1) If a License is suspended and is due to be renewed during the suspension, the Dispatch Service Provider must apply for renewal as required in subdivision ([h]f) of this section [if the Dispatch Service Provider wants] to renew the License. Failure to complete the renewal requirements means that the License cannot be renewed.
- (2) A License that is suspended is not Valid and cannot be used until the suspension ends. This applies even if the Applicant has filed an application for a renewal.

Section 51. Subdivision (f) of section 78-07 of Title 35 of the Rules of the City of New York, providing a fee for the late filing of an e-hail applications provider’s license renewal application, is repealed, subdivisions (g) through (i) are relettered subdivisions(f) through (h), and subdivisions (g) and (h), as relettered by this section, are amended to read as follows:

([h]g) *When to File for Renewal.*

- (1) [To avoid a late fee, a] A renewing Applicant must file a completed application at least sixty (60) days before the expiration date of the License.
- (2) [A renewing Applicant can file a completed application less than 60 days before the expiration date as a “late application,” if the Applicant pays a late fee of \$25.

- (3) The postmark date is the date of filing for an application that is filed by mail. The date of submission is the date of filing for an application that is filed in person] Application Submission Date.
- (i) Applications filed online: The date of submission is the date an application is filed online.
  - (ii) Applications filed by mail: The date of submission is the postmark date.
  - (iii) Applications filed in person: The date of submission is the date an application is filed in person.
- ([4]3) The Commission will not accept a renewal application after the expiration date of the License. If the application is not filed before the expiration date, the License cannot be renewed.

([i]h) *Suspended Licenses.*

- (1) If a License is suspended and is due to be renewed during the suspension, the Dispatch Service Provider must apply for renewal as required in subdivision ([h]g) of this section [if the Hail Application Provider Licensee wants] to renew the License. Failure to complete the renewal requirements means that the License cannot be renewed.
- (2) A License that is suspended is not Valid and cannot be used until the suspension ends. This applies even if the Applicant has filed an application for a renewal.

Section 52. Paragraph (8) of subdivision (j) of section 80-04 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (8) *Life Experience Exemption.* Any Applicant for a License [who previously held a valid Taxicab Driver License, For-Hire Driver License or TLC Driver License] will not be required to take the Authorized Driver Education Training [course], provided [that the applicant meets all of the following conditions]:
- (i) The Applicant [obtained the previous] previously held a Taxicab Driver License, For-Hire Driver License or TLC Driver License [before January 1, 1999].
  - (ii) [The] No prior Taxicab Driver License, For-Hire Driver License or TLC Driver License [expired because the Applicant failed to renew that license] was revoked or expired while license revocation charges were pending or was surrendered while license revocation charges were pending.
  - (iii) [The Applicant applies for the TLC Driver License no later than] For Applicants applying fewer than two years after the expiration date of the prior Taxicab Driver License, For-Hire Driver License or TLC Driver License, the Applicant held a Taxicab Driver License, For-Hire Driver License or TLC Driver License for a total of at least 10 years.

- (iv) For Applicants applying more than two years but less than five years after the expiration date of the prior Taxicab Driver License, For-Hire Driver License or TLC Driver License, the Applicant held a Taxicab Driver License, For-Hire Driver License or TLC Driver License for a total of at least 15 years.
- (v) The Applicant meets all other requirements for obtaining a new TLC Driver License.
- ([v]vi) The Applicant had no outstanding fines when the Applicant’s prior Taxicab Driver License, For-Hire Driver License or TLC Driver License expired unless such fines have been paid at the time of application.

Section 53. Subdivision (c) of section 80-06 of Title 35 of the Rules of the City of New York, providing for an extension of the expiration date of a TLC drivers license, is repealed, subdivisions (d) through (f) are relettered subdivisions (c) through (e), and subdivisions (d) and (e), as relettered by this section, are amended to read as follows:

([e]d) *When to File for Renewal*

- (1) A renewing Applicant must file a completed application at least 30 days before the expiration date of the License [in order to avoid a late fee]. The review of applications submitted fewer than 30 days before the expiration date may not be completed until after the expiration date of the License. Licenses are not Valid and cannot be used to drive a Vehicle after the License expiration date until the application for renewal is approved by the Commission.
- (2) A renewing Applicant can file a completed application [less than 30 days before] up to 180 days after the expiration date as a “late application,” if the Applicant pays a late fee of \$25. When a late application is submitted, the License will remain expired and not Valid to drive a Vehicle until the application for renewal is approved by the Commission.
- (3) [The date of submission is the date an application is filed online] Application Submission Date.
  - (i) Applications filed online: The date of submission is the date an application is filed online.
  - (ii) Applications filed in person: The date of submission is the date an application is filed in person.
- (4) [The Commission will not accept a renewal application after the expiration date of the License. If the application is not filed before] A License cannot be renewed more than 180 days after the expiration date [, the License cannot be renewed].

([f]e) *Suspended Licenses.*

- (1) If a License is suspended, the Licensee must apply for renewal as required in subdivision [(e) above if the Licensee wants] d of this section to renew the License. Failure to complete the renewal requirements means that the License cannot be renewed.
- (2) A License that is suspended is not Valid and cannot be used until the suspension ends. This is true even if the Applicant has filed an application for a renewal.

Section 54. Paragraph (2) of subdivision (d) of section 80-08 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (2) The Chairperson will deny an Application for a renewal License if the Applicant has not completed all of the requirements of an Application [by] within 180 days after the expiration date of the prior License.

Section 55. Paragraph (5) of subdivision (d) of section 80-14 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (5) For Drivers in the third year of a three-year License, the annual drug testing must occur no sooner than 90 days before the License expiration date [, and in no case after the expiration date].

Section 56. Subdivision (c) of section 82-07 of Title 35 of the Rules of the City of New York is amended to read as follows:

(c) *When to File for Renewal.*

- (1) The right to renewal is automatic, upon payment of the renewal fee, provided that the Licensee is in good standing.
- (2) A renewing Applicant must file a completed application at least 30 days before the expiration date of the License [in order to avoid a late fee]. The review of applications submitted fewer than 30 days before the expiration date will not be completed until after the expiration date of the License. Licenses are not Valid after the License expiration date until the application for renewal is approved by the Commission.
- (3) A renewing Applicant can file a completed application [less than 30 days before] up to 60 days after the expiration date as a "late application," if the Applicant pays a late fee of \$25. When submitting a late application, the License will remain expired and not Valid until the application for renewal is approved by the Commission. The late fee will be assessed in addition to any penalties that may be specified for a violation of this Rule.

- (4) [The date of filing for an application filed by mail is the postmark date. The date of filing for an application filed in person is the date of submission] Application Submission Date.
- (i) Applications filed online: The date of submission is the date an application is filed online.
- (ii) Applications filed in person: The date of submission is the date an application is filed in person.
- (5) [The Commission will not accept a renewal application after the expiration date of the License. If the application is not filed before] A License cannot be renewed more than 60 days after the expiration date [, the License cannot be renewed].
- (6) It is the Licensee’s responsibility to obtain a renewal application in order to comply with the filing deadline.
- [(7) *Extension.* The Commission may extend the expiration date of the License by up to an additional 31 days.]

Section 57. Subdivision (c) of section 82-08 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (c) *Late Filing Fee.* The Commission will charge an additional fee of \$25 for a late filing of a renewal application [, if it allows the filing at all].

Section 58. Subdivision (g) of section 83-08 of Title 35 of the Rules of the City of New York, providing a fee for the late filing of street hail livery technology system provider’s renewal license application, is repealed, subdivisions (h) through (j) are relettered subdivisions (g) through (i), and subdivisions (h) and (i), as relettered, are amended to read as follows:

(i) h *When to File for Renewal.*

- (1) [To avoid a late fee, a] A renewing Applicant must file a completed application at least sixty (60) days before the expiration date of the License.
- (2) [A renewing Applicant may file a completed application less than sixty (60) days before the expiration date as a “late application”. The fee for the late application will be \$25.
- (3) The postmark date is the date of filing for an application that is filed by mail. The date of submission is the date of filing for an application that is filed in person] Application Submission Date.
- (i) Applications filed online: The date of submission is the date an application is filed online.
- (ii) Applications filed by mail: The date of submission is the postmark date.

(iii) Applications filed in person: The date of submission is the date an application is filed in person.

([4]3) The Commission will not accept a renewal application after the expiration date of the License. If the application is not filed before the expiration date, the License cannot be renewed.

([j]i) *Suspended Licenses.*

(1) If a License is suspended and it is also due to be renewed, the Licensee must apply for renewal as required in subdivision [(i) above if the Licensee wants] h of this section to renew the License. Failure to complete the renewal requirements means that the License cannot be renewed.

(2) A License that is suspended is not Valid and cannot be used until the suspension ends. This is true even if the Applicant has filed an application for a renewal.