

NEW YORK CITY TAXI AND LIMOUSINE COMMISSION

RESOLUTION APPROVING CONNECTED VEHICLE TECHNOLOGY IN TAXICABS

December 13, 2017

The New York City Taxi and Limousine Commission (“Commission” or “TLC”) hereby approves by resolution a pilot program (“TLC Pilot Program”), pursuant to section 2303(b)(9) of the New York City Charter and section 52-27 of the Commission’s rules, testing the use of connected vehicle technology (“CV Technology”) equipment in taxicabs as part of the New York City Department of Transportation (“NYCDOT”) participation in phases two and three of the United States Department of Transportation (“USDOT”) Connected Vehicle Pilot Program (“CV Pilot Program”). The CV Pilot Program is currently testing the use of CV Technology to determine if such technology improves safe vehicle operation, increases personal mobility and reduces environmental impacts, among other potential positive benefits. The NYCDOT, as part of its participation in phases two and three of the CV Pilot Program, has committed to install CV Technology in up to 8,000 vehicles that travel in the City of New York, including trucks, buses and taxicabs. To support both NYCDOT and USDOT CV Pilot Program goals, TLC will permit owners of taxicabs who participate in the TLC Pilot Program (“Participants”) to install CV Technology equipment in their vehicles as part of the CV Pilot Program.

Pursuant to Chapter 52, Subchapter C of the Commission's rules, participation in the TLC Pilot Program is subject to the following terms:

**1. Duration**

The TLC Pilot Program will commence on the date on which CV Technology is installed in the first Participant taxicab and will continue for a maximum of 24 consecutive months. The Chairperson can terminate the TLC Pilot Program at any time.

**2. Pre-Qualification Conditions**

- a. Each Participant in the TLC Pilot Program must enter into a memorandum of understanding (“TLC MOU”) with the Chairperson on behalf of the Commission, which is approved as to form by the New York City Law Department, obligating the Participant to adhere to all requirements of this Resolution. The TLC MOU may set forth additional specifications for each requirement. This Resolution contains a summary of the major MOU terms but does not include each and every term.
- b. The TLC MOU will be consistent with this resolution.
- c. The Chairperson may immediately terminate a TLC MOU pursuant to the terms of the MOU or if, in the Chairperson’s discretion, there is an imminent threat to the health or safety of members of the public, taxi drivers, or other individuals.

### **3. Means of Public Notice**

Notice of opportunity to participate in the TLC Pilot Program will be published in the City Record and on the Commission Web site.

### **4. Number of Participants**

There will be no maximum number of Participants.

### **5. MOU Submission**

- a. The MOU template for the TLC Pilot Program, setting forth the specific terms of participation and instructions for submitting the MOU, will be made available on the TLC website.
- b. The Commission will begin accepting MOUs for participation in the TLC Pilot Program immediately after the MOU template is published on the TLC website.
- c. The Commission will accept MOUs throughout the duration of the TLC Pilot Program.

### **6. Selection of Pilot Participants**

- a. Selection of Participants will be made by the Chairperson.
- b. MOUs will be accepted only from taxicab owners.
- c. Taxicab owners who apply to participate in the TLC Pilot Program (“Applicants”) must demonstrate both of the following:
  - i. The Applicant has entered into a memorandum of understanding with NYCDOT (“NYCDOT MOU”) in which the Applicant agrees to install CV Technology in the Participant’s taxicab.
  - ii. The Applicant has installed or has agreed to install CV Technology equipment in the Applicant’s taxicab as required by the NYCDOT MOU.
- d. Criteria for selection of Applicants will include responsiveness to the public notice and the performance history of the Applicant, including history of violations of Commission rules or other applicable laws.

### **7. Exemptions**

- a. Participants will be exempt from sections 67-18 and 67-19 of the Commission’s rules, to the extent that vehicle retirement dates will be extended pursuant to section 8 of this Resolution.

### **8. Retirement Dates and Termination**

- a. Participants' taxicabs will receive an extension if required by sections 67-18 or 67-19 of the Commission's rules to retire during the term of the CV Pilot Program. The new retirement date assigned to such taxicabs will be the scheduled termination of the CV Pilot Program or the date provided in paragraph b. below, whichever is earlier.
- b. Limitations on taxicab vehicle retirement date extensions:
  - i. A taxicab originally assigned a retirement date equal to seven years after the date the taxicab was placed into service pursuant to sections 67-18 or 67-19 of the Commission's rules, will be extended no more than two years beyond the retirement date assigned to the taxicab on the date the taxicab owner is approved to participate in the TLC Pilot Program.
  - ii. A taxicab originally assigned a retirement date less than seven years after the date the taxicab was placed into service pursuant to sections 67-18 or 67-19 of the Commission's rules, will not be extended beyond the date equal to seven years after the date the taxicab was placed into service plus an additional two years.

## **9. Reporting and Evaluation**

- a. During the TLC Pilot Program, TLC will support NYCDOT's reporting required as a participant in the CV Pilot Program by requiring that Participants comply with any reporting requirements and all other requirements provided in the NYCDOT MOU.
- b. The Chairperson will review the reports and evaluations submitted by NYCDOT and provide a summary of the findings to the Commission.
- c. A TLC-conducted safety evaluation is not required as NYCDOT will be conducting such evaluations as part of the CV Pilot Program. Such evaluations will be reviewed and analyzed by TLC.
- d. In evaluating the TLC Pilot Program, the Chairperson will analyze the information required to be reported to NYCDOT to determine whether proposing rules on the use of CV Technology in TLC-licensed vehicles should be considered.
- e. A final report, including a recommendation on whether to commence rulemaking, will be issued to the Commission within six months of the conclusion of the TLC Pilot Program. The Chairperson will commence rulemaking, if warranted, within six months of the issuance of the final report.

## **10. Compliance**

- a. Participants must comply with all applicable local, state and federal laws, including TLC rules, except for those exemptions provided in this Resolution.
- b. Participants must comply with all NYCDOT MOU requirements.

- c. Participants must not file with the Commission any statements that they know or reasonably should know to be false, misleading, deceptive or materially incomplete.
- d. Participants must not commit fraud, misrepresentation and larceny, willful acts of omission and commission; and must not act against the best interests of the public, including but not limited to acts or threats of harassment, abuse, use or threat of physical force, or failure to cooperate with a law enforcement officer or the Commission.
- e. Participants must notify the TLC in writing of any suspension or revocation of any license granted to a Participant by any local, state or federal agency.