

NEW YORK CITY TAXI AND LIMOUSINE COMMISSION

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

Notice is hereby given in accordance with section 1043(b) of the New York City Charter (“Charter”) that the Taxi and Limousine Commission (“TLC”) proposes amending the provisions of Chapter 4 of Title 35 of the Rules of the City of New York to clarify that taxicab driver licenses are valid only for the operation of taxicabs.

These rules are proposed pursuant to sections 1043 and 2303 of the Charter and section 19-503 of the Administrative Code of the City of New York. The proposed rules were included in the TLC’s regulatory agenda for Fiscal Year 2011.

A public hearing on these proposed rules will be held by the TLC at its offices at 40 Rector Street, 5th Floor, New York, New York 10006 on Thursday, December 16, at 10:00 a.m. Persons wishing to testify at the hearing may notify the TLC in advance, either in writing or by telephone to the TLC’s Office of Legal Affairs at the address and telephone given below. Any request for a sign language interpreter or other form of reasonable accommodation for a disability at the hearing must be submitted to the Office of Legal Affairs in writing or by telephone no later than December 9, 2010.

Written comments in connection with these proposed rules must be received no later than December 3, 2010. Comments may be submitted through the NYC Rules website at www.nyc.gov/nycrules, or may be submitted to the Office of Legal Affairs at:

Charles R. Fraser
Deputy Commissioner for Legal Affairs/General Counsel
Taxi and Limousine Commission
40 Rector Street, 5th Floor
New York, New York 10006
Telephone: 212-676-1135
Fax: 212-676-1102
Email: tlcrules@tlc.nyc.gov

Written comments and a transcript of all comments received at the hearing will be available for public inspection at that office.

New Material is underlined.

[Material inside brackets indicates deleted material.]

Section 1. It is proposed to amend Section 2-03(a) of Title 35 of the Rules of the City of New York to read as follows:

(a) *Issuance of Licenses.* The TLC has the power to issue and regulate Licenses or Authorizations that include, but need not be limited to the following:

- (1) Medallion Taxicab Driver License
- (2) Medallion Taxicab Owner's License
- (3) Stand-by Taxicab Vehicle License
- (4) Medallion Taxicab Broker License
- (5) Medallion Taxicab Agent License
- (6) Taximeter Business License
- (7) Taximeter Manufacturers Authorization
- (8) For-Hire Vehicle Base License which includes the following types:
 - (i) Livery Base Station
 - (ii) Black Car Base
 - (iii) Luxury Limousine Base
- (9) For-Hire Vehicle Driver License
- (10) For-Hire Vehicle License
- (11) Paratransit Base License
- (12) Paratransit Driver License
- (13) Paratransit Vehicle License

(14) Commuter Van Service Authorization

(15) Commuter Van Driver License

(16) Commuter Van Vehicle License

Section 2. It is proposed to amend Section 2-03 of Title 35 of the Rules of the City of New York to add subdivision (d) to read as follows:

(d) *Separate License for each Type of Service.*

(i) The Commission will require a separate License for each type of service for each Driver, Vehicle and Base.

(ii) A License is Valid only to provide the type of service, operate the type of vehicle, or conduct the type of business, specific to the License.

(iii) A Licensee can only provide the type of service, operate the type of vehicle, or conduct a business specific to the License.

EXAMPLES: A Taxicab Driver's License is Valid *ONLY* for operating a Taxicab.

A Black Car Base License is Valid *ONLY* for providing Black Car service.

A Paratransit Vehicle License permits operation of the vehicle *ONLY* as a Paratransit Vehicle.

Statement of Basis and Purpose

These rules specify that a license is valid only to provide the type of service or operate the type of vehicle specific to it. These rules terminate an informal program which permitted licensed taxicab drivers to drive for-hire vehicles with a taxicab driver's license.

Under this rule, a taxi driver, or any other driver licensed by the Commission, must be separately licensed for each vehicle type the driver wishes to operate. A vehicle can provide only the service specified for its license type. Similarly, any base must be separately licensed for any type of service it wishes to provide.

This rule amends the version of the Commission's rules that becomes effective April 1, 2011.