Chapter 54 Drivers of Taxicabs and Street Hail Liveries

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§54-01 Scope of This Chapter

(a) To establish procedures for the licensing, monitoring and regulation of Taxicab Drivers.

(b) To establish operating rules to protect the customers and the public.

(c) To establish appropriate penalties for the violation of these Rules.

§54-02 Penalties

(a) *Unlicensed Activity.*

(1) Unlicensed Activity is the act of providing or advertising the provision of any Commission-regulated for hire transportation service by:

(i) Any Licensee whose License is suspended, revoked, or expired and not yet renewed, or

(ii) Any person who does not hold a Valid License or Authorization from the Commission as a for hire driver, for the for hire vehicle, or for the for hire service, as applicable.

(2) Unlicensed Activity specifically includes the activities listed in §19-506 and §19-528 of the Administrative Code, and can subject the violator to the seizure and possible forfeiture of the vehicle involved.

(b) *Specific Penalties.* If there are specific penalties for violating a Rule, they are shown at the end of the Rule. The penalty section also states whether the violator must attend a Hearing.

(c) *Payment of Fines.*

(1) Fines are due within 30 days of the day the Respondent is found guilty of the violation, unless:

(i) the Respondent files an appeal of the decision issued by the Taxi and Limousine Tribunal within the time required by Chapter 5 of Title 48 of the Rules of the City of New York, in which case the payment of the fines will be deferred until 30 days after the date of the appeal decision.

(2) If the fine is not paid by the close of business on the date due, the Commission will notify the Respondent in writing that the Respondent's

License will be suspended in 10 business days of the date of the notification until the fine is paid, unless the Respondent demonstrates to the Commission, in person or in writing, that the fine has been paid.

(d) *Discretionary Penalties*. In the alternative to any of the specific penalties established in this Chapter, the Commission can, in its discretion, impose a penalty of License revocation, License suspension of up to six months, and/or a fine, not to exceed $1,000 for each violation, against a Licensed Driver. (*See Chapter 68 Adjudications, §68-02)*

(e) *Mandatory Penalties*. If a Licensee has violated a Rule listed below, or any combination of these Rules, the Taxi and Limousine Tribunal at OATH or, if applicable, the Chairperson will impose the following mandatory penalties and fines.

VIOLATION Description	**Rule**	**Mandatory Penalty/Fine - ALL**
1. Overcharging Passengers	§54-17(a)(1) & (2), 54-17(i)	First violation: $350 if plead guilty before a hearing; $500 if found guilty following a hearing. Second violation (any combination of violations) w/in 24 months: $700 if plead guilty before a hearing; $1,000 and possible suspension of License for up to 30 days if found guilty following a hearing. Third violation (any combination of violations) w/in 36 months: $750 and Revocation of License if plead guilty before a hearing; $1,000 and Revocation of License if found guilty following a hearing.
2. Refusal of service – Unjustified refusal to transport Passengers within NYC or defined counties	§54-20(a)(1)	
3. Refusal of service – Requiring assistant for disabled Passengers, or seeking to charge additional fares for such an assistant	§54-20(a)(2)	
4. Refusal of service – Refusing to transport wheelchairs, crutches or other mobility aids for disabled Passengers	§54-20(a)(3)	
5. Refusal of service – Seeking destination before Passenger is seated inside vehicle	§54-20(a)(4)	

(1) *$10-or-More Overcharge.* Notwithstanding the penalty cited above for overcharging passengers in violation of Rule 54-17(a)(1) and (2), if a Driver charges or attempts to charge $10 or more above the approved rate of fare, the Taxi and Limousine Tribunal at OATH or the Chairperson will revoke the Driver's License and may require a Driver to return any overpayment to the Passenger.

(2) *Calculating Time Periods*. The Taxi and Limousine Tribunal at OATH or the Chairperson will count the 24- and 36-month penalty periods going backwards, from the date of the last violation.

(3) *No License Issued for Period of One Year Following Certain Violations.* A driver who has had his or her Taxicab Driver's License revoked for any of the above violations will not be able to receive any Commission License for a period of 1 year from the date of revocation.

(f) *Livery Drivers operating Street Hail Liveries*

(i) When a For-Hire Driver is driving a Street Hail Livery, the requirements of this Chapter as to the operation of a Street Hail Livery apply to such For-Hire Drivers driving Street Hail Liveries, even if such drivers are not Taxicab Drivers.

(ii) A For-Hire Driver authorized to operate a Street Hail Livery under Section 54-04.2 can be issued a summons for a violation of the requirements of this Chapter relating to the operation of a Street Hail Livery during the Livery Driver Authorization Period just as if the Driver was a Taxicab Driver licensed under this Chapter. It will not be a defense to any such summons that the driver is not licensed as a Taxicab Driver.

(g) *Paratransit Drivers operating Accessible Street Hail Liveries.*

(i) When a Paratransit Driver is operating an Accessible Street Hail Livery, as provided in section 54-04.1 of this chapter, the requirements of this Chapter as to the operation of a Street Hail Livery apply to such Paratransit Drivers driving Accessible Street Hail Liveries even if such drivers are not Taxicab Drivers.

(ii) A Paratransit Driver can be issued a summons for a violation of the requirements of this Chapter relating to the operation of a Street Hail Livery just as if the Driver was a Taxicab Driver licensed under this Chapter. It will not be a defense to any such summons that the driver is not licensed as a Taxicab Driver.

§54-03 Definitions Specific to This Chapter

(a) *Defined Terms are Capitalized.* All terms defined in this Chapter or in Chapter 51 ("Definitions") appear in this text with the initial letter in each word of the term capitalized (Example: Taxicab License, not taxicab license.)

(b) *General Terms are Specific to "Taxicabs" in this Chapter.*

(i) When used in this Chapter, capitalized terms such as Driver, Vehicle, License, etc., will mean Taxicab Driver, Taxicab Vehicle, Taxicab Driver's License, etc. Vehicle, when used in this Chapter, can mean either a Taxicab or a Street Hail Livery. When the use of the word Driver in this Chapter refers to a Driver of a Street Hail Livery, the term will mean any driver authorized to drive a

Street Hail Livery, as provided in this Chapter, including a For-Hire Driver

(ii) The term Driver can mean a Paratransit Driver operating an Accessible Street Hail Livery. The requirements of this Chapter applicable to Taxicab Drivers will also apply to Paratransit Drivers when such drivers are driving Street Hail Liveries.

(iii) For a driver who qualifies under Section 54-04.2, the term Driver, when applied to a person driving Street Hail Livery, can also mean a licensed For-Hire Driver .

(iv) For a driver who qualifies under Section 54-04.2, the requirements of this Chapter applicable to Taxicab Drivers will also apply to For-Hire Drivers when such drivers are driving Street Hail Liveries.

(c) *Definitions*

(1) *Applicant* in this chapter refers to an Applicant for an original or renewal Taxicab Driver's License.

(2) *Application* in this chapter refers to an application for a Taxicab Driver's License, including all documentation and other information submitted as part of the application.

(3) *Authorized Taxicab Training* refers to a course of training approved by the Commission that contains at least 80 hours of instruction on Commission-required topics such as Commission rules and procedures, geography, map reading, Passenger relations, and courtesy.

(4) *Authorized Taxicab Training Refresher Course* refers to a four-hour course of training approved by the Commission that is required for renewal of a Probationary License, and that includes topics such as an update of Rule changes, a review of Driver Responsibilities and duties, passenger relations, and an awareness of serving passengers with disabilities.

(5) *Chauffeur's License*. As used in these Rules, Chauffeur's License means:

(i) A valid NYS driver's license Class A, B, C or E; or

(ii) A valid license of similar class from another state of which the Licensee is a resident

(6) *Critical Driver's Program* imposes additional penalties on a Driver who accumulates a certain number of Department of Motor Vehicle points on his or her driver's license within a certain amount of time.

(7) *Defensive Driving Course* refers to a course in defensive driving given by a school, facility or agency approved by the Commission and certified by the New York State Department of Motor Vehicles.

(8) *Feed Line* is the line of Taxicabs that feeds into the specific pick-up location to pick up a Passenger.

(9) *Long-Haul* is a concept created and implemented at certain transportation terminals to indicate that Taxicabs in the Feed Line designated as a "Long Haul" line must only accept customers who are requesting trips of at least a certain distance or time.

(10) *MTA Tax* is the 50 cent tax on taxicab and certain Street Hail Livery trips imposed by Article 29-A of the NYS Tax Law.

(11) *Off Duty Change Date* is the date by which you must eliminate the use of the off duty light. You must eliminate the use of the off duty light by the date of your next regularly scheduled inspection between January 1, 2013 and April 30, 2013.

(12) *Persistent Violator Program* establishes additional penalties for Drivers who repeatedly violate these Commission Rules within a certain amount of time. Persistent Violator penalties are determined based on points accrued as part of the penalties established by this Chapter.

(13) *Personal Use—Off Duty* is the designation made when a Driver is no longer operating the Taxicab for hire.

(14) *Short Haul* is a concept created and implemented at certain transportation terminals to indicate that Taxicabs in the Feed Line designated as a "Short Haul" line must only accept customers who are requesting trips of less than a certain distance or time.

(15) *Taxi Stand* is a place where Taxicabs are authorized (either by NYC Department of Transportation or a transportation terminal operator) to line up and wait for customers.

(16) *Taxpayer* is a person or Business Entity required to pay the MTA Tax.

(17) *Use an Electronic Communication Device* (or *Using an Electronic Communication Device)*, in this Chapter, means to

(1) Operate any function of an Electronic Communication Device in any way, or

(2) Have a device permitting hands-free operation of an Electronic Communication Device in or near the ear.

(3) *Exception:* In a Street Hail Livery, a short business-related communication with a Base is NOT a Use of an Electronic Communication Device if all of the following apply:

(i) The communication is about a Dispatch; and

(ii) The communication occurs using *either* an FCC-licensed commercial two-way radio *or* a device, including a smart phone, which is mounted in a fixed position and not hand-held; and

(iii) The communication occurs using *either* voice *or* one-touch pre-programmed buttons or keys.

(18) *Valid*, when referring to a License or other document, means that it is not expired, suspended, revoked or restricted as to use for violation of traffic laws or regulations.

(19) *Wheelchair Passenger*. A Wheelchair Passenger is a Passenger using a wheelchair.

§54-04 Licensing – Requirements

(a) *Age.* An Applicant for a Taxicab Driver's License must be at least 19 years of age.

(b) *Identification.* An Applicant for an original Taxicab Driver's License must produce both of the following proofs of identity:

(1) A Valid Government-issued photo ID.

(2) A Valid, original Social Security card.

(c) *Chauffeur's License.* An Applicant must have a Valid Chauffeur's License.

(d) *Summary of Driving Record.* An Applicant whose driver's license has been issued by a state other than New York must provide the Commission with an abstract of his or her driving record from the Applicant's state of residence, dated no more than 30 days prior to the date of the Application.

(e) *Physical Fitness for the Job.*

(1) The Applicant must be of sound mental and physical condition and fit to safely operate a vehicle.

(2) The Applicant's fitness must be certified by a physician licensed by NYS or the Applicant's state of residence on forms provided by the Commission.

(3) The Commission can, for good cause, require the Applicant to be examined by a licensed physician chosen by the Commission.

(4) An existing License can be suspended or revoked if the Driver fails to be examined for a physical or mental condition.

(f) *Speak and Understand English*. An Applicant must be able to speak, read, write and understand the English language. An Applicant is required to pass a test approved by the Commission.

(g) *Familiar with New York*. Applicant must be familiar with the following:

(1) The geography, streets and traffic regulations of the City of New York

(2) The rules and regulations of the New York City Taxi and Limousine Commission

(3) The Vehicle and Traffic Law of the State of New York.

(h) *Pass Drug Test.*

(1) All Applicants for new Taxicab Driver's Licenses, except New York City Police Officers, must be tested, at the Applicant's expense, for drugs or controlled substances.

(2) The Commission designates who can perform the drug test and will only designate an individual or entity that has a permit issued by the New York State Department of Health.

(3) If an Applicant tests positive for drugs or controlled substances, the Commission will deny the Applicant's license. This decision is final.

(i) *Fingerprinting for the Purpose of Determining Good Moral Character.* Applicant must be of good moral character, and the Commission requires that all Applicants provide fingerprints.

(j) *Agreement to Accept Legal Notices or Processes*.

(1) An Applicant must agree to accept service of any sort of notice or legal process issued by any agency of the City of New York upon the Applicant (Licensee) at the Applicant's Mailing Address.

(2) These official notices can be left with a member of the Applicant's family or any other person who also lives at the Licensee's Mailing Address.

(k) *Training.* The Commission requires that Applicants for a new License pass all prescribed tests, both oral and written, as administered by the Commission or at its direction.

(1) *Defensive Driving Course*. Applicants must hold a certificate of completion for the required hours of instruction in a Defensive Driving Course dated within six months prior to the application date.

(2) *Authorized Taxicab Training*. Applicants must be able to prove (by showing a certificate of attendance) that they attended an Authorized Taxicab Training course, successfully completed the course and passed an examination approved by the Commission on proficiency in English and other mandatory subjects.

(3) *Authorized Taxicab Training Refresher Course*. During the last 60 days of the initial one-year Probationary term, Probationary Licensees must attend and pass an Authorized Taxicab Training Refresher course in order to qualify for a renewal License.

(4) *Military Exemption.* Any Applicant for a License who previously held a Valid Taxicab Driver's License will not be required to take the Authorized Taxicab Training course, provided that Applicant meets the following conditions:

(i) The Applicant's Taxicab Driver's License expired solely because the Applicant was not available to renew his or her License because he or she was engaged in active military service.

(ii) The Applicant's military service began before the expiration date of his or her prior License.

(iii) The Applicant filed an application within 90 days of completing active military service, and in no event later than three years following expiration of the prior License.

(iv) The Applicant provided proof of the dates of active military service.

(v) Applicant meets all other requirements for obtaining a new License.

(5) *Exemption for New York City Police Officers.* Any Applicant for a License who is a New York City Police Officer will not be required to take the Authorized Taxicab Training, provided that Applicant meets the following conditions:

(i) Applicant must present a letter from his or her commanding officer approving the application

(ii) Applicant must pass an examination authorized by the Commission.

(iii) Applicant must meet all other requirements for obtaining a new License.

(6) *Sex Trafficking Awareness Training.*

(i) Beginning December 1, 2012, all Applicants, including Applicants for renewal licenses, must do all of the following:

A. Complete Sex Trafficking Awareness Training, and

B. Certify to the Commission as part of his or her application that he or she has completed such training.

(ii) For any Applicant applying for a License on or after December 1, 2012, completion of Sex Trafficking Awareness Training and certification of completion are conditions for issuance of a license.

(iii) *Exception for Applicants who have completed Sex Trafficking Awareness Training.* Beginning December 1, 2012, Applicants who have previously completed the Sex Trafficking Awareness Training course at least once and have certified that they have done so as required by sections (i) and (ii) of this section, are not required to do so again, provided that they do all of the following:

A. The Applicant must obtain and review the Continuing Sex Trafficking Awareness Training materials approved by the Commission, and

B. The Applicant must certify to the Commission as part of his or her application that he or she has obtained and reviewed Continuing Sex Trafficking Awareness Training material provided by the Commission.

C. For applicants who qualify to use this exception, review of the written Continuing Sex Trafficking Awareness Training materials and certification of obtaining and review of such materials are conditions for issuance of a license.

(l) *Training Providers*. Providers of Authorized Taxicab Training and Refresher Training services must be approved by the Commission, must administer the curriculum required by the Commission, and must have Commission approval of all fees charged to Taxicab Drivers License Applicants.

(m) *Continuing Training Requirements.* All renewal Applicants are required to attend and complete a Defensive Driving Course at least every three years. No Taxicab Driver's License will be renewed unless the Applicant submits a certificate of completion of the Defensive Driving Course from an authorized provider dated less than three years prior to the date of the renewal application.

(n) *Wheelchair Passenger Assistance Training.*

(1) *Training Must be Approved by Commission.* In order to become a driver of an Accessible Taxicab or an Accessible Street Hail Livery, a Driver, and on and after January 1, 2014, all new Applicants for a Taxicab Driver's License, must attend a Commission-approved training course regarding Wheelchair Passenger assistance (*Note: this requirement does not apply to a Paratransit Driver operating an Accessible Street Hail Livery).*

(2) *Requirements of the Course.* Wheelchair Passenger assistance training must be a minimum of three hours and must include the following:

(i) A review of all legal requirements that apply to transportation of Persons with Disabilities;

(ii) Passenger assistance techniques including a review of various disabilities, hands-on demonstrations, disability etiquette, mobility equipment training (including familiarity with lift/ramp operations and various types of wheelchairs), and safety procedures

(iii) Training with an actual person using a wheelchair

(iv) Sensitivity awareness, including customer service and conflict resolution policies.

(3) *Proof of Completion Required.* No Driver may operate an Accessible Taxicab or an Accessible Street Hail Livery unless the driver has a

certificate of completion or other evidence that he or she has completed the required training described above. (*Note: this requirement does not apply to a Paratransit Driver operating an Accessible Street Hail Livery).*

(4) *Proof must be Kept in Vehicle.* Each Driver subject to the requirement of this subdivision must keep a copy of the certificate of completion in the Accessible Taxicab or Accessible Street Hail Livery and available for inspection.

(5) Beginning January 1, 2014, a new Applicant for a Taxicab Driver's License must present proof of completion or other evidence that he or she has completed the training with his or her application. Failure to provide such proof or other evidence will result in denial of the application.

§54-04(n) (3)-(4)	Fine: $50 if plead guilty before a hearing; $75 if found guilty following a hearing	Appearance NOT Required

(o) *Sign and File in Person.* Applicants must sign their own applications for Licenses, and must file the applications in person with the Commission on the forms provided by the Commission.

(p) *Address.* An Applicant must give the Commission the Applicant's current Mailing Address.

(q) *Payment of Fines and Fees.*

(1) An Applicant, including an applicant for a renewal License, must pay, and provide proof of payment of, any outstanding fines or fees owed by the Applicant to

(i) the Commission,

(ii) NYC Department of Finance's Parking Violations Bureau,

(iii) NYC Department of Finance's Red Light Camera Unit,

(iv) NYS DMV's Traffic Violations Bureau and

(v) any of their successor agencies.

(2) This requirement includes payment of fines and fees owed as of the date of the application by

(i) any Business Entity Persons of the Applicant

(ii) any Business Entity of which the Applicant is a Business Entity Person, and

(iii) any Business Entity of which a Business Entity Person of Applicant is also a Business Entity Person.

(3) An Applicant, including an Applicant for a renewal License, must pay any fines related to the Applicant's failure to surrender a previously revoked License (of any type), unless the Applicant can demonstrate in person or in writing that the License has been surrendered.

(r) *Material Changes in the Application.* The Applicant must inform the Chairperson of any material change in the information submitted as part of the Application while the Application is pending. Material changes include, but are not limited to:

(1) Changes in Applicant's Chauffeur's License status;

(2) Mailing address;

(3) Additional criminal convictions;

(4) Additional DMV convictions, including convictions for the offense of operating a motor vehicle while impaired by alcohol or drugs; or

(5) Any change to the information provided or submitted with the Application.

§54-04.1 Licensing—Authorization to drive a Street Hail Livery

The following are authorized to drive a Street Hail Livery for hire, subject to the provisions and requirements of this chapter, including that they meet the eligibility requirements of this Chapter and that they comply with all requirements in this Chapter while operating a Street Hail Livery:

(a) The holder of a Valid Taxicab Driver's License.

(b) The holder of a Valid Paratransit Driver's License, BUT

(i) The holder of a Valid Paratransit Driver's License is authorized ONLY to drive an Accessible Street Hail Livery and

(ii) The holder of a Valid Paratransit Driver's License must comply with all requirements of this Chapter while operating an Accessible Street Hail Livery.

§54-04.2 Licensing—FHV Driver Authorization to drive a Street Hail Livery

(a) The holder of a Valid For-Hire Driver's License on July 1, 2013 is authorized to drive a Street Hail Livery subject to all the requirements of this Section.

(b) (Reserved)

(c) The holder of a Valid For-Hire Driver's License must comply with all requirements of this Chapter while operating a Street Hail Livery

(d) To drive an Accessible Street Hail Livery the holder of the Valid For-Hire Driver's License must complete all additional authorization requirements contained in Section 54-04.2(e) of these Rules

(e) Additional Requirements for Drivers of Accessible Street Hail Liveries

(i) A Driver seeking to use his or her For-Hire Driver's License to drive an Accessible Street Hail Livery must by January 2, 2014 complete and pass a course in passenger assistance training as provided in section 54-04(n) of this chapter.

(ii) *Proof of Completion Required.* After January 2, 2014, a For-Hire Driver must not operate an Accessible Street Hail Livery unless the driver has a certificate of completion or other evidence that he or she has completed the required training described above.

§54-04.2(e)	Fine: $50 if plead guilty before a hearing; $75 if found guilty following a hearing.	Appearance NOT REQUIRED

§54-05 Licensing – Probationary Licenses

(a) *Issuing Probationary Licenses*.

(1) Upon approval of an Applicant for a new Taxicab License, the Commission will issue a Probationary License valid for one year.

(2) At the end of the one-year probationary period, the Commission will evaluate the Applicant and determine if renewing the License is appropriate.

(3) To make this decision, the Commission will consider the Applicant's driving record, the Applicant's violation of any Taxicab Drivers Rules, or other evidence that suggests that the Driver no longer meets all requirements for a License.

(b) *Automatic Refusal or Revocation.*

(1) The Commission will not issue a renewal License following the probationary period, and can revoke an issued Probationary License at any time if any of the following occurs:

(i) The Driver is convicted of a crime in any jurisdiction.

(ii) The Driver is convicted of driving while impaired by alcohol or drugs.

(iii) The Driver is convicted of refusing to submit to a breathalyzer or other chemical test.

(iv) The Driver is convicted of leaving the scene of an accident.

(v) The Driver accumulates eight or more points against his or her Chauffeur's License. (Point totals will include points existing on the Driver's state license prior to his or her application for a License with the Commission.)

(vi) The Driver is convicted of three or more moving violations.

(vii) The Driver is convicted of two or more speeding violations.

(viii) The Driver accumulates four or more points in a manner or time frame consistent with the Commission's Persistent Violator Program (*see §54-27(b)).*

(ix) The Driver is convicted of two or more violations that carry the Mandatory Penalties listed in §54-02 of this Chapter

(2) For the purpose of §54-05(b)(1) above, the Commission will look at the date a violation *occurred* (rather than date of conviction) to determine whether the violation is within the probationary period.

§54-06 Licensing – Term of License

(a) *New (Probationary) License Term*. A License issued to a new Applicant will expire one year from the date the License was issued.

(b) *Renewal License Term.* A License issued to a renewing Applicant will expire two years from the date on which the previous License expires.

(c) *Extensions.* The Commission can extend the expiration date of a renewal License by up to an additional 31 days. If an expiration date is extended, the required drug test must be dated within 30 days before (and no later than) the extended expiration date.

(d) *Advancement.* If a Licensee will not be available for drug testing during the 30 days before his or her License is scheduled to expire, the Licensee can ask the Commission to move and reset the License expiration to an earlier date, provided that:

(1) A Licensee in the second year of his or her License has satisfactorily completed the required drug test for Licensees in the first year.

(2) A Licensees makes only one such request during the term of a License.

(3) The request is complete and accurate and submitted on the proper Commission form.

(4) The term of the renewal License is two years from the NEW expiration date.

(e) *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.

(2) A renewing Applicant can file a completed application less than 30 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.

(4) 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.

(f) *Suspended Licenses.*

(1) If a License is suspended, the Licensee must apply for renewal as required in (e) above if the 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 is true even if the Applicant has filed an application for a renewal.

§54-07 Licensing – Fees

(a) *Fee for License*. The fee for a Taxicab Driver's License will be $84 annually.

(b) *When Fee is Paid.* The fee for an original or renewal License must be paid at the time the application is filed.

(c) *No Refund if Application Denied.* The Commission will not refund fees if it denies or disapproves the application.

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

(e) *License Replacement Fee.* The Commission will charge a fee of $25 for each License it issues to replace a lost, stolen or mutilated License.

(f) *Refresher Training Course Fees.* Participants of an Authorized Taxicab Training Refresher Course must pay the fee charged by the authorized provider.

§54-08 Licensing – Process and Causes for Denial

(a) *Fit to Hold a License - Applicant.* The Chairperson will deny the original or renewal License of any Applicant who fails to demonstrate that the Applicant is Fit to Hold a License. The Chairperson will inform the Applicant, in writing, of the specific reason(s) for this denial. The decision to deny a license Application is in the discretion of the Chairperson.

(b) *Fit to Hold a License - Licensee*. If at any time the Chairperson is notified that a Driver no longer meets the requirements for licensure, the Chairperson can deny Driver's renewal application or may seek to suspend or revoke his or her License.

(c) *Denial of an Application.* The Chairperson can reject or deny a new Application for a License for the reasons specified in this section. If, at the time of submission of an Application by the Applicant, the Chairperson identifies that the Applicant meets the criteria in this section, the Chairperson will reject the Application and no Application fees will be accepted. If the Application is accepted by the Chairperson for processing, no Application fees will be refunded.

(1) *Three-Year Ban.* The Chairperson can deny an Application if, during the previous three years, the Applicant has committed:

(i) Any act, as prohibited by these Rules, of driving a TLC licensed vehicle while impaired by intoxicating liquor (regardless of its alcoholic content) or Drugs.

(ii) Any act, as prohibited by these Rules, of bribery, fraud, material misrepresentation, theft, threat against a person, harassment, abuse, or use of physical force.

(iii) Any act, as prohibited by these Rules, involving the possession of a Weapon in a vehicle licensed under these Rules.

(iv) *Revocation of a prior License.*

1. *Revocation.* If a prior License was revoked, the three-year ban will run from the date of the revocation.

2. *Surrender While License Revocation Charges were Pending.* If a prior License was surrendered to the Chairperson before the expiration date of the License, the three-year ban will run from the date the License is surrendered.

3. *License Expiration While License Revocation Charges were Pending.* If a prior License expired while license revocation charges were pending, the three-year ban will run from the date the License expired.

(2) *Two-Year Ban.* The Chairperson can deny an Application if, during the previous two years, the Applicant has committed:

(i) Any act constituting for-hire operation of a motor vehicle without a valid TLC License, except for the traffic infraction of unlicensed operation.

(ii) Six or more violations of these Rules while holding any License or Licenses issued by the Commission. The two-year ban will be counted from the date of the last violation.

(3) *One-Year Ban.* The Chairperson can deny an Application if, during the previous one year, the Applicant has committed:

(i) More than three traffic accidents within a single year. The one-year ban will be counted from the date of the last accident.

(ii) The traffic infraction of unlicensed operation of a motor vehicle,

(iii) *Prior Application Denied.* The Chairperson will deny an Application that is submitted within one year after the denial of a previous Application, if the previous Application was denied because the Applicant was found not Fit to Hold a License. The one-year ban will be counted from the date the prior application was denied.

(iv) *Illegal use of Drugs*, as determined by the Commission following a drug test required by the Commission. This includes where the drug test result was unchallenged or unsuccessfully challenged. The one-year ban will run from the date of the failed drug test.

(4) *Other Reasons for Denial of an Application.*

(i) *Mistake or Omission in the Application.* The Chairperson can deny an Application if the Application includes any material mistake or omission, or if the Applicant fails to inform the Chairperson of any material change in the Application.

(ii) *Eligible for Critical Driver Penalty.* The Chairperson can deny an Application if the Applicant would, if licensed, be subject to License suspension or revocation under the Critical Driver Program at the time the Application is submitted.

(iii) *Pendency of Criminal Charges.* The Chairperson will defer consideration of an Application if the Applicant has criminal charges

pending. If the charges are not resolved within 90 days after the submission of the Application, the Application will be denied.

(5) *Settlements*. When settling charges which may result in the revocation of a License, the Chairperson and the Respondent in that proceeding may agree to a ban on applying for a new License different than that provided for in these rules, provided that the:

(i) The agreement is in writing, and

(ii) The ban on applying for a new Driver's License is not less than one year.

(d) *Failure to Complete Application Requirements.*

(1) The Chairperson will deny an Application for a new License if the Applicant has not completed all of the requirements of an Application within 90 days of the date the Application is filed.

(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 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.

(e) *Additional Consideration of an Application.* If a review of the Application leads the Chairperson to believe that the Applicant may not be Fit to Hold a License, the Chairperson may seek additional information from the Applicant. This request for additional information may be an in-person interview, telephone call, letter, e-mail, or other method of communication. This additional consideration may result in the denial of the Application. Failure to provide any requested information within the time frame requested, or failure to appear at a scheduled interview will result in a denial of the application.

§54-09 RESERVED (Licensing – Transfer of License)

§54-10 Licensing – Care and Use of License

(a) *Loss or Theft of License*. A Driver must notify the Commission in writing of the loss or theft of his or her Taxicab Driver's License within 72 hours (not counting weekends and holidays).

§54-10(a)	Fine: $50	Appearance NOT REQUIRED

(b) *Unreadable License*. A Driver must immediately surrender any unreadable or unrecognizable Taxicab Driver's License to the Commission for replacement and reissue.

§54-10(b)	Fine: $50 Points: 1	Appearance NOT REQUIRED

(c) *Restrictions on License*. A Driver must comply with all restrictions upon his or her Chauffeur's License.

§54-10(c)	Fine: $50	Appearance NOT REQUIRED

(d) *May Have Only One*. A Driver must not apply for or accept more than one Taxicab Driver's License without the Commission's written permission.

§54-10(d)	Fine: $100-$350 and/or suspension up to 30 days Points: 3	Appearance REQUIRED

(e) *Keep Likeness Updated*. Whenever a Driver's physical appearance has changed to any significant extent, the Driver must contact the Commission and arrange to have a new photograph of him- or herself taken at the Commission offices.

§54-10(e)	Fine: $50	Appearance NOT REQUIRED

(f) *Surrender of License.* A Driver must surrender his or her License to the Commission immediately upon revocation of the License. The License must be surrendered within thirty days of the date of revocation.

§54-10 (f)	Fine: $1,000 to be paid if Driver applies for a new License of any type.	Appearance N/A

§54-11 Comply with Laws – Unlicensed Activity Prohibited

(a) *Driver Must Have Valid Taxicab Driver's License*. A driver must not operate a Taxicab or Street Hail Livery in the City of New York while his or her Taxicab Driver's License is revoked, suspended or expired. A Paratransit Driver must not operate an Accessible Street Hail Livery in the City of New York while his or her Paratransit Driver's License is revoked, suspended, or expired. A For-Hire Driver who qualifies under Section 54-04.2 must not operate a Street Hail Livery while his or her FHV Driver's License is revoked, suspended or expired.

§54-11(a)	Fine: First Violation: $1,500 Second Violation in 36 months: $2,000 Third Violation: revocation.	Appearance NOT REQUIRED

(b) *Driver Must Have Valid Chauffer's License.*

(1) A Driver must not operate a Taxicab or Street Hail Livery without a Valid Chauffeur's License. The License of a Driver who operates a Taxicab or Street Hail Livery without a valid Chauffer's License will be summarily suspended.

§54-11(b)(1)	Fine: First Violation: $1,500 and Suspension until compliance. Second Violation in 36 months: $2,000 and Suspension until compliance. Third Violation: revocation. Points: 2	Appearance NOT REQUIRED

(2) A driver must immediately surrender his or her Taxicab Driver's License to the Commission upon the suspension or revocation of his or her Chauffeur's License.

§54-11(b)(2)	Fine: $100 Points: 1	Appearance NOT REQUIRED

(c) *Vehicle Must Be Licensed*. A Driver must not knowingly operate a Taxicab or Street Hail Livery for hire unless that vehicle is licensed by the Commission and the License is Valid.

§54-11(c)	Fine: $25-$350 and/or suspension up to 30 days Points: 3	Appearance REQUIRED

(d) *No Unauthorized Use of Taxicab Driver's License.* A Driver must not permit any other person to use the Driver's Taxicab Driver's License while operating any vehicle.

§54-11(d)	Fine: $10,000 and revocation	Appearance REQUIRED

(e) *No Unlicensed Use of Taxicab or Street Hail Livery.*

(1)

(i) A Driver must not permit the Taxicab to be operated for hire by a person who does not have a Valid Taxicab Driver's License.

(ii) A Driver must not permit a Street Hail Livery to be operated for hire by a person who is not authorized to drive a Street Hail Livery.

§54-11(e)(1)	Fine: $100-$300 and/or suspension up to 30 days	Appearance REQUIRED

(2) During the work shift a Driver must not allow another person to operate the Taxicab or Street Hail Livery or occupy the Driver's seat, except in the event of an emergency.

§54-11(e)(2)	Fine: $50	Appearance NOT REQUIRED

(f) *Street Hail Livery Operation.*

(1) A Driver of a Street Hail Livery can accept passengers by hail from the street only in the Hail Zone

(2) A Driver of a Street Hail Livery must not accept a passenger by hail in the Hail Exclusionary Zone.

§54-11(f)(1)-(i2)	Fine: $500 for the first violation; $750 for the second violation in 24 months; Revocation for third violation in 120 months	Appearance REQUIRED

(3) A Driver of a Street Hail Livery must not accept a Pre-Arranged Trip beginning in the Pre-Arranged Exclusionary Zone.

§54-11(f)(3)	Fine: $500	Appearance REQUIRED

§54-12 Comply with Laws – Proper Conduct

(a) *Bribery.* A Driver or anyone acting on behalf of the Driver must not offer or give any gift, gratuity or thing of value to any employee, representative or member of the Commission or any other public servant.

§54-12(a)	Fine: $10,000 and revocation Points: 6	Appearance REQUIRED

(b) *Failure to Report Bribery.* A Licensee must immediately report to the Commission and the NYC Department of Investigation any request or demand for a gift, gratuity or thing of value by any employee, representative or member of the Commission or any other public servant.

§54-12(b)	Fine: $1,000 and/or suspension up to 30 days or revocation Points: 3	Appearance REQUIRED

(c) *Fraud, Theft.* While performing the duties and responsibilities of a Licensee, a Licensee must not commit or attempt to commit, any act of fraud, misrepresentation or theft.

§54-12(c)	Fine: $350-$1,000 and/or suspension up to 60 days or revocation, Points: 4	Appearance REQUIRED

(d) *Willful Acts of Omission*. While performing the duties and responsibilities of a Licensee, a Licensee must not deliberately fail to perform, alone or with another, any act where this failure is against the best interests of the public, although not specifically mentioned in these rules.

§54-12(d)	Fine: $150-$350 and/or suspension up to 30 days or revocation, Points: 3	Appearance REQUIRED

(e) *Willful Acts of Commission*. While performing the duties and responsibilities of a Licensee, a Licensee must not deliberately perform or attempt to perform, alone or with another, any act that is against the best interests of the public, although not specifically mentioned in these rules.

§54-12(e)	Fine: $150-$350 and/or suspension up to 30 days or revocation, Points: 3	Appearance REQUIRED

(f) *Threats, Harassment, Abuse*. While performing the duties and responsibilities of a Licensee, a Licensee must not threaten, harass, or abuse any person, and must not distract or attempt to distract any Service Animal.

§54-12(f)	Fine: $350-$1,000 and/or suspension up to 30 days or revocation, Points: 3	Appearance REQUIRED

(g) *Use or Threat of Physical Force*. While performing the duties and responsibilities of a Licensee or any act in connection with those duties, a Licensee must not use or attempt to use any physical force against a person or Service Animal.

§54-12(g)	Fine: $500-$1,500 and/or suspension up to 60 days or revocation, Points: 4	Appearance REQUIRED

(h) *Notice of Criminal Conviction.*

(1) A Licensee must notify the Commission in writing within 15 calendar days after any criminal conviction of the Licensee.

(2) Licensee must also provide the Commission with a certified copy of the certificate of disposition issued by the clerk of the court within 15 days after sentencing.

§54-12(h)	Fine: $100 if plead guilty before a hearing; $250 if found guilty following a hearing. Points: 3	Appearance NOT REQUIRED

(i) *Cooperate with the Commission*.

(1) A Driver must truthfully answer all questions and promptly comply with all communications, directives, and summonses issued by the Commission or its representatives, including the NYC Department of Investigation.

(2) Upon request of the Commission, a Driver must produce any license, Rate Card, Trip Record or other documents Licensee is required to have or be reasonably able to obtain, whenever the Commission requires it.

§54-12(i)(1)-(2)	Fine: $300 and Suspension until compliance Points: 2	Appearance REQUIRED

(3) (i) A Driver must report any change of Mailing Address to the Commission in person or by mail within ten days.

§54-12(i)(3)(i)	Fine: $100	Appearance NOT REQUIRED

(ii) Any communication from the Commission is sufficient if sent to the last Mailing Address provided by the Driver.

(4) A driver must remove all currency from the Vehicle's interior prior to its examination by any Commission personnel.

§54-12(i)(4)	Fine: $50	Appearance NOT required

(j) *Cooperate with Law Enforcement.*

(1) A Driver must cooperate with all law enforcement officers and all authorized representatives of the Commission including dispatchers at public transportation terminals and at authorized group-ride Taxicab lines.

(2) Cooperation includes, but is not limited to, responding to a request for the Driver's name, License number, Rate Card, Trip Records, and any other documents the Driver is required to have in his or her possession.

§54-12(j)	Fine: $300 if plead guilty before a hearing; $400 if found guilty following a hearing. Points: 2	Appearance NOT REQUIRED

(k) *No Use of Vehicle for Unlawful Purpose*. A Driver must not use or permit any other person to use his or her Vehicle for any unlawful purpose.

§54-12(k)	Fine: $100-$350 and/or suspension up to 30 days Points: 3	Appearance REQUIRED

(l) *Report Attempt to Use Vehicle for Unlawful Purpose*. A Driver must report immediately to the police any attempt to use his or her Vehicle to commit a crime or escape from the scene of a crime.

§54-12(l)	Fine: $100-$350 and/or suspension up to 30 days Points: 3	Appearance REQUIRED

(m) *No Concealment of Crime*. A Driver must not conceal any evidence of a crime or voluntarily aid violators to escape arrest.

§54-12(m)	Fine: $350-$1,000 and/or suspension up to 30 days Points: 3	Appearance REQUIRED

(n) *Facilitation of Sex Trafficking with a Vehicle.* A Licensee must not Facilitate Sex Trafficking with a Vehicle.

54-12(n)	Fine: $10,000 and revocation.	Appearance NOT REQUIRED

§54-13 Comply with Laws – Traffic Laws & Miscellaneous

(a) *Comply with Traffic Laws.* Taxicab Drivers (and any authorized Driver of a Street Hail Livery, while driving a Street Hail Livery) must comply with all applicable traffic laws, rules, and regulations. Taxicab Drivers (and any authorized Driver of a Street Hail Livery, while driving a Street Hail Livery) are subject to additional fines and penalties that will be imposed by the Commission for violating the traffic laws as follows:

(1) Laws, rules or regulations governing stationary vehicles.

§54-13(a)(1)	Fine: $100 if plead guilty before a hearing; $200 if found guilty following a hearing.	Appearance NOT REQUIRED

(2) Laws, rules or regulations governing moving vehicles, *other than hazardous moving violations* defined by paragraph (3) of this subdivision.

§54-13(a)(2)	Fine: $200 if plead guilty before a hearing; $300 if found guilty following a hearing.	Appearance NOT REQUIRED

(3) Laws, rules or regulations governing moving vehicles that involve hazardous moving violations, defined as follows:

§54-13(a)(3)	Fine: $300 if plead guilty before a hearing; $400 if found guilty following a hearing, for each violation below. Points: As listed below.	Appearance NOT REQUIRED

Rule	VIOLATION	Reference	Points
§54-13(a)(3)(i)	SPEEDING	1 to 10 miles above posted speed limit	**3**
		11 to 20 miles above posted speed limit	**4**
		21 to 30 miles above posted speed limit	**5**
		31 to 40 miles above posted speed limit	**6**
		41 or more miles above speed limit	**8**
§54-13(a)(3)(ii)	Failing to stop for school bus		**5**
§54-13(a (3)(iii)	Following too closely (tailgating)		**4**
§54-13(a)(3)(iv)	Inadequate brakes (own vehicle)		**4**
§54-13(a)(3)(v)	Inadequate brakes (employer's vehicle)		**2**
§54-13(a)(3)(vi)	Failing to yield right of way		**3**
§54-13(a)(3)(vii)	Traffic signal violation		**3**
§54-13(a)(3)(viii)	Stop sign violation		**3**
§54-13(a)(3)(ix)	Yield sign violation		**3**
§54-13(a)(3)(x)	Railroad crossing violation		**3**
§54-13(a)(3)(xi)	Improper passing		**3**
§54-13(a)(3)(xii)	Unsafe lane change		**3**
§54-13(a)(3)(xiii)	Driving left of center		**3**
§54-13(a)(3)(xiv)	Driving in wrong direction		**3**
§54-13(a)(3)(xv)	Leaving scene of an accident involving property damage or injury to animal		**3**

(4) *Report Before Leaving Scene*. A Driver who knows or should have known that a traffic accident involving the Driver's Vehicle resulted in personal injury to another or damage to another's property, must stop before leaving the scene of the accident, and if the other involved party is present, must:

(i) Show his or her Chauffeur's License, Taxicab Driver's License (or, as applicable, For-Hire Driver's License or Paratransit Driver's License), and Rate Card to the other party involved in the incident.

(ii) Give the other involved party or the police his or her name, Chauffeur's License number, Taxicab Driver's License (or, as applicable, For-Hire Driver's License or Paratransit Driver's License) number, and Taxicab Medallion number or Street Hail Livery License number, as well as the name of the Vehicle's insurance carrier and the insurance policy number.

§54-13(a)(4)	Fine: $350 and/or suspension up to 30 days or revocation if Driver is found guilty of having violated this rule more than 3 times within a 12-month period Points: 3	Appearance REQUIRED

(5) *Notify Vehicle Owner of Accident*. If the Driver is involved in a traffic accident, the Driver must immediately report the accident to the owner of the Taxicab or the Street Hail Livery Licensee.

§54-13(a)(5)	Fine: $100 Points: 3	Appearance NOT REQUIRED

(b) *Workers' Compensation Laws.*

(1) A Driver who suffers a disabling work-related injury and has filed for Workers' Compensation benefits will:

(i) Surrender his or her Taxicab Driver's License to the Commission

(ii) Cease driving while claiming a disability.

(2) Return to Work.

(i) The Driver's License will be returned when the Driver submits documentation to the Commission that he or she has recovered and is no longer receiving Workers' Compensation benefits.

(ii) The owner of the Taxicab is required to provide the Driver with documentation indicating that the Workers' Compensation benefits have ended, as provided in Chapter 58, §58-14(d) of these Rules.

§54-13(b)	Fine: $75-$150	Appearance REQUIRED

(c) *MTA Tax: Taxicab Rides*

(1) The MTA Tax must be charged on any trip that starts in New York City and ends in any of:

(1) New York City.

(2) Dutchess County.

(3) Nassau County.

(4) Orange County.

(5) Putnam County.

(6) Rockland County.

(7) Suffolk County.

(8) Westchester County.

(2) A Driver who is not a Taxpayer must pay the Taxpayer the MTA Tax collected for each trip for which the MTA Tax is due.

(2) *MTA Tax: Street Hail Livery Hail Rides.*

(1) The MTA Tax must be charged on any trip in a Street Hail Livery that starts by the vehicle accepting a hail from a person in the street, which trip starts in New York City and ends in any of the following:

(1) New York City.

(2) Dutchess County.

(3) Nassau County.

(4) Orange County.

(5) Putnam County.

(6) Rockland County.

(7) Suffolk County.

(8) Westchester County.

(2) A Driver must pay the Street Hail Livery Base with which the Street Hail Livery is affiliated the MTA Tax collected for each trip for which the MTA Tax is due.

§54-14 Operations – Passenger and Driver Safety

(a) *Reckless Driving Rule.* A Driver must not operate his or her Vehicle in a manner that would violate section 1212 of the NYS Vehicle and Traffic Law.

§54-14(a)	Fine: $350-$1,000 and/or suspension up to 30 days, or revocation if Driver is found guilty of having violated this rule more than three times within an 18-month period Points: 4	Appearance REQUIRED

(b) *Driving While Impaired.*

(1) A Driver must not operate a Vehicle while his or her driving ability is impaired by intoxicating liquor (regardless of its alcoholic content) or while he or she is under the influence of Drugs.

(2) A Driver must not drive or occupy his or her Vehicle for at least six hours after consuming any intoxicating liquor regardless of its alcoholic content, or any Drugs.

(3) A Driver may be charged with Driving While Impaired regardless and independent of any of the Driver's previous Drug Test results.

§54-14(b)	Fine: Revocation	Appearance REQUIRED

(c) *Drug Testing.*

(1) *Drug Testing for Cause.* If the Commission has a reasonable suspicion that a Driver has used a Drug that makes him or her unfit to operate a Vehicle safely, the Commission can direct the Driver to be tested, at the Driver's expense, by a Commission-approved person, licensed by the NYS Department of Health, and the Driver must comply.

§54-14(c)(1)	Fine: Suspension until compliance or revocation of license	Appearance NOT REQUIRED

(2) *Annual Drug Testing.*

(i) All Drivers except (1) Drivers who are City of New York Police Officers or (2) Paratransit drivers, must be tested annually, at the Driver's expense, for Drugs in order to retain Valid Licenses.

(ii) The drug testing must be performed by an individual or entity designated by the Commission and possessing a requisite permit issued by the New York State Department of Health.

(iii) For Drivers in the first year of a two-year License, the testing must occur no sooner than 30 days before the one-year anniversary date of the License, and not after the one-year anniversary date.

§54-14(c)(2)(iii)	Fine: Summary Suspension until compliance. $200 if compliance is more than 30 days after the deadline	Appearance NOT REQUIRED

(iv) F

(iv) For Drivers in the second year of a two-year License, the annual drug testing must occur no sooner than 30 days before the License expiration date, and in no case after the expiration date.

§54-14(c)(2)(iv)	If the Driver fails to be tested within this time period, his or her License will expire and will not be renewed	Appearance NOT REQUIRED

(3) *Results of Drug Test*. Driver must pass every drug test, including "For Cause" drug tests under §54-14(c)(1) and "Annual" drug tests under §54-14(c)(2). If the results of either test are positive, or if the sample cannot be tested, the Driver's License can be revoked after a hearing.

§54-14 (c)(3)	Fine: Suspension or revocation of license	Appearance REQUIRED

(d) *Limits on Consecutive Hours of Driving*. A Driver must not operate a Vehicle for more than 12 consecutive hours.

§54-14(d)	Fine: $25 Point: 1	Appearance NOT REQUIRED

(e) *Use of Electronic Communication Device*.

(1) A Driver must not Use an Electronic Communication Device while operating a Vehicle. A Driver can Use an Electronic Communication Device only while the Vehicle is lawfully standing or parked.

§54-14(e)(1)	Fine: $250 if plead guilty before a hearing; $350 if found guilty following a hearing, and suspension. The suspension is deferred for 60 days; if the driver completes a Distracted Driving Course within the 60-day period then the driver will not be suspended. Points: 3 for the first offense and for the second offense in any 15-month period; 4 for the third offense in any 15-month period.	Appearance NOT REQUIRED

(2) In addition to the penalties provided above for any violation of this Rule, a Driver convicted of a violation of this Rule must complete a Distracted Driving Course no later than 60 days after the date of conviction. The license of a Driver who does not complete the Distracted Driving Course within the 60 day period will be suspended until compliance. In instances where the Chairperson has not received proof of completion of a Distracted Driving Course from a Distracted Driving Course provider, the Chairperson will provide notice to the Driver prior to suspension that the Driver has a specified time of no less than 10 days from the date of the notice to provide proof of completion of a Distracted Driving Course to the Chairperson by mail.

(3) *Affirmative Defense*. A Driver can offer an affirmative defense to a charge of Using an Electronic Communication Device under this Rule if all of the following are true:

(i) The communication was to an emergency response operator;
(ii) The communication reports an imminent threat to life or property;
(iii) The Driver could not safely stop the Vehicle to make the report; and
(iv) The Driver provides documentary proof of communication with an emergency response provider.

§54-15 Operations – General Rules During Operation of Vehicle

(a) *No Weapons*. While operating a Taxicab or Street Hail Livery, a Driver must not have a Weapon or any other instrument intended to be used as a weapon in his or her possession or in the vehicle without the written permission of the Chairperson.

§54-15(a)	Fine: Revocation	Appearance REQUIRED

(b) *Driver Neat & Clean.* A Driver must be clean and neat in dress and person and present a professional appearance.

§54-15(b)	Fine: $25	Appearance NOT REQUIRED

(c) *No Smoking.* A Driver must not smoke in a Taxicab or Street Hail Livery.

§54-15(c)	Fine: $150	Appearance REQUIRED

(d) *Locking Vehicle Doors*.

(1) While on duty, a Driver must not lock either of the rear doors except with the consent or at the request of a Passenger or for a reason specified in these rules.

(2) A Driver is permitted to lock the front doors. However, a Driver must not refuse to transport a party of four, where one person must occupy the front seat, because the front doors are locked.

§54-15(d)	Fine: $300 if plead guilty before a hearing; $400 and/or suspension up to 30 days if found guilty following a hearing. Points: 2	Appearance REQUIRED

(e) *(Reserved)*.

(f) *E-ZPass® Rules*

(1) A Driver must not operate a Vehicle for hire that is not equipped with an *E-ZPass®* tag.

(2) The Driver must use *E-ZPass®* at all crossings within the jurisdiction of the Metropolitan Transportation Authority, Triboro Bridge and Tunnel Authority, and wherever else *E-ZPass®* is accepted.

(3) Drivers may use personal *E-ZPass®* tags to meet this requirement.

§54-15(f)(1)-(3)	Fine: $150 if plead guilty before a hearing; $200 if found guilty following a hearing.	Appearance NOT REQUIRED

(4) A Driver must forward all tolls paid by the Passengers to the holder of the *E-ZPass®* tag at the end of his or her shift or lease period.

(5) If Driver has been required to establish a replenishment account, as described in §58-27(d)(2) of the Taxicab Owners chapter, the Driver must maintain the required balance in the account.

§54-15(f)(4)-(5)	Fine: $50 plus restitution to the *E-ZPass®* tag holder of any amount not reimbursed, and suspension until compliance	Appearance REQUIRED

(g) *Overloading Vehicle*. A Driver must not permit more than four Passengers to ride in a four-Passenger Vehicle, nor more than five Passengers in a five-Passenger Vehicle, except that an additional Passenger must be accepted if the Passenger is under the age of seven (7) and is held on the lap of an adult Passenger seated in the rear. A Driver must not permit a Street Hail Livery to be overloaded or to carry more passengers than the Vehicle is equipped to seat based on the NYS DMV registration of the Vehicle.

§54-15(g)	Fine: $100 if plead guilty before a hearing; $150 if found guilty following a hearing.	Appearance NOT REQUIRED

(h) *Use of Front Seat.*

(1) A Passenger who is unable to enter or ride in the rear seat of the Vehicle must be permitted to occupy the front Passenger seat.

(2) If a Passenger's luggage, wheelchair, crutches, other mobility aid or other property occupies the rear seats of the Vehicle, a Passenger must be permitted to occupy the front Passenger seat.

§54-15(h)	Fine: $75 for a violation involving a person; $25 for a violation involving luggage	Appearance NOT REQUIRED

(i) *No Property-Only Transport.* A Driver must not transport property, except blood or vital human organs, unless such property is in the possession of a Passenger.

§54-15(i)	Fine: $100	Appearance NOT REQUIRED

(j) *No Marketing to Passengers.* A Driver must not sell, advertise or recommend any service or merchandise to any Passenger without prior written Commission approval. *Exception:* A Driver of a Street Hail Livery can promote the services offered by the vehicle's affiliated Base.

§54-15(j)	Fine: $50-$350 and/or suspension up to 30 days.	Appearance REQUIRED

(k) *Proper Driver Authorization (not applicable to Street Hail Liveries).*

(1) A Driver must not operate a Taxicab unless either:

(i) The Driver's name has been entered onto the Rate Card by the Commission and, if the Driver is leasing the Taxicab, the Lease has not yet expired; or

(ii) The term "Unspecified Drivers" has been entered onto the Rate Card by the Commission.

§54-15(k)(1)	Fine: $100-$350; for the third or subsequent violation within 36 months, the license may also be suspended for up to 30 days. Points: 1	Appearance REQUIRED

(2) A Driver who is leasing a Taxicab must not sublease the Taxicab.

§54-15(k)(2)	Fine: $100-$350; for the third or subsequent violation within 36 months, the license may also be suspended for up to 30 days.	Appearance REQUIRED

(l) *Courtesy*. A Driver must be courteous to passengers.

§54-15(l)	Fine: $200 if plead guilty before a hearing; $300 if found guilty following a hearing. Points: 2	Appearance NOT REQUIRED

(m) *Off Duty Procedures for a Taxicab.*

(1)

(i) Before the Off Duty Change Date. When the Taxicab is operated for personal use, "Personal Use--Off Duty" must be keyed into T-PEP (or made on the written Trip Record), and the "Off Duty" light must be turned on.

(ii) After the Off Duty Change Date. When the Taxicab is operated for personal use, "Personal Use--Off Duty" must be keyed into TPEP (or made on the written Trip Record).

§54-15(m)(1)	Fine: $100 if plead guilty before a hearing; $150 if found guilty following a hearing.	Appearance NOT REQUIRED

(2)

(i) Before the Off Duty Change Date. A Driver must turn on the "Off Duty" light only by use of a manually operated switch on the Taxicab dashboard.

(ii) After the Off Duty Change Date. A driver must enter the appropriate off duty code into the T-PEP system.

§54-15(m)(2)	Fine: $100 if plead guilty before a hearing; $150 if found guilty following a hearing.	Appearance NOT REQUIRED

(n) *Unavailable Procedures for a Taxicab.*

(1) Upon accepting a trip from the accessible dispatch program pursuant to section 53-08 of these Rules or an approved E-Hail App, a Driver must enter the appropriate on-duty unavailable code into the TPEP.

§54-15(n)(1)	Fine: $100 if plead guilty before a hearing; $150 if found guilty following a hearing.	Appearance NOT REQUIRED

(o) *Off Duty procedures for a Street Hail Livery*

(1) When the Street Hail Livery is operated for personal use, the designated off duty button on the taximeter must be entered and "Personal Use--Off Duty" must be keyed into LPEP (or made on the written Trip Record).

§54-15(o)(1)	Fine: $100 if plead guilty before a hearing; $150 if found guilty following a hearing.	Appearance NOT REQUIRED

(p) *Street Hail Liveries: Roof Light signaling availability*

(1) The roof light on a Street Hail Livery must be on when the Vehicle is available to accept a passenger.

(2) The roof light on a Street Hail Livery must be off when

(i) There is a passenger in the Vehicle.

(ii) The Vehicle is on the way to begin a Pre-Arranged Trip.

(iii) The Driver is Off Duty.

§54-15(p)	Fine: $100 if plead guilty before a hearing; $150 if found guilty following a hearing.	Appearance NOT REQUIRED

§54-16 Operations – Comply with Reasonable Passenger Requests

(a) *Request for Specific Route.* The Driver must comply with all reasonable and lawful routing requests of the Passenger. Unless a Passenger makes a specific request, a Driver must proceed to the Passenger's destination by the shortest reasonable route. This is also true for a Hail Trip in a Street Hail Livery (although it is not true for a Pre-Arranged Trip in a Street Hail Livery).

§54-16(a)	Fine: $100 if plead guilty before a hearing; $150 if found guilty following a hearing.	Appearance NOT REQUIRED

(b) *Requests to Change Destination.* Passengers may ask the Driver to change their destination or end their ride during their trip. Drivers must comply with these requests unless it is impossible or unsafe. The Passenger will pay the amount shown on the Taximeter or information monitor when the trip ends. For a Pre-Arranged Trip in a Street Hail Livery a request to change or terminate the trip can result in a different fare or, for a trip which terminates early, the complete fare quoted.

§54-16(b)	Fine: $50-$200 Points: 2.	Appearance REQUIRED

(c) *Request to Load Luggage.* Upon the request of a Passenger, the Driver must load or unload a Passenger's luggage, wheelchair, crutches or other property into or out of the Vehicle's interior or trunk compartment, and must securely close the door or trunk compartment.

§54-16(c)	Fine: $50	Appearance NOT REQUIRED

(d) *Passenger Receipt.*

(1) (a) At the end of a trip, a Driver, personally or via the passenger information monitor (PIM) or other electronic means, must offer a Passenger a receipt for payment of fare,

(b) except when the PIM is inoperable, for not more than 48 hours after the driver files an incident report with the authorized taxicab technology service provider, as set forth in §58-41(b)(1), and

(2) when a Passenger requests a receipt, personally or via the PIM or other electronic means, a Driver must give a Passenger a receipt for payment of the fare.

(3) The receipt must state the:

(i) date

(ii) time

(iii) Medallion number or Street Hail Livery license number

(iv) trip number

(v) total fare

(vi) tolls

(vii) surcharges

(viii) extras

(ix) tip, if paid by credit/debit card

(x) last four digits of card account number, if applicable

(xi) Driver's hack license number and

(xii) the "311" Commission Complaint telephone number.

§54-16(d)	Fine: $50 if plead guilty before a hearing; $75 if found guilty following a hearing. Points: 1.	Appearance NOT REQUIRED

(e) *Request to Adjust Audio*.

(1) At the request of a Passenger, the Driver must adjust the volume or turn on or off any audio or video equipment within his or her control.

Passengers are also entitled to select what is played on any audio or video equipment in the Vehicle.

(2) Whether or not there is a Passenger in the Vehicle, an audio or video device can only be played at a normal volume and must not violate NYC noise regulations.

§54-16(e)	Fine: $25	Appearance NOT REQUIRED

(f) *Request to Adjust Air Conditioning/Heat*. At the request of a Passenger, the Driver must turn the air conditioning or heating equipment on or off.

§54-16(f)	Fine: $25	Appearance NOT REQUIRED

(g) *Other Reasonable Passenger Requests.* A Driver must comply with all the reasonable requests of a Passenger, including but not limited to giving his or her name, Taxicab Driver's License number (or the FHV Driver's License number or Paratransit Driver's License Number as applicable) and the Medallion or Street Hail Livery license number.

§54-16(g)	Fine: $50-$200 Points: 2	Appearance REQUIRED

§54-17 Operations – Rates, Charges and Payment

(a) *No Overcharges.*

(1) A Driver must not charge or attempt to charge a fare above the Commission-approved rates. This includes a fare in a Street Hail Livery for a Hail Trip.

(2) A Driver must not impose or attempt to impose any additional charge for transporting a person with a disability, a service animal accompanying a person with a disability, or a wheelchair or other mobility aid.

§54-17(a)(1)-(2)	Mandatory penalties as set forth in §54-02	Appearance NOT REQUIRED

(3) A Driver must not collect or attempt to collect separate fares from individual Passengers who have shared a Taxicab or Street Hail Livery for part or all of a trip unless such fares are specifically authorized as part of a Group Riding program established by the Commission.

§54-17(a)(3)	Fine: $50-$150 Points: 2	Appearance REQUIRED

(4) A Driver must give the correct change to a Passenger who has paid the fare.

§54-17(a)(4)	Fine: $50-$150 Points: 2	Appearance REQUIRED

(5) A Driver must not ask a Passenger for a tip or indicate that a tip is expected or required.

§54-17(a)(5)	Fine: $50	Appearance NOT REQUIRED

(b) *Non-Paying Customers.* If a Passenger refuses to pay the metered fare, the Driver must place the meter in the off or "Vacant" position, illuminate the "Off Duty" light, and:

(1) Before the Off Duty Change Date

(i) Illuminate the "off duty" light if driving a Taxicab or enter off duty into the taximeter if driving a Street Hail Livery

(ii) Record the amount of fare on the Taximeter onto the Trip Record through the Taxicab Technology System or LPEP, or onto the written Trip Record if the T-PEP or LPEP is not working, and

(iii) Proceed directly to the nearest police precinct, present the facts to the police and follow their instructions for resolving the dispute.

(2) After the Off Duty Change Date. If a Passenger refuses to pay the metered fare, the Driver must place the meter in the off or "Vacant" position and enter off duty into the taximeter, and:

(i) Record the amount of fare on the Taximeter onto the Trip Record through the Taxicab Technology System or LPEP, or onto the written Trip Record if the T-PEP or LPEP is not working, and

(ii) Proceed directly to the nearest police precinct, present the facts to the police and follow their instructions for resolving the dispute.

(c) *Currency.* A Driver must accept United States currency as payment for services.

§54-17(c)	Fine: $100 .	Appearance NOT REQUIRED

(d) *Making Change.*

(1) A Driver must always be capable of making change for a $20 bill during his or her work shift.

(2) If the Driver is not able to change a $20 bill, the Driver will, with the Passenger's consent, take the following steps:

(i) Before Off Duty Change Date. Place the meter in an off or "Vacant" position and illuminate the "Off Duty" light, or if driving a Street Hail Livery, key the appropriate off duty code into LPEP.

(ii) After the Off Duty Change Date. Key the appropriate off duty code into T-PEP or LPEP.

(iii) Transmit the relevant information to an electronic database for entry on the electronic trip record or make an appropriate written trip record entry.

(iv) Proceed to the nearest location where he or she may reasonably expect to obtain change.

§54-17(d)	Fine: $25.	Appearance NOT REQUIRED

(e) *Must Accept Credit/Debit Card Payment.*

(1)

(i) All Taxicabs are required to be equipped with T-PEP and Drivers must accept a Passenger's choice to pay by credit/debit card.

(ii) All Street Hail Liveries are required to be equipped with LPEP and Drivers must accept a Passenger's choice to pay by credit/debit card.

(iii) Drivers of Street Hail Liveries in vehicles using a non-fixed one device solution to accept credit/debit card payments are prohibited from taking the Passenger's credit/debit card. A Driver in such a vehicle must pass the one device solution to the Passenger to allow the Passenger to swipe his or her own card.

§54-17(e)(1)	Fine: $100.	Appearance REQUIRED

(2) A Driver must not pick up or transport a passenger when the system is incapable of accepting or processing credit or debit card transactions, unless prior to engaging the Taximeter, the Driver advises the passenger that he/she will not be able to use a credit or debit card for payment

(3) If a customer's effort to pay by debit/credit card at the end of the trip is prevented not by the Taxicab's T-PEP (or the Street Hail Livery's LPEP system) system, but because the communication network is unable to process debit/credit card payments at that time, the Driver must offer the customer the option of either:

(i) Paying cash or

(ii) Having the Driver continue to a location where the wireless payment system can communicate with its network.

§54-17(e)(2)-(3)	Fine: $200 if plead guilty before a hearing; $300 and/or suspension up to 30 days if found guilty following a hearing. Points: 1	Appearance NOT REQUIRED

(f) *No Mark-up for Credit Payment*. A Driver must not charge any additional fee (mark-up) to any Passenger for credit/debit card transactions for any Trip in a Taxicab or for any Hail Trip in a Street Hail Livery.

§54-17(f)	Fine: First violation: $200 Second violation: $300 Third violation: $500 In addition to the penalty payable to the Commission, the administrative law judge may order the Driver to pay restitution to the Passenger, equal to the excess amount that was charged to the Passenger.	Appearance REQUIRED

(g) *Trips Beyond the City*.

(1) *In General*. For a trip anywhere beyond the City of New York (other than to Westchester or Nassau counties or Newark Airport), the following rules and charges apply:

(i) The Driver must negotiate a flat rate trip charge with the Passenger before beginning the trip. (*NOTE: A "flat" rate means a dollar amount; "double the meter" is NOT a flat rate.)*

§54-17(g)(1)(i)	Fine: $100. Points: 2	Appearance NOT REQUIRED

(ii) The Driver must place the Taximeter in a recording position at the beginning of the trip and allow it to continue recording

§54-17(g)(1)(ii)	Fine: $100. Points: 2	Appearance NOT REQUIRED

(2) For a trip to *Westchester* or *Nassau County*, the following charges and rules apply:

(i) The Driver must place the Taximeter in a recording position at the start of the trip and must keep the Taximeter in the recording position at all times.

§54-17(g)(2)(i)	Fine: $100.	Appearance NOT REQUIRED

(ii) Before starting the trip, the Driver must inform the Passenger how the trip charges will be calculated, including the payment of tolls both to and from the destination for Taxicabs and Chapter 82, §82-26(d)(2) for Street Hail Liveries.

(iii) The rate of fare will be the amount shown on the Taximeter for the portion of the trip within the City, plus twice the amount shown on the Taximeter for the portion of the trip outside the City limits (See Chapter 58, §58-26(d)(2)).

(iv) The Driver must tell the Passenger when the Vehicle crosses the City limits so that the Passenger can check the reading on the Taximeter at that time.

(v) The Passenger is also responsible for all necessary tolls charged for both going to the destination and for the Driver's return to the City.

§54-17(g)(2)(ii)-(v)	Fine: $25 Points: 2.	Appearance NOT REQUIRED

(3) For a trip to *Newark Airport*, the following charges and rules apply:

(i) The Driver must place the Taximeter in a recording position at the start of the trip and must keep the Taximeter in the recording position at all times.

§54-17(g)(3)(i)	Fine: $100.	Appearance NOT REQUIRED

(ii) Before starting the trip, the Driver must inform the Passenger how the trip charges will be calculated, including the payment of tolls out of and back into the City.

(iii) The rate of fare will be the amount shown on the Taximeter plus a surcharge of $15.00 (See Chapter 58, §58-26(d)(3) for Taxicabs and Chapter 82, §82-26(d)(3) for Street Hail Liveries).

(iv) The Passenger is also responsible for all necessary tolls charged for both going to the destination and for the Driver's return to the City.

§54-17(g)(3)(ii)-(iv)	Fine: $25 Points: 2.	Appearance NOT REQUIRED

(4) For all out-of-City trips, the Driver must record the charges and the out-of-city destination on the written Trip Record, if T-PEP or LPEP is not working.

§54-17(g)(4)	Fine: $25. Points: 2	Appearance NOT REQUIRED

(h) *MTA Tax.* The MTA Tax must be charged on any trip in a Taxicab or in any Hail Trip in a Street Hail Livery that starts in New York City and ends in any of:

(1) New York City.

(2) Dutchess County.

(3) Nassau County.

(4) Orange County.

(5) Putnam County.

(6) Rockland County.

(7) Suffolk County.

(8) Westchester County.

(i) A Driver of a Street Hail Livery in a Pre-Arranged Trip dispatched through the Vehicle's Base must not charge or attempt to charge a fare above the pre-approved rate quoted by the Base's dispatcher.

§54-17(i)	Mandatory penalties as set forth in §54-02	Appearance NOT REQUIRED

(j) A Driver of a Street Hail Livery can participate in any Chairperson authorized Group Ride programs in the Hail Zone or in any Chairperson approved multiple passenger ride programs.

§54-18 Operations – Lost Property

(a) *Inspection Following Trips from Airports.* Immediately after completing a trip to Kennedy, La Guardia or Newark Airports, the Driver must inspect the interior of the Vehicle and the trunk compartment, if used, to ensure that Passengers have collected their property.

§54-18(a)	Fine: $25	Appearance NOT REQUIRED

(b) *Handling of Lost Property.*

(i) *P*roperty found by a Driver in a Taxicab must be returned to the Passenger if possible; otherwise, it must be taken without delay to the police precinct closest to where the Passenger was discharged.

(ii) Property found by a Driver in a Street Hail Livery must be returned to the Passenger if possible; otherwise it must be taken without delay to the Vehicle's Street Hail Livery Base.

§54-18(b)	Fine: $25-$250	Appearance REQUIRED

(c) *Notifying Commission Regarding Lost Property.* If the property is not returned to the Passenger, the Driver must promptly inform the Commission of the details regarding the found property and the police precinct where it is held.

§54-18(c)	Fine: $25	Appearance NOT REQUIRED

§54-19 Operations – Passenger Solicitation and Engagement

(a) *Limits on Driver Solicitation of Passengers in Taxicabs.*

(1) A Driver of a Taxicab must not use a person, other than a dispatcher at an authorized Group Ride taxi line, or an Accessible Taxicab dispatcher, to solicit Passengers.

§54-19(a)(1)	Fine: $50	Appearance NOT REQUIRED

(2) A Driver of a Taxicab must not pick up additional Passengers during a trip except at the Passenger's request.

§54-19(a)(2)	Fine: $100	Appearance NOT REQUIRED

(3) A Driver of a Taxicab must not suggest to a current Passenger that an additional person be accepted as a Passenger.

§54-19(a)(3)	Fine: $50	Appearance NOT REQUIRED

(4) A Driver of a Taxicab must not solicit or cruise for the purpose of soliciting Passengers:

(i) At Kennedy, La Guardia or Newark Airports

(ii) Within 100 feet of any authorized Taxi Stand

(iii) Within the private streets of Lincoln Center

(iv) In any area of the City of New York where Taxicab cruising is prohibited

§54-19(a)(4)	Fine: $100 if plead guilty before a hearing; $150 if found guilty following a hearing.	Appearance NOT REQUIRED

	Points: 1	

(5)

(i) Before the Off Duty Change Date. A Driver of a Taxicab who has illuminated the "Off Duty" light must not solicit or accept a Passenger unless ALL of the following are true:

A. The Driver is returning the Taxicab to his or her garage or home.

B. The Driver has transmitted the relevant information to an electronic database for entry on the electronic trip record or made a written trip record entry "Returning to garage (or home)".

C. The Passenger's destination is directly on the route to the Driver's home or garage.

D. When the last passenger is discharged, the Driver must lock the doors and return to his garage or home.

(ii) After the Off Duty Change Date. A Driver who has entered the appropriate off duty code into T-PEP must not solicit or accept a Passenger unless ALL of the following are true:

A. The Driver is returning the Taxicab to his or her garage or home.

B. The Driver has transmitted the relevant information to an electronic database for entry on the electronic trip record or made a written trip record entry "Returning to garage (or home)".

C. The Passenger's destination is directly on the route to the Driver's home or garage.

D. When the last passenger is discharged, the Driver must lock the doors and return to his garage or home.

§54-19(a)(5)	Fine: $100 if plead guilty before a hearing; $150 if found guilty following a hearing. Points: 1	Appearance NOT REQUIRED

(b) *Limits on Driver Solicitation in Street Hail Liveries.*

(1) *Exclusionary Zone:*

(i). A Driver of a Street Hail Livery must not solicit Passengers in the Hail Exclusionary Zone from the Vehicle.

§54-19(b)(1)(i)	Fine: $500 for the first violation, and suspension; $750 for the second violation in 24 months and suspension; Revocation for third violation in 120 months	Appearance REQUIRED

(ii). A Driver of a Street Hail Livery must not accept a Pre-Arranged Trip beginning in the Hail Exclusionary Zone.

§54-19(b)(1)(ii)	Fine: $500	Appearance REQUIRED

(2) *Hail Zone*

(i). Inside the Hail Zone, a Driver of a Street Hail Livery can solicit passengers from the driver's seat of his or her Street Hail Livery.

(ii). Inside the Hail Zone, a Driver of a Street Hail Livery can also accept a Pre-Arranged Trip through the Base with which the Street Hail Livery is affiliated

(iii). A Driver of a Street Hail Livery must not solicit or cruise for the purpose of soliciting Passengers within 100 feet of any authorized Taxi Stand.

(iv). A Driver of a Street Hail Livery must not use a person, other than a dispatcher at an authorized Group Ride taxi line, or a Street Hail Livery Base, to solicit Passengers.

§54-19(b)(2)	Fine: $50	Appearance NOT REQUIRED

(3) A Driver of a Street Hail Livery who has indicated in the meter or through the LPEP that he or she is off duty must not solicit or accept a Passenger unless ALL of the following are true:

(i). The Driver is returning the Street Hail Livery to his or her Base or home.

(ii). The Driver has transmitted the relevant information to an electronic database for entry on the electronic trip record or made a written trip record entry.

(iii). The Passenger's destination is directly on the route to the Driver's home or garage.

(iv). When the last passenger is discharged, the Driver must lock the doors and return to his garage or home.

(v). The Driver is in the Hail Zone.

§54-19(b)(3)	Fine: $75 Points: 1	Appearance NOT REQUIRED

(c) *Taxi Stands.*

(1)

(i) A Driver of a Taxicab has the right to take a position at any Taxi Stand having a vacancy, and no other Taxicab Driver may interfere with that right.

(ii) A Driver of a Street Hail Livery has the right to take a position at any Taxi Stand having a vacancy in the Hail Zone, and no other Driver may interfere with that right. A Driver of a Street Hail Livery does NOT have the right to take a position at a Taxi Stand in the Hail Exclusionary Zone.

§54-19(c)(1)	Fine: $100 if plead guilty before a hearing; $150 if found guilty following a hearing.	Appearance NOT REQUIRED

(2) A Driver must not occupy a Taxi Stand in order to repair his or her Vehicle, except for minor emergency repairs.

§54-19(c)(2)	Fine: $100 if plead guilty before a hearing; $150 if found guilty following a hearing.	Appearance NOT REQUIRED

(3) A Driver must not overcrowd, crash into or back into a front position on a Taxi Stand; a Driver must take the rear position on the line formed at such a stand, unless it is a relief stand that has a vacancy.

§54-19(c)(3)	Fine: $100 if plead guilty before a hearing; $150 if found guilty following a hearing.	Appearance NOT REQUIRED

(4) A Driver must only occupy a Taxi Stand when on duty or for no longer than one hour while on Relief Time or for Personal Use-Off Duty.

§54-19(c)(4)	Fine: $100 if plead guilty before a hearing; $150 if found guilty following a hearing.	Appearance NOT REQUIRED

(5) The Drivers of each of the first two Vehicles on a Taxi Stand, (other than a Relief Stand), must remain in the driver's seat ready to accept Passengers. Any other Driver on a Taxi Stand must be no more than 15 feet from his or her Vehicle unless he or she is off duty.

§54-19(c)(5)	Fine: $100 if plead guilty before a hearing; $150 if found guilty following a hearing.	Appearance NOT REQUIRED

(6) Except where expressly forbidden, a Taxicab or Street Hail Livery is permitted to stop and wait for Passengers in the space immediately in front of a fire hydrant on a street where parking is not prohibited, provided the Driver remains seated in his or her Vehicle, ready for operation at all times.

§54-19(c)(6)	Fine: $100 if plead guilty before a hearing; $150 if found guilty following a hearing.	Appearance NOT REQUIRED

(d) *Terminals.*

(1) The rules regarding Taxi Stands also apply to special Taxi Stands and Feed Lines at air, rail, bus and ship terminals. (*Note:* These rules also apply to Street Hail Liveries for terminals located in the Hail Zone).

(2) Where a terminal provides Taxicab or Street Hail Livery holding areas:

(i) Drivers must park the Vehicle in a taxi holding area before leaving on Relief Time.

(ii) Upon returning from Relief Time, the Driver must join the end of the Feed Line.

(iii) Drivers are not permitted to bring Passengers into a holding area.

§54-19(d)(2)	Fine: $50	Appearance NOT REQUIRED

(3) Where an airport Taxi Stand offers both Long Haul and Short Haul lines, if there are Taxicabs available in both lines:

(i) A Driver in the Short Haul line must not accept a Passenger for a Long Haul

(ii) A Driver in the Long Haul line must not accept a Passenger for a Short Haul.

§54-19(d)(3)	Fine: $100	Appearance NOT REQUIRED

(e) *Drivers of Accessible Taxicabs.*

(1) Drivers of Accessible Taxicabs on trips dispatched by the Accessible Taxi Dispatcher must comply with all service rules (including rules pertaining to meters and fares) provided in this chapter.

§54-19(e)(1)	Fine: Chapter 54 penalties apply	

(2) A Driver of an Accessible Taxicab who has been dispatched by the Accessible Taxi Dispatcher is entitled to be paid the Dispatch Fee by the Accessible Taxi Dispatcher. This includes trips which end with no Wheelchair using Passenger, or any passenger, being picked up.

§54-20 Operations – Refusing Passengers

(a) *Must Not Refuse to Transport Passengers.* Unless the Driver has justifiable grounds, the Driver must not refuse to transport in any of the following circumstances:

(1) *Mandatory Transport.* A Driver must not refuse by words, gestures or any other means, to take a Passenger, including a person with a disability and any service animal accompanying this individual, to any destination within the City of New York, the counties of Westchester or Nassau, or Newark Airport.

§54-20(a)(1)	(Mandatory penalties as set forth in §54-02)	Appearance NOT REQUIRED

(2) *Attendant for Disabled Passengers.* A Driver must not require a person with a disability to be accompanied by an attendant. However, if a person with a disability is accompanied by an attendant, the Taxicab Driver (or, as applicable, the For-Hire Vehicle Driver or the Paratransit Driver when driving a Street Hail Livery) must not impose or attempt to impose any additional charge for transporting the attendant.

§54-20(a)(2)	(Mandatory penalties as set forth in §54-02)	Appearance NOT REQUIRED

(3) *Luggage and Mobility Aids.* A Driver must not refuse to transport a Passenger's luggage, wheelchair, crutches, other mobility aid or other property.

§54-20(a)(3)	(Mandatory penalties as set forth in §54-02)	Appearance NOT REQUIRED

(4) *Destination in Advance.* A Driver must not attempt to learn the destination of a Passenger before the Passenger is seated in the Taxicab or, for a Hail Trip started in the Hail Zone, in the Street Hail Livery.

§54-20(a)(4)	(Mandatory penalties as set forth in §54-02)	Appearance NOT REQUIRED

(b) *Justifications for Refusing Passenger.* The following are permitted reasons for refusing to transport:

(1) Another Passenger is already seated in the Vehicle.

(2) The Driver has already acknowledged a hail from another person, and that other person is being picked up or is about to be picked up. (*CAUTION:* A Driver must not acknowledge the hail of one person over another in order to avoid transporting the person whose hail was not acknowledged.)

(3) The Passenger is carrying or is in possession of any article, package, case or container which the Driver reasonably believes will cause damage to the Vehicle. (*CAUTION:* This does NOT include wheelchairs, crutches, a service animal or other mobility aid used by disabled Passengers. Mobility aids must be accepted.)

(4) The Driver is discharging his last Passenger or Passengers prior to going off duty, and has already:

(i) Before the Off Duty Change Date.

A. Illuminated his "Off Duty" light if driving a Taxicab, or entered the off duty button on the taximeter if driving a Street Hail Livery, and

B. Transmitted or entered the appropriate data.

(ii) After the Off Duty Change Date. Entered the appropriate off duty code in T-PEP or LPEP.

(5) The Driver is ending his or her work shift, and has already:

(i) Before the Off Duty Change Date.

A. Illuminated the "Off Duty" sign if driving a Taxicab, or entered the off duty button on the taximeter if driving a Street Hail Livery,

B. Locked both rear doors, and

C. Transmitted or entered the appropriate data.

(ii) After the Off Duty Change Date.

A. Entered the appropriate off duty code in T-PEP or LPEP.
B. Locked both rear doors.

(6) The Driver must take the Taxicab or Street Hail Livery out of service for required repairs to T-PEP or LPEP, and has already:

(i) Before the Off Duty Change Date.

A. Illuminated the "Off Duty" light sign (or entered the off duty button on the taximeter in a Street Hail Livery),

B. Locked both rear doors, and

C. Transmitted or entered the appropriate data.

(ii) After the Off Duty Change Date

A. Enter the appropriate off duty code in T-PEP or LPEP,
B. Locked both rear doors.

(7) The Passenger is accompanied by an animal that is not properly secured in a suitable container. (*CAUTION:* This does not apply to service animals accompanying people with disabilities.)

(8) The Passenger's destination is Newark Airport or someplace in *Nassau* or *Westchester County*, and the Driver has been operating the Vehicle for more than eight hours of any continuous 24-hour period.

(9) The Passenger is disorderly or intoxicated. (*CAUTION:* Drivers must not refuse to provide service solely because a disability results in annoying, offensive, or inconvenient behavior.)

(10) A Passenger asks a Driver on the airport Long Haul line for a Short Haul trip and there are Taxicabs available in the Short Haul line.

(11) A Passenger asks a Driver in the airport Short Haul line for a Long Haul trip and there are Taxicabs available in the Long Haul line.

(12) If a Passenger is smoking and has refused the Driver's request to stop, the Driver can discharge the Passenger in a safe location. *(CAUTION:* The Driver must ask the Passenger at least twice to stop smoking before requiring him or her to leave the Taxicab.)

(13) The Vehicle is a Street Hail Livery and the Passenger is in the Hail Exclusionary Zone.

(14) The Vehicle is a Street Hail Livery and the Driver has accepted a dispatch call for a Pre-Arranged Trip from the Street Hail Livery Base with which the Vehicle is affiliated.

(15) The Driver has accepted a trip from the accessible dispatch program pursuant to section 53-08 of these Rules or an approved E-Hail App and has entered the appropriate on-duty unavailable code into the TPEP.

§54-21 RESERVED (Operations – Cooperation with Issuing Jurisdictions)

§54-22 Vehicle – Operation and Condition

(a) *3-Minute Idle*. Drivers must comply with the Air Pollution Control Code of NYC, including the provision that the Driver must not cause or permit the engine of the Vehicle to idle for longer than three minutes.

§54-22(a)	Fine: $25	Appearance NOT REQUIRED

(b) *Inspection by Driver of Vehicle Condition*. A Driver must not operate a Taxicab or Street Hail Livery without continuing personal inspection and reasonable determination that all equipment, including brakes, tires, lights, signals and Passenger seatbelts and shoulder belts are in good working order.

§54-22(b)	Fine: $50 if plead guilty before a hearing; $75 if found guilty following a hearing.	Appearance NOT REQUIRED

(c) *RESERVED. (No On-street Maintenance other than Emergency*.)

(d) *Clean Interior*. During his or her work shift, a Driver must keep the Vehicle's interior clean.

§54-22(d)	Fine: $50	Appearance NOT REQUIRED

(e) *Exterior Clean and Identification Visible*. During his or her work shift, a Driver must keep the Medallion number or Street Hail Livery number on the front and rear of the Roof Light clean and unobstructed so that it can be seen at all times.

§54-22(e)	Fine: $100 if plead guilty before a hearing; $150 if found guilty following a hearing.	Appearance NOT REQUIRED

(f) *No Unauthorized Equipment*. A Driver must not operate a Taxicab or Street Hail Livery that uses or has installed any equipment or mechanical devices not specifically listed in these rules, unless authorized in writing by the Commission.

Note: A Street Hail Livery is permitted to have the dispatch equipment required by its Street Hail Livery Base.

§54-22(f)	Fine: $50-$350 and/or suspension up to 30 days Points: 1	Appearance REQUIRED

(g) *No Unauthorized Signage.* A Driver must not place any signs in a Taxicab or a Street Hail Livery not specifically listed in these rules, unless authorized in writing by the Commission.

§54-22(g)	Fine: $25	Appearance NOT REQUIRED

(h) *Operation of Roof Lights and Taximeters*.

(1) While on duty, a Driver must not operate a Taxicab unless:

(i) The Roof Light is lit when the Taximeter is not in use, and

(ii) The Roof Light is off when the Taximeter is in use.

(2) While on Duty, a Driver must not operate a Street Hail Livery unless:

(i) The Roof Light is lit when the Taximeter is not in use;

(ii) The Roof Light is off when the Taximeter is in use; or

(iii) The Roof Light is off when the Street Hail Livery is traveling to pick up a Passenger for a Pre-Arranged Trip or has a Passenger in the Vehicle who is on a Pre-Arranged Trip or the Driver is off duty.

§54-22(h)	Fine: $50-$250 and/or suspension up to 30 days Points: 1	Appearance NOT REQUIRED

§54-23 Vehicle – Items Required to be in the Vehicle.

(a) *Items Required in Vehicle*. A Driver must not operate a Taxicab or Street Hail Livery unless the Vehicle is equipped or provided with the following:

(1)

(i) The Taxicab Technology System (T-PEP) *(or a written Trip Record, when required and permitted)* if the Vehicle is a Taxicab.

(ii) The Street Hail Livery Technology System (LPEP) *(or a written Trip Record, when required and permitted)* if the Vehicle is a Street Hail Livery.

§54-23(a)(1)	Fine: $150 if plead guilty before a hearing; $200 if found guilty following a hearing.	Appearance NOT REQUIRED

(2) The Taxicab Driver's License in the appropriate frame (or, as applicable, the For-Hire Driver's License or Paratransit License if the vehicle is a Street Hail Livery being operated by a For-Hire Driver or Paratransit Driver).

§54-23(a)(2)	Fine: $100 if plead guilty before a hearing; $150 if found guilty following a hearing. Points: 2	Appearance NOT REQUIRED

(3) The Rate Card assigned to the Taxicab or Street Hail Livery, beside the frame containing the Taxicab Driver's License.

§54-23(a)(3)	Fine: $50 if plead guilty before a hearing; $100 if found guilty following a hearing. Points: 1	Appearance NOT REQUIRED

(4) A New York City five (5) borough indexed street map or geographic position system device.

§54-23(a)(4)	Fine: $25 if plead guilty before a hearing; $50 if found guilty following a hearing.	Appearance NOT REQUIRED

(5) Receipts for Passengers.

§54-23(a)(5)	Fine: $25 if plead guilty before a hearing; $50 if found guilty following a hearing.	Appearance NOT REQUIRED

(6) In a Street Hail Livery, the Street Hail Livery License.

§54-23(a)(6)	Fine: $50 if plead guilty before a hearing; $100 if found guilty following a hearing. Points: 1	Appearance NOT REQUIRED

(b) *Clear View for Passengers.*

(1) A Driver must not block a Passenger's view of the Taximeter, his or her Driver's License, the Rate Card, or the Passenger Information Monitor of the T-PEP System, and, in a Taxicab, must not block in any way a Passenger's access to the medallion number on the Taxicab Identification Raised Lettering Plaque or the Taxicab Identification Braille Plaque, and, in a Street Hail Livery, must not block in any way a Passenger's access to the Street Hail Livery License number.

§54-23(b)(1)	Fine: $100 if plead guilty before a hearing; $150 if found guilty following a hearing.	Appearance NOT REQUIRED

(2) A Driver must not operate a Taxicab or Street Hail Livery after sunset unless the face of the Taximeter, his or her Driver's License, and the Rate Card are illuminated so that they are clearly visible from the rear seat by a Passenger with normal vision.

§54-23(b)(2)	Fine: $25 for violation of each subdivision. No fine for multiple violations in one incident will exceed $50.	Appearance NOT REQUIRED

§54-24 Vehicle – Trip Records.

(a) *Record of Passenger Trip Information.* The Trip Record is the record of all data collected from every for-hire trip made by a Taxicab (and Trip Data as defined in Section 51-03 of these rules will constitute the Trip Record for a Street Hail Livery) and must include, for Taxicab, the following information:

(1) The Taxicab Medallion number

(2) The Taxicab Driver's License number

(3) The location where each Passenger(s) was picked up

(4) The time each Passenger(s) was picked up

(5) The number of Passengers

(6) The location where each Passenger(s) was dropped off

(7) The time each Passenger was dropped of

(8) The total trip mileage

(9) The itemized metered fare for the trip (fare, tolls, surcharge, and tip, if paid by credit or debit card)

(10) Method of payment

(11) The Taximeter readings

(12) The concluding time of Driver's work shift

(13) Any toll bridges or tunnels used by the Driver, whether or not with a Passenger

(14) The trip number

(15) All other entries required by these rules

(16) Street Hail Liveries must record Trip Data as specified in Chapter 83 of these rules.

§54-24(a)	Fine: $15 per missing entry on an electronic or written trip record. The total penalty for violation of this rule will not exceed $30 per electronic or written trip record.	Appearance NOT REQUIRED

(b) *Electronic Trip Records--Taxicab Technology System (T-PEP) and Street Hail Livery Technology System (LPEP).*

(1)

(i) A Driver is required to log in and operate T-PEP in order to obtain the Trip Record data for each trip in a Taxicab.

(ii) A Driver is required to log in and operate LPEP in order to obtain the Trip Record data for each trip in a Street Hail Livery.

§54-24(b)(1)	Fine: $100-$350 and/or suspension up to 30 days	Appearance REQUIRED

(2) If necessary, the Driver will transmit any corrections electronically, using T-PEP if driving a Taxicab or LPEP if driving a Street Hail Livery.

§54-24(b)(2)	Fine: $25	Appearance NOT REQUIRED

(c) *Written Trip Records*

(1)

(i) If the T-PEP is inoperable, the Driver must keep written Trip Records if he or she operates the Taxicab during the period of time the Taxicab is permitted to operate without a working T-PEP system. (*See §54-25).*

(ii) If the LPEP is inoperable, the Driver must keep written Trip Records if he or she operates the Street Hail Livery during the period of time the Street Hail Livery is permitted to operate without a working LPEP system. *(See §54-25.1)*

(2) Drivers must submit all written Trip Sheets to the Taxicab Owner or Street Hail Livery Base at the conclusion of the Driver's shift or lease period.

§54-24(c)(1)-(2)	Fine: $100-$350 and/or suspension up to 30 days	Appearance REQUIRED

(3)

(i) Before beginning each work shift in a Taxicab, a Driver must sign and certify on the Trip Record that the Taxicab and its equipment are

in good working condition, and that the items required in the Taxicab are present. (*Exception to Certification*: If the Taxicab Technology System is not in operation, the certification must note that the Taxicab equipment is in good working order *except* for the Taxicab Technology System.)

(ii) Before beginning each work shift in a Street Hail Livery, a Driver must sign and certify on the Trip Record that the Street Hail Livery and its equipment are in good working condition, and that the items required in the Street Hail Livery are present. (*Exception to Certification*: If the LPEP is not in operation, the certification must note that the Street Hail Livery equipment is in good working order *except* for LPEP.)

§54-24 (c)(3)	Fine: Failure to comply with 10-day notice to correct: $200 and suspension until compliance.	Appearance REQUIRED

(4) When correcting a written Trip Record, a Driver:

(i) Must not erase any entry or make it completely unreadable.

(ii) Must correct a wrong entry only by drawing a single line through the incorrect entry and recording the date, time and reason for the change.

(iii) Must not leave blank lines between entries on any written Trip Record.

§54-24(c)(4)	Fine: $25	Appearance NOT REQUIRED

(5) A Driver must not rewrite a written Trip Record either in whole or in part, unless authorized by the Commission.

§54-24(c)(5)	Fine: $250	Appearance NOT REQUIRED

§54-25 Vehicle Equipment – Taxicab Technology System (Electronic Trip Record System) for Taxicabs

(a) *Taxicab Technology System (T-PEP)*. The T-PEP is a system of hardware and software that provides the following four Core Services, electronically, in the Taxicab vehicle:

(1) The ability for Passengers to pay using a credit, debit or prepayment card

(2) The ability for Drivers to send and receive text messages

(3) The ability to collect and transmit Trip Record data, electronically

(4) A Passenger Information Monitor (PIM) that provides Passengers:

(i) A map of the route being traveled

(ii) Information about Taxicab fares, Passenger Bill of Rights and public service announcements

(iii) Commercial advertising and sponsorships

(iv) The ability to turn off all audio and visual presentations

(b) *Good Working Order*. T-PEP equipment must be in good working order and each of the four core services must function at all times.

§54-25(b)	Fine: $250 and suspension until compliance	Appearance REQUIRED

(c) *T-PEP System(s) Malfunction.* In the event the Taxicab Technology System malfunctions or fails to operate:

(1) The Driver must file an incident report with the authorized T-PEP provider within one (1) hour after Driver knows (or should have known) of the system failure, or the end of the Driver's shift, whichever occurs first.

(2) If the Taxicab Owner or Taxicab Agent previously filed a timely incident report of the T-PEP failure, the Driver will not be required to file a separate incident report. The Driver must get the incident report number from the Owner.

§54-25(c)(1)--(2)	Fine: $250 and suspension until compliance	Appearance REQUIRED

(3) A Driver is not permitted to operate a Taxicab in which any of the four core services of T-PEP are inoperative for more than 48 hours following the timely filing of an incident report.

§54-25(c)(3)	Fine: $250 and suspension until compliance	Appearance REQUIRED

(d) *Unauthorized Devices or Repairs.*

(1) A Driver must not connect any unauthorized device to the T-PEP.

(2) The Driver must not tamper with, repair or attempt to repair the T-PEP seals, cable connections or electrical wiring,

(3) The Driver must not make any change in the Taxicab's mechanism or its tires which would affect the operation of the T-PEP system.

§54-25(d)	Fine: $50-$350 and/or suspension up to 30 days Points: 3	Appearance REQUIRED

(4) It will be an affirmative defense to a violation of this provision, §54-25(d) that the Driver:

(i) Did not know of or participate in the alleged T-PEP tampering, and

(ii) Exercised due diligence to ensure that T-PEP tampering did not occur.

(e) *Passenger Information Monitor (PIM) Malfunction.* If the Taxicab's PIM is not operational and can be made operational by the Driver, the Driver must do so.

§54-25(e)	Fine: $100	Appearance NOT REQUIRED

§54-25.1 Vehicle Equipment—Street Hail Livery Technology System (Electronic Trip Record System) for Street Hail Liveries.

(a) *Good Working Order.* LPEP equipment must be in good working order and each of the five core services must function at all times in a Driver's Street Hail Livery.

§54-25.1(a)	Fine: $250 and suspension until compliance	Appearance REQUIRED

(b) *LPEP System(s) Malfunction.* In the event the Street Hail Livery Technology System malfunctions or fails to operate:

(1) The Driver must file an incident report with the authorized LPEP provider within one (1) hour after Driver knows (or should have known) of the system failure, or the end of the Driver's shift, whichever occurs first.

(2) If the Street Hail Livery Licensee or Street Hail Livery Base previously filed a timely incident report of the LPEP failure, the Driver will not be required to file a separate incident report. The Driver must get the incident report number from the Street Hail Livery Base or Licensee.

§54-25.1(b)(1)--(2)	Fine: $250 and suspension until compliance	Appearance REQUIRED

(3) A Driver is not permitted to operate a Street Hail Livery in which any of the five Core Services of LPEP are inoperative for more than 48 hours following the timely filing of an incident report.

§54-25.1(b)(3)	Fine: $250 and suspension until compliance	Appearance REQUIRED

(c) *Unauthorized Devices or Repairs.*

(1) A Driver must not connect any unauthorized device to the LPEP.

(2) The Driver must not tamper with, repair or attempt to repair the LPEP seals, cable connections or electrical wiring,

(3) The Driver must not make any change in the Street Hail Livery's mechanism or its tires which would affect the operation of the LPEP system.

§54-25.1(c)	Fine: $50-$350 and/or suspension up to 30 days Points: 3	Appearance REQUIRED

(4) It will be an affirmative defense to a violation of this provision, §54-25.1(c) that the Driver:

(i) Did not know of or participate in the alleged LPEP tampering, and

(ii) Exercised due diligence to ensure that LPEP tampering did not occur.

(d) *Passenger Information Monitor (PIM) Malfunction.* If the Street Hail Livery has a PIM and the PIM is not operational and can be made operational by the Driver, the Driver must do so.

§54-25.1(d)	Fine: $100	Appearance NOT REQUIRED

§54-26 Vehicle Equipment – Taximeters

(a) *Taximeter Condition.*

(1) *Defective Condition*. A Driver must not pick up or transport a Passenger when the Taximeter in his or her Taxicab or Street Hail Livery is defective.

§54-26(a)(1)	Fine: $50-$350 and/or suspension up to 30 days Points: 1	Appearance REQUIRED

(2) *Repair and Replacement*. A defective Taximeter must be repaired or replaced at a licensed Taximeter shop. A Taximeter must only be replaced with a Taximeter that has been inspected, sealed and approved within the preceding 12 months.

§54-26(a)(2)	Fine: $50-$350 and/or suspension up to 30 days Points: 1	Appearance REQUIRED

(3) *Seals and Serial Number*. A Driver must not drive a Taxicab or Street Hail Livery unless all Taximeter seals and cable housing seals are in good condition and pressed by the Commission or its authorized designee. The serial number of the Taximeter must be the same as that shown on the rate card assigned to the Vehicle.

§54-26(a)(3)	Fine: $100 Points: 2	Appearance NOT REQUIRED

(4) *Receipt Paper*. A Driver must not pick up or transport a Passenger unless the Taximeter is properly equipped with paper for printing receipts.

§54-26(a)(4)	Fine: $25	Appearance NOT REQUIRED

(b) *Taximeter Operation*.

(1) *Setting Taximeter to Record*. As soon as a Passenger enters the Vehicle, the Driver must immediately place the Taximeter in the recording or "Hired" position and must keep it in that position until arrival at the destination.

§54-26(b)(1)	Fine: $200 Points: 1	Appearance NOT REQUIRED

(2) *Entering Passenger with a Disability*.

(i) If the Passenger is a Person with a Disability, the Taxicab Driver must not place the Taximeter in the recording or "Hired" position while the Driver is assisting a person with a disability to enter the Vehicle or while assisting with that Passenger's mobility aid.

§54-26(b)(2)(i)	Fine: $100 Points: 1	Appearance NOT REQUIRED

(3) *Exiting Passenger with a Disability*. If the Passenger is an individual with a disability who requires assistance to exit the Vehicle, the Driver must place the Taximeter in a non-recording position before assisting such Passenger and must leave the Taximeter in a non-recording position until such Passenger has paid the fare and safely exited the Vehicle.

§54-26(b)(3)	Fine: $50	Appearance NOT REQUIRED

(4) *Non-Paying Passenger*. If the Passenger is not being charged a fare, the Driver must not activate the meter, but must:

(i) Illuminate the "Off Duty" light in a Taxicab or, in a Street Hail Livery, not indicate that the Vehicle is available to accept a passenger.

(ii) Transmit (or manually add to the written Trip Record) that he or she is off duty and transporting a non-paying Passenger and details of the time and distance of the free fare.

(iii) Include the reason the Passenger is not being charged.

§54-26(b)(4)	Fine: $25 Points: 1	Appearance NOT REQUIRED

(5) *Flat Fare Trip.* When the Taxicab or Street Hail Livery is engaged in a flat fare trip from between Kennedy Airport and Manhattan, the Driver must key the information into T-PEP or LPEP, as applicable (or enter on a written Trip Record) that this is a flat fare trip to or from Kennedy Airport and include the time and distance of the trip.

§54-26(b)(5)	Fine: $100 Points: 1	Appearance NOT REQUIRED

(6) *End of Trip.* Upon reaching the Passenger's destination, the Driver must place the Taximeter in a non-recording or "Time Off" position, inform the Passenger of the fare due and leave the Taximeter in a non-recording position until the fare is paid.

§54-26(b)(6)	Fine: $50	Appearance NOT REQUIRED

(7) *Re-setting the Taximeter*. Immediately after the Passenger leaves the Vehicle, the Driver must clear the Taximeter, placing it in an off or "Vacant" position in which it must remain until the next Passenger enters the Vehicle.

§54-26(b)(7)	Fine: $100 Points: 1	Appearance NOT REQUIRED

(c) *Taximeter Tampering.*

(1) *Seal Tampering*.

(i) A Driver must not operate a Taxicab or Street Hail Livery if the official seals attached to it have been tampered with, broken or altered in any manner.

(ii) The Commission will assume that a Driver who operates a Vehicle with a broken Taximeter seal knew of the tampering or alteration and deliberately operated the Vehicle in violation of this Rule, and will take appropriate action against the Driver.

§54-26(c)(1)	Fine: $50-$350 and/or suspension up to 30 days Points: 3	Appearance REQUIRED

(2) *Unauthorized Devices or Repairs.*

(i) A Driver must not connect any unauthorized device to the Taximeter.

(ii) The Driver must not tamper with, repair or attempt to repair the Taximeter seals, cable connections or electrical wiring,

(iii) The Driver must not make any change in the Vehicle's mechanism or its tires which would affect the operation of the Taximeter system.

§54-26(c)(2)(i)-(iii)	Fine: $50-$350 and/or suspension up to 30 days Points: 3	Appearance REQUIRED

(iv) It will be an affirmative defense to a violation of this provision, §54-26(c)(2), that the Driver:

A. Did not know of or participate in the alleged Taximeter tampering, and

B. Exercised due diligence to ensue that Taximeter tampering did not occur.

(3) *Roof Light and other Electrical Connections.*

(i) A Driver must not tamper with the Roof Light or any of the interior lights or connections except to replace a defective bulb or fuse.

(ii) The Roof Light of a Taxicab or Street Hail Livery must be automatically controlled only by the movement of the Taximeter

button or ignition switch so that it is lighted only when the Taximeter is in an off or "Vacant" position and unlighted when the Taximeter is in a recording or "Hired" position.

(iii) The Commission will assume that a Driver who operates a Vehicle with an unauthorized installation or device controlling interior or roof lighting knew of the unauthorized installation or device and deliberately operated the Vehicle in violation of this Rule, and the Commission will take appropriate action against the Driver.

§54-26(c)(3)	Fine: $50-$350 and/or suspension up to 30 days Points: 3	Appearance REQUIRED

(4) *Defect(s) that Arise During Shift*. If the Taximeter breaks down during a trip so that the fare can no longer be monitored, the Driver must immediately tell the Passenger and offer him or her the option of:

(i) Continuing the trip after mutually agreeing to a reasonable fare, or

(ii) Terminating the trip and paying the fare shown on the Taximeter to that point.

§54-26(c)(4)	Fine: $50-$350 and/or suspension up to 30 days Points: 1	Appearance REQUIRED

(5) *Procedures for Terminating Use of Vehicle with Defective Taximeter.* Upon terminating a trip because of a defective Taximeter, T-PEP, or LPEP, the Driver must:

(i) Before the Off Duty Change Date.

A. Illuminate the “Off Duty” light

B. Lock the rear doors

C. Transmit data that the Taximeter is defective (or enter on a written Trip Record, if T-PEP system is inoperative)

D. Return the Vehicle immediately to the garage of record or a licensed Taximeter repair shop.

(ii) After the Off Duty Change Date

A. Enter the appropriate off duty code in T-PEP or LPEP

B. Lock the rear doors

C. Transmit data that the Taximeter is defective (or enter on a written Trip Record, if T-PEP or LPEP system is inoperative)

D. Return the Vehicle immediately to the garage or base of record or a licensed Taximeter repair shop.

§54-26(c)(5)	Fine: $100 if plead guilty before a hearing; $150 if found guilty following a hearing.	Appearance NOT REQUIRED

(d) *Report Signs of Tampering to TLC.* A Driver must notify the Owner (or, in the case of a Street Hail Livery, the Street Hail Livery Base) and the Commission by telephone immediately, and in writing within 24 hours, upon the discovery of any of the following:

(1) A Taximeter other than the Taximeter approved by the Commission and indicated on the Rate Card, has been installed in the Vehicle operated by the Driver.

(2) A Taximeter seal in the Vehicle operated by the Driver has been removed or tampered with.

(3) An unauthorized device that may affect the operation of a Taximeter has been connected to the Taximeter, seal, cable connection or electrical wiring of the Vehicle operated by the Driver.

(4) Any intervening connections, splices, "Y" connections or direct or indirect interruptions or connections of any kind whatsoever have been discovered on any wiring harness attached to the Taximeter in the Vehicle operated by the Driver.

§54-26(d)	Fine: $500-$1,500 and/or suspension up to 60 days or revocation	Appearance REQUIRED

§54-27 Special Driver Penalty Programs

(a) *Critical Driver's Program ("Points" in this Section refers to points assessed by the Department of Motor Vehicles).*

In addition to any other action the Commission might take, the following penalties will be enforced as part of the Commission's Critical Driver's Program:

(1) *License Suspension.* If, within a 15-month period, a Driver accumulates six or more points on his or her driver's license (whether issued by New York or another state), the Commission will suspend the Driver's Taxicab Driver's License for 30 days.

(2) *License Revocation.* If, within a 15-month period, a Driver accumulates 10 or more points on his or her driver's license (whether issued by New York or another state), the Commission will revoke the Driver's Taxicab Driver's License.

(3) *Review of Driver Fitness.* The Commission can at any time review the fitness of a Driver to continue to be Licensed following any moving violation, accident, or other driving-related incident and can seek to impose other, additional, and/or more severe penalties or take any other action permitted under these Rules.

(4) *15-Month Period.* When determining whether a suspension or revocation is required based on the accumulation of points in a 15-month period, the Commission will count backwards 15 months from the date of the most recent violation carrying points that is cited in the summons under this section.

(5) *Date of Point Accumulation.* For the purpose of this rule, points assigned by the Department of Motor Vehicles for any violation will be counted as of the date the violation occurred.

(6) *Multiple Points from a Single Incident.* For a Driver who has been found guilty of multiple violations arising from a single incident, the Commission will consider the Driver guilty of the single violation with the highest point total for purposes of this section.

(7) *Point Reduction for Voluntary Course Completion.*

(i) Before suspending or revoking a Driver's License, the Commission will deduct two points from the total points of any Licensee who voluntarily attends and satisfactorily completes a motor vehicle accident prevention course approved by the NYS DMV that appears on the Licensee's DMV driving record. Such point reduction will count only towards points accumulated by the Licensee as a result of violations that occurred within 15 months prior to the date of the completion of the course. In order for the motor vehicle accident prevention course to reduce the Licensee's Critical Driver's Program points and avoid suspension or revocation of the Driver's Taxicab Driver's License, the course must be satisfactorily completed prior to the issuance of a critical driver program summons. Completion of the motor vehicle accident prevention course after the issuance of a critical driver program summons will reduce the Licensee's Critical Driver's Program points only after the Licensee completes his or her suspension. If the Licensee's driver's license was issued by a state

other than New York, the Licensee must submit a recent driving abstract from the state of licensure.

(ii) The Driver must furnish the Commission with proof of when the course was taken and that the course was satisfactorily completed before the Commission will reduce the Driver's point total.

(iii) If the Commission has already suspended or revoked the Driver's License, the point reduction will not change the Commission's decision.

(iv) If the Driver completed the course on or after September 1, 1999, the Commission will not reduce total points more than once in any 18-month period.

(8) *Authorized Drivers of Street Hail Liveries Licensed under other Chapters of these Rules.*

Any points accumulated under this Chapter by a For-Hire Driver or a Paratransit Driver while operating a Street Hail Livery will count towards and be applied to the Driver's For-Hire Driver's License or Paratransit Driver's License as specified in

(i) Section 55-27(a) of these Rules if the Driver is a For-Hire Driver and

(ii) Section 56-13(b) of these Rules if the Driver is a Paratransit Driver,

and the Driver may incur the penalties specified as a result.

(b) *Program for Persistent Violators of Taxicab Drivers' Rules ("Points" in this Section refers to points assessed by the Commission; these points are included in the penalties for specific violations of rules in this Section).*

(1) *Required Remedial Course Attendance for Persistent Violators.*

(i) Any Driver who has been found guilty of three or more violations within a 15-month period and whose license has not been revoked must attend a remedial or refresher course. The Commission will also add one point to that Taxicab Driver's License.

(ii) Any Driver who does not complete such a course after being notified of the requirement by the Commission will have his License suspended until he or she complies.

(2) *Revocation – Points and Time Periods.*

(i) Any Driver who has accumulated six or more Commission-issued points against his or her Taxicab Driver's License within a 15-month period and whose License has not been revoked will have his or her License suspended for 30 days.

(ii) The Commission will revoke the License of any Driver who has accumulated ten or more points against his or her Taxicab Driver's License within a 15-month period.

(3) *Multiple Violations from a Single Incident.* For a Driver who has been found guilty of multiple violations arising from a single incident, the Commission will consider the Driver guilty of the single violation with the highest point total for purposes of this section.

(4) *More Severe Penalties at Discretion of Commission.* The Commission can impose more severe or additional penalties to any penalties stated in this section.

(5) *Hearing Process and Imposition of Penalties.*

(i) The Commission will impose penalties described in this section following the hearing at which the Driver is found to have violated the rule(s) triggering these penalties.

(ii) Persistent violator penalties will be in addition to those penalties specifically listed in the Rules.

(6) *Point Reduction for Voluntary Course Completion.*

(i) Before suspending or revoking a Driver's License, the Commission will deduct two points from the total points of any Licensee who voluntarily attends and satisfactorily completes a remedial or refresher course approved by the Commission.

(ii) The Driver must furnish the Commission with proof of when the course was taken and that the course was satisfactorily completed before the Commission will reduce the Driver's point total.

(iii) If the Commission has already suspended or revoked the Driver's License, the point reduction will not change the Commission's decision.

(iv) If the Driver completed the course on or after September 1, 1999, the Commission will not reduce total points more than once in any five year period.

(7) It will be an affirmative defense that the act that formed the basis for the violation was beyond the control and influence of the Taxicab Driver.

(8) *Authorized Drivers of Street Hail Liveries Licensed under other Chapters of these Rules.*

(i) Any points accumulated under this Chapter by a For-Hire Driver while operating a Street Hail Livery will count towards and be applied to the Driver's For-Hire Driver's License as provided in Section 55-27(b) of these Rules, and the Driver may incur the penalties specified as a result).

(ii) Any points accumulated under this Chapter by a Paratransit Driver while operating a Street Hail Livery will count towards and be applied to the Driver's Paratransit Driver's License as provided in this subdivision as if the Paratransit Driver's License were a Taxicab Driver's License, and the Driver may incur the penalties specified as a result.