Chapter 82 Street Hail Livery Service

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Subchapter A
§82-01 Subchapter A: Scope of this Subchapter

(a) To establish the procedures and requirements for obtaining a Street Hail Livery License

(b) To establish the rules and regulations for operating a Street Hail Livery

(c) To establish the penalties for violating the Rules

§82-02 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 the 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) *Suspension and Revocation*.

(1) If a penalty in this Chapter specifies suspension or revocation, the suspension or revocation includes both the Street Hail Livery License plus the Vehicle's For-Hire or Paratransit Vehicle License.

(2) If a For-Hire or Paratransit Vehicle License for a vehicle used as a Street Hail Livery is suspended or revoked as a result of the imposition of a penalty under another Chapter of these Rules, the suspension or revocation is also applicable to the Street Hail Livery License.

§82-03 Definitions Specific to this Chapter

(a) *Applicant* in this chapter means the individual or Business Entity applying for an original or renewal Street Hail Livery License under this Chapter in whose name the License applied for will be issued.

(b) *Business Entity* in this Chapter includes corporations, partnerships and limited liability companies.

(c) *Driver* in this Chapter means a Driver of a Street Hail Livery who is authorized to by these rules to drive a Street Hail Livery. A Driver can be a Driver possessing a TLC Driver License or a Paratransit Driver who is driving an Accessible Street Hail Livery.

(d) *Flat Rate* is a definite dollar amount that will be charged to a Street Hail Livery passenger for a specific trip, and is fixed before the trip begins (*NOTE*: "double the Taximeter" is *not* a Flat Rate).

(e) *Legatee* means a person to whom any proceeds of an estate of a deceased person are to be distributed.

(f) *License* in this Chapter means a Street Hail Livery License.

(g) *Licensee* in this Chapter means the holder of a Street Hail Livery License.

(h) *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.

(i) *Rooftop Advertising Fixture* means a device that incorporates the functions of a Roof Light with an advertising display.

(j) *Rooftop Advertising Fixture Provider* means the entity responsible for supplying the Rooftop Advertising Fixture to the Street Hail Livery Licensee and maintaining the advertising material.

(k) *Street Hail Livery Technology System or LPEP* shall have the same meaning given such term in § 51-03 of these Rules.

(l) *Street Hail Livery Technology System Provider or LPEP Provider* shall have the same meaning given such term in § 51-03 of these Rules.

(m) A *Transferee* is an Applicant who is seeking approval from or has been approved by the Chairperson to own and operate a Street Hail Livery License in which the Applicant is acquiring an interest, either directly or indirectly, through a transfer described under §88-44 of these Rules.

(n) A *Transferor* is the Owner of an interest in a Street Hail Livery License being transferred.

(o) *Trip Data* shall have the same meaning given such term in § 51-03 of these Rules.

(p) *Vehicle* in this Chapter shall mean the Commission-licensed Vehicle in use with a Street Hail Livery License.

(q) *Wheelchair Passenger* is a Passenger using a wheelchair.

§82-04 Licensing – General Requirements

(a) *Identification.* An individual or all Business Entity Persons of a Business Entity applying for a Street Hail Livery License must provide to the Commission:

(1) A Valid Government-issued photo ID and

(2) A Valid Social Security number.

(b) *Age.* An individual or all Business Entity Persons of a Business Entity applying for a Street Hail Livery License or its renewal must be at least 18 years of age.

(c) *Good Moral Character.*

(1) An individual or all Business Entity Persons of a Business Entity applying for a Street Hail Livery License must be fingerprinted and must be of good moral character. Fingerprinting for the purpose of investigating good moral character is also required of the following, unless waived by the Chairperson in his or her discretion:

(i) Any new Business Entity Persons added by a Licensee.

(2) Applicant's criminal history will be considered in a manner consistent with the Correction Law of the State of New York.

(d) *Fit to Hold a License.* An individual or Business Entity must demonstrate to the satisfaction of the Commission that the Applicant is Fit to Hold a Street Hail Livery License.

(e) *Drivers Designated as Agents to Accept Service.*

(1) The Applicant must designate each and every Driver who operates the Applicant's Street Hail Livery as an agent to accept service of Commission notices to correct defects in the Street Hail Livery.

(2) Delivery of a notice of defect to a Driver will be adequate service of notice to the Licensee.

(f) *Liability Insurance.* The Applicant must have liability insurance coverage by bond or policy as required by the State of New York and these Rules. *See* § 82-14 of this Chapter.

(g) *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, but is not limited to, 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.

(h) *Address.* An Applicant must give the Commission the Applicant's current Mailing Address and Email Address.

(i) *Affiliation with only one Base* A Street Hail Livery License and the Vehicle with which the License is used can affiliate with only one Base at a time and that Base must be a Validly licensed Street Hail Livery Base.

§82-05 Licensing – Issuance of Street Hail Livery Licenses

(a) *Application for License.* An Applicant for a Street Hail Livery License must file an application on the form specified by the Commission and provide all documentation required.

(b) *Applicants must meet requirements of Licensure.* Street Hail Livery Licenses will be issued only to Applicants who meet all requirements for Licensure contained in this Chapter, including the requirements for Licensure specified in subdivision (c) of this Section for the period of time specified in that subdivision.

§82-06 Licensing – Special Requirements

(a) *Only One Street Hail Livery License.*

(1) No person or Business Entity may own or have an interest in more than one Street Hail Livery License.

(2) *Exception:* A Person or Business Entity may own or have an interest in up to five Street Hail Livery Licenses restricted to accessible vehicles. No Licensee whose License is restricted to accessible vehicles may own or have an interest in more than five total Street Hail Livery Licenses and each of those must be an Accessible Street Hail Livery License. A Person or Business Entity which owns or has an interest in one or more Accessible Street Hail Livery License may not also have an interest in a Street Hail Livery License that is NOT an Accessible Street Hail Livery License.

(3) No person or Business Entity that currently owns or has an interest in a Valid or suspended Street Hail Livery License may apply for another Street Hail Livery License, except as provided in paragraphs (1) and (2).

(4) For purposes of this Rule, a person or Business Entity has an interest in a Street Hail Livery License if the person or Business Entity has an ownership or financial interest, but not including an interest pledged as security, in a Street Hail Livery License, or if the person or Business Entity has a fiduciary relationship with, an ownership interest in, or is otherwise a member of any other entity, including but not limited to a corporation, partnership, joint venture or association, that owns a Street Hail Livery License.

(5) To determine if a Street Hail Livery License will be attributed to the Applicant or Licensee, the Commission will include any Street Hail Livery License held by any of the following:

(i) any Business Entity Persons of the Applicant or Licensee;
(ii) any Business Entity of which the Applicant or Licensee is a Business Entity Person; and
(iii) any Business Entity of which a Business Entity Person of Applicant or Licensee is also a Business Entity Person.

§82-06(a)	Fine: Revocation	Appearance REQUIRED

(b) *Licensing – Vehicle Requirements.*

(1) Except as provided in paragraph (2) below, a Street Hail Livery License may only be used with a For-Hire Vehicle licensed by the Commission under Chapter 59A that meets all of the requirements set forth in Subchapter B of this Rule (Street Hail Livery Hack-Up).

(2) A Street Hail Livery License that is restricted to use with an accessible vehicle may be used with a For-Hire Vehicle licensed by the Commission under Chapter 59A or with a Paratransit Vehicle licensed by the Commission under Chapter 60, provided that the vehicle meets all of the requirements for accessible vehicles set forth in Subchapter B of this Rule (Street Hail Livery Hack-Up), including § 82-50 (Standard Specifications for Accessible Street Hail Liveries).

(3) A Street Hail Livery License must be placed into service with a For-Hire Vehicle within 90 days of issuance. *Exception*: A Street Hail Livery License that is restricted to use with an accessible vehicle must be placed into service with a For-Hire Vehicle or a Paratransit Vehicle within 180 days of issuance. The Chairperson can extend the date by which a vehicle must be placed in service for any Licensee for good cause shown.

(c) *Licensing – Special Requirements for Business Entities.*

(1) *Partnerships.* If the Applicant is a partnership, it must file with its application a certified copy of the partnership certificate from the clerk of the county where the partnership's principal place of business is located.

(2) *Corporations.*

(i) If the Applicant is a corporation it must file the following with its Street Hail Livery License application:

A. A certified copy of its certificate of incorporation and a certified copy of the filing receipt;

B. A list of officers and shareholders; and

C. A certified copy of the minutes of the meeting at which the current officers were elected.

(ii) No corporate or trade name will be accepted by the Commission that is similar to a name already in use by another Licensee.

(iii) All corporate officers and shareholders are subject to the same standards and criteria as individual Licensees.

(iv) The Commission will only recognize corporate officers that have been approved by the Commission; this means that the Commission will not accept transactions pertaining to the License from persons not approved as officers.

(v) It is a violation of these Rules for a corporate Licensee to appoint a new officer without the approval of the Commission.

(vi) Temporary approval contingent on final approval can be permitted in cases where an officer has resigned or died and another individual must be able to continue the regular daily operation of the Licensee corporation.

(vii) The standards and criteria for holding a Street Hail Livery License are equally applicable when the shares of a corporate Licensee are held by another Business Entity.

(3) *Limited Liability Companies (LLCs).*

(i) If the Applicant is a limited liability company it must file the following with its Street Hail Livery License application:

A. A copy of its articles of organization;

B. A copy of its operating agreement; and

C. A list of the members, with the percentages of the Applicant owned by each.

(ii) No LLC or trade name will be accepted by the Commission that is similar to a name already in use by another Licensee.

(iii) All members of the Street Hail Livery License Applicant are subject to the same standards and criteria as individual Licensees.

(iv) The Commission will only recognize members that have been approved by the Commission; this means that the Commission will not accept transactions pertaining to the License from persons not approved as members.

(v) It is a violation of these Rules for a Licensee that is an LLC to add a new member without the approval of the Commission.

(vi) The standards and criteria for holding a Street Hail Livery License are equally applicable when membership interests in a LLC Owner are held by another Business Entity.

(d) *Licensing – Special Requirements Accessible Street Hail Liveries.* Any Street Hail Livery License required to be used with an Accessible Street Hail Livery may only be used with a Commission-licensed Accessible Street Hail Livery and must continue to be used with an Accessible Street Hail Livery vehicle while the license is Valid. Any such License cannot be used with a vehicle that is NOT an Accessible Street Hail Livery.

§82-06(d)	Fine: $1000 and suspension until compliance; revocation may be ordered	Appearance REQUIRED

§82-07 Licensing – Term of License

(a) *New License.* The term of a new Street Hail Livery License is three years.

(b) *Renewal License.* The term of a renewal License is three years.

(c) *When to File for Renewal*.

(1) The right to renewal is automatic, upon payment of the renewal fee, provided that the Licensee is in good standing.

(2) A renewing Applicant must file a completed application at least 30 days before the expiration date of the License in order to avoid a late fee.

(3) 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. The late fee will be assessed in addition to any penalties that may be specified for a violation of this Rule.

(4) The date of filing for an application filed by mail is the postmark date. The date of filing for an application filed in person is the date of submission.

(5) 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. Additional penalties may be specified for a violation of this rule.

(6) It is the Licensee's responsibility to obtain a renewal application in order to comply with the filing deadline.

(7) *Extension*. The Commission may extend the expiration date of the License by up to an additional 31 days.

(d) *Suspended Licenses*.

(1) If a License is suspended, the Licensee must apply for renewal as required in subdivision (c) above in order to renew the License. Failure to complete the renewal requirements will subject the Licensee to the penalties provided for in subdivision (c).

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

(e) *Advertising Licenses.* A license to display exterior advertising runs for one year or less and each license will expire on the 31st day of August.

§82-08 Licensing – Fees

(a) *Street Hail Livery License Fee.*

(1) The Street Hail Livery License fee is:

(i) $1500 in the Initial Street Hail Livery License Issuance Period,

(ii) $3000 in the Second Street Hail Livery License Issuance Period, and

(iii) $4500 in the Third Street Hail Livery License Issuance Period.

(iv) *Exception for Accessible Street Hail Liveries* During the Initial Street Hail Livery License Issuance Period, there will be no fee for a Street Hail Livery License required to be used with an accessible vehicle, however the vehicle licensee will have to pay a fee to license the vehicle as either a For-Hire Vehicle or a Paratransit Vehicle.

(2) The Street Hail Livery License will be valid for a three year term, prior to renewal.

(3) The Street Hail Livery License fee must be paid with the application.

(b) *Renewal Fee.* The renewal fee for a Street Hail Livery License will be $900 triannually.

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

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

(e) *Vehicle License Replacement Fee.* The Commission will charge a fee of $25 for each replacement Street Hail Livery License or Decal.

(f) *License Plate Replacement Fee.* The Commission's fee for replacement of license plates issued by the New York State Department of Motor Vehicles will be $25 per vehicle.

(g) *Inspection Fee.* The Commission's fee for a required Street Hail Livery Safety and Emissions inspection is $90; this fee includes the certificate of inspection issued when the Street Hail Livery passes the inspection. Inspection fees must be prepaid with each application and renewal application. *Note: Paratransit Vehicles licensed as Accessible Street Hail Liveries will be subject only to a visual inspection to assure that they are accessible and that the accessibility features are operating, and a meter test.*

(h) *Reinspection Fee.* There is a reinspection fee only if reinspection is required because the Street Hail Livery failed the component of the inspection required by Section 301 of the New York State Vehicle and Traffic Law. In that case, the reinspection fee is thirty five dollars ($35). If reinspection is required because the Street Hail Livery failed any other component of the inspection, there is no reinspection fee.

(i) *Advertising Permit Fee*. The fee for a Street Hail Livery Licensee to display exterior advertising is $10 annually. If a license is surrendered in less than 6 months, one half of the fee will be refunded.

(j) *Vehicle Transfer Fees*

(1) A Licensee can change the Street Hail Livery Vehicle's affiliation from one Base to a different Base after approval by the Chairperson and payment of a $25 fee.

(2) A Licensee can transfer a Street Hail Livery License from one vehicle to another after approval by the Chairperson and payment of a $25 fee.

(3) A Licensee can replace the license plates on a Street Hail Livery after approval by the Chairperson and payment of a $25 fee.

(4) A Licensee can transfer the license plates from one vehicle to another after approval by the Chairperson and payment of a $25 fee.

(5) A Licensee must pay a separate fee for each separate transfer. This is true even if the Licensee wants to do several types of vehicle transfer all at one time.

(k) *License Transfer Fee.* An Applicant who is seeking to acquire a Street Hail Livery License, or an interest in a Street Hail Livery License, from a current Licensee must pay a processing fee of $25.

(l) *No Refund if Application Denied*. The Commission will not the refund fees in subdivisions (b) through (k) of this section if it denies or disapproves the application. The Commission will not refund any fee if an applicant for a license fails to complete the application or fails to fulfill the requirements for licensure.

§82-09 Licensing – Causes for Denial

(a) *Failure to Meet Requirements.* The Commission can deny the application for a License or its renewal of any Applicant who fails to meet the requirements of these rules. The Commission will inform the Applicant, in writing, of the specific reason(s) for this denial.

(b) *Material Misrepresentation or Falsification*. The Commission will deny an application for a License or its renewal, or can impose other sanctions (such as taking action against other licenses held by the applicant), if any of the following occurs:

(1) The Applicant makes a material misrepresentation in the application.

(2) The Applicant fails to inform the Commission of a material change in the information contained in the application.

(3) The Applicant attempts to conceal the identity of a party having an interest in the ownership of a Street Hail Livery.

(c) *No Longer Meets Requirements.* The Commission will deny an application for a License or its renewal and can revoke or suspend any License if the Commission becomes aware of information that the Licensee no longer meets the requirements for a Street Hail Livery License.

(d) *Violation of the Rules.* The Commission will deny an application for a License if, within the past two years, the Applicant (or any Business Entity Person of a Business Entity Applicant) has engaged in any of the following:

(1) Assault of a passenger, official or member of the public in any way relating to a Street Hail Livery or other TLC-licensed Vehicle;

(2) Any instance of bribery or unlawful gratuity, or attempted bribery or offer of unlawful gratuity, toward a city employee;

(3) Providing the Commission with false information;

(4) Two or more unlawful passenger service refusals;

(5) Two or more incidents of overcharging, as a Driver;

(6) Three failures to respond to an official communication from the Commission;

(7) Three or more vehicle safety violations for a particular Street Hail Livery or other Commission-licensed Vehicle;

(8) Operating a Street Hail Livery License designated for an Accessible Street Hail Livery with a vehicle that is not an Accessible Street Hail Livery;

(9) Whether as an individual or as a Business Entity Person of a Business Entity, has:

(i) Ten or more outstanding unexcused failures to appear at scheduled Commission hearings, or

(ii) Ten or more unsatisfied Commission fines or fines that remained unsatisfied until renewal.

(e) *Failure to Complete Application Requirements.*

(1) The Chairperson will deny an application for a new License if the Applicant has not completed all the requirements of an application within 45 days of the date the application is filed.

(2) The Chairperson will not deny an application under this Rule if (a) completion is delayed because the Chairperson has not issued a final decision in any matter related to the Street Hail Livery License application pending before the Chairperson, and (b) the Applicant has complied with any requests made by the Chairperson.

(f) *Non-Use.* A Street Hail Livery License will be revoked for non-use if:

(1) For 30 or more days, the Licensee fails to maintain a Base affiliation (as required by § 82-12(g) of this Chapter).

(2) For 60 or more days, the Licensee fails to maintain insurance coverage (as required by § 82-14 of this Chapter).

(3) For 60 or more days, the License holder fails to comply with the inspection requirements (as required by § 82-30 of this Chapter).

(g) *Prior Revocation.*

(1) If an Applicant has had a previous Street Hail Livery License or other Commission-issued Vehicle License revoked, the Chairperson may deny the Applicant's application if the previous revocation shows that the applicant is not Fit to Hold a License.

(2) To determine if a previously revoked Street Hail Livery License ("Revoked License") will be attributed to this Applicant, the Commission will include any Revoked License held by any of the following:

(i) All of Applicant's Business Entity Persons, and

(ii) Any other entity in which any of Applicant's Business Entity Persons also serve as a partner, officer or shareholder.

(h) *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 denial of the application.

§82-10 Licensing – Transfer of Vehicle License to a New Vehicle

(a) *Transfer of Vehicle License to a New Vehicle*.

(1) In order to transfer the Street Hail Livery License to a new vehicle, the Licensee must file an application to transfer the License .

(2) No transfer application will be approved until the Licensee presents the vehicle for inspection by the Commission. (See § 82-30)

(b) *Only One License per Vehicle*. There can only be one Valid Street Hail Livery License issued for any one Vehicle, as determined by the VIN.

§82-11 Licensing – Care of Licenses

(a) *Unauthorized Entries.* No unauthorized entry can be made on the Street Hail Livery License or the Decal(s). No entry on the Street Hail Livery License or Decal(s) can be changed or defaced.

§82-11(a)	Fine: $350 for first violation $500 for second violation in 24 months Revocation for third violation in 36 months	Appearance REQUIRED

(b) *Do Not Alter Rate Card*. A Licensee must not change, mark, cross out or make any unauthorized entries on a Street Hail Livery's Rate Card, or display a Rate Card that contains wrong information.

§82-11(b)	Fine: $50 if plead guilty before a hearing; $100 if found guilty following a hearing.	Appearance NOT REQUIRED

(c) *Replace Damaged License or Rate Card.* A Licensee must immediately surrender an unreadable or damaged Street Hail Livery License, Decal, or Rate Card to the Commission for replacement.

§82-11(c)	Fine: $200 and suspension until compliance	Appearance REQUIRED

(d) *Replace Lost or Stolen License or Rate Card.* A Licensee must immediately report a lost or stolen License or Rate Card to the Commission for replacement.

(1) A Licensee must notify the Commission and the Police Department of the theft, loss or destruction of any License or Rate Card within 48 hours (not including weekends and holidays) of the loss.

(2) The Licensee must also provide any affidavit or information the Commission requires, including the police receipt number.

(3) A substitute License and Rate Card will be issued by the Commission.

§82-11(d)(1)-(2)	Fine: $200	Appearance NOT REQUIRED

(e) *Report Finding Lost License or Rate Card*.

(1) A Licensee must notify the Commission and the Police Department within 24 hours (not including weekends and holidays) after locating any License or Rate Card that was reported as stolen or lost.

(2) The Licensee must provide any affidavit or information the Commission requires in connection with that event.

§82-11(e)	Fine: $200 for the first violation; $350-$500 for the second or subsequent violation(s) within 36 months.	Appearance NOT REQUIRED

(f) *Surrender License and Rate Card*. A Licensee must surrender the Licensee's Street Hail Livery License, Decal and Rate Card to the Commission:

(1) Within 48 hours of notice that the Street Hail Livery License has been suspended or revoked or has expired (and has not been renewed), or that the Licensee's renewal application has been denied;

(2) Prior to the sale of Licensee's Street Hail Livery Vehicle; or

(3) Prior to removal of Licensee's Street Hail Livery from service for a period of 30 or more consecutive days.

(4) The Licensee must surrender the T&LC license plates to the New York State Department of Motor Vehicles upon surrender of the License and Rate Card.

(5) Upon surrender, revocation or non-renewal of a Street Hail Livery License, the last For-Hire Vehicle affiliated with the Street Hail Livery License, if owned by the Street Hail Livery licensee, must be presented to the Commission's inspection facility to confirm removal of the license

decal, the LPEP system and taximeter within ten days from the date of the surrender, revocation or non-renewal of the Street Hail Livery License. *NOTE*: A vehicle which will continue in use with another TLC-issued license (such as a For-Hire Vehicle License) will also be inspected to make sure the LPEP system and taximeter have been removed and the vehicle repainted.

§82-11(f)	Fine: $200 if plead guilty before a hearing; $300 if found guilty following a hearing.	Appearance REQUIRED

(g) *Report Replaced New York License Plates*. A Licensee must report to the Commission the replacement of any lost or stolen New York State license plates within 48 hours (not including weekends and holidays) after getting the new plates.

§82-11(g)	Fine: $200 and suspension until compliance	Appearance REQUIRED

§82-12 Compliance with Law – No Unlicensed Activity

(a) *No Unlicensed Street Hail Liveries.* A Licensee must ensure that when the Licensee's Street Hail Livery is in operation for hire it is in use with a Vehicle which has a Valid License.

§82-12(a)	Fine: $300 and/or suspension up to 30 days	Appearance REQUIRED

(b) *Street Hail Livery License and Commission License Plate.*

1. A Street Hail Livery Licensee must not allow a Vehicle to be dispatched unless:

(i) A Vehicle has NYS license plates embossed with the legend "T & LC"

§82-12(b)1)(i)	Vehicle Fine: $350 and suspension until compliance Penalty Points: 1	Appearance NOT required

(ii) The Licensee's Street Hail Livery License is Valid.

§82-12(b)1)(ii)	Vehicle Fine: $1500 for the first offense; $2000 for the second and subsequent offenses within a 36-month period. Penalty Points: 1	Appearance NOT required

2. It will be a defense to a charge of operating a Street Hail Livery without a proper License if the Vehicle is listed by the Commission on its Web Site as Valid to operate as a Street Hail Livery.

(c) *No Advertising as "Taxi" if Unlicensed.* A Licensee who does not have a Valid Street Hail Livery License must not hold himself or herself out to the public providing hail service, or as a "taxi," "Street Hail Livery," "Taxicab" or "hack" service.

§82-12(c)	Fine: $ 1,500 and/or suspension up to 30 days	Appearance REQUIRED

(d) *No Unregistered Vehicles.*

(1) A Licensee must ensure that the Licensee's Street Hail Livery is operated only while the NYS registration of the vehicle remains Valid.

(2) Operating a vehicle without a Valid registration will be considered the same as operating without a Valid Street Hail Livery License.

(3) The Street Hail Livery License of a Licensee who operates a Street Hail Livery without valid state registration will be suspended.

§82-12(d)	Fine: $100-$350 and/or suspension up to 30 days; Suspension until compliance	Appearance REQUIRED

(e) *No Unlicensed Drivers.*

(1) No Street Hail Livery may be operated for hire unless the Driver has in his or her possession a Valid Driver's License that authorizes the Driver to operate a Street Hail Livery.

(2) It will be a defense to a charge that a Driver is not authorized to operate a Street Hail Livery if the Driver is listed by the Commission on its Web Site as authorized to operate a Street Hail Livery.

§82-12(e)(1)	Fine: $1500 for the first offense; $2000 for the second and subsequent offenses within a 36-month period. Penalty Points: 1	Appearance REQUIRED

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

(i) A Driver must not operate a Street Hail Livery without a Valid Chauffeur's License.

(ii) A Street Hail Livery Licensee is responsible for knowing the status of the state-issued driver's license for any Driver using a Vehicle with a Street Hail Livery License.

§82-12(e)(3)	Fine: $100 Penalty Points: 1	Appearance NOT REQUIRED

(f) *Validity of License Requires Valid State Registration.*

(1) A Street Hail Livery License will be Valid only while the NYS registration of the Vehicle remains Valid.

(2) A Street Hail Livery Licensee must immediately surrender the Street Hail Livery License to the Commission upon the expiration, restriction, suspension, or revocation of the Vehicle's NYS registration.

(3) The Street Hail Livery License of a Licensee who operates a Street Hail Livery without valid state registration will be summarily suspended.

§82-12(f)	Fine: $400 and Suspension until compliance.	Appearance REQUIRED

(g) *Affiliation with Licensed Base.* A Street Hail Livery Licensee must not operate or allow another person to operate the Licensee's Street Hail Livery unless:

(1) It is affiliated with a Validly Licensed Street Hail Livery Base at all times

(2) The Street Hail Livery is being dispatched from its affiliated Base, unless the Street Hail Livery is being dispatched for a Pre-Arranged Trip and the Base dispatching the Street Hail Livery informs the customer that the Street Hail Livery is from another Base.

§82-12(g)	Fine: $100 per day for each day unaffiliated beginning 7 days AFTER the vehicle first becomes unaffiliated and suspension	Appearance NOT REQUIRED

§82-13 Compliance with Law – No Street Hail Livery Service Inside Hail Exclusionary Zones

(a) *Street Hail Livery Operation.*

(1) A Street Hail Livery Licensee must ensure that the Driver of the Street Hail Livery accepts passengers by hail from the street only in the Hail Zone and does not accept a

Pre-Arranged Trip beginning in the Pre-Arranged Exclusionary Zone. Paratransit service by a licensed Paratransit vehicle will not be considered a Pre-Arranged Trip for the purposes of this section. Service provided to the Metropolitan Transportation Authority for transportation of persons with disabilities will not be considered a Pre-Arranged Trip for the purposes of this section.

(2) A finding that a Driver of a Street Hail Livery accepted a passenger by hail in the Hail Exclusionary Zone or accepted a Pre-Arranged Trip in the Pre-Arranged Exclusionary Zone will be evidence that a Street Hail Livery Licensee failed to make a good faith effort to deter the commission of that violation. The Chairperson can seize a Street Hail Livery if there is probable cause to believe that the driver of such vehicle is seeking a passenger for a Hail Trip in the Hail Exclusionary Zone or a Pre-Arranged trip in the Pre-arranged Exclusionary Zone.

§82-13(a)(1)-(2)	Fine: $500 for the first violation and suspension; $750 for the second violation in 24 months and suspension for up to 30 days; Revocation for third violation in 120 months	Appearance REQUIRED

(3) A Street Hail Livery Licensee must ensure that the Driver of the Street Hail Livery does not accept a Pre-Arranged Trip beginning in the Pre-Arranged Exclusionary Zone; a Driver can accept a Pre-Arranged Trip beginning at one of the New York City Airports. Paratransit service by a licensed Paratransit vehicle will not be considered a Pre-Arranged Trip for the purposes of this section. Service provided to the Metropolitan Transportation Authority for transportation of persons with disabilities will not be considered a Pre-Arranged Trip for purposes of this section.

§82-13(a)(3)	Fine: $500	Appearance REQUIRED

(4) Except as provided in this Rule, a Validly Licensed Street Hail Livery with a Validly Licensed Driver may provide transportation by pre-arrangement through its affiliated Street Hail Livery Base throughout New York City, except for trips beginning in the Pre-Arranged Exclusionary Zone.

(5) A Street Hail Livery Licensee will be liable for the penalties provided for in this Chapter for any violation of this section.

(6) This rule does not prohibit a Driver of a Street Hail Livery from traveling though the Exclusionary Zone in order to complete a trip by hail that began outside of the Exclusionary Zone, it does not prohibit a Driver of a Street Hail Livery from traveling through the Exclusionary Zone to complete a Pre-Arranged Trip that began outside of the

Exclusionary Zone and it does not prevent the Driver of a Street Hail Livery from driving through the Exclusionary Zone where that Driver is not driving for-hire.

§82-14 Compliance with Law – Insurance Coverage

(a) *Maintain Insurance Coverage***.**

(1) Street Hail Livery Licensees must ensure that the Street Hail Livery is covered by liability insurance in the form of a bond or an insurance policy that fully complies with the New York State Vehicle and Traffic Law and the New York State Insurance Law.

(2) Licensees must maintain all other forms of insurance required by law.

§82-14(a)	Fine: $150-$350 and/or suspension up to 30 days	Appearance REQUIRED

(b) *Submit Proof of Insurance.* Every year in which a Licensee files an application to renew the License of one or more Street Hail Liveries, the Licensee must, at that time, provide the Commission with the name and address of the Licensee's insurance carrier and the policy number for the Licensee's Street Hail Livery, along with proof of coverage.

§82-14(b)	Fine: $100	Appearance REQUIRED

(c) *Notification of Changes in Insurance Coverage*. A Licensee must notify the Commission in writing within 7 business days of any of the following:

(1) Receipt of notice that Licensee's required liability insurance has been cancelled;

(2) A change of insurance carrier;

(3) A change in the policy number of Licensee's liability insurance.

§82-14(c)	Fine: $100	Appearance NOT REQUIRED

(d) *Coverage Requirements***.**

(1) *General Coverage*. All Street Hail Livery Licensees must maintain liability coverage for the Street Hail Livery through an insurance policy or a bond in amounts not less than the following:

(i) $200,000 per person, payable for those expenses specified in paragraphs 1, 2 and 3 of subdivision a of § 5102 of the New York State Insurance Law

(ii) $100,000 minimum liability and not less than $300,000 maximum liability for bodily injury or death, as these terms are described and defined in § 370(1) of the Vehicle and Traffic Law.

§82-14(d)(1)	Fine: $350 and suspension until compliance	Appearance NOT REQUIRED

(2) *Coverage for Vehicles with Seating Capacity of Nine to Fifteen*. Each Street Hail Livery Licensee with a seating capacity of at least 9 but not more than 15 Passengers must maintain coverage for each Vehicle owned in amounts not less than the following:

(i) $200,000 per person, payable for those expenses specified in paragraphs 1, 2 and 3 of subdivision a of § 5102 of the New York State Insurance Law

(ii) $1,500,000 minimum liability for bodily injury or death, as those terms are described and defined in § 370(1) of the Vehicle and Traffic Law.

§82-14(d)(2)	Fine: $350 and suspension until compliance	Appearance REQUIRED

(3) *Coverage for Vehicles with Seating Capacity of Sixteen or Mor*e. Each Street Hail Livery Licensee with a seating capacity of at least 16 Passengers must maintain coverage for each Vehicle owned in amounts not less than the following:

(i) $200,000 per person, payable for those expenses specified in paragraphs 1, 2 and 3 of subdivision a of § 5102 of the New York State Insurance Law

(ii) $5,000,000 minimum liability for bodily injury or death, as those terms are described and defined in § 370(1) of the Vehicle and Traffic Law

§82-14(d)(3)	Fine: $350 and suspension until compliance	Appearance REQUIRED

(e) *Report of Collisions*.

(1) *Report to Insurance Carrier*. Any Collision involving a Street Hail Livery that is required by the insurance policy to be reported to the insurance carrier must be immediately reported to the carrier by the

Licensee, in writing.

§82-14(e)(1)	Fine: $500-$1,000	Appearance REQUIRED

(2) *Report to Commission.*

(i) A Licensee must immediately report to the Commission in writing all Collisions that are required to be reported to the Department of Motor Vehicles (as required by §605 of the Vehicle and Traffic Law) that involve the Licensee's Street Hail Livery.

(ii) A Licensee must also provide to the Commission a copy of any legally required report filed with the NYS Department of Motor Vehicles, within 10 days of the date the report is due to be filed with the Department of Motor Vehicles.

§82-14(e)(2)	Fine: $150 and $25 for each day of violation thereafter and suspension until compliance	Appearance REQUIRED

(f) *Surrender Rate Card and License upon Termination of Insurance.* A Licensee must either:

(1) Surrender the Street Hail Livery's Rate Card, License and Decal(s) to the Commission on or before the termination date of the vehicle's insurance, or

(2) Submit proof of new insurance effective on the date of termination of the old policy.

§82-14(f)	Fine: $50	Appearance NOT REQUIRED

§82-15 Compliance With Laws – Workers' Compensation

(a) A Street Hail Livery Licensee must comply with the NYS Workers Compensation Law.

§82-16 Compliance with Law – Personal Conduct

(a) *Bribery*.

(1) *Actual Bribery Attempt*. A Licensee must not bribe or attempt to bribe or offer any gratuity whatsoever to any employee, representative or member of the Commission in return for favorable or preferential treatment.

§82-16(a)(1)	Fine: Up to $10,000 per Street Hail Livery	Appearance REQUIRED

	implicated in the violation plus mandatory divestiture of Street Hail Livery License.	

(2) *Appearance of Bribery*. An Applicant or Licensee must not offer or give any gift or gratuity or any other thing of value to any employee, representative or member of the Commission, or any public servant or dispatcher employed at a public transportation facility.

§82-16(a)(2)	Fine: $10,000 plus revocation	Appearance: N/A

(3) *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 or dispatcher employed at a public transportation facility or authorized group-ride taxi line.

§82-16(a)(3)	Fine: $1,000 and/or suspension up to 30 days or revocation.	Appearance REQUIRED

(4) *Offer of Gift to Airport or Transportation Terminal Staff.* A Licensee must not offer or give any gift, gratuity, or thing of value to a person or persons employed at any airport or other transportation terminal to provide ground transportation information services, dispatching service, security services, traffic and parking control, or baggage handling, whether or not the person or persons are employed by the Port Authority of New York and New Jersey, LIRR, Metro-North, or any similar entity.

§82-16(a)(4)	Licensee Fine: $250 – 1,000	Appearance REQUIRED

(5) *Failure to Remove Cash*. When the Street Hail Livery is in Licensee's possession, Licensee must remove all currency from a Street Hail Livery's interior prior to its inspection by any Commission personnel.

§82-16(a)(5)	Fine: $50	Appearance NOT REQUIRED

(b) *Fraud, Theft.* While performing the duties and responsibilities of a Licensee, the Licensee must not commit or attempt to commit, alone or in concert with another, any act of fraud, misrepresentation or theft.

§82-16(b)	Fine: $350-$1,000 and suspension up to 60- days or revocation	Appearance REQUIRED

(c) *Willful Acts of Omission.* While performing the duties and responsibilities of a Licensee, the 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.

§82-16(c)	Fine: $150-$350 and/or Suspension up to 30 days or revocation.	Appearance REQUIRED

(d) *Willful Acts of Commission.* While performing the duties and responsibilities of a Licensee, the 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.

§82-16(d)	Fine: $150-$350 and Suspension up to 30 days or revocation.	Appearance REQUIRED

(e) *Threats, Harassment, Abuse.* While performing the duties and responsibilities of a Licensee, the Licensee must not threaten, harass or abuse any person.

§82-16(e)	Fine: $350-$1,000 and/or suspension up to 30 days or revocation	Appearance REQUIRED

(f) *Use or Threat of Physical Force*. While performing the duties and responsibilities of a Licensee, the Licensee must not use any physical force against any person except in self defense.

§82-16(f)	Fine: $500-$1,500 and/or suspension up to 60 days or revocation	Appearance REQUIRED

(g) *Threat or Harm to Service Animal.* A Licensee must not distract, harm or use physical force against or attempt to distract, harm or use physical force against a Service Animal accompanying a person with a disability.

§82-16(g)	Fine: $500-1,500 and/or suspension up to 60 days or revocation	Appearance REQUIRED

(h) *Reporting of Criminal Conviction.*

(1) A Street Hail Livery Licensee must immediately notify the Commission of any criminal conviction of the Licensee, individually or, if the Licensee is a Business Entity, of any Business Entity Person.

(2) The notice must be in writing and must be accompanied by a certified copy of the certificate of disposition issued by the clerk of the court explaining what happened as a result of the conviction.

§82-16(h)	Fine: $50-$250	Appearance REQUIRED

(i) *Cooperate with Law Enforcement.* A Licensee must cooperate with all law enforcement officers, authorized representatives of the Commission and the NYC Department of Investigation. Cooperation includes, but is not limited to, responding to a request for Licensee's name, License number, Rate Cards, Trip

Records, and any other documents required to be maintained by the Street Hail Livery Licensee.

§82-16(i)	Fine: $50-$350	Appearance REQUIRED

(j) *Cooperate with the Commission*

(1) A Licensee must promptly answer all questions and comply with all communications, directives and summonses from the Commission or its representatives and the NYC Department of Investigation or its representatives. This means a Licensee must comply within the period specified in the communication.

(2) Within ten days following a request from the Commission, the Licensee must produce any Licenses or other documents the Licensee is required to have.

§82-16(j)(1)-(2)	Fine: $300 and Suspension until compliance	Appearance REQUIRED

(3) A Licensee must respond to any contact from the Commission within 48 hours, seven days a week.

§82-16(j)(3)	Fine: $500	Appearance NOT REQUIRED

(k) *Courtesy.* A Licensee must be courteous to Passengers.

§82-16(k)	Fine: $150	Appearance NOT REQUIRED

(l) *Retaliation*.

(1) A Street Hail Livery Owner must not retaliate against any Driver for making a good faith complaint against any Owner.

(2) Retaliation will be broadly construed, and will include imposing any adverse condition or consequence on the Driver or withholding or withdrawing any beneficial condition or consequence from the Driver.

§ 82-16(l)	Fine: $1,000 plus restitution to the driver for losses for the first violation and a fine of $10,000 plus restitution to the driver for the second violation within five years.	Appearance NOT REQUIRED

§82-17 Compliance with Law – Miscellaneous

(a) *Compliance with Commission Rules and Regulations, Generally.* The Licensee must comply with the Commission's Street Hail Livery specifications, the Marking Specifications for Street Hail Liveries, all pertinent provisions of the

Administrative Code and other laws, rules or regulations governing Street Hail Livery Licensees.

§82-17(a)	Fine: $200 if plead guilty before a hearing; $300 if found guilty following a hearing.	Appearance NOT REQUIRED

(b) *Alcohol and Drug Laws.* A Street Hail Livery Licensee must not knowingly allow a Street Hail Livery to be operated by a Driver who is under the influence of any drugs or alcohol or whose driving ability is in any way impaired.

§82-17(b)	Fine: $10,000 and revocation	Appearance REQUIRED

(c) *Payment of all Fines and Judgments.* The holder of a Street Hail Livery License issued under this Chapter must satisfy any outstanding judgment and pay any civil penalty owed for a violation relating to traffic in a Qualified Jurisdiction or for a violation of the regulations of a Qualified Jurisdiction.

§82-17(c)	Penalty: Suspension until satisfaction or payment	Appearance NOT REQUIRED

(d) *No False Statements*.

(1) A Licensee must not file with the Commission any statement required under the Special Requirements for Business Entities provision, §82-06(c), that the Licensee knows or should know to be false, misleading, deceptive or materially incomplete.

§82-17(d) (1)	Fine: Up to $10,000	Appearance REQUIRED

(e) *No Unlawful Purpose*

(1) A Licensee must not use or permit any other person to use Licensee's Street Hail Livery, base or office of record for any unlawful purpose.

§82-17(e)(1)	Fine: $350 – 1,000 and/or suspension up to 30 days or revocation	Appearance REQUIRED

(2) A Licensee must not conceal any evidence of a crime connected with Licensee's Street Hail Livery, base or office of record.

§82-17(e)(2)	Fine: $350 – 1,000 and/or suspension up to 30 days or revocation	Appearance REQUIRED

(3) A Licensee must report immediately to the police any attempt to use Licensee's Street Hail Livery to commit a crime or to escape from the scene of a crime.

§82-17(e)(3)	Fine: $100 - $350 and/or suspension up to 30 days	Appearance REQUIRED

(f) *No False Credentials*

(1) A Licensee must not attempt to avoid inspection of a Licensed vehicle by using false credentials to disguise one vehicle as another or by any other means contrary to law or regulation of the Commission.

§82-17(f)(1)	Fine: Up to $10,000 per Street Hail Livery implicated in the violation, plus mandatory divestiture of Street Hail Livery License	Appearance REQUIRED

(2) A Licensee must not operate or present for inspection a vehicle in which the Vehicle Identification Number has been loosened and reattached, or switched from another vehicle or otherwise altered in a manner not in compliance with Article 17 of the New York State Vehicle and Traffic Law.

§82-17(f)(2)	Fine: Mandatory divestiture of Street Hail Livery License, plus a fine of up to $10,000 per Street Hail Livery implicated in the violation	Appearance REQUIRED

(3) A Licensee must not present documents to the Commission that falsely indicate compliance with liability insurance and/or Workers' Compensation insurance requirements.

§82-17(f)(3)	Fine: Mandatory divestiture of Street Hail Livery License, plus a fine of up to $10,000 per Street Hail Livery implicated in the violation	Appearance REQUIRED

(g) *Street Hail Livery Improvement Fund*

(1) A Street Hail Livery Licensee must pay the Street Hail Livery Improvement Surcharge remitted by the Driver for each Hail Trip to the Street Hail Livery Improvement Fund.

(2) The Street Hail Livery Licensee must pay the Street Hail Livery Improvement Surcharge to the Street Hail Livery Improvement Fund at the time and in the manner required by the Commission.

(3) If the Street Hail Livery Licensee does not pay the Street Hail Livery Improvement Surcharge to the Street Hail Livery Improvement Fund at the time required, non-payment may be grounds for suspension of the Street Hail Livery License, and/or denial of any renewal application or of any application for another TLC-issued license as well as monetary penalties.

(4) *Street Hail Livery Improvement Surcharge*. The Street Hail Livery Improvement Surcharge will be allocated as follows:

(i) *Drivers*: 5 cents from the Street Hail Livery Improvement Surcharge on each Hail Trip in a Street Hail Livery will be paid into a portion of the Street Hail Livery Improvement Fund which will be allocated to Drivers of Accessible Street Hail Liveries.

(ii) *Owners of Street Hail Livery License*: 25 cents from the Street Hail Livery Improvement Surcharge on each Hail Trip in a Street Hail Livery will be paid into a portion of the Street Hail Livery Improvement Fund which will be used to make grants to persons required to place a vehicle into use that is required to be accessible under Section 82-06 (b)(2) of these Rules.

82-17(g)(1)-(3)	Fine: $1000	Appearance REQUIRED

§82-18 Operations – Management Oversight

(a) *Direct Licensee Operations.* The Commission will hold the Licensee accountable for operation of the Street Hail Livery.

(b) *Indirect Licensee Operations.*

(1) The use of an employee or a Base will not relieve the Licensee of any obligation under these rules.

(c) *Special Requirements for Licensee's Use of Affiliated Street Hail Livery Base.*

(1) Affiliation With More Than One Base Prohibited. A Licensee may not affiliate with or use more than one Base.

§82-18(c)(1)	Fine: $200	Appearance NOT REQUIRED

(2) Provisions of this Section Cannot be Waived by Contract.

(i) No contract or other agreement between a Street Hail Livery Licensee and a Base may include a provision intended to supersede or impair the effectiveness, in whole or in part, of the provisions of this Chapter.

(ii) No provision in a contract or other agreement between a Licensee and a Base that attempts to impair the effectiveness of this section

will be enforceable.

§82-19 Operations – Service Requirements (Customers)

(a) *No Required Ride-Sharing*. A Street Hail Livery Licensee may not require that any prospective Passenger share a ride with another prospective Passenger.

§82-19(a)	Fine: $100	Appearance NOT REQUIRED

§82-20 Operations – Responsibilities with Respect to Drivers

(a) *Wheelchair Passenger Assistance Training.*

(1) The holder of a Street Hail Livery License that has been designated for an Accessible Vehicle must ensure that the Licensee's Street Hail Livery is driven only by a Driver who has completed the Wheelchair Passenger Assistance Training.

§82-20(a)	Fine: $100 if plead guilty before a hearing; $150 if found guilty following a hearing.	Appearance NOT Required

§82-21 (Leasing a Street Hail Livery License or Street Hail Livery)

§82-22 Records – Trip Record Information

(a) *Trip Record.*

(1) Trip Data must be collected and stored electronically, through the use of the Street Hail Livery Technology System (LPEP). *(Note: Nothing in this Chapter alters or replaces the trip data requirements imposed on Paratransit Vehicles under Chapter 60 of these Rules when a Paratransit Vehicle is providing Paratransit service under those Rules)*

(2) If the LPEP is inoperable, a written Trip Record must be kept during the 48-hour period the Street Hail Livery is permitted to operate after timely notification of the malfunction. (*See §82-42 of this Chapter)*

(3) A written Trip Record, if required, must be kept for eighteen months.

(b) *Written Trip Records.* A written Trip Record must include the following information:

(1) The Street Hail Livery License number

(2) The Street Hail Livery Driver's License number

(3) The location where each passenger is picked up

(4) The time each passenger is picked up

(5) The total number of passengers

(6) The location where each passenger is dropped off

(7) The time each passenger is dropped off

(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 trip number

(12) Whether the trip is a Hail Trip or a Pre-Arranged Trip

(13) Other information required by the Commission

(14) For a Pre-Arranged Trip, the following information is required:

(i) The time of dispatch.

(ii) If the dispatch was for a Pre-Arranged Trip to begin with an airport pickup.

(c) *Access to Trip Record.*

(1) Trip Record information must be available to the Commission as specified in Chapter 83 if received by the Licensee, and to the Affiliated Base, and the Street Hail Livery Driver.

(2) Trip Record information must be available at the end of each shift and/or contract term.

(3) A Licensee must take possession of any written Trip Records weekly if available.

§82-22(c)(3)	Fine: $50	Appearance NOT REQUIRED

(d) *Changes and Corrections*.

(1) A Licensee must not knowingly enter false information into the electronic data system for entry onto the electronic Trip Record.

(2) A Licensee must not make erasures or obliterate information on a written Trip Record, or other record that Licensee is required to maintain.

§82-22(d)(2)	Fine: $50	Appearance NOT REQUIRED

(3) Reserved.

(4) Except as provided in paragraph three of this subdivision, Trip Records may not be changed either in whole or in part, unless authorized by the Commission.

§82-22(d)(4)	Fine: $100 - $350 and/or suspension up to 30 days	Appearance NOT REQUIRED

(e) *Drive For-Hire Prohibition*

(1) The holder of a Street Hail Livery vehicle license must not allow the Street Hail Livery vehicle to be driven for hire if the driver is not logged into the LPEP system. If the LPEP is inoperable, a written Trip Record must be kept during the 48-hour period that the Street Hail Livery is permitted to operate after timely notification of the malfunction. (*See §82-42 of this Chapter*)

§82-23 Records – Contact Information

(a) *Mailing Addresses.*

(1) Each Licensee must designate a Mailing Address. This can be the address of the Affiliated Base but cannot be a post office box number.

(2) Each Licensee must also designate an Email Address and must have a working Email Address at all times.

(3) Any communication from the Commission is sufficient if sent to the Mailing Address furnished by the Licensee.

(4) Any communication from the Commission, except notices and summonses for which the manner of service is specified in §68-05 of these rules, is sufficient if sent by email to the last Email Address provided by the Licensee.

(5) Each individual Licensee must also file and maintain with the Commission the Licensee's personal address and a telephone number where the Licensee can be reached directly.

(6) Each Business Entity Licensee must also file and maintain with the Commission the personal addresses and telephone numbers of each of the Licensee's Business Entity Persons.

§82-23(a)(1) – (6)	Fine: $100	Appearance NOT REQUIRED

(7) The Commission is not required to send any communication to the Licensee's personal address, except when notifying Licensee that the License of the Affiliated Base has been revoked. Other communications sent to the Licensee's personal address are at the discretion of the Commission.

(8) A Licensee must report any change of Mailing Address or Email Address to the Commission in person or by registered or certified mail within ten days.

§82-23(a)(8)	Fine: $100	Appearance NOT REQUIRED

(b) *Telephone Number and Immediate Access.* A Licensee must maintain on file with the Commission a current telephone number connected to an answering machine or recording device, a pager number, an answering service telephone number, a voice mailbox, or a similar means of telephone contact, and an Email Address so that the Commission can reach the Licensee on a 24-hour basis.

§82-23(b)	Fine: $100	Appearance NOT REQUIRED

§82-24 Records – Maintenance Requirements

(a) All Licensees must maintain the following additional records for a period of three years:

(1) Drivers' electronic and written trip records;

(2) Receipts and disbursements from the Street Hail Livery operations;

(3) Payments to Drivers;

(4) Mileage records of each vehicle;

(5) Workers' compensation insurance coverage, if any;

(6) Liability insurance coverage;

(7) Any other information required by the Commission .

§82-24(b)(1)-(7)	Fine: $50 for violation of each paragraph hereof.	Appearance NOT REQUIRED

(c) A Licensee must make available to a Driver any records that the Licensee is required to maintain, and any records the Driver may be required to present to the Commission or any other governmental agency. The Licensee may provide photocopies of such records to the driver.

§82-24(c)	Fine: $50	Appearance NOT REQUIRED

§82-25 Reporting Requirements

(a) *Report Change in Status.*

(1) When a Licensee has a change of Mailing Address, Email Address, or a change in the office of record, the Licensee must report the changes in person or by mail within 10 days of such change (not including weekends and holidays).

(2) The Licensee must bring the Rate Card for the Licensee's Street Hail Livery.

§82-25(a)	Fine: $100	Appearance NOT REQUIRED

(b) *Lost, Stolen, or Damaged Taximeter*. If a Taximeter is lost, stolen or damaged beyond repair, the Licensee must notify the Commission and the Police Department within 48 hours (not including weekends and holidays) of the loss, theft or destruction, and must provide any affidavit or information that the Commission requires.

§82-25(b)	Fine: $100	Appearance NOT REQUIRED

§82-26 Operations – Rates and Tolls

(a) *Metered Rate of Fare When Accepting Passengers by Hail*.

(1) *Metered Rate of Fare*. The rate of fare for Street Hail Liveries for Passengers in Hail Trips is as follows, regardless of the number of passengers or stops:

(i) The charge for the initial unit is $2.50 plus, on and after January 1, 2015, the Street Hail Livery Improvement Surcharge of $0.30 for a total of $2.80

(ii) The charge for each additional unit is $.50

(iii) The unit of fare is:

A. One-fifth of a mile, when the Street Hail Livery is traveling at 12 miles an hour or more; or

B. 60 seconds (at a rate of $.50 per minute), when the Street Hail Livery is traveling at less than 12 miles an hour.

(iv) The Taximeter must combine fractional measures of distance and time in accruing a unit of fare. Any combination of distance or time specified in paragraph (iii) above must be computed by the Taximeter in accordance with Handbook 44 of the National Institute of Standards and Technology.

(v) The fare must include pre-assessment of the unit currently being accrued; the amount due can therefore include a full unit charge for a final, fractional unit.

(2) *Surcharges.* In addition to the metered rate of fare, Street Hail Liveries will add the following surcharges for Hail Trips, except where surcharges are specifically exempted:

(i) A rush hour surcharge of $1.00 for all trips beginning on a weekday after 4:00 p.m. and before 8:00 p.m.; this surcharge will not be applied on legal holidays

(ii) A nighttime surcharge of $.50 for all trips beginning after 8:00 p.m. and before 6:00 a.m.

(3) *MTA Tax.* The MTA Tax must be charged on any Hail Trip that starts in New York City and ends in any of the following:

(i) New York City;

(ii) Dutchess County;

(iii) Nassau County;

(iv) Orange County;

(v) Putnam County;

(vi) Rockland County;

(vii) Suffolk County;

(viii) Westchester County.

(b) *Flat Rates to Kennedy Airport***.**

(1) *Flat Fare Rate from Manhattan*. The fare for a Hail Trip to Kennedy Airport from a location in Manhattan which is in the Hail Zone will be a Flat Rate of $52, plus any tolls and applicable surcharges.

(i) A rush hour surcharge of $4.50 will be added to this Flat Rate for all trips beginning on a weekday after 4:00 p.m. and before 8:00 p.m. This surcharge will not be applied on legal holidays.

(ii) The MTA Tax must be charged in addition to the Flat Rate.

(iii) The Taximeter must reflect that this trip is a Flat Rate fare.

(2) *Metered Fare from Boroughs Other Than Manhattan*. All Hail Trips to Kennedy Airport from a borough other than Manhattan are governed by the metered rate of fare as set forth in §82-26(a).

(3) *Chairperson's Right to Suspend this Provision.* The Chairperson is authorized to suspend the enforcement of this provision at any time, if in the judgment of the Chairperson such a suspension is necessary to preserve adequate levels of service to and from Kennedy Airport

(c) *Group Ride Fares and Multiple Passenger Service*.

(1) *Experimental Group Ride Programs***.**

(i) *Additional Pickup Locations*. The Chairperson can recommend for Commission approval Group Riding plan pickup locations on a temporary basis, to determine the effectiveness of each Group Riding plan. Provided, however, that no such plan shall allow pickups by Street Hail Liveries in the Hail Exclusionary Zone or the Prearranged Exclusionary Zone.

(ii) *Demand-Driven Temporary Group Riding Plans.* The Chairperson can also recommend for Commission approval Group Riding plans on a temporary basis to respond to demand created by special events or unique circumstances. Provided, however, that no such plan shall allow pickups by Street Hail Liveries in the Hail Exclusionary Zone or the Prearranged Exclusionary Zone.

(iii) *Duration.* Any Group Ride plan established by the Commission under this subdivision will terminate one year after the date the plan was established, unless:

A. Final rulemaking has been enacted establishing the Group Riding plan location and rate of fare; or

B. The Commission has determined that it is in the best interest of the Commission to extend the Group Riding plan pilot program for an additional definite period of time not to exceed one year.

(iv) *Termination.* The Commission can discontinue any Group Riding plan that has not been the subject of final rulemaking upon a determination that continuation of the plan is not in the best interest of the public.

(d) *Trips Beyond the City that are Hail Trips*.

(1) For a trip beyond the limits of the City of New York, except for Westchester or Nassau County, or Newark Airport, the fare will be a Flat Rate. The MTA Tax must be added to the Flat Rate for any trip that starts in New York City and ends in any of the following:

(i) Dutchess County;

(ii) Orange County;

(iii) Putnam County;

(iv) Rockland County;

(v) Suffolk County.

(2) For a trip to Westchester or Nassau County the fare will be the sum of the following amounts:

(i) The amount shown on the Taximeter for that portion of the trip that is inside the City limits, plus

(ii) Twice the amount shown on the Taximeter for that portion of the trip that is outside the City limits, plus

(iii) All necessary tolls to and from the destination, and

(iv) The MTA Tax must be added to the total fare.

(3) For a trip to Newark Airport the fare will be the sum of the following amounts:

(i) The amount shown on the Taximeter, plus

(ii) A surcharge of $17.50, plus

(iii) All necessary tolls to and from the destination

(4) Any continuous trip where the point of origin and the destination are both within the limits of the City of New York will not be considered a trip beyond the City limits, even though the shortest and most direct route requires traveling outside the City limits but within contiguous counties. The Taximeter must be kept in the recording position throughout the trip.

(e) *Rates of Fare for Pre-Arranged Trips*.

(1) *Rates Must Not Exceed Scheduled Rates.* A Street Hail Livery Licensee or Driver must not quote or charge a fare on a pre-arranged trip that is more than the fare listed in the Rate Schedule filed with the Commission.

(f) *No Charge for Luggage or Mobility Aids*. There will be no charge for:

(1) Steamer trunks or other luggage or belongings;

(2) Wheelchairs, crutches, three-wheeled motorized scooters and other mobility aids transported in the interior of the Street Hail Livery;

(3) Use of the Vehicle's trunk.

(g) *Tolls – How Tolls are Paid.*

(1) All Street Hail Liveries must be equipped with a New York MTA Bridges & Tunnels *EZ-Pass*®. (*See §82-27)*

(2) When a Street Hail Livery drives through a toll plaza with an *EZ-Pass*®, the MTA Bridges & Tunnels automatically deducts the cost of the toll from an account maintained by the *EZ-Pass*® tag holder.

(3) Passengers must pay for the toll, but are only required to pay the actual amount (often a discounted toll) charged to the *EZ-Pass*®.

(4) Drivers must collect the proper toll amount from the passenger and forward it to the holder of the *EZ-Pass*® tag.

(h) *Tolls – What Tolls are Paid by Passenger.*

(1) On all trips within the City of New York, the passenger must pay:

(i) All tolls incurred driving *to* the passenger's destination.

(ii) No tolls for the Driver's *return* trip, except for trips over:

A. The Cross Bay Veterans Bridge; or

B. The Marine Parkway – Gil Hodges Memorial Bridge.

(2) On trips beyond the City of New York, the passenger must pay all necessary tolls *to and from* the destination.

(3) A Driver who charges a passenger *more* than the actual amount of the *EZ-Pass*® toll is guilty of an overcharge as prohibited by § 80-17.

(4) A Driver who fails to reimburse an *EZ-Pass*® tag holder for all toll charges incurred, including toll charges for which there is no passenger reimbursement, will be subject to the provisions of § 80-15(d).

(5) In addition to any other penalty permitted, the Commission may order restitution to a passenger or the *EZ-Pass*® tag holder.

(i) Beginning on January 1, 2015, the Street Hail Livery Improvement Surcharge must be collected in addition to any fare charged under subdivisions (b) through (d) of this Section.

(j) *E-Payments.*

(1) The payment for the fare for any trip paid for using an E-Payment must not exceed Commission-approved rates.

(2) The fare must be calculated as required by these rules and the Taximeter must be used for all trips, including trips paid for by E-Payment. Any fare paid for by E-Payment must be calculated by the Taximeter and not by any other method.

(3) The itemized fare amount charged to the Passenger must be automatically transmitted to the E-Hail Application from the LPEP or the Taximeter, and relevant payment data necessary to obtain a complete trip record must be transmitted from the E-Hail Application to the LPEP. Manual input of the

fare by the Driver or any other person into the E-Hail Application is not permitted.

(4) A violation of paragraphs (1) and (2) is an overcharge under section 80-17(a)(1) and a Driver can be subject to the penalties for an overcharge under Section 80-02.

§82-26(j)	Fine: $350 if plead guilty before a hearing; $500 if found guilty following a hearing.	Appearance NOT REQUIRED

§82-27 Operations – EZ-Pass® Required

(a) *EZ-Pass® Account.*

(1) All Licensees must participate in the *EZ-Pass*® New York Program by maintaining a current account with the Metropolitan Transportation Authority, Triborough Bridge and Tunnel Authority ("MTA Bridges and Tunnels" or "MTA B&T").

(2) A Licensee may participate in the *EZ-Pass*® New York Program through the Licensee's Affiliated Street Hail Livery Base.

§82-27(a)	Fine: $100 and suspension until compliance	Appearance REQUIRED

(b) *EZ-Pass® Tags Required on all Street Hail Liveries.*

(1) Licensees must either:

(i) Equip the Licensee's Street Hail Livery vehicle with its own MTA Bridges and Tunnels *EZ-Pass*® tag, which must be attached as required by MTA B&T, or

(ii) Allow a Driver to use his or her personal *EZ-Pass*® tag.

(2) Licensees must have available at least one MTA Bridges and Tunnels tag for each Street Hail Livery.

(3) Licensees must maintain a sufficient balance in their *EZ-Pass*® account, according to what is required by the program.

§82-27(b)	Fine: $100 and suspension until compliance	Appearance REQUIRED

§82-28 Operations

§82-29 Operations – Miscellaneous Requirements

(a) *Passenger Trips by Pre-Arrangement*.

(1) No Street Hail Livery Licensee will allow the Licensee's Vehicle to transport Passengers for hire on Pre-Arranged Trips other than through pre-arrangement with a Base licensed by the Commission.

(2) A Street Hail Livery Licensee will be liable for penalties for any violation of this subdivision.

§82-29	Vehicle: During any license term, $100 for the first violation during such term, with the penalty increasing by $100 for each subsequent violation up to a maximum of $10,000.	Appearance NOT REQUIRED

(b) *Lost Property.* Passenger lost property found in a Street Hail Livery must be taken without delay to the Vehicle's Street Hail Livery Base unless it can be returned to its rightful owner within a reasonable time.

§82-29(b)	Fine: $25 – 250	Appearance REQUIRED

(c) *Lost Property–Notify the Commission.* The Street Hail Livery Licensee must promptly inform the Commission of any property that has been taken to the Vehicle's Base as required by this section

§82-28(b)	Fine: $25	Appearance NOT REQUIRED

§82-30 Vehicle Condition – Inspections

(a) *Required Inspections.* No new or replacement Street Hail Livery can operate for hire unless it has been inspected and approved by the Commission.

§82-30(a)	Fine: $100 and seizure of the vehicle	Appearance NOT REQUIRED

(b) *Biannual Inspection.* A Licensee must have the Street Hail Livery inspected every six months at a date and time designated by the Commission and at any other time deemed necessary by the Commission. The Street Hail Livery must be inspected at a Commission inspection facility. The License of a Licensee whose Street Hail Livery is not timely inspected will be summarily suspended.

§82-30(b)	Fine: (penalties below are cumulative) 0-30 days past inspection due date: $100 and Suspension until compliance 31-60 days past inspection due date: $100-$250 and Suspension until compliance	Appearance REQUIRED

	61-120 days past inspection due date: $250-$500 and Suspension until compliance More than 120 days past inspection due date: $500 and/or revocation.	

(c) *Components of Street Hail Livery Inspections.* Except as provided in (f) below, a Street Hail Livery inspection consists of (1) inspection to verify compliance with the inspection items required by Section 301 of the New York State Vehicle and Traffic Law, (2) visual inspection of the interior and exterior of the Street Hail Livery to verify compliance with these Rules, and (3) inspection to verify compliance with any other applicable laws, rules and requirements.

(d) If a Street Hail Livery fails any component of the inspection, it must be reinspected until it passes all components of the inspection. A Street Hail Livery Vehicle which cannot pass inspection must be replaced.

(e) *Street Hail Livery Vehicles Subject to On-Street Inspections*. Street Hail Liveries are subject to on-street inspections by TLC or any other agency authorized by law.

(f) *Special Requirements For Accessible Street Hail Liveries.*

(1) Accessible Street Hail Liveries that are For-Hire Vehicles must meet the requirements of subdivisions (a) through (e) above.

(2) Accessible Street Hail Livery that are Paratransit Vehicles must meet the requirements of (a), (b), (d), and (e) above. Components of the inspection of Paratransit Vehicles performed by the Commission will include only a visual inspection to ensure compliance with the requirements for Accessible Street Hail Liveries and a taximeter test. Paratransit Vehicles remain subject to NYS Department of Transportation Inspection requirements.

(3) All Accessible Street Hail Liveries are subject to the following additional requirements:

(i) The License of an Accessible Street Hail Livery which fails to appear for inspection when required or when ordered by the Commission shall be suspended.

(ii) Upon inspection of an Accessible Street Hail Livery, the date of the inspection and signature of inspector must be recorded and posted in each vehicle.

(iii) The License of an Accessible Street Hail Livery for which the Licensee has been ordered by the Commission to repair or replace

the Vehicle shall be suspended 10 days after service of the notice to repair or replace, unless the Licensee has complied within that period.

(iv) The License of an Accessible Street Hail Livery which is suspended under this subdivision (f) and is not reinstated within 120 days shall be terminated and may not be renewed or transferred.

§82-31 Vehicle Condition – Meet Safety Standards

(a) While a Street Hail Livery is in operation, all equipment, including brakes, tires, lights and signals must be in good working order and meet all requirements of the New York State Vehicle and Traffic Law, and the Rules of the Commission.

§82-31(a)	Fine: $150 if plead guilty before a hearing; $200 if found guilty following a hearing.	Appearance NOT REQUIRED

(b) A Licensee must comply with all notices and directives to correct defects in the Street Hail Livery.

§82-31(b)	Fine: $50 and suspension until the defective condition is corrected.	Appearance NOT REQUIRED

(c) A Licensee must repair or replace a Street Hail Livery when the Commission or the New York State DMV (or the New York State Department of Transportation if the Street Hail Livery is a Paratransit Vehicle) determines that the vehicle is unsafe or unfit for use as a Street Hail Livery and directs the Licensee to remove it from service. The Licensee must surrender the License and Rate Card to the Commission for storage and the License will be suspended. (*NOTE:* See Section 82-30(f) for special requirements applicable to Accessible Street Hail Liveries).

(1) If the Chairperson has determined that the Vehicle is unsafe or unfit, the Decals will be confiscated by the Chairperson.

(2) If the New York State DMV or a DMV inspection facility other than the Commission has determined that the Vehicle is unsafe or unfit, the Licensee must return the Decals to the Chairperson within 72 hours of issuance of the determination.

(3) If the Chairperson has any reason to believe that any Street Hail Livery is unsafe or unfit for use, the Chairperson can order the Vehicle to report to the Commission's inspection facility.

(4) The License of a Licensee who operates a Street Hail Livery that has been determined to be unsafe or unfit for use will be summarily suspended.

§82-31(c)	Fine: $100 - $350 and/or suspension up to 30 days Suspension until compliance	Appearance REQUIRED

§82-32 Vehicle Condition – Miscellaneous

(a) *Clean*. The Street Hail Livery's exterior and interior must be clean.

§82-32(a)	Fine: $50 if plead guilty before a hearing; $75 if found guilty following a hearing.	Appearance NOT REQUIRED

(b) *Trunk*. The trunk compartment must be capable of securely holding passengers' baggage.

§82-32(b)	Fine: $75	Appearance NOT REQUIRED

(c) *Shoulder Belts.*

(1) Every Street Hail Livery must be equipped with shoulder belts for both outside front seat positions and both outside rear seat positions.

§82-32(c)(1)	Fine: $100 - $250	Appearance REQUIRED

(2) All seat belts and shoulder belts must be clearly visible, accessible and in good working order.

§82-32(c)(1)	Fine: $100 - $250	Appearance REQUIRED

(d) *Correct Defect Directives.* A Street Hail Livery Licensee must comply with all Commission notices and directives to correct defects in the Vehicle.

§82-32(d)	Fine: $50 and suspension until the defective condition is corrected	Appearance NOT REQUIRED

(e) *Working Equipment.* A Street Hail Livery Licensee must not permit a Street Hail Livery to be operated unless equipment, including brakes, lights, signals, and Passenger seatbelts and shoulder belts, are in good working order and meet all the requirements of the New York State Vehicle and Traffic Law and these Rules.

§82-32(e)	Fine: $150 if plead guilty before a hearing; $200 if found guilty following a hearing.	Appearance NOT REQUIRED

(f) *Post-Manufacture Alterations.*

(1) No Street Hail Livery (except for an Accessible Street Hail Livery) can be altered after manufacture:

(i) To increase its length, width, weight or seating capacity, or

(ii) To modify its chassis and/or body design.

(g) *Proper Vehicle Identification Required.*

(1) *License Plate Number Matches.* The license plate number on the state registration certificate, and on the Commission Decals must match each other.

§82-32(g)(1)	Fine: $200 if plead guilty before a hearing; $300 if found guilty following a hearing.	Appearance NOT REQUIRED

(2) *Vehicle Identification Number Matches.* The last six digits of the vehicle identification number (VIN) on the Commission Decals must match the last six digits of the VIN on the state registration, and the VIN on the Vehicle.

§82-32(g)(2)	Fine: $100	Appearance NOT REQUIRED

(3) *T & LC License Plates.* A Street Hail Livery must have New York State license plates affixed to the Vehicle that are embossed with the legend "T & LC." No "vanity" license plates are permitted.

§82-32(g)(3)	Fine: See §82-12(b) and penalties for violation which apply here	Appearance NOT REQUIRED

(h) *Two-Door Vehicles Prohibited.* No Street Hail Livery can be a two door vehicle.

§82-32(h)	Fine: Suspension of the Street Hail Livery License	Appearance REQUIRED

(i) *No Physical Movement of License or Decals.* A Licensee must not affix, remove or transfer a License to a new or replacement vehicle without prior authorization of the Commission.

§82-32(i)	Fine: $100 - $350 and/or suspension up to 30 days	Appearance REQUIRED

(j) *License Number on Roof Light*. The License number on the front and rear of the roof light must be clean and unobstructed so that the License number is plainly visible.

§82-32(j)	Fine: $50 if plead guilty before a hearing; $75 if found guilty following a hearing.	Appearance NOT REQUIRED

(k) *Illumination.* When a Street Hail Livery is in operation for hire after sunset, the following items must be illuminated so that they are clearly visible from the rear seat:

(1) The face of the Taximeter;

§82-32(k)(1)	Fine: $25	Appearance NOT REQUIRED

(2) The TLC Driver License;

§82-32(k)(2)	Fine: $200	Appearance REQUIRED

(3) The Rate Card.

§82-32(k)(3)	Fine: $200	Appearance REQUIRED

(l) *Lighting Control.* The dashboard dimmer switch or any other device must not control the candlepower of the roof light, Taximeter light, card frame light or interior lighting.

§82-32(l)	Fine: $50 - $350 and/or suspension up to 30 days	Appearance N/A

§82-33 Vehicle – Markings & Advertising

(a) *Approved Exterior Markings.*

(1) A Street Hail Livery Licensee must apply to the exterior of the Street Hail Livery the following markings approved by the Commission:

(i) Two Street Hail Livery logo decals

(ii) Two rate of fare decals

(iii) Two License number decals

(2) A Street Hail Livery Licensee must obtain the approved Street Hail Livery markings from a person or entity authorized by the Commission to print and distribute the decals. A depiction of the decals and a list of persons authorized to print and distribute the decals will be available on the Commission's Website and/or through other means determined by the Commission and announced on its Website.

(3) *Accessible Vehicle Insignia.*

(i) The design for insignia that will identify the vehicle as an Accessible Street Hail Livery will be provided by the Commission on its Web site or through other means presented on its Web site.

(ii) These insignia must be located on the exterior of the C-pillars of a sedan or an SUV or on the exterior of the D-pillars of a minivan, on both sides of the Accessible Street Hail Livery, and will be visible to passengers entering the Accessible Street Hail Livery.

(4) *Clean Air Vehicle Insignia*.

(i) The design for insignia that will identify the vehicle as a Clean Air Vehicle will be provided by the Commission on its Web site or through other means presented on its Web site.

(ii) These insignia must be located on the exterior of the C-pillars of a sedan or an SUV or on the exterior of the D-pillars of a minivan, on both sides of such Vehicle, and will be visible to passengers entering the clean air Vehicle.

§82-33(a)	Fine: $75	Appearance NOT REQUIRED

(b) *Approved Decals and Emblems.*

(1) A Licensee must not display emblems on the Street Hail Livery exterior, other than an emblem identifying:

(i) The Street Hail Livery manufacturer.

(2) New Decals must be placed on the Vehicle by the Commission Safety and Emissions Division:

(i) When the License is renewed; or

(ii) If the Vehicle is replaced, changes affiliation, or changes its license plates.

§82-33(b)(1)-(2)	Fine: $200	Appearance REQUIRED

(c) *Base Station Affiliation Signs*. A Street Hail Livery Licensee may identify the

vehicle's Affiliated Base Station on the exterior of the vehicle if the base station marking conforms to the following specifications:

(1) The name of the Base Station, its License number and telephone number must be displayed in one of the following ways:

(i) In letters and numerals at least one-and-one-half inches in height, on the outside of a door or doors on both sides of the Vehicle, below the windows and at least six inches above the bottom of the door(s);

(ii) In letters and numerals at least one inch in height in one location on the rear of the Vehicle below the rear window, and at least six inches above the bottom of the rear of the Vehicle, or

(iii) Both on the doors and rear of the Vehicle.

(2) The letters and numerals must be of a color that contrasts with the color of the body of the Vehicle so that it is easy to see and read.

(3) Lettering and numbering must be spaced to provide easy legibility and, if placed on doors on both sides of the Vehicle, must be identical on both sides.

(4) All Decals must be semi-permanent adhesive stickers.

§82-33(c)	Fine: $25	Appearance NOT REQUIRED

(d) *Other Approved Markings.* A Licensee must not display any lettering, emblem, advertising or marking of any kind on the exterior of a Street Hail Livery, including windows and exterior accessories, except for the following:

(1) Markings, inscriptions and/or advertising specifically permitted or authorized by the Commission.

(2) Advertising that is authorized by the Commission on the Vehicle's Rate Card and for which the Licensee has obtained a license from the Commission.

§82-33(d)	Fine: $25	Appearance NOT REQUIRED

(e) *Maintain in Good Condition.* Required inscriptions and markings must be maintained in good condition.

§82-33(e)	Fine: $75	Appearance NOT REQUIRED

(f) *Approved Interior Markings.* A Licensee must not display inside a Street Hail Livery any advertising or other notice not specifically authorized by these rules or the Commission's Marking Specifications for Street Hail Liveries unless approved by the Commission, except for the following:

(1) Industry signage/logos of all credit/debit cards accepted by the LPEP, all of equal size, shown in the information content on the PIM, or shown on the screen, or device that reads credit/debit cards in LPEPs without a PIM; and

(2) Advertising in the information content on the PIM or as set forth in the Street Hail Livery Marking Specifications table (§82-33(l)) of these Rules.

§82-33(f)	Fine: $50 if plead guilty before a hearing; $75 if found guilty following a hearing	Appearance NOT REQUIRED

(g) *Braille and Raised Lettering Plaques.* The Licensee must equip the Street Hail Livery with both of the following:

(1) *A Street Hail Livery Identification Braille Plaque.*

(i) This plaque must be made of .040 gauge aluminum with a matte finish and measure 3¼ inches in length and 1¾ inches in height, with radius corners.

(ii) The plaque must state, in Raster Braille grade two:

A. The Street Hail Livery License number centered on the first line,

B. The word "COMPLAINTS" centered on the second line, and

C. The telephone number "311" centered on the third line.

(iii) The plaque must be permanently affixed on the door armrest of the horizontal plane of the right rear door, or another location approved by the Chairperson.

(2) *A Street Hail Livery Identification Raised Lettering Plaque.*

(i) This plaque must be made of ⅛-inch thick black acrylic plastic and measure 11 inches in length and five inches in height, with radius

corners and four holes (one in each corner) for attachment with screws.

(ii) The plaque must state, in one inch high white Helvetica lettering that is permanently affixed:

A. The License number centered on the first line,

B. The word "COMPLAINTS" centered on the second line, and

C. The telephone number "311" centered on the third line with appropriate spacing between the three words.

(iii) The plaque must be permanently affixed on the rear of the front right passenger seat or partition, not more than six inches below the lexan or polycarbonate portion of the partition.

§82-33(g)(2)	Fine: $100. No penalty for missing plaque, if condition is corrected within forty-eight hour	Appearance N/A

(h) *Valid Registration Sticker*. A Valid registration sticker from the NYS Department of Motor Vehicles must be affixed to the left front windshield so as to be plainly visible.

§82-33(h)	Fine: $100	Appearance NOT REQUIRED

(i) *Inspection Sticker*. A Valid New York State DMV inspection sticker that has no fewer than six months left before the sticker expires must be plainly visible on the front left side of the front windshield.

§82-33(i)	Fine: $100 and suspension of the Street Hail Livery License until any defect found is corrected Penalty Points: 1.	Appearance REQUIRED

(j) *Street Hail Livery Color*.

(1) *Street Hail Livery Color*. The exterior of the Street Hail Livery vehicle must be painted Street Hail Livery designated color , except for the trim. The specifications for Street Hail Livery designated color will be posted on the Commission's Web site.

(2) *Taxicab Yellow Prohibited.* No part of a Street Hail Livery may be painted any shade of Taxicab Yellow.

§82-33(j)	Fine: $350 for the first violation; $500 for the second violation in 24 months; Revocation for the third violation in 36 months	Appearance REQUIRED

(k) *Prohibited Advertising*

(1) A Licensee must not display any advertising on the exterior of a Street Hail Livery unless the advertising has been authorized by the Commission and a License has been issued following the provisions of the Administrative Code. See §82-35 of this Chapter.

§82-33(lj	Fine: $50	Appearance NOT REQUIRED

(l) *Marking Specifications for Street Hail Liveries.*

INSCRIPTION*	LOCATION	SIZE
(a) Rate of fare decals (required). (Non-detachable type only.)	Both rear doors centered left to right and located in the upper half of the flat surface between the bottom edge of the door and the door handle. The base line of the rate of fare and Street Hail Livery logo decals must be parallel and the same distance to the bottom door edge.	The size of the approved rate of fare decals must be determined by the Commission.
(b) Street Hail Livery logo decals (required) (Non-detachable type only.)	Both front doors centered left to right and located in the upper half of the flat surface between the bottom edge of the door and the door handle. The base line of the rate of fare and Street Hail Livery logo decals must be parallel and the same distance to the bottom door edge.	The size of the Street Hail Livery logo decals must be determined by the Commission
(c) License number (required)	Front and rear of roof light.	2¾" to 3" high letters ½" thick.
(d) License number, interior (required). Can be one-piece decal or a stencil. The number must be of a color contrasting with the seat, to provide for easy legibility.	On the back of the front seat. The top of the number must be located not more than two inches below the top of the front seat.	Numbers and letter must be 3" minimum in height.
(e) Passenger Information Sign. (required) Must contain the information required by the Commission.	On the back of the front seat or on a safety partition, displayed in a manner that is clearly visible to the passengers in the back seat. If the vehicle is equipped with a safety partition, the passenger information sign can be placed on the partition behind the Driver's head, but no higher than a headrest would be.	Approximately 12" wide by 6" high.
(f) "Drivers Wanted" sign. Can include the telephone number of the Owner. (Optional)	Rear of vehicle.	No more than 24" wide by 3" high.

INSCRIPTION*	LOCATION	SIZE
(g) "If this vehicle is parked for over 24 hours, please call Owner at (telephone number)…" (Optional)	Rear of vehicle or horizontal on dashboard.	No more than 24" wide by 3" high.
(h) Brand name of manufacturer of PIM, screen, or device that reads credit/debit cards or Street Hail Livery Technology System (LPEP)	On the bezel of the frame of the PIM or screen, or on the device that reads credit/debit cards	Not to exceed 11/4" in height and 4" in length
(i) "This vehicle is equipped with camera security. YOU WILL BE PHOTOGRAPHED." (Non-detachable decals only)	On rear passenger window	Letters must be at least one-half inch high.
(j) License number decals (required). (Non-detachable decals only.)	The decals must be applied to both rear quarter panels, just below the rear windows or following the line created by the bottom edge of the windows, such that the number and checkerboard are aligned and appear to be one stripe. On some vehicles, such as minivans, the License number can be placed at the rear of the sliding door, but must still align with the checkerboard stripe.	The size of the License number decals must be determined by the Commission.
(k) "Drivers are not allowed to use cell phones or handheld electronics." Decal or sticker shall be issued by the Commission	Interior of passenger compartment in a location plainly visible to passengers	As issued by the Commission
(l) "Turning? People are Crossing." The sticker must be obtained pursuant to instructions posted on the Commission's website or through other appropriate means announced on the website. (required)	On the inside of the front windshield, in the center and adjacent to the top of the windshield directly behind the rearview mirror, placed in such a manner not to obstruct the driver's view.	3.5" wide by 2.5" high.
(m) "The choices you make behind the wheel matter." The sticker may be obtained pursuant to instructions posted on the Commission's website or through other appropriate means announced on the website. (optional)	On the rear bumper of the vehicle.	15" wide by 4" high.
(n) "Street Hail Livery Hail Zone Decal." The decal may be obtained pursuant to instructions posted on the Commission website or through other appropriate means announced on its website. (required)	On the driver and passenger side rear doors, with the left-most point of the decal vertically aligned with the left-most point of the metered fare decal, and located two inches below the base line of the rate of fare decals.	The size of the decal will be determined by the Commission.

INSCRIPTION*	LOCATION	SIZE
(o) "ATTENTION: Assaulting A Driver Is Punishable By Up to Twenty-Five Years in Prison." The sticker must be obtained pursuant to instructions posted on the Commission website or through other appropriate means announced on its website. (required)	In Street Hail Livery Vehicles with a partition, the sticker will be placed above the braille plaque on the partition. In Street Hail Livery Vehicles without a partition, the sticker will be placed in a frame on the passenger seat headrest.	8.0 x 2.000 inches.
(p) "Taxi and Limousine Drivers Are Protected By New York State Law ATTENTION: Assaulting a driver is punishable by up to twenty-five years in prison." The sticker may be obtained pursuant to instructions posted on the Commission website or through other appropriate means announced on its website. (optional)	On a rear passenger window.	3.5 x 3.5 inches.
(q) The decal will feature the International Symbol of Access for Hearing Loss, described as the profile of an ear with a wide diagonal line running from the bottom left to the top right. The symbol contrast shall be light on dark or dark on light. A "T" will be placed in the lower right-hand corner of each decal. The decal will include the language "Induction loop installed. Switch hearing aid to T-coil."	The decal will be placed in the Street Hail Livery Vehicles that are equipped with the Hearing Induction Loop capability as directed by the Chairperson. For vehicles that are not OTVs but have Hearing Induction Loop technology, place as directed by the Chairperson.	The exterior B-pillar decal will be 3.0 x 3.0 inches; the interior passenger compartment decal dimensions will be as issued by the Commission

*Detachable signs suspended from door frames are not permitted.

(m) *Special Exception for Accessible Street Hail Liveries that are also Paratransit Vehicles.*

(1) Accessible Street Hail Liveries that are also Paratransit Vehicles must also comply with NYS marking requirements.

(2) Where such NYS requirements conflict with the requirements of this Chapter, those NYS requirements will supersede the provisions of this Chapter.

(3) Where NYS requirements supersede the requirements of this Chapter, the Licensee will work with the Chairperson to determine appropriate placement of Commission markings.

§82-34 Vehicles – Items Required in Vehicle

(a) The following must be present in the Street Hail Livery while it is in operation for hire:

(1) The Street Hail Livery License;

(2) The Rate Card, in the Driver's License frame;

(3) An insurance card or photocopy, unless the Licensee is self insured and has noted this fact on the Rate Card along with any other information required by the Commission;

(4) On the right visor, on top of the right side of the dashboard, or in the glove compartment:

(i) The certificate of registration or a legible copy of it;

(ii) The insurance card or a legible copy of it;

(5) Receipt for payment of NYC Commercial Motor Vehicle Tax;

(6) All other notices required to be posted in the Street Hail Livery.

§82-34(a)(1)-(4)	Fine: $25 for each item not in vehicle, not to exceed $75 in the aggregate	Appearance NOT REQUIRED

(7) A means of collecting and recording all of the Trip Sheet data which shall be the LPEP, or an alternate means of collecting Trip Sheet data in the case of a LPEP malfunction.

(8) Passengers' Bill of Rights if not on the PIM

(9) NYC Map if not on the PIM

(10) A NYC Street Map or Automatic Vehicle Location System for the Driver.

§82-35 Vehicle Equipment

(a) *Roof Light.* A roof light is required on all Street Hail Liveries, as required by the Hack-Up specifications in Subchapter B of this Chapter; the Street Hail Livery Licensee must ensure compliance with the following:

(1) *Controlled by Taximeter.* The Street Hail Livery roof light must be automatically controlled by the operation of the Taximeter so that it is lighted only when the Taximeter is in an off position and unlighted when the Taximeter is in a recording position or off duty position, or when the Taximeter is detached from its bracket. A Licensee must not tamper with the operation of the Street Hail Livery's roof light.

§82-35(a)(1)	Fine: $50 - $350 and/or suspension up to 30 days	Appearance REQUIRED

(b) *Heating and Air Conditioning*. Each Street Hail Livery must be equipped with an operable heating and air conditioning system; when the vehicle is also equipped with a partition, the air conditioning system must be able to provide cool air to the rear passenger area.

§82-35(b)	Fine: $50	Appearance REQUIRED

(c) *Distress Signal Lighting*. A Licensee must equip the Street Hail Livery with a help or distress signaling light system meeting the requirements set forth in Subchapter B of these Rules.

§82-35(c)	Fine: $175 and suspension until the condition is corrected. Respondent must provide a condition corrected form issued by the TLC's Safety and Emissions Division.	Appearance NOT REQUIRED

(d) *Optional Rooftop Advertising Fixture.*

(1) A Licensee may equip a Street Hail Livery Vehicle with an authorized Rooftop Advertising Fixture in accordance with § 82-63

(2) The Licensee must remove a Rooftop Advertising Fixture if the TLC terminates such authorization in accordance with § 82-63(d) of these Rules.

(3) A Licensee must not use any rooftop advertising fixture unless the Licensee has obtained a permit to use such a fixture.

(4) A Licensee can use only an authorized Rooftop Advertising Fixture.

§82-35(d)(1-4)	Fine: $200	Appearance NOT REQUIRED

(5) A Licensee shall be prohibited from installing any advertising material if a Vehicle Owner reasonably objects to the express or implied content of such material. A Vehicle Owner may, but cannot be compelled to, waive this right to object by providing a Licensee a blanket prior written consent to all advertising material. If such Vehicle Owner does not waive this right, and there is a dispute with respect to such advertising, Licensee and Vehicle Owner shall name a third party who shall decide any such dispute. If the Licensee and Vehicle Owner cannot agree on who shall decide the dispute they may obtain the assistance of any alternate dispute resolution service with offices in the City of New York, the cost of which service will be equally shared by the Licensee and the Vehicle Owner.

(6) The definition of Vehicle Owner for this subdivision includes the title owner of the Street Hail Livery vehicle, or the long-term lessee of the Street Hail Livery vehicle where the vehicle lease has a conditional purchase agreement for the vehicle.

§82-35(d)(5)	Fine: $150 for every thirty days the advertising material is posted on the street hail livery, if plead guilty before a hearing; $200 for every thirty days the advertising material is posted on the street hail livery, if found guilty following a hearing.	Appearance NOT REQUIRED

(e) *Electronic Dispatching and E-Hail Device.* In addition to the required LPEP equipment and the dispatch equipment required by the Licensee's affiliated Base pursuant to §59B-15(d)(1) of these Rules, a Licensee may equip a Street Hail Livery with one electronic device that is used to accepted dispatches from a Base or Dispatch Service Provider and/or E-Hails from a licensed E-Hail application, provided that that the device is mounted in a fixed position and not hand-held and use of the electronic device is limited to either voice or one-touch preprogrammed buttons or keys while the Street Hail Livery is in motion.

§82-36 Vehicle Equipment – Partitions

(a) *Requirement.* A Street Hail Livery must be equipped with a partition that isolates the Driver from the rear seat Passengers and meets the requirements set forth in Subchapter B of these Rules.

§82-36(a)	Fine: $350 if plead guilty before a hearing and supply a condition corrected form issued by TLC's Safety and Emissions Division; $450 if found guilty following a hearing. Suspension until the condition is corrected.	Appearance NOT REQUIRED

(b) *Exemptions.*

(1) A Street Hail Livery will be exempt from the requirements of subdivision (a) if the Vehicle is equipped with *all* of the following safety devices:

(i) An FCC-licensed commercial two-way radio with an emergency button that would notify the dispatcher that the Driver is in trouble or a cellular telephone that has an emergency dialing feature;

(ii) The distress signaling light required by § 82-35(c), above;

(iii) An approved in-vehicle camera system.

(c) *Curtain Airbags Modification.*

(1) A Street Hail Livery that is equipped with factory installed curtain airbags must be equipped with a modified partition that does not extend the full width of the interior of the Street Hail Livery.

(2) The modified partition instead must allow a space of six inches at each side, sufficient to license proper deployment of the curtain airbags.

(3) The modified partition must conform in all other respects with the applicable requirements of Subchapter B of this Chapter.

§82-36(c)	Fine: $300 and suspension until the condition is corrected	Appearance REQUIRED

§82-37 Vehicle Equipment – In Vehicle Camera System (IVCS)

(a) When an existing in-vehicle camera system is required to be replaced or when the system is installed, the Street Hail Livery must be equipped with an IVCS that meets the specifications of Subchapter B; the system must be installed and maintained by the manufacturer's authorized installer or a Taximeter Business that meets the requirements of Subchapter B; and the IVCS must be functioning and maintained in good working order.

§82-37(a)	Fine: $350 if plead guilty before a hearing and supply a condition corrected form issued by TLC's Safety and Emissions Division; $450 if found guilty following a hearing. Suspension until the condition is corrected.	Appearance NOT REQUIRED

(b) Each Street Hail Livery equipped with an IVCS must be equipped with a cellular telephone as set forth in subdivision (b) of § 82-36 of this Chapter.

§82-37(b)	Fine: $50	Appearance NOT REQUIRED

(c) Each Street Hail Livery equipped with an IVCS must display decals on each rear passenger window, visible to the outside, that contain the following information: "This vehicle is equipped with camera security. YOU WILL BE PHOTOGRAPHED."

§82-37(c)	Fine: $50	Appearance NOT REQUIRED

§82-38 Vehicle Equipment – Taximeters

(a) *Taximeter Requirements.* A Street Hail Livery Licensee must equip the Street Hail Livery with a Taximeter subject to the following conditions:

(1) The Taximeter must be of a make and type approved by the Commission.

§82-38(a)(1)	Fine: $50	Appearance NOT REQUIRED

(2) It must be affixed to the vehicle's dashboard so that it is clearly readable and visible to all passengers in the vehicle.

§82-38(a)(2)	Fine: $50	Appearance NOT REQUIRED

(3) The Taximeter's serial number must be the same as that shown on the Rate Card assigned to the Street Hail Livery; or entered on the Rate Card by a Licensed Taximeter shop.

§82-38(a)(3)	Fine: $500	Appearance NOT REQUIRED

(4) The Street Hail Livery tire size must be the same as that for which the Taximeter is calibrated, as indicated by the Rate Card.

§82-38(a)(4)	Fine: $50	Appearance NOT REQUIRED

(5) All Taximeter seals must be installed by a Licensed Taximeter repair shop or agent of the Commission.

§82-38(a)(5)	Fine: $500	Appearance REQUIRED

(6) The wiring harness leading from the Taximeter to the speed sensor must be of one piece construction with no intervening connectors, splices, "Y" connections, or direct or indirect interruptions or connections of any kind whatsoever.

§82-38(a)(6)	Fine: $500	Appearance REQUIRED

(b) *Accuracy of Taximeter.* A Street Hail Livery must be equipped with a Taximeter that is in good working condition and will accurately compute the rate of fare currently established by the Commission. Penalties for violation are as follows:

(1) *1% Inaccurate.* The penalty is $50, if the Taximeter is found to be at least 52.8 feet (one percent) inaccurate, but less than 264 feet (five percent) inaccurate in computing distance, or more than one percent but less than five percent inaccurate in computing time.

(2) *5% Inaccurate.* The penalty is $200, if the Taximeter is found to be at least 264 feet (five percent) inaccurate but less than 528 feet (ten percent)

inaccurate in computing distance, or more than five percent but less than ten percent inaccurate in computing time.

(3) *10% Inaccurate.* The penalty is $300, if the Taximeter is found to be at least 528 feet (ten percent) inaccurate in computing distance or ten percent inaccurate in computing time, for a first violation.

(4) *Repeated 10% Inaccuracy.* The penalty is $600, if the Taximeter is found to be at least 528 feet (ten percent) inaccurate in computing distance or ten percent inaccurate in computing time, for a second or subsequent violation within thirty-six months.

§82-39 Vehicle Equipment – Taximeter Defects

(a) *No Defects in Taximeter or Installation.* A Street Hail Livery must not be in service for hire with a defective Taximeter or a Taximeter that has been improperly installed.

(b) *Repair or Replace Defective Taximeter.* Whenever a Taximeter or its installation is defective or whenever a Taximeter computes an inaccurate rate of fare, the Licensee must have the Taximeter:

(1) Repaired, tested and certified at a licensed Taximeter Business, or

(2) Replaced by the Taximeter Business with an approved Taximeter that has been inspected, tested and sealed;

(c) *Assembly Must be Certified.* After repair or replacement of the Taximeter, the Taximeter/vehicle assembly must be tested and certified in compliance with Commission regulations.

§82-39(a)-(c)	Fine: $100	Appearance NOT REQUIRED

(d) *Repairs by Licensed Agent.* No adjusted, repaired or recalibrated Taximeter or appurtenance of a Taximeter can be installed in a Street Hail Livery unless the adjustment, repair or recalibration was done at a licensed Taximeter repair shop or other authorized facility. The Licensee is responsible for any installation that violates this rule.

§82-39(d)	Fine: $75	Appearance NOT REQUIRED

§82-40 Vehicle Equipment – Taximeter & LPEP Tampering

(a) *Unauthorized Tampering.* Unless authorized by the Commission, no person may tamper with, alter, repair or attempt to repair any portion of the Taximeter system that would affect the operation of the Taximeter or the LPEP, including, but not limited to:

(1) The Taximeter

(2) The LPEP

(3) Any seal affixed to the Street Hail Livery by a licensed Taximeter repair shop or other authorized facility

(4) Any cable connection or cable system electrical wiring of a Taximeter or LPEP

(5) The vehicle's mechanism or its tires that would affect the operation of the Taximeter or of the LPEP.

(b) *Licensee's Responsibility.* The Licensee is responsible for any tampering, alteration or any unauthorized repair or attempt to repair.

§82-40(a) & (b)	Fine: $250 – 1,500 and/or suspension up to 30 days. Suspension until compliance under to §68-22 of this title	Appearance N/A

(c) *Licensee's Defense.* It will be an affirmative defense to a violation of this section that the Licensee:

(1) Did not know of or participate in the alleged tampering of the Taximeter or LPEP; and

(2) Exercised due diligence to ensure that tampering with the Taximeter or LPEP would not occur. Examples of a Licensee's due diligence include, but are not limited to:

(i) Clearly warning Drivers that if they violate the Taximeter or LPEP tampering rules, Licensee will:

A. Immediately terminate any lease agreement the Street Hail Livery Licensee has with the Driver; and

B. Report the tampering violation to the Commission, which will result in the probable revocation of their TLC Driver License;

(ii) Including the warning against violating the Taximeter and LPEP tampering rules as a provision in any written lease agreement;

(iii) Stamping the warning against violating the Taximeter and LPEP tampering rules on any written Trip Records whenever paper Trip Records must be issued to one or more Street Hail Livery Drivers;

(iv) Conducting periodic random comparisons of the odometer and the Taximeter mileage readings of a Street Hail Livery to check for any inappropriate disparities;

(v) Conducting periodic random inspections of the Taximeter and the LPEP to detect any evidence of tampering; and

(vi) Having all of the Street Hail Livery inspected by a licensed Taximeter shop once every inspection cycle.

(d) *Notify the Commission of Tampered, Unauthorized or Removed Taximeter*. A Licensee must notify the Commission by telephone immediately, and in writing within 24 hours, upon discovering any of the following:

(1) Any Taximeter other than the Taximeter approved by the Commission (as indicated on the Rate Card) has been installed in the Street Hail Livery;

(2) Any Taximeter seal in the Street Hail Livery has been removed or tampered with;

(3) Any unauthorized device has been connected to any Taximeter, or to any seal, cable connection or electrical wiring, in the Street Hail Livery, which can affect the operation of the Taximeter;

(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 Street Hail Livery.

§82-40(d) (1)-(4)	Fine: $500-$1,000 and/or suspension up to 60 days or revocation	Appearance REQUIRED

(e) *Inspections by Authorized Person***.**

(1) A Street Hail Livery's Taximeter must be tested for accuracy over a measured mile course and its installation must be tested for compliance with the rules of the Commission.

(2) Only personnel authorized by the Commission can perform these tests.

(3) The inspections specified in paragraph one of this subdivision must be completed and the results of the tests indicated on the Rate Card in each of the following circumstances:

(i) At least once every 12 months.

§82-40(e) (3)(i)	Fine: $150 if plead guilty before a hearing; $200 if found guilty following a hearing.	Appearance NOT REQUIRED

(ii) Whenever a Taximeter is installed in a vehicle.

§82-40(e) (3)(ii)	Fine: $100	Appearance NOT REQUIRED

(iii) When the transmission or differential is altered, repaired or replaced.

§82-40(e) (3)(iii)	Fine: $50	Appearance NOT REQUIRED

(iv) When a change is made in any other part of the Street Hail Livery that can affect the Taximeter reading.

§82-40(e) (3)(iv)	Fine: $50	Appearance NOT REQUIRED

(v) At any other time required by the Commission.

§82-40(e)(3)(v)	Fine: $100	Appearance NOT REQUIRED

§82-41 Vehicle Equipment – Street Hail Livery Technology System (LPEP) Installation

(a) *Street Hail Livery Technology System (LPEP).* The LPEP is an integrated system of Hardware and Software that provides the Core Services in a Street Hail Livery as more fully described in § 83-31 of these Rules.

(b) *Required Installation.* A Licensee must ensure that the Street Hail Livery operating under a Street Hail Livery License is equipped with an LPEP approved by the Commission pursuant to Chapter 83.

§82-41(b)	Fine: $ 1,000 and suspension until compliance	Appearance REQUIRED

(c) *E-Hail Application.* Any licensed E-Hail Application that provides for E-Payment must integrate with the LPEP or Taximeter. No E-Hail Application shall be used to process any payment that is not a licensed E-Hail Application.

§82-42 Vehicle Equipment – Street Hail Livery Technology System (LPEP) Operation

(a) *Good Working Order.* Licensees must ensure that the Street Hail Livery Technology System(LPEP) equipment is constantly maintained, is in good working order, and that each of the Core Services functions properly.

§82-42(a)	Fine: $250 and suspension until compliance	Appearance REQUIRED

(b) *Failure to Operate.*

(1) If the LPEP malfunctions or fails to operate, an incident report must be filed with the LPEP Provider within two (2) hours following the discovery of the malfunction or at such time as the Licensee reasonably should have known of the malfunction.

(2) If the Street Hail Livery Driver filed the incident report, the Licensee will not be required to file a separate incident report but must verify the filing by obtaining the incident report number.

(3) The Licensee must meet the appointment for repair scheduled by the LPEP Provider following the incident report.

(c) *48-Hour Repair Deadline.* A Street Hail Livery in which any of the Core Services of the LPEP or any material feature of a Core Service is not functioning must not operate more than 48 hours for Hail Trips (Pre-Arranged Trips are) following the timely filing of an incident report (Pre-Arranged Trips are not subject to this requirement).

§82-42(c)	Fine: $250 and suspension until compliance	Appearance REQUIRED

(d) *Inspection upon Multiple LPEP Malfunctions.* The Licensee of any Street Hail Livery requiring six (6) or more repairs of the LPEP in any thirty (30) day period must promptly take the vehicle for inspection to, or schedule an inspection with, the Commission's Safety and Emissions Facility. This requirement will not apply to the Licensee if compliance is made by the Driver of the vehicle.

§82-42(d)	Fine: $ 250	Appearance REQUIRED

§82-43 Penalty Points for For-Hire Vehicles

(a) *Four Penalty Points Requires License Revocation*. The License of any Street Hail Livery that accumulates four penalty points for violations during any License term will be revoked.

(b) *Points Accrued but not Assessed Before Renewal*.

(1) If points are imposed after a Street Hail Livery License has been renewed based on a violation that occurred before the renewal, the points will be added to the total points accumulated by the Vehicle before its renewal.

(2) If the additional Points raise the total number to four or more Points, the Street Hail Livery License will be revoked.

(c) *Revocation Process*.

(1) The Chairperson can begin revocation proceedings whenever a Licensee has been assessed four or more points during the current term of that License.

(2) The License can also be revoked as part of the decision imposing the final point necessary for revocation.

(3) At any time revocation of a Base License is mandated and the last penalty point arises from the same incident that created the Street Hail Livery License revocation mandate, separate proceedings must be held for the Base License revocation and the Street Hail Livery License revocation.

§82-44 License Transfers - Generally

(a) *Applicability of the "License Transfers" Sections.*

(1) The "License Transfers" sections of this Chapter (§§ 82-44 and 82-45), along with "Licensing" sections (§§ 82-04, 82-05 and 82-06), establish the rules for all Transfers of a Street Hail Livery License between and among private parties, either by:

(i) Purchase

(ii) Gift

(iii) Bequest, or

(iv) Operation of law.

(2) These provisions apply whether an Applicant seeks to acquire an interest directly or indirectly, and also whether an Applicant seeks to acquire full ownership, or only partial ownership, in a Street Hail Livery License. These provisions also apply to any person or Business Entity seeking to

purchase an interest in a Business Entity owning a Street Hail Livery License.

(3) These provisions do *not* apply to the issuance or reissuance of Street Hail Livery Licenses by the Commission.

(b) *Overview of Requirements to Complete and Effect Transfer*. The transfer of an interest in a Street Hail Livery License will be complete and effective upon all of the following:

(1) *Documents.* An Applicant must submit an application in the form required by the Commission and all required supporting documentation.

(2) *Proper Appearances.* All persons described in §82-45(a) below must appear before the Commission.

(3) *Fulfillment of the Licensing Requirements.* The parties to the transfer must fulfill the Licensing requirements set forth in §§ 82-04, 82-05 and 82-06 of this Chapter.

(4) *Transferring LPEP*. The application for the transfer must include the following information regarding LPEP on forms approved by the Chairperson.

(i) *Proof of Notice to LPEP Provider*

A. The transferor must provide proof that notice of the transfer has been sent to the LPEP Provider that holds the contract to provide the LPEP for the Street Hail Livery License being transferred.

B. The notice must be:

1. Sent at least 30 days prior to the proposed date of the transfer (NOTE: The LPEP Provider may waive the 30 day requirement by signing the form),
2. Sent by certified mail, return receipt requested, and
3. Sent to the address specified in the contract.

C. Proof of notice will be:

1. A copy of the notice,
2. A copy of the certified mail receipt, and
3. An affidavit or affirmation under penalty of perjury verifying the mailing.

(ii) *Transferor's Statement of Intent.* The Transferor must provide a statement of intent on forms approved by the Chairperson to:

A. Cancel the contract with the LPEP Provider and Return the LPEP equipment to the LPEP Provider, or
B. Assign the contract to the Transferee and transfer the equipment to the Transferee, or
C. Retain the LPEP equipment, if the Transferee owns the LPEP equipment.

(iii) *Transferee's Statement of Intent.* The Transferee must provide a statement of transferee's intent on forms approved by the Chairperson to:
A. Assume the Transferor's contract with the LPEP Provider, or
B. Identify the approved LPEP Provider which the Transferee intends to use to provide LPEP.

(5) *Clearance of open items.* All open items against the Street Hail Livery Licensee (including any Business Entity Person if the Licensee is a Business Entity) must be cleared, including but not limited to summonses issued by the Commission, outstanding fines and penalties owed to the Commission or the Parking Violations Bureau (or their successors), and incomplete License renewal requirements.

(6) *Commission Approval.* No transfer is effective until the Commission approves the application, in writing.

(c) *Comply with Transfer Provisions.*

(1) No person or entity is permitted to attempt to transfer or participate in the transfer of an interest in any Street Hail Livery License without fulfilling the requirements of subdivision (b) above, as applicable.

(2) The mere act of submitting a transfer application to the Chairperson will not be considered a violation of this subdivision.

§82-44(c)	Fine: $10,000 per entity, per License and attempted transfer invalid, applicable to any person or persons (transferor, transferee or both) whose actions constituted a violation; Revocation may be ordered.	Appearance NOT REQUIRED

§82-45 License Transfers – Special Requirements

(a) *Personal Appearance.*

(1) All Applicants seeking approval to own an interest in a Street Hail Livery License must appear in person as directed by the Chairperson.

(2) If the Applicant is a Business Entity, the following Business Entity Persons must appear in person before the Commission (unless the Chairperson waives this requirement):

(i) All individual shareholders of a corporate entity

(ii) All general partners of a partnership entity

(iii) All members of a Limited Liability Company.

(b) *Preserve Street Hail Livery Category*

An Applicant seeking approval to hold a Street Hail Livery License restricted to use with an Accessible Street Hail Livery or an interest in such License must continue to use that License with an Accessible Street Hail Livery.

Restriction on Number of Licenses. An Applicant seeking approval to hold a Street Hail Livery License or an interest in a Street Hail Livery License must comply with the ownership provisions of Section 82-06(a) of these Rules.

(c) *Transfers – Special Provisions Regarding Estates and Incompetency*

(1) *Notice.* Notice of the death or the declaration of incompetency of a Street Hail Livery Licensee must be given to the Chairperson promptly upon the occurrence. A Street Hail Livery Licensee which is a Business Entity must also give prompt notice upon the death or the declaration of incompetency of a shareholder, partner, or member of a Business Entity.

82-45(c)(1)	Fine: $250 for failure to comply	Appearance NOT REQUIRED

(2) *Distribution of Interest in Street Hail Livery License to a Legatee.*

When a Street Hail Livery License(s) or an interest in a company or corporation that owns a Street Hail Livery License(s) is distributed from an estate, the Legatee recipient must qualify as a Transferee under the applicable rules of this Chapter, and must submit the following additional documents to the Commission:

A. A certified copy of the death certificate of the former Licensee or Business Entity Person listed with the Commission;

B. A certified copy of letters testamentary or letters of administration and, for an estate not in New York, a certified copy of ancillary letters testamentary or letters of administration covering the estate's New

York property, which letters:

1. Must have been issued no earlier than six months prior to the date of submission; and

2. The amount of estate assets that the Executor is authorized to administer must be in excess of the value of the Street Hail Livery License(s) that is to be operated or transferred.

C. A certified copy of the will, if any.

(3) *Additional Requirements for Temporary Operation of a Street Hail Livery License.*

(i) If an owner of an interest in a Street Hail Livery License dies or is declared incompetent by a court of competent jurisdiction, the Street Hail Livery License can continue to be operated by the administrator or representative of the owner or the owner's estate for up to 120 days following the date of death or declaration of incompetency.

(ii) The administrator or representative will have 120 days from the date of death or declaration of incompetency to transfer the Street Hail Livery License to a transferee that is qualified to own the Street Hail Livery License, as provided in this Chapter, and is approved to hold the Street Hail Livery License.

(iii) If no one has been approved by the Commission to hold the Street Hail Livery License by the end of the 120-day period, the Street Hail Livery License must be placed in storage until a qualified transferee is approved to hold the Street Hail Livery License.

82-45(c)	Revocation may be ordered if Street Hail Livery License is operated beyond, or not transferred by, the periods specified.	Appearance NOT REQUIRED

Subchapter B: RULES FOR STREET HAIL LIVERY HACK-UP AND MAINTENANCE

§82-46 Subchapter B: Scope of this Subchapter

(a) To establish the standards and requirements for preparing a vehicle for Street Hail Livery Licensing, and

(b) To establish the standards and requirements for Street Hail Livery maintenance, inspection and retirement.

§82-47 Penalties

(a) This Subchapter is informational in nature and does not contain penalties. Penalties for failure to follow the rules established in this Subchapter will be found in Subchapter A of this Chapter and Chapter 80 which establish specific requirements for Street Hail Livery Drivers and Licensees.

§82-48 Definitions Specific to this Subchapter

(a) *Safety and Emissions Inspection* means the required vehicle inspections conducted at the Commission's inspection facility.

§82-49 Standard Specifications for Street Hail Liveries

§82-50 Standard Specifications for Accessible Street Hail Liveries

(a) An Accessible Street Hail Livery must be designed for the purpose of transporting persons in wheelchairs or must contain a physical device or alteration designed to permit access to and enable the transportation of persons in wheelchairs in accordance with the Americans With Disabilities Act.

(b) An Accessible Street Hail Livery must also be equipped with restraints to secure a wheelchair in place in the vehicle.

§82-51 Requirements for Hacking Up a Street Hail Livery

(a) A vehicle that is currently licensed as a for-hire vehicle as of July 1, 2013 or thereafter can be hacked up for use as a Street Hail Livery.

(b) *Continuation in Service.* Upon Hack-up, a vehicle may continue in service with the same Street Hail Livery License so long as the vehicle passes inspection pursuant to § 82-30.

§82-52 Requirements for Hack-up – Paint, Finish and Lighting

(a) *Apple Green.* The exterior of the vehicle must be painted Apple Green (paint codes Dupont – GS028 or PPG – 502757 or similar), except for the trim. Samples of paint color and code are to be submitted to the Chair for approval if not those specified.

(b) *Front Design.* There must be no unnecessary projections such as rigid hood ornaments.

(c) *Signs.* The vehicle must be provided with signs that conform to the marking specifications in §82-33 of these rules.

(d) *Roof Light.* The vehicle must be equipped with an approved Roof Light.

§82-53 Requirements for Hack-up – Occupant Accommodation

§82-54 Requirements for Hack-up – Taximeters

(a) *Requirement.* The vehicle must be equipped with a sealed, tamper-resistant Taximeter installed by a Licensed Taximeter Business according to the rules and regulations in Chapter 64. The Taximeter must be installed in a location approved by the Chairperson which allows safe operation of the vehicle and visibility to the passenger.

(b) *Technical Specifications.* The Taximeter must meet the specifications and tolerances published in the most recent National Institute of Standards and Technology Handbook, and must be approved for use in New York by the NYS Department of Agriculture and Markets and by the Commission. Any new Taximeter model will be subject to a minimum three month test period before approval.

(c) *Other Technical Requirements.*

(1) The Roof Light must be controlled by engaging the Taximeter.

(2) The Taximeter must be capable of calculating and displaying all required rates of fare.

(3) The Taximeter must be capable of transferring data to the LPEP manufactured by any Commission-licensed LPEP Provider which has chosen to use the Taximeter.

(4) The Taximeter and all connections must be secure and tamper proof. All switches, wiring and caps must meet applicable specifications of the Society of Automotive Engineers.

(5) The Taximeter must not allow a Driver to use an unauthorized rate code in an unauthorized area.

(6) The Roof Light must be unlighted when the Taximeter is detached from its bracket.

§82-55 Requirements for Hack-up – Street Hail Livery Technology System(LPEP)

(a) *Requirement.* The vehicle must be equipped with an LPEP approved by the Commission pursuant to Chapter 83 and installed by an LPEP Provider in accordance with Chapter 83.

(b) Reserved.

§82-56 Requirements for Hack-up – Partitions

(a) *Requirement.*

(1) Unless exempt under §82-36(b) of this Chapter, the vehicle must be equipped with a partition that isolates the driver from the rear seat passengers or all passengers of the vehicle.

(2) The purpose of the partition is to provide protection to the driver while ensuring passenger safety and enabling rear seat passengers to have a clear and unobstructed view of the TLC Driver License, Rate Card, and front windshield.

(b) *Technical Specifications.*

(1) The partition must extend from the ceiling to a specific point as recommended by the Chairperson and approved by the Commission, based upon the make and model of the vehicle.

(2) The transparent portion of the partition must be constructed of a mar-resistant polycarbonate not less than 0.375 inches thick that will provide passengers and drivers with maximum visibility.

(i) For a flat partition and a partition for a Street Hail Livery with factory installed curtain airbags, the transparent portion must extend from the ceiling to join or overlap with the protective plate of the partition.

(ii) For an L shaped partition, on the side that is behind the driver, the transparent portion of the partition must extend from the ceiling to join or overlap with the protective plate of the partition. On the side that extends forward to back between the two front seats, the transparent portion of the partition must extend from the ceiling to join or overlap with the protective plate of the partition on the right side of the center console located between the two front seats.

(3) The protective plate must join or overlap with the transparent portion of the partition and extend downward to the floor of the vehicle. The protective plate must be a plate of 0.085-inch thick bullet-resistant ballistic steel or its equivalent recommended by the Chairperson and approved by the Commission. The protective plate must be installed inside and covering the front seat's entire backrest.

(i) The protective plate must extend from the point that the transparent portion joins it downward to the floor of the Street Hail Livery.

(ii) If the transparent portion overlaps the protective plate, the protective plate must extend from the point of joinder with the transparent portion downward to the floor of the Street Hail Livery.

(4) For an L shaped partition, the protective plate must also cover the right side of the center console between the two front seats.

(5) The entire protective plate of each partition must have sufficient padding to prevent injury to any rear-seat passenger in case of an a Collision or sudden stopping, and all surfaces must be free of sharp and rough edges.

(6) There must be no opening or gap between the partition and the body of the vehicle larger than one inch, except for vehicles equipped with factory installed curtain airbags. In those vehicles, the partition shall allow a space of six inches on each side, sufficient to license proper deployment of the curtain airbags.

(7) In addition to meeting all other technical specifications, a partition may be installed only if it does not impair passenger and driver safety and has the following features:

(i) Allows passengers and drivers to communicate with each other

(ii) Allows passengers in the rear passenger compartment to pay fares by cash or by credit card and to receive receipts for payments and transactions.

§82-57 Requirements for Hack-up – Distress Signal Lights

(a) *Requirement.* A Licensee must equip the Street Hail Livery with a help or distress signaling light system consisting of two turn signal type "lollipop" lights.

(b) *Technical Specifications.*

(1) One light must be mounted on the front center of the vehicle, either on top of the bumper or forward or behind the grill. A second light must be mounted on top of the rear bumper, to the left of the license plate.

(2) Each light must be three to four inches in diameter, have a total rated output of 32 candle power, and be amber-colored or have an amber-colored lens so that the light output of the device is the color amber at 32 candle power.

(3) The activator must be installed within easy reach of the driver, must be silent when operating, and must be fully solid-state.

(4) The lights must be able to flash between 60 and 120 times per minute.

(5) The wiring must not affect or interfere with, directly or otherwise, any wiring or circuitry used by the meter for measuring time or distance.

§82-58 Requirements for Hack-up – In-Vehicle Camera System ("IVCS")

(a) *Requirement.* When an existing IVCS is required to be replaced or when an IVCS system is installed (including, but not limited to, at Hack-up), it must be functioning and in good working order and meet the specifications and installation requirements below.

(b) *Technical Specifications.*

(1) The IVCS must be connected to the vehicle battery, and the fuse for the connection must be concealed in a tamper-resistant housing.

(2) Wiring between the recording unit and the camera head must use at either end, tamper-resistant registered jack (RJ) style connectors.

(3) All electrical connections and wiring must be protected from spikes and dips in vehicle voltage.

(4) The camera head housing and brackets must be tamper-proof and securely mounted to the right of the rear view mirror. The installation must provide unobstructed vision for the driver.

(5) The camera's field of view must include the full face of all occupants seated in passenger seats and facing forward.

(6) Images must be recorded and stored in a unit separate from the camera head.

(7) The recording unit must be concealed from view and fastened securely with tamper-resistant hardware.

(8) The IVCS must provide a visual indication of system status that is located on the lower left portion of the dashboard and is visible to the driver and to law enforcement personnel inspecting the vehicle from outside of the driver door.

(9) The IVCS and components must be sufficiently shock-resistant to withstand typical vehicle movement and collisions.

(10) The IVCS must have an RS-232 connection or other means for secure image retrieval.

(11) Images must be sharp, undistorted, and clear enough to enable the viewer to identify all passengers under all lighting conditions, including, for example, dark and bright light, daylight, and backlight.

(12) Sensor resolution must be, at a minimum, 510 by 480 pixels.

(13) Storage capacity must be, at a minimum, 7,000 images in an encrypted format, and all access to the storage unit must result in the storage of an electronic "tag" including the installer identification number and date of the event.

(14) The IVCS must have connection ports for a minimum of two (2) cameras.

(15) The IVCS must have an event flag or panic button accessible to the driver and located in an inconspicuous location.

(16) The IVCS must record images and the following information for each image:

(i) Date and time;

(ii) Street Hail Livery License number;

(iii) IVCS serial number;

(iv) IVCS indicator for event flags.

(17) Image capture must be linked to the following events:

(i) Vehicle door openings and closings;

(ii) Meter engagement;

(iii) Event flag button activation;

(iv) Event flag in the test mode when the image(s) are recorded for inspection and test purposes;

(v) Panic button activation.

(18) In the event of a panic button activation, systems must record to protected memory a total of three events. The recording must include, at a minimum, the 2.5 minutes immediately before and after the button activation, at one frame per second.

(19) Image access may be provided only to law-enforcement agencies, including the New York City Police Department.

(20) If the IVCS has a physical port for secure image retrieval, the port must be located on the right side of the dashboard or in the trunk, installed inconspicuously, and accessible to law enforcement personnel.

(21) When memory storage capacity is reached, the IVCS must overwrite the oldest images as new images are recorded in sequence.

(22) Installations and repairs of IVCS may be performed only by installers authorized by the manufacturer and currently licensed by the Department of Consumer Affairs. Installations and repairs may also be performed by Taximeter Businesses currently licensed by the Commission pursuant to chapter 64 of this title.

(23) A notarized affidavit signed by a manufacturer's authorized installer attesting to the proper functionality of the IVCS must be provided to the Commission by the authorized installer: (i) annually, and (ii) within 14 calendar days after any installation, repair, or modification of the IVCS.

§82-59 Requirements for Hack-up – Credential Holders

(a) *Requirement.* A credential holder must be mounted behind the driver in the vehicle in a manner that does not block the driver's view. The holder will be on the partition if there is a partition, or on the headrest if there is no partition.

(b) *Technical Specifications.* A credential holder frame mounted on the driver's side of the clear portion of the partition must conform to the following:

(1) Be approved by the Commission.

(2) Be secured by either rivet or screw at least two inches above the frame supporting the clear portion of the partition and centered on the vehicle's steering column or the headrest on the driver's seat facing the rear passenger's compartment.

(3) The frame must have a drop-in or slide-in slot accessible only from the driver's compartment for the rate card and the driver's license.

(4) The frame must have sufficient illumination so that the rate card and the driver's license are clearly visible from the rear seat after dark.

(5) The frame must be sufficiently padded so as not to cause injury to the driver.

§82-60 Requirements for Hack-up – Air Conditioning

(a) *Requirement.* All vehicles must be equipped with an air conditioner. The air conditioner must be in good working condition from May 1st through September 30th each year. In vehicles equipped with a partition, the air conditioner must include an auxiliary unit for the rear seating area.

(b) *Technical Specifications.*

(1) The auxiliary unit must be either standard equipment or optional equipment built into the vehicle by the vehicle manufacturer.

(2) The auxiliary unit must have controls that passengers may operate in the rear passenger area.

§82-61 Scheduled Vehicle Retirement

§82-62 Vehicle Retirement Extensions

§82-63 Authorized Rooftop Advertising Fixture

(a) *Authorized Rooftop Advertising Fixture.*

(1) Upon payment of an annual Advertising Permit Fee as described in § 82-08(j), a Street Hail Livery Licensee may install and maintain an authorized Rooftop Advertising Fixture.

(2) A Street Hail Livery Licensee must not install or maintain a Rooftop Advertising Fixture that is not authorized, or no longer authorized, by TLC.

(b) *Requirements for Obtaining Commission Approval of a Rooftop Advertising Fixture.*

(1) The Rooftop Advertising Fixture must be tested and certified in accordance with the Department of Defense Test Standard MIL-STD 810f by a licensed Professional Engineer and documentation of testing and certification must be submitted to the Commission. (MIL-STD 810f can be found at http://www.dtc.army.mil/navigator.)

(2) The Rooftop Advertising Fixture must be approved by the Commission's Safety and Emissions Division.

(3) The Rooftop Advertising Fixture Provider may post advertisements on the Rooftop Advertising Fixture. Such advertisements:

(i) must not exceed the physical dimensions of the advertising display surface of the rooftop unit

(ii) Exception: An advertisement can exceed the dimensions of the advertising display surface of the rooftop unit by no more than 100 square inches if the certification by a Professional Engineer as required in paragraph one of this subdivision specifically states that the extension is safely supported upon the Rooftop Advertising Fixture.

(4) The Rooftop Advertising Fixture must:

(i) be two-sided, each side of a shape that is longer across and shorter in height, although not necessarily a rectangle;

(ii) display advertising material to the sides of the vehicle, and

(iii) not display advertising material to the front and back of the vehicle.

(5) *Variation in approved design.*

(i) If the Rooftop Advertising Fixture Provider wants to deviate from an approved design, it must inform the TLC of any material variation in the original, approved design before installing a modified fixture.

(ii) The TLC shall, within fourteen (14) business days, inform the Rooftop Advertising Fixture Provider whether an additional authorization is required with respect to the modified Rooftop Advertising Fixture.

(c) *Maintenance of Rooftop Advertising Fixture.* The Rooftop Advertising Fixture Provider must maintain the Rooftop Advertising Fixture in accordance with this Rule:

(1) The Rooftop Advertising Fixture Provider must ensure that the Rooftop Advertising Fixture

(i) is firmly affixed to each Street Hail Livery;

(ii) is otherwise operating in a safe manner;

(iii) is in good working order; this includes that the advertising displayed on the fixture is firmly affixed; and

(iv) displays current advertisements. A current advertisement is one that includes, but is not limited to, a defined event (such as advertisements for movies, concerts or events which have fixed opening or running dates) and only remains current until 60 days following the completion or termination of the event, or promotes an existing business or consumer product.

(2)

(i) The Rooftop Advertising Fixture Provider must not display advertising that is offensive to public morals or is otherwise in violation of New York Penal Law Section 245.11.

(ii) The Rooftop Advertising Fixture Provider must remove any advertising in violation of subparagraph (i) from public display within fifteen (15) days after a TLC request to remove such advertising.

(d) *Termination of Authorization of Rooftop Advertising Fixture.*

(1) The Chairperson may terminate authorization of a Rooftop Advertising Fixture if the provider has not complied with the requirements stated in this Rule.

(i) Prior to terminating authorization, the Chairperson will give the Rooftop Advertising Fixture Provider notice of the Chairperson's intent to terminate authorization and shall provide detailed reasons for the action.

(ii) The Rooftop Advertising Fixture Provider shall have 21 business days after the notice to cure any defect or to respond to any concerns set forth in the notice unless the TLC extends the cure period.

(iii) If the Rooftop Advertising Fixture Provider fails to cure any defect or fails to respond to any concerns set forth in the Chairperson's notice to the satisfaction of the Chairperson within the time period allotted by the TLC, the Chairperson may promptly terminate authorization.

(2) Notwithstanding the notice requirements of paragraph one, TLC may immediately terminate authorization of a Rooftop Advertising Fixture if the Chairperson determines there is an imminent threat to the health or safety of members of the public, drivers of Street Hail Liveries, or other individuals.

Subchapter C: Grants for Accessible Street Hail Liveries

§82-64 Scope of this Subchapter

(a) To establish the standards and requirements for persons applying for a grant to purchase or upfit a vehicle to be used as an Accessible Street Hail Livery.

(b) To establish standards and requirements for persons who receive a grant under this Subchapter.

(c) No more than $54,000,000 in grants will be issued under this Subchapter.

§82-65 Definitions Specific to this Subchapter

(a) *Accessible Vehicle* in this subchapter means a Vehicle to be used as an Accessible Street Hail Livery.

(b) *Assignor* means the Grantee assigning, through a Payment Assignment Agreement, the Grantee's right, title and interest for all payments arising under a Grant Program Agreement.

(c) *Grant* means the funds awarded to a Grantee to be applied towards the costs of the purchase or retrofitting of a Qualified Vehicle to be used with an Accessible Street Hail Livery License.

(d) *Grant Applicant* means the individual or Business Entity applying for a Grant under this Chapter.

(e) *Grant Program Agreement* means the agreement document entered into by the Grantee which contains the terms and conditions required to receive Grant funding.

(f) *Grantee* means a Grant Applicant who has submitted and completed all of the requirements of the Grant Program Agreement, and who has been approved for a Grant.

(g) *Qualified Vehicle* means a Vehicle to be used as an Accessible Street Hail Livery and that meets all of the following:

(1) The vehicle has fewer than 1,000 miles on the odometer.

(2) The vehicle is of a model year that is of the current or next two most recent model years at the time the Grant Applicant applies for a Grant.

(3) The vehicle must be capable of being used as an Accessible Street Hail Livery and

(i) must have otherwise been manufactured by an original equipment manufacturer ("OEM") to be an Accessible Vehicle in a program approved in advance by the Chairperson; or

(ii) must have been modified following manufacture by OEM-approved second-stage manufacturer in a program approved in advance by the Chairperson; or

(iii) must be manufactured or modified in a way approved by the Chairperson.

§82-66 Grant Eligibility

(a) An individual or Business Entity which holds or is applying for an Accessible Street Hail Livery License is eligible to apply for a Grant.

(b) An individual or Business Entity which holds an Accessible Street Hail Livery License, and meets all of the requirements of the Grant Program Agreement and these Rules, is eligible to receive a Grant.

§82-67 Grant Application

(a) *Accessible SHL License required.* No Grant will be issued to any person or Business Entity which does not hold an Accessible Street Hail Livery License.

(b) *Application.* A Grant Applicant must file an application for a Grant on the form and in the manner specified by the Chairperson and must provide all documentation required. The Grant Applicant is subject to all requirements of

this Chapter regarding representations and information provided to the Chairperson.

(c) *Grant Program Agreement.* A Grant Applicant must file a Grant Program Agreement on the form and in the manner specified by the Chairperson and must provide all documentation required.

(d) *Qualified Vehicle.* With the Grant application, or within 60 days of the Grant application, a Grant Applicant must present:

(1) Proof of purchase by the Grant Applicant of a Qualified Vehicle in the form specified by the Chairperson, and

(2) if the vehicle at the time of purchase has not been modified so that it qualifies as an Accessible Street Hail Livery, proof in the form specified by the Chairperson of an approved vendor program letter or equivalent document approved by the Commission issued by the OEM or OEM-approved second-stage manufacturer which states that the vehicle will be, once modified, a Qualified Vehicle.

(e) *No Outstanding Fines or Fees*. No grants will be issued to any Grant Applicant who owes the Commission any money for fines, fees, or other reasons or who has any open summonses issued by the Chairperson outstanding against him or her.

(f) *Other Causes for Denial.* The Chairperson can deny a Grant application for any reason, in his or her sole discretion. In addition to other reasons set forth in this Subchapter, the Chairperson will deny an application for a Grant if any of the following is true:

(1) The Grant Applicant has failed to submit all required paperwork within 60 days of submitting the Grant application.

(2) The history of the Grant Applicant as a licensee of the Commission indicates that, in the judgment of the Chairperson, a Grant should not be awarded.

(3) There are material errors or omissions in the Grant application or accompanying documentation.

(4) A Qualified Vehicle is not hacked up and/or has not passed inspection within 180 days of the date that the Accessible Street Hail Livery License is issued.

§82-68 Grant Amounts and Payments

(a) *Grant Amounts*.

(1) *Accessible Vehicles*. The maximum Grant amount is $30,000. This consists of a single payment of $14,000 to be paid following the successful Hack-up of the Qualified Vehicle, and a maximum of eight (8) subsequent payments of $2,000 to be paid following each successful bi-annual vehicle inspection during the four-year period after Hack-up. This amount will be approved only for Qualified Vehicles which, at the time the Grant application is submitted, meet all of the following:

(i) Be of the most recent model year or the next two most recent model years and,

(ii) Have fewer than 1,000 miles on the odometer.

(iii) For subsequent payments to be paid to the Grantee, the Qualified Vehicle must have, between the most recent successful bi-annual vehicle inspection and the successful bi-annual inspection previous to the most recent successful bi-annual inspection:

A. completed at least 250 Passenger trips registered through the LPEP, and
B. during this period, has been logged onto the Accessible Taxi Dispatch system through the Dispatch Equipment while in operation.

(2) Only one Grant will be awarded for each Qualified Vehicle based on the Vehicle Identification Number (VIN).

(3) An Accessible Street Hail Livery Licensee, who receives a Grant and completes all of the requirements of the Grant Program Agreement during the full term of the Grant Program Agreement, may apply for a subsequent Grant to be used to replace their current Qualified Vehicle with another Qualified Vehicle.

(b) *Grant Payment.*

(1) *Payment.* No funds will be released for a Grant for any approved application until the Qualified Vehicle is hacked up and has passed the inspection required by Section 82-30 of this Chapter.

(2) Grant payments will be made only to Grantees who are in full compliance with the requirements of the Grant Program Agreement.

§82-69 Grantee Requirements

(a) *Services.*

(1) Grantee must ensure that the Qualified Vehicle purchased or retrofitted using Grant funds remains in use with an Accessible Street Hail Livery License in New York City during the term of Grant Program Agreement.

(2) Grantee must maintain all equipment in the Qualified Vehicle, including equipment necessary for wheelchair accessibility, in good working order and must comply with all conditions and requirements of the Grant Program Agreement.

(b) *Accessible Street Hail Livery License.*

(1) Grantee must continue to own the Accessible Street Hail Livery License and to use the Accessible Street Hail Livery License with the Qualified Vehicle purchased or retrofitted in part with Grant funds.

(c) *Failure to Meet Requirements.*

(1) Failure by Grantee to meet the requirements of the Grant Program Agreement or of these Rules will result in the immediate termination by the TLC of the Grant Program Agreement.

(2) *Exception.* Notwithstanding paragraph (1) of this subdivision, Grantee will have ten (10) business days to comply with orders to repair or replace the Qualified Vehicle, or as otherwise indicated in the Grant Program Agreement

(3) If TLC terminates the Grant Program Agreement, Grantee must return, as stated in the Grant Program Agreement, that portion of the Grant payment that TLC in its sole discretion directs shall be returned on a pro rata basis determined by the number of months the Qualified Vehicle was in service during the term of the Grant Program Agreement.

(4) Grantee may terminate the Grant Program Agreement at any time during the term of the agreement upon the repayment of the full Grant amount or such other amount determined by TLC based on the number of months the Grantee provided the required services.

§82-70 Street Hail Livery Improvement Fund Review

(a) The TLC will review the Street Hail Livery Improvement Fund annually, by no later than the end of April, beginning in 2017, to assess the adequacy of the Fund, the uses of the

Fund, and the surcharge funding the Fund receives, and will produce a report annually with the result of its assessment and recommendations and analysis. Such recommendations and analysis shall include but not be limited to the following: (i) whether the current surcharge should be lowered, raised or kept the same; (ii) a review of possible alternate sources of funding for the Fund other than the surcharge; and (iii) the costs incurred by Owners and Drivers that are required to purchase and operate Accessible Vehicles as opposed to those Owners and Drivers who are not so required. Such report shall be submitted to the Speaker of the NYC Council and posted on TLC's website upon completion of the report.