

Section 1. Title 35 of the Rules of the City of New York, Chapter 6, For-Hire Vehicle Rules, Section 6-01, Definitions, is hereby amended to read as follows:

Italics indicate new material.

[] Brackets indicated deleted material.

§6-01 Definitions.

Affiliated driver. An affiliated driver is a person who drives a for-hire affiliated vehicle and who is required to be licensed by the Commission.

Affiliated vehicle. An affiliated vehicle is a for-hire vehicle other than a black car or a luxury limousine which a base station is authorized by the Commission to dispatch.

Base station. A base station is a central facility which manages, organizes or dispatches affiliated vehicles licensed under Chapter 5 of Title 19 of the Administrative Code, not including luxury limousines or black cars.

Base station owner. A base station owner is any individual, partnership or corporation licensed by the Commission to own and operate a base station.

Black car. A black car is a for-hire vehicle dispatched from a central facility whose owner holds a franchise from the corporation or other business entity which operates such central facility, or who is a member of a cooperative that operates such central facility, where such central facility has certified to the satisfaction of the Commission that more than ninety percent of the central facility's for-hire business is on a payment basis other than direct cash payment by a passenger.

Black car base. A black car base is a central facility which operates a two-way radio or other communications system used for dispatching or conveying information to drivers of black cars.

Chauffeur's license. A chauffeur's license is a valid chauffeur's license of the State of New York or a valid license of similar class from another state of which the licensee is a resident.

Decal. A decal is a sticker issued by the Commission evidencing licensing of a for-hire vehicle.

Dispatch. A dispatch is a request for a driver by a base to provide transportation to a passenger who has previously arranged for such transportation with the base.

Driver. A driver is a person who drives a for-hire vehicle and who is required to be licensed by the Commission.

For-hire operator's permit. A for-hire operator's permit is a permit issued by the Commission to persons who meet Commission qualifications as for-hire vehicle drivers.

For-hire vehicle. A for-hire vehicle is a motor vehicle carrying passengers for-hire in the City, [designed to carry fewer than nine] *with a seating capacity of twenty passengers or less*, excluding the driver, with three (3) or more doors, other than a taxicab, coach, [or] wheelchair accessible van, *commuter van or an authorized bus operating pursuant to applicable provisions of law*, and not permitted to accept street hails from prospective passengers in the street and required to be licensed by the Commission.

For-hire vehicle permit. A for-hire vehicle permit is a permit issued by the Commission to a vehicle or base owner to allow an affiliated vehicle to be dispatched by said base.

Livery. Livery means a for-hire vehicle designed to carry fewer than six passengers, excluding the driver, which charges for service on the basis of flat rate, time, mileage, or zones.

Luxury limousine. A luxury limousine is a for-hire vehicle [designed to carry fewer than nine] *with a seating capacity of twenty passengers or less*, excluding the driver, which is dispatched by its base from a central facility which has certified to the satisfaction of the Commission that more than ninety percent of its for-hire business is on a payment basis other than direct cash payment by a passenger, *and whose passengers are charged on the basis of garage to garage service and on a flat rate basis or per unit of time or mileage*, for which there is maintained personal injury insurance coverage

of no less than five hundred thousand dollars per accident where one person is injured and one million dollars per accident for all persons injured in that same accident *if said vehicle has a seating capacity of fewer than nine passengers, and which meets the minimum liability insurance requirements set forth in these rules if the vehicle has a seating capacity of ten or more passengers,* [whose passengers are charged on the basis of garage to garage service and on a flat rate basis or per unit of time or mileage.].

Luxury limousine base. A luxury limousine base is a central facility which operates a two-way radio or other communications system used for dispatching or conveying information to drivers of luxury limousines.

Mailing address. Mailing address means the address designated for the mailing of all notices and correspondence from the Commission and for service of summonses. In the case of the base, it shall be the base address. In the case of the driver, it shall be the home address of the driver.

Passenger. A passenger is a person who has engaged a for-hire vehicle for the purpose of being transported to a destination, or a person who is awaiting the arrival of a dispatched for-hire vehicle.

Person with a disability. A person with a disability is an individual with a physical or mental impairment or incapacity, including any person who uses a wheelchair, three-wheel scooter, crutches, other mobility aid or a service animal, but who can transfer from such a mobility aid to a for-hire vehicle with or without reasonable assistance.

Rooflight. Rooflight means equipment attached to the roof of a vehicle, or extending above the roofline of a vehicle, for the purpose of displaying any information. In any instance in which Commission rules permit a rooflight, the permitted rooflight shall be of a one-piece solid translucent material; it shall not approximate the shape or appearance of a taxi rooflight; it may bear only the name of the base with which the vehicle is affiliated, alone or with either a telephone number or a car number; and the name shall not include the words "hack," "taxi," "taxicab," "cab," or "coach."

Seating Capacity. *Seating capacity shall include any plain view location which is capable of accommodating a normal adult, is part of an overall seat configuration and design and is likely to be used as a seating position*

while the vehicle is in motion.. For the purpose of determining “seating capacity”, the definition of “designated seating position” contained in the United States Department of Transportation Regulations as set forth in the Code of Federal Regulations, as may be amended from time to time, is hereby incorporated by reference.

Service animal. A service animal is a guide dog, signal dog or any other animal trained specifically to work or to perform tasks for a person with a disability, including, but not limited to, guiding individuals with visual impairments, alerting individuals with hearing impairments to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair or retrieving dropped items.

Sponsor. Sponsor is a base owner who is licensed by the Commission and has entered into an agreement with a prospective driver, who, if licensed by the Commission, will be affiliated with said base for a stated period of time.

Vehicle owner. A vehicle owner is an individual, partnership or corporation in whose name a vehicle is titled. For purposes of these rules, the term shall also apply to the lessee of the vehicle from the titled owner. Service shall be deemed proper service on the vehicle owner if sent to the registrant or the lessee of the vehicle.

Weapon. A weapon is any firearm (as defined in the New York State Penal Law) for which a license has not been issued as provided in the New York State Penal Law and the Administrative Code of the City of New York, electronic dartgun, gravity knife, switchblade knife, canesword, billy, blackjack, bludgeon, metal knuckles, chuka stick, sandstick, slingshot, pilum ballistic knife, sand bag, sand club, wrist brace type slingshot, shirken, kung fu star, dagger, dangerous knife, dirk, razor, stiletto, imitation pistol or any other instrument or thing whether real or simulated and capable of inflicting or threatening bodily harm, including but not limited to any other weapons, the possession of which is prohibited pursuant to the New York State Penal Law.

Wheelchair accessible vehicle. A wheelchair accessible vehicle is a for-hire vehicle which is designed for the purpose of transporting persons in wheelchairs or containing any physical device or alteration designed to permit access to and enable the transportation of persons in wheelchairs.

Section 2. Title 35 of the Rules of the City of New York, Chapter 6, For-Hire Vehicle Rules, Section 6-11, For Hire Vehicle Licensing, subdivision (d) is hereby amended to read as follows:

Italics indicate new material.

[] Brackets indicated deleted material.

§6-11 For Hire Vehicle Owner Licensing.

(d)

- (1) A for-hire vehicle owner shall comply with the New York State Vehicle and Traffic Law and the New York State Insurance Law regarding coverage by bond or policy of liability insurance and all other forms of insurance required by law.
- (2) A for-hire vehicle owner, who has received notice that his liability insurance is to be terminated, shall surrender his for-hire vehicle permit and decal to the Commission on or before the termination date of the insurance, unless the owner of the vehicle submits proof of new insurance effective on the date of termination of the old policy before the termination of the policy.
- (3) Within seven (7) days, exclusive of holidays and weekends, a for-hire vehicle owner shall notify the Commission in writing of any change in insurance carrier or coverage, specifying the name and address of the insurance carrier, new and former, and the number of the policy for each affiliated vehicle and submit proof of such coverage.
- (4)
 - (a) Notwithstanding any inconsistent provision of paragraph (d)(1) of this rule, each for-hire vehicle owner, *other than the owner of a for-hire vehicle with a seating capacity of nine or more passengers*, shall, for each vehicle owned, maintain for purposes of insurance or other financial

security, coverage in an amount of not less than \$200,000 per person, payable for those expenses specified in paragraphs 1, 2 and 3 of subdivision a of section 5102 of the New York State Insurance Law, and coverage in an amount of not less than \$100,000 minimum liability, and of not less than \$300,000 maximum liability for bodily injury and death, as said terms are described and defined in section 370(1) of the Vehicle and Traffic Law.

(b) Each owner of a vehicle for hire with a seating capacity of at least nine but not more than fifteen passengers shall, for each vehicle owned, maintain for purposes of insurance or other financial security, coverage in an amount of not less than \$200,000 per person, payable for those expenses specified in paragraphs 1, 2 and 3 of subdivision a of section 5102 of the New York State Insurance Law, and coverage in an amount of not less than \$1,500,000 minimum liability for bodily injury and death, as said terms are described and defined in section 370(1) of the Vehicle and Traffic Law.

(c) Each owner of a vehicle with a seating capacity of at least sixteen passengers shall, for each vehicle owned, maintain for purposes of insurance or other financial security, coverage in an amount of not less than \$200,000 per person, payable for those expenses specified in paragraphs 1, 2 and 3 of subdivision a of section 5102 of the New York State Insurance Law, and coverage in an amount of not less than \$5,000,000 minimum liability for bodily injury and death, as said terms are described and defined in section 370(1) of the Vehicle and Traffic Law.

- (5) A for-hire vehicle owner shall immediately report to his/her insurance carrier, in writing all accidents involving his/her for-hire vehicle which are required to be reported to the insurance carrier.

- (6) A for-hire vehicle owner shall immediately report to the Commission, in writing, all accidents involving his or her vehicle which are required to be reported to the Department of Motor Vehicles pursuant to Section 605 of the Vehicle and Traffic Law. A copy of any report furnished to the Department of Motor Vehicles pursuant to law shall be furnished to the Commission within ten (10) days of the date by which the owner is required to file such report with the Commissioner of Motor Vehicles.

Section 3. Title 35 of the Rules of the City of New York, Chapter 6, For-Hire Vehicle Rules, Section 6-12, Conditions of Operation Relating to For-Hire Vehicles, is hereby amended by the addition of a new subparagraph (n) to read as follows:

Italics indicate new material.

§6-12 Conditions of Operation Relating to For-Hire Vehicles.

A for-hire vehicle base and a for-hire vehicle owner shall be jointly and severally responsible for compliance with the following provisions and liable for violation thereof. No for-hire vehicle shall be used in the course of operations of a for-hire vehicle service unless the vehicle is in compliance with the following:

...

- (n) *No vehicle shall be used to transport passengers for hire in the City of New York if said vehicle has been altered after manufacture to increase its length, width, weight or seating capacity, or to modify its chassis and/or body design, unless said modification has been made in accordance with a program approved in advance by the original vehicle manufacturer, and said alteration has been performed by a coachbuilder or other entity approved and certified by the vehicle manufacturer to perform such alterations. An original, unaltered, approved coachbuilder's or vehicle modifier's certification sticker shall be affixed to the vehicle at a location to be determined by the Commission.*

Section 4. Title 35 of the Rules of the City of New York, Chapter 6, For-Hire Vehicle Rules, Section 6-22, Penalties for Violation for For-Hire Vehicle Rules, is hereby amended to read as follows:

Italics indicate new material.

[] Brackets indicated deleted material.

§6-22 Penalties for Violation of For-Hire Vehicle Rules.

<u>Rule Number</u>	<u>Penalty</u>	<u>Personal Appearance Required</u>
6-11(d)(4)(a), (b) or (c)	\$350 and suspension until compliance	Yes
6-12(n)	<i>\$10,000 and license suspension until compliance if alteration is not approved. \$10,000 and license revocation if certification sticker is altered.</i>	Yes

Section 5. Title 35 of the Rules of the City of New York, Chapter 6, For-Hire Vehicle Rules, Section 6-50, Intermunicipal For-Hire Vehicle Operations, subdivision (c), paragraph (6) is amended, and a new paragraph (7) is added, to read as follows:

- (6) the applicant has not had a Tier 2 vehicle permit revoked or has not been refused renewal of a Tier 2 vehicle permit pursuant to subdivision (f) of this section or §6-59(b) of this chapter; *and*
- (7) *If the vehicle has a seating capacity of nine or more passengers, it complies with the minimum public liability insurance requirements set forth in United States Department of Transportation regulations governing vehicles for-hire engaging in interstate commerce.*

Section 6. Title 35 of the Rules of the City of New York, Chapter 6, For-Hire Vehicle Rules, Section 6-54, Inspections, is hereby amended by the addition of a new subdivision (e), to read as follows:

Italics indicate new material.

§6-54 Inspections.

- (e) *Notwithstanding the above, the owner of a vehicle with a seating capacity of nine or more passengers who holds a Tier 2 or Tier 3 vehicle permit shall not use such vehicle to transport passengers for hire within the City of New York if said vehicle has been altered to increase its original length, width, weight or seating capacity or to modify its chassis and/or body design unless said modification has been made in accordance with a program approved in advance by the original vehicle manufacturer and said alteration has been performed by a coachbuilder or other entity approved and certified by the vehicle manufacturer to perform such alterations. An original, unaltered, approved coachbuilder's or vehicle modifier's certification sticker shall be affixed to the vehicle at a location to be determined by the Commission.*

Section 7. Subdivision (a) of Title 35 of the Rules of the City of New York, Chapter 6, For-Hire Vehicle Rules, Section 6-59, Penalties for Violation of Inter-Municipal Transport Rules, is hereby amended to read as follows:

Italics indicate new material.

[] Brackets indicated deleted material.

§6-59 Penalties for Violation of Inter-Municipal Transport Rules.

(a)

<u>RULE NUMBER</u>	<u>PENALTY</u>	<u>PERSONAL APPEARANCE REQUIRED</u>
6-50(g)	\$300-1,500	Yes
6-52(a)	\$300-1,500	Yes
6-52(b)	\$300-1,500	Yes
6-52(c)	\$300-1,500	Yes
6-53(a)	\$300-1,500	Yes
6-53(b)	\$300-1,500	Yes
6-54(a-d)	Notice to Correct within 10 days	N/A
<i>6-54(e)</i>	<i>\$350 and suspension until compliance</i>	<i>Yes</i>
<i>6-54(f)</i>	<i>\$10,000 and suspension until compliance or revocation</i>	<i>Yes</i>

Upon failure of owner to comply with any such notice to correct within 10 days after service thereof, the Tier 2 vehicle or Tier 3 vehicle permit shall be suspended. Upon failure of owner to comply with any such order within 120 days after service thereof, the Tier 2 vehicle or Tier 3 vehicle permit may be deemed to have been abandoned by such owner.

