

CHAPTER 16

**Dispatch of Accessible
Vehicles**

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§16-01 Definitions.

Accessible taxicab. An “accessible taxicab” is a taxicab that complies with section 3-03.2 of this title.

Accessible vehicle. An “accessible vehicle” is an accessible taxicab or a wheelchair accessible livery.

Chairperson. The “Chairperson” is the Chairperson of the Commission, or his or her designee.

Commission. The “Commission” is the New York City Taxi and Limousine Commission.

Dispatch. A “dispatch” is a request conveyed by the dispatcher for a participating driver operating an accessible vehicle to provide transportation for a wheelchair passenger or for a group of passengers which includes a wheelchair passenger.

Dispatch Equipment. The “dispatch equipment” shall be the communications equipment provided by the dispatcher to enable participating drivers operating accessible vehicles to receive dispatches from the dispatcher.

Dispatcher. The dispatcher is the entity selected by the commission to provide dispatch service for accessible vehicles.

Owner. The owner shall be the owner of the accessible taxicab medallion, or the wheelchair accessible livery, as applicable.

Participating driver. A “participating driver” is a driver of an accessible vehicle who holds a current, valid license from the Commission to drive a taxicab under chapter 2 of this title, or to drive a livery under chapter 6 of this title, and has successfully completed the training prescribed in section 16-05 of this chapter.

Wheelchair accessible livery. A “wheelchair accessible livery” shall mean a livery which meets the requirements of section 6-28 of this title and the owner of which vehicle has opted to participate in the dispatch program as set forth in this chapter.

Wheelchair passenger. A “wheelchair passenger” is a passenger using a wheelchair.

§16-02 Effective Date.

Effective on January 1, 2008:

- (a) All accessible vehicles and all owners and all participating drivers must comply with all provisions of this chapter; and
- (b) Each accessible taxicab must be driven by a participating driver who holds a taxicab driver’s license issued under chapter 2 of this title; and
- (c) Each wheelchair accessible livery must be driven by a participating driver who holds a for-hire vehicle operator’s permit issued under chapter 6 of this title; and
- (d) No owner, and no base station with which any wheelchair accessible livery is affiliated, may permit operation of an accessible vehicle by a driver other than a participating driver holding the proper license or permit for such vehicle.

§16-03 Requirements Not Exclusive.

Except to the extent that this chapter expressly provides otherwise, each participating driver, each accessible vehicle and each owner must comply with the generally applicable provisions of chapters 1, 2, 3 and 6 of this title.

§16-04 Dispatch Equipment for Accessible Vehicles.

- (a) Each accessible vehicle must be equipped with operable dispatch equipment.
- (b) While the accessible vehicle is in operation, the dispatch equipment must be on and capable of use, unless the dispatch equipment becomes inoperable.

(c) If the dispatch equipment becomes inoperable, the driver of the accessible vehicle must notify the dispatcher and owner by the end of such driver's shift that the equipment is not operable. The owner must install replacement or repaired dispatch equipment promptly upon receipt thereof from the dispatcher. An accessible vehicle with inoperable dispatch equipment may continue to operate without accepting dispatches until repair or replacement of the dispatch equipment.

(d) Each participating driver must log on to the dispatch equipment at the beginning of such driver's shift and log off at the conclusion of such shift, and communicate with the dispatcher regarding dispatches, all in the manner prescribed by the dispatcher.

§16-05 Training of Participating Drivers.

(a) Any driver, in order to become a participating driver and to operate an accessible vehicle, must attend a course of wheelchair accessible driver training approved by the Chairperson regarding wheelchair passenger assistance techniques.

Wheelchair accessible driver training shall include a minimum of three hours of training that covers the following:

(i) A review of all legal requirements pertaining to transportation of persons with disabilities;

(ii) Passenger assistance techniques including a review of various disabilities, hands-on demonstrations, disability etiquette, mobility equipment training (including familiarity of lift/ramp operations and various types of wheelchairs), and safety procedures, such training to involve an actual person using a wheelchair; and

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

(b) No driver may operate an accessible vehicle unless the driver has a certificate of completion for or other evidence of completion of the required training as provided in subdivision (a) of this section.

- (c) Each participating driver must keep the certificate or a copy of the certificate obtained pursuant to subdivision (b) of this section in the accessible vehicle and available for inspection.
- (d) The owner shall be responsible for paying any fees required for the training of participating drivers for such owner's medallion or vehicle.
- (e) The owner shall be responsible for ensuring that an accessible vehicle is operated by a participating driver who has completed the training provided for in this section.
- (f) Each participating driver must also attend and complete the course of instruction in operation of the dispatch equipment provided by the dispatcher. Each participating driver must also attend and complete any mandatory update training on the dispatch equipment provided by the dispatcher.

§16-06 Acceptance of Dispatch.

- (a) A participating driver of an accessible vehicle must accept a dispatch from the dispatcher while a driver is on duty. In the event that any participating driver while on duty rejects more than two dispatches from the dispatcher in any work shift, the participating driver shall be deemed to have failed to participate in the dispatch program. Such participating driver may offer as a defense of any charge of failure to participate evidence or an explanation that the driver was not on duty or the vehicle was otherwise not actually available.
- (b) A participating driver operating an accessible vehicle, upon receiving a dispatch from the dispatcher, must indicate to the dispatcher when the accessible vehicle will be able to pick up a wheelchair passenger in response to a dispatch in the manner prescribed by the dispatcher. A participating driver of an accessible taxicab shall illuminate the "Off Duty" light when the driver begins to travel to the pick up location.
- (c) A participating driver of an accessible vehicle who has accepted a dispatch from the dispatcher may not accept any other passenger prior to picking up the wheelchair passenger.

(d) A base station with which a participating wheelchair accessible livery is affiliated shall also be responsible for ensuring the acceptance of a dispatch by the operator of the vehicle.

§16-07 Fares.

Except as provided in section 16-09 of this chapter, fares for transportation provided following a dispatch under this chapter shall be equivalent to those set for taxicabs pursuant to sections 1-69, 1-70, 1-72 and 1-73 of this title.

§16-08 Driver Duties Regarding Wheelchair Passengers.

(a) A participating driver must assist the wheelchair passenger to and from the curbside while entering and exiting the vehicle and must secure the wheelchair passenger within the vehicle. A participating driver is not required to assist a wheelchair passenger beyond the curbside.

(b) A participating driver must place the wheelchair passenger's packages and parcels in the vehicle and secure them and must retrieve them for the wheelchair passenger upon the conclusion of the ride.

(c) A participating driver must accept and provide transportation in the accessible vehicle for a wheelchair passenger's service animal(s) and for as many companions as may be seated in the vehicle.

(d)

(i) A participating driver who has accepted a dispatch must wait for the wheelchair passenger to appear at the curbside at the point of pick up for a minimum of ten minutes following the time of pickup indicated by the dispatcher.

(ii) Notwithstanding the provisions of section 2-33(a) of this title, a participating driver shall not turn on the taximeter until the later of (A) the pick up time indicated by the dispatcher or (B) the vehicle's arrival at the point of pick up. The fare shall include any wait time from the time the taximeter is turned on until the trip begins.

(e) Except as provided in section 16-09 of this chapter, a participating driver of an accessible vehicle may not charge a fare to a wheelchair passenger higher than that indicated on the taximeter.

(f) A participating driver accepting a dispatch from the dispatcher must notify the dispatcher in the manner prescribed by the dispatcher when the driver has arrived at the pickup location, whether a passenger is a wheelchair passenger, and whether the driver has picked up any passengers. At the conclusion of the ride, the participating driver must notify the dispatcher in the manner described by the dispatcher that the trip has been completed, the amount of the fare and the driver's ability to accept a new dispatch.

§16-09 Non-Wheelchair Passengers.

A participating driver who has accepted a dispatch and who finds, upon arriving at the pickup location, that none of the passengers is a wheelchair passenger, may either refuse to provide transportation to such passengers, or provide such transportation but charge a fare of twice the otherwise applicable fare.

§16-10**Penalties for Violation of Accessible Dispatch Rules.**

Rule Number	Penalty	Personal Appearance Required
	All fines listed below also include a separate license suspension, to run concurrently with any underlying suspension, until such fine is paid, unless such fine is paid by the close of business on the day assessed.	
§16-02	\$100 to each of driver, owner, and, if the vehicle is a wheelchair accessible livery, the base station.	No
§16-04(a)	\$50	No
§16-04(b)	\$100	No
§16-04(c)	\$50	No
§16-04(d)	\$100	No
§16-05(b)	\$50	No
§16-05(c)	\$50	No
§16-05(e)	\$50	No
§16-06(a)	\$100 per work shift	No
§16-06(b)	\$100	No
§16-06(c)	\$100	No
§16-06(d)	\$50	No
§16-08(a)	\$50	No
§16-08(b)	\$50	No
§16-08(c)	\$50	No
§16-08(d)(i)	\$50	No
§16-08(d)(ii)	\$50	No
§16-08(e)	\$100	No
§16-08(f)	\$50	No