

NEW YORK CITY TAXI AND LIMOUSINE COMMISSION

Notice of Promulgation of Rules

Notice is hereby given in accordance with section 1043(e) of the New York City Charter (“Charter”) that the Taxi and Limousine Commission (“TLC”) promulgates rules amending the provisions of Title 35 of the Rules of the City of New York to increase certain license and inspection fees.

These rules are promulgated pursuant to sections 1043 and 2303(b) of the Charter and section 19-503 of the Administrative Code of the City of New York.

On July 21, 2011, a public hearing was held by the TLC at the TLC’s offices at 33 Beaver St., New York, NY in the 19th Floor hearing room. These rules will take effect 30 days after publication.

New Material is underlined.

[Material inside brackets indicates deleted material.]

Section 1. Section 54-07(a) of Title 35 of the Rules of the City of New York is amended to read as follows:

(a) *Fee for License.* The fee for a Taxicab Driver's License will be \$[60]84 annually.

Section 2. Section 55-07(a) of Title 35 of the Rules of the City of New York is amended to read as follows:

(a) *Fee for License.* The fee for a For-Hire Driver's License will be \$[60]84 annually.

Section 3. Section 56-07(a) of Title 35 of the Rules of the City of New York is amended to read as follows:

(a) *Fee for License.* The fee for a Paratransit Vehicle Driver's License will be \$[60]84 annually.

Section 4. Section 57-07(a) of Title 35 of the Rules of the City of New York is amended to read as follows:

(a) *Fee for License.* The fee for a Commuter Van Driver's License will be \$[60]84 annually.

Section 5. Section 58-07(d) of Title 35 of the Rules of the City of New York is amended to read as follows:

(d) *Inspection Fee.* The Commission's fee for a required Taxicab Safety and Emissions inspection is [fifty dollars (\$50)]\$90; this fee includes the certificate of inspection issued when the Taxicab passes the inspection. Inspection fees must be prepaid [for] with each application and renewal application[period as part of the renewal].

Section 5. Section 59A-07(e)(7) of Title 35 of the Rules of the City of New York is amended to read as follows:

(7) The Commission's fee for a required Commission inspection[s will be the fee prescribed by regulation of the DMV for inspections under section 305 of the Vehicle and Traffic Law] is \$75; this fee includes the certificate of inspection issued when the vehicle passes inspection. Inspection fees must be prepaid with each application and renewal application.

Section 6. Section 59A-07(e) of Title 35 of the Rules of the City of New York is amended by adding a new subdivision (8) to read as follows:

(8) Reinspection Fee. A reinspection fee can be required if a vehicle must be reinspected. There is a reinspection fee only if reinspection is required because the vehicle failed a component of the inspection required by Section 301 of the NYS Vehicle and Traffic Law. In that case, the reinspection fee is the maximum fee allowed by DMV regulation for any component that must be reinspected. If reinspection is required because the vehicle failed any other component of the inspection, there is no reinspection fee.

Statement of Basis and Purpose

These rules increase fees for Taxi and Limousine Commission-issued drivers' licenses and initial inspections of taxicabs, to be authorized by Local Law. Driver's license fees were last changed in 1984, and initial inspection fees for taxi inspections were apparently last changed in 1990. These fees no longer adequately reflect the Commission's costs.

In addition, these rules increase the initial inspection fee for for-hire vehicles. FHV inspections at Commission facilities were first required in 2009, and the fee imposed at that time covered only the State-mandated portion of the inspection and not the additional inspection items involved in determining compliance with the Commission's rules. Accordingly, the current fee for such inspections is the amount permitted to be charged by the State DMV for a State-mandated vehicle inspection. These rules raise the fee for the initial inspection to cover both the State-mandated and the Commission-mandated components of the inspection. The fee for the State-mandated portion of the inspection continues subject to State DMV limits. The Commission intends to charge the increased inspection fee for each inspection conducted on and after the date these rules become effective.

Finally, these rules clarify that FHV's are subject to re-inspection fees only if they fail the State-mandated portion of the initial inspection. As with taxicabs, re-inspections required solely for Commission-mandated items remain free of charge.