

Matthew W. Daus, Commissioner/Chair

Industry Notice # 10-02

January 15, 2010

For Immediate Release

IMPORTANT INFORMATION FOR ALL TLC-LICENSED DRIVERS
RE: New Cell Phone Rules and Penalties

On December 17, 2009, the New York City Taxi and Limousine Commission (TLC) enacted new Distracted Driving Regulations to strengthen its cell phone prohibition originally passed in 1999 (which pre-dates many portable/hands-free electronic devices and most notably the Bluetooth device). Nationally accepted scientific research indicates that:

- Drivers are four (4) times more likely to be involved in automobile accidents while on a hands-free or cell phone device;
- Drivers distracted by cell phone conversations are technically more impaired than intoxicated drivers.

The TLC encourages all drivers (in the taxicab, black car, livery, limousine, paratransit, commuter van industries) to comply. Compliance will save lives and ensure the safety of drivers, passengers, pedestrians and other motorists. These rules are necessary due to persistent illegal use by drivers despite repeated warnings by the TLC. On January 29th and thereafter, these new rules will be vigorously and strictly enforced.

Effective January 29, 2010, all TLC licensed drivers must comply as follows:

- You MAY NOT have a **Bluetooth** or other wireless or wired telephone device in or near your ear – even if you are not talking on it or listening to it.
- You may not use a **handheld or hands-free cell phone** while driving – you MUST be “Legally Standing or Parked.”
- While driving, you may NOT use any portable electronic devices that allow you to talk, text, communicate or become distracted in any way.
- Only FHV drivers may receive dispatch information from a base using a mounted electronic device or FCC-licensed two-way radio. Communication must be brief and strictly business-related.
- If you are convicted of using prohibited electronic devices while driving, you will be fined **\$200** and will earn **three (3) penalty points** on your TLC license under the TLC’s Persistent Violator Program. (Please be reminded that within any 15-month period if you accrue six (6) TLC points, you will serve a 30-day license suspension, and will have your license revoked if you reach 10 TLC points).
- If you are convicted of a third violation within a 15-month period, your TLC license will be **revoked – three strikes and you’re out!** This includes any combination of summonses issued by TLC officers as well as those issued under the Vehicle & Traffic Law that are heard at the NYS Dept. of Motor Vehicles’ Traffic Court (e.g., summonses issued by NYPD police officers and any other authorized law enforcement personnel).
- If you are convicted of any cell phone violation, in addition to accruing points, possible suspension and fines, you will be required to attend a **mandatory Safety Refresher Course** that illustrates the dangers of distracted driving. The course will review the rules governing the use of portable or hands-free devices, and the dangers of driving while distracted. Also, all newly licensed drivers, and probationary drivers, will be required to receive similar training as part of the licensing process.
- The above are highlights – to read the full rules and penalties, we suggest that you visit:
http://nyc.gov/html/tlc/downloads/pdf/electronic_device_rule.pdf