

NEW YORK CITY TAXI AND LIMOUSINE COMMISSION

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

Notice is hereby given in accordance with section 1043(b) of the Charter of the City of New York (“Charter”) that the Taxi and Limousine Commission (“TLC”) proposes adoption of rules governing insignia for accessible vehicles.

These rules are proposed pursuant to sections 1043 and 2303(b)(11) of the Charter and section 19-503 of the Administrative Code of the City of New York. The proposed rules were not included in the most recent TLC regulatory agenda, because the need for them was not anticipated at the time the regulatory agenda was prepared.

A public hearing on these proposed rules will be held by the TLC at its offices at 40 Rector Street, 5th Floor, New York, New York 10006 on September 10, 2008, at 9:30 a.m. Persons wishing to testify at the hearing may notify the TLC in advance, either in writing or by telephone to the TLC’s Office of Legal Affairs at the address and telephone given below. Any request for a sign language interpreter or other form of reasonable accommodation at the hearing for a disability must be submitted to the Office of Legal Affairs in writing, by email, by telephone, or by TTY/TDD no later than September 4, 2008.

Written comments in connection with this proposed rule should be submitted to the Office of Legal Affairs, addressed as follows, or submitted via email and must be received no later than September 8, 2008:

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Taxi and Limousine Commission

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New material is underlined.

[Material inside brackets indicates deleted material.]

Section 1. Paragraph (5) of subdivision (b) of Section 1-35 of Chapter 1 of Title 35 of the Rules of the City of New York is amended to read as follows:

§1-35 Markings and Advertising.

- (b) An owner shall not display any lettering, emblem, or advertising of any kind on the exterior of a taxicab, its windows or an exterior accessory, by means of paint, stencil, decal, sticker, or otherwise, unless authorized by the Commission, except:

. . . .

- (5) for an accessible taxicab, insignia, the [design] designs of which shall be provided by the Commission on its website or through other means it deems appropriate as set forth on its website, that identify the vehicle as an accessible taxicab. Such insignia shall 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 taxicab, and shall be visible to passengers entering the accessible taxicab and shall also be located on the middle of the hood of such taxicab so as to be visible to passengers hailing or approaching such taxicab; and

STATEMENT OF BASIS AND PURPOSE OF PROPOSED RULES

Pursuant to Local Law 55 of 2006 (Administrative Code section 19-514, subd. h), existing Taxi and Limousine Commission (“Commission”) rules require markings on wheelchair accessible taxicabs, specifically on the C-pillars of a sedan or an SUV or D-pillars of a minivan. Feedback from taxicab passengers who use wheelchairs indicates that these markings may not always be sufficiently visible to passengers attempting to hail wheelchair accessible taxicabs. Therefore, this proposed rule would require an additional marking to be placed in the middle of the hood of the taxicab.

As with the previous markings, the new marking will be designed by the Commission. The Commission intends to use a larger marking for the hood than is used for the pillars, in order to enhance the visibility of wheelchair accessible taxicabs for street hails.