

## 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 New York City Charter (“Charter”) that the Taxi and Limousine Commission (“TLC”) proposes amending the provisions of Chapters 4 and 8 of Title 35 of the Rules of the City of New York regarding certain rule aspects affecting the experience of the riding public.

These rules are proposed pursuant to sections 1043 and 2303 of the Charter and section 19-503 of the Administrative Code of the City of New York. The proposed rules were included in the TLC’s regulatory agenda for Fiscal Year 2010.

A public hearing on these proposed rules will be held by the TLC at its offices at 40 Rector Street, 5<sup>th</sup> Floor, New York, New York 10006 on Thursday, December 16, 2010, at 10:00 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 for a disability at the hearing must be submitted to the Office of Legal Affairs in writing or by telephone no later than December 9, 2010.

Written comments in connection with these proposed rules must be received no later than December 6, 2010. Comments may be submitted through the NYC Rules website at [www.nyc.gov/nycrules](http://www.nyc.gov/nycrules), or may be submitted to the Office of Legal Affairs at:

Charles R. Fraser  
*Deputy Commissioner for Legal Affairs/General Counsel*  
Taxi and Limousine Commission  
40 Rector Street, 5<sup>th</sup> Floor  
New York, New York 10006  
Telephone: 212-676-1135  
Fax: 212-676-1102  
Email: [tlcrules@tlc.nyc.gov](mailto:tlcrules@tlc.nyc.gov)

Written comments and a transcript of all comments received at the hearing will be available for public inspection at that office.

New Material is underlined.

[Material inside brackets indicates deleted material.]

**Section 1.** It is proposed to amend Section 4-15(b) of Title 35 of the Rules of the City of New York to read as follows:

(b) *Driver Neat & Clean.* A Driver must be clean and neat in dress and person and present a professional appearance. [A Driver must not wear, as outer clothing, underwear, tank tops, tube tops, body shirts, swimwear, bathing trunks, or cut off shorts.]

**Section 2.** It is proposed to amend Section 5-15 of Title 35 of the Rules of the City of New York to add a new subdivision (b) to read as follows:

(b) [**Reserved.**] *Driver Neat & Clean.* A Driver must be clean and neat in dress and person and present a professional appearance.

<u>§5-15(b)</u>	<u>Fine: \$25</u>	<u>Appearance NOT REQUIRED</u>
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**Section 3.** It is proposed to amend Section 6-15(b) of Title 35 of the Rules of the City of New York to read as follows:

(b) *Driver Neat & Clean.* A Driver must be clean and neat in [appearance when operating a Paratransit Vehicle for hire] in dress and person and present a professional appearance.

**Section 4.** It is proposed to amend Section 7-15 of Title 35 of the Rules of the City of New York to add a new subdivision (b) to read as follows:

(b) [**Reserved.**] *Driver Neat & Clean.* A Driver must be clean and neat in dress and person and present a professional appearance.

<u>§7-15(b)</u>	<u>Fine: \$25</u>	<u>Appearance NOT REQUIRED</u>
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**Section 5.** It is proposed to amend Section 8-25(f)(3) of Title 35 of the Rules of the City of New York to read as follows:

(3) Passengers must pay for the toll, [and must be informed of this fact before the trip begins,] but are only required to pay the actual amount (often a discounted toll) charged to the *E-ZPass*®.

### **Statement of Basis and Purpose**

These rules amend certain provisions which affect the riders of taxicabs and other vehicles regulated by the TLC and the experience of those rides. First, the rules replace the detailed list of prohibited apparel rules appearing in the prior taxicab drivers' rules with a general requirement that taxi drivers present a neat and professional appearance. The TLC believes that a general requirement better states its concerns and that a detailed list is outmoded and impractical. In addition, the rule extends that standard to all drivers licensed by the TLC. The TLC believes that the public is entitled to drivers who present a neat and professional appearance.

Second, the rule eliminates the requirement that a taxi driver must inform the passenger that the passenger must pay tolls prior to the commencement of a trip. The TLC believes this rule is outmoded both because the riding public is aware, generally, that passengers are responsible for tolls, and because tolls are clearly included in the fare as shown both on the Passenger Information Monitor and on the taximeter.

This rule amends the version of the Commission's rules that becomes effective April 1, 2011.