

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 amended rules governing various vehicle transfer fees.

These rules are proposed pursuant to sections 1043 and 2303 of the Charter and section 19-504 of the Administrative Code of the City of New York. These proposed rules were not included in the TLC’s regulatory agenda for Fiscal Year 2010 because the need for the rule change was not anticipated at the time the agenda was submitted.

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 June 17, 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 June 10, 2010.

Written comments in connection with these proposed rules should be submitted to the Office of Legal Affairs and must be received no later than June 14, 2010 to:

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

Written comments and a summary 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 1-06 of Title 35 of the Rules of the City of New York to read as follows:

(a) [Pursuant to §19-504(k) of the Administrative Code of the City of New York, the fee for replacement of license plates issued by the New York State Department of Motor Vehicles shall be twenty-five dollars (\$25) per vehicle.] An owner may transfer a medallion to a different vehicle after approval by the Chairperson and payment of a \$50 fee.

(b) An owner may replace the license plates on a taxicab after approval by the Chairperson and payment of a \$25 fee.

(c) An owner must pay a separate fee for each separate transfer, regardless of when such transfer is made.

Section 2. It is proposed to amend section 4-16(g) of Title 35 of the Rules of the City of New York to read as follows:

(g) Vehicle Transfer Fees.

[Pursuant to §19-504(h) of the Administrative Code of the City of New York, a vehicle licensee may change the base with which it is affiliated, subject to the approval of the Commission and upon payment of a fee of twenty-five dollars (\$25).]

(1) An owner may change the base with which a paratransit vehicle is affiliated after approval by the Chairperson and payment of a \$25 fee.

(2) An owner may transfer a paratransit vehicle license to a different vehicle after approval by the Chairperson and payment of a \$25 fee.

(3) An owner may replace the license plates on a paratransit vehicle after approval by the Chairperson and payment of a \$25 fee .

(4) An owner must pay a separate fee for each separate transfer, regardless of when such transfer is made.

Section 3. It is proposed to amend section 6-03(g) and delete section 6-03(h) of the Title 35 of the Rules of the City of New York, as follows:

(g) Vehicle Transfer Fees. [Pursuant to §19-504(h) of the Administrative Code of the City of New York, a vehicle licensee may change the base with which it is affiliated,

subject to the approval of the Commission and upon payment of a fee of twenty-five dollars (\$25).]

(1) The holder of a for-hire vehicle permit may change the base with which the for-hire vehicle is affiliated after approval by the Chairperson and payment of a \$25 fee.

(2) The holder of a for-hire vehicle permit may transfer the for-hire vehicle permit to a different vehicle after approval by the by the Chairperson and payment of a \$25 fee.

(3) The holder of a for-hire vehicle permit may replace the license plates on the for-hire vehicle after approval by the Chairperson and payment of a \$25 fee.

(4) The holder of a for-hire vehicle permit must pay a separate fee for each separate transfer, regardless of when such transfer is made.

[(h) Pursuant to §19-504(k) of the Administrative Code of the City of New York, the fee for replacement of license plates issued by the New York State Department of Motor Vehicles shall be twenty-five dollars (\$25) per vehicle.]

Section 4. It is proposed to amend section 9-15 of Title 35 of the Rules of the City of New York by adding a new subdivision (d), to read as follows:

(d) *Vehicle Transfer Fees.*

(1) A holder of a commuter van license may change the commuter van service with which the commuter van is affiliated after approval by the Chairperson and payment of a \$25 fee.

(2) A holder of a commuter van license may transfer the commuter van license to a different vehicle after approval by the Chairperson and payment of a \$25 fee.

(3) A holder of a commuter van license may replace the license plates on the commuter van after approval by the Chairperson and payment of a \$25 fee.

(4) A holder of a commuter van license must pay a separate fee for each separate transfer, regardless of when such transfer is made.

Statement of Basis and Purpose

These rules amend the provisions of chapters 1 (Taxicab Owners), 4 (Paratransit Service), 6 (Vehicles for Hire) and 9 (Commuter Van Services) of the Taxi and Limousine Commission's Rules with respect to the collection of certain fees authorized by sections 19-504 (h) and (k) of the New York City Administrative Code.

Specifically, the proposed rules provide that the holder of a vehicle license under any of these chapters will be required to pay a transfer fee each time such licensee seeks to

- Change the licensed vehicle
- Change the vehicle's base or service affiliation (if applicable) or
- Change the vehicle's license plates.

Any licensee who seeks to make more than one type of transfer at any one time must pay a separate fee for each transfer. Therefore, for example, under the proposed rule, a licensee who seeks to simultaneously transfer base affiliation and license plates would be charged two fees, one for each transfer type.