

## **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 taxicab vehicles and the “hack-up” of taxicabs.**

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. These proposed rules were not included in the TLC’s regulatory agenda for Fiscal Year 2009 because the need for such rules was not anticipated at the time the regulatory agenda was published.

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 June 30, 2009 at 2:30 p.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 26, 2009.

The public hearing will not be a meeting of the Commissioners of the Taxi and Limousine Commission and will be chaired by the TLC’s Deputy Commissioner for Legal Affairs. Persons who wish to speak at the hearing will be strictly limited to three minutes of speaking time. Persons who wish to comment on the proposed rules are urged to submit written comments. There is no page limit on written comments.

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 26, 2009 to:

**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 summary of all comments received at the hearing will be available for public inspection at that office.

Section 1. It is hereby proposed to amend Title 35 of the Rules of the City of New York by adding a new chapter 17 thereto, to read as follows:

New Material is underlined.

## CHAPTER 17

## RULES FOR TAXICAB HACK-UP AND MAINTENANCE

### Contents

§17-01	Scope of this Chapter	4
§17-02	Penalties	4
§17-03	Definitions Specific to this Chapter	4
§17-04	Original Verification of Taxicab Candidate as Taxicab Model	5
§17-05	Standard Specifications for a Hybrid Electric Taxicab Model	6
§17-05.1	Standard Specifications for Other Taxicab Models	7
§17-06	Requirements for Hacking Up a Taxicab Model	9
§17-07	Requirements for Hack-up – Paint, Finish and Lighting	10
§17-08	Requirements for Hack-up – Occupant Accommodation	10
§17-09	Requirements for Hack-up – Taximeters	11
§17-10	Requirements for Hack-up – Partitions	11
§17-11	Requirements for Hack-up – Distress Signal Lights	13
§17-12	Requirements for Hack-up – In-Vehicle Camera System (“IVCS”)	14
§17-13	Requirements for Hack-up – Credential Holders	16
§17-14	Requirements for Hack-up – Air Conditioning	17
§17-15	Requirements for Hack-up – Taxicab Technology System (T-PEP)	17
§17-16	Hybrid Electric Taxicab Specifications	19
§17-17	Accessible Taxicab Specifications	19
§17-18	Scheduled Vehicle Retirement	21
§17-19	Vehicle Retirement Extensions	21

**§17-01**      **Scope of this Chapter**

- (a)    To establish the standards and requirements for preparing a vehicle for Taxicab Licensing, and
- (b)    To establish the standards and requirements for Taxicab maintenance, inspection and retirement.

**§17-02**      **Penalties**

- (a)    This Chapter is informational in nature and does not contain penalties. Penalties for failure to follow the rules established in this Chapter will be found in Chapter 4 and Chapter 8 which establish specific requirements for Taxicab Drivers and owners.

**§17-03**      **Definitions Specific to this Chapter**

- (a)    Accessible Taxicab is an Accessible Vehicle that has been Hacked-Up.
- (b)    Accessible Vehicle is a vehicle that is licensed by the Commissions and that meets the specifications in §17-17 of these rules and the following Americans with Disabilities Act regulations for vans under 22 feet in length:
  - (1)    49 CFR Parts 37 and 38 (US DOT)
  - (2)    36 CFR §§1192.23 et.seq. (Architectural and Transportation Barriers Compliance Board)
  - (3)    49 CFR part 571 (Motor Vehicle Safety Standards)
- (c)    Clean Air Taxicab is a Taxicab that uses a type of fuel which allows the vehicle to:
  - (1)    Receive an air pollution score of 9.0 or higher from the U.S. EPA and
  - (2)    Emit 6.4 tons or less of equivalent carbon dioxide per year, as estimated by the U. S. Department of Energy.
- (d)    Level I Clean Air Taxicab is a Taxicab that uses a type of fuel which allows the vehicle to:
  - (1)    Receive an air pollution score of 9.5 or higher from the U.S. EPA and
  - (2)    Emit 5.0 tons or less of equivalent carbon dioxide per year, as estimated by the U. S. Department of Energy.

- (e) Level II Clean Air Taxicab is any Clean Air Taxicab that does not meet the standards of a Level One Clean Air Taxicab.
- (f) Hybrid Electric Vehicle means a commercially available mass-produced vehicle originally equipped by the manufacturer with a combustion engine system and an electric propulsion system that operate in an integrated manner.
- (g) Safety and Emissions Inspection means the required vehicle inspections conducted at the Commission's inspection facility.
- (h) Scheduled Retirement Date is the date on which a Taxicab must be retired from service, as determined in §17-18 of this Chapter.
- (i) A Sponsor is either a manufacturer or the manufacturer's authorized sales agent who promotes a Taxicab Candidate to the Commission and follows the process through Commission review and approval.
- (j) A Taxicab Candidate is the vehicle being proposed by the manufacturer to be verified for use as a Taxicab Model.
- (k) Taxicab Model is a Taxicab Candidate that has been verified by the Commission to comply with the standard specifications set forth in §17-05 or §17-05.1 of this Chapter.

**§17-04      Original Verification of Taxicab Candidate as Taxicab Model**

- (a) Meet All Specifications. Unless an exception is made by the Commission, a Taxicab Candidate must meet the technical specifications in §17-04 of these Rules, as well as all applicable federal and New York State motor vehicle standards and requirements, in order to become a Taxicab Model.
- (b) Proof of Compliance. The Sponsor must certify, item by item, that the Taxicab Candidate meets all of the specifications in §17-05 or §17-05.1. Where a minimum or maximum value is specified, the actual values of the Taxicab Candidate must be given.
- (c) Required Submissions. The sponsor must provide the Commission with the following:
  - (1) A Motor Vehicle Manufacturer Association (MVMA) specifications form
  - (2) A complete listing of interior dimensions as measured on a legitimate example of the Taxicab Candidate that will be submitted as a test vehicle
  - (3) A complete listing of heavy duty equipment

- (4) A list indicating the significance of characters in the Vehicle Identification Number (VIN)
- (5) The manufacturer's repair shop manual for each Taxicab Candidate and, upon request, full size layout drawings of the Taxicab Candidate vehicle
- (6) An EPA Certificate of Conformity pertaining to the Taxicab Candidate
- (d) Test Vehicle. The sponsor must, at his or her own expense, provide a legitimate example of the Taxicab Candidate. The Commission will use the test vehicle for road testing, for taking detailed measurements, and for objectively assessing the model's conformance to required specifications.
- (e) Exceptions. The Commission reserves the right to approve limited quantities of Taxicab Candidates that fail any of these specific rules under the Pilot Program described in Subchapter C of Chapter 2. To be considered as an exception under the Pilot Program, one or more of the following conditions must exist:
  - (1) The Sponsor's vehicle is already purpose-built for taxi service, and therefore substantially exceeds other criteria.
  - (2) The sponsor wishes to demonstrate certain outstanding virtues that deserve to be tested in actual taxi service.

**§17-05      Standard Specifications for a Hybrid Electric Taxicab Model**

- (a) Type of Vehicle. The vehicle must be a four-door model of one of the following types, and must meet all of the other requirements in this section:
  - (1) A compact or larger sedan
  - (2) A minivan
  - (3) A sport utility vehicle equipped with running boards. To qualify as a Taxicab Model, a sport utility vehicle must include the manufacturer or dealer option that provides the greatest degree of light transmittance available in the rear and side rear windows, and in no case less than 20 percent light transmittance.
- (b) Interior Size. The vehicle must have an EPA passenger compartment interior volume index of at least 101.5 cubic feet.
- (c) Rear Compartment. The rear compartment of any vehicle approved for use as a Taxicab Model must meet the following dimensions as defined by the Society of Automotive Engineers:

- (1) Effective legroom (L51) must be at least 34.6 inches
  - (2) Effective headroom (H63) must be at least 37.1 inches
  - (3) Seat depth (L16) must be at least 18 inches
- (d) Front Compartment. The front compartment of any vehicle approved for use as a Taxicab Model must meet the following dimensions:
- (1) Effective headroom (H61) must be at least 37.5 inches
  - (2) Effective legroom (L34) must be at least 41.6 inches
  - (3) Total legroom (the sum of L34 and L51) must be at least 76.2 inches
- (e) Air Conditioning. The vehicle must be equipped with a factory installed air conditioning system. If the vehicle model has available air conditioning outlets for the rear seat area, then the vehicle must be equipped with factory-installed rear seat air conditioning.
- (f) Engine Size. The vehicle may not be equipped with an engine in which the maximum horsepower exceeds 268.
- (g) Compressed Natural Gas Usage. Beginning on October 1, 2008, a vehicle may be fueled by compressed natural gas only if the vehicle:
- (1) Is an originally manufactured vehicle
  - (2) Meets the air conditioning and engine size provisions in paragraphs (e) and (f) above
- (h) Diesel Fuel Usage. A vehicle can be hacked up as a Taxicab even if it is not a Hybrid Electric Vehicle if it is powered by diesel fuel and otherwise meets the requirements of this §17-05.
- (i) Windows. All windows must have a light transmittance of 70 percent or more, except for the upper 6 inches of the front windshield.

#### **§17-05.1 Standard Specifications for Other Taxicab Models**

- (a) Type of Vehicle. The vehicle must be one of the following types:
- (1) A sedan, manufactured with heavy-duty equipment for taxicab, police, or fleet service that meets all of the specifications in subparagraphs (b) through (i) below.

- (2) A minivan that, based on the Commission's determination, can provide adequate safety and comfort to passengers and meets the air conditioning and engine size specifications in subsections (f) and (g) below.
- (b) Special Package Designation. There must be a term in the VIN or in a body tag that distinguishes the taxicab, police, or fleet package from the standard sedan on which it is based.
- (c) Interior Size. The vehicle must have an EPA passenger compartment interior volume index of at least 107 cubic feet.
- (d) Rear Compartment. The rear compartment of any vehicle approved for use as a Taxicab Model must meet the following dimensions as defined by the Society of Automotive Engineers:
- (1) Effective legroom (L51) must be at least 43 inches
  - (2) Effective headroom (H63) must be at least 37.5 inches
  - (3) The seat depth (L16) must be at least 18 inches
- (e) Front Compartment. The front compartment of any vehicle approved for use as a Taxicab Model must meet the following dimensions:
- (1) Effective headroom (H61) must be at least 37.5 inches
  - (2) Effective legroom (L34) must be at least 42 inches
  - (3) Total legroom (the sum of L34 and L51) must be at least 85 inches
- (f) Air Conditioning. The vehicle must be equipped with a factory installed air conditioning system. If the vehicle model has available air conditioning outlets for the rear seat area, then the vehicle must be equipped with such outlets.
- (g) Engine Size. The vehicle may not be equipped with an engine in which the maximum horsepower exceeds 220.
- (h) Compressed Natural Gas Usage. Beginning on October 1, 2008, a vehicle may be fueled by compressed natural gas only if the vehicle:
- (1) Is an originally manufactured vehicle
  - (2) Meets the air conditioning and engine size provisions in paragraphs (f) and (g) above



- (i) Windows. All windows must have a light transmittance of 70 percent or more, except for the upper 6 inches of the front windshield.

**§17-06      Requirements for Hacking Up a Taxicab**

- (a) Requirement. Only Taxicab Models may be Hacked-Up, except that a Hybrid Electric Vehicle may be Hacked-Up if it meets the requirements of §17-16 and an Accessible Vehicle may be Hacked-Up if it meets the requirements of §17-17.
- (b) Putting Vehicle into Service the First Time. A Taxicab Model may be Hacked-up for use as a Taxicab, only if it:
- (1) Is new, having fewer than 500 miles on the odometer.
  - (2) Has been purchased in the first sale from a licensed dealer or a manufacturer. An original of the manufacturer's certificate of origin (MCO) or of the certificate of title must be submitted, in addition to relevant documents of ownership.
  - (3) Is one of the manufacturer's two latest vehicle model years. (Example: If in calendar year 2008 the manufacturer introduces the 2009 Caprice, only 2009 and 2008 Caprices may be Hacked-up.)
  - (4) Has not been discontinued by the manufacturer, except that a model vehicle may be hacked-up until September 30 of the calendar year, two years subsequent to its designated model year. (Example: if in 2010, the manufacturer stops production of the Caprice, a new 2008 model year Caprice may be hacked up until September 30, 2010 and a new 2009 model year Caprice may be hacked-up until September 30, 2011.)
- (c) Continuation in Service. Upon Hack-up, a vehicle may continue in service with the same Medallion so long as the vehicle passes inspection and has not yet met its Scheduled Retirement Date, as set forth in §17-18 below.
- (d) Limited Right to "Re-Hack" for Transfer. A vehicle that has been Hacked-up may be transferred to another Medallion, with the approval of the Commission, only if the vehicle passes inspection, has not yet met its Scheduled Retirement Date and meets one of the following conditions:
- (1) Repossessions. The vehicle is purchased through a bank or other lender that has acquired the right to sell the vehicle through repossession and the repossession occurs within 24 months of Hack-up.
  - (2) Long-Term Drivers. The vehicle is owned by a Long-Term Driver who has driven the vehicle for at least five months under the existing Medallion

and who will continue to be a Long-Term Driver under the new Medallion.

- (3) Same Medallion Owner or Agent. The owner (or owner's Agent) of the Medallion transfers the vehicle to another Medallion operated by the same owner or agent.
- (4) Compressed Natural Gas Vehicle. The owner of a Medallion (or the owner's agent) may transfer a vehicle fueled by Compressed Natural Gas to any other Medallion owned by the same owner.
- (e) Re-Hack Transfer Inspection Fee. The Commission may charge an inspection fee of \$50 to inspect a vehicle for transfer to another Medallion as a re-hack. If necessary, the Commission may charge \$25 for replacement of New York State DMV license plates.

**§17-07      Requirements for Hack-up – Paint, Finish and Lighting**

- (a) Taxi Yellow. The exterior of the vehicle must be painted taxi yellow (Dupont M6284 or its equivalent), except for trim. Samples of paint color and code are to be submitted to the Commission for approval.
- (b) Front Design. The front of the vehicle, and especially the bumper, should be designed with strong emphasis on reducing injury to pedestrians. There must be no unnecessary projections such as rigid hood ornaments.
- (c) Signs. The vehicle must be provided with signs that conform to the marking specifications in §8-31(i) of these rules.
- (d) Auxiliary Turn Signals. Suitable wiring must be provided for a pair of auxiliary turn signal lamps to be located next to the roof light. These lamps must not be activated with the brake lights.
- (e) Roof Light. The vehicle must be equipped with an approved Roof Light.

**§17-08      Requirements for Hack-up – Occupant Accommodation**

- (a) Upholstery and Trim.
  - (1) Must be an easy-to-clean material such as vinyl. If the vehicle manufacturer installed side airbags or a system which determines whether a seat is occupied for purposes of inflating an airbag, the upholstery must be that provided by the manufacturer.
  - (2) Must meet federal (MVSS) standards for flame resistance.

- (3) Must have a surface suitable for mounting authorized decals.
- (b) Seats.
  - (1) A Taxicab may not be equipped with power-adjusted seats.
  - (2) A Taxicab may be equipped with either bucket or bench seats.
  - (3) The seats must not interfere with the partition and must meet all other Commission requirements.
  - (4) All replacement seats must be designed by the manufacturer for installation in the model and year of the vehicle in which the seats are installed.

**§17-09 Requirements for Hack-up – Taximeters**

- (a) Requirement. The vehicle must be equipped with a sealed, tamper-resistant Taximeter installed by a Licensed Taximeter Business according to the rules and regulations in Chapter 14. The Taximeter must be installed in a location approved by the Chairperson which permits safe operation of the vehicle and visibility to the passenger.
- (b) Technical Specifications. The Taximeter must meet the specifications and tolerances published in the most recent National Bureau of Standards Handbook, and must be approved for use in New York by the NYS Department of Agriculture and Markets and the Commission. Any new Taximeter will be subject to a minimum three month test period before approval.
- (c) Other Technical Requirements.
  - (1) The Roof Light must be controlled by engaging the Taximeter.
  - (2) The Taximeter must be capable of calculating and displaying all required rates of fare.
  - (3) The Taximeter must be capable of transferring data to the Taxicab Technology System manufactured by any Taxicab Technology Service Provider which has chosen to use the Taximeter.
  - (4) The Taximeter and all connections must be secure and tamper proof. All switches, wiring and caps must meet applicable specifications of the Society of Automotive Engineers.

**§17-10 Requirements for Hack-up – Partitions**

(a) Requirement.

- (1) The vehicle must be equipped with a partition that isolates the driver from the rear seat passengers or all passengers of the vehicle.
- (2) The purpose of the partition is to provide protection to the driver while ensuring passenger safety and enabling rear seat passengers to enjoy a clear and unobstructed view of the Taxicab Driver's License, Rate Card, and front windshield.
- (3) An owner may apply for a certificate of exemption from the requirement to install a partition upon meeting the general criteria for exemption specified in §8-39(b) of Chapter 8.

(b) Technical Specifications.

- (1) The partition must extend from the ceiling to a specific point as recommended by the Chairperson and approved by the Commission, based upon the make and model of the vehicle.
- (2) The transparent portion of the partition must be constructed of a mar-resistant polycarbonate not less than 0.375 inches thick that will provide passengers and drivers with maximum visibility.
  - (i) For a flat partition and a partition for a Taxicab with factory installed curtain airbags, the transparent portion must extend from the ceiling to join or overlap with the protective plate of the partition.
  - (ii) For an L shaped partition, on the side that is behind the driver, the transparent portion of the partition must extend from the ceiling to join or overlap with the protective plate of the partition. On the side that extends forward to back between the two front seats, the transparent portion of the partition must extend from the ceiling to join or overlap with the protective plate of the partition on the right side of the center console located between the two front seats.
- (3) The protective plate must join or overlap with the transparent portion of the partition and extend downward to the floor of the vehicle. The protective plate must be a plate of 0.085-inch thick bullet-resistant ballistic steel or its equivalent recommended by the Chairperson and approved by the Commission. The protective plate must be installed inside and covering the front seat's entire backrest.
  - (i) The protective plate must extend from the point that the transparent portion joins it downward to the floor of the Taxicab.

- (ii) If the transparent portion overlaps the protective plate, the protective plate must extend from the point of joinder with the transparent portion downward to the floor of the Taxicab.
- (iii) For an L shaped partition, the protective plate must also cover the right side of the center console between the two front seats.
- (4) The entire protective plate of each partition must have sufficient padding to prevent injury to any rear-seat passenger in case of an accident or sudden stopping, and all surfaces must be free of sharp and rough edges.
- (5) There must be no opening or gap between the partition and the body of the vehicle larger than one inch, except for vehicles equipped with factory installed curtain airbags. In those vehicles, the partition shall allow a space of six inches on each side, sufficient to permit proper deployment of the curtain airbags.
- (6) In addition to meeting all other technical specifications, a partition may be installed only if it does not impair passenger and driver safety and has the following features:
  - (i) Allows passengers and drivers to communicate with each other
  - (ii) Allows passengers in the rear passenger compartment to pay fares by cash or by credit card (if the Taxicab is capable of accepting credit card payments) and to receive receipts for payments and transactions

**§17-11      Requirements for Hack-up – Distress Signal Lights**

- (a) Requirement. An owner must equip all Taxicabs with a help or distress signaling light system consisting of two turn signal type “lollipop” lights.
- (b) Technical Specifications.
  - (1) One light must be mounted on the front center of the vehicle, either on top of the bumper or forward or behind the grill. A second light must be mounted on top of the rear bumper, to the left of the license plate.
  - (2) Each light must be three to four inches in diameter, have a total rated output of 32 candle power, and be amber-colored or have an amber-colored lens so that the light output of the device is the color amber at 32 candle power.

- (3) The activator must be installed within easy reach of the driver, must be silent when operating, and must be fully solid-state.
- (4) The lights must be able to flash between 60 and 120 times per minute.
- (5) The wiring must not affect or interfere with, directly or otherwise, any wiring or circuitry used by the meter for measuring time or distance.

**§17-12      Requirements for Hack-up – In-Vehicle Camera System (“IVCS”)**

- (a) Requirement. When an existing IVCS is required to be replaced or when an IVCS system is installed (including, but not limited to, at Hack-up), it must meet the specifications below.
- (b) Technical Specifications.
  - (1) The IVCS must be connected to the vehicle battery, and the fuse for the connection must be concealed in a tamper-resistant housing.
  - (2) Wiring between the recording unit and the camera head must use at either end, tamper-resistant registered jack (RJ) style connectors.
  - (3) All electrical connections and wiring must be protected from spikes and dips in vehicle voltage.
  - (4) The camera head housing and brackets must be tamper-proof and securely mounted to the right of the rear view mirror. The installation must provide unobstructed vision for the driver.
  - (5) The camera’s field of view must include the full face of all occupants seated in passenger seats and facing forward.
  - (6) Images must be recorded and stored in a unit separate from the camera head.
  - (7) The recording unit must be concealed from view and fastened securely with tamper-resistant hardware.
  - (8) The IVCS must provide a visual indication of system status that is located on the lower left portion of the dashboard and is visible to the driver and to law enforcement personnel inspecting the vehicle from outside of the driver door.
  - (9) The IVCS and components must be sufficiently shock-resistant to withstand typical vehicle movement and collisions.

- (10) The IVCS must have an RS-232 connection or other means for secure image retrieval.
- (11) Images must be sharp, undistorted, and clear enough to enable the viewer to identify all passengers under all lighting conditions, including, for example, dark and bright light, daylight, and backlight.
- (12) Sensor resolution must be, at a minimum, 510 by 480 pixels.
- (13) Storage capacity must be, at a minimum, 7,000 images in an encrypted format, and all access to the storage unit must result in the storage of an electronic “tag” including the installer identification number and date of the event.
- (14) The IVCS must have connection ports for a minimum of two (2) cameras.
- (15) The IVCS must have an event flag or panic button accessible to the driver and located in an inconspicuous location.
- (16) The IVCS must record images and the following information for each image:
  - (i) Date and time
  - (ii) Taxicab Medallion number
  - (iii) IVCS serial number
  - (iv) IVCS indicator for event flags
- (17) Image capture must be linked to the following events:
  - (i) Vehicle door openings and closings
  - (ii) Meter engagement
  - (iii) Event flag button activation
  - (iv) Event flag in the test mode when the image(s) are recorded for inspection and test purposes
  - (v) Panic button activation
- (18) In the event of a panic button activation, systems must record to protected memory a total of three events. The recording must include, at a

minimum, the 2.5 minutes immediately before and after the button activation, at one frame per second.

- (19) Image access may be provided only to law-enforcement agencies, including the New York City Police Department.
- (20) If the IVCS has a physical port for secure image retrieval, the port must be located on the right side of the dashboard or in the trunk, installed inconspicuously, and accessible to law enforcement personnel.
- (21) When memory storage capacity is reached, the IVCS must overwrite the oldest images as new images are recorded in sequence.
- (22) Installations and repairs of IVCS may be performed only by installers authorized by the manufacturer and currently licensed by the Department of Consumer Affairs. Installations and repairs may also be performed by Taximeter Businesses currently licensed by the Commission pursuant to chapter 14 of this title.
- (23) A notarized affidavit signed by a manufacturer's authorized installer attesting to the proper functionality of the IVCS must be provided to the Commission by the authorized installer: (i) annually, and (ii) within 14 calendar days after any installation, repair, or modification of the IVCS.

**§17-13      Requirements for Hack-up – Credential Holders**

- (a) Requirement. A credential holder must be mounted on the right side of the dashboard. If, in the judgment of the Chairperson, a dashboard mounting would be hazardous (for example, in a model equipped with dual air bags) the credential holder must be mounted on the driver's side of the clear portion of the partition.
- (b) Technical Specifications. A credential holder frame mounted on the driver's side of the clear portion of the partition must conform to the following:
  - (1) Be approved by the Commission.
  - (2) Be secured by either rivet or screw at least two inches above the frame supporting the clear portion of the partition and centered on the vehicle's steering column or the headrest on the driver's seat facing the rear passenger's compartment.
  - (3) The frame must have a drop-in or slide-in slot accessible only from the driver's compartment for the rate card and the driver's license.
  - (4) The frame must have sufficient illumination so that the rate card and the driver's license are clearly visible from the rear seat after dark.



- (5) The frame must be sufficiently padded so as not to cause injury to the driver.

**§17-14 Requirements for Hack-up – Air Conditioning**

- (a) Requirement. All vehicles must be equipped with an air conditioner. The air conditioner must be in good working condition from May 1<sup>st</sup> through September 30<sup>th</sup> each year. In vehicles equipped with a partition, the air conditioner must include an auxiliary unit for the rear seating area.
- (b) Technical Specifications.
  - (1) The auxiliary unit must be either standard equipment or optional equipment built into the vehicle by the vehicle manufacturer.
  - (2) The auxiliary unit must have controls that passengers may operate in the rear passenger area.

**§17-15 Requirements for Hack-up – Taxicab Technology System (T-PEP)**

- (a) Credit, Debit, and Prepaid Card Payment. Unless exempt under §8-39(c), every Taxicab must be equipped with T-PEP that is capable of accepting all major credit and debit cards that are approved for payment of fares by that T-PEP Provider.
- (b) Text Messaging. Unless exempt under §8-39(c), every Taxicab must be equipped with T-PEP that enables the driver to receive and send text messages. The text messaging equipment may not be used for dispatch purposes.
- (c) Trip Data Collection and Transmission. Unless exempt under §8-39(c), every Taxicab must be equipped with T-PEP that permits the collection and transmission of data to the Commission in accordance with the following requirements:
  - (1) All systems must be capable of transmitting data to the Commission or its designated repository at pre-determined intervals established by the Chairperson
  - (2) All transmissions must be in a format and manner approved by the Chairperson.
  - (3) The data to be transmitted must include:
    - (i) Taxicab License number
    - (ii) Taxicab Driver's License number

- (iii) Location of trip initiation
  - (iv) Time of trip initiation
  - (v) Number of passengers
  - (vi) Location of trip termination
  - (vii) Time of trip termination
  - (viii) Metered fare for the trip
  - (ix) Distance of the trip
- (4) All data transmitted to Commission must be sent in a secure format as approved by the Chairperson.
  - (5) To the extent necessary to facilitate data transfer, the Commission may mandate that each Taxicab be equipped with external antennas.
  - (6) No equipment designed to comply with the provisions of this section may be installed unless it has been approved by the Commission based on a determination that the equipment conforms to the specifications set herein, is safe, and fulfills the intended purposes for such equipment.
- (d) Passenger Information Monitor (“PIM”)
- (1) Unless exempt under §8-39(c), every Taxicab must be equipped with T-PEP that includes a passenger information monitor that meets the following requirements:
    - (i) The monitor is located in the rear passenger compartment and provides passengers sitting in the rear of the vehicle with an unobstructed view of the monitor.
    - (ii) The monitor has a screen that is no less than ten inches measured diagonally. (Exception: In Hybrid Electric Vehicles and other small clean air or low emission Taxicabs that are not required to have a partition, the screen size may be less than ten inches but not less than five and one-half inches measured diagonally.)
    - (iii) The monitor displays a map that shows the current location of the vehicle as well as the route traveled from the beginning to the end of the trip.

- (iv) The monitor displays the following required information:
  - A. The passenger bill of rights
  - B. The flat fare notice
  - C. Any other public service announcements designated by the Chairperson
  - D. Itemized metered fare information at the termination of the trip
- (v) At the Medallion owner's option, the monitor may also be used to display limited media content, which may include commercial advertising and commercial sponsorships as permitted in the contract between the Commission and the T-PEP Provider(s).
- (vi) The monitor may be turned off by the passenger, with the following conditions:
  - A. If the monitor is turned off, all information that is required to be shown must remain visible for all or a reasonable portion of the passenger's trip.
  - B. The monitor must have the capability to come back on when the meter disengages, to further display any additional information required when the passenger leaves the Taxicab.
  - C. The monitor must also allow the passenger to control and mute the volume of content after any required information has been shown.
- (2) If the credit/debit card acceptance equipment is not operational but the passenger information monitor is operational, the passenger information monitor must display the message, "Credit Card System Currently Not Available".

**§17-16 Hybrid Electric Taxicab Specifications**

- (a) Any Hybrid Electric Vehicle manufactured for the general consumer market may be approved for Hack-up, provided the vehicle meets all of the standard specifications for vehicle Hack-up of §17-05.

**§17-17 Accessible Taxicab Specifications**

- (a) An Accessible Vehicle may be approved for Hack-up if it meets all of the following conditions:
- (1) It is a vehicle other than (i) a bus, (ii) a minibus, or (iii) a van, the chassis for which, as originally manufactured, is designed to seat eight or more persons.
  - (2) It is capable of transporting at least one passenger using a common wheelchair (as wheelchair is defined in Code of Federal Regulations, title 49, section 37.3).
  - (3) It does not seat more than five passengers when presented for Hack-up.
  - (4) It complies with the requirements in subdivisions (b) and (c) of this section and all other requirements for Hack-up that are not inconsistent with the provisions of this section.
- (b) The chassis of the Accessible Vehicle, as originally manufactured, must have:
- (1) A maximum horsepower of 240.
  - (2) The original equipment manufacturer's suspension and steering components.
  - (3) No bumper modifications.
- (c) The Accessible Taxicab as manufactured by the original equipment manufacturer ("OEM") or as modified by an OEM- approved second-stage manufacturer must meet the following specifications:
- (1) The minimum ground clearance (measured from frame, loaded to gross vehicle weight rating) must be 5 inches.
  - (2) The minimum passenger compartment length (measured from rear of driver's seat base to rear seat base) must be 56 inches.
  - (3) The original floor of the Accessible Vehicle, if lowered, must be lowered from the base of the firewall to the area immediately in front of the rear axle.
  - (4) If a lowered floor assembly is used, it must be stainless steel (16 gauge minimum) and must meet or exceed the 1,000 hour salt spray rating.
  - (5) If a lowered floor assembly is used, a vapor-insulating barrier of ½ inch marine grade plywood must be applied over the lowered metal floor and thoroughly secured.

- (6) The wheelchair ramp must not block any part of the door or glass while in the stowed position.
- (7) The system provided to securely hold one or more wheelchairs in place must be the system known as Q strait QRT Standard or its equal.
- (8) No anchor points may project more than 1/8 of an inch above the finished floor.
- (9) If the Accessible Taxicab has a middle fold-up passenger seat, it must have a folding mechanism and base plate and must meet the requirements of the Federal Motor Vehicle Safety Standard No. 207, Code of Federal Regulations, title 49, and section 571.207.
- (10) Any modifications to the rear air conditioning must be approved by the OEM.
- (11) Any and all electrical wiring, other than as provided by the OEM, must be PVC-or-better insulated and color-coded for positive identification.
- (12) The back-up alarm must be an electrically operated device that produces an intermittent audible signal when the Accessible Vehicle's transmission is shifted into reverse.

**§17-18 Scheduled Vehicle Retirement**

- (a) 36-Month Retirement.
  - (1) If the vehicle is double-shifted, it must be retired no later than the first scheduled inspection of the vehicle occurring 36 months after the vehicle was Hacked-up
  - (2) The 36-Month Retirement will not apply if the vehicle is driven by at least one Long-Term Driver or it is in service solely as an authorized Stand-By Vehicle.
- (b) 60-Month Retirement. All other vehicles must be retired from Taxicab service and replaced no later than the first scheduled inspection of the vehicle occurring 60 months after the vehicle was Hacked-up.

**§17-19 Vehicle Retirement Extensions**

- (a) Hardship Extension: An Independent Taxicab Owner or a Long-Term Driver who owns the vehicle may apply to the Chairperson for an extension of up to 12

months from the Scheduled Retirement Date. To obtain approval of a hardship extension:

- (1) The vehicle owner must demonstrate an economic or other personal hardship that the Chairperson determines would create an undue burden upon the owner if the extension were not granted.
  - (2) The vehicle owner must submit a request in writing, together with any supporting documentation, to the Chairperson at least 30 days before the Scheduled Retirement Date. This 30-day deadline may be waived by the Chairperson upon a showing of good cause.
  - (3) The vehicle must continue to meet all safety and emission requirements throughout the extension. The Chairperson shall withdraw any extension granted whenever the vehicle is determined by the Commission to be unsafe for operation.
- (b) *Compressed Natural Gas Extension.* An automatic 24-month extension is granted to any Taxicab vehicle that meets the following requirements:
- (1) The vehicle was Hacked-up between March 1, 1996 and April 17, 2007.
  - (2) The vehicle was dedicated to operating on compressed natural gas (with a maximum reserve gas tank of five gallons) within six months after Hack-up.
  - (3) The vehicle has remained dedicated to operating on compressed natural gas thereafter and throughout its operation.
- (c) *Minivan Extension.*
- (1) Any minivan approved for use as a Taxicab by the Commission that was Hacked-up between March 1, 1996 and April 17, 2007 will have its Scheduled Retirement Date extended as follows:
    - (i) By 12 additional months of Taxicab service if double-shifted and not driven by at least one long-term driver
    - (ii) By 18 additional months of Taxicab service under other conditions
  - (2) A Taxicab whose Scheduled Retirement Date has been extended in accordance with the provisions of this section is not eligible for the extended vehicle lifetime provided for Clean Air and Accessible Taxicabs described in §17-20(d) below.
- (d) *Clean Air and Accessible Taxicab Extensions.*

- (1) Extensions of 36-Month Retirement Schedule. The regular 36-Month Retirement Schedule for any Level I or Level II Clean Air Taxicab or any Accessible Taxicab is extended by 12 months.
  - (2) Extensions of 60-Month Retirement Schedule: Accessible or Level I Clean Air. The regular 60-Month Retirement Schedule for any Level I Clean Air Taxicab or any Accessible Taxicab is extended by 24 months.
  - (3) Extensions of 60-Month Retirement Schedule: Level II Clean Air. The regular 60-Month Retirement Schedule for any Level II Clean Air Taxicab is extended by 12 months.
- (e) Final Retirement Date. A vehicle which cannot pass inspection must be replaced, regardless of whether its Scheduled Retirement Date has been reached. A vehicle that has reached its Scheduled Retirement Date, including any extensions provided for in this section, must be retired regardless of whether it may still pass inspection.

## Statement of Basis and Purpose of Rules

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 rules are part of a project undertaken by the Taxi and Limousine Commission (“TLC”) to revise its existing rule book. The first phase of this project consists of reorganizing and redrafting TLC’s rules, to enhance their clarity and accessibility without substantive change. Accordingly, these rules are not intended to make any changes to TLC’s current policies, procedures or operations.

During this first phase of the rules revision project, all of TLC’s existing rules will be redrafted, then posted on a chapter-by-chapter basis on the TLC Web site for review and discussion by interested members of the public. Each chapter will be revised based on that discussion, then published for public comment and public hearing pursuant to the City Administrative Procedure Act (CAPA). Because this phase of the rules revision is intended to involve no substantive changes to the rules, and as announced at the Commission meeting held on August 7, 2008, public hearings will be held separately from monthly stated Commission meetings.

When this process has been completed for all TLC rules, the complete set of rules will be presented to the Commission for promulgation simultaneously with repeal of the current set of TLC rules. The revised rules will replace the existing rules compiled in chapter 35 of the Rules of the City of New York. It is anticipated that the promulgation of the revised rules and repeal of the current rules will occur in 2009.

After the first phase of its rules revision is completed, TLC will move to the second phase, which will involve the assessment of its rules for more substantive changes.

The rules proposed here are as follows:

Current Rule Chapters revised in this rule-making	Proposed Rule Chapters
Chapter 3, Taxicab Specifications	Chapter 17, Rules for Taxicab Hack-up and Maintenance

The proposed rules make a number of substantive changes to the provisions of the current rules governing taxicab vehicles and hack-up. Specifically:

- The experimental vehicle provisions contained within existing rule 3-03(d) have been eliminated as being duplicative of the pilot program rules set forth in Chapter 2 of the revised Rules. It is anticipated that future experimental vehicles, if any, may be proposed as pilot projects. Moreover, the TLC believes that the vehicle specifications enumerated are unnecessary in light of prior experience with experimental vehicles.



- The proposed rules contain no requirements concerning “pinion gears” corresponding to those set forth in section 3-03(e)(2)(v) of the existing rules because pinion gears are obsolete and no longer in use.
- The air conditioner specifications in section 17-14 of the proposed rules have eliminated the specifications regarding “patch units” contained in the prior rule as patch units are now obsolete.

In addition, while the TLC does not regard it as a substantive change, the detailed list of taximeter specification set forth in section 3-04 of the current rule has been replaced with a reference to the requirements of National Bureau of Standards Handbook 44 and approval of a taximeter by the New York State Department of Agriculture and Markets, which govern taximeter specifications in all instances.