

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 rules to adjust the rates of fare for taxicabs.

These rules are proposed pursuant to sections 1043 and 2303(b)(1) 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 2007 because the need for these rules was not anticipated at the time that the regulatory agenda was compiled.

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 October 25, 2006, 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 for a disability at the hearing must be submitted to the Office of Legal Affairs in writing, by telephone, or by TTY/TDD no later than October 18, 2006.

Written comments in connection with these proposed rules should be submitted to the Office of Legal Affairs and must be received no later than October 20, 2006 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
TTY/TDD: 212-341-9596

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

Section 1. Section 1-69 of chapter 1 of title 35 of the Rules of the City of New York is hereby amended to read as follows:

[Text to be deleted is in brackets.]

Text to be added is underscored.

§ 1-69 Flat Rates [from] between Kennedy Airport [to] and Manhattan.

(a) Notwithstanding the rate of fare set forth in §§ 1-70(a) and (b), the fare for a trip[s] [beginning at] between Kennedy Airport [with a] and Manhattan [destination] shall be a flat rate of Forty-five Dollars (\$45), plus any tolls.

(1) The surcharge set forth in § 1-70(b) shall not be added to this flat rate.

(2) The taximeter shall reflect that this trip is a flat fare.

(b) If passengers request multiple stops on a trip from Kennedy Airport to Manhattan, the fare shall be as follows: the first stop in Manhattan is paid in accordance with subdivision (a) of this section; the meter is then turned on for a separate trip at the rate of fare as set forth in § 1-70, and the total on the meter is paid at the last stop by the remaining passenger. (For example, if three passengers request stops at 42nd St., 18th St. and 4th St., then \$45 will be collected at 42nd St. and the meter will be turned on. When the second passenger exits at 18th St., the meter remains on, and no money is paid to the driver. The passenger dropped off at 4th St. must pay the fare on the meter.)

(c) All trips [beginning at] between Kennedy Airport and [ending in] a borough other than Manhattan shall continue to be governed by the meter rate of fare as set forth in § 1-70.

(d) The Chairperson is authorized to suspend the enforcement of this provision at any time, if in the judgment of the Chairperson such a suspension is necessary to preserve adequate levels of service to and from Kennedy Airport.

Section 2. Section 1-70 of chapter 1 of title 35 of the Rules of the City of New York is hereby amended to read as follows:

[Text to be deleted is in brackets.]

Text to be added is underscored.

§ 1-70 Metered Rate of Fare.

(a) Metered rate of fare. The rate of fare for taxicabs shall be as follows, regardless of the number of passengers or stops:

(1) The charge for the initial unit is \$2.50.

(2) The charge for each additional unit is \$.40.

(3) The unit of fare is:

(i) one-fifth of a mile, when the taxicab is travelling at 6 miles an hour or more; or

(ii) [120] 60 seconds (at a rate of [twenty] forty cents per minute), when the taxicab is not in motion or is travelling at less than 6 miles an hour.

(4) The taximeter shall combine fractional measures of distance and time in accruing a unit of fare. Any combination of distance or time specified in paragraph (3) above shall be computed by the taximeter in accordance with Handbook 44 of the National Bureau of Standards.

(5) The fare shall include pre-assessment of the unit currently being accrued; the amount due may therefore include a full unit charge for a final, fractional unit.

(b) Surcharge. In addition to the rate of fare set forth in § 1-70(a), all taxicabs shall charge One Dollar (\$1.00) for all trips beginning after 4:00 p.m. and before 8:00 p.m., weekdays, excluding legal holidays, and fifty cents (\$.50) for all trips beginning after 8:00 p.m. and before 6:00 a.m. on all days, including weekends and holidays.

Statement of Basis and Purpose of Proposed Rules

The proposed rules would alter the existing rates of fare for taxicabs in two respects. First, the proposed rules would create a new flat fare for rides originating from any point in Manhattan to John F. Kennedy International (JFK) Airport. The flat fare would be \$45, the same as is provided by existing rules for rides from JFK Airport to any point in Manhattan.

Second, the proposed rules would adjust the metered rate of fare by changing from 20 cents to 40 cents the rate for time during which the taxicab is standing still or moving less than six miles per hour.

The purposes of these proposed changes are to promote taxicab service to tourists, and thereby to promote tourism, and to bring fare calculations into closer alignment with fare calculations in use in other major cities around the country.

In addition, the adjustment to the rate of fare for waiting time increases the effective hourly rate for waiting time to approximate the existing effective hourly rate for time when the taxicab is moving normally. This adjustment thus enhances the equity of the fare structure, treating more equitably taxicab drivers whose fares on a particular day may happen to involve disproportionate amounts of waiting time.