

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 a rule to require for-hire vehicles registered in New York State to have New York State license plates embossed with the legend “T&LC.”

This rule is proposed pursuant to section 1043 of the Charter and section 19-504 of the Administrative Code of the City of New York. The proposed rule was not included in the TLC’s regulatory agenda for Fiscal Year 2006 because the data suggesting the need for the rule was not known at the time that TLC’s regulatory agenda was published.

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 April 4, 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 March 28, 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 April 3, 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: 212-676-1117
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. It is hereby proposed that subdivision (e) of section 6-12 of title 35 of the Rules of the City of New York be amended by adding a new paragraph (3), to read as follows:

New material is underscored.

(3) A for-hire vehicle that is registered in New York State for which a for-hire vehicle license is issued or renewed on or after May 10, 2006, must have New York State license plates affixed to the vehicle that are embossed with the legend "T & LC."

Section 2. It is hereby proposed that section 6-22 of title 35 of the Rules of the City of New York be amended to read as follows:

New material is underscored.

Rule No.	Penalty	Personal Appearance Required
6-12(e)(2)	\$100	No
6-12(e)(3)	\$350 and summary suspension until <u>compliance pursuant to section 8-17(b)</u> <u>of this title</u>	No
6-12(f)(1)	\$25	No

Statement of Basis and Purpose

Proposed section 6-12(e)(3) would require that licensed for-hire vehicles (liveries, black cars and luxury limousines) that are registered in New York State must have New York State license plates that are embossed with the legend “T&LC” below the license plate number, signifying licensure by TLC as for-hire vehicles. The requirement will apply to for-hire vehicles that are issued new or renewal for-hire vehicle licenses on or after May 10, 2006.

Without this proposed rule, for-hire vehicles registered at New York State addresses outside of New York City are able to obtain license plates that are embossed with the legend “livery” from New York State’s Department of Motor Vehicles (“DMV”). DMV has indicated to TLC staff that it would honor the requirement in the proposed rule that TLC-licensed for-hire vehicles must have the “T&LC” legend. Requiring all TLC-licensed for-hire vehicles to have “T&LC” embossed license plates would facilitate recognition of such vehicles by the public, TLC staff, insurance providers, and others.

In particular, TLC staff research indicates that insurers recognize the “T&LC” license plate as an indication that the vehicle is TLC-licensed, and is therefore subject to the mandatory minimum insurance coverage requirements set forth in section 6-11(d)(4) of TLC’s rules. Such research further indicates that a for-hire vehicle with “livery” license plates is not recognized by insurers as TLC-licensed, and therefore in some cases owners of such vehicles are able to purchase insurance coverage less than that mandated by TLC rules.

Similarly, mandatory “T&LC” license plates will facilitate the collection the applicable annual \$400 commercial New York City motor vehicle tax, which in some cases has been evaded by owners of for-hire vehicles with “livery” license plates.