

## Chapter 15

## Taximeter Business Rules

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**10/25/09**

\* [As reads in the Official Compilation of the Rules of the City of New York.]

**§15-01 Definitions.**

- (a) **Agent.** “Agent” shall mean an individual, partnership or corporation that acts, by employment, contract or otherwise, on behalf of one or more owners, whether or not such person is an “agent” within the meaning of Title 35, Chapter 12 of the Rules of the City of New York.
- (b) **Applicant.** “Applicant” shall mean an individual, partnership or corporation seeking a taximeter business license from the commission.
- (c) **Commission.** “Commission” shall mean the New York City Taxi and Limousine Commission.
- (d) **Driver.** “Driver” shall mean a person licensed by the commission to drive a medallion taxicab in the City of New York.
- (e) **Hack-up.** “Hack-up” shall mean to outfit a vehicle as a taxicab and obtain approval from the commission for that vehicle to serve as a taxicab for the first time.
- (f) **Mailing address.** “Mailing address” shall mean the address designated by an applicant or licensee for the receipt of all notices and correspondence from the commission. Unless otherwise approved in advance, the mailing address of a taximeter business licensee shall be the street address of the business.
- (g) **MTA Tax.** The “MTA Tax” is the 50-cent tax on taxicab trips that is imposed by article 29-A of the New York State Tax Law.
- (h) **Owner.** “Owner” shall mean an individual, partnership, limited liability company or corporation licensed by the commission to own and operate a medallion taxicab or taxicabs.
- (i) **Representative.** “Representative” shall mean an individual, partnership, limited liability company or corporation appointed by a manufacturer of taximeters required to be licensed under this chapter to hold a license on behalf of such manufacturer and to carry out such manufacturer’s duties and responsibilities as a licensee under this chapter.
- (j) **Rate of fare.** “Rate of fare” shall mean the established fare which may be charged by a licensed taxicab, which fare has been promulgated by the commission, and which fare may

include, but is not limited to night surcharges, the MTA Tax and waiting times.

- (k) **Seal.** “Seal” shall mean a device, approved by the commission, which may be installed on a taximeter, wire, wiring mechanism, gear or other device, so that no adjustment, repair, alteration or replacement can be made without removing or mutilating the seal or seals.
- (l) **Taxicab technology service provider.** A “taxicab technology service provider” is a vendor who has contracted with the Commission to install and maintain the taxicab technology system in taxicabs.
- (m) **Taxicab technology system.** The “taxicab technology system” is hardware and software that provides the following four core services (collectively “four core services”): (i) credit, debit and prepaid card payment required by section 3-03(e)(7) of this title, (ii) text messaging required by section 3-03(e)(8) of this title, (iii) trip data collection and transmission required by section 3-06 of this title, and (iv) data transmission with the passenger information monitor required by section 3-07 of this title.
- (n) **Taximeter.** “Taximeter” shall mean an instrument or device approved by the commission by which the charge to a passenger for hire of a licensed taxicab is automatically calculated and on which such charge is plainly indicated.
- (o) **Taximeter business.** “Taximeter business” shall mean any business which engages, in whole or in part, in the manufacture, sale (whether of new or used equipment), installation, repair, adjustment, testing, sealing or calibrating of taximeters, for use upon any licensed vehicle in the City of New York, including any business which engages in whole or in part in the installation of taxicab roof lights.
- (p) **Taximeter business owner.** “Taximeter business owner” shall mean an individual, partnership or corporation licensed by the commission to own and operate a taximeter business.
- (q) **Taximeter test.** “Taximeter test” (sometimes alternatively referred to as “test”) shall mean a method to determine

compliance with distance and time tolerances, utilizing either a road test over a precisely measured road course or a simulated road test determining the distance traveled by use of a roller device, or by computation from rolling circumference and wheel-turn data, said test having been conducted in accordance with National Institute of Standards and Technology Handbook No. 44.

- (r) **Wiring harness.** “Wiring harness” shall mean any wire or collection of wires, including all connections thereto, which is connected in any manner whatsoever to a taximeter, or in any way affects the operation of a taximeter.

## **§15-02      Unlicensed Business Activities Prohibited.**

(a) No individual, partnership, corporation or other business entity shall manufacture, sell, install, repair, adjust, or calibrate taximeters or install or repair seals, wiring harnesses or other equipment relating to the operation of a taximeter or roof light for use upon any licensed vehicle in the City of New York unless he, she or it holds a current, valid taximeter business license issued by the Commission, which license is neither suspended or revoked. No individual, partnership, corporation or other business entity shall manufacture, sell, install, repair, adjust, calibrate or maintain a taxicab technology system that is not provided by a taxicab technology service provider as defined in section 15-01 of this chapter.

(b) After July 18, 2007, no taximeter may be used in a taxicab licensed by the Commission unless the manufacturer thereof has been licensed by the Commission under these rules. Any manufacturer required to obtain a license under this subdivision must obtain such license separately and in addition to any other licenses such person or entity may hold from the Commission, including other licenses held for a taximeter business. A manufacturer required to be licensed under this chapter may appoint a representative to hold such license. Except as otherwise provided in this subdivision, such representative shall be required to meet all applicable conditions and qualifications of licensure provided by this chapter and must be authorized by appointment to act on behalf of the manufacturer pursuant to this chapter and to bind the manufacturer to the fulfillment of the duties

and responsibilities of a licensee under this chapter, and the manufacturer, by such appointment, agrees to be so bound and shall be deemed to be bound hereby. Such licenses which a representative is appointed to hold shall be separate and in addition to any other licenses such person or entity may hold from the Commission, including other licenses held for a taximeter business. In the event a manufacturer chooses to appoint a representative to hold a license:

(1) The representative must have, and shall be deemed to have, the ability, on behalf of the manufacturer, to fulfill the requirements and obligations of a manufacturer, under this chapter, including the ability to implement the requirements of section 15-44 of this chapter as to the manufacturer, and to ensure that all persons and entities authorized to sell, install, or service taximeters manufactured by the manufacturer in taxicabs licensed by the Commission comply with all applicable provisions of these rules, except that such representative shall not be required to meet the requirements of section 15-12 of this chapter relating to premises and equipment of the manufacturer's manufacturing operations; notwithstanding the appointment of the representative, the manufacturer and its representative shall be jointly responsible for fulfilling the duties and responsibilities of a manufacturer as required by this chapter, including those set forth in section 15-44 of this chapter and the manufacturer's appointment of a representative shall not relieve it of responsibility for compliance;

(2) The manufacturer must inform the Commission at any time it appoints a representative and provide a copy of the appointment together with the name, address and license numbers, if any, of the representative. In addition, as a condition of renewal of such manufacturer's license, the manufacturer shall provide the Commission annually during the month of January with the name of the representative authorized by the manufacturer to hold a license from the Commission on behalf of the manufacturer, including the address, and, if already licensed by the Commission, license number(s) of such representative; and

(3) Each representative appointed under this subdivision must apply to hold a license under this chapter and must meet all applicable standards, criteria, and conditions of licensure, and must further

provide to the Commission with its application for a license or renewal thereof an acceptance of the appointment and acceptance of the responsibilities imposed on such manufacturer by this chapter, except that such representative shall not be required to meet the requirements of section 15-12 of this chapter relating to premises and equipment of the manufacturer's manufacturing operations and only individual representatives, partners of a representative, members of a representative or officers of a representative shall be required to be fingerprinted under section 15-03(e) of this chapter.

**§15-03 Taximeter Business License.**

- (a) An applicant for a taximeter business license or its renewal shall be a sole proprietor, a partnership or a corporation. The application for a new license or its renewal shall be filed on a form approved by the commission and shall contain a sworn and notarized statement that the information contained therein is true under penalty of perjury.
- (b)
  - (1) An individual applicant for a taximeter business license must provide to the Commission proof of identity in the form of:
    - (i) A valid form of photo identification issued by the United States, any state or territory thereof, or any political subdivision of such state or territory; and
    - (ii) A valid, original social security card.
  - (2) An individual applicant for a taximeter business license or its renewal must be:
    - (i) at least eighteen (18) years of age;
    - (ii) of good moral character;
    - (iii) able to speak, read, write, and understand English.

- (c) An applicant that is a partnership must file with its license application a certified copy of the partnership certificate from the clerk of the county where the principal place of business is located. In addition, each partner must satisfy the requirements of individual ownership set forth in §15-03(b).
- (d) An applicant that is a corporation shall file with its license application:
  - (i) a certified copy of its certificate of incorporation with a filing receipt issued by the secretary of state, if incorporated less than one year from the date of the license application or a certificate of good standing, if incorporated more than one year from the date of the license application, or if an out of state corporation, a copy of the certificate of incorporation, filing receipt, and authority to do business within the State of New York;
  - (ii) a list of its officers and shareholders, including names, residence addresses, telephone numbers and percentage of ownership interest of each shareholder; and
  - (iii) a certified copy of the minutes of the organizational meeting at which the current officers were elected.
- (e) Each of the following persons shall be fingerprinted, for purposes of securing criminal history records from the New York State Division of Criminal Justice Services:
  - (i) each individual applicant;
  - (ii) each partner of a partnership applicant;
  - (iii) each officer or shareholder of a corporate applicant;
  - (iv) each person who has provided funds either individually, or as a principal of a partnership or corporation, whether such funds were provided by gift, loan or otherwise, in connection with the operation of the taximeter business, unless such provider is a licensed bank or loan company.



The new applicant shall pay any processing fees required by the commission or the Division of Criminal Justice Services.

- (f) The commission shall have the right to reject the proposed name of any taximeter business that the commission finds to be substantially similar to any name in use by another taximeter business licensee.

**§15-04 Bond Required.**

Each applicant for a taximeter business license or renewal thereof shall deposit with the commission, and shall keep in full force and effect throughout the license period, a bond in the sum of fifty thousand (\$50,000) dollars, provided by one or more sureties approved by the commission. Such bond shall be payable to the City of New York and shall be conditioned on the licensee complying with all provisions of the Administrative Code of the City of New York and the Rules and Regulations governing taximeter businesses promulgated thereunder, including, but not limited to, payment of any fines or judgments against said licensee by any court or administrative agency, including, but not limited to, the administrative tribunal of the commission, or the Office of Administrative Trials and Hearings. This bond shall remain in full force and effect for the term of the taximeter business license, and for one year following the termination, non-renewal, or revocation of any license.

**§15-05 Financial Disclosure.**

- (a) Each individual applicant for a new or renewal taximeter business license, and each partner, shareholder or officer shall file with the commission a financial disclosure statement, to be submitted on a form provided by the commission, which shall include but not be limited to such individual's assets, liabilities, income, net worth, source of bank accounts and any investments within a business licensed or regulated by the commission or with an individual or entity who is a participant in a business licensed or regulated by the commission.

- (b) Each individual, partner, shareholder or officer of a taximeter business shall disclose to the commission his interest, whether as owner, partner, officer, shareholder, director, lender or other creditor, in any licensed medallion taxicab.

**§15-06 Filing and Renewal Fees.**

Every application for a license to operate a taximeter business shall be accompanied by a non-refundable application fee of five hundred dollars (\$500) for each location to be licensed. The application fee shall be one-half the annual fee for any license to be issued for a period of six months or less. Said fee shall be payable in cash, by money order, or by certified check. Irrespective of the date on which it was issued, each license shall expire on the thirty-first day of March following the date of issuance.

**§15-07 Failure to Continuously Comply with Licensing Requirements.**

- (a) If at any time during the term of the taximeter business license the commission becomes aware that the licensee no longer meets the requirements for a taximeter business license, the commission may suspend or revoke the license in accordance with §§15-44 or 15-45 of these rules, and/or deny any application for renewal.
- (b) Nothing contained herein shall limit the authority of the commission to summarily suspend the license of any taximeter business in accordance with §15-47 of these rules, where a threat to public health, safety or welfare exists.

**§15-08 Change in Business Ownership.**

- (a) A taximeter business owner shall not, without the prior consent of the commission, transfer any interest in a taximeter business, including, but not limited to, the transfer of any ownership

interest, or any agreement to transfer an ownership interest in the future.

- (b) A taximeter business owner shall not, without prior notification and approval by the commission, make any change in location, mailing address, corporate name, trade name, corporate officers, or any other material deviation from the description of the taximeter business as stated in the original or renewal application.

**§15-09 [Reserved]**

**§15-10 Compliance with Applicable Law.**

- (a) A licensee shall obtain and keep in full force and effect all licenses and permits required by city, state, or federal law.
- (b) A licensee shall comply with all applicable Occupational Safety and Health Act (OSHA) standards and requirements at the licensee's place of business, as well as all other federal, state and local laws governing the conduct of its business.
- (c) A licensee shall pay any fines, fees, and/or taxes owed by it to any federal, state or local governmental jurisdiction.
- (d) A licensee shall comply with all worker's compensation and disability benefits laws, and all federal laws regarding the withholding of taxes and payment of FICA and other withholding taxes.

**§15-11 Fees Charged by Licensees.**

- (a) A licensee shall file with the commission a schedule of current fees for all services related to the sale, repair, installation and calibration of taximeters, including, but not limited to,

inspections, tests, adjustments, installations, corrections, or repairs.

- (b) Any change in fees shall be filed with the commission at least ten (10) days prior to the scheduled date of said change in fees.
- (c) A taximeter business owner shall not engage in any business unless a current schedule of inspection and repair charges, including hourly rates, if applicable, is prominently displayed to the public on the business premises.
- (d) A taximeter business owner shall not publicly display any fee schedule until after it has been filed with the commission.

**§15-12 Requirements Concerning Business Premises and Equipment.**

- (a) A taximeter business licensee shall at all times:
  - (1) be located within an area zoned for this business activity;
  - (2) be of sufficient size to simultaneously accommodate at least three (3) vehicles of the type(s) and model(s) licensed by the commission;
  - (3) have sufficient illumination and space in inspection, testing, and calibration areas to enable proper inspections and tests required by these regulations;
  - (4) have sufficient waiting area and rest room facilities for customers; and
  - (5) have all signs required by law and these rules.
- (b) A taximeter business licensee may not use temporary structures that are not described in the certificate of occupancy for the premises. No installation, adjustment, correction, calibration, or repairs of any type may be performed on a public street or any facility other than the taximeter business premises.

- (c) A taximeter business must be equipped with, at a minimum, the equipment required by the commission necessary for the repair and installation of taximeters.

**§15-13 Maintenance of Required Equipment.**

- (a) A taximeter business owner shall properly maintain all equipment required by the commission, or any other equipment required by law or regulation, in good working order, and in such a manner that an inspection, test, or calibration may be conducted in conformity with these rules.
- (b) A taximeter business shall not conduct any test, calibration, or installation using equipment that is not in good working order.

**§15-14 Signage.**

- (a) A “licensed taximeter business” sign, bearing the taximeter business license number and meeting the specifications of the commission, shall, at all times, be hung or mounted on the outside of the premises in such a manner that it is easily visible to the public from outside the building. A taximeter business owner shall not display a “licensed taximeter business” sign if its taximeter business license, or any other necessary license, is expired, suspended or revoked.
- (b) In addition to the foregoing, each licensed taximeter business shall have affixed to the inside of the glass window thereon, to be clearly legible from the outside, a printed sign bearing its business name, license number, and the Taxi and Limousine Commission complaint number.

**§15-15 MTA Tax.**

Each taximeter business is required to adjust any taximeter in a taxicab used to provide trips in New York City to implement the MTA Tax commencing on November 1, 2009.

**§15-16** [Reserved]

**§15-17** [Reserved]

**§15-18** [Reserved]

**§15-19** [Reserved]

**§15-20 Personal Conduct of Licensees.**

- (a) A taximeter business owner, while performing his, her or its duties and responsibilities as a taximeter business owner, shall not commit or attempt to commit, alone or in concert with another, any act of fraud, misrepresentation, or larceny. Examples of fraud, larceny or misrepresentation include, but are not limited to, calibration of a fare other than that set by the Commission; adjustment of the tire size, driving axle, pinion gear, transducer, wiring, or other equipment, for the purpose of generating an inaccurate signal of time or distance into the taximeter or the taxicab technology system; the manufacture, sale or installation of any device which is either designed to or does generate a false or inaccurate signal into the taximeter or the taxicab technology system; or the falsification of taxicab technology system records.
- (b) An owner or his representative shall not perform any willful act of omission or commission, which is against the best interest of the public, even if not specifically prohibited by these rules.

**§15-21 Unlawful Activities Prohibited.**

- (a) A taximeter business owner shall not use or permit any other person to use his business premises or office of record for any unlawful purpose.

- (b) A taximeter business owner shall not conceal any evidence of a crime connected with his business premises or office of record.
- (c) A taximeter business owner shall report immediately to the commission and the police any attempt to use his business premises to commit a crime.
- (d) A taximeter business owner shall not file with the commission any statement, whatsoever, including statements required to be filed pursuant to these rules which he or she knows or reasonably should know to be false, misleading, deceptive or materially incomplete.

**§15-22 Notification upon Conviction of a Crime or Other Change in License Conditions.**

- (a) A taximeter business owner, including a member of a partnership or any officer or shareholder of a corporation, shall notify the commission in writing of his conviction for a crime within fifteen (15) days of such conviction, and he shall deliver to the commission a certified copy of the certificate of disposition issued by the clerk of the court within fifteen (15) days of conviction.
- (b) A taximeter business owner shall notify the commission of any material change in the information contained on such owner's latest taximeter business license application or renewal.

**§15-23 Notification upon Suspension or Revocation of License.**

A taximeter business owner shall immediately notify the commission in writing of any suspension or revocation of any license granted to the licensee, or any other person acting on his behalf, by any agency of the City or State of New York, or the government of the United States.

**§15-24 Bribery Prohibited.**

- (a) A taximeter business owner or any person acting on his behalf shall not offer or give any gift, gratuity, or thing of value to any employee, representative, or member of the commission, or any public servant.
- (b) A taximeter business owner or any person acting on his behalf or during the scope of his or her employment with said taximeter business owner, shall immediately report to the commission and the NYC Department of Investigation any request or demand for a gift, gratuity or thing of value by any employee, representative or member of the commission or any public servant.
- (c) A taximeter business owner or any person acting on his behalf shall not accept any gift, gratuity, or thing of value from an owner or driver of any vehicle licensed by the commission, or any individual or any other person actually or purportedly acting on behalf of such owner or driver for the purpose of omitting an act required by these rules or committing any violation of these rules.
- (d) A taximeter business owner shall notify the commission immediately and in writing within twenty-four (24) hours thereafter of any offer of a gift or gratuity prohibited by §15-24(c).

**§15-25 Threatening, Harassing or Abusive Conduct Prohibited.**

A taximeter business owner, while performing his duties and responsibilities as a licensee, shall not:

- (a) Threaten, harass, or abuse any governmental or commission representative, public servant, or other person.
- (b) Use or attempt to use any physical force against a commission representative, public servant or any other person.



**§15-26 Cooperation with TLC.**

- (a) A taximeter business owner shall, at all times, cooperate with all law enforcement officers and representatives of the commission.
- (b) A taximeter business owner shall answer and comply as directed with all questions, communications, notices, directives, and summonses from the commission or its representatives. A licensee shall produce his/her commission license and/or other documents whenever the commission requires.

**§15-27 Taximeter Business Liability for Conduct of Employees.**

- (a) A taximeter business owner shall supervise and be responsible for the conduct of all its employees, contractors or agents, for the activities including, but not limited to, the sale, installation, inspection, testing, and calibration of taximeters.
- (b) A taximeter business owner shall ensure that all employees are fully familiar with the rules and regulations contained herein, as well as any other pertinent regulatory agency rules and regulations. To this end, a taximeter business shall employ only such persons who have been certified as taximeter technicians by a taximeter manufacturer to perform any installation, testing, repair or calibration of the taximeter on which work is being performed.
- (c) Any work involving a taximeter, including, but not limited to, installation, inspection, calibration, and repair shall be performed by a technician certified by the taximeter manufacturer. The certified technician shall be responsible for maintaining all records required by the commission and shall place his signature on all inspection, testing, repair or other reports prepared by him.
- (d) A taximeter business owner shall ensure that all employees perform their duties in compliance with all relevant federal, state, and city laws, rules, and regulations.

- (e) A taximeter business shall furnish to the commission, upon licensure or renewal, the names of all certified taximeter technicians employed by it and shall notify the commission in writing of any changes in the employment of certified taximeter technicians.

**§15-28 Taximeter Business Liability for Tampering or Alteration.**

- (a) By installing a seal on a taximeter, the taximeter business certifies that the taximeter has been tested and calibrated in accordance with these rules. A taximeter business owner shall be strictly liable for tampering of a meter that is sealed with an unbroken seal issued by the taximeter business.
- (b) By testing, installing or calibrating a taximeter, the taximeter business certifies that at the time of such installation, testing or calibration, it has examined and found the wiring harness leading from the taximeter to the speed sensor is of one piece construction with no intervening connectors, splices, “Y” connections, or direct or indirect interruptions of any kind whatsoever, and has examined the pinion gear seal and has determined that it is properly sealed.

**§15-29 Duty to Notify the Commission.**

- (a) A taximeter business shall notify the Commission by telephone immediately, and in writing within twenty-four (24) hours, of any of the following occurrences:
  - (1) A taximeter which the taximeter business knows or has reason to know has been reported to the Commission as lost or stolen or a taxicab technology system which the taximeter business knows or has reason to know has not been provided by a taxicab technology provider as defined in section 15-01 of this chapter has been

presented to the taximeter business for installation, repair, adjustment or calibration.

- (2) A taximeter has been presented for installation, repair, adjustment or calibration on which one or more seals are removed, damaged, broken or tampered with.
  - (3) A person whom the taximeter business owner knows or should have known to be a licensee of the commission, or to be acting on behalf of a licensee, has requested that the taximeter business engage in any activity prohibited by these rules.
  - (4) A person whom the taximeter business owner knows or should have known to be a licensee of the commission, or to be acting on behalf of a licensee, has attempted to repair, or connect any unauthorized device to, any taximeter, seal, cable connection or electrical wiring, which may have affected the operation of a taximeter.
  - (5) The taximeter business discovers the existence of any intervening connections, splices, “Y” connections or direct or indirect interruptions or connections of any kind whatsoever.
- (b) Any notice required to be provided to the commission hereunder shall contain, at a minimum, the following information:
- (1) The taxicab medallion number;
  - (2) The operator’s license number, if any, of the driver or drivers who presented the vehicle to the taximeter business;
  - (3) The date of the inspection or repair;

- (4) A detailed description of any items, evidence or occurrences as described in subdivision (a) herein;
- (5) The names and operator's license numbers of each individual listed as a driver on the rate card.

**§15-30 Seals.**

- (a) Installation of a taximeter shall include the affixing of security seals to the taximeter as required by the commission. Only seals which have been authorized and approved by the commission shall be used by a taximeter business. The security seals shall be installed in a manner prescribed by the commission, and in such manner that the security seals self-destruct when the taximeter or sealed part of the vehicle is disassembled.
- (b) Each seal shall be numbered and the taximeter business shall keep a record of each seal used. Seals must be used in consecutive numerical order, and any seal not used must be accounted for. The record of seals shall be available for inspection by the commission as set forth herein. The record shall contain, at a minimum, the following information:
  - (1) the seal number;
  - (2) the number of the taximeter in which the seal was installed;
  - (3) the medallion number of the taxicab in which the taximeter was installed;
  - (4) the date the seal was installed;
  - (5) the date and seal number of any seal removed;  
and
  - (6) the reason for installing any new seal.

- (c) No taximeter business shall install a seal on a taximeter without removing all seals installed by another meter shop, whether or not broken.
- (d) Each taximeter business shall maintain on its business premises either a fireproof safe secured to the floor of the establishment or a locked, secured room secured by an alarm connected to a centralized monitoring facility, for the storage of seals and taximeter repair records.
- (e) Each taximeter business shall maintain and file with the commission a description of the procedures used by it to prevent the loss, theft, destruction or misuse of taximeter seals.

**§15-31 Required Inspection of Taximeters.**

A taximeter shall be inspected by the taximeter business whenever it is installed, repaired, or calibrated. Inspection shall include examination of the taximeter installation and operation to verify compliance with:

- (a) the taximeter specifications, type approvals, tolerances, and all other requirements of the commission, including, but not limited to a measured mile run test;
- (b) the rate of fare established by the commission;
- (c) the standards set forth in the sections of the taxicab owners' rules regarding taximeters; and
- (d) all other applicable federal, state, and city regulations and guidelines.

This section shall not apply to repairs which are made exclusively to the printing mechanism or the resetting of the date and/or time on the printer receipt.

**§15-32 Other Repair Limitations.**

A taximeter business owner shall not perform any work on a taximeter, including, but not limited to, inspection, testing, calibration, or repair, if:

- (a) no valid vehicle license from the commission is presented unless the taximeter is not for use in a taxicab licensed by the commission;
- (b) the taximeter serial number is deleted, defaced, or otherwise altered;
- (c) the vehicle is licensed by the TLC and the taximeter make, model or serial number appears on the commission vehicle license or rate card, and the commission has not otherwise authorized the use of that taximeter;
- (d) the taximeter business licensee knows or should know that the taximeter presented for testing was reported lost or stolen to the commission or any other law enforcement agency; or
- (e) the taximeter business licensee has not obtained from the owner or driver of the vehicle, or his agent, a written consent to perform any work on the taximeter.

**§15-33 Recording the Results of Taximeter Tests.**

- (a) The taximeter business owner shall record the results of any inspections or tests, and the taximeter make, model, and serial number on a form, prescribed by the commission, which the taximeter business licensee shall submit to the commission within seven (7) days of such inspection.
- (b) Upon a determination that a taximeter has passed an inspection, the taximeter business owner, in addition to complying with subdivision (a), shall affix a certification sticker, prescribed and

approved by the commission, to the taximeter. Any certification sticker shall not be re-affixed to the taximeter if removed.

- (c) A taximeter business owner shall provide for the safekeeping of certification stickers, shall control their sequence of issuance, and shall ensure that such stickers are placed only on taximeters in accordance with these regulations.
- (d) When a taximeter is installed in preparation for “hack-up,” the taximeter business owner, in addition to complying with subdivisions (a) and (b), shall:
  - (1) prepare a vehicle “hack up” certification form approved by the commission at the completion of the preparatory work for vehicle “hack-up”;
  - (2) submit to the commission, within 24 hours, all documents relating to the installation and inspection of such taximeter; and
  - (3) provide the vehicle owner with an itemized list of all work performed in preparation for “hack-up.”

**§15-34 Failure of Tests.**

No taximeter business owner shall, as a condition of performing any test or other work, require a vehicle driver or owner to undertake any repair work at his business. He shall inform the owner or driver that he may select another licensed taximeter business to perform a repair. No taximeter business owner shall direct a vehicle owner to utilize any other taximeter business to perform said repair work.

**§15-35 Overcharges Prohibited.**

A licensed taximeter business shall not charge fees for any work involving taximeters in excess of the fees set by its fee schedule, which must be filed with the commission and shall be publicly displayed pursuant to §15-11 of these rules.

**§15-36** [Reserved]

**§15-37** [Reserved]

**§15-38** [Reserved]

**§15-39** [Reserved]

**§15-40** **Roof Light Installation and Repair.**

- (a) A taximeter business owner shall install a roof light for use in a taxicab licensed by the commission only of a type or model approved by the commission.
- (b) A taximeter business owner shall install roof light directional appendages in a manner which does not permit its operation for other than directional or emergency uses.
- (c) If an emergency or trouble light is installed, the taximeter business owner shall install an emergency or trouble light only of a type or model approved by the commission and in compliance with TLC specifications.
- (d) If an emergency or trouble light is installed, the taximeter business owner shall install a switch to operate the emergency or trouble light that has no other function and which is not connected to any other equipment.
- (e) The taximeter business owner shall install the roof light, the trouble light, the taximeter and the rate card/taxi driver license holder light in such a manner that the operation of either of these mechanisms is not controlled or affected by the dashboard light dimmer switch or any other device controlled by the driver.
- (f) The taximeter business owner shall use only switches and wiring that meet specifications of the Society of Automotive Engineers, where such specifications are applicable.



- (g) The taximeter business owner shall only install switches for functions approved by the commission, and no additional switches, wiring and/or connections shall be installed.

**§15-41 Sale of Taximeters.**

- (a) A taximeter business owner shall sell only taximeters for use in a taxicab licensed by the commission that have been approved by the New York State Commissioner of Agriculture and Markets and the commission.
- (b) A taximeter business owner shall not sell a taximeter for use in a taxicab licensed by the commission unless a valid vehicle license from the commission is presented.
- (c) A taximeter business owner shall not sell a taximeter for use in a TLC licensed vehicle unless the installation, testing and certification of the taximeter/vehicle assembly is performed by the taximeter business licensee or an employee thereof.
- (d) A taximeter business owner shall report to the commission, within seven (7) days, all sales, trades or exchanges of taximeters by the licensed taximeter business on a form prescribed by the commission.
- (e) A taximeter business owner shall inform all purchasers in writing, before the sale takes place, of any and all restrictions imposed by the taximeter manufacturer and/or taximeter business licensee regarding the testing, repairs, calibration and installation of the taximeter.
- (f) A taximeter business owner shall remove, deface, or otherwise void the validity of the certification sticker upon receipt of a taximeter purchased, exchanged, or accepted in trade by the taximeter business licensee, and report such decertification to the commission.

- (g) The certification sticker must conform to all specifications established by the commission and bear the name of the chairperson of the commission.
- (h) All installations of taximeters must be in accordance with specifications which have been filed with and approved by the commission.
- (i) No change in the method of installation shall be made unless the installation method has been filed with and approved by the commission.

**§15-42 Record-Keeping and Reporting Requirements.**

- (a) A taximeter business owner shall comply with all record-keeping procedures established by the commission. All records required to be kept by the commission shall be in the form and manner prescribed by the commission and must be maintained for a period of five (5) years. All record-keeping entries must be made by a technician certified in accordance with §15-27 of these rules.
- (b) A taximeter business owner shall account for all certification stickers procured and issued by the taximeter business licensee.
- (c) A taximeter business owner shall account for all new or used taximeters that the taximeter business licensee buys, loans, rents, exchanges or accepts in trade.
- (d) A taximeter business owner shall keep records of all sales, installations, inspections, re-inspections, calibrations, repairs and the results thereof.
- (e) At any and all times, a taximeter business owner shall make available for examination, to any agent of the commission, or any other properly authorized law enforcement officer, all the records the official taximeter business is required to keep.

- (f) A taximeter business owner shall permit any agent of the commission or any law enforcement official to inspect any portion of its business premises at any time.

**§15-43 Penalties for Violation of Rules Governing Taximeter Businesses.**

<b><u>RULE NO.</u></b>	<b><u>PENALTY</u></b> All fines listed below also include a separate license suspension, to run concurrent with any underlying suspension, until such fine is paid, unless such fine is paid by the close of business on the day assessed.	<b><u>PERSONAL APPEARANCE REQUIRED</u></b>
§15-02	\$10,000 and revocation if the taximeter business license is suspended	Yes
§15-08(a)	\$1,000-5,000 and suspension until consent of commission is obtained or change in business ownership is withdrawn, or revocation	Yes
§15-08(b)	\$500-1,000	Yes
§15-10	\$500-1,000 and/or suspension until compliance	Yes
§15-11(a)	\$50	No
§15-11(b)	\$50	No
§15-11(c)	\$50	No
§15-11(d)	\$50	No
§15-12(a)	\$500-1,000 and suspension until compliance	Yes
§15-12(b)	\$500-1,000	Yes

<b><u>RULE NO.</u></b>	<b><u>PENALTY</u></b> All fines listed below also include a separate license suspension, to run concurrent with any underlying suspension, until such fine is paid, unless such fine is paid by the close of business on the day assessed.	<b><u>PERSONAL APPEARANCE REQUIRED</u></b>
§15-12(c)	\$500-1,000 and suspension until compliance	Yes
§15-13(a)	\$500-1,000	Yes
§15-13(b)	\$500-1,000	Yes
§15-14	\$100	No
§15-20(a)	Revocation and \$10,000	Yes
§15-20(b)	\$150-350 and/or suspension up to 30 days or revocation	Yes
§15-21(a)	\$350-1,000 and/or suspension up to 30 days or revocation	Yes
§15-21(b)	\$350-1,000 and/or suspension up to 30 days or revocation	Yes
§15-21(c)	\$100-350 and/or suspension up to 30 days	Yes
§15-21(d)	Revocation and \$10,000	Yes
§15-22(a)-(b)	\$500-1,000 and/or suspension up to 30 days	Yes

<b><u>RULE NO.</u></b>	<b><u>PENALTY</u></b>	<b><u>PERSONAL APPEARANCE REQUIRED</u></b>
	All fines listed below also include a separate license suspension, to run concurrent with any underlying suspension, until such fine is paid, unless such fine is paid by the close of business on the day assessed.	
§15-23	\$500-1,000 and suspension until compliance	Yes
§15-24(a)-(c)	Revocation and \$10,000	Yes
§15-25(a)	\$350-1,000 and/or suspension up to 30 days or revocation	Yes
§15-25(b)	\$500-1,500 and/or suspension up to 60 days or revocation	Yes
§15-26(a)	\$250	No
§15-26(b)	\$250 and suspension until compliance	Yes
§15-27(a)-(e)	\$500-1,500 and/or suspension up to 60 days or revocation	Yes
§15-28(a)-(b)	\$500-1,500 and/or suspension up to 60 days or revocation	Yes

<b><u>RULE NO.</u></b>	<b><u>PENALTY</u></b>	<b><u>PERSONAL APPEARANCE REQUIRED</u></b>
	All fines listed below also include a separate license suspension, to run concurrent with any underlying suspension, until such fine is paid, unless such fine is paid by the close of business on the day assessed.	

§15-29(a)-(b)	\$500-1,500 and/or suspension up to 60 days or revocation. If the failure to report relates to a medallion in which the taximeter business has a financial or other interest, the penalty may include, but not be limited to, fine or revocation of the medallion or loss of medallion owner's privileges as set forth in Chapter 1 of the commission's rules.	
§15-30(a)-(e)	\$500-1,500 and/or suspension up to 60 days or revocation	Yes
§15-31	\$500-1,500 and/or suspension up to 60 days or revocation	Yes
§15-32(a)-(e)	\$500-1,500 and/or suspension up to 60 days or revocation	Yes
§15-32(f)	\$500	No
§15-33(a)	\$500 and suspension until compliance	Yes
§15-33(b)	\$500-1,500 and/or suspension up to 60 days or revocation	Yes
§15-33(c)	\$500-1,500 and/or suspension up to 60 days or revocation	Yes

**RULE NO.**

**PENALTY**

All fines listed below also include a separate license suspension, to run concurrent with any underlying suspension, until such fine is paid, unless such fine is paid by the close of business on the day assessed.

**PERSONAL APPEARANCE REQUIRED**

§15-33(d)	\$500 and suspension until compliance	Yes
§15-34	\$500	No
§15-35	\$500	No
§15-40(a)-(g)	\$500 for each subdivision violated	No
§15-41	\$500-1,500 and/or suspension up to 60 days or revocation for each subdivision violated	Yes
§15-42(a)	\$500	No
§15-42(b)-(d)	\$500-1,500 and/or suspension up to 60 days or revocation	Yes
§15-42(e)	\$500 and suspension until compliance	Yes
§15-42(f)	\$500-1,500 and suspension	Yes
§15-44(a) and (b)	First violation: \$10,000 Second violation: revocation of license	Yes

**§15-44 Cooperation with Taxicab Technology Service Providers.**

Each taxicab technology service provider (as that term is defined in section 15-01 of this chapter) shall, with the approval of the Commission, choose one or more Commission-approved taximeters to interface and communicate data with its taxicab technology system, and shall communicate such choice or choices in writing to the Commission. When a taximeter business that manufactures taximeters approved by the



Commission has been notified by the Commission that its taximeter has been chosen by a taxicab technology service provider to interface and communicate data with the taxicab technology system of such taxicab technology service provider, such taximeter business shall choose either of the following options:

(a) Such taximeter business shall provide to such taxicab technology service provider such information relating to the design and inner operation of the taximeter that is necessary for such taxicab technology service provider to perform the work of effecting an interface and communication of data between its taxicab technology system and the taximeter. A taximeter business may require as a condition of providing such information to a taxicab technology service provider that such taxicab technology service provider execute a non-disclosure agreement that is substantially similar in form to Attachment NDA to the agreement between the Commission and the taxicab technology service providers or as agreed upon between the parties; or

(b) Such taximeter business shall, (i) for the purpose of receiving from such taxicab technology service provider such information relating to the design and inner operation of such provider's taxicab technology system, within five business days of notification by the Commission pursuant to this section that the taximeter of such taximeter business has been chosen by such provider to interface and communicate data with such taxicab technology system, execute a non-disclosure agreement substantially similar in form to Attachment NDA to the agreement between the Commission and the taxicab technology service providers or as agreed to between the parties, (ii) perform the work of effecting an interface and communication of data between such taximeter and such taxicab technology system, (iii) ensure that upon installation of such taxicab technology system and thereafter such interface and communication of data are effective, and (iv) submit to the Commission on an annual basis a signed certification that the taximeter business has effected and continues to effect an interface and communication of data between such taxicab technology system and such taximeter. Each failure on the part of a taximeter business that manufactures taximeters to cooperate with a taxicab technology service provider as provided in subdivision (a) or subdivision (b) of this section shall constitute a separate violation of this rule.

No taximeter manufactured by a taximeter business shall be used with any taxicab technology system unless such taximeter business is in compliance with this section insofar as it has cooperated to effect an interface of its taximeter with the taxicab technology systems of all taxicab technology service providers that chose such taximeter.

**§15-45      Discretionary Revocation Proceedings Before OATH.  
[Repealed]**

**§15-46      Procedures to Determine the Fitness of a Licensee or  
Applicant. [Repealed]**

**§15-47      Summary Suspension of Licenses. [Repealed]**