

NEW YORK CITY TAXI AND LIMOUSINE COMMISSION

Notice of Public Hearing Regarding Licensing For-Hire Vehicle Dispatch Apps

The Taxi and Limousine Commission (“TLC”) will hold a public hearing on the topic of licensing applications that connect for-hire vehicle (“FHV”) passengers to available FHV drivers using smartphones and the ways in which FHV bases use smartphone applications to dispatch vehicles. TLC requests comments, testimony, and information that will inform the development of a license structure to govern how these apps may operate in New York City and how bases may use these apps while to promote innovation, accountability, customer service, safety and consumer protection.

A public hearing will be held by TLC at its offices at 33 Beaver St., 19th Floor, New York, New York 10004 on February 12, 2015 at 10:00 a.m. for the purpose of allowing the TLC to hear testimony on this matter. Persons wishing to testify at the hearing may notify the TLC in advance, either in writing or by telephone to TLC’s Office of Legal Affairs at the contact information given below. Testimony will be limited to five minutes per speaker. 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 February 9, 2015.

Background information on this subject and a non-exclusive description of items TLC is considering for inclusion in a proposed rule package regarding the licensing of FHV dispatch apps is attached to this notice.

Written comments in connection with this topic should be submitted to the office of Legal Affairs and must be received by February 12, 2015 to:

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Topics for Public Hearing on Licensing FHV Dispatch Apps

For the last several years, for-hire vehicle (FHV) bases have used web-based systems/smartphone apps to connect passengers to FHVs. This practice has grown significantly in recent years. Today approximately 13% of FHV bases use a dispatch app to connect tens of thousands of passengers each day to available TLC-licensed FHV drivers.

Section 19-511 of the Administrative Code grants the TLC the authority to license communications systems used to dispatch or to convey information to drivers. On January 29, 2015 the Taxi and Limousine Commission passed a set of rules to license and regulate the apps that allow passengers to connect to yellow taxis and green Boro Taxis using their smartphones (known as “E-Hailing”). TLC is now developing a set of proposed rules to license and regulate FHV dispatch apps that will mirror the recently-passed rules governing yellow and Boro Taxi E-hail apps on key consumer protection and safety items. Additionally, the rules will address the unique circumstances of dispatching by app in the FHV segment of the industry by holding app companies accountable for complying with core TLC requirements on accountability and dispatching behavior. Through these rules TLC seeks to promote innovation, consumer protection, accountability, and safety for the public. The key items TLC is considering with respect to proposed rules governing FHV dispatch apps are:

1. **License Structure** – Today some FHV dispatch apps work with several bases via agreements and do not hold a TLC FHV base license. Others hold FHV base licenses and work only through their licensed bases. Proposed FHV App licensing rules will formalize this practice and only allow FHV drivers to accept app-based dispatches through a TLC licensed FHV App or through a TLC licensed base under the same terms of use as a TLC licensed FHV dispatching app.
2. **Access to Drivers** – Rules surrounding what group of drivers a TLC licensed FHV App can dispatch and what group of drivers a TLC licensed base can dispatch.
3. **Refusals** – The circumstances in which a cancellation of an accepted FHV app dispatch trip would be considered a service refusal.
4. **Accessibility** – Requirements surrounding apps’ making wheelchair accessible options available.
5. **Minimizing Driver Distraction** – Rules surrounding the number of permitted devices, device lock-down features, voice activation and other elements that impact a driver’s ability to pay attention to driving.
6. **Privacy and Security** – The requirements surrounding the collection, storage, and use of passenger data.
7. **Trip Records** – The rules surrounding the creation, preservation, and transmission of accurate trip records for trips that were booked using a dispatch app.
8. **Price Transparency** - Rules surrounding passenger notification of what a ride will cost prior to booking, including how passengers are notified of dynamic or “surge” pricing, and how FHV dispatch apps that work with liveries will provide a binding fare quote.
9. **App and Base Accountability** – Rules surrounding the information FHV dispatching apps must give passengers regarding the vehicle dispatched, its home base, and its dispatching base and rules governing consortiums of TLC licensed bases that dispatch through the same app.