

NEW YORK CITY TAXI AND LIMOUSINE COMMISSION

Notice of Promulgation of 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”) promulgates rules amending its For-Hire-Vehicles inspection rules to clarify the existing For-Hire-Vehicle inspection process.

These rules are promulgated pursuant to sections 1043 and 2303(b) of the Charter and section 19-503 of the Administrative Code of the City of New York.

On September 20, 2012, a public hearing was held by the TLC at the TLC’s offices at 33 Beaver St., 19th Floor, New York, New York. These rules were approved at the hearing on September 20, 2012. These rules will take effect 30 days after publication.

Statement of Basis and Purpose of Rule

These rules are authorized by Section 2303 of the Charter and Section 19-503 of the New York City Administrative Code. The rule amends the Taxi and Limousine Commission’s For-Hire-Vehicle inspection rules to clarify when a For-Hire-Vehicle is exempt from certain inspection requirements. Under TLC rules, a vehicle with fewer than 500 miles traveled must undergo only a visual inspection and not the more stringent inspections set forth in the NYS Vehicle and Traffic Law or other applicable laws and rules. The rule clarifies that this exemption from the more stringent inspections applies to vehicles of any model year that have fewer than 500 miles traveled at the time of inspection.

New material is underlined.

[Material inside brackets indicates deleted material.]

Section 59A-04(e)(6) of Title 35 of the Rules of the City of New York is amended to read as follows:

§59A-04 Licensing – General Requirements

(e) *Inspection Required for a New Vehicle License.*

(6) *Nature of the Inspection.*

- (i) If the vehicle has accumulated fewer than 500 miles traveled at the time the vehicle arrives at the Commission’s facility for inspection, irrespective of the vehicle’s model year, the inspection will be only a visual inspection.
- (ii) Unless exempt under (i), [I]f the vehicle is a year 1996 or later model:

- A. The vehicle must pass (i) the vehicle inspection requirements set forth in Section 301 of the NYS Vehicle and Traffic Law, (ii) a visual inspection of the interior and exterior of the vehicle to verify compliance with these Rules, and (iii) inspection to verify compliance with any other applicable laws, rules and requirements.
- B. The inspection will count as one of the “tri-annual” inspections required by §59A-26 of this Sub-chapter.

(iii) Unless exempt under (i), [I]if the vehicle is a year 1995 or earlier model, or if the vehicle is of any model year and the vehicle’s maximum gross weight (MGW) as recorded on the registration card, is 8,501 pounds or more:

- A. The vehicle must pass (i) the vehicle inspection requirements set forth in Section 301 of the NYS Vehicle and Traffic Law, except that the inspections will not include emissions testing, (ii) a visual inspection of the interior and exterior of the vehicle to verify compliance with these Rules, and (iii) inspection to verify compliance with any other applicable laws, rules and requirements.
- B. The inspection will *not* count as one of the “tri-annual” inspections required by §59A-26 of this Sub-chapter.