

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 requiring taxicab medallion owners to remit payment of the Taxi Accessibility Fee to the Taxi and Limousine Commission instead of making payment to the Accessible Taxi Dispatcher.

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

On August 7, 2014, a public hearing on these rules 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 TLC’s public Commission Meeting held on August 7, 2014. These rules will take effect 30 days after publication.

STATEMENT OF BASIS AND PURPOSE OF RULES

The TLC has changed how Medallion Owners pay the Taxi Accessibility Fee required by TLC's Accessible Dispatch Program.

After reviewing the first year of operation of the Accessible Dispatch program, the TLC decided that the Taxi Accessibility Fee paid by Medallion Owners will be paid directly to the TLC instead of to the Accessible Taxi Dispatcher. Payments to the TLC will be placed in a Trust in Agency account. The TLC believes that direct payments to the TLC will make the new payment process more efficient and easier to monitor. The TLC will amend the current agreement with Metro Taxi, Inc. to reflect this change.

The changes to the rules will not alter the original purpose or intent of the current Accessible Dispatch Program. The change only modifies the process for payment of the Taxi Accessibility Fee by medallion owners. The TLC does not anticipate an adverse impact on medallion owners resulting from the payment of this fee to the TLC.

The Commission's authority for these rules is found in section 2303 of the New York City Charter and Section 19-503 of the New York City Administrative Code.

New material is underlined.

[Material inside brackets indicates deleted material.]

Section 1. The definition of “Taxi Accessibility Fee” set forth in section 51-03 of Title 35 of the Rules of the City of New York is amended to read as follows:

§51-03 Definitions

Taxi Accessibility Fee is the fee required by these rules to be paid by Owners, as defined by Chapter 58, to the [Accessible Taxi Dispatcher] Commission to provide accessible service to Wheelchair using Passengers. The Taxi Accessibility Fee shall be set in accordance with the terms of an agreement between the Commission and an approved vendor and will be based on the per medallion cost to the vendor for equipment, administrative expenses associated with operation of the dispatch system, outreach and Dispatch Fees.

Section 2. The definition of “Taxi Accessibility Fee” set forth in section 53-03 of Title 35 of the Rules of the City of New York is amended to read as follows:

§53-03 Definitions

(b) *Taxi Accessibility Fee* is the fee required by these rules to be paid by Owners to the [Accessible Taxi Dispatcher] Commission to provide accessible service to Wheelchair using Passengers. The Taxi Accessibility Fee shall be set in accordance with the terms of an agreement between the Commission and an approved vendor and will be based on the per medallion cost to the vendor for equipment, administrative expenses associated with operation of the dispatch system, outreach and Dispatch Fees.

Section 3. The definition of “Taxi Accessibility Fee” set forth in section 58-03 of Title 35 of the Rules of the City of New York is amended to read as follows:

§58-03 Definitions Specific to this Chapter

(a) *Taxi Accessibility Fee* [as used in this Chapter,] is the fee required by these rules to be paid by Owners to the [Accessible Taxi Dispatcher] Commission to provide accessible service to Wheelchair using Passengers. The Taxi Accessibility Fee shall be set in accordance with the terms of an agreement between the Commission and an approved vendor and will be based on the per medallion cost to the vendor for equipment, administrative expenses associated with operation of the dispatch system, outreach and Dispatch Fees.

Section 4. Subdivision (j) of section 58-07 of Title 35 of the Rules of the City of New York is amended to read as follows:

(j) *Taxi Accessibility Fee*. An Owner must pay the Taxi Accessibility Fee [set by the Accessible Taxi Dispatcher] for each Medallion owned. The Taxi Accessibility Fee must be paid when charged by the Commission.

Section 5. Subdivision (f) of section 58-16 of Title 35 of the Rules of the City of New York is amended to read as follows:

(f) *Taxi Accessibility Fee.*

(1) An Owner must pay the Taxi Accessibility Fee for each of the Owner's Medallions as required by the [Accessible Taxi Dispatcher] Commission.

(2) The Owner must pay the Taxi Accessibility Fee when required to do so by the [Accessible Taxi Dispatcher] Commission. If the Taxi Accessibility Fee is not paid by the time required by the [Accessible Taxi Dispatcher] Commission, the Owner will be liable for penalties for non-payment.

[(3) If an Owner does not pay the Taxi Accessibility Fee by the time required, non-payment will be grounds for suspension or revocation of the Taxicab license, and/or denial of any renewal application or of any application for another TLC issued license, as well as monetary penalties.]

[(4) An Owner must comply with all requirements of the Accessible Taxi Dispatcher relating to payment of the Taxi Accessibility Fee. An Owner must register with the Accessible Taxi Dispatcher for purposes of billing the Taxi Accessibility Fee and must keep all registration and billing information current.]