

Chapter 14 Pilot Programs Rules

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§14-01 Definitions.

For purposes of this chapter:

(a) “Commission” shall mean the Taxi and Limousine Commission as defined in section 2301 of the New York City Charter.

(b) “Chairperson” shall mean the Chairperson of the Taxi and Limousine Commission, as defined in section 2301(c) of the New York City Charter, or his or her designee.

§14-02 Purpose.

The Commission recognizes that its regulatory framework should encourage the industries it regulates to adopt technological and other advances. This chapter is intended to provide a regularized and transparent process for proposal, review, approval, implementation, and evaluation of pilot programs, in furtherance of the Commission’s mandate, expressed in section 2303(b)(9) of the City Charter, to encourage innovation and experimentation in relation to type and design of equipment, modes of service and manner of operation.

§14-03 Submission of pilot program proposals.

Any person or entity may propose a pilot program in writing to the Chairperson for purposes of testing and evaluating a proposed innovation. The proposal shall include:

- (a) A statement of the purpose or value of the proposed innovation;
- (b) A detailed description of the proposed innovation, including, as appropriate, diagrams, blueprints or images;
- (c) Information regarding the use of the proposed innovation in other jurisdictions;
- (d) Estimates of any cost and revenue impact of the proposed innovation on affected licensee groups such as drivers and vehicle owners, on the Commission and the City, and on the public;
- (e) Specification of each respect in which the proposed innovation would depart from otherwise applicable requirements, including the rules of this title;
- (f) Description of any affect the pilot program would have on the safety of operations involved in the pilot program;
- (g) The proposed duration of the pilot program;
- (h) The number of pilot program participants necessary to achieve the purpose of the proposed pilot program; and

(i) Criteria by which the value of the innovation can be measured after implementation of the pilot program, such as cost, customer satisfaction, licensee satisfaction, environmental impacts, and safety.

§ 14-04 Review and approval of pilot program proposals.

(a) The Chairperson shall conduct or oversee the review of pilot program proposals. The Chairperson shall be authorized to assemble any information, from any source, that he or she determines to be useful in reviewing the proposal. Without limitation of the foregoing, the Chairperson may request modification or resubmission of the proposal, including additional information, evaluations, inspection of prototypes, tests or other processes of any kind that may assist in the review of the proposal. Such request may be made to the person or entity proposing the pilot program, or to any other person or entity.

(b) The Chairperson shall forward to the Commission a proposed pilot program within 60 days of receipt of a completed proposal, except that the Chairperson may within such 60-day period extend the time for forwarding the proposed pilot program.

(c) The Commission shall consider the proposal and shall approve or reject the proposed pilot program. Grounds for rejection shall include, but shall not be limited to, the merits of the proposal and the administrative ability of the Commission or its staff to implement, monitor, or evaluate the proposed pilot program. Approval of a pilot program by the Commission shall be done in accordance with paragraph (d) of this section.

(d) The Commission's resolution of approval of any proposed pilot program shall set forth terms governing the implementation, monitoring and evaluation of the proposed pilot program, including but not limited to the following:

(i) The duration of the pilot program;

(ii) A schedule for implementation and evaluation of the pilot program, including a deadline for a final report from the Chairperson to the Commission, and a deadline for initiation of rulemaking action to implement changes in the Commission's rules based on the outcome of the pilot program so that the proposed innovation may continue without interruption in the event that the Commission determines that such continuation is warranted;

(iii) Statement of any minimum and maximum number of pilot program participants;

(iv) Description of the means by which public notice will be given of the proposed pilot program;

(v) Description of the process for selection of participants in the pilot program;

(vi) Statement whether a safety evaluation of the proposed pilot program shall be required before or during implementation of the pilot program, and, if so, statement of how and by whom such safety evaluation shall be conducted;

(vii) Statement that the pilot program participants shall enter into binding agreements with the Chairperson on behalf of the Commission;

- (viii) Enumeration of the criteria to be used in evaluating the proposed innovation during and after implementation of the pilot program; and
- (ix) Description of any reporting requirements during and after the completion of the pilot program, including reports from the pilot program participants to the Chairperson and from the Chairperson to the Commission.

§ 14-05 Agreements between the Commission and the pilot program participants.

- (a) Participation by a person or entity in any pilot program approved by the Commission shall be subject to that person or entity entering into an agreement with the Chairperson on behalf of the Commission, governing the preparation, implementation and evaluation of the pilot program. Such agreement shall include provisions consistent with the terms of the Commission's resolution of approval of the pilot program.
- (b) Where a pilot program involves more than one participant, the Chairperson shall determine whether the participants shall enter into identical or differing agreements.
- (c) Agreements made pursuant to this section shall be subject to approval as to form by the Corporation Counsel pursuant to section 394(b) of the New York City Charter.