

NEW YORK CITY TAXI AND LIMOUSINE COMMISSION

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

Notice is hereby given in accordance with section 1043(b) of the New York City Charter (“Charter”) that the Taxi and Limousine Commission (“TLC”) proposes amending provisions of Title 35 of the Rules of the City of New York to provide for various vehicle transfer fees.

These rules are proposed pursuant to sections 1043 and 2303 of the Charter and section 19-503 of the Administrative Code of the City of New York. The proposed rules were not included in the TLC’s regulatory agenda for Fiscal Year 2010 because the need for the rule change was not anticipated at the time the agenda was submitted.

A public hearing on these proposed rules will be held by the TLC at its offices at 40 Rector Street, 5th Floor, New York, New York 10006 on Monday, December 6, 2010, at 2:30 p.m. The public hearing will not be a meeting of the Commissioners of the Taxi and Limousine Commission and will be chaired by the TLC’s Deputy Commissioner for Legal Affairs. Persons wishing to testify at the hearing may notify the TLC in advance, either in writing or by telephone to the TLC’s Office of Legal Affairs at the address and telephone given below. 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 or by telephone no later than November 24, 2010.

Written comments in connection with these proposed rules must be received no later than December 6, 2010. Comments may be submitted through the NYC Rules website at www.nyc.gov/nycrules, or may be submitted to the Office of Legal Affairs at:

Charles R. Fraser
Deputy Commissioner for Legal Affairs/General Counsel
Taxi and Limousine Commission
40 Rector Street, 5th Floor
New York, New York 10006
Telephone: 212-676-1135
Fax: 212-676-1102
Email: tlcrules@tlc.nyc.gov

Written comments and a transcript of all comments received at the hearing will be available for public inspection at that office.

New material is underlined.

[Material inside brackets indicates deleted material.]

Section 1. It is proposed to amend Section 8-07 of Title 35 of the Rules of the City of New York to add a new subdivision (h) to read as follows:

(h) Vehicle Transfer Fees

(1) An Owner can transfer a Medallion from one vehicle to another after approval by the Chairperson and payment of a \$50 fee.

(2) An Owner can replace the license plates on a Taxicab after approval by the Chairperson and payment of a \$25 fee.

(3) An Owner can transfer the license plates from one vehicle to another after approval by the Chairperson and payment of a \$25 fee.

(4) An Owner must pay a separate fee for each separate transfer. This is true even if the Owner wants to do several types of vehicle transfer all at one time.

Section 2. It is proposed to amend Section 9A-07 of Title 35 of the Rules of the City of New York to repeal subdivisions (f) and (g) and to add a new subdivision (f) to read as follows:

[(f) License Plate Replacement. The Commission will charge a fee of \$25 for replacement license plates.

[(g) Base Affiliation Fee. The Commission will charge a fee of \$25 to process an application for a Vehicle Licensee to change its Base affiliation.]

(f) Vehicle Transfer Fees.

(1) A Vehicle Licensee can change the Vehicle's affiliation from one Base to a different Base after approval by the Chairperson and payment of a \$25 fee.

(2) A Vehicle Licensee can transfer the License from one vehicle to another after approval by the by the Chairperson and payment of a \$25 fee.

(3) A Vehicle Licensee can replace the license plates on the Vehicle after approval by the Chairperson and payment of a \$25 fee.

(4) A Vehicle Licensee can transfer the license plates from one vehicle to another after approval by the Chairperson and payment of a \$25 fee.

(5) A Vehicle Licensee must pay a separate fee for each type of vehicle transfer. This is true even if the Vehicle Licensee wants to do several types of vehicle transfer all at one time.

Section 3. It is proposed to amend subdivision (e) of Section 10A-06 of Title 35 of the Rules of the City of New York to read as follows:

(e) [*Change of Base Affiliation.* A Vehicle Owner can change the Paratransit Base with which it is affiliated after approval by the Commission and payment of a \$25 fee.] *Vehicle Transfer Fees.*

(1) A Vehicle Licensee can change the Vehicle's affiliation from one Paratransit Base to a different Paratransit Base after approval by the Chairperson and payment of a \$25 fee.

(2) A Vehicle Licensee can transfer the License from one vehicle to another after approval by the Chairperson and payment of a \$25 fee.

(3) A Vehicle Licensee can replace the license plates on the Vehicle after approval by the Chairperson and payment of a \$25 fee.

(4) A Vehicle Licensee can transfer the license plates from one vehicle to another after approval by the Chairperson and payment of a \$25 fee.

(5) A Vehicle Licensee must pay a separate fee for each type of vehicle transfer. This is true even if the Vehicle Licensee wants to do several types of vehicle transfer all at one time.

Section 4. It is proposed to amend Section 11A-06 of Title 35 of the Rules of the City of New York to add a new subdivision (e) to read as follows:

(e) *Vehicle Transfer Fees.*

(1) A Vehicle Licensee can change the Vehicle's affiliation from one Commuter-Van Service Authorization to another after approval by the Chairperson and payment of a \$25 fee.

(2) A Vehicle Licensee can transfer the License from one vehicle to another after approval by the Chairperson and payment of a \$25 fee.

(3) A Vehicle Licensee can replace the license plates on the Vehicle after approval by the Chairperson and payment of a \$25 fee.

(4) A Vehicle Licensee can transfer the license plates from one vehicle to another after approval by the Chairperson and payment of a \$25 fee.

(5) A Vehicle Licensee must pay a separate fee for each type of vehicle transfer. This is true even if the Vehicle Licensee wants to do several types of vehicle transfer all at one time.

Statement of Basis and Purpose

These rules amend the provisions of Chapters 8 (Taxicab), 9 (For-hire Vehicle and Base), 10 (Paratransit Vehicle and Base) and 11 (Commuter-Van Vehicle and Authorization) of the New York City Taxi and Limousine's newly revised rules chapters, which will become effective April 1, 2011, with respect to the collection of certain fees authorized by sections 19-504(h) and (k) of the New York City Administrative Code.

These fee provisions were previously the subject of rule-making amending the TLC's current rule book. Amendments to the old rule book implementing these fee rules were approved by the TLC at a meeting held on July 15, 2010 and take effect on August 20, 2010. This rule-making is necessary to update the new rule book to account for the new rules passed amending the existing rules after the new, revised rules chapters were proposed and approved but which become effective before the new rules take effect on April 1, 2011.