

**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 which require that all licensed Commuter Van Vehicles display required Commuter Van and License Number decals.**

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 July 16, 2015, a public hearing on these rules was held by the TLC at the TLC’s offices at 33 Beaver St., 19<sup>th</sup> Floor, New York, New York. These rules were approved at the TLC’s public Commission Meeting held on July 16, 2015. These rules will take effect 30 days after publication.

## **STATEMENT OF BASIS AND PURPOSE OF RULE**

The TLC has adopted rules that add new sections to the existing rules governing Commuter Van Vehicle Owners and Commuter Van Service Owners. The new rules require that a Commuter Van Decal and a TLC License Number decal be displayed on both of the front doors of all licensed Commuter Vans. The rules also permits all Commuter Van Vehicles to affix both decals as optional markings on the rear door of Commuter Van Vehicles.

### **Background**

Commuter Vans provide an economical means of transportation for areas of New York City that are underserved by traditional for-hire vehicles and mass transit. The TLC regulates and licenses Commuter Vans and Commuter Van drivers to ensure that this industry operates safely when providing service to these specific communities by establishing licensing and insurance requirements.

Despite TLC and the NYPD enforcement efforts, unlicensed vans continue to provide unlicensed (and illegal) transportation. These illegal vans are operated by drivers who are not licensed as Commuter Van operators by the TLC. In many instances, the illegal vans do not have the insurance required by the TLC. Additionally, as reported by both TLC's enforcement division and the NYPD, the illegal vans are typically operated in a reckless and dangerous manner while transporting passengers. The public safety risk to pedestrians, motorists and passengers is grave.

### **Commuter Van Decal Pilot Program**

On August 7, 2014, the TLC approved a resolution to evaluate the of use markings and decals on Commuter Vans via a pilot program. The TLC pilot program began on November 11, 2014 and the pilot program is still currently in operation with participation from Commuter Van Service Owners throughout New York City.

The markings evaluated differed from those currently required to be displayed on the sides of the Commuter Van Vehicles under sections 61A-27 and 61B-27 of the Commission's rules for such vehicles. The pilot evaluated the use of an additional, Commission-designed logo that was affixed to the side doors and rear of the vehicle in the pilot.

Participants in the Pilot Program consisted of TLC licensed Commuter Van Service Owners who agreed to use the identifying decals under the terms of the resolution. Pilot Program participants incurred an estimated cost, primarily for the decals and their installation, of approximately \$50 per vehicle. Twelve print shops approved by agreements with the TLC are authorized to print and affix the decals to the Commuter Vans.

### **Objective of the Pilot Program**

The TLC expected use of the decals to:

- 1) Make TLC-licensed Commuter Vans easily identifiable to passengers so they can tell the difference between legal, licensed Commuter Vans and those operating illegally;
- 2) Attract new customers to licensed Commuter Vans; and,
- 3) Make it easier for TLC and NYPD enforcement to identify illegal vans, which will potentially make the enforcement officers' duties safer.

### Pilot Program Results

Forty-one owners, who comprise 87 percent of all licensed Commuter Van Service Owners, are participating in the program. This means that 77 percent (387) of all licensed Commuter Van vehicles affiliated with a Commuter Van Service Owner are authorized to affix the Commuter Van and License Number decals.

The TLC met with representatives of participating Commuter Van Service Owners to ask for their feedback on the pilot program. The Commuter Van Service Owners indicated that the decals give their service a distinctive branding which lets potential customers and law enforcement know that their vans are legal. Many Commuter Van Drivers also expressed their satisfaction with the public acknowledgment by the TLC of their legitimately licensed service, which stands out in stark contrast to the unlicensed vans. As a result of these improvements, the industry supports the Pilot Program and many owners have urged TLC to make the decal a permanent requirement for Commuter Vans.

The TLC also conducted passenger outreach to ensure that the riding public is aware of the decal and its significance. The outreach enabled the TLC to educate the public on how to distinguish between licensed and unlicensed Commuter Vans and the benefits of selecting licensed Commuter Vans.

### Making the Commuter Van Decals required markings

In view of the positive response and the relatively low cost of the decal installation, the TLC has made the Commuter Van Decal and the TLC License Number decal required markings for all licensed Commuter Vans. The required markings will assist the TLC and the NYPD remove from City streets dangerous, unlicensed vans that pose a threat to the public, and help passengers identify legal, licensed Commuter Van service, thereby supporting Mayor de Blasio's Vision Zero commitment to reduce pedestrian deaths.

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

New material is underlined.

[Material inside brackets indicates deleted material.]

Section 1. Subdivision (d) of section 61A-27 of Title 35 of the Rules of the City of New York is relettered subdivision (e), and a new subdivision (d) is added, to read as follows:

(d) Commuter Van Decal.

(1) All Commuter Van vehicles must permanently affix and display the Commuter Van Decal, whose dimensions are 21.7 inches wide by 11 inches high, and the TLC License Number Decal, whose dimensions are 2.5 inches high:

(i) Driver side front door (Required)

A. Commuter Van Decal

The decal must be placed centered left to right and located in the upper half of the flat surface between the door trim and door handle and parallel to the door trim.

B. License Number Decal

The decal must be placed centered left to right and horizontally below the Commuter Van Decal.

(ii) Passenger side front door (Required)

A. Commuter Van Decal

The decal must be placed centered left to right and located in the upper half of the flat surface between the door trim and door handle and parallel to the door trim.

B. License Number Decal

The decal must be placed centered left to right and horizontally below the Commuter Van Decal.

(2) All Commuter Van vehicles may permanently affix and display on the rear door of the vehicle an optional Commuter Van Decal, whose dimensions are 21.7 inches wide by 11 inches high, , and an optional TLC License Number Decal, whose dimensions are 2.5 inches high:

(i) Rear door (Optional)

A. Commuter Van Decal

The decal must be placed centered left to right and located in the upper half of the flat surface between the door trim and door handle and parallel to the door trim.

B. License Number Decal

The decal must be placed centered left to right and horizontally below the Commuter Van Decal.

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| <u>61A-27(d)</u> | <u>Fine: \$100</u> | <u>Appearance NOT REQUIRED</u> |
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(d) Commuter Van Decal.

- (1) All Commuter Van vehicles must permanently affix and display the Commuter Van Decal, whose dimensions are 21.7 inches wide by 11 inches high, and the TLC License Number Decal, whose dimensions are 2.5 inches high:
  - (i) Driver side front door (Required)
    - A. Commuter Van Decal  
The decal must be placed centered left to right and located in the upper half of the flat surface between the door trim and door handle and parallel to the door trim.
    - B. License Number Decal  
The decal must be placed centered left to right and horizontally below the Commuter Van Decal.
  - (ii) Passenger side front door (Required)
    - A. Commuter Van Decal  
The decal must be placed centered left to right and located in the upper half of the flat surface between the door trim and door handle and parallel to the door trim.
    - B. License Number Decal  
The decal must be placed centered left to right and horizontally below the Commuter Van Decal.
- (2) All Commuter Van vehicles may permanently affix and display on the rear door of the vehicle an optional Commuter Van Decal, whose dimensions are 21.7 inches wide by 11 inches high, , and an optional TLC License Number Decal, whose dimensions are 2.5 inches high:
  - (i) Rear door (Optional)
    - A. Commuter Van Decal  
The decal must be placed centered from left to right and located in the upper half of the flat surface between the door trim and door handle and parallel to the door trim.
    - B. License Number Decal  
The decal must be placed centered left to right and horizontally below the Commuter Van Decal.

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