

NEW YORK CITY TAXI AND LIMOUSINE COMMISSION

Notice of Promulgation of Rules

Notice is hereby given in accordance with section 1043(e) of the Charter of the City of New York (“Charter”) that the Taxi and Limousine Commission (“TLC”) promulgates rules (a) amending the Accessible Taxicab specifications to increase the number of models of vehicles that are able to operate in Accessible Taxicab Service and (b) to include a model that accommodates a single passenger using a wheelchair in the rear passenger compartment of the vehicle, after the rear passenger seats are folded out of the way.

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

A public hearing on these rules was held by the TLC at its offices at 33 Beaver Street, 19th Floor, New York, New York, on July 12, 2012 at 10:00 a.m.

These rules will take effect 30 days after they are published in the City Record.

Statement of Basis and Purpose of Promulgated Rule

Wheelchair passengers currently enter accessible taxicabs either through the side - and ride the cab either in the rear passenger compartment alongside open passenger seats or in the front passenger compartment beside the driver – or through the rear, and ride the cab behind the passenger seats in the rear passenger compartment. Depending on the accessible taxicab model, the wheelchair passenger may have a poor view of the taxi meter and the Passenger Information Monitor (PIM). There is now a new rear entry accessible taxicab that accommodates a wheelchair passenger by folding the passenger seats in the rear compartment forward to the front and behind the back of the front seats, which allows the wheelchair passenger to sit alone in the rear passenger compartment and to have an unobstructed view of the taxi meter and of the PIM. In addition, a wheelchair passenger’s companion can ride in the front right seat of the vehicle. This new wheelchair accessible vehicle provides more comfort and convenience for wheelchair passengers.

The legroom in this new model is greater (rear legroom is 41.5 inches and front legroom is 40.5 inches) than the side entry accessible vehicle approved last year. However, the TLC is interested in expanding the types and designs of accessible vehicles that are eligible to serve New York’s wheelchair passengers. Therefore, the promulgated rules decrease the minimum legroom required for Accessible Taxicabs to a specification that includes the new model and also make other vehicles with even smaller rear leg room eligible to be Accessible Taxicabs. The new and smaller rear legroom specification for Accessible Taxicabs is the same as the already existing rear legroom specification for Alternative Fuel Medallions. Specifically, the promulgated rules eliminate the rear compartment and front compartment legroom exceptions for the 2011 side entry Accessible Taxicab and decrease the required Accessible Taxicab legroom for the front and rear compartments (see table below).

How the Proposed Rule Changes the Legroom Requirements		
	Current Legroom Requirements	New Legroom Requirements
Exceptions for the 2011 side entry Accessible Taxicab	36.0 inches - rear legroom 40.0 inches - front legroom 76.0 inches - total legroom	Eliminated
Rear compartment effective legroom	43.0 inches	34.6 inches
Front compartment effective legroom	42.0 inches	40.0 inches
Total Legroom	85.0 inches	74.6 inches

These promulgated rules are authorized by 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.
[Deleted material is in brackets.]

Section 1. Sections 67-05.2 (c)(3) and (4) of chapter 67 of Title 35 of the Rules of the City of New York are amended to read as follows:

§ 67-05.2 Alternative Specifications for Accessible Taxicab Models

(c) The Accessible Taxicab as manufactured by the original equipment manufacturer (“OEM”) or as modified by an OEM-approved second-stage manufacturer must meet the following specifications:

. . .

(3) The rear compartment of any vehicle approved for use as an Accessible Taxicab Model must meet the following dimensions as defined by the Society of Automotive Engineers:

(i) Effective legroom (L51) must be at least [43] 34.6 inches[.,].

[(ii) Exception: For an Accessible Taxicab designed to carry a wheelchair Passenger in the front right position beside the Driver, the minimum effective legroom (L51) must be at least 36 inches.]

(4) The front compartment of any vehicle approved for use as an Accessible Taxicab Model must meet the following dimensions:

(i) (Effective legroom (L34) must be at least [42] 40 inches.

[(ii) Exception: For an Accessible taxicab designed to carry a Wheelchair Passenger in the front right position beside the Driver, the minimum effective legroom must be at least 40 inches.

(iii)] (5) Total legroom (the sum of L34 and L51) must be at least [85] 74.6 inches.

[(iv) Exception: For an Accessible Taxicab designed to carry a Wheelchair Passenger in the front right position beside the Driver, the minimum effective total legroom must be at least 76 inches.]