

NEW YORK CITY TAXI AND LIMOUSINE COMMISSION

Notice of Promulgation of 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) promulgates an amendment to its rules so that owners of Unrestricted Medallions who choose to purchase an accessible vehicle, or are required to do so under TLC rules, can obtain a one-time waiver allowing them to purchase an approved accessible vehicle that is not the Accessible Official Taxicab Vehicle (AOTV). The City’s contract with the Official Taxicab Vehicles (OTV) vendor provides for 496 exemptions from the AOTV requirement for Unrestricted Medallions.

This rule is promulgated pursuant to sections 1043 and 2303 of the Charter and section 19-503 of the Administrative Code of the City of New York.

This rule was published on February 6, 2015, for public comment in the City Record. On March 19, 2015 a public hearing was held by the TLC at its offices at 33 Beaver Street, 19th Floor, New York, New York, 10004 and the rule was adopted by the Commission at a public meeting held on March 19, 2015. Pursuant to section 1043(e)(1)(c) of the Charter, this rule will take effect 30 days following publication in the City Record.

Statement of Basis and Purpose

The Official Taxicab Vehicle activation date is April 20, 2015, as of which Unrestricted Medallion owners may only hack up an OTV, an AOTV or a hybrid vehicle that meets TLC specifications. The City’s contract with the OTV vendor provides a waiver for up to 496 Unrestricted Medallion owners to buy an approved accessible vehicle other than the AOTV if they wish to or need to purchase an accessible taxi vehicle. This rule provides a process for Unrestricted Medallion owners to apply to the Chairperson for such waivers. Exemption applications will be handled on a first come, first served basis. Only Unrestricted Medallion owners whose vehicles are nearing the vehicle retirement date and who are in good standing (license is current, not suspended, and no fines owed) with the Commission may apply. The waiver is valid for a one time use only.

This rule is authorized by Section 2303 of the Charter and Sections 19-503 of the Administrative Code of the City of New York.

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

New material is underlined.

[Deleted material is in brackets.]

Section 1. Subdivision (b) of section 67-05.1B of Title 35 of the Rules of the City of New York is amended to read as follows:

§67-05.1B Official Taxicab Vehicle for use with Unrestricted Medallions *Effective On Official Taxicab Vehicle Activation Date.*

- (b) On or after the OTV Activation Date, an Unrestricted Medallion can be Hacked-up ONLY with
- (1) the Official Taxicab Vehicle designated by the Commission under this section; or
 - (2) After the OTV Activation Date, a medallion issued prior to January 1, 2012 that was not restricted when issued can be used with an OTV or an AOTV. If at any time after the OTV Activation Date such medallion is restricted by law or rule of the Commission to use with an Accessible Vehicle, the owner of such medallion must purchase an AOTV or lease such medallion for use with an AOTV. Provided, however, that with the Chairperson's approval and in accordance with paragraph (3) herein, up to 496 Unrestricted Medallion owners in good standing may at any time purchase for Hack-up any accessible vehicle which meets the accessible vehicle specifications set forth in Rule 67-05.2, or lease their medallions for use with such a vehicle.
 - (3) Any Unrestricted Medallion owner in good standing who wants to purchase for Hack-up an accessible vehicle that is not an AOTV but that meets the accessible vehicle specifications set forth in Rule 67-05.2 may apply for a one-time waiver of the requirement set forth in paragraph (2) of this subdivision. Such application must be made on a form and in accordance with instructions that will be made available on the TLC's Web site. The application must be received by the TLC no less than 120 days prior to the medallion owner's vehicle retirement date, and no more than 150 days prior to such retirement date. The waiver is non-transferable, and expires if not presented at hack-up.