

NEW YORK CITY TAXI AND LIMOUSINE COMMISSION

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Taxi and Limousine Commission is considering adding a rule which would require all licensed vehicles to display a safety sticker as part of New York City's Vision Zero initiative reminding licensees to be cautious when making turns. The rule would also permit the display of an optional bumper sticker which also cautions drivers.

When and where is the Hearing? The Commission will hold a public hearing, at which the public and interested parties are invited to submit comments and testimony on the proposed rules, at 10:00 a.m. on September 18, 2014. This hearing will be held in the Commission's public hearing room at 33 Beaver St., New York, NY on the 19th Floor.

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **Mail.** You can mail written comments to the Taxi and Limousine Commission, Office of Legal Affairs, 33 Beaver Street – 22nd Floor, New York, New York 10004.
- **Fax.** You can fax written comments to the Taxi and Limousine Commission, Office of Legal Affairs, at 212-676-1102.
- **Email.** You can email written comments to tlcrules@tlc.nyc.gov.
- **Website.** You can submit comments to the Taxi and Limousine Commission through the NYC rules Web site at www.nyc.gov/nycrules.
- **By Speaking at the Hearings.** Anyone who wants to comment on the proposed rule at the public hearings must sign up to speak. You can sign up before either hearing by calling 212-676-1135. You can also sign up in the hearing room before the session begins on September 18, 2014. You can speak for up to three minutes.

Is there a deadline to submit written comments? Yes, you must submit written comments by September 12, 2014.

Do you need assistance to participate in the Hearings? You must tell the Office of Legal Affairs if you need a reasonable accommodation of a disability at the Hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address

given above. You may also tell us by telephone at 212-676-1135. You must tell us by September 11, 2014.

Can I review the comments made on the proposed rules? A few days after the hearing, a transcript of the hearing and copies of the written comments will be available to the public at the Office of Legal Affairs.

What authorizes the Commission to make this rule? Sections 1043 and 2303 of the City Charter and section 19-503 of the City Administrative Code authorize the Commission to make this proposed rule. This proposed rule was not included in the Commission's regulatory agenda for this Fiscal Year because the need for it was not contemplated when the Commission published the agenda.

Where can I find the Commission's rules? The Commission's rules are in title 35 of the Rules of the City of New York.

What rules govern the rulemaking process? The Commission must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043(b) of the City Charter.

STATEMENT OF BASIS AND PURPOSE OF RULES

On February 18, 2014, Mayor de Blasio launched the Vision Zero action plan – an ambitious plan to reduce traffic fatalities in New York City. Vision Zero accepts no traffic fatality as inevitable. Vision Zero allows government agencies, industry groups, key transportation stakeholders and the public to understand traffic crashes as the result of a series of actions that can be changed or prevented through enforcement, education and design.

According to the NYC Department of Transportation’s Pedestrian Safety Study and Action Plan, 74 percent of crashes in which a pedestrian was killed or seriously injured in 2008, occurred at intersections. Many of these crashes took place while drivers were making turns. To provide TLC-licensed drivers with a regular reminder that their first priority while driving is their own safety and the safety of their passengers and those with whom they share the road, the Taxi and Limousine Commission (TLC) seeks to add rules requiring all licensed vehicles to display a safety sticker reminding their drivers to be cautious when operating them, and particularly when making turns. Additionally, the rule would permit licensed vehicles to display an optional bumper sticker that alerts other drivers also to use caution on the city’s streets. The required safety sticker is part of New York City’s Vision Zero action plan.

The Commission believes that any cost incurred by the licensees pursuant to the proposed rules will be minimal and will not adversely impact licensed vehicle owners.

The Commission’s authority for this rule change 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.

“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.

[Material inside brackets indicates deleted material.]

Section 1. Section 58-32(i) of Title 35 of the Rules of the City of New York is amended by adding new paragraphs (p) and (q), to read as follows:

- (i) *Marking Specifications for Taxicabs.*

INSCRIPTION*	LOCATION	SIZE
(p) <u>“Turning? People are Crossing.” The sticker must be obtained pursuant to instructions posted on the Commission’s website or through other appropriate means announced on the website. (required)</u>	<u>On the inside of the front windshield, in the center and adjacent to the top of the windshield directly behind the rearview mirror, placed in such a manner not to obstruct the driver’s view.</u>	<u>3.5” wide by 2.5” high.</u>
(q) <u>“The choices you make behind the wheel matter.” The sticker may be obtained pursuant to instructions posted on the Commission’s website or through other appropriate means announced on the website. (optional)</u>	<u>On the rear bumper of the vehicle.</u>	<u>15” wide by 4” high.</u>

Section 2. Section 59A-29 of Title 35 of the Rules of the City of New York is amended by adding new subdivisions (j) and (k), to read as follows:

- (j) *Required Sticker.* Each For hire-vehicle must display an internal safety sticker, with the following inscription: “Turning? People are Crossing.” The dimensions of the sticker are 3.5 inches wide by 2.5 inches high. The sticker must be obtained pursuant to the instructions on the Commission’s website or through other appropriate means announced on the website. The sticker must be placed in the Vehicle as follows:
- (1) On the inside of the front windshield, in the center and adjacent to the top of the windshield directly behind the rearview mirror.
 - (2) In such a manner not to obstruct the driver’s view.

59A-29(j)(1) and (2)	Fine: \$75	Appearance NOT REQUIRED
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- (k) *Optional Sticker.* For hire-vehicles may display an optional external sticker, with the following inscription: “The choices you make behind the wheel matter.” The dimensions of the sticker are 15 inches wide by 4 inches wide. The sticker may be obtained pursuant to the instructions on the Commission’s website or through other appropriate means announced on the website. If displayed, the sticker must be placed on the Vehicle as follows:

(1) On the rear bumper of the vehicle.

Section 3. Section 59B-29 of Title 35 of the Rules of the City of New York is amended by adding new subdivisions (l) and (m), to read as follows:

(l) Required Sticker. Each For hire-vehicle must display an internal safety sticker, with the following inscription: “Turning? People are Crossing.” The dimensions of the sticker are 3.5 inches wide by 2.5 inches high. The sticker must be obtained pursuant to the instructions on the Commission’s website or through other appropriate means announced on the website. If displayed, the sticker must be placed in the Vehicle as follows:

(1) On the inside of the front windshield, in the center and adjacent to the top of the windshield directly behind the rearview mirror.

(2) In such a manner not to obstruct the driver’s view.

59B-29(l)(1) and (2)	Fine: \$75	Appearance NOT REQUIRED
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(m) Optional Sticker. For hire-vehicles may display an optional external sticker, with the following inscription: “The choices you make behind the wheel matter.” The dimensions of the sticker are 15 inches wide by 4 inches wide. The sticker may be obtained pursuant to the instructions on the Commission’s website or through other appropriate means announced on the website. If displayed, the sticker must be placed on the Vehicle as follows:

(1) On the rear bumper of the vehicle.

Section 4. Section 60A-28 of Title 35 of the Rules of the City of New York is amended by adding new subdivisions (f) and (g), to read as follows:

(f) Required Sticker. Each Paratransit vehicle must display an internal safety sticker, with the following inscription: “Turning? People are Crossing.” The dimensions of the sticker are 3.5 inches wide by 2.5 inches high. The sticker must be obtained pursuant to the instructions on the Commission’s website or through other appropriate means announced on the website. The sticker must be placed in the Vehicle as follows:

(1) On the inside of the front windshield, in the center and adjacent to the top of the windshield directly behind the rearview mirror.

(2) In such a manner not to obstruct the driver’s view.

60A-28(f)(1) and (2)	Fine: \$75	Appearance NOT REQUIRED
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(g) Optional Sticker. Paratransit vehicles may display an optional external sticker, with the following inscription: “The choices you make behind the wheel matter.” The dimensions of the sticker are 15 inches wide by 4 inches wide. The sticker may be obtained pursuant to the instructions on the Commission’s website or through other appropriate means announced on the website. If displayed, the sticker must be placed on the Vehicle as follows:

(1) On the rear bumper of the vehicle.

Section 5. Section 60B-28 of Title 35 of the Rules of the City of New York is amended by adding new subdivisions (e) and (f), to read as follows:

(e) Required Sticker. A Base Owner must ensure that each Vehicle affiliated with the Base displays an internal safety sticker, with the following inscription: “Turning? People are Crossing.” The dimensions of the sticker are 3.5 inches wide by 2.5 inches high. The sticker must be obtained pursuant to the instructions on the Commission’s website or through other appropriate means announced on the website. The sticker must be placed in the Vehicle as follows:

(1) On the inside of the front windshield, in the center and adjacent to the top of the windshield directly behind the rearview mirror.

(2) In such a manner not to obstruct the driver’s view.

60B-28(e)(1) and (2)	Fine: \$75	Appearance NOT REQUIRED
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(f) Optional Sticker. A Base Owner may permit Vehicles affiliated with the Base to display an optional external sticker, with the following inscription: “The choices you make behind the wheel matter.” The dimensions of the sticker are 15 inches wide by 4 inches wide. The sticker may be obtained pursuant to the instructions on the Commission’s website or through other appropriate means announced on the website. If displayed, the sticker must be placed on the Vehicle as follows:

(1) On the rear bumper of the vehicle.

Section 6. Section 61A-27 of Title 35 of the Rules of the City of New York is amended by adding new subdivisions (e) and (f), to read as follows:

(e) Required Sticker. Each Commuter-Van Vehicle must display an internal safety sticker, with the following inscription: “Turning? People are Crossing.” The dimensions of the sticker are 3.5 inches wide by 2.5 inches high. The sticker must be obtained pursuant to the instructions on the Commission’s website or through other appropriate means announced on the website. The sticker must be placed in

the Vehicle as follows:

- (1) On the inside of the front windshield, in the center and adjacent to the top of the windshield directly behind the rearview mirror.
- (2) In such a manner not to obstruct the driver's view.

61A-27(e)(1) and (2)	Fine: \$75	Appearance NOT REQUIRED
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(f) Optional Sticker. Commuter-Van Vehicles may display an optional external sticker, with the following inscription: "The choices you make behind the wheel matter." The dimensions of the sticker are 15 inches wide by 4 inches wide. The sticker may be obtained pursuant to the instructions on the Commission's website or through other appropriate means announced on the website. If displayed, the sticker must be placed on the Vehicle as follows:

- (1) On the rear bumper of the vehicle.

Section 7. Section 61B-27 of Title 35 of the Rules of the City of New York is amended by adding new subdivisions (e) and (f), to read as follows:

(e) Required Sticker. Each Commuter-Van Vehicle must display an internal safety sticker, with the following inscription: "Turning? People are Crossing." The dimensions of the sticker are 3.5 inches wide by 2.5 inches high. The sticker must be obtained pursuant to the instructions on the Commission's website or through other appropriate means announced on the website. The sticker must be placed in the Vehicle as follows:

- (1) On the inside of the front windshield, in the center and adjacent to the top of the windshield directly behind the rearview mirror.
- (2) In such a manner not to obstruct the driver's view.

61B-27(e)(1) and (2)	Fine: \$75	Appearance NOT REQUIRED
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(f) Optional Sticker. Commuter-Van Vehicles may display an optional external sticker, with the following inscription: "The choices you make behind the wheel matter." The dimensions of the sticker are 15 inches wide by 4 inches wide. The sticker may be obtained pursuant to the instructions on the Commission's website or through other appropriate means announced on the website. If displayed, the sticker must be placed on the Vehicle as follows:

- (1) On the rear bumper of the vehicle.

Section 8. Section 82-33(1) of Title 35 of the Rules of the City of New York is amended by adding new paragraphs (l) and (m), to read as follows:

(l) *Marking Specifications for Street Hail Liveries*

INSCRIPTION*	LOCATION	SIZE
(l) <u>“Turning? People are Crossing.”</u> The sticker must be obtained pursuant to instructions posted on the Commission’s website or through other appropriate means announced on the website. (required)	<u>On the inside of the front windshield, in the center and adjacent to the top of the windshield directly behind the rearview mirror, placed in such a manner not to obstruct the driver’s view.</u>	<u>3.5” wide by 2.5” high.</u>
(m) <u>“The choices you make behind the wheel matter.”</u> The sticker may be obtained pursuant to instructions posted on the Commission’s website or through other appropriate means announced on the website. (optional)	<u>On the rear bumper of the vehicle.</u>	<u>15” wide by 4” high.</u>

**NEW YORK CITY LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Turn Notices (Vision Zero)

REFERENCE NUMBER: 2014 RG 061

RULEMAKING AGENCY: Taxi and Limousine Commission

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: August 8, 2014

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

**CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

RULE TITLE: Turn Notices (Vision Zero)

REFERENCE NUMBER: TLC

RULEMAKING AGENCY: TLC-66

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco X. Navarro
Mayor's Office of Operations

August 11, 2014
Date