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THE CITY RECORD

MICHAEL R. BLOOMBERG, Mayor

MARTHA K. HIRST, Commissioner, Department of Citywide Administrative Services.
 ELI BLACHMAN, Editor of The City Record.

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

CITY PLANNING COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street New York, New York, on Wednesday, June 9, 2010, commencing at 10:00 A.M.

BOROUGH OF BROOKLYN

No. 1

BROOKLYN TERMINAL MARKET

CD 18 C 090376 PPK
 IN THE MATTER OF an application submitted by the Department of Small Business Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the disposition of city-owned property located at 8201 Foster Avenue (Block 7920, Lots 20 and 25), in the Brooklyn Terminal Market, pursuant to zoning.

No. 2

470 VANDERBILT AVENUE OFFICE SPACE

CD 2 N 100390 PXX
 IN THE MATTER OF a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 470 Vanderbilt Avenue (Block 2009, Lot 1) (Human Resources Administration).

YVETTE V. GRUEL, Calendar Officer
 City Planning Commission
 22 Reade Street, Room 2E
 New York, New York 10007
 Telephone (212) 720-3370

m26-j9

CIVILIAN COMPLAINT REVIEW BOARD

■ PUBLIC MEETING

The Civilian Complaint Review Board's monthly public meeting has been scheduled for Wednesday, June 9, 2010 at 10:00 A.M. at 40 Rector Street, 2nd Floor, New York, NY 10006.

j3-16

COMMUNITY BOARDS

■ PUBLIC HEARINGS

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF QUEENS

COMMUNITY BOARD NO 11 - Monday, June 7, 2010 at 7:30 P.M., M.S. 158, 46-35 Oceania Street, Bayside, NY

#C 100409ZMQ

An application by the New York City Department of City Planning to rezone the areas of Hollis Hills, Oakland Gardens, and parts of Auburndale in Queens.

j1-7

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF THE BRONX

COMMUNITY BOARD NO. 03 - Tuesday, June 8, 2010, 6:00 P.M., 1426 Boston Road, (near Prospect Ave. and East 170th St.) Bronx, NY

#C 070550ZMX

IN THE MATTER of an application submitted by High Hawk, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, changing from a C8-3 district to an R7-1 district property bounded by Boston Road, Hoe Avenue, and East 174th Street.

j2-8

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF STATEN ISLAND

COMMUNITY BOARD NO. 01 - Monday, June 7, 2010, 8:00 P.M., Community Board Office, 1 Edgewater Plaza - Suite #217, Staten Island, New York

Agenda

BSA 44-99-BZ

Application has been submitted to extend the term of a variance in an R3A zoning district, and waive the Rules of Practice and Procedure due to the fact that the variance expired on February 1, 2010 at 194 Brighton Avenue.

#N 100250ZAR

Application has been submitted to authorize disturbance of steep slope, modify tree preservation requirements and modify lot coverage controls on a tier I site in order to facilitate the construction on an in-ground swimming pool and relocate retaining walls within the Special Hillside Preservation District at 294 Howard Avenue.

#N 100284ZRY

Application submitted to create regulations to allow car share vehicles to park in off-street accessory garages, lots and in public parking facilities in all zoning districts.

j1-7

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF MANHATTAN

COMMUNITY BOARD NO. 03 - Monday, June 7, 2010, 6:30 P.M., University Settlement - (Speyer Hall), 184 Eldridge Street (Rivington and Delancey Streets), New York, NY
 Land Use/Zoning/Public and Private Housing Committee
 Third Avenue Corridor Rezoning:

#N 100419ZRM

Zoning map and text amendments for the area bounded by East 9th Street and East 13th Street between 3rd Avenue

and 4th Avenue, and including the east side block frontage on 3rd Avenue between East 9th and East 13th, zoning text amendment to make the Inclusionary Housing Program applicable within the proposed rezoning area.

#100420ZMM

Zoning map amendment to rezone an existing C6-1 district to a C6-2A district.

j1-7

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 02 - Thursday, June 3, 2010 at 7:00 P.M. Sunnyside Community Services, 43-31 39th Street, 1st Floor, Sunnyside, NY

School Construction Authority Proposed New School
 1-5 51st Avenue and 5th Street

New York City School Construction Authority pursuant to Section 1731 of the New York City School Construction Authority Act, proposed site selection of parcel B of the Hunter's Point South District located in the Borough of Queens, for the construction of a new approximately 1071-seat Intermediate/High School facility at 1-50 51st Avenue between Center Boulevard and 2nd Street.

#N 100284ZRY

Car Sharing Text Amendment
 Department of City Planning is proposing a car sharing text amendment to the Zoning Resolution which will create regulations to allow car share vehicles to park in off-street accessory garages, lots and in public parking facilities in all zoning districts.

Sunnyside/Woodside Rezoning
 Sunnyside/Woodside Rezoning: The Department of City Planning has undertaken the rezoning of the Sunnyside/Woodside area. The study area consists of approximately 130 blocks, generally bounded by 37th Avenue and the Sunnyside rail yard to the north, BQE, the New York connecting railroad and 72nd Street to the east, Woodside, Roosevelt and 47th avenues to the south, and 39th Street to the west. The study corridors of Queens Boulevard, Greenpoint and Roosevelt Avenue served by the elevated #7 train.

m28-j3

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF THE BRONX

COMMUNITY BOARD NO. 06 - Wednesday, June 9, 2010 at 6:30 P.M., Community School 211, 1919 Prospect Avenue, (between E. Tremont and East 176th St.), Bronx, New York

#C 100407ZMX

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 3c and 3d.

j3-9

DESIGN COMMISSION

■ MEETING

Design Commission Meeting Agenda
 Monday, June 7, 2010

Public Meeting

1:45 P.M. Consent Items

23906: Conservation and relocation of *Abstraction* (1939) by Byron Browne, originally installed in Studio D, 25th Floor, The Municipal Broadcasting Station, One Centre Street, Manhattan; to be reinstalled in the first floor Jury Assembly Room, Supreme Courthouse, 2 Central Avenue, Staten Island. (Preliminary) (CC 49, CB 1) DCAS/CJC

23907: Conservation of 12 bas reliefs (1932-34) by Edward Field Sanford, Jr., Theodore Roosevelt Memorial Building, American Museum of Natural History, 200 Central Park West, Manhattan. (Preliminary) (CC 6, CB 7) DCuA

23908: Conservation of the sculptures of Daniel Boone, John James Audubon, George Rogers Clark and

- Meriwether Lewis (1932-34) by James Earle Fraser, Theodore Roosevelt Memorial Building, American Museum of Natural History, 200 Central Park West, Manhattan. (Preliminary) (CC 6, CB 7) DCuLA
- 23909: Rehabilitation of Engine Company 204 for use as the Brooklyn Philharmonic Music Center, 299 DeGraw Street, Brooklyn. (Preliminary) (CC 33, CB 6) DCuLA
- 23905: Construction of a pedestrian bridge over West 65th Street, Lincoln Center for the Performing Arts, West 65th Street between Broadway and Amsterdam Avenue, Manhattan. (Preliminary) (CC 6, CB 7) DCuLA/DPR/DOT
- 23910: Reconstruction of the Great Hall entrance and the terrace atop the Central Pavilion, New York Hall of Science, 47-01 111th Street, Queens. (Final) (CC 21, CB 4) DDC/DCuLA/DPR
- 23911: Reconstruction of the entrance, NYPD Tow Pound, Pier 76, 12th Avenue at West 35th Street, Manhattan. (Preliminary and Final) (CC 3, CB 4) DDC
- 23912: Installation of stairs and a wheelchair lift, 794 Hart Street, Brooklyn. (Preliminary and Final) (CC 5, CB 3) DOT
- 23913: Repainting of the East Tremont Avenue Bridge over the Hutchinson River Parkway, Bronx. (Preliminary and Final) (CC 13, CB 10) DOT
- 23914: Repainting of the Grand Concourse over East Tremont Avenue, Bronx. (Preliminary and Final) (CC 14, CB 5) DOT
- 23915: Repainting of the East 12th Street Bridge over the Belt (Shore) Parkway, Brooklyn. (Preliminary and Final) (CC 48, CB 15) DOT
- 23916: Repainting of the Woodside Avenue Bridge over the Brooklyn-Queens Expressway, Queens. (Preliminary and Final) (CC 26, CB 2) DOT
- 23917: Repainting of the 69th Street Bridge over the Brooklyn-Queens Expressway, Queens. (Preliminary and Final) (CC 26, CB 2) DOT
- 23918: Construction of a tot lot, Blue Heron Park, Amboy Road, Barclay Avenue, Hylan Boulevard and Bertram Avenue, Staten Island. (Final) (CC 51, CB 3) DPR
- 23919: Construction of a comfort station, Phase IIB, Elmhurst Park (formerly Gas Tank Park), 79th Street between Grand Avenue and 57th Avenue, Queens. (Final) (CC 29, CB 4) DPR
- 23920: Rehabilitation and expansion of a utility building, East River Waterfront at John Street, Manhattan. (Preliminary and Final) (CC 1 & 2, CB 1 & 3) EDC/SBS

Public Hearing

1:50 P.M. Repainting of four DOT bridges

- 23921: Repainting of the Cropsey Avenue Bridge over Coney Island Creek, Brooklyn. (Preliminary and Final) (CC 47, CB 13) DOT
- 23922: Repainting of the 160th Street Bridge over the Cross Island Parkway, Queens. (Preliminary and Final) (CC 19, CB 7) DOT
- 23923: Repainting of the 71st Avenue Bridge over Cooper Avenue, Queens. (Preliminary and Final) (CC 30, CB 5) DOT
- 23924: Repainting of the Hylan Boulevard Bridge over Lemon Creek, Staten Island. (Preliminary and Final) (CC 51, CB 3) DOT

2:10 P.M.

- 23925: Reconstruction of Albert E. Short Triangle, Jackson Avenue and 23rd Street, Queens. (Preliminary and Final) (CC 26, CB 2) DOT/DPR

Design Commission meetings are held in the conference room on the third floor of City Hall, unless otherwise indicated. Please note that all times are approximate and subject to change without notice.

Members of the public are encouraged to arrive at least 45 minutes in advance of the estimated time; those who also plan to testify are encouraged to submit their testimony in writing at least three (3) business days in advance of the meeting date.

Any person requiring reasonable accommodation in order to participate should contact the Design Commission at least three (3) business days in advance of the meeting date.

Design Commission
City Hall, Third Floor
New York, NY 10007
Phone: (212) 788-3071
Fax: (212) 788-3086

EDUCATION

NOTICE

Agenda

The Department of Education's (DOE) Chancellor's Committee on Contracts (COC) has been asked for approval to enter into contract negotiations with the following organization(s) for the services described below. Other organizations interested in providing these services to the DOE are invited to indicate their ability to do so by writing to Jay G. Miller at 65 Court Street, Room 1201, Brooklyn, NY 11201. Responses should be received no later than 9:00 A.M., Thursday, June 10, 2010. Any COC approval will be contingent upon no expressions of interest in performing services by other parties.

ITEM(S) FOR CONSIDERATION:

1. Harlem Dowling – West Side Center for Children and Family Services (Harlem Dowling)

Service(s): The Children First Network #3 on behalf of PS/MS 161 seeks to enter into an agreement with Harlem Dowling, a not-for-profit child care agency, for the continuation of the After-School Enrichment Program at P.S. 161.

In partnership with The After-School Corporation (TASC), NYS Office of Children and Family Services and DOE, the program provides after school care, counseling services, a sports program and homework help to approximately 250 children from 2:20 P.M. to 5:20 P.M., Mondays through Fridays.

Term: 9/1/08-6/30/10 Total Contract Cost: \$240,000

2. United Federation of Teachers Educational Foundation, Inc. (UFT)

Service(s): The Office of Teaching and Learning seeks to enter into an agreement with UFT for the continuation of the Dial-A-Teacher (DAT) program.

In collaboration with the DOE, UFT will provide free homework assistance to students grades K-12 via telephone Mondays through Thursdays from 4:00 P.M. to 7:00 P.M. DAT will serve approximately 100,000 students annually. Additionally, the program offers services to parents including workshops utilizing the Achievement Reporting and Innovation System (ARIS), mathematics and literacy.

Term: 7/1/10-6/30/13 Total Contract Cost: \$2,946,255

3. Pre-Kindergarten/Early Intervention Transportation Services

Service(s): The Office of Pupil Transportation is seeking approval to extend the current requirement agreements with various vendors to provide Pre-Kindergarten/Early Intervention Transportation Services to NYC school children. The proposed contract extensions will be for 1 year with all terms and conditions remaining the same as in the expiring contracts.

Vendor(s)	Estimated Contract Cost
B&F Skilled BF	\$ 1,152,785
Bobmar Transport BD (3)	\$ 3,841,475
Don Thomas DI (3)	\$ 3,462,673
Fortuna Bus ZK(2)	\$ 2,379,869
Happy Child HC	\$ 1,059,386
I&Y Transit ZD (4)	\$ 1,285,910
Iridium Services IR (3)	\$26,227,901
JEA Bus ZJ	\$ 976,061
Pinnacle Bus PB (4)	\$ 3,750,177
Selby Transport DW (8)	\$10,967,166
Smart Pick SW	\$ 1,189,763

Term: 7/1/10-6/30/11 Estimated Contract Cost: \$56,293,166

☛ j3

EMPLOYEES' RETIREMENT SYSTEM

MEETING

Please be advised that the next Regular Meeting of the Board of Trustees of the New York City Employees' Retirement System has been scheduled for Thursday, June 10, 2010 at 9:30 A.M. to be held at the New York City Employees' Retirement System, 335 Adams Street, 22nd Floor Boardroom, Brooklyn, NY 11201-3751.

☛ j3-9

FRANCHISE AND CONCESSION REVIEW COMMITTEE

MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee will hold a Public Meeting on Wednesday, June 9, 2010 at 2:30 P.M., at 22 Reade Street, 2nd Floor Conference Room, Borough of Manhattan.

NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contracts Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, NY 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC MEETING. TDD users should call Verizon relay service.

m28-j9

LANDMARKS PRESERVATION COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **June 15, 2010 at 9:30 A.M.** in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF QUEENS 10-7717 - Block 8057, lot 14-22 West Drive, aka 37-22 West Drive - Douglaston Historic District
An English Cottage style freestanding house designed by Frank J. Forster and built in 1936. Application is to construct an addition and dormer and modify masonry openings.
Zoned R1-1

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 10-7788 - Block 276, lot 16-169 Atlantic Avenue - Brooklyn Heights Historic District
A modern commercial style building built 1976-77.
Application is to install awnings and signage.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 10-5767 - Block 1151, lot 13-162 St. Marks Avenue - Prospect Heights Historic District
A neo-Grec style rowhouse built c.1879. Application is to legalize painting the facade, stoop, areaway wall and steps and removing a bluestone sidewalk and areaway pavers without Landmarks Preservation Commission permits.

BINDING REPORT

BOROUGH OF BROOKLYN 10-4900 - Block 8502, lot 20-1940 East 36th Street - Hendrick I. Lott House- Individual Landmark
A Dutch Colonial style wood-frame house built in 1800, incorporating a structure built in 1720. Application is to install fencing, alter circulation paths, construct outbuildings and a barrier-free access ramp.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 10-5269 - Block 1680, lot 19-250 Decatur Street - Stuyvesant Heights Historic District
A Romanesque Revival style rowhouse with Renaissance Revival style elements designed by Magnus Dalander & Associates and built in 1894-97. Application is to legalize the installation of stoop railings and a lamppost without Landmarks Preservation Commission permits.

BINDING REPORT

BOROUGH OF MANHATTAN 10-7128 - Block 122, lot 1-City Hall- Individual and Interior Landmark-African Burial Ground and Commons Historic District
A Federal style government building designed by Mangin and McComb and built between 1802 and 1811. Application is to install rooftop mechanical equipment, modify interior and exterior stairs, install fire suppression equipment and alter an areaway.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-7832 - Block 21, lot 6-71 Broadway - Empire Building-Individual Landmark
A neo-Classical style office building designed by Kimball & Thompson and built in 1897-98. Application is to replace windows.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-8866 - Block 46, lot 9-14 Wall Street - 14 Wall Street Building - Individual Landmark
A Classical Revival style office building designed by Trowbridge & Livingston, and built in 1910-12, with a Modern Classic style addition designed by Shreve, Lamb & Harmon and built in 1931-33. Application is to install two escalators, modify storefront infill and install signage.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-7083 - Block 483, lot 29-54 Crosby Street - SoHo-Cast Iron Historic District
A neo-story building altered in 1980. Application is to enlarge the ground floor opening and install new infill.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-8384 - Block 572, lot 11-62 West 9th Street - Greenwich Village Historic District
A Greek Revival style rowhouse built in 1839, with a ground floor storefront. Application is to legalize the installation of lighting and a related housing, and artificial ivy secured to the façade without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-7288 - Block 615, lot 62-30 Jane Street - Greenwich Village Historic District
A stable building built in 1870. Application is to paint the facade and install a display window.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-7964 - Block 634, lot 60-581 Hudson Street - Greenwich Village Historic District
A brick apartment house with a commercial ground floor built in 1873. Application is to install storefront infill.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-8714 - Block 506, lot 53-27 Vandam Street - Charlton -King-Vandam Historic District
A Federal style rowhouse built in 1823. Application is to remove lintel covers, construct rooftop and rear yard additions, and excavate the rear yard. Zoned R6.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-7801 - Block 646, lot 30-420 West 14th Street - Gansevoort Market Historic District
A neo-Classical style store-and-loft building designed by Thomas H. Styles and built in 1903-04. Application is to establish a master plan governing the future installation of storefronts infill.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-3959 - Block 848, lot 14-893 Broadway, aka 13 East 19th Street - Ladies' Mile Historic District
A neo-Grec style converted shop and dwelling built in 1844, altered in 1873-74 and altered again in 1975. Application is to alter the facade and replace storefront infill.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-6943 - Block 1274, lot 25-768-770 Fifth Avenue - Plaza Hotel-Individual and Interior Landmark
A French Renaissance style hotel designed by Henry J. Hardenberg and built in 1905-07, with an addition designed by Warren and Wetmore and built in 1921. Application is to alter stairs and replace railings.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-8687 - Block 1264, lot 5-1 Rockefeller Plaza-Rockefeller Center - Individual Landmark

An Art Deco style office tower, designed by L. Andrew Reinhard and Wallace K. Harrison of the Associated Architects and built in 1936-37 as part of the Rockefeller Center complex. Application is to alter storefront infill and install planters.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-8922 - Block 1257, lot 1-476 Fifth Avenue - The New York Public Library - Individual and Interior Landmark
A Beaux-Arts style library building designed by Carrere & Hastings and built in 1898-1911. Application is to install lighting.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-2827 - Block 1228, lot 33-428 Amsterdam Avenue - Upper West Side/Central Park West Historic District
A Renaissance Revival style building designed by Henry F. Cook and built in 1896-97. Application is to install storefront infill and signage.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-7983 - Block 1127, lot 1 301 Columbus Avenue - Upper West Side/Central Park West Historic District
A Romanesque Revival style flats building designed by Gilbert A. Schellenger and built in 1890-91. Application is to install signage.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-6344 - Block 1121, lot 39-14 West 69th Street - Upper West Side/Central Park West Historic District
A Renaissance Revival style rowhouse designed by Gilbert A. Schellenger and built in 1896. Application is to alter the areaway.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-8871 - Block 1144, lot 7501-105 West 72nd Street - Upper West Side/Central Park West Historic District
A neo-Renaissance style apartment building with Churrigueresque style elements designed by George and Edward Blum and built in 1913. Application is to recreate a balcony that was removed without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-4691 - Block 1127, lot 18-27 West 74th Street - Upper West Side/Central Park West Historic District
A Renaissance Revival style rowhouse, designed by John H. Duncan, and built in 1889-90. Application is to alter the stoop and areaway.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-3560 - Block 1167, lot 29-201 West 75th Street, aka 318-330 Amsterdam Avenue - New York Cab Company Stable - Individual Landmark
A Romanesque Revival style commercial stable building designed by C. Abbott French and built in 1888-90. Application is to replace windows.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-7373 - Block 1128, lot 18-25 West 75th Street - Upper West Side/Central Park West Historic District
A Renaissance Revival style rowhouse designed by George M. Walgrove and built in 1892-93. Application is to alter the basement entrance.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-8591 - Block 1416, lot 7-211 East 61st Street - Treadwell Farms Historic District
A rowhouse built in 1875, and altered in the English Regency style, between 1940 and 1966. Application is to alter the primary façade.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-3999 - Block 1381, lot 7504 - 21 East 66th Street - Upper East Side Historic District
A neo-Gothic style apartment building designed by Fred F. French Company and built in 1921. Application is to construct a rooftop addition. Zoned C5-1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-8711 - Block 1385, lot 1-1 East 70th Street - Henry Clay & Adelaide Childs Frick House - Individual Landmark-Upper East Side Historic District
A French Louis XVI style mansion designed by Carrere & Hastings, built in 1913-14 and altered by John Russell Pope in 1931-35. Application is to enclose a loggia.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BRONX 10-7906 - Block 2309, lot 1-112 Lincoln Avenue - Estey Piano Factory Building - Individual Landmark
A factory building designed by A.B. Ogden & Son architects, and built in 1885-86, with later additions. Application is to amend Certificate of Appropriateness 10-5557 to construct a rear yard addition. Zoned M1-2/R6A.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-7619 - Block 1498, lot 69-1056 Fifth Avenue - Carnegie Hill Historic District
A modern style apartment building designed by George F. Pelham and built in 1948. Application is to install a new window opening and to create a master plan for terrace enclosures. Zoned R10/R8-B.

j2-15

MAYOR'S OFFICE OF CONTRACT SERVICES

NOTICE

NOTICE OF FRANCHISE AND CONCESSION REVIEW COMMITTEE PUBLIC HEARING ON AGENCY CONCESSION PLANS

Notice of a Franchise and Concession Review Committee (FCRC) Public Hearing on Agency Concession Plans for Fiscal Year 2011 pursuant to Section 1-10 of the Concession Rules of the City of New York (Concession Rules), to be held on June 7, 2010, commencing at 2:30 P.M., and located at 22 Reade Street, Barish Room, Manhattan. At this hearing, the FCRC will further solicit comments about the provisions of the Concession Rules from the vendor community, civic groups and the public at large. The following agencies submitted an Annual Concession Plan: the Department of Parks and Recreation, the Department of Citywide Administration Services, the Department of Transportation, the Department of Corrections, the Department of Probation, the New York Police Department, the Department of Housing Preservation and Development, the Department of Homeless Services, the Department of Environmental Protection, the Department of Health and Mental Hygiene, the Department of Records and Information Services, the New York City Office of Chief Medical Examiner, the New York City Economic Development Corporation on behalf of the Department of Small Business Services, and NYC & Company on behalf of the Department of Small Business Services.

The portfolio of Agency Concession Plans covers significant and non-significant concessions expiring, continuing and anticipated for solicitation or initiation in Fiscal Year 2011. Furthermore, the portfolio covers:

- Department of Parks and Recreation: mobile food units, food service facilities, golf courses, driving ranges, marinas, tennis professionals, Christmas trees, parking lots, markets, concerts, newsstands, stables, gas stations, amusement venues, ice skating rinks, carousels, ferry services, bike rentals, circus, sailboat rentals, souvenirs and gifts.
- Department of Citywide Administrative Services: maritime and non-maritime occupancy permits.
- Department of Transportation: food kiosks, vending machines, pedestrian plazas, food courts.
- Department of Corrections: commissary services, food court, lockers.
- Department of Probation: advertising and marketing software.
- New York City Police Department: vending machines.
- Department of Housing Preservation and Development: vending machines.
- Department of Homeless Services: athletic facilities.
- Department of Environmental Protection: gas purification.
- Department of Health and Mental Hygiene: drug discount card program, café.
- Department of Records and Information Services: publication of record collections.
- New York City Office of the Chief Medical Examiner: DNA swab kit.
- New York City Economic Development Corporation on behalf of the Department of Small Business Service: parking lots, maritime and non-maritime occupancy permits.
- NYC & Company on behalf of the Department of Small Business Services: marketing, advertising, intellectual property & trademark merchandising.

Interested parties may obtain a copy of the Agency Concession Plans by contacting Adam Buchanan by phone at (212) 788-0023 or via email at abuchanan@cityhall.nyc.gov. Hard copies will be provided at a cost of \$.25 per page by check or money order made payable to the New York City Department of Finance. Upon request, a PDF version of the Agency Concession Plans is available free of cost. The FCRC shall consider the issues raised at the Public Hearing in accordance with the procedures set forth in the Charter under the City Administrative Procedure Act.

m21-j7

RENT GUIDELINES BOARD

NOTICE

NOTICE IS HEREBY GIVEN THAT THE NEW YORK CITY RENT GUIDELINES BOARD will hold a public hearing on Tuesday, **June 15, 2010** at the LaGuardia Performing Arts Center, 31-10 Thomson Avenue (use entrance on Van Dam Street, just north of 47 Ave), Long Island City, NY, 11101 to consider public comments concerning rent adjustments for renewal leases for apartments, lofts, hotels and other housing units subject to the Rent Stabilization Law of 1969 and the Emergency Tenant Protection Act of 1974. These adjustments will affect renewal leases commencing between October 1, 2010 through September 30, 2011.

Public comments regarding proposed rent adjustments for rent stabilized apartments, lofts, and hotels (including class A and class B hotels, SROs, rooming houses and lodging houses) will take place between the hours of **4:00 P.M. and 10:00 P.M.** on Tuesday, **June 15, 2010**. Registration of speakers is required and pre-registration is now being accepted and is advised. Pre-registration requests for the hearing must be received before 1:00 P.M. on Monday, **June 14, 2010**. For further information and to pre-register for the public hearing call the Board at (212) 385-2934 or write to the Rent Guidelines Board, 51 Chambers Street, Rm. 202, New York, NY 10007. Persons who request that a sign language interpreter or other form of reasonable accommodation for a disability be provided at the hearing are requested to notify Ms. Charmaine Superville at the above address by **June 4, 2010** by 4:30 P.M.

Proposed rent guidelines for all of the above classes of stabilized housing units were adopted on **May 5, 2010** and published in the City Record on **May 12, 2010**. Copies of the proposed guidelines are available from the Rent Guidelines Board staff office at the above listed address and at the Board's website: housingnyc.com.

j3-14

TRANSPORTATION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 55 Water Street, 9th Floor, Room 945 commencing at 2:00 p.m. on Wednesday, June 23, 2010. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9th Floor SW, New York, NY 10041, or by calling (212) 839-6550.

#1 In the matter of a proposed revocable consent authorizing 4 St. Luke's Place Inc. to continue to maintain and use a fenced-in area on the north sidewalk of St. Luke's Place, east of Hudson Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2010 to June 30, 2020 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2010 to June 30, 2020 - \$25/per annum

the maintenance of a security deposit in the sum of \$2,000 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#2 In the matter of a proposed revocable consent authorizing The Iris Foundation to continue to maintain and use a conduit under, across and along West 86th Street, between Central Park West and Columbus Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2010 to June 30, 2020 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2010 to June 30, 2011 - \$6,995
For the period July 1, 2011 to June 30, 2012 - \$7,199
For the period July 1, 2012 to June 30, 2013 - \$7,403
For the period July 1, 2013 to June 30, 2014 - \$7,607
For the period July 1, 2014 to June 30, 2015 - \$7,811
For the period July 1, 2015 to June 30, 2016 - \$8,015
For the period July 1, 2016 to June 30, 2017 - \$8,219
For the period July 1, 2017 to June 30, 2018 - \$8,423
For the period July 1, 2018 to June 30, 2019 - \$8,627
For the period July 1, 2019 to June 30, 2020 - \$8,831

the maintenance of a security deposit in the sum of \$8,900 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#3 In the matter of a proposed revocable consent authorizing New York University to construct, maintain and use two additional conduits under and across West 4th Street, west of Mercer Street, in the Borough of Manhattan. The proposed revocable consent is for a term of four years from the date of approval by the Mayor to June 30, 2014 and provides among other terms and conditions for the compensation payable to the City according to the following schedule:

From the approval date to June 30, 2011 - \$14,569 + \$4,975/per annum (prorated from the date of Approval by the Mayor)

For the period July 1, 2011 to June 30, 2012 - \$20,002
For the period July 1, 2012 to June 30, 2013 - \$20,460
For the period July 1, 2013 to June 30, 2014 - \$20,918

the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#4 In the matter of a proposed revocable consent authorizing Citibank, N.A. to continue to maintain and use removable railings on the south sidewalk of 44th Drive and north sidewalk of 45th Avenue, between 23rd Street and Jackson Avenue, and on the northwest sidewalk of Jackson Avenue, northeast of 45th Avenue, in the Borough of Queens. The proposed revocable consent is for a term of ten years from July 1, 2007 to June 30, 2017 and provide among other terms and conditions for the compensation payable to the City according to the following schedule.

For the period July 1, 2007 to June 30, 2008 - \$2,492
For the period July 1, 2008 to June 30, 2009 - \$2,567
For the period July 1, 2009 to June 30, 2010 - \$2,644
For the period July 1, 2010 to June 30, 2011 - \$2,723
For the period July 1, 2011 to June 30, 2012 - \$2,802
For the period July 1, 2012 to June 30, 2013 - \$2,881
For the period July 1, 2013 to June 30, 2014 - \$2,960
For the period July 1, 2014 to June 30, 2015 - \$3,039
For the period July 1, 2015 to June 30, 2016 - \$3,118
For the period July 1, 2016 to June 30, 2017 - \$3,197

the maintenance of a security deposit in the sum of \$3,200 and the filing of an insurance policy in the minimum amount of \$500,000/\$2,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$200,000.

#5 In the matter of a proposed revocable consent authorizing Citibank, N.A. to continue to maintain and use bollards on the south sidewalk of 44th Drive and north sidewalk of 45th Avenue, between 23rd Street and Jackson Avenue, and on the northwest sidewalk of Jackson Avenue, northeast of 45th Avenue; to remove thirteen bollards and five planters and to construct, maintain and use additional bollards on the northwest sidewalk of Jackson Avenue, northeast of 45th Avenue, in the Borough of Queens. The proposed revocable consent is for a term of ten years from the date of approval by the Mayor. There shall be no compensation required for this revocable consent.

the maintenance of a security deposit in the sum of \$19,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

j2-23

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ AUCTION

PUBLIC AUCTION SALE NUMBER 10001 - X

NOTICE IS HEREBY GIVEN of a public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy equipment and miscellaneous automotive equipment to be held on Wednesday, June 9, 2010 (SALE NUMBER 10001-X). Viewing is on auction day only from 8:30 A.M. until 9:00 A.M. The auction begins at 9:00 A.M.

LOCATION: 570 Kent Avenue, Brooklyn, NY (in the Brooklyn Navy Yard between Taylor and Clymer Streets).

A listing of vehicles to be offered for sale in the next auction can be viewed on our website, on the Friday prior to the sale date at:

<http://www.nyc.gov/autoauction>
OR

<http://www.nyc.gov/autoauctions>

Terms and Conditions of sale can also be viewed at this site. For further information, please call (718) 417-2155 or (718) 625-1313.

m24-j9

POLICE

OWNERS ARE WANTED BY THE PROPERTY CLERK DIVISION OF THE NEW YORK CITY POLICE DEPARTMENT.

The following listed property is in the custody, of the Property Clerk Division without claimants.

Recovered, lost, abandoned property, property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.
Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.

INQUIRIES

Inquiries relating to such property should be made in the Borough concerned, at the following office of the Property Clerk.

FOR MOTOR VEHICLES

(All Boroughs):

- * College Auto Pound, 129-01 31 Avenue, College Point, NY 11354, (718) 445-0100
- * Gowanus Auto Pound, 29th Street and 2nd Avenue, Brooklyn, NY 11212, (718) 832-3852
- * Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2029

FOR ALL OTHER PROPERTY

- * Manhattan - 1 Police Plaza, New York, NY 10038, (212) 374-4925.
- * Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675.
- * Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806.
- * Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678.
- * Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484.

j1-d31

PROCUREMENT

"The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City's prestige as a global destination. The contracting opportunities for construction/construction services and construction-related services that appear in the individual agency listings below reflect that commitment to excellence."

AGING

■ AWARDS

Goods & Services

SERVICES FOR SENIOR CITIZENS – BP/City Council Discretionary –

Abyssinian Development Corporation
4 West 125th Street, 1C, New York, NY 10027
PIN#: 12510DISC3V7 - Contract Amount: \$14,841

Jamaica Service Program for Older Adults Inc.
162-04 Jamaica Avenue, 3rd Fl., Jamaica, NY 11432
PIN#: 12510DISC4YM - Contract Amount: \$75,000

Parker Jewish Institute for Health Care and Rehabilitation
271-11 76th Avenue, New Hyde Park, NY 11040
PIN#: 12510DISC4ZN - Contract Amount: \$30,000

j3

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ SOLICITATIONS

Goods

ENTREES, FRESH AND FROZEN, GENERAL POPULATION - DOC – Competitive Sealed Bids – PIN# 8571000702 – DUE 06-08-10 AT 10:00 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Citywide Administrative Services
1 Centre Street, Room 1800, New York, NY 10007.
Anna Wong (212) 669-8610, fax: (212) 669-7603
dcasdmssbids@dcas.nyc.gov

j3

TRUCK, REGULATOR VEHICLE – Competitive Sealed Bids – PIN# 8571000519 – DUE 06-28-10 AT 10:30 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Citywide Administrative Services
1 Centre Street, Room 1800, New York, NY 10007.
Anna Wong (212) 669-8610, fax: (212) 669-7603
dcasdmssbids@dcas.nyc.gov

j3

■ VENDOR LISTS

Goods

ACCEPTABLE BRAND LIST – In accordance with PPB Rules, Section 2-05(c)(3), the following is a list of all food items for which an Acceptable Brands List has been established.

1. Mix, Biscuit - AB-14-1:92
2. Mix, Bran Muffin - AB-14-2:91
3. Mix, Corn Muffin - AB-14-5:91
4. Mix, Pie Crust - AB-14-9:91
5. Mixes, Cake - AB-14-11:92A
6. Mix, Egg Nog - AB-14-19:93
7. Canned Beef Stew - AB-14-25:97
8. Canned Ham Shanks - AB-14-28:91
9. Canned Corned Beef Hash - AB-14-26:94
10. Canned Boned Chicken - AB-14-27:91
11. Canned Corned Beef - AB-14-30:91
12. Canned Ham, Cured - AB-14-29:91
13. Complete Horse Feed Pellets - AB-15-1:92
14. Canned Soups - AB-14-10:92D
15. Infant Formula, Ready to Feed - AB-16-1:93
16. Spices - AB-14-12:95
17. Soy Sauce - AB-14-03:94
18. Worcestershire Sauce - AB-14-04:94

Application for inclusion on the above enumerated Acceptable Brand Lists for foods shall be made in writing and addressed to: Purchase Director, Food Unit, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-4207.

jy17-j4

EQUIPMENT FOR DEPARTMENT OF SANITATION –

In accordance with PPB Rules, Section 2.05(c)(3), an acceptable brands list will be established for the following equipment for the Department of Sanitation:
A. Collection Truck Bodies
B. Collection Truck Cab Chassis
C. Major Component Parts (Engine, Transmission, etc.)

Applications for consideration of equipment products for inclusion on the acceptable brands list are available from: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8610.

jy17-j4

OPEN SPACE FURNITURE SYSTEMS - CITYWIDE – In accordance with PPB Rules, Section 2.05(c)(3), an Acceptable Brands List, #AB-17W-1:99, has been established for open space furniture systems.

Application for consideration of product for inclusion on this acceptable brands list shall be made in writing and addressed to: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007, (212) 669-8610.

jy17-j4

EMPLOYEES' RETIREMENT SYSTEM

■ INTENT TO AWARD

Goods & Services

VIGNETTE SOFTWARE MAINTENANCE – Negotiated Acquisition – Available only from a single source - PIN# 0090528101 – DUE 06-09-10 AT 9:00 A.M. – Contractor shall provide maintenance and support for NYCERS existing Vignette case management software.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Employees Retirement System, 335 Adams Street, Suite 2300 Brooklyn, NY 11201. Sari Goldmeer Rella (347) 643-3612 fax: (347) 643-3200, sgoldmeer@nycers.nyc.gov

j2-8

MAINLINE DISASTER RECOVERY SITE SERVER INFRASTRUCTURE AGREEMENT – Negotiated Acquisition – PIN# 0090526101 – DUE 06-08-10 AT 9:00 A.M. – The vendor will provide hardware, services and maintenance to implement the server infrastructure for NYCERS Data Center at its Disaster Recovery Site. The server infrastructure shall provide computing resources at the Disaster Recovery Site and shall provide redundancy between the Data Centers in NYCERS Brooklyn Office and NYCERS Disaster Recovery Site. Thereafter, vendor will provide services and maintenance as it relates to the upkeep of the server infrastructure.

Pursuant to PPB Rule 3-04, NYCERS will award a contract under a negotiated acquisition due to a compelling need for goods and services that cannot be timely met through competitive sealed bidding or competitive sealed proposals.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Employees Retirement System, 335 Adams Street, Suite 2300 Brooklyn, NY 11201. Sari Goldmeer Rella (347) 643-3612
sgoldmeer@nycers.nyc.gov

j1-7

HEALTH AND HOSPITALS CORPORATION

The New York City Health and Hospitals Corporation is regularly soliciting bids for supplies and equipment at its Central Purchasing Offices, 346 Broadway, New York City, Room 516, for its Hospitals and Diagnostic and Treatment Centers. All interested parties are welcome to review the bids that are posted in Room 516 weekdays between 9:00 a.m. and 4:30 p.m. For information regarding bids and the bidding process, please call (212) 442-4018.

j1-d31

■ SOLICITATIONS

Goods & Services

PREVENTIVE MAINTENANCE CONTRACT FOR FIRE ALARM SYSTEM – Competitive Sealed Bids – PIN# 1-11110125 – DUE 06-17-10 AT 3:00 P.M. – Furnish all labor and materials necessary to provide complete preventive maintenance, repair and emergency services for Fire Alarm System equipment from July 1, 2010 to June 30, 2011 with mutually agreed option to renew for two (2) 1 - periods from July 1, 2011 to June 30, 2012 and from July 1, 2012 to June 30, 2013 at no increase in the monthly price.

Vendor must be a Siemens authorized distributor with complete access to the Siemens Control Panel at BHC and provide documentation thereof.

The vendor must have adequate experience to performing complete equipment service and repairs herein at a facility of comparable magnitude and size to BHC. Adequate experience is defined as the successful execution of a minimum of five (5) contracts for similar services with at least one (1) contract being completed within the last 18 months. The bidder shall submit a list of at least five (5) references to substantiate this experience claim with the bid.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Bellevue Hospital Center, Purchasing, 462 First Avenue, Room# 12 East 32, New York, NY 10016.
Eric Novak (212) 562-2887, fax: (212) 562-4998
eric.novak@bellevue.nychhc.org

j3

HOMELESS SERVICES

OFFICE OF CONTRACTS AND PROCUREMENT

■ SOLICITATIONS

Human/Client Service

CORRECTION: TRANSITIONAL RESIDENCES FOR HOMELESS/ DROP-IN CENTERS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 071-00S-003-262Z – DUE 06-27-11 AT 10:00 A.M. – CORRECTION: The Department of Homeless Services is soliciting proposals from organizations interested in developing and operating transitional residences for homeless adults and families including the Neighborhood Based Cluster Residence and drop-in centers for adults. This is an open-ended solicitation; there is no due date for submission.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Homeless Services, 33 Beaver Street 13th Floor, New York, NY 10004.
Marta Zmoira (212) 361-0888, mzmoira@dhs.nyc.gov

j6-20

HOUSING AUTHORITY

PURCHASING DIVISION

■ SOLICITATIONS

Goods & Services

FIRE RESISTANT PAINT – Competitive Sealed Bids – RFQ# 26846 SM – DUE 06-15-10 AT 10:35 A.M. –

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Housing Authority, 23-02 49th Avenue, 5th Floor SCOD Long Island City, NY 11101. Bid documents available via internet ONLY:
http://www.nyc.gov/html/nycha/html/businessgoods_materials.shtml Robin Smith (718) 707-5446.

j3

HUMAN RESOURCES ADMINISTRATION

CONTRACTS

AWARDS

Human/Client Service

ACCOUNTS MAINTENANCE SERVICE – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 069073100040 – AMT: \$9,701,835.00 – TO: YMS Management Associates, Inc., 160 Broadway, 5th Fl., New York, New York 10036. CONTRACT TERM: 5/01/2010 - 4/30/2013.

● **CONSULTING** – Contract Change – PIN# 069091101056 – AMT: \$45,000.00 – TO: Mary E. White, 4173 Eneagles Circle, Palm City, FL 34990. Revised Contract Term: 5/1/2009 - 6/30/2010. Revised Contract Amount: \$45,000.00.

● **CUSTOMIZED ASSISTANCE SERVICES** – Contract Change – PIN# 06909H070803 – AMT: \$248,955.00 – TO: Visiting Nurse Service of New York Home Care, Inc., 1250 Broadway, 5th Fl., New York, New York 10001.

• j3

JUVENILE JUSTICE

SOLICITATIONS

Human/Client Service

PROVISION OF NON-SECURE DETENTION GROUP HOMES – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 13010DJJ000 – DUE 06-30-11 AT 2:00 P.M. – The Department of Juvenile Justice is soliciting applications from organizations interested in operating non-secure detention group homes in New York City. This is an open-ended solicitation; applications will be accepted on a rolling basis until 2:00 P.M. on 6/30/11.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Department of Juvenile Justice, 110 William Street
14th Floor, New York, NY 10038.

Chuma Uwechia (212) 442-7716, cuwechia@djj.

• jy1-d16

POLICE

EQUIPMENT SECTION

SOLICITATIONS

Goods

CAP DEVICES (3,000/6,000) – Competitive Sealed Proposals/Pre-Qualified List – PIN# 05610ES00003 – DUE 06-23-10 AT 11:00 A.M. – The New York City Police Department, Equipment Section, is seeking bids from manufacturers for NYPD numbered cap device which conforms to the Police Department specifications. Bid openings will take place at the NYPD Contract Unit, 51 Chambers Street, Room 310, New York, NY 10007, on June 23, 2010 at 11:00 A.M. For further information, please contact New York City Police Equipment Section, One Police Plaza, Room# 110B, New York, NY 10038, (646) 610-5940.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Police Department, One Police Plaza, Room 110B
New York, NY 10038. Sgt. G. Molloy (646) 610-5949.

51 Chambers Street, Room 310, New York, New York 10007.

• j3

TRIBOROUGH BRIDGE & TUNNEL AUTHORITY

SOLICITATIONS

Construction Related Services

DESIGN AND CONSTRUCTION SUPPORT SERVICES FOR PROJECT MP-06, SUBSTRUCTURE AND UNDERWATER WORK AT THE MARINE PARKWAY BRIDGE (MPB) – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# PSC102875 – DUE 06-18-10 AT 3:30 P.M. – Estimated Range is \$2M - \$5M. Request for Expressions of Interest, for more information please visit our website at www.mta.info

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Triborough Bridge and Tunnel Authority, 2 Broadway
Bid Suite, New York, NY 10004.

Victoria Warren (646) 252-6101, fax: (646) 252-6108
vprocure@mtabt.org

• j3

AGENCY RULES

TAXI AND LIMOUSINE COMMISSION

NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed 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”) proposes amended rules governing for-hire vehicles and bases.

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. These proposed rules were included in the TLC’s regulatory agenda for Fiscal Year 2010.

A public hearing on these proposed rules was held by the TLC at its offices at 40 Rector Street, 5th Floor, New York, New York 10006 on April 2, 2010 at 2:30 P.M.

An additional 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 July 8, 2010 at 10:00 A.M. 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 July 1, 2010.

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 who wish to speak at the hearing will be strictly limited to three minutes of speaking time. Persons who wish to comment on the proposed rules are urged to submit written comments. There is no page limit on written comments.

Written comments in connection with these proposed rules should be submitted to the Office of Legal Affairs and must be received no later than July 8, 2010 to:

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 summary of all comments received at the hearing will be available for public inspection at that office.

Section 1. It is hereby proposed to amend Title 35 of the Rules of the City of New York by adding a new chapter 9 thereto, to read as follows:

New Material is underlined.

CHAPTER 9 FOR-HIRE SERVICE

SUB-CHAPTER 9A FOR-HIRE VEHICLE OWNERS

SUB-CHAPTER 9B FOR-HIRE BASE OWNERS

SUB-CHAPTER 9C FOR-HIRE VEHICLE SPECIFICATIONS

§9A-01 Scope of this Sub-chapter

(a) To establish the procedures, rules and requirements for obtaining and maintaining a For-Hire Vehicle License, including:

- (1) For-Hire Livery Vehicles
- (2) For-Hire Black Car Vehicles
- (3) For-Hire Luxury Limousine Vehicles

(b) To provide penalties for violations of the rules and requirements for maintaining a For-Hire Vehicle License.

§9A-02 Penalties

(a) Unlicensed Activity.

- (1) Unlicensed Activity is the act of providing or advertising the provision of any Commission-regulated for hire transportation service by:
 - (i) Any Licensee whose License is suspended, revoked, or expired and not yet renewed, or
 - (ii) Any person who does not hold a Valid License or Authorization from the Commission as a for hire driver, for the for hire vehicle, or for the for hire service, as applicable.

(2) Unlicensed Activity specifically includes the activities listed in §19-506 and §19-528 of the Administrative Code, and can subject the violator to the seizure and possible forfeiture of the vehicle involved.

(b) Specific Penalties. If there are specific penalties for violating a Rule, they are shown at the end of the Rule. The penalty section also states whether the violator must attend the Hearing.

(c) Payment of Fines.

- (1) Fines are due within 30 days of the day the violator is found guilty of the violation.
- (2) If fines are not paid by the close of business on the date due, the violator’s License will be suspended until the fine is paid.
- (3) If a Respondent has made a timely request for a copy of the Hearing recording (see §18-14(e) of these Rules), the time for payment of fines is extended to 21 days from the date the recording is issued.

§9A-03 Definitions Specific to this Sub-chapter

(a) Applicant in this Sub-chapter means an Applicant for an original or renewal For-Hire Vehicle License.

(b) Black Car is a Vehicle that affiliates with a Black Car Base.

(c) Black Car Base is a For-Hire Base that operates as follows:

- (1) All Black Car Vehicles are dispatched on a pre-arranged basis
- (2) All Black Car Vehicles are owned by franchisees of the Base or are members of a cooperative that operates the Base; and
- (3) More than ninety percent (90%) of the Base’s business is on a payment basis other than direct cash payment by a Passenger

(d) Driver in this Sub-chapter means a For-Hire Driver.

(e) For-Hire Base (or “Base”) is the Commission-licensed business for dispatching For-Hire Vehicles and the physical location from which For-Hire Vehicles are dispatched; a For Hire Base can be any of the following:

- (1) A Black Car Base,
- (2) A Livery Base (or Base Station),
- (3) A Luxury Limousine Base.

(f) For-Hire Driver in this Sub-chapter means a Driver of a For-Hire Vehicle.

(g) For-Hire Vehicle is a motor Vehicle Licensed by the Commission to carry Passengers For-Hire in the City, which:

- (1) Has a seating capacity of 20 or fewer Passengers
- (2) Has three or more doors
- (3) Is not a Taxicab, a Commuter Van, or an authorized bus as defined by NYS law.

(h) Issuing Jurisdiction is a county within New York State contiguous to New York City that issues its own approval to allow a vehicle within its jurisdiction to contract for hire and perform pre-arranged pick-ups and drop-offs of one or more Passengers.

(i) License in this Sub-chapter means a License for a For-Hire Vehicle.

(j) Livery is a For-Hire Vehicle that is affiliated with a Livery Base Station.

(k) Livery Base Station (“Base” or “Base Station”) is a For-Hire Base that operates as follows:

- (1) All Livery Vehicles are dispatched from the Base on a pre-arranged basis.
- (2) All Livery Vehicles are designed to carry fewer than six (6) Passengers.
- (3) Passengers are charged for service on the basis of a flat rate, time, mileage, or zones.

(l) A Luxury Limousine is a For-Hire Vehicle that is affiliated with a Luxury Limousine Base.

(m) Luxury Limousine Base is a For-Hire Base that operates as follows:

- (1) All Luxury Limousines are dispatched from the Base by pre-arrangement.
- (2) Luxury Limousine Vehicles have a seating capacity of 20 or fewer Passengers.
- (3) More than ninety percent (90%) of its business is on a payment basis other than direct cash payment by a Passenger.
- (4) Passengers are charged “garage to garage” service on the basis of a flat rate, time or mileage.

(n) Owner or Vehicle Owner in this Sub-chapter refers to the title owner, registered owner or lessee of a For-Hire Vehicle.

(o) Penalty Point is a non-monetary penalty assessed against either a Base Owner or the Owner of a For-Hire Vehicle if they are convicted of certain violations in this Sub-chapter.

(p) Qualified Jurisdiction is an Issuing Jurisdiction that meets the requirements for reciprocity described in §498 of the NYS Vehicle and Traffic Laws.

(q) Qualified Vehicle License (or “QVL”) is the license issued by a Qualified Jurisdiction to that jurisdiction’s vehicles authorizing them to provide pre-arranged, for-hire transportation within its jurisdiction.

(r) Qualified Driver’s License (or “QDL”) is a license issued by a Qualified Jurisdiction to that jurisdiction’s drivers authorizing them to operate an authorized vehicle to provide pre-arranged, for-hire transportation within its jurisdiction.

(s) Reciprocity (or Reciprocal Recognition) means that:

- (1) New York City For-Hire Vehicles and Drivers can do pickups or drop offs in

- Qualified Jurisdictions for trips ending or beginning in NYC, and
- 2) Vehicles and drivers that are licensed to perform for-hire transportation by a Qualified Jurisdiction can do pickups or drop offs in NYC for trips ending or beginning in the Qualified Jurisdiction.

(t) Vehicle in this Sub-chapter refers to a For-Hire Vehicle.

§9A-04 Licensing – General Requirements

(a) **Reserved.** Identification.

(b) **Reserved.** Age.

(c) **Reserved.** Fingerprinting for Good Moral Character.

(d) Designate Drivers as Agents to Receive Service.

(1) An Applicant for a For-Hire Vehicle License (and a Licensee) must designate every Driver who operates one of Owner's Vehicles as an agent for accepting service of summons or Commission notices to correct defects in the Vehicle.

(i) Delivery of the summons or notice to correct defect(s) to a Driver will be adequate notice to the Vehicle Owner.

(ii) The Commission will send a photocopy of any summons or notice to correct defect(s) to the Vehicle Owner and the Base Owner of record.

(2) An Applicant for a For-Hire Vehicle License (and a Licensee) must designate every Driver who operates one of Owner's Vehicles as agent for service of any legal process from the Commission that can be issued against the Owner.

(e) Inspection Required for a New Vehicle License.

(1) An Applicant for a new For-Hire Vehicle License (or approval for a replacement vehicle) must demonstrate that the vehicle was inspected at the Commission's Safety and Emissions Division within ten days:

(i) After being issued T&LC plates by the NYS DMV, or

(ii) After the Commission's acceptance of the application for vehicles registered outside New York State

(2) Vehicles must pass inspection within 60 days after the date of the first scheduled inspection before the new For-Hire Vehicle License will be issued.

(3) The maximum number of inspections allowed in this 60-day period is four.

(4) The maximum limit of four inspections applies whether the Applicant submits only the original vehicle, or also submits a replacement vehicle.

(5) Failure of the original vehicle or any replacement vehicle to pass an inspection after four tries within the 60-day period will result in denial of the application.

(6) Nature of the Inspection.

(i) If the vehicle has accumulated fewer than 500 miles traveled at the time the vehicle arrives at the Commission's facility for inspection, the inspection will be only a visual inspection.

(ii) If the vehicle is a year 1996 or later model:

A. The vehicle must comply with the vehicle inspection requirements set forth in section 301 of the NYS Vehicle and Traffic Law and with all applicable Rules established in this Sub-chapter.

B. The inspection will count as one of the "tri-annual" inspections required by §9A-26 of this Sub-chapter.

(iii) If the vehicle is a year 1995 or earlier model:

A. The vehicle must comply with the vehicle inspection requirements set forth in section 301 of the NYS Vehicle and Traffic Law and with all applicable Rules established in this Sub-chapter, except that the inspections will not include emissions testing.

B. The inspection will not count as one of the "tri-annual" inspections required by §9A-26 of this Sub-chapter.

(7) The fee for Commission inspections will be the fee prescribed by regulation of the DMV for inspections under section 305 of the Vehicle and Traffic Law.

(f) Inspection Required to Renew a Vehicle License.

(1) An Applicant for renewal of a For-Hire Vehicle License must have the vehicle inspected at the Commission's Safety and Emissions Division and demonstrate that the Vehicle has passed an inspection within thirty days after the date of the first scheduled inspection.

(2) The maximum number of inspections allowed in this 30-day period is four.

(3) The maximum limit of four inspections applies whether the Applicant submits only the original vehicle, or also submits a replacement vehicle.

(4) After the License expiration date, the vehicle must not operate until it passes inspection and meets all other requirements for Licensure.

(5) Failure of the original vehicle or any replacement vehicle to pass an inspection after four tries within the 30-day period will result in denial of the renewal application.

(6) Nature of the Inspection.

(i) If the vehicle is a year 1996 or later model:

A. The vehicle must comply with the vehicle inspection requirements set forth in section 301 of the NYS Vehicle and Traffic Law and with all applicable Rules established in this Sub-chapter.

B. The inspection will count as one of the "tri-annual" inspections required by §9A-26 of this Sub-Chapter.

(ii) If the vehicle is a year 1995 or earlier model:

A. The vehicle must comply with the vehicle inspection requirements set forth in section 301 of the NYS Vehicle and Traffic Law and with all applicable Rules established in this Sub-Chapter, except that the inspections will not include emissions testing.

B. The inspection will not count as one of the "tri-annual" inspections required by §9A-26 of this Sub-chapter.

(g) **Reserved – Vehicle Owner Training.**

(h) Affiliation Required. All Applicants for a For-Hire Vehicle License must demonstrate that they are affiliated with an appropriate For-Hire Base.

(i) Affiliation with Only One Base. For-Hire Vehicles can only affiliate with one Base at a time.

(j) One License per Vehicle.

(1) There must not be more than one For-Hire Vehicle License issued and in effect for any vehicle, as indicated by the vehicle identification number, at any one time.

(2) If the Commission receives an application for a For-Hire Vehicle License for a Vehicle that has an existing, Valid, For-Hire Vehicle License (as indicated by the VIN number), held by someone other than the Applicant:

(i) The Commission will schedule a Hearing to determine whether the holder of the existing Valid For-Hire Vehicle License is fit to hold the License.

(ii) The Commission will revoke the existing License unless the holder demonstrates that the License has been transferred to a new vehicle.

(k) Special Requirements for Black Car Affiliation.

(1) No vehicle seeking a For-Hire Vehicle License can be affiliated with a Black Car Base unless the vehicle either:

(i) Meets the requirements of an Accessible Vehicle, or

(ii) Has a minimum city rating of twenty-five (25) miles per gallon as labeled under title 49 § 32908 of the U.S. Code and its applicable regulations.

(2) Beginning January 1, 2011, no vehicle seeking a For-Hire Vehicle License can be affiliated with a Black Car Base unless the vehicle either:

(i) Meets the requirements of an Accessible Vehicle, or

(ii) Has a minimum city rating of thirty (30) miles per gallon as labeled under title 49 § 32908 of the U.S. Code and its applicable regulations.

§9A-05 Licensing – Reciprocal Recognition with Other Jurisdictions

(a) Eligibility for Reciprocal Recognition. To be eligible for Reciprocity, a vehicle with a QVL issued by a Qualified Jurisdiction meet the following requirements:

(1) Evidence of a Valid QVL from the Qualified Jurisdiction must be attached to the vehicle's windshield.

(2) The vehicle must be operated by driver with a Valid Chauffeur's License.

§9A-05(a)(2) Fine: \$100 Appearance NOT REQUIRED

(3) The vehicle must be operated by a driver who:

(i) Has a Valid QDL issued by the Qualified Jurisdiction.

(ii) Carries proof of the Valid QDL while operating within New York City and displays it on request or has it posted within the vehicle.

(iii) Meets the requirements of Chapter §5-21 of these Rules.

§9A-05(a)(3) Fine: \$350 Appearance NOT REQUIRED

(4) The vehicle must have a Valid state registration, and the certificate of registration (or a legible copy of it) is in the vehicle.

§9A-05(a)(4) Fine: \$100 Appearance NOT REQUIRED

(5) The vehicle must contain a Trip Record that:

(i) Meets the requirements of §9A-19 of this Chapter,

(ii) Demonstrates that any trip (including travel within New York City) was established by pre-arrangement, and

(iii) Shows that either the origin or final destination of the trip is outside New York City.

§9A-05(a)(5) Fine: \$300 Appearance NOT REQUIRED

(6) The vehicle must carry a Valid inspection sticker issued under the laws of New York State or the state of the vehicle's registration. The sticker must indicate the date of last inspection or the expiration date of the inspection.

§9A-05(a)(6) Fine: Notice to Correct Appearance NOT within 10 Days REQUIRED

(7) The vehicle's Reciprocal Recognition must not have been suspended for failure to make required repairs within 10 days of failing an inspection.

(b) Privileges of Reciprocal Recognition. A vehicle that meets the requirements of this section for Reciprocity will be allowed, without any License issued by or any fee paid to the Commission, to do the following:

(1) Pick up Passengers in the vehicle's Qualified Jurisdiction for travel to or through New York City

(2) Pick up Passengers in New York City for travel to the vehicle's Qualified Jurisdiction

(3) When transporting Passengers between the jurisdictions (as described in subdivisions (1) or (2) above), temporarily discharge and pick up such Passengers within New York City; provided, however, that all the stops must occur within 24 hours of the initial pick up of the Passengers.

(4) Transit through New York City for a trip beginning and ending outside New York City

§9A-06 Licensing – Term of License

(a) New License. The term of a new For-Hire Vehicle License is two years.

(b) Renewal License. The term of a renewal License is two years.

(c) When to File for Renewal.

(1) A renewing Applicant must file a completed application at least 30 days before the expiration date of the License.

(2) The Commission will allow a renewing

Applicant to file a completed application less than 30 days before the expiration date as a "late application," provided the Applicant pays a late fee of \$25.

(3) No renewal application will be accepted and the License cannot be renewed after the expiration date of the For-Hire Vehicle License.

(d) *Extension.* The Commission can extend the expiration date of the License by up to an additional 31 days.

(e) *Early Termination.*

(1) A For-Hire Vehicle License terminates early if it is revoked or surrendered, or if the vehicle's state license plates are surrendered.

(2) A License that has been terminated early cannot be renewed or reinstated.

§9A-07 Licensing – Fees

(a) *Vehicle License Fee.* The fee for each For-Hire Vehicle License will be \$275 annually.

(b) *Late Filing Fee.* There will be an additional fee of \$25 for a "late filing" of a License renewal application.

(c) *When Fee is Paid.* The fee for an original or renewal License must be paid at the time the application is filed.

(d) *No Refund if Application Denied.* The Commission will not refund fees if it denies or disapproves the application.

(e) *Vehicle License Replacement Fee.* The Commission will charge a fee of \$25 for each replacement License or Decal.

(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.

§9A-08 Licensing – Causes for Denial or Revocation

(a) *Material Misrepresentation.*

(1) The Commission can deny an application for a License or its renewal and revoke or suspend any License issued if it finds that an Applicant has made a material misstatement or misrepresentation on an application for a License or its renewal.

(2) The Commission must send notice and conduct a hearing before revoking or suspending any License already issued.

(b) *Non-Compliance with Rules.* No For-Hire Vehicle License will be issued or renewed unless the For-Hire Vehicle is in compliance with the requirements of this Chapter at the time of the application for issuance or renewal.

(c) *Non-Use.* A For-Hire Vehicle License must be revoked for non-use if:

(1) For 60 or more days, the Licensee fails to maintain a Base affiliation (as required by §9A-11(e) of this Chapter)

(2) For 60 or more days, the Licensee fails to maintain insurance coverage (as required by §9A-12 of this Chapter)

(3) For 60 or more days, the License holder fails to comply with the inspection requirements (as required by §9A-26 of this Chapter)

(d) *Prior Revocation.*

(1) The Commission will not issue a For-Hire Vehicle License to any Applicant that has had a previous For-Hire Vehicle License revoked until there has been a Hearing to determine the Applicant's fitness to hold a license.

(2) To determine if a previously revoked For-Hire Vehicle License ("Revoked License") will be attributed to this Applicant, the Commission will include any Revoked License held by any of the following:

(i) All of Applicant's Business Entity Persons, and

(ii) Any other entity in which any of Applicant's Business Entity Persons also serve as a partner, officer or shareholder.

§9A-09 Licensing – Transfer of License

(a) *Transfer of Vehicle License to a New Vehicle.*

(1) In order to transfer the For-Hire Vehicle License to a new vehicle, the Owner must file an application to transfer the License within 15 days after registering the new vehicle with the applicable state DMV.

(2) No transfer application will be approved until the Owner presents the vehicle for

inspection by the Commission. (See §9A-04(e))

(b) *Only One License per Vehicle.* There can only be one Valid For-Hire Vehicle License issued for any one Vehicle, as determined by the VIN.

§9A-10 Licensing – Care of Licenses

(a) *Unauthorized Entries.* No unauthorized entry can be made on the For-Hire Vehicle License or the Decal(s). No entry on the For-Hire Vehicle License or Decal(s) can be changed or defaced.

§9A-10(a) Fine: \$350 for first violation Appearance REQUIRED
\$500 for second violation in 24 months
Revocation for third violation in 36 months

(b) *Prompt Replacement of Unreadable License.* An unreadable For-Hire Vehicle License or Decal(s) must immediately be surrendered to the Commission for replacement.

§9A-10(b) Fine: \$25 Appearance NOT REQUIRED

(c) *Prompt Report of Loss of License.* In case of the theft, loss, or destruction of a For-Hire Vehicle License or Decal(s), the Owner must immediately notify the Commission, provide the Commission with an affidavit or information as required, and replace the License or Decal.

§9A-10(c) Fine: \$50 Appearance NOT REQUIRED

(d) *Prompt Replacement of License Plates.* A For-Hire Vehicle Owner must report the replacement of any lost or stolen New York State license plates in writing to the Commission within 48 hours (not including weekends and holidays) after obtaining new plates.

§9A-10(d) Fine: \$50 Appearance NOT REQUIRED

§9A-11 Compliance with Law – No Unlicensed Activity

(a) *For-Hire Vehicle License and Commission License Plate.*

(1) A For-Hire Vehicle Owner must not allow any of Owner's Vehicles to be dispatched unless:

(i) A Vehicle registered in NYS has license plates embossed with the legend "T & LC"

§9A-11(a)(1)(i) Vehicle Fine: \$350 Appearance NOT and summary suspension required until compliance
Penalty Points: 1

(ii) A Vehicle registered in a state other than New York has complied with any applicable license plate requirements.

(iii) The vehicle has a Valid For-Hire Vehicle License.

§9A-11(a)(1)(iii) Vehicle Fine: \$500 for the first offense in 12 months; \$1000 for the second and subsequent offenses within a 12-month period.
Appearance NOT required
Penalty Points: 1

(2) The Commission will post a list of Validly Licensed For-Hire Vehicles on its Web site.

(b) *Valid For-Hire Driver's License.*

(1) A Vehicle Owner must not allow any of its Vehicles to be dispatched unless its driver possesses a Valid For-Hire Driver's License.

(2) The Commission will post on its website a list of Drivers holding Valid For-Hire Drivers Licenses.

§9A-11(b) Vehicle Fine: \$350 Appearance NOT
Penalty Points: 1 REQUIRED

(c) *Valid Chauffeur's License Required.*

(1) A Vehicle Owner must not allow any of its Vehicles to be dispatched unless it is being driven by a For-Hire Driver with a Valid Chauffeur's License.

(2) A Vehicle Owner is responsible for knowing the status of the state-issued driver's license for any driver dispatched in one of Owner's Vehicles.

§9A-11(c) Vehicle Fine: \$100 Appearance NOT
Penalty Points: 1 REQUIRED

(d) *Validity of For-Hire Vehicle License Requires Valid State Registration.*

(1) A For-Hire Vehicle License will be Valid only while the state registration of the Vehicle remains Valid.

(2) A For-Hire Vehicle Owner must immediately surrender his For-Hire Vehicle License to the Commission upon the expiration, restriction, suspension, or

revocation of the Vehicle's state registration.

§9A-11(d) Fine: \$100-\$350 and/or suspension up to 30 days; summary suspension until compliance Appearance REQUIRED

(e) *Affiliation with Licensed Base.* A For-Hire Vehicle Owner must not dispatch or permit another person to dispatch Owner's Vehicle unless:

(1) It is affiliated with a Validly Licensed Base

(2) The base dispatching the Vehicle is Validly Licensed

(3) The Vehicle is being dispatched from its affiliated Base, unless:

(i) The Vehicle is an Accessible Vehicle being dispatched to transport a Person with a Disability, or

(ii) The Base informs the customer that the Vehicle is from another Base.

§9A-11(e) Fine: \$150 plus penalties applicable for unlicensed operation Appearance NOT REQUIRED

(f) *Surrendering Licenses.* If a For-Hire Vehicle Owner license is revoked, expired or denied:

(1) It must be surrendered to the Commission within 10 days after revocation, expiration or denial.

(2) If the vehicle is registered in New York State, the Owner must surrender the T&LC license plates to the New York State Department of Motor Vehicles.

§9A-12 Compliance with Law – Vehicle Insurance Coverage

(a) *Maintain Liability Insurance.*

(1) A For-Hire Vehicle Owner must maintain the required insurance coverage on all of Owner's Vehicles at all times.

(2) When a For-Hire Vehicle Owner receives notice that his or her liability insurance is to be terminated, Owner must surrender the For-Hire Vehicle License and Decal(s) to the Commission on or before the termination date of the insurance.

(3) This requirement will not apply if the Owner of the Vehicle submits, before the termination of the policy, proof of new insurance effective on the date of termination of the old policy.

§9A-12(a) Fine: \$150-\$350 and/or suspension up to 30 days Appearance REQUIRED

(b) *Notification to Commission of Changes in Insurance Coverage.* Within seven days, not including holidays and weekends, a For-Hire Vehicle Owner must notify the Commission in writing of any change in insurance carrier or coverage, specifying the name and address of the new and the former insurance carriers and the number of the policy for each affiliated Vehicle. The Owner must submit proof of such coverage.

§9A-12(b) Fine: \$100 Appearance REQUIRED

(c) *Coverage Requirements.*

(1) *General Coverage.* For the purposes of insurance or other financial security, each Owner of a For-Hire Vehicle must maintain coverage for each Vehicle owned in amounts not less than the following:

(i) \$200,000 per person, payable for those expenses specified in paragraphs 1, 2 and 3 of subdivision a of section 5102 of the New York State Insurance Law

(ii) \$100,000 minimum liability and \$300,000 maximum liability for bodily injury and death, as those terms are described and defined in section 370(1) of the Vehicle and Traffic Law

§9A-12(c)(1) Fine: \$350 and suspension until compliance Appearance REQUIRED

(2) *Coverage for Vehicles with Seating Capacity of Nine to Fifteen.* Each Owner of a For-Hire Vehicle with a seating capacity of at least nine but not more than 15 Passengers must maintain coverage for each Vehicle owned in amounts not less than the following:

(i) \$200,000 per person, payable for those expenses specified in paragraphs 1, 2 and 3 of subdivision a of section 5102 of the New York State Insurance Law

(ii) \$1,500,000 minimum liability

for bodily injury and death, as those terms are described and defined in section 370(1) of the Vehicle and Traffic Law

§9A-12(c)(2) Fine: \$350 and suspension until compliance Appearance REQUIRED

(3) Special Coverage for Luxury Limousines with Seating Capacity of Less than Nine. Each Owner of a Luxury Limousine with a seating capacity of fewer than nine Passengers must maintain coverage for each Vehicle in an amount of not less than:

(i) \$200,000 per person, payable for those expenses specified in paragraphs 1, 2 and 3 of subdivision a of section 5102 of the New York State Insurance Law

(ii) \$500,000 per accident where one person is injured, and

(iii) \$1,000,000 per accident for all persons injured in that accident.

(4) Coverage for Vehicles with Seating Capacity of Sixteen or More. Each Owner of a Vehicle with a seating capacity of at least 16 Passengers must maintain coverage for each Vehicle owned in amounts not less than the following:

(i) \$200,000 per person, payable for those expenses specified in paragraphs 1, 2 and 3 of subdivision a of section 5102 of the New York State Insurance Law

(ii) \$5,000,000 minimum liability for bodily injury and death, as those terms are described and defined in section 370(1) of the Vehicle and Traffic Law

§9A-12(c)(3)&(4) Fine: \$350 and suspension until compliance Appearance REQUIRED

(d) Report of Accidents to Carrier and the Commission.

(1) Report to Carrier. A For-Hire Vehicle Owner must immediately report in writing to Owner's insurance carrier all accidents that are required to be reported to the insurance carrier involving Owner's For-Hire Vehicle(s).

§9A-12(d)(1) Fine: \$500-\$1,000 Appearance REQUIRED

(2) Report to Commission.

(i) A For-Hire Vehicle Owner must immediately report in writing to the Commission all accidents that are required to be reported to the Department of Motor Vehicles (under §605 of the Vehicle and Traffic Law) involving Owner's Vehicle(s).

(ii) A copy of the report sent to the Department of Motor Vehicles must also be provided to the Commission within 10 days from the date by which the Owner is required to file the report with the DMV.

§9A-12(d)(2) Fine: \$150 and \$25 for each day of violation thereafter and suspension until compliance Appearance REQUIRED

§9A-13 Compliance with Law – Personal Conduct

(a) Bribery Prohibited.

(1) Appearance of Bribery. An Applicant or Licensee must not offer or give any gift, gratuity or thing of value to any employee, representative or member of the Commission, or any other public servant.

§9A-13(a)(1) Fine: Revocation and \$10,000 Appearance REQUIRED

(2) Demand for Gratuity. A Licensee must immediately report to the Commission any request or demand for a gift, gratuity, or thing of value by any employee, representative, or member of the Commission or any other public servant.

§9A-13(a)(2) Fine: \$1,000 up to Revocation Appearance REQUIRED

(3) Offer of Gift to Airport or Transportation Terminal Staff. A Licensee must not offer or give any gift, gratuity, or thing of value to a person or persons employed at any airport or other transportation terminal to provide ground transportation information services, dispatching service, security services, traffic and parking control, or baggage handling, whether or not the person or persons are employed by the Port Authority of New York and New

Jersey, LIRR, Metro-North, or any similar entity.

§9A-13(a)(3) Vehicle Owner Fine: \$250 – 1,000 Appearance REQUIRED

(b) Fraud, Theft. While performing the duties and responsibilities of a Licensee, a Licensee must not commit or attempt to commit, alone or in concert with another, any act of fraud, misrepresentation or theft.

§9A-13(b) Fine: \$350-1,000 and/or suspension up to 60 days or revocation Appearance REQUIRED

(c) Willful Acts of Omission. While performing the duties and responsibilities of a Licensee, a Licensee must not deliberately fail to perform any act where this failure is against the best interests of the public, although not specifically mentioned in these Rules.

§9A-13(c) Fine: \$150-\$350 and/or suspension up to 30 days or revocation Appearance REQUIRED

(d) Willful Acts of Commission. While performing the duties and responsibilities of a Licensee, a Licensee must not deliberately perform or attempt to perform any act that is against the best interests of the public, although not specifically mentioned in these Rules.

§9A-13(d) Fine: \$150 - \$350 and/or suspension up to 30 days or revocation Appearance REQUIRED

(e) Threats, Harassment, Abuse. While performing the duties and responsibilities of a Licensee, a Licensee must not threaten, harass, or abuse any person.

§9A-13(e) Fine: \$350-1,000 and suspension up to 30 days Appearance REQUIRED

(f) Use or Threat of Physical Force. While performing the duties and responsibilities of a Licensee or any act in connection with those duties, a Licensee must not use or attempt to use any physical force against a person.

§9A-13(f) Fine: \$500-1,500 and/or suspension up to 60 days or revocation Appearance REQUIRED

(g) Threat or Harm to Service Animal. A Licensee must not distract, harm or use physical force against or attempt to distract, harm or use physical force against a Service Animal accompanying a person with a disability.

§9A-13(g) Fine: \$500-1,500 and/or suspension up to 60 days or revocation Appearance REQUIRED

(h) Notice of Criminal Conviction.

(1) A Licensee must notify the Commission within 15 calendar days after any felony conviction of the Licensee, or of any of Licensee's officers or members.

(2) The notice must be in writing and must be accompanied by a certified copy of the certificate of disposition issued by the clerk of the court explaining what happened as a result of the conviction.

§9A-13(h) Fine: \$50 Appearance NOT REQUIRED

(i) Failure to Cooperate with Law Enforcement.

(1) A Licensee must cooperate with all law enforcement officers and all authorized representatives of the Commission.

(2) Cooperation includes, but is not limited to, responding to a request for the Licensee's name, License number, and any documents Licensee is required to have in his or her possession.

§9A-13(i) Fine: \$15-\$150 Appearance REQUIRED

(j) Cooperation with the Commission. A Licensee must comply with the following required actions:

(1) Answer truthfully all questions and comply as directed with all communications, directives, and summonses from the Commission or its representatives.

(2) Within ten days following a request from the Commission, produce any Licenses or other documents the Licensee is required to have.

§9A-13(j)(1)&(2) Fine: \$200 and suspension until compliance Appearance REQUIRED

(3) Within 48 hours, a Licensee must respond to any contact from the Commission, seven days a week.

§9A-13(j)(3) Fine: \$50 Appearance NOT REQUIRED

(k) Courtesy. A Licensee will be courteous to Passengers.

§9A-13(k) Fine: \$150 Appearance NOT REQUIRED

§9A-14 Compliance with Law – Miscellaneous

(a) Alcohol and Drug Laws. A For-Hire Vehicle Owner must not knowingly allow an affiliated For-Hire Vehicle to be operated by a Driver who is under the influence of any drugs or alcohol or whose driving ability is in any way impaired.

§9A-14(a) Fine: \$10,000 and revocation Appearance REQUIRED

(b) Payment of all Fines and Judgments. The holder of a For-Hire Vehicle License issued under this Chapter must satisfy any outstanding judgment and pay any civil penalty owed for a violation relating to traffic in a Qualified Jurisdiction or for a violation of the regulations of a Qualified Jurisdiction.

§9A-14(b) Penalty: Suspension until satisfaction or payment Appearance NOT REQUIRED

§9A-15 RESERVED (Operations – Base Station Business Premises)

§9A-16 RESERVED (Operations – Management Oversight (Use of Agents))

§9A-17 Operations – Service Requirements (Customers)

(a) No Required Ride-Sharing. An Owner of a For-Hire Vehicle must not require that any prospective Passenger share a ride with another prospective Passenger.

§9A-17(a) Vehicle Fine: \$50 Appearance NOT REQUIRED

§9A-18 Operation – Responsibilities with Respect to Drivers

(a) "Restricted Area". For the purposes of this subdivision, "restricted area" is defined as all public streets and sidewalks located on either side of the street on which the Vehicle's affiliated Base is located or within the city block front where the Base is located, including both sides of the street on which the Base is located.

(b) Obey Traffic Rules in Restricted Area. The Owner of a For-Hire Vehicle must make sure that the Driver and Vehicle will obey all applicable traffic and parking regulations within the "restricted area."

§9A-18(b) Vehicle Owner Fine: \$50 Appearance NOT REQUIRED

(c) Obey Noise, Littering and General Nuisance Laws. The Owner of a For-Hire Vehicle must make sure that the Driver and the Vehicle will not create a nuisance while stopped at the Base, such as engaging in horn honking, littering, or playing loud audio material within the "restricted area."

§9A-18(c) Vehicle Owner Fine: \$50 Appearance NOT REQUIRED

§9A-19 Operations – Trip Record Information

(a) Record-Keeping with Issuing Jurisdictions. Both of the following entities must ensure the requirements set forth in subdivision (b) below are met:

(1) The holder of a For-Hire Vehicle License issued by the Commission for a Vehicle used in for hire transportation between New York City and an Issuing Jurisdiction

(2) The holder of an Issuing Jurisdiction Vehicle License issued by a Qualified Jurisdiction for a vehicle used in For-Hire transportation between New York City and the Qualified Jurisdiction

(b) Issuing Jurisdiction's Trip Record. The entities identified in (a) above must ensure that a record is made of each trip between New York City and the Issuing Jurisdiction. This record must contain:

(1) A record is made prior to the commencement of the trip in the Trip Record carried in the vehicle.

(2) The record is kept for a period of no less than one year after the trip.

(3) The record is written legibly in ink and includes the following information:

(i) The Passenger's name or other identifier

(ii) The time of the scheduled pick-up of the Passenger

(iii) The location of the scheduled pick-up of the Passenger

(iv) The locations of any intermediate stops at which the Passenger is picked up or dropped off

(v) The final destination of the Passenger

(vi) The time the trip was completed.

§9A-19(b) Fine: \$300 Appearance NOT REQUIRED

§9A-20 Operations – Current Contact Information

(a) Mailing Address.

(1) A Vehicle Owner must notify the Commission in person or by first class mail of any change in Owner's Mailing Address, within seven days of the change, not including holidays and weekends.
 §9A-20(a)(1) Vehicle Owner Fine: \$50 Appearance NOT REQUIRED

(2) Any notice from the Commission will be deemed sufficient if sent to the last Mailing Address provided by the For-Hire Vehicle Owner.

(b) Capacity for 24-Hour Access.

(1) A For-Hire Vehicle Owner must maintain a current telephone number on file with the Commission.

(2) This number must be connected to an answering machine or must be a pager number, an answering service telephone number, or something similar that allows the Commission to reach the Vehicle Owner on a 24-hour basis.
 §9A-20(b) Vehicle Owner Fine: \$100 Appearance NOT REQUIRED

§9A-21 **RESERVED (Operations – Additional Records to be Maintained)**

§9A-22 **RESERVED (Operations – Reporting Requirements)**

§9A-23 **RESERVED (Operations – Rates and Tolls)**

§9A-24 **RESERVED (Operations – E-Zpass Required)**

§9A-25 **Operations – Miscellaneous Operating Requirements**

(a) Passenger Trips by Pre-Arrangement Only.

(1) No For-Hire Vehicle Owner will allow Owner's Vehicle(s) to transport Passengers for hire other than through pre-arrangement with a Base licensed by the Commission.

(2) A For-Hire Vehicle Owner will be liable for penalties for any violation of this section.

§9A-25(a) Vehicle: During any license term, \$100 for the first violation during such term, with the penalty increasing by \$100 for each subsequent violation up to a maximum of \$10,000. Appearance NOT REQUIRED

§9A-26 **Vehicles – Inspections**

(a) Tri-Annual Inspections. For-Hire Vehicles must be regularly inspected three times every year, including at least once every four months. Section 9A-4(e)(1) and (f)(1) specifies that inspections required for new and renewal applications must be done at the Commission Safety and Emissions facility; the other required inspections can be done at any DMV registered facility.

§9A-26(a) Fine: \$100 and suspension of the Vehicle Owner License until any defect found is corrected Appearance REQUIRED

(b) On-Street Inspections. Any officer or employee of the Commission designated by the Chairperson or any police officer can conduct on-street inspections of any For-Hire Vehicle operating within New York City to assure compliance with all applicable laws and rules and can order the Vehicle to report to the Commission's inspection facility.

§9A-26(b) Fine: Suspension of For-Hire Vehicle License or recognition of issuing jurisdiction vehicle License until compliance. Appearance NOT REQUIRED

§9A-27 **Vehicles – Meets Safety Standards**

(a) Unsafe or Unfit Vehicles.

(1) No For-Hire Vehicle can be used in a For-Hire Vehicle service when the Commission or the New York State DMV has determined that the vehicle is unsafe or unfit for use as a For-Hire Vehicle and the Owner has been directed to remove the vehicle from service.

(2) If the Chairperson has determined that the Vehicle is unsafe or unfit, the Decals will be confiscated by the Chairperson.

(3) If the New York State DMV or a DMV inspection facility other than the Commission has determined that the Vehicle is unsafe or unfit, the Vehicle Owner must return the Decals to the Chairperson within 72 hours of issuance of the determination.

(4) If the Chairperson has any reason to believe that any For-Hire Vehicle is unsafe or unfit for use, the Chairperson can order the Vehicle to report to the Commission's inspection facility.

§9A-27(a) Fine: \$100 – 350 and/or suspension up to 30 days; Summary Suspension until compliance. Appearance REQUIRED

(b) Seat and Shoulder Belts Each For-Hire Vehicle must have all seat belts and shoulder belts clearly visible, accessible, and in good working order.
 §9A-27(b) Fine: \$100 – 250 Appearance REQUIRED

(c) Shoulder Belts Required. In addition to seat belts for each seating position and shoulder belts for both outside front seat positions, all For-Hire Vehicles must be equipped with shoulder belts for both outside Passenger rear seat positions.
 §9A-27(c) Fine: \$100 – 250 Appearance REQUIRED

(d) Correct Defect Directives. A For-Hire Vehicle Owner must comply with all Commission notices and directives to correct defects in the Vehicle.
 §9A-27(d) Fine: \$50 per day until information is supplied Appearance REQUIRED

(e) Daily Personal Inspection by Owner. A For-Hire Vehicle Owner must not permit a For-Hire Vehicle to be operated without daily personal inspection and reasonable determination that all equipment, including brakes, lights, signals, and Passenger seatbelts and shoulder belts, are in good working order and meet all the requirements of the New York State Vehicle and Traffic Law and these Rules.
 §9A-27(e) Fine: \$25 – 250 Appearance REQUIRED

§9A-28 **Vehicles – Miscellaneous Requirements and Vehicle Retirement**

(a) Post-Manufacture Alterations.

(1) No For-Hire Vehicle can be altered after manufacture:

(i) To increase its length, width, weight or seating capacity, or

(ii) To modify its chassis and/or body design.

(2) A For-Hire Vehicle can be altered, after manufacture, if the modification:

(i) Has been made under a program approved in advance by the original vehicle manufacturer, and

(ii) The alteration has been performed by an entity approved and certified by the vehicle manufacturer to perform such alterations.

(3) An original, unaltered, approved vehicle modifier's certification sticker must be affixed to the Vehicle at a location to be determined by the Commission.
 §9A-28(a) Vehicle Owner Fine: \$10,000 and License suspension until compliance if alteration is not approved. \$10,000 and License revocation if certification sticker is altered. Appearance REQUIRED

(b) Proper Vehicle Identification Required.

(1) License Plate Number Matches. The license plate number on the motor vehicle tax stamp, on the state registration certificate, and on the Commission Decals must match each other and must match the number on the license plates applied to the Vehicle.
 §9A-28(b)(1) Fine: \$100 Appearance NOT REQUIRED

(2) Vehicle Identification Number Matches. The last six digits of the vehicle identification number (VIN) on the Commission Decals must match the last six digits of the VIN on the state registration, and the VIN on the Vehicle.
 §9A-28(b)(2) Fine: \$100 Appearance NOT REQUIRED

(3) T & LC License Plates. A For-Hire Vehicle that is registered in New York must have New York State license plates affixed to the Vehicle that are embossed with the legend "T & LC."
 §9A-28(b)(3) Fine: \$100 - \$350 and Summary Suspension until compliance Appearance NOT REQUIRED

(c) Two-Door Vehicles Prohibited. No For-Hire Vehicle can be a two door vehicle.
 §9A-28(c) Fine: Suspension of the Vehicle Owner License Appearance REQUIRED

(d) Required Black Car Vehicle Retirement. All Black Car Vehicles must be retired from Black Car service (but may be replaced) according to the following schedule:

(1) All Black Cars, model year 2001 or earlier, must be retired no later than their first For-Hire Vehicle License expiration date on or after January 1, 2010.

(2) All Black Cars, model year 2002 or 2003, must be retired no later than their first For-Hire Vehicle License expiration date on or after January 1, 2011.

(3) All Black Cars, model year 2004 or 2005 must be retired no later than their first For-Hire Vehicle License expiration date on or after January 1, 2012.

(4) All Black Cars, model year 2006, must be retired no later than their first For-Hire Vehicle License expiration date on or after January 1, 2013.

(5) On and after January 1, 2014 all Black Cars must be retired from Black Car Service at least by the expiration date of their For-Hire License when they turn seven model years old.

(i) If a Black Car turns seven model years old in the last year of its License, the Vehicle must be retired by the date of License expiration.

(ii) But if a Black Car turns seven model years old in the first year of its License, the Vehicle must be retired by the first anniversary of the License renewal date.

EXAMPLE: Vehicles A and B are both Model Year 2010 and become seven model years old on January 1, 2017:

Vehicle A:

- License expires on May 5, 2017
- Vehicle A must be retired from Black Car service on May 5, 2017

Vehicle B:

- License expires May 6, 2018, having renewed on May 6, 2016
- Vehicle B must be retired from Black Car service on May 6, 2017; License continues with a new vehicle until May 6, 2018

(6) A For-Hire Vehicle affiliated with a Black Car Base which has reached its retirement date must be retired from Black Car service, even if it passes the New York State Department of Motor Vehicle inspection.

§9A-29 **Vehicles – Markings & Advertising**

(a) Valid License Decals.

(1) Three Valid Commission License Decals must be plainly visible and affixed to the Vehicle in the following locations:

(i) One Decal must be on the lower front right side of the windshield

(ii) One Decal must be on the lower rear corner of each of the two rear quarter windows; if there are no rear quarter windows, the Decals must be on the lower rear window just above the rear door.

(iii) The Decals must be affixed by Commission staff.

(2) New Decals must be placed on the Vehicle by the Commission Safety and Emissions Division:

(i) When the License is renewed;

(ii) If the Vehicle is replaced, changes affiliation, or changes its license plates.

(3) Exception for Luxury Limousines. Any For-Hire Vehicle that is a Luxury Limousine will only be required to have a single Commission Decal affixed to the lower right side of the front windshield.

§9A-29(a) Failure to have proper Decal(s): \$500 for the first offense in 12 months \$1,000 for the second and subsequent offenses within a 12-month period and suspension of the For-Hire Vehicle License until compliance. Appearance NOT REQUIRED

(b) Valid Registration Sticker. A Valid registration sticker from an authorized state motor vehicle department must be affixed to the left front windshield so as to be plainly visible.
 §9A-29(b) Fine: \$100 Appearance NOT REQUIRED

(c) Inspection Sticker. A Valid New York State DMV inspection sticker that has no fewer than eight months left before the sticker expires must be plainly visible on the front left side of the front windshield.
 §9A-29(c) Vehicle Owner Fine: \$100 and suspension of the Vehicle Owner License until any defect found is corrected Appearance REQUIRED

(d) Penalty Points: 1
Taxicab Yellow Prohibited. No For-Hire Vehicle can be, in whole or in part, any shade of Taxicab yellow.

§9A-29(d) Fine: \$350 for the first violation; Appearance
\$500 for the second violation in REQUIRED
24 months; revocation for the
third violation in 36 months

(e) Prohibited Advertising.

(1) An Owner must not display any advertising on the exterior or the interior of a For-Hire Vehicle unless the advertising has been authorized by the Commission and a License has been issued to the Owner following the provisions of the Administrative Code.

(2) The Commission will not approve any advertising for the exterior of a For-Hire Vehicle that consists, in whole or in part, of roof top advertising.

§9A-29(e) Fine: \$50 Appearance NOT REQUIRED

(f) Motor Vehicle Tax Stamp.

(1) For Vehicles registered with the Department of Motor Vehicles prior to April 30, 1999, a Valid NYC commercial use motor vehicle tax stamp must be affixed to the front right side of the windshield of the Vehicle so as to be plainly visible.

(2) For Vehicles registered after April 30, 1999, the Owner must show proof that the required commercial use motor vehicle tax for the current tax period has been paid.

§9A-29(f) Fine: \$100 Appearance NOT REQUIRED

(g) Base Station Affiliation Signs. For-Hire Vehicles must identify their Affiliated Base Station on the exterior of the Vehicle as follows:

(1) The name of the Base Station, its License number and telephone number in one of the following ways:

(i) In letters and numerals at least one-and-one-half inches in height, on the outside of a door or doors on both sides of the Vehicle, below the windows and at least six inches above the bottom of the door(s);

(ii) In letters and numerals at least one inch in height in one location on the rear of the Vehicle below the rear window, and at least six inches above the bottom of the rear of the Vehicle, or

(iii) Both on the doors and rear of the Vehicle.

(2) The letters and numerals must be of a color that contrasts with the color of the body of the Vehicle so that it is easy to see and read.

(3) Lettering and numbering must be spaced to provide easy legibility and, if placed on doors on both sides of the Vehicle must be identical on both sides of the livery.

(4) All Decals must be semi-permanent adhesive stickers.

(5) Exemption. Luxury Limousines and Black Cars are exempt from the requirements of this subdivision.

§9A-29(g) Fine: \$25 Appearance NOT REQUIRED

(h) Required Signage for Accessible Vehicles. Any Accessible Vehicle licensed by the Commission must display signs that identifies the Vehicle as an Accessible Vehicle. The signs design will be provided by the Commission on its Web site or through other appropriate means as announced on its Web site. The signs must be placed on the Vehicle as follows:

(1) Must be located on the exterior of the C-pillars of a sedan or an SUV or on the exterior of the D-pillars of a minivan, on both sides of the Vehicle

(2) Must be visible to Passengers entering the accessible Vehicle

§9A-29(h) Fine: \$75 Appearance NOT REQUIRED

(i) Required Signage for Clean-Air Vehicles. Any Clean Air For-Hire Vehicle licensed by the Commission must display signs that identify the Vehicle as a Clean Air Vehicle. The signs design will be provided by the Commission on its Web site or through other appropriate means as announced on its Web site. The signs must be placed on the Vehicle as follows:

(1) Must be located on the exterior of the C-pillars of a sedan or an SUV or on the exterior of the D-pillars of a minivan, on both sides of the Vehicle

(2) Must be visible to Passengers entering

the clean air vehicle
§9A-29(i) Fine: \$75 Appearance NOT REQUIRED

§9A-30 Vehicles – Items Required to be in Vehicle

(a) Required Items. Each For-Hire Vehicle must have:

(1) On the right visor, on top of the right side of the dashboard, or in the glove compartment:

(i) The certificate of registration or a legible copy of it

(ii) The insurance card or a legible copy of it

(2) In a protective holder attached to the back of the driver's seat:

(i) The For-Hire Vehicle Driver's license of the Driver; and

(ii) The For-Hire Vehicle License.

(3) Exception for Black Cars and Luxury Limousines.

(i) Black Cars and Luxury Limousines must comply with all requirements of this subdivision (a) except that these Vehicles will not be required to have a protective holder mounted behind the driver's seat to display:

A. The For-Hire Vehicle Driver's License

B. The For-Hire Vehicle License

(ii) Those items must, however, be displayed in the Vehicle in a way so as to be clearly visible from the Passenger seat and available for inspection by the Passenger upon request.

§9A-30(a)(1)-(3) Fine: \$50 for each Appearance
violation of this rule; REQUIRED
however, no fine for a
violation of this rule
can exceed \$100

(4) Livery Passengers' Bill of Rights.

(i) Every Livery Vehicle Owner must post a Livery Passengers' Bill of Rights in a form and format prescribed by the Commission.

(ii) The Commission will post the proper form and format on its Web site or will provide the information through other appropriate means that will be posted on its Web site.

(iii) The Livery Passengers' Bill of Rights must be placed in a protective holder attached to the back of the front Passenger's seat.

§9A-30(a)(4) Fine: \$100 Appearance NOT REQUIRED

(b) Trip Record.

(1) The Trip Record required in §9A-22(b) of this Chapter must be kept in the Vehicle during any trip between New York City and an Issuing Jurisdiction, including a trip through either New York City or an Issuing Jurisdiction.

(2) On request, the Trip Record must be presented for inspection to any police officer or peace officer acting in his or her special duties or to other persons authorized by the Commission or by the Issuing Jurisdiction.

(3) Failure to present the Trip Record as required when requested by an authorized person will be presumptive evidence of an unlicensed operation.

§9A-30(b) Fine: \$300 Appearance NOT REQUIRED

§9A-31 Vehicle – Equipment

(a) Heating and Air Conditioning. The Owner of a For-Hire Vehicle must be responsible for ensuring that the Vehicle is equipped with functioning heating and air conditioning equipment.

§9A-31(a) Fine: \$50 Appearance NOT REQUIRED

(b) Roof Light. A For-Hire Vehicle must not be equipped with a roof light, except for a Vehicle that operates primarily in Staten Island and is affiliated with a Base located in Staten Island. A roof light on a Staten Island Vehicle must be approved.

§9A-31(b) Fine: \$350 – first violation Appearance
\$500 – second violation in REQUIRED
24 months Revocation for third
violation in 36 months

(c) Meter. No For-Hire Vehicle can be equipped with a meter except a wheelchair accessible Livery which is participating in the dispatch program as

described in Chapter 3 of this title.
§9A-31(c) Fine: \$50 Appearance NOT REQUIRED

(d) Distress Signaling Light – Livery Vehicle.

(1) Requirement. The Vehicle must be equipped with a help or distress signaling light system as required by the specifications in §9C-03 of these Rules.

(2) Exemption. A Vehicle will be exempt from the requirements of this subdivision if the Vehicle is affiliated with a Black Car Base or a Luxury Limousine Base.

§9A-32 Vehicle Equipment – Partitions for Livery Vehicles

(a) Requirement. A For-Hire Livery Vehicle must be equipped with a partition that isolates the Driver from the rear seat Passengers as described in §9C-02 of Sub-chapter C of these Rules.

§9A-32(a) Fine: \$350 and suspension Appearance
until the condition is corrected REQUIRED

(b) Exemptions.

(1) A For-Hire Livery Vehicle will be exempt from the requirements of paragraph (1) if the Vehicle is equipped with all of the following safety devices:

(i) An FCC-licensed commercial two-way radio with an emergency button that would notify the dispatcher that the Driver is in trouble or a cellular telephone that has an emergency dialing feature

(ii) The distress signaling light required by §9A-31(d), above

(iii) An approved in-vehicle camera system.

(2) Black Cars and Luxury Limousines are exempt from this requirement.

§9A-33 Vehicle Equipment – In-Vehicle Camera System

(a) Requirements for In-Vehicle Camera System. When an existing in-vehicle camera system is required to be replaced or when the system is installed as one of the three safety devices specified in §9A-32, it must meet the requirements described in §9C-01 of these Rules.

(b) Required Signage About In-Vehicle Camera System. Each For-Hire Vehicle equipped with an in-vehicle camera system must display Decals on each rear Passenger window, visible to the outside, that contain the following information in letters at least one-half inch high: "This vehicle is equipped with camera security. You will be photographed."

§9A-34 RESERVED (Taxicab Specific Vehicle Equipment)

§9A-35 Penalty Points for For-Hire Vehicles

(a) Four Penalty Points Requires License Revocation. The License of any For-Hire Vehicle that accumulates four penalty points for violations during any License term will be revoked.

(b) Points Accrued but not Assessed Before Renewal.

(1) If points are imposed after a Vehicle License has been renewed based on a violation that occurred before the renewal, the points will be added to the total points accumulated by the Vehicle before its renewal.

(2) If the additional Points raise the total number to four or more Points, the Vehicle License will be revoked.

(c) Revocation Process.

(1) The Chairperson can begin revocation proceedings whenever a Licensee has been assessed four or more points during the current term of that License.

(2) The Licensee's License can also be revoked as part of the decision imposing the final point necessary for revocation.

(3) At any time revocation of a Base License is mandated and the last penalty point arises from the same incident that created the For-Hire Vehicle License revocation mandate, separate proceedings must be held for the Base License revocation and the Vehicle License revocation.

(d) The Chairperson will develop a point reduction program applicable to Vehicles and Bases.

(e) No penalty points will be imposed for violations occurring before August 1, 2009.

§9B-01 Scope of this Sub-chapter

(a) To establish the procedures, rules and regulations for obtaining and maintaining a For-Hire Base License, specifically for a:

- (1) Livery Base Station
- (2) Black Car Base
- (3) Luxury Limousine Base
- (b) To provide penalties for violations of the rules and requirements for maintaining a For-Hire Base License.
- §9B-02 Penalties**
- (a) Unlicensed Activity.
- (1) Unlicensed Activity is the act of providing or advertising the provision of any Commission-regulated for hire transportation service by:
 - (i) Any Licensee whose License is suspended, revoked, or expired and not yet renewed (except as provided in this Sub-chapter), or
 - (ii) Any person who does not hold a License or Authorization from the Commission;
- (2) Unlicensed Activity specifically includes the activities listed in §19-506 and §19-528 of the Administrative Code, and can subject the violator to the seizure and possible forfeiture of the vehicle involved.
- (b) Specific Penalties. If there are specific penalties for violating a Rule, they are shown at the end of the Rule. The penalty section also states whether the violator must attend the Hearing.
- (c) Payment of Fines.
- (1) Fines are due within 30 days of the day the violator is found guilty of the violation.
- (2) If fines are not paid by the close of business on the date due, the violator's License will be suspended until the fine is paid.
- (3) If a Respondent has made a timely request for a copy of the Hearing recording (see §18-14(e) of these Rules), the time for payment of fines is extended to 21 days from the date the recording is issued.
- §9B-03 Definitions Specific to this Sub-chapter**
- (a) Applicant in this Sub-chapter means an Applicant for an original or renewal For-Hire Base License.
- (b) Black Car is a Vehicle that affiliates with a Black Car Base.
- (c) Black Car Base is a "central dispatch facility" (as the term is defined in New York Executive Law, §160-cc) and For-Hire Base that operates as follows:
 - (1) All Black Car Vehicles are dispatched on a pre-arranged basis;
 - (2) All Black Car Vehicles are owned by franchisees of the Base or are members of a cooperative that operates the Base; and
 - (3) More than ninety percent (90%) of the Base's business is on a payment basis other than direct cash payment by a Passenger.
- (d) Driver in this Sub-chapter means a For-Hire Driver.
- (e) For-Hire Base (or "Base") is the Commission-licensed business for dispatching For-Hire Vehicles and the physical location from which For-Hire Vehicles are dispatched; a For Hire Base can be any of the following:
 - (1) A Black Car Base,
 - (2) A Livery Base (or Base Station),
 - (3) A Luxury Limousine Base.
- (f) For-Hire Driver in this Sub-chapter means a Driver of a For-Hire Vehicle
- (g) For-Hire Vehicle is a motor Vehicle Licensed by the Commission to carry Passengers For-Hire in the City, which:
 - (1) Has a seating capacity of 20 or fewer Passengers
 - (2) Has three or more doors
 - (3) Is not a Taxicab, a Commuter Van, or an authorized bus as defined by NYS law
- (h) License in this Sub-Chapter means a For-Hire Base License.
- (i) Livery is a For-Hire Vehicle that is affiliated with a Livery Base Station.
- (j) Livery Base Station ("Base" or "Base Station") is a For-Hire Base that operates as follows:
 - (1) Livery Vehicles are dispatched from the Base on a pre-arranged basis.
 - (2) Livery Vehicles are designed to carry fewer than six (6) Passengers.

- (3) Passengers are charged for service on the basis of a flat rate, time, mileage, or zones.
- (k) Luxury Limousine is a For-Hire Vehicle that is affiliated with a Luxury Limousine Base.
- (l) Luxury Limousine Base is a For-Hire Base that operates as follows:
 - (1) All Luxury Limousines are dispatched from the Base by pre-arrangement.
 - (2) Luxury Limousine Vehicles have a seating capacity of 20 or fewer Passengers.
 - (3) More than ninety percent (90%) of its business is on a payment basis other than direct cash payment by a Passenger.
 - (4) Passengers are charged "garage to garage" service on the basis of a flat rate, time or mileage.
- (m) Mailing Address for a For-Hire Base will be the Base address.
- (n) Owner in this Sub-chapter refers to a For-Hire Base Owner.
- (o) Penalty Point is a non-monetary penalty assessed against either a Base Owner or the Owner of a For-Hire Vehicle if they are convicted of certain violations in this Chapter.
- (p) Respondent means an individual or Business Entity who has been noticed and charged with a violation of one or more of these Rules or the Administrative Code, or with being unfit to hold a License.
- (q) Vehicle in this Sub-chapter refers to a For-Hire Vehicle.
- §9B-04 Licensing – General Requirements**
- (a) Reserved. Identification.
- (b) Reserved. Age.
- (c) Fingerprinting to Verify Good Moral Character.
 - (1) Initial Applicants. An individual or all Limited Business Entity Persons of a Business Entity applying for a Base License must be fingerprinted for the purpose of securing criminal history records from the New York State Division of Criminal Justice Services.
 - (2) Review of Criminal History. The criminal history must be reviewed in a manner consistent with Article 23-A of the New York State Correction Law.
 - (3) Additions or Changes to Applicant. Before or within five days after any change or addition to the Limited Business Entity Persons of a Business Entity Licensee:
 - (i) The Licensee must file an application with the Commission for approval of the change or addition on forms that are prescribed by the Commission.
 - (ii) The new Limited Business Entity Person(s) must be fingerprinted as required by this subdivision.
 - (4) The Applicant or Licensee must pay any processing fee required.
- (d) Reserved. Designate Drivers as Agents to Receive Service.
- (e) Bond Required.
 - (1) Before a For-Hire Base License will be issued or renewed, the Applicant must provide the Commission with a bond in the amount of \$5,000 with one or more sureties to be approved by the Commission.
 - (2) The bond must be for the benefit of New York City and must guarantee the following:
 - (i) The Licensee will dispatch only vehicles that are currently licensed by the Commission and that have a current New York City commercial use motor vehicle tax stamp.
 - (ii) The Licensee will pay all civil penalties owed for violating any provision of this Chapter.
 - (3) The bond will permit the Commission to draw upon the bond to pay any penalties owed by the Base for any violation of this Chapter that has not been paid when due or after completion of any appeal.
 - (i) The Chairperson will give the Base Owner 30 days' notice before drawing upon the bond to pay any penalty.

- (ii) If the Commission has to draw on the bond, the Base Owner will be assessed one Penalty Point
- (4) The bond must be maintained by the Base Owner for the term of the License.
- §9B-04(e) Fine: \$250 for failure to post or maintain bond; Appearance NOT REQUIRED
Penalty Points: One
Penalty Point for draw on bond.
- §9B-05 Licensing – Special Requirements for Livery Base Stations**
- (a) Fitness to Hold a License.
 - (1) An Applicant for a License to operate a Livery Base Station must demonstrate to the satisfaction of the Commission that Applicant is fit to operate a Base Station.
 - (2) The Commission will consider:
 - (i) The ability of the Applicant to adequately manage the Base Station,
 - (ii) The Applicant's financial stability,
 - (iii) Whether the Applicant operates or has previously operated a Licensed Base Station and the manner in which that Base Station was operated.
 - (3) The Commission will also consider any relevant information maintained in the records of the Department of Motor Vehicles or the Commission.
- (b) Off-Street Parking. An Applicant for a License to operate a Livery Base Station must demonstrate to the satisfaction of the Commission that the operator of the Base Station will comply with the provision to provide and use lawful off-street facilities as described in §9B-15(j).
- (c) Local Review. A determination by the Commission to approve an application for a new or renewal License to operate a Livery Base Station will not become final until the determination has been subject to review by the New York City Council, as follows:
 - (1) Upon receipt of an application for a new or renewal Livery Base Station License, the Commission will, within five business days, submit a copy of the application to the City Council and to the district office of the City Council member and the community board for the area in which the Base Station is or would be located.
 - (2) Within five days of a decision to approve a new or renewal Base Station License, the Commission will send to the City Council and to the district office of the Council member within whose district that Base Station is or would be located:
 - (i) A written copy of the approval decision.
 - (ii) Copies of the data, information, and other materials the Commission relied on to make the decision.
 - (3) Action by City Council. [Admin Code §19-511.1]
 - (i) Within 90 days of the first scheduled meeting following receipt of the decision and back-up data, the Council can adopt a resolution to review the decision and can approve or disapprove it.
 - (ii) If the Council fails to act within the 90-day period, the Commission's decision will become final.
- (d) Submit Business Plan – Livery Base Only. A Livery Base Station must submit a business plan with each application for a new or renewal License or for a change of ownership of the Base Station License. The business plan must include:
 - (1) Contact Information. The business name, address, telephone number, email address and 24-hour contact number for the Base Station;
 - (2) Plans for Ensuring Compliance with Commission Rules.
 - (i) A general description of how the Base Station intends to monitor and ensure that the Base Station itself, its affiliated Vehicle Owners, and the Drivers operating the affiliated Vehicles comply with these Rules;
 - (ii) A specific plan for assuring that affiliated Vehicles and their

- Drivers provide transportation only through pre-arrangement made with the Base
- (iii) A specific description of how the Base plans to prevent its affiliated Vehicles and their Drivers from accepting street hails
- (3) Plans for Preventing Recurrence of Past Violations. A description of how the Base Station intends to prevent a recurrence of any Rule violations that occurred during the current and previous (if any) term(s) of its License.
- (4) Off-Street Parking. Policies and procedures regarding off-street parking, including:
- (i) The address of the Livery Base's off-street parking location
- (ii) How far the off-street parking location is from the Livery Base.
- (iii) How the Base will encourage its affiliated Vehicles to use the Livery Base's off-street parking location, and
- (iv) How the Livery Base will ensure that the affiliated Vehicles not using the off-street parking location do not violate applicable traffic and parking regulations when they are in the area around the Base Station.
- (5) Number of Vehicles.
- (i) Renewal Applicants must include the number of Vehicles currently affiliated with the Base Station
- (ii) New Applicants must include the number of Vehicles they expect to be affiliated with the Base Station when it obtains the License
- (iii) Both new and renewal Applicants must include an estimate of the average number of Vehicles they expect to be affiliated with the Base during the term of the License;
- (6) Number of Trips.
- (i) A renewal Applicant must include the average number of requests currently received and the average number of trips currently dispatched on a daily basis.
- (ii) A new Applicant must include an estimate of average number of requests it expects to receive and the average number of trips it expects to dispatch on a daily basis when it obtains the License.
- (iii) Both new and renewal Applicants must include an estimate of the average requests they expect to receive and the average number of trips they expect to dispatch on a daily basis during the term of the License;
- (7) Customer Service. A description of how calls will be answered, rides dispatched, and complaints handled;
- (8) Hours of Operation.
- (i) The hours during which the Base will be providing transportation,
- (ii) The hours the Base office will be open;
- (9) Rates. A Rate Schedule in a form and format approved by the Chairperson;
- (10) Miscellaneous. Any other matters required by the Chairperson or the Commission as a condition of renewal of a Base Station License in light of the specifics of the Base Station's application and operating history.

§9B-06 Licensing – Term of License

- (a) New Base License Term.
- (1) The term of a new For-Hire Base License will expire three years after the last day of the month in which the new License is issued.
- (2) Example:
- (i) A new Applicant files on October 10, 2009.
- (ii) The Commission approves the

- application on December 15, 2009.
- (iii) No action is taken by the City Council within its 90-day period (by March 15, 2010), and the Commission issues a License on March 24, 2010.
- (iv) That License would expire on March 30, 2013.
- (b) Base License Renewal Term.
- (1) A License issued to a renewing Applicant on or after July 2, 2009 will expire three years after the date on which the previous License expired.
- (2) A License issued prior to July 2, 2009 will expire two years after the date on which the previous License expired.
- (c) When to File for Renewal.
- (1) A renewing Applicant must file a completed application at least 60 days before the expiration date of the License.
- (2) The Commission will allow a renewing Applicant to file a completed application less than 60 days before the expiration date as a "late application," provided the Applicant pays a late fee of \$25.
- (3) No renewal application will be accepted and the License cannot be renewed after the expiration date of the For-Hire Base License.
- (d) Extensions.
- (1) If a timely application for renewal of a License has been made as required in subdivision (c)(1) or (2), above, the Chairperson will extend the effectiveness of the License until review of the renewal application is completed.
- (2) The effectiveness of the License during this extended period applies even if the application is ultimately denied.
- (3) If an extended License renewal application is approved, the renewal License expiration date will be based on the original expiration date of the License and not the extended date.

§9B-07 Licensing – Fees

- (a) Base License Fee. The fee for the operation of a For-Hire Base is \$500 annually.
- (b) Late Filing Fee. There will be an additional fee of \$25 for a "late filing" of a License renewal application.
- (c) When Fee is Paid. The fee for an original or renewal License must be paid at the time the application is filed.
- (d) No Refund if Application Denied. The Commission will not refund fees if it denies the application.
- (e) Base License Replacement Fee. The Commission will charge a fee of \$25 for each replacement License.
- (f) Base Transfer Fee. The fee for the transfer of a Base License or Ownership interest will be \$500.
- (g) Name Change Fee. The fee to change the name of a Base will be \$500.
- (h) Relocation Fee. The fee to change the location of a Base will be \$500.

§9B-08 Licensing – Causes for Denial or Revocation

- (a) Material Misrepresentation.
- (1) The Commission can deny an application for a License or its renewal and revoke or suspend any License issued if it finds that an Applicant has made a material misstatement or misrepresentation on an application for a License or its renewal.
- (2) The Commission must send notice and conduct a hearing before revoking or suspending any License already issued.
- (b) Violation of NYS Franchise Act.
- (1) The Commission will not grant a License or renew a License when the base owner is offering and selling franchises in violation of the New York Franchise Sales Act (for the purposes of this subdivision, "Act").
- (2) The Commission can also suspend or revoke the License of any Base Owner found to have violated the Act.
- (3) In determining whether a Base Owner is in violation of the Act, the Commission can rely upon the written advice of the New York State Department of Law certifying to the Commission that the Base Owner is in violation of the Act.
- (c) In determining whether a Base Owner is in violation of the Act, the Commission can rely upon

- the written advice of the New York State Department of Law certifying to the Commission that the Base Owner is in violation of the Act.
- (d) Livery Base Station—Criteria for Reviewing New Application. In reviewing an application for a License to operate a Livery Base Station, the Commission will examine and consider the following factors:
- (1) Any negative impact on Other Transportation Systems, including:
- (i) The adequacy of existing mass transit and mass transportation facilities to meet the transportation needs of the public
- (ii) Any negative impact that the proposed operation might have on those existing services
- (iii) The extent and quality of service provided by existing, legally operating For-Hire Vehicles and Taxicabs
- (2) Any negative impact on quality of life in the vicinity of the Base Station, including:
- (i) Traffic congestion
- (ii) Sidewalk congestion
- (iii) Noise.
- (e) Livery Base Station – Compliance with Rules.
- (1) In reviewing an application to renew a Base Station License, the Commission will consider whether the Licensee has violated any applicable Rule of the Commission.
- (2) No Livery Base Station will be renewed if the Applicant has been found guilty of violating the off-street parking requirements described in §9B-15(j) of this Chapter.

§9B-09 Licensing – Transfer of a For-Hire Base License

- (a) Transfer Requirements for All For-Hire Bases. Any For-Hire Base License or Ownership interest in the Licensee can be transferred to a proposed transferee if all of the following conditions are met:
- (1) The transferee demonstrates to the satisfaction of the Commission the qualifications to assume the duties and obligations of a Base Owner.
- (2) All the outstanding fines, penalties, and other liabilities that the transferor owes to the Commission have been satisfied.
- (3) The Commission approves the transfer and any changes in corporate officers or directors.
- (4) Both the transferor and transferee must appear in person as directed by the Chairperson to complete the transfer:
- (i) A party who is an individual must appear in person
- (ii) A party that is a partnership must be represented by a general partner
- (iii) A party that is a corporation must be represented by a Limited Business Entity Person.
- (5) No transfer or change will be effective until approved and the Chairperson has given notice of the approval to the Licensee.
- (b) Additional Requirements for Transfers of a Livery Base Station.
- (1) Additional Bond for Tort Liabilities. The transferor or the transferee files an additional bond to cover the transferor's tort liabilities (if any) that have arisen out of the operation of a Base Station, that remain outstanding and that exceed the amount covered by any bond or insurance policy already in effect.
- (2) Transferee Business Plan. The transferee provides a business plan meeting the requirements in §9B-05(d) above.
- (3) Transfer While Judgment Pending. No voluntary transfer of a Base Station License can be made if a judgment docketed with the clerk of court of any county within the City of New York remains unsatisfied against the Licensee and in favor of any Government agency. However, the transfer can be permitted under one of the following conditions:
- (i) A bond is filed in an amount sufficient to satisfy the judgment.

(ii) All the judgment creditors of a Licensee file written permission for the transfer with the Commission.

(iii) The proceeds from the transfer are paid into court or held in escrow, on terms and conditions approved by the Commission, to protect the rights of all parties that have a legitimate interest.

(4) Criteria for Approving Proposed Transferee. In reviewing a proposed transfer of a Base Station License or of the ownership interest in the License, the Commission will consider the following:

(i) The criminal history of the proposed transferee and of the transferee's Business Entity Persons, if any

(ii) Any relevant information maintained in the records of the DMV or the Commission

(iii) The transferee's financial stability

(5) Criteria for Denying Proposed Transferee. A transfer will not be approved if, in the past two years, the proposed transferee or any Business Entity Person of the proposed transferee, where appropriate, has been found to have violated any law or rule involving any of the following:

(i) Assault of a Passenger, official, or member of the public in connection with any matter relating to a For-Hire Vehicle

(ii) Giving or offering an unlawful gratuity to a public servant, as defined in §10.00 of the NYS Penal Law

(iii) Providing the Commission with false information

(iv) Three unexplained failures to respond to an official communication from the Commission or the Department of Investigation that was sent by certified mail, return receipt requested

§9B-10 RESERVED (Licensing – Care of Licenses)

§9B-11 Compliance with Law – No Unlicensed Activity

(a) Base License Required. No person or entity is permitted to operate a business as a Livery Base Station, Black Car Base or Luxury Limousine Base without a Valid For-Hire Base License from the Commission.

§9B-11(a) Fine: \$200-\$1,500
Penalty Point: 1
Administrative Code Penalties for Unlicensed Activity
Appearance REQUIRED

(b) For-Hire Vehicle License and Commission License Plate.

(1) A Base Owner must not dispatch any For-Hire Vehicle unless:

(i) A Vehicle registered in NYS has license plates embossed with the legend "T & LC"

(ii) A Vehicle registered in a state other than New York has complied with any applicable license plate requirements.

(iii) The vehicle has a Valid For-Hire Vehicle License.

(2) The Commission will post a list of Validly Licensed For-Hire Vehicles on its Web site.

§9B-11(b) Base Owner Fine: \$300
Penalty Points: 1
Administrative Code Penalties for Unlicensed Activity
Appearance NOT required

(c) Valid For-Hire Driver's License Required.

(1) A Base Owner must not dispatch any Vehicle unless its driver possesses a Valid For-Hire Driver's License.

(2) The Commission will post on its Web site a list of Drivers holding Valid For-Hire Drivers Licenses.

§9B-11(c) Base Fine: \$500 for the first violation in 12 months; \$800 for each subsequent offense within a 12-month period
Appearance NOT REQUIRED

(d) Valid Chauffeur's License Required.

(1) A Base Owner must not dispatch any Vehicle unless it is being driven by a For-Hire Driver with a Valid Chauffeur's License

(2) A Vehicle Owner is responsible for knowing the status of the state-issued driver's license for any driver dispatched in one of Owner's Vehicles.

§9B-11(d) Base Fine: \$500 except if the DMV status of the driver's license is not available on the Commission's website.
Appearance NOT REQUIRED

(e) Advertising of Unlicensed For-Hire Service. A base owner must not hold him or her self out to the public as a for-hire service without a current License issued by the Commission for that activity. "For-Hire" service includes Livery, Black Car, or Luxury Limousine service.

§9B-11(e) Fine: \$350 for the first violation; \$500 for the second violation; revocation for the third violation within 36 months
Appearance REQUIRED

(f) Unapproved Transfer of Base Location. A Base Owner who moves a Base to any location without the prior approval of the Commission is engaging in Unlicensed Activity.

§9B-11(f) Fine: \$200-\$1,500 and Suspension of Base License
Penalty Point: 1
Appearance REQUIRED

§9B-12 Compliance with Law – Workers' Compensation

(a) Livery Base Station.

(1) Compliance with Workers' Compensation Law. Every Livery Base Station must comply with all provisions of the New York State Workers' Compensation Law and regulations with respect to coverage and benefits to eligible persons.

§9B-12(a) Fine: \$25 for each day of non-compliance and either suspension until compliance or Base License revocation
Appearance REQUIRED

(2) Cessation of Benefits to Drivers. Upon filing with the Workers' Compensation Board to end the payment of benefits to the Driver of an affiliated Vehicle who has recovered from a disability and is ready to return to work, a Base Owner must provide the Driver with documentation that benefits have been stopped in order for the Commission to return that Driver's License.

§9B-12(a)(2) Fine: \$100-\$250
Appearance REQUIRED

(b) Black-Car and Luxury Limousine Bases.

(1) Membership in the Black Car Operators' Injury Compensation Fund.

(i) Every Black Car Base and Luxury Limousine Base must become and remain a member of the New York Black Car Operators' Injury Compensation Fund, Inc. ("Fund") and must register with the Department of State as a Member of the Fund.

(ii) This provision does not apply to a Black Car or Luxury Limousine Base that owns fifty (50%) percent or more of the Vehicles it dispatches.

§9B-12(b)(1) Fine: \$25 for each day of non-compliance, to a maximum of \$10,000, and either suspension until compliance or Base License revocation
Appearance REQUIRED

(2) Submit Certificate of Registration with the Fund. Every Black Car Base and Luxury Limousine Base must:

(i) Provide the Commission with a copy of its certificate of registration with the Fund.

(ii) Pay to the Department of State all fees due as required by State law.

§9B-12(b)(2) Fine: \$25 for each day of non-compliance, to a maximum of \$10,000, and either suspension until compliance or Base License revocation
Appearance REQUIRED

(3) Bill and Collect Surcharge. Every Black Car Base and Luxury Limousine Base member of the Fund must add the surcharge established by the Fund and required by State law to each invoice and billing for services and to each credit payment of services performed by a Vehicle affiliated with the Base for every trip:

(i) Originating from a centralized dispatch facility located within the State of New York

(ii) Originating from a point within the State of New York

§9B-12(b)(3) Fine: \$25 for each day of non-compliance, to a maximum of \$10,000, and either suspension until compliance or Base License revocation
Appearance REQUIRED

(4) Remit Surcharges. Every Black Car Base and Luxury Limousine Base must forward to the Fund all surcharges due and owing under paragraph (3), above, no later than the 15th day of the month following the month in which the surcharge is collected.

§9B-12(b)(4) Fine: \$500-\$5,000 for each 20 days the payment is overdue, and suspension until compliance or revocation, together with restitution to the Fund of any unpaid amount, together with interest at the rate of 12 percent per annum
Appearance REQUIRED

(5) Comply with all Rules of the Fund. Every Black Car Base and Luxury Limousine Base must comply with all applicable provisions of law governing the New York Black Car Operators' Injury Compensation Fund, Inc., and all rules and regulations.

§9B-12(b)(5) Fine: \$500-\$10,000 and suspension until compliance or revocation
Appearance REQUIRED

§9B-13 Compliance with Law – Personal Conduct

(a) Bribery Prohibited.

(1) Appearance of Bribery. An Applicant or Licensee must not offer or give any gift, gratuity or thing of value to any employee, representative or member of the Commission, or any other public servant.

§9B-13(a)(1) Fine: Revocation and \$10,000
Appearance REQUIRED

(2) Demand for Gratuity. A Licensee must immediately report to the Commission any request or demand for a gift, gratuity, or thing of value by any employee, representative, or member of the Commission or any other public servant.

§9B-13(a)(2) Fine: \$1,000 up to Revocation
Appearance REQUIRED

(3) Prohibited Offer of Gift to Airport or Transportation Terminal Staff. A Licensee must not offer or give any gift, gratuity, or thing of value to a person or persons employed at any airport or other transportation terminal to provide ground transportation information services, dispatching service, security services, traffic and parking control, or baggage handling.

§9B-13(a)(3) Base Fine: \$1,000 up to revocation
Appearance REQUIRED

(b) Fraud, Theft. While performing the duties and responsibilities of a Licensee, a Licensee must not commit or attempt to commit, alone or in concert with another, any act of fraud, misrepresentation or theft.

§9B-13(b) Fine: \$350-1,000 and/or suspension up to 60 days or revocation
Appearance REQUIRED

(c) Deliberate Acts of Omission. While performing the duties and responsibilities of a Licensee, a Licensee must not deliberately fail to perform, alone or with another, any act where this failure is against the best interests of the public, although not specifically mentioned in these Rules.

§9B-13(c) Fine: \$150 - \$350 and/or suspension up to 30 days or revocation
Appearance REQUIRED

(d) Deliberate Acts of Commission. While performing the duties and responsibilities of a Licensee, a Licensee must not deliberately perform or attempt to perform, alone or with another, any act that is against the best interests of the public although not specifically mentioned in these Rules.

§9B-13(d) Fine: \$150 - \$350 and/or suspension up to 30 days or revocation
Appearance REQUIRED

(e) Threats, Harassment, Abuse. While performing the duties and responsibilities of a Licensee, a Licensee must not threaten, harass, or abuse any person.

§9B-13(e) Fine: \$350-1,000 and suspension up to 30 days
Appearance REQUIRED

(f) Use or Threat of Physical Force. While performing the duties and responsibilities of a Licensee or any act in connection with those duties, a Licensee must not use or attempt to use any physical force against a person.

§9B-13(f) Fine: \$500-1,500 and/or suspension up to 60 days or revocation
Appearance REQUIRED

(g) No Threat or Harm to Service Animal. A Licensee must not distract, harm, or use physical force against or attempt to distract, harm, or use

- physical force against a Service Animal accompanying a person with a disability.
- §9B-13(g) Fine: \$500-1,500 and/or suspension up to 60 days or revocation Appearance REQUIRED
- (h) Notice of Criminal Conviction.
- (1) A Licensee must notify the Commission within 15 calendar days after any felony conviction of the Licensee or of any of Licensee's officers or members.
- (2) The notice must be in writing and must be accompanied by a certified copy of the certificate of disposition issued by the clerk of the court explaining what happened as a result of the conviction.
- §9B-13(h) Fine: \$50 Appearance NOT REQUIRED
- (i) Failure to Cooperate with Law Enforcement. A Licensee must cooperate with all law enforcement officers and all authorized representatives of the Commission. Cooperation includes, but is not limited to, responding to a request for the Licensee's name, License number, and any documents Licensee is required to have in his or her possession.
- §9B-13(i) Fine: \$15-\$150 Appearance REQUIRED
- (j) Failure to Cooperate with the Commission.
- (1) A Licensee must truthfully answer all questions and comply with all communications, directives, and summonses from the Commission or its representatives.
- (2) Within ten days following a request from the Commission, a Licensee must produce any Licenses or other documents the Licensee is required to have.
- (3) Licensee must aid the Commission in obtaining information it seeks regarding Drivers or Vehicles affiliated with the Base.
- §9B-13(j)(1)-(3) Fine: \$200 and suspension until compliance Appearance REQUIRED
- (4) Within 48 hours, a Licensee must respond to any contact from the Commission, seven days a week.
- §9B-13(j)(4) Fine: \$500 Appearance NOT REQUIRED
- (k) Courtesy. A Licensee must be courteous to Passengers.
- §9B-13(k) Fine: \$150 Appearance NOT REQUIRED
- §9B-14 Compliance with Law – Miscellaneous**
- (a) Alcohol and Drug Laws. A Base Owner must not knowingly allow an affiliated For-Hire Vehicle to be operated by a Driver who is under the influence of any drugs or alcohol or whose driving ability is in any way impaired.
- §9B-14(a) Fine: \$10,000 and revocation Appearance REQUIRED
- (b) Disability Laws.
- (1) A Base Owner must not instruct, authorize, or permit an affiliated Driver to discriminate unlawfully against people with disabilities.
- (2) Discrimination includes:
- (i) Refusing to serve People with Disabilities.
- (ii) Refusing to load and unload the mobility aids of People with Disabilities.
- (iii) Charge any more than the set rate for the transportation of People with Disabilities, or their Service Animals, wheelchairs, or other mobility aids.
- §9B-14(b) Fine: \$350-1,000 and/or suspension up to 30 days or revocation Appearance REQUIRED
- §9B-15 Operations – Business Premises**
- (a) Maintenance of Physical Location. A For-Hire Base Owner must maintain a principal place of business in a commercially zoned area, from which affiliated Vehicles and Drivers can be dispatched.
- §9B-15(a) Fine: Suspension until requirement is met. Appearance REQUIRED
- (b) Minimum Number of Affiliated Vehicles.
- (1) A Base must have at least ten affiliated Vehicles associated with the Base except when either of the following applies:
- (i) A Base that was first Licensed before January 1, 1988 will only be required to have at least five affiliated Vehicles.
- (ii) A Livery Base that has an affiliated Accessible Vehicle is only required to have at least five affiliated Vehicles.

- §9B-15(b) Fine: Suspension until minimum is met Appearance REQUIRED
- (c) Working Phone at the Base. A Base Owner must maintain a working telephone at the Base.
- §9B-15(c) Fine: Suspension until compliance Appearance REQUIRED
- (d) Dispatching of Vehicles from Base.
- (1) A Base Station Owner must provide a device for transmitting trip request information to Drivers of affiliated Vehicles.
- (2) Except for Accessible Vehicles, no For-Hire Vehicle can be dispatched from any location other than the location specified in the Base License.
- §9B-15(d) Fine: \$250 and Suspension until compliance Appearance REQUIRED
- (e) Application to Move Base.
- (1) A Base Owner who moves the Base to a new location must apply for approval of the new location by the Commission.
- (2) The proposed location must comply with all of the requirements for obtaining the particular Base License sought; except that if there has been no change in the Ownership of the Base, the Commission can waive the requirements for:
- (i) Proving fitness to hold License and
- (ii) Posting a bond.
- §9B-15(e) Fine: Suspension of Base License. Appearance REQUIRED
- (f) Application to Transfer or Assign Base. A Base Owner must not transfer or assign the Base Owner's License to another without obtaining the Commission's written approval as described in §9B-09 of this Chapter.
- §9B-15(f) Fine: Suspension of Base License. Appearance REQUIRED
- (g) Display Rates. A Base Owner must at all time conspicuously display the current schedule of rates charged by the Base.
- §9B-15(g) Fine: \$50 Appearance NOT REQUIRED
- (h) Display Base Information. A Base Owner must conspicuously display the Base name, any trade, business or operating name, and the Base License number on the front or office door of the Base's premises.
- §9B-15(h) Fine: \$50 Appearance NOT REQUIRED
- (i) Black Car Base Affiliation. Only Black Car Bases can dispatch Vehicles to do line work and only For-Hire Vehicles that are affiliated with Black Car Bases can perform line work.
- §9B-15(i) Fine: \$250 for first violation \$500 for second violation within 24 months Appearance NOT REQUIRED
Revocation for third violation within 24 months Appearance NOT REQUIRED
Appearance REQUIRED
- (j) Off-Street Parking Requirements – Livery Base Stations.
- (1) A Base Station Owner must ensure that the operator of the Base provides and uses legal, off-street facilities for parking and storing the Licensed For-Hire Vehicles that will be dispatched from the Base.
- (2) The available off-street facilities must provide at least one parking space for every two Vehicles affiliated with the Base.
- (3) The distance between the Base and the off-street parking facilities must be one and one-half miles or less.
- (4) The off-street parking facilities must be in a location zoned for the operation of a parking facility.
- (5) Waiver. The Chairperson can reduce the number of required off-street parking spaces or can waive that requirement entirely upon a determination that:
- (i) There are not enough legal off-street parking facilities in the vicinity of the Base to fulfill these requirements,
- (ii) An Applicant demonstrates to the satisfaction of the Chairperson that complying with the off-street parking requirements in paragraphs (1) and (2) would impose an economic hardship upon the Applicant.
- (iii) The Chairperson will not reduce or waive the off-street parking requirements where it has been

- determined in an administrative proceeding that the Applicant, or a predecessor in interest, has violated any provision governing the transfer of the Base.
- (iv) The Commission's decision to waive or reduce the off-street parking requirements:
- A. Will be made in writing.
- B. Will contain a detailed statement of the reasons for the decision
- C. Will be made a part of the Commission's approval of the application for the Base Station License.
- §9B-16 Operations – Special Requirements**
- (a) Occupy Licensed Base Location. All Base Owners must operate the Base on the premises licensed by the Commission.
- §9B-16(a) Penalty: Revocation of License
- (b) Maintain Operations – Livery Base Only.
- (1) A Livery Base Station Owner must not cease operations at the Base Station for a period of 60 or more consecutive days.
- (2) There will be no penalty if the failure to operate for 60 or more days has been caused by strike, riot, war, public catastrophe or other acts beyond the control of the Licensee.
- §9B-16(b) Penalty: Revocation of License
- (c) Use of Temporary Premises – Livery Base Only.
- (1) Where the Commission finds that a particular Livery Base Station cannot be operated due to an act beyond the control of the Licensee, a temporary Base Station License will be issued to the same Licensee for an alternative location, provided that all other requirements for such License are met and provided further that the unexpired term of the original License is six months or more.
- (2) A temporary Base Station License will last no longer than 60 days.
- (3) During the 60-day period, the Base Owner must either:
- (i) File an application to change the Livery Base location or
- (ii) Return operations to the original location and notify the Chairperson of the return.
- (4) The temporary Base Station License will not be extended unless within the 60 day period the Base Station Owner either (1) files an application to change the location and the Commission has not completed its review of the application within the 60 day period or (2) demonstrates that good cause exists for a further extension because the Owner requires additional time to return the Base Station to the original location.
- §9B-16(c) Fine: Revocation Appearance REQUIRED
- §9B-17 Operations – Service Requirements (Customers)**
- (a) Customer Complaints. A Base Owner will be responsible for handling customer complaints when directed by the Chairperson and will provide any information requested by the Chairperson regarding such complaints.
- §9B-17(a) Fine: \$150 Appearance NOT REQUIRED
- (b) No Required Ride-Sharing. A For-Hire Base Owner must not require that any prospective Passenger share a ride with another prospective Passenger.
- §9B-17(b) Base Fine: \$50 Appearance NOT REQUIRED
- (c) Provide Accessible Transportation. A Base Owner must provide transportation service to Persons with Disabilities.
- (1) Alternative Methods of Providing Service. A Base Owner can provide Accessible Vehicle transportation service to Persons with Disabilities either by:
- (i) Dispatching an Accessible Vehicle from Owner's Base, upon request
- (ii) Contracting with another Base to provide and dispatch Accessible Vehicles for Persons with Disabilities.
- (2) Must Provide "Equivalent Service."
- (i) Whether the Base dispatches its own Accessible Vehicles or contracts with another Base, the Base Owner must provide

- “equivalent service” to persons with disabilities.
- (ii) “Equivalent Service” means that the service available to Persons with Disabilities, is equivalent to the service provided to other individuals with respect to:
- A. Response time to requests for service
 - B. Fares charged
 - C. Hours and days of service availability
 - D. Ability to accept reservations
 - E. Restrictions based on trip purpose
 - F. Other limitations on capacity or service availability

§9B-17(c) Fine: \$1000 and, if the violation includes failure to maintain either an affiliated Accessible Vehicle or an arrangement with another Base to provide such service, suspension of the Base License until compliance Appearance REQUIRED

- (d) Must Dispatch Own Vehicles. A Base Owner must not dispatch a Vehicle that is not affiliated with the Owner’s Base, unless:
- (1) Vehicle is affiliated with another Base, and the Owner informs the customer
 - (2) The Base is dispatching an Accessible Vehicle.

§9B-17(d) Fine: \$150 Appearance NOT REQUIRED

§9B-18 Operations – Owners’ Responsibilities with Respect to Drivers

- (a) Create and Enforce Good Conduct Rules.
- (1) A Base Owner must create, maintain and enforce rules governing the conduct of affiliated Drivers while performing their duty as For-Hire Vehicle Drivers.
 - (2) These rules must be submitted in writing to the Commission within seven days of their creation (not including holidays and weekends) and whenever these rules are updated or amended.

§9B-18(a) Fine: \$25-\$100 Appearance REQUIRED

- (b) Rules for Conduct in Area Surrounding the Base.
- (1) A Base Owner will be responsible for ensuring that all “Base personnel” comply with the restrictions established in this subsection (b) within the “restricted area.”
 - (2) For the purposes of this subdivision, “Base personnel” are the Owners of Vehicles affiliated with the Base or dispatched by the Base and their Drivers, whether they are on duty or not.
 - (3) For the purposes of this subdivision, “restricted area” is defined as all public streets and sidewalks located on either side of the Base’s street or within the city block front where the Base is located, including both sides of the street on which the Base is located.
 - (4) In the “restricted area,” “Base personnel” must not do any of the following:
 - (i) Double park
 - (ii) Park on the sidewalk
 - (iii) Park across a driveway
 - (iv) Park by or at a fire hydrant or bus stop
 - (v) Park, stop, or stand in any manner that violates the Vehicle and Traffic Laws of the State of New York and the New York City Traffic Rules
 - (vi) Do mechanical maintenance or make repairs on any Vehicle, except to emergency repairs that are necessary to move a disabled Vehicle (Examples of disabling conditions: a dead battery or a flat tire)

§9B-18(b)(1)-(4) Fine: \$50 for first occasion; \$100 - \$250 for the second and subsequent occasions; non-renewal of Base License for violations on six dates within 12 months Appearance REQUIRED

- (5) A Base Owner must ensure that “Base personnel” obey all applicable traffic and parking regulations within the “restricted area.”

§9B-18(b)(5) Fine: \$50 Appearance REQUIRED

- (6) A Base Owner must ensure that “Base personnel” do not create a nuisance such as engaging in unnecessary horn honking, littering, or playing loud audio material within the “restricted area.”

§9B-18(b)(6) Fine: \$50 Appearance REQUIRED

§9B-19 Operations – Trip Record Information

- (a) Required Information. A Base Owner must make sure that the following records are collected:
- (1) With respect to all dispatched calls:
 - (i) The date, the time, and the location of the Passenger to be picked up
 - (ii) The Driver’s For-Hire License number
 - (2) With respect to all affiliated Vehicles:
 - (i) The Owner’s name, mailing address, and home telephone number
 - (ii) The Vehicle’s registration number
 - (iii) The Vehicle’s License number
 - (iv) The Vehicle’s license plate number
 - (v) The name of the Vehicle’s insurance carrier and the policy number
 - (vi) The dates of inspection of the Vehicle and the outcome of each inspection

(b) Maintenance of Required Information.

- (1) A Base Owner must make sure that all required information listed above is kept and made available for inspection by Commission representatives during regular business hours.
- (2) Required operational records must be safely maintained at the Base for a period of six months; inspection records must be kept for 12 months.

§9B-19(b) Fine: \$25-\$100 Appearance REQUIRED

§9B-20 Operations – Current Contact Information

- (a) Base Name.
- (1) File with Commission. A For-Hire Base Owner must file with the Commission the name it uses (including any trade, business or operating names) in the operation of the Base or in promotions or advertising.
 - (2) No “Substantially Similar” Names. The Chairperson can reject any such trade, business or operating name if, in the judgment of the Chairperson, such name is substantially similar to the trade, business or operating name of another Base.
 - (3) Only One Name per Base.
 - (i) A Base must use only one trade, business or operating name in its operations, including in its public communications, advertising, promotional activities, and Passenger solicitation activities.
 - (ii) A Base can add words such as “premium” or “select” to its approved trade name to promote a different level of service, if the Base offers multiple levels of service.
 - (4) Only One Base per Name. Any trade, business or operating name approved by the Chairperson for one Base cannot be used by any other Base, unless both Bases seeking to use the same trade, business or operating name share identical Owners.

§9B-20(a) Fine: \$100 Appearance NOT REQUIRED

(b) Mailing Address.

- (1) A For-Hire Base Owner must file the address of its Base with the Commission.

§9B-20(b)(1) Fine: \$100 Appearance NOT REQUIRED

- (2) Any notice from the Commission will be deemed sufficient if sent to the last Mailing Address provided by the For-Hire Base Owner.

(c) Capacity for 24-Hour Access.

- (1) A For-Hire Base Owner must maintain a current telephone number on file with the Commission.

- (2) This number must be connected to an answering machine or must be a pager number, an answering service telephone number, or something similar that allows the Commission to reach the Base Owner on a 24-hour basis.

§9B-20(c) Fine: \$100 Appearance NOT REQUIRED

§9B-21 Operations – Additional Records to be Maintained and Reported

- (a) Maintenance of Current Rate Schedule.
- (1) A Base Owner must file a Rate Schedule with the Commission, in a form approved by the Chairperson.
 - (2) A new Rate Schedule must be filed:
 - (i) Whenever rates are changed and also
 - (ii) Annually, no later than the anniversary date of the License.
 - (iii) With every renewal application
 - (iv) With any application to change the Ownership or location of the Base.
 - (3) Failure to file a Rate Schedule with a renewal application or an application to change Ownership or location will result in denial of the application by the Chairperson.

§9B-21(a) Fine: \$50 Appearance NOT REQUIRED

- (b) Hours of Operation. A Base Owner must file with the Chairperson the Base’s hours of operations and must notify the Chairperson of any change in the hours of operation.

§9B-21(b) Fine: \$50 Appearance NOT REQUIRED

(c) Public Access Information.

- (1) A Base Owner must file with the (5) Chairperson all contact information made available to or offered to the public for purposes of pre-arranging transportation for hire, including telephone numbers, Web sites and email addresses.
- (2) These telephone numbers, Web sites, email addresses and other contact information and methods can be used only with the name of the Base approved under §9B-20(a) of this Chapter.

§9B-21(c) Fine: \$100 Appearance NOT REQUIRED

(d) Affiliated Vehicles and Drivers List.

- (1) A Base Owner must maintain paper or electronic records of all For-Hire Vehicles that are or have been affiliated with or dispatched by the Base during the prior 12-month period, including, as applicable:
 - (i) Dates of affiliation,
 - (ii) Vehicle identification numbers,
 - (iii) Department of Motor Vehicles (or equivalent) registration numbers,
 - (iv) For-Hire Vehicle License numbers,
 - (v) Inspection records,
 - (vi) Copies of forms affiliating and disaffiliating Vehicles.
- (2) A Base Owner must maintain paper or electronic records of all Drivers of these Vehicles including:
 - (i) Dates of operation,
 - (ii) Department of Motor Vehicles driver’s license numbers,
 - (iii) For-Hire Driver’s License numbers.

§9B-21(d) (1) & (2) Fine: \$50 Appearance NOT REQUIRED

- (3) Filing Notice with the Commission. A Base Owner must send the Commission the list of affiliated Drivers and Vehicles (described in (1) and (2) above) on a quarterly basis.

§9B-21(d)(3) Fine: \$100 Appearance NOT REQUIRED

- (e) Evidence of Compliance with Off-Street Parking Rules – Livery Base Only. A Livery Base Owner must maintain and have available for inspection at the Base the evidence of compliance with off street parking requirements in the form required by §9B-15(J) of this Chapter.

§9B-21(e) Fine: \$50 Appearance NOT REQUIRED

- (f) Compliance with all Record Keeping Rules. A Base Owner must comply with all record-keeping procedures established and required by the Commission.

§9B-21(f) Fine: \$25 - \$100 Appearance REQUIRED

§9B-22 RESERVED (Records – Reporting Requirements)

§9B-23 Operations – Rates and Tolls

(a) Rates Must Not Exceed Scheduled Rates. A Base Owner must not quote or charge a fare that is more than the fare listed in the Rate Schedule filed with the Commission.

§9B-23(a) Fine: \$200 for Passenger overcharge, whether from any quote or from schedule of fares required to be filed with the Commission. Appearance NOT REQUIRED [Yes] No

(b) Rate Quotes – Livery Base Only.

(1) A Base Station Owner must provide an accurate and binding price quote to any prospective Passenger contacting the Base for transportation to a specified destination and intermediate stop(s).

(2) Honoring Rate Quotes. If the Passenger agrees to receive the transportation, the Base Owner must honor the price quoted unless the Passenger changes the destination or number of stops.

§9B-23(b) Fine: \$100 for failure to provide quote on request. Appearance NOT REQUIRED

(c) Transportation by Pre-Arrangement Only. A Base Owner must be responsible for ensuring that transportation is provided only by pre-arrangement through the Base.

§9B-24 RESERVED (Operations – E-Zpass Required)

§9B-25 Operations – Miscellaneous Operating Requirements

(a) No Street Hails Permitted. A Base Owner must maintain and enforce rules and policies preventing Vehicles affiliated with the Base or dispatched by the Base and Drivers of these Vehicles from accepting street hails.

§9B-25(a) Fine: Suspension until compliance Appearance REQUIRED

(b) Prohibited Use of “Taxi.” A Base Owner must not hold himself out for business as a “taxi” or “taxicab” service or in any way use the word “taxi,” “taxicab,” “cab,” “hack,” or “coach” to describe the business.

§9B-25(b) Fine: \$250 Appearance NOT REQUIRED

(c) Advertising of Commission License.

(1) A Base Owner must clearly state that the Base is licensed by the Commission in all advertising, whether print, broadcast, electronic or Internet, and in all handbills, fliers, websites or other promotional materials and on all business cards and receipts.

(2) All of the advertising and materials listed in (1) above must include the For-Hire Base License number.

§9B-25(c) Fine: \$100 Appearance NOT REQUIRED

(d) Termination of Affiliation.

(1) Base Owner Termination. A Base Owner can terminate the affiliation of a Vehicle only by:

(i) Giving the Chairperson an agreement signed and dated by both parties in which the Vehicle Owner consents to the termination, or

(ii) Sending notice to the Vehicle Owner’s Mailing Address by certified mail, return receipt requested, together with proof of mailing, and sending copies of the notice and proof of mailing mailed to the Commission.

(iii) Termination will become effective either:

A. The date of the Vehicle Owner’s signed agreement, or

B. The date notice is mailed to the Vehicle Owner.

(iv) A Base Owner can notify the Commission at any time when a Vehicle is no longer affiliated with Owner’s Base; this notification will be a defense to any liability attaching to the Owner for damage to persons or property caused by the Vehicle after the notification.

(2) Automatic Termination of Affiliation.

(i) A Vehicle’s affiliation with a Base will terminate automatically when any of the following occurs:

A. The Base License is revoked

B. The Base License is suspended

for more than 30 continuous days;

C. The Base License expires

(ii) In addition, a Vehicle’s affiliation with a Base will terminate automatically upon expiration or revocation of the Vehicle’s License.

§9B-26 Vehicles – Inspections

(a) Tri-Annual Inspection Required. For-Hire Vehicles must be inspected three times a year including at least once every four months.

§9B-26(a) Base Fine: \$350 Appearance NOT REQUIRED

§9B-27 Vehicles – Meets Safety Standards

(a) Unsafe or Unfit Vehicles.

(1) No For-Hire Vehicle can be used in a For-Hire Vehicle service after the Commission or the NYS DMV has determined that the Vehicle is unsafe or unfit for use as a For-Hire Vehicle, and the Owner has been directed to remove the Vehicle from service.

(2) If the Commission or the Commission’s inspection facility determines that the Vehicle is unsafe or unfit, the Decals must be removed by the Commission.

(3) If the NYS DMV or a DMV inspection facility determines that the Vehicle is unsafe or unfit, the Vehicle Owner must return the Decals to the Chairperson within 72 hours after the determination is made.

(4) If the Chairperson has any reason to believe that any For-Hire Vehicle is unsafe or unfit for use, the Chairperson can order the Vehicle to report to the Commission’s inspection facility.

(b) Seat and Shoulder Belts. Each For-Hire Vehicle must have all seat belts and shoulder belts clearly visible, accessible, and in good working order.

§9B-27(b) Fine: \$100 – 250 Appearance REQUIRED

(c) Shoulder Belts Required. In addition to seat belts for each seating position and shoulder belts for both outside front seat positions, all For-Hire Vehicles must be equipped with shoulder belts for both outside Passenger rear seat positions.

§9B-27(c) Fine: \$100 – 250 Appearance REQUIRED

§9B-28 Vehicles – Miscellaneous Requirements

(a) Post-Manufacture Alteration.

(1) No For-Hire Vehicle License can be altered after manufacture:

(i) To increase its length, width, weight or seating capacity, or

(ii) To modify its chassis and/or body design.

(2) A For-Hire Vehicle can be altered, after manufacture, if the modification:

(i) Has been made under a program approved in advance by the original vehicle manufacturer, and

(ii) The alteration has been performed by an entity approved and certified by the vehicle manufacturer to perform such alterations.

(3) An original, unaltered, approved vehicle modifier’s certification sticker must be affixed to the Vehicle at a location to be determined by the Commission.

§9B-28(a) Base Owner Fine: \$1,000. Appearance REQUIRED

(b) Proper Vehicle Identification Required.

(1) License Plate Number Matches. The license plate number on the motor vehicle tax stamp, on the state registration certificate, and on the Commission Decals must match each other and must match the number on the license plates affixed to the Vehicle.

§9B-28(b)(1) Fine: \$100 Appearance NOT REQUIRED

(2) Vehicle Identification Number Matches. The last six digits of the vehicle identification number (VIN) on the Commission Decals must match the last six digits of the VIN on the state registration, and the VIN on the Vehicle.

§9B-28(b)(2) Fine: \$100 Appearance NOT REQUIRED

(3) T & LC License Plates. A For-Hire Vehicle that is registered in New York must have official “T&LC” license plates.

§9B-28(b)(3) Fine: \$100 - \$350 and Appearance NOT

Summary Suspension until compliance REQUIRED

§9B-29 Vehicles – Markings & Advertising

A Base Owner must not dispatch a Vehicle from its Base unless the Vehicle complies with the following requirements.

(a) Valid License Decals.

(1) Three Valid Commission License Decals must be plainly visible and affixed to the Vehicle in the following locations:

(i) One Decal must be on the lower front right side of the windshield.

(ii) One Decal must be on the lower rear corner of each of the two rear quarter windows; if there are no rear quarter windows, the Decals must be on the lower rear window just above the rear door.

(iii) The Decals must be affixed by Commission staff.

(2) When the Vehicle License is renewed or when the Vehicle is replaced, changes affiliation, or changes its license plates, the Vehicle must be brought to the Commission Safety and Emissions Division to have new Decals placed on the Vehicle.

(3) Exception for Luxury Limousines. Any For-Hire Vehicle that is a Luxury Limousine will only be required to have a single Commission Decal affixed to the lower right side of the front windshield.

§9B-29(a) Failure to have proper Decals: \$500 for the first offense in 12 months \$1,000 for the second and subsequent offenses within a 12-month period. Appearance NOT REQUIRED

(b) Valid Registration Sticker. A valid registration sticker from an authorized state motor Vehicle department must be affixed to the left front windshield so as to be plainly visible.

§9B-29(b) Fine: \$100 Appearance NOT REQUIRED

(c) Inspection Sticker. A Valid New York State DMV inspection sticker that has at least eight months left before the sticker expires must be clearly visible on the left side of the front windshield.

§9B-29(c) Base Owner Fine: \$350 Appearance NOT REQUIRED

(d) Taxicab Yellow Prohibited. No part of a For-Hire Vehicle can be painted any shade of Taxicab yellow.

§9B-29(d) Fine: \$350 for the first violation; \$500 for the second violation in 24 months; Revocation for the third violation in 36 months Appearance REQUIRED

(e) Prohibited Advertising.

(1) A Vehicle must not display advertising on the outside or the inside unless the Commission has authorized the advertising and has given the Vehicle Owner a permit specifying that the advertising complies with the Administrative Code.

(2) The Commission will not approve any roof top advertising for For-Hire Vehicles.

§9B-29(e) Fine: \$50 Appearance NOT REQUIRED

(f) Motor Vehicle Tax Stamp.

(1) For Vehicles registered with the Department of Motor Vehicles before April 30, 1999, a Valid NYC commercial use motor vehicle tax stamp must be affixed to the front right side of the windshield of the Vehicle and clearly visible.

(2) For Vehicles registered after April 30, 1999, the Owner must show proof that the required commercial use motor vehicle tax for the current tax period has been paid.

§9B-29(f) Fine: \$100 Appearance NOT REQUIRED

(g) Livery Base Station Affiliation Signs. A For-Hire Livery Vehicle must identify its affiliated Base Station on the outside of the Vehicle as follows:

(1) The name of the Base Station, its License number and telephone number in one of the following ways:

(i) In letters and numerals at least one-and-one-half inches in height, on the outside of a door or doors on both sides of the Vehicle, below the windows and at least six inches above the bottom of the door(s);

(ii) In letters and numerals at least

- one inch in height in one location on the rear of the Vehicle below the rear window, and at least six inches above the bottom of the rear of the Vehicle, or
- (iii) Both on the doors and rear of the Vehicle.
- (2) The letters and numerals must be of a color that contrasts with the color of the body of the Vehicle so that it is easy to see and read.
- (3) Lettering and numbering must be spaced to provide easy legibility and, if placed on doors on both sides of the Vehicle must be identical on both sides of the livery.
- (4) All Decals must be semi-permanent adhesive stickers.
- (5) Exemption. Luxury Limousines and Black Cars are exempt from the requirements of this subdivision.

§9B-29(g) Fine: \$25 Appearance NOT REQUIRED

- (h) Required Signage for Accessible Vehicles. Any Accessible Vehicle licensed by the Commission must display signs that identify the Vehicle as an Accessible Vehicle. The signs design will be provided by the Commission on its Web site or through other appropriate means as announced on its Web site. The signs must be placed on the Vehicle as follows:
 - (1) Must be located on the exterior of the C-pillars of a sedan or an SUV or on the exterior of the D-pillars of a minivan, on both sides of the Vehicle
 - (2) Must be visible to Passengers entering the Accessible Vehicle

§9B-29(h) Fine: \$75 Appearance NOT REQUIRED

- (i) Required Signage for Clean-Air Vehicles. Any Clean Air For-Hire Vehicle licensed by the Commission must display signs that identify the Vehicle as a Clean Air Vehicle. The signs design will be provided by the Commission on its Web site or through other appropriate means as announced on its Web site. The signs must be placed on the Vehicle as follows:
 - (1) Must be located on the exterior of the C-pillars of a sedan or an SUV or on the exterior of the D-pillars of a minivan, on both sides of the Vehicle
 - (2) Must be visible to Passengers entering the Clean Air Vehicle

§9B-29(i) Fine: \$75 Appearance NOT REQUIRED

§9B-30 Vehicles – Items Required to be in Vehicle

- (a) Licenses and Certificates. No For-Hire Vehicle can be dispatched by a For-Hire Base unless the Vehicle contains:
 - (1) On the right visor, on top of the right side of the dashboard or in the glove compartment:
 - (i) The certificate of registration or a legible copy of it
 - (ii) The insurance card or a legible copy of it
 - (2) In a protective holder attached to the back of the driver's seat in the Vehicle:
 - (i) The For-Hire Vehicle Driver's license of the Driver; and
 - (ii) The For-Hire Vehicle License.
 - (3) Exception for Black Cars and Luxury Limousines.
 - (i) Black Cars and Luxury Limousines must comply with all requirements of this subdivision (a) except that these Vehicles will not be required to have a protective holder mounted behind the driver's seat to display:
 - C. The For-Hire Vehicle Driver's License
 - D. The For-Hire Vehicle License
 - (ii) Those items must, however, be displayed in the Vehicle in a way so as to be clearly visible from the Passenger seat and available for inspection by the Passenger upon request.

§9B-30(a)(1)-(3) Fine: \$50 for each violation of this rule; however, no fine for a violation of this rule can exceed \$100 Appearance REQUIRED

- (b) Livery Passengers' Bill of Rights. No For-Hire Livery Vehicle can be dispatched by a For-Hire Base unless the Vehicle contains:
 - (1) The Livery Passengers' Bill of Rights in a

- form and format prescribed by the Commission.
- (2) The Commission will post the proper form and format on its Web site or will provide the information through other appropriate means that will be posted on its Web site.
- (3) The Livery Passengers' Bill of Rights must be placed in a protective holder attached to the back of the front Passenger's seat.

§9A-30(b) Fine: \$100 Appearance NOT REQUIRED

§9B-31 Vehicle – Equipment

A Base Owner must not dispatch a Vehicle from its Base unless the Vehicle is in compliance with all of the following requirements.

- (a) Roof Light. A Base Owner must not dispatch a For-Hire Vehicle that is equipped with a roof light, unless the Vehicle that operates primarily in Staten Island and is affiliated with a Base located in Staten Island. A roof light on a Staten Island Vehicle must meet the specifications in the definition of "roof light" in these rules.
- §9B-31(a) Fine: \$350 – first violation \$500 – second violation in 24 months Revocation for third violation in 36 months Appearance REQUIRED

- (b) Meter. A Base Owner must not dispatch a For-Hire Vehicle that is equipped with a meter except for a Wheelchair Accessible Livery Vehicle that is participating in the accessible dispatch program described in Chapter 3.
- §9B-31(b) Fine: \$50 Appearance NOT REQUIRED

- (c) Distress Signal Light – Livery Vehicle.
 - (1) Requirement. A Base Owner must not dispatch a Livery Vehicle unless it is equipped with a help or distress signaling light system meeting the specifications in Sub-chapter §9C-03 of these Rules.
 - (2) Exemption. Vehicles affiliated only with a Black Car Base or a Luxury Limousine Base are not subject to this requirement.

§9B-32 Vehicle Equipment – Partitions for Livery Vehicles

- (a) Requirement.
 - (1) A Base Owner must not dispatch a For-Hire Livery Vehicle unless it is equipped with a partition that isolates the Driver from the rear seat Passengers or is exempt from this requirement as described below.
 - (2) The specifications for the required partition is described in Sub-chapter §9C-01 of these Rules.

- §9B-32(a) Fine: \$350 and suspension until the condition is corrected Appearance REQUIRED
- (b) Exemptions.
 - (1) A For-Hire Livery Vehicle will be exempt from the requirements of paragraph(a) (1) if the Vehicle is equipped with all of the following safety devices:
 - (i) An FCC-licensed commercial two-way radio with an emergency button that would notify the dispatcher that the Driver is in trouble or a cellular telephone that has an emergency dialing feature
 - (ii) The distress signal light required by §9B-31(c), above
 - (iii) An approved in-vehicle camera system described in §9B-33(a) below.
 - (2) Vehicles affiliated only with a Black Car Base or a Luxury Limousine Base are not subject to this requirement.

§9B-33 Vehicle Equipment – In-Vehicle Camera System (IVCS)

- (a) Requirements for In-Vehicle Camera System. If a Livery Vehicle installs an IVCS as one of the requirements for exemption from installing a partition:
 - (1) The IVCS must meet the specifications described in Sub-chapter 9C §9C-02 of these Rules.
 - (2) Sign. The Vehicle must display signs on each rear Passenger window, clearly visible to the outside that say **"This Vehicle is equipped with camera security. You will be photographed."** In letters at least one-half inch high.

§9B-34 RESERVED (Taxicab Specific Vehicle Equipment)

§9B-35 Penalty Points for Bases

- (a) Accumulation of Points. A Base will accumulate

- Penalty Points as penalties for violation of certain Rules and upon certain violations by the Base's affiliated Vehicles, as specified below.
 - (b) Notification of Affiliated Vehicle Points. A Base will be notified by the Commission (by USPS to the Base Mailing Address) whenever an affiliated For-Hire Vehicle accumulates a Penalty Point.
 - (c) Assessment of Point for Revocation of Affiliated Vehicle License. A Base will be assessed one Penalty Point whenever an affiliated For-Hire Vehicle accumulates Penalty Points sufficient in number and time, that the Commission revokes the Vehicle's License.
 - (d) Six Penalty Points Requires Base License Revocation. The License of any Base that accumulates six or more Penalty Points for occurrences during any License term will be revoked.
 - (e) Points Accrued but not Assessed Before Renewal.
 - (1) If points are imposed after a Base License has been renewed based on a violation that occurred before the renewal, the points will be added to the total points accumulated by the Base before its renewal.
 - (2) If the additional Points raise the total number to six or more Points, the Base License will be revoked.
 - (f) Revoking a License.
 - (1) The Chairperson can begin revocation proceedings whenever a Base Licensee has been assessed six or more points during the current term of that License.
 - (2) The Licensee's Base License can also be revoked as part of the decision imposing the final point necessary for revocation.
 - (g) Separate Proceedings for Base License and Vehicle License Revocation. At any time revocation of a Base License is mandated and the last penalty point arises from the same incident that created the For-Hire Vehicle License revocation mandate, separate proceedings must be held for the Base License revocation and the Vehicle License revocation.
 - (h) Point Reduction Program. The Chairperson will develop a point reduction program applicable to Vehicles and Bases.
 - (i) Penalty Point Program Start Date. No Penalty Points will be imposed for violations occurring before August 1, 2009.
- §9C-01 In-Vehicle Camera System ("IVCS")**
- (a) Requirement. When an existing IVCS is required to be replaced or when an IVCS system is installed, it must meet the specifications below.
 - (b) Technical Specifications.
 - (1) The IVCS must be connected to the vehicle battery, and the fuse for the connection must be concealed in a tamper-resistant housing.
 - (2) Wiring between the recording unit and the camera head must use at either end, tamper-resistant registered jack (RJ) style connectors.
 - (3) All electrical connections and wiring must be protected from spikes and dips in vehicle voltage.
 - (4) The camera head housing and brackets must be tamper-proof and securely mounted to the right of the rear view mirror. The installation must provide unobstructed vision for the driver.
 - (5) The camera's field of view must include the full face of all occupants seated in passenger seats and facing forward.
 - (6) Images must be recorded and stored in a unit separate from the camera head.
 - (7) The recording unit must be concealed from view and fastened securely with tamper-resistant hardware.
 - (8) The IVCS must provide a visual indication of system status that is located on the lower left portion of the dashboard and is visible to the driver and to law enforcement personnel inspecting the vehicle from outside of the driver door.
 - (9) The IVCS and components must be sufficiently shock-resistant to withstand typical vehicle movement and collisions.
 - (10) The IVCS must have an RS-232 connection or other means for secure image retrieval.
 - (11) Images must be sharp, undistorted, and clear enough to enable the viewer to identify all passengers under all lighting conditions, including, for example, dark and bright light, daylight, and backlight.
 - (12) Sensor resolution must be, at a minimum, 510 by 480 pixels.

- (13) Storage capacity must be, at a minimum, 7,000 images in an encrypted format, and all access to the storage unit must result in the storage of an electronic "tag" including the installer identification number and date of the event.
- (14) The IVCS must have connection ports for a minimum of two (2) cameras.
- (15) The IVCS must have an event flag or panic button accessible to the driver and located in an inconspicuous location.
- (16) The IVCS must record images and the following information for each image:
- Date and time
 - For-Hire Vehicle License number
 - IVCS serial number
 - IVCS indicator for event flags
- (17) Image capture must be linked to the following events:
- Vehicle door openings and closings
 - Event flag button activation
 - Event flag in the test mode when the image(s) are recorded for inspection and test purposes
 - Panic button activation
- (18) In the event of a panic button activation, systems must record to protected memory a total of three events. The recording must include, at a minimum, the 2.5 minutes immediately before and after the button activation, at one frame per second.
- (19) Image access may be provided only to law-enforcement agencies, including the New York City Police Department.
- (20) If the IVCS has a physical port for secure image retrieval, the port must be located on the right side of the dashboard or in the trunk, installed inconspicuously, and accessible to law enforcement personnel.
- (21) When memory storage capacity is reached, the IVCS must overwrite the oldest images as new images are recorded in sequence.
- (22) Installations and repairs of IVCS may be performed only by installers authorized by the manufacturer and currently licensed by the Department of Consumer Affairs. Installations and repairs may also be performed by Taximeter Businesses currently licensed by the Commission under to Chapter 14 of this title.
- (23) A notarized affidavit signed by a manufacturer's authorized installer attesting to the proper functionality of the IVCS must be provided to the Commission by the authorized installer: (i) annually, and (ii) within 14 calendar days after any installation, repair, or modification of the IVCS.

§9C-02 Partitions – Livery Vehicles Only

- (a) Requirement.
- The vehicle must be equipped with a partition that isolates the driver from the rear seat passengers or all passengers of the vehicle.
 - The purpose of the partition is to provide protection to the driver while ensuring passenger safety and enabling rear seat passengers to enjoy a clear and unobstructed view of the For-Hire Driver's License and front windshield.
 - A Vehicle Owner can apply for a certificate of exemption from the requirement to install a partition if the Vehicle has a communication device, distress signaling light and IVCS as specified in §9A-32(b) of Sub-chapter 9A.
- (b) Technical Specifications.
- The partition must extend from the ceiling to a specific point as recommended by the Chairperson and approved by the Commission, based upon the make and model of the vehicle.
 - The transparent portion of the partition must be constructed of a mar-resistant polycarbonate not less than 0.375 inches thick that will provide passengers and drivers with maximum visibility.
 - For a flat partition and a partition for a For-Hire Vehicle with factory installed curtain airbags, the transparent portion must extend from the ceiling to join or overlap with the

protective plate of the partition.

- For an L shaped partition, on the side that is behind the driver, the transparent portion of the partition must extend from the ceiling to join or overlap with the protective plate of the partition. On the side that extends forward to back between the two front seats, the transparent portion of the partition must extend from the ceiling to join or overlap with the protective plate of the partition on the right side of the center console located between the two front seats.

- The protective plate must join or overlap with the transparent portion of the partition and extend downward to the floor of the vehicle. The protective plate must be a plate of 0.085-inch thick bullet-resistant ballistic steel or its equivalent recommended by the Chairperson and approved by the Commission. The protective plate must be installed inside and covering the front seat's entire backrest.

- The protective plate must extend from the point that the transparent portion joins it downward to the floor of the For-Hire Vehicle.
- If the transparent portion overlaps the protective plate, the protective plate must extend from the point of joinder with the transparent portion downward to the floor of the For-Hire Vehicle.

- For an L shaped partition, the protective plate must also cover the right side of the center console between the two front seats.

- The entire protective plate of each partition must have sufficient padding to prevent injury to any rear-seat passenger in case of an accident or sudden stopping, and all surfaces must be free of sharp and rough edges.

- There must be no opening or gap between the partition and the body of the vehicle larger than one inch, except for vehicles equipped with factory installed curtain airbags. In those vehicles, the partition shall allow a space of six inches on each side, sufficient to permit proper deployment of the curtain airbags.

- In addition to meeting all other technical specifications, a partition may be installed only if it does not impair passenger and driver safety and allows passengers and drivers to communicate with each other.

§9C-03 Distress Signal Lights – Livery Vehicles Only

- (a) Requirement. An owner must equip all For-Hire Vehicles with a help or distress signaling light system consisting of two turn signal type "lollipop" lights.
- (b) Technical Specifications.
- One light must be mounted on the front center of the vehicle, either on top of the bumper or forward or behind the grill. A second light must be mounted on top of the rear bumper, to the left of the license plate.
 - Each light must be three to four inches in diameter, have a total rated output of 32 candle power, and be amber-colored or have an amber-colored lens so that the light output of the device is the color amber at 32 candle power.
 - The activator must be installed within easy reach of the driver, must be silent when operating, and must be fully solid-state.
 - The lights must be able to flash between 60 and 120 times per minute.

Statement of Basis and Purpose of Rules

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 rules are part of a project undertaken by the Taxi and Limousine Commission ("TLC") to revise its existing rule book. The first phase of this project consists of reorganizing and redrafting TLC's rules, to enhance their clarity and accessibility without substantive change. Accordingly, these rules are not intended to make any changes to TLC's current policies, procedures or operations.

During this first phase of the rules revision project, all of TLC's existing rules will be redrafted, then posted on a chapter-by-chapter basis on the TLC Web site for review and discussion by interested members of the public. Each chapter will be revised based on that discussion, then published for

public comment and public hearing pursuant to the City Administrative Procedure Act (CAPA). Because this phase of the rules revision is intended to involve no substantive changes to the rules, and as announced at the Commission meeting held on August 7, 2008, public hearings will be held separately from monthly stated Commission meetings.

When this process has been completed for all TLC rules, the complete set of rules will be presented to the Commission for promulgation simultaneously with repeal of the current set of TLC rules. The revised rules will replace the existing rules compiled in chapter 35 of the Rules of the City of New York. It is anticipated that the promulgation of the revised rules and repeal of the current rules will occur in 2010.

After the first phase of its rules revision is completed, TLC will move to the second phase, which will involve the assessment of its rules for more substantive changes.

The rules proposed here are as follows:

Current Rule Chapters revised in this rule-making	Proposed Rule Chapters
Chapter 6 (in part), FHV Vehicles and Bases	Chapter 9, For-Hire Service

The proposed rules make several substantive changes to the provisions of current rules governing for hire vehicles and bases. Specifically, the proposed rules:

- Eliminate as obsolete references to contact from the TLC by "telephone or pager" as contact may be made by email, where appropriate.
- Clarify that a camera is the only device, together with either a two-way radio with an emergency button or a cell phone which has an emergency dialing feature, approved by the Commission for vehicles that are not required to have a partition if they have another device.
- Clarify that the license replacement fee applies to decals as well as licenses, consistent with TLC practice.
- Clarify, consistent with section 19-511(e) of the NYC Administrative Code, that a base with an affiliated Accessible Vehicle needs only 5 vehicles affiliated with it.
- Eliminate as obsolete requirements that interim license decals be completed as required by the TLC.
- Clarify existing rule provisions that appear (contrary to TLC practice) to require for-hire vehicle owners to take periodic defensive driving courses
- To fully incorporate the provisions of Local Law 16 of 2008, the penalty provisions have been amended to reflect that fines are stayed for thirty days, and further pending decision of a timely-filed appeal.

Supplemental Statement

A public hearing on these proposed rules was held on April 2, 2010. Following that hearing the TLC voted at a public meeting on May 20, 2010 to conditionally approve these rules, subject to a further vote of approval after all 19 revised rules chapters have been conditionally approved. All 19 chapters having now been conditionally approved by the TLC, the 19 chapters are being republished for additional public comment and final approval by the TLC.

After the conditional TLC approval of this rules chapter, the following additional substantive changes have been made to this chapter as a result of public comment and testimony previously received and considered and staff comments:

- Technical changes were made to conform certain definitions to those proposed in Chapter 1, Definitions as a result of staff comment.
- The insurance provisions governing luxury limousines were amended to clarify that the requirements for so-call PIP coverage apply to all luxury limousines, based on a staff comment.
- The general penalty and fines provisions were amended to clarify that bases awaiting license renewal may continue to operate, based on a staff comment.

Notice of Public Hearing and Opportunity to Comment on Proposed 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") proposes amended rules governing Paratransit Vehicles and Service.

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. These proposed rules were included in the TLC's regulatory agenda for Fiscal Year 2010.

A public hearing on these proposed rules was held by the TLC at its offices at 40 Rector Street, 5th Floor, New York, New York, 10006 on June 5, 2009 at 2:30 P.M.

An additional 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 July 8, 2010 at 10:00 A.M. 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 July 1, 2010.

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 who wish to speak at the hearing will be strictly limited to three minutes of speaking time. Persons who wish to comment on the proposed rules are urged to submit written comments. There is no page limit on written comments.

Written comments in connection with these proposed rules should be submitted to the Office of Legal Affairs and must be received no later than July 6, 2010 to:

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 summary of all comments received at the hearing will be available for public inspection at that office.

Section 1. It is hereby proposed to amend Title 35 of the Rules of the City of New York by adding a new chapter 10 thereto, to read as follows:

New Material is underlined.

Chapter 10 PARATRANSIT VEHICLES AND BASES

Sub-chapter 10A Paratransit Vehicle Owners

Sub-chapter 10B Paratransit Base Station Owners

§10A-01 Scope of this Sub-chapter

- (a) To establish the procedures and requirements for obtaining and maintaining a Paratransit Vehicle Owner's License.
- (b) To provide penalties for violation of the requirements of maintaining a Paratransit Vehicle Owner's License.

§10A-02 Penalties

- (a) Unlicensed Activity.
 - (1) Unlicensed Activity is the act of providing or advertising the provision of any Commission-regulated for hire transportation service by:
 - (i) Any Licensee whose License is suspended, revoked, or expired and not yet renewed, or
 - (ii) Any person who does not hold a Valid License or authorization from the Commission as a for hire driver, for the for hire vehicle, or for the for hire service, as applicable.
 - (2) Unlicensed Activity specifically includes the activities listed in §19-506 and §19-528 of the Administrative Code, and can subject the violator to the seizure and possible forfeiture of the vehicle involved.
- (b) Specific Penalties. If there are specific penalties for violating a Rule, they are shown at the end of the Rule. The penalty section also states whether the violator must attend the Hearing.
- (c) Payment of Fines.
 - (1) Fines are due within 30 days of the day the violator is found guilty of the violation.
 - (2) If fines are not paid by the close of business on the date due, the violator's License will be suspended until the fine is paid.
 - (3) If a Respondent has made a timely request for a copy of the hearing recording (see §18-14(e) of these Rules), the time for payment of fines is extended to 21 days from the date the recording is issued.
- (d) Mandatory Penalties.
 - (1) The following violations incur mandatory penalties:

Description of Violation	Rule	Mandatory Penalty for All Violations
1. Operation of unlicensed vehicle	§10A-10(a)	
2. driver unlicensed by TLC	§10A-10(b)	● First violation: \$100-\$350
3. Driver unlicensed by State and/or has not qualified as Article 19-A "bus driver"	§10A-10(c),(d)	● Second violation (any combination of provisions) within 24 months: \$350 - \$500
4. Unlicensed advertising "having Paratransit Service"	§10A-10(f)	
5. Marking or defacing Paratransit Vehicle License	§10A-09(a)	● Third violation (any combination of provisions) within 24 months: Mandatory
6. No overcharges or disability surcharges	§10A-22(a)	● Third violation (any combination of provisions) within 24 months: Mandatory
7. No refusing orderly passenger	§10A-16(d)	● Revocation of License

- (2) The 24-month period will be counted backward from the date of the most recent conviction.
- (3) The License of any Licensee who has five (or more) open and outstanding summonses for a 12-month period, will be revoked. The 12-month period will be counted from the date the earliest summons was issued.

§10A-03 Definitions Specific to this Sub-chapter

- (a) Applicant in this Sub-chapter means an Applicant

for an original or renewal Paratransit Vehicle License.

- (b) Base Affiliation. Each Paratransit Vehicle must be associated with a specific Paratransit Base and work only with the Base with which it is affiliated.
- (c) Business Entity. A Paratransit Business Entity must be either a corporation or a partnership.
- (d) Driver in this Sub-chapter means the Driver of a Paratransit Vehicle.
- (e) Electronic Trip Record System is the hardware and software that collects and stores the data that must be recorded for each passenger trip.
- (f) License in this Sub-chapter means a License for a Paratransit Vehicle.
- (g) Licensee refers to a Paratransit Vehicle Owner.
- (h) Rate Schedule is the Commission-approved listing of the manner in which and amount of fare that a Paratransit Vehicle Owner is permitted to charge a passenger.
- (i) Vehicle refers to a Paratransit Vehicle.
- (j) Vehicle Owner (or Owner) refers to a Paratransit Vehicle Owner, and can be an individual or Business Entity who:
 - (1) Owns the Vehicle outright;
 - (2) Is purchasing the Vehicle from a conditional vendor;
 - (3) Is leasing the Vehicle; or
 - (4) Is an agent or employee of any of the above and has authority to act on their behalf.

§10A-04 Licensing - Requirements

Requirements (a) through (e) apply to an individual Applicant and to all of a Business Entity Applicant's Business Entity Persons

- (a) Age. Applicants must be at least 18 years of age.
- (b) Identification. Applicants for a new (original) Paratransit Vehicle License must provide both of the following proofs of identity:
 - (1) A Valid Government photo ID.
 - (2) A Valid, original social security card.
- (c) Fingerprinting to Verify Good Moral Character.
 - (1) Applicants must be of good moral character.
 - (2) Applicants must be fingerprinted.
 - (3) In addition, any individual and all Business Entity Persons of a Business Entity that provides funds to an Applicant must be fingerprinted, unless the provider is a licensed bank or loan company.
 - (4) The Commission may waive any of this subdivision's fingerprinting requirements.
- (d) Valid Certificate of Operating Authority. Applicants must have a valid certificate of Operating Authority for the City of New York issued by the New York State Department of Transportation.
- (e) Operate from Licensed Base. Applicants must demonstrate that the Vehicle will operate from a base that is Licensed unless exempted from this requirement by the Commission.
- (f) Complete Application Forms. The Applicant must complete and file the required Commission application forms.
- (g) Fitness to Hold License. The Commission will determine an Applicant's fitness by examining the Applicant's (or Licensee's) criminal and driving records, medical and mental health records, and any history of drug or alcohol use.
- (h) Own a Paratransit Vehicle. Applicants must have ownership in a Paratransit Vehicle.
- (i) Vehicle Mileage Requirements. The Applicant for an original (new) License must submit a New York State Department of Transportation Form MC300, dated not more than one month from the application date, proving that the Vehicle meets the relevant mileage requirement:
 - (1) On and after January 1, 2009, a vehicle must have fewer than 50,000 miles.
 - (2) On and after January 1, 2010, a vehicle must have fewer than 25,000 miles.
 - (3) On and after January 1, 2011, a vehicle must be of the most recent model year or the immediately preceding model year and must have fewer than 500 miles.
- (j) Other Requirements Relating to the Vehicle. The Applicant must demonstrate that:
 - (1) The vehicle is in safe operating condition and meets all the requirements of the Commission and all other Government

agencies that have concurrent jurisdiction.

- (2) Applicant has the required vehicle liability insurance coverage by bond or policy as determined by the State of New York.
 - (3) The certificate of title and the certificate of registration are in the Applicant's name (unless title is retained by a lessor or conditional vendor).
 - (4) The vehicle will not have to be retired before the end of the two-year term of the License under the terms of Vehicle Retirement established in §10A-34 of this Sub-chapter.
 - (k) Other Required Documents. In addition to copies of the certificate of title and the certificate of registration, the following documents must be filed with the application:
 - (1) A copy of the motor vehicle tax stamp receipt for the Paratransit Vehicle.
 - (2) A current Rate Schedule.
 - (3) A New York State Department of Transportation inspection checklist.
 - (4) A copy of the leasing agreement, if Applicant is leasing the vehicle.
 - (5) A partnership Applicant must file a certified copy of its partnership certification from the County Clerk.
 - (6) A corporate Applicant must file a certified copy of its certificate of incorporation and a list of its current shareholders and officers.
 - (l) Designate Drivers as Agents to Accept Service. The Applicant must agree that any Driver who operates one of the Owner's Paratransit Vehicles will be considered as an agent of the Owner for purposes of accepting service of Commission notices to correct Vehicle defects.
- §10A-05 Licensing - Terms of License**
- (a) New Licenses. The term of a new Vehicle License is two years from the date it is issued.
 - (b) Renewals. The renewal term of a Vehicle License is two years from the date on which the previous License expired.
 - (c) Extension. The Commission can extend the expiration date of the Vehicle License by up to an additional 31 days.
 - (d) When to File Application for Renewal. A renewing Applicant must file on or before the expiration date of the current License.
- §10A-06 Licensing - License and Administrative Fees**
- (a) Fee for License. The fee for a Vehicle License will be \$275 annually.
 - (b) License Replacement Fee. The Commission will charge an additional fee of \$25 for each License it issues to replace a lost or mutilated License.
 - (c) Late Filing Fee. The Commission will charge an additional fee of \$25 for late filing of a renewal application, if it allows the filing at all.
 - (d) No Refund if Application Denied. The Commission will not refund fees if it denies or disapproves an application.
 - (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.
- §10A-07 Licensing - Causes for Denial**
- (a) Failure to Meet the Requirements. The Commission will deny an application for a new or renewed License if the Applicant fails to meet the requirements.
 - (b) No Longer Meets Requirements. The Commission will deny a Licensee's renewal application or suspend or revoke a License if the Commission learns that the Vehicle Owner no longer meets the licensing requirements.
 - (c) Material Misrepresentation or Falsification. The Commission will deny a Paratransit License application and may suspend or revoke a renewal application, and can impose other sanctions if the Applicant:
 - (1) Fails to notify the Commission of any material change in the information contained in the application;
 - (2) Attempts to conceal the identity of a party who has an interest in the ownership of a Paratransit Vehicle; or
 - (3) Lies or misrepresents any information in the application.
 - (d) Prior License Revocation. The Commission will not issue any License to any individual or Business Entity that has had its license revoked until at least one year following the date of the revocation.

(e) Misleading Trade Name. The Commission will not issue a License to a Business Entity with a corporate or trade name similar to a name already in use by another Paratransit Vehicle Owner.

§10A-08 Licensing – Process upon Denial

(a) Denial of Application. If the Commission denies the application for a Paratransit Vehicle License or its renewal, the Applicant will be notified, in writing, of the reason(s) for the denial.

(b) Right to Appeal On Denial. If the Commission denies an application for a new or renewal Paratransit Vehicle License:

(1) The Applicant is entitled to a hearing before the Commission.

(2) The Applicant can be represented by an attorney or by a non-attorney.

(3) The Commission can, for cause, refuse to allow a non-attorney to represent the Applicant.

§10A-09 Licensing – Care of Licenses

(a) Unauthorized Changes to License. A Vehicle Owner must not make any unauthorized entry on a Paratransit Vehicle License or change, deface, conceal, obliterate or render any entry on that License unreadable.

§10A-09(a) Mandatory Penalties See §10A-02(c)

(b) Surrender of Unreadable License. A Vehicle Owner must immediately surrender an unreadable Paratransit Vehicle License to the Commission to obtain a legible replacement.

§10A-09(b) Fine: \$25 Appearance NOT required

(c) Surrender Upon Suspension or Revocation. A Vehicle Owner must surrender a suspended or revoked License to the Commission within 48 hours of the suspension or revocation.

§10A-09(c) Fine: \$100 Appearance NOT required

(d) Report of Lost, Stolen, or Destroyed License.

(1) A Vehicle Owner must notify the Commission and the Police Department within 48 hours (not including weekends and holidays) of the theft, loss or destruction of a Paratransit Vehicle License.

(2) The Vehicle Owner must also furnish the Commission with an affidavit or other information as may be required, including the police receipt number.

(3) A substitute Paratransit Vehicle License will be issued by the Commission.

§10A-09(d) Fine: \$50 Appearance NOT required

(e) Report of Plate Replacement. A Vehicle Owner must notify the Commission within 48 hours (not including weekends and holidays) after replacing the Vehicle's New York State license plates.

§10A-09(e) Fine: \$50 Appearance NOT required

§10A-10 Compliance with Laws – Unlicensed Activity

(a) Vehicle Must Be Licensed. A Vehicle Owner must not allow a vehicle to be dispatched or operated if the vehicle does not have a Valid Paratransit Vehicle License from the Commission.

§10A-10(a) Mandatory Penalties. See §10A-02(c)

(b) Driver Must Have a Paratransit License. A Vehicle Owner must not allow a Vehicle to be dispatched or operated by a driver who does not have a Valid Paratransit Driver's License.

§10A-10(b) Mandatory Penalties See §10A-02(c)

(c) Drivers Must Have State Driver's License. A Vehicle Owner must not allow a Vehicle to be dispatched or operated by a driver who does not have a Valid state driver's license.

§10A-10(c) Mandatory Penalties See §10A-02(c)

(d) Compliance with §5-09(d). A Vehicle Owner must not allow a Vehicle to be dispatched or operated by a driver who has not complied with §5-09(d) of Article 19-A of the New York State Vehicle and Traffic Law (setting forth certain requirements for bus drivers).

§10A-10(d) Mandatory Penalties See §10A-02(c)

(e) Base Must be Licensed. A Vehicle Owner must not dispatch or allow to be dispatched any Paratransit Vehicle from a base that does not have a Valid License, unless it has been exempted by the New York State Department of Transportation.

§10A-10(e) Fine: \$150 Appearance NOT required

(f) Advertising of Unlicensed Paratransit Service. A Vehicle Owner whose License is not Valid may not advertise or claim to offer "Paratransit Service" or any comparable service.

§10A-10(f) Mandatory Penalties See §10A-02(c)

(g) Activity After License Expiration. Any activity to provide paratransit service after the Vehicle License has expired and before a renewal License has been issued is considered "unlicensed activity" and is subject to the penalties in these Rules and in the Administrative Code.

§10A-11 Compliance with Law – Vehicle Insurance

(a) Maintain Liability Insurance.

(1) A Vehicle Owner must maintain at least the minimum amount of liability insurance required by the NYS Department of Transportation for each Vehicle owned by Owner.

(2) A Vehicle Owner must comply with all New York State Laws regarding this coverage.

§10A-11(a) (1) and (2) Fine: \$50 Appearance NOT required

(b) Submit Proof of Insurance.

(1) A Vehicle Owner must submit annual proof of liability insurance coverage to the Commission on or before the 15th day of January of each year.

(2) Proof must include the name and address of the carrier and the insurance policy number for each Paratransit Vehicle owned.

§10A-11(b) (1) and (2) Fine: \$50 Appearance NOT required

(c) Notify Commission of Cancellation or Change of Carrier. A Vehicle Owner must notify the Commission, in writing, within 72 hours after receiving notice of:

(1) Cancellation of the required liability insurance;

(2) Change of insurance carrier; or

(3) Change in the policy number.

§10A-11(c) Fine: \$100 Appearance NOT required

(d) Surrender License on Loss or Termination of Insurance. A Vehicle Owner must surrender the Paratransit Vehicle License to the Commission prior to or on the termination date of the liability insurance unless:

(1) The Owner is not notified, or

(2) The Owner obtains new insurance effective on the termination date of the old policy.

§10A-11(d) Fine: \$100 Appearance NOT required

§10A-12 Compliance with Laws – Proper Conduct

(a) Bribery. A Vehicle Applicant or Licensee must not offer or give any gift, gratuity or thing of value to any employee, representative or member of the Commission or any other public servant.

§10A-12 (a) Fine: \$1,000 up to revocation Appearance REQUIRED

(b) Failure to Report Bribery. A Vehicle Owner must immediately report to the Commission any request or demand for a gift, gratuity or thing of value by any employee, representative or member of the Commission or any other public servant.

§10A-12 (b) Fine: \$1,000 up to revocation Appearance REQUIRED

(c) Fraud, Theft. While performing the duties and responsibilities of a Vehicle Owner, a Licensee must not commit or attempt to commit, any act of fraud, misrepresentation or theft.

§10A-12 (c) Fine: \$25-\$350 and/or suspension up to 30 days Appearance REQUIRED

(d) Willful Acts of Omission. While performing the duties and responsibilities of a Vehicle Owner, a Licensee must not deliberately fail to perform, alone or with another, any act where this failure is against the best interests of the public.

§10A-12 (d) Fine: \$25-\$350 and/or suspension up to 30 days Appearance REQUIRED

(e) Willful Acts of Commission. While performing the duties and responsibilities of a Vehicle Owner, a Licensee must not deliberately perform or attempt to perform, alone or with another, any act that is against the best interests of the public.

§10A-12 (e) Fine: \$25-\$350 and/or suspension up to 30 days Appearance REQUIRED

(f) Threats, Harassment, Abuse. While performing the duties and responsibilities of a Vehicle Owner, a Licensee must not threaten, harass, or abuse any person.

§10A-12 (f) Fine: \$50-\$350 and/or suspension up to 30 days Appearance REQUIRED

(g) Use or Threat of Physical Force. While performing the duties and responsibilities of a Vehicle Owner or any act in connection with those duties, a Licensee must not use or attempt to use any physical force against a person or Service Animal.

§10A-12 (g) Fine: \$20-\$350 and/or Appearance

suspension up to 30 days; REQUIRED
possible revocation (OATH)

(h) Notice of Criminal Conviction.

(1) A Vehicle Owner must notify the Commission within 15 calendar days after any criminal conviction of the Licensee, individually or, if the Licensee is a Business Entity, of any Business Entity Person.

(2) The notice must be in writing and must be accompanied by a certified copy of the certificate issued by the clerk of the court explaining what happened as a result of the conviction.

§10A-12 (h) Fine: \$50-\$250 Appearance REQUIRED

(i) Failure to Cooperate with Commission Enforcement.

(1) A Vehicle Owner must cooperate with all Commission enforcement officers and all authorized representatives of the Commission.

(2) Cooperation includes, but is not limited to, responding to a request for the Licensee's name, License number, and any documents Licensee is required to have in his or her possession.

§10A-12 (i) Fine: \$50 to 150 Appearance REQUIRED

(j) Failure to Cooperate with the Commission.

(1) A Vehicle Owner must promptly and truthfully answer all questions and comply with all communications, directives, and summonses issued by the Commission or its representatives.

§10A-12 (j)(1) Fine: \$200 and suspension until compliance Appearance REQUIRED

(2) A Vehicle Owner must respond to any contact from the Commission within forty-eight hours, seven days a week.

§10A-12 (j)(2) Fine: \$500 Appearance NOT required

(k) Courtesy. Vehicle Owners must be courteous toward passengers and the general public, including Commission personnel, while performing their duties and responsibilities as Licensees.

§10A-12 (k) Fine: \$25 Appearance NOT required

(l) Unlawful Uses of Vehicle or Garage. A Vehicle Owner must not use or permit another person to use his or her Paratransit Vehicle or garage for any unlawful purpose and must immediately report to the police any criminal use or attempt thereof involving the Vehicle or Base.

§10A-12 (l) Fine: \$25-\$350 and/or suspension up to 30 days Appearance REQUIRED

§10A-13 Compliance with Laws – Miscellaneous

(a) Compliance with Laws, Rules and Regulations. A Vehicle Owner must comply with the Commission's Paratransit Vehicle Specifications and all other pertinent laws, rules or regulations governing Vehicle Owners.

§10A-13(a) Fine: \$50 Appearance NOT REQUIRED

§10A-14 RESERVED [Operations – Business Premises]

§10A-15 RESERVED [Operations – Management Oversight (Use of Agents)]

§10A-16 Operations – Service Requirements (Passengers)

(a) Timely Pickups. Vehicle Owners must schedule the daily trips as efficiently as possible, to avoid unreasonably late pickups and missed trips.

§10A-16(a) Fine: \$25 Appearance NOT required

(b) Notify Passenger of Delay. If a pickup is unreasonably delayed or cancelled, the Vehicle Owner (or Base Owner) must promptly notify the waiting passenger.

§10A-16(b) Fine: \$50 Appearance NOT required

(c) Monitor Drivers' Behavior. Vehicle Owners must monitor the behavior and conduct of the Drivers toward the passengers, investigate complaints, and take appropriate action to resolve the complaints.

§10A-16(c) Fine: \$50-\$250 and/or suspension until a monitoring procedure is devised and/or other appropriate action is taken to the satisfaction of the Commission Appearance REQUIRED

(d) Unauthorized Refusal to Provide Transportation. A Vehicle Owner must not refuse by words, gestures or any other means, to provide transportation to any orderly person who has prearranged the trip and the destination is within New York City, unless:

(1) There is no Vehicle then available for the requested transportation; or

(2) There is a justification for refusing that is

listed in §6-20(b) of the Paratransit Driver's chapter.

§10A-16(d) Mandatory Penalties. See §10A-02(c)

§10A-17 Operations – Owners' Responsibilities with Respect to Drivers

(a) Training for Paratransit Drivers. A Vehicle Owner must ensure that every Driver is trained how to properly and safely:

- (1) Assist any Person with a Disability or other passenger in and out of a Paratransit Vehicle

§10A-17(a)(1) Fine: \$50-\$150 Appearance REQUIRED

- (2) Utilize the wheelchair ramp, the fastening devices, and any other safety precautions or devices contained in the Vehicle.

§10A-17(a)(2) Fine: \$50-\$150 Appearance REQUIRED

§10A-18 Records – Trip Record Information

(a) Trip Sheet. All Paratransit Vehicles must be equipped with an Electronic Trip Sheet that shows the following information:

- (1) The Paratransit Driver's License number.
 (2) The Paratransit Vehicle's state license plate number.
 (3) The date and time of pick-up of each passenger.
 (4) The date and time of drop-off of each passenger.
 (5) The locations of pick-ups and drop-offs.
 (6) Any other entries required by the Commission and local, state or federal law.

§10A-18(a) Fine: \$50 for each violation of this rule; however, no violation of this rule may exceed \$100 for each vehicle stop Appearance NOT required

(b) Contemporaneous Recording. The specific information about each trip must be collected and recorded when it occurs.

(c) Transmit Monthly. All data required under subdivision (a) above must be electronically transmitted to the Commission on a monthly basis.

§10A-18(c) Fine: \$250 and suspension until compliance Appearance NOT required

(d) Re-Write of Trip Record Prohibited. A Vehicle Owner must not rewrite a Trip Record in whole or in part, without prior Commission approval.

§10A-18(d) Fine: \$75-\$350 and/or suspension up to 30 days Appearance REQUIRED

(e) Correcting Electronic Trip Sheets.

- (1) The Vehicle Owner must ensure that all necessary corrections and additions are made to the Trip Sheet.
 (2) The electronic Trip Record data collected in the Paratransit Vehicle must not be erased, deleted, altered, changed or obliterated.

§10A-18(e) Fine: \$30 Appearance NOT required

(f) Hand-written Trip Sheets.

- (1) In the event that the electronic Trip Record equipment malfunctions, hand-written Trip Sheets showing the same information required in subdivision (a) above, must be used during the period the Vehicle is permitted to operate (see §10A-33(c)).

- (2) The Vehicle Owner must not allow a Vehicle to be dispatched until the Owner has signed his or her name to the hand-written Trip Sheet.

§10A-18(f)(1)-(2) Fine: \$50 for each violation of this rule; however, no violation of this rule may exceed \$100 for each vehicle stop Appearance NOT required

- (3) At the end of a Driver's shift, the Vehicle Owner must examine any hand-written Trip Record and must enter the date and time in ink.

- (4) The Vehicle Owner must also enter and sign a statement indicating that the Driver's entries have been examined.

§10A-18(f)(3)-(4) Fine: \$25 Appearance NOT required

(g) Correcting Mistakes on Hand-Written Trip Sheets.

- (1) The Vehicle Owner must correct wrong entries on a written Trip Record (or any other written records Owner is required to maintain) by drawing a single line through the incorrect entry and initialing the correction.

- (2) A Vehicle Owner must not make erasures or obliterate or omit any essential information.

§10A-18(f) Fine: \$30 Appearance NOT required

§10A-19 Records – Current Contact Information

(a) Current Mailing Address.

- (1) The Mailing Address for a Paratransit Vehicle Owner must be either a designated post office box, or one of the following:

(i) The home address for an individual Vehicle Owner

(ii) A partner's home address for a partnership Licensee

(iii) The address of the secretary of the corporation for a corporate Licensee.

- (2) The Commission will consider any notice or summons sent to the last address given by the Vehicle Owner as sufficient notice.

(b) 24-hour Communication Device.

- (1) A Vehicle Owner must maintain a current telephone number on file with the Commission.

- (2) This number must be connected to an answering machine or must be a pager number, answering service number or something similar that allows the Commission to contact the Vehicle Owner on a 24-hour basis.

§10A-19(b) Fine: \$100 Appearance NOT required

§10A-20 Records – Additional Records to be Maintained

(a) Financial and Operational Records. A Vehicle Owner must maintain complete financial and other operational records for a period of three years. The records must be available to the Commission for inspection and must include the following:

- (1) Vehicle liability insurance coverage

- (2) Any other documents specifically prepared in connection with the operation of a Paratransit Vehicle

§10A-20(a) Fine: \$50 Appearance NOT required

§10A-21 Reporting Requirements

(a) Give Drivers Access to Records for Reporting. A Vehicle Owner must make available to a Driver any records that the Vehicle Owner is required to maintain, if a Driver is required to bring those records to the Commission or any other Government agency.

§10A-21(a) Fine: \$50 Appearance NOT required

(b) Lost Property.

- (1) A Vehicle Owner must look inside the Paratransit Vehicle after each work shift for anything passengers have forgotten.

- (2) If property is found and the rightful owner is known or can be easily determined, the Vehicle Owner must notify the rightful owner within a reasonable time.

- (3) If the rightful owner cannot be determined, the lost property must be taken without delay to the police precinct where the garage is located.

§10A-21(b) Fine: \$50-\$250 Appearance NOT required

(c) Lost Property Notification. The Vehicle Owner must promptly inform the Commission of any property found and taken to a police precinct.

(d) Notification of Change of Status. A Vehicle Owner must report any important changes, including any changes regarding Vehicle ownership, title, financing and registration, to the Commission within 72 hours.

§10A-21(d) Fine: \$50 Appearance NOT required

§10A-22 Operations – Rates and Tolls

(a) Overcharges.

- (1) A Vehicle Owner must not charge or attempt to charge a fare above the approved rate of fare currently filed with the Commission.

- (2) A Vehicle Owner must not impose or attempt to impose any additional charge for transporting a Person with a Disability, a service animal accompanying a Person with a Disability, or a wheelchair or other mobility aid.

§10A-22(a) Mandatory Penalty: See 10A-02(c)

§10A-23 RESERVED [Operations – E-ZPass]

§10A-24 RESERVED [Operations – Miscellaneous Requirements]

§10A-25 Vehicle Condition – Inspections

(a) Inspection of Paratransit Vehicles.

- (1) A Vehicle Owner is responsible for ensuring that all repairs discovered by the Base Owner during Base Owner's inspection are made before allowing a Driver to operate the Vehicle.

§10A-25(a)(1) Fine: \$50-\$500 Appearance NOT required

- (2) The Commission can inspect any Vehicle at any time.

(b) Approved Paratransit Vehicles. A Vehicle Owner must only allow vehicles that have been inspected and approved by the New York State Department of Transportation to be dispatched.

§10A-25(b) Fine: \$100-\$500 Appearance NOT required

(c) Compliance with NYS DOT Rules. A Vehicle Owner must comply with the New York State Department of Transportation regulations and inspection requirements and schedules.

§10A-25(c) Fine: \$100 Appearance NOT required

§10A-26 Vehicle Condition – Safety

(a) Compliance with Notices to Correct Defects. A Vehicle Owner must comply with all Commission notices, summonses, and directives to correct defects in a Paratransit Vehicle.

§10A-26(a) Fine: \$100 Appearance NOT required

(b) Timely Repairs. A Vehicle Owner must make all repairs or alterations that the New York State Department of Transportation requires to meet its specifications or to maintain proper standards of safety and comfort. These repairs or alterations must be made within the time period given by the state inspectors.

§10A-26(b) Fine: \$100 Appearance NOT required

(c) Replacement of Unsafe or Unfit Vehicles.

- (1) A Vehicle Owner must replace a Paratransit Vehicle when the New York State Department of Transportation determines that the Vehicle is unsafe or unfit for use as a Paratransit Vehicle and directs the Owner to remove it from service immediately.

- (2) If a Vehicle Owner fails to replace the Vehicle within 120 days of notice, the Commission will consider it as abandonment of the Paratransit Vehicle License and the Commission can initiate revocation proceedings.

§10A-26(c) Fine: \$100-\$500 and/or suspension for 30 days Appearance REQUIRED

(d) Handling of Infectious Disease.

- (1) Handling Passengers with Infectious Diseases. Owners and Drivers must obey all Government laws, rules and regulations, regarding the handling of passengers with infectious diseases.

§10A-26(d)(1) Fine: \$25-\$1,000 and possible suspension or revocation (OATH) Appearance REQUIRED

- (2) Compliance with Rules. Owners must obey all Government laws, rules and regulations, regarding what must be provided to the Driver or passengers when transporting passengers with infectious diseases (e.g. masks, gloves, etc.).

§10A-26(d)(2) Fine: \$25-\$1,000 and possible suspension or revocation (OATH) Appearance REQUIRED

- (3) Protective Clothing. The Vehicle Owner must provide protective clothing, (goggles, gloves, gowns, and masks) to any employee who disinfects the Vehicle.

§10A-26(d)(3) Fine: \$25-\$1,000 and possible suspension or revocation Appearance REQUIRED

- (4) Cleaning of Vehicle after Transportation.

- (i) Owners and Drivers must obey all Government laws, rules and regulations, regarding the cleaning of Paratransit Vehicles after transporting passengers with infectious diseases and the disposal of contaminated materials.

- (ii) An appropriate disinfectant solution (according to the New York City Emergency Medical Service and the New York State Department of Health) is:

- A. One (1) part sodium hypochlorite solution (bleach) to nine (9) parts water.

- B. Fill the bucket with water first and then add the solution.
- C. This solution is incompatible with acids, organic material or reducing agents; NEVER mix this solution with hydrogen peroxide, ammonia or any other cleansing agent.

§10A-26(d)(4) Fine: \$25-\$1,000 and possible suspension or revocation (OATH) Appearance REQUIRED

(5) Stretchers and Linens.

- (i) If a stretcher is contaminated, clean and disinfect by wiping.
- (ii) If it is saturated, dispose of it in an appropriate manner.
- (iii) Dispose of any contaminated linen.
- (iv) Dispose of contaminated material by placing the items in a buff-colored impervious plastic bag, seal the bag, tag it as "contaminated" and dispose of the material in the manner approved at a local hospital.

§10A-26(d)(5) Fine: \$25-\$1,000 and possible suspension or revocation (OATH) Appearance REQUIRED

- (6) Gross Contamination. In the case of gross contamination where the Vehicle is saturated or encrusted, the Vehicle must be sterilized through the use of steam gas or liquid agents.

§10A-26(d)(6) Fine: \$25-\$1,000 and possible suspension or revocation (OATH) Appearance REQUIRED

§10A-27 Vehicle Condition – Miscellaneous

- (a) Clean, Painted, Good Appearance. A Vehicle Owner must keep all Paratransit Vehicles clean, well-painted and in good appearance.

§10A-27(a) Fine: \$25 Appearance NOT required

§10A-28 Vehicle – Markings and Advertising

- (a) Vehicle Specifications and Markings. A Vehicle Owner must comply with the markings specifications for Paratransit Vehicles.

§10A-28(a) Fine: \$50 Appearance NOT required

- (b) Remove Markings Before Selling. A Vehicle Owner is responsible for removing all official markings when selling or disposing of a Paratransit Vehicle, unless the Owner obtains Commission approval in approved transfers.

§10A-28(b) Fine: \$100 Appearance NOT required

- (c) Required ID Marking. A Valid Commission decal must be attached to the Vehicle in a plainly visible location when a License is granted, renewed, or whenever else a new decal is required. The Commission can require the vehicle to be presented at a Commission facility so that Commission staff can attach the decal. The Vehicle Owner must also put the company name, trade name and other vehicle identification markings required by the Commission or New York State Law.

§10A-28(c) Fine: \$50 Appearance NOT required

- (d) Commercial Use Tax Stamp. A Vehicle Owner must attach a commercial use motor vehicle tax stamp to the lower right side of the Vehicle windshield, so that it is plainly visible.

§10A-28(d) Fine: \$25 Appearance NOT required

- (e) Unauthorized Advertising. A Vehicle Owner may not display advertising on the exterior or interior of a Paratransit Vehicle unless the Vehicle Owner has first obtained Commission authorization.

§10A-28(e) Fine: \$50 Appearance NOT required

§10A-29 Vehicle – Documents Required in Vehicle

- (a) A Vehicle Owner may only permit the operation and the dispatch of a Paratransit Vehicle when the following are present in the Vehicle:
 - (1) The Driver's written Trip Record.
 - (2) The Driver's Paratransit Driver's License.
 - (3) A copy of the registration certificate.
 - (4) A copy of the Paratransit Vehicle License.
 - (5) A copy of the individual vehicle insurance card.
 - (6) A copy of the lease card or agreement, if any.
 - (7) All required notices.
 - (8) A two-way radio, if the Paratransit Base Owner uses a radio system.

- (9) An electronic Trip Record system.

§10A-29(a) Fine: \$15 for each violation Appearance NOT required

§10A-30 Vehicle – Equipment

- (a) Only Authorized Equipment.

- (1) A Vehicle Owner must allow the dispatch only of Paratransit Vehicles outfitted with equipment and devices specifically required by the Vehicle and Traffic Laws and by the Commission for use in Paratransit Vehicles.

- (2) The Commission has the authority to approve equipment and devices other than those described in paragraph (1) upon the request of the Vehicle Owner.

- (3) Owner does not need Commission approval to install additional mobility devices such as grab bars or non-slip flooring.

§10A-30(a) Fine: \$30-\$300 and/or suspension up to 30 days Appearance REQUIRED

§10A-31 RESERVED [Vehicle Equipment – Partitions]

§10A-32 RESERVED [Vehicle Equipment – In-Vehicle Camera System]

§10A-33 Vehicle Equipment – Electronic Trip Record System

- (a) Must Be Installed. A Vehicle Owner must install Electronic Trip Record Systems in all Paratransit Vehicles owned by Owner.

§10A-33(a) Fine: \$250 and suspension until compliance Appearance NOT required

- (b) Must Be in Good Working Order. A Vehicle Owner must not allow a Paratransit Vehicle to be dispatched unless the Electronic Trip Record System in the Vehicle is in good working order.

§10A-33(b) Fine: \$500 Appearance REQUIRED

- (c) System Malfunction.

- (1) If the Electronic Trip Record System malfunctions, the Vehicle Owner must have the system repaired or replaced within three (3) business days after the malfunction is reported to the Commissions Safety and Emissions facility.

- (2) A Vehicle Owner can dispatch a Paratransit Vehicle in which the Electronic Trip Record System does not work, only:

- (i) For three business days after the malfunction was reported to Safety and Emissions.
- (ii) If a hand-written Trip Record is used in place of the Electronic Trip Record.

§10A-34 Vehicle Retirement Dates

- (a) On and after January 1, 2009, all Paratransit Vehicles that are of model year 2000 or earlier must be retired from Paratransit service no later than the expiration dates of their Paratransit Vehicle Licenses.

- (b) On and after January 1, 2010, all Paratransit Vehicles that are of model year 2002 or earlier must be retired from paratransit service no later than the expiration dates of their Paratransit Vehicle Licenses.

- (c) On and after January 1, 2011, all Paratransit Vehicles that are of model year 2004 or earlier must be retired from paratransit service no later than the expiration dates of their Paratransit Vehicle Licenses.

- (d) On and after January 1, 2012, all Paratransit Vehicles must be retired no later than seven years after the Vehicle was first licensed.

- (e) Mandatory Retirement.

- (1) A Paratransit Vehicle that cannot pass the New York State Department of Transportation inspection must be retired, regardless of whether its retirement date has been reached.

- (2) A Paratransit Vehicle which has reached its retirement date must be retired, regardless of whether it may still pass the New York State Department of Transportation inspection.

- (f) Extension of Time for Retirement.

- (1) A Vehicle Owner can request an extension of a Vehicle's retirement date.

- (2) Any request for an extension of the retirement date must be made at least two months before that date.

- (3) The extension request must include documentation demonstrating that:

- (i) A new vehicle has been ordered.

- (ii) The new vehicle will not be delivered until after the retirement date.

- (iii) The new vehicle will be delivered no later than 60 days after the retirement date.

- (4) If the Vehicle Owner's documentation is complete and accurate, the retirement date of the Vehicle will be extended to the projected delivery date of the new vehicle. The Chairperson may confirm the completeness and accuracy of the documentation.

§10B-01 Scope of this Sub-chapter

- (a) To establish the procedures and requirements for obtaining and maintaining a Paratransit Base Station Owner's License.

- (b) To provide penalties for violation of the requirements of maintaining a Paratransit Base Station Owner's License.

§10B-02 Penalties

- (a) Unlicensed Activity.

- (1) Unlicensed Activity is the act of providing or advertising the provision of any Commission-regulated for hire transportation service by:

- (i) Any Licensee whose License is suspended, revoked, or expired and not yet renewed, or

- (ii) Any person who does not hold a Valid License or Authorization from the Commission as a for hire driver, for the for hire vehicle, or for the for hire service, as applicable.

- (2) Unlicensed Activity specifically includes the activities listed in §19-506 and §19-528 of the Administrative Code, and can subject the violator to the seizure and possible forfeiture of the vehicle involved.

- (b) Specific Penalties. If there are specific penalties for violating a Rule, they are shown at the end of the Rule. The penalty section also states whether the violator must attend the Hearing.

- (c) Payment of Fines.

- (1) Fines are due within 30 days of the day the violator is found guilty of the violation.

- (2) If fines are not paid by the close of business on the date due, the violator's License will be suspended until the fine is paid.

- (3) If a Respondent has made a timely request for a copy of the hearing recording (see §18-14(e) of these Rules), the time for payment of fines is extended to 21 days from the date of the recording is issued.

- (d) Mandatory Penalties. The following violations incur mandatory penalties:

- (1) The following violations incur mandatory penalties:

Description of Violation	Rule	Mandatory Penalty for All Violations
8. Operation of unlicensed vehicle driver unlicensed by TLC	§10B-10(a) §10B-10(b)	● First violation: \$100-\$350
9. Driver unlicensed by State and/or "bus driver"	§10B-10(c)/ 10B-10(d)	● Second violation (any combination of provisions) within 24 months: \$350 - \$500
10. Passenger pick-ups only on prearranged basis; no "hails"	§10B-16(a)	● Third violation (any combination of provisions) within 24 months: Mandatory Revocation of License

- (2) The 24-month period will be counted backward from the date of the most recent conviction.

- (3) The License of any Licensee who has five (or more) open and outstanding summonses for a 12-month period, will be revoked. The 12-month period will be counted from the date the earliest summons was issued.

§10B-03 Definitions Specific to this Sub-chapter

- (a) Applicant in this Sub-chapter means an Applicant for an original or renewal Paratransit Base Station License.

- (b) Base Affiliation. Each Paratransit Vehicle must be associated with a specific Paratransit Base and work only with the Base with which it is affiliated.

- (d) Base (or Base Station) refers to Paratransit Base Station.

- (e) Base Owner (or Owner) refers to the owner of a Paratransit Base Station.

- (f) Business Entity. A Paratransit Business Entity must be either a corporation or a partnership.

- (g) Driver in this Sub-chapter means the Driver of a Paratransit Vehicle.
- (h) Electronic Trip Record System is the hardware and software that collects and stores the data required to be collected and kept for each passenger trip.
- (i) License in this Sub-chapter means a License for a Paratransit Base Station.
- (j) Licensee refers to a Paratransit Base Station Licensee.
- (k) Rate Schedule is the official list of rates and rules concerning the rates that a Paratransit Base Station is permitted to charge a passenger.
- (l) Trip Record (or Trip Sheet) refers to the hand-written or electronic collection of data that is required to be kept for each passenger trip.
- (m) Vehicle refers to a Paratransit Vehicle.

§10B-04 Licensing – General Requirements

- (a) Identification. An individual Applicant or an Applicant's Business Entity Persons applying for a new (original) Base Station License must provide both of the following proofs of identity:
 - (1) A Valid Government photo ID
 - (2) A Valid, original social security card
- (b) Fingerprinting. The Applicant and all corporate officers and active stockholders of a corporate Applicant must be fingerprinted at the Commission.
- (c) Complete Application Forms. The Applicant must complete and file the required application forms.
- (d) Requirements concerning Paratransit Vehicles.
 - (1) The application for a Base License must be accompanied by at least one Paratransit Vehicle License application.
 - (2) The Applicant must ensure that any affiliated Paratransit Vehicle being licensed for the first time submits a New York State Department of Transportation Form MC300, dated within one month of the application date, proving that the Vehicle meets the relevant mileage requirement:
 - (i) On and after January 1, 2009, a vehicle must have fewer than 50,000 miles.
 - (ii) On and after January 1, 2010, a vehicle must have fewer than 25,000 miles.
 - (iii) On and after January 1, 2011, a vehicle must be of the most recent model year or the immediately preceding model year and must have fewer than 500 miles.
- (e) Additional Documents Required.
 - (1) A copy of the Applicant's New York State Department of Transportation Certificate of public convenience and necessity to operate as a common carrier of passengers by motor vehicle (operating authority).
 - (2) The copy of the current Rate Schedule.
 - (3) A corporate Applicant must file a copy of its certificate of incorporation and a list of its shareholders and current officers.
 - (4) A partnership Applicant must file a copy of its partnership agreement, if any.
- (f) Additional Requirements. An Applicant for a Base Station License must show that:
 - (1) The Base will be located on commercial property or other appropriately-zoned location unless the Base will operate no more than four (4) vehicles, in which case it can be maintained at the Base Owner's residence.
 - (2) The Base will be maintained as a separate entity.
 - (3) The Base will maintain outside advertising identifying the premises as a Paratransit Base Station and providing its business name and phone number.

§10B-05 Licensing – Term of License

- (a) New Licenses. The term of a new Base License is two years.
- (b) Renewals. The renewal term of a Base License is two years from the date on which the previous License expired.
- (c) When to File Application for Renewal. A renewing Applicant must file a complete application on or before the expiration date of the current License.

§10B-06 Licensing – License and Administrative Fees

- (a) Fee for License. The fee for a Paratransit Base License is \$500 annually.
- (b) License Replacement Fee. The Commission will charge an additional fee of \$25 for each License it issues to replace a lost or mutilated License.

- (c) When Fee is Paid. The fee for an original or renewal License must be paid at the time the application is filed.
- (d) Late Filing Fee. The Commission will charge an additional fee of \$25 for late filing of a renewal application, if it allows the filing at all.
- (e) No Refund if Application Denied. The Commission will not refund fees if it denies or disapproves an application.

§10B-07 Licensing – Causes for Denial

- (a) No Longer Meets Requirements. The Commission will deny a Base Owner's renewal application or suspend or revoke a License if the Commission learns that the Owner no longer meets the Base License requirements.
- (b) Prior License Revocation. The Commission will not issue any License to any individual or Business Entity that has had its license revoked until at least one year following the date of the revocation.
- (c) Misleading Trade Name. The Commission will not issue a License to a Business Entity with a corporate or trade name similar to a name already in use by another Paratransit Base Station Owner.

§10B-08 Licensing – Transfer of Base License

- (a) A Base Owner must notify and get prior approval from the Commission before transferring, selling, or assigning the Base to another.
 - §10B-08(a) Fine: \$100 Appearance NOT required
- (b) The prospective new Base Owner must file the appropriate Base application form with the Commission.
- (c) Upon approval of the transfer, the Commission will permit the entire fleet to be transferred to the new Base as long as the Vehicles meet the age retirement requirements established in Sub-chapter 10A-34 of this Chapter.
- (d) The Transferee must pay the paratransit affiliation fee to the Commission, if any is required.
 - §10B-08(d) Fine: \$100 Appearance NOT required

§10B-09 RESERVED [Licensing – Care of Licenses]

§10B-10 Compliance with Laws – Unlicensed Activity

- (a) Vehicle Must Be Licensed. A Base Station Owner must not dispatch or allow a vehicle to be operated if the vehicle does not have a Valid Paratransit Vehicle License.
 - §10B-10(a) Mandatory Penalties. See §10B-02(c)
- (b) Driver Must Have a Paratransit License. A Base Station Owner must not dispatch a driver who does not have a Valid Paratransit Driver's License.
 - §10B-10(b) Mandatory Penalties See §10B-02(c)
- (c) Driver Must Have State Driver's License. A Base Station Owner must not dispatch a driver who does not have a Valid state driver's license.
 - §10B-10(c) Mandatory Penalties See §10B-02(c)
- (d) Compliance with §509-d. A Base Station Owner must not allow a Vehicle to be dispatched or operated by a driver who has not complied with §509-d of Article 19-A of the New York State Vehicle and Traffic Law (regarding requirements for bus drivers).
 - §10B-10(d) Mandatory Penalties See §10B-02(c)
- (e) Base Must Be Licensed. A base, and any owner of a base, must not dispatch any Paratransit Vehicle or act as a Base if the base does not have a Valid Base Station License, unless it has been exempted by the New York State Department of Transportation.
 - §10B-10(e) Fine: \$150 Appearance NOT required
- (f) Activity After License Expiration. Any activity to provide paratransit service after the Vehicle License has expired and before a renewal License has been issued is considered "unlicensed activity" and is subject to the penalties in these Rules and in the Administrative Code.

§10B-11 Compliance with Laws – Worker's Compensation

- (a) Compliance with Workers' Compensation Law. A Base Station Owner must comply with all provisions of the New York State Workers' Compensation law and regulations, and provide coverage and benefits to all eligible employees.
 - §10B-11(a) Fine: \$25 for each day of non-compliance and either suspension until compliance or license revocation

§10B-12 Compliance with Laws – Proper Conduct

- (a) Bribery. A Base Station Applicant or Licensee must not offer or give any gift, gratuity or thing of value to any employee, representative or member of the Commission or any other public servant.
 - §10B-12 (a) Fine: \$1,000 up to revocation Appearance REQUIRED
- (b) Failure to Report Bribery. A Base Station Owner must immediately report to the Commission any

request or demand for a gift, gratuity or thing of value by any employee, representative or member of the Commission or any other public servant.

- §10B-12 (b) Fine: \$1,000 up to revocation Appearance REQUIRED
- (c) Fraud, Theft. While performing the duties and responsibilities of a Base Station Owner, a Licensee must not commit or attempt to commit, any act of fraud, misrepresentation or theft.
 - §10B-12 (c) Fine: \$25-\$350 and/or suspension up to 30 days Appearance REQUIRED
- (d) Willful Acts of Omission. While performing the duties and responsibilities of a Base Station Owner, a Licensee must not deliberately fail to perform any act, alone or with another, where this failure is against the best interests of the public.
 - §10B-12 (d) Fine: \$25-\$350 and/or suspension up to 30 days Appearance REQUIRED
- (e) Willful Acts of Commission. While performing the duties and responsibilities of a Base Station Owner, a Licensee must not perform or attempt to perform, alone or with another, any act that is against the best interests of the public.
 - §10B-12 (e) Fine: \$25-\$350 and/or suspension up to 30 days Appearance REQUIRED
- (f) Threats, Harassment, Abuse. While performing the duties and responsibilities of a Base Station Owner, a Licensee must not:
 - (1) Threaten, harass, or abuse any person;
 - (2) Distract, or attempt to distract a Service Animal.
 - §10B-12 (f) Fine: \$25-\$350 and/or suspension up to 30 days Appearance REQUIRED
- (g) Use or Threat of Physical Force. While performing the duties and responsibilities of a Base Station Owner or any act in connection with those duties, a Licensee must not harm, use or attempt to harm or use any physical force against a person or Service Animal.
 - §10B-12 (g) Fine: \$20-\$350 and/or suspension up to 30 days; possible revocation (OATH)
- (h) Notice of Criminal Conviction.
 - (1) A Base Station Owner must notify the Commission within 15 calendar days after any criminal conviction of the Licensee, individually or, if the Licensee is a Business Entity, of any Business Entity Person.
 - (2) The Owner must also provide the Commission with a certified copy of the certificate issued by the clerk of the court explaining what happened as a result of the conviction within 15 days after the certificate is issued.
 - §10B-12 (h) Fine: \$50-\$250 Appearance REQUIRED
- (i) Failure to Cooperate with Commission Enforcement. A Base Station Owner must cooperate with all Commission enforcement officers and all authorized representatives of the Commission. Cooperation includes, but is not limited to, responding to a request for the Licensee's name, License number, and any documents Licensee is required to have in his or her possession.
 - §10B-12 (i) Fine: \$15-150 Appearance REQUIRED
- (j) Failure to Cooperate with the Commission.
 - (1) A Base Station Owner must promptly and truthfully answer all questions and comply with all communications, directives, and summonses issued by the Commission or its representatives.
 - §10B-12 (j)(1) Fine: \$200 and suspension until compliance Appearance REQUIRED
 - (2) A Base Station Owner must respond to any contact from the Commission within forty-eight hours, seven days a week.
 - §10B-12 (j)(2) Fine: \$500 Appearance NOT required
- (k) Courtesy. Owners must be courteous toward passengers and the general public, including Commission personnel, while performing their duties and responsibilities as Owners.
 - §10B-12 (k) Fine: \$25 Appearance NOT required

§10B-13 RESERVED [Compliance with Laws – Miscellaneous]

§10B-14 Operations – Business Premises

- (a) Location of Business. The Base must be located on commercial property or other appropriately-zoned location. If the Base operates four or fewer vehicles, it can be maintained at the Base Owner's residence.
- (b) Required Outside Signage. The Base must maintain outside advertising stating the business name and telephone number and indicating to the public that it is a Paratransit Base.

- §10B-14(b) Fine: \$50 Appearance NOT required
- (c) Record Maintenance. The Base must maintain Trip Records of all Paratransit Vehicles dispatched.
- §10B-15 RESERVED [Operations – Management Oversight (Use of Agents)]**
- §10B-16 Operations – Service Requirements (Passengers)**
- (a) Prohibited Pickups. A Base Owner must only dispatch Drivers to pick up passengers on a prearrangement basis. Base Owners must not allow Drivers to solicit or respond to hails.
- §10B-16(a) Mandatory Penalties. See §10B-02(c)
- (b) Timely Pickups. Base Owners must schedule and dispatch the daily trips as efficiently as possible, to avoid unreasonably late pickups and missed trips.
- §10B-16(b) Fine: \$25 Appearance NOT required
- (c) Notify Passenger of Delay. If a pickup is unreasonably delayed or cancelled, the Base Owner (or Vehicle Owner) must promptly notify the waiting passenger.
- §10B-16(c) Fine: \$50 Appearance NOT required
- (d) Monitor Drivers' Behavior. Base Owners must monitor the behavior and conduct of the Drivers toward the passengers, investigate passenger complaints, and take appropriate action to resolve the complaints.
- §10B-16(d) Fine: \$50-\$250 and/or suspension until a monitoring procedure is devised and/or other appropriate action is taken to the satisfaction of the Commission Appearance REQUIRED
- §10B-17 Operations – Owners' Responsibilities with Respect to Drivers**
- (a) Maximum Hours of Work for Drivers. A Base Owner must not require a Driver to operate a Paratransit Vehicle more than (12) consecutive hours. However, if a Driver has accepted a passenger prior to the conclusion of the twelfth hour the Driver can complete that trip provided he or she is able to drive safely.
- §10B-17(a) Fine: \$50 Appearance NOT required
- (b) Familiarize Employees with Rules and Regulations.
- (1) Base Owners must ensure that all Drivers (and other employees) are familiar with the rules that govern Driver conduct and aware of any changes made to those rules.
- (2) Base Owners must maintain a current copy of the Commission Rules at the Base for the information of Drivers and employees.
- §10B-17(b) Fine: \$50 Appearance NOT required
- §10B-18 Records – Trip Record Information (Electronic)**
- (a) Required Information. Base Owners must not dispatch a Paratransit Vehicle unless it is equipped with an Electronic Trip Record System that electronically collects all of the following trip data:
- (1) The Paratransit Driver's license number.
- (2) The Paratransit Vehicle's state license plate number.
- (3) The date and time of pick-up of each passenger.
- (4) The date and time of drop-off of each passenger.
- (5) The locations of pick-ups and drop-offs.
- (6) Any other entries required by the Commission and local, state or federal law.
- NOTE: When the Electronic Trip Record System is operable, the Driver will use the system to record entries for the locations, dates and times of pick-ups and drop-offs, at the times they occur; the Base Owner is permitted to make all other entries.*
- §10B-18(a) Fine: \$250 and suspension until compliance Appearance NOT required
- (b) Transmit Monthly. All data required under subdivision (a) above must be electronically transmitted to the Commission on a monthly basis.
- §10B-18(b) Fine: \$250 and suspension until compliance Appearance NOT required
- (c) Corrections. The Base Owner must make all necessary corrections and additions to the Electronic Trip Record System.
- §10B-18(c) Fine: \$30 Appearance NOT required
- (d) No Deletions or Alterations. The Base Owner must not permit the electronic trip record data collected in the Paratransit Vehicle to be erased, deleted, altered, changed or obliterated.
- §10B-18(d) Fine: \$30 Appearance NOT required
- §10B-19 Records – Current Contact Information**

- (a) Current Mailing Address. The Mailing Address for a Paratransit Base Station must be either the address of the Base Station or a designated post office box. The Commission will consider any notice or summons sent to the last address given by the Base Owner as sufficient notice.
- (b) 24-hour Communication Device.
- (1) A Base Owner must maintain a current telephone number on file with the Commission.
- (2) This number must be connected to an answering machine or must be a pager number, answering service number or something similar that allows the Commission to contact the Base Owner on a 24-hour basis.
- §10B-19(b) Fine: \$100 Appearance NOT required
- §10B-20 Records – Additional Records to be Maintained**
- (a) Financial and Operational Records. A Base Owner must maintain complete financial and other operational records for a period of three years. The records must be available to the Commission for inspection and must include the following:
- (1) The driver's trip records
- (2) Any workers' compensation insurance coverage
- (3) Any other documents created or maintained in conjunction with the operation of a Base
- §10B-20(a) Fine: \$50 Appearance NOT required
- §10B-21 Reporting Requirements**
- (a) Report Rate Changes. A Base Owner must file the Rate Schedule with the Commission annually or at least ten (10) days prior to the effective date of any change.
- §10B-21(a) Fine: \$50 Appearance NOT required
- (b) Give Drivers Access to Records for Reporting. A Base Owner must provide a Driver with access to any records (or copies of the records) that the Base is required to maintain, if a Driver is required to bring those records (or copies) to the Commission or any other Government agency.
- §10B-21(b) Fine: \$50 Appearance NOT required
- (c) Report Change of Status. A Base Owner must report any important changes, including a change in the Base address, to the Commission within 72 hours.
- §10B-21(c) Fine: \$50 Appearance NOT required
- §10B-22 Operations – Rates and Tolls**
- (a) Must file Rate Schedule. A Base Owner must not dispatch a Paratransit Vehicle unless the Rate Schedule for the Paratransit Vehicle has been filed with the Commission.
- (b) Must List Rate Schedule. The Rate Schedule must include the minimum fare, different fares for different types of paratransit services, portal time, tolls and extra charges, if any.
- §10B-22 Fine: \$50 Appearance NOT required
- §10B-23 RESERVED [Operations – E-ZPass]**
- §10B-24 RESERVED [Operations – Miscellaneous Requirements]**
- §10B-25 Vehicle Condition – Inspections**
- (a) Equipment Must be in Good Working Order. A Base Owner must not dispatch a Paratransit Vehicle until the Base Owner inspects and reasonably determines that all equipment is in good working order and meets all requirements of the New York State Vehicle and Traffic Law and these Commission Rules.
- (b) Equipment to be Inspected. Equipment to be inspected includes, but is not limited to, brakes, tires, lights, signals, wheelchair ramps, fastening devices, and heating and ventilation units.
- §10B-25 Fine: \$50-\$500 Appearance NOT required
- §10B-26 RESERVED [Vehicle Condition – Safety]**
- §10B-27 RESERVED [Vehicle Condition – Miscellaneous]**
- §10B-28 Vehicle – Markings and Advertising**
- (a) Vehicle Specifications and Markings. A Base Owner must comply with the markings specifications for Paratransit Vehicles.
- §10B-28(a) Fine: \$50 Appearance NOT required
- (b) Required ID Marking. A Base Owner must ensure that each Vehicle affiliated with the Base has a Valid Commission Decal attached to and plainly visible on the exterior of the Vehicle.
- §10B-28(b) Fine: \$50 Appearance NOT required
- (c) Commercial Use Tax Stamp. A Base Owner must

- confirm that the vehicle has a commercial use motor vehicle tax stamp attached to the lower right side of the Vehicle windshield, and is plainly visible.
- §10B-28(c) Fine: \$25 Appearance NOT required
- (d) Unauthorized Advertising. A Base Owner must not display advertising on the exterior or interior of a Paratransit Vehicle unless the Base Owner has first obtained Commission authorization.
- §10B-28(d) Fine: \$50 Appearance NOT required
- §10B-29 Vehicle – Documents Required in Vehicle**
- (a) A Base Owner must only permit the operation and the dispatch of a Paratransit Vehicle when the following are present in the Vehicle:
- (1) The Trip Record.
- (2) The Driver's Paratransit Driver's License.
- (3) A copy of the registration certificate.
- (4) A copy of the Paratransit Vehicle License.
- (5) A copy of the individual Vehicle insurance card.
- (6) A copy of the lease card or agreement, if any.
- §10B-29(a) Fine: \$15 for each violation Appearance NOT required
- §10B-30 Vehicle – Equipment**
- (a) Two-way Radio. If a Base Owner uses a radio system, the Base Owner must only permit a Paratransit Vehicle to be dispatched and operated when it has a two-way radio in the vehicle.
- §10B-30(a) Fine: \$15 Appearance NOT required
- (b) FCC Compliant Two-way Radio. A Base Owner operating a two-way radio service must instruct the Drivers and other employees on the two-way radio service rules of the Federal Communications Commission.
- §10B-30(b) Fine: \$50-250 Appearance REQUIRED
- §10B-31 RESERVED [Vehicle Equipment – Partitions]**
- §10B-32 RESERVED [Vehicle Equipment – In-Vehicle Camera System]**
- §10B-33 Vehicle Equipment – Electronic Trip Record System**
- (a) Install System. Base Owners must ensure that all Paratransit Vehicles affiliated with the Base are equipped with an Electronic Trip Record System.
- §10B-33(a) Fine: \$250 and suspension until compliance Appearance NOT required
- (b) System Must be in Good Working Order. A Base Owner must not dispatch a Paratransit Vehicle unless the Electronic Trip Record System in the Paratransit Vehicle is in good working order.
- §10B-33(b) Fine: \$500 Appearance REQUIRED
- (c) System Malfunction.
- (1) The Base Owner must report any malfunction of the electronic trip record system to the Commission's Safety and Emissions Facility within twenty-four (24) hours of when the Base Owner knew or should have known of the malfunction.
- §10B-33(c)(1) Fine: \$250 Appearance REQUIRED
- (2) The Base Owner must dispatch a Paratransit Vehicle in which the Electronic Trip Record System does not work, only:
- (i) For three business days after the malfunction was timely reported to Safety and Emissions.
- (ii) If a hand-written Trip Record is used in place of the electronic Trip Record.
- §10B-33(c)(2) Fine: \$250 Appearance REQUIRED
- Statement of Basis and Purpose of Rules**

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 rules are part of a project undertaken by the Taxi and Limousine Commission ("TLC") to revise its existing rule book. The first phase of this project consists of reorganizing and redrafting TLC's rules, to enhance their clarity and accessibility without substantive change. Accordingly, these rules are not intended to make any changes to TLC's current policies, procedures or operations.

During this first phase of the rules revision project, all of TLC's existing rules will be redrafted, then posted on a chapter-by-chapter basis on the TLC Web site for review and discussion by interested members of the public. Each chapter will be revised based on that discussion, then published for public comment and public hearing pursuant to the City Administrative Procedure Act (CAPA). Because this phase of the rules revision is intended to involve no substantive changes to the rules, and as announced at the Commission

meeting held on August 7, 2008, public hearings will be held separately from monthly stated Commission meetings. When this process has been completed for all TLC rules, the complete set of rules will be presented to the Commission for promulgation simultaneously with repeal of the current set of TLC rules. The revised rules will replace the existing rules compiled in chapter 35 of the Rules of the City of New York. It is anticipated that the promulgation of the revised rules and repeal of the current rules will occur in 2009.

After the first phase of its rules revision is completed, TLC will move to the second phase, which will involve the assessment of its rules for more substantive changes.

The rules proposed here are as follows:

Current Rule Chapters revised in this rule-making	Proposed Rule Chapters
Chapter 4, Paratransit Services (Vehicles and Bases).	Chapter 10, Paratransit Vehicles and Bases

The proposed rules make substantive changes to the provisions of the current rules governing paratransit vehicles and bases. Specifically, the proposed rules:

- Clarify that an individual, partnership or corporation may own a paratransit vehicle (the prior rule was inconsistent in its references to the types of entities that may own a vehicle).
- Clarify duties with respect to the operation of the electronic trip record system to conform to actual experience.
- Clarify that Commission staff will affix license decals and may inspect any vehicle at any time.
- To fully incorporate the provisions of Local Law 16 of 2008, the penalty provisions have been amended to reflect that fines are stayed for 30 days, and further pending decision of a timely-filed appeal.

Supplemental Statement

A public hearing on these proposed rules was held on June 5, 2009. Following that hearing the TLC voted at a public meeting on June 19, 2009 to conditionally approve these rules, subject to a further vote of approval after all 19 revised rules chapters have been conditionally approved. All 19 chapters having now been conditionally approved by the TLC, the 19 chapters are being republished for additional public comment and final approval by the TLC.

After the conditional TLC approval of this rules chapter, the following additional substantive changes have been made to this chapter as a result of public comment and testimony previously received and considered and staff comments:

- Technical changes were made to conform certain definitions to those proposed in Chapter 1, Definitions as a result of staff comment.
- The general penalty and fines section was amended to include the subject of unlicensed activity and to align payment of fines terms with those of other chapters. These changes were made as a result of staff comment based on further drafting refinements made by the consultant.
- The provisions of sections 10A-12 and 10B-12 regarding acts of commission and omission were modified based on staff comment to reflect further refinements to this language by the consultant and the staff, including following public comment to similar provisions in Chapter 4.
- The provisions regarding response to TLC communications were modified to make clear that the TLC expects a response to any communication, not just a communication by telephone or pager.
- The provisions of section 10A-25 were amended to clarify that the TLC may inspect a vehicle at any time, based on staff comment.
- The provisions of section 10A-28 were amended to clarify that the TLC may require vehicles to be presented for application of decals, based on staff comment.
- The provisions of section 10B-10 were amended to clarify that the base must be licensed, based on staff comment.

Notice of Public Hearing and Opportunity to Comment on Proposed 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") proposes amended rules governing commuter van owners and services.

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. These proposed rules were included in the TLC's regulatory agenda for Fiscal Year 2010.

A public hearing on these proposed rules was held by the TLC at its offices at 40 Rector Street, 5th Floor, New York, New York, 10006 on September 11, 2009 at 2:30 P.M.

An additional 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 July 8, 2010 at 10:00 A.M. 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 July 1, 2010.

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 who wish to speak at the hearing will be strictly limited to three minutes of speaking time. Persons who wish to comment on the proposed rules are urged to submit written comments. There is no page limit on written comments.

Written comments in connection with these proposed rules

should be submitted to the Office of Legal Affairs and must be received no later than July 6, 2010 to:

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 summary of all comments received at the hearing will be available for public inspection at that office.

Section 1. It is hereby proposed to amend Title 35 of the Rules of the City of New York by adding a new chapter 11 thereto, to read as follows:

New Material is underlined.

Chapter 11 Commuter Van Vehicles and Owners

Sub-chapter 11A Commuter-Van Vehicle Owners
Sub-chapter 11B Commuter-Van Service Owners

§11A-01 Scope of this Sub-chapter

- (a) To establish the procedures and requirements for obtaining and maintaining a Commuter-Van Vehicle Owner's License.
- (b) To provide penalties for violation of the requirements of maintaining a Commuter-Van Vehicle Owner's License.
- (c) All Rules in this sub-chapter apply to the Commuter-Van Vehicle Owner, and the penalties included will be assessed against the Commuter-Van Vehicle Owner. When a Rule references that another party is also responsible, unless otherwise clearly stated, the responsibility is joint and several and both parties may be held entirely responsible for a violation of the Rule.

§11A-02 Penalties

- (a) Unlicensed Activity.
 - (1) Unlicensed Activity is the act of providing or advertising the provision of any Commission-regulated for hire transportation service by:
 - (i) Any Licensee whose License is suspended, revoked, expired and not yet renewed, or
 - (ii) Any person who does not hold a Valid License or Authorization from the Commission as a for hire driver, for the for hire vehicle, or for the for hire service, as applicable.
 - (2) Unlicensed Activity specifically includes the activities listed in §19-506 and §19-528 of the Administrative Code, and can subject the violator to the seizure and possible forfeiture of the vehicle involved.
- (b) Specific Penalties. If there are specific penalties for violating a Rule, they are shown at the end of the Rule. The penalty section also states whether the violator must attend the Hearing.
- (c) Payment of Fines.
 - (1) Fines are due within 30 days of the day the violator is found guilty of the violation.
 - (2) If the fines are not paid by the close of business on the date due, the violator's License will be suspended until the fine is paid.
 - (3) If a Respondent has made a timely request for a copy of the Hearing recording (see §18-14(e) of these Rules), the time for payment of fines is extended to 21 days from the date the recording is issued.
- (d) Effect of Suspension or Revocation of Service Authorization on Affiliated Commuter-Van Vehicle Owners.
 - (1) Any Vehicle affiliated with a Commuter-Van Service whose Authorization has been suspended or revoked will have its License suspended or revoked if the suspension or revocation was based in whole or in part on the actions of the Commuter-Van Vehicle.
 - (2) If the suspension or revocation was not based on the actions of the Commuter-Van Vehicle, the Vehicle's License will remain Valid. However, the Vehicle must not operate until it has formed an affiliation with another authorized Commuter-Van Service.
- (e) Mandatory Penalties.

§	Violation	Cumulative Criteria	Penalty, after opportunity for Hearing
11A-11(b)	Failure to maintain proper insurance	Failure to maintain the required liability insurance three or more times within one year	Revocation of Vehicle License

11A-26	Failure to comply with safety inspection requirements	Operating without complying with any safety requirement three or more times within one year.	Revocation of Vehicle License
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§11A-03 Definitions Specific to this Sub-chapter

- (a) Applicant in this Sub-chapter means an Applicant for an original or renewal Commuter-Van Vehicle License.
 - (b) Authorization means the Commission's approval to operate a Commuter-Van Service within the geographic boundaries specified by the Commission.
 - (c) Driver in this Sub-chapter refers to a Commuter-Van Vehicle Driver.
 - (d) License in this Sub-chapter means a Commuter-Van Vehicle License.
 - (e) Official Bus Route in this Sub-chapter means the route, including all stops, traveled upon by a bus line that is operated by:
 - (1) The New York City Transit Authority
 - (2) The City of New York, or
 - (3) A private bus company that has been approved by local law or Charter provision enacted in accordance with §80-4 of the Transportation Law.
 - (f) Owner in this Sub-chapter refers to a Commuter-Van Vehicle Owner and, in addition to complete ownership of the Vehicle, includes those individuals or entities with the following ownership interests:
 - (1) Entitlement to the use and possession of a Vehicle subject to a security interest held by another, regardless of the terms of the contract. (Owner does NOT include any party with a security interest in a Vehicle that is not in that party's possession.)
 - (2) The right, by any lessee or bailee, to exclusive use of the Vehicle for more than 30 days.
 - (g) Passenger Manifest is the document on which a Commuter-Van Driver enters the name of each passenger to be picked up.
 - (h) Vehicle, when used alone in this Sub-chapter, means a Licensed Commuter-Van Vehicle
- §11A-04 Licensing – General Requirements**
- (a) Reserved. [ID]
 - (b) Reserved. [Age]
 - (c) Fingerprinting to Verify Good Moral Character.
 - (1) An Applicant for a Commuter-Van License must be fingerprinted for the purpose of securing criminal history records from the NYS Division of Criminal Justice Services.
 - (2) Fingerprints will be taken of all of the Applicant's Limited Business Entity Persons.
 - (3) If the Applicant intends to add or change any additional Limited Business Entity Persons, the Applicant must apply for the Commission's approval within five days of the change or addition.
 - (4) Any additional Limited Business Entity Persons must be fingerprinted either before or during the Commission's approval process.
 - (5) The Applicant must pay any processing fee required by the State.
 - (d) Fitness to Hold License. No Commuter-Van License can be issued or renewed unless an Applicant demonstrates to the satisfaction of the Commission that the Applicant is fit, willing, and able to operate a Commuter-Van Vehicle.
 - (e) Designate Drivers as Agents for Service. An Applicant must agree that any Driver who operates one of Owner's Commuter-Van Vehicles will be considered an agent of the Owner for purposes of accepting service of any and all legal process issued by any department of the City of New York.
 - (f) Vehicle Liability Insurance. No Commuter-Van Vehicle License will be issued or renewed unless the Applicant proves that the Vehicle is properly registered and has the insurance coverage required in §11A-11.
 - (g) Forms and Filing. An application for a Commuter-Van Vehicle License or renewal must be submitted on forms provided by the Commission, signed by the applicant, and personally filed with the Commission.

§11A-05 Licensing – Term of License

- (a) New Licenses. The term of a new Vehicle License is two years.

(b) Renewals. The renewal term of a Vehicle License is two years from the date on which the previous License expired.

§11A-06 Licensing – Fees

(a) Fee for License. The fee for a Commuter-Van Vehicle License will be \$275 annually.

(b) When Fee is Paid. The fee for an original or renewal License must be paid at the time the application is filed.

(c) No Refund if Application Denied.

(1) The Commission will not refund the application fee if it denies or disapproves the application.

(2) However, if disapproval of the Vehicle License is based on disapproval of the affiliated Commuter-Van Service Authorization, the vehicle application fee will be refunded.

(d) License Replacement Fee. The Commission will charge an additional fee of \$25 for each License it issues to replace a lost or mutilated License.

§11A-07 Licensing – Causes for Denial

(a) Material Misrepresentation. The Commission can deny an application if the Applicant has made a material false statement or concealed a material fact relating to the application.

(b) Conduct Prohibited by Rules. The Commission can deny an application if the Applicant has engaged in any conduct that would be a basis for suspension or revocation of the License under the Rules in this sub-chapter.

(c) Commission's Failure to Approve. Any application that the Commission does not approve or disapprove within 180 days after the completed application is filed will be considered disapproved.

(d) Refusal to Renew. The Commission can refuse to renew a Commuter-Van Vehicle License for additional reasons, including but not limited to:

(1) The Applicant or any of its Limited Business Entity Persons or employees has violated any provision of these Rules or any of the rules relating to commuter van service in Chapter 5, Title 19 of the Administrative Code.

(2) The Applicant or any of its Limited Business Entity Persons or employees has engaged in any fraud or misrepresentation in connection with providing any transportation service.

(3) The Applicant or any of its Limited Business Entity Persons has failed to pay any penalty that has been properly imposed under these Rules.

(4) The Applicant or any of its Limited Business Entity Persons has been convicted of a crime that the Commission believes has a direct bearing upon the Applicant's fitness or ability to perform the functions required of a Commuter-Van Vehicle Owner, or has been convicted of any offense that under Article 23-A of the NYS Correction Law would provide a basis for the Commission to refuse to renew or to suspend or revoke a Commuter-Van Vehicle License.

(5) The Applicant has failed to maintain the conditions of operation that apply to Commuter-Van Vehicle License.

(6) The Applicant or any of its Limited Business Entity Persons or employees has engaged in discrimination according to the provisions of §8-107 of the Administrative Code.

§11A-08 Licensing – Transfer of License

(a) Not Transferable. A Commuter-Van License is not assignable or transferable.

§11A-09 RESERVED [Licensing – Care of Licenses]

§11A-10 Comply with Laws – No Unlicensed Activity

(a) Vehicle Must Be Licensed. A Commuter-Van Vehicle Owner must not allow a vehicle to be operated within the City of New York as a Commuter Van if the vehicle does not have a Valid License from the Commission.

§11A-10(a) Fine: \$500 – first violation; \$1,000 – subsequent violation within twenty-four months Appearance REQUIRED

(b) Vehicle Must Be Affiliated with Authorized Commuter-Van Service. A Commuter-Van Vehicle Owner must not allow Owner's Vehicle to be operated within the City of New York unless it is affiliated with a Validly Authorized Commuter-Van Service.

§11A-10(b) Fine: \$500 – first violation; \$1,000 – subsequent violation within twenty-four months Appearance REQUIRED

(c) Vehicle Must Be Registered and Insured. Failure to comply with the registration or insurance requirements established in this Sub-chapter will

create an automatic License suspension as of the date the compliance lapsed, and any operation of the Vehicle during this time will be considered unlicensed activity.

§11A-10(c) Fine: \$500 – first violation; \$1,000 – subsequent violation within twenty-four months Appearance REQUIRED

(d) Driver Must Be Licensed. The Commuter-Van Vehicle Owner is responsible for ensuring that anyone operating a Commuter-Van Vehicle in the operation of a Commuter-Van Service has:

- (1) A Valid driver's license that qualifies as a Chauffeur's License, and
- (2) A Valid Commuter-Van Driver's License.

§11A-10(d) Fine: \$300 and suspension of Commuter-Van license until compliance Appearance REQUIRED

(e) No Person Can Operate an Unlicensed Commuter-Van Vehicle or Service. No person is allowed to operate or to allow anyone else to operate a vehicle bearing the words "Commuter-Van service", "van service", "Commuter-Van", "van" or other similar designation unless:

- (1) The vehicle is a Validly Licensed Commuter Van Vehicle
- (2) The Vehicle is affiliated with a Validly Authorized Commuter-Van Service, and
- (3) The Vehicle is driven by a Validly Licensed Commuter-Van Driver.

§11A-10(e) Fine: \$500 – first violation; \$1,000 – subsequent violation within twenty-four months Appearance REQUIRED

(f) Special Procedures Relating to Unlicensed Commuter-Van Operations.

(1) The Commission will notify the NYS Commissioner of Motor Vehicles upon finding a person liable for:

- (i) Operating a vehicle without a Valid Commuter-Van Vehicle License, or
- (ii) Operating a vehicle that is not affiliated with an Authorized Commuter-Van Service.

(2) Until notified that the violation has been corrected, the Motor Vehicle Commissioner can:

- (i) Suspend the vehicle's registration,
- (ii) Deny any application for the vehicle's registration or registration renewal,
- (iii) Take any other action permitted under law.

(3) The Commission will also notify the NYS Department of Finance.

§11A-11 Comply with Laws – Vehicle Insurance Coverage

(a) Joint Responsibility. The Commuter-Van Vehicle Owner is liable for ensuring that every Commuter-Van Vehicle owned and operated by Owner is in compliance with the insurance requirements set forth in this §11A-11.

§11A-11(a) Fine: \$300 and/or revocation of Commuter-Van license Appearance REQUIRED

(b) Surety Bond or Policy of Insurance. No Commuter-Van Vehicle can be used in the operation of a Commuter-Van Service unless it is covered by a surety bond or a policy of insurance approved as to form by the Commission and issued by a solvent and responsible company authorized to do business in this State by the Superintendent of Insurance. Coverage must be in at least the following amounts:

Type of Liability	Minimum Coverage Required	
	Commuter-Van for 12 Passengers Or Fewer	13-20 Passengers
● For personal injury or death to one person	\$100,000	\$100,000
● For personal injury or death to one person in one accident	\$300,000	\$500,000
● Maximum for each person in one accident	\$100,000	\$100,000
● For property damage	\$50,000	\$50,000

§11A-11(b) Fine: \$300 and suspension until compliance Three or more violations within one year: License revocation (see Mandatory Penalties §11A-02(d)) Appearance REQUIRED

(c) Remain in Effect Until Terminated. Surety bonds and certificates of insurance must specify that coverage will remain in effect continuously until terminated as provided in this Sub-chapter.

(d) Conditions for Replacement of Bonds or Insurance. Surety bonds or certificates of insurance may be replaced, and the liability of the retiring surety or insurer will be considered terminated as of the effective date of its replacement, provided that the replacement surety bond or certificate of insurance

meets all of the following conditions:

- (1) The new surety bond or certificate of insurance is acceptable to the Commission.
- (2) The Commuter-Van Service Owner or an authorized employee of the Commuter-Van service submits, in duplicate, a letter authorizing the replacement surety bond or certificate of insurance and verifying its effective date.
- (3) The effective date must coincide with the effective date specified in the letter of authorization, and that date may not be more than 30 days before the date the Commission receives the letter of authorization and replacement certificate.

(e) Provision for Continuing Liability. Every surety bond or certificate of insurance must contain a provision for a continuing liability after a claim has been successfully filed and recovered against the bond or insurance.

(f) Notice of Cancellation to the Commission.

(1) Every surety bond or certificate of insurance must include a provision that cancellation will not be effective until at least 30 days after the Commission has been properly notified in writing of the party's intention to cancel.

(2) Proper notification must be given on or in the relevant **Form K – Uniform Notice of Cancellation of Motor Carrier Insurance Policies or Form L – Uniform Notice of Cancellation of Motion Carrier Surety Bonds.** Copies of these forms are available at Commission offices.

(3) If a cancelled insurance policy or bond is reinstated:

- (i) A new certificate, in the form required by subdivision (d) of this section, must be filed with the Commission, and
- (ii) The new certificate must have the relevant phrase "REINSTATEMENT OF INSURANCE POLICY" or "REINSTATEMENT OF BOND" typed or printed on it in capital letters, as shown.

(g) Forms. Certificates of insurance and other forms necessary for filing can be obtained from the Commission.

(h) Contract is Required. No surety bond or certificate of insurance can be filed with the Commission unless a direct contractual relationship exists between the Commuter-Van Vehicle Licensee (or the Authorized Commuter-Van Service) and the insurance or bonding company making the filing.

(i) Commission's Right to Refuse. The Commission can at any time refuse to accept any surety bond or certificate of insurance if in the judgment of the Commission it does not provide adequate protection for the public.

§11A-12 Comply with Laws – Proper Conduct

(a) No Bribery. An Applicant or Licensee must not directly or indirectly offer or give any gift, gratuity or thing of value to any employee, representative or member of the Commission or any other public servant who is charged with the administration or enforcement of this sub-chapter or any traffic rule or law. All administrative hearings on this matter will be referred to OATH.

§11A-12(a) Fine: \$1,000 and/or suspension or revocation Appearance REQUIRED

(b) Report Request for Gift. A Licensee must immediately report to the Commission and to the New York City Department of Investigation any request or demand for a gift, gratuity or thing of value by any employee, representative or member of the Commission or any other public servant who is charged with the administration or enforcement of this sub-chapter or any traffic rule or law. All administrative hearings on this matter will be referred to OATH.

§11A-12(b) Fine: \$1,000 and/or suspension or revocation Appearance REQUIRED

(c) No Threat or Use of Physical Force. While performing the duties and responsibilities of a Licensee or any act in connection with those duties, a Licensee must not use or attempt to use any physical force against a person or Service Animal and must not distract or attempt to distract any Service Animal.

§11A-12(c) Fine: \$50 – \$350 and/or suspension or revocation Appearance REQUIRED

(d) Report Criminal Conviction.

(1) A Licensee must notify the Commission within five calendar days after any criminal conviction of the Licensee, individually or, if the Licensee is a Business Entity, of any Limited Business Entity Person.

- (2) The notice must be in writing and must be accompanied by a certified copy of the certificate of disposition issued by the clerk of the court explaining what happened as a result of the conviction.
- §11A-12(d) Fine: \$100 Appearance NOT REQUIRED
- (e) Cooperate with the Commission. A Commuter-Van Vehicle Owner must:
- (1) Truthfully answer all questions and comply with all communications, directives, and summonses issued by the Commission or its representatives.
- §11A-12(e)(1) Fine: \$200 and suspension until compliance Appearance REQUIRED
- (2) Produce or be responsible for instructing the Driver of Owner's Commuter-Van Vehicle to produce any documents required to be kept in the Commuter-Van upon the demand of the Commission or its representatives.
- §11A-12(e)(2) Fine: \$50-\$150 Appearance REQUIRED
- (3) Produce any other document the Owner is required to keep no later than 10 days following a request from the Commission.
- §11A-12(e)(3) Fine: \$75-\$350 and/or suspension until compliance Appearance REQUIRED
- (4) Aid the Commission to obtain information regarding any Commuter-Van Driver operating a Commuter-Van owned by the Owner.
- §11A-12(e)(4) Fine: \$75-\$350 and/or suspension until compliance Appearance REQUIRED
- (5) Respond to any contact from the Commission within 48 hours, seven days a week.
- §11A-12(e)(5) Fine: \$500 Appearance NOT REQUIRED
- (f) Reserved. No Willful Acts of Omission.
- (g) Reserved. No Willful Acts of Commission.
- §11A-13 Comply with Laws – Miscellaneous**
- (a) Commission Rules. The following actions can result in suspension or revocation of an Owner's Commuter-Van Service Authorization:
- (1) The Owner or any of its Limited Business Entity Persons or employees violates any provision of these Rules or any of the rules relating to Commuter-Van Vehicles or Service in Chapter 5, Title 19 of the Administrative Code.
- (2) The Owner or any of its Limited Business Entity Persons or employees engages in any fraud or misrepresentation in connection with providing any transportation service.
- (3) The Owner or any of its Limited Business Entity Persons fails to pay any penalty that has been properly imposed under these Rules.
- (4) The Owner or any of its Limited Business Entity Persons is convicted of a crime that the Commission believes has a direct bearing upon the Owner's fitness or ability to perform the functions required of a Commuter-Van Service Owner.
- (5) The Owner fails to maintain the conditions of operation that apply to Commuter-Van Vehicle Owners.
- (6) The Owner or any of its Limited Business Entity Persons or employees engages in discrimination according to the provisions of §8-107 of the Administrative Code.
- (b) Workers Compensation. A Commuter-Van Vehicle Owner must comply with all provisions of the NYS Workers' Compensation Law and regulations with respect to coverage of and benefits to eligible persons.
- §11A-13(b) Fine: \$25 for each day of non-compliance, and either suspension until compliance or license revocation. Appearance REQUIRED
- (c) Disability Laws. The Commuter-Van Vehicle Owner must ensure that all new Commuter-Van Vehicles comply with the applicable provisions of law regarding accessibility to Persons with Disabilities.
- §11A-13(c) Fine: \$200-\$350 Appearance REQUIRED
- (d) Motor Vehicle Registration Laws. A Commuter-Van Vehicle Owner must ensure that no Commuter-Van Vehicle is used in the operation of a Commuter-Van Service unless the Vehicle is in compliance with the registration requirements of the NYS Vehicle and Traffic Law.
- §11A-13(d) Fine: \$300 and suspension of the Commuter-Van license until compliance Appearance REQUIRED
- §11A-14 RESERVED [Operations – Business Premises]**

- §11A-15 RESERVED [Operations – Management Oversight (Use of Agents)]**
- §11A-16 Operations – Service Requirements (Passengers)**
- (a) No Pick-Ups Outside Authorized Area. No Commuter-Van Vehicle Owner will permit the pick up or discharge of passengers outside of the geographical area established in the Commuter-Van Service Owner's Authorization.
- (b) No Pick-Ups Along Bus Routes.
- (1) Restriction. No Commuter-Van Vehicle Owner will permit the pick up or discharge of passengers along any Official Bus Route.
- (2) Grandfathered Exception.
- (i) This restriction will not apply to the pick up and discharge of passengers along bus routes in Manhattan, south of Chambers Street, by Commuter-Van Service Owners that had authority on July 1, 1992 from the NYS Department of Transportation to pick up and discharge passengers along bus routes in that area.
- (ii) The scope of operations by the exempted Commuter-Van Service, however, must not exceed the scope of its operations prior to July 1, 1992.
- §11A-16(a), (b) Fine: \$75 Appearance NOT REQUIRED
- (c) Service Must Be Pre-Arranged. No Commuter-Van Vehicle Owner will permit transportation service unless the service is prearranged and the prearrangement is shown on the Passenger Manifest.
- §11A-16(c) Fine: \$50 Appearance NOT REQUIRED
- (d) Multiple Person Liability. The Commuter-Van Vehicle Owner is liable for violating this §11A-16 even when the actual violation has been unilaterally committed by the Commuter-Van Driver.
- §11A-17 Operations – Responsibility with Respect to Drivers**
- (a) Prohibit Disability Discrimination by Drivers. A Vehicle Owner must not allow a Driver to discriminate unlawfully against Persons with Disabilities. Such discrimination includes, but is not limited to:
- (1) Refusing to serve Persons with Disabilities.
- (2) Refusing to load and unload the mobility aids of Persons with Disabilities, and
- (3) Imposing any charge in addition to the authorized fare for the transportation of Persons with Disabilities, service animals, wheelchairs, or other mobility aids.
- (b) Multiple Person Liability. The Commuter-Van Vehicle Owner will be liable for violating this Rule even when the actual violation has been unilaterally committed by the Commuter-Van Driver.
- §11A-17 Fine: \$200-\$350 Appearance REQUIRED
- §11A-18 Records – Trip Record Information**
- (a) Commuter-Van Service. The Vehicle Owner is responsible for ensuring that the following records are kept for all dispatched calls:
- (1) The Passenger Manifest
- §11A-18(a)(1) Fine: \$50 Appearance NOT REQUIRED
- (2) Records of requests for service and trips
- §11A-18(a)(2) Fine: \$100 Appearance NOT REQUIRED
- (3) The records required by this paragraph must be kept for a period of one year and will be subject to inspection by authorized officers or employees of the Commission during regular business hours.
- §11A-18(a)(3) Fine: \$300 Appearance NOT REQUIRED
- §11A-19 Records – Current Contact Information**
- (a) Current Phone Number for Immediate Access. A Commuter-Van Vehicle Owner must maintain on file with the Commission a current telephone number (connected to an answering machine or recording device), pager number, answering service number or a number for any similar means of telephone contact that allows the Vehicle Owner to be reached by the Commission on a 24-hour basis.
- §11A-19(a) Fine: \$100 Appearance NOT REQUIRED
- §11A-20 RESERVED [Records – Additional Records to be Maintained]**
- §11A-21 RESERVED [Reporting Requirements]**
- §11A-22 RESERVED [Operations – Rates and Tolls]**

- §11A-23 RESERVED [Operations – E-ZPass]**
- §11A-24 Operations – Miscellaneous**
- (a) Advertising Must State Commission Licensed and Authorized. No one is permitted to advertise Commuter-Van services unless the advertisement states CONSPICUOUSLY that the Commuter-Van Vehicle is Licensed by the Commission and includes the affiliated Commuter-Van Service Authorization number.
- §11A-24(a) Fine: \$50 Appearance NOT REQUIRED
- §11A-25 Vehicle Condition – Inspections**
- (a) Inspection by NYS Department of Transportation. A Commuter-Van Vehicle must not be operated as a Commuter-Van Vehicle unless it has been inspected by the NYS Department of Transportation. Provisions and requirements for this inspection can be found in the safety provisions (§140) of the NYS Transportation Law or as modified by an agreement between the NYS Department of Transportation and the Commission, as provided in §80-5.a.(1).
- §11A-25(a) Fine: \$300 Appearance NOT REQUIRED
- (b) Display Inspection Certificate. All Commuter-Van Vehicles must display the inspection certificate.
- §11A-25(b) Fine: \$100 Appearance NOT REQUIRED
- §11A-26 Vehicle Condition – Meets Safety Standards**
- (a) No Commuter-Van Vehicle can be used in a Commuter-Van Service unless it meets the vehicle safety standards prescribed by rule or regulation of the NYS Commissioner of Transportation according to §140 of the NYS Transportation Law.
- §11A-26(a) Fine: \$100-\$500 and/or suspension or revocation of Commuter-Van License Three or more violations within one year: License revocation (see Mandatory Penalties §11A-02(d)) Appearance REQUIRED
- §11A-27 Vehicles – Markings and Displays**
- (a) Required Exterior ID Markings. All Commuter-Van Vehicles must have the following information conspicuously painted on each side of the exterior of the Vehicle in letters at least 3 inches in height:
- (1) The exact name and address of the Commuter-Van Service next to the word OPERATOR;
- (2) The Commuter-Van Vehicle Owner's exact name next to the word OWNER; and
- (3) A Vehicle License number.
- §11A-27(a) Fine: \$50 Appearance NOT REQUIRED
- (b) Required Interior ID Markings.
- (1) A sign with the information listed above (in subdivision (a)) must be placed in the interior of the Vehicle clearly visible from all Passenger seats in the Vehicle.
- (2) The sign must include the statement that any complaints can be submitted to the Taxi and Limousine Commission by calling "311" or through the Commission's website: <http://nyc.gov/taxi>.
- §11A-27(b) Fine: \$50 Appearance NOT REQUIRED
- (c) Valid Commission Decal.
- (1) Each time a Commuter-Van Vehicle License is issued or renewed or transferred to a new Vehicle, the Vehicle must be taken to a Commission inspection facility to have four decals affixed to the Vehicle.
- (2) No Commuter-Van Vehicle License is Valid unless the Vehicle has the appropriate, undamaged decals in each of the following locations:
- (i) The lower right corner of the front windshield
- (ii) The center of the rear window
- (iii) One on each of the rear-most side windows
- §11A-27(c) First violation in a 1-month period: \$50 Appearance NOT REQUIRED
Second and subsequent violations within a 12-month period: \$1000 and suspension of the Commuter-Van License until compliance
- (d) Vehicle Cannot Be Yellow. A Commuter-Van Vehicle must not be operated in a Commuter-Van Service if the Vehicle is painted, in whole or in part, any shade of taxicab yellow.
- §11A-27(d) Fine: \$100 Appearance NOT REQUIRED
- §11A-28 Vehicles – Items Required to be in the Vehicle**
- (a) Commuter-Van Vehicles must carry the following inside the Vehicle any time the Vehicle is in operation:

- (1) The Commuter-Van Vehicle License;
- (2) The Driver's Commuter-Van Driver's License;
- (3) The Authorization to operate a Commuter-Van Service, or a legible photocopy;
- (4) The Vehicle registration and evidence of current liability insurance; and
- (5) A Passenger Manifest.

§11A-28(a) Fine: \$25 per missing item; Appearance NOT maximum penalty \$50 REQUIRED

§11A-29 Vehicle Equipment

- (a) Two-Way Radio. A Commuter-Van Vehicle Owner that uses a two-way radio or other communications system must be in compliance with all regulations of the Federal Communications Commission relating to the communication system.

§11A-29(a) Fine: \$100 Appearance NOT REQUIRED

§11B-01 Scope of this Sub-chapter

- (a) To establish the procedures and requirements for obtaining and maintaining Authorization for a Commuter-Van Service.
- (b) To provide penalties for violation of the requirements of maintaining Authorization for a Commuter-Van Service.
- (c) The Rules in this sub-chapter apply, primarily, to the Commuter-Van Service Owner. When a Rule references that another party is also responsible, unless otherwise clearly stated, the responsibility is joint and several and both parties may be held entirely responsible for a violation of the Rule.

§11B-02 Penalties

- (a) Unlicensed Activity.
 - (1) Unlicensed Activity is the act of providing or advertising the provision of any Commission-regulated for hire transportation service by:
 - (i) Any Licensee or holder of an Authorization whose License or Authorization is suspended, revoked, or expired and not yet renewed, or
 - (ii) Any person who does not hold a Valid License or Authorization from the Commission as a for hire driver, or for the for hire vehicle, or for the for hire service, as applicable.
- (b) Specific Penalties. If there are specific penalties for violating a Rule, they are shown at the end of the Rule. The penalty section also states whether the violator must attend the Hearing.
- (c) Payment of Fines.
 - (1) Fines are due within 30 days of the day the violator is found guilty of the violation.
 - (2) If fines are not paid by the close of business on the date due, the violator's License or Authorization will be suspended until the fine is paid.
 - (3) If a Respondent has made a timely request for a copy of the Hearing recording (see §18-14(e) of these Rules), the time for payment of fines is extended to 21 days from the date the recording is issued.
- (d) Mandatory Penalties.
 - (1) The following cumulative violations will result in mandatory revocation:

§	Violation	Cumulative Criteria	Penalty, after opportunity for Hearing
11B-11(b)	Failure to maintain proper insurance	Each of a group of 30% of the total number of Vehicles affiliated with the Service violates three or more times within 12 months	Revocation of Service Authorization
11B-26	Failure to comply with any safety inspection requirement	Each of a group of 30% of the total number of Vehicles affiliated with the Service violates three or more times within 12 months	Revocation of Service Authorization
11B-10(a)	Operating a Vehicle without a Commuter-Van Drivers License	Any Driver driving for the Service commits three or more violations within six months	Revocation of Service Authorization
11B-10(c)	Drivers operating a vehicle without any one of the licenses necessary to operate a Commuter Van	The number of violations is equal to 90% (rounded up) of the Service's Vehicles, or 5, whichever is greater.	Revocation of Service Authorization

- (2) A Service that has had its Authorization revoked under any of these mandatory penalties is not permitted to apply for a new Authorization for a period of six months after the date of revocation.

§11B-03 Definitions Specific to this Sub-chapter

- (a) Applicant in this Sub-chapter means an applicant for an original Commuter-Van Service Authorization or its renewal.
- (b) Authorization means the Commission's approval to operate a Commuter-Van Service within the geographic boundaries specified by the Commission. An Authorization is a License.
- (c) Business Entity is a sole proprietorship, partnership or corporation.
- (d) Driver in this Sub-chapter refers to a Commuter-Van Vehicle Driver.
- (e) Finding of Public Need means a determination that a Commuter-Van Service being proposed will be required either now or in the future for the convenience and necessity of the public.
- (f) Limited Business Entity Persons are all Business Entity Persons except shareholders holding less than 10% of the stock of the Business Entity.
- (g) New York City will be abbreviated NYC or the City.
- (h) New York State will be abbreviated NYS.
- (i) Official Bus Route in this Sub-chapter means the route, including all stops, traveled upon by a bus line that is operated by:
 - (1) The New York City Transit Authority
 - (2) The City of New York, or
 - (3) A private bus company that has been approved by local law or Charter provision enacted in accordance with §80-4 of the Transportation Law.
- (j) Owner, when used alone in this Sub-chapter, means a Commuter-Van Service Owner.
- (k) Passenger Manifest is the document on which a Commuter-Van Driver enters the name of each passenger to be picked up.
- (l) Vehicle, when used alone in this Sub-chapter, means a Licensed Commuter-Van Vehicle.

§11B-04 Authorization - Requirements

- (a) Reserved. [ID]
- (b) Reserved. [Age]
- (c) Fingerprinting to Verify Good Moral Character.
 - (1) An Applicant for a new Service Authorization must be fingerprinted for the purpose of securing criminal history records from the NYS Division of Criminal Justice Services.
 - (2) An Applicant for a renewal of a Service Authorization must be fingerprinted when a new Finding of Public Need is also required.
 - (3) Fingerprints will be taken of all of the Applicant's Limited Business Entity Persons.
 - (4) If the Applicant intends to add or change any additional Limited Business Entity Persons, the Applicant must apply for the Commission's approval within five days of the change or addition, and those additional Limited Business Entity Persons must be fingerprinted either before or during the Commission's approval process.
 - (5) The Applicant must pay any processing fee required by the State.
- (d) Fitness to Hold Authorization. No Commuter-Van Service Authorization can be issued or renewed unless an Applicant demonstrates to the satisfaction of the Commission that the Applicant is fit, willing, and able to operate a Commuter-Van Service.
- (e) Designate Driver as Agent for Service. An Applicant must agree that any Commuter-Van Driver who drives for Owner's Commuter-Van Service will be considered an agent of the Service Owner for purposes of accepting service of any and all legal process issued by any department of the City of New York.
- (f) Forms and Filing. An application for a Commuter-Van Service Authorization or renewal must be submitted on forms provided by the Commission, signed by the applicant, and personally filed with the Commission.
- (g) Certification of Compliance with ADA. An applicant for an Authorization to operate a Commuter-Van

Service or its renewal must certify by affidavit, annually, that the Commuter-Van Service is in compliance with Title III of the Federal Americans With Disabilities Act of 1990 (42 U.S.C. Section 12101 et seq.).

- (h) Certification of Compliance with Federal Omnibus Testing Act. An Applicant for an Authorization to operate a Commuter-Van Service or for its renewal must certify by affidavit, annually, that the Commuter-Van Service is in compliance with all applicable provisions of section 5 of the Federal Omnibus Transportation Testing Act of 1991 (49 U.S.C. App. Section 2717), as amended, and all regulations relating to the Act.
- (i) A "Finding of Public Need".
 - (1) The Commission cannot issue an Authorization to operate a Commuter-Van Service unless the NYC Commissioner of Transportation makes a Finding of Public Need.
 - (2) Role of the Commission:
 - (i) The Commission will forward any new application for Authorization to operate a Commuter-Van Service (or a renewal application that requires a new Finding of Public Need) to the NYC Commissioner of Transportation.
 - (ii) The application must include the following information:
 - A. The geographic area proposed to be served by the Applicant;
 - B. The maximum number of vehicles to be operated; and
 - C. The capacity of each vehicle.
 - (iii) The Applicant has the burden of demonstrating that the proposed service will be required now or in the future for the convenience and necessity of the public.
 - (3) Role of the NYC Commissioner of Transportation.
 - (i) The Commissioner of Transportation can request that the Applicant provide any additional information relevant to his or her determination.
 - (ii) The Commissioner of Transportation must:
 - A. Consult with the NYS Department of Transportation,
 - B. Provide a notice of the application for publication in the City Record
 - C. Allow for public comment for a period not to exceed 60 days after the date of publication of the notice.
 - D. Notify the New York City Transit Authority and all City Council members and community boards representing any portion of the geographic area set forth in the application.
 - (iii) If a city bus line or the New York City Transit Authority initiates a protest by timely submitting objections to the application for a Finding of Public Need, the Commissioner of Transportation will evaluate their objections as follows:
 - A. The adequacy of the existing transit and mass transportation facilities to meet the transportation needs of any particular segment of the general public for the proposed service; and
 - B. The impact that the proposed operation may have on any existing transit or mass transportation facilities.
 - (iv) If the Commissioner of Transportation makes a Finding of Public Need, the Finding must specify the geographic area where service is authorized and the number of Commuter-Van Vehicles authorized to be used in providing the service.
 - (4) Term of a Finding of Public Need.
 - (i) A Finding of Public Need will be in effect for six years or until the Authorization granted by the Commission is revoked, whichever comes first.
 - (ii) A Finding of Public Need can be renewed prior to its expiration. If the Finding of Public Need

expires, a new determination of public need must be made by the Commissioner of Transportation.

§11B-05 Authorization – Term of Authorization

- (a) New Authorizations. The term of a new Commuter-Van Service Authorization is two years from the date the Authorization is issued.
- (b) Renewals. The renewal term of a Commuter-Van Service Authorization is two years from the date on which the previous Authorization expired.
- (c) No Temporary Authorization. The Commission will not issue a temporary authorization to operate a Commuter-Van Service.

§11B-06 Authorization – Fees

- (a) Reserved. [Commuter Service Authorization Fee]
- (b) Authorization Replacement Fee. The fee to replace any lost, damaged or destroyed Authorization is \$25.

§11B-07 Authorization – Causes for Denial

- (a) Material Misrepresentation. The Commission can deny an application for Authorization if the Applicant has made a material false statement or concealed a material fact relating to the information required on the application.
- (b) Conduct Prohibited by Rules. The Commission can deny an application if the Applicant has engaged in any conduct that would be a basis for suspension or revocation of the Authorization under the Rules in this sub-chapter.
- (c) Prior Unlicensed Activity. The Commission will deny an application for an Authorization if the Applicant has been found guilty of operating a Commuter-Van Service without Authorization two times within a six-month period prior to the date of application.
- (d) Failure to Approve. Any application that the Commission, after consultation with the NYS Department of Transportation, does not approve or disapprove within 180 days after the completed application is filed will be considered disapproved.
- (e) Refusal to Renew. The Commission may refuse to renew a Commuter-Van Service Authorization for additional reasons, including but not limited to:
 - (1) The Applicant or any of its Limited Business Entity Persons or employees has violated any provision of these Rules or any of the rules relating to commuter van service in Chapter 5, Title 19 of the Administrative Code.
 - (2) The Applicant or any of its Limited Business Entity Persons or employees has engaged in any fraud or misrepresentation in connection with providing any transportation service.
 - (3) The Applicant or any of its Limited Business Entity Persons has failed to pay any penalty that has been properly imposed under these Rules.
 - (4) The Applicant or any of its Limited Business Entity Persons has been convicted of a crime that the Commission believes has a direct bearing upon the Applicant's fitness or ability to perform the functions required of a Commuter-Van Service Owner, or has been convicted of any offense that under Article 23-A of the NYS Correction Law would provide a basis for the Commission to refuse to renew or to suspend or revoke a Commuter-Van Service Authorization.
 - (5) The Applicant has failed to maintain the conditions of operation that apply to Commuter-Van Service Owners.
 - (6) The Applicant or any of its Limited Business Entity Persons or employees has engaged in discrimination according to the provisions of §8-107 of the Administrative Code.

§11B-08 Licensing – Transfer of License

- (a) Not Transferrable or Assignable Without Approval. An authorization to operate a Commuter-Van Service will not be assignable or transferable unless otherwise provided by the Commission.

§11B-09 Licensing – Care of Licenses

- (a) If the Authorization for a Commuter-Van Service is lost, damaged, or destroyed, the Owner must provide the Commission with a statement of what happened and any proof that the Commission requires.
- (b) The Commission can issue a duplicate or substitute Authorization upon the Owner's payment of a \$25 fee.

§11B-10 Comply with Laws – No Unlicensed Activity

- (a) Vehicle Must Be Licensed. A Commuter-Van Service Owner must not allow a vehicle to be operated within the City of New York (meaning performing

passenger pick-up and drop-off wholly within New York City) if the vehicle does not have a Valid Commuter-Van License from the Commission.

§11B-10(a) Fine: \$500 – first violation; \$1,000 – subsequent violation within twenty-four months **Appearance REQUIRED**

(b) Vehicle Must Be Affiliated with Authorized Commuter-Van Service. A Commuter-Van Service Owner must not operate a Commuter-Van Vehicle within the City of New York unless it is affiliated with the Owner's Commuter-Van Service.

§11B-10(b) Fine: \$500 – first violation; \$1,000 – subsequent violation within twenty-four months **Appearance REQUIRED**
Multiple violations: See Mandatory Penalties (§11B-02(c))

(c) Driver Must Be Licensed. The Commuter-Van Service Owner is responsible for ensuring that anyone operating a Commuter-Van Vehicle affiliated with the Owner's Service has:

- (1) A Valid driver's license that qualifies as a Chauffeur's License, and
- (2) A Valid Commuter-Van Driver's License.

§11B-10(c) Fine: \$300 and suspension of Commuter-Van license until compliance **Appearance REQUIRED**
Multiple violations: See Mandatory Penalties (§11B-02(c))

(d) No Person Can Operate an Unlicensed Commuter-Van Vehicle or Service.

- (1) No person is allowed to operate or to allow anyone else to operate his or her vehicle bearing the words "Commuter-Van service," "van service," "Commuter-Van," "van" or other similar designation unless:
 - (i) The vehicle is a Validly Licensed Commuter Van Vehicle
 - (ii) The Vehicle is affiliated with a Validly Authorized Commuter-Van Service, and
 - (iii) The Vehicle is driven by a Validly Licensed Commuter-Van Driver.
- (2) A "License" that has expired and has not yet been renewed is not a "Valid License" and operating with an expired License is considered "unlicensed activity."

§11B-10(d) Fine: \$500 – first violation; \$1,000 – subsequent violation within twenty-four months **Appearance REQUIRED**

(e) Special Procedures Relating to Unlicensed Commuter-Van Operations.

- (1) The Commission will notify the NYS Commissioner of Motor Vehicles upon finding a person liable for:
 - (i) Operating a vehicle without a Valid Commuter-Van Vehicle License, or
 - (ii) Operating a vehicle that is not affiliated with an Authorized Commuter-Van Service.
- (2) Until notified that the violation has been corrected, the Motor Vehicle Commissioner can:
 - (i) Suspend the vehicle's registration,
 - (ii) Deny any application for the vehicle's registration or registration renewal,
 - (iii) Take any other action permitted under law.
- (3) The Commission will also notify the NYS Department of Finance.

§11B-11 Comply with Laws – Insurance Coverage

(a) Joint Responsibility. The Commuter-Van Service owner must ensure that no Commuter-Van will be used in the Commuter-Van Service unless such vehicle is in compliance with the insurance requirements set forth in this §11B-11.

§11B-11(a) Fine: \$300 and/or revocation of Commuter-Van license **Appearance REQUIRED**
If each one of a group of at least 30% of the Vehicles affiliated with a Commuter-Van Service fails to maintain liability insurance three times within a 12 month period, the Service's Authorization will be revoked (§9-14(a)(1))

(b) Surety Bond or Policy of Insurance. No Commuter-Van Vehicle can be used in the operation of a Commuter-Van Service unless it is covered by a surety bond or a policy of insurance approved as to form by the Commission and issued by a solvent and responsible company authorized to do business in this State by the Superintendent of Insurance. Coverage must be in at least the following amounts:

Type of Liability	Minimum Coverage Required	
	Commuter-Van for 12 Passengers Or Fewer	Commuter-Van for 13-20 Passengers
● For personal injury or death to one person	\$100,000	\$100,000
● For personal injury or death to one person in one accident	\$300,000	\$500,000
● Maximum for each person in one accident	\$100,000	\$100,000
● For property damage	\$50,000	\$50,000

§11B-11(b) Fine: \$300 and suspension until compliance **Appearance REQUIRED**
Multiple violations: See Mandatory Penalties (§11B-02(c))

(c) Remain in Effect Until Terminated. Surety bonds and certificates of insurance must specify that coverage will remain in effect continuously until terminated as provided in this Sub-chapter.

(d) Conditions for Replacement of Bonds or Insurance. Surety bonds or certificates of insurance may be replaced, and the liability of the retiring surety or insurer will be considered terminated as of the effective date of its replacement, provided that the replacement surety bond or certificate of insurance meets all of the following conditions:

- (1) The new surety bond or certificate of insurance is acceptable to the Commission.
- (2) The Commuter-Van Service Owner or an authorized employee of the van service submits, in duplicate, a letter authorizing the replacement surety bond or certificate of insurance and verifying its effective date.
- (3) The effective date must coincide with the effective date specified in the letter of authorization, and that date may not be more than 30 days before the date the Commission receives the letter of authorization and replacement certificate.

(e) Provision for Continuing Liability. Every surety bond or certificate of insurance must contain a provision for a continuing liability even after a claim has been successfully filed and recovered against the bond or insurance.

(f) Notice of Cancellation to the Commission.

- (1) Every surety bond or certificate of insurance must include a provision that cancellation will not be effective until at least 30 days after the Commission has been properly notified in writing of the party's intention to cancel.
- (2) Proper notification must be given on or in the relevant **Form K – Uniform Notice of Cancellation of Motor Carrier Insurance Policies** or **Form L – Uniform Notice of Cancellation of Motion Carrier Surety Bonds**. Copies of these forms are available at Commission offices.
- (3) If a cancelled insurance policy or bond is reinstated:
 - (i) A new certificate, in the form required by subdivision (d) of this section, must be filed with the Commission, and
 - (ii) The new certificate must have the relevant phrase "REINSTATEMENT OF INSURANCE POLICY" or "REINSTATEMENT OF BOND" typed or printed on it in capital letters, as shown.

(g) Forms. Certificates of insurance and other forms necessary for filing can be obtained from the Commission.

(h) Contract is Required. No surety bond or certificate of insurance can be filed with the Commission unless a direct contractual relationship exists between the Authorized Commuter-Van Service (or the Commuter-Van Vehicle Licensee) and the insurance or bonding company making the filing.

(i) Commission's Right to Refuse. The Commission can at any time refuse to accept any surety bond or certificate of insurance if in the judgment of the Commission it does not provide adequate protection for the public.

§11B-12 Comply with Laws – Personal Conduct

(a) No Bribery. A Commuter-Van Service Owner must not directly or indirectly offer or give any gift, gratuity or thing of value to any employee, representative or member of the Commission or any public servant who is charged with the administration or enforcement of this sub-chapter or any traffic rule or law. All administrative hearings on this matter will be referred to OATH.

§11B-12(a) Fine: \$1,000 and/or suspension or revocation **Appearance REQUIRED**

(b) Report Request for Gift. A Commuter-Van Service Owner must immediately report to the Commission and to the New York City Department of Investigation any request or demand for a gift, gratuity or thing of value by any employee, representative or member of the Commission or any

public servant who is charged with the administration or enforcement of this sub-chapter or any traffic rule or law. All administrative hearings on this matter will be referred to OATH.

§11B-12(b) Fine: \$1,000 and/or suspension or revocation Appearance REQUIRED

(c) No Threat or Use of Physical Force. While performing the duties and responsibilities of an Authorized Commuter-Van Service Owner, or any act in connection with those duties, an Owner must not use or attempt to use any physical force against a person or Service Animal and must not distract or attempt to distract any Service Animal.

§11B-12(c) Fine: \$50 – \$350 and/or suspension or revocation Appearance REQUIRED

(d) Report Criminal Conviction.

(1) A Commuter-Van Service Owner must notify the Commission within five calendar days after any criminal conviction of the Licensee, individually or, if the Owner is a Business Entity, of any Limited Business Entity Person.

(2) The notice must be in writing and must be accompanied by a certified copy of the certificate of disposition issued by the clerk of the court explaining what happened as a result of the conviction.

§11B-12(d) Fine: \$100 Appearance NOT REQUIRED

(e) Cooperate with TLC. A Commuter-Van Service Owner must:

(1) Truthfully answer all questions and comply with all communications, directives, and summonses issued by the Commission or its representatives;

§11B-12(e)(1) Fine: \$200 and suspension until compliance Appearance REQUIRED

(2) Produce or be responsible for instructing Drivers working in association with Owner's Commuter-Van Service to produce any documents required to be kept in the Commuter-Van Vehicle upon the demand of the Commission or its representatives;

§11B-12(e)(2) Fine: \$50-\$150 Appearance REQUIRED

(3) Produce any other document the Owner is required to keep no later than 10 days following a request from the Commission;

§11B-12(e)(3) Fine: \$75-\$350 and/or suspension until compliance Appearance REQUIRED

(4) Aid the Commission to obtain information regarding any Commuter-Van Driver or Commuter-Van Vehicle affiliated with the Owner's Commuter-Van Service.

§11B-12(e)(4) Fine: \$75-\$350 and/or suspension until compliance Appearance REQUIRED

(5) Respond to any contact from the Commission within 48 hours, seven days a week.

§11B-12(e)(5) Fine: \$500 Appearance NOT REQUIRED

(f) Reserved. No Willful Acts of Omission.

(g) Reserved. No Willful Acts of Commission.

§11B-13 Comply with Laws – Miscellaneous

(a) Commission Rules. The following actions can result in suspension or revocation of an Owner's Commuter-Van Service Authorization:

(1) The Owner or any of its Limited Business Entity Persons or employees violates any provision of these Rules or any of the rules relating to Commuter-Van Service in Chapter 5, Title 19 of the Administrative Code.

(2) The Owner or any of its Limited Business Entity Persons or employees engages in any fraud or misrepresentation in connection with providing any transportation service.

(3) The Owner or any of its Limited Business Entity Persons fails to pay any penalty that has been properly imposed under these Rules.

(4) The Owner or any of its Limited Business Entity Persons is convicted of a crime that the Commission believes has a direct bearing upon the Owner's fitness or ability to perform the functions required of a Commuter-Van Service Owner.

(5) The Owner fails to maintain the conditions of operation that apply to Commuter-Van Service Owners.

(6) The Owner or any of its Limited Business Entity Persons or employees engages in discrimination according to the provisions of §8-107 of the Administrative Code.

(b) Workers Compensation. A Commuter-Van Service

Owner must comply with all provisions of the NYS Workers' Compensation Laws and regulations with respect to coverage of and benefits to eligible persons.

§11B-13(b) Fine: \$25 for each day of non-compliance, and either suspension until compliance or license revocation. Appearance REQUIRED

(c) Disability Laws. A Commuter-Van Service Owner must ensure that any new Commuter-Van Vehicle purchased or leased by the Commuter-Van Service complies with all applicable provisions of law regarding accessibility to Persons with Disabilities.

§11B-13(c) Fine: \$200-\$350 Appearance REQUIRED

(d) Motor Vehicle Registration Laws. A Commuter-Van Service Owner must ensure that no Commuter-Van is used in the operation of a Commuter-Van Service unless the Vehicle is in compliance with the registration requirements of the NYS Vehicle and Traffic Law.

§11B-13(d) Fine: \$300 and suspension of the Commuter-Van license until compliance Appearance REQUIRED

§11B-14 RESERVED [Operations – Business Premises]

§11B-15 RESERVED [Operations – Management Oversight (Use of Agents)]

§11B-16 Operations – Service Requirements (Passengers)

(a) No Pick-Ups Outside Authorized Area. No Commuter-Van Service Owner will permit the pick up or discharge of passengers outside of the geographical area established in the Owner's Authorization.

§11B-16(a) Fine: \$75 Appearance NOT REQUIRED

(b) No Pick-Ups Along Bus Routes.

(1) Restriction. No Commuter-Van Service Owner will permit the pick up or discharge of passengers along any Official Bus Route.

§11B-16(b)(1) Fine: \$75 Appearance NOT REQUIRED

(2) Grandfathered Exception.

(i) This restriction will not apply to the pick up and discharge of passengers along bus routes in Manhattan, south of Chambers Street, by Commuter-Van Service Owners that had authority on July 1, 1992 from the NYS Department of Transportation to pick up and discharge passengers along bus routes in that area

(ii) The scope of operations by the exempted Commuter-Van Service, however, must not exceed the scope of its operations prior to July 1, 1992.

(c) Service Must Be Pre-Arranged. No Commuter-Van Service Owner will permit transportation service unless the service is prearranged and the prearrangement is shown on the Passenger Manifest.

§11B-16(c) Fine: \$50 Appearance NOT REQUIRED

(d) Multiple Person Liability. The Commuter-Van Service Owner is liable for violating this Rule even when the actual violation has been unilaterally committed by the Commuter-Van Driver.

§11B-17 Operations – Responsibility with Respect to Drivers

(a) Prohibit Disability Discrimination by Drivers. A Commuter-Van Service Owner must not allow a Driver to discriminate unlawfully against Persons with Disabilities. Such discrimination includes, but is not limited to:

(1) Refusing to serve Persons with Disabilities.

(2) Refusing to load and unload the mobility aids of Persons with Disabilities, and

(3) Imposing any charge in addition to the authorized fare for the transportation of Persons with Disabilities, service animals, wheelchairs, or other mobility aids.

(b) Multiple Person Liability. The Commuter-Van Service Owner will be liable for violating this Rule even when the actual violation has been unilaterally committed by the Commuter-Van Driver.

§11B-17 Fine: \$200-\$350 Appearance REQUIRED

§11B-18 Records – Trip Record Information

(a) Commuter-Van Service. The Commuter-Van Service Owner is responsible for ensuring that the following records are kept for all dispatched calls:

(1) The Passenger Manifest

§11B-18(a)(1) Fine: \$50 Appearance NOT REQUIRED
(2) Records of requests for service and trips;

§11B-18(a)(2) Fine: \$100 Appearance NOT REQUIRED

(3) The records required by this paragraph must be kept for a period of one year and will be subject to inspection by authorized officers or employees of the Commission during regular business hours.

§11B-18(a)(3) Fine: \$300 Appearance NOT REQUIRED

§11B-19 Records – Current Contact Information

(a) Current Phone Number for Immediate Access. A Commuter-Van Service Owner must maintain on file with the Commission a current telephone number (connected to an answering machine or recording device), pager number, answering service number or a number for any similar means of telephone contact that allows the Vehicle Owner to be reached by the Commission on a 24- hour basis.

§11B-19(a) Fine: \$100 Appearance NOT REQUIRED

§11B-20 Records – Additional Records to be Maintained

The Commuter-Van Service Owner is responsible for keeping the following records:

(a) A list of all Vehicles currently operating under the Service Owner's Authorization, and information about each vehicle including, but not limited to the following:

(1) The Vehicle Owner's name, mailing address, and home telephone number,

(2) The Vehicle's registration number,

(3) The Vehicle's Commuter-Van License number,

(4) The Department of Motor Vehicles license plate number of the Vehicle,

(5) The name of the Vehicle's insurance carrier and the policy number, and

(6) The dates of inspection of the Vehicle and the outcome of each inspection.

§11B-20(a) Fine: \$300 Appearance NOT REQUIRED

(b) The records required by this paragraph must be kept for a period of one year and will be subject to inspection by authorized officers or employees of the Commission during regular business hours.

§11B-20(b) Fine: \$300 Appearance NOT REQUIRED

§11B-21 RESERVED [Reporting Requirements]

§11B-22 RESERVED [Operations – Rates and Tolls]

§11B-23 RESERVED [Operations – E-ZPass]

§11B-24 Operations – Miscellaneous

(a) Advertising to State TLC Licensed/Authorized. No one is permitted to advertise Commuter-Van services unless the advertisement states CONSPICUOUSLY that the Commuter-Van Vehicle is Licensed by the Commission and includes the affiliated Commuter-Van Service Authorization number.

§11B-24(a) Fine: \$50 Appearance NOT REQUIRED

§11B-25 Vehicle Condition – Inspections

(a) Inspection by NYS Department of Transportation. The Commuter-Van Service Owner will be responsible for compliance with the following provisions:

(1) A Commuter-Van Vehicle must not be operated as a Commuter-Van Vehicle unless it has been inspected by the NYS Department of Transportation.

(2) Provisions and requirements for this inspection can be found in the safety provisions (§140) of the NYS Transportation Law or as modified by an agreement between the NYS Department of Transportation and the Commission, as provided in §80-5.a.(1).

§11B-25(a) Fine: \$300 Appearance NOT REQUIRED

(b) All Commuter-Van Vehicles must display the inspection certificate.

§11B-25(b) Fine: \$100 Appearance NOT REQUIRED

§11B-26 Vehicle Condition – Meets Safety Standards

(a) No Commuter-Van Vehicle can be used in a Commuter-Van Service unless it meets the vehicle safety standards prescribed by rule or regulation of the NYS Commissioner of Transportation according to §140 of the NYS Transportation Law.

§11B-26(a) Fine: \$100-\$500 and/or suspension or revocation of Commuter-Van license Appearance REQUIRED
Multiple violations: See Mandatory Penalties (§11B-02(c))

§11B-27 Vehicles – Markings and Displays

(a) Required Exterior ID Markings. All Commuter-Van Vehicles must have the following information conspicuously painted on each side of the exterior of the vehicle in letters at least 3 inches in height:

- (1) The exact name and address of the Commuter-Van Service next to the word OPERATOR;
- (2) The Commuter-Van Vehicle Owner's exact name next to the word OWNER; and
- (3) A Vehicle License number.

§11B-27(a) Fine: \$50 Appearance NOT REQUIRED

(b) Required Interior ID Markings.

- (1) A sign with the information listed above (in subdivision (a)) must be placed in the interior of the Vehicle clearly visible from all Passenger seats in the Vehicle.
- (2) The sign must include the statement that any complaints can be submitted to the Taxi and Limousine Commission by calling "311" or through the Commission's website, <http://nyc.gov/taxi>.

§11B-27(b) Fine: \$50 Appearance NOT REQUIRED

(c) Valid TLC Decal.

- (1) Each time a Commuter-Van Vehicle License is issued or renewed or transferred to a new Vehicle, the Vehicle must be taken to a Commission inspection facility to have four decals affixed to the Vehicle.
- (2) No Commuter-Van Vehicle License is Valid unless the Vehicle has the appropriate, undamaged decals in each of the following locations:
 - (i) The lower right corner of the front windshield
 - (ii) The center of the rear window
 - (iii) One on each of the rear-most side windows

§11B-27(c) First violation in a 12-month period: \$500 Appearance NOT REQUIRED
Second and subsequent violations within a 12-month period: \$1,000 and suspension of the Commuter-Van License until compliance

Third violation within a 12-month period: revocation of Commuter-Van Service Authorization Appearance REQUIRED

(d) Vehicle Cannot Be Yellow. A Commuter-Van Vehicle must not be operated in a Commuter-Van Service if the Vehicle is painted, in whole or in part, any shade of taxicab yellow.

§11B-27(d) Fine: \$100 Appearance NOT REQUIRED

§11B-28 Vehicles – Items Required to be in the Vehicle

(a) Commuter-Van Vehicles must carry the following inside the Vehicle any time the Vehicle is in operation:

- (1) The Commuter-Van Vehicle License;
- (2) The Driver's Commuter-Van Driver's License;
- (3) The Authorization to operate a Commuter-Van Service, or legible photocopy;
- (4) The Vehicle registration and evidence of current liability insurance; and
- (5) A Passenger Manifest.

§11B-28(a) Fine: \$25 per missing item; maximum penalty \$50 Appearance NOT REQUIRED

§11B-29 Vehicle Equipment

(a) Two-Way Radio. A Commuter-Van Vehicle Owner that uses a two-way radio or other communications system must be in compliance with all regulations of the Federal Communications Commission relating to the communication system.

§11B-29(a) Fine: \$100 Appearance NOT REQUIRED

Statement of Basis and Purpose of Rules

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 rules are part of a project undertaken by the Taxi and Limousine Commission ("TLC") to revise its existing rule book. The first phase of this project consists of reorganizing and redrafting TLC's rules, to enhance their clarity and accessibility without substantive change. Accordingly, these rules are not intended to make any changes to TLC's current policies, procedures or operations.

During this first phase of the rules revision project, all of TLC's existing rules will be redrafted, then posted on a chapter-by-chapter basis on the TLC Web site for review and

discussion by interested members of the public. Each chapter will be revised based on that discussion, then published for public comment and public hearing pursuant to the City Administrative Procedure Act (CAPA). Because this phase of the rules revision is intended to involve no substantive changes to the rules, and as announced at the Commission meeting held on August 7, 2008, public hearings will be held separately from monthly stated Commission meetings.

When this process has been completed for all TLC rules, the complete set of rules will be presented to the Commission for promulgation simultaneously with repeal of the current set of TLC rules. The revised rules will replace the existing rules compiled in chapter 35 of the Rules of the City of New York. It is anticipated that the promulgation of the revised rules and repeal of the current rules will occur in 2009.

After the first phase of its rules revision is completed, TLC will move to the second phase, which will involve the assessment of its rules for more substantive changes.

The rules proposed here are as follows:

Current Rule Chapters revised in this rule-making	Proposed Rule Chapters
Chapter 9 Commuter Vans (Vehicles and Services).	Chapter 11 Commuter Van Owners and Services

The proposed rules make two substantive changes to the provisions of the current rules governing commuter vehicles and bases. Specifically, the proposed rules:

- Eliminate transition provisions contained in sections 9-04 and 9-05 of the existing rule as such provisions are now obsolete.
- To fully incorporate the provisions of Local Law 16 of 2008, the penalty provisions have been amended to reflect that fines are stayed for 30 days, and further pending decision of a timely-filed appeal.

Supplemental Statement

A public hearing on these proposed rules was held on September 11, 2009. Following that hearing, the TLC voted at a public meeting on September 17, 2009 to conditionally approve these rules, subject to a further vote of approval after all 19 revised rules chapters have been conditionally approved. All 19 chapters having now been conditionally approved by the TLC, the 19 chapters are being republished for additional public comment and final approval by the TLC.

After the conditional TLC approval of this rules chapter, the following additional substantive changes have been made to this chapter as a result of public comment and testimony previously received and considered and staff comments:

- Technical changes were made to conform certain definitions to those proposed in Chapter 1, Definitions as a result of staff comment.
- The general penalty and fines section was amended to include the subject of unlicensed activity and to align payment of fines terms with those of other chapters. These changes were made as a result of staff comment based on further drafting refinements made by the consultant.
- The provisions of section 11A-10 were modified to clarify that unlicensed vehicles may not be operated as commuter vans, based on staff comment.
- The provisions regarding response to TLC communications were modified to make clear that the TLC expects a response to any communication, not just a communication by telephone or pager.

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Notice of Public Hearing and Opportunity to Comment on Proposed 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") proposes amended rules governing taxicab brokers.

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. These proposed rules were included in the TLC's regulatory agenda for Fiscal Year 2010.

A public hearing on these proposed rules was held by the TLC at its offices at 40 Rector Street, 5th Floor, New York, New York, 10006 on April 3, 2009 at 2:30 P.M.

An additional 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 July 8, 2010 at 10:00 A.M. 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, by telephone, or by TTY/TDD no later than July 1, 2009.

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 who wish to speak at the hearing will be strictly limited to three minutes of speaking time. Persons who wish to comment on the proposed rules are urged to submit written comments. There is no page limit on written comments.

Written comments in connection with these proposed rules should be submitted to the Office of Legal Affairs and must be received no later than July 6, 2010 to:

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
TTY/TDD: 212-341-9596
Email: tlcrules@tlc.nyc.gov

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

Section 1. It is hereby proposed to amend Title 35 of the Rules of the City of New York by adding a new chapter 12 thereto, to read as follows:

New Material is underlined.

Chapter 12 TAXICAB BROKERS

§12-01 Scope of this Chapter

- (a) To establish procedures for the licensing and supervision of an individual or Business Entity acting as a Taxicab Broker.
- (b) To establish the qualifications, requirements, prohibitions, and procedures for getting and maintaining a Taxicab Broker's License.
- (c) To establish operating rules to protect the customers and the public.
- (d) To establish appropriate penalties for the violation of these Rules.

§12-02 Penalties

- (a) Unlicensed Activity.
 - (1) Unlicensed Activity is the act of providing or advertising the provision of any Commission-regulated service or business by:
 - (i) Any Licensee whose License is suspended, revoked, or expired and not yet renewed, or
 - (ii) Any person who does not hold a Valid License from the Commission for the service or business.
 - (2) Unlicensed Activity specifically includes the activities listed in §19-528 of the Administrative Code and can subject the violator to padlocking and other penalties.

(b) Specific Penalties. If there are specific penalties for violating a Rule, they are shown at the end of the Rule. The penalty section also states whether the violator must attend the Hearing.

(c) Payment of Fines.

- (1) Fines are due within 30 days of the day the violator is found guilty of the violation.
- (2) If fines are not paid by the close of business on the due date, the violator's License will be suspended until the fine is paid.
- (3) If a Respondent has made a timely request for a copy of the Hearing recording (see §18-14(e) of these Rules), the time for payment of fines is extended to 21 days from the date the recording is issued.

§12-03 Definitions Specific to this Chapter

- (a) Administrator means the duly appointed administrator, executor, executrix or personal representative of an estate.
- (b) Applicant in this Chapter means an Applicant for an original or renewal License as a Taxicab Broker
- (c) Broker or Taxicab Broker is an individual or Business Entity licensed by the Commission to act as an agent for another person or Business Entity in negotiating either of the following:
 - (1) The transfer of any interest in a Medallion
 - (2) A loan to be secured by a Medallion or a Taxicab
- (d) Brokerage is the term for the business of being a Broker.
- (e) De-licensed means an individual or Business Entity whose License is suspended or revoked.
- (f) Exclusive Listing means that the Broker has been given the right to be the only Broker for a particular transaction. Usually the right will be limited to a specific period of time.
- (g) License in this Chapter means a License to be a Taxicab Broker.

§12-04 Licensing – General Information Required

- (a) Identification. An Applicant for an original License must provide the following two forms of identification:

- (1) A Valid government-issued photo ID
- (2) A Valid, original Social Security card
- (b) Proof of Age. An individual Applicant and each Business Entity Person of an Applicant must be at least twenty-one (21) years of age.
- (c) Good Moral Character. The Applicant must be of good moral character. Moral character will be determined in part through fingerprinting and background investigations, as follows:
- (1) Fingerprinting Applicants. An individual and all Business Entity Persons applying for a Broker's license must be fingerprinted.
- (2) Fingerprinting New Business Entity Persons. Fingerprinting is also required when a Business Entity Licensee adds new Business Entity Persons. A Business Entity Licensee must notify the Commission of any new Business Entity Persons within five working days of their addition. The Commission can permit continued use of the Broker's License during completion of the background investigation.
- (3) Fingerprinting Financiers. An individual or the Business Entity Person who provides funds for Brokers must be fingerprinted unless the provider is a licensed bank or loan company.
- (4) Waiver of Fingerprinting. The Commission can waive fingerprinting requirements at its discretion.
- (d) Proficiency in the English Language. The Applicant must be able to understand, speak, read and write the English language.
- (e) Experience. The Applicant must have at least one of the following types of experience:
- (1) Active participation in the Taxicab Brokerage business under the supervision of a licensed Taxicab Broker for not less than one (1) year
- (2) Equivalent experience in the general Taxicab business for a period of at least two (2) years

The Applicant must provide a sworn affidavit regarding the required experience. The Commission may allow or require the Applicant to provide other proof of the required experience, or waive the requirement entirely.

- (f) Waivers for Attorneys. An attorney who is a member in good standing of the Bar of the State of New York, does not need to submit proof as otherwise required in §12-04.

§12-05 Licensing – Specific Information Required

- (a) Location of Business Premises. The Applicant must provide the physical address of the location where the Applicant will conduct business.
- (b) Prior Business or Occupation of Applicant. The Applicant must provide information on the prior business or occupation of the individual Applicant or, if a Business Entity, information on the Applicant's Business Entity Persons during the two years immediately before the date of the application. The information must specify the place or places of the business or occupation and the name or names of employers.
- (c) Potential Conflicts of Interest. The Applicant must disclose all information about Applicant's interest if the Applicant or any principal of the Applicant also:
- (1) Acts as a lender, insurance broker, or automobile dealer or
- (2) Has a financial interest in a lender, insurance broker, or automobile dealership
- (d) Additional Information as Required by the Commission. The Applicant must provide any additional information the Commission may require to determine if the Applicant is qualified to assume the duties and obligations of a Taxicab Broker.

§12-06 Licensing-Fees

- (a) Annual Fee. The fee for an Agent's License will be five hundred dollars (\$500) annually.
- (b) When Fee is Paid. The fee for an original or renewal License must be paid at the time the application is filed.

§12-07 Licensing – Bond Required

- (a) Amount of Bond. An Applicant for a Broker's License or a license renewal must deposit with the Commission a bond in the sum of fifty thousand dollars (\$50,000) payable to the City of New York. The bond must be furnished by one or more sureties approved by the Commission.
- (b) Bond Guarantees. The bond must guarantee that

the Applicant or Licensee will comply with the provisions of the Administrative Code of the City of New York, observe all applicable rules or regulations of the Commission, pay all fines imposed by the Commission, and pay all judgments or settlements arising from any action connected in any way with the Broker's License.

- (c) Fines and Judgments. The Broker is immediately liable for any fine or judgment when the amount becomes due, including in case of an appeal, when the final determination is issued.

§12-08 Licensing – Rules for Business Entity Applicants

- (a) Partnerships. If the Applicant is a partnership, its application must include a certificate from the clerk of the county where the principal place of business is located.

(b) Corporations.

- (1) The Commission will not accept any corporate or trade name similar to a name already in use by another Taxicab Broker.
- (2) A corporation must file with its license application the following:
- (i) A certified copy of its certificate of incorporation
- (ii) A list of its officers and shareholders
- (iii) A certified copy of the minutes of the meeting at which the current officers were elected

§12-09 Licensing – Term of License

Term of License. Taxicab Broker's Licenses will be issued as of January 1st and will expire on the next December 31st unless suspended or revoked before then by the Commission.

§12-10 Licensing – Cause for Denial

- (a) Failure to Meet Requirements. If the Commission determines that the Applicant has failed to meet the requirements for a Taxicab Broker's license, the Commission will notify the Applicant in writing the reason for the denial within a reasonable period of time.
- (b) Material Falsifications. The Commission will deny a license application or revoke or suspend a license for any of the following reasons:
- (1) The Applicant or Broker provided materially false information in an original or renewal application for a license.
- (2) The Applicant or Broker failed to notify the Commission of a material change in the information contained in the application.
- (3) The Applicant or Broker attempted to conceal the identity of a party who has an interest, direct or indirect, in his or her business as a Broker.

- (c) No Longer Meets Requirements. Whenever the Commission determines that a licensed Broker no longer meets the requirements to hold a Broker's License, the Commission will deny the renewal application or suspend or revoke the License in the manner provided in Chapter 18 of these Rules.

§12-11 Provisions in the Event of Licensee's Death

- (a) When an individual Broker dies, the Administrator of his or her estate may complete any unfinished Brokerage business.
- (b) The Administrator must be authorized for this purpose under the provisions of §215-a of the Surrogate's Court Act.
- (c) The Administrator's authority cannot extend beyond 120 days from the date of the Broker's death unless the Commission extends this time period for good cause.

§12-12 Requirements & Prohibitions – No Unlicensed Activity

- (a) Must Have Valid License. An individual or Business Entity must possess a valid Taxicab Broker's License in order to act as a Taxicab Broker or hold himself or herself out as a Taxicab Broker.

§12-12(a) Fine: \$500-\$1,500 Appearance REQUIRED

- (b) Must Display License. A Broker must conspicuously and continuously display a copy of his or her Broker's License in every place of business maintained by the Broker.

§12-12(b) Fine: \$100 Appearance NOT REQUIRED

- (c) Must Not Display Invalid License. A Broker must not display a Taxicab Broker's License that is expired, suspended, or revoked and must surrender such a license immediately to the Commission.

§12-12(c) Fine: \$500 - \$1,500 Appearance REQUIRED

- (d) Must Renew Before Expiration. A Broker must

submit an application for renewal of the License no later than the expiration date of the License unless the Commission grants an extension.

§12-12(d) Fine: \$25 Appearance NOT REQUIRED

- (e) Must Not Employ Certain De-Licensed Persons. A Broker must not employ or use the services of any individual whose License as a Taxicab Broker has been revoked or is suspended or who was the chief executive officer of a partnership or corporation whose License has been revoked or is suspended without the prior written consent of the Commission.

§12-12(e) Fine: \$2,500 and suspension Appearance REQUIRED

- (f) Must Not Act on Behalf of De-Licensed Broker. A Broker must not act on behalf of any Broker whose License has been suspended or revoked without the prior written consent of the Commission.

§12-12(f) Fine: \$2,500 and suspension Appearance REQUIRED

§12-13 Requirements & Prohibitions – Broker as Fiduciary Agent of Owner

- (a) Owner Authorization Required
- (1) A Broker must not offer a Taxicab for transfer unless the Broker is authorized to do so by the owner.

§12-13(a)(1) Fine: \$500-\$1,000 Appearance REQUIRED

- (2) A Broker must not operate or cause to be operated any Medallion delivered to the Broker without the owner's written consent.

§12-13(a)(2) Fine: \$250-\$1,000 Appearance REQUIRED

- (b) Withdrawal of Authorization. An owner can withdraw his or her authorization by giving written notice to the Broker except where an Exclusive Listing has been given for a fixed period.

§12-13(b) Fine: \$500-\$1,000 Appearance REQUIRED

- (c) Storage with Commission. A Broker holding a Medallion and Rate Card for purposes of sale must deliver them to the Commission for storage within 48 hours of their receipt, not including holidays or weekends.

§12-13(c) Fine: \$250-\$1,000 Appearance REQUIRED

- (d) Broker Compensation. A Broker must not accept any commission, rebate, or profit on expenditures that the Broker makes for the owner unless the owner provides written consent. The Broker must retain the written consent for three years.

§12-13(d) Fine: \$250-\$2,000 Appearance REQUIRED

§12-14 Requirements & Prohibitions – Intentional Interference with Contract

A Broker must not encourage any party to break a contract for the transfer of a Taxicab Medallion in order to substitute a new contract with another owner.

§12-14 Fine: \$100-\$750 Appearance REQUIRED

§12-15 Requirements & Prohibitions – Self-Dealing

- (a) A Broker must not directly or indirectly buy for himself or herself any interest in a Medallion listed with the Broker without first disclosing that fact in writing to the owner.

§12-15(a) Fine: \$500-\$2,000 Appearance REQUIRED

- (b) A Broker must not sell a Medallion in which he or she owns an interest without disclosing that interest in writing to the purchaser.

§12-15(b) Fine: \$250-\$750 Appearance REQUIRED

- (c) The Broker must disclose any financial interests in writing to the owners in any transaction where the Broker acts as a lender, insurance broker, or automobile dealer or has a financial interest in the lender, insurance brokerage firm, or automobile dealership.

§12-15(c) Fine: \$250-\$2,000 Appearance REQUIRED

§12-16 Business Procedures – Mailing Address

- (a) Required Mailing Address. A Broker must provide to the Commission the street address of his or her primary business location for the mailing of all notices and correspondence, as well as for the service of summonses.

- (b) Additional Mailing Address. A Broker may also designate a post office box number as a mailing address.

- (c) Report of Changes in Mailing Address. A Broker must report to the Commission any change in his or her mailing address and in the address of any other office where the Taxicab Brokerage business is conducted. The report must be filed in person or by registered or certified mail, with return receipt requested, within seventy-two (72) hours of the change, not including weekends and holidays.

§12-16(a)-(c) Fine: \$50-\$500 and/or suspension Appearance REQUIRED

§12-17 Business Procedures – Exclusive Agreements

(a) Specific Disclosure. The Broker must include the following explanation in type size of not less than six point in all agreements that provide for an Exclusive Listing of a Taxicab Medallion:

An "Exclusive Right to Sell" listing with a Broker is one where the owner has surrendered his or her own right to sell. This means that if you, the Taxicab Medallion owner, find a buyer for your Taxicab, or if another Broker finds a buyer, you must nonetheless pay the agreed commission to the Broker who has the Exclusive Right to Sell.

This explanation must be signed or initialed by the owner and attached to the listing, printed in boldface type on the listing, or printed on the reverse side of the listing.

§12-17(a) Fine: \$100-\$500 Appearance REQUIRED

(b) No Automatic Continuation. A Broker must not be a party to an Exclusive Listing contract that contains an automatic continuation of the period for the listing beyond the end date specified in the contract.

§12-17(b) Fine: \$100-\$750 Appearance NOT REQUIRED

§12-18 Business Procedures – Net Listings

Net Listings. A Broker must not enter into a net listing contract for the transfer of a Medallion or any interest in it unless the contract is part of a bulk transfer of 10 or more Medallions owned by a fleet or minifleet and is completed within six months of the listing.

§12-18 Fine: \$100-\$1,000 Appearance REQUIRED

§12-19 Business Procedures – Documents, Transactions, and Closing Procedures

(a) Interested Parties.

(1) A Broker must not request, accept or permit a party to provide a Power of Attorney or any other legal document that has not been completed and signed.

(2) If a Broker requests a party to sign a document and return it to the Broker, the Broker must give the party a duplicate copy for the party's own records. If any party attends a closing and is presented with a document for signature, the Broker must furnish that party with a copy of the signed document at that closing.

(3) All other documents prepared by the Broker for an interested party must be delivered to that party within 10 business days after the completion of a closing or other transaction.

(4) The Broker must request written acknowledgement that the party received the papers.

§12-19(a)(1)-(4) Fine: \$400-\$2,000 and/or suspension Appearance REQUIRED

(5) A Broker must give written notice to all sellers and buyers involved in a Medallion transfer of their right to be represented by an attorney or an accountant of their own choosing.

§12-19(a)(5) Fine: \$500-\$1,000 Appearance REQUIRED

(b) Principals.

(1) A Broker who arranges a loan for his or her principal must give that principal a copy of the lender's commitment and of all other documents provided by the lender to the Broker.

§12-19(b)(1) Fine: \$400-\$2,000 and/or suspension Appearance REQUIRED

(2) Within 10 business days after the completion of a closing (including the financial closing), a Broker must give his or her principal(s) and the Commission a written closing statement including the following:

(i) Names and addresses of seller(s) and purchaser(s)

(ii) Medallion(s) being sold

(iii) Sales price

(iv) Vehicle cost (if any)

(v) Amount of personal funds furnished by purchaser

(vi) Names and addresses of lenders together with amount(s) of loan(s)

(vii) Broker's commission

(viii) List of all disbursements or payments made on behalf of the principal(s) including an explanation of the purpose for the individual payments

§12-19(b)(2)(i)-(viii) Fine: \$500-\$2,000 Appearance REQUIRED

(3) Within 10 business days after completion of the financial closing, a Broker must forward all monies due to his or her principal(s).

§12-19(b)(3) Fine: \$1,000-\$2,500 and/or suspension Appearance REQUIRED

§12-20 Business Procedures – Record Keeping

(a) Retention of Records. A Broker must keep and maintain the following records for three years:

(1) The names and addresses of transferor(s), transferee(s), mortgagee(s), or other lien holder(s), if any

(2) The purchase price

(3) Amount of deposit paid on contract

(4) Amount of commission paid to Broker

(5) Expenses of procuring the mortgage loan, if any

(6) Closing statements

(7) Listing placed with the Broker

§12-20(a)(1)-(7) Fine: \$250-\$1,000 Appearance NOT Required

(b) Inspection of Records. Upon demand, a Broker must furnish all records and documents listed above to the Commission or its representatives for inspection.

§12-20(b) Fine: \$500-\$1,500 and/or suspension Appearance REQUIRED

§12-21 Business Procedures – Handling of Funds

(a) A Broker must not pay any part of funds advanced by the transferee to the transferor or any other person without the written approval of the transferee.

§12-21(a) Fine: \$1,000-\$2,500 Appearance REQUIRED

(b) The Broker must not commingle funds advanced from a transferee with his or her own funds. He or she must deposit advanced funds promptly in a separate, federally insured, special account.

§12-21(b) Fine: \$1,000-\$2,500 Appearance REQUIRED

(c) The Broker must provide written notification to the person who advanced the funds, giving the name and address of the bank in which the money was deposited and the amount of the deposit.

§12-21(c) Fine: \$100-\$500 Appearance REQUIRED

(d) The Broker must not retain any of the interest earned from the deposited funds unless he or she has written permission from the principal.

§12-21(d) Fine: \$100-\$500 Appearance REQUIRED

§12-22 Business Procedures – Advertising

(a) A Broker must indicate in any advertisement placed by the Broker that he or she is a licensed Broker.

§12-22(a) Fine: \$100-\$750 Appearance REQUIRED

(b) A Broker must not use deceptive or misleading advertising.

§12-22(b) Fine: 500-\$2,000 Appearance NOT REQUIRED

§12-23 Comply with Laws – Conduct Rules

(a) Bribery. A Licensee or anyone acting on behalf of the Licensee must not offer or give any gift, gratuity or thing of value to any employee, representative or member of the Commission, or any other public servant.

§12-23(a) \$2,000 and/or suspension Appearance REQUIRED

(b) Failure to Report Bribery. A Licensee must immediately report to the Commission any request or demand for a gift, gratuity or thing of value by any employee, representative or member of the Commission, or any other public servant.

§12-23(b) \$500-\$1,000 and/or suspension Appearance REQUIRED

(c) Fraud, Theft. A Licensee must not commit or attempt to commit any act of fraud, misrepresentation or theft while performing the duties and responsibilities of a Licensee.

§12-23(c) \$100-\$2,500 and/or suspension Appearance REQUIRED

(d) Willful Acts of Omission. While performing the duties and responsibilities of a Licensee, a Licensee must not deliberately fail to perform, alone or with another, any act where this failure is against the best interests of the public, although not specifically mentioned in these Rules.

§12-23(d) \$100-\$2,500 and/or suspension Appearance REQUIRED

(e) Willful Acts of Commission. While performing the duties and responsibilities of a Licensee, a Licensee must not deliberately perform or attempt to perform, alone or with another, any act that is against the best interests of the public, although not specifically mentioned in these Rules.

§12-23(e) \$100-\$2,500 and/or suspension Appearance REQUIRED

(f) Threats, Harassment, Abuse. A Licensee, his or her representatives, and his or her employees must not threaten, harass, or abuse any governmental or Commission representative, public servant, or other person while performing the duties and responsibilities of a Licensee.

§12-23(f) \$1,000-\$2,500 Appearance REQUIRED

(g) Use or Threat of Physical Force. A Licensee, his or her representatives, and his or her employees must not use or attempt to use any physical force against a Commission representative, public servant, or other person while performing the duties and responsibilities of a Licensee.

§12-23(g) \$2,000-\$5,000 and/or suspension Appearance REQUIRED

(h) Notice of Criminal Conviction.

(1) A Licensee must immediately notify the Commission when he or she is convicted of a crime. The Licensee must also report any criminal convictions of any of the Licensee's Business Entity Persons or employees.

(2) The notification must be in writing and accompanied by a certified copy of the certificate of disposition issued by the Clerk of the Court.

§12-23(h) \$500-\$1,000 Appearance REQUIRED

(i) Failure to Cooperate with Law Enforcement. A Licensee must cooperate with all law enforcement officers and all authorized representatives of the Commission, and comply with all their reasonable requests.

§12-23(i) \$500-\$1,500 and/or suspension Appearance REQUIRED

(j) Failure to Cooperate with the Commission.

(1) A Licensee must answer or comply with all questions, communications, or directives received from the Commission or its representatives within 72 hours. An emergency communication must be answered immediately.

§12-23(j)(1) \$250-\$750 and/or suspension Appearance NOT REQUIRED

(2) A Broker must answer all summonses from the Commission on the scheduled date.

§12-23(j)(2) \$250-\$750 and/or suspension Appearance NOT REQUIRED

Statement of Basis and Purpose of Rules

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 rules are part of a project undertaken by the Taxi and Limousine Commission ("TLC") to revise its existing rule book. The first phase of this project consists of reorganizing and redrafting TLC's rules, to enhance their clarity and accessibility without substantive change. Accordingly, these rules are not intended to make any changes to TLC's current policies, procedures or operations.

During this first phase of the rules revision project, all of TLC's existing rules will be redrafted, then posted on a chapter-by-chapter basis on the TLC Web site for review and discussion by interested members of the public. Each chapter will be revised based on that discussion, then published for public comment and public hearing pursuant to the City Administrative Procedure Act (CAPA). Because this phase of the rules revision is intended to involve no substantive changes to the rules, and as announced at the Commission meeting held on August 7, 2008, public hearings will be held separately from monthly stated Commission meetings.

When this process has been completed for all TLC rules, the complete set of rules will be presented to the Commission for promulgation simultaneously with repeal of the current set of TLC rules. The revised rules will replace the existing rules compiled in chapter 35 of the Rules of the City of New York. It is anticipated that the promulgation of the revised rules and repeal of the current rules will occur in 2009.

After the first phase of its rules revision is completed, TLC will move to the second phase, which will involve the assessment of its rules for more substantive changes.

The rules proposed here are as follows:

Current Rule Chapters revised in this rule-making	Proposed Rule Chapters
Chapter 5, Taxicab Brokers	Chapter 12, Taxicab Brokers

The proposed rule makes one substantive change. To fully incorporate the provisions of Local Law 16 of 2008, the penalty and bond provisions have been amended to reflect that fines are stayed pending decision of a timely-filed appeal.

Supplemental Statement

A public hearing on these proposed rules was held on April 3, 2009. Following that hearing the TLC voted at a public

meeting on April 16, 2009 to conditionally approve these rules, subject to a further vote of approval after all 19 revised rules chapters have been conditionally approved. All 19 chapters having now been conditionally approved by the TLC, the 19 chapters are being republished for additional public comment and final approval by the TLC.

After the conditional TLC approval of this rules chapter, the following additional substantive changes have been made to this chapter as a result of public comment and testimony previously received and considered and staff comments:

- Technical changes were made to conform certain definitions to those proposed in Chapter 1, Definitions as a result of staff comment.
- The general penalty and fines section was amended to include the subject of unlicensed activity and to align payment of fines terms with those of other chapters. These changes were made as a result of staff comment based on further drafting refinements made by the consultant.
- Fee provisions were added to align the rule with practice and statutory authority, based on a staff comment.
- The provisions of section 12-23 regarding acts of commission and omission were modified based on staff comment to reflect further refinements to this language by the consultant and the staff, including following public comment to similar provisions in Chapter 4.

SPECIAL MATERIALS

COMPTROLLER

NOTICE

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on June 17, 2010 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
27	15960	p/o 56

Acquired in the proceedings, entitled: Beach 43, 44, and 45 and Conch Drive, et. al. subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

John C. Liu
Comptroller

j3-16

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on June 16, 2010 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
46	15960	p/o 26
47	15960	p/o 25
48	15960	p/o 24
51	15960	p/o 21
52	15960	p/o 20
57	15960	p/o 14
58	15960	p/o 11
59	15960	p/o 9
70	15965	p/o 110

Acquired in the proceedings, entitled: Beach 43, 44, and 45 and Conch Drive, et. al. subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

John C. Liu
Comptroller

j3-16

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on June 8, 2010 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
28	15960	p/o 54
29	15960	p/o 53

CHANGES IN PERSONNEL

DEPARTMENT OF SANITATION
FOR PERIOD ENDING 04/16/10

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
MCKENZIE	JERMAINE N	9140A	\$12.0000	RESIGNED	YES	03/25/10
MCKNIGHT	ERIC L	9140A	\$12.0000	APPOINTED	YES	02/27/10
MURRAY	DARIEN	9140A	\$12.0000	APPOINTED	YES	02/11/10
NEWSOME	CONRAD L	9140A	\$12.0000	APPOINTED	YES	02/27/10

30	15960	p/o 51
31	15960	p/o 49
39	15960	p/o 37
41	15960	p/o 34
42	15960	p/o 32

Acquired in the proceedings, entitled: Beach 43, 44, and 45 and Conch Drive, et. al. subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

John C. Liu
Comptroller

m25-j8

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on June 7, 2010 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
3	4728	2
4	4740	15
12	4736	12
6	4740	14
7,8,9,10,13	4740	1,7,9,11,13
22	4737	14
11,14,15	4736	1,6,15
21,23,24,25,26,27	4737	1,5,7,9,13,18
36,37,38	4738	1,3,13
46,47,48,49,50,51	4692	1,11,18,21,28,33
5,18,19,20,30,31,32,33	4740	16,21,24,33,35,36,37,41
41,42,43,44,45	4739	1,3,9,20,29
34	4740	43
35	4740	46

Acquired in the proceedings, entitled: Oakwood Beach Bluebelt, Stage 1 subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

John C. Liu
Comptroller

m25-j7

TRANSPORTATION

NOTICE

PUBLIC NOTICE OF A CONCESSION OPPORTUNITY FOR THE OPERATION, MANAGEMENT AND MAINTENANCE OF A PEDESTRIAN PLAZA LOCATED ON DEKALB AVENUE, BETWEEN FULTON STREET, BOND STREET AND ALBEE SQUARE, BOROUGH OF BROOKLYN

Pursuant to the Concession Rules of the City of New York, the Department of Transportation ("DOT") intends to enter into a concession for the operation, management, and maintenance of a pedestrian plaza located on DeKalb Avenue between Fulton Street, Bond Street and Albee Square in Brooklyn ("Licensed Plaza"), including through DOT-approved events, sponsorships, and subconcessions including but not limited to providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that helps brand or promote the neighborhood or the concessionaire, and other similar merchandise within the Licensed Plaza.

The concessionaire shall issue solicitations in the basic form of a Request for Proposals or a Request for Bids to select entities that will operate and manage such subconcessions. The selection of the entities to operate and manage the subconcessions will be subject to DOT's prior written approval.

The concession agreement will provide for one (1) five-year term, with four (4) one-year renewal options. The renewal options shall be exercisable at DOT's sole discretion.

DOT has identified the Fulton Mall Improvement Association as a potential concessionaire, but DOT will consider additional expressions of interest from other potential not for profit concessionaires for the operation, management, and maintenance of the Licensed Plaza. In order to qualify, interested organizations should be active in the neighborhood of the Licensed Plaza and have demonstrated experience in the management, operation and maintenance of publicly accessible facilities, including but not limited to programming/events management and concession or retail operation/management.

Not for profit organizations may express interest in the proposed concession by contacting Andrew Wiley-Schwartz, Assistant Commissioner for Public Spaces, by email at awileyschwartz@dot.nyc.gov or in writing at 55 Water Street, 9th Floor, New York, NY 10041 by June 8, 2010. Mr. Wiley-Schwartz may also be contacted with any questions relating to the proposed concession by email or by telephone at (212) 839-6678.

Please note that the New York City Comptroller is charged with the audit of concession agreements in New York City. Any person or entity that believes that there has been unfairness, favoritism or impropriety in the concession process should inform the Comptroller, Office of Contract Administration, 1 Centre Street, New York, New York 10007, telephone number (212) 669-2323.

m13-j8

PUBLIC NOTICE OF A CONCESSION OPPORTUNITY FOR THE OPERATION, MANAGEMENT AND MAINTENANCE OF A PEDESTRIAN PLAZA LOCATED ON EAST FORDHAM ROAD, EAST KINGSBRIDGE ROAD AND CELIA CRUZ BOULEVARD, BOROUGH OF THE BRONX

Pursuant to the Concession Rules of the City of New York, the Department of Transportation ("DOT") intends to enter into a concession for the operation, management, and maintenance of a pedestrian plaza located on East Fordham Road, East Kingsbridge Road and Celia Cruz Boulevard in the Bronx ("Licensed Plaza"), including through DOT-approved events, sponsorships, and subconcessions including but not limited to providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that helps brand or promote the neighborhood or the concessionaire, and other similar merchandise within the Licensed Plaza.

The concessionaire shall issue solicitations in the basic form of a Request for Proposals or a Request for Bids to select entities that will operate and manage such subconcessions. The selection of the entities to operate and manage the subconcessions will be subject to DOT's prior written approval.

The concession agreement will provide for one (1) five-year term, with four (4) one-year renewal options. The renewal options shall be exercisable at DOT's sole discretion.

DOT has identified the Fordham Road Business Improvement District as a potential concessionaire, but DOT will consider additional expressions of interest from other potential not for profit concessionaires for the operation, management, and maintenance of the Licensed Plaza. In order to qualify, interested organizations should be active in the neighborhood of the Licensed Plaza and have demonstrated experience in the management, operation and maintenance of publicly accessible facilities, including but not limited to programming/events management and concession or retail operation/management.

Not for profit organizations may express interest in the proposed concession by contacting Andrew Wiley-Schwartz, Assistant Commissioner for Public Spaces, by email at awileyschwartz@dot.nyc.gov or in writing at 55 Water Street, 9th Floor, New York, NY 10041 by June 8, 2010. Mr. Wiley-Schwartz may also be contacted with any questions relating to the proposed concession by email or by telephone at (212) 839-6678.

Please note that the New York City Comptroller is charged with the audit of concession agreements in New York City. Any person or entity that believes that there has been unfairness, favoritism or impropriety in the concession process should inform the Comptroller, Office of Contract Administration, 1 Centre Street, New York, New York 10007, telephone number (212) 669-2323.

m13-j8

PUBLIC NOTICE OF A CONCESSION OPPORTUNITY FOR THE OPERATION, MANAGEMENT AND MAINTENANCE OF A PEDESTRIAN PLAZA LOCATED ON BROAD STREET, BETWEEN WALL STREET AND BEAVER STREET, BOROUGH OF MANHATTAN

Pursuant to the Concession Rules of the City of New York, the Department of Transportation ("DOT") intends to enter into a concession for the operation, management, and maintenance of a pedestrian plaza located on Broad Street between Wall Street and Beaver Street in Manhattan ("Licensed Plaza"), including through DOT-approved events, sponsorships, and subconcessions including but not limited to providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that helps brand or promote the neighborhood or the concessionaire, and other similar merchandise within the Licensed Plaza.

The concessionaire shall issue solicitations in the basic form of a Request for Proposals or a Request for Bids to select entities that will operate and manage such subconcessions. The selection of the entities to operate and manage the subconcessions will be subject to DOT's prior written approval.

The concession agreement will provide for one (1) five-year term, with four (4) one-year renewal options. The renewal options shall be exercisable at DOT's sole discretion.

DOT has identified the Alliance for Downtown New York as a potential concessionaire, but DOT will consider additional expressions of interest from other potential not for profit concessionaires for the operation, management, and maintenance of the Licensed Plaza. In order to qualify, interested organizations should be active in the neighborhood of the Licensed Plaza and have demonstrated experience in the management, operation and maintenance of publicly accessible facilities, including but not limited to programming/events management and concession or retail operation/management.

Not for profit organizations may express interest in the proposed concession by contacting Andrew Wiley-Schwartz, Assistant Commissioner for Public Spaces, by email at awileyschwartz@dot.nyc.gov or in writing at 55 Water Street, 9th Floor, New York, NY 10041 by June 8, 2010. Mr. Wiley-Schwartz may also be contacted with any questions relating to the proposed concession by email or by telephone at (212) 839-6678.

Please note that the New York City Comptroller is charged with the audit of concession agreements in New York City. Any person or entity that believes that there has been unfairness, favoritism or impropriety in the concession process should inform the Comptroller, Office of Contract Administration, 1 Centre Street, New York, New York 10007, telephone number (212) 669-2323.

m13-j8

NICOLL	CHRISTOP	70112	\$66672.0000	RETIRED	NO	04/01/10
O GRADY	JOHN M	70112	\$66672.0000	RETIRED	NO	04/01/10
ORLOVSKY	DAVID	10015	\$84000.0000	APPOINTED	YES	04/04/10
PABON	ANGEL L	70112	\$66672.0000	RETIRED	NO	03/28/10
PARENTE	STEPHEN J	92511	\$260.0000	INCREASE	YES	04/04/10
PIOLI	THOMAS J	9140A	\$12.0000	APPOINTED	YES	02/27/10
PLUNKETT JR	RAYMOND B	9140A	\$12.0000	APPOINTED	YES	02/11/10
PODD	FRANK	70112	\$66672.0000	RETIRED	NO	04/02/10
POWELL	TYRONE	9140A	\$12.0000	RESIGNED	YES	03/21/10
POWELL JR	TYRONE J	9140A	\$12.0000	APPOINTED	YES	02/27/10
POYNTER	MATTHEW E	9140A	\$12.0000	APPOINTED	YES	02/11/10
QUINN	EUGENE P	70150	\$86108.0000	RETIRED	NO	04/01/10
RAMEY	TION L	9140A	\$12.0000	APPOINTED	YES	02/27/10
RAMOS	EDUARDO	70112	\$66672.0000	RETIRED	NO	04/02/10

RAY	TERRENCE	L	9140A	\$12.0000	APPOINTED	YES	02/11/10
REXACH	VICTOR	R	70112	\$66672.0000	RETIRED	NO	04/02/10
RIVERA	OTILIO		70112	\$66672.0000	RETIRED	NO	03/31/10
RODGERS	GREGORY	L	9140A	\$12.0000	APPOINTED	YES	02/27/10
ROJAS	CARLOS		70112	\$66672.0000	RETIRED	NO	04/02/10
ROMANO	JOHN		70112	\$66672.0000	RETIRED	NO	04/02/10
ROSADO	LUIS	A	70112	\$66672.0000	RETIRED	NO	03/31/10
SANTIAGO	MILTON		70112	\$66672.0000	RETIRED	NO	04/01/10
SANTORO	FRANKIE	N	9140A	\$12.0000	APPOINTED	YES	02/27/10
SILVERMAN	ALAN	H	92510	\$292.0800	RETIRED	NO	04/01/10
SPARKS	JOHNNY	W	9140A	\$12.0000	APPOINTED	YES	02/27/10
STROMAN	TRACEY	L	9140A	\$12.0000	APPOINTED	YES	02/27/10
THOMPSON	THADDEUS	L	9140A	\$12.0000	APPOINTED	YES	02/27/10
THURMAN	EBONIE	M	9140A	\$12.0000	APPOINTED	YES	02/27/10
VALDEZ	JEOVANNY	A	10251	\$30683.0000	INCREASE	NO	03/28/10
VARDARO	DENIS	J	70150	\$86108.0000	RETIRED	NO	03/31/10
WASHINGTON	KEVIN	D	9140A	\$12.0000	APPOINTED	YES	02/27/10
WATERMAN	OSWALD	H	9140A	\$12.0000	APPOINTED	YES	02/27/10
WEIR	WINSTON	B	70112	\$66672.0000	RETIRED	NO	03/31/10
WEISENFELD	JERRY	L	70112	\$66672.0000	RETIRED	NO	03/31/10
WELCH	LEANDREW		9140A	\$12.0000	APPOINTED	YES	02/27/10
WILLIAMS	DENISE		70112	\$66672.0000	RETIRED	NO	03/31/10
YODICE	JOHN	T	70150	\$86108.0000	RETIRED	NO	03/28/10

DEPARTMENT OF FINANCE
FOR PERIOD ENDING 04/16/10

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	
ANDREWS	MAMIE	L	10251	\$39208.0000	RETIRED	NO	04/02/10
COLEMAN	MONIQUE		10124	\$56911.0000	RESIGNED	YES	04/05/10
KENTON	MICHAEL	W	90702	\$189.6000	DECREASE	YES	03/28/10
MALUF	LISA	R	10026	\$134760.0000	RESIGNED	YES	03/28/10
PATRICOF	ROCHELLE	H	95005	\$119108.0000	DECREASE	YES	04/04/10
PORTER	DENISE	L	10124	\$57000.0000	RESIGNED	YES	04/05/10
POTOURIDIS	IOANNIS		10251	\$35285.0000	APPOINTED	YES	03/09/10
RAMSAMI	FENELLA		95338	\$65000.0000	INCREASE	YES	03/23/10
WHITE	EMMA		10251	\$35432.0000	RETIRED	YES	04/10/10

DEPARTMENT OF TRANSPORTATION
FOR PERIOD ENDING 04/16/10

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	
ALEXANDER	BEVERLY	L	10251	\$35285.0000	APPOINTED	NO	03/09/10
ALFARO	ALBERT	J	90910	\$41003.0000	APPOINTED	YES	04/04/10
ARROYO	DANIEL		92406	\$315.6800	PROMOTED	NO	03/11/10
AUGELLO	GIOACCHI	V	91210	\$50.7000	APPOINTED	YES	03/28/10
BEYER	AIXA		10251	\$21.2600	RETIRED	YES	03/30/10
BOWERS	LARRY	W	91547	\$44978.0000	APPOINTED	YES	04/04/10
BUDHAI	CHANDERD		90910	\$47153.0000	INCREASE	YES	04/04/10
BUFFALO	TASHINA	G	10251	\$35285.0000	APPOINTED	NO	03/09/10
CORDERO-SMITH	MARIA	A	10124	\$51569.0000	RESIGNED	NO	03/29/10
D'AGROSA	EDWARD	P	10251	\$35285.0000	APPOINTED	NO	02/10/10
DENT	DAVID	C	12626	\$39155.0000	APPOINTED	NO	12/03/07
DIBENEDETTO	PIETRO	A	92406	\$315.6800	PROMOTED	NO	03/11/10
DOUSE	NAOMI	A	91925	\$341.8800	APPOINTED	YES	03/28/10
DUNN	GREGORY		92406	\$315.6800	DISMISSED	NO	04/05/10
DUODU	OHENE	K	10015	\$108000.0000	APPOINTED	YES	04/04/10
DUQUE	MIGUEL	A	10251	\$35285.0000	APPOINTED	NO	03/10/10
FUENTES	EMMANUEL	L	90910	\$41003.0000	APPOINTED	YES	04/04/10
GARCIA	FRANCIS	N	90698	\$198.8800	DECREASE	YES	03/21/10
GARCIA	JENNIFER		10251	\$35285.0000	RESIGNED	NO	03/30/10
GARDNER	ELIZABET	D	92406	\$315.6800	PROMOTED	NO	03/11/10
GILLEAD	ALEA	C	10251	\$35285.0000	APPOINTED	NO	02/03/10
GILMORE	SHAUN	C	10251	\$35285.0000	APPOINTED	NO	02/04/10
HERRINGTON	MATTHEW	K	91522	\$64192.0000	APPOINTED	YES	04/04/10
HIRSCH	STANLEY		92406	\$315.6800	PROMOTED	NO	03/11/10
HOCK	JOSEPH	M	10251	\$35285.0000	APPOINTED	NO	02/11/10
HODGE	STACEY	D	10251	\$35285.0000	APPOINTED	NO	02/04/10
HOPKINS	ERIC		12200	\$28206.0000	APPOINTED	YES	04/04/10
JEAN	NIKA	S	90910	\$47153.0000	INCREASE	YES	03/28/10
JOHNSON	PRESTON	E	10251	\$35285.0000	APPOINTED	NO	02/04/10
JOHNSON	SALLY		92406	\$315.6800	PROMOTED	NO	03/11/10
KING	LAWRENCE		22427	\$72752.0000	RETIRED	NO	04/02/10
KOTELEVICH	PAVEL		91547	\$44978.0000	APPOINTED	YES	04/04/10
LARKIN	DANIEL	B	91529	\$43298.0000	APPOINTED	YES	04/04/10
LLOYD	DAVID	M	92406	\$315.6800	PROMOTED	NO	03/11/10
LOCASCIO	VITO	V	92406	\$315.6800	PROMOTED	NO	03/11/10
LUPERENA	ROSARIA		10124	\$75630.0000	RESIGNED	NO	04/04/10
MATEO	PAULINO	B	92406	\$315.6800	PROMOTED	NO	03/11/10
MCHAM	ELISA		90642	\$35086.0000	RESIGNED	YES	04/01/10
MELNICHENKO	SVETLANA		20210	\$61128.0000	RETIRED	NO	04/02/10
MOORE	ESTHER	A	10251	\$35285.0000	APPOINTED	NO	02/10/10
MOORE	YVONNE	C	10251	\$35285.0000	APPOINTED	NO	02/04/10
MULLINS	TAURA	N	10251	\$35285.0000	APPOINTED	NO	02/05/10
NIKOLIC	DESI	C	91542	\$59938.0000	APPOINTED	YES	04/04/10
NOWACKA	ALICJA		91529	\$43298.0000	APPOINTED	YES	03/28/10
O'BRIEN-GORMAN	PATRICK	D	20210	\$48126.0000	APPOINTED	YES	04/04/10
OSTREICHER	LINDA		22122	\$80500.0000	APPOINTED	YES	03/28/10
QUINN	SEAN	M	10251	\$35285.0000	APPOINTED	NO	03/09/10
RIVERA	LAURA	I	10251	\$35285.0000	APPOINTED	NO	03/09/10
ROBINSON	ARRONIOU		92406	\$315.6800	PROMOTED	NO	03/12/10
RODRIGUEZ	MONICA		20202	\$43349.0000	APPOINTED	YES	04/04/10
RUSSELL	LASHAWN		10251	\$35285.0000	APPOINTED	NO	03/09/10
SAJKOWSKA	BARBARA	I	10251	\$35285.0000	APPOINTED	NO	03/09/10
SANON	WINDY		10251	\$19.3100	APPOINTED	NO	02/10/10
SCHANSTRA	ERIC	W	91529	\$49793.0000	RESIGNED	NO	04/02/10
SCHULTHEIS	MARC	A	10251	\$35285.0000	APPOINTED	NO	02/04/10
SEFULVEDA	WILLIE		90910	\$54072.0000	DISMISSED	NO	03/05/10
STARECK	PATRICIA	A	10251	\$35285.0000	APPOINTED	NO	02/04/10
THOMPSON	SHANELLE		10251	\$35285.0000	APPOINTED	NO	02/05/10
TORRES	ANTONIO		91925	\$341.8800	RETIRED	NO	03/31/10
TUBIOLO	ANGLO		91717	\$343.0000	APPOINTED	NO	03/21/10
VANTERPOOL	CRISTY	S	10251	\$35285.0000	APPOINTED	NO	03/09/10
VASQUEZ	SHADROCK	A	22315	\$55345.0000	INCREASE	YES	03/28/10
VIVONA	ROBERT	V	92406	\$315.6800	PROMOTED	NO	03/11/10
WALCOTT	KATHY		10124	\$51445.0000	INCREASE	YES	04/04/10
WALKO	KELSEY	M	10251	\$35285.0000	APPOINTED	NO	02/04/10
WASHINGTON	EDWARD		92406	\$315.6800	PROMOTED	NO	03/11/10
WELCH	KEVIN	K	12749	\$32857.0000	APPOINTED	NO	10/26/08
WONG	YAN		10251	\$35285.0000	APPOINTED	NO	03/09/10
YOUNG	DEREK	T	90910	\$47153.0000	INCREASE	YES	04/04/10

DEPT OF PARKS & RECREATION
FOR PERIOD ENDING 04/16/10

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	
ABNEY	CRYSTAL		80633	\$9.2100	RESIGNED	YES	03/14/10
ADAMS	JANOTTA		80633	\$9.2100	RESIGNED	YES	03/27/10
ALAMO	XIOMARA	A	80633	\$9.2100	APPOINTED	YES	04/01/10
ANDERSON	ELVIRA		80633	\$9.2100	APPOINTED	YES	03/26/10
ASKLOF	JEFFERY		81111	\$69561.0000	INCREASE	NO	04/01/10
BAH	HOUSSAIN		80633	\$9.2100	RESIGNED	YES	03/03/10
BARNES	CASANDRA	C	10251	\$29548.0000	APPOINTED	NO	03/09/10
BARRETTO	NANETTE		80633	\$9.2100	RESIGNED	YES	03/09/10
BENNETT	HERCULES		91406	\$11.1100	APPOINTED	YES	04/08/10
BETHEL	CHARLIE	G	56057	\$25159.0000	RESIGNED	YES	03/20/10
BIFULCO	MICHAEL		81111	\$61287.0000	INCREASE	YES	03/29/10
BIFULCO	MICHAEL		81106	\$44302.0000	APPOINTED	NO	03/29/10
BIRCHETT	GREGORY		80633	\$9.2100	RESIGNED	YES	03/16/10
BLACK	JOHN	H	91406	\$13.8700	APPOINTED	YES	04/01/10
BOLAND	KATE		10251	\$29548.0000	APPOINTED	NO	03/10/10
BRACKEN	MARGARET	C	10251	\$29548.0000	APPOINTED	NO	03/10/10
BROCKENBAUGH	AUTHUR		80633	\$9.2100	RESIGNED	YES	03/05/10
BROWN	DOREEN	M	91406	\$11.1100	RESIGNED	YES	03/05/10
BROWN	MICHAEL		80633	\$9.2100	APPOINTED	YES	03/22/10
BROWN	MICHAEL		90641	\$14.0200	APPOINTED	YES	03/29/10
CAMPBELL	COREY	O	90641	\$14.0200	APPOINTED	YES	03/22/10

CASH	SHIRLEY		80633	\$9.2100	APPOINTED	YES	03/26/10
CHANDLER	YVONNE		80633	\$9.2100	RESIGNED	YES	03/24/10
CHARLES	JAMAL	S	60421	\$37907.0000	TERMINATED	NO	03/28/10
COLLIER	EDWARD		56057	\$17.7700	APPOINTED	YES	04/07/10
COOPER	BRADLEY		80633	\$9.2100	APPOINTED	YES	04/02/10
COPPIN	AMANDA	E	10124	\$24.9000	INCREASE	YES	03/31/10
CORNUT	MELINDA		80633	\$9.2100	APPOINTED	YES	03/25/10
COVINGTON	DENISE		80633	\$9.2100	RESIGNED	YES	04/02/10
CRITTEN	ALICIA	S	80633	\$9.2100	APPOINTED	YES	03/26/10
CRUZ-FLORES	MARICEL		91406	\$11.1100	RESIGNED	YES	03/19/10
CUFFY	ANTHONY		81106	\$18.3500	APPOINTED	YES	03/28/10
CYRUS	CLEVELAN	L	91717	\$49.0000	APPOINTED	YES	03/31/10
DAVIS	TANYA	D	80633	\$9.2100	APPOINTED	YES	03/29/10
DELEON	WILLIE	C	80633	\$9.2100	APPOINTED	YES	03/29/10
DELGADO	JUANA		10251	\$16.8500	APPOINTED	YES	03/29/10
DESILVIO	NICHOLAS	A	60421	\$37907.0000	APPOINTED	NO	03/02/10
DESIMONE	ANGELO		81106	\$21.1000	APPOINTED	YES	03/28/10
DIAZ	JORGE		56057	\$17.7700	APPOINTED	YES	04/07/10
DINALLO	ANGELA		91406	\$11.1100	APPOINTED	YES	03/30/10
DINLER	MEJSUDE		10251	\$29548.0000	APPOINTED	NO	03/10/10
DIRECTOR	GREGORY		56057	\$48000.0000	INCREASE	YES	04/04/10
DODD	MARIE		80633	\$9.2100	APPOINTED	YES	03/29/10
DONAHUE JR.	JOHN	P	90641	\$16.1200	APPOINTED	YES	03/29/10
DUNCAN-GRAZETTE	ERICA	N	10251	\$29548.0000	APPOINTED	NO	03/10/10
DUNN	SYLVIA		80633	\$9.2100	RESIGNED	YES	03/16/10
ELLERISON	DONALD		80633	\$9.2100	APPOINTED	YES	04/01/10
ETHRIDGE	MIRIAM		80633	\$9.2100	RESIGNED	YES	03/16/10
EVANS	TAMIKA		80633	\$9.2100	APPOINTED	YES	03/29/10
FELICIANO	WALESKA		80633	\$9.2100	APPOINTED	YES	04/01/10
FELTON	SAFIYAH		80633	\$9.2100	RESIGNED	YES	03/19/10
FIGUEROA	JOSE	F	80633	\$9.2100	RESIGNED	YES	03/13/10
FIGUEROA	SHEILA	L	80633	\$9.2100	RESIGNED	YES	03/12/10
FISHER	EARL		60421	\$37907.0000	APPOINTED	NO	03/22/10
FITZGIBBON	DANIEL	T	91915	\$46.0100			

NAME	LAST	FIRST	M	NUM	SALARY	ACTION	PROV	EFF DATE
SAMMARTANO	FRANK	M		90641	\$14,0200	APPOINTED	YES	03/29/10
SANCHEZ	CARLOS	S		90641	\$14,0200	APPOINTED	YES	03/29/10
SCHATZ	CONRAD	S		90641	\$14,0200	APPOINTED	YES	03/29/10
SCHRODER	CYNTHIA			80633	\$9,2100	RESIGNED	YES	04/01/10
SCHWAB	JASON	A		06664	\$17,1400	APPOINTED	YES	03/31/10
SEGARS	VELMA	D		10251	\$29548.0000	APPOINTED	NO	03/09/10
SIMMONS	DESHELLA	M		80633	\$9,2100	APPOINTED	YES	03/26/10
SINCLAIR	ELIZABET			80633	\$9,2100	RESIGNED	YES	03/13/10
SINGH	ARETHA			10251	\$29548.0000	APPOINTED	NO	03/10/10
SLOLEY	TASHIE			91406	\$11,1100	APPOINTED	YES	04/07/10
SMITH	AMENA	K		80633	\$9,2100	APPOINTED	YES	03/25/10
SNAPE	TYANN			80633	\$9,2100	RESIGNED	YES	03/13/10
SOOKOO	ANTHONY			81111	\$61287.0000	INCREASE	YES	04/04/10
SOSTRE	YVETTE			80633	\$9,2100	APPOINTED	YES	03/22/10
STONE	EDITH	S		10072	\$90000.0000	INCREASE	YES	04/04/10
STROUD	GERALDIN			06664	\$17,1400	APPOINTED	YES	04/01/10
TORO	DEANNA	L		80633	\$9,2100	RESIGNED	YES	03/17/10
TORRES	RACHEL			06664	\$14,9000	APPOINTED	YES	03/09/10
TUCKER	JAMIE			80633	\$9,2100	APPOINTED	YES	03/29/10
TURNER	TAWANNA			80633	\$9,2100	APPOINTED	YES	03/22/10
VALENCIA	BERNICE	M		10251	\$29548.0000	APPOINTED	NO	03/09/10
VARGAS	SIRMARA			80633	\$9,2100	RESIGNED	YES	03/20/10
VEGA	HUGO			56058	\$28,7100	APPOINTED	YES	03/22/10
VELASQUEZ	BARBARA			80633	\$9,2100	APPOINTED	YES	03/25/10
VERALDI	DARIO			56057	\$17,7700	APPOINTED	YES	04/07/10
VILLAFANA	JENNIFER			60422	\$50529.0000	INCREASE	YES	04/01/10
VILLAFANA	JENNIFER			60421	\$37907.0000	APPOINTED	NO	04/01/10
WALKER	JOBE	J		91406	\$11,1100	APPOINTED	YES	03/30/10
WELLINGTON	RENEE	R		80633	\$9,2100	APPOINTED	YES	03/29/10
WELLS	STEVEN			80633	\$9,2100	APPOINTED	YES	03/19/10
WESTBROOKS	GERALD	R		80633	\$9,2100	RESIGNED	YES	03/20/10
WHITE	MARY	W		80633	\$9,2100	APPOINTED	YES	03/25/10
WHITE	PRINCESS			80633	\$9,2100	RESIGNED	YES	03/18/10
WILLIAMS	ALICIA	D		10251	\$29548.0000	APPOINTED	NO	03/09/10
WILLIAMS	ELLA	S		80633	\$9,2100	RESIGNED	YES	03/18/10
WILLIAMS	RONALD			90641	\$14,0200	APPOINTED	YES	03/29/10
WORRELL	LANA	N		10251	\$29548.0000	APPOINTED	NO	03/09/10
WRIGHT	SADE			80633	\$9,2100	RESIGNED	YES	03/19/10
YOUSMANS	TABRINA	S		56057	\$17,7700	APPOINTED	YES	04/07/10
ZAHARIEVA	KATIA	B		10251	\$29548.0000	APPOINTED	NO	03/09/10
ZEIGLER	ZON	C		90641	\$14,0200	DECREASE	YES	03/28/10

DEPT. OF DESIGN & CONSTRUCTION
FOR PERIOD ENDING 04/16/10

NAME	LAST	FIRST	M	NUM	SALARY	ACTION	PROV	EFF DATE
AKEY	DAVID			10124	\$45978.0000	INCREASE	YES	04/04/10
ALEXANDER	TODD			34202	\$80000.0000	APPOINTED	NO	01/03/10
HILL	JASON	E		22092	\$58500.0000	APPOINTED	YES	04/04/10
LAPP	AVROHOM			20616	\$43349.0000	INCREASE	YES	04/07/10
PEREZ	YOLANDA			12158	\$65278.0000	INCREASE	NO	04/04/10
TONER	HUGH	C		20410	\$72212.0000	RETIRED	NO	04/01/10
VAN DE WALLE	CARLA			10026	\$129000.0000	APPOINTED	YES	03/28/10

DEPT OF INFO TECHNOLOGY & TELE
FOR PERIOD ENDING 04/16/10

NAME	LAST	FIRST	M	NUM	SALARY	ACTION	PROV	EFF DATE
DOSEAU	FRITZNER			10124	\$59000.0000	INCREASE	YES	03/28/10
KUMAR	PRASHANT			10050	\$194000.0000	APPOINTED	YES	04/06/10
LOUIS	MARGARET			95005	\$110000.0000	APPOINTED	YES	03/28/10
MALUF	LISA	R		10026	\$146000.0000	APPOINTED	YES	03/28/10
RAHMAN	MOHAMMED			10050	\$88000.0000	APPOINTED	YES	03/28/10
SINGH	TUMUL	K		10050	\$95000.0000	APPOINTED	YES	03/28/10
SOSA	ELENA			10260	\$29580.0000	RESIGNED	YES	03/28/10
UNGER	SETH	R		13632	\$80000.0000	APPOINTED	YES	03/28/10
WATKINS	LINDA	J		10260	\$34017.0000	RESIGNED	YES	04/04/10
WILLIAMS	MARILYN			10260	\$34017.0000	RESIGNED	YES	04/07/10

CONSUMER AFFAIRS
FOR PERIOD ENDING 04/16/10

NAME	LAST	FIRST	M	NUM	SALARY	ACTION	PROV	EFF DATE
KO	JAE			56058	\$45615.0000	TERMINATED	YES	04/02/10
SUN	I-HSING	A		10026	\$80000.0000	APPOINTED	YES	04/04/10

DEPT OF CITYWIDE ADMIN SVCS
FOR PERIOD ENDING 04/16/10

NAME	LAST	FIRST	M	NUM	SALARY	ACTION	PROV	EFF DATE
ALDEA	VALERIU	O		21215	\$80000.0000	APPOINTED	NO	03/28/10
ASCENCIO	INELAINA			10124	\$58127.0000	RESIGNED	YES	04/07/10
BARNES	ANNE	J		22427	\$71306.0000	RETIRED	NO	03/31/10
BATCLIFF	JAIMAINE			13622	\$64609.0000	APPOINTED	YES	03/28/10
BELGRADE	DAVID	P		34171	\$48600.0000	APPOINTED	YES	03/28/10
BLOUNT	TONI			56056	\$34000.0000	APPOINTED	YES	03/28/10
BOYCE	LESLIE	S		10251	\$35285.0000	APPOINTED	NO	03/10/10
CHAN	LI-HWA			20215	\$78404.0000	RETIRED	NO	03/31/10
CHENG	ANNA			10252	\$32443.0000	RESIGNED	YES	03/28/10
CHUNG	YONETTE	C		10251	\$28588.0000	APPOINTED	NO	03/09/10
COLEMAN	CRAIG	S		10251	\$28588.0000	APPOINTED	NO	03/10/10
CORBETT	NICHELE			10251	\$28588.0000	APPOINTED	NO	03/10/10
CUOMO ZAHARIAS	ROSALIE			10251	\$49000.0000	APPOINTED	NO	03/09/10
DEBI	RUMA	B		10251	\$38801.0000	APPOINTED	NO	03/10/10
DIPPLE	MICHAEL			10026	\$115000.0000	APPOINTED	YES	03/28/10
FAHY	BRIAN			90644	\$27065.0000	RESIGNED	YES	03/23/10
FOLEY	PATRICIA	A		10251	\$28588.0000	APPOINTED	NO	03/09/10
GARCIA	ANGELICA			90644	\$27065.0000	RESIGNED	YES	03/18/10
GOMEZ	MARISA	L		10251	\$28588.0000	APPOINTED	NO	03/10/10
GRIFFITH	NADIA			10251	\$28588.0000	APPOINTED	NO	03/09/10
HENRY	KIRLLIVA	L		34171	\$40497.0000	APPOINTED	YES	03/28/10
IBRAHIM	MARIA	T		12627	\$82000.0000	APPOINTED	YES	03/28/10
JAW	HENLIN	C		10251	\$28588.0000	APPOINTED	NO	03/10/10
JOSEPH	DESHAWN			10251	\$27697.0000	APPOINTED	NO	03/10/10
KATZ	JASON	A		12626	\$45358.0000	APPOINTED	YES	03/28/10
KNIGHT	ROMONA			10251	\$31852.0000	APPOINTED	NO	03/10/10
LAWRENCE JR.	ANTHONY			56056	\$27421.0000	APPOINTED	YES	03/28/10
LEE	WHASOON			21215	\$80000.0000	APPOINTED	NO	03/28/10
LEON	ESTHER			10251	\$38801.0000	APPOINTED	NO	03/10/10
LOPEZ	JACINTA			10251	\$27611.0000	APPOINTED	NO	03/10/10
MALDONADO	MARILYN			95642	\$77689.0000	INCREASE	YES	04/04/10
MCBRIDE	NIA			10251	\$28588.0000	APPOINTED	NO	03/10/10
MEHLMAN	MIRIAM			10251	\$28588.0000	APPOINTED	NO	03/10/10
MILLER JR	EDMUND	D		13622	\$64609.0000	APPOINTED	YES	03/28/10
MIRANDA	CAROLINA			10251	\$27611.0000	APPOINTED	NO	02/10/10
MOORE	JOAN	M		10251	\$28588.0000	APPOINTED	NO	03/10/10
MUHAMMAD-SULUKI	AIYSHA			10251	\$28588.0000	APPOINTED	NO	03/10/10
MUNIZ II	PHILLIP			10251	\$28588.0000	APPOINTED	NO	03/10/10
MURPHY	TIMOTHY	F		10251	\$28588.0000	APPOINTED	NO	03/10/10
NELSON	WILLIAM			10251	\$28588.0000	APPOINTED	NO	03/10/10
NUNEZ	SILMARIE			10251	\$38801.0000	TRANSFER	NO	02/10/10
NURSE	JONELLE	U		12626	\$54050.0000	APPOINTED	YES	03/28/10
O' BRYANT	TIEISE	K		10251	\$38472.0000	APPOINTED	NO	03/10/10
ONG	HA MING			10124	\$45978.0000	APPOINTED	YES	03/28/10
PATSURIA	LIANA			82976	\$68000.0000	APPOINTED	YES	03/28/10
PATTERSON	LAMONT	T		10251	\$35285.0000	APPOINTED	NO	03/10/10
PATTERSON	MELANIE			10251	\$38801.0000	APPOINTED	NO	03/10/10
PERAITA	JOSE			91650	\$250,8000	APPOINTED	YES	03/28/10
POWELL	DENISE	M		10251	\$28588.0000	APPOINTED	NO	02/11/10
RAMOS	FRANKLIN	E		10251	\$38801.0000	APPOINTED	NO	03/10/10
RICHARDS	CHRISTIA			91650	\$250,8000	APPOINTED	YES	03/28/10
RIVERA	IDA	R		82015	\$41088.0000	DECEASED	NO	03/16/10
ROBINSON-NILES	KNIKEA	D		10251	\$29548.0000	APPOINTED	NO	03/10/10
SANCHEZ	ELISE	B		10251	\$28588.0000	APPOINTED	NO	03/10/10
SANTOMARCO	DOREEN			10251	\$38878.0000	APPOINTED	NO	03/10/10
SIMON	LOUISE	M		10026	\$80000.0000	APPOINTED	YES	03/28/10

NAME	LAST	FIRST	M	NUM	SALARY	ACTION	PROV	EFF DATE
SPITLER	LESTER	F		82976	\$68000.0000	APPOINTED	YES	03/28/10
STEVENSON	ANGELA	M		10251	\$28588.0000	APPOINTED	NO	03/10/10
SU	QIANG			21215	\$70954.0000	APPOINTED	NO	03/28/10
SUAREZ	JESSICA			10251	\$28588.0000	APPOINTED	NO	03/09/10
SUMMA	KEITH			21215	\$65698.0000	APPOINTED	NO	03/01/10
SWASEY	AVA			10251	\$28588.0000	APPOINTED	NO	03/10/10
THOMPSON	JACQUELI	A		10251	\$38801.0000	APPOINTED	NO	03/10/10
TIAN	BAOTANG			82976	\$64000.0000	APPOINTED	YES	03/28/10
TORRES	JANICE			10251	\$28588.0000	APPOINTED	NO	03/10/10
VIDES-HERNANDEZ	JESSICA			10251	\$38801.0000	APPOINTED	NO	03/10/10
WHITTLE	JARREL			90644	\$27065.0000	APPOINTED	YES	03/28/10
WILSON	LEON	A		10251	\$24858.0000	APPOINTED	NO	03/10/10
WILSON	PAULETTE	A		10251	\$24859.0000	APPOINTED	NO	03/28/10
WISE	LISA	M		10251	\$28588.0000	APPOINTED	NO	03/10/10
WONG	ALVIN			10251	\$35285.0000	APPOINTED	NO	03/10/10
YIN	RAYMOND			10251	\$28588.0000	APPOINTED	NO	03/10/10
YUSUPOVA	ROZA			10251	\$34624.0000	APPOINTED	NO	03/10/10

DISTRICT ATTORNEY-MANHATTAN
FOR PERIOD ENDING 04/16/10

NAME	LAST	FIRST	M	NUM	SALARY	ACTION	PROV	EFF DATE
CORCORAN	SARAH	J		56057	\$43264.0000	RESIGNED	YES	04/09/10
IZQUIERDO	HERCULAN	A		30114	\$168750.0000	RETIRED	YES	04/01/10
LAUSCHER	DAVID	F		30114	\$118000.0000	RESIGNED	YES	03/28/10
MERZON	ANTONIA	M		30114	\$116000.0000	RESIGNED	YES	04/01/10
SACKS	SARAH	M		30114	\$99000.0000	APPOINTED	YES	04/07/10
WEBER	RICHARD			30114	\$160000.0000	APPOINTED	YES	04/04/10
ZAKIN								