



THE CITY RECORD

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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BOARD MEETINGS

NOTICE OF MEETINGS

City Planning Commission

Meets in Spector Hall, 22 Reade Street, New York, New York 10007, twice monthly on Wednesday, at 10:00 A.M., unless otherwise ordered by the Commission.

City Council

Meets by Charter twice a month in Councilman's Chamber, City Hall, Manhattan, New York 10007, at 1:30 P.M.

Contract Awards Public Hearing

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, weekly, on Thursday, commencing 10:00 A.M., and other days, times and location as warranted.

Design Commission

Meets in City Hall, Third Floor, Manhattan, New York 10007 on the second Monday of the month, except August. For changes in the schedule, copies of monthly agendas, or additional information, please call (212) 788-3071 or visit our web site at nyc.gov/artcommission

Department of Education

Meets in the Hall of the Board for a monthly business meeting on the Third Wednesday, of each month at 6:00 P.M. The Annual Meeting is held on the first Tuesday of July at 10:00 A.M.

Board of Elections

32 Broadway, 7th floor, New York, NY 10004, on Tuesday, at 1:30 P.M. and at the call of the Commissioner

Environmental Control Board

Meets at 66 John Street, 10th floor, conference room, New York, NY 10038 at 9:15 A.M., once a month at the call of the Chairman.

Board of Health

Meets in Room 330, 125 Worth Street, Manhattan, New York 10013, at 10:00 A.M., at the call of the Chairman.

Health Insurance Board

Meets in Room 530, Municipal Building, Manhattan, New York 10007, at call of the Chairman.

Board of Higher Education

Meets at 535 East 80th Street, Manhattan, New York 10021, at 5:30 P.M., on fourth Monday in January, February, March, April, June, September, October, November and December. Annual meeting held on fourth Monday in May.

Citywide Administrative Services

Division Of Citywide Personnel Services will hold hearings as needed in Room 2203, 2 Washington Street, New York, N.Y. 10004.

Commission on Human Rights

Meets on 10th floor in the Commission's Central Office, 40 Rector Street, New York, New York 10006, on the fourth Wednesday of each month, at 8:00 A.M.

In Rem Foreclosure Release Board

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, Monthly on Tuesdays, commencing 10:00 A.M., and other days, times and location as warranted.

Franchise And Concession Review Committee

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, Monthly on Wednesdays, Commencing 2:30 P.M., and other days, times and location as warranted.

Real Property Acquisition And Disposition

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, bi-weekly, on Wednesdays, Commencing 10:00 A.M., and other days, times and location as warranted.

Landmarks Preservation Commission

Meets in the Hearing Room, Municipal Building, 9th Floor North, 1 Centre Street in Manhattan on approximately three Tuesday's each month, commencing at 9:30 A.M. unless otherwise noticed by the Commission. For current meeting dates, times and agendas, please visit our website at www.nyc.gov/landmarks.

Employees' Retirement System

Meets in the Boardroom, 22nd Floor, 335 Adams Street, Brooklyn, New York 11201, at 9:30 A.M., on the third Thursday of each month, at the call of the Chairman.

Housing Authority

Board Meetings take place every other Wednesday at 10:00 A.M. in the Board Room on the 12th Floor of 250 Broadway, New York, New York (unless otherwise noted). For Board Meeting dates and times, please visit NYCHA's Website at nyc.gov/nycha or contact the Office of the Secretary at (212) 306-6088. Copies of the Agenda are available on NYCHA's Website or can be picked up at the Office of the Secretary at 250 Broadway, 12th Floor, New York, New York, no earlier than 3:00 P.M. on the Friday before the upcoming Wednesday Board Meeting. Copies of the Minutes are also available on NYCHA's Website or can be picked up at the Office of the Secretary no earlier than 3:00 P.M. on the Thursday after the Board Meeting.

Any changes to the schedule will be posted here and on NYCHA's Website to the extent practicable at a reasonable time before the meeting. These meetings are open to the public. Pre-registration of speakers is required. Those who wish to register must do so at least forty-five (45) minutes before the scheduled Board Meeting. Comments are limited to the items on the Agenda. Speakers will be heard in the order of registration. Speaking time will be limited to three (3) minutes. The public comment period will conclude upon all speakers being heard or at the expiration of thirty (30) minutes allotted by law for public comment, whichever occurs first.

Any person requiring a reasonable accommodation in order to participate in the Board Meeting, should contact the Office of the Secretary at (212) 306-6088 no later than five (5) business days before the Board Meeting. For additional information, please visit NYCHA's Website or contact (212) 306-6088.

Parole Commission

Meets at its office, 100 Centre Street, Manhattan, New York 10013, on Thursday, at 10:30 A.M.

Board of Revision of Awards

Meets in Room 603, Municipal Building, Manhattan, New York 10007, at the call of the Chairman.

Board of Standards and Appeals

Meets at 40 Rector Street, 6th Floor, Hearing Room "E" on Tuesdays at 10:00 A.M. Review Sessions begin at 9:30 A.M. and are customarily held on Mondays preceding a Tuesday public hearing in the BSA conference room on the 9th Floor of 40 Rector Street. For changes in the schedule, or additional information, please call the Application Desk at (212) 513-4670 or consult the bulletin board at the Board's Offices, at 40 Rector Street, 9th Floor.

Tax Commission

Meets in Room 936, Municipal Building, Manhattan, New York 10007, each month at the call of the President.

BRONX BOROUGH PRESIDENT

PUBLIC HEARING

A PUBLIC HEARING IS being called by the President of the Borough of The Bronx, Honorable Ruben Diaz Jr. for Friday March 5, 2010 at 10:00 A.M. in the office of the Borough President, 851 Grand Concourse, Room 206. This

hearing will consider the following items:

CD 3-ULURP APPLICATION NO: C 080157 ZMX - IN THE MATTER OF an application submitted by CBC Associates and the South Bronx Overall Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3d:

1. Changing from a C803 District to an R7-1 District property bounded by East 176th Street, Boston Road, East 175th Street, and Southern Boulevard; and
2. Establishing within the proposed R7-1 District a C2-4 District bounded by East 176th Street, Boston Road, East 175th Street, and Southern Boulevard;

Borough of The Bronx, Community District 3, as shown on a diagram (for illustrative purposes only) dated January 4, 2010, and subject to the conditions of CEQR Declaration E-243.

CD 6-ULURP APPLICATION NO: C 100083 HAX - IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

1. Pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) The designation of property located at 1087 Tremont Avenue (Block 3141, part of Lot 1), as an Urban Development Action Area; and
 - b) An Urban Development Action Area Project for such area; and
2. Pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD:

To facilitate rehabilitation of an existing four-story community facility building.

ANYONE WISHING TO SPEAK MAY REGISTER AT THE HEARING. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS MATTER TO THE BOROUGH PRESIDENT'S OFFICE (718) 590-6124.

f26-m4

STATEN ISLAND BOROUGH PRESIDENT

PUBLIC MEETING

Notice of Public Meeting of The Staten Island Borough Board will take place in the Conference Room 122 at 5:30 P.M. on Wednesday, March 3, 2010 at the Staten Island Borough Hall, Stuyvesant Place, Staten Island, New York 10301.

f25-m3

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, March 10, 2010, commencing at 10:00 A.M.

BOROUGH OF BROOKLYN

No. 1

KNICKERBOCKER COMMONS

CD 4 C 100162 HAK
IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at 295 Eldert Street (Block 3413, Lot 1); 801, 799 and 797 Knickerbocker Avenue (Block 3413, Lots 2-4), as an Urban Development Action Area; and

- b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate development of a six-story building, tentatively known as Knickerbocker Commons, with approximately 24 residential units and community facility space, to be developed under the New York State Housing Trust Fund Program.

**No. 2
18TH AVENUE REZONING**

CD 12 C 070520 ZMK
IN THE MATTER OF an application submitted by Jom Tob Gluck pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22c, by establishing within an existing R5 District a C1-3 District bounded by 48th Street, 18th Avenue, 49th Street and a line 100 feet northwesterly of 18th Avenue, as shown on a diagram (for illustrative purposes only) dated December 14, 2009.

**BOROUGH OF MANHATTAN
No. 3
HOUSTON DEE**

CD 3 C 100173 HAM
IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
- a) the designation of property located at 302-304 East 2nd Street (Block 372, Lot 49); as an Urban Development Action Area; and
- b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property, to a developer to be selected by HPD;

to facilitate the development of a 13-story mixed-use building, tentatively known as Houston Dee, with approximately 166 residential units.

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

f25-m10

COMMUNITY BOARDS

■ PUBLIC HEARINGS

BOROUGH OF BRONX

Community Board No. 7 - Public Hearing on Capital and Expense Budget for FY 2011 will take place on Wednesday, March 3, 2010, at 6:00 P.M. at the Community Board Office at 229A East 204th Street.

f25-m3

BOROUGH OF MANHATTAN

Community Board No. 2 - Public Hearing on Capital and Expense Budget for FY 2011 will take place on Tuesday, March 2, 2010 at 6:30 P.M. at CB2 Conference Room, 3 Washington Square Village.

f24-m2

BOROUGH OF BROOKLYN

Community Board No. 14 - Public Hearing on Capital and Expense Budget for FY 2011 will take place on Monday, March 8, 2010 at 7:15 P.M. at Edward R. Murrow High School, East 17th Street and Avenue L, Brooklyn, New York.

m1-5

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

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 04 - Tuesday, March 2, 2010, 7:00 P.M., VFW Post #150, 51-11 108th Street, Corona, New York

Public Hearing: FY 2011 Capital and Expense Preliminary Budget.

f24-m2

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, March 1, 2010, 7:30 P.M., M.S. 158, 46-35 Oceania Street, Bayside, NY
BSA# 9-10-BZ

An application to restore a previously existing variance for use as a Use Group 6 restaurant in an R1-2 zone at 213-10 Northern Boulevard, Douglaston, Queens.

A public hearing to solicit comments on the Mayor's Preliminary Budget responses to Community Board 11's priorities.

f23-m1

BOROUGH OF BRONX

Community Board No. 6 - Public Hearing on Capital and Expense Budget for FY 2011 will take place on Wednesday, March 10, 2010 at 6:30 P.M. at Belmont Boulevard Apartments, 780 East 185th Street, Bronx, New York.

m1-5

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. 02 - Tuesday, March 2, 2010, 7:30 P.M., 460 Brielle Avenue, Staten Island, NY

Agenda

#C 100231PCR

IN THE MATTER OF an application submitted by the NYC Department of Environmental Protection and the NYC Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for site selection and acquisition of vacant, wetland properties for the storage and conveyance of water.

N070437ZAR / N860374(D)ZMR

The Costco wholesale store expansion, 2975 Richmond Avenue, Staten Island.

f24-m2

DEFERRED COMPENSATION PLAN BOARD

■ MEETING

The New York City Deferred Compensation Plan Board will hold its monthly meeting on Wednesday, March 3, 2010 from 10:00 A.M. to 1:00 P.M. The meeting will be held at 40 Rector Street, 3rd Floor, NYC.

m1-3

EQUAL EMPLOYMENT PRACTICES COMMISSION

■ MEETING

The next meeting of the Equal Employment Practices Commission will be held in the Commission's Conference Room/Library at 40 Rector Street, (14th Floor) on Thursday, March 4, 2010 at 9:15 A.M.

f24-m3

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, March 10, 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.

m1-10

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, **March 02, 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 10-5806 - Block 8048, lot 57-337 Hollywood Avenue, aka 240-41 34th Avenue- Douglaston Historic District
A vernacular Arts and Crafts style freestanding house designed by C. Varonia and built in 1925. Application to replace windows.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 10-5732 - Block 2102, lot 69-133 Lafayette Avenue - Fort Greene Historic District
A brick building with a commercial ground floor built in the 1870s. Application is to legalize the removal of a storefront without Landmarks Preservation Commission permit and the installation of new storefront infill.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 10-5939 - Block 1962, lot 7-437 Waverly Avenue - Clinton Hill Historic District
An Anglo-Italianate style rowhouse. Application is to reconstruct the rear facade and rear addition, construct a rooftop bulkhead, and install HVAC equipment.

ADVISORY REPORT

BOROUGH OF BROOKLYN 10-4962 - Block 6600, lot 119-802 East 16th Street - Avenue H Station House-Individual Landmark
A cottage style office building with Colonial Revival and Queen Anne style elements built in 1906 and converted to use as a subway station in the first half of the 20th century. Application is to install sculpture.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-4343 - Block 97, lot 7502-

130 Beekman Street - South Street Seaport Historic District
A warehouse building built in 1827. Application is to install storefront infill.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-9318 - Block 136, lot 19-126 Chambers Street - Tribeca South Historic District
Extension
An Italianate style store and loft building built by Samuel Holmes c. 1857. Application is to install new storefront infill and signage.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-3598- Block 195, lot 4-390 Broadway - Tribeca East Historic District
An Italianate style store and loft building built in 1859-60 and reconstructed in 1900 by Jardine, Kent & Jardine. Application is to install new storefront infill.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-4832 - Block, lot 22-501 Broadway, aka 72 Mercer Street - SoHo - Cast Iron Historic District
A contemporary building designed by Robert Traboscia and Caterina Roiatti, TRA Studio and built in 2003. Application is to construct a rooftop addition and pergola. Zoned M-5B.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-3128 - Block 487, lot 28-146 Spring Street- SoHo - Cast Iron Historic District
A Federal style house built in 1819. Application is to paint the building.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-0810 - Block 625, lot 26-56 Jane Street, aka 616-622 Hudson Street - Greenwich Village Historic District
Four houses built in 1852 and converted to an apartment house in the mid-twentieth century. Application is to replace windows.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-4376 -Block 613, lot 30-21 Perry Street - Greenwich Village Historic District
A Greek Revival/Italianate style rowhouse built in 1845. Application is alter the rear facade and yard.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-5745 - Block 738, lot 1-44-54 9th Avenue, aka 357 West 14th Street - Gansevoort Market Historic District
A row of Greek Revival style rowhouses built circa 1845-1846 altered to accommodate stores at the ground floor. Application is to install storefront infill, signage and lighting.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-5885 - Block 847, lot 16-873 Broadway - Ladies' Mile Historic District
A Second Empire Commercial style store and loft building designed by Griffith Thomas and built in 1868 and 1888. Application is to install an electrical sidewalk vault.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-5886 - Block 847, lot 7501-888 Broadway - Ladies' Mile Historic District
A Commercial Palace style store and warehouse building designed by William Wheeler Smith and built in 1882. Application is to install an electrical sidewalk vault.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-5838 - Block 797, lot 37-675-691 6th Avenue, aka 101-115 West 21st Street, 100-114 West 22nd Street - Ladies' Mile Historic District
A Beaux-Arts style department store designed by DeLemos & Cordes and built in 1900-1902. Application is to install awnings and signage.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-4801 - Block 821, lot 14-39 West 19th Street - Ladies' Mile Historic District
A neo-Renaissance style store and loft building, built by Maynicke & Franke and built in 1910. Application is to install storefront infill.

BINDING REPORT

BOROUGH OF MANHATTAN 10-5854 - Block 1111, lot 1-Central Park, Mineral Spring Comfort Station and concession building near the Sheep Meadow - Central Park - Scenic Landmark
A concession building built in 1959, within an English Romantic style public park designed by Olmsted and Vaux in 1856. Application is to alter and create masonry openings, infill, signage, fencing, and planters.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-5986 - Block 1400, lot 14-135 East 65th Street, aka 868-870 Lexington Avenue- Upper East Side Historic District
A neo-Federal style rowhouse, designed by Edwin Outwater and built in 1903-1904. Application is to construct a rear addition. Zoned C1-8X.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-5667 - Block 1389, lot 64-8 East 75th Street - Upper East Side Historic District
A residence built c.1872 and redesigned in the Beaux Arts style in 1899, by Lord, Hewlett & Hull. Application is to alter the areaway and top floor of the facade.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-4760 - Block 1390, lot 17-960 Madison Avenue - Upper East Side Historic District
A neo-Grec style rowhouse designed by James Frame and built in 1877-78 altered in 1916 with a two-story storefront extension. Application is to alter window openings.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-5114 - Block 1216, lot 7502-104-110 West 86th Street- Upper West Side/Central Park West Historic District
A neo-Renaissance style apartment building designed by Emery Roth and built in 1928-1929. Application to replace awnings.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-5612 - Block 1874, lot 52-

2689-2693 Broadway, aka 230 West 103rd Street - Hotel Marseilles-Individual Landmark
A Beaux-Arts style apartment hotel designed by Harry Allen Jacobs and built in 1902-05. Application is to replace windows.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-3765 - Block 2059, lot 31-1689-1695 Amsterdam Avenue, aka 476 West 144th Street - Hamilton Heights Historic District Extension
A Queen Anne style flat and store building designed by Harvey L. Page and built in 1887-1889. Application is to legalize the installation of awnings, roll-down security gates, and storefront infill without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-1455 - Block 2024, lot 117-231 West 138th Street - St. Nicholas Historic District
A neo-Georgian style rowhouse designed by Bruce Price and Clarence S. Luce and built in 1891-92. Application is to legalize the replacement of windows without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-1030 - Block 2024, lot 18-229 West 138th Street - St. Nicholas Historic District
A neo-Georgian style rowhouse designed by Bruce Price and Clarence S. Luce and built in 1891-92. Application is to legalize the replacement of windows without Landmarks Preservation Commission permits.

f17-m2

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, March 3, 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 145 Read LLC to construct, maintain and use a fenced-in area, together with cellar stairs, on the south sidewalk of Read Street, between Greenwich and Hudson Streets in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

- \$1,233/annum

For the period July 1, 2010 to June 30, 2011 - \$1,270
For the period July 1, 2011 to June 30, 2012 - \$1,307
For the period July 1, 2012 to June 30, 2013 - \$1,344
For the period July 1, 2013 to June 30, 2014 - \$1,381
For the period July 1, 2014 to June 30, 2015 - \$1,418
For the period July 1, 2015 to June 30, 2016 - \$1,455
For the period July 1, 2016 to June 30, 2017 - \$1,492
For the period July 1, 2017 to June 30, 2018 - \$1,529
For the period July 1, 2018 to June 30, 2019 - \$1,566
For the period July 1, 2019 to June 30, 2020 - \$1,603

the maintenance of a security deposit in the sum of \$5,000, 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 Chilmark Realty Inc. to continue to maintain and use benches on the south sidewalk of Spring Street, west of Crosby 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 from July 1, 2010 to June 30, 2020 - \$1,200/annum.

the maintenance of a security deposit in the sum of \$1,200 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 Times Square Studios Limited to continue to maintain and use conduits, together with a manhole, under, across and along Broadway, between West 43rd Street and West 44th 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, 2011 - \$21,478
For the period July 1, 2011 to June 30, 2012 - \$22,104
For the period July 1, 2012 to June 30, 2013 - \$22,730
For the period July 1, 2013 to June 30, 2014 - \$23,356
For the period July 1, 2014 to June 30, 2015 - \$23,992
For the period July 1, 2015 to June 30, 2016 - \$24,608
For the period July 1, 2016 to June 30, 2017 - \$25,234
For the period July 1, 2017 to June 30, 2018 - \$25,860
For the period July 1, 2018 to June 30, 2019 - \$26,486
For the period July 1, 2019 to June 30, 2020 - \$27,112

the maintenance of a security deposit in the sum of \$27,200 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.

#4 In the matter of a proposed revocable consent authorizing Times Square Studios Limited to continue to maintain and

use a conduit under, across and along West 43rd Street, east of Broadway, 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 - \$4,116
For the period July 1, 2011 to June 30, 2012 - \$4,236
For the period July 1, 2012 to June 30, 2013 - \$4,356
For the period July 1, 2013 to June 30, 2014 - \$4,476
For the period July 1, 2014 to June 30, 2015 - \$4,596
For the period July 1, 2015 to June 30, 2016 - \$4,716
For the period July 1, 2016 to June 30, 2017 - \$4,836
For the period July 1, 2017 to June 30, 2018 - \$4,956
For the period July 1, 2018 to June 30, 2019 - \$5,076
For the period July 1, 2019 to June 30, 2020 - \$5,196

the maintenance of a security deposit in the sum of \$13,200 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.

#5 In the matter of a proposed revocable consent authorizing Joseph J. Jancey, Jr. Housing Development Fund Company, Inc. to continue to maintain and use planted areas on the south sidewalk of West 142nd Street, between Lenox Avenue and Adam Clayton Powell Jr. Boulevard, 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, 2009 to June 30, 2019 - \$832/annum

the maintenance of a security deposit in the sum of \$3,500, 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.

#6 In the matter of a proposed revocable consent authorizing The Citigroup Center Condominium to maintain and use security bollards on the north sidewalk of East 53rd Street, between Lexington Avenue and Third Avenue, in the Borough of Manhattan. 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 in accordance with Title 34 Section 7-04(a)(33) of the Rules of the City of New York.

the maintenance of a security deposit in the sum of \$18,000, 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.

f10-m3

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ AUCTION

PUBLIC AUCTION SALE NUMBER 10001 - R & S

NOTICE IS HEREBY GIVEN of a bi-weekly public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy duty equipment and miscellaneous automotive equipment to be held on Wednesday, March 3, 2010 (SALE NUMBER 10001-S). This auction is held every other Wednesday unless otherwise notified. 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).

***** PLEASE NOTE: THE AUCTION OF FEBRUARY 17, 2010 (SALE NUMBER 10001 - R) HAS BEEN CANCELLED.**

A listing of vehicles to be offered for sale in the next auction can be viewed on our web site, 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.

f10-m3

■ SALE BY SEALED BID

SALE OF: 4 LOTS OF MISCELLANEOUS EQUIPMENT, USED/UNUSED.

S.P.#: 10015 **DUE:** March 4, 2010

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.
DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007.
For sales proposal contact Gladys Genoves-McCauley (718) 417-2156.

f19-m4

HOUSING PRESERVATION & DEVELOPMENT

■ NOTICE

Pursuant to Article 16 of the General Municipal Law (“GML”) and Section 1802(6)(j) of the Charter, notice is hereby given that the Department of Housing Preservation and Development (“HPD”) of the City of New York (“City”) has proposed the sale of its remainder interest (“Remainder Interest”) in certain property (the “Property”) located in the Borough of Manhattan, City and State of New York, on Block 1729, Lot 52 on the Tax Map of the City, at 50 West 132nd Street and known as Bethel Manor, to Ebthel Housing Development Fund Company, Inc. (“Sponsor”).

In 1973, the City conveyed the Property to Sponsor and simultaneously purchased a remainder interest in the Property for \$235,000. Sponsor initially developed the Property under HUD’s Section 236 program.

Bethel Manor LLC (“Developer”) seeks to purchase the Property from Sponsor and thereafter rehabilitate the Property using HPD financing and Low Income Housing Tax Credit equity. In order to satisfy the requirements of lenders, Developer has requested that Sponsor acquire the City’s Remainder Interest for the negotiated price of \$10 (“Disposition Price”) prior to Developer’s acquisition of the Property.

Under the proposed project, the City will sell the Remainder Interest to Sponsor for the Disposition Price. Sponsor will then transfer title of the Property to Developer. Developer will thereafter rehabilitate the occupied multiple dwelling on the Property. When completed, the project will provide 46 units of rental housing for low income families, plus one unit for a superintendent, and parking facilities.

The appraisal and the proposed Deed and Project Summary are available for public examination at the office of HPD, 100 Gold Street, Room 5-A4, New York, New York on business days during business hours.

PLEASE TAKE NOTICE that a public hearing will be held on April 14, 2010 at Second Floor Conference Room, 22 Reade Street, Manhattan at 10:00 A.M., or as soon thereafter as the matter may be reached on the calendar, at which time and place those wishing to be heard will be given an opportunity to be heard concerning the proposed sale of the Remainder Interest pursuant to Section 695(2)(b) of the GML and Section 1802(6)(j) of the Charter.

Individuals requesting sign language interpreters should contact the Mayor’s Office Of Contract Services, Public Hearings Unit, 253 Broadway, Room 915, New York, New York 10007, (212) 788-7490, no later than seven (7) business days prior to the public hearing. TDD users should call Verizon relay services.

■ ml

Pursuant to Section 1802(6)(j) of the NYC Charter, notice is hereby given that the Department of Housing Preservation and Development of the City of New York is proposing to sell the following Property to a designated sponsor for each project:

Address	Block	Lot	Price
163 Lenox Avenue	1903	31	\$250.

The appraisal and proposed approval documents are available for public examination at the Office of HPD, 100 Gold Street, Rm. 5A4, New York, New York during its regular hours on weekdays from 9:00 A.M. to 5:00 P.M.

PLEASE TAKE NOTICE that a Real Property Acquisition & Disposition Public Hearing will be held on Wednesday, April 14, 2010, commencing at 10:00 A.M., before the Mayor’s Office of City Legislative Affairs, Spector Hall, 22 Reade Street, main floor, Borough of Manhattan, at which time and place those wishing to be heard will be given the opportunity to testify on a proposed document determining that the Mayor approves the disposition pursuant to Section 1802(6)(j) of the Charter.

INDIVIDUALS REQUESTING SIGN LANGUAGE INTERPRETERS SHOULD CONTACT THE MAYOR’S OFFICE OF CONTRACTS, PUBLIC HEARINGS UNIT, 253 BROADWAY, ROOM 915, NEW YORK, N.Y. 10007, (212) 788-7490, NO LATER THAN SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD USERS SHOULD CALL VERIZON RELAY SERVICE.

■ ml

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.”

ADMINISTRATION FOR CHILDREN’S SERVICES**PROCUREMENT****■ SOLICITATIONS***Human/Client Service*

BLUE SKY CLINICAL TRIAL – Sole Source – Available only from a single source - PIN# 06810DP00000 – DUE 03-15-10 AT 12:00 P.M. – ACS intends to enter into negotiations with the New York Foundling Hospital to implement a randomized clinical trial of the psychosocial intervention Blue Sky model with its Juvenile Justice Initiative. The copyright holders of the intellectual property of the Blue Sky model has selected New York Foundling as the sole provider of these services. The term of the contract will be approximately 4-years from 2/1/10 through 1/31/14.

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.
Administration for Children’s Services, Office of Procurement, 150 William Street, 9th Floor, New York, NY 10038.
Michael Walker (212) 341-3525.

f26-m4

CITY UNIVERSITY**■ SOLICITATIONS***Goods*

ASSORTED AUDIO VISUAL EQUIPMENT – Competitive Sealed Bids – PIN# ITBA650016 – DUE 03-24-10 AT 11:30 A.M. – Purchase of various audio visual supplies and equipment for TV Studio. Competitive Sealed 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.
City University, 2001 Oriental Boulevard, Brooklyn, NY 11235. Robin Sutherland (718) 368-4649.

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Goods & Services

ELECTRICAL OUTLET INSTALLATION – Competitive Sealed Bids – PIN# 2010069004996 – DUE 03-30-10 AT 2:00 P.M. – LaGuardia Community College is soliciting sealed competitive Bids for electrical outlet installation in approximately one hundred sixty (160) smart classrooms. Licensed electricians should contact the Purchasing Office for the ITB document.

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.
City University, 31-10 Thomson Avenue, Room E405 Long Island City, NY 11101.
Tawanikka Smith (718) 482-5590.

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*Services (Other Than Human Services)***EQUIPMENT INSTALLATION FOR SMART CLASSROOMS**

– Competitive Sealed Bids – PIN# 2010069004998 – DUE 03-30-10 AT 2:00 P.M. – LaGuardia Community College is soliciting sealed competitive Bids for the installation of audio visual smart classroom equipment in approximately one hundred sixty (160) classrooms. Extron certified installers should contact the Purchasing Office for the ITB document.

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.
City University, 31-10 Thomson Avenue, Room E405 Long Island City, NY 11101.
Tawanikka Smith (718) 482-5590.

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CITYWIDE ADMINISTRATIVE SERVICES**DIVISION OF MUNICIPAL SUPPLY SERVICES****■ SOLICITATIONS***Goods*

REFLECTIVE SHEETING FOR TRAFFIC SIGNS, RE-AD – Competitive Sealed Bids – PIN# 8571000277 – DUE 03-17-10 AT 10:30 A.M.

● **TRUCK, DUMP, 3-4 YD, 4X4, D.E.P.** – Competitive Sealed Bids – PIN# 8571000387 – DUE 03-26-10 AT 10:30 A.M.

● **GENUINE REPAIR PARTS FOR FAIRBANKS MORSE PUMP** – Competitive Sealed Bids – PIN# 8571000704 – DUE 03-16-10 AT 10:30 A.M.

Request by fax (212) 669-7603 or email.

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, dcasdmssbids@dcas.nyc.gov*

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■ AWARDS*Goods*

SADDLES FOR NYPD MOUNTED UNIT - BRAND SPECIFIC – Competitive Sealed Bids – PIN# 857900767 – AMT: \$116,850.00 – TO: Weatherbeeta USA, Inc., 201 Mill Road, Edison, NJ 08837.

m1

■ 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

ECONOMIC DEVELOPMENT CORPORATION**CONTRACTS****■ SOLICITATIONS***Goods & Services*

HIGH LINE MAINTENANCE AND OPERATIONS FACILITY, CONSTRUCTION MANAGEMENT SERVICES – Request for Proposals – PIN# 38040001 – DUE 04-02-10 AT 4:00 P.M. – New York City Economic Development Corporation (NYCEDC) is seeking a consultant or consultant team to provide construction management services, which shall include pre-construction, construction, and post-construction services for the High Line Maintenance and Operations Facility (M and O Facility) project. The M and O Facility will be designed as a 4-level facility in northeast corner of a portion of the former 820 Washington Street site where it will have immediate access to the High Line. The facility will house Friends of the High Line and NYC Department of Parks and Recreation staff, equipment, and materials for the High Line’s maintenance and operations. The M and O Facility will provide a transfer point for landscape waste materials that are removed from the High Line as part of daily operations. Vehicular access (for

maintenance vehicles) will be provided at both the street and High Line Park levels. In addition, public amenities, including restrooms, a cafe, security/information and first aid facilities, will be housed within the M and O Facility.

NYCEDC plans to select a consultant on the basis of factors stated in the RFP which include, but are not limited to: the quality of the proposal, experience of key staff identified in the proposal, experience and quality of any subcontractors proposed, demonstrated successful experience in performing services similar to those encompassed in the RFP, and the proposed fee.

This project has Minority and Women Owned Business Enterprise (“M/WBE”) participation goals and all respondents will be required to submit an M/WBE Utilization Plan with their response. To learn more about NYCEDC’s M/WBE program visit www.nycedc.com/opportunitymwd. For the list of companies who have been certified with the New York City Department of Small Business Services as M/WBE, please go to the www.nyc.gov/buycertified.

An optional pre-proposal meeting will be held on Monday, March 8, 2010 at 2:00 P.M. at NYCEDC. Those who wish to attend should RSVP by email to HighlineCMRFP@nycedc.com on or before March 4, 2010. Attendees are requested to meet at the NYCEDC home office at 110 William Street, 6th Floor.

Respondents may submit questions and/or request clarifications from NYCEDC no later than 4:00 P.M. on Monday, March 15, 2010. Questions regarding the subject matter of this RFP should be directed to HighlineCMRFP@nycedc.com. Answers to all questions will be posted by Monday, March 22, 2010, to www.nycedc.com/RFP.

To download a copy of the solicitation documents please visit www.nycedc.com/RFP. Please submit six (6) sets of your proposal to NYCEDC.

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.
Economic Development Corp., 110 William Street, 6th Floor, New York, NY 10038. Maryann Catalano (212) 312-3969, HighlineCMRFP@nycedc.com

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EDUCATION**DIVISION OF CONTRACTS AND PURCHASING****■ SOLICITATIONS***Construction Related Services*

JOB ORDER CONTRACT FOR ELECTRICAL EFFICIENCY PROJECTS – Competitive Sealed Bids – PIN# B1190040 – DUE 03-24-10 AT 5:00 P.M. – Electrical Efficiency Contracts: Replace lighting fixtures, install retro fit lamp kits, replace ballasts, install occupancy. If you cannot download this bid, please send an e-mail to VendorHotline@schools.nyc.gov with the bid number and title in the subject line of your e-mail. For all questions related to this bid, please send an e-mail to sepstei@schools.nyc.gov with the bid number and title in the subject line of your e-mail.

There will be a mandatory pre-bid conference on Thursday, March 4, 2010 at 10:00 A.M. at the Division of School Facilities, 44-36 Vernon Boulevard, 5th Floor Training Room, Queens, NY 11101. Bid Opening: Thursday, March 25th, 2010 at 11:00 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 Education, 65 Court Street, Room 1201 Brooklyn, NY 11201. Ida Rios (718) 935-2300.

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ENVIRONMENTAL PROTECTION**BUREAU OF WATER SUPPLY****■ SOLICITATIONS***Services (Other Than Human Services)*

SLUDGE REMOVAL AT THE MAHOPAC WASTEWATER TREATMENT PLANT, ORANGE COUNTY, N.Y. – Competitive Sealed Bids – PIN# 82610WS00018 – DUE 03-16-10 AT 11:30 A.M. – PROJECT NO. CRO-508. Document Fee: \$40.00. Matthew Burd, Project Manager, (845) 985-7175. Vendor ID#: 66740.

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 Environmental Protection
 59-17 Junction Blvd., 17th Floor, Flushing, NY 11373.
 Greg Hall (718) 595-3236.*

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BUREAU OF WASTEWATER TREATMENT**■ SOLICITATIONS***Services (Other Than Human Services)*

SERVICE AND REPAIR OF THE ANDOVER BUILDING MANAGEMENT SYSTEMS, CITYWIDE – Competitive Sealed Bids – PIN# 826101248BMS – DUE 03-16-10 AT 11:30 A.M. – PROJECT NO. 1248-BMS. Document Fee: \$40.00. Tarik Khail, Project Manager, (718) 595-4889. There will be a pre-bid conference on 3/9/10 at 10:00 A.M. at 96-05 Horace Harding Expressway, 2nd Floor Conference Room #3, Flushing, N.Y. 11373. Vendor ID#: 66736.

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 Environmental Protection
 59-17 Junction Blvd., 17th Floor, Flushing, NY 11373.
 Greg Hall (718) 595-3236.*

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FINANCIAL INFORMATION SERVICES AGENCY

■ INTENT TO AWARD

Services (Other Than Human Services)

CORRECTION: TERM LICENSE AND SOFTWARE MAINTENANCE – Sole Source – Available only from a single source - PIN# 12710EX00021 – DUE 03-03-10 AT 10:00 A.M. – The proposed contractor, Syncsort, Inc., has been selected via a Sole Source Procurement, pursuant to Section 3-05 of the Procurement Policy Board Rules. The vendor will provide software maintenance services for the proprietary software Syncsort for z/OS for a term of three years beginning from April 1, 2010 to March 31, 2013. Syncsort for z/OS is a mainframe product used in mainframe applications. Syncsort for z/OS does high speed sorts, joins and aggregates large volumes of transaction data. Any vendor qualified to provide these services now or in the future should contact Marisol Cintron at (212) 857-1540 or email mcintron@fisa.nyc.gov no later than 3/3/10, 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.
 Financial Information Services Agency, 450 West 33rd Street, 4th Floor, New York, NY 10001-2603. Marisol Cintron (212) 857-1540.

f24-m2

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

A/C COVERS – Competitive Sealed Bids – PIN# 332-10-003 – DUE 03-26-10 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.
 North Brooklyn Health Network, 100 North Portland Avenue, Brooklyn, C-32, NY 11205. Akihiko Hirao (718) 260-7684.

■ m1

PROXENON SURGICAL HEADLIGHT SYSTEM – Competitive Sealed Bids – PIN# QHN2010-1076QHC – DUE 03-22-10 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.
 Queens Health Network, 82-68 164th Street, “S” Building, Jamaica, NY 11432. Aurelio Morrone (718) 883-6000, boris.goltzman@nychhc.org

■ m1

ALPHA-TEC PRODUCTS CENTRIFUGE TUBE/SLIDE – Competitive Sealed Bids – PIN# 21-10-024 – DUE 03-15-10 AT 11:00 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.
 Jacobi Medical Center, Nurses Residence Building, 7 South, 1400 Pelham Parkway, Bronx, NY 10461. Rosemarie Miele (718) 918-3983, rosemarie.miele@nbhn.net

■ m1

Construction / Construction Services

INSTALL NEW FILL BOX AND FILL LINE FOR FUEL OIL TANK – Competitive Sealed Bids – PIN# 231-10-055 – DUE 03-29-10 AT 10:00 A.M. – Furnish all labor, materials, equipment, insurances and bonds to install new fill box and fill line for fuel oil tank for the Engineering and Maintenance Department at Woodhull Medical and Mental Health Center. Mandatory site-visits scheduled for March 17, 2010 at 10:00 A.M. or 11:00 A.M. at Woodhull Medical and Mental Health Center, 760 Broadway, Rm. 1BC04, Brooklyn, NY 11206. To request a bid package free of charge email Enid Rodriguez at Enid.Rodriguez@nychhc.org. Bid package request deadline is March 12, 2010 at 4:00 P.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.
 North Brooklyn Health Network, 100 North Portland Avenue, Rm. C-32, Brooklyn, NY 11205. Enid Rodriguez (718) 260-7663, enid.rodriguez@nychhc.org

■ m1

HEALTH AND MENTAL HYGIENE

AGENCY CHIEF CONTRACTING OFFICER

■ AWARDS

Human / Client Service

HIV PREVENTION AND LITERACY FOR SENIORS – BP/City Council Discretionary – PIN# 10AE040701R0X00 – AMT: \$1,005,000.00 – TO: Community Research Initiative on AIDS (CRIA), 230 West 38th Street, 17th Floor, New York, NY 10018.

■ m1

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, mzmaira@dhs.nyc.gov

j6-20

HOUSING AUTHORITY

■ SOLICITATIONS

Goods & Services

LEAD BASED PAINT INSPECTION SERVICES AT VARIOUS DEVELOPMENTS - ALL BOROUGHES – Competitive Sealed Bids – RFQ# 26254 – DUE 03-19-10 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.
 Housing Authority, 90 Church Street, 12th Fl., New York, NY 10007. Maria Manfredi (212) 306-4666.

■ m1

PURCHASING DIVISION

■ SOLICITATIONS

Goods & Services

MERIT BRASS AND WHEATLAND PIPE – Competitive Sealed Bids – RFQ# 26219 HS – DUE 03-16-10 AT 10:35 A.M.
 ● **PLUMBING SUPPLIES** – Competitive Sealed Bids – RFQ# 26257 HS – DUE 03-16-10 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.
 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/business/goods_materials.shtml Harvey Shenkman (718) 707-5466.

■ m1

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

PARKS AND RECREATION

REVENUE AND CONCESSIONS

■ SOLICITATIONS

Services (Other Than Human Services)

OPERATION OF A FREE CONCERT SERIES AND A MAXIMUM OF SIX (6) KIOSKS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# X39-OB-O – DUE 03-25-10 AT 3:00 P.M. – At Orchard Beach, Pelham Bay Park, The Bronx. There will be a recommended on-site proposer meeting and site tour on Monday, March 8, 2010 at 11:00 A.M. We will be meeting at the proposed concession site (Block #5650 and Lot #1), which is located in front of the Main Pavilion stage area, Pelham Bay Park, Bronx. If you are considering responding to this RFP, please make every effort to attend this recommended meeting and site tour.

TELECOMMUNICATION DEVICE FOR THE DEAF (TDD) 212-504-4115

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.
 Parks and Recreation, The Arsenal-Central Park 830 Fifth Avenue, Room 407, New York, NY 10021.
 Alexander Han (212) 360-1397, alexander.han@parks.nyc.gov

f19-m4

OPERATION AND MAINTENANCE OF AN 18-HOLE JACK NICKLAUS SIGNATURE GOLF COURSE – Other – PIN# X126-GC – DUE 03-30-10 AT 3:00 P.M. – The New York City Department of Parks and Recreation (“Parks”) is issuing, as of the date of this notice, a Request for Offers (“RFO”) for the operation and maintenance of an 18-hole Jack Nicklaus Signature golf course, driving range and ancillary facilities at Ferry Point Park, The Bronx.

All offers submitted in response to this RFO must be submitted no later than Tuesday, March 30, 2010 at 3:00 P.M. Hard copies of the RFO can be obtained, at no cost, commencing on Friday, February 19, 2010 through Tuesday, March 30, 2010, between the hours of 9:00 A.M. and 5:00 P.M., excluding weekends and holidays, at the Revenue Division of the New York City Department of Parks and Recreation, which is located at 830 Fifth Avenue, Room 407, New York, NY 10065.

TELECOMMUNICATION DEVICE FOR THE DEAF (TDD) 212-504-4115

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.
 Parks and Recreation, The Arsenal-Central Park 830 Fifth Avenue, Room 407, New York, NY 10021.
 Joel Metlen (212) 360-1397, joel.metlen@parks.nyc.gov

f19-m4

RENOVATION, OPERATION, AND MAINTENANCE OF THE FRIEDSAM MEMORIAL CAROUSEL – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# M10-37-C-CL – DUE 04-02-10 AT 3:00 P.M. – In Central Park, Manhattan. Parks will hold an on-site proposer meeting and site tour on Thursday, March 4, 2010 at 11:00 A.M. at the proposed concession site, which is located at 65th Street, mid-park, just west of the Center Drive. We will be meeting in front of the existing structure.

TELECOMMUNICATION DEVICE FOR THE DEAF (TDD) 212-504-4115

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.
 Parks and Recreation, The Arsenal-Central Park 830 Fifth Avenue, Room 407, New York, NY 10021.
 Joel Metlen (212) 360-1397, joel.metlen@parks.nyc.gov

f22-m5

■ AWARDS

Services (Other Than Human Services)

OPERATION OF ONE (1) PROCESSING MOBILE TRUCK – Competitive Sealed Bids – PIN# X87-162-214-MT – The City of New York Department of Parks and Recreation (“Parks”) has awarded a concession to Georgia Verikaki, 88 Berkely Ave., Waterbury, CT 06704, for the operation of one (1) processing mobile truck for the sale of Parks approved menu items at L. Zimmerman Playground, 3 Playgrounds on Olinville Avenue, Bronx, N.Y. The concession, which was solicited by a Request for Bids, operates pursuant to a permit agreement for a five (5) year term, expiring on December 31, 2013. Compensation to the City is as follows: Year 1: \$625; Year 2: \$670; Year 3: \$735; Year 4: \$780; Year 5: \$850. Vendor may only operate during hours that the park is open and must comply with all Health Department codes. All menu items and prices are subject to Parks approval.

● **OPERATION OF ONE (1) MOBILE FOOD TRUCK** – Competitive Sealed Bids – PIN# X394-MT. - The City of New York Department of Parks and Recreation (“Parks”) has awarded a concession to Panteleimon Kourtidis, 199-31 24th Road, Whitestone, NY 11357, for the operation of one (1) mobile food truck at Pelham Bay Park, next to baseball field located along Middletown Road, Bronx, N.Y. The concession, which was solicited by a Request for Bids, operates pursuant to a permit agreement for a five (5) year term, expiring on December 31, 2013. Compensation to the City is as follows: Year 1: \$2,020; Year 2: \$2,220; Year 3: \$2,420; Year 4: \$2,620; Year 5: \$2,820. Vendor may only operate during hours that the park is open and must comply with all Health Department codes. All menu items and prices are subject to Parks approval.

● **OPERATION OF ONE (1) NON-PROCESSING PUSH CART** – Competitive Sealed Bids – PIN# X044-C. - The City of New York Department of Parks and Recreation (“Parks”) has awarded a concession to Surji Scott, 332 S. 9th Ave., Mount Vernon, NY 10550, for the operation of one (1) non-processing pushcart for the sale of Parks approved menu items at St. James Park, Jerome Ave. between E. 191st Street and E. 193rd Street, Bronx, N.Y. The concession, which was solicited by a Request for Bids, operates pursuant to a permit agreement for a five (5) year term, expiring on December 31, 2013. Compensation to the City is as follows: Year 1: \$600; Year 2: \$630; Year 3: \$661; Year 4: \$694; Year 5: \$728. Vendor may only operate during hours that the park is open and must comply with all Health Department codes. All menu items and prices are subject to Parks approval.

● **OPERATION OF ONE (1) PROCESSING MOBILE FOOD TRUCK** – Competitive Sealed Bids – PIN# R31-MT. - The City of New York Department of Parks and Recreation (“Parks”) has awarded a concession to John Illardi, 183 Foch Ave., Staten Island, NY 10305, for the operation of one (1) processing Mobile Food Truck at Wolfe’s Pond Park, Western portion of parking lot, Staten Island, N.Y. The concession, which was solicited by a Request for Bids, operates pursuant to a permit agreement for a five (5) year term, expiring on December 31, 2013. Compensation to the City is as follows: Year 1: \$4,000; Year 2: \$4,500; Year 3: \$5,000; Year 4: \$5,500; Year 5: \$6,000. Vendor may only operate during hours that the park is open and must comply with all Health Department codes. All menu items and prices are subject to Parks approval.

● **OPERATION OF ONE (1) PROCESSING MOBILE FOOD TRUCK** – Competitive Sealed Bids – PIN# R46-MT. - The City of New York Department of Parks and Recreation (“Parks”) has awarded a concession to John Illardi, 183 Foch Ave., Staten Island, NY 10305, for the operation of one (1) processing Mobile Food Truck at Midland-South Beach, Parking Lot #2, south of Hockey Rink, Staten Island, N.Y. The concession, which was solicited by a Request for Bids, operates pursuant to a permit agreement for a five (5) year term, expiring on December 31, 2013. Compensation to the City is as follows: Year 1: \$3,000; Year 2: \$3,300; Year 3: \$3,700; Year 4: \$4,500; Year 5: \$5,500. Vendor may only operate during hours that the park is open and must comply with all Health Department codes. All menu items and prices are subject to Parks approval.

● **OPERATION OF ONE (1) PROCESSING MOBILE FOOD TRUCK** – Competitive Sealed Bids – PIN# R464-MT. - The City of New York Department of Parks and

Recreation ("Parks") has awarded a concession to John Illardi, 183 Foch Ave., Staten Island, NY 10305, for the operation of one (1) processing Mobile Food Truck at Midland-South Beach, Parking Lot by the fishing pier, Staten Island, N.Y. The concession, which was solicited by a Request for Bids, operates pursuant to a permit agreement for a five (5) year term, expiring on December 31, 2013. Compensation to the City is as follows: Year 1: \$5,500; Year 2: \$6,100; Year 3: \$6,500; Year 4: \$7,100; Year 5: \$7,500. Vendor may only operate during hours that the park is open and must comply with all Health Department codes. All menu items and prices are subject to Parks approval.

● **OPERATION OF ONE (1) SPECIALTY MOBILE VENDING UNIT** – Competitive Sealed Bids – PIN# M98-CG. - The City of New York Department of Parks and Recreation ("Parks") has awarded as a concession the operation of one (1) specialty mobile vending unit at Washington Square North and Washington Square West, inside the northwest entrance of Washington Square Park, Manhattan to Otto Enoteca Pizzeria DBA Pane Sardo, LLC of One 5th Avenue, New York, NY 10003. The concession, which was solicited by a Request for Proposals, operates pursuant to a permit agreement for one (1) five-year term. Compensation to the City is as follows: Year 1: \$9,600.00; Year 2: \$10,080.00; Year 3: \$10,584.00; Year 4: \$11,113.20; Year 5: \$11,668.86.

● **OPERATION OF ONE (1) PROCESSING CART** – Competitive Sealed Bids – PIN# X082-C. - The City of New York Department of Parks and Recreation ("Parks") has awarded a concession to Franny Garcia, 748 Southern Blvd., Bronx, NY 10455, for the operation of one (1) processing cart for the sale of Parks approved menu items at Claremont Park, Mount Eden Pkwy., Morris and Eastburn Aves., Bronx, N.Y. The concession, which was solicited by a Request for Bids, operates pursuant to a permit agreement for a five (5) year term, expiring on December 31, 2013. Compensation to the City is as follows: Year 1: \$800; Year 2: \$900; Year 3: \$1,000; Year 4: \$1,100; Year 5: \$1,200. Vendor may only operate during hours that the park is open and must comply with all Health Department codes. All menu items and prices are subject to Parks approval.

● **OPERATION OF ONE (1) PROCESSING MOBILE TRUCK** – Competitive Sealed Bids – PIN# X105-MT. - The City of New York Department of Parks and Recreation ("Parks") has awarded a concession to Franny Garcia, 748 Southern Blvd., Bronx, NY 10455, for the operation of one (1) processing Mobile Food Truck for the sale of Parks approved menu items at Crotona Park, at the entrance to Hill and Dale Playground at E. 173rd Street, Bronx, N.Y. The concession, which was solicited by a Request for Bids, operates pursuant to a permit agreement for a five (5) year term, expiring on December 31, 2013. Compensation to the City is as follows: Year 1: \$700; Year 2: \$800; Year 3: \$900; Year 4: \$1,000; Year 5: \$1,100. Vendor may only operate during hours that the park is open and must comply with all Health Department codes. All menu items and prices are subject to Parks approval.

● **OPERATION OF ONE (1) PROCESSING MOBILE FOOD TRUCK** – Competitive Sealed Bids – PIN# X108-MT. - The City of New York Department of Parks and Recreation ("Parks") has awarded a concession to Franny Garcia, 748 Southern Blvd., Bronx, NY 10455, for the operation of one (1) processing cart or processing Mobile Food Truck for the sale of Parks approved menu items at Crotona Park North from Prospect Street to Clinton Street, Bronx, N.Y. The concession, which was solicited by a Request for Bids, operates pursuant to a permit agreement for a five (5) year term, expiring on December 31, 2013. Compensation to the City is as follows: Year 1: \$700; Year 2: \$800; Year 3: \$900; Year 4: \$1,000; Year 5: \$1,100. Vendor may only operate during hours that the park is open and must comply with all Health Department codes. All menu items and prices are subject to Parks approval.

● **OPERATION OF ONE (1) PROCESSING MOBILE TRUCK** – Competitive Sealed Bids – PIN# X10P-MT. - The City of New York Department of Parks and Recreation ("Parks") has awarded a concession to Franny Garcia, 748 Southern Blvd., Bronx, NY 10455, for the operation of one (1) processing cart or processing Mobile Food Truck for the sale of Parks approved menu items at Crotona Park Pool, E. 173rd Street and Fulton Avenue at the entrance to the swimming pool, Bronx, N.Y. The concession, which was solicited by a Request for Bids, operates pursuant to a permit agreement for a five (5) year term, expiring on December 31, 2013. Compensation to the City is as follows: Year 1: \$700; Year 2: \$800; Year 3: \$900; Year 4: \$1,000; Year 5: \$1,100. Vendor may only operate during hours that the park is open and must comply with all Health Department codes. All menu items and prices are subject to Parks approval.

● **OPERATION OF ONE (1) NON-PROCESSING MOBILE FOOD TRUCK** – Competitive Sealed Bids – PIN# X92-1-MT. - The City of New York Department of Parks and Recreation ("Parks") has awarded a concession to Rafael A. Rodriguez, 1 Edison Ave., Mount Vernon, NY 10550, for the operation of one (1) non-processing Mobile Food Truck for the sale of Parks approved menu items at Van Cortlandt Park, Broadway between W. 240th St. and W. 263rd St., along Van Cortlandt South, next to the playground, Bronx, N.Y. The concession, which was solicited by a Request for Bids, operates pursuant to a permit agreement for a five (5) year term, expiring on December 31, 2013. Compensation to the City is as follows: Year 1: \$5,000; Year 2: \$5,500; Year 3: \$6,000; Year 4: \$6,500; Year 5: \$7,000. Vendor may only operate during hours that the park is open and must comply with all Health Department codes. All menu items and prices are subject to Parks approval.

● **OPERATION OF ONE (1) PROCESSING CART** – Competitive Sealed Bids – PIN# X9213-C. - The City of New York Department of Parks and Recreation ("Parks") has awarded a concession to Rafael A. Rodriguez, 1 Edison Ave., Mount Vernon, NY 10550, for the operation of one (1) processing cart or processing Mobile Food Truck for the sale of Parks approved menu items including hot dogs, pretzels, soft drinks, related items, and an additional 3' x 3' unit (no larger than 1,296 square inches) for the sale of ice cream at Van Cortlandt Park, on Broadway between W. 240th St. and W. 263rd St., and by the swimming pool entrance, Bronx, N.Y. The concession, which was solicited by a Request for Bids, operates pursuant to a permit agreement for a five (5) year term, expiring on December 31, 2013. Compensation to the City is as follows: Year 1: \$2,000; Year 2: \$2,300; Year 3: \$2,500; Year 4: \$2,800; Year 5: \$3,500. Vendor may only operate during hours that the park is open and must comply with all Health Department codes. All menu items and prices are subject to Parks approval.

● **OPERATION OF ONE (1) PUSH CART** – Competitive Sealed Bids – PIN# M10-74-WD-C. - The City of New York Department of Parks and Recreation ("Parks") has awarded a concession the operation of one (1) pushcart for the sale of

Parks approved items with an additional 3' x 3' unit for ice cream sales in warm weather and nuts in cold weather at the west side of West Drive, between West 74th and West 75th Streets, Central Park, Manhattan. The concession, which was solicited by a Request for Bids, operates pursuant to a permit agreement for a five (5) year term. Compensation to the City is as follows: Year 1: \$78,400; Year 2: \$86,100; Year 3: \$90,405; Year 4: \$95,000; Year 5: \$100,000. Vendor may only operate during hours that the park is open and must comply with all Health Department codes. All prices are subject to Parks approval.

● **OPERATION OF ONE (1) PUSH CART** – Competitive Sealed Bids – PIN# M10-E66-SM-C. - The City of New York Department of Parks and Recreation ("Parks") has awarded as a concession the operation of one (1) pushcart for the sale of Parks approved items with an additional 3' x 3' unit for ice cream sales in warm weather and nuts in cold weather the eastside of Sheep Meadow at approximately East 66th Street, Central Park, Manhattan. The concession, which was solicited by a Request for Bids, operates pursuant to a permit agreement for a five (5) year term. Compensation to the City is as follows: Year 1: \$56,450.05; Year 2: \$68,250; Year 3: \$72,000; Year 4: \$75,600; and Year 5: \$79,500. Vendor may only operate during hours that the park is open and must comply with all Health Department codes. All prices are subject to Parks approval.

● **OPERATION OF ONE (1) PUSH CART** – Competitive Sealed Bids – PIN# M10-84-ED-C. - The City of New York Department of Parks and Recreation ("Parks") has awarded as a concession the operation of one (1) pushcart for the sale of Parks approved items with an additional 3' x 3' unit for ice cream sales in warm weather and nuts in cold weather at East 84th Street, the pedestrian path, west side of East Drive, Central Park, Manhattan. The concession, which was solicited by a Request for Bids, operates pursuant to a permit agreement for a five (5) year term. Compensation to the City is as follows: Year 1: \$117,246.58; Year 2: \$142,000; Year 3: \$150,000; Year 4: \$158,000; and Year 5: \$167,500. Vendor may only operate during hours that the park is open and must comply with all Health Department codes. All prices are subject to Parks approval.

● **OPERATION OF ONE (1) PUSH CART** – Competitive Sealed Bids – PIN# M10-E67-C – The City of New York Department of Parks and Recreation ("Parks") has awarded as a concession the operation of one (1) pushcart for the sale of Parks approved items with an additional 3' x 3' unit for ice cream sales in warm weather and nuts in cold weather at the northwest corner of East 67th Street and 5th Avenue, Central Park, Manhattan. The concession, which was solicited by a Request for Bids, operates pursuant to a permit agreement for a five (5) year term. Compensation to the City is as follows: Year 1: \$110,000; Year 2: \$118,000; Year 3: \$124,000; Year 4: \$135,000; and Year 5: \$142,000. Vendor may only operate during hours that the park is open and must comply with all Health Department codes. All prices are subject to Parks' approval.

● **OPERATION OF ONE (1) PUSH CART** – Competitive Sealed Bids – PIN# M10-72-1A-C. - The City of New York Department of Parks and Recreation ("Parks") has awarded as a concession the operation of one (1) pushcart for the sale of Parks approved items with an additional 3' x 3' unit for ice cream sales in warm weather and nuts in cold weather at the northwest corner northwest side of the Naumberg Bandshell, Central Park, Manhattan. The concession, which was solicited by a Request for Bids, operates pursuant to a permit agreement for a five (5) year term. Compensation to the City is as follows: Year 1: \$115,000; Year 2: \$120,500; Year 3: \$126,275; Year 4: \$132,400; and Year 5: \$140,000. Vendor may only operate during hours that the park is open and must comply with all Health Department codes. All prices are subject to Parks' approval.

● **OPERATION OF ONE (1) GREEN CART** – Competitive Sealed Bids – PIN# M10-E87-GR. - The City of New York Department of Parks and Recreation ("Parks") has awarded as a concession the operation of one (1) green cart for the sale of fresh fruits and vegetables at the Parkside of 5th Avenue between East 86th and 87th Streets, Central Park, Manhattan. The concession, which was solicited by a Request for Bids, operates pursuant to a permit agreement for a five (5) year term. Compensation to the City is as follows: Year 1: \$9,800; Year 2: \$9,500; Year 3: \$11,800; Year 4: \$12,500; and Year 5: \$12,700. Vendor may only operate during hours that the park is open and must comply with all Health Department codes. All menu items and prices are subject to Parks' approval.

● **OPERATION OF ONE (1) PROCESSING MOBILE TRUCK** – Competitive Sealed Bids – PIN# X02-MT – The City of New York Department of Parks and Recreation ("Parks") has awarded a concession to Georgia Verikaki, 88 Berkely Ave., Waterbury, CT 06704, for the operation of one (1) processing mobile truck for the sale of Parks approved menu items at Bronx Park, between Gun Hill Rd. and Waring Ave., Bronx, N.Y. The concession, which was solicited by a Request for Bids, operates pursuant to a permit agreement for a five (5) year term, expiring on December 31, 2013. Compensation to the City is as follows: Year 1: \$900, Year 2: \$950, Year 3: \$1,025, Year 4: \$1,100, Year 5: \$1,200. Vendor may only operate during hours that the park is open and must comply with all Health Department codes. All menu items and prices are subject to Parks approval.

SCHOOL CONSTRUCTION AUTHORITY

CONTRACT ADMINISTRATION

■ SOLICITATIONS

Construction / Construction Services

AUDITORIUM AND CAFETERIA - MULTI PURPOSE UPGRADE – Competitive Sealed Bids – PIN# SCA10-13133D-1 – DUE 03-19-10 AT 10:30 A.M. – Project Range: \$1,280,000.00 to \$1,350,000.00. NYC School Construction Authority, Plans Room Window, Room #1046, 30-30 Thomson Avenue, 1st Floor, Long Island City, New York 11101. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New

York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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.
School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Stacia Edwards (718) 752-5849.

☛ m1-5

ROOF REPLACEMENT – Competitive Sealed Bids – PIN# SCA10-12933D-1 – DUE 03-15-10 AT 11:30 A.M. – I.S. 184 (Bronx). Project Range: \$3,070,000.00 to \$3,240,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority.

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.
School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Anthony Largie (718) 752-5842.

☛ f25-m3

LOW VOLTAGE ELECTRICAL SYSTEM – Competitive Sealed Bids – PIN# SCA10-13147D-1 – DUE 03-22-10 AT 11:00 A.M. – PS 43 (Bronx). Project Range: \$990,000.00 to \$1,045,000.00. Non-refundable bid documents charge: \$100.00, certified check or money order only. Make checks payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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.
School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Rookmin Singh (718) 752-5843.

☛ m1-5

CONTRACT SERVICES

■ SOLICITATIONS

Construction / Construction Services

LOW VOLTAGE FIRE ALARM AND PA SYSTEMS – Competitive Sealed Bids – PIN# SCA10-13155D-1 – DUE 03-15-10 AT 11:00 A.M. – I.S. 193 (Bronx). Project Range: \$1,550,000.00 to \$1,640,000.00. Non-refundable document fee: \$100.00.

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.
School Construction Authority, 30-30 Thomson Avenue First Floor, Long Island City, NY 11101.
Ricardo Forde (718) 752-5288, rforde@nycsca.org

☛ f24-m2

TRANSPORTATION

DIVISION OF FRANCHISES, CONCESSIONS AND CONSENTS

■ SOLICITATIONS

Services (Other Than Human Services)

UNSUBSIDIZED BUS SERVICE, BROOKLYN – Request for Proposals – PIN# 84110MBAD499 – DUE 04-09-10 AT 2:00 P.M. – DOT's Office of Franchises, Concessions and Consents is soliciting proposals for a non-exclusive franchise for an unsubsidized bus line providing common carrier service to passengers along designated routes for local service to operate between Williamsburg and Borough Park, Brooklyn. The initial term of the Franchise Contract will be ten (10) years, followed by an optional renewal period of ten (10) years and a second optional renewal period of five (5) years. The renewals shall be exercised at the sole option of the Department of Transportation.

The RFP is available at <http://www.nyc.gov/html/dot/html/about/rfpintro.shtml>

Hard copies may be obtained through Thursday, April 8, 2010. There will be a pre-proposal conference on Friday, March 5, 2010 at 12:30 P.M. at 55 Water St., NY, NY. Please contact the Authorized Department Contact for the room number. Attendees are asked to RSVP. Attendance by proposers is optional but strongly recommended.

All inquiries should refer to the Solicitation Number, should be submitted in writing and will be answered in writing.

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 Transportation, ACCO, Contract Management Unit, 55 Water Street, 9th Floor, Ground Floor, New York, NY 10041. Owiso Makuku (212) 839-6550, franchises@dot.nyc.gov, fax: (212) 839-4834.

☛ f22-m5

AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

"These Hearings may be cablecast on NYC TV Channel 74 on Sundays, from 5:00 p.m. to 7:00 p.m. For more information, visit: www.nyc.gov/tv" NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, N.Y. 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay services.

PARKS AND RECREATION

PUBLIC HEARINGS

CORRECTED NOTICE OF PUBLIC HEARING

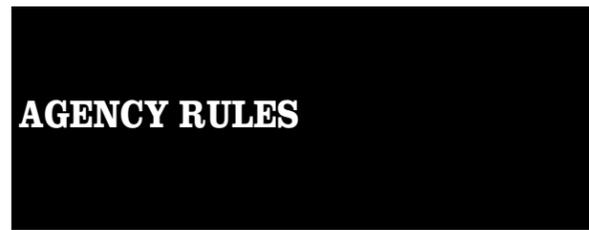
NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, March 4, 2010, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the City of New York Parks and Recreation and Roosevelt Island Operating Corporation of the State of New York (RIOC), having its principal office at 591 Main Street, Roosevelt Island, New York 10044, for the Construction and Construction Related Services for Franklin D. Roosevelt Four Freedoms Park, Roosevelt Island. The contract amount shall be \$10,000,000. The contract term shall be 730 Consecutive Calendar days from the date of written notice to proceed. PIN#: 8462010M10C05.

The proposed contractor is with another government, public authority or public benefit corporation, pursuant to Section 1-02 (f) (1) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the City of New York Parks and Recreation, Consultant Procurement Unit, Room 61, Olmsted Center, Flushing Meadows-Corona Park, Queens, New York 11368, from February 26, 2010 to March 4, 2010, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 4:00 P.M.

f26-m4



CITYWIDE ADMINISTRATIVE SERVICES

NOTICE

DIVISION OF CITYWIDE PERSONNEL SERVICES PROPOSED AMENDMENT TO CLASSIFICATION

PUBLIC NOTICE IS HEREBY GIVEN of a public hearing to amend the Classification of the Classified Service of the City of New York.

A public hearing will be held by the Commissioner of Citywide Administrative Services in accordance with Rule 2.6 of the Personnel Rules and Regulations of the City of New York at 1 Centre Street, 14th Floor, Conference Room A, New York, NY 10007 on **TUESDAY, MARCH 9, 2010 at 10:00 AM.** For more information go to the DCAS Website at: www.nyc.gov/dcas

RESOLVED, That the classification of the Classified Service of The City of New York is hereby amended under the headings ENVIRONMENTAL PROTECTION ADMINISTRATION [826] and DEPARTMENT OF ENVIRONMENTAL PROTECTION [826] as follows:

I. By deleting from the Exempt Class, under Rule X, under the heading ENVIRONMENTAL PROTECTION ADMINISTRATION [826], the following position:

Title Code Number	Revised Number of Positions Authorized	Class of Positions
M95201	1 #	Deputy Administrator
	#	Delete one position only. One position will remain for use in the Department of Sanitation [827].

II. By deleting from the Exempt Class, under Rule X, under the heading ENVIRONMENTAL PROTECTION ADMINISTRATION [826] and the subheading DEPARTMENT OF SANITATION [827], the following position:

Title Code Number	Revised Number of Positions Authorized	Class of Positions
95236	1 #	Confidential Assistant to the Commissioner
	#	Delete one position only. One position will remain for use in the Department of Sanitation [827].

III. By deleting from the Exempt Class, under Rule X, under the heading ENVIRONMENTAL PROTECTION ADMINISTRATION [826], the subheading DEPARTMENT OF AIR RESOURCES and the following titles thereunder:

Title Code Number	Number of Positions Authorized	Class of Positions
M95270	1	Deputy Administrator/Commissioner (Air Resources)
M95271	1	Deputy Commissioner (Air Resources)

IV. By deleting from the Exempt Class, under Rule X, under the heading ENVIRONMENTAL PROTECTION ADMINISTRATION [826], the subheading DEPARTMENT OF WATER RESOURCES and the following titles thereunder:

Title Code Number	Number of Positions Authorized	Class of Positions
M95285	1	Deputy Administrator/Commissioner (Water Resources)
M95286	1	Deputy Commissioner (Water Resources)

V. By deleting from the Exempt Class, under Rule X, the heading DEPARTMENT OF AIR POLLUTION CONTROL [671] and the following titles thereunder:

Title Code Number	Number of Positions Authorized	Class of Positions
12876	1	Secretary to the Commissioner
M12880	1	Secretary to the Department

VI. By deleting from the Exempt Class, under Rule X, the heading BOARD OF WATER SUPPLY [085], and the following titles thereunder:

Title Code Number	Number of Positions Authorized	Class of Positions
13210	1	Assistant to the President
M21144	1	Chief Engineer
12815	2	Confidential Secretary to the Commissioner
M21140	3	Deputy Chief Engineer
12851	1	Secretary

VII. By deleting from the Exempt Class, under Rule X, the heading DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY [082] and the following title thereunder:

Title Code Number	Number of Positions Authorized	Class of Positions
M12880	1	Secretary to the Department

VIII. By deleting from the Non-Competitive Class, under Rule X, Part I, under the heading ENVIRONMENTAL PROTECTION ADMINISTRATION [826], the following title:

Title Code Number	Number of Positions Authorized	Class of Positions
M95218	1	Deputy Counsel (Law and Code Enforcement)

IX. By deleting from the Non-Competitive Class, under the Rules and Parts indicated, under the heading DEPARTMENT OF ENVIRONMENTAL PROTECTION [826], the following titles:

A. sender Rule X, Part I:

Title Code Number	Number of Positions Authorized	Class of Positions
M95205	1	Assistant Administrator (Administrative Operations)
M95207	1	Assistant Administrator (Fiscal)
M95208	1	Assistant Administrator (Legal)
M95209	1	Assistant Administrator (Program Analysis and Development)
M95211	1	Assistant Administrator (Public Information)
M20253	1	Director of Engineering (Air Pollution Control)
M95217	1	Director of Motor Equipment (EPA)
M95223	1	Manager, Customer Relations (Jamaica WS) #
M95227	4	Manager, Engineering and Construction (Jamaica WS) #
M95224	1	Manager, Management Analysis (Jamaica WS) #
M95222	1	Manager, Public Relations (Jamaica WS) #
M95225	1	Manager, Water Quality (Jamaica WS) #
95096	1 ##	Secretary to the Administrator
95097	1	Secretary to the Deputy Administrator

These Jamaica Water Supply titles were classified on April 11, 1997, for incumbent acquisition employees only. They have now become vacant.

This title is not deleted. One position remains under the heading ECONOMIC DEVELOPMENT ADMINISTRATION [801].

B. Under Rule X, Part II:

Title Code Number	Number of Positions Authorized	Class of Positions
81704	Unl.	Gage Keeper

C. Under Rule XI, Part I:

Title Code Number	Number of Positions Authorized	Class of Positions
12802	1	Assistant Secretary (Board of Water Supply)
M21136	1	Department Engineer (Board of Water Supply)
M13230	1	Executive Assistant (Water Supply, Gas and Electricity)
12838	1	Private Secretary to the Chief Engineer (BWS)

X. By including in the Exempt Class, subject to Rule X, under the heading DEPARTMENT OF ENVIRONMENTAL PROTECTION [826], the following titles:

Title Code Number	Number of Positions Authorized	Class of Positions
M—	1	Assistant Commissioner for DEP Police and Security
—	1	Chauffeur-Attendant (DEP)
M—	1	Chief Engineer (DEP)
—	1	Confidential Assistant to the Executive Deputy Commissioner (DEP)
M—	1	Deputy Commissioner for Communications and Intergovernmental Affairs (DEP)
M—	1	Deputy Commissioner for DEP Police and Security
M—	1	Director of Labor Relations (DEP)
—	1	Executive Assistant to the Commissioner (DEP)
M—	1	Executive Chief of Staff (DEP)
M—	3	Executive Deputy Commissioner (DEP)
M—	1	Senior Adviser to the Commissioner (DEP)
12876	1	Secretary to the Commissioner

XI. By including in the Non-Competitive Class, subject to

Rule X, Part I, under the heading DEPARTMENT OF ENVIRONMENTAL PROTECTION [826], the following titles:

Title Code Number	Number of Positions Authorized	Class of Positions	Annual Salary Range
M—	1	Administrator of Sludge Vessel Operations (DEP)	PPME ##
M—	17	Assistant Commissioner (DEP)	PPME ##
M—	1	Associate Commissioner (DEP)	PPME ##
M—	3	Deputy Chief Engineer (DEP)	PPME ##
M—	11	Deputy Commissioner (DEP)	PPME ##
M—	1	Deputy Counsel (DEP)	PPME ##
M—	5	Deputy Director of Engineering (DEP)	PPME ##
M—	1	Deputy Director of Motor Fleet Services (DEP)	PPME ##
M—	2	Deputy Director of Office of Information Technology (DEP)	PPME ##
M—	1	Director, Asbestos Emissions Control (DEP)	PPME ##
M—	1	Director for Equal Employment Opportunity (DEP)	PPME ##
M—	6 #	Director of Engineering (DEP)	PPME ##
M—	1	Director of Motor Fleet Services (DEP)	PPME ##
M—	1	Executive Director, New York City Water Board	PPME ##

(increase from 1 to 6)

These are management classes of positions paid in accordance with the Pay Plan for Management Employees. Salaries for individual positions will be set at a level and rate in accordance with duties and responsibilities (PPME). Part I positions are designated as confidential or policy influencing under Rule 3.2.3 (b) of the Personnel Rules and Regulations of the City of New York and therefore are not covered by Section 75 of the Civil Service Law.

XII. By including in the Non-Competitive Class, subject to Rule XI, Part I, under the heading DEPARTMENT OF ENVIRONMENTAL PROTECTION [826], the following titles:

Title Code Number	Number of Positions Authorized	Class of Positions	# New Hire Minimum	Salary Range Effective 3/1/2009 Incumbent Minimum	Maximum
—	1	Assistant Secretary to the Commissioner (DEP)	\$ 37,579	\$ 40,525	\$ 82,298
—	3	Secretary to the Executive Deputy Commissioner (DEP)	\$ 37,579	\$ 40,525	\$ 82,298

Part I positions are designated as confidential or policy influencing under Rule 3.2.3 (b) of the Personnel Rules and Regulations of the City of New York and therefore are not covered by Section 75 of the Civil Service Law.

Employees hired into City Service shall be paid at least the "New Hire Minimum." Upon completion of two years of active or qualified inactive service, such employees shall be paid at least the indicated "Incumbent Minimum" for the applicable title that is in effect on the two year anniversary of their original appointments. In no case shall an employee receive less than the stated "New Hire Minimum."

XIII. By including in the Non-Competitive Class, subject to Rule XI, Part II, under the heading DEPARTMENT OF ENVIRONMENTAL PROTECTION [826], the following title:

Title Code Number	Number of Positions Authorized	Class of Positions	# New Hire Minimum	Salary Range Effective 3/1/2009 Incumbent Minimum	Maximum
—	100	Hazardous Materials Specialist			
		Assignment Level I	\$ 44,623	\$ 51,317	\$ 65,345
		Assignment Level II	\$ 50,623	\$ 58,217	\$ 75,083
		Assignment Level III	\$ 60,052	\$ 69,060	\$ 100,047

Employees hired into City Service shall be paid at least the "New Hire Minimum." Upon completion of two years of active or qualified inactive service, such employees shall be paid at least the indicated "Incumbent Minimum" for the applicable title that is in effect on the two year anniversary of their original appointments. In no case shall an employee receive less than the stated "New Hire Minimum."

XIV. TABLE OF EQUIVALENCIES FOR EXEMPT CLASS TITLES

DELETED TITLES (POSITIONS)	EQUIVALENT IN DEP (POSITIONS)
Exempt Class Title (No. of Positions) Deleted from the ENVIRONMENTAL PROTECTION ADMINISTRATION:	Exempt Class Title (No. of Positions) under DEPARTMENT OF ENVIRONMENTAL PROTECTION:
M95201 Deputy Administrator (1 position)	M—Executive Deputy Commissioner (DEP) (3 positions) [1/3]
Exempt Class Title (No. of Positions) Deleted from the DEPARTMENT OF AIR POLLUTION CONTROL:	Exempt Class Title (No. of Positions) under DEPARTMENT OF ENVIRONMENTAL PROTECTION:
M12880 Secretary to the Department (1 position)	M— Executive Chief of Staff (DEP) (1 position)
Exempt Class Title (No. of Positions) Deleted from the ENVIRONMENTAL PROTECTION ADMINISTRATION (subheading Department of Sanitation):	Exempt Class Title (No. of Positions) under DEPARTMENT OF ENVIRONMENTAL PROTECTION:
95236 Confidential Assistant to the Commissioner (1 position)	M— Senior Adviser to the Commissioner (DEP) (1 position)
Exempt Class Title (No. of Positions) Deleted from the ENVIRONMENTAL PROTECTION ADMINISTRATION	Exempt Class Title (No. of Positions) under DEPARTMENT OF ENVIRONMENTAL PROTECTION

(subheading Department of Air Resources):

M95270 Deputy Administrator/ Commissioner (Air Resources) (1 position) M— Executive Deputy Commissioner (DEP) (3 positions) [2/3]

DELETED TITLES (POSITIONS) EQUIVALENT IN DEP

Exempt Class Title (No. of Positions) Deleted from the ENVIRONMENTAL PROTECTION ADMINISTRATION (subheading Department of Water Resources):

M95285 Deputy Administrator/ Commissioner (Water Resources) (1 position) M— Executive Deputy Commissioner (DEP) (3 positions) [3/3]

Exempt Class Title (No. of Positions) Deleted from the BOARD OF WATER SUPPLY:

13210 Assistant to the President (1 position) — Executive Assistant to the Commissioner (DEP) (1 position)
M21144 Chief Engineer (1 position) M— Chief Engineer (DEP) (1 position)

XV. TABLE OF EQUIVALENCIES FOR NON-COMPETITIVE CLASS TITLES**DELETED TITLES (POSITIONS) EQUIVALENT IN DEP**

Exempt Class Title (No. of Positions) Deleted from the ENVIRONMENTAL PROTECTION ADMINISTRATION (subheading Department of Air Resources):

M95271 Deputy Commissioner (Air Resources) (1 position) M— Deputy Commissioner (DEP) (1 of 11 positions) [1/11]

Exempt Class Title (No. of Positions) Deleted from the ENVIRONMENTAL PROTECTION ADMINISTRATION (subheading Department of Water Resources):

M95286 Deputy Commissioner (Water Resources) (1 position) M— Deputy Commissioner (DEP) (1 of 11 positions) [2/11]

Exempt Class Title (No. of Positions) Deleted from the BOARD OF WATER SUPPLY:

M21140 Deputy Chief Engineer (3 positions) M— Deputy Chief Engineer (DEP) (3 positions)
12851 Secretary (1 position) — Secretary to Executive Deputy Commissioner (DEP) (1 of 3 positions) [1/3]

Non-Competitive Class Title (No. of Positions) Deleted from the ENVIRONMENTAL PROTECTION ADMINISTRATION:

M95218 Deputy Counsel (Law and Code Enforcement) (1 position) M— Deputy Counsel (DEP) (1 position)

DELETED TITLES (POSITIONS)

Non-Competitive Class Title (No. of Positions) Deleted from the DEPARTMENT OF ENVIRONMENTAL PROTECTION

M95205 Assistant Administrator (Administrative Operations) (1 position)
M95207 Assistant Administrator (Fiscal) (1 position)
M95208 Assistant Administrator (Legal) (1 position)
M95209 Assistant Administrator (Program Analysis and Development) (1 position)
M95211 Assistant Administrator (Public Information) (1 position)
12802 Assistant Secretary (Board of Water Supply) (1 position)
M20253 Director of Engineering (Air Pollution Control) (1 position)
M21136 Department Engineer (Board of Water Supply) (1 position)
M95217 Director of Motor Equipment (EPA) (1 position)
95097 Secretary to the Deputy Administrator (1 position)

EQUIVALENT IN DEP

Non-Competitive Class Title (No. of Positions) under DEPARTMENT OF ENVIRONMENTAL PROTECTION:

M— Assistant Commissioner (DEP) (1 of 17 positions) [1/17]
M— Assistant Commissioner (DEP) (1 of 17 positions) [2/17]
M— Assistant Commissioner (DEP) (1 of 17 positions) [3/17]
M— Assistant Commissioner (DEP) (1 of 17 positions) [4/17]
M— Assistant Commissioner (DEP) (1 of 17 positions) [5/17]
— Assistant Secretary to the Commissioner (DEP) (1 position)
M— Director of Engineering (DEP) (6 positions) [1/6]
M— Director of Engineering (DEP) (6 positions) [2/6]
M— Director of Motor Fleet Services (DEP) (1 position)
— Secretary to the Executive Deputy Commissioner (DEP) (1 of 3 positions) [2/3]

• m1-3

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 drivers of for-hire vehicles.

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 will be 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. 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 March 26, 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 March 31, 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 5 thereto, to read as follows:

New Material is underlined.

CHAPTER 5 FOR-HIRE DRIVERS**Contents**

§5-01 Scope of this Chapter
§5-02 Penalties
§5-03 Definitions Specific to this Chapter
§5-04 Licensing – Requirements
§5-05 Licensing – Probationary Licenses
§5-06 Licensing – Term of License
§5-07 Licensing – Fees
§5-08 Licensing – Process and Causes for Denial of License
§5-09 RESERVED (Licensing – Transfer of License)
§5-10 Licensing – Care and Use of License
§5-11 Comply with Laws – Unlicensed Activity Prohibited
§5-12 Comply with Laws – Proper Conduct
§5-13 Comply with Law – Traffic Laws
§5-14 Operations – Passenger and Driver Safety
§5-15 Operations – General Rules During Operation of Vehicle
§5-16 Operations – Comply with Reasonable Passenger Requests
§5-17 RESERVED. Operations – Method of Payment
§5-18 RESERVED. Operations – Lost Property
§5-19 Operations – Passenger and Solicitation and Engagement
§5-20 Operations – Refusing Passengers
§5-21 Operations – Rules for Drivers from Qualified Jurisdictions
§5-22 Vehicle – Operating Conditions
§5-23 Vehicle – Items Required to be in the Vehicle During Operation
§5-24 RESERVED (Vehicle – Trip Records)
§5-25 RESERVED (Vehicle – Electronic Trip Record System)
§5-26 RESERVED (Vehicle – Miscellaneous)
§5-27 Special Driver Penalty Programs

§5-01 Scope of this Chapter

- (a) To establish procedures for the licensing, monitoring and regulation of For-Hire Drivers.
- (b) To establish operating rules to protect customers and the public.
- (c) To establish appropriate penalties for the violation of these Rules.

§5-02 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 §19-529 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 will be shown at the end of the Rule. The penalty section also states whether the violator must attend a 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.

§5-03 Definitions Specific to this Chapter

- (a) Applicant in this Chapter means an Applicant for an original or renewal For-Hire Driver's 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) Critical Driver's Program is a Commission program that charges additional penalties to a Driver who accumulates a certain number of Department of Motor Vehicle points on his or her state driver's license within a certain amount of time.
- (e) Defensive Driving Course refers to a course in defensive driving given by a school, facility or agency approved by the Commission and certified by the New York State DMV.
- (f) Driver, in this chapter, means a For-Hire Driver.
- (g) 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.
- (h) For-Hire Driver in this Chapter means a driver of a For-Hire Vehicle.
- (i) 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.
- (j) 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.
- (k) License in this Chapter means a License to drive a For-Hire Vehicle.
- (l) Livery is a For-Hire Vehicle that is affiliated with a Livery Base Station.
- (m) Livery Base Station or "Base Station" is a For-Hire Base that operates as follows:
- (1) All Livery Vehicles are dispatched from the Base Station 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;

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

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

(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 Chapter, refers to a For-Hire Vehicle.

§5-04 Licensing – Requirements

- (a) Reserved. Age.
- (b) Reserved. Identification.
- (c) Chauffeur's License. An Applicant must hold a Valid Chauffeur's License.
- (d) Reserved. Fitness for the Job.
- (e) Reserved. Speak and Understand English.
- (f) Reserved. Familiar with Geography.
- (g) Pass Drug Test.
 - (1) All Applicants for new For-Hire Driver's License, except New York City Police Officers, must be tested, at the Applicant's expense, for drugs or controlled substances.
 - (2) The Commission designates who can perform the drug test and will only designate an individual or entity that has a permit issued by the New York State Department of Health.
 - (3) If an Applicant tests positive for drugs or controlled substances, the Commission will deny the Applicant's license. This decision is final.
- (h) Fingerprinting for Determining Good Moral Character.
 - (1) An Applicant for a For-Hire Driver's License will be fingerprinted for the purpose of securing criminal history records from the New York State Division of Criminal Justice Services.
 - (2) The criminal history of any Applicant, including a renewal Applicant, will be reviewed in a manner consistent with Article 23-A of the New York State Correction Law.
 - (3) The application of any Applicant will be denied, and the For-Hire Driver's License of any current holder will be revoked, following a conviction for any serious criminal offense (as described in §498.1(f) of the New York Vehicle and Traffic Law).
 - (4) The Applicant will pay any processing fee required by the State.
- (i) Agreement to Accept Legal Notices or Processes.
 - (1) An Applicant must agree to accept service of any sort of notice or legal process issued by any agency of the City of New

- York upon the Applicant (Licensee) at the Applicant's Mailing Address.
- (2) These official notices can be left with a member of the Applicant's family or any other person who resides with the Applicant at the Mailing Address.

- (j) Training.
 - (1) Applicants must hold a certificate of completion for the required hours of instruction in a Defensive Driving Course dated within six months of the application date.
 - (2) All renewal Applicants must submit a certificate of completion from a Defensive Driving Course dated within three years of the date of the renewal application.

§5-05 Licensing – Probationary Licenses

- (a) Issuing Probationary Licenses.
 - (1) Upon approval of an Applicant for a new For-Hire Driver's License the Commission will issue a Probationary License valid for one year.
 - (2) At the end of the one-year probationary period, the Commission will evaluate the Applicant and determine if renewing the License is appropriate.
 - (3) To make this decision, the Commission will consider the Applicant's driving record, any violation of the For-Hire Drivers Rules, or other evidence that suggests that the Driver no longer meets all requirements for a License.

- (b) Automatic Denial or Revocation.
 - (1) The Commission will not issue a regular License following the probationary period, and can revoke a Probationary License at any time if any of the following occurs:
 - (i) The Driver is convicted of a crime in any jurisdiction.
 - (ii) The Driver is convicted of driving while impaired by alcohol or drugs.
 - (iii) The Driver is convicted of refusing to submit to a breathalyzer or other chemical test.
 - (iv) The Driver is convicted of leaving the scene of an accident.
 - (v) The Driver accumulates eight or more points against his or her New York State Chauffeur's License or comparable license issued by his State of residence, the total of which will include points existing on the Driver's State license prior to his or her application for a License with the Commission.
 - (vi) The Driver is convicted of three or more moving violations.
 - (vii) The Driver is convicted of two speeding violations.
 - (viii) The Driver accumulated four or more points in accordance with the Commission's Program for Persistent Violators (See §5-27(b)).
 - (ix) The Driver is convicted of two or more violations of:
 - (A) Operating an unlicensed Vehicle (See §5-11(c)).
 - (B) Soliciting Passengers other than by prearrangement (See §5-19(a)).
 - (C) Picking up Passengers at a Taxi Stand (§5-19(b)).
 - (2) The Commission will consider the date the violation occurred, rather than the date of conviction, to determine if a violation occurred within the probationary period.

- (i) The Driver is convicted of a crime in any jurisdiction.
- (ii) The Driver is convicted of driving while impaired by alcohol or drugs.
- (iii) The Driver is convicted of refusing to submit to a breathalyzer or other chemical test.
- (iv) The Driver is convicted of leaving the scene of an accident.
- (v) The Driver accumulates eight or more points against his or her New York State Chauffeur's License or comparable license issued by his State of residence, the total of which will include points existing on the Driver's State license prior to his or her application for a License with the Commission.
- (vi) The Driver is convicted of three or more moving violations.
- (vii) The Driver is convicted of two speeding violations.
- (viii) The Driver accumulated four or more points in accordance with the Commission's Program for Persistent Violators (See §5-27(b)).
- (ix) The Driver is convicted of two or more violations of:
 - (A) Operating an unlicensed Vehicle (See §5-11(c)).
 - (B) Soliciting Passengers other than by prearrangement (See §5-19(a)).
 - (C) Picking up Passengers at a Taxi Stand (§5-19(b)).
- (2) The Commission will consider the date the violation occurred, rather than the date of conviction, to determine if a violation occurred within the probationary period.

§5-06 Licensing – Term of License

- (a) New License. A new License will be issued as a Probationary License with a term of one year.
- (b) Renewal License. A License issued to a renewing Applicant will expire two years from the date on which the previous License expired.
- (c) Extensions. The Commission can extend the expiration date of a License once by up to 31 days. If an expiration date is extended, the required drug test must be taken and passed within 30 days

- before (and no later than) the extended expiration date.
- (d) Advancement. If a Licensee will not be available for drug testing during the 30 days before his or her License expires (or will be unavailable for any other reason), the Licensee may ask the Commission to move and reset the License expiration to an earlier date, provided that:
 - (1) A Licensee is in the second year of his or her License and has satisfactorily completed the required drug test for Licensees in the first year.
 - (2) Licensees make only one such request during the term of a License.
 - (3) The request is complete and accurate and submitted on the proper Commission form.
 - (4) The expiration date on a License that has had its original expiration date advanced to an earlier date at the request of the Licensee will be two years from the new expiration date granted by the Commission.

- (1) A Licensee is in the second year of his or her License and has satisfactorily completed the required drug test for Licensees in the first year.
- (2) Licensees make only one such request during the term of a License.
- (3) The request is complete and accurate and submitted on the proper Commission form.
- (4) The expiration date on a License that has had its original expiration date advanced to an earlier date at the request of the Licensee will be two years from the new expiration date granted by the Commission.

§5-07 Licensing – Fees

- (a) Fee for License. The fee for a For-Hire Driver's License will be \$60 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. The Commission will not refund fees if it denies or disapproves the application.
- (d) Late Filing Fee. The Commission will charge a \$25 late filing fee for a late submittal, if it allows the application.
- (e) License Replacement Fee. The Commission will charge a fee of \$25 for each License it issues to replace a lost, mutilated or unreadable License.

§5-08 Licensing – Process and Causes for Denial of License

- (a) Reserved. Failure to Meet any of Above Requirements.
- (b) Material Misrepresentation or Falsification.
 - (1) The Commission can deny an application for a License or renewal of a License if it finds that an Applicant has lied or made a material misrepresentation on the application.
 - (2) The Commission can also, after notice and hearing, revoke or suspend any License it has issued if it finds that an Applicant has lied or made a material misrepresentation on his or her application.

§5-09 RESERVED (Licensing – Transfer of License)

§5-10 Licensing – Care and Use of License

- (a) Loss or Theft of License. A Driver, within 24 hours (not counting holidays and weekends), must notify the Commission of the loss or theft of his For-Hire Driver's License.
- §5-10(a) Fine: \$25 Appearance NOT REQUIRED
- (b) Unreadable License. A Driver must immediately surrender any unreadable or unrecognizable For-Hire Driver's License to the Commission.

§5-10(b) Fine: \$25 Appearance NOT REQUIRED

- (c) No Alteration. A Driver must not alter in any way any portion of his For-Hire Driver's License or the attached photograph.

§5-10(c) Fine: \$50 Appearance NOT REQUIRED

§5-11 Comply with Laws – Unlicensed Activity Prohibited

- (a) Driver Must Have Valid For-Hire Driver's License.
 - (1) A Driver must not operate a For-Hire Vehicle unless the Driver has a Valid For-Hire Drivers License and the Vehicle is affiliated with a Licensed Base.
 - (2) The Commission considers any Driver who operates a For-Hire Vehicle after his or her License expires and before a renewal License is issued to be engaged in Unlicensed Activity.
- §5-11(a) Fine: Appearance REQUIRED
First Violation: \$350
Second Violation: \$500
Third Violation in 36 months: Revocation.
- (b) Driver Must Have a Valid Chauffeur's License.
 - (1) A Driver must not operate a For-Hire

Vehicle without a valid Chauffeur's License.

§5-11(b) Fine: \$100 - \$350 and/or Appearance REQUIRED suspension up to 30 days; Summary Suspension until compliance

(2) A Driver will immediately surrender his or her For-Hire Driver's License to the Commission upon the restriction, suspension or revocation of his Chauffeur's License.

(c) For-Hire Vehicle Must be Licensed by Commission. A Driver must only operate a For-Hire Vehicle that has a Valid Commission License.

§5-11(c) Fine: Appearance REQUIRED First Violation: \$350 Second Violation: \$500 Third Violation in 36 months: Revocation.

(d) No Unauthorized Use of For-Hire Driver's License. A Driver must not permit another person to use his or her For-Hire Driver's License.

§5-11(d) Fine: \$250 Appearance NOT REQUIRED

§5-12 Comply with Laws – Proper Conduct

(a) Bribery.

(1) Avoid 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.

§5-12(a)(1) Fine: \$10,000 and revocation Appearance Points: 6 REQUIRED

(2) Do Not Offer Gift to Airport or Transportation Terminal Staff. A Licensee must not offer or give any gift, gratuity, or thing of value to anyone at the Port Authority of New York and New Jersey, LIRR, Metro-North, or any similar airport or other transportation terminal who is employed to do the following:

(i) Ground transportation information services,

(ii) Dispatching service,

(iii) Security services,

(iv) Traffic and parking control, or

(v) Baggage handling.

(3) 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.

§5-12(a)(2) & (3) Fine: \$1,000 Appearance REQUIRED up to revocation Points: 6

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

§5-12(b) Fine: \$350-\$1,000 and/or Appearance REQUIRED suspension up to 60 days or revocation Points: 4

(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.

§5-12(c) Fine: \$150-\$350 and/or Appearance REQUIRED suspension up to 30 days or revocation Points: 3

(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.

§5-12(d) Fine: \$150-\$350 and/or Appearance REQUIRED suspension up to 30 days or revocation Points: 3

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

§5-12(e) Fine: \$350-\$1,000 and/or Appearance REQUIRED suspension up to 30 days or revocation Points: 3

(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.

§5-12(f) Fine: \$500-\$1,500 and/or Appearance REQUIRED suspension up to 60 days or revocation Points: 4

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

§5-12(g) Fine: \$500-1,500 and/or Appearance REQUIRED suspension up to 60 days or revocation Points: 4

(h) Notice of Criminal Conviction.

(1) A Licensee must notify the Commission in writing within 15 calendar days after any felony conviction of the Licensee.

§5-12(h)(1) Fine: \$50 Appearance NOT REQUIRED Points: 2

(2) Within 15 days after sentencing, Licensee must provide the Commission with a certified copy of the certificate of disposition issued by the clerk of the court.

§5-12(h)(2) Fine: \$100 Appearance NOT REQUIRED

(i) Cooperate with the Commission.

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

(2) Within 10 days following a request from the Commission, a Driver must produce any License or other document the Driver is required to have or be reasonably able to obtain.

§5-12(i)(1)&(2) Fine: \$200 and Appearance REQUIRED suspension until compliance

(3) A Driver must notify the Commission in person or by USPS within seven days (other than holidays and weekends) of any change of Mailing Address.

§5-12(i)(3) Fine: \$50 Appearance NOT REQUIRED

(j) Cooperate with Law Enforcement.

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

(2) Cooperation includes, but is not limited to, providing his or her name, License number and any other document that is required to be in the Driver's possession.

§5-12(j) Fine: \$15-\$150 Appearance REQUIRED Points: 2

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

§5-12(k) Fine: \$150 Appearance NOT REQUIRED

§5-13 Comply with Laws – Traffic Laws

(a) Compliance with Traffic Laws. A For-Hire Driver must comply with all applicable traffic laws, rules and regulations. The Commission will impose the following fines and penalties in addition to any fines and penalties imposed by the underlying law:

(1) Laws, rules or regulations governing stationary Vehicles.

§5-13(a)(1) Fine: \$50 Appearance NOT REQUIRED

(2) Laws, rules or regulations governing moving Vehicles, other than hazardous moving violations defined by paragraph (3) of this subdivision.

§5-13(a)(2) Fine: \$150 Appearance NOT REQUIRED

(3) Laws, rules or regulations governing moving Vehicles that involve hazardous moving violations defined as follows:

§5-13(a)(3) Fine: \$250 Appearance NOT Points: As listed below REQUIRED

Rule	VIOLATION	Points
§ 5-13(a)(3)(i)	1. SPEEDING	
	— 1 to 10 miles above posted speed limit	3
	— 11 to 20 miles above posted speed limit	4
	— 21 to 30 miles above posted speed limit	5
	— 31 to 40 miles above posted speed limit	6
	— 41 or more miles above speed limit	8
§ 5-13(a)(3) (ii)	2. Failing to stop for school bus	5
§ 5-13(a)(3) (iii)	3. Following too closely	4

§ 5-13(a)(3) (iv) 4. Inadequate brakes (own Vehicle) 4

§ 5-13(a)(3) (v) 5. Inadequate brakes (employer's Vehicle) 2

§ 5-13(a)(3) (vi) 6. Failing to yield right of way 3

§ 5-13(a)(3) (vii) 7. Traffic signal violation 3

§ 5-13(a)(3) (viii) 8. Stop sign violation 3

§ 5-13(a)(3) (ix) 9. Yield sign violation 3

§ 5-13(a)(3) (x) 10. Railroad crossing violation 3

§ 5-13(a)(3) (xi) 11. Improper passing 3

§ 5-13(a)(3) (xii) 12. Unsafe lane change 3

§ 5-13(a)(3) (xiii) 13. Driving left of center 3

§ 5-13(a)(3) (xiv) 14. Driving in wrong direction 3

§ 5-13(a)(3) (xv) 15. Leaving scene of an accident involving property damage or injury to animal 3

(4) Report Before Leaving Scene. Drivers know or should know when a traffic accident involving the Driver's Vehicle has resulted in personal injury to another or to another's property; when this happens, the Driver must stop and must:

(i) Show his or her Chauffeur's License, For-Hire Driver's License, and Vehicle License to the other party involved in the incident.

(ii) Give the other involved party his or her name, Chauffeur's License number, For-Hire Driver's number, and Vehicle License number, as well as the name of the Vehicle's insurance carrier and the insurance policy number.

§5-13(a)(4) Fine: \$25 - \$250 and/or Appearance suspension up to 30 days. REQUIRED Points: 4

(5) Payment of Traffic Judgments. The holder of a Driver's License issued under this chapter must satisfy any outstanding judgment and pay any civil penalty owed for a traffic violation in a Qualified Jurisdiction or a violation of the regulations of a Qualified Jurisdiction.

§5-13(a)(5) Fine: Suspension until Appearance NOT satisfaction or payment. REQUIRED

§5-14 Operations – Passenger and Driver Safety

(a) Reckless Driving Rule. A Driver must not operate a For-Hire Vehicle in a manner or speed that unreasonably endangers users of other Vehicles, pedestrians or the Passengers.

§5-14(a) Fine: \$350 - \$1,000 and/or Appearance suspension up to 30 days or revocation if Driver is found guilty of having violated this rule more than 3 times within an 18 month period. Points: 4 REQUIRED

(b) Driving While Impaired.

(1) A Driver must not operate a For-Hire Vehicle while his or her driving ability is impaired by intoxicating liquor (regardless of its alcoholic content), drugs or other controlled substances.

(2) A Driver must not drive or occupy his or her For-Hire Vehicle for at least six hours after consuming any intoxicating liquor regardless of its alcoholic content, or consuming any drugs or other controlled substances.

§5-14(b) Fine: Revocation Appearance REQUIRED

(c) Drug Testing "For Cause." If the Commission has a reasonable suspicion that a Driver has used a drug or controlled substance that makes him or her unfit to operate a For-Hire Vehicle safely, the Commission can direct the Driver to be tested, at the Driver's expense, by a Commission-approved person, licensed by the NYS Department of Health, and the Driver must comply.

§5-14(c) Fine: Suspension until Appearance NOT compliance or revocation REQUIRED of License

(d) Annual Drug Testing.

(1) All Drivers except those who are NYC Police Officers, must be tested annually, at the Driver's expense, for drugs or controlled substances.

(2) For Drivers in the first year of a two-year License, the testing must occur no sooner than 30 days before the one-year anniversary date of the License, and no later than the one-year anniversary date.

§5-14(d)(1)&(2) Fine: Summary Suspension Appearance until compliance or revocation. NOT \$200 if compliance is more REQUIRED than 30 days after the deadline

(3) For Drivers in the second year of a two-year License, the testing must occur no sooner than 30 days before the License expiration date, and in no case after the

expiration date.

§5-14(d)(3) If the Driver fails to be tested within this time period, his or her License will expire and will not be renewed Appearance NOT REQUIRED

(e) *Results of Drug Test.* Licensee must pass every drug test, whether "for cause" or annual.

§5-14(e) Fine: License may be revoked after hearing Appearance NOT REQUIRED

(f) *Driving While Injured.*

(1) If a Driver files for Workers' Compensation benefits claiming an injury that prevents the Driver from working as a For-Hire Driver, the Driver must stop driving as a For-Hire Driver and return his or her Drivers License to the Commission.

(2) The Commission will return the Drivers License when the Driver gives the Commission documents proving that his or her Workers' Compensation benefits have stopped because he or she has recovered from the injury.

§5-14(f) Fine: \$75 - \$150 Appearance REQUIRED

§5-15 Operations – General Rules During Operation of Vehicle

(a) *No Weapons.* A Driver, while operating a For-Hire Vehicle, must not, without the Chairperson's written authorization, have in his or her possession or in the Vehicle, a weapon as defined by these Rules, or any other instrument that is intended to be used as a weapon.

§5-15(a) Revocation Appearance REQUIRED

(b) *Reserved. Driver Neat & Clean.*

(c) *No Smoking.* A Driver must not smoke in a For-Hire Vehicle.

§5-15(c) Fine: \$150 for first and subsequent offenses within a 12-month period Appearance NOT REQUIRED

(d) *Reserved. No Locking Rear Doors.*

(e) *No Phone Use.* A Driver must not use a telephone or cell phone while operating a For-Hire Vehicle, unless the Vehicle is lawfully standing or parked.

§5-15(e) Fine: \$200 Appearance NOT REQUIRED Points: 2

(f) *Reserved. Have E-ZPass.*

(g) *No Overcharging Passenger.*

(1) A Driver must not charge or attempt to charge a fare above the pre-approved rate quoted by the dispatcher. A Driver 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.

(2) No Driver is permitted to ask or require a Passenger to tip.

§5-15(g) Fine: \$100-250 except that the penalty for soliciting a tip shall be \$50, and restitution of overcharge to the Passenger Appearance REQUIRED

(h) *Reserved. Non-Paying Customers.*

(i) *Reserved. No Overloading Vehicle.*

(j) *Use of Front Seat.*

(1) A Driver must permit a Passenger who is unable to enter or ride in the rear seat of a For-Hire Vehicle to occupy the front seat alongside the Driver.

§5-15(j)(1) Fine: \$75 Appearance NOT REQUIRED

(2) If a Passenger's luggage, wheelchair, crutches, three-wheeled motorized scooter, other mobility aid or other property occupies the rear seat of the For-Hire Vehicle, the Passenger must be permitted to occupy the front seat alongside the Driver.

§5-15(j)(2) Fine: \$25 Appearance NOT REQUIRED

(k) *Luggage.* Upon request of a Passenger, the Driver must load or unload a Passenger's luggage, wheelchair, crutches or other property in or from the Vehicle's interior or trunk compartment, and must secure such compartment.

§5-15(k) Fine: \$ 50 Appearance NOT REQUIRED

(l) *Reserved. No Property.*

(m) *Reserved. No 'Marketing' to Passengers.*

(n) *Reserved. Handling Passengers with Infectious Diseases.*

(o) *Parking.* While stopped at its affiliated Base:

(1) A Livery Driver must use the off-street parking facilities provided by the Base Station Owner and must comply with all applicable traffic and parking regulations.

§5-15(o)(1) Fine: \$50 Appearance NOT REQUIRED

(2) A Black Car or Luxury Limousine Driver must comply with all applicable traffic and parking regulations.

§5-15(o)(2) Fine: \$50 Appearance NOT REQUIRED

(p) *No Nuisance Behavior.* A Driver while stopped at the base with which the Driver's Vehicle is affiliated must not create a nuisance such as:

(1) Engaging in littering.

(2) Playing of loud audio material, or

(3) Horn honking.

§5-15(p) Fine: \$50 Appearance NOT REQUIRED

(q) *No Requiring Ride-Sharing.* A Driver of a For-Hire Vehicle must not require that any prospective Passenger share a ride with another prospective Passenger.

§5-15(q) Fine: \$50 Appearance NOT REQUIRED

§5-16 Operations – Comply with Reasonable Passenger Requests

(a) *Reserved. Shortest Route Absent Reasonable Passenger Request.*

(b) *Reserved. Request to Change Destination or Terminate.*

(c) *Reserved. Request for Driver's Name, License Number.*

(d) *Reserved. Request for Receipt.*

(e) *Passenger Requests on Audio.*

(1) All audio equipment controlled by the Driver must be turned on or off at the request of the Passenger.

(2) The Passenger shall have the right to select what is played on the audio equipment.

(3) Whether or not the Vehicle is hired, an audio device must be played at normal volume only, and must comply with all noise laws and regulations.

§5-16(e) Fine: \$50 Appearance NOT REQUIRED

(f) *Passenger Requests on Air Conditioning.* A Driver must turn on or off heating or air-conditioning equipment at the request of the Passenger.

§5-16(f) Fine: \$50 Appearance NOT REQUIRED

§5-17 RESERVED (Operations – Method of Payment)

§5-18 RESERVED (Operations – Lost Property)

§5-19 Operations – Passenger and Solicitation and Engagement

(a) *Limitations on Driver Solicitation of Passengers.* A Driver must not solicit or pick up Passengers other than by prearrangement through a licensed Base, or dispatch of an Accessible Vehicle.

§5-19(a) Fine: First Violation: \$350 Appearance REQUIRED Second Violation in 24 months: \$500 Third Violation in 36 months: Revocation

(b) *Taxi Stands.* A For-Hire Driver must not pick up a Passenger at an authorized taxi stand.

§5-19(b) Fine: First Violation: \$350 Appearance REQUIRED Second Violation in 24 months: \$500 Third Violation in 36 months: Revocation Points: 2

§5-20 Operations – Refusing Passengers

(a) *Must Not Refuse Passengers.*

(1) A Driver who has been dispatched must not refuse, by words, gestures or any other means to provide transportation to a person who has prearranged the trip with a destination within the City of New York, the counties of Westchester or Nassau or Newark Airport.

(2) A Driver who has been dispatched must not refuse, by words, gestures or any other means to provide transportation to a Person with a Disability or any Service Animal accompanying the person.

§5-20(a)(1)&(2) Fine: First Violation: \$200- \$350 Appearance REQUIRED Second Violation within 36

months: \$350 - \$500

(3) A Driver must not refuse to transport any Person with a Disability or any guide dog accompanying such person.

§5-20(a)(3) Fine: \$5,000 and revocation Appearance REQUIRED

(b) *Justification for Refusal.* Justifiable grounds for refusing transportation services are the following:

(1) The Passenger is carrying, or is in possession of any article, package, case or container that the Driver reasonably believes will cause damage to the interior of the For-Hire Vehicle, impair its efficient operation, or stain or foul the interior. This does not include wheelchairs or other mobility aids used by disabled persons.

(2) The Passenger is escorted or accompanied by an animal that is not properly or adequately secured in a kennel case or other suitable container. This provision will not apply to service animals accompanying People with Disabilities.

(3) The Passenger is intoxicated or disorderly. (*Caution:* Drivers must not refuse service solely because a disability results in annoying, offensive, or inconvenient behavior.)

(4) If the Driver has asked the Passenger to stop smoking in the Vehicle and the Passenger has refused to stop, the Driver may discharge the Passenger. The Driver must, however, discharge the Passenger at a safe location.

(c) *Attendants for Disabled Passengers.* A Driver may not require a Person with a Disability to be accompanied by an attendant. However, if a Person with a Disability is accompanied by an attendant, a Driver will not impose or attempt to impose any additional fare charges for transporting the attendant.

§5-20(c) Fine: \$100-\$250 and order Appearance restitution of any overcharge REQUIRED to the Passenger

(d) *Luggage and Mobility Aids.* A Driver must not refuse to transport a Passenger's luggage, wheelchair, crutches, other mobility aid or other property.

§5-20(d) Fine: \$200-\$350 Appearance REQUIRED Points: 2

§5-21 Operations – Rules for Drivers from Qualified Jurisdictions

(a) *Eligibility for Reciprocal Recognition.* A driver holding a Valid Qualified Jurisdiction driver's license (a QDL) will be eligible for Reciprocity, provided that the driver meets all of the following requirements:

(1) The driver is operating a Vehicle that is licensed to operate for-hire by a Qualified Jurisdiction (*see Chapter 9A, §9-05*).

§5-21(a)(1) Fine: \$350 Appearance NOT REQUIRED

(2) The driver holds a Valid Chauffeur's License.

§5-21(a)(2) Fine: \$100 Appearance NOT REQUIRED

(3) While operating within New York City, the Valid Chauffeur's License must be displayed on request or be posted within the Vehicle.

§5-21(a)(3) Fine: \$350 Appearance NOT REQUIRED

(4) The driver maintains and completes the Trip Record required and described in subdivision (e), below.

§5-21(a)(4) Fine: \$300 Appearance NOT REQUIRED

(5) A driver providing For-Hire transportation in New York City under Reciprocal Recognition must comply with the Rules of this chapter while operating within New York City as if the driver were licensed by the Commission.

(b) *Privileges of Reciprocal Recognition.* A driver who meets the requirements above 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 driver's Qualified Jurisdiction for travel to or through New York City.

(2) Pick up Passengers in New York City for travel to the driver'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.

(c) **Prohibited Activity.** A driver must NOT provide transportation for hire between two points wholly within New York City unless both vehicle and driver are licensed by the Commission.

(d) **Unlicensed Activity.** A driver will be engaged in Unlicensed Activity if he or she:

- (1) Fails to have the licenses required or is not eligible for Reciprocity under subdivision (a) of this section.
- (2) Engages in the prohibited activity described in subdivision (c) of this section.

(e) **Qualified Jurisdiction Trip Record.**

- (1) A record of each trip between New York City and a Qualified Jurisdiction must be made prior to the commencement of the trip and recorded on a Trip Record carried in the Vehicle.
- (2) The Trip Record must be kept for a period of no less than one year after the trip.
- (3) The record of each trip must be written legibly in ink and include the following information:
 - (i) The Passenger's name or other identifier.
 - (ii) The time of scheduled pick-up.
 - (iii) The location where the Passenger is scheduled to be picked up.
 - (iv) The location of any intermediate stops between the original pick-up location and the final destination.
 - (v) The Passenger's final destination.
 - (vi) At the completion of the trip, the time of completion shall be added to the record.
- (4) The Trip Record must be kept in the Vehicle during any trip between New York City and a Qualified Jurisdiction, including a trip through either New York City or a Qualified Jurisdiction.
- (5) The Trip Record must be presented for inspection on request to any police officer or peace officer acting pursuant to his or her special duties or other person authorized by the Commission or by the Qualified Jurisdiction.
- (6) Failure to present a properly maintained Trip Record when requested by an authorized person will be presumptive evidence of Unlicensed Activity.

§5-22 Vehicle – Operating Conditions

- (a) **Reserved. 3-Minute Idle.**
- (b) **Reserved. Inspect Condition.**
- (c) **Reserved. No On-street Maintenance Other than Emergency.**
- (d) **Clean Interior.** A Driver during his or her work shift must keep the Vehicle's interior clean and scent free.

§5-22(d) Fine: \$50 Appearance NOT REQUIRED

- (e) **Reserved. Exterior Clean and Identification Visible.**
- (f) **Reserved. No Unauthorized Equipment.**
- (g) **Reserved. No Unauthorized Signing.**

§5-23 Vehicle – Items Required to be in the Vehicle During Operation

- (a) **Licenses and Certificates.** A Driver must not operate a For-Hire Vehicle without the following:
 - (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; and
 - (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:

- A. The For-Hire Vehicle Driver's License; and
- 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.

§5-23(a)(1)-(3) Fine: \$50 for each violation of this rule; however, no fine for a violation of this rule will exceed \$100 Appearance REQUIRED Points: 2

(b) **Trip Record.** If the For-Hire Vehicle is used for providing pre-arranged transportation for hire between the City of New York and a Qualified Jurisdiction, a Trip Record, as described in §5-21(e), must be carried in the Vehicle.

§5-24 RESERVED (Vehicle – Trip Records)

§5-25 RESERVED (Vehicle – Electronic Trip Record System)

§5-26 RESERVED (Vehicle – Miscellaneous)

§5-27 Special Driver Penalty Programs

(a) **Critical Driver's Program ("Points" in this Section refers to points assessed by the Department of Motor Vehicles).**

- (1) **License Suspension.** If, within a 15-month period, a Driver accumulates six or more points on his or her driver's license (whether issued by New York or another state), the Commission will suspend the Driver's For-Hire Driver's License for 30 days.
- (2) **License Revocation.** If, within a 15-month period, a Driver accumulates 10 or more points on his or her driver's license (whether issued by New York or another state), the Commission will revoke the Driver's For-Hire Driver's License.
- (3) **Review of Driver Fitness.** The Commission can at any time review the fitness of a Driver to continue to be Licensed following any moving violation, accident, or other driving related incident and can seek to impose other, additional, and/or more severe penalties or take any other action permitted under these Rules.
- (4) **15-Month Period.** The Commission will calculate the 15-month period by counting backwards 15 months from the date of the most recent violation carrying points.
- (5) **Date of Point Accumulation.** For the purpose of this rule, points assigned by the Department of Motor Vehicles for any violation will be counted as of the date the violation occurred.
- (6) **Multiple Points from a Single Incident.** For a Driver who has been found guilty of multiple violations arising from a single incident, the Commission will consider the Driver guilty of the single violation with the highest point total for purposes of this section.
- (7) **Point Reduction for Voluntary Course Completion.**
 - (i) Before suspending or revoking a Driver's License, the Commission will deduct two points from the total points of any Licensee who voluntarily attends and satisfactorily completes a motor Vehicle accident prevention course approved by the Commission.
 - (ii) The Driver must furnish the Commission with proof of when the course was taken and that the course was satisfactorily completed before the Commission will reduce the Driver's point total.
 - (iii) If the Commission has already suspended or revoked the Driver's License before the Driver completes the course, the point reduction will not change the Commission's decision.
 - (iv) If the Driver completed the course on or after September 1, 1999, the Commission will not reduce total points more than once in any 18-month period.

(b) **Program for Persistent Violators of For-Hire Drivers' Rules ("Points" in this Section refers to points assessed by the Commission).**

- (1) **Reserved – Required Remedial Course Attendance for Persistent Violators.**
- (2) **Revocation – Points and Time Periods.**
 - (i) The Commission will add one point to the For-Hire Driver's

License of any Driver who has been found guilty of three or more violations within a 15-month period.

(ii) Any Driver who has accumulated six or more Commission-issued points against his or her For-Hire Driver's License within a 15-month period and whose License has not been revoked will have his or her License suspended for 30 days.

(iii) The Commission will revoke the License of any Driver who has accumulated ten or more points against his or her For-Hire Driver's License within a 15-month period.

(3) **Multiple Violations from a Single Incident.** For a Driver who has been found guilty of multiple violations arising from a single incident, the Commission will consider the Driver guilty of the single violation with the highest point total for purposes of this section.

(4) **More Severe Penalties at Discretion of Commission.** The Commission can impose more severe or additional penalties to any penalties stated in this section.

(5) Hearing Process and Imposition of Penalties.

(i) The Commission will impose penalties described in this section following the hearing at which the Driver is found in violation of rules that bring his accumulated point total to the level that triggers these penalties.

(ii) Persistent violator penalties will be in addition to those penalties specifically listed in the Rules.

(6) Point Reduction for Voluntary Course Completion.

(i) Before suspending or revoking a Driver's License, the Commission will deduct two points from the total points of any Licensee who voluntarily attends and satisfactorily completes a remedial or refresher course approved by the Commission.

(ii) The Driver must furnish the Commission with proof of when the course was taken and that the course was satisfactorily completed before the Commission will reduce the Driver's point total.

(iii) If the Commission has already suspended or revoked the Driver's License before the Driver completes the course, the point reduction will not change the Commission's decision.

(iv) If the Driver completed the course on or after September 1, 1999, the Commission will not reduce total points more than once in any 18-month period.

(7) It will be an affirmative defense that the act that formed the basis for the violation was beyond the control and influence of the Driver.

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 Drivers Rules Chapter 5, For-Hire Drivers

The proposed rules make several substantive changes to the provisions of current rules governing commuter van drivers. Specifically, the proposed rules:

- Eliminate as obsolete phase-in provisions which accompanied changes to the drug test rules three years ago.
- 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.

ml

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 will be 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. 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 March 26, 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 March 31, 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

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§9A-01	Scope of this Sub-chapter
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§9A-03	Definitions Specific to this Sub-chapter
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§9A-08	Licensing – Causes for Denial or Revocation
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§9A-11	Compliance with Law – No Unlicensed Activity
§9A-12	Compliance with Law – Vehicle Insurance Coverage
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§9A-15	RESERVED (Operations – Base Station Business Premises)
§9A-16	RESERVED (Operations – Management Oversight (Use of Agents))
§9A-17	Operations – Service Requirements (Customers)
§9A-18	Operation – Responsibilities with Respect to Drivers
§9A-19	Operations – Trip Record Information
§9A-20	Operations – Current Contact Information
§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
§9A-26	Vehicles – Inspections
§9A-27	Vehicles – Meets Safety Standards
§9A-28	Vehicles – Miscellaneous Requirements and Vehicle Retirement
§9A-29	Vehicles – Markings & Advertising
§9A-30	Vehicles – Items Required to be in Vehicle
§9A-31	Vehicle – Equipment
§9A-32	Vehicle Equipment – Partitions for Livery Vehicles
§9A-33	Vehicle Equipment – In-Vehicle Camera System

§9A-34	RESERVED (Taxicab Specific Vehicle Equipment)
§9A-35	Penalty Points for For-Hire Vehicles
§9B-01	Scope of this Sub-chapter
§9B-02	Penalties
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§9B-18	Operations – Owners' Responsibilities with Respect to Drivers
§9B-19	Operations – Trip Record Information
§9B-20	Operations – Current Contact Information
§9B-21	Operations – Additional Records to be Maintained and Reported
§9B-22	RESERVED (Records – Reporting Requirements)
§9B-23	Operations – Rates and Tolls
§9B-24	RESERVED (Operations – E-ZPass Required)
§9B-25	Operations – Miscellaneous Operating Requirements
§9B-26	Vehicles – Inspections
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§9B-29	Vehicles – Markings & Advertising
§9B-30	Vehicles – Items Required to be in Vehicle
§9B-31	Vehicle – Equipment
§9B-32	Vehicle Equipment – Partitions for Livery Vehicles
§9B-33	Vehicle Equipment – In-Vehicle Camera System (IVCS)
§9B-34	RESERVED (Taxicab Specific Vehicle Equipment)
§9B-35	Penalty Points for Bases
§9C-01	In-Vehicle Camera System ("IVCS")
§9C-02	Partitions – Livery Vehicles Only
§9C-03	Distress Signal Lights – Livery Vehicles Only

§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 §19-529 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.
- (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 within 10 Days Appearance NOT 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
- §9A-05 **Licensing – Reciprocal Recognition with Other Jurisdictions**

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 \$500 for second violation in 24 months
Appearance REQUIRED
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 and summary suspension until compliance
Appearance NOT required
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
Penalty Points: 1
Appearance NOT 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
Penalty Points: 1
Appearance NOT 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 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) \$500,000 per accident where one person is injured, and

(ii) \$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: \$500 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. Penalty Points: 1. Appearance REQUIRED

(d) 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; \$500 for the second violation in 24 months; revocation for the third violation in 36 months. Appearance REQUIRED

(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 violation of this rule; however, no fine for a violation of this rule can exceed \$100 Appearance REQUIRED

- (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 \$500 - second violation in 24 months Revocation for third violation in 36 months Appearance REQUIRED

(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 until the condition is corrected Appearance 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, 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 §19-529 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; Penalty Points: One Penalty Point for draw on bond. Appearance NOT REQUIRED
- §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

- (3) 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) 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 Station Transfer Fee. The fee for the transfer of a Base Station License or Ownership interest 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 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 Appearance REQUIRED
 Penalty Point: 1
 Administrative Code Penalties for Unlicensed Activity
- (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 Appearance NOT required
 Penalty Points: 1
 Administrative Code Penalties for Unlicensed Activity
- (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 himself 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)(1) 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 Appearance REQUIRED

suspension up to 30 days or revocation

(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 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 Appearance NOT REQUIRED
\$500 for second violation Appearance NOT REQUIRED
Revocation for third violation Appearance REQUIRED
within 24 months

(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) The 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 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 Summary Suspension until compliance Appearance NOT 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 Appearance NOT REQUIRED \$1,000 for the second and subsequent offenses within a 12-month period.

(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; - Appearance REQUIRED Revocation for the third violation in 36 months

(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 Appearance REQUIRED for a violation of this rule can exceed \$100

(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 Appearance REQUIRED
\$500 - second violation in 24 months Revocation for third violation in 36 months

(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 (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:

(i) Date and time

(ii) For-Hire Vehicle License number

(iii) IVCS serial number

(iv) IVCS indicator for event flags

(17) Image capture must be linked to the following events:

(i) Vehicle door openings and closings

(ii) Event flag button activation

(iii) Event flag in the test mode when the image(s) are recorded for inspection and test purposes

(iv) 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.*

(1) The vehicle must be equipped with a partition that isolates the driver from the rear seat passengers or all passengers of the vehicle.

(2) 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.

(3) 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.*

(1) 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.

(2) 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.

(i) 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.

(ii) 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.

(3) 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.

(i) The protective plate must extend from the point that the transparent portion joins it

downward to the floor of the For-Hire Vehicle.

(ii) 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.

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

(4) 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.

(5) 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.

(6) 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.

(1) 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.

(2) 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.

(3) The activator must be installed within easy reach of the driver, must be silent when operating, and must be fully solid-state.

(4) 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 in this rule-making
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.

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CITY PLANNING COMMISSION

■ NOTICE

CONDITIONAL NEGATIVE DECLARATION

Project Identification
CEQR No. 05DCP093Q
ULURP No. 050522ZMQ
SEQR Classification: Unlisted

Lead Agency
City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal

Elmhurst Zoning Map Change
The applicant, 45-10 94th Street LLC and 91st Place Realty, LLC, as co-applicants, are proposing an amendment to the Zoning Map to rezone a portion of a block bounded by 91st Place to the west, Corona Avenue to the south, the Long Island Railroad viaduct to the north, and 94th Street to the east (Block 1600, Lots 61, 80, 86, 99, 110 and 130) in the Elmhurst section of Queens, Community District 4, from an M1-1 zoning district to an R7B zoning district. A C2-3 zoning district would also be mapped at a depth of 100 feet along Corona Avenue between 94th Street and 91st Place.

The proposed rezoning would facilitate a proposal by the applicant to redevelop a 58,313 square foot parcel located at 43-23 91st Place (Block 1600, Lot 130), with a mixed use development consisting of three buildings and containing approximately 120 dwelling units; 7,500 square feet of ground floor commercial space; and approximately 60 accessory parking spaces, 36 of which would be located in the cellar floor of the largest building and 24 would be in on-site parking lots. The site is currently developed with one story brick shipping warehouse which would be demolished.

In addition, the proposed action could facilitate additional development within the rezoning area on up to projected three sites and one potential development site in the rezoning area that are not under the control of the applicant. The three projected development sites, located on Lots 80, 86, and 110, could be developed with a total of approximately 117 dwelling units, and 21,090 square feet of commercial/community facility use. These sites are currently developed with auto related uses (Lots 80 and 110) and manufacturing/warehousing uses (Lots 86). The potential development site is located on Lot 99 and is currently occupied by a Hindu Temple. Lot 61, the site of a new public high school (Elmhurst Education Campus), would not be redeveloped as a result of the proposed rezoning and is expected to remain as a school. Absent the action, no new development is expected to occur within the rezoning area.

The proposed rezoning includes an (E) designation (E-248) for hazardous materials, air quality, and noise. The placement of the (E) designation would eliminate the potential for significant adverse impacts related to hazardous materials, air quality, and noise on those sites.

The (E) designation for hazardous materials would be placed on Block 1600, Lots 80, 86, 99 and 110.

The text of the (E) designation for hazardous materials is as follows:

Task 1-Sampling Protocol

A. Petroleum

A soil, soil gas, and groundwater testing protocol (including a description of methods), and a site map with all sampling location represented clearly and precisely, must be submitted to the NYCDEP by the fee owner(s) of the lot which is restricted by this (E) designation, for review and approval.

A site map with the sampling locations clearly identified and a testing protocol with a description of methods, for soil, soil gas, and groundwater, must be submitted by the fee owner(s), of the lot which is restricted by the (E) designation, to the NYCDEP for review and approval.

B. Non-Petroleum

The fee owner(s) of the lot restricted by this (E) designation will be required to prepare a scope of work for any sampling and testing needed to determine if contamination exists and to what extent remediation may be required. The scope of work will include all relevant supporting documentation, including site plans and sampling locations. This scope of work will be submitted to NYCDEP for review and approval prior to implementation. It will be reviewed to ensure that an adequate number of samples will be collected and that

appropriate parameters are selected for laboratory analysis. For all non-petroleum (E) designated sites, the three generic NYCDEP soil and ground-water sampling protocols should be followed.

A scope of work for any sampling and testing to be completed, which will determine the extent of on-site contamination and the required remediation, must be prepared by the fee owner(s) of the lot restricted by this (E) designation. The scope of work will include the following: site plans, sampling locations, and all other relevant supporting documentation. The scope of work must be submitted to the NYCDEP for review and confirmation that an adequate testing protocol (i.e., number of samples collected, appropriate parameters for laboratory analysis) has been prepared. The NYCDEP must approve the scope of work before it can be implemented.

For non-petroleum (E) designated sites, one of the three generic soil and groundwater sampling protocols prepared by the NYCDEP should be followed. The protocols are based on three types of releases to soil and groundwater sampling protocols prepared by the NYCDEP should be followed.

The protocols are based on three types of releases to soil and groundwater, including: the release of a solid hazardous material to ground surface; the release of a liquid hazardous material to the ground surface; and the release of a hazardous material to the subsurface (i.e., storage tank or piping). The type of release defines the areas of soil to be sampled from surface, near-surface, to subsurface. Additionally, it determines the need for groundwater sampling.

A written approval of the sampling protocol must be received from the NYCDEP before commencement of sampling activities. Sample site quantity and location should be determined so as to adequately characterize the site, the source of contamination, and the condition of the remainder of the site. After review of the sampling data, the characterization should have been complete enough to adequately determine what remediation strategy (if any) is necessary. Upon request, NYCDEP will provide guidelines and criteria for choosing sampling sites and performing sampling.

Finally, a Health and Safety Plan must be devised and approved by the NYCDEP before the commencement of any on-site activities.

Task 2-Remediation Determination and Protocol

After sample collection and laboratory analysis have been completed on the soil and/or groundwater samples collected in Task 1, a summary of the data and findings in the form of a written report must be presented to the NYCDEP for review and approval. The NYCDEP will provide a determination as to whether remediation is necessary.

If it is determined that no remediation activities are necessary, a written notice will be released to that effect. However, if it is the NYCDEP’s determination that remediation is necessary the fee owner(s) of the lot restricted by the (E) designation must submit a proposed remediation plan to the NYCDEP for review and approval. Once approval has been obtained, and the work completed, the fee owner(s) of the lot restricted by the (E) designation must provide proof to the NYCDEP that the work has been completed satisfactorily.

The proposed (E) designation for air quality would be mapped on Block 1600, Lots 80, 86, 99, 110 and 130. The text of the (E) designation is as follows:

Block 1600, Lot 80: Any new residential and/or commercial development on the above-referenced property must ensure that the heating, ventilating and air conditioning (HVAC) stack(s) are located at least 20 feet from the lot line facing 91st Place AND MAY USE Oil No. 2 or Natural Gas as the type of fuel for space heating and hot water systems, to avoid any potential significant adverse air quality impacts.

Block 1600, Lot 86: Any new residential and/or commercial development on the above-referenced property must ensure that the heating, ventilating and air conditioning (HVAC) stack(s) are located at least 33 feet from the lot line facing 94th Street and 91st Place AND MAY ONLY USE Oil No. 2 or Natural Gas as the type of fuel for space heating and hot water systems, to avoid any potential significant adverse air quality impacts.

Block 1600, Lot 99: Any new residential and/or commercial development on the above-referenced property must ensure that the heating, ventilating and air conditioning (HVAC) stack(s) are located at least 18 feet from the lot line facing 94th Street and 91st Place AND MAY ONLY USE Oil No. 2 or Natural Gas as the type of fuel for space heating and hot water systems, to avoid any potential significant adverse air quality impacts.

Block 1600, Lot 110: Any new residential and/or commercial development on the above-referenced property must ensure that the heating, ventilating and air conditioning (HVAC) stack(s) are located at least 18 feet from the lot line facing 94th Street AND MAY ONLY USE Oil No. 2 or Natural Gas as the type of fuel for space heating and hot water systems, to avoid any potential significant adverse air quality impacts.

Block 1600, Lot 130: Any new residential and/or commercial development on the above-referenced property must ensure that the heating, ventilating and air conditioning (HVAC) stack(s) use ONLY USE Natural Gas as the type of fuel for space heating and hot water systems, to avoid any potential significant adverse air quality impacts.

With the implementation of the above (E) designation, no significant adverse impacts related to air quality would occur.

The (E) designation for noise would be mapped on Block 1600, Lots 80, 86, 99, 110 and 130. The text of the (E) designation is as follows:

In order to ensure an acceptable interior noise environment, future residential and commercial uses must provide a closed window condition with a minimum of 30 dB(A) window/wall attenuation on all facades in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate

means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners or HUD-approved fans.

With the implementation of the above (E) designation, no significant adverse impacts related to noise would occur.

Statement of No Significant Effect:

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated January 27, 2010, prepared in connection with the ULURP Application (No. 050522ZMQ). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment, once it is modified as follows:

The applicant, 45-10 94th Street LLC, and 91st Place Realty, LLC, agrees via a restrictive declaration to prepare a hazardous materials sampling protocol including a health and safety plan, which would be submitted to the Department of Environmental Protection (DEP) for approval. The applicant agrees to test and identify any potential hazardous material impact pursuant to the approved sampling protocol and, if any such impact is found, submit a hazardous material remediation plan including a health and safety plan to DEP for approval. If necessary, remediation measures would be undertaken pursuant to the remediation plan.

Supporting Statement:

The above determination is based on an environmental assessment which finds that:

1. A Phase I Environmental Site Assessment (ESA) was prepared in February 2005, and is available in the proposal's CEQR file, for the project site located at 43-21 91st Place (Block 1600, Lot 130) in Queens. A Phase II Subsurface Investigation of Lot 130 was conducted on January 6, 2005. The Phase I ESA and Phase II Subsurface were reviewed by DEP's Office of Environmental Planning and Assessment.

The declaration, binding on all successors and assigns of the applicant, requires that Phase II testing be prepared, including a sampling protocol and a health and safety plan for DEP's review and approval. If hazardous materials impacts exist, the declaration requires that the applicant submit a remediation plan for DEP's review and approval and provide for such remediation. The declaration serves as a mechanism to assure the potential for hazardous material contamination that may exist in the subsurface soils and groundwater on the applicant's property would be characterized prior to any site disturbance.

The restrictive declaration was executed on March 27, 2009. On April 21, 2009 the DEP confirmed, via written correspondence, that the applicant filed a DEP-approved Restrictive Declaration with the New York City Department of Finance and the City Register.

2. No other significant adverse effects on the environment which would require an Environmental Impact Statement are foreseeable.

With the implementation of the condition described above, no significant adverse impact related to hazardous materials would occur.

It is fully agreed and understood that if the foregoing conditions, modification, and alterations are not fully incorporated into the proposed action, this Conditional Negative Declaration shall become null and void. In such event, the applicant shall be required to prepare a Draft Environmental Impact Statement before proceeding further with said proposal.

This Conditional Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

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CITY PLANNING

■ NOTICE

CONDITIONAL NEGATIVE DECLARATION

Project Identification
CEQR No. 09DCP063Q
ULURP No. 090356ZSQ
SEQRA Classification: Unlisted

Lead Agency
City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin
(212) 720-3423

Name, Description, and Location of Proposal:

72-25 Woodhaven Boulevard
The proposed action involves a Special Permit pursuant to Section 74-922 of the Zoning Resolution (ZR). The proposed action would facilitate a proposal by the applicant, Woodhaven Realty LLC, to develop a commercial establishment over 10,000 square feet located at 72-25 Woodhaven Boulevard (Block 3884, Lot 2) in Community District 6, Queens.

The site is in an M1-1 zoning district at the southeastern intersection of Woodhaven Boulevard and Metropolitan Avenue and is currently occupied by a 55,000 square foot vacant bowling alley with a 49 space accessory parking lot. The proposed action would facilitate the conversion of the bowling alley to a Use Group 10A retail establishment. Retail establishments over 10,000 square feet in area are not allowed as-of-right within M1-1 districts. Absent the proposed action, the site would be redeveloped as a bowling alley, which for purpose of the reasonable worst case development screening, is assumed to be a furniture store. The analysis year is 2010.

Statement of No Significant Effect:

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated February 19, 2010 prepared in connection with the ULURP Application (090356ZSQ). The City Planning Commission has determined

that the proposed action will have no significant effect on the quality of the environment, once it is modified as follows:

1. The applicant agrees via a restrictive declaration to prepare hazardous materials sampling protocols, including a health and safety plans, which would be submitted to the Department of Environmental Protection (DEP) for approval. The applicant agrees to test and identify any potential hazardous material impact pursuant to the approved sampling protocols and, if any such impact is found, submit hazardous material remediation plans including health and safety plans to DEP for approval. If necessary, remediation measures would be undertaken pursuant to the remediation plans.

Supporting Statement:

The above determination is based on an environmental assessment which finds that:

1. A Phase I Environmental Site Assessment (ESA) dated January 14, 2009, was prepared for the project site (Block 3884, Lot 2). The Phase I ESA was reviewed by DEP's Office of Environmental Planning and Assessment. Pursuant to a letter dated October 27, 2009, Phase II testing was recommended by DEP due to the potential presence of hazardous materials on the site as a result of past and present adjacent land uses. As such, the restrictive declaration requires that detailed Phase II testing would occur and is binding upon the property's successors and assigns. The restrictive declaration, executed January 19th, 2010 and recorded January 21, 2010, establish an agreement to test and identify any potential hazardous materials impacts pursuant to the approved sampling protocol and, if any such impact is found, submit a hazardous material remediation plan, including a health and safety plan, to DEP for approval. If necessary, remediation measures would be undertaken pursuant to the remediation plan. The restrictive declaration also restrict the manner in which the property may be developed or redeveloped, by requiring the sampling protocol and remediation measures to serve as a condition precedent to any change of use in any such development or redevelopment of the property.

Pursuant to a letter from the DEP dated February 18, 2010, the DCP is in receipt of a signed copy of a DEP-approved restrictive declaration with proof of recording for the site. Consequently, no significant adverse impacts related to hazardous materials will occur.

It is fully agreed and understood that if the foregoing conditions, modification, and alterations are not fully incorporated into the proposed action, this Conditional Negative Declaration shall become null and void. In such event, the applicant shall be required to prepare a Draft Environmental Impact Statement before proceeding further with said proposal.

This Conditional Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

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COMPTROLLER

■ NOTICE

Statement of Debt Service by the City Comptroller's Office

The following table represents the NYC Comptroller's Office Statement of Debt Service, in accordance with Section 242 of the City Charter, which requires that the Comptroller submit a certified statement of debt service and a schedule of appropriations for the ensuing fiscal year for debt service, including appropriations to several sinking funds as required by law.

General Fund Debt-Service Appropriations

	A FY 2010 Debt Service in Adopted Budget	B FY 2010 Debt Service in the January Plan **	C FY 2011 Debt Service on Debt Outstanding As of January 31, 2010 #	D FY 2011 Required Debt Service Appropriations	E Difference (D-C)
Long-Term Debt Service:					
1. General Obligation Bond Payments	\$3,955,640,000 *	\$3,799,372,000	\$3,778,872,000 #	\$3,927,707,000	\$148,835,000
2. Payable from Debt-Service Fund Resources ***	(\$5,081,000)	\$25,164,000	\$24,790,000	\$24,790,000	\$0
3. Transfer from the General Fund to the Debt-Service Fund (Sum of 1 and 2)	\$3,950,559,000	\$3,824,536,000	\$3,803,662,000	\$3,952,497,000	(\$148,835,000)
4. Lease-Purchase and City Guaranteed Debt ****	\$267,143,000	\$238,002,000	\$259,038,000	\$259,038,000	\$0
5. Transitional Finance Authority (NYCTFA)	\$1,137,348,000	\$1,154,320,000	\$1,285,092,000	\$1,285,092,000	\$0
6. Subtotal (6 = 3 + 4 + 5)	\$5,355,050,000	\$5,216,858,000	\$5,347,792,000	\$5,496,627,000	(\$148,835,000)
Short-Term Debt Service:					
7. Interest Costs on Revenue-Anticipation Notes	\$0	\$0	\$54,554,000	\$54,554,000	\$0
8. Interest Costs on Tax-Anticipation Notes	\$0	\$0	\$20,070,000	\$20,070,000	\$0
9. Subtotal: (9 = 7 + 8)	\$0	\$0	\$74,624,000	\$74,624,000	\$0
10. General Fund Debt-Service Appropriation (Sum of 6 and 9)	\$5,355,050,000	\$5,216,858,000	\$5,422,416,000	\$5,571,251,000	(\$148,835,000)
11. Total Payable from Real Estate Taxes outside the 2.5% Tax Limitation	\$270,259,676			\$1,006,493,000	
12. Total Payable from All Other Revenues (Including Real Estate Taxes)	\$5,084,790,324			\$4,564,758,000	
13. Total (Sum of 11 and 12)	\$5,355,050,000			\$5,571,251,000	
14. Prepayment Adjustment	\$ (4,768,388,000)			(\$2,918,492,000)	
15. Financial Plan Total (Sum of 13 and 14)	\$586,662,000			\$2,652,759,000	

* Excludes the impact of the prior-year prepayment of FY 2010 debt service in the amount \$2.043 billion and the benefit of the \$2.036 billion GO debt retirement program.

** Excludes (1) the impact of a prior-year payment of \$2.043 billion of FY 2010 debt service, (2) the benefit of GO debt retirement programs of \$2.036 billion; (3) the impact of the FY 2010 prepayment of \$2.883 billion of FY 2011 debt service; (4) the benefit of GO and NYCTFA retirement programs of \$659 million, and includes a net equity contribution related to a bond refunding of \$3 million.

Estimates provided by the NYC Comptroller's Office, except for (1) Lease-Purchase Debt Service, (2) Municipal Assistance Corporation (MAC) funding, and (3) interest on short-term notes, which are all provided by the Office of Management & Budget.

Excludes the impact of the planned FY 2010 prepayment of \$2.883 billion of debt service in FY 2011.

*** Includes (1) interest earnings on assets in the Debt-Service Fund and (2) Letter of Credit fees.

**** Lease-Purchase Debt Service contains \$83.3 million for Hudson Yards Infrastructure interest costs in FY 2011.

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READER'S GUIDE

The City Record (CR) is, published each business day and includes notices of proposed New York City procurement actions, contract awards, and other procurement-related information. Solicitation notices for most procurements valued at or above \$100,000 for information technology and for construction and construction related services, above \$50,000 for other services, and above \$25,000 for other goods are published for at least one day. Other types of procurements, such as sole source, require notice in the City Record for five consecutive days. Unless otherwise specified, the agencies and offices listed are open for business Mondays thru Fridays from 9:00 A.M. to 5:00 P.M. except legal holidays.

NOTICE TO ALL NEW YORK CITY CONTRACTORS

The New York State Constitution ensures that all laborers, workers or mechanics employed by a contractor or subcontractor doing public work are to be paid the same wage rate that prevails in the trade where the public work is being done. Additionally, New York State Labor Law §§ 220 and 230 provide that a contractor or subcontractor doing public work in construction or building service must pay its employees no less than the prevailing wage. Section 6-109 (the Living Wage Law) of the New York City Administrative Code also provides for a "living wage", as well as prevailing wage, to be paid to workers employed by City contractors in certain occupations. The Comptroller of the City of New York is mandated to enforce prevailing wage. Contact the NYC Comptrollers Office at www.comptroller.nyc.gov, click on Labor Law Schedules to view rates.

New York City's "Burma Law" (Local Law No. 33 of 1997) No Longer to be Enforced. In light of the United States Supreme Court's decision in **Crosby v. National Foreign Trade Council**, 530 U.S. 363 (2000), the City has determined that New York City's Local Law No. 33 of 1997 (codified in Administrative Code Section 6-115 and Charter Section 1524), which restricts City business with banks and companies doing business in Burma, is unconstitutional. This is to advise, therefore, that the language relating to Burma contained in existing New York City contracts may not be enforced.

CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION RELATED SERVICES

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.

VENDOR ENROLLMENT APPLICATION

New York City procures approximately \$7 billion worth of goods, services, construction and construction-related services every year. The NYC Procurement Policy Board Rules require that agencies primarily solicit from established mailing lists called bidder/proposer lists. To register for these lists-free of charge-, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application.

- Online at <http://nyc.gov/selltonyc>

- To request a hardcopy application, call the Vendor Enrollment Center at (212) 857-1680.

Attention Existing Suppliers:

Even if you already do business with NYC agencies, be sure to fill out an application. We are switching over to citywide, centralized Bidders Lists instead of the agency-specific lists previously used to issue notices about upcoming contract opportunities. To continue receiving notices of New York City contract opportunities, you must fill out and submit a NYC-FMS Vendor Enrollment application.

If you are uncertain whether you have already submitted an application, call us at (212) 857-1680.

SELLING TO GOVERNMENT TRAINING WORKSHOP

New and experienced vendors are encouraged to register for a free training course on how to do business with New York City. "Selling to Government" workshops are conducted by the Department of Small Business Services, 110 William Street, New York, NY 10038. Morning and afternoon sessions are convened on the first Tuesday of each month. For more information, and to register, call (212) 618-8845.

PRE-QUALIFIED LIST

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstance. When it is decided by an agency to develop a pre-qualified list, criteria for pre-qualification must be clearly explained in the solicitation and notice of the opportunity to pre-qualify for that solicitation must be published in at least five issues of the CR.

Information and qualification questionnaires for inclusion on such list may be obtained directly from the Agency Chief Contracting Officer at each agency, (see Vendor Information Manual). A completed qualification Questionnaire may be submitted to the Chief Contracting Officer at any time, unless otherwise indicated and action (approval or denial) shall be taken by the agency within 90 days from the date of submission. Any denial or revocation of pre-qualified status can be appealed to the Office of Administrative Trials and Hearings, (OATH), Section 3-11 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists.

NON-MAYORAL ENTITIES

The following agencies are not subject to Procurement Policy Board rules and do not follow all of the above procedures: City University, Department of Education, Metropolitan Transportation Authority, Health & Hospitals Corporation, Housing Authority. Suppliers interested in applying for inclusion on bidders list should contact these entities directly (see Vendor Information Manual) at the addresses given.

PUBLIC ACCESS CENTER

The Public Access Center is available to suppliers and the public as a central source for supplier-related information through on-line computer access. The Center is located at 253 Broadway, 9th floor, in lower Manhattan, and is open Monday through Friday from 10:00 A.M to 3:00 P.M. For information, contact the Mayor's Office of Contract Services at (212) 788-0010.

ATTENTION: NEW YORK CITY MINORITY AND WOMEN OWNED BUSINESS ENTERPRISES

Join the growing number of Minority and Women Owned Business Enterprises (M/WBEs) that are competing for New York City's business. In order to become certified for the program, your company must substantiate that it: (1) is at least fifty-one percent (51%) owned, operated and controlled by a minority or woman and (2) is either located in New York City or has a significant tie to New York City's business community. To obtain a copy of the certification application and to learn more about the program, contact the New York City Department of Small Business Services, 110 William Street, 2nd Floor, New York, New York 10038 (212) 513-6311.

PROMPT PAYMENT

It is the policy of the City of New York to pay its bills promptly. The Procurement Policy Board Rules generally require that the City pay its bills within 30 days after the receipt of a proper invoice. The City now pays interest on all late invoices. The grace period that formerly existed was eliminated on July 1, 2000. However, there are certain types of payments that are not eligible for interest. These are listed in Section 4-06 of the Procurement Policy Board Rules. The Comptroller and OMB determine the interest rate on late payments twice a year, in January and in July.

PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City Website, <http://nyc.gov/selltonyc>

COMMON ABBREVIATIONS USED IN THE CR

The CR contains many abbreviations. Listed below are simple explanations of some of the most common ones appearing in the CR:

- AB Acceptable Brands List
- AC Accelerated Procurement
- AMT Amount of Contract
- BL Bidders List
- CSB Competitive Sealed Bidding (including multi-step)
- CB/PQ CB from Pre-qualified Vendor List
- CP Competitive Sealed Proposal (including multi-step)
- CP/PQ CP from Pre-qualified Vendor List
- CR The City Record newspaper
- DA Date bid/proposal documents available
- DUE Bid/Proposal due date; bid opening date
- EM Emergency Procurement
- IG Intergovernmental Purchasing
- LBE Locally Based Business Enterprise
- M/WBE Minority/Women's Business Enterprise
- NA Negotiated Acquisition
- NOTICE....Date Intent to Negotiate Notice was published in CR
- OLB.....Award to Other Than Lowest Responsible & Responsive Bidder/Proposer
- PIN.....Procurement Identification Number
- PPB Procurement Policy Board
- PQ Pre-qualified Vendors List
- RS.....Source required by state/federal law or grant
- SCE.....Service Contract Short-Term Extension
- DP Demonstration Project
- SS Sole Source Procurement
- ST/FED.....Subject to State &/or Federal requirements

KEY TO METHODS OF SOURCE SELECTION

The Procurement Policy Board (PPB) of the City of New York has by rule defined the appropriate methods of source selection for City procurement and reasons justifying their use. The CR procurement notices of many agencies include an abbreviated reference to the source selection method utilized. The following is a list of those methods and the abbreviations used:

- CSB **Competitive Sealed Bidding** (including multi-step)
Special Case Solicitations / Summary of Circumstances:
- CP **Competitive Sealed Proposal** (including multi-step)
- CP/1 Specifications not sufficiently definite
- CP/2 Judgement required in best interest of City
- CP/3 Testing required to evaluate
- CB/PQ/4
- CP/PQ/4 **CB or CP from Pre-qualified Vendor List/** Advance qualification screening needed
- DP Demonstration Project
- SS **Sole Source Procurement/only one source**
- RS.....Procurement from a Required Source/ST/FED
- NA.....Negotiated Acquisition
- For ongoing construction project only:*
- NA/8 Compelling programmatic needs

- NA/9New contractor needed for changed/additional work
- NA/10.....Change in scope, essential to solicit one or limited number of contractors
- NA/11.....Immediate successor contractor required due to termination/default
For Legal services only:
- NA/12.....Specialized legal devices needed; CP not advantageous
- WA **Solicitation Based on Waiver/Summary of Circumstances** (Client Services/BSB or CP only)
- WA1Prevent loss of sudden outside funding
- WA2Existing contractor unavailable/immediate need
- WA3Unsuccessful efforts to contract/need continues
- IG **Intergovernmental Purchasing** (award only)
- IG/F.....Federal
- IG/S.....State
- IG/OOther
- EM **Emergency Procurement** (award only) An unforeseen danger to:
- EM/A.....Life
- EM/B.....Safety
- EM/C.....Property
- EM/D.....A necessary service
- AC **Accelerated Procurement/markets with** significant short-term price fluctuations
- SCE..... **Service Contract Extension/insufficient time;** necessary service; fair price
Award to Other Than Lowest Responsible & Responsive Bidder or Proposer / Reason (award only)
- OLB/a.....anti-apartheid preference
- OLB/b.....local vendor preference
- OLB/crecycled preference
- OLB/d.....other: (specify)

HOW TO READ CR PROCUREMENT NOTICES

Procurement Notices in the CR are arranged by alphabetically listed Agencies, and within Agency, by Division if any. The notices for each Agency (or Division) are further divided into three subsections: Solicitations, Awards; and Lists & Miscellaneous notices. Each of these subsections separately lists notices pertaining to Goods, Services, or Construction.

Notices of Public Hearings on Contract Awards appear at the end of the Procurement Section. At the end of each Agency (or Division) listing is a paragraph giving the specific address to contact to secure, examine and/or to submit bid or proposal documents, forms, plans, specifications, and other information, as well as where bids will be publicly opened and read. This address should be used for the purpose specified UNLESS a different one is given in the individual notice. In that event, the directions in the individual notice should be followed. The following is a SAMPLE notice and an explanation of the notice format used by the CR.

SAMPLE NOTICE:

POLICE

DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

Services (Other Than Human Services)

BUS SERVICES FOR CITY YOUTH PROGRAM – Competitive Sealed Bids – PIN# 056020000293 – DUE 04-21-03 AT 11:00 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.
NYPD, Contract Administration Unit, 51 Chambers Street, Room 310, New York, NY 10007. Manuel Cruz (646) 610-5225.

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ITEM	EXPLANATION
POLICE DEPARTMENT	Name of contracting agency
DEPARTMENT OF YOUTH SERVICES	Name of contracting division
■ SOLICITATIONS	Type of Procurement action
<i>Services (Other Than Human Services)</i>	Category of procurement
BUS SERVICES FOR CITY YOUTH PROGRAM	Short Title
CSB	Method of source selection
PIN # 056020000293	Procurement identification number
DUE 04-21-03 AT 11:00 am	Bid submission due 4-21-03 by 11:00 am; bid opening date/time is the same.
<i>Use the following address unless otherwise specified in notice, to secure, examine-submit bid/proposal documents; etc.</i>	Paragraph at the end of Agency Division listing giving contact information, or submit bid/information or and Agency Contact address
	NYPD, Contract Administration Unit 51 Chambers Street, Room 310 New York, NY 10007. Manuel Cruz (646) 610-5225.
☛	Indicates New Ad
m27-30	Date that notice appears in City Record

NUMBERED NOTES

Numbered Notes are Footnotes. If a Numbered Note is referenced in a notice, the note so referenced must be read as part of the notice. **1.** All bid deposits must be by company certified check or money order made payable to Agency or Company.