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## THE CITY RECORD

**BILL DE BLASIO**

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## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

### BOROUGH PRESIDENT - BRONX

#### ■ PUBLIC HEARINGS

A PUBLIC HEARING IS BEING CALLED BY the President of the Borough of The Bronx, Honorable Ruben Diaz Jr. The hearing will take place on Thursday, June 23, 2016 at 10:00 A.M., in the office of the Borough President, 851 Grand Concourse, Room 206, The Bronx, NY 10451. The following matter will be heard:



### CD #1 ULURP APPLICATION NO: C 160251 ZMX:

IN THE MATTER OF an application submitted by MLK Plaza LLC pursuant to Section 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6c:

1. Changing from an M1-2 District to an R7X District property bounded by Southern Boulevard, a line perpendicular to the southeasterly street line of Southern Boulevard distant 275 feet northeasterly (as measured along the street line) form the point of intersection of the southeasterly street line of Southern Boulevard and the northeasterly street line of East 147<sup>th</sup> Street, a line 100 feet northeasterly of East 147<sup>th</sup>, a line 100 feet northeasterly of East 147<sup>th</sup> Street, Austin Place, East 147<sup>th</sup> Street, Timpson Place, and a line 100 feet southwesterly of East 147<sup>th</sup> Street;
2. Changing from an M1-3 District to an R7X District property bounded by Timpson Place, East 147<sup>th</sup> Street, Austin Place, and a line 100 feet southwesterly of East 147<sup>th</sup> Street; and
3. Establishing within a proposed R7X District a C1-4 District bounded by Southern Boulevard, a line perpendicular to the southeasterly street line of Southern Boulevard distant 275 feet (as measured along the street line) form the point of intersection of the southerly street line of Southern Boulevard and the northeasterly street line of East 147<sup>th</sup> Street, a line midway between Southern Boulevard and Timpson Place, and a line 100 feet southwesterly of East 147<sup>th</sup> Street.

Borough of The Bronx, Community District 1, as shown on a diagram (for illustrative purposes only) dated May 9, 2016, and subject to the conditions of CEQR Declaration E-385.

j16-22

### BOROUGH PRESIDENT - QUEENS

#### ■ MEETING

The Queens Borough Board will meet Monday, June 20, 2016, at 5:30 P.M., in the Queens Borough President Conference Room, 120-55

Queens Boulevard, 2nd Floor, Kew Gardens, NY 11424.

- Proposed Amended District Plan for the Long Island City Business Improvement District – Vote to be taken

j14-20

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Borough President of Queens, Melinda Katz, on **Thursday, June 23, 2016**, at 10:30 A.M., in the Borough President's Conference Room, located at 120-55 Queens Boulevard, Kew Gardens, NY 11424, on the following items:

**CD Q02 – ULURP #160101 ZRQ**

**IN THE MATTER OF** an application submitted by Sunnyside-Barnett Associates LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the New York City Zoning Resolution, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing Area in Community District 2 (related applications ULURP #s 160103 ZMQ, 160102 ZRQ).

**CD Q02 – ULURP #160102 ZRQ**

**IN THE MATTER OF** an application submitted by Sunnyside-Barnett Associates LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the New York City Zoning Resolution, to establish that R6 districts in Mandatory Inclusionary Housing areas are allowed a maximum FAR of 3.6, to establish Mixed-Use District MX 17 (M1-1/R6) and to modify height and setback regulations in MX-17 (M1-1/R6) in Community District 2. (related applications ULURP #s 160101 ZRQ, 160103 ZMQ)

**CD Q02 – ULURP #160103 ZMQ**

**IN THE MATTER OF** an application submitted by Sunnyside-Barnett Associates LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning map. Sections 9b and 9d as follows:

- changing from an M1-1 district to an M1-1/R6 district property bounded by the southerly boundary line of the Long Island Rail Road Right-Of-Way (Main Line), the southerly centerline prolongation of 52nd Street, Barnett Avenue, and the northerly prolongation of the westerly streetline of 50th Street; and
- establishing a special Mixed-Use District (MX 17) bounded by the southerly boundary line of the Long Island Rail Road Right-Of-Way (Main Line), the northerly centerline prolongation of 52nd Street, Barnett Avenue, and the northerly prolongation of the westerly streetline of 50th Street

Borough of Queens, Community District 2, as shown on the diagram (for illustrative purposes only) March 28, 2016 (related applications ULURP #s 160101 ZRQ, 160102 ZRQ).

**CD Q14 – ULURP # 160219 ZMQ**

**IN THE MATTER OF** an application submitted by Rockaway Beach Hotel, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, changing from an R5/C1-3 district to an R6A/2-5 district for a **block bounded by Rockaway Beach Boulevard, Beach 108th Street, Rockaway Beach Drive and Beach 109th Street**, Block 16180 Lots 1, 2, 3, 8 and 9, Zoning Map Section 30b, Rockaway, Queens (Related application ULURP #160220 ZRQ).

**CD Q14 – ULURP #160220 ZRQ**

**IN THE MATTER OF** an application submitted by Rockaway Beach Boulevard LLC, pursuant to Section 201 of the New York City Charter for an amendment of the New York City Zoning Resolution, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing Area in Community District 14 (related application ULURP #160219 ZMQ)

NOTE: Individuals requesting Sign Language Interpreters should contact the Borough President's Office, (718) 286-2860, TDD users should call (718) 286-2656, no later than **FIVE BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.**

◀ j17-23

**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, NY on Wednesday, June 22, 2016 at 10:00 A.M.

**BOROUGH OF THE BRONX**

**Nos. 1-5**

**LA CENTRAL**

**No. 1**

**CD 1**

**C 160267 ZMX**

**IN THE MATTER OF** an application submitted by the NYC Department of Housing Preservation and Development pursuant to Section 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6a:

- changing from a M1-1 District to an C6-2 District property bounded by Bergen Avenue and its northeasterly centerline prolongation, Brook Avenue, the centerline of a Rail Road Right Of Way, and the northwesterly prolongation of the northerly street line of former 150<sup>th</sup> Street; and
- changing from a C4-4 District to an C6-2 District property bounded by Bergen Avenue, the northwesterly prolongation of the northerly street line of former 150<sup>th</sup> Street, the centerline of a Rail Road Right Of Way, and a line 90 feet northeasterly of East 149<sup>th</sup> Street; as shown on a diagram (for illustrative purposes only) dated April 11, 2016.

**No. 2**

**CD 1**

**C 160268 HAX**

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD).

- pursuant to Article 160 of the General Municipal Law of New York State for:
  - the designation of properties located at Bergen Avenue and Westchester Avenue (Block 2361, Lots 1, 25, 26 and 50 and Block 2294, Lot 32), and 503 East 153 Street (Block 2363, Lot 1)
  - as an Urban Development Action Area; and
- pursuant to Section 197-c of the New York City Charter for the disposition of such property to be selected by HPD;

to facilitate development of five mixed use buildings containing approximately 831 affordable dwelling units, 160 supportive housing units, commercial space and community facility space.

**No. 3**

**CD 1**

**N 160269 ZRX**

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is to be deleted;

Matter within # # is defined in Section 12-10;

\* \* \* indicates where unchanged text appears in the Zoning Resolution

\* \* \*

**APPENDIX F**

**Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

\* \* \*

**The Bronx**

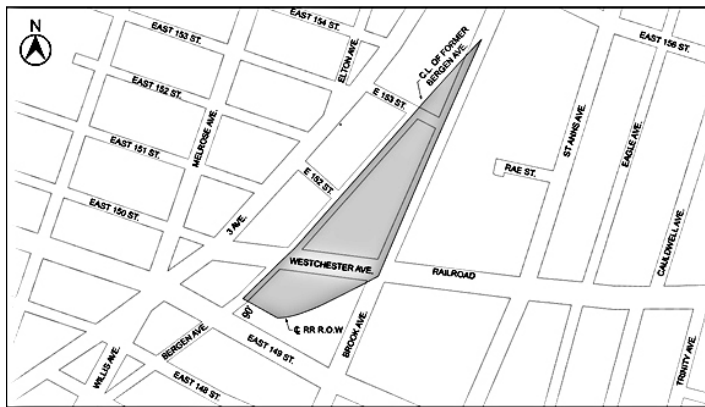
**The Bronx Community District 1**

In the #Special Harlem River Waterfront District# (see Section 87-20) and in the R7A, R7X, R8 and R8A Districts within the areas shown on the following Maps:

\* \* \*

Map 2 - (date of adoption)

**[PROPOSED MAP]**



**Mandatory Inclusionary Housing Area (MIHA) see Section 23-154(d) (3)**  
**Area 1 (date of adoption) – MIH Program Option 1**  
**Portion of Community District 1, The Bronx**  
 \* \* \*

**No. 4**

**CD 1** **C 160270 ZSX**  
**IN THE MATTER OF** an application submitted by Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits pursuant to the following sections of the Zoning Resolution:

1. Section 74-743(a)(1) - to allow the distribution of required open space without regard to zoning lot lines; and
2. Section 74-743(a)(2) - to allow the location of buildings without regard to applicable yard requirements of Sections 23-47 and 35-50 and height and setback regulations of Sections 23-62, 23-64 and 33-43;

in connection with a proposed mixed-use development, on property generally bounded by Bergen Avenue and its northeasterly centerline prolongation, Brook Avenue and East 149<sup>th</sup> Street (Block 2294, Lot 32, Block 2361, Lots 1, 25, 26, & 50, Block 2363, Lot 1), in a C6-2\* District, within a Large-Scale General Development.

\*Note: The site is proposed to be rezoned by changing from C4-4 and M1-1 Districts to a C6-2 District under a concurrent related application for a Zoning Map change (C 160267 ZMX).

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271-0001.

**No. 5**

**CD 1** **C 160271 ZSX**

**IN THE MATTER OF** an application submitted by Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-744(b) of the Zoning Resolution to modify the use location requirements of Section 32-422 (Location of floors occupied by commercial uses) to allow Use Group 10 (television studios offices) on portions of the 2<sup>nd</sup> floor of the proposed building (Building B) on Parcel A, in connection with a proposed mixed-use development, on property generally bounded by Bergen Avenue and its northeasterly centerline prolongation, Brook Avenue and East 149<sup>th</sup> Street (Block 2294, Lot 32, Block 2361, Lots 1, 25, 26, & 50, Block 2363, Lot 1), in a C6-2\* District, within a Large-Scale General Development.

\*Note: The site is proposed to be rezoned by changing from C4-4 and M1-1 Districts to a C6-2 District under a concurrent related application for a Zoning Map change (C 160267 ZMX).

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271-0001.

**NOTICE**

**On Wednesday, June 22, 2016, at 10:00 A.M., in Spector Hall, located at 22 Reade Street in Lower Manhattan, a public hearing is being held by the City Planning Commission to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by the City of New York - Department of Housing Preservation & Development (HPD) on behalf of the project sponsor, La Central Manager LLC, for approval of several discretionary actions including the disposition of City-Owned property and designation/approval of an Urban Development Action Area Project (UDAAP), zoning map and text amendments, and special permits to establish a Large-Scale General Development**

(LSGD). These actions are intended to provide affordable and supportive housing, local retail and other commercial uses, community facility uses, and open space on an assemblage of City-Owned properties (Block 2361, Lots 1, 25, 26 and 50; Block 2363, Lot 1; and Block 2294, Lot 32 and portions of Lots 30, 55, and 60), generally bounded by Bergen Avenue to the west, Brook Avenue to the east, a line approximately 90 feet north of East 149<sup>th</sup> Street to the south, and the Metropolitan Transit Authority elevated rail line for the 2 and 5 trains, in the Melrose neighborhood of the Bronx, Community District 1. Written comments on the DEIS are requested and will be received and considered by HPD, the Lead Agency, until Tuesday, July 5, 2016.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 15HPD041X.

**No. 6**  
**1775 GRAND CONCOURSE TEXT AMENDMENT**

**CD 5** **N 160179 ZRX**

**IN THE MATTER OF** an application submitted by 1775 Grand Concourse, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York modifying Article XII, Chapter 2 (Special Grand Concourse Preservation District) to permit indirectly illuminated signs on the Grand Concourse street frontage of specified commercial infill sites.

**For consideration.**

Matter in underline is new, to be added;  
 Matter in ~~strikeout~~ is to be deleted;  
 Matter within # # is defined in Section 12-10;  
 \* \* \* indicates where unchanged text appears in the Zoning Resolution

\* \* \*

**Article XII**  
**SPECIAL PURPOSE DISTRICTS**

**Chapter 2**  
**Special Grand Concourse Preservation District**

\* \* \*

**122-20**  
**SPECIAL SIGN REGULATIONS**

In order to enhance the visual quality of the Special District, the applicable #sign# regulations of the underlying districts are modified, as follows:

- (a) Within the Limited Commercial Areas, only one #sign#, other than an #advertising sign#, with a surface area not exceeding 12 square feet, shall be permitted per #commercial use#. Such #signs# shall be located in a #sign band#, on the flap of a canopy, or as allowed under paragraph (d) of this Section. The height of such #signs# shall be not more than 24 inches and the letter sizes shall be restricted to a height of 12 inches. Except as provided in paragraph (d), all such #signs# may not project from the vertical surface of a #building# more than 18 inches.
- (b) Within the Commercial Extension Areas, no #signs# and no #display windows# shall be permitted on a #building# or other structure# within 50 feet of the Grand Concourse. #Commercial uses# which are located on a cross-street beyond a distance of 50 feet from the Grand Concourse #street line#, shall comply with the #sign# regulations applicable to the underlying #Commercial District#.
- (c) On Commercial Infill Sites, the maximum surface area to be occupied by a #sign#, other than an #advertising sign#, shall be three square feet for every five feet of store frontage or 12 square feet, whichever is greater. Such #signs# shall be located in a #sign band# or on the flap of a canopy, or as allowed under paragraph (d). On portions of Commercial Infill Sites more than 50 feet from the Grand Concourse, the signage regulations of a C1 District shall apply.
- (d) Except in C1 Districts, no #sign# may be located so as to obscure any decorative lintel, cornice or other architectural detail. In the event that compliance with this requirement does not provide adequate surface area for the allowable #sign#, as defined in paragraph (a) of this Section, a projecting #sign# may be permitted by the Commissioner of Buildings provided that no such #sign# shall project from the vertical surface of a #building# more than 18 inches.
- (e) Except in C1 Districts, no banners, pennants, #flashing# or #illuminated signs# shall be permitted anywhere within the Special District. In addition, within Commercial Infill Sites north of the Cross Bronx Expressway, as shown on the map in Appendix A of this Chapter, #signs with indirect illumination# shall be permitted on the Grand Concourse #street# frontage of a #building#.

- (f) Within the Limited Commercial Areas, Commercial Infill Sites, and Commercial Extension Areas within 50 feet of the Grand Concourse, window graphics shall occupy not more than 20 percent of a window. Display lettering more than three inches high shall be considered as a #sign#.
- (g) All lawfully existing #non-conforming signs# located within the Special District shall be terminated one year after September 28, 1989.

\* \* \*

**BOROUGH OF MANHATTAN  
No. 7  
ADORAMA**

**CD 5** **C 160082 ZSM**  
**IN THE MATTER OF** an application submitted by 42 West 18th Realty Corp. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the height and setback requirements of Sections 23-633, 35-24 & 23-692, the rear yard requirements of Section 23-532, the permitted obstructions in rear yards requirements of Section 33-23, and the minimum distance between buildings requirements of Section 23-711, to facilitate a mixed-use development on property, located at 38-42 West 18th Street (Block 819, Lots 14, 15 & 66), in a C6-4A District, within the Ladies Mile Historic District.

**BOROUGH OF QUEENS  
No. 8**

**LONG ISLAND CITY BUSINESS IMPROVEMENT DISTRICT  
CDs 1, 2** **N 160322 BDQ**  
**IN THE MATTER OF** an application submitted by the Department of Small Business Services on behalf of the Long Island City Business Improvement District (originally Queens Plaza/ Court Square) pursuant to Section 25-405(a) of Chapter 4 of Title 25 of the Administrative Code of the City of New York, as amended, concerning amending of the Long Island City Business.

YVETTE V. GRUEL, Calendar Officer  
 City Planning Commission  
 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271  
 Telephone (212) 720-3370

j8-22

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**COMMUNITY BOARDS**

■ PUBLIC HEARINGS

**PUBLIC NOTICE IS HEREBY GIVEN** that the following matters have been scheduled for public hearing by Community Board:

BOROUGH OF THE BRONX

COMMUNITY BOARD NO. 06 - Wednesday, June 22, 2016 at 6:30 P.M., The Wings Academy High School, 1122 East 180th Street, Bronx, NY

Lambert Houses Redevelopment  
 #160218 MMX

**IN THE MATTER OF** an application, submitted by the New York City Department of Housing Preservation and Development and Phipps Houses, pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 et seq. Of the New York City Administrative Code for an amendment to the City Map involving: the narrowing by elimination, discontinuance and closing of a portion of East Tremont Avenue for Boston Avenue to East Tremont Avenue; and the adjustment of grades and block dimensions necessitated thereby; including authorization for any acquisition or disposition of real property related thereto.

#160285 ZMX

**IN THE MATTER OF** an application submitted by the NYC Department of Housing Preservation and Development and Phipps Houses, pursuant to Sections 197-c and 201 of the New York City Charter, for the amendment of the Zoning Map, Section No. 3d: changing from an R7-1 district to an R8 district property.

#160286 HAX

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD) to facilitate a mixed use development containing approximately 1,665 affordable residential units, approximately 86,608 square feet of retail space and approximately 110 accessory parking spaces in Community District 6, Borough of the Bronx.

#160290 ZSX

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Phipps Houses pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit to Section 78-312 (d) of the Zoning Resolution to modify the height and setback requirements of Section 23-632 on the periphery of a large-scale residential development, in connection with a proposed mixed-use development within a proposed large-scale residential development.

1932 Bryant Avenue  
 #160365 ZMX

**IN THE MATTER OF** an application submitted by Second Farms Neighborhood, HFDC pursuant to Section 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 3d: changing from an R7-1 district to an R8 district property bounded by Bryant Avenue.

#160367 ZMX

**IN THE MATTER OF** an application submitted by Second Farms Neighborhood, HFDC pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-532 of the Zoning Resolution to waive the required off-street parking spaces for the existing developments on zoning lots Parcel 6, Parcel 7 and Parcel 8a, in connection with a proposed mixed-use development on property located at 1932 Bryant Avenue.

#160368 ZMX

**IN THE MATTER OF** an application submitted by Second Farms Neighborhood, HFDC pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to the following section of the Zoning Resolution: 78-312(c) to modify the rear yard requirements of Section 23-47, to allow minor variations in required rear yards on the periphery; and to modify height and setback regulations on the periphery of a proposed mixed-use development.

j16-22

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**COMPTROLLER**

■ MEETING

The City of New York Audit Committee Meeting is scheduled for Wednesday, June 22, 2016, from 9:30 A.M. to 12:00 NOON at 1 Centre Street, Room 1005, North. Meeting is open to the general public.

j15-22

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**EDUCATIONAL CONSTRUCTION FUND**

■ PUBLIC HEARINGS

**CORRECTED NOTICE OF PUBLIC SCOPING  
 Draft Scope of Work for an Environmental Impact Statement (EIS)  
 ECF East 96th Street Project**

**NOTICE IS HEREBY GIVEN** that a public scoping meeting will be held on Wednesday, June 29, 2016, beginning at 5:30 P.M., at the Park East High School, 230 East 105th Street, New York, NY.

The purpose of the scoping meeting is to provide the public with the opportunity to comment on the Draft Scope of Work proposed to be used to develop an Environmental Impact Statement (EIS) for the proposed ECF East 96th Street project. Comments on the Draft Scope of Work are invited and may be presented at the public scoping meeting and/or may be submitted in writing to the New York City Educational Construction Fund (ECF) until Monday, July 10, 2016, at the email and contact addresses below.

Directing that an Environmental Impact Statement be prepared, the Environmental Assessment, Positive Declaration, and Draft Scope of Work were issued by ECF on June 10, 2016, and are available for review from the contact person listed below and on the ECF website at <http://schools.nyc.gov/community/facilities/ecf/default.htm>.

The co-applicants, ECF and AvalonBay Communities, Inc. (AvalonBay), are seeking a rezoning and other actions to allow the construction of a mixed-use building, a replacement facility for the existing School of Cooperative Technical Education (SCTE), a new facility for the relocation of two existing neighborhood public high schools, and relocation of an existing jointly-operated playground on Block 1668, Lot 1, in the East Harlem neighborhood of Manhattan. The proposed project involves the construction of a mixed-use tower on Second Avenue containing a 135,000-gross square foot (gsf) public technical school - a replacement facility for the existing SCTE on the project site - as well as approximately 25,000 gsf of retail space, and approximately 1,015,000 gsf of residential floor area (1,100-1,200 units), of which 70 percent will be market rate and 30 percent will be permanently affordable. Following the demolition of the existing SCTE, the co-applicants will construct a 135,000 gsf building on First Avenue that will house two public high schools. The jointly-operated playground currently on the western portion of the project site would be relocated to the center of the project block. It is anticipated that site preparation and construction for the project would commence in 2018 and is expected it would be complete and operational in 2023.

The proposed project will require several discretionary actions, including: a zoning map amendment to change the portion 100 feet east of 2nd Avenue from R10A and R7-2 to a C2-8 District and the remainder of Block 1668 from R7-2 and R10A districts to a R10 district; amendments to the Zoning Resolution to allow distribution of lot coverage and to establish a Mandatory Inclusionary Housing designated area; a special permit to allow distribution of lot coverage and waiver of height and setback restrictions; a special permit to reduce parking requirements applicable to non-income restricted residences; certifications to modify restrictions on location of curb cuts; and a certification that a transit easement is not required. The proposed project also will require approval of a home rule message by the New York City Council and legislation by the New York State Legislature to authorize the alienation and disposition to ECF of the existing jointly-operated playground, and its replacement with an equivalent amount of jointly-operated playground. The project also involves a transfer of the City-Owned property (the site) to ECF, which would lease a portion of the property to the designated developer, AvalonBay. ECF would convey the schools to the City (acting through the New York City Department of Education (DOE) and re-convey control of the jointly-operated playground to DOE and the New York City Department of Parks and Recreation. To facilitate construction of the schools, ECF would issue tax-exempt bonds.

**Lead Agency:** New York City Educational Construction Fund

**Sponsoring Agency:** New York City Educational Construction Fund

**Contact:** Jennifer Maldonado, Executive Director  
New York City Educational Construction Fund  
RE: COOP Tech at East 96th Street  
30-30 Thomson Avenue, First Floor  
Long Island City, NY 11101  
E96thStreet@schools.nyc.gov

**SEQRA/CEQR Classification:** Type I

**Location of Action:** The project site is Block 1668, Lot 1, the full block bounded by East 96th and 97th Street and First and Second Avenues in the East Harlem neighborhood of Manhattan. It is located in Manhattan Community District 11. The western portion of the project site is currently occupied by the Marx Brothers Playground, which is jointly operated by DOE and DPR. The playground area facing Second Avenue is currently in use by MTA as a staging area for Second Avenue Subway construction. The eastern portion of the project site is occupied by a 4-story school building, currently in use by SCTE, a DOE facility for high school students.

This Notice of Public Meeting has been prepared pursuant to Article 8 of the New York State Environmental Conservation Law (the State Environmental Quality Review Act (SEQRA)), its implementing regulations found at 6 NYCRR Part 617, and the Rules of Procedure for City Environmental Quality Review found at 62 RCNY Chapter 5, and Mayoral Executive Order 91 of 1977, as amended (CEQR).

j15-29

**BOARD OF EDUCATION RETIREMENT SYSTEM**

■ MEETING

The Board of Trustees of the Board of Education Retirement System of the City of New York, will be meeting at 5:00 P.M. on June 22, 2016 at M.S. 131 (100 Hester Street, New York, NY 10002).

j13-22

**ENVIRONMENTAL CONTROL BOARD**

■ MEETING

**OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS/  
ENVIRONMENTAL CONTROL BOARD**

The next meeting will take place on Thursday, June 30, 2016 at 100 Church Street, 12th Floor, Training Room #143, New York, NY 10007 at 9:15 A.M., at the call of the Chairman.

j16-20

**HOUSING AUTHORITY**

■ MEETING

The next Board Meeting of the New York City Housing Authority is scheduled for Wednesday, June 29, 2016, at 10:00 A.M. in the Board Room on the 12th Floor of 250 Broadway, New York, NY (unless otherwise noted). Copies of the Calendar are available on NYCHA's website or can be picked up at the Office of the Corporate Secretary at 250 Broadway, 12th Floor, New York, NY, no earlier than 24 hours before the upcoming Board Meeting. Copies of the Minutes are also available on NYCHA's website or can be picked up at the Office of the Corporate 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 at <http://www1.nyc.gov/site/nycha/about/board-calendar.page> to the extent practicable at a reasonable time before the meeting.

The meeting is open to the public. Pre-Registration at least 45 minutes before the scheduled Board Meeting is required by all speakers. Comments are limited to the items on the Calendar. Speaking time will be limited to three minutes. The public comment period will conclude upon all speakers being heard or at the expiration of 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 Corporate Secretary at (212) 306-6088 no later than five business days before the Board Meeting.

For additional information, please visit NYCHA's website or contact (212) 306-6088.

j15-29

**INDEPENDENT BUDGET OFFICE**

■ MEETING

The New York City Independent Budget Office Advisory Board will hold a meeting on Tuesday, June 21, beginning at 8:30 A.M., at the IBO office, 110 William Street, 14<sup>th</sup> Floor. There will be an opportunity for the public to address the advisory board during the public portion of the meeting.

j10-20

**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 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, June 21, 2016, a public hearing will be held at 1 Centre Street, 9<sup>th</sup> Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website the Friday before the hearing. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact the Landmarks Commission no later than five (5) business days before the hearing or meeting.

**CERTIFICATE OF APPROPRIATENESS**

11 Fulton Street - South Street Seaport Historic District  
186476 - Block 96 - Lot 1

A contemporary market building designed by Benjamin Thompson and Associates and built in 1983. Application is to amend Commission Binding Report 16-3334 for the installation of signage.  
Zoning: C6-2A

**CERTIFICATE OF APPROPRIATENESS**

11 Hubert Street - Tribeca West Historic District  
185468 - Block 214 - Lot 12

A garage designed by Dietrich Wortmann and built in 1946, with a two-story addition built in 1989-90. Application is to alter the facades and construct additions.  
Zoning: C6-2A TMU

**CERTIFICATE OF APPROPRIATENESS**

73 Worth Street - Tribeca East Historic District  
186327 - Block 173 - Lot 7502

An Italianate style store and loft building built in 1859-60. Application is to install an entry canopy and barrier-free access ramps.  
Zoning: C6-2A

**CERTIFICATE OF APPROPRIATENESS**

51 Wooster Street - SoHo-Cast Iron Historic District  
181632 - Block 475 - Lot 18  
A dwelling built in 1822 and altered in 1888. Application is to install storefront infill.  
Zoning: M1-5B

**CERTIFICATE OF APPROPRIATENESS**

85-89 Jane Street - Greenwich Village Historic District  
181551 - Block 642 - Lot 70, 72  
A stable and carriage house built c. 1885, now a garage and factory building; and a garage building built in 1919. Application is to alter the facades and construct rooftop additions.  
Zoning: C4-4A, R6

**CERTIFICATE OF APPROPRIATENESS**

303 Bleecker Street - Greenwich Village Historic District  
154045 - Block 591 - Lot 3  
A building built after 1965. Application is to install a storefront.  
Zoning:

**CERTIFICATE OF APPROPRIATENESS**

11-19 Jane Street - Greenwich Village Historic District  
185336 - Block 616 - Lot 32  
A garage building constructed in 1921. Application is to demolish the existing building and construct a new building.  
Zoning: C1-6

**CERTIFICATE OF APPROPRIATENESS**

21 West 17th Street and 16 West 18th Street - Ladies' Mile Historic District  
186335 - Block 819 - Lot 26, 55 Zoning: C6-4A  
A mid-20th century Commercial style converted dwelling built 1850, and modified by Irving Kay in 1949, and altered in 1999; and a Utilitarian style converted stable built in 1867, and altered in 1910. Application is to demolish the existing buildings and to construct a new building.

**CERTIFICATE OF APPROPRIATENESS**

23-27 West 17th Street - Ladies' Mile Historic District  
186334 - Block 819 - Lot 56  
A Neo-Renaissance style store and loft building designed by George H. Anderson and built in 1906. Application is to install storefront infill and signage.  
Zoning: C6-4A

**CERTIFICATE OF APPROPRIATENESS**

1 East 28th Street, aka 251-253 Fifth Avenue - Madison Square North Historic District  
181366 - Block 858 - Lot 1  
A Queen Anne style flats building with ground floor stores designed by George B. Post and built in 1872-1874, and later altered in 1948. Application is to legalize the installation of signage without Landmarks Preservation Commission permit(s) and install awnings.  
Zoning: C5-2

**CERTIFICATE OF APPROPRIATENESS**

32 West 75th Street - Upper West Side/Central Park West Historic District  
181775 - Block 112 - Lot 50  
A Romanesque Revival style rowhouse designed by George H. Budlong and built 1889-90. Application is to construct rooftop and rear yard additions and alter the facade.  
Zoning: R8B

**CERTIFICATE OF APPROPRIATENESS**

347 West End Avenue - West End - Collegiate Historic District  
184951 - Block 118 - Lot 70  
An Eclectic Renaissance style rowhouse designed by Lamb and Rich and built in 1891. Application is to construct rear yard and rooftop additions.  
Zoning: R10A R8B

**CERTIFICATE OF APPROPRIATENESS**

252 West 71st Street - West End - Collegiate Historic District Extension  
177750 - Block 116 - Lot 55  
A Renaissance Revival style rowhouse designed by Thom & Wilson and built in 1892. Application is to construct rooftop and rear yard additions and alter the fenestration.  
Zoning: R8B

**CERTIFICATE OF APPROPRIATENESS**

108 West 123rd Street - Mount Morris Park Historic District Extension  
185199 - Block 190 - Lot 139  
A vacant lot. Application is to construct a new building.  
Zoning: R7-2

**CERTIFICATE OF APPROPRIATENESS**

111 West 122nd Street - Mount Morris Park Historic District Extension

186161 - Block 190 - Lot 25  
A Queen Anne style rowhouse designed by Thom & Wilson and built c. 1887. Application is to install a rooftop bulkhead and railing, and to raise the existing chimney.  
Zoning: R7-2

**CERTIFICATE OF APPROPRIATENESS**

153 West 121st Street - Mount Morris Park Historic District Extension  
178074 - Block 190 - Lot 8 Zoning: R7-2  
A Neo-Grec style rowhouse designed by Cleverdon & Putzel and built in 1886. Application is to construct rooftop and rear yard additions.

**CERTIFICATE OF APPROPRIATENESS**

267 West 139th Street  
181740 - Block 202 - Lot 1  
An Eclectic Italianate style apartment house designed by McKim Mead and White and built in 1891-92. Application is to replace fire escapes.  
Zoning: R7-2

j8-21

**OFFICE OF THE MAYOR**

■ NOTICE

NOTICE OF A PUBLIC HEARING  
ON PROPOSED LOCAL LAWS

**PURSUANT TO STATUTORY REQUIREMENT, NOTICE IS HEREBY GIVEN** that proposed local laws numbered and titled hereinafter have been passed by the Council and that a public hearing on such proposed local laws will be held in the Blue Room, at City Hall, Borough of Manhattan, New York City, on June 28, 2016 at 2:00 P.M.:

**Int. 775-A** – A Local Law to amend the administrative code of the City of New York, in relation to establishing a time period for the landmarks preservation commission to take action on an item upon a motion to calendar such item for consideration of landmark status.

Bill de Blasio  
Mayor

**NOTE:** Individuals requesting Sign Language Interpreters should contact the Mayor's Office of City Legislative Affairs, 253 Broadway, 14th Floor, New York, NY 10007, (212) 788-3678, no later than five days prior to the public hearing.

• j17

**RENT GUIDELINES BOARD**

■ PUBLIC HEARINGS

**NOTICE IS HEREBY GIVEN** that the New York City Rent Guidelines Board will hold a public hearing on **June 20, 2016** at The Great Hall at Cooper Union, 7 East 7th Street, at corner of 3rd Avenue, New York, NY from 2:00 P.M. to 8:00 P.M. to consider public comments concerning proposed rent adjustments for renewal leases for apartments, lofts, hotels (including class A and class B hotels, SROs, rooming houses and lodging houses) and other housing units subject to the Rent Stabilization Law of 1969 and the Emergency Tenant Protection Act of 1974. These adjustments will affect renewal leases commencing between October 1, 2016 through September 30, 2017.

Registration of speakers is required and Pre-Registration is now being accepted and is advised. Pre-Registration requests for the hearing must be received before 12:00 P.M. one business day **prior** to the public hearing date. Speakers may also register the day of the hearing until 8:00 P.M. For further information and to Pre-Register for the public hearing call the Board at (212) 669-7480 or write to the NYC Rent Guidelines Board, 1 Centre Street, Suite 2210, New York, NY 10007. A Spanish interpreter will be provided. Persons who request that a sign language interpreter, language interpreter or other form of reasonable accommodation for a disability be provided at a hearing are requested to notify the RGB by June 14, 2016 at 4:30 P.M.

Proposed rent guidelines for all of the above classes of stabilized housing units were adopted on **May 3, 2016** and published in the City Record on **May 10, 2016**. Copies of the proposed guidelines are available from the NYC Rent Guidelines Board office at the above listed address, at the Board's website nycrgb.org, or at rules.cityofnewyork.us.

j8-17

**NOTICE IS HEREBY GIVEN** that the New York City Rent Guidelines Board will hold a public hearing on **June 21, 2016**, at the Oberia D. Dempsey Multi Service Center Auditorium, 127 West 127th

Street, New York, NY from 5:00 P.M. to 8:00 P.M. to consider public comments concerning proposed rent adjustments for renewal leases for apartments, lofts, hotels (including class A and class B hotels, SROs, rooming houses and lodging houses) and other housing units subject to the Rent Stabilization Law of 1969 and the Emergency Tenant Protection Act of 1974. These adjustments will affect renewal leases commencing between October 1, 2016 through September 30, 2017.

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j9-20

## BOARD OF STANDARDS AND APPEALS

### ■ PUBLIC HEARINGS

**JULY 12, 2016, 1:00 P.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, Tuesday afternoon, July 12, 2016, 1:00 P.M., in **Spector Hall, 22 Reade Street**, New York, NY 10007, on the following matters:

#### ZONING CALENDAR

##### 302-14-BZ

APPLICANT – Rothkrug Rothkrug & Spector, LLP for Stanfordville, LLC, owner.

SUBJECT – Application November 10, 2014 – Special Permit (§73-125) to allow proposed ambulatory diagnostic or treatment health care facility in excess of 1500 sq. ft. in a two-story mixed use building. R3X zoning district.

PREMISES AFFECTED – 45-04 Francis Lewis Boulevard, Block 5538, Lot 30, Borough of Queens.

##### COMMUNITY BOARD #11Q

##### 101-15-BZ

APPLICANT – Law Office of Jay Goldstein, for Nesiv Hatorah Inc., owner.

SUBJECT – Application May 11, 2015 – Variance (§72-21) to permit construction of a two-story use group 4 synagogue contrary to underlying bulk requirements. R2X zoning district.

PREMISES AFFECTED – 830 Hicksville Road, Block 15583, Lot 11, Borough of Queens.

##### COMMUNITY BOARD #14Q

##### 2016-4132-BZ

APPLICANT – Howard A. Zipser, Esq., for 513 West 26th Realty, LLC, owner; Avenue World Holdings LLC, lessee.

SUBJECT – Application March 7, 2016 – Special Permit (§73-19) to allow for a school (*Avenues: The World School*) to be located on the fourth (4th) floor of an existing building contrary to use regulations (§§42-12 & 42-14). M1-5 (Special West Chelsea) zoning district.

PREMISES AFFECTED – 513 & 515-519 West 26th Street, Block 698, Lot 18, Borough of Manhattan.

##### COMMUNITY BOARD #4M

##### 2016-4135-BZ

APPLICANT – Bryan Cave, LLP, for EBRA Pine Master Tenant, LLC, owner.

SUBJECT – Application March 11, 2016 – Special Permit (§73-36) to permit the operation of a physical culture establishment (*La Palestra*) in portions of the basement and sub-cellar levels of an existing building. C5-5 (LM) zoning district.

PREMISES AFFECTED – 70 Pine Street, Block 41, Lot 7504, Borough of Manhattan.

##### COMMUNITY BOARD #1M

*Margery Perlmutter, Chair/Commissioner*

• j17-20

## 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, 9<sup>th</sup> Floor, Room 945, commencing at 2:00 P.M. on Wednesday, June 22, 2016. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9<sup>th</sup> Floor South West, New York, NY 10041, or by calling (212) 839-6550.

**#1 IN THE MATTER OF** a proposed revocable consent authorizing 55 Water Street Condominium to construct, maintain and use planters on the east sidewalk of Water Street, south of Old Slip, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2015 to June 30, 2025, and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2015 to June 30, 2025 - \$325/annum

the maintenance of a security deposit in the sum of \$5,000 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

**#2 IN THE MATTER OF** a proposed revocable consent authorizing Albert Einstein College of Medicine, Inc., to continue to maintain and use pipes and conduit under and across Morris Park Avenue, west of Eastchester Road, in the Borough of the Bronx. The proposed revocable consent is for a term of ten years from July 1, 2015 to June 30, 2025, by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2015 to June 30, 2016 - \$11,000

For the period July 1, 2016 to June 30, 2017 - \$11,282

For the period July 1, 2017 to June 30, 2018 - \$11,564

For the period July 1, 2018 to June 30, 2019 - \$11,846

For the period July 1, 2019 to June 30, 2020 - \$12,128

For the period July 1, 2020 to June 30, 2021 - \$12,410

For the period July 1, 2021 to June 30, 2022 - \$12,692

For the period July 1, 2022 to June 30, 2023 - \$12,974

For the period July 1, 2023 to June 30, 2024 - \$13,256

For the period July 1, 2024 to June 30, 2025 - \$13,538

the maintenance of a security deposit in the sum of \$13,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

**#3 IN THE MATTER OF** a proposed revocable consent authorizing Amicable Holdings LLC to construct, maintain and use a stoop and a fenced-in area, together with planted area and trash enclosure, on the south sidewalk of Amity Street, east of Clinton Street, in the Borough of Brooklyn. 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:

From the Approval Date to the Expiration Date - \$25/per annum

the maintenance of a security deposit in the sum of \$6,000 and the insurance shall be the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

**#4 IN THE MATTER OF** a proposed revocable consent authorizing Esplanade Venture Partnership to continue to maintain and use four benches on the west sidewalk of West End Avenue, between West 74<sup>th</sup> Street and West 75<sup>th</sup> Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2026, and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2016 to June 30, 2026 - \$600/annum

the maintenance of a security deposit in the sum of \$1,000 and the insurance shall be the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

**#5 IN THE MATTER OF** a proposed revocable consent authorizing Harbor Hill Housing Development Fund Corporation to continue to maintain and use fenced-in planted areas on the east sidewalk of Second Avenue, north of 57<sup>th</sup> Street and on the north sidewalk of 57<sup>th</sup> Street, east of Second Avenue, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2026, and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From July 1, 2016 to June 30, 2026 - \$1,870/per annum

the maintenance of a security deposit in the sum of \$5,000 and the insurance shall be the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

**#6 IN THE MATTER OF** a proposed revocable consent authorizing Jean Marcel Rouff to construct, maintain and use a fenced-in area, together with steps, on the north sidewalk of East 64<sup>th</sup> 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 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From the Approval Date to the Expiration Date - \$100/per annum  
the maintenance of a security deposit in the sum of \$5,000 and the insurance shall be the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

**#7 IN THE MATTER OF** a proposed revocable consent authorizing Rosa Parks Condominium to continue to maintain and use eight planters on the north sidewalk of West 118<sup>th</sup> Street, west of St. Nicholas Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2026, and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2016 to June 30, 2026 - \$200/per annum  
the maintenance of a security deposit in the sum of \$1,600 and the insurance shall be the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

**#8 IN THE MATTER OF** a proposed revocable consent authorizing the New York Community Hospital of Brooklyn, Inc. to continue to maintain and use a ramp on the south sidewalk of Avenue O, west of Kings Highway, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2026, and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2016 to June 30, 2026 - \$25/annum  
the maintenance of a security deposit in the sum of \$15,000 and the insurance shall be the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

**#9 IN THE MATTER OF** a proposed revocable consent authorizing United Cerebral Palsy Housing Development Fund Corporation to continue to maintain and use a conduit under and along the south sidewalk of Lawrence Avenue near Seton Place, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2026, and provides among other terms and conditions for compensation payable to the City according to the following schedule:

- For the period July 1, 2016 to June 30, 2017 - \$1,142
- For the period July 1, 2017 to June 30, 2018 - \$1,171
- For the period July 1, 2018 to June 30, 2019 - \$1,200
- For the period July 1, 2019 to June 30, 2020 - \$1,229
- For the period July 1, 2020 to June 30, 2021 - \$1,258
- For the period July 1, 2021 to June 30, 2022 - \$1,287
- For the period July 1, 2022 to June 30, 2023 - \$1,316
- For the period July 1, 2023 to June 30, 2024 - \$1,345
- For the period July 1, 2024 to June 30, 2025 - \$1,374
- For the period July 1, 2025 to June 30, 2026 - \$1,403

the maintenance of a security deposit in the sum of \$1,400 and the insurance shall be the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

**#10 IN THE MATTER OF** a proposed revocable consent authorizing United Cerebral Palsy of New York City, Inc. to continue to maintain and use a pedestrian bridge over and across Lawrence Avenue, north of Seton Place, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2026, and provides among other terms and conditions for compensation payable to the City according to the following schedule:

- For the period July 1, 2016 to June 30, 2017 - \$10,102
- For the period July 1, 2017 to June 30, 2018 - \$10,361
- For the period July 1, 2018 to June 30, 2019 - \$10,620
- For the period July 1, 2019 to June 30, 2020 - \$10,879
- For the period July 1, 2020 to June 30, 2021 - \$11,138
- For the period July 1, 2021 to June 30, 2022 - \$11,397
- For the period July 1, 2022 to June 30, 2023 - \$11,656
- For the period July 1, 2023 to June 30, 2024 - \$11,915
- For the period July 1, 2024 to June 30, 2025 - \$12,174
- For the period July 1, 2025 to June 30, 2026 - \$12,433

the maintenance of a security deposit in the sum of \$12,500 and the insurance shall be the amount of Two Million Dollars (\$2,000,000) per occurrence, and Five Million Dollars (\$5,000,000) aggregate.

**#11 IN THE MATTER OF** a proposed revocable consent authorizing Wayne Golden and Sylvia Golden to continue to maintain and use a fenced-in area on the south sidewalk of East 70<sup>th</sup> Street, west of Lexington Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2016 to June

30, 2026, and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From July 1, 2016 to June 30, 2026 - \$100/per annum

the maintenance of a security deposit in the sum of \$2,000 and the insurance shall be the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

j2-22

## PROPERTY DISPOSITION

### CITYWIDE ADMINISTRATIVE SERVICES

#### ■ SALE

The City of New York, in partnership with PropertyRoom.com, posts vehicle and heavy machinery auctions online every week at: <http://www.propertyroom.com/s/7300>

All auctions are open to the general public, and registration is free.

Vehicles can be viewed in person by appointment at: KenBen Industries, 364 Maspeth Avenue, Brooklyn, NY 11211. Phone: (718) 802-0022

a28-o6

### OFFICE OF CITYWIDE PROCUREMENT

#### ■ NOTICE

The Department of Citywide Administrative Services, Office of Citywide Procurement is currently selling surplus assets on the internet. Visit <http://www.publicsurplus.com/sms/nycdcas.ny/browse/home>.

To begin bidding, simply click on 'Register' on the home page.

There are no fees to register. Offerings may include but are not limited to: office supplies/equipment, furniture, building supplies, machine tools, HVAC/plumbing/electrical equipment, lab equipment, marine equipment, and more.

Public access to computer workstations and assistance with placing bids is available at the following locations:

- DCAS Central Storehouse, 66-26 Metropolitan Avenue, Middle Village, NY 11379
- DCAS, Office of Citywide Procurement, 1 Centre Street, 18th Floor, New York, NY 10007

j4-d30

### POLICE

#### ■ NOTICE

#### 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:  
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.

Items are recovered, lost, abandoned property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.

#### 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):

- Springfield Gardens Auto Pound, 174-20 North Boundary Road, Queens, NY 11430, (718) 553-9555



- Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2030

**FOR ALL OTHER PROPERTY**

- Manhattan - 1 Police Plaza, New York, NY 10038, (646) 610-5906
- 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

j4-d30

**PROCUREMENT****“Compete To Win” More Contracts!**

*Thanks to a new City initiative - “Compete To Win” - the NYC Department of Small Business Services offers a new set of FREE services to help create more opportunities for minority and women-owned businesses to compete, connect and grow their business with the City. With NYC Construction Loan, Technical Assistance, NYC Construction Mentorship, Bond Readiness, and NYC Teaming services, the City will be able to help even more small businesses than before.*

- Win More Contracts at [nyc.gov/competetowin](http://nyc.gov/competetowin)

*“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.”*

**HHS ACCELERATOR**

To respond to human services Requests for Proposals (RFPs), in accordance with Section 3-16 of the Procurement Policy Board Rules of the City of New York (“PPB Rules”), vendors must first complete and submit an electronic prequalification application using the City’s Health and Human Services (HHS) Accelerator System. The HHS Accelerator System is a web-based system maintained by the City of New York for use by its human services Agencies to manage procurement. The process removes redundancy by capturing information about boards, filings, policies, and general service experience centrally. As a result, specific proposals for funding are more focused on program design, scope, and budget.

Important information about the new method

- Prequalification applications are required every three years.
- Documents related to annual corporate filings must be submitted on an annual basis to remain eligible to compete.
- Prequalification applications will be reviewed to validate compliance with corporate filings, organizational capacity, and relevant service experience.
- Approved organizations will be eligible to compete and would submit electronic proposals through the system.

The Client and Community Service Catalog, which lists all Prequalification service categories and the NYC Procurement Roadmap, which lists all RFPs to be managed by HHS Accelerator may be viewed at <http://www.nyc.gov/html/hhsaccelerator/html/roadmap/roadmap.shtml>. All current and prospective vendors should frequently review information listed on roadmap to take full advantage of upcoming opportunities for funding.

**Participating NYC Agencies**

HHS Accelerator, led by the Office of the Mayor, is governed by an Executive Steering Committee of Agency Heads who represent the following NYC Agencies:

Administration for Children’s Services (ACS)  
 Department for the Aging (DFTA)  
 Department of Consumer Affairs (DCA)  
 Department of Corrections (DOC)  
 Department of Health and Mental Hygiene (DOHMH)  
 Department of Homeless Services (DHS)  
 Department of Probation (DOP)  
 Department of Small Business Services (SBS)  
 Department of Youth and Community Development (DYCD)  
 Housing and Preservation Department (HPD)  
 Human Resources Administration (HRA)  
 Office of the Criminal Justice Coordinator (CJC)

To sign up for training on the new system, and for additional information about HHS Accelerator, including background materials, user guides and video tutorials, please visit [www.nyc.gov/hhsaccelerator](http://www.nyc.gov/hhsaccelerator)

**ADMINISTRATION FOR CHILDREN’S SERVICES****■ AWARD***Human Services/Client Services*

**YOUTH RECEPTION CENTER** - Negotiated Acquisition - Other - PIN# 06816N0005001 - AMT: \$5,420,907.00 - TO: Good Shepherd Services, 305 Seventy Avenue, New York, NY 10001. Pursuant to Section 3-04 of the Procurement Policy Board Rules.

● **COMMUNITY PARTNERSHIP PROGRAM** - Renewal - PIN# 06815X0002CNVR001 - AMT: \$454,878.00 - TO: Seamen’s Society for Children and Families, 50 Bay Street, Staten Island, NY 10301.

● **SPECIALIZED TEEN PREVENTIVE** - Renewal - PIN# 06814P0016009R001 - AMT: \$2,854,102.77 - TO: Jewish Child Care Association of New York, Pleasantville Cottage, Brooklyn, NY 11210.

j17

**BOROUGH PRESIDENT - QUEENS****■ SOLICITATION***Services (other than human services)*

**QUEENS TECH ZONE STRATEGIC PLAN** - Request for Proposals - PIN# 6302016 - Due 6-30-16 at 2:00 P.M.

The Office of the Queens Borough President, in collaboration with the New York Department of State, Coalition for Queens, and a stakeholder Task Force have been working to create a Tech Zone Strategic Plan for the East River waterfront of Western Queens. The Strategic Plan will consider critical issues of the local economy, land use and the environment, transportation, infrastructure, urban design, and workforce development, in order to support tech innovation industry growth, entrepreneurship, and revitalization of an underutilized waterfront.

To this end, the Office of the Queens Borough President is seeking a consultant in areas of expertise including, but not limited to, urban planners, community economic developers, research and advocacy firms, and management experts to provide outreach, analysis, and planning services in conjunction with the preparation of a Tech Zone Strategic Plan for the Western Queens East River waterfront (the “Queens Tech Strategic Plan”). The RFP and summary information is available on <http://www.queensbp.org/techplan/> and the RFP can be found at this direct link <http://www.queensbp.org/wp-content/uploads/2016/06/RFP-Queens-Tech-Strategic-Plan.pdf>.

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.

*Borough President - Queens, 120-55 Queens Boulevard, Room 250, Kew Gardens, NY 11424. Yoni Bokser (718) 286-2668; [ybokser@queensbp.org](mailto:ybokser@queensbp.org)*

j13-17

**CITYWIDE ADMINISTRATIVE SERVICES**

**OFFICE OF CITYWIDE PROCUREMENT**

■ AWARD

*Goods*

**LIQUID HANDLING WORKSTATIONS RE-AD** - Competitive Sealed Bids - PIN#8571600232 - AMT: \$269,148.65 - TO: Hamilton Robotics, 4970 Energy Way, Reno, NV 89502-4123.  
● **GRP: WELD BUILT WRECKER BODY** - Competitive Sealed Bids - PIN#8571600075 - AMT: \$1,520,000.00 - TO: Able Weldbuilt Industries Inc, 1050 Grand Boulevard, Deer Park, NY 11729.  
● **GRP: STEMCO GUARDIAN SEALS AND HUBCAPS** - Competitive Sealed Bids - PIN#8571600077 - AMT: \$560,000.00 - TO: Gabrielli Truck Sales LTD, 153-20 South Conduit Avenue, Jamaica, NY 11434.

◀ j17

■ SOLICITATION

*Goods*

**CEREAL, HI-PRO, NON-PASSOVER GIFELTE FISH AND MATZOH** - Competitive Sealed Bids - PIN#8571600445 - Due 6-30-16 at 10:00 A.M.

A copy of the bid can be downloaded from the City Record Online site at [www.nyc.gov/cityrecord](http://www.nyc.gov/cityrecord). Enrollment is free. Vendors may also request the bid by contacting Vendor Relations via email at [dcasdmssbids@dcas.nyc.gov](mailto:dcasdmssbids@dcas.nyc.gov), by telephone (212) 386-0044, or by fax at (212) 669-7585.

*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.*

*Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007-1602. Fa-tai Shieh (212) 386-0537; fshieh@dcas.nyc.gov*

◀ j17

**SINGLE-JET TYPE WATER METERS (BRAND SPECIFIC)** - Competitive Sealed Bids - PIN#8571600300 - Due 7-18-16 at 10:30 A.M.

A copy of the bid can be downloaded from the City Record Online site at [www.nyc.gov/cityrecord](http://www.nyc.gov/cityrecord). Enrollment is free. Vendors may also request the bid by contacting Vendor Relations via email at [dcasdmssbids@dcas.nyc.gov](mailto:dcasdmssbids@dcas.nyc.gov), by telephone (212) 386-0044, or by fax at (212) 669-7585.

*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.*

*Citywide Administrative Services, 1 Centre Street, 18th Floor South, New York, NY 10007. Erica De Jesus (212) 386-0435; ejesus@dcas.nyc.gov*

◀ j17

**CORRECTION**

**CENTRAL OFFICE OF PROCUREMENT**

■ SOLICITATION

*Construction/Construction Services*

**BROOKLYN DETENTION COMPLEX EXTERIOR STABILIZATION: GYMNASIUM WINDOWS AND PROTECTIVE GUARDS BROOKLYN, NY** - Competitive Sealed Bids - PIN#072201608CPD - Due 7-6-16 at 10:00 A.M.

The New York City Department of Correction is seeking a qualified contractor to provide Exterior Stabilization of Gymnasium Windows and Installation of Protective Guard Railings at the Roofs of the Brooklyn Detention Complex (BKDC).

A Pre-Bid Conference is scheduled for Thursday, June 23, 2016, at 10:00 A.M., at the Brooklyn Detention Complex (BKDC); the site visit will take place immediately after the Pre-Bid Conference. A security clearance form is required for pre-bid/site visit attendance; this form can be downloaded from the NYC DOC website: <http://www1.nyc.gov/site/doc/contracts/contracts.page>

Contractors may download the bid documents at no cost via the aforementioned link. Please note that Drawings are not available for download and will have to be obtained from the Department of

Correction Headquarters "Bulova Corporate Center," 75-20 Astoria Boulevard, Suite 160. The cost of the hard copy of the bid documents and/or a set of drawings are \$25.00 payable by check or money order, cash will not be accepted.

Bidders are hereby advised that this contract is subject to the Project Labor Agreement (PLA) entered into between the City and the Building and Construction Trades Council of Greater New York (BCTC) affiliated local unions. Please refer to the bid documents for further information.

*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.*

*Correction, 75-20 Astoria Boulevard, East Elmhurst, NY 11370. Cameron Sutton Jr (718) 546-0791; cameron.sutton@doc.nyc.gov*

◀ j17

**DESIGN AND CONSTRUCTION**

**AGENCY CHIEF CONTRACTING OFFICER**

■ SOLICITATION

*Construction/Construction Services*

**INSTALLATION OF STYRENE-BUTADIENE-STYRENE (SBS) MODIFIED BITUMEN ROOFING SYSTEM** - Request for Qualifications - PIN#ROOFRFQ20151 - Due 12-11-99 at 8:00 A.M. PROJECT ID: ROOFRFQ20151/DDC PIN: 8502015QB0001C Vendor Source: 87962

● **INSTALLATION OF COLD FLUID APPLIED REINFORCED MEMBRANE ROOFING SYSTEM** - Request for Qualifications - PIN#ROOFRFQ20152 - Due 12-31-99 at 8:00 A.M. PROJECT ID: ROOFRFQ20152/DDC PIN: 8502015QB0002C. Vendor Source: 87968

The Request for Qualifications (RFQ) provides the application for contractors to be placed on the Pre-Qualified List (PQL) which is established and maintained by The Department of Design and Construction. Qualified firms are encouraged to take advantage of this opportunity to submit applications detailing their credentials. Interested firms are advised to download the Request for Qualifications at <http://ddcftp.nyc.gov/rfpweb/> or pick-up at The Department of Design and Construction, 1st Floor, Contracts Office, 30-30 Thomson Avenue, Long Island City, NY 11101. There is a \$10 charge (company check or money order- no cash accepted). For inquiries, please contact Emmanuel Charles at (718) 391-2200. The application for the PQLs will be continuously on DDC's website and available for pick-up. The applications may be submitted to DDC at any time, and shall be approved or denied within ninety days (90) from the date of 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.*

*Design and Construction, 30-30 Thomson Avenue, First Floor, Long Island City, NY 11101. Brenda Barreiro (718) 391-1041; Fax: (718) 391-2615; barreirob@ddc.nyc.gov*

◀ j17

**EDUCATION**

**CONTRACTS AND PURCHASING**

■ INTENT TO AWARD

*Goods and Services*

**NEGOTIATED SERVICE** - Other - PIN#E1812040 - Due 6-28-16 at 5:00 P.M.

The NYCDOE, Division of Contracts and Purchasing, has been asked for approval to enter into a contract with Nu Vision Performing and Fine Arts, Inc., to provide music instruction, curriculum development, dance and brass programs, and special events for West Prep Academy. Other organizations interested in providing these services to the NYCDOE in the future are invited to indicate their ability to do so in writing to Henry Sheehan, at 65 Court Street, Room 1201, Brooklyn, NY 11201.

The New York City Department of Education (DOE) strives to give all businesses, including Minority- and Women-Owned Business Enterprises (MWBs), an equal opportunity to compete for DOE procurements. The DOE's mission is to provide equal access to

procurement opportunities for all qualified vendors, including MWBEs, from all segments of the community. The DOE works to enhance the ability of MWBEs to compete for contracts. DOE is committed to ensuring that MWBEs fully participate in the procurement process.

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.

Education, 65 Court Street, 12th Floor, Brooklyn, NY 11201. Vendor Hotline (718) 935-2300; vendorhotline@schools.nyc.gov

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## ENVIRONMENTAL PROTECTION

### WASTEWATER TREATMENT

#### ■ AWARD

*Services (other than human services)*

**SERVICE, AND REPAIR OF THE ACCESS CONTROL AND CCTV SYSTEMS AT VARIOUS DEP WASTEWATER TREATMENT FACILITIES** - Competitive Sealed Bids - PIN# 82616B0008001 - AMT: \$337,852.50 - TO: T.R. Joy and Associates, Inc., 86-38 188th Street, Jamaica, NY 11423. 1384-ACS

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## HEALTH AND MENTAL HYGIENE

### AGENCY CHIEF CONTRACTING OFFICER

#### ■ AWARD

*Human Services/Client Services*

**MENTAL HYGIENE SERVICES** - Required Method (including Preferred Source) - PIN# 14AZ004901R1X00 - AMT: \$1,218,477.00 - TO: Heritage Health and Housing, 416 West 127th Street, New York, NY 10027.

● **MENTAL HYGIENE SERVICES** - Required Method (including Preferred Source) - PIN# 14AZ007301R1X00 - AMT: \$2,147,280.00 - TO: Lantern Community Services, Inc., 494 8th Avenue-20th Floor, New York, NY 10001.

● **MENTAL HYGIENE SERVICES** - Required Method (including Preferred Source) - PIN# 08PO076361R1X00 - AMT: \$3,258,000.00 - TO: Lower Eastside Service Center, Inc., 80 Maiden Lane, New York, NY 10038.

● **MENTAL HYGIENE SERVICES** - Required Method (including Preferred Source) - PIN# 14AO003301R1X00 - AMT: \$1,519,692.00 - TO: Northside Center for Child Development, Inc., 1301 5th Avenue, New York, NY 10029.

● **MENTAL HYGIENE SERVICES** - Required Method (including Preferred Source) - PIN# 11AZ011401R2X00 - AMT: \$2,738,136.00 - TO: Postgraduate Center for Mental Health, 158 East 35th Street, New York, NY 10016.

● **MENTAL HYGIENE SERVICES** - Required Method (including Preferred Source) - PIN# 08PO076329R2X00 - AMT: \$1,305,600.00 - TO: The Jericho Project, 245 West 29th Street, Suite 902, New York, NY 10001.

● **MENTAL HYGIENE SERVICES** - Request for Proposals - PIN# 08PO076324R2X00 - AMT: \$3,422,520.00 - TO: West Side Federation for Senior and Supportive Housing, 2345 Broadway, New York, NY 10024.

● **MENTAL HYGIENE SERVICES** - Request for Proposals - PIN# 08PO076356R1X00 - AMT: \$1,893,456.00 - TO: Lantern Community Service Center, Inc., 494 8th Avenue-20th Floor, New York, NY 10001.

● **MH SRO SUPPORTED HOUSING** - Required Method (including Preferred Source) - PIN# 17AZ006801R0X00 - AMT: \$2,507,244.00 - TO: Postgraduate Center for Mental Health, 158 East 35th Street, New York, NY 10016.

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## BUREAU OF MATERNAL INFANT AND REPRODUCTIVE HEALTH

#### ■ AWARD

*Human Services/Client Services*

**SEXUALLY REPRODUCTIVE HEALTH SERVICES** - BP/City Council Discretionary - PIN# 16FN023101R0X00 - AMT: \$296,875.00 - TO: National Institute for Reproductive Health, Inc., 470 Park Avenue South, New York, NY 10016.

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## HOUSING PRESERVATION AND DEVELOPMENT

### MAINTENANCE

#### ■ AWARD

*Construction Related Services*

**EMERGENCY DEMOLITION** - Emergency Purchase - Other - PIN# 80616E0007001 - AMT: \$230,395.00 - TO: Granite Environmental Services Inc., 847 Shepherd Avenue, Brooklyn, NY 11208.

Emergency Demolition at 468 Chestnut Street, Brooklyn Hand demo Man Lift is needed.

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## NYC HEALTH + HOSPITALS

#### ■ SOLICITATION

*Goods and Services*

**CORPORATE DATA CENTER COLOCATION SOLUTION** - Request for Proposals - PIN# DCN 2230 - Due 7-26-16 at 5:00 P.M.

NYC Health and Hospitals is seeking a vendor to provide a Tier IV Colocation Data Center Solution that meets current and future business and technical requirements of an ever maturing IT Infrastructure. Vendors must meet the following Minimum Qualification Requirements:

1. Tier IV site
2. Business continuity workspace of at least 100 seats
3. Minimum 33 mile distance from NYC Health and Hospitals Jacobi Data Center

The resulting contract will have M/WBE goals in accordance with New York State Executive Law, Article 15-A, Section 310.

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.

NYC Health + Hospitals, 55 Water Street, 24th Floor, New York, NY 10038. Hilary Miller (646) 694-5543; hilary.miller@nychhc.org

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## PARKS AND RECREATION

#### ■ VENDOR LIST

*Construction/Construction Services*

**PREQUALIFIED VENDOR LIST: GENERAL CONSTRUCTION - NON-COMPLEX GENERAL CONSTRUCTION SITE WORK ASSOCIATED WITH NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION ("DPR" AND/OR "PARKS") PARKS AND PLAYGROUNDS CONSTRUCTION AND RECONSTRUCTION PROJECTS**

DPR is seeking to evaluate and pre-qualify a list of general contractors (a "PQL") exclusively to conduct non-complex general construction site work involving the construction and reconstruction of DPR parks and playgrounds projects not exceeding \$3 million per contract ("General Construction").

By establishing contractor's qualification and experience in advance, DPR will have a pool of competent contractors from which it can draw to promptly and effectively reconstruct and construction its parks, playgrounds, beaches, gardens and green-streets. DPR will select contractors from the General Construction PQL for non-complex general construction site work of up to \$3,000,000.00 per contract, through the use of a Competitive Sealed Bid solicited from the PQL generated from this RFQ.

The vendors selected for inclusion in the General Construction PQL will be invited to participate in the NYC Construction Mentorship. NYC Construction Mentorship focuses on increasing the use of small NYC contracts, and winning larger contracts with larger values. Firms participating in NYC Construction Mentorship will have the opportunity to take management classes and receive on-the-job training provided by a construction management firm.

DPR will only consider applications for this General Construction PQL from contractors who meet any one of the following criteria:

- 1) The submitting entity must be a Certified Minority/Woman Business enterprise (M/WBE)\*;
- 2) The submitting entity must be a registered joint venture or have a valid legal agreement as a joint venture, with at least one of the entities in the joint venture being a certified M/WBE\*;
- 3) The submitting entity must indicate a commitment to sub-contract no less than 50 percent of any awarded job to a certified M/WBE for every work order awarded.

\*Firms that are in the process of becoming a New York City-certified M/WBE may submit a PQL application and submit a M/WBE Acknowledgement Letter, which states the Department of Small Business Services has began the Certification process.

Application documents may also be obtained on-line at: <http://a856-internet.nyc.gov/nycvendonline/home.asap>; or <http://www.nycgovparks.org/opportunities/business>

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, Olmsted Center, Annex, Flushing Meadows-Corona Park, Flushing, NY 11368. Alicia H. Williams (718) 760-6925; Fax: (718) 760-6781; dmwbe.capital@parks.nyc.gov*

j4-d30

**CAPITAL PROJECTS**

■ AWARD

*Construction Related Services*

**DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT SERVICES** - Sole Source - Available only from a single source - PIN#84616S0002001 - AMT: \$8,000,000.00 - TO: Prospect Park Alliance, 95 Prospect Park West, Brooklyn, NY 11215.  
**● CONSTRUCTION OF THE HELL GATE PATHWAY ON WARDS ISLAND** - Negotiated Acquisition - Available only from a single source - PIN#84615N0014001 - AMT: \$45,000.00 - TO: Starr Whitehouse Landscape Architects and Planners PLLC, 80 Broad Street, Suite 1801, New York, NY 10004.

◀ j17

**CONTRACTS**

■ SOLICITATION

*Construction/Construction Services*

**CONSTRUCTION OF A GEOTHERMAL SYSTEM AND RECONSTRUCTION OF PORTIONS OF THE HVAC SYSTEM IN THE PICNIC HOUSE** - Competitive Sealed Bids - PIN#84516B0143 - Due 7-14-16 at 10:30 A.M.

Located at the Prolongation of 5th Street, East of West Drive in the Long Meadow, in Prospect Park, Borough of Brooklyn, Contract#:B073-114M.

This procurement is subject to participation goals for MBEs and/or WBEs as required by Local Law 1 of 2013.

Bidders are hereby advised that this contract is subject to the Project Labor Agreement ("PLA") Covering Specified Renovation and Rehabilitation of City-Owned Buildings and Structures entered into between the City and the Building and Construction Trades Council of Greater New York ("BCTC") affiliated local unions. Please refer to the bid documents for further information.

To request the Plan Holder's List, please call the Blue Print Room at (718) 760-6576.

The Cost Estimate Range is under \$900,000.00 for this project.

There is a Pre-Bid Meeting scheduled for, Tuesday, June 28th, 2016, at 11:30 A.M. at the site.

Bid documents are available for a fee of \$25.00 in the Blueprint Room, Room #64, Olmsted Center, from 8:00 A.M. to 3:00 P.M. The fee is payable by company check or money order to the City of New York, Parks and Recreation. A separate check/money order is required for each project. The company name, address and telephone number as well as the project contract number must appear on the check/money order. Bidders should ensure that the correct company name, address, telephone and fax numbers are submitted by your company/messenger service when picking up bid documents.

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, Olmsted Center, Room 64, Flushing Meadows-*

*Corona Park, Flushing, NY 11368. Michael Shipman (718) 760-6705; michael.shipman@parks.nyc.gov*

◀ j17

**REVENUE**

■ SOLICITATION

*Services (other than human services)*

**OPERATION OF A MARINA** - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN# B166-D-M - Due 7-21-16 at 3:00 P.M.

In accordance with Section 1-13 of the Concession Rules of the City of New York, the New York City Department of Parks and Recreation ("Parks") is issuing, as of the date of this notice, a significant Request for Proposals ("RFP") for the operation, renovation, and maintenance of a full-service marina in Mill Basin, Brooklyn.

There will be a recommended site visit on June 29, 2016, at 12:00 P.M. We will be meeting at the corner of Avenue Y and East 69th Street in Brooklyn. If you are considering responding to this RFP, please make every effort to attend this recommended site visit.

Hard copies of the RFP can be obtained, at no cost, commencing on June 9, 2016 through July 21, 2016, 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.

The RFP is also available for download, commencing on June 9, 2016 through July 21, 2016, on Parks' website. To download the RFP, visit [www.nyc.gov/parks/businessopportunities](http://www.nyc.gov/parks/businessopportunities), click on the link for "Concessions Opportunities at Parks" and, after logging in, click on the "download" link that appears adjacent to the RFP's description.

For more information or to request to receive a copy of the RFP by mail, prospective proposers may contact Eitan Adler, Senior Project Manager, at (212) 360-3454 or at [eitan.adler@parks.nyc.gov](mailto:eitan.adler@parks.nyc.gov).

**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 10065. Eitan Adler (212) 360-3454; Fax: (917) 849-6642; eitan.adler@parks.nyc.gov*

j10-23

**SMALL BUSINESS SERVICES**

**PROCUREMENT**

■ AWARD

*Services (other than human services)*

**SUBWAY ADS FOR M/WBE PROMOTION CAMPAIGN** - Sole Source - Available only from a single source - PIN#80116S0007 - AMT: \$40,000.00 - TO: Outfront Media Group, 405 Lexington Avenue, New York, NY 10174.

j15-21

**TRANSPORTATION**

**TRAFFIC**

■ AWARD

*Services (other than human services)*

**MANAGEMENT AND OPERATION OF DELANCEY AND ESSEX STREET MUNICIPAL PARKING GARAGE, MANHATTAN** - Competitive Sealed Bids - PIN#84116MNTR931 - AMT: \$2,595,894.00 - TO: Parking Systems Plus, Inc., 28 Fourth Street, Valley Stream, NY 11581.

◀ j17

**CONTRACT AWARD HEARINGS**

**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.**

**AGING**

■ PUBLIC HEARINGS

**NOTICE IS HEREBY GIVEN** that a Contract Public Hearing will be held on Thursday, June 30, 2016, at the Department for the Aging, 2 Lafayette Street, 4th Floor Conference Room, Borough of Manhattan, commencing at 10:00 A.M. on the following:

**IN THE MATTER OF** the four (4) proposed contracts between the Department for the Aging of the City of New York and the Contractors listed below, for the provision of Geriatric Mental Programs for older adults. The contract terms shall each be from July 1, 2016 to June 30, 2019 with no renewal options. The contract amounts and the Community Districts in which the programs are located are identified below.

Contractor/Address	E-PIN/PIN	Amount	Boro/CD
Jewish Association for Services for the Aged 247 West 37th Street New York, NY 10018	EPIN 12516D0001001 PIN 12517GMH0001	\$576,000	Bronx, CDs All
Service Program for Older People 302 West 91st Street New York, NY 10024	EPIN 12516D0001002 PIN 12517GMH0002	\$864,000	Manhattan, CDs All
Samuel Field YM & YWHA 58-20 Little Neck Parkway Little Neck, NY 11362	EPIN 12516D0001003 PIN 12517GMH0003	\$864,000	Queens, CDs All
Weill Cornell Institute of Geriatric Psychiatry Department of Psychiatry of Weill Cornell Medical College 21 Bloomingdale Road White Plains, NY 10605	EPIN 12516D0001004 PIN 12517GMH0004	\$1,296,000	Brooklyn, CDs All  Staten Island, CDs All

The proposed contracts are being funded through a Demonstration Project pursuant to Section 3-11 of the PPB Rules.

A draft copy of the proposed contracts is available for public inspection at the Office of the Department for the Aging, Contract Procurement and Support Services, 2 Lafayette Street, Room 400, New York, NY 10007, on business days, from June 17, 2016 to June 30, 2016, excluding holidays, from 10:00 A.M. to 4:00 P.M.

◀ j17

**HUMAN RESOURCES ADMINISTRATION**

■ PUBLIC HEARINGS

**Revised Public Hearing Notices**

**NOTICE IS HEREBY GIVEN** that a Contract Public Hearing will be held on Thursday, June 23, 2016, at 150 Greenwich Street, 37th Floor Bid Room, Borough of Manhattan, commencing at 10:00 A.M. on the following:

**IN THE MATTER OF** twenty nine (29) proposed contracts between the Human Resources Administration of the City of New York and the contractors listed below, for the Provision of Emergency Domestic Violence Shelter Services Citywide. The term of these contracts will be from July 1, 2016 to June 30, 2021 with one (1) option to renew from July 1, 2021 to June 30, 2025.

Contractor/Address	E-PIN	Amount
Allen Women's Resource Center LTD PO Box 340316 Jamaica, NY 11434	09616N0003001	\$3,934,855.00
Center for the Elimination of Violence in the Family, Inc. 25 Chapel Street, Suite 904 Brooklyn, NY 11201	09616N0003002	\$7,997,722.30
Center for the Elimination of Violence in the Family, Inc. 25 Chapel Street, Suite 904 Brooklyn, NY 11201	09616N0003003	\$13,452,979.45
Food First, Inc. 165 Conover Street Brooklyn, NY 11231	09616N0003004	\$12,543,606.05
Barrier Free Living, Inc. 270 East Second Street New York, NY 10009	09616N0003005	\$16,196,215.00
Henry Street Settlement 265 Henry Street New York, NY 10002	09616N0003006	\$11,752,768.30
Jewish Board of Family and Children's Services, Inc. 135 West 50th Street New York, NY 10020	09616N0003007	\$7,034,486.90
New York Asian Women's Center 32 Broadway New York, NY 10004	09616N0003008	\$3,913,385.20
Good Shepherd Services 305 Seventh Avenue, 9th Floor New York, NY 10001	09616N0003009	\$3,914,903.60
Palladia, Inc. 305 Seventh Avenue, 10th Floor New York, NY 10001	09616N0003010	\$7,002,679.25
Sanctuary for Families, Inc. PO Box 1406 Wall Street Station New York, NY 10268	09616N0003011	\$3,544,559.80
Urban Resource Institute 75 Broad Street, Suite 505 New York, NY 10004	09616N0003012	\$18,251,076.70
Urban Resource Institute 75 Broad Street, Suite 505 New York, NY 10004	09616N0003013	\$14,407,902.80
Urban Resource Institute 75 Broad Street, Suite 505 New York, NY 10004	09616N0003014	\$19,287,263.60
Safe Horizon, Inc. 2 Lafayette Street New York, NY 10007	09616N0003015	\$9,081,549.30
Safe Horizon, Inc. 2 Lafayette Street New York, NY 10007	09616N0003016	\$7,642,287.55
Safe Horizon, Inc. 2 Lafayette Street New York, NY 10007	09616N0003017	\$7,825,120.90
Safe Horizon, Inc. 2 Lafayette Street New York, NY 10007	09616N0003018	\$4,834,420.20
Volunteers of America Greater New York, Inc. 340 West 85th Street New York, NY 10024	09616N0003019	\$6,178,657.85
Safe Horizon, Inc. 2 Lafayette Street New York, NY 10007	09616N0003020	\$10,032,628.15
Volunteers of America Greater New York, Inc. 340 West 85th Street New York, NY 10024	09616N0003021	\$10,215,096.20
New York Asian Women's Center 32 Broadway New York, NY 10004	09616N0003022	\$4,098,044.80
Safe Horizon, Inc. 2 Lafayette Street New York, NY 10007	09616N0003023	\$4,182,629.90
Jewish Board of Family and Children's Services, Inc. 135 West 50th Street New York, NY 10020	09616N0003024	\$9,682,876.15

OHEL Children's Home and Family Services, Inc. 4510 16th Avenue Brooklyn, NY 11204	09616N0003025	\$2,612,855.45
Sanctuary for Families, Inc. PO Box 1406 Wall Street Station New York, NY 10268	09616N0003026	\$3,437,971.15
Safe Horizon, Inc. 2 Lafayette Street New York, NY 10007	09616N0003027	\$22,744,249.60
Violence Intervention Program, Inc. PO Box 1161 Triborough Station New York, NY 10035	09616N0003028	\$6,305,905.85
Volunteers of America Greater New York, Inc. 340 West 85th Street New York, NY 10024	09616N0003029	\$8,084,975.10

The proposed contractors have been selected through the Negotiated Acquisition procurement method, pursuant to Section 3-04 of the Procurement Policy Board (PPB) Rules.

Draft copies of the proposed contracts are available for public inspection at the Human Resources Administration of the City of New York, 150 Greenwich Street, 37th Floor, New York, NY 10007 on business days from June 17, 2016 through June 23, 2016, between the hours of 10:00 A.M. and 5:00 P.M., excluding Saturdays, Sundays and holidays.

If you need to schedule an inspection appointment and/or additional information, please contact Dory Mount at (929) 221-6351.

**IN THE MATTER OF** ten (10) proposed contracts between the Human Resources Administration of the City of New York and the contractors listed below, for the Provision of Permanent Supportive Congregate Housing for Persons Living with HIV/AIDS and their Families. Competition 1: Families with Children and Competition 2: Single Individuals. The contract term shall be from July 1, 2016 to June 30, 2021.

<u>Contractor/Address</u>	<u>E-PIN</u>	<u>Amount</u>	<u>Competition</u>	<u>Renewal Terms</u>
Haitian Centers Council, Inc. 123 Linden Boulevard 3rd Floor Brooklyn, NY 11226	09615I0020001	\$3,189,040.00	1	7/1/21 - 6/30/25
Center for Urban Community Services, Inc. 198 East 121st Street 6th Floor New York, NY 10035	09615I0020002	\$6,386,000.00	2	7/1/21 - 6/30/30 7/1/30 - 6/30/41
Camba, Inc. 1720 Church Avenue Brooklyn, NY 11226	09615I0020003	\$3,922,822.00	2	7/1/21 - 6/30/30 7/1/30 - 6/30/41
FACES NY, Inc. 123 West 115th Street New York, NY 10026	09615I0020004	\$3,704,500.00	2	7/1/21 - 6/30/25
Narragansett HDFC, Inc. 243 West 30th Street 2nd Floor New York, NY 10001	09615I0020005	\$6,750,000.00	2	7/1/21 - 6/30/30 7/1/30 - 6/30/41
Lantern Community Services 494 8th Avenue 20th Floor New York, NY 10001	09615I0020006	\$8,541,650.00	2	7/1/21 - 6/30/30 7/1/30 - 6/30/31
Palladia, Inc. 2006 Madison Avenue New York, NY 10035	09615I0020007	\$3,625,344.00	2	7/1/21 - 6/30/30 7/1/30 - 6/30/31
Community Access, Inc. 2 Washington Street 9th Floor New York, NY 10004	09615I0020008	\$2,554,400.00	2	7/1/21 - 6/30/30 7/1/30 - 6/30/39
Lower Eastside Service Center, Inc. 80 Maiden Lane 2nd Floor New York, NY 10038	09615I0020009	\$1,621,600.00	2	7/1/21 - 6/30/30 7/1/30 - 6/30/31

Black Veterans for Social Justice 665 Willoughby Avenue Brooklyn, NY 11206	09615I0020010	\$1,793,080.00	2	7/1/21 - 6/30/30 7/1/30 - 6/30/34
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The proposed contractors have been selected through the HHS ACCELERATOR method, pursuant to Section 3-16 of the Procurement Policy Board (PPB) Rules.

Draft copies of the proposed contracts will be available for public inspection at the Human Resources Administration of the City of New York, 150 Greenwich Street, 37th Floor, New York, NY 10007, on business days, from June 17, 2016 to June 23, 2016, Monday through Friday, excluding Holidays, from 10:00 A.M. to 5:00 P.M. If you need to schedule an inspection appointment and/or need additional information, please contact Dory Mount at (929) 221-6351.

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**NOTICE IS HEREBY GIVEN** that a Contract Public Hearing will be held on Thursday, June 23, 2016, at 150 Greenwich Street, 37th Floor, Bid Room, Borough of Manhattan, commencing at 10:00 A.M. on the following:

**IN THE MATTER OF** two (2) proposed contracts between the Human Resources Administration of the City of New York and the contractors listed below, for the Provision of Legal Services for Survivors of Domestic Violence and Trafficking via the Community Services Block Grant. The term of these contracts will be three (3) years from July 1, 2016 to June 30, 2019, with one (1) three year renewal option.

<u>Contractor/Address</u>	<u>E-PIN</u>	<u>Amount</u>	<u>Service Area</u>
Sanctuary for Families, Inc. PO Box 1406 Wall Street Station New York, NY 10268	09615I0008001	\$900,000.00	Citywide
Urban Justice Center 40 Rector Street, 9th Floor New York, NY 10006	09615I0008002	\$957,000.00	Citywide

The proposed contractors have been selected through the HHS ACCELERATOR Method, pursuant to Section 3-16 of the Procurement Policy Board (PPB) Rules.

Draft copies of the proposed contracts are available for public inspection at the Human Resources Administration of the City of New York, 150 Greenwich Street, 37th Floor, New York, NY 10007, on business days, from June 17, 2016 through June 23, 2016, between the hours of 10:00 A.M. and 5:00 P.M., excluding Saturdays, Sundays and holidays.

If you need to schedule an inspection appointment and/or additional information, please contact Dory Mount at (929) 221-6351.

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## AGENCY RULES

### BUILDINGS

■ NOTICE

**Notice of Public Hearing and Opportunity to Comment on Proposed Rules**

**What are we proposing?** The Department of Buildings (DOB) is proposing to add fees for Zoning Resolution or Construction Codes Determination requests and appeals submitted to DOB.

**When and where is the hearing?** DOB will hold a public hearing on the proposed rule. The public hearing will take place at 10:00 A.M. on 7/19/16. The hearing will be in the 3rd Floor Conference Room, at 280 Broadway.

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

- **Website.** You can submit comments to the DOB through the NYC rules website at <http://rules.cityofnewyork.us>.

- **Email.** You can email comments to [dobrules@buildings.nyc.gov](mailto:dobrules@buildings.nyc.gov).
- **Mail.** You can mail comments to the New York City Department of Buildings, Office of the General Counsel, 280 Broadway, 7th Floor, New York, NY 10007.
- **Fax.** You can fax comments to the New York City Department of Buildings, Office of the General Counsel, at (212) 566-3843.
- **Speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling (212) 393-2085. You can also sign up in the hearing room before the hearing begins on 7/19/16. You can speak for up to three minutes.

**Is there a deadline to submit comments?** Yes, you must submit comments by 7/19/16.

**Do you need assistance to participate in the hearing?** You must tell the Office of the General Counsel if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the addresses given above. You may also tell us by telephone at (212) 393-2085. You must tell us by 7/5/16.

**Can I review the comments made on the proposed rules?** You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, copies of all comments submitted online, copies of all written comments and a summary of oral comments concerning the proposed rule will be available to the public at the Office of the General Counsel.

**What authorizes DOB to make this rule?** Sections 643 and 1043(a) of the City Charter and Sections 28-112.1 of the City Administrative Code authorize DOB to make this proposed rule. This proposed rule was not included in DOB's regulatory agenda for this Fiscal Year because it was not contemplated when DOB published the agenda.

**Where can I find DOB's rules?** DOB's rules are in Title 1 of the Rules of the City of New York.

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

**Statement of Basis and Purpose of Proposed Rule**

This rule would amend Section 101-03 of Chapter 100 of Title 1 of the Rules of the City of New York, relating to fees payable to the Department, to include fees for responding to requests submitted to the Department for Zoning Resolution or Construction Codes Determinations and appeals of such Determinations.

The authority of the Department of Buildings for this rule is found in Sections 643 and 1043 of the New York City Charter and Section 28-112.1 of the New York City Administrative Code.

The Department provides a service when current or prospective applicants request a Borough Commissioner to issue a Determination interpreting certain provisions of the Zoning, Energy or Construction Codes. These requests may be made using either a Zoning Resolution Determination Form (ZRD1) or a Construction Code Determination Form (CCD1). Applicants may appeal a Borough Commissioner's Determinations to the Department's Technical Affairs Unit.

The proposed rule would add fees for processing Determinations filed with a Borough Commissioner's Office and appeals to the Technical Affairs Unit using either a ZRD1 or CCD1 Form. These fees will cover the administrative costs incurred by the Department in reviewing these requests and appeals. No fees will be charged for requests and appeals filed in connection with the construction or alteration of one-, two- or three-family dwellings or multiple dwellings that are financed entirely or in part by a grant or loan from the City of New York or the New York City Housing Development Corporation and at least 50 percent of whose dwelling units are affordable.

Pursuant to Section 1043(d)(4)(iii) of the New York City Charter, certification of this proposed rule pursuant to Local Law 46 of 2010 is not required.

New material is underlined.  
[Deleted material is in brackets.]

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

Section 101-03 of Title 1 of the Rules of the City of New York is amended by adding the following entries at the end of the table set forth in that section:

<p><u>CCD1 and ZRD1 Determinations</u></p> <ul style="list-style-type: none"> <li>• <u>Exception: No fee will be charged for proposed one-, two-, or three-family dwellings that will be owner occupied or for alterations to one-, two- or three-family dwellings that are owner occupied (excluding conversions of one-, two- or three-family dwellings to any structure other than a one-, two- or three-family dwelling).</u></li> <li>• <u>Exception: No fee will be charged for proposed buildings classified in occupancy group R-2, where at least 50 percent of the occupancy units are affordable to households whose income is less than 165 percent of the area median income for New York City, as determined by the United States department of housing and urban development or successor agency, which are financed entirely or in part by a grant or loan from the city of New York or the New York City housing development corporation, or for alterations to such buildings.</u></li> </ul>	<p><u>\$1,000 each</u></p>
<p><u>CCD1 and ZRD1 Appeals</u></p> <ul style="list-style-type: none"> <li>• <u>Exception: No fee will be charged for proposed one-, two-, or three-family dwellings that will be owner occupied or for alterations to one-, two- or three-family dwellings that are owner occupied (excluding conversions of one-, two- or three-family dwellings to any structure other than a one-, two- or three-family dwelling).</u></li> <li>• <u>Exception: No fee will be charged for proposed buildings classified in occupancy group R-2, where at least 50 percent of the occupancy units are affordable to households whose income is less than 165 percent of the area median income for New York City, as determined by the United States department of housing and urban development or successor agency, which are financed entirely or in part by a grant or loan from the city of New York or the New York City housing development corporation, or for alterations to such buildings.</u></li> </ul>	<p><u>\$2,500 each</u></p>

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**HEALTH AND MENTAL HYGIENE**

■ NOTICE

The Board of Health at its meeting on June 7, 2016, adopted the following Resolution, requiring that all owners of buildings and other premises take all necessary measures to prevent outbreaks of Zika viral disease. In order to ensure proper public notification, the Department of Health and Mental Hygiene is publishing this Resolution in accordance with §17-148 of the Administrative Code of the City of New York.

WHEREAS, Zika virus is an emerging threat to public health that is spreading widely through the Western Hemisphere primarily through the bite of infected *Aedes aegypti* mosquitos; and

WHEREAS, the *Aedes albopictus* mosquito is a related species of mosquito that is present in New York City and which may be able to transmit Zika virus and other diseases as described below; and

WHEREAS, the *Aedes albopictus* mosquito is known to lay its eggs in small amounts of water left standing in clogged gutters and debris or that has accumulated an been left standing on roofs; and

WHEREAS, Zika virus is associated with serious birth defects in infants of mothers who were infected while pregnant; and

WHEREAS, water accumulating containers or in garbage, waste, refuse or clogged gutters that have not been cleaned are breeding grounds for live adult mosquitos that are capable of transmitting Zika virus as well as other acute arboviral infections caused by West Nile virus, Chikungunyavirus and dengue virus to persons, thereby exposing persons in areas adjacent to such water to illness; and

WHEREAS, the Board of Health has taken and filed among its records reports that in buildings and other premises throughout the City there are containers holding water that are insufficiently or irregularly emptied which may serve as breeding places for the *Aedes albopictus* mosquito, a menace to public health capable of transmitting Zika virus and other diseases; and

WHEREAS, lots containing garbage, refuse or waste material in or on which water may collect constitute public nuisances in that they may serve as breeding places for the *Aedes albopictus* mosquito, a menace to public health capable of transmitting Zika virus and other diseases; and

WHEREAS, buildings with gutters that are clogged allowing water to collect or where water has been allowed to accumulate on rooftops constitute public nuisances in that they may serve as breeding places for the *Aedes albopictus* mosquito, a menace to public health capable of transmitting Zika virus and other diseases; and

WHEREAS, the presence of such mosquitos can be immediately dangerous to life and health; and

WHEREAS, at its March 15, 2016 meeting, the Board of Health took proof of the dangerousness of such mosquitos and regards the best way to prevent illnesses from mosquitos is to authorize the declaration that any accumulations of standing water that is not treated to prevent mosquito breeding, or the existence of conditions that may allow such water to accumulate, are in a condition and in effect immediately dangerous to human life and health and constitute a public nuisance; and

WHEREAS, immediate abatement of such nuisance conditions is necessary to prevent the replication of mosquito-borne viral organisms; and

WHEREAS, personal service or service pursuant to subdivisions a or b of §17-148 of the Administrative Code of the City of New York of orders requiring the abatement of such nuisances and conditions in effect dangerous to life and health upon each of the persons who, pursuant to the provisions of Title 17 of the Administrative Code of the City of New York, has a duty or liability to abate such nuisances and conditions, would result in a delay prejudicial to the public health, welfare, and safety.

IT IS THEREFORE RESOLVED, that the Board of Health hereby declares that premises where standing water has or can accumulate are in a condition and in effect immediately dangerous to life and health and constitute a public nuisance; and be it further

RESOLVED, that the Board of Health hereby declares that such nuisances are widespread throughout the City; and be it further

RESOLVED, that all persons who, pursuant to the provisions of Title 17 of the Administrative Code of the City of New York and such other chapters, titles, sections, laws or rules as are applicable thereto, have the duty or liability to abate such nuisances and conditions in effect dangerous to life and health, are hereby ordered to abate such nuisances and conditions in effect dangerous to life and health by removing accumulations of standing water and adopting maintenance programs and plans for cleaning containers, disposing of such water accumulations, and preventing further water accumulation; and be it further

RESOLVED, that in the event that such persons or any of them shall fail to comply with this order within five days after service thereof pursuant to §17-148 of the Administrative Code of the City of New York, the Department of Health and Mental Hygiene is hereby authorized and directed to take all necessary steps to forthwith secure the abatement of said nuisances and conditions in effect dangerous to life and health; and

IT IS FURTHER RESOLVED, that this resolution shall be published in the *City Record* and at least one other newspaper for three days, and be effective in accordance with §17-148 of the Administrative Code of the City of New York, immediately after the third day of its publication.

(As adopted by the Board of Health on June 7, 2016)

A TRUE COPY  
ROSLYN WINDHOLZ  
Secretary to the Board of Health

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**TAXI AND LIMOUSINE COMMISSION**

■ NOTICE

**Notice of Public Hearing and Opportunity to Comment on Proposed Rules**

**What are we proposing?** The Taxi and Limousine Commission is considering changing its rules. The changes would amend the TLC Rules to create a new Chapter that governs the new TLC Driver's License, update TLC's penalties generally and amend the procedures regarding the seizure and forfeiture of vehicles for unlicensed for-hire activity.

**When and where is the hearing?** The Commission will hold a public hearing on the proposed rules. The public hearing will take place

at 10:00 a.m. on July 18, 2016. The hearing will be in the hearing room at 33 Beaver Street – 19<sup>th</sup> Floor, New York, NY 10004.

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

- **Mail.** You can mail written comments to the Taxi and Limousine Commission, Office of Legal Affairs, 33 Beaver Street – 22<sup>nd</sup> Floor, New York, NY 10004.
- **Fax.** You can fax written comments to the Taxi and Limousine Commission, Office of Legal Affairs, at 212-676-1102.
- **Email.** You can email written comments to [tlcrules@tlc.nyc.gov](mailto:tlcrules@tlc.nyc.gov).
- **Website.** You can submit comments to the Taxi and Limousine Commission through the NYC rules website at [www.nyc.gov/nycrules](http://www.nyc.gov/nycrules).
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling 212-676-1135. You can also sign up in the hearing room before the hearing begins on July 18, 2016. You can speak for up to three minutes.

**Is there a deadline to submit written comments?** Yes, you must submit written comments by July 17, 2016.

**Do you need assistance to participate in the Hearing?** You must tell the Office of Legal Affairs if you need a reasonable accommodation of a disability at the Hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at 212-676-1135. You must tell us by July 14, 2016.

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

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

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

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

**Statement of Basis and Purpose of Rule**

**Rules Implementing Universal Driver License Provisions of Local Law**

Local Law 51 of 2016, which was signed into law on April 21, 2016 by Mayor de Blasio, amends New York City's Administrative Code to require changes to the types of licenses that the Taxi & Limousine Commission (TLC) issues. Currently, the City offers separate drivers' licenses for yellow medallion taxi drivers, street hail liveries, and for-hire vehicle (FHV) drivers. Local Law 51 calls for TLC to create a new license that authorizes holders to operate both Taxicabs and FHVs. The new license will be called a TLC Driver's License.

Local Law 51 of 2016 also requires the conversion of all existing Taxicab Operator and For-Hire Vehicle Operator licenses to TLC Driver's Licenses. Once the law takes effect, any driver licensed to operate a FHV may also operate a Taxicab, and vice-versa.

The proposed rule will provide greater flexibility for drivers, and will ensure that more drivers are available to work with different transportation providers. This will create unprecedented opportunity for both drivers and businesses, as they may each choose more freely across the for-hire transportation industries, apps, hail services, business models and vehicle types that have made the New York City for-hire community so dynamic and have given passengers a diversity of transportation options.

Holders of TLC Driver's Licenses will be held to similar standards and monitoring as those currently in place for taxi and for-hire vehicle drivers, including:

- Fingerprint-enabled criminal background checks prior to licensure and ongoing criminal record monitoring.
- DMV driving record checks prior to licensure and ongoing monitoring of these records. Through TLC's existing Critical Driver Program, which holds TLC-licensed drivers to high professional safety standards, ongoing monitoring of drivers' records can result in license suspensions and revocations for drivers with repeat or serious traffic violation convictions.
- Drug Testing prior to licensure and on an annual basis.



- Required TLC Education prior to licensure and on an ongoing basis, including:
  - o Traffic safety and Vision Zero, including topics such as dangerous driving behaviors (e.g., distracted driving, speeding, fatigued driving), and sharing the road with pedestrians, cyclists, and other drivers.
  - o Defensive driving.
  - o Hands-on training for serving passengers with disabilities.
  - o New York City geography.
  - o TLC consumer protection rules such as:
    - Fare rates, rate quotes,
    - Proper operation of taximeters and other in-taxi equipment;
    - Rules surrounding prearranged pick-ups by for-hire vehicles;
    - Rules prohibiting service refusals;
    - Rules concerning service animals;
    - Customer service and courtesy; and
    - Procedures for returning lost property.
  - o TLC provides its comprehensive pre-licensure course and exam in multiple languages so applicants may learn these important basic requirements in the languages they know best. The course will also include a supplemental component on English language vocabulary and phrases most helpful to drivers so they can provide high-quality customer service to passengers on a daily basis. TLC and the Mayor's Office of Immigrant Affairs (MOIA), which has extensive experience providing resources for New Yorkers whose first language is not English, are working together to develop education options that would best ensure drivers receive these important language skills.

This rule package will also address the transitional logistics that will ensure that the new license type mandated by Local Law is governed by a corresponding Agency rule chapter that is effective on the date that those new licenses are activated.

Finally, the proposed rules will streamline the enforcement process to reflect this new license. Any summonses involving the new license will be subject to the due process requirements specified in the rules of the TLC and the Office of Administrative Trials and Hearings.

#### Penalty Revisions

As the regulator of taxi and for-hire transportation, TLC periodically reviews penalties to ensure penalties are set to adequately discourage the prohibited conduct without imposing unnecessary burdens on licensees. Changes to existing penalties were reached after review by the Commission's legal, policy and prosecution divisions, as well as outreach conducted with industry stakeholders.

The proposed rule package also includes additional related amendments identified during the review and outreach:

- Revising TLC rules to replace the word "accident" with "collision" to make the TLC rules consistent with the Mayor's Vision Zero initiative;
- Removing those rules concerning off duty lights, which Taxicab Owners were required to remove on the Off Duty Change Date;
- Clarifying the Paratransit Drivers and Commuter Van Drivers rules in regards to Critical Driver point reduction;
- Eliminate the requirement that owners of taxicabs, for-hire vehicles and street hail vehicles who have been issued a summons for a defect in their vehicle present a Certificate of Correction to the hearing officer who is adjudicating the summons;
- Specifying in the Medallion Taxicab Service rules that TLC will post a list of Licensed Drivers and Vehicles on its website;
- Clarifying Taxicab Driver obligations with respect to TPEP and taximeters;
- Removing from the Medallion Taxicab Service and For Hire Service rules the requirement that Vehicles must be operated with the TLC Driver's License displayed. Owners are already required to ensure all Drivers are properly Licensed; however, the display of such license inside a Vehicle is a Driver responsibility;
- Clarifying which penalties are discretionary as opposed to mandatory; and
- Revising TLC rules to use "TPEP" in place of "T-PEP" when referencing the Taxicab Technology System.

#### Procedural Revisions

The proposed rule will amend the procedures regarding the seizure and forfeiture of vehicles for unlicensed for-hire activity so that they are consistent with current law. The amendment will further streamline post-seizure procedures by combining a hearing on the summons underlying the seizure with a hearing regarding retention of

the seized vehicle pending forfeiture.

These rule amendments are authorized by Section 2303 of the New York Charter and Section 19-503 of the Administrative Code.

New material is underlined.

[Deleted material is in brackets.]

Section 1. Chapter 54 of Title 35 of the Rules of the City of New York, relating to drivers of taxicabs and street hail liveries, is REPEALED.

Section 2. Chapter 55 of Title 35 of the Rules of the City of New York, relating to for-hire drivers, is REPEALED.

Section 3. Subdivision (b) of section 51-01 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (b) Most defined terms appear in this Chapter. For ease of reference, certain defined terms may also appear in the "Definitions Applicable to this Chapter" section of Chapters in which the terms are most relevant. Certain general terms (Driver, License, Owner, for example) will have a more specific meaning in individual Chapters [(so, Driver in the Chapters governing Taxicabs and their Drivers will mean a Taxicab Driver)]. In some cases, a defined term in a Chapter can have a meaning different from that in this Chapter (for example, a Broker in Chapter 65 is different). Those different definitions will appear in the relevant Chapters.

Section 4. The following definitions set forth in section 51-03 of Title 35 of the Rules of the City of New York are amended, and a new definition is added, to read as follows:

...

**Automatic Vehicle Location System or AVL** refers to an electronic device incorporated into a Taxicab Technology System ([T-PEP] TPEP) or Street Hail Livery Technology System (LPEP) that accurately determines the geographic location, direction and positioning of a Taxicab or Street Hail Livery and records and transmits such information. An AVL may include, but is not limited to, a global positioning system (GPS). An AVL shall not be capable of being used as an Electronic Communications Device.

...

**Authorized [T-PEP] TPEP Provider** is an individual or Business Entity authorized by the Commission, pursuant to Chapter 75 of these Rules, to sell, lease, make available for use, install, service, and repair Taxicab Technology Systems in Medallion Taxicabs.

...

**Collision** is a traffic incident involving the impact of a vehicle with another vehicle, person, animal or property.

...

**Core Services.** The core services provided by a Taxicab Technology System ([T-PEP] TPEP) or Street Hail Livery Technology System (LPEP) as set forth in the definition thereof and as more fully described in §75-25 and §83-31 of these Rules.

...

**Discretionary Revocation** is the imposition of the penalty of revocation when a Rule does not specify that revocation *must* be imposed (for example, when "revocation" follows "or" or "and/or" in a penalty box); Discretionary Revocation can be sought by the Chairperson for any Rule violation, if the Chairperson determines that the continued licensure of the Respondent presents a threat to public health, safety, or welfare.

...

**Fit to Hold a License or Fit to be an Authorized [T-PEP] TPEP Provider** means

- The Applicant, Authorized [T-PEP] TPEP Provider, or Licensee meets and will continue to meet all of the qualifications for the License or Authorization sought or held as established by applicable Rules and laws.
- The Applicant, Authorized [T-PEP] TPEP Provider, or Licensee is of good moral character.
- The Applicant, Authorized [T-PEP] TPEP Provider, or Licensee has been and will be candid and forthcoming with the Commission and honest in dealing with the public. 10
- The Applicant, Authorized [T-PEP] TPEP Provider, or Licensee has reliably complied with and will reliably comply with all of the rules and laws associated with holding the particular TLC License or Authorization.
- Where an Applicant has engaged in conduct that resulted or could have resulted in the suspension or revocation of a TLC License or Authorization, the Applicant shows that he or she will not engage in similar conduct in the future.

Hardware. Equipment or machinery, together with all associated components, media, firmware and other embedded software and instructions provided, operated or maintained in connection with the functioning of a Taxicab Technology System ([T-PEP] TPEP) or Street Hail Livery Technology System (LPEP).

Issuing Jurisdiction is a county within New York State [contiguous to New York City] and covered by and compliant with section 498 of the New York Vehicle and Traffic Law 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.

Long-Haul, as used at certain transportation terminals, means that Taxicabs in the Feed Line designated as a "long-haul" line must only except customers who are requesting trips] is a trip that begins at certain transportation terminals and is of at least a certain distance or time.

Passenger Information Monitor or PIM. The interactive, audio-visual device that is a component of the Taxicab Technology System ([T-PEP] TPEP) and Street Hail Livery Technology System (LPEP) and that has the features described in §75- 25(d) or §83-31 (d)(3) of these Rules.

Personal Use—Off Duty is the designation made when a Driver is no longer operating the Taxicab or Street Hail Livery for hire.

[Qualified Jurisdiction is an Issuing Jurisdiction that meets the requirements for reciprocity described in section 498 of the NYS Vehicle and Traffic Law.]

Short Haul, as used at certain transportation terminals, means the Taxicabs in the Feed Line designated as a "Short Haul" line must only accept customers who are requesting trips] is a trip that begins at certain transportation terminals and is less than of less than a certain distance or time.

Street Hail Livery Driver is a Driver who is authorized to drive a Street Hail Livery as set forth in Chapter [54] 80 of these Rules.

[Taxicab] TLC Driver's License means the authority granted by the Commission to an individual to drive a Taxicab, For-Hire Vehicle or Street Hail Livery in the City of New York [and includes the authority to drive a Street Hail Livery].

Taxicab Technology Service Provider (or [T-PEP] TPEP Provider) means a vendor who has been authorized by the Commission to install and maintain the Taxicab Technology System in Taxicabs.

Taxicab Technology System (or [T-PEP] TPEP) is an integrated system of Hardware and Software that complies with the technical requirements set forth in §75-25 of these Rules and provides the following core services to Taxicabs:

- (1) Credit, debit and prepaid card payment;
- (2) Text messaging;
- (3) Trip data collection and transmission;
- (4) Data transmission by means of the passenger information monitor; and
- (5) Automatic Vehicle Location System and location services.

Section 5. Subdivision (a) of section 52-03 of Title 35 of the Rules of the City of New York is amended to read as follows:

(a) Issuance of Licenses. The TLC has the power to issue and regulate Licenses or Authorizations that include, but need not be limited to the following:

- (1) [Medallion Taxicab Driver] TLC Driver's License
- (2) Medallion Taxicab Owner's License
- (3) Stand-by Taxicab Vehicle License
- (4) Medallion Taxicab Broker License
- (5) Medallion Taxicab Agent License
- (6) Taximeter Business License
- (7) Taximeter Manufacturers Authorization
- (8) For-Hire Vehicle Base License
- (9) [For-Hire Vehicle Driver License
- (10)] For-Hire Vehicle License
- (11)10) Paratransit Base License
- (12)11) Paratransit Driver License
- (13)12) Paratransit Vehicle License
- (14)13) Commuter Van Service Authorization
- (15)14) Commuter Van Driver License
- (16)15) Commuter Van Vehicle License

Section 6. Subdivision (b) of section 53-04 of Title 35 of the Rules of the City of New York is amended to read as follows:

(b) [Taxicab] Driver must have Valid TLC Driver's License and be an Approved Driver. An Accessible [Taxicab] Vehicle can be driven only by an Approved Driver who holds a Valid [Taxicab] TLC Driver's License and who has successfully completed Wheelchair Passenger Assistance Training.

Section 7. Subdivision (a) of section 53-08 of Title 35 of the Rules of the City of New York is amended to read as follows:

(a) *Driver MUST Accept Dispatch.*

- (1) While operating an Accessible Taxicab, an Approved Driver must accept a dispatch from the Accessible Taxi Dispatcher.
- (2) An Approved Driver who refuses to accept a dispatch has refused to provide service and will be subject to Mandatory Penalties for a refusal under sections [54-02(e)] 80-03(e) and [54-20(a)] 80-18(a) of these Rules.
- (3) An Approved Driver who does not turn on his or her dispatch equipment will be subject to Mandatory Penalties for a refusal under sections [54-02(e)] 80-03(e) and [54-20(a)] 80-18(a) of these Rules.

§53-08(a)	Fine: Mandatory Penalties as set forth in §[54-02(e)] <u>80-03(e)</u> of these Rules	Appearance Required
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Section 8. The penalty provision of paragraph (1) of subdivision (b) of section 53-09 of Title 35 of the Rules of the City of New York is amended to read as follows:

§53-09(b)(1)	Fine: \$100, in addition to any Mandatory Penalties required under section §[54-17(a)] <u>80-15(a)</u> of these Rules	Appearance Required
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Section 9. Subparagraph (iv) of paragraph (1) of subdivision (c) of section 56-08 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (iv) Any act, as prohibited by these Rules, resulting in the revocation of a prior License, unless the prior License was revoked pursuant to the mandatory penalties set forth in §[54-02(e)] 80-03(e) of these Rules.

...

Section 10. Subparagraph (i) of paragraph (2) of subdivision (c) of section 56-08 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (i) More than three traffic [accidents] Collisions within a single year. The one-year ban will be counted from the date of the last [accident] Collision.

Section 11. Paragraph (3) of subdivision (a) of section 56-13 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (3) Laws, rules or regulations governing moving vehicles that involve hazardous moving violations, defined as follows:
  - speeding;
  - failing to stop for school bus;
  - following too closely (tailgating);
  - inadequate brakes, either your own vehicle or your employer's vehicle;
  - failing to yield right of way;
  - traffic signal violation;
  - stop sign violation;
  - yield sign violation;
  - railroad crossing violation;
  - improper passing;
  - unsafe lane change;
  - driving left of center;
  - driving in wrong direction; and[,]
  - leaving scene of [an accident] a Collision involving property damage or injury to animal.

Section 12. Paragraph (3) of subdivision (b) of section 56-13 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (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] Collision, 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.

Section 13. Paragraph (7) of subdivision (b) of section 56-13 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (7) *Point Reduction for Voluntary Course Completion.*
  - (i) Before suspending or revoking a Driver's License, the Commission will, for purposes of the Critical Driver's Program, deduct three points from the total points that appear on the Licensee's driving record maintained by the DMV, or equivalent licensing agency of the state which issued such license, of any Licensee who voluntarily attends and satisfactorily completes a Defensive Driving Course. Such point reduction will count only towards points accumulated by the Licensee as a result of the conviction for violations that occurred within 15 months prior to the date of the completion of the course; counting from the date of conviction. In order for the Defensive Driving Course to reduce the Licensee's Critical Driver Program points, the course must be satisfactorily completed prior to the adjudication of the Critical Driver summons. Completion of the Defensive Driving Course after the [issuance] adjudication of a [critical driver program] Critical Driver Program summons will reduce the Licensee's Critical Driver's Program points only after the Licensee completes his or her suspension. If the Licensee's driver's license was issued by a state other than New York, the Licensee must submit a recent driving abstract from the state of licensure.
  - (ii) The Driver must furnish the Commission with proof [that] 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, the point reduction will not change the Commission's decision.
  - (iv) The Commission will not reduce the total points of any Driver more than once in any 18-month period.

Section 14. Paragraph (1) of subdivision (c) of section 56-14 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (1) A Driver who knows or should have known that a [traffic accident] Collision involving the Driver's Paratransit Vehicle resulted in personal injury to another or damage to another's property, must stop before leaving the scene of the [accident] Collision, and if the other involved party is present, must:

...

Section 15. Paragraph (2) of subdivision (c) of section 56-14 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (2) *Notify Paratransit Vehicle Owner of [Accident] Collision.* If the Driver is involved in a [traffic accident] Collision, the Driver must immediately report the [accident] Collision to the owner of the Paratransit Vehicle and to the affiliated Base.

Section 16. Subdivision (h) of section 56-14 of Title 35 of the Rules of the City of New York is amended to read as follows:

(h) *[Accident] Collision Notification.*

- (1) A Driver must immediately notify the Vehicle owner if the Driver and the Paratransit Vehicle are involved in [an accident] a Collision.
- (2) A Driver must immediately notify his or her employer of any traffic infraction, [accident] Collision or conviction as required in section 509-i of Article 19A of the New York State Vehicle and Traffic Law.

Section 17. Subdivisions (b) and (c) of section 56-27 of Title 35 of the Rules of the City of New York are amended to read as follows:

(b) *Must Comply with Chapter [54] 80.* The holder of a Valid Paratransit Driver's License must comply with all requirements for operation of an Accessible Street Hail Livery as set forth in Chapter [54] 80 of these Rules while operating an Accessible Street Hail Livery. A Driver operating an Accessible Street Hail Livery can be found liable for violating the requirements of Chapter [54] 80.

(c) *Special Penalty Programs.*

Any points accumulated under Chapter [54] 80 by a Paratransit Driver while operating an Accessible Street Hail Livery will count towards and be applied to the Driver's Paratransit Driver's License as specified in

- (1) Section 56-13(b) of this Chapter if the points are Critical Driver program points assessed by the Department of Motor Vehicles or
- (2) Section [54-27(b)] 80-27(b) of these Rules if the points are Persistent Violator Program points assessed by the Commission upon a violation of the Commission's Rules,

and the Driver may incur the penalties specified as a result. A Paratransit Driver's License can be suspended or revoked as provided in section [54-27] 80-27 of these Rules as if it were a [Taxicab] TLC Driver's License.

Section 18. Subparagraph (iv) of paragraph (1) of subdivision (c) of section 57-08 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (iv) Any act, as prohibited by these Rules, resulting in the revocation of a prior License, unless the prior License was revoked pursuant to the mandatory penalties set forth in §[54-02(e)] 80-03(e) of these Rules.

Section 19. Subparagraph (i) of paragraph (2) of subdivision (c) of section 57-08 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (i) More than three [traffic accidents] Collisions within a single year. The one-year ban will be counted from the date of the last [accident] Collision. The traffic infraction of unlicensed operation of a motor vehicle,

Section 20. Subdivision (a) of section 57-12 of Title 35 of the Rules of the City of New York is amended to read as follows:

(1) *Must Not Offer Bribe.*

- [(i)] A Driver or any person acting as his representative must not offer or give any gift, gratuity or thing of value to any member, employee, or representative of the Commission or any public servant who is charged with the administration or enforcement of this chapter or any traffic rule or law.
- [(ii)] Violations of this subdivision will be referred to the New York City Office of Administrative Trials and Hearings.]

§57-12(a)(1)	Fine: \$10,000 and revocation	Appearance [before OATH] REQUIRED
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(2) *Report Request for Bribe.*

- [(i)] A Commuter Van Driver must immediately report to the Commission and to the New York City Department of Investigation any request or demand for a gift, gratuity or thing of value by any employee, representative or member of the Commission or any public servant who is charged with the administration or enforcement of this chapter or any traffic rule or law.
- [(ii)] Violations of this subdivision will be referred to the New York City Office of Administrative Trials and Hearings.]

§57-12(a)(2)	Fine: \$1,000 and/or suspension up to 30 days or revocation	Appearance [before OATH] REQUIRED
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Section 21. Paragraph (3) of subdivision (a) of section 57-13 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (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] Collision, 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.

Section 22. Paragraph (7) of subdivision (a) of section 57-13 of Title 35 of the Rules of the City of New York is amended to read as follows:

(7) *Point Reduction for Voluntary Course Completion.*

- (i) Before suspending or revoking a Driver's License, the Commission will, for purposes of the Critical Driver's Program, deduct three points from the total points that appear on the Licensee's driving record maintained by the DMV, or equivalent licensing agency of the state which issued such license, of any [Driver] Licensee who voluntarily attends and satisfactorily completes a Defensive Driving Course. Such point reduction will count only towards points accumulated by the Licensee as a result of the conviction for violations that occurred within 15 months prior to the date of the completion of the course, counting from the date of conviction. In order for the Defensive Driving Course to reduce the Licensee's Critical Driver Program points, the course must be satisfactorily completed prior to the adjudication of the Critical Driver summons. Completion of the Defensive Driving Course after the [issuance] adjudication of a [critical driver program] Critical Driver Program summons will reduce the Licensee's Critical Driver's Program points only after the Licensee completes his or her suspension. If the Licensee's driver's license was issued by a state other than New York, the Licensee must submit a recent driving abstract from the state of licensure.

- (ii) The Driver must furnish the Commission with proof [that] 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, the point reduction will not change the Commission's decision.
- (iv) The Commission will not reduce the total points of any Driver more than once in any 18-month period.

Section 23. Paragraph (3) of subdivision (c) of section 57-13 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (3) Laws, rules or regulations governing moving vehicles that involve hazardous moving violations, defined as follows:
  - speeding;
  - failing to stop for school bus;
  - following too closely (tailgating);
  - inadequate brakes, either your own vehicle or your employer's vehicle;
  - failing to yield right of way; traffic signal violation; stop sign violation;
  - yield sign violation; railroad crossing violation; improper passing;
  - unsafe lane change; driving left of center; driving in wrong direction; and[,] leaving scene of [an accident] a Collision involving property damage or injury to animal.

Section 24. Paragraph (1) of subdivision (c) of section 57-14 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (1) *Report Before Leaving Scene.* A Driver who knows or should have known that a [traffic accident] Collision involving the Driver's Commuter Van resulted in personal injury to another or damage to another's property, must stop before leaving the scene of the [accident] Collision, and if the other involved party is present, must:

Section 25. Paragraph (2) of subdivision (c) of section 57-14 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (2) *Notify Commuter Van Service of [Accident] Collision.* If the Driver is involved in a [traffic accident] Collision, the Driver must immediately report the [accident] Collision to the owner of the Commuter Van Service.

Section 26. The penalty provision of subdivision (b) of section 58-11 of Title 35 of the Rules of the City of New York is amended to read as follows:

§58-11(b)	Fine: [Notice to correct within 10 days. Failure to comply:] \$200 and suspension until compliance	Appearance REQUIRED
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Section 27. The penalty provision of subdivision (f) of section 58-11 of Title 35 of the Rules of the City of New York is amended to read as follows:

§58-11(f)	Fine: [Notice to correct within 10 days. Failure to comply:] \$200 and suspension until compliance	Appearance REQUIRED
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Section 28. Subdivision (a) of section 58-12 of Title 35 of the Rules of the City of New York is amended to read as follows:

(a) *No Unlicensed Taxicabs.*

- (1) An Owner must ensure that all of Owner's Taxicabs in operation for hire are Validly licensed by the Commission and have a Valid Medallion attached to the vehicle.
- (2) The Commission will post on its website a list of Validly licensed Taxicabs and Medallions.

Section 29. Subdivisions (c) and (d) of section 58-12 of Title 35 of the Rules of the City of New York are amended to read as follows:

(c) *No Unregistered Vehicles.*

- (1) An Owner must ensure that all of Owner's Taxicabs are operated only while the registration of the vehicle remains Valid.
- (2) Operating a vehicle without a Valid registration will be considered the same as operating without a Valid [Taxicab] TLC Driver's License. The License of an Owner who operates a vehicle without a valid registration will be summarily suspended.

(d) *No Unlicensed Drivers.*

- (1) No Taxicab can be operated for hire unless the driver has in his or her possession a Valid [Taxicab] TLC Driver's License.

§58-12(d)(1)	Fine: \$400 and/or suspension up to 30 days	Appearance REQUIRED
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- (2) *Exceptions.* An Owner can permit a person who does not possess a [Taxicab] TLC Driver's License to drive the vehicle only when all of the following limited circumstances are met:

- (i) [Before the Off Duty Change Date.
  - A. The vehicle is being driven to or from the Commission's centralized Taxicab inspection facility or a repair facility;
  - B. The off-duty light is illuminated;
  - C. A current Trip Record (written or electronically printed out) is in the Taxicab, indicating the vehicle is "Off-Duty" and why;
  - D. The rear doors are locked;
  - E. The person driving the vehicle is licensed to drive a motor vehicle;
  - F. The person driving the vehicle is not a person whose Taxicab Driver's License is suspended or revoked.
- (ii) After the Off Duty Change Date
  - A.] The vehicle is being driven to or from the Commission's centralized Taxicab inspection facility or a repair facility;
- [B.](ii) The driver has entered the appropriate off duty code in [T-PEP] TPEP;

- [C.](iii) A current Trip Record (written or electronically printed out) is in the Taxicab, indicating the vehicle is "Off-Duty" and why;
- [D.](iv) The rear doors are locked; and
- [E.](v) The person driving the vehicle is licensed to drive a motor vehicle[;
- F. The person driving the vehicle is not a person whose Taxicab TLC Driver's License is suspended or revoked].

§58-12(d)(2)	Fine: \$400 and/or suspension up to 30 days	Appearance REQUIRED
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(3) The Commission will post on its website a list of Drivers holding Valid TLC Driver's Licenses.

Section 30. Subdivision (e) of section 58-13 of Title 35 of the Rules of the City of New York is amended to read as follows:

(e) *Report of [Accidents] Collisions.*

(1) *Report to Insurance Carrier.* Any [accident] Collision involving one (or more) of Owner's Taxicabs that is required to be reported to the insurance carrier must be immediately reported to the carrier by the Owner, in writing.

§58-13(e)(1)	Fine: \$500-\$1,000	Appearance REQUIRED
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(2) *Report to Commission.*

- (i) An Owner must immediately report to the Commission in writing all [accidents] Collisions that are required to be reported to the Department of Motor Vehicles (as required by §605 of the Vehicle and Traffic Law) that involve any of Owner's Taxicabs.
- (ii) An Owner must also provide to the Commission a copy of any legally required report filed with the NYS Department of Motor Vehicles, within 10 days of the date the report is due to be filed with the Department of Motor Vehicles.

§58-13(e)(2)	Fine: \$150 and \$25 for each day of violation thereafter and suspension until compliance	Appearance REQUIRED
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Section 31. Subdivision (a) of section 58-21 of Title 35 of the Rules of the City of New York is amended to read as follows:

(a) An Owner can lease a Taxicab (or a Medallion-only) to a Licensed [Taxicab] Driver, or to Licensed Drivers working different shifts or days if the Owner complies with the provision of this section.

Section 32. Subdivision (a) of section 58-22 of Title 35 of the Rules of the City of New York is amended to read as follows:

(a) *Record of Passenger Trip Information.* The Trip Record is the record of all data collected from every for hire trip made by a Taxicab and must include the following information:

- (1) The Taxicab Medallion number
- (2) The [Taxicab] TLC Driver's License number

Section 33. Subdivision (b) of section 58-24 of Title 35 of the Rules of the City of New York is amended to read as follows:

(b) *Fleet or Minifleet Owner Records.* A fleet or minifleet Owner must maintain for a period of three years a written record of every shift providing the following information for each Taxicab:

- (1) Driver's name,
- (2) [Taxicab] TLC Driver's License number,

Section 34. Paragraphs (3) and (4) of subdivision (g) of section 58-26 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (3) A Driver who charges a passenger *more* than the actual amount of the *EZ-Pass*® toll is guilty of an overcharge as prohibited by §[54-17] 80-17 of the [Taxicab] TLC Drivers chapter.
- (4) A Driver who fails to reimburse an *EZ-Pass*® tag holder for all toll charges incurred, including toll charges for which there is no passenger reimbursement, will be subject to the provisions of §[54-15(f)(4)] 80-15(f)(4) of the [Taxicab] TLC Drivers chapter.

Section 35. Paragraph (2) of subdivision (g) of section 58-31 of Title 35 of the Rules of the City of New York is amended to read as follows:

(2) The [Taxicab] TLC Driver's License

§58-31(g)(2)	Fine: \$200 [Notice to correct within 10 Days]	Appearance REQUIRED
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Section 36. The penalty provision of paragraph (3) of subdivision (g) of section 58-31 of Title 35 of the Rules of the City of New York is amended to read as follows:

§58-31(g)(3)	Fine: \$200 [Notice to correct within 10 Days]	Appearance REQUIRED
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Section 37. The penalty provision of subdivision (b) of section 58-32 of Title 35 of the Rules of the City of New York is amended to read as follows:

§58-32(b)(1)-(3)	Fine: [Notice to correct within 10 days; failure to comply:] \$200	Appearance REQUIRED
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Section 38. The penalty provision of subdivision (e) of section 58-32 of Title 35 of the Rules of the City of New York is amended to read as follows:

§58-32(e)	Fine: [Notice to correct within 10 days Failure to comply:] \$200	Appearance REQUIRED
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Section 39. The penalty provision of subdivision (h) of section 58-32 of Title 35 of the Rules of the City of New York is amended to read as follows:

§58-32(h)	Fine: [Notice to correct within 10 days Failure to comply:] \$200	Appearance REQUIRED
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Section 40. Subdivision (a) of section 58-33 of Title 35 of the Rules of the City of New York is amended to read as follows:

(a) The following must be present in the Taxicab while it is in operation for hire:

- (1) [The Taxicab Driver's License, in the Driver's License frame
- (2)] The Rate Card, in the Driver's License frame
- [(3)](2) An insurance card or photocopy, unless the Owner is self-insured and has noted this fact on the Rate Card along with any other information required by the Commission

[(4)](3) All other notices required to be posted in the Taxicab

§58-33(a)(1)-(4) (3)	Fine: \$25 for each [(1) – (4)] not in vehicle, not to exceed \$75 in the aggregate	Appearance NOT REQUIRED
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[(5)](4) A means of collecting and recording all of the Trip Sheet data.

Section 41. The penalty provision of subdivision (c) of section 58-34 of Title 35 of the Rules of the City of New York is amended to read as follows:

§58-34(c)	Fine: \$50 [per day except that where the system is installed and malfunctioning, a notice to correct within ten days must be issued]	Appearance REQUIRED
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Section 42. The penalty provision of subdivision (e) of section 58-34 of Title 35 of the Rules of the City of New York is amended to read as follows:

§58-34(e)(1-4)	Fine: \$200 [and a 10-day Notice to Correct. If the 10-day Notice to Correct is not complied with, Suspension until the condition is corrected]	Appearance NOT REQUIRED
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Section 43. Paragraph (1) of subdivision (g) of section 58-34 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (1) A Taxicab may be equipped with or the Driver may utilize a device with an E-Hail Application installed. A Driver's use of an E-Hail Application is subject to the requirements of subdivision [54-14(e)] 80-14(e) of these Rules except that a Driver may accept an E-Hail request with a single touch using pre-programmed buttons or using voice activation while the vehicle is in motion. Use of such device by a Driver is optional and an Owner cannot require a Driver to use an E-Hail Application. A Driver may use no more than one electronic device with an E-Hail Application, separate from the Driver Information Monitor supplied as part of the TPEP and/or a device provided for the Accessible Dispatch program.

Section 44. Subparagraph (i) of paragraph (2) of subdivision (c) of section 58-39 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (i) Clearly warning Drivers that if they violate the Taximeter or T-PEP tampering rules, Owner will:
- A. Immediately terminate any lease agreement Owner has with the Driver; and
  - B. Report the tampering violation to the Commission, which will result in the probable revocation of their [Taxicab] TLC Driver's License;

Section 45. Subdivision (b) of section 58-46 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (b) *Clear All Open Items.* All open items against the Medallion Owner/Transferor (including any Business Entity Person of the Owner) must be cleared, including but not limited to summons issued by the Commission, outstanding fines and penalties owed to the Commission or the Parking Violations Bureau (or their successors), incomplete License renewal requirements, and violations against the [Taxicab] TLC Driver's License.

Section 46. Subdivision (h) of section 59A-03 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (h) *Issuing Jurisdiction* is a county within New York State [contiguous to New York City] and covered by Article 17-B, Section 498 of the New York Vehicle and Traffic Law 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.

Section 47. Subparagraph (iii) of paragraph (3) of subdivision (a) of section 59A-05 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (iii) Meets the requirements of Chapter §[55-21] 80-21 of these Rules.

Section 48. The penalty provision of paragraph (6) of subdivision (a) of section 59A-05 of Title 35 of the Rules of the City of New York is amended to read as follows:

§59A-05(a)(6)	Fine: [Notice to Correct within 10 Days] \$100	Appearance NOT REQUIRED
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Section 49. Subdivisions (b) and (c) of section 59A-11 of Title 35 of the Rules of the City of New York are amended to read as follows:

(b) *Valid [For-Hire] TLC 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] TLC Driver's License.
- (2) The Commission will post on its website a list of Drivers holding Valid [For-Hire] TLC Driver's Licenses.

§59A-11(b)	Vehicle Fine: \$350 Penalty Points: 1	Appearance NOT REQUIRED
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(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] Driver dispatched in one of Owner's Vehicles.

§59A-11(c)	Vehicle Fine: \$100 Penalty Points: 1	Appearance NOT REQUIRED
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Section 50. Subdivision (d) of section 59A-12 of Title 35 of the Rules of the City of New York is amended to read as follows:

(d) *Report of [Accidents] Collisions 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] Collisions that are required to be reported to the insurance carrier involving Owner's For-Hire Vehicle(s).

§59A-12(d)(1)	Fine: \$500-\$1,000	Appearance REQUIRED
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(2) *Report to Commission.*

- (i) A For-Hire Vehicle Owner must immediately report in writing to the Commission all [accidents] Collisions 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.

§59A-12(d)(2)	Fine: \$150 and \$25 for each day of violation thereafter and suspension until compliance	Appearance REQUIRED
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Section 51. The penalty provision of subdivision (d) of section 59A-27 of Title 35 of the Rules of the City of New York is amended to read as follows:

§59A-27(d)	Fine: \$50 [per day until information is supplied] and suspension until the defective condition is corrected	Appearance REQUIRED
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Section 52. Paragraphs (2) and (3) of subdivision (a) of section 59A-30 of Title 35 of the Rules of the City of New York are amended to read as follows:

- (2) [In a A protective holder to display the TLC Driver's License 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 the [For-Hire Vehicle] TLC Driver's License,
- [B. The For-Hire Vehicle License]
- (ii) [Those items] The TLC Driver's License 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.

Section 53. Subdivisions (c) and (d) of section 59B-11 of Title 35 of the Rules of the City of New York are amended to read as follows:

(c) *Valid [For-Hire] TLC Driver's License Required.*

- (1) A Base Owner must not dispatch any Vehicle unless its driver possesses a Valid [For-Hire] TLC Driver's License.
- (2) The Commission will post on its Web site a list of Drivers holding Valid [For-Hire] TLC Drivers' Licenses.
- (3) In addition to the other requirements of this Rule, a Street Hail Livery Base Owner must not dispatch a [vehicle] Vehicle to engage in the business of being a Street Hail Livery unless the [driver is Validly authorized to be a Street Hail Livery Driver] Driver possesses a Valid TLC Driver's License or, in the event the Vehicle is an Accessible Street Hail Livery, a Valid License to operate a Paratransit Vehicle.

§59B-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
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(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] Driver dispatched in one of Owner's Vehicles.

§59B-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
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Section 54. Subparagraph (ii) of paragraph (1) of subdivision (a) of section 59B-19 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (ii) The Driver's [For-Hire] TLC Driver's License number

Section 55. Subparagraph (ii) of paragraph (2) of subdivision (c) of section 59B-19 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (ii) The [Street Hail Livery] TLC Driver's License number

Section 56. Subparagraph (iii) of paragraph (2) of subdivision (d) of section 59B-21 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (iii) [For-Hire] TLC Driver's License numbers.

Section 57. Paragraph (4) of subdivision (j) of section 59B-25 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (4) Driver's [For-Hire] TLC License number;

Section 58. Subparagraph (i) of paragraph (2) of subdivision (a) of section 59B-30 of Title 35 of the Rules of the City of New York is amended to read as follows:

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

Section 59. Subparagraph (i) of paragraph (3) of subdivision (a) of section 59B-30 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (ii) 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 the [For-Hire Vehicle] TLC Driver's License,
- [B. The For-Hire Vehicle License]

Section 60. Paragraph (1) of subdivision (c) of section 59B-30 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (1) No Street Hail Livery can be dispatched unless the Vehicle contains the Rate Card in a frame next to the [Street Hail Livery] TLC Driver's License.

Section 61. Paragraph (2) of subdivision (a) of section 59C-02 of Title 35 of the Rules of the City of New York is amended to read as follows:



- (1) 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] TLC Driver's License and front windshield.

Section 62. Paragraph (4) of subdivision (b) of section 59C-02 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (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] a Collision or sudden stopping, and all surfaces must be free of sharp and rough edges.

Section 63. Paragraph (2) of subdivision (c) of section 63-11 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (2) An Agent must not authorize or allow a driver to operate a Taxicab unless the [driver] Driver possesses a Valid [Driver's] Chauffeur's [license] License and a Valid [Taxicab] TLC Driver's License.

§63-11(c)(2) | \$500-\$2,000 and/or suspension up to 30 days | Appearance REQUIRED

Section 64. Subdivisions (b) and (c) of section 63-13 of Title 35 of the Rules of the City of New York are amended to read as follows:

- (b) The [Taxicab] TLC Driver's License.  
 (c) The Rate Card, in a frame next to the frame for the [Taxicab] TLC Driver's License.

Section 65. Subdivision (e) of section 64-29 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (e) *Interrelationship of Operation.* The Taximeter Business must install the Roof Light, the trouble light, the Taximeter, and the Rate Card/ [Taxicab Driver] TLC Driver's License holder light so that the operation of any of these mechanisms is not controlled or affected by the dashboard light dimmer switch or any other device controlled by the [driver] Driver.

Section 66. Subdivision (a) of section 67-02 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (a) This Chapter is informational in nature and does not contain penalties. Penalties for failure to follow the rules established in this Chapter will be found in Chapter [54] 80 and Chapter 58 which establish specific requirements for Taxicab Drivers and owners.

Section 67. Paragraph (2) of subdivision (a) of section 67-10 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (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 [Taxicab] TLC Driver's License, Rate Card, and front windshield.

Section 68. Paragraph (4) of subdivision (b) of section 67-10 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (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] a Collision or sudden stopping, and all surfaces must be free of sharp and rough edges.

Section 69. Subdivision (d) of section 68-03 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (d) Discretionary Revocation is the imposition of the penalty of revocation when a Rule does not specify that revocation must be imposed (for example, when "revocation" follows "or" or "and/or" in a penalty box); Discretionary Revocation can be sought by the Chairperson for any Rule violation, if the Chairperson determines that the continued licensure of the Respondent presents a threat to public health, safety, or welfare.

Section 70. Paragraph (6) of subdivision (a) of section 68-06 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (6) If [the rule violated includes the penalty of] the Commission seeks [discretionary revocation] Discretionary Revocation, a specific statement that a finding of guilt could result in the revocation of the Respondent's License.

Section 71. Paragraph (1) of subdivision (d) of section 68-16 of Title 35 of the Rules of the City of New York is amended to read as follows:

1. Violation of Drug-Testing Rules. A [Taxicab or For-Hire Vehicle] Driver who fails to be timely tested for drug use, in accordance with subdivision (c) of section [54-14] 80-14 [or subdivision (d) of section 55-14] of these Rules, and whose License is then summarily suspended, is not entitled to a hearing, but can provide the Commission, within 10 calendar days of the notice described in subdivision (b), with a single submission of written documentation refuting the suspension of his or her License.

Section 72. Section 68-17 of Title 35 of the Rules of the City of New York is amended to read as follows:

#### §68-17 Special Procedures -- Seizures

##### (a) Right to Seize Vehicle.

1. The Commission and/or any police officer may seize any vehicle where:
- (A) [probable] Probable cause exists to believe that the vehicle is operated or engaged in Unlicensed Activity as set forth in sections 19-506 (b), (c), or (k) and 19-529.2 of the Administrative Code; and
- (B) At the time of the stop, the Owner has at least one prior violation of sections 19-506 (b), (c), or (k) of the Administrative Code in the past 36 months (or in the case of an Owner of a Commuter Van, one prior violation of section 19-529.2 of the Administrative Code in the past five years), thereby making the vehicle potentially subject to forfeiture according to section 68-18 of these Rules.
2. The driver and all passengers in a seized Commuter Van will be left in or transported to a location that is readily accessible to other means of public transportation.
3. Any vehicle that has been seized will be taken to a designated secured facility.

##### (b) Procedure After Seizure.

1. The officer or representative of the Commission seizing the vehicle will serve a summons for Unlicensed Activity and a notice of seizure of the vehicle by service upon the Owner and any person who using the vehicle with the permission of the Owner, express or implied, at the time of seizure. The notice of seizure will include, but not be limited to, the following information:
- (A) Identification of the seized vehicle;
- (B) Information concerning these regulations, including the facts TLC must prove in order to retain possession of the vehicle pending forfeiture;
- (C) [If the vehicle is subject to forfeiture at the time of seizure, notification of the Owner's right, upon conviction of Unlicensed Activity, to present evidence of hardship for consideration in determining whether the TLC will retain possession of the vehicle pending forfeiture.

- (D)] The designated secured facility to which the vehicle was or will be taken.
2. The summons against the Owner will set a date and time for a hearing at the Taxi and Limousine Tribunal at OATH to take place no later than[:
- (A) 7 calendar days (or the next business day if the seventh day is not a business day) following seizure of a Paratransit Vehicle.
- (B) 14 calendar days (or the next business day if the fourteenth day is not a business day) following seizure of a For-Hire Vehicle or Taxicab.
- (C)] 5 business days following seizure of a [Commuter Van] vehicle.
3. An officer or representative of the Commission will also mail the notice of seizure and a copy of the summons to the Owner of the seized vehicle, as listed in the records of the Department of Motor Vehicles (or equivalent agency) in the state in which the vehicle is registered.
- (A) The notice of seizure and copy of the summons will be mailed to the Owner of a seized Commuter Van within 1 business day.
- (B) Any defect in delivery or mailing of the notice of seizure and copy of the summons will not affect the validity of service of a summons served upon the Owner in accordance with paragraph (1) of this subdivision.
4. For purposes of this section, the term Owner means:
- (A) An Owner as defined in section 128 and section 388 of the Vehicle and Traffic Law, unless the vehicle is a Commuter Van;
- (B) If the vehicle is a Commuter Van, the term Owner when used in this section means an Owner as defined in subdivision (i) of section 19-502 of the Administrative Code.
- (c) [Release of Vehicle Prior to Hearing if Vehicle is Not Subject to Forfeiture
2. The procedure described herein to obtain release of the vehicle prior to hearing applies if the Owner meets the following requirements. Otherwise, release of the vehicle is governed by subsection (d) of Rule 68-17.:
- (A) The vehicle is not a Commuter Van, and the Owner has not been found to have committed violation of subdivisions (b) or (c) of section 19-506 of the Administrative Code two or more times within the 36 months prior to the commitment of the violation resulting in the seizure.
- (B) The vehicle is a Commuter Van, and the Owner has not been found to have committed violation of section 19-529.2 of the Administrative Code one or more times within the 5 years prior to the commitment of the violation resulting in the seizure.
3. To obtain the release of a seized vehicle, an Owner who meets the eligibility requirements set forth in paragraph 1 of this subdivision must personally bring the summons for Unlicensed Activity to the Commission on or before the scheduled hearing date, and either:
- (A) Show proof of having pled guilty before the Taxi and Limousine Tribunal at OATH, whereupon:
- A. The Commission must verify that the Owner meets the eligibility requirements in paragraph (1) of this subdivision;
- B. The Commission must verify that a Taxi and Limousine Tribunal Hearing Officer has determined the amount of the civil penalty;
- C. The Commission will determine the removal and storage fees;
- D. The Owner must pay in full the civil penalty and removal and storage fees;
- E. Upon receiving payment, the Commission will issue an order to release the vehicle;
- F. The Owner or his or her agent can present the order at the designated secured facility to obtain the vehicle; or
- (B) Post a bond, whereupon:
- A. The Commission must verify that the Owner meets the eligibility requirements in paragraph (1) of this subdivision;
- B. The Owner must post a bond in the amount of the maximum civil penalty, plus removal and storage fees determined by the Commission;
- C. Upon the bond being posted, the Commission will issue an order to release the vehicle;
- D. The Owner or his or her agent can present the order at the designated secured facility to obtain the vehicle.
- (C) If the Owner does not obtain the vehicle by the date specified in the order of release, the Owner will be responsible for any further storage fees, which the Owner must pay before the vehicle will be released.
- (d) Release of Vehicle Prior to Hearing if Vehicle is Subject to Forfeiture:
- (1) A vehicle seized under the provision of subsection (a) of this section is subject to forfeiture and the Owner has a right to a hearing to determine custody of the vehicle pending the forfeiture proceeding pursuant to section 68-18(e) of these rules if either of the following are true:
- (A) The vehicle is NOT a Commuter Van and the Owner has been found to have committed violation of subdivisions (b) or (c) of section 19-506 of the Administrative Code three or more times within the 36 months prior to the commitment of the violation resulting in the seizure, or,
- (B) The vehicle is a Commuter Van and the Owner has been found to have committed violation of section 19-529.2 of the Administrative Code two or more times within the 5 years prior to the commitment of the violation resulting in the seizure.
- (e) Hearing on Unlicensed Activity.
1. The hearing against the Owner will be conducted at the Taxi and Limousine Tribunal at OATH according to the procedures in Chapter 5 of Title 48 of the Rules of the City of New York within [the number of] five business days [specified in paragraph (2) of subdivision (b) of this section] following a seizure. At the hearing, a determination will be made on the following:
- (A) Whether the Owner engaged in the Unlicensed Activity alleged in the summons.
- (B) If the Owner is found to have engaged in such Unlicensed Activity, then:

- (i) Whether the Owner has two or more violations of sections 19-506 (b), (c), or (k) of the Administrative Code in the past 36 months (or in the case of a Commuter Van Owner, two or more violations of section 19-529.2 of the Administrative Code in the past five years); and
- (ii) Whether it is necessary that the vehicle remain impounded in order to ensure its availability for a judgment of forfeiture.

2. [Default Review. If the Owner of the seized vehicle fails to appear for the hearing, a Default will be found in accordance with Chapter 5 of Title 48 of the Rules of the City of New York.

- (A) The Default determination will include, and is subject to, the provisions of subdivision (g) of this section concerning Abandoned Vehicles.
- (B) The Owner can appear at the Commission offices within 7 calendar days of the notice to comply with the Default determination or to show he or she has moved for an order vacating the Default determination.

A hearing will be scheduled within 7 calendar days of the order vacating the Default determination.

3.] A determination in a case of Unlicensed Activity with a Commuter Van will be issued within 1 business day of the conclusion of the hearing or Default.

(f) (d) Hearing Decision.

- (1) Not Guilty Finding. If the Taxi and Limousine Tribunal at OATH finds that the charge of Unlicensed Activity has not been sustained, the vehicle will be released to the Owner without removal or storage fees.
  - (2) Guilty Finding. If the Taxi and Limousine Tribunal at OATH finds that the vehicle has been engaged in Unlicensed Activity, and:
    - (A) [If the vehicle is not subject to forfeiture, the Commission will release the vehicle to the Owner upon payment of the applicable civil penalties and all reasonable removal and storage costs] TLC has met the requirements of section 68-17(c)(1)(B), TLC must commence a forfeiture action according to section 68-18 of these Rules.
    - (B) [The vehicle is subject to forfeiture if either of the following are true:
      - (i) The vehicle is not a Commuter Van and the Owner has been found to have committed violation of subdivisions (b) or (c) of section 19-506 of the Administrative Code two or more times within the 36 months prior to the commitment of the violation resulting in the seizure, or,
      - (ii) The vehicle is a Commuter Van and the Owner has been found to have committed violation of section 19-529.2 of the Administrative Code one or more times within the 5 years prior to the commitment of the violation resulting in the seizure] TLC has not met the requirements of section 68-17(c)(1)(B), TLC will release the vehicle to the Owner upon payment of applicable penalties and all removal and storage fees.
- [(C) If the vehicle is subject to forfeiture, the Commission will either:
- (i) Release the vehicle to the Owner upon payment of the applicable civil penalties and all removal and storage fees as determined by the Commission , or
  - (ii) Commence a forfeiture action, provided that, in the case of a seized Commuter Van, the Commission must commence such forfeiture action within 10 days after the Owner's written demand for such vehicle.]

[g] (e) Appeal.

- (1) If the [Owner has been found guilty of Unlicensed Activity, he or she must pay the civil penalty and removal and storage fees in order to appeal]. determination on Unlicensed Activity, as required by section 68-17(c)(1)(A), is reversed, the vehicle will be released to the Owner without removal or storage fees.
- (2) If the vehicle remains in custody in accordance with subparagraph (C)(ii) of paragraph (2) of subdivision (f) of this section, the Owner must pay only the civil penalty in order to appeal. If the determination on custody of the vehicle, as required by section 68-17(c)(1)(B), is reversed, but the Owner remains guilty of Unlicensed Activity, the vehicle will be released to the Owner upon payment of applicable penalties and all removal and storage fees.
- (3) If upon appeal the decision is reversed, the relevant civil penalty and fees will be refunded to the Owner.]

(h) (f) Declaration of abandonment.

- (1) [Vehicles that are not Commuter Vans Notwithstanding any other provision of this section, a seized vehicle, other than a seized Commuter Van, will be declared abandoned by the Commission or its agent, if the Owner of such vehicle does not:
  - (A) Remove the vehicle from storage within 5 days of obtaining an order of release; or
  - (B) Pay the civil penalty and removal and storage fees within 5 days after a determination by the Taxi and Limousine Tribunal that the vehicle is eligible for release under paragraph (2) of subdivision (e) of this section; or
  - (C) Within 7 calendar days after notice of a Default determination of violation is mailed to the Owner:
    - A. Pay the civil penalty and removal and storage fees if the vehicle is eligible for release after a determination of violation was made under paragraph (2) of subdivision (e) of this section, or
    - B. File a motion to vacate the Default determination of violation and set a new hearing on the violation.
- (2) Commuter Vans] Recovery Period. If an Owner has not tried to reclaim a seized [Commuter Van] vehicle within 30 days after [the Taxi and Limousine Tribunal mails] being served notice of its final determination [regarding the underlying the seizure] in the Owner's favor, the vehicle will be declared abandoned[, regardless of whether the owner was found guilty or not guilty of the violation].
- [(3)] [All Vehicles] (2) Disposing of Vehicle. An abandoned vehicle will be disposed of by the City or its agent according to section 1224 of the NYS Vehicle and Traffic Law. If an Owner seeks to reclaim the abandoned vehicle under section 1224, the Owner will be deemed to have made a written demand for the vehicle and the Commission will take whichever action is authorized by this section
  - (A) In the event that a vehicle has been deemed abandoned, the Commission or its agent will:
    - (i) Mail notice to the Owner and any Secondary Owners that the vehicle has been declared abandoned and that, unless claimed within 10 days of the mailing date of the letter, the vehicle will become the property of the Commission and will be sold.
    - (ii) The Owner or any Secondary Owner can claim the vehicle by paying the removal and storage fees due and, in the case of the Owner, the civil penalty claimed that is now a lien on the vehicle.
    - (iii) If the vehicle is not claimed within the allotted time, the Commission or its agent can sell the vehicle by public auction or by bid.
  - (B) Disposition of the Proceeds from the Sale of the Vehicle.

- (i) Proceeds from any sale, minus expenses incurred for removal, storage and sale of the vehicle and minus the civil penalty lien, will be held without interest for the benefit of the former Owner of the vehicle for 1 year.
- (ii) If these proceeds are not claimed within the 1-year period, they will be paid into the City's general fund.

Section 73. Section 68-18 of Title 35 of the Rules of the City of New York is amended to read as follows:

§68-18 Special Procedures -- Forfeitures

(a) For purposes of this section, the term Owner means:

- (1) An Owner as defined in section 128 and section 388 of the Vehicle and Traffic Law, unless the vehicle is a Commuter Van;
- (2) If the vehicle is a Commuter Van, the term Owner when used in this section means an Owner as defined in subdivision (i) of section 19-502 of the Administrative Code.

(b) A vehicle seized under the provision of [subsection] subdivision (a) of Rule 68-17 is subject to forfeiture if either of the following are true:

- (1) The vehicle is NOT a Commuter Van and the Owner has been found to have committed violation of subdivisions (b) or (c) of section 19-506 of the Administrative Code three or more times within [the] 36 months [prior to the commitment of the violation resulting in the seizure]; or
- (2) The vehicle is a Commuter Van and the Owner has been found to have committed violation of section 19-529.2 of the Administrative Code two or more times within [the] 5 years [prior to the commitment of the violation resulting in the seizure].

(c) A forfeiture action [is] must be commenced [by the filing of a summons with notice of right to a preliminary hearing or a summons and complaint according to] within 45 days of a final agency determination that a seized vehicle is subject to forfeiture and in accordance with the New York Civil Practice Law and Rules, and, in the case of seized Commuter Vans, section 19-529.3 of the Administrative Code.

(d) [Service of a summons with notice of right to a preliminary hearing or a summons and complaint will be made by the TLC or its agent:

- (1) By personal service (according to the New York Civil Practice Law and Rules) upon all Owners listed in the records of the Department of Motor Vehicles (or equivalent agency) in the state in which the vehicle is registered;
- (2) By first class mail upon all individuals who have notified the Commission or the Taxi and Limousine Tribunal at OATH that they are an Owner of the vehicle; and
- (3) By first class mail upon all persons holding a valid security interest filed with the Department of Motor Vehicles (or equivalent agency) in the state in which the vehicle is registered, at the address shown in the filing.

(e) Preliminary Hearing for Custody of the Vehicle while Forfeiture Is Pending. The Owner of a vehicle subject to forfeiture is entitled to a preliminary hearing to determine custody of the vehicle pending the forfeiture proceeding in accordance with the following:

- (1) Upon receipt of notice of right to a preliminary hearing, the Owner may request the Commission to schedule a preliminary hearing at the OATH Tribunal to determine the probable validity of continued deprivation of the vehicle.
- (2) Within 5 business days of the seizure, the Commission will serve notice, by personal service or by mail, on the Owner(s) specified in subdivision (c), and on the driver of the vehicle at the time it was seized, of the right to a preliminary hearing.
- (3) Upon receipt of a request by the Owner for preliminary hearing, the Commission will request the OATH Tribunal to schedule a preliminary hearing to be held within 10 business days of the date of the Commission's receipt of the request. The Commission will notify, by personal service or by mail, the Owner(s) specified in subdivision (c) of the hearing date. Only one person may appear as an Owner at the hearing with priority going to the registered owner of the vehicle.
- (4) In order to retain possession of the vehicle pending the forfeiture proceeding, the Commission must prove the following at the preliminary hearing:
  - (A) Probable cause for stopping the vehicle;
  - (B) Likelihood the vehicle was used in connection with Unlicensed Activity, or likelihood the Commission will prevail at the forfeiture proceeding;
  - (C) Likelihood the vehicle will not be returned if the Commission prevails at the forfeiture proceeding; and
  - (D) If the claimant is an innocent Owner who was not driving the vehicle at the time of seizure, that the Owner knew or should have known of the Unlicensed Activity or that the driver at the time of seizure is the beneficial owner.
- (5) The decision by the OATH Tribunal will be made no later than 3 business days following the close of evidence and the completion of argument, unless both parties consent on the record or in writing to extend the time for the decision.
- (6) If the OATH Tribunal determines, based on the standard set forth in paragraph (1) of this subdivision, that the vehicle should be released to the Owner during pendency of the forfeiture proceeding, then the vehicle will be released to such person or entity after they pay to the City any civil penalty due as a result of the Unlicensed Activity and reasonable expenses for the safekeeping of the vehicle from the time of seizure and its release.
- (7) If the OATH Tribunal determines that the vehicle should not be released during the forfeiture proceedings, the vehicle will remain in the custody of the City pending the final determination of the forfeiture action.

(f) Asserting a Claim. Any Owner or Secondary Owner who receives notice of the forfeiture action and who claims an interest in the vehicle must assert a claim for the recovery of the vehicle or his or her interest in the vehicle by intervening in the forfeiture proceedings (in accordance with the New York Civil Practice Law and Rules).

(g) Affirmative Defenses Required to Sustain a Claim. In order to sustain a claim in the vehicle, a claimant must plead and prove that he or she was not in any way a party to allowing the actions that constituted the violation, by showing that:

- (1) The claimant had no knowledge of the actions;
- (2) If the claimant had knowledge of the actions, the claimant took all reasonable steps to prevent the use of the vehicle for the unlawful conduct and did not knowingly obtain his or her interest in the vehicle in order to avoid forfeiture of the vehicle; or
- (3) The person who committed the actions that constituted the violation did not have lawful possession of the vehicle.

(h) Public Sale Pursuant to Forfeiture.

- (1) Following judicial determination of forfeiture, a public sale of the forfeited vehicle will be held, and the net proceeds of the sale will go into the City's general fund. The City may retain a Commuter Van for official use.
- (2) The public sale will be held no sooner than 30 days after the Owner is served notice of the judicial determination of forfeiture.
- (3) At least 5 days before the sale, or, in the case of the sale of a Commuter Van, at least 20 days before the sale, notice of the sale:
  - (A) Must be published in the City Record or in a newspaper of general circulation, and
  - (B) Must be mailed to any Owner or Secondary Owner shown in the records of the Commission or listed in the records of

the Department of Motor Vehicles (or equivalent agency) in the state in which the vehicle is registered.

- (i) Rights of Secondary Owners (*Other than Commuter Vans*).
- (1) A [person] Secondary Owner who [wishing] wishes to assert an ownership claim to the vehicle but does not participate in the forfeiture proceeding must [either:
    - (A) File a claim and participate in the forfeiture proceeding, or
    - (B) Submit submit a claim in writing to the Commission within 30 days after the judicial determination of forfeiture.
  - (2) If a Secondary Owner submits the claim [after the forfeiture hearing (but within 30 days of the judicial determination of forfeiture)], the Commission will schedule a hearing at the OATH Tribunal and will mail notice to the claimant at least 10 business days before the hearing.
  - (3) A [person or entity] Secondary Owner that establishes a right of ownership or other legal interest in the vehicle (other than an owner whose interest has been forfeited) can recover the vehicle, provided such person or entity:
    - (A) Redeems the ownership interest which was subject to forfeiture, by paying the city the value of that interest; and
    - (B) Pays the reasonable expenses for the safekeeping of the vehicle from the time of seizure and redemption.; and
    - (C) Proves one of the affirmative defenses set forth in subdivision (g) of this section].
  - (4) A Secondary Owner that establishes a right of ownership in the hearing is not entitled to recovery of the vehicle if TLC establishes that the violations upon which forfeiture is predicated were expressly or impliedly permitted by such Secondary Owner.
- (j) Rights of Secondary Owners Unaware of Forfeiture Proceedings of Commuter Vans.
- (1) Any Secondary Owner of a Commuter Van who did not receive notice of the forfeiture action and who did not otherwise receive actual notice of the action may assert a claim within 6 months after the forfeiture.
  - (2) The claim must be one that could have been asserted in the original forfeiture action, and, as set forth in section 19-529.3 of the Administrative Code, must be adjudicated before the Justice of the Supreme Court who presided at the original forfeiture action.
  - (3) The court can grant the relief sought upon such terms and conditions as it deems reasonable and just if the claimant:
    - (A) Establishes that he or she was not sent notice of the commencement of the forfeiture action and did not know about the forfeiture action, and
    - (B) Proves one of the affirmative defenses set forth in subdivision (g) of this section.
- (k) Total Claims May Not Exceed Value of Vehicle at Sale.
- (1) In any forfeiture action of a commuter van, including a subsequent action started under subdivision (i) of this section, where the court awards a sum of money to one or more persons to satisfy the claims in the forfeited vehicle, the total amount awarded to satisfy all interests must not exceed the amount of the net proceeds from the sale of the forfeited vehicle.
  - (2) The net proceeds is the amount remaining after deduction of the lawful expenses incurred by the City, including the reasonable costs of removal and storage of the vehicle from the time of seizure and the date of sale.]

Section 74. Item (B) of subparagraph (v) of paragraph (2) of subdivision (a) of section 75-25 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (B) [Taxicab] TLC Driver's License number;

Section 75. Subparagraph (iii) of paragraph (3) of subdivision (b) of section 75-25 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (iii) text messages must be able to be sent based on a Taxicab's geographic location, full or partial Medallion number, full or partial [Taxicab] TLC Driver's License number and/or TPEP Provider;

Section 76. Subparagraph (xii) of paragraph (2) of subdivision (c) of section 75-25 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (xii) [Taxicab] TLC Driver's License number from the TPEP;

Section 77. Subparagraph (viii) of paragraph (4) of subdivision (c) of section 75-25 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (viii) In addition to retrieving information by searches described in subparagraph (vii) of this paragraph, the search function must be capable of retrieving the following:
- A. a list of Taxicabs and/or Taxicab Drivers (identified by Medallion number and/or [Taxicab] TLC Driver's license number) that dropped off or picked up Passengers at a specific location (or within a specific geographic area) within a specific timeframe;
  - B. a list of pick up and/or drop off locations for a specific Taxicab and/or Taxicab Driver (identified by Medallion number and/or [Taxicab] TLC Driver's license number) within a specific timeframe; and
  - C. the time and location a Taxicab Driver went off duty.

Section 78. Paragraphs (5) and (6) of subdivision (1) of section 75-25 of Title 35 of the Rules of the City of New York are amended to read as follows:

- (5) The TPEP must check the [Taxicab] TLC Driver's License against the TLC-published Current Licensee lists before allowing the Taxicab Driver to log into the Taximeter via the DIM. If the [Taxicab] TLC Driver's License is not Valid and active, the TPEP must not allow the Taxicab Driver to log into the Taximeter via the DIM.
- (6) The TPEP must check the [Taxicab] TLC Driver's License before allowing the Taxicab Driver to log into the Taximeter via the DIM. If the [Taxicab] TLC Driver's License is already logged in to another TPEP or LPEP supplied by that TPEP Provider, the TPEP must not allow the Taxicab Driver to log into the Taximeter via the DIM.

Section 79. Subparagraph (iii) of paragraph (2) of subdivision (a) of section 77-20 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (i) Driver's [For-Hire] TLC Driver's License number;

Section 80. Paragraph (2) of subdivision (b) of section 77-20 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (2) The Driver's [For-Hire] TLC Driver's License number;

Section 81. Subparagraph (iii) of paragraph (2) of subdivision (d) of section 77-20 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (iii) The dispatched Driver's [For-Hire] TLC Driver's License number.

Section 82. Paragraph (2) of subdivision (n) of section 78-03 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (2) interfaces to [T-PEP] TPEP or LPEP, or to the Software, Hardware, network, or other EHail Application components;

Section 83. Subdivision (c) of section 78-17 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (c) Fees to [T-PEP] TPEP. An E-Hail Application Provider must ensure that an E-Hail Application provides payment to the TPEP Provider as provided in §75-25(n)(3).

Section 84. Subdivision (c) of section 82-03 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (c) *Driver* in this Chapter means a Driver of a Street Hail Livery who is authorized to by these rules to drive a Street Hail Livery. A Driver can be a [Taxicab] Driver possessing a TLC Driver's License or a Paratransit Driver who is driving an Accessible Street Hail Livery. [A Driver can also be a For-Hire Driver when driving a Street Hail Livery if authorized by Section 54-04.2. See Chapter 54 of these Rules for Driver requirements.]

Section 85. Subdivisions (c) and (d) of section 82-05 of Title 35 of the Rules of the City of New York are amended to read as follows:

- (c) *Priority of Licensure during the first 3 years.*

- (1) *Priority to Licensed For-Hire Vehicle Licensees and Drivers.* Except as provided in subdivision (d) below, during the Street Hail Livery License Priority Issuance Period, that is three years beginning on the first day of the Initial Street Hail Livery License Issuance period, a Street Hail Livery License may only be issued to:
  - (i) A For-Hire Vehicle Licensee which is in good standing or
  - (ii) A Licensed [For-Hire] TLC Driver who is in good standing
- (2) *Good Standing.* For purposes of the Street Hail Livery License Priority Issuance Period, a Licensed For-Hire Vehicle Licensee or Licensed [For-Hire Vehicle] TLC Driver is in good standing and may participate in the Issuance if the Applicant:
  - (i) Has been continuously licensed as a For-Hire Vehicle Licensee or [For-Hire Vehicle] TLC Driver for the period beginning at least one year prior to the first day of the Initial Street Hail Livery License Issuance Period and ending the date the Application for the Street Hail Livery License is filed; and
  - (ii) Has no outstanding fines, summonses or suspensions as of the date of the Application for the Street Hail Livery License.

- (d) *Special Exception for Accessible Street Hail Liveries.* Notwithstanding subdivision (c) above, if any Street Hail Livery Licenses required to be used with Accessible Street Hail Liveries and issuable in the Initial Street Hail Livery License Issuance Period pursuant to § 5(b) of Chapter 9 of the Laws of 2012 remain unissued three months after the Initial Street Hail Livery License Issuance Period begins, the Commission can issue those Accessible Street Hail Livery Licenses to any Applicants who meet all requirements for licensure except the requirement that the Applicant has held for at least one year a For-Hire Vehicle License or [For-Hire] TLC Driver's License in good standing.

Section 86. The penalty provisions of subdivisions (c) and (g) of section 82-11 of Title 35 of the Rules of the City of New York are amended to read as follows:

§82-11(c)	Fine: [Notice to correct within 10 days. Failure to comply:] \$200 and suspension until compliance	Appearance REQUIRED
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§82-11(g)	Fine: [ Notice to correct within 10 days. Failure to comply:] \$200 and suspension until compliance	Appearance REQUIRED
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Section 87. Subdivision (e) of section 82-14 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (e) *Report of [Accidents] Collisions*

- (1) *Report to Insurance Carrier.* Any [accident] Collision involving a Street Hail Livery that is required by the insurance policy to be reported to the insurance carrier must be immediately reported to the carrier by the Licensee, in writing.

§82-14(e)(1)	Fine: \$500-\$1,000	Appearance REQUIRED
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- (2) *Report to Commission.*

- (i) A Licensee must immediately report to the Commission in writing all [accidents] Collisions that are required to be reported to the Department of Motor Vehicles (as required by §605 of the Vehicle and Traffic Law) that involve the Licensee's Street Hail Livery.
- (ii) A Licensee must also provide to the Commission a copy of any legally required report filed with the NYS Department of Motor Vehicles, within 10 days of the date the report is due to be filed with the Department of Motor Vehicles.

§82-14(e)(2)	Fine: \$150 and \$25 for each day of violation thereafter and suspension until compliance	Appearance REQUIRED
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Section 88. Paragraphs (3) and (4) of subdivision (h) of section 82-26 of Title 35 of the Rules of the City of New York are amended to read as follows:

- (3) A Driver who charges a passenger *more* than the actual amount of the *EZ-Pass*® toll is guilty of an overcharge as prohibited by § [54-17] 80-15 [of Chapter 54, *Drivers of Taxicabs and Street Hail Liveries*].
- (4) A Driver who fails to reimburse an *EZ-Pass*® tag holder for all toll charges incurred, including toll charges for which there is no passenger reimbursement, will be subject to the provisions of § [54-15(f)] 80-13(f) [of Chapter 54, *Drivers of Taxicabs and Street Hail Liveries* chapter].

Section 89. Paragraph (4) of subdivision (j) of section 82-26 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (4) A violation of paragraphs (1) and (2) is an overcharge under sections [54-17(a)(1)] 80-17(a)(1) and [54-17(i)] 80-17(i) and a Driver can be subject to the penalties for an overcharge under Section [54-02] 80-02.

Section 90. The penalty provision of paragraph (3) of subdivision (k) of section 82-30 of Title 35 of the Rules of the City of New York is amended to read as follows:

§82-32(k)(3)	Fine: \$200 [Notice to correct within 10 Days]	Appearance REQUIRED
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Section 91. Paragraph (2) of subdivision (k) of section 82-32 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (2) The [Street Hail Livery] TLC Driver's License;

§82-32(k)(2)	Fine: \$200 [Notice to correct within 10 Days]	Appearance REQUIRED
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Section 92. The penalty provision of subdivision (b) of section 82-33 of Title 35 of the Rules of the City of New York is amended to read as follows:

§82-33(b)(1)-(2)	Fine: [Notice to correct within 10 days; failure to comply:] \$200	Appearance REQUIRED
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Section 93. Paragraph (1) of subdivision (a) of section 82-34 of Title 35 of the Rules of the City of New York is repealed and paragraphs (2) through (11) are renumbered paragraphs (1) through (10).

Section 94. The penalty provision of subdivision (b) of section 82-35 of Title 35 of the Rules of the City of New York is amended to read as follows:

§82-35(b)	Fine: \$50 [per day except that where the system is installed and malfunctioning, a notice to correct within ten days must be issued]	Appearance REQUIRED
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Section 95. The penalty provision of subdivision (d) of section 82-35 of Title 35 of the Rules of the City of New York is amended to read as follows:

§82-35(d)(1-4)	Fine: \$200 [and a 10-day Notice to Correct. If the 10-day Notice to Correct is not complied with, Suspension until the condition is corrected]	Appearance NOT REQUIRED
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Section 96. Subparagraph (i) of paragraph (2) of subdivision (c) of section 82-40 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (i) Clearly warning Drivers that if they violate the Taximeter or LPEP tampering rules, Licensee will:
  - A. Immediately terminate any lease agreement the Street Hail Livery Licensee has with the Driver; and
  - B. Report the tampering violation to the Commission, which will result in the probable revocation of their [Street Hail Livery] TLC Driver's License;

Section 97. Subdivision (a) of section 82-47 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (a) This Chapter is informational in nature and does not contain penalties. Penalties for failure to follow the rules established in this Subchapter will be found in Subchapter A of this Chapter and Chapter [54] 80 which establish specific requirements for Street Hail Livery Drivers and Licensees.

Section 98. Paragraph (2) of subdivision (a) of section 82-56 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (2) The purpose of the partition is to provide protection to the driver while ensuring passenger safety and enabling rear seat passengers to have a clear and unobstructed view of the [Street Hail Livery] TLC Driver's License, Rate Card, and front windshield.

Section 99. Paragraph (4) of subdivision (b) of section 82-56 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (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] a Collision or sudden stopping, and all surfaces must be free of sharp and rough edges.

Section 100. Subdivision (vv) of section 83-03 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (vv) TLC[-issued] Driver's License. [A Valid Taxicab Driver's License or a Valid For Hire Driver's license held by a Street Hail Livery Driver] The authority granted by the Commission to an individual to drive a Taxicab, For-Hire Vehicle or Street Hail Livery in the City of New York.

Section 101. Paragraph (2) of subdivision (b) of section 83-28 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (2) The TLC[-issued] Driver's License number of any [driver or drivers] Driver or Drivers who presented the vehicle to the LPEP Provider;

Section 102. Item (II) of subparagraph (iii) of paragraph (9) of subdivision (a) of section 83-31 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (II) [SHL] TLC Driver's License number;

...

Section 103. Paragraphs (5), (6) and (8) of subdivision (l) of section 83-31 of Title 35 of the Rules of the City of New York are amended to read as follows:

- (5) The LPEP must check the [SHL] TLC Driver's License against the TLC-published Current Licensee lists before allowing the SHL Driver to log into the Taximeter via the DIM. If the [SHL] TLC Driver's License is not Valid and active, the LPEP must not allow the SHL Driver to log into the Taximeter via the DIM.
- (6) The LPEP must check the [SHL] TLC Driver's License before allowing the SHL Driver to log into the Taximeter via the DIM. If the SHL Driver's License is already logged in to another LPEP or TPEP supplied by that LPEP Provider, the LPEP must not allow the SHL Driver to log into the Taximeter via the DIM.
- (8) The LPEP must check the [SHL] TLC Driver's License against the TLC-published Current Licensee lists before allowing the SHL Driver to log into the Taximeter via the DIM. If the [SHL] TLC Driver's License has a designation that only allows them to operate Accessible SHLs, the SHL Driver must not be able to engage the LPEP and Taximeter via the DIM in a non-Accessible SHL;

Section 104. It is hereby proposed to amend Title 35 of the Rules of the City of New York by adding a new chapter 80, to read as follows:

<b>Chapter 80</b>	<b>Drivers of Taxicabs, For-Hire Vehicles and Street Hail Liveries</b>
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**§80-01 Scope of This Chapter**

- (a) To establish procedures for the licensing and regulation of Drivers Licensed by the Taxi and Limousine Commission to drive Taxicabs, For-Hire Vehicles, and Street Hail Liveries.
- (b) To establish operating rules to protect the public.
- (c) To establish appropriate penalties for the violation of these Rules.

**§80-02 Definitions Specific to This Chapter**

- (a) Defined Terms are Capitalized. All terms defined in this Chapter or in Chapter 51 (“Definitions”) appear in this text with the initial letter in each word of the term capitalized (Example: TLC Driver’s License, not TLC driver’s license.)
- (b) General Terms are Specific to “Taxicabs,” “For-Hire Vehicles,” or “Street Hail Liveries” in this Chapter.
- (i) When used in this Chapter, capitalized terms such as
    - A. Driver will mean the Driver of a Taxicab, For-Hire Vehicle or Street Hail Livery. The term Driver can also mean a Paratransit Driver operating an Accessible Street Hail Livery pursuant to Section 80-04.1.
    - B. Vehicle will mean a Taxicab, For-Hire Vehicle or Street Hail Livery.
    - C. License will mean the TLC Driver’s License.
- (c) Definitions
- (1) Applicant in this chapter refers to an Applicant for an original or renewal TLC Driver’s License.
  - (2) Application in this chapter refers to an application for a TLC Driver’s License, including all documentation and other information submitted as part of the application.
  - (3) Driver, in this chapter, means a holder of a TLC Driver’s License.
  - (4) License in this Chapter means a TLC License to drive a Taxicab, Street Hail Livery and For-Hire Vehicle.
  - (5) Qualified Vehicle License (or “QVL”) is the license issued by an Issuing Jurisdiction to that jurisdiction’s vehicles authorizing them to provide pre-arranged, for-hire transportation within its jurisdiction.
  - (6) Qualified Driver’s License (or “QDL”) is a license issued by an Issuing Jurisdiction to that jurisdiction’s drivers authorizing them to operate an authorized vehicle to provide pre-arranged, for-hire transportation within its jurisdiction.
  - (7) Reciprocity (or Reciprocal Recognition) means that:
    - (i) New York City For-Hire Vehicles and Drivers can do pickups or drop offs in Issuing Jurisdictions for trips ending or beginning in NYC, and
    - (ii) Vehicles and drivers that are licensed to perform for-hire transportation by a Issuing Jurisdiction can do pickups or drop offs in NYC for trips ending or beginning in the Issuing Jurisdiction.
  - (8) Use an Electronic Communication Device (or Using an Electronic Communication Device), in this Chapter, means to
    - (1) Operate any function of an Electronic Communication Device in any way, or
    - (2) Have a device permitting hands-free operation of an Electronic Communication Device in or near the ear.
    - (3) Exception: In a Street Hail Livery or For-Hire Vehicle, a short business-related communication with a Base is NOT a Use of an Electronic Communication Device if all of the following apply:
      - (i) The communication is about a Dispatch; and
      - (ii) The communication occurs using either an FCC-licensed commercial two-way radio or a device, including a smart phone, which is mounted in a fixed position and not hand-held; and
      - (iii) The communication occurs using either voice or one-touch pre-programmed buttons or keys.
  - (9) Vehicle, in this Chapter, refers to a Taxicab, a For-Hire Vehicle or a Street Hail Livery.

**§80-03 Penalties**

- (a) Unlicensed Activity.
- (1) Unlicensed Activity is the act of providing, soliciting 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 as a for hire driver, for the for hire vehicle, or for the for hire service, as applicable.
  - (2) Unlicensed Activity specifically includes the activities listed in §19-506 and §19-528 of the Administrative Code, and can subject the violator to the seizure and possible forfeiture of the vehicle involved.
- (b) Specific Penalties. If there are specific penalties for violating a Rule, they are shown at the end of the Rule. The penalty section also states whether the violator must attend a Hearing.
- (c) Payment of Fines.
- (1) Fines are due within 30 days of the day the Respondent is found guilty of the violation, unless:
    - (i) the Respondent files an appeal of the decision issued by the Taxi and Limousine Tribunal within the time required by Chapter 5 of Title 48 of the Rules of the City of New York, in which case the payment of the fines will be deferred until 30 days after the date of the appeal decision.
  - (2) If the fine is not paid by the close of business on the date due, the Commission will notify the Respondent in writing that the Respondent’s License will be suspended in 10 business days of the date of the notification until the fine is paid, unless the Respondent demonstrates to the Commission, in person or in writing, that the fine has been paid.
- (d) Discretionary Penalties. In the alternative to any of the specific penalties established in this Chapter, the Commission may in its discretion, impose a penalty of License revocation, License suspension of up to six months, and/or a fine, not to exceed \$1,000 for each violation, against a Licensed Driver. (See Chapter 68 Adjudications, §68-02)
- (e) Mandatory Penalties. If a Licensee has violated a Rule listed below, or any combination of these Rules, the Taxi and Limousine Tribunal at OATH or, if applicable, the Chairperson will impose the following mandatory penalties and fines.



<u>VIOLATION Description</u>	<u>Rule</u>	<u>Mandatory Penalty/Fine - ALL</u>
1. <u>Overcharging Passengers</u>	§80-15(a)(1) & (2) & (3), 80-15(k)(1) & (2)	First violation: \$350 if plead guilty before a hearing; \$500 if found guilty following a hearing.
2. <u>Refusal of service – Unjustified refusal to transport Passengers within NYC or defined counties</u>	§80-18(a)(1) & (5)	Second violation (any combination of violations) w/in 24 months: \$700 if plead guilty before a hearing; \$1,000 and possible suspension of License for up to 30 days if found guilty following a hearing.
3. <u>Refusal of service – Requiring assistant for Passengers with a disability, or seeking to charge additional fares for such an assistant</u>	§80-18(a)(2)	Third violation (any combination of violations) w/in 36 months: \$750 and Revocation of License if plead guilty before a hearing; \$1,000 and Revocation of License if found guilty following a hearing.
4. <u>Refusal of service – Refusing to transport wheelchairs, crutches or other mobility aids for Passengers with a disability</u>	§80-18(a)(3)	
5. <u>Refusal of service – Seeking destination before Passenger is seated inside vehicle</u>	§80-18(a)(4)	

- (1) \$10-or-More Overcharge. Notwithstanding the penalty cited above for overcharging passengers in violation of Rule 80-15(a)(1) and (2), if a Driver charges or attempts to charge \$10 or more above the approved rate of fare or above the rate quoted by the For Hire Base for a prearranged trip, the Taxi and Limousine Tribunal at OATH or the Chairperson will revoke the Driver's License and may require a Driver to return any overpayment to the Passenger.
- (2) Calculating Time Periods. The Taxi and Limousine Tribunal at OATH or the Chairperson will count the 24- and 36-month penalty periods going backwards, from the date of the last violation.
- (3) No License Issued for Period of One Year Following Certain Violations. A driver who has had his or her License revoked for any of the above violations will not be able to receive any Commission License for a period of one year from the date of revocation.

(f) Paratransit Drivers operating Accessible Street Hail Liveries.

- (i) When a Paratransit Driver is operating an Accessible Street Hail Livery, as provided in section 80-04.1 of this chapter, the requirements of this Chapter as to the operation of a Street Hail Livery apply to such Paratransit Driver driving an Accessible Street Hail Liveries and such Paratransit Driver can be issued a summons for a violation of this Chapter relating to the operation of a Street Hail Livery.

**§80-04 Licensing – Requirements**

(a) Age. An Applicant for a TLC Driver's License must be at least 19 years of age.

(b) Identification. An Applicant for an original TLC Driver's License must produce both of the following proofs of identity:

- (1) A Valid Government-issued photo ID.
- (2) A Valid Social Security number.

(c) Chauffeur's License. An Applicant must have a Valid Chauffeur's License.

(d) Summary of Driving Record. An Applicant whose driver's license has been issued by a state other than New York or who has held a driver's license issued by a state other than New York within the two years prior to the date of the Application, must provide the Commission with an abstract of his or her driving record from the state that issued the Applicant's driver's license, dated no more than 90 days prior to the date of the Application, covering at least the two years prior to the date of the Application.

(e) Physical and Mental Fitness for the Job.

- (1) The Applicant must be of sound mental and physical condition and fit to safely operate a vehicle and fulfill the duties of a licensee.
- (2) The Applicant's fitness must be certified by a physician licensed by the State of New York or by the Applicant's state of residence on forms provided by the Commission.
- (3) The Commission can, for good cause, require the Applicant to be examined by a licensed physician chosen by the Commission.
- (4) An existing License can be suspended or revoked if the Driver fails to be examined for a physical or mental condition.

(f) Familiar with New York. Applicant must be familiar with the following:

- (1) The geography, streets and traffic regulations of the City of New York
- (2) The rules and regulations of the New York City Taxi and Limousine Commission
- (3) The Vehicle and Traffic Law of the State of New York.

(g) Pass Drug Test.

- (1) All Applicants for new TLC Driver's Licenses, 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 and such decision is final.

(h) Fingerprinting for the Purpose of Determining Good Moral Character.

- (1) The Applicant must be of good moral character.
- (2) An Applicant for a TLC Driver's License will be fingerprinted for the purpose of securing criminal history records from the New York State Division of Criminal Justice Services.
- (3) 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.

- (4) The application of any Applicant will be denied, and the TLC Driver's License of any current holder will be revoked, following a conviction for any serious criminal offense (as set forth in §498(1)(f) of the New York Vehicle and Traffic Law).
- (5) 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 (Licensee's) family or any other person who also lives at the Applicant's (Licensee's) Mailing Address.
- (j) Training. The Commission requires that Applicants complete the required courses and pass all prescribed tests, both oral and written, as administered by the Commission or at its direction.
- (1) Defensive Driving Course. (i) Applicants for a new TLC Driver's License must hold a current certificate of completion that was issued no more than three years prior to the application date for the required hours of instruction in a Defensive Driving Course.
- (ii) Applicants for a renewal TLC Driver's License must hold a current certificate of completion that was issued no more than three years prior to the renewal application date for the required hours of instruction in a Defensive Driving Course.
- (2) Authorized Driver Education Training. After an application for licensure has been accepted by the Commission, Applicants for a new TLC Driver's License must complete the Authorized Driver Education Training course and pass an examination on course subjects as a condition of licensure.
- (3) Authorized License Renewal Course. Applicants for a renewal TLC Driver's License must complete the Authorized License Renewal Course within 90 days prior to the renewal application date.
- (4) Wheelchair Passenger Assistance Training. Applicants for a new TLC Driver's license must complete the Wheelchair Passenger Assistance Training as a condition of licensure. Applicants for a renewal TLC Driver's License who have never attended and completed Wheelchair Passenger Assistance Training must attend and complete such training in order to renew the TLC Driver's License.
- (5) Sex Trafficking Awareness Training.
- (i) All Applicants, including Applicants for renewal licenses, must do all of the following:
- A. Complete Sex Trafficking Awareness Training, and
- B. Certify to the Commission as part of his or her application that he or she has completed such training.
- (ii) For any Applicant applying for a License or for renewal of a License, completion of Sex Trafficking Awareness Training and certification of completion are conditions for the issuance or renewal of such license.
- (iii) Continuing Sex Trafficking Awareness Training. Applicants who have previously completed the Sex Trafficking Awareness Training at least once and have certified that they have done so as required by subparagraphs (i) and (ii) of this paragraph, are not required to do so again, provided that they do all of the following:
- A. The Applicant must obtain and review the Continuing Sex Trafficking Awareness Training materials approved by the Commission, and
- B. The Applicant must certify to the Commission as part of his or her application that he or she has obtained and reviewed Continuing Sex Trafficking Awareness Training material provided by the Commission.
- C. For applicants who qualify to use this exception, review of the written Continuing Sex Trafficking Awareness Training materials and certification of obtaining and review of such materials are conditions for the issuance or renewal of a license.
- (6) Military Exemption. Any Applicant for a License who previously held a Valid TLC Driver's License, a Taxicab Driver's License or a For-Hire Driver's License will not be required to take the Authorized Driver Education Training, provided that the Applicant meets the following conditions:
- (i) The Applicant's previous Driver's License expired solely because the Applicant was not available to renew his or her License because he or she was engaged in active military service.
- (ii) The Applicant's military service began before the expiration date of his or her prior License.
- (iii) The Applicant filed an application within 90 days of completing active military service, and in no event later than three years following expiration of the prior License.
- (iv) The Applicant provided proof of the dates of active military service.
- (v) The Applicant meets all other requirements for obtaining a new License.
- (7) Exemption for New York City Police Officers. Any Applicant for a License who is a New York City Police Officer will not be required to take the Authorized Driver Education Training, provided that the Applicant meets the following conditions:
- (i) Applicant must present a letter from his or her commanding officer approving the application.
- (ii) Applicant must pass an examination authorized by the Commission.
- Applicant must meet all other requirements for obtaining a new License.
- (8) Life Experience Exemption. Any Applicant for a License who previously held a valid Taxicab Driver's License, For-Hire Driver's License or TLC Driver's License will not be required to take the Authorized Training course, provided that the applicant meets all of the following conditions:
- (i) The Applicant obtained the previous Taxicab Driver's License, For-Hire Driver's License or TLC Driver's License before January 1, 1999.
- (ii) The prior Taxicab Driver's License, For-Hire Driver's License or TLC Driver's License expired because the Applicant failed to renew that license.
- (iii) The Applicant applies for the TLC Driver's License no later than two years after the expiration date of the prior Taxicab Driver's License, For-Hire Driver's License or TLC Driver's License.

- (iv) The Applicant meets all other requirements for obtaining a new TLC Driver's License.
- (v) The Applicant had no outstanding fines when the Applicant's prior Taxicab Driver's License, For-Hire Driver's License or TLC Driver's License expired unless such fines have been paid at the time of application.
- (l) Training Providers. Providers of training and courses required by this Chapter must be approved by the Commission, must administer the curriculum required by the Commission, and must have received Commission approval of all fees charged in relation to such training and courses.
- (m) Application Submission. Applicants must complete the application forms provided by the Commission and must file the applications as directed by the Commission.
- (n) Address. An Applicant must give the Commission the Applicant's current Mailing Address and a current and valid E-mail Address.
- (o) Payment of Fines and Fees.
  - (1) An Applicant, including an applicant for a renewal License, must pay, and provide proof of payment of, any outstanding fines or fees owed by the Applicant to
    - (i) the Commission,
    - (ii) NYC Department of Finance's Parking Violations Bureau,
    - (iii) NYC Department of Finance's Red Light Camera Unit,
    - (iv) NYS DMV's Traffic Violations Bureau and
    - (v) any of their successor agencies.
  - (2) This requirement includes payment of fines and fees owed as of the date of the application by
    - (i) any Business Entity Persons of the Applicant
    - (ii) any Business Entity of which the Applicant is a Business Entity Person, and
    - (iii) any Business Entity of which a Business Entity Person of the Applicant is also a Business Entity Person.
  - (3) An Applicant, including an Applicant for a renewal License, must pay any fines related to the Applicant's failure to surrender a previously revoked License (of any type), unless the Applicant can demonstrate in person or in writing that the License has been surrendered.
- (p) Material Changes in the Application. The Applicant must inform the Chairperson of any material change in the information submitted as part of the Application while the Application is pending. Material changes include, but are not limited to:
  - (1) Changes in Applicant's Chauffeur's License status;
  - (2) Changes in mailing address or E-mail address;
  - (3) Additional criminal convictions;
  - (4) Additional DMV convictions, including convictions for the offense of operating a motor vehicle while impaired by alcohol or drugs; or
  - (5) Any change to the information provided or submitted with the Application.

#### **§80-04.1 Licensing – Paratransit Driver Authorization to Drive a Street Hail Livery**

The holder of a Valid Paratransit Driver's License is authorized to drive a Street Hail Livery for hire, subject to the provisions and requirements of this chapter, including that the Paratransit Driver meets the eligibility requirements of this Chapter and that the Paratransit Driver complies with all requirements in this Chapter while operating a Street Hail Livery, BUT:

- (a) The holder of a Valid Paratransit Driver's License is authorized ONLY to drive an Accessible Street Hail Livery and
- (b) The holder of a Valid Paratransit Driver's License must comply with all requirements of this Chapter while operating an Accessible Street Hail Livery.

#### **§80-05 Licensing – Term of License**

- (a) License Term. A License issued to a new Applicant will expire three years from the date the License was issued.
- (b) Renewal License Term. A License issued to a renewing Applicant will expire three years from the date on which the previous License expires.
- (c) Extensions. The Commission can extend the expiration date of a renewal License by up to an additional 90 days. If an expiration date is extended, the required drug test must be dated within 90 days before (and no later than) the extended expiration date.
- (d) Advancement. If a Licensee will not be available for drug testing during the 90 days before his or her License is scheduled to expire, the Licensee can ask the Commission to move and reset the License expiration to an earlier date, provided that:
  - (1) A Licensee makes only one such request during the term of a License.
  - (2) The request is complete and accurate and submitted on the proper Commission form.
- (e) 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 in order to avoid a late fee.
  - (2) A renewing Applicant can file a completed application less than 30 days before the expiration date as a "late application," if the Applicant pays a late fee of \$25.
  - (3) The date of submission is the date an application is filed online.
  - (4) The Commission will not accept a renewal application after the expiration date of the License. If the application is not filed before the expiration date, the License cannot be renewed.

(f) Suspended Licenses.

- (1) If a License is suspended, the Licensee must apply for renewal as required in subdivision (e) above if the Licensee wants to renew the License. Failure to complete the renewal requirements means that the License cannot be renewed.
- (2) A License that is suspended is not Valid and cannot be used until the suspension ends. This is true even if the Applicant has filed an application for a renewal.

**§80-06 Licensing – Fees**

- (a) Fee for License. The fee for a TLC Driver's License will be \$84 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 an additional fee of \$25 for a late filing of a renewal application.
- (e) License Replacement Fee. The Commission will charge a fee of \$25 for each License it issues to replace a lost, stolen or mutilated License.
- (f) Fees for Trainings and Other Courses. Participants in a training or course required in this Chapter are responsible for any fees associated with that training or course.

**§80-07 Licensing – Process and Causes for Denial of License**

- (a) Fit to Hold a License - Applicant. The Chairperson will deny the original or renewal License of any Applicant who fails to demonstrate that the Applicant is Fit to Hold a License. The Chairperson will inform the Applicant, in writing, of the specific reason(s) for this denial. The decision to deny a license Application is in the discretion of the Chairperson.
- (b) Fit to Hold a License - Licensee. If at any time the Chairperson is notified that a Driver no longer meets the requirements for licensure, the Chairperson can deny the Driver's renewal application or may seek to suspend or revoke his or her License.
- (c) Denial of an Application. The Chairperson can reject or deny a new Application for a License for the reasons specified in this section. If, at the time of submission of an Application by the Applicant, the Chairperson identifies that the Applicant meets the criteria in this section, the Chairperson will reject the Application and no Application fees will be accepted. If the Application is accepted by the Chairperson for processing, no Application fees will be refunded.
  - (1) Three-Year Ban. The Chairperson can deny an Application if, during the previous three years, the Applicant has committed:
    - (i) Any act, as prohibited by these Rules, of driving a TLC licensed vehicle while impaired by intoxicating liquor (regardless of its alcoholic content) or Drugs.
    - (ii) Any act, as prohibited by these Rules, of bribery, fraud, material misrepresentation, theft, threat against a person, harassment, abuse, or use of physical force.
    - (iii) Any act, as prohibited by these Rules, involving the possession of a Weapon in a vehicle licensed under these Rules.
    - (iv) Any act, as prohibited by these Rules, resulting in the revocation of a prior License, unless the prior License was revoked pursuant to the mandatory penalties set forth in §80-03(e) of these Rules
      1. The three-year ban will apply if, while license revocation charges were pending, a prior License expired or was surrendered to the Chairperson.
      2. Special Consideration for Critical Driver Program and Persistent Violator Program Revocations. After a minimum of one year from the date the Critical Driver or Persistent Violator summons is issued, an Applicant may request a waiver of the three-year ban from the Chairperson. This request can only be made if the Applicant's driving record reflects no more than three points for violations that occurred during the three year period preceding the date of the request for the waiver.
  - (2) One-Year Ban. The Chairperson can deny an Application if, during the previous one year, the Applicant has committed:
    - (i) More than three Collisions within a single year. The one-year ban will be counted from the date of the last Collision.
    - (ii) The traffic infraction of unlicensed operation of a motor vehicle.
    - (iii) Prior Application Denied. The Chairperson will deny an Application that is submitted within one year after the submission of a prior Application, if the previous Application was denied because the Applicant was found not Fit to Hold a License. The one-year ban will be counted from the date the prior Application was submitted to the Commission.
    - (iv) Illegal use of Drugs, as determined by the Commission following a drug test required by the Commission. This includes where the drug test result was unchallenged or unsuccessfully challenged. The one-year ban will run from the date of the failed drug test.
  - (3) Other Reasons for Denial of an Application.
    - (i) Mistake or Omission in the Application. The Chairperson can deny an Application if the Application includes any material mistake or omission, or if the Applicant fails to inform the Chairperson of any material change in the Application.
    - (ii) Eligible for Critical Driver Penalty. The Chairperson can deny an Application if the Applicant would, if licensed, be subject to License suspension or revocation under the Critical Driver Program at the time the Application is submitted.
    - (iii) Pendency of Criminal Charges. The Chairperson will defer consideration of an Application if the Applicant has criminal charges pending. If the charges are not resolved within 90 days after the submission of the Application, the Application will be denied.
  - (4) Settlements. When settling charges which may result in the revocation of a License, the Chairperson and the Respondent in that proceeding may agree to a ban on applying for a new License different than that provided for in these rules, provided that the agreement is in writing.
- (d) Failure to Complete Application Requirements.
  - (1) The Chairperson will deny an Application for a new License if the Applicant has not completed all of the requirements of an Application within 90 days of the date the Application is filed.
  - (2) The Chairperson will deny an Application for a renewal License if the Applicant has not completed all of the requirements of an Application by the expiration date of the prior License.
  - (3) The Chairperson will not deny an Application under this Rule if completion is delayed because the Chairperson has not issued a final decision and the Applicant has complied with any requests made by the Chairperson.
- (e) Additional Consideration of an Application. If a review of the Application leads the Chairperson to believe that the Applicant may not be Fit

to Hold a License, the Chairperson may seek additional information from the Applicant. This request for additional information may be an in-person interview, telephone call, letter, e-mail, or other method of communication. This additional consideration may result in the denial of the Application. Failure to provide any requested information within the time frame requested, or failure to appear at a scheduled interview will result in denial of the application.

**§80-08 Licensing – Care and Use of License**

(a) Loss or Theft of License. A Driver must notify the Commission in writing of the loss or theft of his or her TLC Driver’s License within 72 hours (not counting weekends and holidays).

§80-08(a)	Fine: \$50	Appearance NOT REQUIRED
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(b) Unreadable License. A Driver must immediately surrender any unreadable or unrecognizable TLC Driver’s License to the Commission for replacement and reissue.

§80-08(b)	Fine: \$50	Appearance NOT REQUIRED
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(c) Restrictions on License. A Driver must comply with all restrictions upon his or her Chauffeur’s License.

§80-08(c)	Fine: \$50	Appearance NOT REQUIRED
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(d) No Alteration. A Driver must not alter in any way any portion of his TLC Driver’s License or the attached photograph.

§80-08(d)	Fine: \$50	Appearance NOT REQUIRED
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(e) Keep Likeness Updated. Whenever a Driver’s physical appearance has changed to any significant extent, the Driver must contact the Commission and arrange to have a new photograph of him- or herself taken at the Commission offices.

§80-08(e)	Fine: \$50	Appearance NOT REQUIRED
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(f) Surrender of License. A Driver must surrender his or her License to the Commission immediately upon revocation of the License. The License must be surrendered within thirty days of the date of revocation.

§80-08(f)	Fine: \$1,000 to be paid if Driver applies for a new License of any type.	Appearance N/A
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**§80-09 Comply with Laws – Unlicensed Activity**

(a) Driver Must Have Valid TLC Driver’s License.

- (1) A driver must not operate a Taxicab, a For-Hire Vehicle and/or a Street Hail Livery in the City of New York while his or her TLC Driver’s License is revoked, suspended or expired.
- (2) A Paratransit Driver must not operate an Accessible Street Hail Livery in the City of New York while his or her Paratransit Driver’s License is revoked, suspended, or expired.

§80-09(a)	Fine: First Violation: \$350 Second Violation in 36 months: \$500 Third Violation: revocation.	Appearance NOT REQUIRED
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(b) Any driver who operates a Taxicab, For-Hire Vehicle or Street Hail Livery after his or her License expires and before a renewal License is issued is engaged in Unlicensed Activity.

(c) Driver Must Have Valid Chauffer’s License.

- (1) A Driver must not operate a Taxicab, a For-Hire Vehicle or a Street Hail Livery without a Valid Chauffeur’s License. The License of a Driver who operates a Taxicab, For-Hire Vehicle or Street Hail Livery without a valid Chauffer’s License will be summarily suspended.
- (2) A Driver of a For-Hire Vehicle which is not exempt from NYS Department of Transportation authorization and inspection requirements must be in compliance with Article 19-A of the New York State Vehicle and Traffic Law. Driving a non-exempt vehicle that is not in compliance with Article 19-A constitutes the same offense as driving a For-Hire Vehicle without a Valid License.

§80-09(c)(1)-(2)	Fine: First Violation: \$350 and Suspension until compliance. Second Violation in 36 months: \$500 and Suspension until compliance. Third Violation: revocation.	Appearance NOT REQUIRED
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(3) A driver must immediately surrender his or her TLC Driver’s License to the Commission upon the revocation of his or her Chauffeur’s License.

§80-09(c)(3)	Fine: \$100	Appearance NOT REQUIRED
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(d) Vehicle Must Be Licensed. A Driver must not knowingly operate a vehicle for hire unless it is a Licensed Taxicab, For-Hire Vehicle or Street Hail Livery.

§80-09(d)	Fine: \$350 and/or minimum 5 day to maximum 30 day suspension	Appearance REQUIRED
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(e) No Unauthorized Use of TLC Driver’s License. A Driver must not permit any other person to use the Driver’s TLC Driver’s License or TPEP or LPEP login credentials while operating any vehicle. A Driver must not use any other Driver’s TLC License or TPEP or LPEP login credentials while operating any Vehicle.

§80-09(e)	Fine: \$10,000 and revocation	Appearance REQUIRED
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(f) No Unlicensed Use of Vehicle.

(1) A Driver must not permit a Vehicle to be operated for hire by a person who does not have a Valid TLC Driver’s License.

§80-09(f)(1)	Fine: \$250 and/or minimum 5 day to maximum 30 day suspension	Appearance REQUIRED
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(2) During the work shift a Driver must not allow another person to operate the Vehicle or occupy the Driver’s seat, except in the event of an emergency.

§80-09(f)(2)	Fine: \$50	Appearance NOT REQUIRED
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**§80-10 Comply with Laws – Proper Conduct**

(a) Bribery.

(1) 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.

(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.

§80-10(a)(1)-(2)	Fine: \$10,000 and revocation	Appearance REQUIRED
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(b) Failure to Report Bribery. A Licensee must immediately report to the Commission and the NYC Department of Investigation any request or demand for a gift, gratuity or thing of value by any employee, representative or member of the Commission or any other public servant.

§80-10(b)	Fine: \$1,000 and/or minimum 5 day to maximum 30 day suspension	Appearance REQUIRED
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(c) Fraud, Theft. While performing the duties and responsibilities of a Licensee, a Licensee must not commit or attempt to commit, any act of fraud, misrepresentation or theft.

§80-10(c)	Fine: \$350-\$1,000 and/or minimum 5 day to maximum 60 day suspension, plus restitution if theft. Points: 4	Appearance REQUIRED
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(d) Acts Against Public Interest. While performing the duties and responsibilities of a Licensee, a Licensee must not deliberately perform or fail to perform, alone or with another, any act where the act or failure to perform such act is against the best interests of the public, although not specifically mentioned in these rules.

§80-10(d)	Fine: \$150-\$350 and/or minimum 5 day to maximum 30 day suspension Points: 3	Appearance REQUIRED
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(e) Threats, Harassment, Abuse. While performing the duties and responsibilities of a Licensee, a Licensee must not threaten, harass, or abuse any person, and must not distract or attempt to distract any Service Animal.

§80-10(e)	Fine: \$350-\$1,000 and/or minimum 5 day to maximum 30 day suspension Points: 3	Appearance REQUIRED
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(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 or Service Animal.

§80-10(f)	Fine: \$500-\$1,500 and/or minimum 5 day to maximum 60 day suspension Points: 4	Appearance REQUIRED
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(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.

§80-10(g)	Fine: \$500-\$1,500 and/or minimum 5 day to maximum 60 day suspension Points: 4	Appearance NOT REQUIRED
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(h) Notice of Criminal Conviction.

- (1) A Licensee must notify the Commission in writing within 15 calendar days after any criminal conviction of the Licensee.
- (2) Licensee must also provide the Commission with a certified copy of the certificate of disposition issued by the clerk of the court within 15 days after sentencing.

§80-10(h)	Fine: \$100 if plead guilty before a hearing; \$250 if found guilty following a hearing.	Appearance NOT REQUIRED
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(i) Cooperate with the Commission.

- (1) A Driver must truthfully answer all questions and promptly comply with all communications, directives, and summonses issued by the Commission or its representatives, including the NYC Department of Investigation.
- (2) Upon request of the Commission, a Driver must produce any license, Rate Card, Trip Record or other documents Licensee is required to have or be reasonably able to obtain, whenever the Commission requires it.

§80-10(i)(1)-(2)	Fine: \$300 and Suspension until compliance	Appearance REQUIRED
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(3) (i) A Driver must report any change of Mailing Address and E-mail Address to the Commission within ten days.

§80-10(i)(3)(i)	Fine: \$25 if plead guilty before a hearing; \$50 if found guilty following a hearing.	Appearance NOT REQUIRED
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(ii) Any communication from the Commission is sufficient if sent to the last Mailing Address provided by the Driver.

(4) A Driver must remove all currency from the Vehicle's interior prior to its examination by any Commission personnel.

§80-10(i)(4)	Fine: \$50	Appearance NOT required
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(5) A Driver must cooperate with all dispatchers at public transportation terminals and at authorized group-ride Taxicab lines

§80-10(i)(5)	Fine: \$150 if plead guilty before a hearing; \$200 if found guilty following a hearing.	Appearance NOT required
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(j) Cooperate with Law Enforcement.

- (1) A Driver 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 Driver's name, License number, Rate Card, Trip Records, and any other documents the Driver is required to have in his or her possession.

§80-10(j)	Fine: \$300 if plead guilty before a hearing; \$400 if found guilty following a hearing.	Appearance NOT REQUIRED
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(k) No Use of Vehicle for Unlawful Purpose. A Driver must not use or permit any other person to use his or her Vehicle for any unlawful purpose.

§80-10(k)	Fine: \$250 and/or minimum 5 day to maximum 30 day suspension	Appearance REQUIRED
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(l) Report Attempt to Use Vehicle for Unlawful Purpose. A Driver must report immediately to the police any attempt to use his or her Vehicle to commit a crime or escape from the scene of a crime.

§80-10(l)	Fine: \$200	Appearance REQUIRED
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(m) No Concealment of Crime. A Driver must not conceal any evidence of a crime or voluntarily aid violators to escape arrest.

§80-10(m)	Fine: \$350-\$1,000 and/or suspension up to 30 days.	Appearance REQUIRED
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(n) Facilitation of Sex Trafficking with a Vehicle. A Licensee must not Facilitate Sex Trafficking with a Vehicle.

§80-10(n)	Fine: \$10,000 and revocation.	Appearance NOT REQUIRED
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**§80-11 Comply with Laws – Traffic Laws & Miscellaneous**

(a) Comply with Traffic Laws. Drivers of Taxicabs, For-Hire Vehicles and Street Hail Liveries (including any authorized driver of a Paratransit Vehicle while driving a Street Hail Livery) must comply with all applicable traffic laws, rules, and regulations. Drivers of Taxicabs, For-Hire Vehicles and Street Hail Liveries (including any authorized driver of a Paratransit Vehicle while driving a Street Hail Livery) are subject to additional fines and penalties that will be imposed by the Commission for violating the traffic laws as follows:

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

(i) Except where expressly forbidden, a Vehicle is permitted to stop and wait for Passengers in the space immediately in front of a fire hydrant on a street where parking is not prohibited, provided the Driver remains seated in his or her Vehicle, ready for operation at all times.

§80-11(a)(1)	Fine: \$100 if plead guilty before a hearing; \$200 if found guilty following a hearing.	Appearance NOT REQUIRED
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(2) Laws, rules or regulations governing moving vehicles, other than those defined by paragraph (3) of this subdivision.

§80-11(a)(2)	Fine: \$200 if plead guilty before a hearing; \$300 if found guilty following a hearing.	Appearance NOT REQUIRED
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(3) Laws, rules or regulations governing moving vehicles that involve hazardous moving violations, defined as follows:

§80-11(a)(3)	Fine: \$300 if plead guilty before a hearing; \$400 if found guilty following a hearing, for each violation below. Points: As listed below.	Appearance NOT REQUIRED
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<b>Rule</b>	<b>VIOLATION</b>	<b>Points</b>
§80-11(a)(3)(i)(A)	SPEEDING 1 to 10 miles above posted speed limit	3
§80-11(a)(3)(i)(B)	SPEEDING 11 to 20 miles above posted speed limit	4
§80-11(a)(3)(i)(C)	SPEEDING 21 to 30 miles above posted speed limit	5
§80-11(a)(3)(i)(D)	SPEEDING 31 to 40 miles above posted speed limit	6
§80-11(a)(3)(i)(E)	SPEEDING 41 or more miles above posted speed limit	8
§80-11(a)(3)(ii)	Failing to stop for school bus	5
§80-11(a)(3)(iii)	Following too closely (tailgating)	4
§80-11(a)(3)(iv)	Inadequate brakes (own vehicle)	4
§80-11(a)(3)(v)	Inadequate brakes (employer's vehicle)	2
§80-11(a)(3)(vi)	Failing to yield right of way	3
§80-11(a)(3)(vii)	Traffic signal violation	3
§80-11(a)(3)(viii)	Stop sign violation	3
§80-11(a)(3)(ix)	Yield sign violation	3
§80-11(a)(3)(x)	Railroad crossing violation	3
§80-11(a)(3)(xi)	Improper passing	3
§80-11(a)(3)(xii)	Unsafe lane change	3
§80-11(a)(3)(xiii)	Driving left of center	3
§80-11(a)(3)(xiv)	Driving in wrong direction	3
§80-11(a)(3)(xv)	Leaving scene of an accident involving property damage or injury to animal	3

(4) Report Before Leaving Scene. A Driver who knows or should have known that a Collision involving the Driver's Vehicle resulted in personal injury to another or damage to another's property must stop before leaving the scene of the Collision, and if the other involved party is present, must:

(i) Show his or her Chauffeur's License, TLC License (and, where applicable, Rate Card or Vehicle License) to the other party involved in the incident.

(ii) Give the other involved party or the police his or her name, Chauffeur's License number, TLC Driver's License and any other vehicle and license type identification, as well as the name of the Vehicle's insurance carrier and the insurance policy number.

§80-11(a)(4)	Fine: \$350 and/or suspension up to 30 days or revocation if Driver is found guilty of having violated this rule more than 3 times within a 12-month period Points: 3	Appearance <u>REQUIRED</u>
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(5) Notify Vehicle Owner of Collision. If the Driver is involved in a Collision, the Driver must immediately report the Collision to the owner of the Vehicle.

§80-11(a)(5)	Fine: \$100 Points: 3	Appearance <u>NOT REQUIRED</u>
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(6) 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 Issuing Jurisdiction or a violation of the regulations of a Issuing Jurisdiction.

§80-11(a)(5)	Fine: \$100 Points: 3	Appearance <u>NOT REQUIRED</u>
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(b) Workers' Compensation Laws.

(1) A Driver who suffers a disabling work-related injury and has filed for Workers' Compensation benefits must:

(i) Surrender his or her TLC Driver's License to the Commission

§80-11(b)(1)(i)	Fine: \$75	Appearance <u>REQUIRED</u>
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(ii) Cease driving while claiming a disability. If a Driver files for Workers' Compensation benefits claiming an injury that prevents the Driver from working as a Driver, the Driver must stop driving as a For-Hire Driver and return his or her Driver's License to the Commission.

§80-11(b)(1)(ii)	Fine: \$150	Appearance <u>REQUIRED</u>
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(2) Return to Work.

(i) The Driver's License will be returned when the Driver submits documentation to the Commission that he or she has recovered and is no longer receiving Workers' Compensation benefits.

(ii) Where applicable, the owner of the Taxicab is required to provide the Driver with documentation indicating that the Workers' Compensation benefits have ended, as provided in Chapter 58, §58-14(d) of these Rules.

(c) MTA Tax: Taxicab and Street Hail Livery Trips

(1) For all trips completed in a Taxicab or Street Hail Livery where the MTA Tax must be charged as required by §80-15(g):

(i) A Taxicab Driver who is not a Taxpayer must pay the Taxpayer the MTA Tax collected for each Taxicab trip for which the MTA Tax is due.

(ii) A Street Hail Livery Driver must pay the Street Hail Livery Base with which the Street Hail Livery is affiliated the MTA Tax collected for each trip for which the MTA Tax is due.

§80-11(c)(1)	Fine: \$50 per occurrence	Appearance <u>REQUIRED</u>
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**§80-12 Operations - Passenger and Driver Safety**

(a) Reckless Driving Rule. A Driver must not operate his or her Vehicle in a manner that would violate section 1212 of the NYS Vehicle and Traffic Law.

§80-12(a)	Fine: \$350-\$1,000 and/or suspension up to 30 days, or revocation if Driver is found guilty of having violated this rule more than three times within an 18-month period Points: 4	Appearance <u>REQUIRED</u>
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(b) Driving While Impaired.

(1) A Driver must not operate a Vehicle while his or her driving ability is impaired by intoxicating liquor (regardless of its alcoholic content) or while he or she is under the influence of Drugs.

(2) A Driver must not drive or occupy his or her Vehicle for at least six hours after consuming any intoxicating liquor regardless of its alcoholic content, or any Drugs.

(3) A Driver may be charged with Driving While Impaired regardless and independent of any of the Driver's previous Drug Test results.

§80-12(b)	Fine: Revocation	Appearance <u>REQUIRED</u>
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(c) Drug Testing for Cause. If the Commission has a reasonable suspicion that a Driver has used a Drug that makes him or her unfit to operate a 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.

§80-12(c)	Fine: Suspension until compliance	Appearance <u>NOT REQUIRED</u>
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(d) Annual Drug Testing.

(1) All Drivers except (1) Drivers who are City of New York Police Officers or (2) Paratransit drivers, must be tested annually, at the Driver's expense, for Drugs in order to retain Valid Licenses.

(2) The drug testing must be performed by an individual or entity designated by the Commission and possessing a requisite permit issued by the New York State Department of Health.

(3) For Drivers in the first year of a three -year License, the testing must occur no sooner than 90 days before the one-year anniversary date of the License, and not after the one-year anniversary date.

§80-12(d)(3)	Fine: \$100 if plead guilty before a hearing; \$200 if found guilty following a hearing and suspension until compliance	Appearance <u>NOT REQUIRED</u>
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(4) For Drivers in the second year of a three-year License, the testing must occur no sooner than 90 days before the second-year anniversary date of the License, and not after the second-year anniversary date.

§80-12(d)(4)	Fine: \$100 if plead guilty before a hearing; \$200 if found guilty following a hearing and suspension until compliance	Appearance <u>NOT REQUIRED</u>
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(5) For Drivers in the third year of a three-year License, the annual drug testing must occur no sooner than 90 days before the



License expiration date, and in no case after the expiration date.

§80-12(d)(5)	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
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(e) Results of Drug Test. Driver must pass every drug test, including “For Cause” drug tests under §80-12(c) and “Annual” drug tests under §80-12(d). If the results of either test are positive, or if the sample cannot be tested, the Driver’s License can be revoked after a hearing.

§80-12(e)	Fine: Summary Suspension	Appearance REQUIRED
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(f) Limits on Consecutive Hours of Driving. A Driver must not operate a Vehicle for more than 12 consecutive hours.

§80-12(f)	Fine: \$25	Appearance NOT REQUIRED
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(g) Use of Electronic Communication Device.

(1) A Driver must not Use an Electronic Communication Device while operating a Vehicle. A Driver can Use an Electronic Communication Device only while the Vehicle is lawfully standing or parked.

§80-12(g)(1)	Fine: \$250 if plead guilty before a hearing; \$350 if found guilty following a hearing, and suspension. The suspension is deferred for 60 days; if the driver completes a Distracted Driving Course within the 60-day period then the driver will not be suspended.  Points: 3 for the first offense and for the second offense in any 15-month period; 4 for the third offense in any 15-month period.	Appearance NOT REQUIRED
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(2) In addition to the penalties provided above for any violation of this Rule, a Driver convicted of a violation of this Rule must complete a Distracted Driving Course no later than 60 days after the date of conviction. The license of a Driver who does not complete the Distracted Driving Course within the 60 day period will be suspended until compliance. The Driver must provide proof that the course was completed. In instances where the Chairperson has not received proof of completion of a Distracted Driving Course from a Distracted Driving Course provider, the Chairperson will provide notice to the Driver prior to suspension that the Driver has a specified time of no less than 10 days from the date of the notice to provide proof of completion of a Distracted Driving Course to the Chairperson by mail.

(3) In a For-Hire Vehicle or Street Hail Livery, a short business-related communication with a Base is NOT a Use of an Electronic Communication Device if all of the following apply:

- (i) The communication is about a Dispatch; and
- (ii) The communication occurs using either an FCC-licensed commercial two-way radio or a device, including a smart phone, which is mounted in a fixed position and not handheld; and
- (iii) The communication occurs using either voice or one-touch pre-programmed buttons or keys.

(4) Affirmative Defense. A Driver can offer an affirmative defense to a charge of Using an Electronic Communication Device under this Rule if all of the following are true:

- (i) The communication was to an emergency response operator;
- (ii) The communication reports an imminent threat to life or property;
- (iii) The Driver could not safely stop the Vehicle to make the report; and
- (iv) The Driver provides documentary proof of communication with an emergency response provider.

(h) Serious Crashes. A Serious Crash is one in which any person has suffered Critical Injury or death. “Critical Injury,” for purposes of this subdivision, means any injury determined to be critical by the emergency medical service personnel responding to such crash.

(1) If a Driver has been issued a summons for or charged with one or more traffic related violations or crimes in a Serious Crash, the Driver’s License may be Summarily Suspended, upon a finding that the Driver’s conduct was a substantial cause of the Serious Crash. Upon conviction of the Driver of one or more of the violations or crimes stated in the summons or charges and upon a determination that one or more of the violations or crimes for which conviction occurred was a cause of Critical Injury or death, the Driver’s License will be revoked. A Summary Suspension pursuant to this section may be lifted pursuant to this Title or upon dismissal of all such charges or upon a finding of not guilty of all of the stated traffic related violations and crimes, except that the Chairperson may continue to suspend the Driver’s License pursuant to an investigation into such Driver’s fitness, and such License may be revoked if the Driver is found not Fit to Hold a License (see paragraph (2)). This subdivision does not limit in any way the Chairperson’s authority to Summarily Suspend a Driver for other reasons.

(2) After any Serious Crash of which the TLC is notified involving a Driver operating a Licensed Vehicle, the TLC will review whether the Driver is Fit to Hold a License under Section 80-07(b) of this Chapter. The TLC can seek Suspension or Revocation of the Driver’s License and can Summarily Suspend the Driver’s License while any fitness review or enforcement action is pending, in accordance with Section 68-15 of this Title.

**§80-13 Operations – General Rules During Operation of Vehicle**

(a) No Weapons. While operating a Vehicle, a Driver must not have a Weapon or any other instrument intended to be used as a weapon in his or her possession or in the vehicle without the written permission of the Chairperson.

§80-13(a)	Fine: Revocation	Appearance REQUIRED
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(b) No Smoking. A Driver must not smoke in a Vehicle.

§80-13(b)	Fine: \$150	Appearance REQUIRED
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(c) Locking Vehicle Doors.

(1) While on duty and operating for-hire, a Driver must not lock either of the rear doors except with the consent or at the request of a Passenger or for a reason specified in these rules.

§80-13(c)(1)	Fine if Passenger inside the Vehicle: \$300 if plead guilty before a hearing; \$400 if found guilty following a hearing and/or minimum 5 day to maximum 30 day suspension. Points: 2  Fine if Passenger outside the Vehicle: \$50 if plead guilty before a hearing; \$100 if found guilty following a hearing.	Appearance REQUIRED
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(2) A Driver is permitted to lock the front doors. However, a Driver must not refuse to transport a party of four, where one person must occupy the front seat, because the front doors are locked. Such refusal to unlock the front doors is a violation of section 80-13(f)(1).

(d) E-ZPass® Rules

- (1) A Driver must not operate a Taxicab or Street Hail Livery Vehicle for hire that is not equipped with an E-ZPass® tag.
- (2) The Taxicab or Street Hail Livery Driver must use E-ZPass® at all crossings within the jurisdiction of the Metropolitan Transportation Authority, Triboro Bridge and Tunnel Authority, and wherever else E-ZPass® is accepted.
- (3) Taxicab or Street Hail Livery Drivers may use personal E-ZPass® tags to meet this requirement.

§80-13(d)(1)-(3)	Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing.	Appearance NOT REQUIRED
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- (4) A Taxicab or Street Hail Livery Driver must forward all tolls paid by the Passengers to the holder of the E-ZPass® tag at the end of his or her shift or lease period.
- (5) If Taxicab or Street Hail Livery Driver has been required to establish a replenishment account, as described in §58-27(d)(2) of the Taxicab Ownerschapter, the Driver must maintain the required balance in the account.

§80-13(d)(4)-(5)	Fine: \$50 plus restitution to the E-ZPass® tag holder of any amount not reimbursed	Appearance REQUIRED
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(e) Overloading Vehicle.

- (1) A Driver of a Taxicab or a Street Hail Livery must not permit more than four Passengers to ride in a four-Passenger Vehicle, nor more than five Passengers in a five-Passenger Vehicle, except that an additional Passenger must be accepted if the Passenger is under the age of seven (7) and is held on the lap of an adult Passenger seated in the rear.
- (2) A Driver must not permit a Vehicle to be overloaded or to carry more passengers than the Vehicle is equipped to seat based on the NYS DMV registration of the Vehicle.

§80-13(e)	Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing.	Appearance NOT REQUIRED
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(f) Use of Front Seat.

- (1) A Driver must not refuse to transport a party of four, where one Passenger must occupy the front seat.
- (2) A Passenger who is unable to enter or ride in the rear seat of the Vehicle must be permitted to occupy the front passenger seat.
- (3) If a Passenger's luggage, wheelchair, crutches, other mobility aid or other property occupies the rear seats of the Vehicle, a passenger must be permitted to occupy the front Passenger seat.

§80-13(f)	Fine: \$75	Appearance NOT REQUIRED
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(g) No Marketing to Passengers. A Driver must not sell, advertise or recommend any service or merchandise to any Passenger without prior written Commission approval. *Exception:* A Driver of a For-Hire Vehicle or Street Hail Livery can promote the services offered by the vehicle's affiliated Base.

§80-13(g)	Fine: \$50	Appearance REQUIRED
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(h) No Taxicab Subleases. A Driver who is leasing a Taxicab must not sublease the Taxicab.

§80-13(h)	Fine: First Violation: \$100 Second Violation: \$200 Third Violation: \$300 and/or minimum 5 day to maximum 30 day suspension.	Appearance REQUIRED
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(i) Courtesy. A Driver must be courteous to passengers.

§80-13(i)	Fine: \$200 if plead guilty before a hearing; \$300 if found guilty following a hearing.	Appearance NOT REQUIRED
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(j) Parking. While stopped at his or her 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.

§80-13(j)	Fine: \$50	Appearance NOT REQUIRED
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(k) No Nuisance Behavior. A Driver stopped at the Base with which the Driver's Vehicle is affiliated or from which the Driver is being dispatched must not create a nuisance such as, but not limited to:

- (1) Engaging in littering,
- (2) Playing of loud audio material, or
- (3) Horn honking.

§80-13(k)	Fine: \$50	Appearance NOT REQUIRED
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(l) No Horn Honking. A Driver must not engage in horn-honking that violates traffic rules and regulations.

§80-13(l)	Fine: \$50	Appearance NOT REQUIRED
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**§80-14 Operations – Comply with Reasonable Passenger Requests**

(a) Specific Route. The Driver must comply with all reasonable and lawful routing requests of the Passenger. Unless a Passenger makes a specific request, a Driver must proceed to the Passenger's destination by the shortest reasonable route.

§80-14(a)	Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing.	Appearance NOT REQUIRED
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(b) Requests to Change Destination. Passengers may ask the Driver to change their destination or end their ride during their trip. Drivers must comply with these requests unless it is impossible or unsafe. For Hail trips the Passenger will pay the amount shown on the Taximeter or information monitor when the trip ends. For a Pre-Arranged Trip in a Street Hail Livery or a trip in a For-Hire Vehicle, a request to change or terminate the trip can result in a different fare or, for a trip which terminates early, the complete fare quoted.

§80-14(b)	Fine: \$50 if plead guilty before a hearing; \$100 if found guilty following a hearing.	Appearance REQUIRED
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(c) Request to Load Luggage. Upon the request of a Passenger, the Driver must load or unload a Passenger's luggage, wheelchair, crutches or other property into or out of the Vehicle's interior or trunk compartment, and must securely close the door or trunk compartment.

§80-14(c)	Fine: \$50	Appearance NOT REQUIRED
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(d) Passenger Receipt for Taxi and SHL trips.

- (1) At the end of a trip in a Taxicab or a hail trip in a Street Hail Livery, a Driver, personally or via the passenger information monitor (PIM) or other electronic means, must offer a Passenger a receipt for payment of fare,
- (2) When a Passenger requests a receipt, personally or via the PIM or other electronic means, a Driver must give a Passenger a receipt for payment of the fare.
- (3) The receipt must state the:

- (i) date
- (ii) time
- (iii) Medallion number or Street Hail Livery license number
- (iv) trip number
- (v) total fare
- (vi) tolls
- (vii) surcharges
- (viii) extras
- (ix) tip, if paid by credit/debit card
- (x) last four digits of card account number, if applicable
- (xi) Driver's hack license number and
- (xii) the "311" Commission Complaint telephone number.

§80-14(d)	Fine: \$50 if plead guilty before a hearing; \$75 if found guilty following a hearing. Points: 1.	Appearance NOT REQUIRED
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(e) Request to Adjust Audio.

- (1) All audio equipment controlled by the Driver must be adjusted or 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 engaged in a trip, an audio device must be played at normal volume only, and must comply with all noise laws and regulations.

§80-14(e)	Fine: \$25	Appearance NOT REQUIRED
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(f) Request to Adjust Air Conditioning/Heat. At the request of a Passenger, the Driver must turn the air conditioning or heating equipment on or off.

§80-14(f)	Fine: \$25	Appearance NOT REQUIRED
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(g) Provide License Upon Request. A Driver must provide comply with all reasonable request to provide his or her name, TLC Driver's License number (or the or Paratransit Driver's License Number as applicable) and the Medallion, For-Hire Vehicle or Street Hail Livery license number.

§80-14(g)	Fine: \$100 if plead guilty before a hearing; \$200 if found guilty following a hearing.	Appearance REQUIRED
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(h) Other Reasonable Passenger Requests. A Driver must comply with all other reasonable requests of a Passenger.

§80-14(h)	Fine: \$50	Appearance REQUIRED
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**§80- 15 Operations – Rates, Charges and Payment**

(a) No Overcharges.

- (1) A Driver of a Taxicab or Street Hail Livery must not charge or attempt to charge a fare above the Commission-approved rates. This includes a fare in a Street Hail Livery for a Hail Trip or a fare for any trip initiated or accepted through an E-Hail Application.
- (2) A Driver of a For-Hire Vehicle or Street Hail Livery on Pre-Arranged Trips must not charge a Passenger more than the rate, fare quote, or fare estimate provided to the Passenger by the Base pursuant to Section 59B-23 of these Rules (unless the trip destination is changed by the passenger after the initial fare quote or fare estimate).
- (3) 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.

§80-15(a)(1)-(3)	Mandatory penalties as set forth in §80-03(e)	Appearance NOT REQUIRED
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- (4) A Driver of a Taxicab or Street Hail Livery must not collect or attempt to collect separate fares from individual Passengers who have shared a Taxicab or Street Hail Livery for part or all of a trip unless such fares are specifically authorized as part of a Group Riding program established by the Commission.

§80-15(a)(4)	Fine: \$50 if plead guilty before a hearing; \$100 if found guilty following a hearing. Points: 2	Appearance REQUIRED
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- (5) A Driver must give the correct change to a Passenger who has paid the fare.

§80-15(a)(5)	Fine: \$50 if plead guilty before a hearing; \$100 if found guilty following a hearing. Points: 2	Appearance REQUIRED
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- (6) A Driver must not ask a Passenger for a tip or indicate that a tip is expected or required.

§80-15(a)(6)	Fine: \$50	Appearance NOT REQUIRED
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(b) Non-Paying Customers. If a Taxicab or Street Hail Livery Passenger refuses to pay the metered fare, the Driver of the Taxicab or Street Hail Livery must place the meter in the off or "Vacant" position, record the amount of fare on the Taximeter onto the Trip Record through the TPEP or LPEP, or onto the written Trip Record if the TPEP or LPEP is not working, and proceed directly to the nearest police precinct, present the facts to the police and follow their instructions for resolving the dispute.

(c) Currency. A Taxicab or Street Hail Livery Driver must accept United States currency as fare payment.

§80-15(c)	Fine: \$50	Appearance NOT REQUIRED
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(d) Making Change.

- (1) A Driver of a Taxicab or Street Hail Livery must always be capable of making change for a \$20 bill during his or her work shift.
- (2) If the Driver of a Taxicab or Street Hail Livery is not able to change a \$20 bill, the Driver will, with the Passenger's consent, take the following steps:
  - (i) Key the appropriate off duty code into TPEP or LPEP.
  - (ii) Transmit the relevant information to an electronic database for entry on the electronic trip record or make an appropriate written trip record entry.
  - (iii) Proceed to the nearest location where he or she may reasonably expect to obtain change.

§80-15(d) | Fine: \$25 | Appearance NOT REQUIRED

(e) Must Accept Credit/Debit Card Payment.

(1) Taxicabs and Street Hail Livery Credit/Debit Card Payment

- (i) All Taxicabs are required to be equipped with TPEP and Drivers must accept a Passenger's choice to pay by credit/debit card.
- (ii) All Street Hail Liveries are required to be equipped with LPEP and Drivers must accept a Passenger's choice to pay by credit/debit card for Hail Trips.
- (iii) Drivers of Street Hail Liveries in vehicles using a non-fixed one device LPEP to accept credit/debit card payments are prohibited from taking the Passenger's credit/debit card. A Driver in such a vehicle must pass the one device solution to the Passenger to allow the Passenger to swipe his or her own card.
- (iv) A Driver of a Taxicab or Street Hail Livery must not pick up or transport a passenger when the system is incapable of accepting or processing credit or debit card transactions, unless prior to engaging the Taximeter, the Driver advises the passenger that he/she will not be able to use a credit or debit card for payment.
- (v) A Driver of a Taxicab or Street Hail Livery must not accept credit/debit card payments through any device other than the Taxicab's TPEP or Street Hail Livery's LPEP or an approved E-Hail App.
- (vi) If a Taxicab or Street Hail Livery customer's effort to pay by debit/credit card at the end of the trip is prevented not by the Taxicab's TPEP (or the Street Hail Livery's LPEP system) system, but because the communication network is unable to process debit/credit card payments at that time, the Driver must offer the customer the option of either paying cash or having the Driver continue to a location where the wireless payment system can communicate with its network.

§80-15(e)(1)(i)-(vi) | Fine: \$100 | Appearance NOT REQUIRED

- (vii) No Mark-up for Credit Payment. A Driver of a Taxicab or Street Hail Livery must not charge any additional fee (mark-up) to any Passenger for credit/debit card transactions for any Trip in a Taxicab or for any Hail Trip in a Street Hail Livery.

<u>§80-15(e)(1)(vii)</u>	<u>Fine: First violation: \$200</u> <u>Second violation: \$300</u> <u>Third violation: \$500</u> <u>In addition to the penalty payable to the Commission, the administrative law judge may order the Driver to pay restitution to the Passenger, equal to the excess amount that was charged to the Passenger.</u>	<u>Appearance REQUIRED</u>
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(2) For-Hire Vehicle Credit/Debit Card Payment

- (i) All For-Hire Vehicle Drivers must accept a Passenger's choice to pay by credit/debit card if credit card payment is available.

§80-15(e)(2)(i) | Fine: \$100 | Appearance NOT REQUIRED

(f) Trips Beyond the City in a Taxi or Street Hail Livery.

(1) In General. For a trip anywhere in a Taxi or Street Hail Livery beyond the City of New York (other than to Westchester or Nassau counties or Newark Airport), the following rules and charges apply:

- (i) The Driver of a Taxicab or Street Hail Livery must negotiate a flat rate trip charge with the Passenger before beginning the trip. (NOTE: A "flat" rate means a dollar amount; "double the meter" is NOT a flat rate.)
- (ii) The Driver of a Taxicab or Street Hail Livery must place the Taximeter in a recording position at the beginning of the trip and allow it to continue recording

§80-15(f)(1) | Fine: \$100 | Appearance NOT REQUIRED

(2) For a trip to Westchester or Nassau County, the following charges and rules apply:

- (i) The Driver of a Taxicab or Street Hail Livery must place the Taximeter in a recording position at the start of the trip and must keep the Taximeter in the recording position at all times.
- (ii) Before starting the trip, the Driver of a Taxicab or Street Hail Livery must inform the Passenger how the trip charges will be calculated, including the payment of tolls both to and from the destination for Taxicabs and Chapter 82, §82-26(d)(2) for Street Hail Liveries.
  - A The rate of fare will be the amount shown on the Taximeter for the portion of the trip within the City, plus twice the amount shown on the Taximeter for the portion of the trip outside the City limits (See Chapter 58, §58-26(d)(2)).
- (iii) The Driver of a Taxicab or Street Hail Livery must tell the Passenger when the Vehicle crosses the City limits so that the Passenger can check the reading on the Taximeter at that time.
- (iv) The Passenger of a Taxicab or Street Hail Livery is also responsible for all necessary tolls charged for both going to the destination and for the Driver's return to the City.

§80-15(f)(2) | Fine: \$100 | Appearance NOT REQUIRED

(3) For a trip to Newark Airport, in a Taxi or a Street Hail Livery the following charges and rules apply:

- (i) The Driver of the Taxicab or Street Hail Livery must place the Taximeter in a recording position at the start of the trip and must keep the Taximeter in the recording position at all times.
- (ii) Before starting the trip, the Driver of the Taxicab or Street Hail Livery Driver must inform the Passenger how the trip charges will be calculated, including the payment of tolls out of and back into the City.
- (iii) The rate of fare will be the amount shown on the Taximeter plus a surcharge of \$17.50 (See Chapter 58, §58-26(d)(3) for Taxicabs and Chapter 82, §82-26(d)(3) for Street Hail Liveries).
- (iv) The Taxicab or Street Hail Livery Passenger is also responsible for all necessary tolls charged for both going to the destination and for the Driver's return to the City.

§80-15(f)(3) | Fine: \$100 | Appearance NOT REQUIRED

(g) MTA Tax. The MTA Tax must be charged on any trip in a Taxicab or on any Hail Trip in a Street Hail Livery that starts in New York City and ends in any of:

- (1) New York City.
- (2) Dutchess County.

- (3) Nassau County.
- (4) Orange County.
- (5) Putnam County.
- (6) Rockland County.
- (7) Suffolk County.
- (8) Westchester County.

(h) A Driver of a Street Hail Livery can participate in any Chairperson authorized Group Ride programs in the Hail Zone or in any Chairperson approved multiple passenger ride programs.

(i) Taxicab Improvement Surcharge. For each trip in a Taxicab, the Driver must remit the Taxicab Improvement Surcharge to the Taxicab Medallion Owner.

§80-15(i)	Fine: \$50 per occurrence	Appearance NOT REQUIRED
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(j) Street Hail Livery Improvement Surcharge. For each Hail Trip in a Street Hail Livery, the Driver must remit the Street Hail Livery Improvement Surcharge to the Street Hail Livery Licensee.

§80-15(j)	Fine: \$50 per occurrence	Appearance NOT REQUIRED
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(k) Taxicab and Street Hail Livery E-Payments.

(1) A Taxicab or Street Hail Livery Driver must allow the Passenger to pay by E-Payment as long as the E-Payment method complies with Commission rules.

(2) The payment must not exceed Commission-approved rates plus any optional tip.

(3) The fare must be calculated as required by these rules and the Taximeter must be used for all trips, including trips paid for by E-Payment. Any fare paid for by E-Payment must be calculated by the Taximeter and not by any other method.

(4) The itemized fare amount charged to the Passenger must be automatically transmitted to the E-Hail Application from the TPEP, the LPEP, or the Taximeter, and relevant payment data necessary to obtain a complete trip record must be transmitted from the E-Hail Application to the TPEP or LPEP. Manual input of the fare by the Driver or any other person into the E-Hail Application is not permitted.

§80-15(k)(1)-(2)	Mandatory penalties as set forth in §80-03(e)	Appearance NOT REQUIRED
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(5) A violation of paragraphs (1) or (2) above that results in a fare in excess of the Commission-approved rates is an overcharge under sections 80-15(a)(1) and 80-15(k) and a Driver will be subject to the penalties for an overcharge under Section 80-02.

§80-15(k)(5)	Fine: \$350 if plead guilty before a hearing; \$500 if found guilty following a hearing.	Appearance NOT REQUIRED
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(6) A Driver must not accept credit card payment from a Passenger by any E-Hail Application that does not integrate with the TPEP or LPEP.

§80-15(k)(6)	Fine: \$200	Appearance NOT REQUIRED
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#### §80-16 Operations – Lost Property

(a) Inspection Following Trips to and from Airports. Immediately after completing a trip to Kennedy, La Guardia or Newark Airports, the Driver must inspect the interior of the Vehicle and the trunk compartment, if used, to ensure that Passengers have collected their property.

§80-16(a)	Fine: \$25	Appearance NOT REQUIRED
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(b) Handling of Lost Property.

(1) Property found by a Driver in a Taxicab must be returned to the Passenger if possible; otherwise, it must be taken without delay to a police precinct as directed by the NYPD.

(2) Property found by a Driver in a For-Hire Vehicle or Street Hail Livery must be returned to the Passenger if possible; otherwise it must be taken without delay to a police precinct as directed by the NYPD or to the Vehicle's Base.

§80-16(b)	Fine: \$100	Appearance REQUIRED
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(c) A Driver cannot demand or request payment for the return of property

§80-16(c)	Fine: \$100	Appearance REQUIRED
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(d) Notifying Commission Regarding Lost Property. If the property is not returned to the Passenger, the Driver must promptly inform the Commission of the details regarding the found property and the location where it is held.

§80-16(d)	Fine: \$25	Appearance NOT REQUIRED
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#### §80-17 Operations – Passenger Solicitation and Engagement

(a) Limits on Driver Solicitation of Passengers in Taxicabs.

(1) A Driver of a Taxicab must not use a person, other than a dispatcher at an authorized Group Ride taxi line, licensed E-Hail Application, or an Accessible Vehicle dispatcher, to solicit Passengers. Use of any licensed E-Hail Application by the Driver is optional.

§80-17(a)(1)	Fine: \$50	Appearance NOT REQUIRED
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(2) A Driver of a Taxicab must not pick up additional Passengers during a trip except at the Passenger's request.

§80-17(a)(2)	Fine: \$100	Appearance NOT REQUIRED
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(3) A Driver of a Taxicab must not suggest to a current Passenger that an additional person be accepted as a Passenger.

§80-17(a)(3)	Fine: \$50	Appearance NOT REQUIRED
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(4) A Driver of a Taxicab must not solicit or cruise for the purpose of soliciting Passengers or accept Passengers for transportation with the use of an E-Hail Application:

(i) At Kennedy, La Guardia or Newark Airports

(ii) Within 100 feet of any authorized Taxi Stand

(iii) Within the private streets of Lincoln Center

(iv) In any area of the City of New York where Taxicab cruising is prohibited

§80-17(a)(4)	Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing.	Appearance NOT REQUIRED
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(5) A Driver who has entered the appropriate off duty code into TPEP must not solicit or accept a Passenger unless ALL of the following are true:

(i) The Driver is returning the Taxicab to his or her garage or home;

- (ii) The Driver has transmitted the relevant information to an electronic database for entry on the electronic trip record or made a written trip record entry "Returning to garage (or home)"; and
- (iii) The Passenger's destination is directly on the route to the Driver's home or garage.

§80-17(a)(5)	Fine: \$75 if plead guilty before a hearing; \$100 if found guilty following a hearing.	Appearance NOT REQUIRED
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(b) Limits on Driver Solicitation of Passengers in Street Hail Liveries.

(1) Exclusionary Zones

- (i) A Driver of a Street Hail Livery must not solicit Passengers in the Hail Exclusionary Zone.
- (ii) A Driver of a Street Hail Livery must not accept a Pre-Arranged Trip beginning in the Pre-Arranged Exclusionary Zone.

§80-17(b)(1)	Fine: First Violation: \$500 and suspension; Second Violation in 24 months: \$750 and suspension; Third Violation in 120 months: Revocation	Appearance REQUIRED
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(2) Hail Zone

- (i) Inside the Hail Zone, a Driver of a Street Hail Livery can accept Passengers by Hail or can accept a Pre-Arranged Trip through a Base.
- (ii) A Driver of a Street Hail Livery must not solicit or cruise for the purpose of soliciting Passengers within 100 feet of any authorized Taxi Stand.

§80-17(b)(2)(ii)	Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing.	Appearance NOT REQUIRED
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- (iii) A Driver of a Street Hail Livery must not use a person, other than a dispatcher at an authorized Group Ride taxi line, licensed E-Hail Application, an Accessible Vehicle dispatcher, or a Street Hail Livery Base, to solicit Passengers. Use of any licensed E-Hail Application by the Driver is optional.

§80-17(b)(2)(iii)	Fine: \$50	Appearance NOT REQUIRED
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- (3) A Driver of a Street Hail Livery must not pick up additional Passengers during a trip except at the Passenger's request.

§80-17(b)(3)	Fine: \$100	Appearance NOT REQUIRED
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- (4) A Driver of a Street Hail Livery must not suggest to a current Passenger that an additional person be accepted as a Passenger.

§80-17(b)(4)	Fine: \$50	Appearance NOT REQUIRED
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- (5) A Driver of a Street Hail Livery who has indicated through the LPEP that he or she is on-duty unavailable for the purposes of accepting a Pre-Arranged trip must not solicit or accept a Passenger for a Hail Trip.

§80-17(b)(5)	Fine: \$75 if plead guilty before a hearing; \$100 if found guilty following a hearing.	Appearance NOT REQUIRED
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- (6) A Driver of a Street Hail Livery who has indicated in the meter or through the LPEP that he or she is off duty must not solicit or accept a Passenger unless ALL of the following are true:

- (i) The Driver is in the Hail Zone;
- (ii) The Driver is returning the Street Hail Livery to his or her Base or home;
- (iii) The Driver has transmitted the relevant information to an electronic database for entry on the electronic trip record or made a written trip record entry; and
- (iv) The Passenger's destination is directly on the route to the Driver's home or garage.

§80-17(b)(6)	Fine: \$75 if plead guilty before a hearing; \$100 if found guilty following a hearing.	Appearance NOT REQUIRED
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(c) Limits on Driver Solicitation of Passengers in For-Hire Vehicles.

- (1) A Driver of a For-Hire Vehicle must not solicit or pick up Passengers other than by prearrangement through a licensed Base of the class that can dispatch the Driver's For-Hire Vehicle or Dispatch Service Provider.

§80-17(c)(1)	Fine: First Violation: \$500 Second Violation in 24 months: \$1500 Third Violation in 36 months: Revocation	Appearance NOT REQUIRED
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- (2) Hail Exclusionary Zone. If a Driver solicits or picks up Passengers in Manhattan south of East 96th Street and West 110th Street or at the New York City Airports other than by prearrangement through a licensed Base of the class that can dispatch the Driver's For-Hire Vehicle or Dispatch Service Provider, or by dispatch of an Accessible Vehicle, the Driver will be subject to the below enhanced penalties.

§80-17(c)(2)	Fine: First Violation: \$2,000 Second Violation in 24 months: \$4000 Third Violation in 120 months: \$10,000 and Revocation	Appearance NOT REQUIRED
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- (3) 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.

§80-17(c)(3)	Fine: \$100	Appearance NOT REQUIRED
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(d) Taxi Stands and Relief Stands.

- (1) A Driver of a Taxicab has the right to take a position at any Taxi Stand having a vacancy, and no other Driver may interfere with that right.
- (i) A Driver of a Street Hail Livery has the right to take a position at any Taxi Stand having a vacancy in the Hail Zone, and no other Driver may interfere with that right. A Driver of a Street Hail Livery does NOT have the right to take a position at a Taxi Stand in the Hail Exclusionary Zone.

§80-17(d)(1)	Fine: \$75	Appearance NOT REQUIRED
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- (2) A For-Hire Driver must not pick up Passengers at any Taxi Stand.

§80-17(d)(2)	Fine: First Violation: \$350 Second Violation in 24 months: \$500 Third Violation in 36 months: Revocation	Appearance NOT REQUIRED
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- (3) A Driver must not occupy a Taxi Stand in order to repair his or her Vehicle, except for minor emergency repairs.

§80-17(d)(3)	Fine: \$50	Appearance NOT REQUIRED
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- (4) A Driver must take the rear position on the line formed at a Taxi Stand (other than a relief stand) and must not overcrowd such stand.

§80-17(d)(4)	Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing.	Appearance NOT REQUIRED
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- (5) A Driver must only occupy a Taxi Stand when on duty or for no longer than one hour while on relief time or for Personal Use-Off Duty.

§80-17(d)(5)	Fine: \$50	Appearance NOT REQUIRED
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- (6) The Drivers of each of the first two Vehicles on a Taxi Stand, (other than a relief stand), must remain in the driver's seat ready to accept Passengers. Any other Driver on a Taxi Stand must be no more than 15 feet from his or her Vehicle unless he or she is off duty.

§80-17(d)(6)	Fine: \$75	Appearance NOT REQUIRED
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- (7) A Driver may take any vacant position at a relief stand however Drivers must comply with all posted restrictions including the type(s) of Vehicles that may occupy a position at the relief stand and the maximum time a Vehicle may park at the relief stand.

§80-17(d)(7)	Fine: \$50	Appearance NOT REQUIRED
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(e) Taxicab Passenger Pick Up at Airports and Terminals.

- (1) The rules regarding Taxi Stands also apply to special Taxi Stands and Feed Lines at air, rail, bus and ship terminals. (Note: These rules also apply to Street Hail Liveries for terminals located in the Hail Zone).
- (2) Where a terminal provides Taxicab or Street Hail Livery holding areas:
- (i) Drivers must park the Vehicle in a taxi holding area before leaving on relief time.
  - (ii) Upon returning from relief time, the Driver must join the end of the Feed Line.
  - (iii) Drivers are not permitted to bring Passengers into a holding area.

§80-17(e)(2)	Fine: \$50	Appearance NOT REQUIRED
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- (3) Where an airport Taxi Stand offers both Long Haul and Short Haul lines, if there are Taxicabs available in both lines:
- (i) A Driver who has been given a Short Haul ticket must not accept a Passenger for a Long Haul.
  - (ii) A Driver who has been given a Long Haul ticket must not accept a Passenger for a Short Haul.

§80-17(e)(3)	Fine: \$100	Appearance NOT REQUIRED
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(f) For-Hire Vehicle Dispatch at Airports and Terminals. A Driver of a For-Hire Vehicle must not accept a dispatch while parked or otherwise located at Kennedy Airport or La Guardia Airport unless the Driver is parked in an area other than the airport's designated passenger pick up locations.

§80-17(f)	Fine: \$250	Appearance NOT REQUIRED
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**§80-18 Operations – Refusing Passengers**

(a) Must Not Refuse to Transport Passengers. Unless the Driver has justifiable grounds, the Driver must not refuse to transport in any of the following circumstances:

- (1) Mandatory Transport. A Driver must not refuse by words, gestures or any other means, to take a Passenger, including a person with a disability and any service animal accompanying this individual, to any destination within the City of New York, the counties of Westchester or Nassau, or Newark Airport.

§80-18(a)(1)	Mandatory penalties as set forth in §80-03(e)	Appearance NOT REQUIRED
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- (2) Attendant for Passengers with a Disability. A Driver must 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, the Driver must not impose or attempt to impose any additional charge for transporting the attendant. A Driver must not refuse to transport any Person with a Disability or any guide dog accompanying such person.

§80-18(a)(2)	Mandatory penalties as set forth in §80-03(e)	Appearance NOT REQUIRED
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- (3) Luggage and Mobility Aids. A Driver must not refuse to transport a Passenger's luggage, wheelchair, crutches, other mobility aid or other property.

§80-18(a)(3)	Mandatory penalties as set forth in §80-03(e)	Appearance NOT REQUIRED
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- (4) Ask Destination in Advance. A Driver must not attempt to learn the destination of a Passenger before the Passenger is seated in the Taxicab or, for a Hail Trip started in the Hail Zone, in the Street Hail Livery. Attempting to learn the destination in advance is a violation of this paragraph, regardless if the Driver ultimately agrees to transport the Passenger.

§80-18(a)(4)	Mandatory penalties as set forth in §80-03(e)	Appearance NOT REQUIRED
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- (5) E-Hail Application: A Driver must not refuse to transport a Passenger after accepting a Hail from that Passenger by means of an E-Hail Application.

§80-18(a)(5)	Mandatory penalties as set forth in §80-03(e)	Appearance NOT REQUIRED
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(b) Justifications for Refusing Passenger. The following are permitted reasons for refusing to transport a Passenger:

- (1) Another Passenger is already seated in the Vehicle.
- (2) The Driver has already acknowledged a Hail from another person, and that other person is being picked up or is about to be picked up. (CAUTION: A Driver must not acknowledge the Hail of one person over another in order to avoid transporting the person whose Hail was not acknowledged.)
- (3) The Passenger is carrying or is in possession of any article, package, case or container which the Driver reasonably believes will cause damage to the Vehicle. (CAUTION: This does NOT include wheelchairs, crutches, a service animal or other mobility aid used by a Passenger with a disability. Mobility aids must be accepted.)
- (4) The Taxicab or Street Hail Livery Driver is discharging his or her last Passenger or Passengers prior to going off duty, and has already entered the appropriate off duty code in TPEP or LPEP.
- (5) The Taxicab or Street Hail Livery Driver is ending his or her work shift, and has already entered the appropriate off duty code in TPEP or LPEP and locked both rear doors.
- (6) The Taxicab or Street Hail Livery Driver must take the Vehicle out of service for required repairs and has already entered the appropriate off duty code in TPEP or LPEP and locked both rear doors.
- (7) The Passenger is accompanied by an animal that is not properly secured in a suitable container. (CAUTION: This does not apply to service animals accompanying people with disabilities.)
- (8) The Passenger's destination is Newark Airport or someplace in Nassau or Westchester County, and the Driver has been operating the Vehicle for more than eight hours of any continuous 24-hour period.
- (9) The Passenger is disorderly or intoxicated. (CAUTION: Drivers must not refuse to provide service solely because a disability results in annoying, offensive, or inconvenient behavior.)
- (10) The Passenger is smoking and has refused the Driver's request to stop. If the Driver has already begun the trip the Driver can discharge the Passenger in a safe location. (CAUTION: The Driver must ask the Passenger at least twice to stop smoking before requiring him or her to leave the Vehicle.)
- (11) The Vehicle is a Street Hail Livery and the Passenger is in the Hail Exclusionary Zone.
- (12) The Vehicle is a For-Hire Vehicle and the Passengers is attempting to Hail the Driver.
- (13) The Vehicle is a Street Hail Livery and the Driver has accepted a dispatch call for a Pre-Arranged Trip and has entered the appropriate on-duty unavailable code into the LPEP.
- (14) The Vehicle is a For-Hire Vehicle and the Driver has accepted a dispatch call for a Pre-Arranged Trip.
- (15) The Vehicle is a Taxicab or Street Hail Livery and the Driver has accepted a trip from the accessible dispatch program pursuant to section 53-08 of these Rules or an approved E-Hail App and has entered the appropriate on-duty unavailable code into the TPEP or LPEP.

#### § 80-19 Operations – Drivers from Issuing Jurisdictions

(a) Eligibility for Reciprocal Recognition. A driver holding a Valid Issuing Jurisdiction driver's license (a IDL) 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 an Issuing Jurisdiction (see Chapter 59A, §59-05).

§80-17(a)(1)	Fine: \$350	Appearance NOT REQUIRED
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- (2) The driver holds a Valid Chauffeur's License.

§80-17(a)(2)	Fine: \$100	Appearance NOT REQUIRED
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- (3) While operating within New York City, the Valid Chauffeur's License must be displayed on request or be posted within the vehicle.

§80-17(a)(3)	Fine: \$350	Appearance NOT REQUIRED
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- (4) The driver maintains and completes the Trip Record required and described in subdivision (e), below.

§80-17(a)(4)	Fine: \$300	Appearance NOT REQUIRED
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- (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 Issuing Jurisdiction for travel to or through New York City.
- (2) Pick up Passengers in New York City for travel to the driver's Issuing Jurisdiction.
- (3) When transporting Passengers between the jurisdictions (as described in paragraphs (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 is 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) Issuing Jurisdiction Trip Record.



- (1) A record of each trip between New York City and an Issuing 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 an Issuing Jurisdiction, including a trip through either New York City or an Issuing 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 Issuing Jurisdiction.
- (6) Failure to present a properly maintained Trip Record when requested by an authorized person will be presumptive evidence of Unlicensed Activity.

**§80-20 Vehicles – Operation and Condition**

(a) 3-Minute Idle. Drivers must comply with the New York City Air Pollution Control Code, including the provision that the Driver must not cause or permit the engine of the Vehicle to idle for longer than three minutes.

§80-20(a)	Fine: \$25	Appearance NOT REQUIRED
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(b) Inspection by Driver of Vehicle Condition. A Driver must not operate a Vehicle without continuing personal inspection and reasonable determination that all equipment, including brakes, tires, lights, signals and Passenger seatbelts and shoulder belts, is in good working order.

§80-20(b)	Fine: \$50 if plead guilty before a hearing; \$75 if found guilty following a hearing.	Appearance NOT REQUIRED
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(c) Clean Interior. During his or her work shift, a Driver must keep the Vehicle's interior clean.

§80-20(c)	Fine: \$25	Appearance NOT REQUIRED
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(d) Required Exterior Identification Clean and Visible. During his or her work shift, a Driver must keep all exterior markings required by the Commission clean and unobstructed so that they can be seen at all times.

§80-20(d)	Fine: \$50	Appearance NOT REQUIRED
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(e) No Unauthorized Equipment in Taxicabs and Street Hail Liveries. A Driver must not operate a Taxicab or Street Hail Livery that uses or has installed any equipment or mechanical or electronic devices not specifically listed in these rules, unless authorized in writing by the Commission.

§80-20(e)	Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing.	Appearance NOT REQUIRED
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(f) Use of Electronic Devices in Taxicabs. A Driver may use no more than one electronic device with an E-Hail Application, separate from the Driver Information Monitor supplied as part of the TPEP and/or a device provided for the Accessible Dispatch Program.

§80-20(f)	Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing.	Appearance NOT REQUIRED
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(g) Use of Electronic Devices in Street Hail Liveries. In addition to the Driver Information Monitor and/or a device provided for the Accessible Dispatch Program, a Street Hail Livery is permitted to have:

- (1) the dispatch equipment required by its Street Hail Livery Base; and
- (2) one electronic device that is used to accept E-Hails from a licensed E-Hail Application and/or dispatches from a Base or Dispatch Service Provider, provided that the device is mounted in a fixed position and not hand-held and use of the electronic device is limited to either voice or one-touch preprogrammed buttons or keys while the Vehicle is in motion.

§80-20(g)	Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing.	Appearance NOT REQUIRED
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(h) Use of Electronic Devices in For-Hire Vehicles. In addition to the dispatch equipment required by a Driver's Base, a For-Hire Vehicle Driver is permitted to use the following electronic device(s) provided that the device(s) is mounted in a fixed position and not hand-held and use of the electronic device(s) is limited to either voice or one-touch preprogrammed buttons or keys while the Vehicle is in motion:

- (1) If the dispatch equipment required by a Driver's Base is capable of accepting dispatches from other Bases or Dispatch Service Providers, ONE electronic device that is used to accept dispatches from a Base or Dispatch Service Provider.
- (2) If the dispatch equipment required by a Driver's Base is not capable of accepting dispatches from other Bases or Dispatch Service Providers, TWO electronic devices that are used to accept dispatches from a Base or Dispatch Service Provider.

§80-20(h)	Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing.	Appearance NOT REQUIRED
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(i) No Unauthorized Signage. A Driver must not place any signs in a Taxicab or a Street Hail Livery not specifically listed in these rules, unless authorized in writing by the Commission.

§80-20(i)	Fine: \$25	Appearance NOT REQUIRED
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**§80-21 Vehicles – Required Items in Taxicabs and Street Hail Liveries**

(a) A Driver must not operate a Taxicab or Street Hail Livery unless the Vehicle is equipped or provided with the following:

- (1) The Taxicab Technology System (TPEP) (or a written Trip Record, when required and permitted) if the Vehicle is a Taxicab or the Street Hail Livery Technology System (LPEP) (or a written Trip Record, when required and permitted) if the Vehicle is a Street Hail Livery.

§80-21(a)(1)	Fine: \$150 if plead guilty before a hearing; \$200 if found guilty following a hearing.	Appearance NOT REQUIRED
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- (2) The Driver's TLC Driver's License (or Paratransit License if the Vehicle is an Accessible Street Hail Livery being operated by a Paratransit Driver) displayed in the appropriate license frame).

§80-21(a)(2)	Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing.	Appearance NOT REQUIRED
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- (3) The Rate Card assigned to the Taxicab or Street Hail Livery displayed in the Rate Card frame.

§80-21(a)(3)	Fine: \$50	Appearance NOT REQUIRED
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- (4) A New York City five (5) borough indexed street map or geographic position system device.

§80-21(a)(4)	Fine: \$25 if plead guilty before a hearing; \$50 if found guilty following a hearing.	Appearance NOT REQUIRED
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(b) Clear View for Passengers.

- (1) A Driver must not block a Passenger's view of the Taximeter, his or her TLC Driver's License, the Rate Card, or the Passenger Information Monitor of the TPEP System, and must not block in any way a Passenger's access to the medallion number or Street Hail Livery License number on the Raised Lettering Plaque and the Identification Braille Plaque.

§80-21(b)(1)	Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing.	Appearance NOT REQUIRED
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- (2) A Driver must not operate a Taxicab or Street Hail Livery after sunset unless the face of the Taximeter, his or her TLC Driver's License, and the Rate Card are illuminated so that they are clearly visible from the rear seat by a Passenger with normal vision.

§80-21(b)(2)	Fine: \$25	Appearance NOT REQUIRED
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**§80-22 Vehicles – Required Items in For-Hire Vehicles**

(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.

§80-22(a)(1)	Fine: \$150 if plead guilty before a hearing; \$200 if found guilty following a hearing.	Appearance NOT REQUIRED
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- (2) The Driver's TLC Driver's License displayed in a protective holder attached to the back of the driver's seat in the Vehicle.

- (i) Exception for Black Cars and Luxury Limousines. Black Cars and Luxury Limousines will not be required to have the protective holder mounted to the back of the driver's seat as required in this paragraph. However, the Driver's TLC Driver's License must 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.

§80-22(a)(2)	Fine: \$150 if plead guilty before a hearing; \$200 if found guilty following a hearing.	Appearance NOT REQUIRED
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(b) Trip Record. If the For-Hire Vehicle is used for providing pre-arranged transportation for hire between the City of New York and an Issuing Jurisdiction, a Trip Record, as described in §80-23(f)(3), must be carried in the Vehicle.

(c) Clear View for Passengers. A Driver must not block a Passenger's view of his or her TLC Driver's License and, in a Livery, the Livery Passengers' bill of rights.

§80-22(c)	Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing.	Appearance NOT REQUIRED
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**§80-23 Vehicles – TPEP and LPEP Operation**

(a) A Driver is required to log in and operate TPEP for each trip in a Taxicab, including those trips that begin with the use of an E-Hail Application.

§80-23(a)	Fine: \$250 and/or minimum 5 day to maximum 30 day suspension.	Appearance REQUIRED
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(b) A Driver is required to log in and operate LPEP for each trip in a Street Hail Livery, including Pre-Arranged Trips and those trips that begin with the use of an E-Hail Application.

§80-23(b)	Fine: \$250 and/or minimum 5 day to maximum 30 day suspension.	Appearance REQUIRED
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(c) Off Duty Procedures for a Taxicab and Street Hail Livery.

- (1) A driver must enter the appropriate off duty code into T-PEP or LPEP.
- (2) When the Taxicab is operated for personal use, "Personal Use--Off Duty" must be keyed into TPEP or LPEP(or made on the written Trip Record).

§80-23(c)	Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing.	Appearance NOT REQUIRED
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(d) Unavailable Procedures for a Taxicab and Street Hail Livery. Upon accepting a trip from the Accessible Dispatch Program pursuant to section 53-08 of these Rules or a Licensed E-Hail Application or a Pre-Arranged Trip, a Driver must enter the appropriate on-duty unavailable code into the TPEP or LPEP.

§80-23(d)	Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing.	Appearance NOT REQUIRED
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(e) If necessary, the Driver will transmit any corrections electronically, using TPEP if driving a Taxicab or LPEP if driving a Street Hail Livery.

§80-23(e)	Fine: \$25	Appearance NOT REQUIRED
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(f) TPEP and LPEP System(s) Malfunction. In the event the TPEP or LPEP System malfunctions or fails to operate:

(1) The Driver must file an incident report with the authorized TPEP or LPEP provider within one (1) hour after Driver knows (or should have known) of the system failure, or the end of the Driver's shift, whichever occurs first.

§80-23(f)(1)	Fine: \$75	Appearance REQUIRED
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(2) A Driver must not knowingly operate a Taxicab or Street Hail Livery in which the TPEP or LPEP are inoperative for more than 48 hours following the timely filing of an incident report.

§80-23(f)(2)	Fine: \$250	Appearance REQUIRED
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(3) If the TPEP or LPEP is inoperable, the Driver must keep written Trip Records for all Hail trips he or she operates. Drivers must submit all written Trip Sheets to the Taxicab Owner or Street Hail Livery Base at the conclusion of the Driver's shift or lease period. Written Trip Records shall consist of the following information:

- (i) The Taxicab Medallion number or Street Hail Livery license number
- (ii) The Driver's License number
- (iii) The location(s) where each Passenger was picked up
- (iv) The time(s) each Passenger was picked up
- (v) The number of Passengers
- (vi) The location(s) where each Passenger was dropped off
- (vii) The time(s) each Passenger was dropped off
- (viii) The total trip mileage
- (ix) The itemized metered fare for the trip (fare, tolls, surcharge, and tip, if paid by credit or debit card)
- (x) Method of payment
- (xi) The Taximeter readings
- (xii) The concluding time of Driver's work shift
- (xiii) Any toll bridges or tunnels used by the Driver, whether or not with a Passenger
- (xiv) The trip number
- (xv) All other entries required by these rules

§80-23(f)(3)	Fine: \$250 if Driver fails to submit written trip records or, in the event the Driver keeps incomplete written trip records, \$15 per missing entry not to exceed \$30 per written trip record.	Appearance REQUIRED
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(4) When correcting a written Trip Record, a Driver:

- (i) Must not erase any entry or make it completely unreadable.
- (ii) Must correct a wrong entry only by drawing a single line through the incorrect entry and recording the date, time and reason for the change.
- (iii) Must not leave blank lines between entries on any written Trip Record.

§80-23(f)(4)	Fine: \$25	Appearance NOT REQUIRED
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(5) A Driver must not rewrite a written Trip Record either in whole or in part, unless authorized by the Commission

§80-23(f)(5)	Fine: \$250	Appearance NOT REQUIRED
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(g) Unauthorized Devices or Repairs.

- (1) A Driver must not connect any unauthorized device to the TPEP or LPEP.
- (2) The Driver must not tamper with, repair or attempt to repair the TPEP or LPEP seals, cable connections or electrical wiring,
- (3) The Driver must not make any change in the Taxicab's or Street Hail Livery's mechanism or its tires which would affect the operation of the TPEP or LPEP system.

§80-23(g)	Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing.	Appearance REQUIRED
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**§80-24 Vehicle – Taxicab and Street Hail Livery Taximeters and Roof Lights**

(a) Taximeter Condition.

- (1) Defective Condition. A Driver must not pick up or transport a Passenger in a Taxi or Street Hail Livery when the Taximeter in his or her Taxicab or Street Hail Livery is defective.

§80-24(a)(1)	Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing. Points: 1	Appearance <u>REQUIRED</u>
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- (2) Defect(s) that Arise During Shift. If the Taximeter breaks down during a trip so that the fare can no longer be monitored, the Driver must immediately tell the Passenger and offer him or her the option of:

- (i) Continuing the trip after mutually agreeing to a reasonable fare, or
- (ii) Terminating the trip and paying the fare shown on the Taximeter to that point.

§80-24(a)(2)	Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing.	Appearance <u>REQUIRED</u>
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- (3) Procedures for Terminating Use of Vehicle with Defective Taximeter. Upon terminating a trip because of a defective Taximeter the Driver must:

- (i) Enter the appropriate off duty code in TPEP or LPEP
- (ii) Lock the rear doors
- (iii) Transmit data that the Taximeter is defective (or enter on a written Trip Record, if TPEP or LPEP system is inoperative)
- (iv) Return the Vehicle immediately to the garage or base of record or a licensed Taximeter repair shop

§80-24(a)(2)	Fine: \$75 if plead guilty before a hearing; \$100 if found guilty following a hearing.	Appearance <u>REQUIRED</u>
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- (4) A Driver must immediately notify the Taxicab Owner of any Taximeter defect.

§80-24(a)(4)	Fine: \$75	Appearance <u>REQUIRED</u>
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- (5) Seals and Serial Number. A Driver must not drive a Taxicab or Street Hail Livery unless all Taximeter seals and cable housing seals are in good condition, pressed by the Commission or its authorized designee and show no signs of tampering. The serial number of the Taximeter must be the same as that shown on the rate card assigned to the Vehicle.

- (i) The Commission will assume that a Driver who operates a Vehicle with a broken Taximeter seal knew of the tampering or alteration and deliberately operated the Vehicle in violation of this Rule, and will take appropriate action against the Driver.

§80-24(a)(5)	Fine: \$100	Appearance <u>NOT REQUIRED</u>
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- (6) Receipt Paper. A Driver must not pick up or transport a Passenger unless the Taximeter is properly equipped with paper for printing receipts.

§80-24(a)(4)	Fine: \$25	Appearance <u>NOT REQUIRED</u>
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(b) Taximeter Operation.

- (1) Setting Taximeter to Record. As soon as a Passenger enters the Taxicab or the Street Hail Livery on a Hail Trip, the Driver must immediately place the Taximeter in the recording or "Hired" position and must keep it in that position until arrival at the destination.

§80-24(b)(1)	Fine: \$200 Points: 1	Appearance <u>NOT REQUIRED</u>
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- (2) Entering Passenger with a Disability. If the Passenger is a Person with a Disability, the Driver must not place the Taximeter in the recording or "Hired" position while the Driver is assisting a person with a disability to enter the Vehicle or while assisting with that Passenger's mobility aid.

§80-24(b)(2)	Fine: \$100 Points: 1	Appearance <u>NOT REQUIRED</u>
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- (3) Exiting Passenger with a Disability. If the Passenger is an individual with a disability who requires assistance to exit the Vehicle, the Driver must place the Taximeter in a non-recording position before assisting such Passenger and must leave the Taximeter in a non-recording position until such Passenger has paid the fare and safely exited the Vehicle.

§80-24(b)(3)	Fine: \$100	Appearance <u>NOT REQUIRED</u>
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- (4) Flat Fare Trip. When the Taxicab or Street Hail Livery is engaged in a flat fare trip from between Kennedy Airport and Manhattan, the Driver must key the information into TPEP or LPEP, as applicable (or enter on a written Trip Record) that this is a flat fare trip to or from Kennedy Airport and include the time and distance of the trip.

§80-24(b)(4)	Fine: \$100	Appearance <u>NOT REQUIRED</u>
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- (5) End of Trip. Upon reaching the Passenger's destination, the Driver must place the Taximeter in a non-recording or "Time Off" position, inform the Passenger of the fare due and leave the Taximeter in a non-recording position until the fare is paid.

§80-24(b)(5)	Fine: \$50	Appearance <u>NOT REQUIRED</u>
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- (6) Re-setting the Taximeter. Immediately after the Passenger leaves the Vehicle, the Driver must clear the Taximeter, placing it in an off or "Vacant" position in which it must remain until the next Passenger enters the Vehicle.

§80-24(b)(6)	Fine: \$50	Appearance NOT REQUIRED
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(c) Unauthorized Taximeter Devices or Repairs.

- (1) A Driver must not connect any unauthorized device to the Taximeter.
- (2) The Driver must not tamper with, repair or attempt to repair the Taximeter seals, cable connections or electrical wiring.
- (3) The Driver must not make any change in the Vehicle's mechanism or its tires which would affect the operation of the Taximeter system.

§80-24(c)(1)-(3)	Fine: \$50-\$350 and/or suspension up to 30 days Points: 3	Appearance REQUIRED
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(4) It will be an affirmative defense to a violation of this provision, §80-24(c), that the Driver:

- (i) Did not know of or participate in the alleged Taximeter tampering, and
- (ii) Exercised due diligence to ensure that Taximeter tampering did not occur.

(d) Report Signs of Tampering to TLC. A Driver must notify the Owner (or, in the case of a Street Hail Livery, the Street Hail Livery Base) and the Commission by telephone immediately, and in writing within 24 hours, upon the discovery of any of the following:

- (1) A Taximeter other than the Taximeter approved by the Commission and indicated on the Rate Card, has been installed in the Vehicle operated by the Driver.
- (2) A Taximeter seal in the Vehicle operated by the Driver has been removed or tampered with.
- (3) An unauthorized device that may affect the operation of a Taximeter has been connected to the Taximeter, seal, cable connection or electrical wiring of the Vehicle operated by the Driver.
- (4) Any intervening connections, splices, "Y" connections or direct or indirect interruptions or connections of any kind whatsoever have been discovered on any wiring harness attached to the Taximeter in the Vehicle operated by the Driver.

§80-24(d)	Fine: \$100	Appearance REQUIRED
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(e) Roof Light Condition.

- (1) The Roof Light must be illuminated when the Taximeter is not in use and the Driver is on duty and available; and
- (2) The Roof Light must be off when any of the following occurs:
  - (i) The Taximeter is in use.
  - (ii) The Driver has entered the Off Duty or unavailable code into the TPEP or LPEP.
  - (iii) The Driver is a Street Hail Livery Driver traveling to pick up a Passenger for a Pre-Arranged Trip.

§80-24(e)	Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing.	Appearance NOT REQUIRED
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(f) Unauthorized Roof Light Devices or Repairs

- (1) A Driver must not tamper with the Roof Light or any of the interior lights or connections except to replace a defective bulb or fuse.
- (2) The Roof Light of a Taxicab or Street Hail Livery must be automatically controlled only by the movement of the Taximeter button or ignition switch.
- (3) The Commission will assume that a Driver who operates a Vehicle with an unauthorized installation or device controlling interior or roof lighting knew of the unauthorized installation or device and deliberately operated the Vehicle in violation of this Rule, and the Commission will take appropriate action against the Driver.

§80-24(f)	Fine: \$50-\$350 and/or suspension up to 30 days Points: 3	Appearance REQUIRED
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**§80-25 Special Driver Penalty Programs**(a) Critical Driver's Program ("Points" in this Section refers to points assessed by the Department of Motor Vehicles).

In addition to any other action the Commission might take, the following penalties will be enforced as part of the Commission's Critical Driver's Program:

- (1) License Suspension. If, within a 15-month period, a Driver accumulates six or more points but fewer than ten points on his or her Chauffeur's license (whether issued by New York or another state), the Commission will suspend the Driver's TLC License for 30 days.
- (2) License Revocation. If, within a 15-month period, a Driver accumulates 10 or more points on his or her Chauffeur's license (whether issued by New York or another state), the Commission will revoke the Driver's TLC 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, Collision, 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. When determining whether a suspension or revocation is required based on the accumulation of points in a 15-month period, the Commission will count backwards 15 months from the date of the most recent conviction for the violation carrying points that is cited in the summons under this section.
- (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 of conviction.

- (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, for purposes of the Critical Driver's Program, deduct three points from the total points that appear on the Licensee's driving record maintained by the DMV, or equivalent licensing agency of the state which issued such license, of any Licensee who voluntarily attends and satisfactorily completes a Defensive Driving Course. Such point reduction will count only towards points accumulated by the Licensee as a result of the conviction for violations that occurred within 15 months prior to the date of the completion of the course; counting from the date of conviction. In order for the Defensive Driving Course to reduce the Licensee's Critical Driver Program points, the course must be satisfactorily completed prior to the adjudication of the Critical Driver summons. Completion of the Defensive Driving Course after the adjudication of a Critical Driver Program summons will reduce the Licensee's Critical Driver Program points only after the Licensee completes his or her suspension. If the Licensee's driver's license was issued by a state other than New York, the Licensee must submit a recent driving abstract from the state of licensure.
- (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, the point reduction will not change the Commission's decision.
- (iv) The Commission will not reduce total points more than once in any 18-month period.
- (8) Authorized Drivers of Street Hail Liveries Licensed under other Chapters of these Rules.

Any points accumulated under this Chapter while operating any of a Taxicab, Street Hail Livery or a For-Hire Vehicle will count towards and be applied to the Driver's TLC License, or, in the case of a Paratransit Driver operating an Accessible Street Hail Livery, the Paratransit Driver's License as specified in Section 56-13(b) of these rules, and the Driver may incur the penalties specified as a result.

(b) Program for Persistent Violators of Drivers' Rules ("Points" in this Section refers to points assessed by the Commission; these points are included in the penalties for specific violations of rules in this Section).

- (1) Suspension and Revocation – Points and Time Periods.
- (i) Any Driver who has accumulated six or more Commission-issued points but fewer than ten points against his or her TLC Driver's License within a 15-month period and whose License has not been revoked will have his or her License suspended for up to 30 days.
- (ii) The Commission will revoke the License of any Driver who has accumulated ten or more points against his or her TLC Driver's License within a 15-month period.
- (iii) Any Driver whose License has not been revoked and who has within a 15-month period accumulated against his or her TLC Driver's License a combination of designated Persistent Violator points and Critical Driver points totaling six to nine points, counting from the date of conviction, will have his or her TLC Driver's License suspended for up to 30 days. For purposes of this subparagraph and subparagraph (iv) of this paragraph, "designated Persistent Violator points" shall be points assessed against the Driver's TLC Driver's License for violations that threaten the safety of passengers or any other persons, and shall be all violations listed in Sections 80-11 and 80-12 of these rules.
- (iv) The Commission will revoke the TLC Driver's License of any Driver who has within a 15-month period accumulated against his or her TLC Driver's License a combination of designated Persistent Violator points and Critical Driver points totaling ten or more points, counting from the date of conviction.
- (2) 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.
- (3) More Severe Penalties at Discretion of Commission. The Commission can impose more severe or additional penalties to any penalties stated in this section.
- (4) 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 to have violated the rule(s) triggering these penalties.
- (ii) Persistent violator penalties will be in addition to those penalties specifically listed in the Rules.
- (5) Point Reduction for Voluntary Course Completion.
- (i) Before suspending or revoking a Driver's License, the Commission will deduct three points from the total points of any Licensee who voluntarily attends and satisfactorily completes a Point Reduction Course.
- (ii) In order for the Point Reduction Course to reduce the Driver's Persistent Violator Program points, the course must be satisfactorily completed prior to the adjudication of the Persistent Violator summons. The Driver must furnish the Commission with proof of when the course was taken and that the course was satisfactorily completed.
- (iii) If the Commission has already suspended or revoked the Driver's License, the point reduction will not change the Commission's decision.
- (iv) The Commission will not reduce total points more than once in any five year period.
- (v) If no Point Reduction Course is available when the Driver seeks to enroll, the Driver may take a Defensive Driving Course. After the driver furnishes the Commission with proof that the course was satisfactorily completed, the TLC will deduct three points from either the number of points accrued under the Critical Driver Program as set forth in subdivision (a) of this section or the Program for Persistent Violators as set forth in subdivision (b) of this section. The Driver will select the program from which the points will be deducted.
- (6) 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.

**§80-26 Transition**

Actions taken by the Commission under former chapters 54 and 55 of these Rules remain effective.

Section 105. Transition Provisions for Existing Licenses.

- (a) All Licenses issued by the Commission and Valid at the date of activation of the TLC Driver's License Structure (the "Activation Date"). The Activation Date will be decided by the Taxi and Limousine Commission but will be no later than August 19, 2016.
- (b) *Obligation to follow all Rules set forth in Chapter 80.* All Licensees possessing a Taxicab Driver's License or For-Hire Driver's License must obey the Rules specified in Chapter 80 beginning on the Activation Date, irrespective of when a License was issued or when the License expires. A Licensee will be responsible for his or her conduct as a Licensee under the Chapter 80 Rules beginning on the Activation Date.
- (c) *Chapter 54 and/or Chapter 55 Rules are no defense to ongoing obligations.* After the Activation Date, no person can raise as a defense to a violation of the Rules specified in Chapter 80 either the existence of the rules specified in former Chapters 54 and/or 55 before the Activation Date or that a License was issued under the Rules specified in former Chapters 54 and/or 55.
- (d) *License Terms-Expiration.*
- (1) A License Valid and in effect on the Activation Date expires on the date it was scheduled to expire when that License was originally issued.
  - (2) A License suspended on the Activation Date expires on the date it was scheduled to expire when that License was originally issued.
- (e) *License Renewals.* When a License expires on or after the Activation Date, the rules specified in Chapter 80 apply to any application to renew that License.

Section 106. License Applications

- (a) *License Applications received before the Activation Date.* License applications received before the Activation Date will be processed under the Rules specified in Chapters 54 or 55. However, for any such License, the Licensee must follow the Rules specified in Chapter 80 beginning on the Activation Date.
- (b) *License Applications received after the Activation Date.* License applications received on and after the Activation Date will be processed under the Rules specified in Chapter 80.

Section 107. Persistence of Enforcement Actions

- (a) *Summonses.*
- (1) All summonses written and outstanding under Chapter 54 and Chapter 55 remain valid at and after the Activation Date. Charges in the summonses will be adjudicated under former Chapters 54 and 55.
  - (2) All summonses written beginning on the Activation Date will be written under the Rules specified in Chapter 80. Charges in the summonses will be adjudicated under the Rules specified in Chapter 80.
  - (3) No summons can be dismissed on or after the Activation Date on the ground that it was written under the Rules specified in former Chapters 54 or 55 for conduct that occurred before the Activation Date.
- (b) *Outstanding Fines and Penalties.*
- (1) Fines, penalties and debts owed to the Commission on the Activation Date for violation of any rule or duty continue to be due and payable until paid.
  - (2) Any fine, penalty or debt imposed on or after the Activation Date resulting from a summons written under the Rules specified in former Chapters 54 or 55 for conduct that occurred before the Activation Date will be due and payable until paid.
- (c) *Suspensions.*
- (1) Any License suspension which has gone into effect before the Activation Date remains in effect beginning on the Activation Date and must be served until the terms of the suspension are satisfied.
  - (2) Any suspension imposed under the Rules specified in former Chapters 54 or 55 which goes into effect beginning on or after the Activation Date must be served until the terms of the suspension are satisfied.
  - (3) The Activation Date will not affect the end date of any suspension.
- (d) *Hearing Schedules.* The Activation Date will not affect the date of any Hearing or other action scheduled before the Commission's Adjudications Tribunal or OATH
- (e) *Directives and Notices to Correct.*
- (1) Any directive or notice to correct issued by the Commission before the Activation Date remains in effect on the Activation Date and until complied with.
  - (2) Penalties for violation of any directive or notice to correct issued before the Activation Date will be imposed under former Chapters 54 or 55.
- (f) *Outstanding Points for Drivers, Vehicle Owners, and Bases.*
- (1) All points issued as penalties by the Commission under any of the Persistent Violator or Critical Driver Programs, or as Penalty Points to owners of For-Hire Vehicles or Bases and accumulated against any License on the Activation Date remain in effect.
  - (2) Any points issued and accumulated on and after the Activation Date as a result of summonses issued under the Rules specified in former Chapters 54 or 55 will be added to any accumulated points.
  - (3) Any action to suspend or revoke any License under any accumulated point program initiated on or after the Activation Date will be governed by the Rules specified in Chapter 80.
  - (4) In any action to suspend or revoke any License, the Commission will consider points accumulated within the period specified by applicable rules. Points accumulated against a License both before and on and after the Activation Date will be considered.
- (g) *Cumulative Penalties.*
- (1) When penalties are affected by the number of times a person has been convicted of that violation, convictions for prior offenses under the Rules specified in former Chapters 54 and 55 count toward second and subsequent offense penalties under the Rules specified in Chapter 80.
  - (2) For drivers who possess both a Medallion Operator's License and a For-Hire Vehicle License on the Activation Date, only the more heavily penalized license (as determined by number of Persistent Violator points accumulated prior to and after the Activation Date ) will be used for the purpose of assessing penalties based on Violations that occur after the Activation Date.

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

CERTIFICATION / ANALYSIS  
PURSUANT TO CHARTER SECTION 1043(d)

**RULE TITLE: Amendment of Driver's License and Penalty Provisions**

**REFERENCE NUMBER: TLC-94**

**RULEMAKING AGENCY: Taxi and Limousine Commission**

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

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because rule violations arise from completed events, the consequences of which are immediate, which makes a cure period impracticable under the circumstances.

/s/ Francisco Navarro  
Mayor's Office of Operations

June 16, 2016  
Date

NEW YORK CITY LAW DEPARTMENT  
DIVISION OF LEGAL COUNSEL  
100 CHURCH STREET  
NEW YORK, NY 10007  
212-356-4028

CERTIFICATION PURSUANT TO

CHARTER §1043(d)

**RULE TITLE: Amendment of Driver's License and Penalty Provisions**

**REFERENCE NUMBER: 2016 RG 053**

**RULEMAKING AGENCY: Taxi and Limousine Commission**

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

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

/s/ STEVEN GOULDEN  
Acting Corporation Counsel

Date: June 16, 2016

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**SPECIAL MATERIALS**

**AGING**

■ NOTICE

**Notice of Concept Paper**

In advance of the release of the Car Service with App and Dispatch Options Program Request for Proposal, the Department for the Aging (DFTA) is issuing a concept paper presenting the purpose and plan for this program. The Car Service with App and Dispatch Options Program concept paper will be posted on the Department's website: [http://www.nyc.gov/html/dfta/html/community/procurement\\_information.shtml](http://www.nyc.gov/html/dfta/html/community/procurement_information.shtml)

Public comment is encouraged and should be forwarded to DFTA at <http://www.conceptpaper@aging.nyc.gov>. The concept paper will be posted until July 30, 2016.

j15-21



**CITYWIDE ADMINISTRATIVE SERVICES**

■ NOTICE

**OFFICIAL FUEL PRICE SCHEDULE NO. 7733  
FUEL OIL AND KEROSENE**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE		VENDOR	CHANGE	PRICE EFF. 6/13/2016
3687331	1.0	#2DULS		CITYWIDE BY TW	SPRAGUE	.0410 GAL. 1.7370 GAL.
3687331	2.0	#2DULS		P/U	SPRAGUE	.0410 GAL. 1.6323 GAL.
3687331	3.0	#2DULS	Winterized	CITYWIDE BY TW	SPRAGUE	.0410 GAL. 1.9353 GAL.
3687331	4.0	#2DULS	Winterized	P/U	SPRAGUE	.0410 GAL. 1.8305 GAL.
3687331	5.0	#1DULS		CITYWIDE BY TW	SPRAGUE	.0350 GAL. 2.2153 GAL.
3687331	6.0	#1DULS		P/U	SPRAGUE	.0350 GAL. 2.1105 GAL.
3687331	7.0	#2DULS	>=80%	CITYWIDE BY TW	SPRAGUE	.0410 GAL. 1.7648 GAL.
3687331	8.0	#2DULS	Winterized	CITYWIDE BY TW	SPRAGUE	.0410 GAL. 2.0558 GAL.
3687331	9.0	B100	B100<=20%	CITYWIDE BY TW	SPRAGUE	-.0263 GAL. 2.7002 GAL.
3687331	10.0	#2DULS	>=80%	P/U	SPRAGUE	.0410 GAL. 1.6600 GAL.
3687331	11.0	#2DULS	Winterized	P/U	SPRAGUE	.0410 GAL. 1.9510 GAL.
3687331	12.0	B100	B100 <=20%	P/U	SPRAGUE	-.0263 GAL. 2.5954 GAL.
3687331	13.0	#1DULS	>=80%	CITYWIDE BY TW	SPRAGUE	.0350 GAL. 2.2249 GAL.
3687331	14.0	B100	B100 <=20%	CITYWIDE BY TW	SPRAGUE	-.0263 GAL. 2.7091 GAL.
3687331	15.0	#1DULS	>=80%	P/U	SPRAGUE	.0350 GAL. 2.1201 GAL.
3687331	16.0	B100	B100 <=20%	P/U	SPRAGUE	-.0263 GAL. 2.6043 GAL.
3687331	17.0	#2DULS		BARGE MTF III & ST.	SPRAGUE	.0410 GAL. 1.6976 GAL.
3687192	1.0	Jet		FLOYD BENNETT	SPRAGUE	.0334 GAL. 2.2923 GAL.
3587289	2.0	#4B5		MANHATTAN	UNITED METRO	.0435 GAL. 1.6904 GAL.
3587289	5.0	#4B5		BRONX	UNITED METRO	.0435 GAL. 1.6892 GAL.
3587289	8.0	#4B5		BROOKLYN	UNITED METRO	.0435 GAL. 1.6834 GAL.
3587289	11.0	#4B5		QUEENS	UNITED METRO	.0435 GAL. 1.6887 GAL.
3587289	14.0	#4B5		RICHMOND	UNITED METRO	.0435 GAL. 1.7741 GAL.
3687007	1.0	#2B5		MANHATTAN	SPRAGUE	.0377 GAL. 1.7009 GAL.
3687007	4.0	#2B5		BRONX	SPRAGUE	.0377 GAL. 1.6899 GAL.
3687007	7.0	#2B5		BROOKLYN	SPRAGUE	.0377 GAL. 1.7066 GAL.
3687007	10.0	#2B5		QUEENS	SPRAGUE	.0377 GAL. 1.7028 GAL.
3687007	13.0	#2B5		RICHMOND	SPRAGUE	.0377 GAL. 1.8672 GAL.
3687007	16.0	#2B10		CITY WIDE BY TW	SPRAGUE	.0343 GAL. 1.8918 GAL.
3687007	17.0	#2B20		CITY WIDE BY TW	SPRAGUE	.0276 GAL. 1.9782 GAL.

**NOTE:**

3687331	#2DULSB5	95% ITEM 7.0 & 5% ITEM 9.0		CITYWIDE BY TW	SPRAGUE	.0377 GAL. 1.8116 GAL.
3687331	#2DULSB10	90% ITEM 7.0 & 10% ITEM 9.0		CITYWIDE BY TW	SPRAGUE	.0343 GAL. 1.8584 GAL.
3687331	#2DULSB20	80% ITEM 7.0 & 20% ITEM 9.0		CITYWIDE BY TW	SPRAGUE	.0276 GAL. 1.9519 GAL.
3687331	#2DULSB5	95% ITEM 10.0 & 5% ITEM 12.0		P/U	SPRAGUE	.0377 GAL. 1.7068 GAL.
3687331	#2DULSB10	90% ITEM 10.0 & 10% ITEM 12.0		P/U	SPRAGUE	.0343 GAL. 1.7536 GAL.
3687331	#2DULSB20	80% ITEM 10.0 & 20% ITEM 12.0		P/U	SPRAGUE	.0276 GAL. 1.8471 GAL.
3687331	#1DULSB20	80% ITEM 13.0 & 20% ITEM 14.0		CITYWIDE BY TW	SPRAGUE	.0227 GAL. 2.3217 GAL.
3687331	#1DULSB20	80% ITEM 15.0 & 20% ITEM 16.0		P/U	SPRAGUE	.0227 GAL. 2.2169 GAL.

**OFFICIAL FUEL PRICE SCHEDULE NO. 7734  
FUEL OIL, PRIME AND START**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE		VENDOR	CHANGE	PRICE EFF. 6/13/2016
3487119	1.0	#2B5		MANHATTAN	PACIFIC ENERGY	.0389 GAL 1.8871 GAL
3487119	79.0	#2B5		BRONX & MANH CD 10	PACIFIC ENERGY	.0389 GAL 1.8871 GAL
3487119	157.0	#2B5		BKLYN, QUEENS, SI	PACIFIC ENERGY	.0389 GAL 1.8871 GAL

**OFFICIAL FUEL PRICE SCHEDULE NO. 7735  
FUEL OIL AND REPAIRS**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE		VENDOR	CHANGE	PRICE EFF. 6/13/2016
1600060	1.0	#2B5		CITYWIDE BY TW	PACIFIC ENERGY	n/a GAL 1.7863 GAL
1600060	2.0	#2B5		CITYWIDE BY TW	PACIFIC ENERGY	n/a GAL 1.7692 GAL

**OFFICIAL FUEL PRICE SCHEDULE NO. 7736  
GASOLINE**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE		VENDOR	CHANGE	PRICE EFF. 6/13/2016
3187093	2.0	Prem UL		CITY WIDE BY TW	SPRAGUE	-.0301 GAL 1.8053 GAL

3187093	4.0	Prem UL	P/U	SPRAGUE	-.0301 GAL	1.7262 GAL
3187093	1.0	Reg UL	CITY WIDE BY TW	SPRAGUE	-.0234 GAL	1.6765 GAL
3187093	3.0	Reg UL	P/U	SPRAGUE	-.0234 GAL	1.6004 GAL
3187093	6.0	E85	CITY WIDE BY DELIVERY	SPRAGUE	.0181 GAL	1.7705 GAL

**NOTE:**

The National Oilheat Research Alliance (NORA) will resume full operations in 2015 with the fee expanding to #4 heating oil. This fee will apply to heating oil invoices only. The fee collections began January 1, 2015. All other terms and conditions of these awards remain the same. Please contact this office if you have any questions.

The Bio-Diesel Blender Tax Credit was reinstated for 2014. As of January 1, 2015, the Bio-Diesel Blender Tax Credit has been rescinded for \$1.00 per gallon on B100. Therefore, for deliveries after January 1, 2015, the contractor will be collecting additional fees which will be shown as a separate line item on the invoice. The additional fee for items will range from \$0.05 for B5 to \$0.20 for B20 per gallon, varying on the percentage of biodiesel to be used. Should the tax credit be extended, this additional fee will be discontinued and removed from the invoice.

Federal excise taxes are imposed on taxable fuels, (i.e., gasoline, kerosene, and diesel), when removed from a taxable fuel terminal. This fuel excise tax does not include Leaking Underground Storage Tank (LUST) tax. LUST tax applies to motor fuels for both diesel and gasoline invoices. Going forward, LUST Tax will appear as an additional fee at the rate of \$0.001 per gallon and will be shown as a separate line item on your invoice.

**REMINDER FOR ALL AGENCIES:**

Please send inspection copy of receiving report for all gasoline (E85, UL & PREM) delivered by tank wagon to OCP/Bureau of Quality Assurance (BQA), 1 Centre Street, 18th Floor New York, NY 10007.

• j17

**HOUSING PRESERVATION AND DEVELOPMENT**

■ NOTICE

**REQUEST FOR COMMENT  
REGARDING AN APPLICATION FOR A  
CERTIFICATION OF NO HARASSMENT**

**Notice Date: June 10, 2016**

**To: Occupants, Former Occupants, and Other Interested Parties**

Property:	Address	Application #	Inquiry Period
578 9 <sup>th</sup> Avenue, Manhattan a/k/a 360 West 42 <sup>nd</sup> Street		72/16	May 2, 2013 to Present
48 West 120 <sup>th</sup> Street, Manhattan		73/16	May 3, 2013 to Present
234 East 53 <sup>rd</sup> Street, Manhattan		74/16	May 3, 2013 to Present
220 Front West 17 <sup>th</sup> Street, Manhattan		75/16	May 6, 2013 to Present
175 West 137 <sup>th</sup> Street, Manhattan		76/16	May 6, 2013 to Present
3 East 27 <sup>th</sup> Street, Manhattan		79/16	May 9, 2013 to Present
312 West 115 <sup>th</sup> Street, Manhattan		81/16	May 12, 2013 to Present
378 West End Avenue, Manhattan		82/16	May 24, 2013 to Present
156 West 15 <sup>th</sup> Street, Manhattan		83/16	May 24, 2013 to Present
310 West 115 <sup>th</sup> Street, Manhattan		84/16	May 24, 2013 to Present
104 East 10 <sup>th</sup> Street, Manhattan		86/16	May 31, 2013 to Present
294 Manhattan Avenue, Manhattan		87/16	May 31, 2013 to Present
315 93 <sup>rd</sup> Street, Brooklyn		68/16	May 13, 2013 to Present
79 Gates Avenue, Brooklyn a/k/a 482 Washington Avenue		85/16	May 25, 2013 to Present
87-70 148 <sup>th</sup> Street, Queens		69/16	May 2, 2013 to Present
87-72 148 <sup>th</sup> Street, Queens		70/16	May 2, 2013 to Present
94-00 Ditmars Boulevard, Queens		80/16	May 10, 2013 to Present

**Authority: SRO, Administrative Code §27-2093**

Before the Department of Buildings can issue a permit for the alteration or demolition of a single room occupancy multiple dwelling, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at **CONH Unit, 100 Gold Street, 6<sup>th</sup> Floor, New York, NY 10038** by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call **(212) 863-5277 or (212) 863-8211**.

j10-20

**REQUEST FOR COMMENT  
REGARDING AN APPLICATION FOR A  
CERTIFICATION OF NO HARASSMENT**

**Notice Date: June 10, 2016**

**To: Occupants, Former Occupants, and Other Interested Parties**

Property:	Address	Application #	Inquiry Period
578 9 <sup>th</sup> Avenue, Manhattan a/k/a 360 West 42 <sup>nd</sup> Street		72/16	May 2, 2013 to Present

**Authority: Special Clinton District, Zoning Resolution §96-110**

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling in certain areas designated in the Zoning Resolution, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

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j10-20

**REQUEST FOR COMMENT  
REGARDING AN APPLICATION FOR A  
CERTIFICATION OF NO HARASSMENT**

**Notice Date: June 10, 2016**

**To: Occupants, Former Occupants, and Other Interested Parties**

**Property: Address Application # Inquiry Period**  
204 Bedford Avenue, Brooklyn 71/16 October 4, 2004 to Present

**Authority: Greenpoint-Williamsburg Anti-Harassment Area, Zoning Resolution §§23-013, 93-90**

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling in certain areas designated in the Zoning Resolution, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

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j10-20

**REQUEST FOR COMMENT  
REGARDING AN APPLICATION FOR A  
CERTIFICATION OF NO HARASSMENT**

**Notice Date: June 10, 2016**

**To: Occupants, Former Occupants, and Other Interested Parties**

**Property: Address Application # Inquiry Period**  
319 West 38th Street, Manhattan 78/16 June 21, 2004 to the Present

**Authority: Special Garment Center District, Zoning Resolution §93-90**

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling in certain areas designated in the Zoning Resolution, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at **CONH Unit, 100 Gold Street, 3rd Floor, New York, NY 10038** by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call **(212) 863-5277 or (212) 863-8211**.

j10-20

**CHANGES IN PERSONNEL**

**ADMIN TRIALS AND HEARINGS  
FOR PERIOD ENDING 05/20/16**

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
LAZERSON	VIVIAN	30087	\$96471.0000	RESIGNED	YES	05/01/16	820
MILLER	JEFFREY R	95937	\$45.4900	RESIGNED	YES	05/04/16	820
MITU	TASMINAR	52406	\$14.5900	APPOINTED	YES	05/08/16	820
MORARESCU	EUGEN C	1020B	\$14.4800	APPOINTED	YES	05/08/16	820
ORTEGA	DENISE	13615	\$47113.0000	RESIGNED	YES	05/01/16	820
XIDIAS	EFTYHIA	30087	\$96471.0000	INCREASE	YES	05/01/16	820

**DEPT OF ENVIRONMENT PROTECTION  
FOR PERIOD ENDING 05/20/16**

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
BARTIK	DAVID	91645	\$363.9200	RETIRED	NO	05/11/16	826
BEAUBRUN	EDOUARD J	10251	\$18.0011	APPOINTED	NO	05/08/16	826
BINDESH	PREMRAJ	91314	\$71523.0000	RESIGNED	YES	05/08/16	826
BIRD JR	VINCENT	90739	\$318.1100	RESIGNED	NO	05/01/16	826
BRANDT	ANDREW J	90739	\$318.1100	RETIRED	NO	04/29/16	826
BYRNE	JOHN	P 10015	\$128000.0000	APPOINTED	YES	05/01/16	826
CALDERONE	ALYSSA A	31215	\$48997.0000	APPOINTED	YES	05/08/16	826
COMPASS	RODERICK	90739	\$279.7600	DECREASE	NO	05/04/16	826
DAVIS	WINNIE A	56058	\$62000.0000	APPOINTED	YES	05/09/16	826

**DEPT OF ENVIRONMENT PROTECTION  
FOR PERIOD ENDING 05/20/16**

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
DESCHAMPS-GARCI	ELAINE	83008	\$100737.0000	APPOINTED	YES	05/08/16	826
DHRU	MEHUL H	34202	\$51586.0000	RESIGNED	NO	03/23/16	826
DI LEO, JR. JR	RAYMOND P	91546	\$58005.0000	APPOINTED	YES	05/08/16	826
DUNCAN	ONEIKA Z	83008	\$104500.0000	APPOINTED	YES	05/09/16	826
FERDOUSE	SHAHEEN	91645	\$363.9200	APPOINTED	NO	05/10/16	826
FISHER	JASON J	12202	\$40625.0000	RESIGNED	YES	05/08/16	826
FLORES	ARTHUR J	10251	\$19.5000	APPOINTED	NO	05/08/16	826
FOSTER	SHENIQUA T	10251	\$19.5000	APPOINTED	NO	05/08/16	826
GARCIA	ALBERTO	10251	\$19.8000	APPOINTED	NO	05/08/16	826
GENTILE	JOSEPH	91308	\$87164.0000	RETIRED	NO	05/01/16	826
GILSEMAN	MICHAEL W	10026	\$182851.0000	INCREASE	NO	04/21/16	826
GOMEZ	KEVIN	10251	\$18.0000	RESIGNED	NO	04/10/16	826
GONZALEZ	MARITZA	10251	\$18.0000	RESIGNED	NO	02/02/16	826
GONZALEZ	SANDY R	80609	\$16.3600	APPOINTED	YES	05/08/16	826
HALLORAN	KAITLYN S	20403	\$52000.0000	APPOINTED	YES	05/08/16	826
HANLON	MICHAEL R	56058	\$66136.0000	RESIGNED	YES	04/17/16	826
HASAN	SM N	20210	\$57720.0000	APPOINTED	NO	05/08/16	826
HOSSAIN	MUHAMMAD E	10015	\$90000.0000	APPOINTED	YES	05/08/16	826
HUANG	DANNY	20246	\$45100.0000	APPOINTED	NO	04/24/16	826
JOHNSON	KRISTEN K	10251	\$32888.0000	APPOINTED	NO	05/08/16	826
KANOTRA	PULKIT	20202	\$52000.0000	APPOINTED	YES	05/08/16	826
KAPADIA	NARENDRA B	91645	\$363.9200	RETIRED	NO	05/02/16	826
KIM	SEONG-HE	10251	\$32888.0000	APPOINTED	NO	05/09/16	826
KOZINSKI	ROBERT P	90767	\$350.3900	RETIRED	NO	05/02/16	826
KRAVETS	VIKTORIY	1020B	\$16.2800	RESIGNED	YES	05/08/16	826
MARTINEZ	JOEL D	20246	\$75523.0000	APPOINTED	NO	05/08/16	826
MAYER	GEORGE	13632	\$99728.0000	INCREASE	NO	04/24/16	826
MCCLEAN	ALEXANDE J	22122	\$59828.0000	APPOINTED	YES	05/08/16	826
MCGRATH	JONATHAN K	1002A	\$67624.0000	RESIGNED	YES	05/05/16	826
MUSTACIUOLO	JOHN J	90756	\$296.5600	RETIRED	NO	04/30/16	826
PADILLA	MERCEDES	10033	\$100864.0000	RESIGNED	YES	05/01/16	826
RAYMOND	CHRISTOP C	10251	\$37821.0000	APPOINTED	NO	04/24/16	826
RITTER	ZOE N	13651	\$46303.0000	APPOINTED	YES	05/08/16	826
ROSS	BRENDAN P	91580	\$63391.0000	APPOINTED	YES	05/08/16	826
RUFF	STEVEN	90739	\$318.1100	APPOINTED	NO	03/27/16	826
SHEHATA	NADER S	34202	\$51586.0000	APPOINTED	NO	05/08/16	826
SINGH	CINDY	10251	\$19.5000	APPOINTED	NO	05/08/16	826
SOSA	HENRY R	90739	\$318.1100	RETIRED	NO	05/01/16	826
SZEWECZYK	DANUTA	20210	\$57720.0000	TERMINATED	NO	04/27/16	826
THOMPSON	BRIAN P	31215	\$58246.0000	APPOINTED	YES	05/08/16	826
TON	PHUOC	91001	\$61369.0000	RETIRED	NO	04/30/16	826
WANG	SUWEI	20210	\$63235.0000	RESIGNED	NO	05/05/16	826
YOUNG	SAMANTHA	22122	\$50897.0000	APPOINTED	YES	05/08/16	826

**DEPARTMENT OF SANITATION  
FOR PERIOD ENDING 05/20/16**

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
ACQUASANTA	GIAN C	70112	\$73235.0000	RESIGNED	NO	05/14/16	827
AGUILERA JR	JOAQUIN A	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
BARNES	RODERICK D	22426	\$51586.0000	APPOINTED	NO	05/08/16	827
BARTON	ROBERT A	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
BELLAMY	PHILIP D	70112	\$73235.0000	RESIGNED	NO	04/27/16	827
BENDETTI	DANIEL K	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
BERRY	CONOR D	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
BLUNT	KEVIN R	70112	\$73235.0000	RETIRED	NO	05/02/16	827
BRITO	DENNY	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
BRUTTO	CHRISTOP J	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
BRUZUAL	YVONNE	12626	\$54549.0000	APPOINTED	YES	02/02/16	827
CALABRESE	RICHARD	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
CALBO	ANTHONY R	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
CALDERON VELAZO	RICARDO A	92510	\$33.6200	RESIGNED	YES	05/01/16	827
CASEY	MICHAEL F	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
CASUCCI	JAMES A	70112	\$73235.0000	RETIRED	NO	05/02/16	827
CELENTANO	MICHAEL J	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
CHIU	MO W	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
CONNORS	JAMES W	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
CRAWFORD	MICHAEL B	70150	\$96916.0000	RETIRED	NO	03/01/16	827
CERNICK	SCOTT R	70112	\$73235.0000	RETIRED	NO	05/01/16	827
CURRAN	CHRISTOP J	70112	\$73235.0000	RETIRED	NO	05/06/16	827
DAVIS	WINNIE A	56057	\$47411.0000	RESIGNED	YES	05/09/16	827
DEMMELE	KENNETH W	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
DESENA	PHILIP J	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
DILGER	SCOTT H	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
DUMMETT	LORAYNNE	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
DUPONT	RALPH J	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
DURSO JR	JOSEPH D	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
EASTZER	JOHN M	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
ESPOSITO	PAUL J	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
FERGUSON	JOHN F	90702	\$261.9200	APPOINTED	YES	05/08/16	827
FERRAN JR.	EDDIE	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
FIGLIA	MICHEL J	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
FISHER	JASON	12202	\$47675.0000	APPOINTED	YES	05/08/16	827
FOSTER	GLENN W	70150	\$77676.0000	PROMOTED	NO	05/08/16	827

FUSCO	NUNZIO	P	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
GAMARRA	GABRIEL	H	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
GARZIA	JAMES	J	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
GERVASI JR.	ROBERT	W	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
GIAMMARRUSCO	VINCENT	M	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
GOEBEL	CHRISTOP	L	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
GOMEZ	ABISAI		70112	\$73235.0000	RETIRED	NO	05/02/16	827
GOMEZ	JASON		70150	\$77676.0000	PROMOTED	NO	05/08/16	827
GROSSETO	ROBERT	M	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
GUARIGLIA JR	PHILIP		70112	\$73235.0000	RETIRED	NO	05/02/16	827
HAMBLIN	CODY	M	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
HAWKINS	DAVID	J	70112	\$73235.0000	RETIRED	NO	05/02/16	827
HICKS	ALTON		9140A	\$13.5000	APPOINTED	YES	01/24/16	827
HOMAN JR	ROBERT	T	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
JONES	KEIYNA	I	80633	\$11.7900	RESIGNED	YES	04/28/16	827

DEPARTMENT OF SANITATION  
FOR PERIOD ENDING 05/20/16

TITLE								
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY		
KALINOWSKI	MICHAEL	J	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
KENNISH	EUGENE	J	70150	\$96916.0000	RETIRED	NO	03/01/16	827
KNOOP	ROBERT	E	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
KUROLAPNIK	KIRA		12626	\$64059.0000	APPOINTED	NO	05/08/16	827
LA SPINA	JOHN		70150	\$77676.0000	PROMOTED	NO	05/08/16	827
LAURA	SHANE	J	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
LAZARE	JAMEL	J	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
LI	SI CONG		13622	\$81000.0000	APPOINTED	YES	05/01/16	827
MAFFEI	JOHN	M	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
MASTROGIANNIS	PANAGIOT		10050	\$183000.0000	APPOINTED	YES	05/08/16	827
MCEBAN	GRETT	L	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
MCCANN	DANIEL	A	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
MEDINA	MARCOS		70112	\$73235.0000	RESIGNED	NO	05/08/16	827
MILAZZO	VINCENT	A	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
MILLER	ROBERT	J	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
MIXON	GREGORY	L	70112	\$73235.0000	RETIRED	NO	05/02/16	827
MONTE JR	THOMAS		70150	\$77676.0000	PROMOTED	NO	05/08/16	827
MONTGOMERY	HUGH		70150	\$77676.0000	PROMOTED	NO	05/08/16	827
MOSCATI	JOHN	J	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
MULLIGAN	STEVEN		70150	\$77676.0000	PROMOTED	NO	05/08/16	827
MURPHY	MICHAEL	P	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
NAUGHTON	JOHN		70112	\$73235.0000	RETIRED	NO	05/02/16	827
O'BRIEN	PATRICK	T	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
O'CONNOR	ROBERT	J	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
PARISI	RICHARD		92510	\$268.9600	RESIGNED	YES	05/01/16	827
PATSAKOS	DAMIAN	A	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
PERRI	CHRISTOP	P	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
PISCULLI	CHRISTOP	F	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
POMA	MICHAEL	F	70150	\$96916.0000	RETIRED	NO	02/26/16	827
PORTANTIERE III	PHILIP		70150	\$77676.0000	PROMOTED	NO	05/08/16	827
PRINCIPAL	IVES		70112	\$73235.0000	RETIRED	NO	05/01/16	827
REDILLO JR.	ADOLFO		70150	\$77676.0000	PROMOTED	NO	05/08/16	827
REYES	MARIA	C	13632	\$120754.0000	RESIGNED	YES	05/06/16	827
RICKARDS	AARON	K	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
RIGOSI	ANTHONY	J	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
ROBINSON	ANTOINET P		56058	\$56229.0000	RESIGNED	YES	05/08/16	827
ROSARIO	JESSENIA	A	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
ROSEBOROUGH	ELLIOT	N	70112	\$73235.0000	RETIRED	NO	05/01/16	827
RUDOWSKI	ERIC		70150	\$77676.0000	PROMOTED	NO	05/08/16	827
RYZHKOVA	TETAYANA		1002A	\$83513.0000	APPOINTED	YES	05/01/16	827
SCHIEFF	NORMAN	W	20128	\$76105.0000	APPOINTED	YES	05/01/16	827
SCOTT	LINDA	M	10251	\$47852.0000	RETIRED	NO	05/01/16	827
SCULLY	KERRY	A	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
SHEA	KENNETH	M	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
SIMONSON	MARK		13621	\$57022.0000	RETIRED	NO	05/06/16	827
SINGER	DAVID		9140A	\$13.5000	APPOINTED	YES	01/24/16	827
SMITH	PERRY	C	70112	\$73235.0000	RETIRED	NO	05/05/16	827
SOTO	JASON	J	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
STOKES-MARTIN	TAMARA		70150	\$77676.0000	PROMOTED	NO	05/08/16	827
SUAREZ	EDWARD	A	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
TAYLOR	MICHAEL	S	70112	\$73235.0000	RETIRED	NO	05/01/16	827

DEPARTMENT OF SANITATION  
FOR PERIOD ENDING 05/20/16

TITLE								
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY		
TORRES	BRYAN	K	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
TORRES	GEORGE	N	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
VALLIE	EDWIN		70112	\$73235.0000	RETIRED	NO	05/01/16	827
VAN ROTEN	JAMES	R	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
VAZQUEZ	KARL	R	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
WANSER	CHRISTOP	M	70150	\$77676.0000	PROMOTED	NO	05/08/16	827
WILLIAMS	MATTHEW		70150	\$77676.0000	PROMOTED	NO	05/08/16	827
WOOLVERTON	STEVEN		70150	\$96916.0000	RETIRED	NO	03/01/16	827
WYNER	JOSEPH		70112	\$73235.0000	RETIRED	NO	05/02/16	827

BUSINESS INTEGRITY COMMISSION  
FOR PERIOD ENDING 05/20/16

TITLE								
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY		
WEISS	JOANNA	C	95005	\$99425.0000	RESIGNED	YES	04/06/16	831

DEPARTMENT OF FINANCE  
FOR PERIOD ENDING 05/20/16

TITLE								
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY		
BASCI	ROY	P	12626	\$57473.0000	RETIRED	NO	05/13/16	836
BROWN	CAROLYN	P	10124	\$49862.0000	DISMISSED	NO	05/10/16	836
CHAN	KIN	S	10049	\$130000.0000	INCREASE	YES	05/01/16	836
FRESSE	OKSANA		40523	\$45000.0000	APPOINTED	YES	05/08/16	836
GEORGE	HOWARD	P	12627	\$75712.0000	DECREASE	NO	05/08/16	836
HAWKINS	KRISH		40523	\$45000.0000	APPOINTED	YES	05/08/16	836

ITTY	JACOB	K	30312	\$76488.0000	RETIRED	NO	05/03/16	836
KAPLAN	JEFFREY	C	22121	\$35183.0000	APPOINTED	YES	05/08/16	836
KONDAOLU	POOJITHA		30087	\$90000.0000	RESIGNED	YES	05/13/16	836
MOORE	PHILIP		30312	\$76488.0000	RETIRED	NO	05/14/16	836
PAGNOTTA	TARA	E	0667A	\$49.0000	RESIGNED	YES	05/05/16	836
POWLETT	MARC	A	10050	\$80491.0000	APPOINTED	YES	05/01/16	836
PULGARIN	LUIS	E	10049	\$93289.0000	RETIRED	YES	04/16/16	836
RAIMONDO	ALFREDO		12158	\$83048.0000	RESIGNED	NO	05/03/16	836
ROBINSON	ANDRE	D	90702	\$261.9200	RESIGNED	YES	05/24/15	836
STREETS	FABIO	J	40201	\$37347.0000	APPOINTED	YES	05/08/16	836
SYED	ZOHAB	A	40523	\$45000.0000	APPOINTED	YES	05/08/16	836
TAYLOR	TIFFANY	L	10124	\$51255.0000	APPOINTED	YES	05/08/16	836
ULLAH	WAQAR		40523	\$45000.0000	APPOINTED	YES	05/08/16	836
WALSH	JONATHAN	M	13631	\$83208.0000	APPOINTED	YES	05/01/16	836
WHATLEY	MARY		10124	\$61040.0000	RETIRED	NO	05/04/16	836

DEPARTMENT OF FINANCE  
FOR PERIOD ENDING 05/20/16

TITLE								
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY		
XIE	CONNIE	X	40523	\$50623.0000	INCREASE	NO	05/01/16	836

DEPARTMENT OF TRANSPORTATION  
FOR PERIOD ENDING 05/20/16

TITLE								
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY		
AFRIDI	NASIR	J	22315	\$77587.0000	INCREASE	NO	05/01/16	841
ARTECA	ANTHONY	J	90910	\$50544.0000	RESIGNED	YES	04/17/16	841
ASCANIO	JOSEPH	A	9090A	\$76208.0000	INCREASE	NO	05/01/16	841
ATHANAILOS	ERNEST	G	10061	\$152873.0000	INCREASE	NO	05/08/16	841
BAKER	SHELDON	D	22122	\$57381.0000	INCREASE	YES	05/01/16	841
BAKER	VALERIE	Y	20271	\$50109.0000	INCREASE	YES	05/01/16	841
BELFON	TERRELL	M	22121	\$40461.0000	RESIGNED	YES	05/02/16	841
BERNARDO	NICOLAS	A	91547	\$48211.0000	APPOINTED	YES	05/01/16	841
BROWN	ERIC	L	10039	\$116264.0000	INCREASE	YES	05/08/16	841
CALAZZO	FRANK	J	10001	\$127882.0000	INCREASE	YES	05/01/16	841
CALCANO JR	ANGEL		90692	\$20.5400	APPOINTED	YES	05/01/16	841
CAO	JING		13632	\$102791.0000	APPOINTED	YES	05/01/16	841
CARLUZZO	ROSARIO		92472	\$354.2400	DECREASE	NO	05/09/16	841
CARO	ABEL		91110	\$32729.0000	APPOINTED	YES	05/01/16	841
CHAO	SYLVIA	M	10251	\$36166.0000	INCREASE	NO	05/01/16	841
COLLINS	MICHAEL	D	92310	\$386.0000	RETIRED	NO	05/01/16	841
CRIVELLO	ANTONINO		10039	\$116295.0000	INCREASE	YES	05/08/16	841
CUDDIHY	ERIN	R	22122	\$76178.0000	APPOINTED	YES	05/08/16	841
D'AMICO	PETER		10077	\$132932.0000	INCREASE	YES	05/09/16	841
DIVERMIERO	MICHAEL		10039	\$176113.0000	INCREASE	YES	05/08/16	841
DONOHUE	ARTHUR	F	91110	\$32729.0000	APPOINTED	YES	05/08/16	841
DOUGLAS	JEVON	M	91110	\$49007.0000	RESIGNED	NO	04/17/16	841
DRAKES	ROBORAH	S	10251	\$41661.0000	INCREASE	NO	05/01/16	841
DUNN	BRIAN	P	92005	\$349.1600	APPOINTED	NO	05/01/16	841
ENG	EDMUND	A	10039	\$117228.0000	INCREASE	YES	05/08/16	841
ENGELKEN	THOMAS	W	92406	\$315.6800	RETIRED	NO	05/11/16	841
FRYZEL	SYLVIA		40510	\$45385.0000	APPOINTED	YES	05/08/16	841
GARCIA	NICOLE	D	95015	\$134000.0000	INCREASE	YES	05/08/16	841
GIOIA	SALVATOR		91352	\$98035.0000	INCREASE	YES	05/01/16	841
GIOIA	SALVATOR		92472	\$354.2400	APPOINTED	NO	05/01/16	841
HENDERSON	WILLIAM	R	92406	\$315.6800	DISMISSED	NO	05/06/16	841
HENRY, A.	DANILO	A	31715	\$51894.0000	INCREASE	NO	05/01/16	841
HONG	ALBERT		20215	\$86720.0000	RETIRED	NO	05/13/16	841
HYATT	VERONICA							