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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BRONX BOROUGH PRESIDENT

■ PUBLIC HEARINGS

A PUBLIC HEARING IS BEING CALLED by the President of the Borough of the Bronx, Honorable Ruben Diaz Jr. for Tuesday, March 13, 2012 commencing at 3:00 P.M. This hearing will take place in Veterans Memorial Hall (the Rotunda) of the Bronx County Building, 851 Grand Concourse, Bronx New York 10451. The hearing will consider the following items:

CD 1-ULURP APPLICATION NO: C 120164 HAX-IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- pursuant to Article 16 of the General Municipal Law of New York State for:
 - the designation of property located at 500/539 Union Avenue (Block 2582, Lots 47, 64 and 65) as an Urban Development Action Area; and
 - an Urban Development Action Area Project or such area; and
- pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

To facilitate development of an eight-story building, a thirteen-story building and a 15-story building with a total of approximately 428 dwelling units, 20,910 square feet of community space and 36,770 square feet of commercial space, to be developed under the Department of Housing Preservation and Development's moderate and low income affordable housing programs.

CD 1-ULURP APPLICATION NO: C 120165 ZMX-IN THE MATTER OF an application submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6c, by changing from an R7-2 District to an R8X District property bounded by East 149th Street, Prospect Avenue, Southern Boulevard, East 147th Street, and Union Avenue and its southerly centerline prolongation, Borough of the Bronx, Community District 1, as shown on a diagram (for illustrative purposes only) dated January 23, 2012.

ANYONE WISHING TO SPEAK MAY REGISTER AT THE DOOR. MAXIMUM TIME PERMITTED FOR PUBLIC COMMENTS AND/OR QUESTIONS IS THREE MINUTES PER SPEAKER. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS MATTER TO THE BOROUGH PRESIDENT'S OFFICE (718) 590-6124.

m6-12

CITY PLANNING COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission Scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street New York, New York, on Wednesday, March 14, 2012 at 10:00 A.M.

BOROUGH OF MANHATTAN

No. 1

50 UN PLAZA GARAGE

CD 6 C 120017 ZSM
IN THE MATTER OF an application submitted by G-Z/10 P Realty, LLC pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 13-561 of the Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 88 spaces, at grade level and in a portion of the sub-cellar level of a proposed mixed use building, on property located at 50 UN Plaza (Block 1339, Lot 19), in C1-9 and C5-2 Districts.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

No. 2

HIGH LINE TEXT AMENDMENT

CD 4 N 120171 ZRM
IN THE MATTER OF an application submitted by the New York City Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 3 (Special Hudson Yards District).

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

Article IX - Special Purpose Districts

Chapter 3 Special Hudson Yards District

* * *

93-01 DEFINITIONS

High Line

For the purpose of this Chapter, the "High Line" shall refer to the elevated rail line structure, including without limitation sidetracks and spurs, located between Gansevoort Street and West 34th Street in the north-south direction, and between Washington Street/Tenth Avenue and Twelfth Avenue in the east-west direction.

ERY High Line

For the purpose of this Chapter, the #ERY High Line# shall refer to the portion of the #High Line# between the western #street line# of Tenth Avenue and the western #street line# of Eleventh Avenue north of West 30th Street.

Tenth Avenue Spur

For the purpose of this Chapter, the #Tenth Avenue Spur # shall refer to the portion of the #High Line# above the intersection of Tenth Avenue and West 30th Street.

High Line Rehabilitation Deposit

For the purpose of this Chapter, the #High Line Rehabilitation Deposit# shall be in the amount of \$9,580,763 for the #ERY High Line#, and, if the #Tenth Avenue Spur# is provided as a public access area pursuant to Section 93-71, in the amount of \$12,203,234, as adjusted by changes in the construction cost index published by ENR for New York City commencing as of January, 2012. Payment of the #High Line Rehabilitation Deposit# shall be in the form of cash or other form of immediately available funds if plans and specifications for rehabilitation of the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#, have been substantially completed as of the time of the #High Line Rehabilitation Deposit# is required, and if such plans and specifications have not been substantially completed at the time the #High Line Rehabilitation Deposit# is required, in the form of cash or a cash equivalent, such as letter of credit, in a form acceptable to the City. The #High Line Rehabilitation Deposit# shall be held by the City or an instrumentality of the City as the Chairperson of the City Planning Commission shall designate, and shall be applied exclusively to the rehabilitation of the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#.

High Line Landscape Improvement Deposit

For the purpose of this Chapter, the # High Line Landscape Improvement Deposit# shall be in the amount of \$18,214,507 for the #ERY High Line#, and, if the #Tenth Avenue Spur# is provided as a public access area pursuant to Section 93-71, in the amount of \$23,200,228, as adjusted by changes in the construction cost index published by ENR for New York City commencing as of January 2012. Payment of the #High Line Landscape Improvement Deposit# shall be in the form of cash or other form of immediately available funds. The #High Line Landscape Improvement Deposit# shall be held by the City or an instrumentality of the City as the Chairperson of the City Planning Commission shall designate, and shall be applied exclusively to the to the improvement for public use of the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#.

High Line Maintenance Funding

For the purpose of this Chapter, #High Line Maintenance Funding# shall mean funding sufficient for the maintenance and ordinary repair of the #ERY High Line# and, if applicable, the #Tenth Avenue Spur# in an amount acceptable to the city, as adjusted on an annual basis.

93-10 USE REGULATIONS

The #use# regulations of the underlying districts are modified as set forth in this Section, inclusive. The only permitted change of #use# for the #High Line# shall be to provide publicly accessible open space in accordance with the provisions of Section 93-71 (Public Access Areas in the Eastern Rail Yards Subarea A1) and Section 93-75 (Publicly Accessible Open Spaces in Subdistrict F).

* * *

93-51 Special Height and Setback Regulations in the Large-Scale Plan Subdistrict A

* * *

93-514 Eastern Rail Yards Subarea A1

- Location of #buildings#

#Buildings# shall be located only in the following areas:

- east of the southerly prolongation of the eastern sidewalk widening line of Hudson Boulevard East;
- west of the southerly prolongation of the western sidewalk widening line of Hudson Boulevard West and within 220 feet of West 33rd Street; and
- west of the southerly prolongation of the eastern

sidewalk widening line of Hudson Boulevard East and within 220 feet of West 30th Street, provided that either:

- (i) such area contains only #uses# in Use Groups 3 and 4; or
- (ii) where such area includes #residential use#:
 - (a) such #residential use# is permitted only in a #building# located west of the southerly prolongation of the western sidewalk widening line of Hudson Boulevard West, and such #building# may also include #uses# in Use Groups 3, 4, 6A and 6C; and
 - (b) a #building# containing only #uses# in Use Groups 3 or 4 may be located not closer than 50 feet east of such prolongation.

(4) for any #building# located at or above the elevation of the #High Line bed# which faces the #ERY High Line#, the #street wall# shall not be located closer than five feet to the edge of the #ERY High Line# and such five foot separation shall remain unobstructed, from the level of the #High Line bed# adjacent to such #building# to the sky. Notwithstanding the foregoing, for any #building# located partly within 335 feet of the Tenth Avenue #street line#, any portion thereof of up to 280 feet in width, as measured parallel to West 30th Street, may be located above the #High Line bed# at a height of 60 feet or more measured from the #High Line bed# provided such portion has a maximum width of 200 feet along the West 30th Street #street line# and a maximum average width of 240 feet. Structural columns placed within the maximum width of 200 feet along the West 30th Street #street line# supporting such portion of the #building# may be located within five feet to the southern edge of the #ERY High Line#, and such columns shall, when viewed in elevation along West 30th Street, occupy no more than 50 percent of the measured area of such elevation located within the maximum width of 200 feet along the West 30th Street #street line#, from the level of the #High Line bed # to a height of 60 feet above the level of the #High Line bed#. A maximum of twenty-five percent of such measured area may be constructed of opaque materials.

* * *

93-70 PUBLIC ACCESS REQUIREMENTS FOR SPECIAL SITES
Public access shall be provided for special sites as specified in this Section, inclusive. In the event of a conflict between the provisions of this Section, inclusive, and any underlying regulation, the provisions of this Section shall govern.

No building permit shall be issued for any #development# or #enlargement# on such sites until the Chairperson of the City Planning Commission certifies to the Department of Buildings that the provisions of this Section have been met.

An application for such certification shall be filed with the Chairperson showing the plan of the #zoning lot#; a site plan indicating the area and dimensions of all required public access areas and the location of all proposed #buildings#, and a detailed plan or plans demonstrating compliance with the provisions of this Section. For certifications relating to the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#, as set forth in 93-71(h), the requirements set forth in such section shall apply.

Plans for public access areas shall be set forth in an instrument in a form acceptable to the City, and setting forth such provisions as necessary to ensure compliance with the provisions of this Section. Such instrument shall be filed and duly recorded in the Borough Office of the City Register of the City of New York and indexed against the property. Such filing and recording of the instrument shall be a precondition for the Chairperson's certification under this Section. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date.

The Chairperson shall allow for the phased development of public access areas upon certification to the Commissioner of Buildings that a plan has been submitted that provides for the completion of any public access area that is integral to the #development# of a #building# or #buildings# within each phase. Where the public use and enjoyment of a public access area is contingent upon #development# on an adjacent #zoning lot# that has not yet occurred, the Chairperson may allow for the future development of such public access area at the time that the adjacent #zoning lot# is #developed#.

No temporary certificate of occupancy from the Department of Buildings may be issued for any portion of any #development# or #enlargement# with a #floor area ratio# of 10.0 or more until the Chairperson certifies to the Department of Buildings that the public access area is substantially complete, and the public access area is open to and useable by the public. No permanent certificate of occupancy from the Department of Buildings may be issued for any portion of such #development# or #enlargement# with a #floor area ratio# of 10.0 or more until the Chairperson certifies to the Department of Buildings that the public access area is complete and that all public access requirements of this Section have been met in accordance with the plans for such public access areas. Notwithstanding the foregoing, for #zoning lots# with multiple #buildings# for which the Chairperson has certified that a plan has been submitted that provides for the phased development of public access areas through completion of any public access area that is integral to the #development# of a #building# or

#buildings# within each phase, such certifications shall be made with respect to substantial completion or completion of the public access areas integral to each such phase, except as provided in 93-71(h).

93-71 Public Access Areas in the Eastern Rail Yards Subarea A1

Any #development# in the Eastern Rail Yards Subarea A1 shall provide public access areas in accordance with the following requirements:

(a) Amount of public access areas
Public access areas shall be provided in an amount not less than 55 percent of the #lot area# of the #zoning lot#. At least 40 percent of the #lot area# of the #zoning lot# shall be publicly accessible and open to the sky. At least an additional 15 percent of the #lot area# of the #zoning lot# shall be publicly accessible and may be either open or enclosed. Such open or enclosed areas shall be comprised of the types of public access areas listed in paragraphs (b) through (f), and (h), of this Section. Open areas may also include the area of the sidewalk widening along Eleventh Avenue required pursuant to Section 93-61 and, at the option of the owner, the Tenth Avenue Spur.

(h) ERY High Line and Tenth Avenue Spur
The #ERY High Line# shall be provided as a publicly accessible open area. The #Tenth Avenue Spur# may, at the option of the owner, also be provided as a publicly-accessible open area.

In order to meet the public access area requirements of 93-71(a) and this paragraph (h), the following shall be provided for the #ERY High Line#, and shall, if owner has elected to include the #Tenth Avenue Spur# as a public access area, be further provided for the #Tenth Avenue Spur#:

- (i) (aa) Payment of the #High Line Rehabilitation Deposit# or (bb) subject to entry into construction-related agreements with the city or its designee, completion of the rehabilitation of the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#, not later than March 31, 2013, subject to a determination of force majeure by the city in accordance with the terms thereof. If owner has elected to perform the rehabilitation work set forth in clause (bb), then all such work shall be completed in accordance with plans and specifications prepared by or on behalf of the city.
- (ii) Payment of the #High Line Landscape Improvement Deposit#.
- (iii) Provision of #High Line Maintenance Funding#.
- (iv) An easement agreement allowing use of the #ERY High Line# for public space in accordance with the requirements of this paragraph (h), as well as for use and access for rehabilitation, improvement, maintenance and repair purposes, acceptable to the city.

Such requirements, shall be set forth in agreements or instruments in a form acceptable to the city, including such provisions as are necessary to ensure compliance with the provisions of this Section. The execution of such agreements by owner, and mortgagees and parties in interest of owner, and, where appropriate, the filing and recordation of such instruments in the Borough Office of the City Register of the City New York, indexed against the property, shall be a precondition to the Chairperson's certification to the Department of Buildings for a building permit under Section 93-70. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date.

No certification for the phased development of public access areas on the Eastern Rail Yard Subarea A1 under Section 93-70 shall be permitted unless the #ERY High Line# is included as a public access area for the initial phase in accordance with the provisions of this paragraph (h). No crane permit shall be granted for construction of a #development# or #enlargement# in such initial phase until the Chairperson certifies to the Department of Buildings that: (a) either the #High Line Rehabilitation Deposit# has been made or all construction documents and instruments necessary for accomplishment of the rehabilitation of the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#, in accordance with (i)(bb) above in this paragraph (h) have been executed and delivered; and (b) the #High Line Landscape Improvement Deposit# has been made.

No temporary or permanent certificate of occupancy for a #development# or #enlargement# in such initial phase shall be granted unless the Chairperson certifies to the Department of Buildings that (a) either the #High Line Rehabilitation Deposit# has been previously furnished or the rehabilitation of the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#, have been completed in accordance with the construction documents and instruments; (b) the initial installment of #High Line Maintenance Funding# has been delivered, provided and to the extent that the #ERY High Line# and, if applicable,

the #Tenth Avenue Spur#, have been substantially completed and are open for use by the public, and (c) the easement agreement described in (iv) above is in effect for the #ERY High Line#. The requirement for a certification of substantial completion of public access areas before the granting of a temporary certificate of occupancy for the #development# or #enlargement# within such phase pursuant to Section 93-70 shall not apply with respect to the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#.

Nothing herein shall be construed to affect any obligation of owner to make the #High Line Rehabilitation Deposit# at an earlier date, in accordance with the terms of agreements or instruments entered into by the parties, or to complete rehabilitation work for the #ERY High Line# and, if applicable, the #Tenth Avenue Spur# by March 31, 2013, subject to a determination of force majeure by the city in accordance with the terms of such agreements.

Use by the city of the #High Line Landscape Improvement Deposit# for improvement of the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#, shall be subject to approval by the Chairperson, based upon a determination that the design and location of access points to the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#, have been arranged such that public use thereof will not result in any significant adverse impacts with respect to transit or pedestrians.

(i) Certifications for Phased Development Pursuant to Section 93-70 Granted Before [insert the effective date of this amendment]:

If a certification for the phased development of public access areas on the Eastern Rail Yard Subarea A1 under Section 93-70 was granted before [insert the effective date of this amendment], such certification shall expire 45 days following such date and shall thereupon no longer be in force and effect. Within said 45 day period, a new application for certification pursuant to Section 93-70 and 93-71(h) shall be filed by the owner which shall include the #ERY High Line# and, if applicable, the #Tenth Avenue Spur# as public access areas associated with the initial phase, in addition to any other public access areas previously so certified. The expiration of any certification under Section 93-70 granted before the insert the effective date of amendment], shall not affect the validity of any permit issued by the Department of Buildings prior to the expiration of such 45 day period, provided the new application under 93-70 and 93-71(h) is made within such 45 day period.

In the event that a certification for the phased development of public access areas on the Eastern Rail Yard Subarea A1 under Section 93-70 was granted before [insert the effective date of amendment], and a crane permit for the construction of a #development# or #enlargement# within such initial phase was granted prior to 45 days after [insert the effective date of this amendment], the preconditions to issuance of a crane permit set forth in 93-71(h) shall be prerequisites for the grant of any new certification for phased development made under this paragraph (i).

No. 3 EASTERN RAIL YARD TEXT AMENDMENT

CD 4 N 120176 ZRM
IN THE MATTER OF an application submitted by ERY Tenant LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 3 (Special Hudson Yards District).

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

Article IX - Special Purpose Districts

Chapter 3 Special Hudson Yards District

93-14 Ground Floor Level Requirements

* * *
(a) Retail continuity along designated streets in Subdistricts A, B, C, D and E

* * *
A #building's street# frontage shall be allocated exclusively to such #uses#, except for lobby space, entryways, entrances to subway stations, or other subway-related #uses# as described in Section 93-65 (Transit Facilities) or as follows within the Eastern Rail Yards Subarea A1 where such retail continuity requirements are applicable to #building# walls facing certain public access areas described in Section 93-71:

(1) for #building# walls facing the outdoor plaza described in Section 93-71(b): the through block connection described in Section 93-71(d) and the connection to the public plaza described in Section 93-71(e);

(2) for #building# walls facing the through block connection described in Section 93-71(d), the outdoor plaza described in Section 93-71(b);

(3) for #building# walls facing the connection to the public plaza described in Section 93-71(e), the outdoor plaza described in Section 93-71(b) and the public plaza described in Section 93-71(c); or

(4) a combination of retail #uses# and public access areas so as to satisfy the 50 foot depth requirement for retail continuity.

In no event shall the length of #street# frontage (exclusive of any portion of such #street# frontage allocated to entrances to subway stations and other subway-related #uses#) occupied by lobby space or entryways exceed, in total, 40 feet or 25 percent of the #building's# total #street# frontage, whichever is less, except that (1) the width of a lobby need not be less than 20 feet, and (2) within the Eastern Rail Yards Subarea A1, the width of a lobby located on a #building# wall facing the eastern boundary of the outdoor plaza may occupy 120 feet or 25 percent of such #building# wall, whichever is less.

* * *

**93-17
Modification of Sign Regulations**

(a) Subdistricts A, B, C, D and E

Within Subdistricts A, B, C, D and E, the underlying #sign# regulations shall apply, except that #flashing signs# shall not be allowed within 100 feet of Hudson Boulevard, its northerly prolongation to West 39th Street and its southerly prolongation to West 33rd Street. Furthermore, The following additional modifications to the underlying #sign# regulations shall apply in the Eastern Rail Yard Subarea A1:

- (1) #flashing #Flashing signs# shall not be allowed on any portion of a #building# fronting upon the outdoor plaza required in the Eastern Rail Yard Subarea A1, pursuant to Section 93-71.
- (2) For #signs# facing Tenth Avenue or on a portion of a #building# within 100 feet of Tenth Avenue, in addition to #signs# permitted under the underlying #sign# regulations, (i) up to four #signs# may exceed the maximum height limitations of the underlying #sign# regulations, provided that no such #sign# exceeds 95 feet in height and (ii) up to five #signs# may be located without regard to the maximum #surface area# limitations of the underlying #sign# regulations, provided that (a) the aggregate #surface area# of such #signs# does not exceed 4,400 square feet; and (b) each such #sign# shall have a maximum #surface area# of 650 square feet except for one #sign# that may have a maximum #surface area# of 1,800 square feet.
- (3) Along the #ERY High Line#, the #sign# regulations as set forth in Section 93-17(b)(1) shall apply. In addition, no #flashing signs# above the level of the #High Line bed# shall be located within 150 feet of and facing the #ERY High Line#.

* * *

**93-70
PUBLIC ACCESS REQUIREMENTS FOR SPECIAL SITES**

* * *

The Chairperson shall allow for the phased #development# of public access areas upon certification to the Commissioner of Buildings that a plan has been submitted that provides for the completion of any public access area that is integral to the #development# of a #building# or #buildings# within each phase. Such plan may provide for the outdoor plaza described in Section 93-71(b) to be constructed in phases. Where the public use and enjoyment of a public access area is contingent upon #development# on an adjacent #zoning lot# that has not yet occurred, the Chairperson may allow for the future #development# of such public access area at the time that the adjacent #zoning lot# is #developed#.

* * *

**93-71
Public Access Areas in the Eastern Rail Yards Subarea A1**
* * *

(a) Amount of public access areas

Public access areas shall be provided in an amount not less than 55 percent of the #lot area# of the #zoning lot#. At least 40 percent of the #lot area# of the #zoning lot# shall be publicly accessible and open to the sky. At least an additional 15 percent of the #lot area# of the #zoning lot# shall be publicly accessible and may be either open or enclosed. Such open or enclosed areas shall be comprised of the types of public access areas listed in paragraphs (b) through (f) of this Section. Open areas may also include the area of the sidewalk widening along Eleventh Avenue required pursuant to Section 93-61. All public access areas listed in this Section, other than the #ERY High Line#, shall be accessible to the public between the hours of 6:00 A.M. and 1:00 A.M., except that any enclosed portions of the through block connection and connection to the public plaza described in paragraphs (d) and (e) shall be accessible to the public between the hours of 8:00 A.M. and 10:00 P.M.

* * *

(b) Outdoor plaza

* * *

Such open area may extend beyond such boundaries and have necessary grade changes, and up to ten percent of the area of such outdoor plaza may be covered by a #building or

other structure#. In addition, a #building# or #buildings# containing eating or drinking places and #uses# listed in Use Groups 6A and 6C may be located within the outdoor plaza (but shall not be included as public access area pursuant to Section 93-71(a)), provided that any such #building# (i) is located within the area west of the southerly prolongation of the western sidewalk widening line of Hudson Boulevard West and within 400 feet of West 30th Street; (ii) covers no more than 6,000 square feet of the lot at the level of the outdoor plaza and above; (iii) contains no more than 12,000 square feet of #floor area# and (iv) does not exceed a height of 30 feet above the highest level of the adjoining portions of the outdoor plaza.

* * *

(c) Public plaza

A publicly accessible space, (hereinafter referred to as a "public plaza"), shall be provided at the intersection of Tenth Avenue and West 30th Street. Such public plaza shall have a minimum area of 12,000 square feet with a minimum frontage of 200 180 feet along Tenth Avenue and a minimum frontage of 60 feet along West 30th Street, and be provided in accordance with the standards for #public plazas# set forth in Section 37-70 (PUBLIC PLAZAS). Such public plaza shall be open to the sky except that such space may be covered by the existing or reconstructed #ERY High Line# structure, including any connections to the #ERY High Line# or other design features, as well as a #building# or portion of a #building# as allowed pursuant to Section 93-514(a)(4), except that no #building# or portion of a #building# may encroach within the area that is within 60 feet of Tenth Avenue and 180 feet of West 30th Street. In addition, no more than 50 percent of the public plaza shall be covered by the permitted obstructions described in Section 37-726(a) as well as any vents or shafts that are placed by the Department of Environmental Protection within the portion of the public plaza that is subject to an access easement.

Such public plaza shall contain the following amenities: (i) no less than 120 linear feet of fixed seating; (ii) no less than 12 moveable tables and 48 moveable chairs; and (iii) no less than four trees or multi-stemmed equivalents measuring at least 4 inches in caliper at the time of planting, which trees or multi-stemmed equivalents may be planted in a planting bed. In addition, such public plaza shall contain at least two of the following additional amenities: (i) artwork; (ii) water features; or (iii) food service located in a retail space directly accessible from the public plaza.

The retail and glazing requirements of Section 93-14(c) shall apply to at least 70 percent of the length of all building walls, other than the building walls of any facility operated by the Long Island Rail Road or its successor, facing each side of the urban public plaza. In addition, the ground floor retail requirements of Section 93-14(a) shall apply to at least 25 percent of the aggregate length of all #building# walls facing the portion of the public plaza that is within 60 feet of Tenth Avenue and 180 feet of West 30th Street.

* * *

(d) Through block connection

A publicly accessible through block connection shall be provided connecting the outdoor plaza with the Tenth Avenue bridge required pursuant to paragraph (g) of this Section, with the Tenth Avenue sidewalk within 50 feet or anywhere north of the center line of West 32nd Street. Public access shall also be provided between such through block connection and the Tenth Avenue sidewalk within 50 feet of the center line of West 32nd Street, and the Tenth Avenue bridge at the time such bridge is constructed pursuant to paragraph (g) of this Section, and may connect to other public access areas or sidewalks. Such through block connection may be open to the sky or enclosed, need not be linear, and may have necessary grade changes.

Such through block connection shall have a minimum width of 30 feet. If such through block connection is and any enclosed portion, it shall have a minimum height of 30 feet. As an alternative, if an enclosed atrium space adjacent to the outdoor plaza is provided as part of the through block connection that meets all the following dimensional requirements: (1) comprises no less than 4,000 square feet with a minimum height of 60 feet and a minimum depth of 50 feet as measured by a line parallel from the #building# wall facing the outdoor plaza; (2) is free of #building# structural obstructions other than vertical circulation and other elements occupying no more than 500 square feet in the aggregate; and (3) contains interior walls facing such area that comply with the ground floor retail #use# requirements of Section 93-14(a), then such through block connection may (i) have a minimum width of 24 feet and (ii) have a minimum height of 34 feet for at least 70 percent of the aggregate enclosed area of the through block connection (including the atrium), provided that no portion of the through block connection shall have a minimum height less than 17 feet.

The retail and glazing requirements of Section 93-14 shall apply to at least 50 percent of the length of all building walls facing each side of the through block connection (or, if enclosed, the interior walls facing the through block connection). The through block connection may be occupied by the following permitted obstructions: vertical circulation elements including escalators, stairs and elevators, columns and lighting elements, provided that (i) such permitted obstructions shall not occupy more than 20 percent of the through block connection and (ii) a single path of travel no less than 24 feet in width is maintained. Vertical circulation elements traversing the grade changes of the through block connection shall be considered a part of the through block connection and not an obstruction.

(e) Connection to public plaza

A public way, open or enclosed, shall be provided connecting the outdoor plaza or the through block connection with the public plaza. Such connection need not be linear and may

have necessary grade changes. The retail and glazing requirements of Section 93-14 shall apply to at least 50 percent of the length of all building walls facing each side of such connection (or, if enclosed, the interior walls facing the connection). The minimum clear width of such public way shall be 20 feet. If for any portions that are enclosed, the minimum clear height shall be 30 34 feet within at least 50 percent of the enclosed area of the connection to the public plaza, provided that no portion of the connection to public plaza shall have a minimum height less than 17 feet. The connection to the public plaza may be occupied by the following permitted obstructions: vertical circulation elements including escalators, stairs and elevators, columns and lighting elements, provided that (i) such permitted obstructions shall not occupy more than 20 percent of the connection to the public plaza and (ii) a single path of travel no less than 20 feet in width is maintained. Vertical circulation elements traversing the grade changes of the connection to the public plaza shall be considered a part of the connection to the public plaza and not an obstruction.

(f) Connection to High Line

A publicly accessible connection between the High Line and the outdoor plaza shall be provided that has a minimum width, measured parallel to the High Line, of 80 feet. If any portion is covered, the average clear height of such connection shall be at least 60 feet. The retail and glazing requirements of Section 93-14(c) shall apply to at least 50 percent of the length of all building walls facing such connection, except that such retail requirements shall not apply to any #building# containing only #uses# in Use Group 3 or 4 located west of the southerly prolongation of the eastern sidewalk widening line of Hudson Boulevard East and within 220 feet of West 30th Street.

(g) Tenth Avenue Bridge

A publicly-accessible pedestrian bridge shall be provided over Tenth Avenue linking the through block connections required pursuant to paragraph (d) of this Section and paragraph (a) of Section 93-72 (Public Access Areas at 450 West 33rd Street). Such bridge need not be constructed until the 450 West 33rd Street through block connection has been completed.

* * * * *

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

m1-14

CIVILIAN COMPLAINT REVIEW BOARD

MEETING

The next monthly public board meeting of the Civilian Complaint Review Board will take place on **Wednesday, March 14, 2012 at 10:00 A.M.** at 40 Rector Street, 2nd Floor, New York, NY 10006. It will be preceded by a meeting of the Operations Committee at 9:15 A.M. Photo ID is required to enter the building.

If you wish to attend the meeting and have limited English proficiency, the CCRB can provide an interpreter. Please contact Marcos Soler on (212) 442-8736 prior to the date of the meeting if you need this service.

m8-14

COMMUNITY BOARDS

PUBLIC HEARINGS

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 08 - Thursday, March 8, 2012, 7:00 P.M., Haitian American Day Care Center, 1491 Bedford Avenue (c/o St. John's Pl.), Brooklyn, NY

Public Hearing on the Fiscal Year 2013 Preliminary Budget.

m5-8

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

BOROUGH OF MANHATTAN

COMMUNITY BOARD NO. 06 - Monday, March 12, 2012 at 7:00 P.M., Community Board 6 Office, 866 United Nations Plaza, Suite 308, New York, NY

Mayor's Fiscal Year 2013 Preliminary Budget public hearing.

m6-12

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 11 - Thursday, March 8, 2012 at 7:30 P.M., Bensonhurst Center for Rehabilitation and Healthcare, 1740 84th Street (formerly Holy Family Home), Brooklyn, NY

Public Hearing: on the responses to the FY 2013 Preliminary Capital and Expense Budget submissions.

m2-8

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

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 08 - Tuesday, March 13, 2012, 7:30 P.M., Community Board 8 Office, 197-15 Hillside Avenue, Hollis, NY

S & K Halal Chinese Fusion Inc.
184-22 Horace Harding Expressway
S & K Halal Chinese Fusion Inc. filed a renewal application for the consent to occupy sidewalk space for an unenclosed sidewalk cafe with 7 tables and 14 seats.

m7-13

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

BOROUGH OF THE BRONX

COMMUNITY BOARD NO. 06 - Wednesday, March 14, 2012 at 6:30 P.M., 1919 Prospect Avenue (between E. Tremont Avenue and East 178th), Bronx, NY

Bronx Community Board 6 public hearing on the Preliminary Budget for FY 2013.

m8-14

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

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 07 - Monday, March 12, 2012, 7:00 P.M., Union Plaza Care Center, 33-23 Union Street, Flushing, NY

Location: 137-35 Elder Avenue (a.k.a. 43-49 Main Street, Flushing)
Application pursuant to Sections 72-01 and 72-22, seeking amendment to previous approved plans to; permit changes to interior layout of proposed mixed-use building, including increase in number of dwelling units and parking spaces; and permit attended parking spaces that do not comply with the minimum square feet per space.

m6-12

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

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 08 - Monday, March 12, 2012, 7:30 P.M., Hillside Manor, 188-11 Hillside Avenue, Hollis, NY

Fiscal Year 2013 Preliminary Budget/Capital and Expense Budget submissions and comments from the public on the response agencies provided for FY 2013.

m6-12

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

BOROUGH OF THE BRONX

COMMUNITY BOARD NO. 03 - Tuesday, March 13, 2012, 6:00 P.M., 1426 Boston Road (near Prospect Ave.), Bronx, NY

Mayor's Preliminary Budget for Fiscal Year 2013 (capital and service needs of Bronx Community District 3).

m7-13

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

BOROUGH OF MANHATTAN

COMMUNITY BOARD NO. 09 - Tuesday, March 13, 2012, 6:30 P.M., Broadway Housing Communities, 583 Riverside Drive at 135th St. (lower level), New York, NY

A Public Hearing on the agency responses to Manhattan CB 9's Budget Requests for the FY 2013 Preliminary Budget.

m7-13

CONSUMER AFFAIRS

PUBLIC HEARINGS

Notice of Public Hearing to Consider the Relocation License Application for a Commercial Lessor to Operate a Bingo Hall.

Pursuant to Section 481 of the N.Y. State General Municipal Law, the New York City Department of Consumer Affairs will hold a public hearing to consider the following relocation license application for a Commercial Lessor to Operate a Bingo Hall:

The hearing to consider the license application by Washington Height's Arcade Inc., 40 West Burnside Avenue, Bronx, NY 10453, will be held at 10:00 A.M., on March 9, 2012, in the 11th Floor Hearing Room at 66 John Street.

Written comments concerning the license application or questions concerning the hearing may be addressed to Allison Johnson, Licensing Attorney, New York City Department of Consumer Affairs, 42 Broadway, 5th Floor, New York, NY 10004 or she may be contacted by telephone at (212) 487-4072.

m2-8

BOARD OF CORRECTION

MEETING

Please take note that the next meeting of the Board of Correction will be held on March 12, 2012 at 9:00 A.M. in the Conference Room of the Board of Correction, located at 51 Chambers Street, Room 929, New York, NY 10007.

At that time, there will be a discussion of various issues concerning the New York City's correctional system.

m6-12

DESIGN COMMISSION

MEETING

Meeting Agenda Monday, March 12, 2012

Public Meeting

11:20 a.m. Consent Items

24381: Installation of rooftop mechanical equipment, Taxi and Limousine Commission Woodside Inspection Facility, 24-55 Brooklyn-Queens Expressway West, Queens. (Preliminary and Final) (CC 22, CB 1) DCAS

24382: Installation of rooftop mechanical equipment, Manhattan Borough Repair Shop, 642 West 26th Street, Manhattan. (Preliminary and Final) (CC 3, CB 4) DCAS/DOS

24383: Installation of rooftop mechanical equipment, Queens North Borough Repair Shop, 52-35 58th Street, Queens. (Preliminary and Final) (CC 26, CB 2) DCAS/DOS

24384: Installation of rooftop mechanical equipment, Staten Island Ferry Maintenance Facility, Two Borough Place, Staten Island. (Preliminary and Final) (CC 1, CB 49) DCAS/DOT

24385: Installation of a prototypical newsstand, 25-21 Broadway, north side of Broadway between Crescent Street and 29th Street, Queens. (Preliminary and Final) (CC 22, CB 1) DCA/DOT

24386: Installation of a prototypical newsstand, 815 Sixth Avenue, northwest corner of Sixth Avenue and West 28th Street, Manhattan. (Preliminary and Final) (CC 3, CB 5) DCA/DOT

24387: Installation of *Shakespeare Machine* by Ben Rubin, The Public Theater, 425 Lafayette Street, Manhattan. (Preliminary) (CC 2, CB 2) DCLA%/DDC

24325: Installation of *Mathematical Star* (formerly *Quilt*) by Ellen Harvey, Marcy Plaza, Fulton Street and Marcy Avenue, Bedford-Stuyvesant, Brooklyn. (Preliminary) (CC 36, CB 3) DCLA%/EDC/DOT

24388: Design of a prototypical sidewalk bioswale for installation citywide. (Final) DEP/DOT/DPR

24389: Construction of an access stair to an aboveground storage tank, Rockaway Water Pollution Control Plant, 106-21 Beach Channel Drive, Queens. (Preliminary and Final) (CC 32, CB 14) DEP

24390: Construction of Crescent Beach Park, Tennyson Drive between Robinson Avenue and Wilman Avenue, Staten Island. (Preliminary) (CC 51, CB 3) DPR

23491: Reconstruction of the John Mervyn Carrère Memorial (1919) by Thomas Hastings, Riverside Park, Manhattan. (Preliminary) (CC 6, CB 7) DPR

24392: Construction of a skate park and a rain garden, Faber Park, Faber Street and Sharpe Avenue, Staten Island. (Final) (CC 49, CB 1) DPR

24393: Installation of louvers, Whitehall Ferry Terminal, Four South Street, Manhattan. (Preliminary) (CC 1, CB 1) EDC

Public Hearing

11:25 a.m.
24394: Reconstruction of the plaza, including the fountains and the south garage entrance, Metropolitan Museum of Art, 1000 Fifth Avenue between 80th Street and 84th Street, Manhattan. (Preliminary) (CC 8, CB 8) DCLA/DPR

12:10 p.m. Break

1:10 p.m.
24395: Installation of a prototypical newsstand, 1630 Broadway, southeast corner of West 50th Street and Broadway, Manhattan. (Preliminary and Final) (CC 3, CB 5) DCA/DOT

1:25 p.m.
24273: Reconstruction of the Riegelmann Boardwalk, Phase II, Brighton Beach, Brighton 15th Street to Coney Island Avenue, Brooklyn. (Preliminary) (CC 47, CB 13) DPR

24370: Reconstruction of an entrance to the Riegelmann Boardwalk, Coney Island Beach, West 33rd Street, Brooklyn. (Final) (CC 47, CB 13) DPR/DOT

24371: Reconstruction of an entrance to the Riegelmann Boardwalk, Brighton Beach, Brighton Second Street, Brooklyn. (Final) (CC 47, CB 13) DPR/DOT

Design Commission meetings are held in the conference room on the fifth floor of 253 Broadway, unless otherwise indicated. Please note that all times are approximate and subject to change without notice.

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

Please note that items on the consent agenda are not presented. If members of the public wish to testify on a consent agenda item, they should contact the Design Commission immediately, so the project can be rescheduled for a formal presentation at the next appropriate public hearing, per standard procedure.

Design Commission
253 Broadway, Fifth Floor
Phone: 212-788-3071
Fax: 212-788-3086

m8

FRANCHISE AND CONCESSION REVIEW COMMITTEE

MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee will hold a Public Meeting on Wednesday, March 14, 2012, at 2:30 P.M., at 22 Reade Street, Spector Hall, Borough of Manhattan.

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

m5-14

HEALTH AND MENTAL HYGIENE

MEETING

NOTICE IS HEREBY GIVEN that the Board of Health will hold a meeting on Tuesday, March 13, 2012 at 10:00 A.M. The meeting will be held at 125 Worth Street, Third Floor Boardroom, in lower Manhattan.

m8

HOUSING AUTHORITY

MEETING

SPECIAL NOTICE

Please be advised that the New York City Housing Authority has cancelled its Board Meeting scheduled for Wednesday, March 14, 2012 at 10:00 A.M. in the Board Room on the 12th Floor at 250 Broadway, NY, N.Y.

m5-14

LANDMARKS PRESERVATION COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25,309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **March 20, 2012 at 9:30 A.M.** in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF QUEENS 12-6865 - Block 8052, lot 21-342 Arleigh Road, aka 240-46 35th Avenue - Douglaston Historic District
A vernacular Colonial Revival style freestanding house designed by Fred D. Gardner and built in 1920. Application to enclose an existing porch. Community District 11.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-8050 - Block 2557, lot 1-58 Kent Street - Eberhard Faber Pencil Company Historic District
A German Revival style factory building designed by Theobald Engelhardt and built in 1895. Application is alter the front and rear facades and construct a light court and rooftop addition. Zoned M1-1. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-4814 - Block 216, lot 32-48 Henry Street - Brooklyn Heights Historic District An Eclectic style rowhouse built in 1861-79. Application is to install mechanical equipment at the rear facade. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-8363 - Block 951, lot 5-185 6th Avenue - Park Slope Historic District

A late Italianate style rowhouse designed by George White and built in 1874. Application is to install a deck and create a new door opening. Community District 6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-8751 - Block 1145, lot 8-611 Vanderbilt Avenue - Prospect Heights Historic District
A Renaissance Revival style store and flats building designed by Peter M. Cassidy and built c.1893. Application is to legalize the replacement of storefront infill and an exterior security gate without Landmarks Preservation Commission permits. Community District 8.

BINDING REPORT
BOROUGH OF BROOKLYN 12-3751 - Block 1183, lot 2-2 Eastern Parkway - Brooklyn Public Library, Central Building - Individual Landmark
A Modern Classical style library with Art Deco detailing designed by Alfred Morton Githens and Francis Keally, built in 1935-41. Application is to establish a master plan governing the future installation of rooftop mechanical equipment. Community District 8.

BINDING REPORT
BOROUGH OF BROOKLYN 12-4726 - Block 1183, lot 2-2 Eastern Parkway - Brooklyn Public Library, Central Building - Individual Landmark
A Modern Classical style library with Art Deco detailing designed by Alfred Morton Githens and Francis Keally, built in 1935-41. Application is to construct an addition. Zoned R6. Community District 8.

BINDING REPORT
BOROUGH OF MANHATTAN 12-8539 - Block 1, lot 10- Governors Island - Governors Island
A portion of an island in New York Harbor containing fortifications and a range of military buildings dating from the early 19th century to the 1930s. Application is to establish a master plan governing seasonal installations. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-7776- Block 149, lot 29-287 Broadway - 287 Broadway Building - Individual Landmark
An Italianate/Second Empire style bank and office building built in 1871-1872 and designed by John B. Snook. Application is for structural and facade work to right the leaning building, and to raise the rooftop cresting, install storefront infill and a ramp. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-7332 - Block 231, lot 36-449 Broadway, aka 26 Mercer Street - SoHo-Cast Iron Historic District
A store building built in 1868, and a store and loft building built in 1855. Application is to install storefront infill and signage. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-7301 - Block 583, lot 50-11 St. Luke's Place - Greenwich Village Historic District
An Italianate style rowhouse built in 1852. Application is to construct rooftop and rear yard additions, reconstruct the rear facade and excavate the rear yard. Zoned R6. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-6141 - Block 583, lot 29-32 Morton Street - Greenwich Village Historic District
A utilitarian building designed by Hobart B. Upjohn and built in 1920. Application is to enlarge window openings at the penthouse. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-8522 - Block 586, lot 45-29 7th Avenue South - Greenwich Village Historic District
Extension II
A contemporary style apartment building with a commercial ground floor designed by George Schwarz and built in 1997. Application is to replace storefront infill and signage. Zoned C2-6. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-7641 - Block 571, lot 7502-21 East 13th Street, aka 22-26 East 14th Street - Bauman Brothers Furniture Store - Individual Landmark
A store and loft building, designed by David and John Jardine and built in 1880-81. Application is to replace storefront infill. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-0337 - Block 673, lot 1-220 12th Avenue, 261-279 11th Avenue, 220-238 12th Avenue; 601-651 West 27th Street; 600-654 West 28th Street - West Chelsea Historic District
A complex of American Round Arch style warehouse buildings designed by George B. Mallory and Otto M. Beck and built in 1890-91. Application is to establish a master plan governing the future replacement of windows. Community District 4.

BINDING REPORT
BOROUGH OF MANHATTAN 12-7955 - Block 772, lot 64-216-234 West 23rd Street - Hotel Chelsea - Individual Landmark
A Victorian Gothic style apartment house, designed by Hubert Pirsson & Co. and built in 1883. Application to construct additions and rooftop bulkhead, install mechanical equipment and balcony partitions; and replace ground floor infill, windows, and a canopy. Zoned C2-7A/R9A. Community District 4.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-8404 - Block 825, lot 29-23 West 23rd Street - Ladies' Mile Historic District
A converted Italianate style dwelling built c. 1860-62. Application is to install storefront infill. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-3901 - Block 821, lot 1-636 6th Avenue, aka 56 West 19th Street - Ladies' Mile Historic District
A neo-Renaissance style store building designed by Buchman and Deisler and built in 1896. Application is to construct a rooftop addition. Zoned C6-2A & C6-4A. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-8665 - Block 822, lot 31-154-158 Fifth Avenue, aka 1-3 West 20th Street - Ladies' Mile Historic District
A neo-Romanesque style office building, designed by Rowe & Baker and built in 1894-1895. Application is to install signage. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-7785 - Block 824, lot 35-1 West 22nd Street - Ladies' Mile Historic District
A Beaux-Arts style store and loft building designed by Schickel & Ditmars and built in 1904. Application is to install storefront infill. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-2247 - Block 876, lot 21-36 Gramercy Park East - Gramercy Park Historic District
A neo-Gothic style apartment building designed by J. Riely Gordon and built in 1908-1910. Application is to establish a master plan governing the future installation of mechanical equipment. Community District 6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-5746 - Block 1116, lot 7502-15 West 63rd Street - Upper West Side/Central Park West Historic District
A neo-Romanesque style school designed by Dwight James Baum and built in 1931. Application is to install a marquee. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-1319 - Block 1124, lot 3-67-69 West 71st Street - Upper West Side/Central Park West Historic District
Two neo-Grec style rowhouses, designed by Thom and Wilson and built in 1887-1888. Application is to amend Certificate of Appropriateness 09-9525 to alter the approved storefronts, and construct rear yard additions. Zoned C1-8A. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-4278 - Block 1120, lot 38-12 West 68th Street - Upper West Side/Central Park West Historic District
A Queen Anne style house designed by Louis Thouvard and built in 1895, with an attached studio building designed by Edwin C. Georgi and built in 1925. Application is to demolish a rooftop addition constructed without Landmarks Preservation Commission permits, and alter the facade and construct a new rooftop addition. Zoned R8 and R10A. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-5565 - Block 1128, lot 50-30 West 76th Street - Upper West Side/Central Park West Historic District
A Renaissance Revival style rowhouse with Romanesque style elements designed by Gilbert A. Schellenger and built in 1891. Application is to alter the areaway entrance. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-5626 - Block 1249, lot 53-344 West 88th Street - Riverside-West End Historic District
A Renaissance Revival style rowhouse designed by Thom & Wilson and built in 1893-94. Application is to construct a rear yard addition and replace windows at the front facade. Zoned R8. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-9109 - Block 1207, lot 40,41,141,42,142,43-20-30 West 94th Street - Upper West Side/Central Park West Historic District
A row of six Queen Anne style houses, with Romanesque Revival and neo-Grec style elements, designed by Increase M. Grenell and built in 1888. Application is to install a barrier-free access ramp, a marquee, and alter window and door openings. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-8788 - Block 1220, lot 5-175 West 89th Street - Claremont Stables - Individual Landmark
A Romanesque Revival style carriage house and stable designed by Frank A. Rooke and built in 1892. Application is to construct a rooftop addition, extend the parapet at the east facade, and construct a connecting bridge at the rear facade. Zoned R7-2. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-6882 - Block 1389, lot 65-4 East 75th Street - Upper East Side Historic District
A neo-French Renaissance style townhouse designed by Trowbridge, Colt and Livingston Architects and built in 1895-96. Application is to alter the rear facade. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-8108 - Block 1384, lot 7501-28 East 70th Street - Upper East Side Historic District
A neo Gothic-style apartment hotel built in 1926-27 and designed by Emory Roth. Application is to enlarge a window opening. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-8517 - Block 1410, lot 53-1067-1071 Lexington Avenue - St. Jean Baptist R.C. Church - Individual Landmark

An Italian Renaissance style church, designed by Nicholas Sirracino and built in 1910. Application is to replace limestone columns at the bell tower. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-2338 - Block 1405, lot 18-968 Lexington Avenue - Upper East Side Historic District
An Italianate style rowhouse built in 1871-72 and altered in 1928. Application is to install a bracket sign. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-8999 - Block 1717, lot 63-70 West 119th Street - Mount Morris Park Historic District
A rowhouse designed by Andrew Spence and built in 1894. Application is to construct a rear yard addition. Zoned R 7-2. Community District 9.

m7-20

■ PUBLIC MEETING

NOTICE IS HEREBY GIVEN THAT PURSUANT to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York that on **Tuesday, March 13, 2012**, there will be a Public Meeting of the Landmarks Preservation Commission in the Public Hearing Chamber at 1 Centre Street, 9th Floor North, Borough of Manhattan, City of New York. For information about the Public Meeting agenda, please contact the Public Information Officer at (212) 669-7817.

m8-12

TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 55 Water Street, 9th Floor, Room 945 commencing at 2:00 P.M. on Wednesday, March 14, 2012. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9th Floor SW, New York, NY 10041, or by calling (212) 839-6550.

#1 In the matter of a proposed revocable consent authorizing New York University to continue to maintain and use conduits under and across Waverly Place, Washington Place and West 4th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2012 to June 30, 2022 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2012 to June 30, 2013 - \$26,922
For the period July 1, 2013 to June 30, 2014 - \$27,705
For the period July 1, 2014 to June 30, 2015 - \$28,488
For the period July 1, 2015 to June 30, 2016 - \$29,271
For the period July 1, 2016 to June 30, 2017 - \$30,054
For the period July 1, 2017 to June 30, 2018 - \$30,837
For the period July 1, 2018 to June 30, 2019 - \$31,620
For the period July 1, 2019 to June 30, 2020 - \$32,403
For the period July 1, 2020 to June 30, 2021 - \$33,186
For the period July 1, 2021 to June 30, 2022 - \$33,969

the maintenance of a security deposit in the sum of \$4,000 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#2 In the matter of a proposed revocable consent authorizing The Plaza Condominium to continue to maintain and use two lampposts, together with electrical conduits, on the south sidewalk of West 59th Street, west of Grand Army Plaza, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2010 to June 30, 2020 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period from July 1, 2010 to the date of approval - \$1,025/annum
From the date of approval to June 30, 2020 - \$300/annum.

the maintenance of a security deposit in the sum of \$2,700 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#3 In the matter of a proposed revocable consent authorizing The Therapy and Learning Center, Inc. to continue to maintain and use an accessibility ramp and stairs on the east sidewalk of Eighth Avenue, north of 18th Street, and a fenced-in area on the north sidewalk of 18th Street, east of Eighth Avenue, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2012 to June 30, 2022 and provides among other terms and conditions for compensation payable to the city according to the following schedule:

For the period July 1, 2012 to June 30, 2013 - \$1,888
For the period July 1, 2013 to June 30, 2014 - \$1,941
For the period July 1, 2014 to June 30, 2015 - \$1,994
For the period July 1, 2015 to June 30, 2016 - \$2,047
For the period July 1, 2016 to June 30, 2017 - \$2,100
For the period July 1, 2017 to June 30, 2018 - \$2,153
For the period July 1, 2018 to June 30, 2019 - \$2,206
For the period July 1, 2019 to June 30, 2020 - \$2,259
For the period July 1, 2020 to June 30, 2021 - \$2,312
For the period July 1, 2021 to June 30, 2022 - \$2,365

the maintenance of a security deposit in the sum of \$3,500 and the filing of an insurance policy in the minimum amount of \$500,000/\$2000,000 for bodily injury and property damage

for each occurrence in the aggregate amount of \$200,000.

#4 In the matter of a proposed revocable consent authorizing Timothy de lly and Victoria Touchberry to continue to maintain and use a fenced-in area on the west sidewalk of St. Nicholas Avenue, north of 146th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides among others terms and condition for compensation payable to the city according to the following schedule:

For the period from July 1, 2009 to June 30, 2019 - \$25/annum.

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

f23-m14

YOUTH AND COMMUNITY DEVELOPMENT

MEETING

The Department of Youth and Community Development (DYCD) Youth Board and WIB Youth Council will meet on March 20, 2012 at 8:30 A.M. at DYCD, 156 William Street, 2nd Floor. This meeting is open to the public. For security purposes, all those interested in attending must provide their contact information by close of business, March 16, 2012, to Megan Keenan at mkeenana@dycd.nyc.gov

m5-9

PROPERTY DISPOSITION

POLICE

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

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

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

Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.

INQUIRIES

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

FOR MOTOR VEHICLES (All Boroughs):

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

FOR ALL OTHER PROPERTY

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

j1-d31

PROCUREMENT

"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

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

ADMINISTRATION FOR CHILDREN'S SERVICES

SOLICITATIONS

Human/Client Services

NON-SECURE DETENTION GROUP HOMES – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 06811N0004 – DUE 05-31-13 AT 2:00 P.M. – The Administration for Children's Services, Division of Youth and Family Justice is soliciting applications from organizations interested in operating non-secure detention group homes in New York City. This is an open-ended solicitation; applications will be accepted on a rolling basis until 2:00 P.M. on 5/31/13.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Administration for Children's Services, 150 William Street, 9th Floor, New York, NY 10038.
Patricia Chabla (212) 341-3505; Fax: (212) 341-3625; patricia.chabla@dfa.state.ny.us

j1-n14

ADMINISTRATION/CONTRACTS

SOLICITATIONS

Construction Related Services

RESILIENT PLAY SURFACE REPAIR/REPLACEMENT – Competitive Sealed Bids – DUE 04-05-12 AT 3:00 P.M. – PIN# 06811B0020 - Manhattan and The Bronx Bid forms and specifications may be obtained, free of charge, from the ACS Website, any time before the bid due date (recommended method). You must register at the ACS website to obtain a copy of the bid. Copy the link into your browser to go to the appropriate page <http://nyc.gov/html/acs/html/business/business.shtml>. For additional information, send all e-mail requests to Doron.Pinchas@dfa.state.ny.us and Alex.Linetskiy@dfa.state.ny.us. Please type the PIN above and type of service into the subject line. Also, type the name of the company, complete address, contact name, phone and fax numbers into the body of the e-mail. If all else fails, you may call (212) 341-3529 or (212) 341-3457 to make arrangements to pick up a bid package in person.

This procurement is subject to participation goals for MBEs and/or WBEs are required by Local Law 129 of 2005.

This contract is subject to apprenticeship program requirements as described in the solicitation materials.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Administration for Children's Services, 150 William Street, 9th Floor, NY, NY 10038. Doron Pinchas plus Alex Line (212) 341-3529; Fax: (212) 341-9830; Doron.Pinchas@dfa.state.ny.us

m8

OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

AWARDS

Services (Other Than Human Services)

MAILING SERVICES FOR ECB TRIBUNAL – Required Method (including Preferred Source) – PIN# 82012M0001001 – AMT: \$1,498,387.91 – TO: New York State Industries for the Disabled Inc., 11 Columbia Circle Drive, Albany, NY 12203-5156.

m8

CITYWIDE ADMINISTRATIVE SERVICES

MUNICIPAL SUPPLY SERVICES

SOLICITATIONS

Goods

GRP: SCOTT HEALTH AND SAFETY PORTABLE INSTRUMENTS – Competitive Sealed Bids – PIN# 8571200424 – DUE 04-03-12 AT 10:30 A.M.
● **GRP: MCNEILUS TRUCK BODY** – Competitive Sealed Bids – PIN# 8571200455 – DUE 04-03-12 AT 10:30 A.M.
● **GRP: AMERICAN ROLL OFF** – Competitive Sealed Bids – PIN# 8571200305 – DUE 04-03-12 AT 10:30 A.M.
● **GRP: KENWORTH TRUCKS** – Competitive Sealed Bids – PIN# 8571200483 – DUE 04-03-12 AT 10:30 A.M.
● **GRP: ACCESSORIES, LIGHT TOWERS, PORTABLE** – Competitive Sealed Bids – PIN# 8571200344 – DUE 04-04-12 AT 10:30 A.M.

Vendors interested in obtaining copies of these bids should contact Anna Wong, Tel. No. (212) 669-8610; Fax: (212) 669-7603; dcasdmssbids@dcas.nyc.gov

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

Department of Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007.
Jeanette Cheung (212) 669-7729; Fax: (212) 313-3382; jcheung@dcas.nyc.gov

m8

TRUCK, HYBRID UTILITY VEHICLE - DSNY – Competitive Sealed Bids – PIN# 8571100640 – DUE 04-04-12 AT 10:30 A.M.

Vendors interested in obtaining copies of the bid should contact Anna Wong, Tel. No. (212) 669-8610; Fax: (212) 669-7603; dcasdmssbids@dcas.nyc.gov

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

Department of Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007.
Joseph Vacirca (212) 669-8616; Fax: (212) 669-7523; jvacirca@dcas.nyc.gov

m8

VENDOR LISTS

Goods

EQUIPMENT FOR DEPARTMENT OF SANITATION – In accordance with PPB Rules, Section 2.05(c)(3), an acceptable brands list will be established for the following equipment for the Department of Sanitation:

- A. Collection Truck Bodies
- B. Collection Truck Cab Chassis
- C. Major Component Parts (Engine, Transmission, etc.)

Applications for consideration of equipment products for inclusion on the acceptable brands list are available from: Mr. Edward Andersen, Procurement Analyst, Department of Citywide Administrative Services, Office of Citywide Procurement, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8509.

j5-d31

CULTURAL AFFAIRS

SOLICITATIONS

Goods

SECOND STAGE THEATRE MODULAR STAGING SYSTEM – Negotiated Acquisition – PIN# 12612N0001 – DUE 03-19-12 AT 9:00 A.M. – Vendors may express their interests in providing similar goods, services, or construction in the future by contacting DCCLA, 31 Chambers Street, 2nd Floor, NY, NY 10007, attn: Louise Woehrle, ACCO, (212) 513-9310, lwoehrle@culture.nyc.gov

There is a limited number of suppliers available and able to perform the work.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Cultural Affairs, 31 Chambers Street, 2nd Floor, New York, NY 10007.
Louise Woehrle (212) 513-9310; Fax: (212) 341-3813; lwoehrle@culture.nyc.gov

m2-8

DESIGN & CONSTRUCTION

CONTRACTS

SOLICITATIONS

Construction/Construction Services

INSTALLATION OF PEDESTRIAN RAMPS AT DESIGNATED LOCATIONS, QUEENS – Competitive Sealed Bids – PIN# 85012B0043 – DUE 04-05-12 AT 11:00 A.M. – PROJECT NO.: HWP2012Q/DDC
PIN: 8502012HW0020C. Vendor Source ID#: 78734.
● **INSTALLATION OF PEDESTRIAN RAMPS AT DESIGNATED LOCATIONS, STATEN ISLAND** – Competitive Sealed Bids – PIN# 85012B0042 – DUE 04-10-12 AT 11:00 A.M. – PROJECT NO.: HWP2012R/DDC
PIN: 8502012HW0023C. Vendor Source ID#: 78736.
Apprenticeship participation requirements apply to this contract.
● **INSTALLATION OF SIDEWALKS, ADJACENT CURBS AND PEDESTRIAN RAMPS AS NECESSARY IN VARIOUS LOCATIONS, CITYWIDE** – Competitive Sealed Bids – PIN# 85012B0050 – DUE 04-04-12 AT 11:00 A.M. – PROJECT NO.: HWS2012CW/R/DDC
PIN: 8502012HW0034C. Vendor Source ID#: 78735.
Apprenticeship participation requirements apply to this contract.

Experience Requirements. Bid documents are available at: <http://www.nyc.gov/buildnyc>

These bid solicitations include M/WBE participation goal(s) for subcontracted work. For the M/WBE goals, please visit our website at www.nyc.gov/buildnyc see "Bid Opportunities." For more information about M/WBE certification, please call 311 or go to www.nyc.gov/getcertified.

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. Bid Document Deposit - \$35.00 per set. Company check or money order only. No cash accepted. Late bids will not be accepted.
Department of Design and Construction, 30-30 Thomson Avenue, 1st Floor, Long Island City, NY 11101. Ben Perrone (718) 391-2614; Fax: (718) 391-2615.

m8

ENVIRONMENTAL PROTECTION

SOLICITATIONS

Services (Other Than Human Services)

BPS-1201 – Negotiated Acquisition – Available only from a single source - PIN# 82605B0054CNVN001 – DUE 03-19-12 AT 4:00 P.M. – There is a compelling need to extend a contract one time beyond the now-permissible cumulative twelve-month limit. The vendor's performance has been satisfactory.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Environmental Protection, Kingston, NY.
Frank Milazzo (845) 340-7275; Fax: (845) 340-7275; fmilazzo@dep.nyc.gov

m7-13

FINANCIAL INFORMATION SERVICES AGENCY

PROCUREMENT

■ INTENT TO AWARD

Services (Other Than Human Services)

IOF/TSO SOFTWARE MAINTENANCE – Sole Source – Available only from a single source - PIN# 127FY1300002 – DUE 03-13-12 AT 11:00 A.M. – Pursuant to Section 3-05 of the Procurement Policy Board (PPB) Rules for Sole Source procurements, the Financial Information Services Agency (FISA) intends to enter into sole source negotiations with the Fischer International Systems Corporation for proprietary software maintenance. FISA is seeking to procure support and maintenance services for IOF/TSO Software. The IOF/TSO Software can only be maintained by the Fischer International Systems Corporation. IOF (Input/Output Facility) is issued to view output from TSO. The IOF software allows users to view ANY output produced on the mainframe. This software is proprietary to the vendor and, therefore, cannot be maintained by any other vendor.

Vendors who believe that they are able to provide support and maintenance services in this capacity should express their interest via email to Contract Analyst, Stacey Davis at sdavis@fisa.nyc.gov

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Financial Information Services Agency, 450 West 33rd Street, 4th Floor, New York, NY 10001. Stacey Davis (212) 857-1532; Fax: (212) 857-1004; sdavis@fisa.nyc.gov

m2-8

HEALTH AND HOSPITALS CORPORATION

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

j1-d31

■ SOLICITATIONS

Construction / Construction Services

LICENSING OF LABORATORY/OFFICE SPACE – Request for Proposals – PIN# 111-12-043 – DUE 04-13-12 AT 5:00 P.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Bellevue Hospital Center, Purchasing, 462 First Avenue, Room #A712, New York, NY 10016.
William Ford (212) 562-3928; Fax: (212) 562-4998; William.Ford@nychhc.org

m8

Construction Related Services

PAINTING AND PLASTERING OF E-BUILDING, 8TH FLOOR – Competitive Sealed Bids – KCB# 12/12 – DUE 03-23-12 AT 2:00 P.M. – Estimated cost for this project is under \$95K. Painting Area of this project is approx. 22,000 sq. ft. (Floor Area)

● **PAINTING AND PLASTERING OF E-BUILDING, 7TH FLOOR** – Competitive Sealed Bids – KCB# 13/12 – DUE 03-23-12 AT 2:20 P.M. - Estimated cost for this project is under \$95K. Painting Area of this Project is approx. 28,000 sq. ft. (Floor Area).

● **PAINTING AND PLASTERING OF E-BUILDING, 6TH FLOOR** – Competitive Sealed Bids – KCB# 14/12 – DUE 03-23-12 AT 2:40 P.M. - Estimated cost for this project is under \$95K. Painting Area of this Project is approx. 22,000 sq. ft. (Floor Area).

● **PAINTING AND PLASTERING OF E-BUILDING, 5TH FLOOR** – Competitive Sealed Bids – KCB# 15/12 – DUE 03-23-12 AT 3:00 P.M. - Estimated cost for this project is under \$95K. Painting Area of this Project is approx. 22,000 sq. ft. (Floor Area).

● **PAINTING AND PLASTERING OF E-BUILDING, 4TH FLOOR** – Competitive Sealed Bids – KCB# 16/12 – DUE 03-23-12 AT 3:20 P.M. - Estimated cost for this project is under \$95K. Painting Area of this Project is approx. 22,000 sq. ft. (Floor Area).

● **PAINTING AND PLASTERING OF E-BUILDING, 1ST FLOOR** – Competitive Sealed Bids – KCB# 17/12 – DUE 03-23-12 AT 3:40 P.M. - Estimated cost for this project is under \$95K. Painting Area of this Project is approx. 22,000 sq. ft. (Floor Area).

● **PAINTING AND PLASTERING OF D-BUILDING, KITCHEN AREA 1ST FLOOR** – Competitive Sealed Bids – KCB# 18/12 – DUE 03-26-12 AT 2:30 P.M. - Estimated cost for this project is under \$50K. Painting Area of this Project is approx. 9,000 sq. ft. (Floor Area).

● **PAINTING AND PLASTERING OF K-5 BUILDING, 3RD AND 4TH FLOOR** – Competitive Sealed Bids – KCB# 20/12 – DUE 03-26-12 AT 3:00 P.M. - Estimated cost for this project is under \$65K. Painting Area of this Project is approx. 8,000 sq. ft. (Floor Area).

● **PAINTING AND PLASTERING OF K-5 BUILDING, 2ND FLOOR** – Competitive Sealed Bids – KCB# 21/12 – DUE 03-26-12 AT 3:20 P.M. - Estimated cost for this project is under \$65K. Painting Area of this Project is approx. 11,500 sq. ft. (Floor Area).

● **PAINTING AND PLASTERING OF K-5 BUILDING, 1ST FLOOR** – Competitive Sealed Bids – KCB# 22/12 – DUE 03-26-12 AT 3:40 P.M. - Estimated cost for this project is under \$65K. Painting Area of this Project is approx. 12,000 sq. ft. (Floor Area).

● **PAINTING AND PLASTERING OF K-5 BUILDING, BASEMENT** – Competitive Sealed Bids – KCB# 23/12 – DUE 03-26-12 AT 4:00 P.M. - Estimated cost for this project is under \$65K. Painting Area of this Project is approx. 12,000 sq. ft. (Floor Area).

Contractor to furnish all labor, materials, and equipment necessary and required to provide Painting and Plastering at

Kings County Hospital Center, 451 Clarkson Avenue, Brooklyn, NY 11203.

There will be one (1) non-mandatory pre-bid meeting followed by walk thru on Wednesday, March 14, 2012 at 10:30 A.M. at "E" Building, Conference Room, 2nd Floor, Room #2236. Prospective Bidders are advised that information from the New York City Record should be followed.

Request for Bid packages should be e-mailed to: Rup.bhowmick@nychhc.org or by calling at (718) 245-2122 or (718) 245-2125. Upon pre-arrangement bid packages will be available at: Purchasing Dept., Support Office Building, 2nd Floor, Room #251, 591 Kingston Avenue, Brooklyn, NY 11203.

A fee of \$25.00 (non-refundable) shall be required to secure a complete set of bid documents. Payment shall be in the form of Cashier's check or Money Order payable to: KCHC Comptroller's Office.

Prospective Bidders are strongly advised to purchase bid documents prior to attending walk thru.

Bid security in the form of a Certified Check in the amount of 2 percent of the Bid price or, Bid Bond in the amount of 10 percent of the bid price shall require. The required bid documents must be completed and returned to KCHC Purchasing Department.

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.
Kings County Hospital Center, 451 Clarkson Avenue, S.O.B. Room #S251, Brooklyn, NY 11203.
Rup Bhowmick (718) 245-2122; Fax: (718) 735-5486; rup.bhowmick@nychhc.org

m8

HEALTH AND MENTAL HYGIENE

AGENCY CHIEF CONTRACTING OFFICER

■ SOLICITATIONS

Human / Client Services

NEW YORK/NY III SUPPORTED HOUSING CONGREGATE – Competitive Sealed Proposals – Judgment required in evaluating proposals -

PIN# 81608PO076300R0X00-R – DUE 09-18-12 AT 4:00 P.M. – The Department is issuing a RFP to establish 3,000 units of citywide supportive housing in newly constructed or rehabilitated single-site buildings for various homeless populations pursuant to the New York III Supported Housing agreement. The subject RFP will be open-ended and proposals will be accepted on an on-going basis. The RFP is available on-line at <http://www.nyc.gov/html/doh/html/acco/acco-rfp-nynyccongregate-20070117-form.shtml>. A pre-proposal conference was held on March 6, 2007 at 2:00 P.M. at 125 Worth Street, 2nd Floor Auditorium, New York, N.Y. Any questions regarding this RFP must be sent in writing in advance to Contracting Officer at the above address or e-mailed to the above address. All proposals must be hand delivered at the Agency Chief Contracting Officer, Gotham Center, CN#30A, 42-09 28th Street, 17th Floor, Queens, NY 11101-4132, no later than September 18, 2012.

As a minimum qualification requirement for (1) the serious and persistent mentally ill populations, the proposer must be incorporated as a not-for-profit organization, and (2) for the young adult populations, the proposer must document site control and identify the source of the capital funding and being used to construct or renovate the building.

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.
Health and Mental Hygiene, ACCO, Gotham Center, CN#30A, 42-09 28th Street, 17th Floor, Queens, NY 11101-4132.
Huguette Beauport (347) 396-6633; hbeaupor@health.nyc.gov

a6-s17

HOMELESS SERVICES

■ AWARDS

Human / Client Services

EMPLOYMENT JOB TRAINING – Government to Government – PIN# 0711200004001 – AMT: \$647,832.00 – Sponsoring Agency: US Department of Labor 25 Sudbury Street, Suite E-350, Boston, MA 02203

Program Site/Address: Glenmont Job Corp. Center 822 River Road, P.O. Box 993, Rte. 144, Glenmont, NY 12077 Contract Term: 7/01/12-6/30/14

Pursuant to Charter Section 312(b)(2), the ACCO has determined that a government-to-government purchase pursuant to Section 3-13 of the PPB Rules is practicable and advantageous to the City, and is the most competitive alternative that is appropriate under circumstances, since government entities do not typically complete City procurements.

m5-9

INDEPENDENT BUDGET OFFICE

■ SOLICITATIONS

Services (Other Than Human Services)

DATABASE DESIGN AND CONSULTING – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 1213200000001 – DUE 03-23-12 AT 5:00 P.M. – CORRECTION: For public education related data, including provision of specifications for the design of a relational database for education data.

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.
Independent Budget Office, 110 William Street, 14th Floor, New York, NY 10038. Ray Domanico (212) 442-8616; Fax: (212) 442-0350; RaymondD@ibo.nyc.ny.us

m5-9

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

■ AWARDS

Services (Other Than Human Services)

INFORMATION TECHNOLOGY PROFESSIONAL SERVICES FOR THE HEALTH AND HUMAN SERVICES ACCELERATOR PROGRAM – Intergovernmental Purchase – Judgment required in evaluating proposals - PIN# 85811G0007001 – AMT: \$13,035,773.00 – TO: Accenture Federal Services, LLC, 1345 Avenue of the Americas, New York, NY 10105.

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PARKS AND RECREATION

REVENUE AND CONCESSIONS

■ SOLICITATIONS

Services (Other Than Human Services)

OPERATION OF A FREE CONCERT SERIES AND A MAXIMUM OF SIX (6) KIOSKS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# X39-OB-O-2012 – DUE 04-12-12 AT 3:00 P.M. – At Orchard Beach, Pelham Bay Park, Bronx.

There will be a recommended proposer meeting on Tuesday, March 20, 2012 at 12:00 P.M. We will be meeting in Room 407 of the Arsenal, which is located at 830 5th Avenue, in Central Park, Manhattan. If you are considering responding to this RFP, please make every effort to attend this recommended meeting.

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

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

Parks and Recreation, The Arsenal-Central Park, 830 Fifth Avenue, Room 407, New York, NY 10021.
Venus Melo (212) 360-1397; Fax: (212) 360-3434; venus.melo@parks.nyc.gov

m6-19

SCHOOL CONSTRUCTION AUTHORITY

CONTRACT SERVICES

■ SOLICITATIONS

Construction / Construction Services

ELECTRICAL SYSTEMS UPGRADE – Competitive Sealed Bids – PIN# SCA12-14059D-1 – DUE 03-26-12 AT 11:30 A.M. – University Neighborhood High School (M446) (Manhattan). Project Range: \$1,270,000.00 - \$1,335,000.00. Pre-Bid Meeting Date: March 15, 2012 at 10:00 A.M. at site: 200 Monroe Street, New York, NY 10002. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

School Construction Authority, 30-30 Thomson Avenue, Long Island City, NY 11101. Lily Persaud (718) 752-5852; Fax: (718) 472-0477; lpersaud@nycsca.org

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SMALL BUSINESS SERVICES

PROCUREMENT

■ SOLICITATIONS

Services (Other Than Human Services)

CITY-WIDE ECONOMIC DEVELOPMENT SERVICES – Sole Source – Available only from a single source - PIN# 80112S0002 – DUE 03-28-12 AT 2:00 P.M. – The Department of Small Business Services intends to enter into sole source negotiations to purchase the above services from New York City Economic Development Corporation. Any entity established at the direction of the City, with experience and in house expertise in all areas of economic development, on a City wide basis, that believes that at present or in the future it can also provide this requirement is invited to so indicate by letter, which letter must also indicate its qualifications and must be received no later than 03/28/12, 2:00 P.M., to: New York City Department of Small Business Services, 110 William Street, 7th Floor, New York, New York 10038. Daryl Williams, ACCO, (212) 618-8731; Fax: (212) 618-8867; procurementhelpdesk@sbs.nyc.gov

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CITY-WIDE ECONOMIC DEVELOPMENT SERVICES PRIMARILY RELATED TO MARITIME, AVIATION, RAIL FREIGHT, MARKET AND INTERMODAL TRANSPORTATION DEVELOPMENT – Sole Source – Available only from a single source - PIN# 80112S0003 – DUE 03-28-12 AT 2:00 P.M. – The Department of Small Business Services intends to enter into sole source negotiations to purchase the above services from New York City Economic Development Corporation. Any entity established at the direction of the City, with experience and in house expertise in the areas of maritime, aviation, rail freight, market and intermodal transportation development, or related areas of economic development, on a City wide basis, that believes that at present or in the future it can also provide this requirement is invited to so indicate by letter, which letter must also indicate its qualifications and must be received no later than 03/28/12, 2:00 P.M., to: New York City Department of Small Business Services, 110 William Street, 7th Floor, New York, New York 10038. Daryl Williams, ACCO, (212) 618-8731; Fax: (212) 618-8867; procurementhelpdesk@sbs.nyc.gov

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AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

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.

CITYWIDE ADMINISTRATIVE SERVICES

■ PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, March 15, 2012, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Citywide Administrative Services of the City of New York, on behalf of the Department of Environmental Protection, and Safe Environment Engineering, 28474 Westinghouse Place, Valencia, CA 91355, for Lifeline Telemetry system. The proposed contract is in the amount of \$137,941.20. The term of the contract will be 12 months from the date of the notice to proceed. PIN#: 1200402, E-PIN#: 85712S007.

The proposed contractor has been selected by means of a Sole Source, pursuant to Section 3-05 of Procurement Policy Board Rules.

A draft copy of the contract may be inspected at the Division of Municipal Supply Services, Vendor relation Unit, One Centre St., 18th Floor, New York, NY 10007, on business days, (excluding Legal Holidays), from March 8, 2012 to March 15, 2012, between the hours of 9:00 A.M. and 4:00 P.M.

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AGENCY RULES

ENVIRONMENTAL PROTECTION

■ NOTICE

Promulgation of Amendments to Title 15 of the Rules of the City of New York Rules Concerning the Registration of Emergency Generators

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE Commissioner of Environmental Protection by Sections 1043 and 1403(b) of the Charter of the City of New York and Sections 24-105 and 24-109 of the Administrative Code of the City of New York, that the Department of Environmental Protection promulgates a rule concerning the registration of emergency generators. These amendments were proposed and published on January 23, 2012 in the City Record. The required hearing was held on February 22, 2012.

Rule Amendment

Pursuant to the authority vested in the Commissioner of Environmental Protection by Sections 1043 and 1403(b) of the Charter of the City of New York and Sections 24-105 and 24-109 of the Administrative Code of the City of New York, the Department of Environmental Protection promulgates a rule concerning the registration of emergency generators. The rule was listed in the Department's fiscal year 2012 Regulatory Agenda.

Statement of Basis and Purpose

The main purpose of the rule is to:

- 1) Provide for streamlined regulation of emergency generators reflecting their limited use, by requiring registration instead of a certificate of operation.
- 2) To ensure that emergency generators are used only for emergency situations, and
- 3) To control the emission of harmful air contaminants by emergency generators.

The rule accomplishes these purposes by:

- Clarifying the registration requirements for emergency generators in lieu of a certificate of operation,
- Adopting a definition for emergency generators, based on State regulations, which limits the size and power of emergency generators, and the number of hours that they can be used,
- Requiring tracking of the hours of operation for registered emergency generators, and
- Requiring smoke tests for emergency generators.

The rule will ensure that DEP knows how many emergency generators exist, how often they are being used, and that they are being operated solely for testing and to address emergency situations.

Background

Section 24-105 of the Administrative Code authorizes the Commissioner to take action to control the emission of air contaminants and to adopt rules to accomplish the purposes of the Air Pollution Code. DEP is responsible for regulating and permitting the use of equipment that emits air pollutants, such as emergency generators. Section 24-109(b)(3)

provides that emergency generators, as "fuel burning equipment," must be registered with DEP.

Definition of Emergency Generators

The New York State Department of Environmental Conservation has adopted regulations that define certain generators as emergency generators, and exempt such generators from certain emissions limits and permitting requirements. DEP has reviewed these State regulations and has decided to adopt the State definition, with certain changes, in the rule.

The definition establishes that emergency generators:

- Are internal combustion engines sized 350,000 btu/hr and greater, or 138 hp or greater,
- Are permanently connected to the electrical system of a building,
- Operate only when the usual supply of power is unavailable (not for peak shaving), and
- Operate for no more than 500 hours per year.

This definition differs from the State definition in the following ways:

- 1) The State definition includes a reference to the generator being "stationary," while the definition in the rule provides that the generator must be permanently connected to the electrical system of the building, which is more specific and precise.
- 2) The definition in the rule includes a size limitation, because DEP does not regulate smaller fuel burning equipment.
- 3) The State definition specifies that an internal combustion engine used for peak shaving is not an emergency generator. DEP is clarifying that emergency use, as defined elsewhere in the State regulations, could render the internal combustion engine an emergency generator.

Certificate of Operation Not Required

Most generators, including those which are used for peak shaving generation or as temporary power sources, require a certificate of operation under section 24-122 of the Administrative Code. The rule clarifies that those generators that meet the definition of "emergency generator" do not require a certificate of operation due to their limited use.

Registration and Testing of Emergency Generators

The rule establishes that emergency generators must be registered. To be registered, emergency generators must:

- Pass a smoke test, and
- Have their hours of operation recorded and documented by the owner or operator.

A stack test certified by a professional engineer or registered architect may be performed on the emergency generator in lieu of a smoke test, which is to be performed by a qualified observer (as defined in federal regulations).

"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.

Title 15 of the Rules of the City of New York is amended by adding a new Chapter 40 to read as follows:

Chapter 40

Rules Concerning the Registration of Emergency Generators

§40-01 Definitions

"Department" means the New York City Department of Environmental Protection.

"Emergency generator" means an internal combustion engine that: (a) is sized 350,000 btu/hr and greater or 138 hp or greater, (b) is permanently connected to the electrical system of a building, (c) operates as a mechanical or electrical power source only when the usual supply of power is unavailable, and (d) operates for no more than 500 hours per year.

The 500 hours of annual operation for the engine include operation during emergency situations, routine maintenance, and routine exercising (for example, test firing the engine for one hour a week to ensure reliability). An internal combustion engine used for peak shaving generation is not an emergency generator; however when used for a natural, accidental, or intentional human-caused event or circumstance which presents an immediate threat to life, health, property, general welfare or natural resources, such engine is an emergency generator if it otherwise meets this definition.

"Peak shaving generation" means the practice of utilizing on-site generating capacity for use at a facility (excluding emergency generation when the usual sources of heat, power, and lighting are temporarily unavailable) at the request of the primary electricity supplier.

"Qualified observer" means a qualified observer in accordance with Test Method 9 (40 C.F.R. Part 60, Appendix A-4).

§40-02 Filing and Recordkeeping Requirements.

(a) The owner of an emergency generator must register the emergency generator in accordance with section 24-109 of the Administrative Code. An emergency generator must pass a smoke test conducted by a qualified observer in accordance with Test Method 9 (40 C.F.R. Part 60, Appendix A-4). A stack test may be performed, instead of a smoke test, in accordance with 15 RCNY 2-08 and must be certified by a professional engineer or a registered architect. Proof of the smoke test or stack test must be submitted to the Department with the registration.

(b) The owner or operator of an emergency generator must maintain records documenting hours of operation. Such records must be maintained for five years and must be made readily available to the Department upon request.

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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 change would amend the TLC's Taxicab Drivers' Rules to create rules for Taxicab Drivers and other drivers operating Street Hail Liveries.

When and where are the Hearings? The Commission will hold a public hearing, at which the public and interested parties are invited to submit comments and testimony on the proposed rules, at 9:00 A.M. on March 22, 2012. This hearing will be held in the Commission's public hearing room at 33 Beaver St., New York, NY on the 19th Floor.

The Commission will also hold a public hearing on the proposed rules as required by the City Administrative Procedures Act. The public and interested parties can also submit testimony at this hearing. The public hearing will take place at 9:00 A.M. on April 19, 2012. The hearing will be held at the Brooklyn Borough Hall, 209 Joralemon Street, Brooklyn, New York.

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

- **Mail.** You can mail written comments to the Taxi and Limousine Commission, Office of Legal Affairs, 33 Beaver Street – 22nd Floor, New York, New York 10014.
- **Fax.** You can fax written comments to the Taxi and Limousine Commission, Office of Legal Affairs, at 212-676-1102.
- **Email.** You can email written comments to tlcrules@tlc.nyc.gov.
- **Website.** You can submit comments to the Taxi and Limousine Commission through the NYC rules Web site at www.nyc.gov/nycrules.
- **By Speaking at the Hearings.** Anyone who wants to comment on the proposed rule at the public hearings must sign up to speak. You can sign up before either hearing by calling 212-676-1135. You can also sign up in the hearing room before the session begins on March 22, 2012. You can also sign up at the hearing room before the public hearing begins on April 19, 2012. You can speak for up to three minutes.

Is there a deadline to submit written comments? Yes, you must submit written comments by April 9, 2012.

Do you need assistance to participate in the Hearings?

You must tell the Office of Legal Affairs if you need a reasonable accommodation of a disability at the Hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at 212-676-1135. You must tell us by Thursday, March 15, 2012 for the March 22 session and by Thursday, April 12, 2012 for the April 19 public hearing.

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 Proposed Rule

On December 23, 2011 Governor Cuomo signed into law chapter 602 of the Laws of 2011, and on February 17, 2012, signed into law chapter 9 of the Laws of 2012, which amended the previous statute. This legislation allows New York City to issue up to 18,000 transferable licenses to for-hire vehicles authorizing them to pick up passengers by street hail anywhere outside Manhattan (except for the airports) and in Manhattan north of West 110th Street and north of East 96th Street. Up to 6,000 of these licenses for Street Hail Liveries can be issued in the first year of the program. Twenty percent of these licenses will be set aside for wheelchair accessible vehicles (City subsidies for accessible vehicle purchase/upgrades will be available). These proposed rules will implement the state legislation, which outlines the characteristics of and the services that the new Street Hail Vehicles will provide to New York City residents and visitors. The state legislation and the proposed rules aim to improve access to safe, legal and convenient street hail service for the 6.7 million New York City residents who live outside of the neighborhoods where yellow taxi service is generally available.

The proposed rule changes are organized as follows:

1. Amendment to *Definitions* (Chapter 51) to incorporate Street Hail Liveries
2. Amendment to *For-Hire Service* (Chapter 59B) to outline requirements for base stations authorized to affiliate Street Hail Liveries
3. New chapter on *Street Hail Livery Service* outlining licensing, service and vehicle requirements
4. Amendments to *Medallion Taxicab Drivers* (Chapter 54) to incorporate requirements for drivers of Street Hail Liveries
5. New chapter on *Technology Vendors* creating a new licensee type for vendors of taxicab technology for Street Hail Liveries.

This statement first provides some background on existing street hail service availability and passenger demand for this service, and explains the rationale for the Street Hail Livery program. It then discusses the purpose of some of the more specific rules being proposed to implement the program.

Background: Brooklyn, the Bronx, Queens, Staten Island, & Northern Manhattan Lack Street Hail Service

Currently, yellow taxis with medallions issued by the TLC are the only vehicles authorized to pick up passengers by street hail anywhere in the city. However, according to recent GPS data collected by TLC, 95% of all yellow taxi street hail pickups are in Manhattan's Central Business District (CBD) and at La Guardia or JFK airports. The demand for street hail service in Northern Manhattan, Brooklyn, Bronx, Queens and Staten Island neighborhoods, where 80% of the City's population lives, but where yellow taxis choose not to go, is met (illegally) by livery vehicles, which are licensed to pick up passengers only by prearrangement. TLC staff who recently observed passengers hailing rides at various locations outside Manhattan counted 65 street hails per hour at Mermaid and Stillwell Avenues in Brooklyn, 39 per hour at Jamaica Avenue and Parsons Boulevard in Queens, and 19 per hour at Grand Concourse and 149th Street in the Bronx. All street-hails observed by TLC were picked up by livery vehicles.

The current licensing and street hail regulations mean that:

- Livery drivers who pick passengers up from the street by hail to meet the existing demand, but do so without notification from the base, are put in the position of routinely violating the law.
- Business districts outside of the Manhattan CBD are at a competitive disadvantage because their clients and customers do not have access to safe, legal and convenient street hail service for travel between meetings or home from shopping trips.
- Residents who use the street-hail service from liveries are not protected by nor benefit from key features of yellow taxicab service:
 - **Set Fares:** Fares, determined in a livery street-hail pickup by haggling between the driver and the passenger (who is often uncomfortable with this arrangement), are not metered or otherwise regulated and leave passengers vulnerable to overcharging.
 - **Safety and Security:** Licensed livery vehicles can be difficult for street hail passengers to distinguish from unlicensed vehicles. Many passengers seeking to hail a livery on the street are exposed, without their knowledge, to uninsured and possibly unsafe vehicles and to drivers with unknown safety records.
 - **Convenience and Customer Service:** Most livery vehicles have no GPS locator, which can make it hard to help street-hail passengers recover lost property. Most livery vehicles do not offer passengers the convenience of paying by debit or credit card, an extremely popular feature among yellow taxi passengers.
 - **Wheelchair Access:** Only a minute fraction of existing livery vehicles are accessible to wheelchair users. Although there are currently TLC rules in place that require the for-hire industry to provide service to wheelchair users, the service currently available is insufficient to meet wheelchair users' mobility needs.

Purpose of Proposed Rules

The legislation enacted in Albany, which these proposed rules implement, addresses the problems described above by authorizing the City to issue transferable Street Hail Livery licenses. Vehicles with these licenses will be permitted to pick up street hail passengers anywhere in Brooklyn, the Bronx, Staten Island, Northern Manhattan (north of W. 110th St. and north of E. 96th St.), and Queens (excluding airports). They can also pick up passengers by prearrangement anywhere except Manhattan south of W. 110th St. and E. 96th St. This will ensure that these new Street Hail Livery Vehicles serve the neighborhoods that are currently underserved by yellow taxis and protect yellow taxis from competition in the areas of the city they typically serve.

Vehicle Requirements. Street Hail Liveries will have a variety of features, as described in these rules, to make them safer and more convenient for passengers. These features include:

1. Meters calculating a uniform fare for street-hail trips (to provide predictability for passengers, build trust between drivers and passengers, and prevent price gouging)
2. Credit and debit card readers (to make it easier for passengers to pay their fares and reduce the amount of cash drivers carry)
3. GPS locators (to assist with locating lost property and to assist TLC enforcement with preventing Street Hail Liveries from making illegal pickups)
4. Distinguishing markings (a uniform color scheme, text markings, and roof light) so passengers know they are entering a legal car with a licensed driver

Accessibility. The Street Hail Livery program also expands transportation options for individuals who use wheelchairs. As per the state legislation, 20 percent of Street Hail Liveries will be required to be accessible to individuals who use wheelchairs. Individuals who purchase Street Hail Livery licenses that are part of this accessibility initiative will be eligible for a City subsidy to cover costs of upgrading their vehicles or purchasing new accessible vehicles. This will significantly expand access to both prearranged and hail service for wheelchair users, expanding these individuals' ability to travel around the city.

Driver Requirements. To ensure that Street Hail Livery drivers can safely and effectively operate a Street Hail Livery and provide excellent customer service, these proposed rules require that new Street Hail Livery drivers be licensed by the Commission and be either (1) existing licensed for-hire vehicle drivers, (2) existing licensed yellow taxi ("hack") drivers, or (3) existing licensed paratransit drivers (for accessible vehicles). Individuals who do not fall into any of the three categories above will be required to obtain a yellow taxi hack license to operate a Street Hail Livery.

Service Requirements. To ensure that the public receives good customer service in Street Hail Liveries, these rules outline the service Street Hail Livery drivers must provide. This includes many requirements that are found in the yellow taxi industry, such as rules surrounding service refusals, compliance with reasonable passenger requests, and rates charged.

Service Options. Street Hail Liveries will be permitted to provide both prearranged and street hail service. This gives drivers flexibility to adapt to fluctuations in customers' demand for each of these types of service (e.g., prearranged airport drop-offs in the early morning and street hail rides late-night). This enables drivers to maximize revenue earned and gives bases flexibility to respond to spikes and troughs in demand.

Enforcement. To protect yellow taxis in areas where they are the only vehicles authorized to pick up street hails, these rules clearly define the areas where Street Hail Liveries are not allowed to make pickups and the penalties for violating these rules. Vehicle requirements will include GPS technology that will enable TLC to detect and penalize Street Hail Liveries that make illegal pickups, putting violators' licenses in jeopardy.

Base Requirements. State legislation requires that each Street Hail Livery be affiliated with a base that is specially licensed to affiliate Street Hail Liveries. These proposed rules outline the process for bases to become licensed to affiliate a Street Hail Livery, along with these bases' responsibilities. These responsibilities include ensuring their Street Hail Livery vehicles and drivers comply with TLC rules and transmitting the 50 cent MTA surcharge on each hail ride to the MTA.

Technology Vendor Requirements. State legislation authorizes the TLC to license vendors of credit card and customer enhancements technology to Street Hail Liveries. The TLC intends to regulate these vendors because it believes that licensure is preferable to the procurement and contract approach used in the taxicab industry. Under a regulatory approach, any vendor who can meet TLC requirements can apply for a license. This will maintain vendor competition and allow the TLC to create and enforce consistent service standards for all licensees. In addition, the TLC believes that a regulatory approach will enable it to revisit and revise standards as technology and other factors advance. Accordingly, the TLC believes that the competition permitted by a regulatory approach is key to both keeping prices affordable and improving service quality. Allowing multiple taxicab technology vendors to develop and provide taxicab technology is important for fostering innovation and giving the for-hire industries choices. Moreover, the TLC believes that the benefits of competition in the for-hire industries may ultimately feed into the taxi industry by permitting advances in technology that may benefit passengers in all the industries the TLC regulates. In order to maintain the ability for multiple vendors to provide taxicab technology—while maintaining TLC oversight and quality control—these proposed rules outline the process and standards for becoming a TLC-licensed technology vendor.

In addition to providing a service to the public, the Street Hail Livery program provides opportunities for the industries TLC regulates:

- Livery drivers and bases that choose to enter the Street Hail Livery business (which is completely optional for both vehicle owners and bases) will expand the ways in which they may legally serve the communities they have been serving for years by providing not only high-quality prearranged service, but also safe, convenient and legal street hail service.
- The street hail business that already exists in many neighborhoods outside the Manhattan CBD will be brought out of the shadows, bringing legitimacy and pride to those providing this service.
- Income-generating opportunities for drivers will increase as more customers will be enticed to take advantage of the predictability and quality of this new street hail service.

Proposed Rule Governing Driver Requirements

The Commission proposes these rules to implement the legislation authorizing Street Hail Liveries. The proposed rule governing driver requirements amends Chapter 54, *Medallion Taxicab Drivers*, to provide special requirements that will apply only to drivers of Street Hail Livery Vehicles. State Legislation grants TLC the authority to designate who is eligible to drive a Street Hail Livery Vehicle. This proposed rule sets forth TLC's driver eligibility requirements and driver responsibilities while operating a Street Hail Livery.

Specifically, the proposed rule provides the following:

- Eligibility requirements for driving a Street Hail Livery:
 - Taxicab Drivers are authorized to drive Street Hail Liveries
 - Paratransit Drivers are authorized to drive Accessible Street Hail Liveries
 - For-Hire Drivers are authorized to drive Street Hail Liveries for a limited period.
- Wheelchair passenger assistance training, for certain drivers of Accessible Street Hail Liveries.
- Conduct requirements for Street Hail Livery Drivers.
- Restrictions on Street Hail Livery operation.
- Fare requirements for trips in Street Hail Liveries that are begun when a driver accepts a hail from a passenger in the street (a Hail Trip), including requirement of MTA surcharge of 50 cents per Hail Trip.
- Requirements for and limitations on prearranged trips provided by Street Hail Liveries.
- Restrictions on passenger solicitation and engagement.
- Requirements for vehicle operation and maintenance.
- Requirement for Street Hail Livery Drivers to maintain accurate prearranged trip and Hail Trip records, including requirements for recording Hail Trips and prearranged trips in the Street Hail Livery Technology System ("LPEP").
- Requirements for Street Hail Livery Drivers to accurately use and keep in good working order the meter, the LPEP and the roof light, and prohibitions on tampering with this equipment.

In addition, this proposed rule makes some changes to existing requirements for Taxicab Drivers, principally in terms of passenger solicitation, to better align the rules with actual conditions of operation and also to correct penalties to better align them with other Chapters of these Rules. Section 1. The definition of Taxicab Driver's License in Section 51-03(c) of Title 35 of the Rules of the City of New York is amended to read as follows:

Taxicab Driver's License means the authority granted by the Commission to an individual to drive a Taxicab in the City of New York and includes the authority to drive a Street Hail Livery

Section 2. The title of Chapter 54 of Title 35 of the Rules of the City of New York is amended to read as follows:

[Medallion Taxicab] Drivers of Taxicabs and Street Hail Liveries

Section 3. Section 54-02 of Title 35 of the Rules of the City of New York is amended to add new subdivisions (f) and (g) to read as follows;

(f) Livery Driver Authorization Period. (i) During the Livery Driver Authorization Period, as provided in section 54-04.2 of this chapter, when a For-Hire Driver is authorized to drive a Street Hail Livery, the requirements of this Chapter as to the operation of a Street Hail Livery apply to such For-Hire Drivers driving Street Hail Liveries, even if such drivers are not Taxicab Drivers.

(ii) A For-Hire Driver can be issued a summons for a violation of the requirements of this Chapter relating to the operation of a Street Hail Livery during the Livery Driver Authorization Period just as if the Driver was a Taxicab Driver licensed under this Chapter. It will not be a defense to any such summons that the driver is not licensed as a Taxicab Driver.

(g) Paratransit Drivers operating Accessible Street Hail Liveries. (i) When a Paratransit Driver is operating an Accessible Street Hail Livery, as provided in section 54-04.1 of this chapter, the requirements of this Chapter as to the operation of a Street Hail Livery apply to such Paratransit Drivers driving Accessible Street Hail Liveries even if such drivers are not Taxicab Drivers.

(ii) A Paratransit Driver can be issued a summons for a violation of the requirements of this Chapter relating to the operation of a Street Hail Livery just as if the Driver was a Taxicab Driver licensed under this Chapter. It will not be a defense to any such summons that the driver is not licensed as a Taxicab Driver.

Section 4 Section 54-03(b) of Title 35 of the Rules of the City of New York is amended to read as follows:

(b) *General Terms are Specific to "Taxicabs" in this Chapter.*

(i) When used in this Chapter, capitalized terms such as Driver, Vehicle, License, etc., will mean Taxicab Driver, Taxicab Vehicle, Taxicab Driver's License, etc. Vehicle, when used in this Chapter, can mean either a Taxicab or a Street Hail Livery. When the use of the word Driver in this Chapter refers to a Driver of a Street Hail Livery, the term will mean any driver authorized to drive a Street Hail Livery, as provided in this Chapter.

(ii) The term Driver can mean a Paratransit Driver operating an Accessible Street Hail Livery. The requirements of this Chapter applicable to Taxicab Drivers will also apply to Paratransit Drivers when such drivers are driving Street Hail Liveries.

(iii) During the Livery Driver Authorization Period, the term Driver, when applied to a person driving Street Hail Livery, can also mean a licensed For-Hire Driver.

(iv) During the Livery Driver Authorization Period, the requirements of this Chapter applicable to Taxicab Drivers will also apply to For-Hire Drivers when such drivers are

driving Street Hail Liveries.

Section 5. The chart of mandatory penalties set forth in section 54-02(e) of Title 35 of the Rules of the City of New York is amended to read as follows:

VIOLATION Description	Rule	Mandatory Penalty/Fine - ALL
1. Overcharging Passengers	§54-17(a)(1) & (2), 54-17(i)	First violation: \$350 if plead guilty before a hearing; \$500 if found guilty following a hearing.
2. Refusal of service – Unjustified refusal to transport Passengers within NYC or defined counties	§54-20(a)(1)	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. Refusal of service – Requiring assistant for disabled Passengers, or seeking to charge additional fares for such an assistant	§54-20(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. Refusal of service – Refusing to transport wheelchairs, crutches or other mobility aids for disabled Passengers	§54-20(a)(3)	
5. Refusal of service – Seeking destination before Passenger is seated inside vehicle	§54-20(a)(4)	

Section 6. Section 54-03(c) (10) of Title 35 of the Rules of the City of New York is amended to read as follows:

(10) *MTA Tax* is the 50 cent tax on taxicab and certain Street Hail Livery trips imposed by Article 29-A of the NYS Tax Law.

Section 7. Section 54-03(c) of Title 35 of the Rules of the City of New York is amended by renumbering paragraphs (17) and (18) as paragraphs (18) and (19) and adding a new paragraph (17), to read as follows:

(17) *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, 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.

Section 8. Section 54-04(n) of Title 35 of the Rules of the City of New York is amended to read as follows:

(n) *Wheelchair Passenger Assistance Training.*

- (1) *Training Must be Approved by Commission.* In order to become a driver of an Accessible Taxicab or an Accessible Street Hail Livery, a Driver must attend a Commission-approved training course regarding Wheelchair Passenger assistance (*Note: this requirement does not apply to a Paratransit Driver operating an Accessible Street Hail Livery*).
- (2) *Requirements of the Course.* Wheelchair Passenger assistance training must be a minimum of three hours and must include the following:
 - (i) A review of all legal requirements that apply to transportation of Persons with Disabilities;
 - (ii) Passenger assistance techniques including a review of various disabilities, hands-on demonstrations, disability etiquette, mobility equipment training (including familiarity with lift/ramp operations and various types of wheelchairs), and safety procedures
 - (iii) Training with an actual person using a wheelchair
 - (iv) Sensitivity awareness, including customer service and conflict resolution policies.
- (3) *Proof of Completion Required.* No Driver may operate an Accessible Taxicab or an Accessible Street Hail Livery unless the driver has a certificate of completion or other evidence that he or she has completed the required training described above. (*Note: this requirement does not apply to a Paratransit Driver operating an Accessible Street Hail Livery*).

- (4) *Proof must be Kept in Vehicle.* Each Driver subject to the requirement of this subdivision must keep a copy of the certificate of completion in the Accessible Taxicab or Accessible Street Hail Livery and available for inspection.

§54-04(n) (3)-(4) Fine: \$50 if plead guilty before a hearing; \$75 if found guilty following a hearing Appearance NOT Required

Section 9. Chapter 54 of Title 35 of the Rules of the City of New York is amended to add new sections 54-04.1 and 54-04.2 to read as follows:

§54-04.1 Licensing - Authorization to drive a Street Hail Livery

The following are authorized to drive a Street Hail Livery for hire, subject to the provisions and requirements of this chapter, including that they meet the eligibility requirements of this Chapter and that they comply with all requirements in this Chapter while operating a Street Hail Livery:

- (a) The holder of a Valid Taxicab Driver's License.
- (b) The holder of a Valid Paratransit Driver's License, BUT

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

§54-04.2 Licensing - FHV Driver Authorization to drive a Street Hail Livery

(a) The holder of a Valid For-Hire Driver's License on July 2, 2012 is authorized to drive a Street Hail Livery subject to all the requirements of this Section.

(b) *Livery Driver Authorization Period.* The holder of a Valid For-Hire Driver's License on July 2, 2012 is authorized to drive a Street Hail Livery during the Livery Driver Authorization Period. The Livery Driver Authorization Period for any For-Hire Driver expires and cannot be renewed after the earlier to occur of

- (i) surrender, revocation, or non-renewal of the For-Hire Driver's License, or
- (ii) the expiration of the first renewal of the For-Hire Driver's License occurring after the Street Hail Livery License Initial Issuance Period begins, or
- (iii) July 1, 2016.

(c) The holder of a Valid For-Hire Driver's License must comply with all requirements of this Chapter while operating a Street Hail Livery

(d) To drive an Accessible Street Hail Livery the holder of the Valid For-Hire Driver's License in order must complete all additional authorization requirements contained in Section 54-04.2(e) of these Rules

(e) *Additional Requirements for Drivers of Accessible Street Hail Liveries*

(i) A Driver seeking to use his or her For-Hire Driver's License to drive an Accessible Street Hail Livery must by January 2, 2013 complete and pass a course in passenger assistance training as provided in section 54-04(n) of this chapter.

(ii) *Proof of Completion Required.* After January 2, 2013, a For-Hire Driver must not operate an Accessible Street Hail Livery unless the driver has a certificate of completion or other evidence that he or she has completed the required training described above.

(iii) The Street Hail Livery Licensee is responsible for paying the cost of the passenger assistance training.

§54-04.2(e) Fine: \$50 if plead guilty before a hearing; \$75 if found guilty following a hearing Appearance NOT REQUIRED

Section 10. Section 54-10(c) of Title 35 of the Rules of the City of New York is amended to read as follows:

(c) *Restrictions on License.* A Driver must comply with all restrictions upon his or her [Taxicab Driver's] Chauffeur's License

Section 11. Section 54-11 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (a) *Driver Must Have Valid Taxicab Driver's License.* A driver must not operate a Taxicab or Street Hail Livery in the City of New York while his or her Taxicab Driver's License is revoked, suspended or expired. 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. During the Livery Driver Authorization Period, a For-Hire Driver must not operate a Street Hail Livery while his or her FHV Driver's License is revoked, suspended or expired.

§54-11(a) Fine: \$400 and Summary Suspension until compliance. Appearance NOT REQUIRED

- (b) *Driver Must Have Valid Chauffeur's License.*

- (1) A Driver must not operate a Taxicab or Street Hail Livery without a Valid Chauffeur's License.

§54-11(b)(1) Fine: \$400 and Summary Suspension until compliance Appearance NOT REQUIRED Points: 2

- (2) A driver must immediately surrender his or her Taxicab Driver's License to the Commission upon the suspension or revocation of his or her Chauffeur's License.

§54-11(b)(2) Fine: \$100 Appearance NOT REQUIRED Points: 1

- (c) *Vehicle Must Be Licensed.* A Driver must not knowingly operate a Taxicab or Street Hail Livery for hire unless that vehicle is licensed by the Commission and the License is Valid.

§54-11(c) Fine: \$25-\$350 and/or suspension up to 30 days Appearance REQUIRED Summary Suspension until compliance Points: 3

- (d) *No Unauthorized Use of Taxicab Driver's License.* A Driver must not permit any other person to use the Driver's Taxicab Driver's License while operating any vehicle.

§54-11(d) Fine: \$10,000 and revocation Appearance REQUIRED

- (e) *No Unlicensed Use of Taxicab or Street Hail Livery.*

- (1)
 - (i) A Driver must not permit the Taxicab to be operated for hire by a person who does not have a Valid Taxicab Driver's License.
 - (ii) A Driver must not permit a Street Hail Livery to be operated for hire by a person who is not authorized to drive a Street Hail Livery

§54-11(e)(1) Fine: \$100-\$300 and/or suspension up to 30 days Appearance REQUIRED

- (2) During the work shift a Driver must not allow another person to operate the Taxicab or Street Hail Livery or occupy the Driver's seat, except in the event of an emergency.

§54-11(e)(2) Fine: \$50 Appearance NOT REQUIRED

(f) *Street Hail Livery Operation.*

(1) A Driver of a Street Hail Livery can accept passengers by hail from the street only in the Hail Zone

(2) A Driver of a Street Hail Livery must not accept a passenger by hail in the Hail Exclusionary Zone.

§54-11(f)(1)-(i2) Fine: \$500 for the first violation; \$750 for the second violation in 24 months; Appearance REQUIRED Revocation for third violation in 120 months

(3) A Driver of a Street Hail Livery must not accept a Pre-Arranged Trip beginning in the Pre-Arranged Exclusionary Zone.

§54-11(f)(3) Fine: \$500 Appearance REQUIRED

Section 12. Section 54-12(i)(4) of Title 35 of the Rules of the City of New York is amended to read as follows:

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

Section 13. Section 54-12(k) of Title 35 of the Rules of the City of New York is amended to read as follows:

(k) *No use of [Taxicab] Vehicle for Unlawful Purpose.* A Driver must not use or permit any other person to use his [Taxicab] or her Vehicle for any unlawful purpose.

Section 14. The first unnumbered paragraph of section 54-13(a) of Title 35 of the Rules of the City of New York is amended to read as follows:

(a) *Comply with Traffic Laws.* Taxicab Drivers (and any authorized Driver of a Street Hail Livery, while driving a Street Hail Livery) must comply with all applicable traffic laws, rules, and regulations. Taxicab Drivers (and any authorized Driver of a Street Hail Livery, 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:

Section 15. Section 54-12(l) of Title 35 of the Rules of the City of New York is amended to read as follows:

(l) *Report Attempt to Use [Taxicab] Vehicle for Unlawful Purpose.* A Driver must report immediately to the police any attempt to use his [Taxicab] or her Vehicle to commit a crime or escape from the scene of a crime.

Section 16. Section 54-13(a)(4) of Title 35 of the Rules of the City of New York is amended to read as follows:

(4) *Report Before Leaving Scene.* A Driver who knows or should have known that a traffic accident involving the Driver's [Taxicab] Vehicle resulted in personal injury to

another or damage to another's property, must stop before leaving the scene of the accident, and if the other involved party is present, must:

- (i) Show his or her Chauffeur's License, Taxicab Driver's License (or, as applicable, For-Hire Driver's License or Paratransit Driver's License), and Rate Card to the other party involved in the incident.
- (ii) Give the other involved party his or her name, Chauffeur's License number, Taxicab Driver's License (or, as applicable, For-Hire Driver's License or Paratransit Driver's License) number, and Taxicab Medallion number or Street Hail Livery License number, as well as the name of the [Taxicab's] Vehicle's insurance carrier and the insurance policy number.

Section 17. Section 54-13(a)(5) of Title 35 of the Rules of the City of New York is amended to read as follows:

(5) Notify [Taxicab] Vehicle Owner of Accident. If the Driver is involved in a traffic accident, the Driver must immediately report the accident to the owner of the Taxicab or the Street Hail Livery Licensee.

Section 18. The heading of Section 54-13(c) of Title 35 of the Rules of the City of New York is amended to read as follows:

(c) MTA Tax: Taxicab Rides.

Section 19. Section 54-13 of Title 35 of the Rules of the City of New York is amended by adding new paragraph (d) to read as follows:

(d) MTA Tax: Street Hail Livery Hail Rides.

(1) The MTA Tax must be charged on any trip in a Street Hail Livery that starts by the vehicle accepting a hail from a person in the street, which trip starts in New York City and ends in any of the following:

- (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.

(2) A Driver must pay the 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.

Section 20. Section 54-14 of Title 35 of the Rules of the City of New York is amended to read as follows:

§ 54-14 Operations – Passenger and Driver Safety

(a) Reckless Driving Rule. A Driver must not operate his or her [Taxicab] Vehicle in a manner or at a speed unreasonably endangers users of other vehicles, pedestrians, or the Passengers.

§54-14(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
Appearance REQUIRED
Points: 4

(b) Driving While Impaired.

- (1) A Driver must not operate a [Taxicab] Vehicle while his or her driving ability is impaired by intoxicating liquor (regardless of its alcoholic content) or Drugs.
- (2) A Driver must not drive or occupy his or her [Taxicab] Vehicle for at least six hours after consuming any intoxicating liquor regardless of its alcoholic content, or any Drugs.

§54-14(b) Fine: Revocation Appearance REQUIRED

(c) Drug Testing.

- (1) 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 [Taxicab] 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.

§54-14(c)(1) Fine: Suspension until compliance or revocation of license Appearance NOT REQUIRED

(2) Annual Drug Testing.

- (i) 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.

- (ii) 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.

- (iii) For Drivers in the first year of a two-year License, the testing must occur no sooner than 30 days before the one-year anniversary date of the License, and not after the one-year anniversary date.

§54-14(c)(2)(iii) Fine: Summary Suspension until compliance. [n/a] Appearance NOT REQUIRED

- (iv) F [If testing occurs after the one-year anniversary date, but within 30 days after that date, there will be a \$200 penalty for reinstatement] \$200 if compliance is more than 30 days after the deadline
- o
- (iv) F d

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

§54-14(c)(2)(iv) If the Driver fails to be tested within this time period, his or her License will expire and will not be renewed [n/a] Appearance NOT REQUIRED

- (3) Results of Drug Test. Driver must pass every drug test, including "For Cause" drug tests under §54-14(c)(1) and "Annual" drug tests under §54-14(c)(2). 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.

§54-14 (c)(3) Fine: Suspension or revocation of license Appearance REQUIRED

(d) Limits on Consecutive Hours of Driving. A Driver must not operate a [Taxicab] Vehicle for more than 12 consecutive hours.

§54-14(d) Fine: \$25 Appearance NOT REQUIRED
Point: 1

(e) 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.

§54-14(e)(1) Fine: \$250 if plead guilty before a hearing; \$350 if found guilty following a hearing, and suspension. Appearance NOT REQUIRED

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.

- (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. 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) 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.

Section 21. Section 54-15 of Title 35 of the Rules of the City of New York is amended to read as follows:

(a) No Weapons. While operating a Taxicab or Street

Hail Livery, 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.

§54-15(a) Fine: Revocation Appearance REQUIRED

(b) Driver Neat & Clean. A Driver must be clean and neat in dress and person and present a professional appearance.

§54-15(b) Fine: \$25 Appearance NOT REQUIRED

(c) No Smoking. A Driver must not smoke in a Taxicab or Street Hail Livery.

§54-15(c) Fine: \$150 Appearance REQUIRED

(d) Locking [Taxicab] Vehicle Doors.

- (1) While on duty, 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.

- (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.

§54-15(d) Fine: \$300 if plead guilty before a hearing; \$400 and/or suspension up to 30 days if found guilty following a hearing. Appearance REQUIRED
Points: 2

(e) (Reserved).

(f) E-ZPass® Rules

- (1) A Driver must not operate a [Taxicab] Vehicle for hire that is not equipped with an E-ZPass® tag.

- (2) The 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) Drivers may use personal E-ZPass® tags to meet this requirement.

§54-15(f)(1)-(3) Fine: \$150 if plead guilty before a hearing; \$200 if found guilty following a hearing. Appearance NOT REQUIRED

- (4) A 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 Driver has been required to establish a replenishment account, as described in §58-27(d)(2) of the Taxicab Owners chapter, the Driver must maintain the required balance in the account.

§54-15(f)(4)-(5) Fine: \$50 plus restitution to the E-ZPass® tag holder of any amount not reimbursed, and suspension until compliance Appearance REQUIRED

(g) Overloading Vehicle. A Driver must not permit more than four Passengers to ride in a four-Passenger [Taxicab] Vehicle, nor more than five Passengers in a five-Passenger [Taxicab] 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. A Driver must not permit a Street Hail Livery to be overloaded or to carry more passengers than the Vehicle is equipped to seat based on the NYS DMV registration of the Vehicle.

§54-15(g) Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing. Appearance NOT REQUIRED

(h) Use of Front Seat.

- (1) A Passenger who is unable to enter or ride in the rear seat of the [Taxicab] Vehicle must be permitted to occupy the front Passenger seat.

- (2) If a Passenger's luggage, wheelchair, crutches, other mobility aid or other property occupies the rear seats of the [Taxicab] Vehicle, a Passenger must be permitted to occupy the front Passenger seat.

§54-15(h) Fine: \$75 for a violation involving a person; \$25 for a violation involving luggage Appearance NOT REQUIRED

(i) No Property-Only Transport. A Driver must not transport property, except blood or vital human organs, unless such property is in the possession of a Passenger.

§54-15(i) Fine: \$100 Appearance NOT REQUIRED

(j) 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 Street Hail Livery can promote the services offered by the vehicle's affiliated Base.

§54-15(j) Fine: \$50-\$350 and/or suspension up to 30 days. Appearance REQUIRED

(k) Proper Driver Authorization (not applicable to Street Hail Liveries).

- (1) A Driver must not operate a Taxicab unless either:
- (i) The Driver's name has been entered onto the Rate Card by the Commission and, if the Driver is leasing the Taxicab, the Lease has not yet expired; or
- (ii) The term "Unspecified Drivers" has been entered onto the Rate Card by the Commission.

§54-15(k)(1) Fine: \$100-\$350; for the third or subsequent violation within 36 months, the license may also be suspended for up to 30 days. Appearance REQUIRED
Points: 1

- (2) A Driver who is leasing a Taxicab must not sublease the Taxicab.

§54-15(k)(2) Fine: \$100-\$350; for the third or subsequent violation within 36 months, the license may also be suspended for up to 30 days. Appearance REQUIRED

- (l) Courtesy. A Driver must be courteous to passengers.

§54-15(l) Fine: \$200 if plead guilty before a hearing; \$300 if found guilty following a hearing. Appearance NOT REQUIRED
Points: 2

(m) Off Duty Procedures for a Taxicab.

- (1) When the Taxicab is operated for personal use, "Personal Use - Off Duty" must be keyed into T-PEP (or made on the written Trip Record), and the "Off Duty" light must be turned on.

§54-15(m)(1) Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing. Appearance NOT REQUIRED

- (2) A Driver must turn on the "Off Duty" light only by use of a manually operated switch on the Taxicab dashboard

§54-15(m)(2) Fine: \$75 Appearance NOT REQUIRED

(n) Off Duty procedures for a Street Hail Livery

- (1) When the Street Hail Livery is operated for personal use, the designated off duty button on the taximeter must be entered and "Personal Use - Off Duty" must be keyed into LPEP (or made on the written Trip Record).

§54-15(n)(1) Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing. Appearance NOT REQUIRED

(o) Street Hail Liveries: Roof Light signaling availability

(1) The roof light on a Street Hail Livery must be on when the Vehicle is available to accept a passenger.

(2) The roof light on a Street Hail Livery must be off when

A. There is a passenger in the Vehicle.

B. The Vehicle is on the way to begin a Pre-Arranged Trip.

C. The Driver is Off Duty.

§54-15(o) Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing. Appearance NOT REQUIRED

Section 22. Section 54-16 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (a) Request for 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. This is also true for a Hail Trip in a Street Hail Livery (although it is not true for a Pre-Arranged Trip in a Street Hail Livery).

§54-16(a) Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing. Appearance NOT REQUIRED

- (b) Requests to Change Destination. Passengers may ask the Taxi Driver or Street Hail Livery Driver on a Hail Trip to change their destination or end their ride during their trip. Drivers must comply with these requests unless it is impossible or unsafe. 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 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.

§54-16(b) Fine: \$50-\$200 Appearance REQUIRED
Points: 2.

(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 [Taxicab's] Vehicle's interior or trunk compartment, and must securely close the door or trunk compartment.

§54-16(c) Fine: \$50 Appearance NOT REQUIRED

(d) Passenger Receipt. A Driver must [give] offer a Passenger a receipt for payment of the fare at the end of the trip. The receipt must state the date, time, Medallion or Street Hail Livery license number, fare paid, extras and the "311" Commission Complaint telephone number.

§54-16(d) Fine: \$50 if plead guilty before a hearing; \$75 if found guilty following a hearing. Appearance NOT REQUIRED
Points: 1.

(e) Request to Adjust Audio.

- (i) At the request of a Passenger, the Driver must adjust the volume or turn on or off any audio or video equipment within his or her control. Passengers are also entitled to select what is played on any audio or video equipment in the [Taxicab] Vehicle.

- (ii) Whether or not there is a Passenger in the [Taxicab] Vehicle, an audio or video device can only be played at a normal volume and must not violate NYC noise regulations.

§54-16(e) Fine: \$25 Appearance NOT REQUIRED

(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.

§54-16(f) Fine: \$25 Appearance NOT REQUIRED

(g) Other Reasonable Passenger Requests. A Driver must comply with all the reasonable requests of a Passenger, including but not limited to giving his or her name, Taxicab Driver's License number (or the FHV Driver's License number or Paratransit Driver's License Number as applicable) and the Medallion or Street Hail Livery license number.

§54-16(g) Fine: \$50-\$200 Appearance REQUIRED
Points: 2

Section 23. Section 54-17(a)(1) of Title 35 of the Rules of the City of New York is amended to read as follows:

- (1) A Driver 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.

Section 24. Section 54-17(a)(3) of Title 35 of the Rules of the City of New York is amended to read as follows:

3. A Driver 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.

Section 25. Section 54-17(b) of Title 35 of the Rules of the City of New York is amended to read as follows:

(b) Non-Paying Customers. If a Passenger refuses to pay the metered fare, the Driver must place the meter in the off or "Vacant" position, illuminate the "Off Duty" light if driving a Taxicab and, if driving a Street Hail Livery, must enter off duty into the taximeter, and:

- (1) Record the amount of fare on the Taximeter onto the Trip Record through the Taxicab Technology System (or LPEP if applicable), or onto the written Trip Record if the T-PEP (or LPEP) is not working, and
- (2) Proceed directly to the nearest police precinct, present the facts to the police and follow their instructions for resolving the dispute.

Section 26. Sections 54-17(e) and (f) of Title 35 of the Rules of the City of New York are amended to read as follows:

(e) Must Accept Credit / Debit Card Payment

- (1) (i) All Taxicabs are required to be equipped with T-PEP 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.

§54-17(e)(1) Fine: \$100 Appearance REQUIRED

- (2) A Driver 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

- (3) If a customer's effort to pay by debit/credit card at the end of the trip is prevented not by the Taxicab's T-PEP system (or the

Street Hail Livery's LPEP 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:

- (i) Paying cash or
- (ii) Having the [Taxicab] Driver continue to a location where the wireless payment system can communicate with its network.

§54-17(e)(2)-(3) Fine: \$200 if plead guilty before a hearing; \$300 and/or suspension up to 30 days if found guilty following a hearing. Appearance NOT REQUIRED
Points: 1

(f) No Mark-up for Credit Payment. A Driver 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.

§54-17(f) Fine: Appearance REQUIRED

- First violation: \$200
Second violation: \$300
Third violation: \$500
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.

Section 27. Section 54-17(g)(2)(iii) and (iv) of Title 35 of the Rules of the City of New York are amended to read as follows:

(iii) 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 City Limits (See Chapter 58, §58-26(d)(2) for Taxicabs and Chapter 82, §82-26(d)(2) for Street Hail Liveries).

(iv) The Driver must tell the Passenger when the [Taxicab] Vehicle crosses the City limits so that the Passenger can check the reading on the Taximeter at that time.

Section 28. Section 54-17(g)(3)(iii) of Title 35 of the rules of the City of New York is amended to read as follows:

(iii) The rate of fare will be the amount shown on the Taximeter plus a surcharge of \$15 (See Chapter 58, §58-26(d)(3) for Taxicabs and Chapter 82, §82-26(d)(3) for Street Hail Liveries).

Section 29. Section 54-17(g)(4) of Title 35 of the Rules of the City of New York is amended to read as follows:

(4) For all out-of-City trips, the Driver must record the charges and the out-of-city destination on the written Trip Record, if T-PEP or LPEP is not working.

Section 30. Section 54-17(h) of Title 35 of the Rules of the City of New York is amended to read as follows:

MTA Tax. The MTA Tax must be charged on any trip in a Taxicab or in 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.

Section 31. Section 54-17 of Title 35 of the Rules of the City of New York is amended to add new subdivisions (i) and (j) to read as follows:

(i) A Driver of a Street Hail Livery in a Pre-Arranged Trip dispatched through the Vehicle's Base must not charge or attempt to charge a fare above the pre-approved rate quoted by the Base's dispatcher.

§54-17(i) Mandatory penalties as set forth in §54-02 Appearance NOT REQUIRED

(j) A Driver of a Street Hail Livery can participate in any Commission authorized Group Ride programs in the Hail Zone or in any Commission approved multiple passenger ride programs.

Section 32. Sections 54-18(a) and (b) of Title 35 of the Rules of the City of New York are amended to read as follows:

(a) Inspection Following Trips from Airports. Immediately after completing a trip to Kennedy, La Guardia or Newark Airports, the Driver must inspect the interior of the [Taxicab] Vehicle and the trunk compartment, if used, to ensure that Passengers have collected their property.

§54-18(a) Fine: \$25 Appearance NOT REQUIRED

(b) Handling of Lost Property.

- (i) Property found by a Driver in a Taxicab must be returned to the Passenger if possible; otherwise, it must be taken

without delay to the police precinct closest to where the Passenger was discharged.

(ii) Property found by a Driver in a Street Hail Livery must be returned to the Passenger if possible; otherwise it must be taken without delay to the Vehicle's Street Hail Livery Base.

§54-18(b) Fine: \$25-\$250 Appearance REQUIRED

Section 33. Section 54-19 of Title 35 of the Rules of the City of New York is amended to read as follows:

§54-19 Operations – Passenger Solicitation and Engagement

(a) Limits on Driver Solicitation of Passengers in Taxicabs.

(1) [A Driver must solicit Passengers only from the driver's seat of his or her Taxicab and only using the words "taxi" or "cab" or "Taxicab."]

[§54-19(a)(1) Fine: \$50 Appearance NOT REQUIRED] Points: 1

[(2)] A Driver of a Taxicab must not use a person, other than a dispatcher at an authorized Group Ride taxi line, or an Accessible Taxicab dispatcher, to solicit Passengers.

§54-19(a)(2)[1] Fine: \$50 Appearance NOT REQUIRED

[(3)] A Driver must not give false or misleading information to someone in an effort to convince him or her to hire the Taxicab by implying, for instance, that the trip will be shorter or cheaper than it will be. For example, the Driver must not give a false departure time for a train, bus or airplane in order to suggest that the Taxicab can get the Passenger to the terminal in time.]

[§54-19(a)(3) Fine: \$50-\$200 Appearance REQUIRED] Points: 3

[(4)] A Driver must not solicit Passengers within 100 feet of any bus stop. Drivers must not stop at bus stops unless hailed.]

[§54-19(a)(4) Fine: \$100 Appearance NOT REQUIRED] Points: 1

[(5)] (2) A Driver of a Taxicab must not pick up additional Passengers during a trip except at the Passenger's request.

§54-19(a)(5)[2] Fine: \$100 Appearance NOT REQUIRED

[(6)] (3) A Driver of a Taxicab must not suggest to a current Passenger that an additional person be accepted as a Passenger.

§54-19(a)(6)[3] Fine: \$50 Appearance NOT REQUIRED

[(7)] (4) A Driver of a Taxicab must not solicit or cruise for the purpose of soliciting Passengers:

- (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
- (v) When driving a Street Hail Livery, in the Hail Exclusionary Zone

§54-19(a)(7)[4] Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing. Appearance NOT REQUIRED Points: 1

[(8)] (5) A Driver of a Taxicab who has illuminated the "Off Duty" light 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)".
- (iii) The Passenger's destination is directly on the route to the Driver's home or garage.
- (iv) When the last passenger is discharged, the Driver must lock the doors and return to his garage or home.

§54-19(a)(8)[5] Fine: \$75 Appearance NOT REQUIRED Points: 1

(b) Limits on Driver Solicitation in Street Hail Liveries.

(1) Exclusionary Zone:

(i). A Driver of a Street Hail Livery must not solicit Passengers in the Hail Exclusionary Zone from the Vehicle.

§54-19(b)(1)(i) Fine: \$500 for the first violation; Appearance

§750 for the second violation in 24 months; Revocation for third violation in 120 months

(ii). A Driver of a Street Hail Livery must not accept a Pre-Arranged Trip beginning in the Hail Exclusionary Zone.

§54-19(b)(1)(ii) Fine: \$500 Appearance REQUIRED

(2) Hail Zone

(i) Inside the Hail Zone, a Driver of a Street Hail Livery can solicit passengers from the driver's seat of his or her Street Hail Livery.

(ii) Inside the Hail Zone, a Driver of a Street Hail Livery can also accept a Pre-Arranged Trip through the Base with which the Street Hail Livery is affiliated

(iii) A Driver of a Street Hail Livery must not use a person, other than a dispatcher at an authorized Group Ride taxi line, or a Street Hail Livery Base, to solicit Passengers.

§54-19(b)(2) Fine: \$50 Appearance NOT REQUIRED

(3) 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 returning the Street Hail Livery to his or her Base 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.

(iii) The Passenger's destination is directly on the route to the Driver's home or garage.

(iv) When the last passenger is discharged, the Driver must lock the doors and return to his garage or home.

(v) The Driver is in the Hail Zone.

§54-19(b)(3) Fine: \$75 Appearance NOT REQUIRED Points: 1

[(b)] (c) Taxi Stands.

(1)

(i) A Driver of a Taxicab has the right to take a position at any Taxi Stand having a vacancy, and no other Taxicab Driver may interfere with that right.

(ii) 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.

§54-19(c)(1) Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing. Appearance NOT REQUIRED

(2) A Driver must not occupy a Taxi Stand in order to repair his or her [Taxicab] Vehicle, except for minor emergency repairs.

§54-19(c)(2) Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing. Appearance NOT REQUIRED

(3) A Driver must not overcrowd, crash into or back into a front position on a Taxi Stand; a Driver must take the rear position on the line formed at such a stand, unless it is a relief stand that has a vacancy.

§54-19(c)(3) Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing. Appearance NOT REQUIRED

(4) 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.

§54-19(c)(4) Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing. Appearance NOT REQUIRED

(5) The Drivers of each of the first two [Taxicabs] 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 [Taxicab] Vehicle unless he or she is off duty [and the required "Off Duty" light or "Relief Time" sign is visibly displayed].

§54-19(c)(5) Fine: \$100 if plead guilty before a Appearance NOT

hearing; \$150 if found guilty following a hearing. REQUIRED

(6) Except where expressly forbidden, a Taxicab or Street Hail Livery 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 [Taxicab] or her Vehicle, ready for operation at all times.

§54-19(c)(6) Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing. Appearance NOT REQUIRED

[(c)] (d) 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 [Taxicab] 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.

§54-19(d)(2) Fine: \$50 Appearance NOT REQUIRED

(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 in the Short Haul line must not accept a Passenger for a Long Haul

(ii) A Driver in the Long Haul line must not accept a Passenger for a Short Haul.

§54-19(d)(3) Fine: \$100 Appearance NOT REQUIRED

Section 34. Section 54-20(a)(2) of Title 35 of the Rules of the City of New York is amended to read as follows:

(2) Attendant for Disabled Passengers. 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 Taxicab Driver (or, as applicable, the For-Hire Vehicle Driver or the Paratransit Driver when driving a Street Hail Livery) must not impose or attempt to impose any additional charge for transporting the attendant.

§54-20(a)(2) MaatoMandatory penalties as set forth in §54-02) Appearance NOT REQUIRED

Section 35. Section 54-20(a)(4) of Title 35 of the Rules of the City of New York is amended to read as follows:

(4) 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.

Section 36. Section 54-20(b) of Title 35 of the Rules of the City of New York is amended to read as follows:

(b) Justifications for Refusing Passenger. The following are permitted reasons for refusing to transport:

(1) Another Passenger is already seated in the [Taxicab] 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 [Taxicab] Vehicle. (CAUTION: This does NOT include wheelchairs, crutches, a service animal or other mobility aid used by disabled Passengers. Mobility aids must be accepted.)

(4) The Driver is discharging his last Passenger or Passengers prior to going off duty, and has already:

(i) Illuminated his "Off Duty" light if driving a Taxicab, or entered the off duty button on the taximeter if driving a Street Hail Livery, and

(ii) Transmitted or entered the appropriate data.

(5) The Driver is ending his or her work shift, and has already:

(i) Illuminated the "Off Duty" sign if driving a Taxicab, or entered the off duty button on the taximeter if driving a Street Hail Livery,

- (ii) Locked both rear doors, and
- (iii) Transmitted or entered the appropriate data.
- (6) The Driver must take the Taxicab or Street Hail Livery out of service for required repairs to T-PEP or LPEP, and has already:
 - (i) Illuminated the "Off Duty" light sign [or properly placed the Relief Time sign in the [Taxicab] (or entered the off duty button on the taximeter in a Street Hail Livery),
 - (ii) Locked both rear doors, and
 - (iii) Transmitted or entered the appropriate data.
- (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 [Taxicab] 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) A Passenger asks a Driver on the airport Long Haul line for a Short Haul trip and there are Taxicabs available in the Short Haul line.
- (11) A Passenger asks a Driver in the airport Short Haul line for a Long Haul trip and there are Taxicabs available in the Long Haul line.
- (12) If a Passenger is smoking and has refused the Driver's request to stop, 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 Taxicab.)
- (13) The Vehicle is a Street Hail Livery and the Passenger is in the Hail Exclusionary Zone.
- (14) The Vehicle is a Street Hail Livery and the Driver has accepted a dispatch call for a Pre-Arranged Trip from the Street Hail Livery Base with which the Vehicle is affiliated.

Section 37. Section 54-22 of Title 35 of the Rules of the City of New York is amended to read as follows:

§54-22 Vehicle – Operation and Condition

- (a) *3-Minute Idle.* Drivers must comply with the Air Pollution Control Code of NYC, including the provision that the Driver must not cause or permit the engine of the [Taxicab] Vehicle to idle for longer than three minutes.
 §54-22(a) Fine: \$25 Appearance NOT REQUIRED
- (b) *Inspection by Driver of Vehicle Condition.* A Driver must not operate a Taxicab or Street Hail Livery without continuing personal inspection and reasonable determination that all equipment, including brakes, tires, lights, signals and Passenger seatbelts and shoulder belts are in good working order.
 §54-22(b) Fine: \$50 if plead guilty before a hearing; \$75 if found guilty following a hearing. Appearance NOT REQUIRED
- (c) *RESERVED.* (No On-street Maintenance other than Emergency.)
- (d) *Clean Interior.* During his or her work shift, a Driver must keep the [Taxicab's] Vehicle's interior clean.
 §54-22(d) Fine: \$50 Appearance NOT REQUIRED
- (e) *Exterior Clean and Identification Visible.* During his or her work shift, a Driver must keep the Medallion number or Street Hail Livery number on the front and rear of the roof light clean and unobstructed so that it can be seen at all times.
 §54-22(e) Fine: \$50 Appearance NOT REQUIRED
- (f) *No Unauthorized Equipment.* A Driver must not operate a Taxicab or Street Hail Livery that uses or has installed any equipment or mechanical devices not specifically listed in these rules, unless authorized in writing by the Commission. *Note: A Street Hail Livery is permitted to have the dispatch equipment required by its Street Hail Livery Base.*
 §54-22(f) Fine: \$50-\$350 and/or suspension up to 30 days Appearance REQUIRED Points: 1
- (g) *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.
 §54-22(g) Fine: \$25 Appearance NOT REQUIRED

- (h) *Operation of Roof lights and Taximeters.*
 - (1) While on duty, a Driver must not operate a Taxicab unless:
 - [(1)](i) The roof light is lit when the Taximeter is not in use, and
 - [(2)](ii) The roof light is off when the Taximeter is in use.
 - (2) While on Duty, a Driver must not operate a Street Hail Livery unless:
 - (i) The roof light is lit when the Taximeter is not in use;
 - (ii) The roof light is off when the Taximeter is in use; or
 - (iii) The roof light is off when the Street Hail Livery is traveling to pick up a Passenger for a Pre-Arranged Trip or has a Passenger in the Vehicle who is on a Pre-Arranged Trip or the Driver is off duty.

§54-22(h) Fine: \$50-\$250 and/or suspension up to 30 days Appearance NOT REQUIRED Points: 1

Section 38. Section 54-23 of Title 35 of the Rules of the City of New York is amended to read as follows:

§54-23 Vehicle – Items Required to be in the Vehicle.

- (a) *Items Required in [Taxicab] Vehicle.* A Driver must not operate a Taxicab or Street Hail Livery unless the [Taxicab] Vehicle is equipped or provided with the following:
 - (1)
 - (i) The Taxicab Technology System (T-PEP) (or a written Trip Record, when required and permitted) if the Vehicle is a Taxicab.
 - (ii) The Street Hail Livery Technology System (LPEP) (or a written Trip Record, when required and permitted) if the Vehicle is a Street Hail Livery.
- (b) *Clear View for Passengers.*
 - (1) A Driver must not block a Passenger's view of the Taximeter, his or her Driver's License, the Rate Card, or the Passenger Information Monitor of the T-PEP System, and, in a Taxicab, must not block in any way a Passenger's access to the medallion number on the Taxicab Identification Raised Lettering Plaque or the Taxicab Identification Braille Plaque, and, in a Street Hail Livery, must not block in any way a Passenger's access to the Street Hail Livery License number.

§54-23(a)(1) Fine: \$150 if plead guilty before a hearing; \$200 if found guilty following a hearing. Appearance NOT REQUIRED

(2) The Taxicab Driver's License in the appropriate frame (or, as applicable, the For-Hire Driver's License or Paratransit License if the vehicle is a Street Hail Livery being operated by a For-Hire Driver or Paratransit Driver).

§54-23(a)(2) Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing. Appearance NOT REQUIRED Points: 2

(3) The Rate Card assigned to the Taxicab or Street Hail Livery, beside the frame containing the Taxicab Driver's License.

§54-23(a)(3) Fine: \$50 if plead guilty before a hearing; \$100 if found guilty following a hearing. Appearance NOT REQUIRED Points: 1

(4) A New York City five (5) borough indexed street map or geographic position system device.

§54-23(a)(4) Fine: \$25 if plead guilty before a hearing; \$50 if found guilty following a hearing. Appearance NOT REQUIRED

(5) Receipts for Passengers.

§54-23(a)(5) Fine: \$25 if plead guilty before a hearing; \$50 if found guilty following a hearing. Appearance NOT REQUIRED

(6) In a Street Hail Livery, the Street Hail Livery License.

§54-23(a)(6) Fine: \$50 if plead guilty before a hearing; \$100 if found guilty following a hearing. Appearance NOT REQUIRED Points: 1

- (b) *Clear View for Passengers.*
 - (1) A Driver must not block a Passenger's view of the Taximeter, his or her Driver's License, the Rate Card, or the Passenger Information Monitor of the T-PEP System, and, in a Taxicab, must not block in any way a Passenger's access to the medallion number on the Taxicab Identification Raised Lettering Plaque or the Taxicab Identification Braille Plaque, and, in a Street Hail Livery, must not block in any way a Passenger's access to the Street Hail Livery License number.
- (2) A Driver must not operate a Taxicab or Street Hail Livery after sunset unless the face of the Taximeter, his or her Driver's

§54-23(b)(1) Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing. Appearance NOT REQUIRED

(2) A Driver must not operate a Taxicab or Street Hail Livery after sunset unless the face of the Taximeter, his or her 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.
 §54-23(b)(2) Fine: \$25 for violation of each subdivision. No fine for multiple violations in one incident will exceed \$50. Appearance NOT REQUIRED

Section 39. Section 54-24 of Title 35 of the Rules of the City of New York is amended to read as follows:

§54-24 Vehicle – Trip Records.

- (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 Trip Data as defined in Section 51-03 of these rules will constitute the Trip Record for a Street Hail Livery) and must include, for a Taxicab, the following information:
 - (1) The Taxicab Medallion number
 - (2) The Taxicab Driver's License number
 - (3) The location where each Passenger(s) was picked up
 - (4) The time each Passenger(s) was picked up
 - (5) The number of Passengers
 - (6) The location where each Passenger(s) was dropped off
 - (7) The time each Passenger was dropped off
 - (8) The total trip mileage
 - (9) The itemized metered fare for the trip (fare, tolls, surcharge, and tip, if paid by credit or debit card)
 - (10) Method of payment
 - (11) The Taximeter readings
 - (12) The concluding time of Driver's work shift
 - (13) Any toll bridges or tunnels used by the Driver, whether or not with a Passenger
 - (14) The trip number
 - (15) All other entries required by these rules
 - (16) Street Hail Liveries must record Trip Data as specified in Chapter 83 of these rules.
- (b) *Electronic Trip Records - Taxicab Technology System (T-PEP) and Street Hail Livery Technology System (LPEP).*
 - (1)
 - (i) A Driver is required to log in and operate T-PEP in order to obtain the Trip Record data for each trip in a Taxicab.
 - (ii) A Driver is required to log in and operate LPEP in order to obtain the Trip Record data for each trip in a Street Hail Livery.
- (c) *Written Trip Records*
 - (1)
 - (i) If the T-PEP is inoperable, the Driver must keep written Trip Records if he or she operates the [Vehicle] Taxicab during the period of time the Taxicab is permitted to operate without a working T-PEP system. (See §54-25.)
 - (ii) If the LPEP is inoperable, the Driver must keep written Trip Records if he or she operates the Street Hail Livery during the period of time the Street Hail Livery is permitted to operate without a working LPEP system. (See §54-25.1)
 - (2) 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.

§54-24(a) Fine: \$15 per missing entry on an electronic or written trip record. The total penalty for violation of this rule will not exceed \$30 per electronic or written trip record. Appearance NOT REQUIRED

§54-24(b)(1) Fine: \$100-\$350 and/or suspension up to 30 days Appearance NOT REQUIRED

(2) If necessary, the Driver will transmit any corrections electronically, using T-PEP if driving a Taxicab or LPEP if driving a Street Hail Livery.

§54-24(b)(2) Fine: \$25 Appearance NOT REQUIRED

- (c) *Written Trip Records*
 - (1)
 - (i) If the T-PEP is inoperable, the Driver must keep written Trip Records if he or she operates the [Vehicle] Taxicab during the period of time the Taxicab is permitted to operate without a working T-PEP system. (See §54-25.)
 - (ii) If the LPEP is inoperable, the Driver must keep written Trip Records if he or she operates the Street Hail Livery during the period of time the Street Hail Livery is permitted to operate without a working LPEP system. (See §54-25.1)
 - (2) 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.
- (2) A Driver must not operate a Taxicab or Street Hail Livery after sunset unless the face of the Taximeter, his or her Driver's

§54-24(c)(1)-(2) Fine: \$100-\$350 and/or suspension up to 30 days Appearance NOT REQUIRED

(3) (i) Before beginning each work

shift in a Taxicab, a Driver must sign and certify on the Trip Record that the Taxicab and its equipment are in good working condition, and that the items required in the Taxicab are present. (*Exception to Certification: If the Taxicab Technology System is not in operation, the certification must note that the Taxicab equipment is in good working order except for the Taxicab Technology System.*)

(ii) Before beginning each work shift in a Street Hail Livery, a Driver must sign and certify on the Trip Record that the Street Hail Livery and its equipment are in good working condition, and that the items required in the Street Hail Livery are present. (*Exception to Certification: If the LPEP is not in operation, the certification must note that the Street Hail Livery equipment is in good working order except for LPEP.*)

§54-24 (c)(3) Fine: Failure to comply with 10-day notice to correct: \$200 and suspension until compliance. Appearance REQUIRED

(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.

§54-24(c)(4) Fine: \$25 Appearance NOT REQUIRED

(5) A Driver must not rewrite a written Trip Record either in whole or in part, unless authorized by the Commission.

§54-24(c)(5) Fine: \$250 Appearance NOT REQUIRED

Section 40. The heading of section 54-25 of Title 35 of the Rules of the City of New York is amended to read as follows:

§54-25 Vehicle Equipment - Taxicab Technology System (Electronic Trip Record System) for Taxicabs.

Section 41. Title 35 of the Rules of the City of New York is amended by adding a new section 54-25.1, to read as follows:

§54-25.1 Vehicle Equipment - Street Hail Livery Technology System (Electronic Trip Record System) for Street Hail Liveries.

(a) Good Working Order. LPEP equipment must be in good working order and each of the five core services must function at all times in a Driver's Street Hail Livery.

§54-25.1(a) Fine: \$250 and suspension until compliance Appearance REQUIRED

(b) LPEP System(s) Malfunction. In the event the Street Hail Livery Technology System malfunctions or fails to operate:

(1) The Driver must file an incident report with the authorized 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.

(2) If the Street Hail Livery Licensee or Street Hail Livery Base previously filed a timely incident report of the LPEP failure, the Driver will not be required to file a separate incident report. The Driver must get the incident report number from the Street Hail Livery Base or Licensee.

§54-25.1(b)(1)-(2) Fine: \$250 and suspension until compliance Appearance REQUIRED

(3) A Driver is not permitted to operate a Street Hail Livery in which any of the five Core Services of LPEP are inoperative for more than 48 hours following the timely filing of an incident report.

§54-25.1(b)(3) Fine: \$250 and suspension until compliance Appearance REQUIRED

(c) Unauthorized Devices or Repairs.

(1) A Driver must not connect any unauthorized device to the LPEP.

(2) The Driver must not tamper with, repair or attempt to repair the LPEP seals, cable connections or electrical wiring.

(3) The Driver must not make any change in the Street Hail Livery's mechanism or its

tires which would affect the operation of the LPEP system.

§54-25.1(c) Fine: \$50-\$350 and/or suspension up to 30 days Appearance REQUIRED Points: 3

(4) It will be an affirmative defense to a violation of this provision, §54-25.1(c) that the Driver:

(i) Did not know of or participate in the alleged LPEP tampering, and

(ii) Exercised due diligence to ensure that LPEP tampering did not occur.

(d) Passenger Information Monitor (PIM) Malfunction. If the Street Hail Livery has a PIM and the PIM is not operational and can be made operational by the Driver, the Driver must do so.

§54-25.1(d) Fine: \$100 Appearance NOT REQUIRED

Section 42. Section 54-26 of Title 35 of the Rules of the City of New York is amended to read as follows:

§54-26 Vehicle Equipment - Taximeters

(a) Taximeter Condition.

(1) Defective Condition. A Driver must not pick up or transport a Passenger when the Taximeter in his or her Taxicab or Street Hail Livery is defective.

§54-26(a)(1) Fine: \$50-\$350 and/or suspension up to 30 days Appearance REQUIRED Points: 1

(2) Repair and Replacement. A defective Taximeter must be repaired or replaced at a licensed Taximeter shop. A Taximeter must only be replaced with a Taximeter that has been inspected, sealed and approved within the preceding 12 months.

§54-26(a)(2) Fine: \$50-\$350 and/or suspension up to 30 days Appearance REQUIRED Points: 1

(3) 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 and pressed by the Commission or its authorized designee. The serial number of the Taximeter must be the same as that shown on the rate card assigned to the [Taxicab] Vehicle.

§54-26(a)(3) Fine: \$100 Appearance NOT REQUIRED Points: 2

(4) Receipt Paper. A Driver must not pick up or transport a Passenger unless the Taximeter is properly equipped with paper for printing receipts.

§54-26(a)(4) Fine: \$25 Appearance NOT REQUIRED

(b) Taximeter Operation.

(1) Setting Taximeter to Record. As soon as a Passenger enters the [Taxicab] Vehicle, 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.

§54-26(b)(1) Fine: \$200 Appearance NOT REQUIRED Points: 1

(2) Entering Passenger with a Disability.

(i) If the Passenger is a Person with a Disability, the Taxicab 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 [Taxicab] Vehicle or while assisting with that Passenger's mobility aid.

§54-26(b)(2)(i) Fine: \$100 Appearance NOT REQUIRED Points: 1

(3) Exiting Passenger with a Disability. If the Passenger is an individual with a disability who requires assistance to exit the [Taxicab] 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 [cab] Vehicle.

§54-26(b)(3) Fine: \$50 Appearance NOT REQUIRED

(4) Non-Paying Passenger. If the Passenger is not being charged a fare, the Driver must not activate the meter, but must:

(i) Illuminate the "Off Duty" light in a Taxicab or, in a Street Hail Livery, not indicate that the Vehicle is available to accept a passenger.

(ii) Transmit (or manually add to the written Trip Record) that he or she is off duty and transporting a non-paying Passenger and details of the time and distance of the free fare.

(iii) Include the reason the Passenger is not being charged.

§54-26(b)(4) Fine: \$25 Appearance NOT REQUIRED Points: 1

(5) 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 T-PEP 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.

§54-26(b)(5) Fine: \$100 Appearance NOT REQUIRED Points: 1

(6) 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.

§54-26(b)(6) Fine: \$50 Appearance NOT REQUIRED

(7) Re-setting the Taximeter. Immediately after the Passenger leaves the [Taxicab] 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 [Taxicab] Vehicle.

§54-26(b)(7) Fine: \$100 Appearance NOT REQUIRED Points: 1

(c) Taximeter Tampering.

(1) Seal Tampering.

(i) A Driver must not operate a Taxicab or Street Hail Livery if the official seals attached to it have been tampered with, broken or altered in any manner.

(ii) The Commission will assume that a Driver who operates a [Taxicab] Vehicle with a broken Taximeter seal knew of the tampering or alteration and deliberately operated the [Taxicab] Vehicle in violation of this Rule, and will take appropriate action against the Driver.

§54-26(c)(1) Fine: \$50-\$350 and/or suspension up to 30 days Appearance REQUIRED Points: 3

(2) Unauthorized Devices or Repairs.

(i) A Driver must not connect any unauthorized device to the Taximeter.

(ii) The Driver must not tamper with, repair or attempt to repair the Taximeter seals, cable connections or electrical wiring,

(iii) The Driver must not make any change in the [Taxicab's] Vehicle's mechanism or its tires which would affect the operation of the Taximeter system.

§54-26(c)(2)(i)-(iii) Fine: \$50-\$350 and/or suspension up to 30 days Appearance REQUIRED Points: 3

(iv) It will be an affirmative defense to a violation of this provision, §54-26(c)(2), that the Driver:

A. Did not know of or participate in the alleged Taximeter tampering, and

B. Exercised due diligence to ensure that Taximeter tampering did not occur.

(3) Roof Light and other Electrical Connections.

(i) 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.

(ii) 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 so that it is lighted only when the Taximeter is in an off or "Vacant"

position and unlighted when the Taximeter is in a recording or "Hired" position.

- (iii) The Commission will assume that a Driver who operates a [Taxicab] Vehicle with an unauthorized installation or device controlling interior or roof lighting knew of the unauthorized installation or device and deliberately operated the [Taxicab] Vehicle in violation of this Rule, and the Commission will take appropriate action against the Driver.

§54-26(c)(3) Fine: \$50-\$350 and/or suspension up to 30 days Appearance up to 30 days REQUIRED Points: 3

- (4) *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.

§54-26(c)(4) Fine: \$50-\$350 and/or suspension up to 30 days Appearance up to 30 days REQUIRED Points: 1

- (5) *Procedures for Terminating Use of [Taxicab] Vehicle with Defective Taximeter.* Upon terminating a trip because of a defective Taximeter, [or] T-PEP, or LPEP, the Driver must:
 - (i) Illuminate the "Off Duty" light in a Taxicab and enter the off duty button on the taximeter in a Street Hail Livery
 - (ii) Lock the rear doors
 - (iii) Transmit data that the Taximeter is defective (or enter on a written Trip Record, if T-PEP system is inoperative)
 - (iv) Return the [Taxicab] Vehicle immediately to the garage of record or a licensed Taximeter repair shop.

§54-26(c)(5) Fine: \$50 Appearance NOT REQUIRED

- (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 [Taxicab] Vehicle operated by the Driver.
- (2) A Taximeter seal in the [Taxicab] Vehicle operated by the Driver has been removed or tampered with.
- (3) unauthorized device that may affect the operation of a Taximeter has been connected to the Taximeter, seal, cable connection or electrical wiring of the [Taxicab] 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 [Taxicab] Vehicle operated by the Driver.

§54-26(d) Fine: \$500-\$1,500 and/or suspension up to 60 days or revocation Appearance up to 60 days or revocation REQUIRED

Section 43. Section 54-27(a) of Title 35 of the Rules of the City of New York is amended by adding a new paragraph (8), to read as follows:

(8) Authorized Drivers of Street Hail Liveries Licensed under other Chapters of these Rules.

Any points accumulated under this Chapter by a For-Hire Driver or a Paratransit Driver while operating a Street Hail Livery will count towards and be applied to the Driver's For-Hire Driver's License or Paratransit Driver's License as specified in

(i) Section 55-27(a) of these Rules if the Driver is a For-Hire Driver and

(ii) Section 56-13(b) of these Rules if the Driver is a Paratransit Driver, and the Driver may incur the penalties specified as a result.

Section 44. Section 54-27(b) of Title 35 of the Rules of the

City of New York is amended by adding a new paragraph (8), to read as follows:

(8) Authorized Drivers of Street Hail Liveries Licensed under other Chapters of these Rules.

(i) Any points accumulated under this Chapter by a For-Hire Driver while operating a Street Hail Livery will count towards and be applied to the Driver's For-Hire Driver's License as provided in Section 55-27(b) of these Rules, and the Driver may incur the penalties specified as a result.

(ii) Any points accumulated under this Chapter by a Paratransit Driver while operating a Street Hail Livery will count towards and be applied to the Driver's Paratransit Driver's License as provided in this subdivision as if the Paratransit Driver's License were a Taxicab Driver's License, and the Driver may incur the penalties specified as a result.

Section 45. Chapter 55 of Title 35 of the Rules of the City of New York is amended by adding a new section 55-28, to read as follows:

§55-28 Street Hail Liveries.

(a) The holder of a Valid For-Hire Driver's License on July 2, 2012 is authorized to drive a Street Hail Livery subject to all the requirements of this Section and Chapter 54 of these Rules.

(b) Livery Driver Authorization Period. The holder of a Valid For-Hire Driver's License on July 2, 2012 is authorized to drive a Street Hail Livery during the Livery Driver Authorization Period. The Livery Driver Authorization Period for any For-Hire Driver expires and cannot be renewed after the earlier to occur of

(i) surrender, revocation, or non-renewal of the For-Hire Driver's License, or

(ii) the expiration of the first renewal of the For-Hire Driver's License occurring after the Street Hail Livery License Initial Issuance Period begins, or

(iii) July 1, 2016.

(c) The holder of a Valid For-Hire Driver's License must comply with all requirements of Chapter 54 while operating a Street Hail Livery. A Driver operating a Street Hail Livery can be found liable for violating the requirements of Chapter 54.

(d) Special Penalty Programs.

Any points accumulated under Chapter 54 by a For-Hire Driver while operating a Street Hail Livery will count towards and be applied to the Driver's For-Hire Driver's License as specified in

(i) Section 55-27(a) of this Chapter if the points are Critical Driver program points assessed by the Department of Motor Vehicles or

(ii) Section 55-27(b) of this Chapter 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

Section 46. Chapter 56 of Title 35 of the Rules of the City of New York is amended by adding a new section 56-27, to read as follows:

§56-27 Accessible Street Hail Liveries.

(a) Authorization.

(1) A Paratransit Driver who holds a Valid Paratransit Driver's License is authorized to drive an Accessible Street Hail Livery.

(b) Must Comply with Chapter 54. 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 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.

(c) Special Penalty Programs.

Any points accumulated under Chapter 54 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

(i) Section 56-13(b) of this Chapter if the points are Critical Driver program points assessed by the Department of Motor Vehicles or

(ii) Section 54-27(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 of these Rules as if it were a Taxicab Driver's License.

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

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

RULE TITLE: Amendment of Driver Rules

REFERENCE NUMBER: TLC-19

RULEMAKING AGENCY: TLC

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 February 29, 2012
Mayor's Office of Operations Date

**NEW YORK CITY LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007
212-788-1087**

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

RULE TITLE: Amendment of Driver Rules

REFERENCE NUMBER: 2012 RG 015

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 Date: February 28, 2012
Acting Corporation Counsel

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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 change would amend the TLC's Rules to create rules for Street Hail Livery Service and Street Hail Livery Licensees.

When and where are the Hearings? The Commission will hold a public hearing, at which the public and interested parties are invited to submit comments and testimony on the proposed rules, at 9:00 A.M. on March 22, 2012. This hearing will be held in the Commission's public hearing room at 33 Beaver St., New York, NY on the 19th Floor.

The Commission will also hold a public hearing on the proposed rules as required by the City Administrative Procedures Act. The public and interested parties can also submit testimony at this hearing. The public hearing will take place at 9:00 A.M. on April 19, 2012. The hearing will be held at the Brooklyn Borough Hall, 209 Joralemon Street, Brooklyn, New York.

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 – 2nd Floor, New York, New York 10014.
- **Fax.** You can fax written comments to the Taxi and Limousine Commission, Office of Legal Affairs, at 212-676-1102.
- **Email.** You can email written comments to tlcrules@tlc.nyc.gov.
- **Website.** You can submit comments to the Taxi and Limousine Commission through the NYC rules Web site at www.nyc.gov/nycrules.
- **By Speaking at the Hearings.** Anyone who wants to comment on the proposed rule at the public hearings must sign up to speak. You can sign up before either hearing by calling 212-676-1135. You can also sign up in the hearing room before the session begins on March 22, 2012. You can also sign up at the hearing room before the public hearing begins on April 19, 2012. You can speak for up to three minutes.

Is there a deadline to submit written comments? Yes, you must submit written comments by April 9, 2012.

Do you need assistance to participate in the Hearings? You must tell the Office of Legal Affairs if you need a reasonable accommodation of a disability at the Hearing. You

must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at 212-676-1135. You must tell us by Thursday, March 15, 2012 for the March 22 session and by Thursday, April 12, 2012 for the April 19 public hearing.

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, together with the provisions of state legislative bills S5825 and A8496 signed into law on December 23, 2011 and the provisions of S6118-A and A8691-A signed into law on February 17, 2012, 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 Proposed Rule

On December 23, 2011 Governor Cuomo signed into law chapter 602 of the Laws of 2011, and on February 17, 2012, signed into law chapter 9 of the Laws of 2012, which amended the previous statute. This legislation allows New York City to issue up to 18,000 transferable licenses to for-hire vehicles authorizing them to pick up passengers by street hail anywhere outside Manhattan (except for the airports) and in Manhattan north of West 110th Street and north of East 96th Street. Up to 6,000 of these licenses for Street Hail Liveries can be issued in the first year of the program. Twenty percent of these licenses will be set aside for wheelchair accessible vehicles (City subsidies for accessible vehicle purchase/upgrades will be available).

These proposed rules will implement the state legislation, which outlines the characteristics of and the services that the new Street Hail Vehicles will provide to New York City residents and visitors. The state legislation and the proposed rules aim to improve access to safe, legal and convenient street hail service for the 6.7 million New York City residents who live outside of the neighborhoods where yellow taxi service is generally available.

The proposed rule changes are organized as follows:

1. Amendment to Definitions (Chapter 51) to incorporate Street Hail Liveries
2. Amendment to For-Hire Service (Chapter 59B) to outline requirements for base stations authorized to affiliate Street Hail Liveries
3. New chapter on Street Hail Livery Service outlining licensing, service and vehicle requirements
4. Amendments to Medallion Taxicab Drivers (Chapter 54) to incorporate requirements for drivers of Street Hail Liveries
5. New chapter on Technology Vendors creating a new licensee type for vendors of taxicab technology for Street Hail Liveries.

This statement first provides some background on existing street hail service availability and passenger demand for this service, and explains the rationale for the Street Hail Livery program. It then discusses the purpose of some of the more specific rules being proposed to implement the program.

Background: Brooklyn, the Bronx, Queens, Staten Island, & Northern Manhattan Lack Street Hail Service

Currently, yellow taxis with medallions issued by the TLC are the only vehicles authorized to pick up passengers by street hail anywhere in the city. However, according to recent GPS data collected by TLC, 95% of all yellow taxi street hail pickups are in Manhattan's Central Business District (CBD) and at La Guardia or JFK airports. The demand for street hail service in Northern Manhattan, Brooklyn, Bronx, Queens and Staten Island neighborhoods, where 80% of the City's population lives, but where yellow taxis choose not to go, is met (illegally) by livery vehicles, which are licensed to pick up passengers only by prearrangement. TLC staff who recently observed passengers hailing rides at various locations outside Manhattan counted 65 street hails per hour at Mermaid and Stillwell Avenues in Brooklyn, 39 per hour at Jamaica Avenue and Parsons Boulevard in Queens, and 19 per hour at Grand Concourse and 149th Street in the Bronx. All street-hails observed by TLC were picked up by livery vehicles.

The current licensing and street hail regulations mean that:

- Livery drivers who pick passengers up from the street by hail to meet the existing demand, but do so without notification from the base, are put in the position of routinely violating the law.
- Business districts outside of the Manhattan CBD are at a competitive disadvantage because their clients and customers do not have access to safe, legal and convenient street hail service for travel between meetings or home from shopping trips.
- Residents who use the street-hail service from liveries are not protected by nor benefit from key features of yellow taxicab service:
 - **Set Fares:** Fares, determined in a livery street-hail pickup by haggling between the driver and the passenger (who is often

uncomfortable with this arrangement), are not metered or otherwise regulated and leave passengers vulnerable to overcharging.

- **Safety and Security:** Licensed livery vehicles can be difficult for street hail passengers to distinguish from unlicensed vehicles. Many passengers seeking to hail a livery on the street are exposed, without their knowledge, to uninsured and possibly unsafe vehicles and to drivers with unknown safety records.
- **Convenience and Customer Service:** Most livery vehicles have no GPS locator, which can make it hard to help street-hail passengers recover lost property. Most livery vehicles do not offer passengers the convenience of paying by debit or credit card, an extremely popular feature among yellow taxi passengers.
- **Wheelchair Access:** Only a minute fraction of existing livery vehicles are accessible to wheelchair users. Although there are currently TLC rules in place that require the for-hire industry to provide service to wheelchair users, the service currently available is insufficient to meet wheelchair users' mobility needs.

Purpose of Proposed Rules

The legislation enacted in Albany, which these proposed rules implement, addresses the problems described above by authorizing the City to issue transferable Street Hail Livery licenses. Vehicles with these licenses will be permitted to pick up street hail passengers anywhere in Brooklyn, the Bronx, Staten Island, Northern Manhattan (north of W. 110th St. and north of E. 96th St.), and Queens (excluding airports). They can also pick up passengers by prearrangement anywhere except Manhattan south of W. 110th St. and E. 96th St. This will ensure that these new Street Hail Livery Vehicles serve the neighborhoods that are currently underserved by yellow taxis and protect yellow taxis from competition in the areas of the city they typically serve.

Vehicle Requirements. Street Hail Liveries will have a variety of features, as described in these rules, to make them safer and more convenient for passengers. These features include:

1. Meters calculating a uniform fare for street-hail trips (to provide predictability for passengers, build trust between drivers and passengers, and prevent price gouging)
2. Credit and debit card readers (to make it easier for passengers to pay their fares and reduce the amount of cash drivers carry)
3. GPS locators (to assist with locating lost property and to assist TLC enforcement with preventing Street Hail Liveries from making illegal pickups)
4. Distinguishing markings (a uniform color scheme, text markings, and roof light) so passengers know they are entering a legal car with a licensed driver

Accessibility. The Street Hail Livery program also expands transportation options for individuals who use wheelchairs. As per the state legislation, 20 percent of Street Hail Liveries will be required to be accessible to individuals who use wheelchairs. Individuals who purchase Street Hail Livery licenses that are part of this accessibility initiative will be eligible for a City subsidy to cover costs of upgrading their vehicles or purchasing new accessible vehicles. This will significantly expand access to both prearranged and hail service for wheelchair users, expanding these individuals' ability to travel around the city.

Driver Requirements. To ensure that Street Hail Livery drivers can safely and effectively operate a Street Hail Livery and provide excellent customer service, these proposed rules require that new Street Hail Livery drivers be licensed by the Commission and be either (1) existing licensed for-hire vehicle drivers, (2) existing licensed yellow taxi ("hack") drivers, or (3) existing licensed paratransit drivers (for accessible vehicles). Individuals who do not fall into any of the three categories above will be required to obtain a yellow taxi hack license to operate a Street Hail Livery.

Service Requirements. To ensure that the public receives good customer service in Street Hail Liveries, these rules outline the service Street Hail Livery drivers must provide. This includes many requirements that are found in the yellow taxi industry, such as rules surrounding service refusals, compliance with reasonable passenger requests, and rates charged.

Service Options. Street Hail Liveries will be permitted to provide both prearranged and street hail service. This gives drivers flexibility to adapt to fluctuations in customers' demand for each of these types of service (e.g., prearranged airport drop-offs in the early morning and street hail rides late-night). This enables drivers to maximize revenue earned and gives bases flexibility to respond to spikes and troughs in demand.

Enforcement. To protect yellow taxis in areas where they are the only vehicles authorized to pick up street hails, these rules clearly define the areas where Street Hail Liveries are not allowed to make pickups and the penalties for violating these rules. Vehicle requirements will include GPS technology that will enable TLC to detect and penalize Street Hail Liveries that make illegal pickups, putting violators' licenses in jeopardy.

Base Requirements. State legislation requires that each Street Hail Livery be affiliated with a base that is specially licensed to affiliate Street Hail Liveries. These proposed rules outline the process for bases to become licensed to affiliate a Street Hail Livery, along with these bases' responsibilities. These responsibilities include ensuring their Street Hail

Livery vehicles and drivers comply with TLC rules and transmitting the 50 cent MTA surcharge on each hail ride to the MTA.

Technology Vendor Requirements. State legislation authorizes the TLC to license vendors of credit card and customer enhancements technology to Street Hail Liveries. The TLC intends to regulate these vendors because it believes that licensure is preferable to the procurement and contract approach used in the taxicab industry. Under a regulatory approach, any vendor who can meet TLC requirements can apply for a license. This will maintain vendor competition and allow the TLC to create and enforce consistent service standards for all licensees. In addition, the TLC believes that a regulatory approach will enable it to revisit and revise standards as technology and other factors advance. Accordingly, the TLC believes that the competition permitted by a regulatory approach is key to both keeping prices affordable and improving service quality. Allowing multiple taxicab technology vendors to develop and provide taxicab technology is important for fostering innovation and giving the for-hire industries choices. Moreover, the TLC believes that the benefits of competition in the for-hire industries may ultimately feed into the taxi industry by permitting advances in technology that may benefit passengers in all the industries the TLC regulates. In order to maintain the ability for multiple vendors to provide taxicab technology—while maintaining TLC oversight and quality control—these proposed rules outline the process and standards for becoming a TLC-licensed technology vendor.

In addition to providing a service to the public, the Street Hail Livery program provides opportunities for the industries TLC regulates:

- Livery drivers and bases that choose to enter the Street Hail Livery business (which is completely optional for both vehicle owners and bases) will expand the ways in which they may legally serve the communities they have been serving for years by providing not only high-quality prearranged service, but also safe, convenient and legal street hail service.
- The street hail business that already exists in many neighborhoods outside the Manhattan CBD will be brought out of the shadows, bringing legitimacy and pride to those providing this service.
- Income-generating opportunities for drivers will increase as more customers will be enticed to take advantage of the predictability and quality of this new street hail service.

Proposed Rule Governing Street Hail Livery Vehicle Service

The proposed new chapter, *Street Hail Livery Service*, sets forth requirements that will ensure the public receives good customer service in Street Hail Liveries. State legislation permits for-hire drivers and for-hire vehicle owners in good standing to obtain Street Hail Livery Licenses and allows TLC to designate qualified applicants for Accessible Street Hail Licenses that remain unissued three months after first issuance. The Vehicle Service Chapter outlines the duties and responsibilities of the holders of Street Hail Livery Licenses. Specifically, the proposed rules provide the following:

- General Street Hail Livery License ("License") qualifications, including:
 - No one may own more than one License, although someone may own up to 5 Accessible Street Hail Licenses;
 - 20 percent of all Licenses must be used with vehicles accessible to persons in wheelchairs
- Term of License, License fees and rules governing transfer of Licenses, including:
 - Up to 6,000 licenses issuable each year for the first three years;
 - Priority will be given to current For-Hire Vehicle Driver and Vehicle Licensees during the initial three year issuance period
- Activities Licensees are prohibited from engaging in:
 - Street hail service can be provided only outside the "yellow zone." That means, street hail service is NOT permitted at airports or in Manhattan south of West 110th Street and south of East 96th Street.
 - Pre-Arranged service by a street hail livery can be provided for trips beginning outside Manhattan and in Manhattan north of West 110th Street and north of East 96th Street and also for trips beginning at the airports. Pre-Arranged service is NOT permitted for trips beginning in Manhattan south of West 110th Street and south of East 96th Street.
 - These restrictions do not affect the ability of validly licensed for-hire vehicles to operate by pre-arrangement, or of paratransit vehicles to provide paratransit service.
- Other Licensee requirements addressed in this Chapter:
 - Licensee insurance requirements
 - Method of Operating a Street Hail Livery
 - Data collection and other reporting requirements
 - Rates of fare for Street Hail Liveries
 - Inspection requirements
 - Requirement for vehicles to be painted a designated color, and to have certain

- o uniform markings
- o Requirements for vehicle condition, required equipment (including roof light, credit card processing equipment, and meter) and certain restrictions on advertisements and markings
- o Authorization for Licensees to obtain roof top advertising and approval for advertising devices
- o Hack up requirements.

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 1. Section 59A-01 of Title 35 of the Rules of the City of New York is amended to add subdivision (c) to read as follows:

(c) Except as otherwise provided, this chapter does not apply to For-Hire Vehicles that are Street Hail Liveries. The requirements for Street Hail Livery service are provided in Chapter 82 of these Rules.

§ 2: Title 35 of the Rules of the City of New York is amended to add a new Chapter 82 to read as follows:

Chapter 82- Street Hail Livery Service Subchapter A

§82-01 Subchapter A: Scope of this Subchapter

- (a) To establish the procedures and requirements for obtaining a Street Hail Livery License
- (b) To establish the rules and regulations for operating a Street Hail Livery
- (c) To establish the penalties for violating the Rules

§82-02 Penalties

- (a) Unlicensed Activity.
 - (1) Unlicensed Activity is the act of providing or advertising the provision of any Commission-regulated for hire transportation service by:
 - (i) Any Licensee whose License is suspended, revoked, or expired and not yet renewed, or
 - (ii) Any person who does not hold a Valid License or Authorization from the Commission as a for hire driver, for the for hire vehicle, or for the for hire service, as applicable.
 - (2) Unlicensed Activity specifically includes the activities listed in §19-506 and §19-528 of the Administrative Code, and can subject the violator to the seizure and possible forfeiture of the vehicle involved.
- (b) Specific Penalties. If there are specific penalties for violating a Rule, they are shown at the end of the Rule. The penalty section also states whether the violator must attend the Hearing.
- (c) Payment of Fines.
 - (1) Fines are due within 30 days of the day the Respondent is found guilty of the violation.
 - (2) If the Respondent files an appeal of the decision imposing the fines within 30 days of the date of the decision, the payment of the fines will be deferred until a decision on the appeal is made (see §68-14(d) of these Rules).
 - (3) If the Respondent requests a copy of the Hearing recording (see §68-14(e) of these Rules) within 7 calendar days of the hearing, the time for either filing an appeal or paying the fines will be the later to occur of either 30 days from the date of the decision or 21 days from the date the recording is issued.
 - (4) 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 ten 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) Suspension and Revocation.
 - (1) If a penalty in this Chapter specifies suspension or revocation, the suspension or revocation includes both the Street Hail Livery License plus the Vehicle's For-Hire or Paratransit Vehicle License.
 - (2) If a For-Hire or Paratransit Vehicle License for a vehicle used as a Street Hail Livery is suspended or revoked as a result

of the imposition of a penalty under another Chapter of these Rules, the suspension or revocation is also applicable to the Street Hail Livery License.

§82-03 Definitions Specific to this Chapter

- (a) Applicant in this chapter means the individual or Business Entity applying for an original or renewal Street Hail Livery License under this Chapter in whose name the License applied for will be issued.
- (b) Business Entity in this Chapter includes corporations, partnerships and limited liability companies.
- (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 or a Paratransit Driver who is driving an Accessible Street Hail Livery. During the Livery Driver Authorization Period, as defined in § 51-03 of these rules, a Driver can also be a For-Hire Driver when driving a Street Hail Livery. See Chapter 54 of these Rules for Driver requirements.
- (d) Flat Rate is a definite dollar amount that will be charged to a Street Hail Livery passenger for a specific trip, and is fixed before the trip begins (NOTE: “double the Taximeter” is not a Flat Rate).
- (e) License in this Chapter means a Street Hail Livery License.
- (f) Licensee in this Chapter means the holder of a Street Hail Livery License.
- (g) MTA Tax is the 50 cent tax on taxicab and certain Street Hail Livery trips imposed by Article 29-A of the NYS Tax Law.
- (h) Rooftop Advertising Fixture means a device that incorporates the functions of a Roof Light with an advertising display.
- (i) Rooftop Advertising Fixture Provider means the entity responsible for supplying the Rooftop Advertising Fixture to the Street Hail Livery Licensee and maintaining the advertising material.
- (j) Street Hail Livery Technology System or LPEP shall have the same meaning given such term in § 51-03 of these Rules.
- (k) Street Hail Livery Technology System Provider or LPEP Provider shall have the same meaning given such term in § 51-03 of these Rules.
- (l) Trip Data shall have the same meaning given such term in § 51-03 of these Rules.
- (m) Vehicle in this Chapter shall mean the Commission-licensed Vehicle in use with a Street Hail Livery License.
- (n) Wheelchair Passenger is a Passenger using a wheelchair.

§82-04 Licensing – General Requirements

- (a) Identification. An individual or all Business Entity Persons of a Business Entity applying for a Street Hail Livery License must provide to the Commission proof of identity in the form of:
 - (1) A Valid Government-issued photo ID and
 - (2) A Valid, original Social Security Card.
- (b) Age. An individual or all Business Entity Persons of a Business Entity applying for a Street Hail Livery License or its renewal must be at least 18 years of age.
- (c) Good Moral Character.
 - (1) An individual or all Business Entity Persons of a Business Entity applying for a Street Hail Livery License must be fingerprinted and must be of good moral character. Fingerprinting for the purpose of investigating good moral character is also required of the following, unless waived by the Chairperson in his or her discretion:
 - (i) Any new Business Entity Persons added by a Licensee.
 - (2) Applicant's criminal history will be considered in a manner consistent with the Correction Law of the State of New York.
- (d) Fit to Hold a License. An individual or Business Entity must demonstrate to the satisfaction of the Commission that the Applicant is Fit to Hold a Street Hail Livery License.
- (e) Drivers Designated as Agents to Accept Service.
 - (1) The Applicant must designate each and every Driver who operates the Applicant's Street Hail Livery as an agent to accept service of Commission notices to correct defects in the Street Hail Livery.
 - (2) Delivery of a notice of defect to a Driver will be adequate service of notice to the Licensee.

- (f) Liability Insurance. The Applicant must have liability insurance coverage by bond or policy as required by the State of New York and these Rules. See § 82-14 of this Chapter.
 - (g) 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, but is not limited to, 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 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.
 - (h) Address. An Applicant must give the Commission the Applicant's current Mailing Address and Email Address.
 - (i) Affiliation with only one Base A Street Hail Livery License and the Vehicle with which the License is used can affiliate with only one Base at a time and that Base must be a Validly licensed Street Hail Livery Base.
- #### **§82-05 Licensing – Issuance of Street Hail Livery Licenses**
- (a) Application for License. An Applicant for a Street Hail Livery License must file an application on the form specified by the Commission and provide all documentation required.
 - (b) Applicants must meet requirements of Licensure. Street Hail Livery Licenses will be issued only to Applicants who meet all requirements for Licensure contained in this Chapter, including the requirements for Licensure specified in subdivision (c) of this Section for the period of time specified in that subdivision.
 - (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 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 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 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 Driver's License in good standing.

§82-06 Licensing – Special Requirements

(a) Only One Street Hail Livery License.

- (1) No person or Business Entity may own or have an interest in more than one Street Hail Livery License.
- (2) Exception: A Person or Business Entity may own or have an interest in up to five Street Hail Livery Licenses restricted to accessible vehicles. No Licensee whose License is restricted to accessible vehicles may own or have an interest in more than five total Street Hail Livery Licenses and each of those must be an Accessible Street Hail Livery License. A Person or Business Entity which owns or has an interest in one or more Accessible Street Hail Livery License may not also have an interest in a Street Hail Livery License that is NOT an Accessible Street Hail Livery License.
- (3) No person or Business Entity that currently owns or has an interest in a Valid or suspended Street Hail Livery License may apply for another Street Hail Livery License, except as provided in paragraphs (1) and (2).
- (4) For purposes of this Rule, a person or Business Entity has an interest in a Street Hail Livery License if the person or Business Entity has an ownership or financial interest, including an interest pledged as security, in a Street Hail Livery License, or if the person or Business Entity has a fiduciary relationship with, an ownership interest in, or is otherwise a member of any other entity, including but not limited to a corporation, partnership, joint venture or association, that owns a Street Hail Livery License.
- (5) To determine if a Street Hail Livery License will be attributed to the Applicant or Licensee, the Commission will include any Street Hail Livery License held by any of the following:
 - (i) any Business Entity Persons of the Applicant or Licensee;
 - (ii) any Business Entity of which the Applicant or Licensee is a Business Entity Person; and
 - (iii) any Business Entity of which a Business Entity Person of Applicant or Licensee is also a Business Entity Person.

§82-05(a) Fine: Revocation Appearance REQUIRED

(b) Licensing – Vehicle Requirements.

- (1) Except as provided in paragraph (2) below, a Street Hail Livery License may only be used with a For-Hire Vehicle licensed by the Commission under Chapter 59A that meets all of the requirements set forth in Subchapter B of this Rule (Street Hail Livery Hack-Up).
- (2) A Street Hail Livery License that is restricted to use with an accessible vehicle may be used with a For-Hire Vehicle licensed by the Commission under Chapter 59A or with a Paratransit Vehicle licensed by the Commission under Chapter 60, provided that the vehicle meets all of the requirements for accessible vehicles set forth in Subchapter B of this Rule (Street Hail Livery Hack-Up), including § 82-50 (Standard Specifications for Accessible Street Hail Liveries).

(c) Licensing – Special Requirements for Business Entities.

- (1) Partnerships. If the Applicant is a partnership, it must file with its application a certified copy of the partnership certificate from the clerk of the county where the partnership's principal place of business is located.
- (2) Corporations.
 - (i) If the Applicant is a corporation it must file the following with its Street Hail Livery License application:
 - A. A certified copy of its certificate of incorporation;
 - B. A list of officers and shareholders; and

- C. A certified copy of the minutes of the meeting at which the current officers were elected.
- (ii) No corporate or trade name will be accepted by the Commission that is similar to a name already in use by another Licensee.
- (iii) All corporate officers and shareholders are subject to the same standards and criteria as individual Licensees.
- (iv) The Commission will only recognize corporate officers that have been approved by the Commission; this means that the Commission will not accept transactions pertaining to the License from persons not approved as officers.
- (v) It is a violation of these Rules for a corporate Licensee to appoint a new officer without the approval of the Commission.
- (vi) Temporary approval contingent on final approval can be permitted in cases where an officer has resigned or died and another individual must be able to continue the regular daily operation of the Licensee corporation.
- (vii) The standards and criteria for holding a Street Hail Livery License are equally applicable when the shares of a corporate Licensee are held by another Business Entity.

(3) Limited Liability Companies (LLCs).

- (i) If the Applicant is a limited liability company it must file the following with its Street Hail Livery License application:
 - A. A copy of its articles of organization;
 - B. A copy of its operating agreement; and
 - C. A list of the members, with the percentages of the Applicant owned by each.
- (ii) No LLC or trade name will be accepted by the Commission that is similar to a name already in use by another Licensee.
- (iii) All members of the Street Hail Livery License Applicant are subject to the same standards and criteria as individual Licensees.
- (iv) The Commission will only recognize members that have been approved by the Commission; this means that the Commission will not accept transactions pertaining to the License from persons not approved as members.
- (v) It is a violation of these Rules for a Licensee that is an LLC to add a new member without the approval of the Commission.
- (vi) The standards and criteria for holding a Street Hail Livery License are equally applicable when membership interests in a LLC Owner are held by another Business Entity.

(d) Licensing – Special Requirements Accessible Street Hail Liveries. Any Street Hail Livery License required to be used with an Accessible Street Hail Livery may only be used with a Commission-licensed Accessible Street Hail Livery and must continue to be used with an Accessible Street Hail Livery vehicle while the license is Valid. Any such License cannot be used with a vehicle that is NOT an Accessible Street Hail Livery.

§82-06(d) Fine: \$1000 and suspension until compliance; revocation may be ordered

§82-07 Licensing – Term of License

- (a) New License. The term of a new Street Hail Livery License is three years.
- (b) Renewal License. The term of a renewal License is three years.
- (c) When to File for Renewal.
 - (1) The right to renewal is automatic, upon payment of the renewal fee, provided that the Licensee is in good standing.
 - (2) 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.
 - (3) 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. The

late fee will be assessed in addition to any penalties that may be specified for a violation of this Rule.

- (4) The date of filing for an application filed by mail is the postmark date. The date of filing for an application filed in person is the date of submission.
- (5) 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. Additional penalties may be specified for a violation of this rule.
- (6) It is the Licensee's responsibility to obtain a renewal application in order to comply with the filing deadline.
- (7) Extension. The Commission may extend the expiration date of the License by up to an additional 31 days.

(d) Suspended Licenses.

- (1) If a License is suspended, the Licensee must apply for renewal as required in subdivision (c) above in order to renew the License. Failure to complete the renewal requirements will subject the Licensee to the penalties provided for in subdivision (c).
- (2) A License that is suspended is not Valid and cannot be used until the suspension ends, even if the Applicant has filed an application for a renewal.

(e) Advertising Licenses. A license to display exterior advertising runs for one year or less and each license will expire on the 31st day of August.

§82-08 Licensing – Fees

(a) Street Hail Livery License Fee.

- (1) The Street Hail Livery License fee is:
 - (i) \$1500 in the Initial Street Hail Livery License Issuance Period,
 - (ii) \$3000 in the Second Street Hail Livery License Issuance Period, and
 - (iii) \$4500 in the Third Street Hail Livery License Issuance Period.
- (2) The Street Hail Livery License will be valid for a three year term, prior to renewal.
- (3) The Street Hail Livery License fee must be paid with the application.

(b) Renewal Fee. (Reserved)

(c) Late Filing Fee. The Commission will charge an additional fee of \$25 for a late filing of a renewal application, if it allows the filing at all.

(d) When Fee is Paid. The fee for an original or renewal Street Hail Livery License must be paid at the time the application is filed.

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

(f) License Plate Replacement Fee. The Commission's fee for replacement of license plates issued by the New York State Department of Motor Vehicles will be \$25 per vehicle.

(g) Inspection Fee. The Commission's fee for a required Street Hail Livery Safety and Emissions inspection is \$90; this fee includes the certificate of inspection issued when the Street Hail Livery passes the inspection. Inspection fees must be prepaid with each application and renewal application. Note: Paratransit Vehicles licensed as Accessible Street Hail Liveries will be subject only to a visual inspection to assure that they are accessible and that the accessibility features are operating, and a meter test.

(h) Reinspection Fee. There is a reinspection fee only if reinspection is required because the Street Hail Livery failed the component of the inspection required by Section 301 of the New York State Vehicle and Traffic Law. In that case, the reinspection fee is thirty five dollars (\$35). If reinspection is required because the Street Hail Livery failed any other component of the inspection, there is no reinspection fee.

(i) Advertising Permit Fee. The fee for a Street Hail Livery Licensee to display exterior advertising is \$10 annually. If a license is surrendered in less than 6 months, one half of the fee will be refunded.

(j) Vehicle Transfer Fees

- (1) A Licensee can change the Street Hail Livery Vehicle's affiliation from one Base to a different Base after approval by the Chairperson and payment of a \$25 fee.
- (2) A Licensee can transfer a Street Hail Livery License from one vehicle to another after approval by the

public providing hail service, or as a "taxi," "Street Hail Livery," "Taxicab" or "hack" service.

§82-12(c) Fine: \$50-\$350 and/or suspension up to 30 days Appearance REQUIRED

(d) No Unregistered Vehicles.

(1) A Licensee must ensure that the Licensee's Street Hail Livery is operated only while the NYS registration of the vehicle remains Valid.

(2) Operating a vehicle without a Valid registration will be considered the same as operating without a Valid Street Hail Livery License.

§82-12(d) Fine: \$100-\$350 and/or suspension up to 30 days; Summary Suspension until compliance Appearance REQUIRED

(e) No Unlicensed Drivers.

(1) No Street Hail Livery may be operated for hire unless the Driver has in his or her possession a Valid Driver's License that authorizes the Driver to operate a Street Hail Livery.

(2) It will be a defense to a charge that a Driver is not authorized to operate a Street Hail Livery if the Driver is listed by the Commission on its Web Site as authorized to operate a Street Hail Livery.

§82-12(e)(1) Fine: \$400 and/or suspension up to 30 days Appearance REQUIRED
Penalty Points: 1

(3) Driver Must Have Valid Chauffeur's License.

(i) A Driver must not operate a Street Hail Livery without a Valid Chauffeur's License.

(ii) A Street Hail Livery Licensee is responsible for knowing the status of the state-issued driver's license for any Driver using a Vehicle with a Street Hail Livery License.

§82-12(e)(3) Fine: \$100 Appearance NOT REQUIRED
Penalty Points: 1

(f) Validity of License Requires Valid State Registration.

(1) A Street Hail Livery License will be Valid only while the NYS registration of the Vehicle remains Valid.

(2) A Street Hail Livery Licensee must immediately surrender the Street Hail Livery License to the Commission upon the expiration, restriction, suspension, or revocation of the Vehicle's NYS registration.

§82-12(f) Fine: \$400 and Summary Suspension until compliance. Appearance REQUIRED

(g) Affiliation with Licensed Base. A Street Hail Livery Licensee must not operate or allow another person to operate the Licensee's Street Hail Livery unless:

(1) It is affiliated with a Validly Licensed Street Hail Livery Base at all times

(2) The Street Hail Livery is being dispatched from its affiliated Base, unless the Street Hail Livery is being dispatched for a Pre-Arranged Trip and the Base dispatching the Street Hail Livery informs the customer that the Street Hail Livery is from another Base.

§82-12(g) Fine: \$400 Appearance NOT REQUIRED

§82-13 Compliance with Law - No Hail Service Inside Hail Exclusionary Zone

(a) Street Hail Livery Operation.

(1) A Street Hail Livery Licensee must ensure that the Driver of the Street Hail Livery accepts passengers by hail from the street only in the Hail Zone.

(2) A finding that a Driver of a Street Hail Livery accepted a passenger by hail in the Hail Exclusionary Zone will be evidence that a Street Hail Livery Licensee failed to make a good faith effort to deter the commission of that violation.

§82-13(a)(1)-(2) Fine: \$500 for the first violation; \$750 for the second violation in 24 months; Revocation for third violation in 120 months Appearance REQUIRED

(3) A Street Hail Livery Licensee must ensure that the Driver of the Street Hail Livery does not accept a Pre-Arranged Trip beginning in the Pre-Arranged Exclusionary Zone; a Driver can accept a Pre-Arranged Trip beginning at one of the New York City Airports. Paratransit service by a licensed Paratransit vehicle will not be considered a Pre-Arranged Trip for the purposes of this section.

§82-13(a)(3) Fine: \$500 Appearance REQUIRED

(4) Except as provided in this Rule, a Validly Licensed Street Hail Livery with a Validly Licensed Driver may provide

transportation by pre-arrangement through its affiliated Street Hail Livery Base throughout New York City, except for trips beginning in the Pre-Arranged Exclusionary Zone.

(5) A Street Hail Livery Licensee will be liable for the penalties provided for in this Chapter for any violation of this section.

§82-14 Compliance with Law - Insurance Coverage

(a) Maintain Insurance Coverage.

(1) Street Hail Livery Licensees must ensure that the Street Hail Livery is covered by liability insurance in the form of a bond or an insurance policy that fully complies with the New York State Vehicle and Traffic Law and the New York State Insurance Law.

(2) Licensees must maintain all other forms of insurance required by law.

§82-14(a) Fine: \$150-\$350 and/or suspension up to 30 days Appearance REQUIRED

(b) Submit Proof of Insurance. Every year in which a Licensee files an application to renew the License of one or more Street Hail Liveries, the Licensee must, at that time, provide the Commission with the name and address of the Licensee's insurance carrier and the policy number for the Licensee's Street Hail Livery, along with proof of coverage.

§82-14(b) Fine: \$100 Appearance REQUIRED

(c) Notification of Changes in Insurance Coverage. A Licensee must notify the Commission in writing within 7 business days of any of the following:

(1) Receipt of notice that Licensee's required liability insurance has been cancelled;

(2) A change of insurance carrier;

(3) A change in the policy number of Licensee's liability insurance.

§82-14(c) Fine: \$100 Appearance NOT REQUIRED

(d) Coverage Requirements.

(1) General Coverage. All Street Hail Livery Licensees must maintain liability coverage for the Street Hail Livery through an insurance policy or a bond in amounts not less than the following:

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

(ii) \$100,000 minimum liability and not less than \$300,000 maximum liability for bodily injury or death, as these terms are described and defined in § 370(1) of the Vehicle and Traffic Law.

§82-14(d)(1) Fine: \$350 and suspension until compliance Appearance NOT REQUIRED

(2) Coverage for Vehicles with Seating Capacity of Nine to Fifteen. Each Street Hail Livery Licensee with a seating capacity of at least 9 but not more than 15 Passengers must maintain coverage for each Vehicle owned in amounts not less than the following:

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

(ii) \$1,500,000 minimum liability for bodily injury or death, as those terms are described and defined in § 370(1) of the Vehicle and Traffic Law.

§82-14(d)(2) Fine: \$350 and suspension until compliance Appearance REQUIRED

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

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

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

§82-14(d)(3) Fine: \$350 and suspension until compliance Appearance REQUIRED

(e) Report of Accidents.

(1) Report to Insurance Carrier. Any accident 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

(2) Report to Commission.

(i) A Licensee must immediately report to the Commission in writing all accidents 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

(f) Surrender Rate Card and License upon Termination of Insurance. A Licensee must either:

(1) Surrender the Street Hail Livery's Rate Card, License and Decal(s) to the Commission on or before the termination date of the vehicle's insurance, or

(2) Submit proof of new insurance effective on the date of termination of the old policy.

§82-14(f) Fine: \$50 Appearance NOT REQUIRED

§82-15 Compliance With Laws - Workers' Compensation

(a) A Street Hail Livery Licensee must comply with the NYS Workers Compensation Law.

§82-16 Compliance with Law - Personal Conduct

(a) Bribery.

(1) Actual Bribery Attempt. A Licensee must not bribe or attempt to bribe or offer any gratuity whatsoever to any employee, representative or member of the Commission in return for favorable or preferential treatment.

§82-16(a)(1) Fine: Up to \$10,000 per Street Hail Livery implicated in the violation plus mandatory divestiture of Street Hail Livery License. Appearance REQUIRED

(2) Appearance of Bribery. An Applicant or Licensee must not offer or give any gift or gratuity or any other thing of value to any employee, representative or member of the Commission, or any public servant or dispatcher employed at a public transportation facility.

§82-16(a)(2) Fine: \$10,000 plus revocation Appearance: N/A

(3) 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 or dispatcher employed at a public transportation facility or authorized groupride taxi line.

§82-16(a)(3) Fine: \$1,000 and/or suspension up to 30 days or revocation. Appearance REQUIRED

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

§82-16(a)(4) Licensee Fine: \$250 - 1,000 Appearance REQUIRED

(5) Failure to Remove Cash. When the Street Hail Livery is in Licensee's possession, Licensee must remove all currency from a Street Hail Livery's interior prior to its inspection by any Commission personnel.

§82-16(a)(5) Fine: \$50 Appearance NOT REQUIRED

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

§82-16(b) Fine: \$350-\$1,000 and suspension up to 60- days or revocation Appearance REQUIRED

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

§82-16(c) Fine: \$150-\$350 and/or Suspension up to 30 days or revocation. Appearance REQUIRED

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

§82-16(d) Fine: \$150-\$350 and Suspension up to 30 days or revocation. Appearance REQUIRED

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

§82-16(e) Fine: \$350-\$1,000 and/or suspension up to 30 days or revocation Appearance REQUIRED

(f) Use or Threat of Physical Force. While performing the duties and responsibilities of a Licensee, the Licensee must not use any physical force against any person.

§82-16(f) Fine: \$500-\$1,500 and/or suspension up to 60 days or revocation Appearance REQUIRED

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

§82-16(g) Fine: \$500-1,500 and/or suspension up to 60 days or revocation Appearance REQUIRED

(h) Reporting of Criminal Conviction.

(1) A Street Hail Livery Licensee must immediately notify the Commission of any criminal conviction of the Licensee, individually or, if the Licensee is a Business Entity, of any Business Entity Person.

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

§82-16(h) Fine: \$50-\$250 Appearance REQUIRED

(i) Cooperate with Law Enforcement. A Licensee must cooperate with all law enforcement officers, authorized representatives of the Commission and the NYC Department of Investigation. Cooperation includes, but is not limited to, responding to a request for Licensee's name, License number, Rate Cards, Trip Records, and any other documents required to be maintained by the Street Hail Livery Licensee.

§82-16(i) Fine: \$50-\$350 Appearance REQUIRED

(j) Cooperate with the Commission

(1) A Licensee must promptly answer all questions and comply with all communications, directives and summonses from the Commission or its representatives and the NYC Department of Investigation or its representatives.

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

§82-16(j)(1)-(2) Fine: \$300 and Summary Suspension until compliance Appearance REQUIRED

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

§82-16(j)(3) Fine: \$500 Appearance NOT REQUIRED

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

§82-16(k) Fine: \$150 Appearance NOT REQUIRED

§82-17 Compliance with Law – Miscellaneous

(a) Compliance with Commission Rules and Regulations, Generally. The Licensee must comply with the Commission's Street Hail Livery specifications, the Marking Specifications for Street Hail Liveries, all pertinent provisions of the Administrative Code and other laws, rules or regulations governing Street Hail Livery Licensees.

§82-17(a) Fine: \$200 if plead guilty before a hearing; \$300 if found guilty following a hearing. Appearance NOT REQUIRED

(b) Alcohol and Drug Laws. A Street Hail Livery Licensee must not knowingly allow a Street Hail Livery to be operated by a Driver who is under the influence of any drugs or alcohol or whose driving ability is in any way impaired.

§82-17(b) Fine: \$10,000 and revocation Appearance REQUIRED

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

§82-17(c) Penalty: Suspension until satisfaction or payment Appearance NOT REQUIRED

(d) No False Statements.

(1) A Licensee must not file with the Commission any statement required under the Special Requirements for Business Entities provision, §82-06(c), that the Licensee knows or should know to be false, misleading, deceptive or materially incomplete.

§82-17(d)(1) Fine: Up to \$10,000 Appearance REQUIRED

(e) No Unlawful Purpose

(1) A Licensee must not use or permit any other person to use Licensee's Street Hail Livery, base or office of record for any unlawful purpose.

§82-17(e)(1) Fine: \$350 – 1,000 and/or suspension up to 30 days or revocation Appearance REQUIRED

(2) A Licensee must not conceal any evidence of a crime connected with Licensee's Street Hail Livery, base or office of record.

§82-17(e)(2) Fine: \$350 – 1,000 and/or suspension up to 30 days or revocation Appearance REQUIRED

(3) A Licensee must report immediately to the police any attempt to use Licensee's Street Hail Livery to commit a crime or to escape from the scene of a crime.

§82-17(e)(3) Fine: \$100 - \$350 and/or suspension up to 30 days Appearance REQUIRED

(f) No False Credentials

(1) A Licensee must not attempt to avoid inspection of a Licensed vehicle by using false credentials to disguise one vehicle as another or by any other means contrary to law or regulation of the Commission.

§82-17(f)(1) Fine: Up to \$10,000 per Street Hail Livery implicated in the violation, plus mandatory divestiture of Street Hail Livery License Appearance REQUIRED

(2) A Licensee must not operate or present for inspection a vehicle in which the Vehicle Identification Number has been loosened and reattached, or switched from another vehicle or otherwise altered in a manner not in compliance with Article 17 of the New York State Vehicle and Traffic Law.

§82-17(f)(2) Fine: Mandatory divestiture of Street Hail Livery License, plus a fine of up to \$10,000 per Street Hail Livery implicated in the violation Appearance REQUIRED

(3) A Licensee must not present documents to the Commission that falsely indicate compliance with liability insurance and/or Workers' Compensation insurance requirements.

§82-17(f)(3) Fine: Mandatory divestiture of Street Hail Livery License, plus a fine of up to \$10,000 per Street Hail Livery implicated in the violation Appearance REQUIRED

§82-18 Operations – Management Oversight

(a) Direct Licensee Operations. The Commission will hold the Licensee accountable for operation of the Street Hail Livery.

(b) Indirect Licensee Operations.

(1) The use of an employee or a Base will not relieve the Licensee of any obligation under these rules.

(2) A Licensee remains fully accountable for all violations of Commission rules, committed by any employee or Base in the operation of the Licensee's Street Hail Livery.

(c) Special Requirements for Licensee's Use of Affiliated Street Hail Livery Base.

(1) Affiliation With More Than One Base Prohibited. A Licensee may not affiliate

with or use more than one Base.

§82-18(c)(1) Fine: \$200 Appearance NOT REQUIRED

(2) Provisions of this Section Cannot be Waived by Contract.

(i) No contract or other agreement between a Street Hail Livery Licensee and a Base may include a provision intended to supersede or impair the effectiveness, in whole or in part, of the provisions of this Chapter.

(ii) No provision in a contract or other agreement between a Licensee and a Base that attempts to impair the effectiveness of this section will be enforceable.

§82-19 Operations – Service Requirements (Customers)

(a) No Required Ride-Sharing. A Street Hail Livery Licensee may not require that any prospective Passenger share a ride with another prospective Passenger.

§82-19(a) Fine: \$100 Appearance NOT REQUIRED

§82-20 Operations – Responsibilities with Respect to Drivers

(a) Wheelchair Passenger Assistance Training.

(1) Training Must be Approved by Commission. The holder of a Street Hail Livery License that has been designated for an Accessible Street Hail Livery must ensure that each Driver of such Accessible Street Hail Livery has attended a Commission-approved training course regarding Wheelchair Passenger assistance (NOTE: The requirements of this section do not apply to a Paratransit Driver who is driving an Accessible Street Hail Livery).

(2) Requirements of the Course. Wheelchair Passenger assistance training must be a minimum of three hours and must include the following:

(i) A review of all legal requirements that apply to transportation of Persons with Disabilities;

(ii) Passenger assistance techniques including a review of various disabilities, hands-on demonstrations, disability etiquette, mobility equipment training (including familiarity with lift/ramp operations and various types of wheelchairs), and safety procedures;

(iii) Training with an actual person using a wheelchair; and

(iv) Sensitivity awareness, including customer service and conflict resolution policies.

(3) Licensee Must Pay for Training. The Licensee is responsible for paying any fees required to train each of Licensee's Drivers.

(4) Licensee Responsibility. The holder of a Street Hail Livery License that has been designated for an Accessible Vehicle must ensure that the Licensee's Street Hail Livery is driven only by a Driver who has completed the Wheelchair Passenger assistance training provided for in this section.

§82-20(a) Fine: \$100 if plead guilty before a hearing; \$150 if found guilty following a hearing. Appearance NOT Required

§82-21 (Leasing a Street Hail Livery License or Street Hail Livery)

§82-22 Records – Trip Record Information

(a) Trip Record.

(1) Trip Data must be collected and stored electronically, through the use of the Street Hail Livery Technology System (LPEP). (Note: Nothing in this Chapter alters or replaces the trip data requirements imposed on Paratransit Vehicles under Chapter 60 of these Rules when a Paratransit Vehicle is providing Paratransit service under those Rules)

(2) If the LPEP is inoperable, a written Trip Record must be kept during the 48-hour period the Street Hail Livery is permitted to operate after timely notification of the malfunction. (See §82-42 of this Chapter)

(3) A written Trip Record, if required, must be kept until all information is entered into LPEP.

(4) Information from a written Trip Record must be entered into LPEP within seven days after the Trip Record is made.

(b) Written Trip Records. A written Trip Record must include the following information:

- (1) The Street Hail Livery License number
- (2) The Street Hail Livery Driver's License number
- (3) The location where each passenger is picked up
- (4) The time each passenger is picked up
- (5) The total number of passengers
- (6) The location where each passenger is dropped off
- (7) The time each passenger is dropped off
- (8) The total trip mileage
- (9) The itemized metered fare for the trip (fare, tolls, surcharge, and tip, if paid by credit or debit card)
- (10) Method of payment
- (11) The trip number
- (12) Whether the trip is a Hail Trip or a Pre-Arranged Trip
- (13) Other information required by the Commission
- (14) For a Pre-Arranged Trip, the following information is required:
 - (i) The time of dispatch.
 - (ii) If the dispatch was for a Pre-Arranged Trip to begin with an airport pickup.

(c) Access to Trip Record.

- (1) Trip Record information must be available to the Commission as specified in Chapter 83 if received by the Licensee, and to the Affiliated Base, and the Street Hail Livery Driver.
- (2) Trip Record information must be available at the end of each shift and/or contract term.
- (3) A Licensee must take possession of any written Trip Records weekly if available.

§82-22(c)(3) Fine: \$50 Appearance NOT REQUIRED

(d) Changes and Corrections.

- (1) A Licensee must not knowingly enter false information into the electronic data system for entry onto the electronic Trip Record.
- (2) A Licensee must not make erasures or obliterate information on a written Trip Record, or other record that Licensee is required to maintain.

§82-22(d)(2) Fine: \$50 Appearance NOT REQUIRED

- (3) If a wrong entry is made on any written Trip Record, the Driver, Base or Licensee must correct it and record the date, time, and reason for the change, so long as a record of the manually changed entry exists.

§82-22(d)(3) Fine: \$50 Appearance NOT REQUIRED

- (4) Except as provided in paragraph three of this subdivision, Trip Records may not be changed either in whole or in part, unless authorized by the Commission.

§82-22(d)(4) Fine: \$100 - \$350 and/or suspension up to 30 days Appearance NOT REQUIRED

§82-23 Records – Contact Information

(a) Mailing Addresses.

- (1) Each Licensee must designate a Mailing Address. This can be the address of the Affiliated Base but cannot be a post office box number.
- (2) Each Licensee must also designate an Email Address and must have a working Email Address at all times.
- (3) Any communication from the Commission is sufficient if sent to the Mailing Address furnished by the Licensee.
- (4) Any communication from the Commission, except notices and summonses for which the manner of service is specified in §68-05 of these rules, is sufficient if sent by email to the last Email Address provided by the Licensee.
- (5) Each individual Licensee must also file and maintain with the Commission the Licensee's personal address and a telephone

number where the Licensee can be reached directly.

- (6) Each Business Entity Licensee must also file and maintain with the Commission the personal addresses and telephone numbers of each of the Licensee's Business Entity Persons.

§82-23(a)(1)-(6) Fine: \$100 Appearance NOT REQUIRED

- (7) The Commission is not required to send any communication to the Licensee's personal address, except when notifying Licensee that the License of the Affiliated Base has been revoked. Other communications sent to the Licensee's personal address are at the discretion of the Commission.

- (8) A Licensee must report any change of Mailing Address or Email Address to the Commission in person or by registered or certified mail within ten days.

§82-23(a)(8) Fine: \$100 Appearance NOT REQUIRED

(b) Telephone Number and Immediate Access. A Licensee must maintain on file with the Commission a current telephone number connected to an answering machine or recording device, a pager number, an answering service telephone number, a voice mailbox, or a similar means of telephone contact, and an Email Address so that the Commission can reach the Licensee on a 24-hour basis.

§82-23(b) Fine: \$100 Appearance NOT REQUIRED

§82-24 Records – Maintenance Requirements

(a) All Licensees must maintain the following additional records for a period of three years:

- (1) Drivers' electronic and written trip records;
- (2) Receipts and disbursements from the Street Hail Livery operations;
- (3) Payments to Drivers;
- (4) Mileage records of each vehicle;
- (5) Workers' compensation insurance coverage, if any;
- (6) Liability insurance coverage;
- (7) Any other information required by the Commission.

§82-24(b)(1)-(7) Fine: \$50 for violation of each paragraph hereof Appearance NOT REQUIRED

(c) A Licensee must make available to a Driver any records that the Licensee is required to maintain, and any records the Driver may be required to present to the Commission or any other governmental agency. The Licensee may provide photocopies of such records to the driver.

§82-24(c) Fine: \$50 Appearance NOT REQUIRED

§82-25 Reporting Requirements

(a) Report Change in Status.

- (1) When a Licensee has a change of Mailing Address, Email Address, or a change in the office of record, the Licensee must personally appear at the Commission to report the changes within 10 days of such change (not including weekends and holidays).
- (2) The Licensee must bring the Rate Card for the Licensee's Street Hail Livery.

§82-25(a) Fine: \$100 Appearance NOT REQUIRED

(b) Lost, Stolen, or Damaged Taximeter. If a Taximeter is lost, stolen or damaged beyond repair, the Licensee must notify the Commission and the Police Department within 48 hours (not including weekends and holidays) of the loss, theft or destruction, and must provide any affidavit or information that the Commission requires.

§82-25(b) Fine: \$100 Appearance NOT REQUIRED

§82-26 Operations – Rates and Tolls

(a) Metered Rate of Fare When Accepting Passengers by Hail.

- (1) Metered Rate of Fare. The rate of fare for Street Hail Liveries for Passengers in Hail Trips is as follows, regardless of the number of passengers or stops:
 - (i) The charge for the initial unit is \$2.50
 - (ii) The charge for each additional unit is \$.40
 - (iii) The unit of fare is:
 - (A) One-fifth of a mile, when the Street Hail Livery is traveling at 12 miles an hour or more; or

- (B) 60 seconds (at a rate of \$.40 per minute), when the Street Hail Livery is traveling at less than 12 miles an hour.

- (iv) The Taximeter must combine fractional measures of distance and time in accruing a unit of fare. Any combination of distance or time specified in paragraph (iii) above must be computed by the Taximeter in accordance with Handbook 44 of the National Institute of Standards and Technology.

- (v) The fare must include pre-assessment of the unit currently being accrued; the amount due can therefore include a full unit charge for a final, fractional unit.

(2) Surcharges. In addition to the metered rate of fare, Street Hail Liveries will add the following surcharges for Hail Trips, except where surcharges are specifically exempted:

- (i) A rush hour surcharge of \$1.00 for all trips beginning on a weekday after 4:00 p.m. and before 8:00 p.m.; this surcharge will not be applied on legal holidays
- (ii) A nighttime surcharge of \$.50 for all trips beginning after 8:00 P.M. and before 6:00 A.M.

(3) MTA Tax. The MTA Tax must be charged on any Hail Trip that starts in New York City and ends in any of the following:

- (i) New York City;
- (ii) Dutchess County;
- (iii) Nassau County;
- (iv) Orange County;
- (v) Putnam County;
- (vi) Rockland County;
- (vii) Suffolk County;
- (viii) Westchester County.

(b) Flat Rates to Kennedy Airport.

(1) Flat Fare Rate from Manhattan. The fare for a Hail Trip to Kennedy Airport from a location in Manhattan which is in the Hail Zone will be a Flat Rate of \$45, plus any tolls.

- (i) NO surcharge will be added to this Flat Rate.
- (ii) The MTA Tax must be charged in addition to the Flat Rate.
- (iii) The Taximeter must reflect that this trip is a Flat Rate fare.

(2) Metered Fare from Boroughs Other Than Manhattan. All Hail Trips to Kennedy Airport from a borough other than Manhattan are governed by the metered rate of fare as set forth in §82-26(a).

(3) Chairperson's Right to Suspend this Provision. The Chairperson is authorized to suspend the enforcement of this provision at any time, if in the judgment of the Chairperson such a suspension is necessary to preserve adequate levels of service to and from Kennedy Airport

(c) Group Ride Fares and Multiple Passenger Service.

(1) Experimental Group Ride Programs.

- (i) Additional Pickup Locations. The Chairperson can recommend for Commission approval Group Riding plan pickup locations on a temporary basis, to determine the effectiveness of each Group Riding plan. Provided, however, that no such plan shall allow pickups by Street Hail Liveries in the Hail Exclusionary Zone or the Prearranged Exclusionary Zone.
- (ii) Demand-Driven Temporary Group Riding Plans. The Chairperson can also recommend for Commission approval Group Riding plans on a temporary basis to respond to demand created by special events or unique circumstances. Provided, however, that no such plan shall allow pickups by Street Hail Liveries in the Hail Exclusionary Zone or the Prearranged Exclusionary Zone.

- (iii) Duration. Any Group Ride plan established by the Commission under this subdivision will terminate one year after the date the plan was established, unless:
 - (A) Final rulemaking has been enacted establishing the Group Riding plan location and rate of fare; or
 - (B) The Commission has determined that it is in the best interest of the Commission to extend the Group Riding plan pilot program for an additional definite period of time not to exceed one year.
- (iv) Termination. The Commission can discontinue any Group Riding plan that has not been the subject of final rulemaking upon a determination that continuation of the plan is not in the best interest of the public.
- (d) Trips Beyond the City that are Hail Trips.
 - (1) For a trip beyond the limits of the City of New York, except for Westchester or Nassau County, or Newark Airport, the fare will be a Flat Rate. The MTA Tax must be added to the Flat Rate for any trip that starts in New York City and ends in any of the following:
 - (i) Dutchess County;
 - (ii) Orange County;
 - (iii) Putnam County;
 - (iv) Rockland County;
 - (v) Suffolk County.
 - (2) For a trip to Westchester or Nassau County the fare will be the sum of the following amounts:
 - (i) The amount shown on the Taximeter for that portion of the trip that is inside the City limits, plus
 - (ii) Twice the amount shown on the Taximeter for that portion of the trip that is outside the City limits, plus
 - (iii) All necessary tolls to and from the destination, and
 - (iv) MTA Tax must be added to the total fare.
 - (3) For a trip to Newark Airport the fare will be the sum of the following amounts:
 - (i) The amount shown on the Taximeter, plus
 - (ii) A surcharge of \$15.00, plus
 - (iii) All necessary tolls to and from the destination
 - (4) Any continuous trip where the point of origin and the destination are both within the limits of the City of New York will not be considered a trip beyond the City limits, even though the shortest and most direct route requires traveling outside the City limits but within contiguous counties. The Taximeter must be kept in the recording position throughout the trip.
- (e) Rates of Fare for Pre-Arranged Trips.
 - (1) Rates Must Not Exceed Scheduled Rates. A Street Hail Livery Licensee or Driver must not quote or charge a fare on a pre-arranged trip that is more than the fare listed in the Rate Schedule filed with the Commission.
- (f) No Charge for Luggage or Mobility Aids. There will be no charge for:
 - (1) Steamer trunks or other luggage or belongings;
 - (2) Wheelchairs, crutches, three-wheeled motorized scooters and other mobility aids transported in the interior of the Street Hail Livery;
 - (3) Use of the Vehicle's trunk.
- (g) Tolls – How Tolls are Paid.

- (1) All Street Hail Liveries must be equipped with a New York MTA Bridges & Tunnels EZ-Pass®. (See §82-27)
- (2) When a Street Hail Livery drives through a toll plaza with an EZ-Pass®, the MTA Bridges & Tunnels automatically deducts the cost of the toll from an account maintained by the EZ-Pass® tag holder.
- (3) Passengers must pay for the toll, but are only required to pay the actual amount (often a discounted toll) charged to the EZ-Pass®.
- (4) Drivers must collect the proper toll amount from the passenger and forward it to the holder of the EZ-Pass® tag.
- (h) Tolls – What Tolls are Paid by Passenger.
 - (1) On all trips within the City of New York, the passenger must pay:
 - (i) All tolls incurred driving to the passenger's destination.
 - (ii) No tolls for the Driver's return trip, except for trips over:
 - (A) The Cross Bay Veterans Bridge; or
 - (B) The Marine Parkway – Gil Hodges Memorial Bridge.
 - (2) On trips beyond the City of New York, the passenger must pay all necessary tolls to and from the destination.
 - (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 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) of Chapter 54, *Drivers of Taxicabs and Street Hail Liveries* chapter.
 - (5) In addition to any other penalty permitted, the Commission may order restitution to a passenger or the EZ-Pass® tag holder.
- §82-27 **Operations – EZ-Pass® Required**
 - (a) EZ-Pass® Account.
 - (1) All Licensees must participate in the EZ-Pass® New York Program by maintaining a current account with the Metropolitan Transportation Authority, Triborough Bridge and Tunnel Authority ("MTA Bridges and Tunnels" or "MTA B&T").
 - (2) A Licensee may participate in the EZ-Pass® New York Program through the Licensee's Affiliated Street Hail Livery Base.
- §82-27(a) Fine: \$100 and suspension until compliance Appearance REQUIRED
- (b) EZ-Pass® Tags Required on all Street Hail Liveries.
 - (1) Licensees must either:
 - (i) Equip the Licensee's Street Hail Livery vehicle with its own MTA Bridges and Tunnels EZ-Pass® tag, which must be attached as required by MTA B&T, or
 - (ii) Allow a Driver to use his or her personal EZ-Pass® tag.
 - (2) Licensees must have available at least one MTA Bridges and Tunnels tag for each Street Hail Livery.
 - (3) Licensees must maintain a sufficient balance in their EZ-Pass® account, according to what is required by the program.
- §82-27(b) Fine: \$100 and suspension until compliance Appearance REQUIRED
- §82-28 **Operations**
- §82-29 **Operations – Miscellaneous Requirements**
 - (a) Passenger Trips by Pre-Arrangement.
 - (1) No Street Hail Livery Licensee will allow the Licensee's Vehicle to transport Passengers for hire on Pre-Arranged Trips other than through pre-arrangement with a Base licensed by the Commission.
 - (2) A Street Hail Livery Licensee will be liable for penalties for any violation of this subdivision.
- §82-29 Vehicle: During any license term, Appearance NOT

- \$100 for the first violation during such term, with the penalty increasing by \$100 for each subsequent violation up to a maximum of \$10,000. REQUIRED
- (b) Lost Property. Passenger lost property found in a Street Hail Livery must be taken without delay to the Vehicle's Street Hail Livery Base unless it can be returned to its rightful owner within a reasonable time.
- §82-29(b) Fine: \$25 – 250 Appearance REQUIRED
- (c) Lost Property-Notify the Commission. The Street Hail Livery Licensee must promptly inform the Commission of any property that has been taken to the Vehicle's Base as required by this section
- §82-28(b) Fine: \$25 Appearance NOT REQUIRED
- §82-30 **Vehicle Condition – Inspections**
 - (a) Required Inspections. No new or replacement Street Hail Livery can operate for hire unless it has been inspected and approved by the Commission.
 - §82-30(a) Fine: \$100 and seizure of the vehicle Appearance NOT REQUIRED
 - (c) Biannual Inspection. A Licensee must have the Street Hail Livery inspected every six months at a date and time designated by the Commission and at any other time deemed necessary by the Commission. The Street Hail Livery must be inspected at a Commission inspection facility.
 - §82-30(b) Fine: (penalties below are cumulative) Appearance 0-30 days past inspection due date: \$100 REQUIRED and Summary Suspension until compliance 31-60 days past inspection due date: \$100-\$250 and Summary Suspension until compliance 61-120 days past inspection due date: \$250-\$500 and Summary Suspension until compliance More than 120 days past inspection due date: \$500 and/or revocation.
 - (c) Components of Street Hail Livery Inspections. Except as provided in (f) below, a Street Hail Livery inspection consists of (1) inspection to verify compliance with the inspection items required by Section 301 of the New York State Vehicle and Traffic Law, (2) visual inspection of the interior and exterior of the Street Hail Livery to verify compliance with these Rules, and (3) inspection to verify compliance with any other applicable laws, rules and requirements.
 - (d) If a Street Hail Livery fails any component of the inspection, it must be reinspected until it passes all components of the inspection. A Street Hail Livery Vehicle which cannot pass inspection must be replaced.
 - (e) Street Hail Livery Vehicles Subject to On-Street Inspections. Street Hail Liveries are subject to on-street inspections by TLC or any other agency authorized by law.
 - (f) Special Requirements For Accessible Street Hail Liveries.
 - (1) Accessible Street Hail Liveries that are For-Hire Vehicles must meet the requirements of subdivisions (a) through (e) above.
 - (2) Accessible Street Hail Livery that are Paratransit Vehicles must meet the requirements of (a), (b), (d), and (e) above. Components of the inspection of Paratransit Vehicles performed by the Commission will include only a visual inspection to ensure compliance with the requirements for Accessible Street Hail Liveries and a taximeter test. Paratransit Vehicles remain subject to NYS Department of Transportation Inspection requirements.
 - (3) All Accessible Street Hail Liveries are subject to the following additional requirements:
 - (i) The License of an Accessible Street Hail Livery which fails to appear for inspection when required or when ordered by the Commission shall be suspended.
 - (ii) Upon inspection of an Accessible Street Hail Livery, the date of the inspection and signature of inspector must be recorded and posted in each vehicle.
 - (iii) The License of an Accessible Street Hail Livery for which the Licensee has been ordered by the Commission to repair or replace the Vehicle shall be suspended 10 days after service of the notice to repair or replace, unless the Licensee has complied within that period.
 - (iv) The License of an Accessible Street Hail Livery which is suspended under this subdivision (f) and is not reinstated within 120 days shall

be terminated and may not be renewed or transferred.

§82-31 Vehicle Condition – Meet Safety Standards

(a) While a Street Hail Livery is in operation, all equipment, including brakes, tires, lights and signals must be in good working order and meet all requirements of the New York State Vehicle and Traffic Law, and the Rules of the Commission.

§82-31(a) Fine: \$150 if plead guilty before a hearing; \$200 if found guilty following a hearing. Appearance NOT REQUIRED

(b) A Licensee must comply with all notices and directives to correct defects in the Street Hail Livery.

§82-31(b) Fine: \$50 and suspension until the defective condition is corrected. Appearance NOT REQUIRED

(c) A Licensee must repair or replace a Street Hail Livery when the Commission or the New York State DMV (or the New York State Department of Transportation if the Street Hail Livery is a Paratransit Vehicle) determines that the vehicle is unsafe or unfit for use as a Street Hail Livery and directs the Licensee to remove it from service. The Licensee must surrender the License and Rate Card to the Commission for storage and the License will be suspended. (NOTE: See Section 82-30(f) for special requirements applicable to Accessible Street Hail Liveries).

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

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

(3) If the Chairperson has any reason to believe that any Street Hail Livery is unsafe or unfit for use, the Chairperson can order the Vehicle to report to the Commission's inspection facility.

§82-31(c) Fine: \$100 - \$350 and/or suspension up to 30 days. Appearance REQUIRED. Summary Suspension until compliance

§82-32 Vehicle Condition – Miscellaneous

(a) Clean. The Street Hail Livery's exterior and interior must be clean.

§82-32(a) Fine: \$50 if plead guilty before a hearing; \$75 if found guilty following a hearing. Appearance NOT REQUIRED

(b) Trunk. The trunk compartment must be capable of securely holding passengers' baggage.

§82-32(b) Fine: \$75 Appearance NOT REQUIRED

(c) Shoulder Belts.

(1) Every Street Hail Livery must be equipped with shoulder belts for both outside front seat positions and both outside rear seat positions.

§82-32(c)(1) Fine: \$100 - \$250 Appearance REQUIRED

(2) All seat belts and shoulder belts must be clearly visible, accessible and in good working order.

§82-32(c)(1) Fine: \$100 - \$250 Appearance REQUIRED

(d) Correct Defect Directives. A Street Hail Livery Licensee must comply with all Commission notices and directives to correct defects in the Vehicle.

§82-32(d) Fine: \$50 and suspension until the defective condition is corrected. Appearance NOT REQUIRED

(e) Working Equipment. A Street Hail Livery Licensee must not permit a Street Hail Livery to be operated unless equipment, including brakes, lights, signals, and Passenger seatbelts and shoulder belts, are in good working order and meet all the requirements of the New York State Vehicle and Traffic Law and these Rules.

§82-32(e) Fine: \$150 if plead guilty before a hearing; \$200 if found guilty following a hearing. Appearance NOT REQUIRED

(f) Post-Manufacture Alterations.

(1) No Street Hail Livery (except for an Accessible Street Hail Livery) can be altered after manufacture:

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

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

(g) Proper Vehicle Identification Required.

(1) License Plate Number Matches. The

license plate number on the state registration certificate, and on the Commission Decals must match each other.

§82-32(g)(1) Fine: \$200 if plead guilty before a hearing; \$300 if found guilty following a hearing. Appearance NOT REQUIRED

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

§82-32(g)(2) Fine: \$100 Appearance NOT REQUIRED

(3) T & LC License Plates. A Street Hail Livery must have New York State license plates affixed to the Vehicle that are embossed with the legend "T & LC." No "vanity" license plates are permitted.

§82-32(g)(3) Fine: See §82-12(b) and penalties for violation which apply here. Appearance NOT REQUIRED

(h) Two-Door Vehicles Prohibited. No Street Hail Livery can be a two door vehicle.

§82-32(h) Fine: Suspension of the Street Hail Livery License. Appearance REQUIRED

(i) No Physical Movement of License or Decals. A Licensee must not affix, remove or transfer a License to a new or replacement vehicle without prior authorization of the Commission, except that a Licensee may affix additional bolts to a License in order to further secure it.

§82-32(i) Fine: \$100 - \$350 and/or suspension up to 30 days. Appearance REQUIRED

(j) License Number on Roof Light. The License number on the front and rear of the roof light must be clean and unobstructed so that the License number is plainly visible.

§82-32(j) Fine: \$50 if plead guilty before a hearing; \$75 if found guilty following a hearing. Appearance NOT REQUIRED

(k) Illumination. When a Street Hail Livery is in operation for hire after sunset, the following items must be illuminated so that they are clearly visible from the rear seat:

(1) The face of the Taximeter;

§82-32(k)(1) Fine: \$25 Appearance NOT REQUIRED

(2) The Street Hail Livery Driver's License;

§82-32(k)(2) Fine: \$200 Notice to correct within 10 Days. Appearance REQUIRED

(3) The Rate Card.

§82-32(k)(3) Fine: \$200 Notice to correct within 10 Days. Appearance REQUIRED

(l) Lighting Control. The dashboard dimmer switch or any other device must not control the candlepower of the roof light, Taximeter light, card frame light or interior lighting.

§82-32(l) Fine: \$50 - \$350 and/or suspension up to 30 days. Appearance N/A

§82-33 Vehicle – Markings & Advertising

(a) Approved Exterior Markings.

(1) A Street Hail Livery Licensee must apply to the exterior of the Street Hail Livery the following markings approved by the Commission:

(i) Two Street Hail Livery logo decals

(ii) Two rate of fare decals

(iii) Two License number decals

(2) A Street Hail Livery Licensee must obtain the approved Street Hail Livery markings from a person or entity authorized by the Commission to print and distribute the decals. A depiction of the decals and a list of persons authorized to print and distribute the decals will be available on the Commission's Website and/or through other means determined by the Commission and announced on its Website.

(3) Accessible Vehicle Insignia.

(i) The design for insignia that will identify the vehicle as an Accessible Street Hail Livery will be provided by the Commission on its Web site or through other means presented on its Web site.

(ii) These insignia must be located on the exterior of the C-pillars of a sedan or an SUV or on the exterior of the D-pillars of a minivan, on both sides of the

Accessible Street Hail Livery, and will be visible to passengers entering the Accessible Street Hail Livery.

(4) Clean Air Vehicle Insignia.

(i) The design for insignia that will identify the vehicle as a Clean Air Vehicle will be provided by the Commission on its Web site or through other means presented on its Web site.

(ii) These insignia must be located on the exterior of the C-pillars of a sedan or an SUV or on the exterior of the D-pillars of a minivan, on both sides of such Vehicle, and will be visible to passengers entering the clean air Vehicle.

§82-33(a) Fine: \$75 Appearance NOT REQUIRED

(b) Approved Decals and Emblems.

(1) A Licensee must not display emblems on the Street Hail Livery exterior, other than an emblem identifying:

(i) The Street Hail Livery manufacturer.

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

(i) When the License is renewed; or

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

§82-33(b)(1)-(2) Fine: Notice to correct within 10 days; failure to comply: \$200. Appearance REQUIRED

(c) Base Station Affiliation Signs. A Street Hail Livery Licensee may identify the vehicle's Affiliated Base Station on the exterior of the vehicle if the base station marking conforms to the following specifications:

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

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

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

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

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

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

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

§82-33(c) Fine: \$25 Appearance NOT REQUIRED

(d) Other Approved Markings. A Licensee must not display any lettering, emblem, advertising or marking of any kind on the exterior of a Street Hail Livery, including windows and exterior accessories, except for the following:

(1) Markings, inscriptions and/or advertising specifically permitted or authorized by the Commission.

(2) Advertising that is authorized by the Commission on the Vehicle's Rate Card and for which the Licensee has obtained a license from the Commission.

§82-33(d) Fine: \$25 Appearance NOT REQUIRED

(e) Maintain in Good Condition. Required inscriptions and markings must be maintained in good condition.

§82-33(e) Fine: \$75 Appearance NOT REQUIRED

(f) Approved Interior Markings. A Licensee must not display inside a Street Hail Livery any advertising or other notice not specifically authorized by these rules or the Commission's Marking Specifications for Street Hail Liveries unless approved by the

- Commission, except for the following:
- (1) Industry signage/logos of all credit/debit cards accepted by the LPEP, all of equal size, shown in the information content on the PIM, or shown on the screen, or device that reads credit/debit cards in LPEPs without a PIM; and
 - (2) Advertising in the information content on the PIM or as set forth in the Street Hail Livery Marking Specifications table (§82-33(l)) of these Rules.

§82-33(f) Fine: \$50 if plead guilty before a hearing; \$75 if found guilty following a hearing Appearance NOT REQUIRED

(g) Braille and Raised Lettering Plaques. The Licensee must equip the Street Hail Livery with both of the following:

- (1) A Street Hail Livery Identification Braille Plaque.
 - (i) This plaque must be made of .040 gauge aluminum with a matte finish and measure 3¼ inches in length and 1¾ inches in height, with radius corners.
 - (ii) The plaque must state, in Raster Braille grade two:
 - (A) The Street Hail Livery License number centered on the first line,
 - (B) The word "COMPLAINTS" centered on the second line, and
 - (C) The telephone number "311" centered on the third line.
 - (iii) The plaque must be permanently affixed on the door armrest of the horizontal plane of the right rear door, or another location approved by the Chairperson.
- (2) A Street Hail Livery Identification Raised Lettering Plaque.
 - (i) This plaque must be made of ¼-inch thick black acrylic plastic and measure 11 inches in length and five inches in height, with radius corners and four holes (one in each corner) for attachment with screws.
 - (ii) The plaque must state, in one inch high white Helvetica lettering that is permanently affixed:
 - (A) The License number centered on the first line,
 - (B) The word "COMPLAINTS" centered on the second line, and
 - (C) The telephone number "311" centered on the third line with appropriate spacing between the three words.
 - (iii) The plaque must be permanently affixed on the rear of the front right passenger seat or partition, not more than six inches below the lexan or polycarbonate portion of the partition.

§82-33(g)(2) Fine: \$100. No penalty for missing plaque, if condition is corrected within forty-eight hour Appearance N/A

(h) Valid Registration Sticker. A Valid registration sticker from the NYS Department of Motor Vehicles must be affixed to the left front windshield so as to be plainly visible.

§82-33(h) Fine: \$100 Appearance NOT REQUIRED

(i) Inspection Sticker. A Valid New York State DMV inspection sticker that has no fewer than six months left before the sticker expires must be plainly visible on the front left side of the front windshield.

§82-33(i) Fine: \$100 and suspension of the Street Hail Livery License until any defect found is corrected Penalty Points: 1 Appearance REQUIRED

(j) Street Hail Livery Color.

- (1) Street Hail Livery Color. The exterior of the Street Hail Livery vehicle must be painted Street Hail Livery [color to be designated], except for the trim. The specifications for Street Hail Livery [color to be designated] will be posted on the Commission's Web site.
- (2) Taxicab Yellow Prohibited. No part of a Street Hail Livery may be painted any shade of Taxicab Yellow.

§82-33(j) Fine: \$350 for the first violation; \$500 for the second violation in 24 months; Revocation for the third violation in 36 months Appearance REQUIRED

(k) Prohibited Advertising
 (1) A Licensee must not display any advertising on the exterior of a Street Hail Livery unless the advertising has been authorized by the Commission and a License has been issued following the provisions of the Administrative Code. See §82-35 of this Chapter.

§82-33(l) Fine: \$50 Appearance NOT REQUIRED

(l) Marking Specifications for Street Hail Liveries.

INSCRIPTION*	LOCATION	SIZE
(a) Rate of fare decals (required). (Non-detachable type only.)	Both rear doors centered left to right and located in the upper half of the flat surface between the bottom edge of the door and the door handle.	The size of the approved rate of fare decals must be determined by the Commission.

The base line of the rate of fare and Street Hail Livery logo decals must be parallel and the same distance to the bottom door edge.

(b) Street Hail Livery logo decals (required) (Non-detachable type only.)	Both front doors centered left to right and located in the upper half of the flat surface between the bottom edge of the door and the door handle.	The size of the Street Hail Livery logo decals must be determined by the Commission
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The base line of the rate of fare and Street Hail Livery logo decals must be parallel and the same distance to the bottom door edge.

(c) License number (required)	Front and rear of roof light.	2¼" to 3" high letters ½" thick.
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(d) License number, interior (required). Can be one-piece decal or a stencil. The number must be of a color contrasting with the seat, to provide for easy legibility.	On the back of the front seat. The top of the number must be located not more than two inches below the top of the front seat.	Numbers and letter must be 3" minimum in height.
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(e) Passenger Information Sign. (required) Must contain the information required by the Commission.	On the back of the front seat or on a safety partition, displayed in a manner that is clearly visible to the passengers in the back seat.	Approximately 12" wide by 6" high.
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If the vehicle is equipped with a safety partition, the passenger information sign can be placed on the partition behind the Driver's head, but no higher than a headrest would be.

(f) "Drivers Wanted" sign. Can include the telephone number of the Owner. (Optional)	Rear of vehicle.	No more than 24" wide by 3" high.
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(g) "If this vehicle is parked for over 24 hours, please call Owner at (telephone number)..." (Optional)	Rear of vehicle or horizontal on dashboard.	No more than 24" wide by 3" high.
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(h) Brand name of manufacturer of PIM, screen, or device that reads credit/debit cards or Street Hail Livery Technology System (LPEP)	On the bezel of the frame of the PIM or screen, or on the device that reads credit/debit cards	Not to exceed 11/4" in height and 4" in length
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(i) "This vehicle is equipped with camera security. YOU WILL BE PHOTOGRAPHED." (Non-detachable decals only)	On rear passenger window	Letters must be at least one-half inch high.
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(j) License number decals (required). (Non-detachable decals only.)	The decals must be applied to both rear quarter panels, just below the rear windows or following the line created by the bottom edge of the windows, such that the number and checkerboard are aligned and appear to be one stripe.	The size of the License number decals must be determined by the Commission.
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On some vehicles, such as minivans, the License number can be placed at the rear of the sliding door, but must still align with the checkerboard stripe.

(k) "Drivers are not allowed to use cell phones or handheld electronics." Decal or sticker shall be issued by the Commission	Interior of passenger compartment in a location plainly visible to passengers	As issued by the Commission
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*Detachable signs suspended from door frames are not permitted.

(m) Special Exception for Accessible Street Hail Liveries that are also Paratransit Vehicles.

(1) Accessible Street Hail Liveries that are also Paratransit Vehicles must also comply with NYS marking requirements.

- (2) Where such NYS requirements conflict with the requirements of this Chapter, those NYS requirements will supersede the provisions of this Chapter.
- (3) Where NYS requirements supersede the requirements of this Chapter, the Licensee will work with the Chairperson to determine appropriate placement of Commission markings.

§82-34 Vehicles - Items Required in Vehicle

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

- (1) The Street Hail Livery Driver's License, in the Driver's License frame;
- (2) The Street Hail Livery License;
- (3) The Rate Card, in the Driver's License frame;
- (4) An insurance card or photocopy, unless the Licensee is self insured and has noted this fact on the Rate Card along with any other information required by the Commission;
- (5) 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;
 - (i) The insurance card or a legible copy of it;
- (6) Receipt for payment of NYC Commercial Motor Vehicle Tax;
- (7) All other notices required to be posted in the Street Hail Livery.

§82-34(a)(1)-(4) Fine: \$25 for each item not in vehicle, not to exceed \$75 in the aggregate Appearance NOT REQUIRED

- (8) A means of collecting and recording all of the Trip Sheet data which shall be the LPEP, or an alternate means of collecting Trip Sheet data in the case of a LPEP malfunction.
- (9) Passengers' Bill of Rights if not on the PIM
- (10) NYC Map if not on the PIM
- (11) A NYC Street Map or Automatic Vehicle Location System for the Driver.

§82-35 Vehicle Equipment

(a) Roof Light. A roof light is required on all Street Hail Liveries, as required by the Hack-Up specifications in Subchapter B of this Chapter; the Street Hail Livery Licensee must ensure compliance with the following:

- (1) Controlled by Taximeter. The Street Hail Livery roof light must be automatically controlled by the operation of the Taximeter so that it is lighted only when the Taximeter is in an off position and unlighted when the Taximeter is in a recording position or off duty position. A Licensee must not tamper with the operation of the Street Hail Livery's roof light.

§82-35(a)(1) Fine: \$50 - \$350 and/or suspension up to 30 days Appearance REQUIRED

(b) Heating and Air Conditioning. Each Street Hail Livery must be equipped with an operable heating and air conditioning system; when the vehicle is also equipped with a partition, the air conditioning system must be able to provide cool air to the rear passenger area.

§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

(c) Distress Signal Lighting. A Licensee must equip the Street Hail Livery with a help or distress signaling light system meeting the requirements set forth in Subchapter B of these Rules.

§82-35(c) Fine: \$175 and suspension until the condition is corrected. Respondent must provide a condition corrected form issued by the TLC's Safety and Emissions Division. Appearance NOT REQUIRED

(d) Optional Rooftop Advertising Fixture.

- (1) A Licensee may equip a Street Hail Livery Vehicle with an authorized Rooftop Advertising Fixture in accordance with § 82-63
- (2) The Licensee must remove a Rooftop Advertising Fixture if the TLC terminates such authorization in accordance with § 82-63(d) of these Rules.

(3) A Licensee must not use any rooftop advertising fixture unless the Licensee has obtained a permit to use such a fixture.

(4) A Licensee can use only an authorized Rooftop Advertising Fixture.

§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, Summary Suspension until the condition is corrected. Appearance NOT REQUIRED

(5) A Licensee shall be prohibited from installing any advertising material if a Vehicle Owner reasonably objects to the express or implied content of such material. A Vehicle Owner may, but cannot be compelled to, waive this right to object by providing a Licensee a blanket prior written consent to all advertising material. If such Vehicle Owner does not waive this right, and there is a dispute with respect to such advertising, Licensee and Vehicle Owner shall name a third party who shall decide any such dispute. If the Licensee and Vehicle Owner cannot agree on who shall decide the dispute they may obtain the assistance of any alternate dispute resolution service with offices in the City of New York, the cost of which service will be equally shared by the Licensee and the Vehicle Owner.

(6) The definition of Vehicle Owner for this subdivision includes the title owner of the Street Hail Livery vehicle, or the long-term lessee of the Street Hail Livery vehicle where the vehicle lease has a conditional purchase agreement for the vehicle.

§82-35(d)(5) Fine: \$150 for every thirty days the advertising material is posted on the street hail livery, if plead guilty before a hearing; \$200 for every thirty days the advertising material is posted on the street hail livery, if found guilty following a hearing. Appearance NOT REQUIRED

§82-36 Vehicle Equipment – Partitions

(a) *Requirement.* A Street Hail Livery must be equipped with a partition that isolates the Driver from the rear seat Passengers and meets the requirements set forth in Subchapter B of these Rules.

§82-36(a) Fine: \$350 if plead guilty before a hearing and supply a condition corrected form issued by TLC's Safety and Emissions Division; \$450 if found guilty following a hearing. Summary Suspension until the condition is corrected. Appearance NOT REQUIRED

(b) *Exemptions.*

(1) A Street Hail Livery will be exempt from the requirements of subdivision (a) if the Vehicle is equipped with *all* of the following safety devices:

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

(ii) The distress signaling light required by § 82-35(c), above;

(iii) An approved in-vehicle camera system.

(c) *Curtain Airbags Modification.*

(1) A Street Hail Livery that is equipped with factory installed curtain airbags must be equipped with a modified partition that does not extend the full width of the interior of the Street Hail Livery.

(2) The modified partition instead must allow a space of six inches at each side, sufficient to license proper deployment of the curtain airbags.

(3) The modified partition must conform in all other respects with the applicable requirements of Subchapter B of this Chapter.

§82-36(c) Fine: \$300 and suspension until the condition is corrected. Appearance REQUIRED

§82-37 Vehicle Equipment – In Vehicle Camera System (IVCS)

(a) When an existing in-vehicle camera system is required to be replaced or when the system is installed, the Street Hail Livery must be equipped with an IVCS that meets the specifications of Subchapter B; the system must be installed and maintained by the manufacturer's authorized installer or a Taximeter Business that meets the

requirements of Subchapter B; and the IVCS must be functioning and maintained in good working order.

§82-37(a) Fine: \$350 if plead guilty before a hearing and supply a condition corrected form issued by TLC's Safety and Emissions Division; \$450 if found guilty following a hearing. Summary Suspension until the condition is corrected. Appearance NOT REQUIRED

(b) Each Street Hail Livery equipped with an IVCS must be equipped with a cellular telephone as set forth in subdivision (b) of § 82-36 of this Chapter.

§82-37(b) Fine: \$50 Appearance NOT REQUIRED

(c) Each Street Hail Livery equipped with an IVCS must display decals on each rear passenger window, visible to the outside, that contain the following information: "This vehicle is equipped with camera security. YOU WILL BE PHOTOGRAPHED."

§82-37(c) Fine: \$50 Appearance NOT REQUIRED

§82-38 Vehicle Equipment – Taximeters

(a) *Taximeter Requirements.* A Street Hail Livery Licensee must equip the Street Hail Livery with a Taximeter subject to the following conditions:

(1) The Taximeter must be of a make and type approved by the Commission.

§82-38(a)(1) Fine: \$50 Appearance NOT REQUIRED

(2) It must be affixed to the vehicle's dashboard so that it is clearly readable and visible to all passengers in the vehicle.

§82-38(a)(2) Fine: \$50 Appearance NOT REQUIRED

(3) The Taximeter's serial number must be the same as that shown on the Rate Card assigned to the Street Hail Livery; or entered on the Rate Card by a Licensed Taximeter shop.

§82-38(a)(3) Fine: \$500 Appearance NOT REQUIRED

(4) The Street Hail Livery tire size must be the same as that for which the Taximeter is calibrated, as indicated by the Rate Card.

§82-38(a)(4) Fine: \$50 Appearance NOT REQUIRED

(5) All Taximeter seals must be installed by a Licensed Taximeter repair shop or agent of the Commission.

§82-38(a)(5) Fine: \$500 Appearance REQUIRED

(6) The wiring harness leading from the Taximeter to the speed sensor must be of one piece construction with no intervening connectors, splices, "Y" connections, or direct or indirect interruptions or connections of any kind whatsoever.

§82-38(a)(6) Fine: \$500 Appearance REQUIRED

(b) *Accuracy of Taximeter.* A Street Hail Livery must be equipped with a Taximeter that is in good working condition and will accurately compute the rate of fare currently established by the Commission. Penalties for violation are as follows:

(1) *1% Inaccurate.* The penalty is \$50, if the Taximeter is found to be at least 52.8 feet (one percent) inaccurate, but less than 264 feet (five percent) inaccurate in computing distance, or more than one percent but less than five percent inaccurate in computing time.

(2) *5% Inaccurate.* The penalty is \$200, if the Taximeter is found to be at least 264 feet (five percent) inaccurate but less than 528 feet (ten percent) inaccurate in computing distance, or more than five percent but less than ten percent inaccurate in computing time.

(3) *10% Inaccurate.* The penalty is \$300, if the Taximeter is found to be at least 528 feet (ten percent) inaccurate in computing distance or ten percent inaccurate in computing time, for a first violation.

(4) *Repeated 10% Inaccuracy.* The penalty is \$600, if the Taximeter is found to be at least 528 feet (ten percent) inaccurate in computing distance or ten percent inaccurate in computing time, for a second or subsequent violation within thirty-six months.

§82-39 Vehicle Equipment – Taximeter Defects

(a) *No Defects in Taximeter or Installation.* A Street Hail Livery must not be in service for hire with a defective Taximeter or a Taximeter that has been improperly installed.

(b) *Repair or Replace Defective Taximeter.* Whenever a Taximeter or its installation is defective or

whenever a Taximeter computes an inaccurate rate of fare, the Licensee must have the Taximeter:

(1) Repaired, tested and certified at a licensed Taximeter Business, or

(2) Replaced by the Taximeter Business with an approved Taximeter that has been inspected, tested and sealed;

(c) *Assembly Must be Certified.* After repair or replacement of the Taximeter, the Taximeter/ vehicle assembly must be tested and certified in compliance with Commission regulations.

§82-39(a)-(c) Fine: \$100 Appearance NOT REQUIRED

(d) *Repairs by Licensed Agent.* No adjusted, repaired or recalibrated Taximeter or appurtenance of a Taximeter can be installed in a Street Hail Livery unless the adjustment, repair or recalibration was done at a licensed Taximeter repair shop or other authorized facility. The Licensee is responsible for any installation that violates this rule.

§82-39(d) Fine: \$75 Appearance NOT REQUIRED

§82-40 Vehicle Equipment – Taximeter & LPEP Tampering

(a) *Unauthorized Tampering.* Unless authorized by the Commission, no person may tamper with, alter, repair or attempt to repair any portion of the Taximeter system that would affect the operation of the Taximeter or the LPEP, including, but not limited to:

(1) The Taximeter

(2) The LPEP

(3) Any seal affixed to the Street Hail Livery by a licensed Taximeter repair shop or other authorized facility

(4) Any cable connection or cable system electrical wiring of a Taximeter or LPEP

(5) The vehicle's mechanism or its tires that would affect the operation of the Taximeter or of the LPEP.

(b) *Licensee's Responsibility.* The Licensee is responsible for any tampering, alteration or any unauthorized repair or attempt to repair.

§82-40(a) & (b) Fine: \$250 – 1,500 and/or suspension up to 30 days. Appearance N/A. Summary suspension until compliance under to §68-22 of this title

(c) *Licensee's Defense.* It will be an affirmative defense to a violation of this section that the Licensee:

(1) Did not know of or participate in the alleged tampering of the Taximeter or LPEP; and

(2) Exercised due diligence to ensure that tampering with the Taximeter or LPEP would not occur. Examples of a Licensee's due diligence include, but are not limited to:

(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 Driver's License;

(ii) Including the warning against violating the Taximeter and LPEP tampering rules as a provision in any written lease agreement;

(iii) Stamping the warning against violating the Taximeter and LPEP tampering rules on any written Trip Records whenever paper Trip Records must be issued to one or more Street Hail Livery Drivers;

(iv) Conducting periodic random comparisons of the odometer and the Taximeter mileage readings of a Street Hail Livery to check for any inappropriate disparities;

(v) Conducting periodic random inspections of the Taximeter and the LPEP to detect any evidence of tampering; and

(vi) Having all of the Street Hail Livery inspected by a licensed

- Taximeter shop once every inspection cycle.
- (d) Notify the Commission of Tampered, Unauthorized or Removed Taximeter. A Licensee must notify the Commission by telephone immediately, and in writing within 24 hours, upon discovering any of the following:
- (1) Any Taximeter other than the Taximeter approved by the Commission (as indicated on the Rate Card) has been installed in the Street Hail Livery;
 - (2) Any Taximeter seal in the Street Hail Livery has been removed or tampered with;
 - (3) Any unauthorized device has been connected to any Taximeter, or to any seal, cable connection or electrical wiring, in the Street Hail Livery, which can affect the operation of the Taximeter;
 - (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 Street Hail Livery.
- §82-40(d) (1)-(4) Fine: \$500-\$1,000 and/or suspension up to 60 days or revocation Appearance REQUIRED
- (e) Inspections by Authorized Person.
- (1) A Street Hail Livery's Taximeter must be tested for accuracy over a measured mile course and its installation must be tested for compliance with the rules of the Commission.
 - (2) personnel authorized by the Commission can perform these tests.
 - (3) The inspections specified in paragraph one of this subdivision must be completed and the results of the tests indicated on the Rate Card in each of the following circumstances:
 - (i) At least once every 12 months.
- §82-40(e) (3)(i) Fine: \$150 if plead guilty before a hearing; \$200 if found guilty following a hearing. Appearance NOT REQUIRED
- (ii) Whenever a Taximeter is installed in a vehicle.
- §82-40(e) (3)(ii) Fine: \$100 Appearance NOT REQUIRED
- (iii) When the transmission or differential is altered, repaired or replaced.
- §82-40(e) (3)(iii) Fine: \$50 Appearance NOT REQUIRED
- (iv) When a change is made in any other part of the Street Hail Livery that can affect the Taximeter reading.
- §82-40(e) (3)(iv) Fine: \$50 Appearance NOT REQUIRED
- (v) At any other time required by the Commission.
- §82-40(e)(3)(v) Fine: \$100 Appearance NOT REQUIRED
- §82-41 Vehicle Equipment – Street Hail Livery Technology System (LPEP) Installation**
- (a) Street Hail Livery Technology System (LPEP). The LPEP is an integrated system of Hardware and Software that provides the Core Services in a Street Hail Livery as more fully described in § 83-31 of these Rules.
- (b) Required Installation. A Licensee must ensure that the Street Hail Livery operating under a Street Hail Livery License is equipped with an LPEP approved by the Commission pursuant to Chapter 83.
- §82-41(b) Fine: \$ 1,000 and suspension until compliance Appearance REQUIRED
- §82-42 Vehicle Equipment – Street Hail Livery Technology System (LPEP) Operation**
- (a) Good Working Order. Licensees must ensure that the Street Hail Livery Technology System(LPEP) equipment is constantly maintained, is in good working order, and that each of the Core Services functions properly.
- §82-42(a) Fine: \$250 and suspension until compliance Appearance REQUIRED
- (b) Failure to Operate.
- (1) If the LPEP malfunctions or fails to operate, an incident report must be filed with the LPEP Provider within two (2) hours following the discovery of the malfunction or at such time as the Licensee reasonably should have known of the malfunction.

- (2) If the Street Hail Livery Driver filed the incident report, the Licensee will not be required to file a separate incident report but must verify the filing by obtaining the incident report number.
 - (3) The Licensee must meet the appointment for repair scheduled by the LPEP Provider following the incident report.
- (c) 48-Hour Repair Deadline. A Street Hail Livery in which any of the Core Services of the LPEP or any material feature of a Core Service is not functioning must not operate more than 48 hours following the timely filing of an incident report.
- §82-42(c) Fine: \$250 and suspension until compliance Appearance REQUIRED
- (d) Inspection upon Multiple LPEP Malfunctions. The Licensee of any Street Hail Livery requiring six (6) or more repairs of the LPEP in any thirty (30) day period must promptly take the vehicle for inspection to, or schedule an inspection with, the Commission's Safety and Emissions Facility. This requirement will not apply to the Licensee if compliance is made by the Driver of the vehicle.
- §82-42(d) Fine: \$250 Appearance REQUIRED
- §82-43 Penalty Points for For-Hire Vehicles**
- (a) Four Penalty Points Requires License Revocation. The License of any Street Hail Livery that accumulates four penalty points for violations during any License term will be revoked.
- (b) Points Accrued but not Assessed Before Renewal.
- (1) If points are imposed after a Street Hail Livery License has been renewed based on a violation that occurred before the renewal, the points will be added to the total points accumulated by the Vehicle before its renewal.
 - (2) If the additional Points raise the total number to four or more Points, the Street Hail Livery License will be revoked.
- (c) Revocation Process.
- (1) The Chairperson can begin revocation proceedings whenever a Licensee has been assessed four or more points during the current term of that License.
 - (2) The License can also be revoked as part of the decision imposing the final point necessary for revocation.
 - (3) At any time revocation of a Base License is mandated and the last penalty point arises from the same incident that created the Street Hail Livery License revocation mandate, separate proceedings must be held for the Base License revocation and the Street Hail Livery License revocation.
- §82-44 License Transfers - Generally**
- (a) Applicability of the "License Transfers" Sections.
- (1) The "License Transfers" sections of this Chapter (§§ 82-44 and 82-45), along with "Licensing" sections (§§ 82-04, 82-05 and 82-06), establish the rules for all Transfers of a Street Hail Livery License between and among private parties, either by:
 - (i) Purchase
 - (ii) Gift
 - (iii) Request, or
 - (iv) Operation of law.
 - (2) These provisions apply whether an Applicant seeks to acquire an interest directly or indirectly, and also whether an Applicant seeks to acquire full ownership, or only partial ownership, in a Street Hail Livery License. These provisions also apply to any person or Business Entity seeking to purchase an interest in a Business Entity owning a Street Hail Livery License.
 - (3) These provisions do not apply to the issuance or reissuance of Street Hail Livery Licenses by the Commission.
- (b) Overview of Requirements to Complete and Effect Transfer. The transfer of an interest in a Street Hail Livery License will be complete and effective upon all of the following:
- (1) Documents. An Applicant must submit an application in the form required by the Commission and all required supporting documentation.
 - (2) Proper Appearances. All persons described in §82-45(a) below must appear before the Commission.

- (3) Fulfillment of the Licensing Requirements. The parties to the transfer must fulfill the Licensing requirements set forth in §§ 82-04, 82-05 and 82-06 of this Chapter.
 - (4) Commission Approval. No transfer is effective until the Commission approves the application, in writing.
- (c) Comply with Transfer Provisions.
- (1) No person or entity is permitted to attempt to transfer or participate in the transfer of an interest in any Street Hail Livery License without fulfilling the requirements of subdivision (b) above, as applicable.
 - (2) The mere act of submitting a transfer application to the Chairperson will not be considered a violation of this subdivision.
- §82-44(c) Fine: \$10,000 per entity, per License and attempted transfer invalid, applicable to any person or persons (transferor, transferee or both) whose actions constituted a violation; Revocation may be ordered. Appearance NOT REQUIRED
- §82-45 License Transfers – Special Requirements**
- (a) Personal Appearance.
- (1) All Applicants seeking approval to own an interest in a Street Hail Livery License must appear in person as directed by the Chairperson.
 - (2) If the Applicant is a Business Entity, the following Business Entity Persons must appear in person before the Commission (unless the Chairperson waives this requirement):
 - (i) All individual shareholders of a corporate entity
 - (ii) All general partners of a partnership entity
 - (iii) All members of a Limited Liability Company.
- (b) Preserve Street Hail Livery Category
- An Applicant seeking approval to hold a Street Hail Livery License restricted to use with an Accessible Street Hail Livery or an interest in such License must continue to use that License with an Accessible Street Hail Livery.
- Restriction on Number of Licenses. An Applicant seeking approval to hold a Street Hail Livery License or an interest in a Street Hail Livery License must comply with the ownership provisions of Section 82-06(a) of these Rules.
-
- Subchapter B: RULES FOR STREET HAIL LIVERY HACK-UP AND MAINTENANCE**
- §82-46 Subchapter B: Scope of this Subchapter**
- (a) To establish the standards and requirements for preparing a vehicle for Street Hail Livery Licensing, and
 - (b) To establish the standards and requirements for Street Hail Livery maintenance, inspection and retirement.
- §82-47 Penalties**
- (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 which establish specific requirements for Street Hail Livery Drivers and Licensees.
- §82-48 Definitions Specific to this Subchapter**
- (a) Safety and Emissions Inspection means the required vehicle inspections conducted at the Commission's inspection facility.
- §82-49 Standard Specifications for Street Hail Liveries**
- §82-50 Standard Specifications for Accessible Street Hail Liveries**
- (a) An Accessible Street Hail Livery must be designed for the purpose of transporting persons in wheelchairs or must contain a physical device or alteration designed to permit access to and enable the transportation of persons in wheelchairs in accordance with the Americans With Disabilities Act.
 - (b) An Accessible Street Hail Livery must also be equipped with restraints to secure a wheelchair in place in the vehicle.
- §82-51 Requirements for Hacking Up a Street Hail Livery**
- (a) A vehicle that is currently licensed as a for-hire vehicle as of July 2, 2012 can be hacked up for use as a Street Hail Livery.
 - (b) Continuation in Service. Upon Hack-up, a vehicle may continue in service with the same Street Hail

Livery License so long as the vehicle passes inspection pursuant to § 82-30.

§82-52 Requirements for Hack-up – Paint, Finish and Lighting

- (a) Color. The exterior of the vehicle must be painted Street Hail Livery [color to be designated], except for the trim. See Section 82-33(j)
- (b) Front Design. There must be no unnecessary projections such as rigid hood ornaments.
- (c) Signs. The vehicle must be provided with signs that conform to the marking specifications in §82-33 of these rules.
- (d) Roof Light. The vehicle must be equipped with an approved Roof Light.

§82-53 Requirements for Hack-up – Occupant Accommodation

§82-54 Requirements for Hack-up – Taximeters

- (a) Requirement. The vehicle must be equipped with a sealed, tamper-resistant Taximeter installed by a Licensed Taximeter Business according to the rules and regulations in Chapter 64. The Taximeter must be installed in a location approved by the Chairperson which allows safe operation of the vehicle and visibility to the passenger.
- (b) Technical Specifications. The Taximeter must meet the specifications and tolerances published in the most recent National Institute of Standards and Technology Handbook, and must be approved for use in New York by the NYS Department of Agriculture and Markets and by the Commission. Any new Taximeter model will be subject to a minimum three month test period before approval.
- (c) Other Technical Requirements.
 - (1) The Roof Light must be controlled by engaging the Taximeter.
 - (2) The Taximeter must be capable of calculating and displaying all required rates of fare.
 - (3) The Taximeter must be capable of transferring data to the LPEP manufactured by any Commission-licensed LPEP Provider which has chosen to use the Taximeter.
 - (4) The Taximeter and all connections must be secure and tamper proof. All switches, wiring and caps must meet applicable specifications of the Society of Automotive Engineers.
 - (5) The Taximeter must not allow a Driver to use an unauthorized rate code in an unauthorized area.

§82-55 Requirements for Hack-up – Street Hail Livery Technology System(LPEP)

- (a) Requirement. The vehicle must be equipped with an LPEP approved by the Commission pursuant to Chapter 83 and installed by an LPEP Provider in accordance with Chapter 83.

§82-56 Requirements for Hack-up – Partitions

- (a) Requirement.
 - (1) Unless exempt under §82-36(b) of this Chapter, the vehicle must be equipped with a partition that isolates the driver from the rear seat passengers or all passengers of the vehicle.
 - (2) The purpose of the partition is to provide protection to the driver while ensuring passenger safety and enabling rear seat passengers to have a clear and unobstructed view of the Street Hail Livery Driver’s License, Rate Card, and front windshield.
- (b) Technical Specifications.
 - (1) The partition must extend from the ceiling to a specific point as recommended by the Chairperson and approved by the Commission, based upon the make and model of the vehicle.
 - (2) The transparent portion of the partition must be constructed of a mar-resistant polycarbonate not less than 0.375 inches thick that will provide passengers and drivers with maximum visibility.
 - (i) For a flat partition and a partition for a Street Hail Livery with factory installed curtain airbags, the transparent portion must extend from the ceiling to join or overlap with the protective plate of the partition.
 - (ii) For an L shaped partition, on the side that is behind the driver, the transparent portion

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

- (3) The protective plate must join or overlap with the transparent portion of the partition and extend downward to the floor of the vehicle. The protective plate must be a plate of 0.085-inch thick bullet-resistant ballistic steel or its equivalent recommended by the Chairperson and approved by the Commission. The protective plate must be installed inside and covering the front seat’s entire backrest.
 - (i) The protective plate must extend from the point that the transparent portion joins it downward to the floor of the Street Hail Livery.
 - (ii) If the transparent portion overlaps the protective plate, the protective plate must extend from the point of joinder with the transparent portion downward to the floor of the Street Hail Livery.
- (1) For an L shaped partition, the protective plate must also cover the right side of the center console between the two front seats.
- (4) The entire protective plate of each partition must have sufficient padding to prevent injury to any rear-seat passenger in case of an accident or sudden stopping, and all surfaces must be free of sharp and rough edges.
- (5) There must be no opening or gap between the partition and the body of the vehicle larger than one inch, except for vehicles equipped with factory installed curtain airbags. In those vehicles, the partition shall allow a space of six inches on each side, sufficient to license proper deployment of the curtain airbags.
- (6) In addition to meeting all other technical specifications, a partition may be installed only if it does not impair passenger and driver safety and has the following features:
 - (i) Allows passengers and drivers to communicate with each other
 - (ii) Allows passengers in the rear passenger compartment to pay fares by cash or by credit card and to receive receipts for payments and transactions.

§82-57 Requirements for Hack-up – Distress Signal Lights

- (a) Requirement. A Licensee must equip the Street Hail Livery with a help or distress signaling light system consisting of two turn signal type “lollipop” lights.
- (b) Technical Specifications.
 - (1) One light must be mounted on the front center of the vehicle, either on top of the bumper or forward or behind the grill. A second light must be mounted on top of the rear bumper, to the left of the license plate.
 - (2) Each light must be three to four inches in diameter, have a total rated output of 32 candle power, and be amber-colored or have an amber-colored lens so that the light output of the device is the color amber at 32 candle power.
 - (3) The activator must be installed within easy reach of the driver, must be silent when operating, and must be fully solid-state.
 - (4) The lights must be able to flash between 60 and 120 times per minute.
 - (5) The wiring must not affect or interfere with, directly or otherwise, any wiring or circuitry used by the meter for measuring time or distance.

§82-58 Requirements for Hack-up – In-Vehicle Camera System (“IVCS”)

- (a) Requirement. When an existing IVCS is required to be replaced or when an IVCS system is installed

(including, but not limited to, at Hack-up), it must be functioning and in good working order and meet the specifications and installation requirements below.

- (b) Technical Specifications.
 - (1) The IVCS must be connected to the vehicle battery, and the fuse for the connection must be concealed in a tamper-resistant housing.
 - (2) Wiring between the recording unit and the camera head must use at either end, tamper-resistant registered jack (RJ) style connectors.
 - (3) All electrical connections and wiring must be protected from spikes and dips in vehicle voltage.
 - (4) The camera head housing and brackets must be tamper-proof and securely mounted to the right of the rear view mirror. The installation must provide unobstructed vision for the driver.
 - (5) The camera’s field of view must include the full face of all occupants seated in passenger seats and facing forward.
 - (6) Images must be recorded and stored in a unit separate from the camera head.
 - (7) recording unit must be concealed from view and fastened securely with tamper-resistant hardware.
 - (8) The IVCS must provide a visual indication of system status that is located on the lower left portion of the dashboard and is visible to the driver and to law enforcement personnel inspecting the vehicle from outside of the driver door.
 - (9) The IVCS and components must be sufficiently shock-resistant to withstand typical vehicle movement and collisions.
 - (10) The IVCS must have an RS-232 connection or other means for secure image retrieval.
 - (11) Images must be sharp, undistorted, and clear enough to enable the viewer to identify all passengers under all lighting conditions, including, for example, dark and bright light, daylight, and backlight.
 - (12) Sensor resolution must be, at a minimum, 510 by 480 pixels.
 - (13) Storage capacity must be, at a minimum, 7,000 images in an encrypted format, and all access to the storage unit must result in the storage of an electronic “tag” including the installer identification number and date of the event.
 - (14) The IVCS must have connection ports for a minimum of two (2) cameras.
 - (15) The IVCS must have an event flag or panic button accessible to the driver and located in an inconspicuous location.
 - (16) The IVCS must record images and the following information for each image:
 - (i) Date and time;
 - (ii) Street Hail Livery License number;
 - (iii) IVCS serial number;
 - (iv) IVCS indicator for event flags.
 - (17) Image capture must be linked to the following events:
 - (i) Vehicle door openings and closings;
 - (ii) Meter engagement;
 - (iii) Event flag button activation;
 - (iv) Event flag in the test mode when the image(s) are recorded for inspection and test purposes;
 - (v) Panic button activation.
 - (18) In the event of a panic button activation, systems must record to protected memory a total of three events. The recording must include, at a minimum, the 2.5 minutes immediately before and after the button activation, at one frame per second.
 - (19) Image access may be provided only to law-enforcement agencies, including the New York City Police Department.
 - (20) If the IVCS has a physical port for secure image retrieval, the port must be located on the right side of the dashboard or in

the trunk, installed inconspicuously, and accessible to law enforcement personnel.

- (21) When memory storage capacity is reached, the IVCS must overwrite the oldest images as new images are recorded in sequence.
- (22) Installations and repairs of IVCS may be performed only by installers authorized by the manufacturer and currently licensed by the Department of Consumer Affairs. Installations and repairs may also be performed by Taximeter Businesses currently licensed by the Commission pursuant to chapter 64 of this title.
- (23) A notarized affidavit signed by a manufacturer's authorized installer attesting to the proper functionality of the IVCS must be provided to the Commission by the authorized installer: (i) annually, and (ii) within 14 calendar days after any installation, repair, or modification of the IVCS.

§82-59 Requirements for Hack-up – Credential Holders

- (a) *Requirement.* A credential holder must be mounted behind the driver in the vehicle in a manner that does not block the driver's view. The holder will be on the partition if there is a partition, or on the headrest if there is no partition.
- (b) *Technical Specifications.* A credential holder frame mounted on the driver's side of the clear portion of the partition must conform to the following:
- (1) Be approved by the Commission.
 - (2) Be secured by either rivet or screw at least two inches above the frame supporting the clear portion of the partition and centered on the vehicle's steering column or the headrest on the driver's seat facing the rear passenger's compartment.
 - (3) The frame must have a drop-in or slide-in slot accessible only from the driver's compartment for the rate card and the driver's license.
 - (4) The frame must have sufficient illumination so that the rate card and the driver's license are clearly visible from the rear seat after dark.
 - (5) The frame must be sufficiently padded so as not to cause injury to the driver.

§82-60 Requirements for Hack-up – Air Conditioning

- (a) *Requirement.* All vehicles must be equipped with an air conditioner. The air conditioner must be in good working condition from May 1st through September 30th each year. In vehicles equipped with a partition, the air conditioner must include an auxiliary unit for the rear seating area.
- (b) *Technical Specifications.*
- (1) The auxiliary unit must be either standard equipment or optional equipment built into the vehicle by the vehicle manufacturer.
 - (2) The auxiliary unit must have controls that passengers may operate in the rear passenger area.

§82-61 Scheduled Vehicle Retirement

§82-62 Vehicle Retirement Extensions

§82-63 Authorized Rooftop Advertising Fixture

- (a) *Authorized Rooftop Advertising Fixture.*
- (1) Upon payment of an annual Advertising Permit Fee as described in § 82-08(j), a Street Hail Livery Licensee may install and maintain an authorized Rooftop Advertising Fixture.
 - (2) A Street Hail Livery Licensee must not install or maintain a Rooftop Advertising Fixture that is not authorized, or no longer authorized, by TLC.
- (b) *Requirements for Obtaining Commission Approval of a Rooftop Advertising Fixture.*
- (1) The Rooftop Advertising Fixture must be tested and certified in accordance with the Department of Defense Test Standard MIL-STD 810f by a licensed Professional Engineer and documentation of testing and certification must be submitted to the Commission. (MIL-STD 810f can be found at <http://www.dtc.army.mil/navigator>.)
 - (2) The Rooftop Advertising Fixture must be approved by the Commission's Safety and Emissions Division.
 - (3) The Rooftop Advertising Fixture Provider may post advertisements on the Rooftop

Advertising Fixture. Such advertisements:

- (i) must not exceed the physical dimensions of the advertising display surface of the rooftop unit
 - (ii) Exception: An advertisement can exceed the dimensions of the advertising display surface of the rooftop unit by no more than 100 square inches if the certification by a Professional Engineer as required in paragraph one of this subdivision specifically states that the extension is safely supported upon the Rooftop Advertising Fixture.
- (4) The Rooftop Advertising Fixture must:
- (i) be two-sided, each side of a shape that is longer across and shorter in height, although not necessarily a rectangle;
 - (ii) display advertising material to the sides of the vehicle, and
 - (iii) not display advertising material to the front and back of the vehicle.
- (5) *Variation in approved design.*
- (i) If the Rooftop Advertising Fixture Provider wants to deviate from an approved design, it must inform the TLC of any material variation in the original, approved design before installing a modified fixture.
 - (ii) The TLC shall, within fourteen (14) business days, inform the Rooftop Advertising Fixture Provider whether an additional authorization is required with respect to the modified Rooftop Advertising Fixture.
- (c) *Maintenance of Rooftop Advertising Fixture.* The Rooftop Advertising Fixture Provider must maintain the Rooftop Advertising Fixture in accordance with this Rule:
- (1) The Rooftop Advertising Fixture Provider must ensure that the Rooftop Advertising Fixture
 - (i) is firmly affixed to each Street Hail Livery;
 - (ii) is otherwise operating in a safe manner;
 - (iii) is in good working order; this includes that the advertising displayed on the fixture is firmly affixed; and
 - (iv) displays current advertisements. A current advertisement is one that includes, but is not limited to, a defined event (such as advertisements for movies, concerts or events which have fixed opening or running dates) and only remains current until 60 days following the completion or termination of the event, or promotes an existing business or consumer product.
 - (2)
 - (i) The Rooftop Advertising Fixture Provider must not display advertising that is offensive to public morals or is otherwise in violation of New York Penal Law Section 245.11.
 - (ii) The Rooftop Advertising Fixture Provider must remove any advertising in violation of subparagraph (i) from public display within fifteen (15) days after a TLC request to remove such advertising.
- (d) *Termination of Authorization of Rooftop Advertising Fixture.*
- (1) The Chairperson may terminate authorization of a Rooftop Advertising Fixture if the provider has not complied with the requirements stated in this Rule.
 - (i) Prior to terminating authorization, the Chairperson will give the Rooftop Advertising Fixture Provider notice of the Chairperson's intent to terminate authorization and shall provide detailed reasons for the action.

(ii) The Rooftop Advertising Fixture Provider shall have 21 business days after the notice to cure any defect or to respond to any concerns set forth in the notice unless the TLC extends the cure period.

(iii) If the Rooftop Advertising Fixture Provider fails to cure any defect or fails to respond to any concerns set forth in the Chairperson's notice to the satisfaction of the Chairperson within the time period allotted by the TLC, the Chairperson may promptly terminate authorization.

(2) Notwithstanding the notice requirements of paragraph one, TLC may immediately terminate authorization of a Rooftop Advertising Fixture if the Chairperson determines there is an imminent threat to the health or safety of members of the public, drivers of Street Hail Liveries, or other individuals.

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

CERTIFICATION / ANALYSIS PURSUANT TO CHARTER SECTION 1043(d)

RULE TITLE: Street Hail Livery Rules (Chapter 82)

REFERENCE NUMBER: TLC-20

RULEMAKING AGENCY: TLC

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 February 29, 2012
Mayor's Office of Operations Date

NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-788-1087

CERTIFICATION PURSUANT TO CHARTER §1043(d)

RULE TITLE: Street Hail Livery Rules (Chapter 82)

REFERENCE NUMBER: 2012 RG 019

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 Date: February 29, 2012
Acting Corporation Counsel

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SPECIAL MATERIALS

CITY PLANNING

NOTICE

PROPOSED ANNUAL PERFORMANCE REPORT (APR)
2011 CONSOLIDATED PLAN PROGRAM YEAR
COMMENT PERIOD - March 9 - March 23, 2012

The Proposed 2011 Consolidated Plan Annual Performance Report (APR) Public Comment Period will be from March 9th to March 23rd. This document describes the City's performance concerning the: statutory requirements of the Cranston-Gonzalez Housing Act's Comprehensive Housing Affordability Strategy, and the City's use of the four U.S. Department of Housing and Urban Development (HUD) Community Planning and Development formula entitlement programs: Community Development Block Grant (CDBG); HOME Investment Partnerships (HOME); Emergency Shelter Grant (ESG); and Housing Opportunities for Persons with AIDS (HOPWA). The APR reports on the accomplishments and commitment of these funds during the 2011 program year, January 1, 2011 to December 31, 2011. In addition, a One-Year update of the City's Affirmatively Furthering Fair Housing (AFFH) Statement is included.

As of March 9, 2012, copies of the Proposed APR can be obtained at the Department of City Planning Bookstore, 22 Reade Street, Manhattan, (Monday 12:00 P.M. to 4:00 P.M., Tuesday - Friday 10:00 A.M. to 1:00 P.M.). In addition, the report will be posted in Adobe .PDF format for free downloading on City Planning's Website at: www.nyc.gov/planning. Furthermore, copies of the Proposed APR will be available for review at the main public library in each of the five boroughs. Please call (212) 720-3337 for information on the closest library.

The public comment period ends close of business March 23, 2012. Written comments should be sent to: Charles V. Sorrentino, New York City Consolidated Plan Coordinator, Department of City Planning, 22 Reade Street, 4N, New York, N.Y. 10007, email: 2011ConPlanAPR@planning.nyc.gov.

m7-20

COMPTROLLER

NOTICE

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre Street, Rm. 629, New York, NY 10007 on March 14, 2012, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
1	5133	Part of 1

Acquired in the proceedings, entitled: South Richmond Bluebelt, Phase 3 subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

John C. Liu
Comptroller

f29-m14

OFFICE OF MANAGEMENT AND BUDGET

NOTICE

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FLOOD NOTICE OF EARLY PUBLIC REVIEW

Regulations promulgated under Executive Order 11988 require that the public be provided the opportunity for early review as soon as it is determined that a federally-funded project is proposed to be located in a federally-designated floodplain as defined by the respective Executive Order. This announcement constitutes such notice.

BRONX RIVER PROJECT

In 2001, the Department of Parks & Recreation (DPR), Bronx River Restoration, and the Bronx River Working Group launched the Bronx River Alliance as the next step in efforts to restore the river and create a continuous greenway along its length. The program has several funding sources including City Tax Levy, private grants, and other federal grants. Community Development (CD) funds are used to purchase education and outreach materials, office supplies, field equipment, and restoration supplies; to print and mail newsletters and brochures; and for the support of program consultants and ecological restoration personnel. The CD funding also fully covers the Bronx River Conservation Manager position and two assistant crew leader positions. CD funds in the amount of \$207,000 are budgeted for 2012 activities. DPR coordinates closely with the Bronx River Alliance to implement programs along the river as follows:

- Education: The Education Program supports and trains more than 80 teachers, community educators, and students that collect water quality parameter data; monitor the status of macro-invertebrate, tree, fish, and wildlife species in the watershed; and report pollution incidents and spills. It helps teachers and community educators use the river and its watershed as a living laboratory and provides equipment, materials, and services to teachers and community educators to encourage their pursuit of Bronx River educational activities. It also provides the public with educational and recreational canoe tours, slideshows, public events, information tables, and interpretive signage in key Bronx River parks.
- Community Outreach Program: The Community Outreach Program engages community organizations and residents in the restoration and stewardship of the Bronx River. The program offers river-wide events to increase awareness and offer opportunities to experience the river and the emerging greenway; volunteer opportunities (including clean-ups and planting days); and community engagement in the Bronx River Greenway to involve youth and community residents in the process of developing new parkland and implementing greenway projects.

- Ecology Program: The Ecological Restoration and Management Program works to protect, restore, and manage the terrestrial and aquatic resources of the Bronx River corridor through rigorous and sound planning, research, and community stewardship. The Bronx River Alliance Conservation Crew monitors and manages river conditions. Its activities include implementing ecological restoration projects that improve water quality; stabilizing the banks and improving river habitat; and tackling long-term opportunities and threats to the river's health that result from land use planning and policy issues, such as storm water runoff, pollution incidents, etc.

- Greenway Program: The Greenway Program promotes and supports the implementation and development of a safe and continuous green space along and public access to the Bronx River. The program is coordinating completion of the 10 miles of greenway in the Bronx and is working with Westchester County agencies to make a full connection with the Westchester portion of the Bronx River Greenway. The Greenway Program is guided by an active Greenway Team that brings together community leaders, activists, and government representatives in equal footings to discuss the development of the Bronx River Greenway. The Team plans and builds consensus through the Bronx River Greenway Plan, which clearly describes greenway projects, their status, and the challenges that must be overcome to complete them. The office uses the plan to maintain momentum and support for the Greenway's completion, and to garner the resources necessary for a fully realized and well-maintained trail. The Alliance is committed to making the plan work by tracking and coordinating funded projects to make sure that they are implemented effectively and in the way the community envisions.

Additional information, including a copy of the flood map of the affected site, is available and can be obtained at the Office of Community Development, Office of Management and Budget, 75 Park Place, 8th Floor, New York, New York 10007, between 10:00 A.M. and 5:00 P.M., Monday through Friday. Please call (212) 788-6177 for a copy of the project information or to arrange to view the file. All interested persons, groups and agencies are invited to submit written comments regarding the proposed use of federal funds to support a project located in a floodplain. Such comments should be received at the Office of Community Development on or before March 12, 2012.

City of New York, Office of Management and Budget, Mark Page, Budget Director.
Date: March 5, 2012.

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CHANGES IN PERSONNEL

TAX COMMISSION						
FOR PERIOD ENDING 02/17/12						
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	
GALLANCY-WINING JEAN	30087	\$100000.0000	APPOINTED	YES	02/05/12	

LAW DEPARTMENT						
FOR PERIOD ENDING 02/17/12						
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	
ALLEYNE	DORCAS	40482	\$37717.0000	DECREASE	NO	06/09/10
ARENA	KIMBERLY P	56058	\$70810.0000	DECREASE	YES	01/22/12
BONCIMINO	STEVEN	40482	\$34616.0000	DECREASE	NO	02/06/11
DOWARD	DARILYN M	10251	\$16.7900	INCREASE	YES	01/04/12
GILROY RUIZ	JENNIFER M	3011B	\$138383.0000	INCREASE	YES	01/29/12
GOMEZ	LUIS A	13616	\$76829.0000	RESIGNED	YES	01/31/12
HAYES	MICHELE D	30080	\$41886.0000	PROMOTED	NO	02/03/12
HERBIN	MARILYN	40482	\$36844.0000	DECREASE	NO	02/06/11
HYDE	LYNNETTE M	30080	\$41886.0000	RESIGNED	NO	01/29/12
JACKSON	ANGELICA	1022A	\$48375.0000	RESIGNED	YES	02/05/12
MINER	TARA A	30112	\$112173.0000	APPOINTED	YES	01/29/12
PARRA	ELAN D	30112	\$85224.0000	RESIGNED	YES	02/05/12
QUAN YOUNG	STANLEY	40482	\$40818.0000	DECREASE	YES	02/06/11
ROBINSON	CHERYL L	40482	\$34616.0000	DECREASE	NO	02/06/11
SCHOWENGERDT	JOHN S	30112	\$70759.0000	APPOINTED	YES	01/29/12
SOLANKI	NEENA S	40482	\$37717.0000	DECREASE	YES	02/06/11
SU	WENDELL	30726	\$58117.0000	RETIRED	NO	02/08/12
THOMPSON	LOVIE	40482	\$34616.0000	DECREASE	NO	02/06/11

DEPARTMENT OF CITY PLANNING						
FOR PERIOD ENDING 02/17/12						
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	
DAVIDSON	CYNTHIA K	22122	\$53532.0000	RESIGNED	YES	01/29/12
KNUCKLES	KENNETH J	12997	\$62271.0000	APPOINTED	YES	12/01/11

DEPARTMENT OF INVESTIGATION						
FOR PERIOD ENDING 02/17/12						
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	
MOSTAJO	MARIA C	31145	\$130000.0000	INCREASE	YES	01/15/12

TEACHERS RETIREMENT SYSTEM						
FOR PERIOD ENDING 02/17/12						
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	
ANIS	AIDA E	40491	\$47080.0000	RETIRED	NO	02/04/12
CHARLES	JOANNE C	40493	\$39979.0000	APPOINTED	NO	01/29/12
CHEREBIN	AGNES M	40493	\$46956.0000	APPOINTED	NO	01/29/12
HARRIS	TASHA A	40493	\$49756.0000	APPOINTED	NO	02/05/12
LAM	LUCY C	40493	\$45976.0000	APPOINTED	NO	01/29/12
LI	MELISSA M	40510	\$47366.0000	PROMOTED	NO	01/30/12
LI	MELISSA M	40526	\$33788.0000	APPOINTED	NO	01/30/12
RAKHMAN	STELLA	40493	\$45976.0000	APPOINTED	NO	02/05/12
TRESKOVA	NADEZHDA	40493	\$45976.0000	RESIGNED	NO	02/05/12

CIVILIAN COMPLAINT REVIEW BD						
FOR PERIOD ENDING 02/17/12						
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	
ALLEN	IAN A	31165	\$35660.0000	RESIGNED	YES	02/07/12
CORTES-GOMEZ	JANETTE	94494	\$315.0000	APPOINTED	YES	02/01/12
HUDSON	HILARY	31165	\$58385.0000	RESIGNED	YES	01/08/12
SCHNUPP	PATRICIA	31165	\$49045.0000	RESIGNED	YES	01/21/12
WILLIAMS	SANDRA A	10124	\$55474.0000	RETIRED	NO	02/03/12

POLICE DEPARTMENT						
FOR PERIOD ENDING 02/17/12						
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	
ABRAMS	MICHAEL T	70260	\$112574.0000	RETIRED	NO	02/01/12

ACOSTA	WILSON	70210	\$76488.0000	RETIRED	NO	02/01/12
ACOSTA	YOLANDA B	7021B	\$98072.0000	RETIRED	NO	02/01/12
ADLAM	PAULINE A	7165A	\$39911.0000	INCREASE	NO	01/27/12
AGRO	ANGELO	70210	\$76488.0000	RETIRED	NO	02/01/12
ALAMARIE	SATAK A	70235	\$98072.0000	PROMOTED	NO	02/06/12
ALEX	GWENDOLY R	70210	\$76488.0000	RETIRED	NO	02/01/12
ALI	NUSRAT	71652	\$43249.0000	PROMOTED	NO	01/27/12
ALICEA	LUIS	70210	\$41975.0000	APPOINTED	NO	01/08/12
ALMONTE-RODRIGU	GESELLYS	70205	\$9.8800	RESIGNED	YES	01/25/12
AMBROSE	CHRISTOP T	70235	\$98072.0000	RETIRED	NO	02/02/12
ANDERSON	GEORGE	7026G	\$189786.0000	RETIRED	NO	08/27/11
ANTHONY	JAMAYNE Q	70210	\$76488.0000	RESIGNED	NO	02/05/12
ARALE	JEFF	70210	\$76488.0000	RETIRED	NO	02/01/12
ARCE	JOSE M	70210	\$76488.0000	RETIRED	NO	02/01/12
BARGELLINI	GIONATA M	70260	\$112574.0000	RETIRED	NO	02/06/12
BARRETO	DEREK	70235	\$79763.0000	PROMOTED	NO	02/06/12
BARRETT	RHETT O	70235	\$79763.0000	PROMOTED	NO	02/06/12
BARTHOLOMEW	DOUGLAS P	70210	\$76488.0000	RETIRED	NO	01/30/12
BECKFORD	FREDERIC L	7023B	\$100054.0000	PROMOTED	NO	01/27/12
BEECHER	NOVELINE D	10147	\$42594.0000	PROMOTED	NO	01/27/12
BETHEA	IDA	10251	\$35490.0000	RETIRED	NO	02/06/12
BLUME	JAYMIE E	70235	\$98072.0000	RETIRED	NO	02/01/12
BONILLA	HERBERT	70235	\$79763.0000	PROMOTED	NO	02/06/12
BOROWCZAK	MARIOLA E	71013	\$50195.0000	PROMOTED	NO	01/27/12
BRADY	SARAH J	70205	\$9.8800	RESIGNED	YES	01/28/12
BRIECKE	CHRISTOP R	7021B	\$98072.0000	RETIRED	NO	02/01/12
BROWN	JACINDA J	70205	\$9.8800	RESIGNED	YES	12/16/11
BUCKLEY	ANNA M	70210	\$76488.0000	RETIRED	NO	02/01/12
BURKERT	MARIE T	10147	\$42594.0000	PROMOTED	NO	01/27/12
BYNOE	EDWIN	70210	\$76488.0000	RETIRED	NO	02/01/12
CABASSA	NEREIDA	70210	\$76488.0000	RETIRED	NO	01/31/12
CAESAR	KEVILLE A	70210	\$41975.0000	APPOINTED	NO	01/08/12
CALZADILLA	MICHAEL	70210	\$41975.0000	APPOINTED	NO	01/08/12
CANCELINO	JOSEPH	70235	\$79763.0000	PROMOTED	NO	02/06/12
CANCELLERI	ANTHONY J	70235	\$98072.0000	RETIRED	NO	02/01/12
CANSTON	CAROL	60817	\$35455.0000	RETIRED	NO	02/08/12
CAPITALI	NICOLE P	21849	\$69304.0000	INCREASE	YES	01/27/12
CAPOBIANCO	ALFONSO D	7021A	\$87278.0000	RETIRED	NO	02/01/12
CARACCI	JOHN W	7021D	\$87278.0000	RETIRED	NO	01/31/12
CENTENO	JAMES J	70235	\$79763.0000	PROMOTED	NO	02/06/12
CESERI	JOSEPH T	70235	\$79763.0000	PROMOTED	NO	02/06/12
CETELER	FATHI	81901	\$34258.0000	RESIGNED	YES	02/02/12
CHAE	HYON S	70235	\$79763.0000	PROMOTED	NO	02/06/12

m8

LATE NOTICE

COMMUNITY BOARDS

PUBLIC HEARINGS

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

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 09 - Tuesday, March 13, 2012, 7:45 P.M., Woodhaven-Richmond Hill Ambulance Corp., 78-15 Jamaica Avenue, Woodhaven, NY

#C 120195ZMQ

Woodhaven - Richmond Hill Rezoning
The Department of City Planning is proposing to rezone all or portions of 229 blocks in the neighborhoods of Woodhaven and Richmond Hill, the rezoning area is generally bounded by Park Lane to the north, 103rd Avenue to the south, Eldert Lane to the west and the Van Wyck Expressway to the east.

m8-13

READER'S GUIDE

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

NOTICE TO ALL NEW YORK CITY CONTRACTORS

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

CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION-RELATED SERVICES

The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City's prestige as a global destination.

VENDOR ENROLLMENT APPLICATION

New York City procures approximately \$17 billion worth of goods, services, construction and construction-related services every year. The NYC Procurement Policy Board Rules require that agencies primarily solicit from established mailing lists called bidder/proposer lists. Registration for these lists is free of charge. To register for these lists, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application, which can be found online at www.nyc.gov/selltonyc. To request a paper copy of the application, or if you are uncertain whether you have already submitted an application, call the Vendor Enrollment Center at (212) 857-1680.

SELLING TO GOVERNMENT TRAINING WORKSHOP

New and experienced vendors are encouraged to register for a free training course on how to do business with New York City. "Selling to Government" workshops are conducted by the Department of Small Business Services at 110 William Street, New York, NY 10038. Sessions are convened on the second Tuesday of each month from 10:00 A.M. to 12:00 P.M. For more information, and to register, call (212) 618-8845 or visit www.nyc.gov/html/sbs/nycbiz and click on Summary of Services, followed by Selling to Government.

PRE-QUALIFIED LISTS

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstances. When an agency decides to develop a pre-qualified list, criteria for pre-qualification must be clearly explained in the solicitation and notice of the opportunity to pre-qualify for that solicitation must be published in at least five issues of the CR. Information and qualification questionnaires for inclusion on such lists may be obtained directly from the Agency Chief Contracting Officer at each agency (see Vendor Information Manual). A completed qualification questionnaire may be submitted to an Agency Chief Contracting Officer at any time, unless otherwise indicated, and action (approval or denial) shall be taken by the agency within 90 days from the date of submission. Any denial or revocation of pre-qualified status can be appealed to the Office of Administrative Trials and Hearings (OATH). Section 3-10 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists. For information regarding specific pre-qualified lists, please visit www.nyc.gov/selltonyc.

NON-MAYORAL ENTITIES

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

PUBLIC ACCESS CENTER

The Public Access Center is available to suppliers and the public as a central source for supplier-related information through on-line computer access. The Center is located at 253 Broadway, 9th floor, in lower Manhattan, and is open Monday through Friday from 9:30 A.M. to 5:00 P.M., except on legal holidays. For more information, contact the Mayor's Office of Contract Services at (212) 341-0933 or visit www.nyc.gov/mocs.

ATTENTION: NEW YORK CITY MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES

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

PROMPT PAYMENT

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

PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City's website at www.nyc.gov/selltonyc

COMMON ABBREVIATIONS USED IN THE CR

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

ACCO	Agency Chief Contracting Officer
AMT	Amount of Contract
CSB	Competitive Sealed Bid including multi-step
CSP	Competitive Sealed Proposal including multi-step
CR	The City Record newspaper
DP	Demonstration Project
DUE	Bid/Proposal due date; bid opening date
EM	Emergency Procurement
FCRC	Franchise and Concession Review Committee
IFB	Invitation to Bid
IG	Intergovernmental Purchasing
LBE	Locally Based Business Enterprise
M/WBE	Minority/Women's Business Enterprise
NA	Negotiated Acquisition
OLB	Award to Other Than Lowest Responsive Bidder/Proposer
PIN	Procurement Identification Number
PPB	Procurement Policy Board
PQL	Pre-qualified Vendors List
RFEI	Request for Expressions of Interest
RFI	Request for Information
RFP	Request for Proposals
RFQ	Request for Qualifications
SS	Sole Source Procurement
ST/FED	Subject to State and/or Federal requirements

KEY TO METHODS OF SOURCE SELECTION

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

CSB	Competitive Sealed Bidding including multi-step <i>Special Case Solicitations/Summary of Circumstances:</i>
CSP	Competitive Sealed Proposal including multi-step
CP/1	Specifications not sufficiently definite
CP/2	Judgement required in best interest of City
CP/3	Testing required to evaluate
CB/PQ/4	
CP/PQ/4	CSB or CSP from Pre-qualified Vendor List/ Advance qualification screening needed
DP	Demonstration Project
SS	Sole Source Procurement/only one source
RS	Procurement from a Required Source/ST/FED
NA	Negotiated Acquisition <i>For ongoing construction project only:</i>
NA/8	Compelling programmatic needs
NA/9	New contractor needed for changed/additional work
NA/10	Change in scope, essential to solicit one or limited number of contractors

NA/11	Immediate successor contractor required due to termination/default <i>For Legal services only:</i>
NA/12	Specialized legal devices needed; CSP not advantageous
WA	Solicitation Based on Waiver/Summary of Circumstances (<i>Client Services/CSB or CSP only</i>)
WA1	Prevent loss of sudden outside funding
WA2	Existing contractor unavailable/immediate need
WA3	Unsuccessful efforts to contract/need continues
IG	Intergovernmental Purchasing (award only)
IG/F	Federal
IG/S	State
IG/O	Other
EM	Emergency Procurement (award only): An unforeseen danger to:
EM/A	Life
EM/B	Safety
EM/C	Property
EM/D	A necessary service
AC	Accelerated Procurement/markets with significant short-term price fluctuations
SCE	Service Contract Extension/insufficient time; necessary service; fair price <i>Award to Other Than Lowest Responsible & Responsive Bidder or Proposer/Reason (award only)</i>
OLB/a	anti-apartheid preference
OLB/b	local vendor preference
OLB/c	recycled preference
OLB/d	other: (specify)

HOW TO READ CR PROCUREMENT NOTICES

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

Notices of Public Hearings on Contract Awards appear at the end of the Procurement Section.

At the end of each Agency (or Division) listing is a paragraph giving the specific address to contact to secure, examine and/or to submit bid or proposal documents, forms, plans, specifications, and other information, as well as where bids will be publicly opened and read. This address should be used for the purpose specified unless a different one is given in the individual notice. In that event, the directions in the individual notice should be followed.

The following is a SAMPLE notice and an explanation of the notice format used by the CR.

SAMPLE NOTICE:

POLICE

DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

Services (Other Than Human Services)

BUS SERVICES FOR CITY YOUTH PROGRAM – Competitive Sealed Bids – PIN# 056020000293 – DUE 04-21-03 AT 11:00 A.M.

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

NYPD, Contract Administration Unit, 51 Chambers Street, Room 310, New York, NY 10007. Manuel Cruz (646) 610-5225.

☛ m27-30

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