



THE CITY RECORD

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THE CITY RECORD

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ELI BLACHMAN, Editor of The City Record.

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

CITY COUNCIL

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT the Council has scheduled the following public hearings on the matters indicated below:

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the 16th Floor Hearing Room, 250 Broadway, New York City, New York 10007, commencing at 9:30 A.M. on Monday, September 13, 2010:

PIO PIO RESTAURANT

MANHATTAN CB - 4 **20105736 TCM**
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Atrio LLC d/b/a Pio Pio Restaurant, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 604 Tenth Avenue, Borough of Manhattan.

OUR CHILDREN

QUEENS CB - 1 **C 100145 ZMQ**
Application submitted by Hour Children, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 9a and 9b:

- changing from an M1-1 District to an R5D District property bounded by 36th Avenue, a line midway between 12th Street and 13th Street, 37th Avenue and 11th Street; and
- establishing within a proposed R5D District a C1-3 District bounded by 36th Avenue, a line midway between 12th Street and 13th Street, a line 100 feet southwesterly of 36th Avenue;

as shown on a diagram (for illustrative purposes only) dated May 10, 2010 and subject to the conditions of CEQR Declaration E-250.

CAR SHARE VEHICLES ZONING TEXT

CITYWIDE **N 100284 ZRY**
Application submitted by the 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 the parking of car share vehicles in off-street parking facilities.

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

Article 1 GENERAL PROVISIONS

Chapter 2 Construction of Language and Definitions

12-10 DEFINITIONS

Bulk

Car sharing vehicle

A "car sharing vehicle" is a vehicle maintained and owned or leased by a car sharing organization which is available for use by its members. Membership shall mean that individuals have been pre-approved to use such vehicles and need not be approved by the car sharing organization at the time of proposed use. Membership must be open to the public and shall only be denied based upon driving record, credit record or other legitimate business need of the car sharing organization. Vehicles must be made available to members for periods of use as short as one hour. The car sharing organization must provide all legally-required insurance as part of the membership.

Vehicles shall be reserved by members through a self-service reservation system which is available at all times. A car sharing vehicle# shall be located in a parking facility that is accessible to members of the car sharing organization at all times. No employees or agents of the car sharing organization shall provide services to members or conduct business transactions with members within such parking facility. Attended parking facilities may be serviced by a parking attendant unaffiliated with any car sharing organization. A parking facility containing car sharing vehicles# shall be securely separated from all other portions of a building# containing residences#.

A car sharing vehicle# shall be no more than 216 inches in length and shall bear a decal that provides the name of the car sharing organization. The decal must be clearly visible from the outside of the car sharing vehicle# and must be either:

- located on the driver's side door or passenger's side door of car sharing vehicle# and at least 30 square inches in area; or
- located in the lower left corner of the rear windshield of the car sharing vehicle#. The decal shall be at least one square inch in area and contain the letters "CSV" in lettering at least 11/32 of an inch in height and the name of the car sharing organization in lettering at least 5/32 of an inch in height. All lettering shall be fully opaque and shall highly contrast with the background color of the decal.

All car sharing# vehicles shall bear a decal pursuant to the provisions of paragraph (a) or (b) within 60 days of (effective date of amendment).

Public parking garage

A "public parking garage" is a building or other structure#:

- that provides parking or storage for motor vehicles, but not for commercial or public utility vehicles or the dead storage of motor vehicles; and
- some or all of whose parking spaces are non-accessory#.

Car sharing vehicles# may occupy parking spaces in a public parking garage#, however, the number of spaces so occupied shall not exceed 40 percent of all parking spaces in such garage. A public parking garage# may include accessory# off-street parking spaces limited to such spaces that are accessory# to other uses# on the same zoning lot#.

Sale of motor fuel or motor oil or minor repairs incidental to the parking or storage of motor vehicles are permitted accessory uses#.

Public parking lot

A "public parking lot" is any tract of land that is:

- used for the parking or storage for motor vehicles, but not for commercial or public utility vehicles or the dead storage of motor vehicles; and
- not accessory# to a use# on the same or another zoning lot#.

Car sharing vehicles# may occupy spaces in a public parking lot #, however, the number of spaces so occupied shall not exceed 40 percent of all parking spaces in such parking lot.

Minor repairs incidental to the parking or storage of motor vehicles are a permitted accessory use#.

Chapter 3

Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a Portion of Community Districts 1 and 2 in the Borough of Queens

13-012 Existing off-street parking facilities

- Existing required or permitted accessory# off-street parking spaces, public parking lots# and public parking garages# established prior to April 29, 1982 in Manhattan and October 25, 1995 in Queens shall continue to be subject to the applicable zoning district regulations in effect prior to April 29, 1982 in Manhattan and October 25, 1995 in Queens. However, enlargements#, extensions# or any increase in the number of off-street parking spaces within such off-street parking facilities shall be subject to the provisions of this Chapter.
- Nothing herein contained shall be deemed to permit a reduction or elimination of existing accessory# off-street parking spaces that were required under the applicable provisions of the zoning district regulations in effect prior to April 29, 1982 in Manhattan and October 25, 1995 in Queens.
- Car sharing vehicles# may occupy existing required or permitted accessory# off-street parking spaces established prior to April 29, 1982, in Manhattan and October 25, 1995, in Queens, however, the number of spaces so occupied shall not exceed five spaces or 20 percent of all such accessory# off-street parking spaces, whichever is greater.
- Accessory residential# off-street parking spaces shall be made available to the occupants of the

#residences# to which they are #accessory# within 30 days after written request is made to the landlord.

(e) #Car sharing vehicles# may occupy parking spaces in #public parking lots# and #public parking garages# established prior to April 29, 1982, in Manhattan and October 25, 1995, however, the number of spaces so occupied shall not exceed 40 percent of all parking spaces in such parking facilities.

13-14 Additional Regulations for Permitted Accessory Off-Street Parking Spaces

13-144 Car sharing vehicles

Notwithstanding the provisions of Sections 13-12 and 13-13, inclusive, #car sharing vehicles# may occupy parking spaces in #accessory# off-street parking facilities, however, the number of spaces so occupied shall not exceed five spaces or 20 percent of all parking spaces in such facilities, whichever is greater. #Accessory residential# off-street parking spaces shall be made available to the occupants of the #residences# to which they are #accessory# within 30 days after written request is made to the landlord.

13-42 Residential Development

#Accessory# off-street parking spaces are required for new #residential developments# or #enlargements# in Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8, only as set forth below:

(a) For public or publicly-assisted housing, as such categories are defined in Section 25-25 (Modification of Requirements for Public or Publicly Assisted Housing or Non-Profit Housing for the Elderly), the minimum number of #accessory# off-street parking spaces required for new #dwelling units# provided in the #development# or #enlargement# as a percentage of such new #dwelling units# are as follows:

(f) All such parking spaces shall be used exclusively by the occupants of the #residential development# and occupants of nearby public or publicly-assisted housing projects, except that #car sharing vehicles# may occupy #accessory# off-street parking spaces, however, the number of spaces so occupied shall not exceed five spaces or 20 percent of all such parking spaces, whichever is greater. #Accessory residential# off-street parking spaces shall be made available to the occupants of the #residences# to which they are #accessory# within 30 days after written request is made to the landlord.

13-55 Authorizations 13-551 Accessory off-street parking spaces

The City Planning Commission may, by authorization, subject to the otherwise applicable zoning district regulations, allow on-site enclosed #accessory# off-street parking facilities with a maximum capacity of 15 spaces in existing #buildings#, provided that the Commission finds that:

- (a) the #building# does not have #accessory# off-street parking spaces;
(b) such parking spaces are needed for and will be used exclusively by the occupants of the #use# to which they are #accessory#, except that #car sharing vehicles# may occupy #accessory# off-street parking spaces, however, the number of spaces so occupied shall not exceed five spaces or 20 percent of all such parking spaces, whichever is greater.

13-56 Special Permits

13-561 Accessory off-street parking spaces

The City Planning Commission may, by special permit, subject to the otherwise applicable zoning district regulations, allow on-site or off-site, open or enclosed, #accessory# off-street parking facilities with any capacity not otherwise allowed under Section 13-10 (PERMITTED ACCESSORY OFF-STREET PARKING SPACES), provided the Commission finds that:

(a) such parking spaces are needed for, and will be used by, the occupants, visitors, customers or employees of the #use# to which they are #accessory#, except that #car sharing vehicles# may occupy #accessory# off-street parking spaces, however, the number of spaces so occupied shall not exceed five spaces or 20 percent of all such parking spaces, whichever is greater;

Chapter 2 Use Regulations

22-30 SIGN REGULATIONS

22-323 Signs for parking areas R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

One #sign#, with an area not exceeding two square feet, designating each entrance to or exit from an off-street parking area, open or enclosed, is permitted. No such #sign# shall be higher than seven feet above #curb level#.

In addition, an off-street parking facility that contains #car sharing vehicles# may provide #signs# that in the aggregate total no more than two square feet in area identifying organizations that have #car sharing vehicles# available at such parking area. No such #sign# shall be located higher than seven feet above #curb level#.

Chapter 5 Accessory Off-Street Parking and Loading Regulations

Off-street Parking Regulations

25-40 RESTRICTIONS ON OPERATION OF ACCESSORY OFF-STREET PARKING SPACES

25-412 In all other Residence Districts R3 R4 R5 R6 R7 R8 R9 R10

In the districts indicated, such spaces shall be designed and operated primarily for the long-term storage of the private passenger motor vehicles used by the occupants of such #residences#. However, such spaces may be:

- (a) rented for periods of not less than one week and not more than one month to persons who are not occupants of the #residences# to which such spaces are #accessory# for the accommodation of the private passenger motor vehicles used by such non-residents, provided that such spaces are operated in accordance with the regulations promulgated by the Commissioner of Buildings, in a manner which will not adversely affect the residential character of the neighborhood. Such spaces shall be made available to the occupants of the #residences# to which they are #accessory# within 30 days after written request therefore is made to the landlord; or
(b) occupied by #car sharing vehicles#, however:
(1) in R3-2 and R4 Districts, except R4A, R4B and R4-1 Districts, the number of spaces occupied by #car sharing vehicles# shall not exceed 10 percent of all spaces in a #group parking facility# that contains 20 or more spaces; and
(2) in R5, R6, R7, R8, R9 and R10 Districts, except R5A Districts, the number of spaces occupied by #car sharing vehicles# shall not exceed five spaces or 20 percent of all #accessory# off-street parking spaces, whichever is greater.

Such spaces provided pursuant to paragraphs (a) and (b) of this Section shall be made available to the occupants of the #residences# to which they are #accessory# within 30 days after written request is made to the landlord.

25-42 Use of Spaces Accessory to Permitted Non-Residential Uses R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, all permitted or required off-street parking spaces, open or enclosed, which are #accessory# to permitted non-#residential uses# shall be used only by occupants, visitors, customers or employees of such #uses# and shall not be rented except as may be provided for houses of worship pursuant to Section 25-542 (Shared parking facilities for houses of worship). However, #car sharing vehicles# may occupy such spaces only pursuant to the provisions of paragraphs (a) and (b) of this Section.

R1 R2 R3 R4 R5A

(a) In the districts indicated, #car sharing vehicles# may occupy parking spaces #accessory# to a non-#residential use# in a #group parking facility# containing 20 spaces or more that are #accessory# to a college or university #use# listed in Use Group 3, however, the number of spaces so occupied shall not exceed 10 percent of all parking spaces in such #group parking facility#.

R5 R5B R5D R6 R7 R8 R9 R10

(b) In the districts indicated, except R5A Districts, #car sharing vehicles# may occupy parking spaces #accessory# to a non-#residential use# in a #group parking facility# containing 20 spaces or more, however, the number of spaces so occupied shall not exceed 10 percent of all parking spaces in such #group parking facility#.

25-68 For Parking Facilities Containing Car Sharing Vehicles# R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

Within an off-street parking facility that contains #car

sharing vehicles#, an information plaque shall be placed within twenty feet of either the entrance to the parking facility or the attendant's station, at a location accessible to and visible to users of such facility. The plaque shall be fully opaque, non reflective and constructed of permanent, highly durable materials and shall contain the following statements in lettering no less than one inch high:

- (a) "Total parking spaces in facility:" and shall specify the total number of parking spaces permitted within such parking facility;
(b) "Maximum number of car sharing vehicles:" and shall specify the total number of #car sharing vehicles# permitted within such parking facility; and
(c) where such parking facility contains #accessory residential# parking spaces, "Accessory residential parking spaces shall be made available to residents of this building within 30 days after a written request is made to the landlord".

Chapter 6 Accessory Off-Street Parking and Loading Regulations

36-46 Restrictions on Use of Accessory Off-Street Parking Spaces C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all permitted or required #accessory# off-street parking spaces, open or enclosed, shall be used primarily for the owners, occupants, employees, customers, residents, or visitors of the #use# or #uses# to which such spaces are #accessory#, except as set forth in this Section.

- (a) Any off-street parking spaces #accessory# to #residences# which are not needed by the occupants of such #residences# may be rented to persons who are not occupants of such #residences# for the accommodation of private passenger motor vehicles used by such persons or may be occupied by #car sharing vehicles#, only as set forth in the following paragraphs:
(1) In C1 or C2 Districts mapped within Residence Districts
In C1 or C2 Districts mapped within R3, R4 or R5A Districts, the number of spaces occupied by #car sharing vehicles# shall not exceed 10 percent of all parking spaces in #group parking facilities# containing 20 or more spaces. In C1 or C2 Districts mapped within R5 Districts except R5A Districts, and in R6, R7, R8, R9 or R10 Districts, the number of spaces occupied by #car sharing vehicles# shall not exceed five spaces or 20 percent of all parking spaces, whichever is greater.
(2) In C1 or C2 Districts not mapped within Residence Districts, or in C3, C4, C5, C6 Districts
In the districts indicated, except C3 Districts, the number of spaces occupied by #car sharing vehicles# shall not exceed five spaces or 20 percent of all parking spaces, whichever is greater. In C3 Districts, the number of spaces occupied by #car sharing vehicles# shall not exceed 10 percent of all parking spaces in #group parking facilities# containing 20 or more spaces.

Such spaces provided pursuant to paragraph (a) of this Section shall be made available to the occupants of the #residences# to which they are #accessory# within 30 days after written request therefore is made to the landlord.

(b) #Car sharing vehicles# may occupy off-street parking spaces #accessory# to a non-#residential use# in #group parking facility# containing 20 spaces or more, however, the number of spaces so occupied shall not exceed 10 percent of all parking spaces in such #group parking facilities#.

In addition, the rental of such spaces to non-residents shall be subject to the restrictions applying to the specified districts as set forth in this Sections 36-461 and 36-462, except that such restrictions shall not apply to spaces occupied by #car sharing vehicles#.

36-51 General Provisions C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all permitted or required #accessory# off-street parking spaces shall conform to the provisions of the following Sections: Section 36-50, inclusive.

- Section 36-52 (Size of Spaces)
Section 36-53 (Location of Access to the Street)
Section 36-54 (Restrictions on Use of Required Residential Open Space for Parking)
Section 36-55 (Surfacing)
Section 36-56 (Screening)

Special regulations applying to #large-scale community

facility developments# or #large-scale residential developments# are set forth in Article VII, Chapter 8.

36-52
Size, and Location and Identification of Spaces

* * *

36-523
Identification of #car sharing vehicles#
C1 C2 C3 C4 C5 C6 C7 C8

Within an off-street parking facility that contains #car sharing vehicles#, an information plaque shall be placed within twenty feet of either the entrance to the parking facility or the attendant's station, at a location accessible to and visible to users of such facility. The plaque shall be fully opaque, non reflective and constructed of permanent, highly durable materials and shall contain the following statements in lettering no less than one inch high:

(a) "Total parking spaces in facility;" and shall specify the total number of parking spaces permitted within such parking facility;

(b) "Maximum number of car sharing vehicles;" and shall specify the total number of #car sharing vehicles# permitted within such parking facility; and

(c) where such parking facility contains #accessory residential# parking spaces, "Accessory residential parking spaces shall be made available to residents of this building within 30 days after a written request is made to the landlord".

* * *

Chapter 4
Accessory Off-Street Parking and Loading Regulations

* * *

44-30
RESTRICTIONS ON LOCATION AND USE OF ACCESSORY OFF-STREET PARKING SPACES

* * *

44-35
Restriction on Use of Accessory Off-Street Parking Spaces
M1 M2 M3

In all districts, as indicated, #accessory# off-street parking spaces, whether permitted or required and whether open or enclosed, shall be used primarily for the owners, occupants, employees, customers, or visitors of the #use# or #uses# to which such spaces are #accessory#. #Car sharing vehicles# may occupy #accessory# off-street parking spaces in #group parking facilities# containing 20 spaces or more, however, the number of spaces so occupied shall not exceed 10 percent of all parking spaces in such #group parking facilities#.

* * *

44-41
General Provisions
M1 M2 M3

In all districts, as indicated, all permitted or required off-street parking spaces shall conform to the provisions of Section 44-40, inclusive, the following Sections:

Section 44-42 (Size of Spaces)

Section 44-43 (Location of Access to the Street)

Section 44-44 (Surfacing)

Section 44-45 (Screening)

Special regulations applying to #large-scale community facility developments# are set forth in Article VII, Chapter 8.

44-42
Size and Identification of Spaces
M1 M2 M3

(a) Size of spaces

In all districts, as indicated, for all #accessory# off-street parking spaces, open or enclosed, each 300 square feet of unobstructed standing or maneuvering area shall be considered one parking space. However, an area of less than 300 square feet, but in no event less than 200 square feet, may be considered as one space, where the layout and design of the parking area are adequate to permit convenient access and maneuvering in accordance with regulations promulgated by the Commissioner of Buildings, or where the developer or applicant for a building permit or certificate of occupancy certifies that such spaces will be fully attended.

* * *

M1 M2 M3

(b) Identification of #car sharing vehicles#

Within an off-street parking facility that contains #car sharing vehicles#, an information plaque shall be placed at a location accessible to and visible to users of such facility. The plaque shall be fully opaque, non reflective and constructed of permanent, highly durable materials and shall contain the following statements in lettering no less than one inch high:

(1) "Total parking spaces in facility;" and shall specify the total number of parking spaces permitted within such parking facility; and

(2) "Maximum number of car sharing vehicles;" and shall specify the total number of #car sharing vehicles# permitted within such parking facility.

* * *

ROSEDALE REZONING

QUEENS CB - 13 C 100436 ZMQ

Application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 19a, 19b, 19c and 19d:

1. eliminating from within an existing R3-2 District a C1-1 bounded by 147th Drive, a boundary line of the City of New York, 148th Avenue, and Hook Creek Boulevard;
2. eliminating from within an existing R3-2 District a C1-2 bounded by:
 - a. Brookville Boulevard, a line 150 feet northeasterly of Francis Lewis Boulevard, a line 150 feet northerly of North Conduit Avenue, 242nd Street, and North Conduit Avenue;
 - b. South Conduit Avenue, Francis Lewis Boulevard, 245th Street, a line 150 feet northeasterly of Francis Lewis Boulevard, 247th Street, a line 150 feet southwesterly of Francis Lewis Boulevard, 245th Street, 243rd Street, and 140th Avenue;
 - c. Caney Road, a line 150 feet southeasterly of 243rd Street, Mayda Road, and a line 150 feet northwesterly of 243rd Street; and
 - d. South Conduit Avenue, Hook Creek Boulevard, 248th Street, a line 100 feet southerly of South Conduit Avenue, and 247th Street;
3. eliminating from within an existing R2 District a C2-1 bounded by Brookville Boulevard, a line 150 feet northerly of Merrick Boulevard, 133rd Avenue, 243rd Street, a line 150 feet northerly of Merrick Boulevard, 132nd Road, Hook Creek Boulevard, a line 150 feet southerly of Merrick Boulevard, a line midway between Brookville Boulevard and 241st Street, and 135th Avenue;
4. eliminating from within an existing R3-2 District a C2-1 bounded by:
 - a. North Conduit Avenue, Hook Creek Boulevard, the centerline of the Long Island Railroad right-of-way (Montauk Division), and Brookville Boulevard; and
 - b. South Conduit Boulevard, a boundary line of the City of New York, a line 100 feet northerly of 149th Street, and Hook Creek Boulevard;
5. changing from an R3-2 District to an R2 District property bounded by:
 - a. a line 150 feet northeasterly of Francis Lewis Boulevard, a line 220 feet southwesterly of 138th Avenue, and a line midway between Brookville Boulevard and 241st Street; and
 - b. a line 150 feet northeasterly of Francis Lewis Boulevard, a line 150 feet northerly of North Conduit Boulevard, 242nd Street, a line 320 feet southwesterly of 138th Avenue, and 241st Street;
6. changing from an R3-2 District to an R3A District property bounded by:
 - a. South Conduit Avenue, 241st Street, a line midway between 140th Avenue and Memphis Avenue, a line 60 feet southeasterly of 241st Street, 142nd Avenue, a line 140 feet northwesterly of 243rd Street, Caney Road, a line 100 feet northwesterly of 243rd Street, Huxley Street, a line perpendicular to the southwesterly street line of Huxley Street distant 120 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Huxley Street and the northerly street line of 147th Avenue, a line 130 feet southwesterly of Huxley Street, a line perpendicular to the northeasterly street line of Edgewood Avenue distant 80 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Huxley Street and the northerly street line of 147th Avenue, Edgewood Avenue, a line midway between 146th Avenue and 147th Avenue, a line 100 feet easterly of Brookville Boulevard, 147th Avenue, and Brookville Boulevard;
 - b. a line 100 feet northerly of 249th Street, a boundary line of the City of New York, a line 100 feet southerly of 250th Street, a

line perpendicular to the southerly street line of 250th Street distant 110 feet easterly (as measured along the street line) from the point of intersection of the southerly street line of 250th Street and the northeasterly street line of Hook Creek Boulevard, 250th Street, a line perpendicular to the northerly street line of 250th Street distant 60 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of 250th Street and the northeasterly street line of Hook Creek Boulevard, 249th Street, and a line 85 feet easterly of Hook Creek Boulevard; and

c. a line midway between Caney Road and 144th Avenue, 249th Street, Newhall Avenue, a line 120 feet southeasterly of 245th Street, a line 100 feet southwesterly of Newhall Avenue, a line midway between 243rd Street and 245th Street, Newhall Avenue, a line 140 feet southeasterly of 243rd Street, Mayda Road, and a line 100 feet southeasterly of 243rd Street;

7. changing from an R3-2 District to an R3X District property bounded by 140th Avenue, 243rd Street, a line perpendicular to the southeasterly street line of 243rd Street distant 200 feet southwesterly (as measured along the street line), from the point of intersection of the southeasterly street line of 243rd Street and the southerly street line of South Conduit Avenue, 245th Street, a line 135 feet southwesterly of Francis Lewis Boulevard, 246th Street, a line 85 feet southwesterly of Francis Lewis Boulevard, a line midway between 246th Street and 247th Street, Francis Lewis Boulevard, 247th Street, a line 85 feet northeasterly of Francis Lewis Boulevard, a line 100 feet northwesterly of 246th Street, a line 335 feet northeasterly of Francis Lewis Boulevard, 246th Street, South Conduit Avenue, 247th Street, a line 250 feet northeasterly of 139th Avenue, a line midway between 247th Street and 248th Street, a line perpendicular to the northwesterly street line of 248th Street distant 130 feet southwesterly (as measured along the street line) from the point of intersection of the northwesterly street line of 248th Street and the westerly street line of Hook Creek Boulevard, 248th Street, Hook Creek Boulevard, 249th Street, a line perpendicular to the northerly street line of 250th Street distant 60 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of 250th Street and the northeasterly street line of Hook Creek Boulevard, 250th Street, a line perpendicular to the southerly street line of 250th Street distant 110 feet easterly (as measured along the street line) from the point of intersection of the southerly street line of 250th Street and the northeasterly street line of Hook Creek Boulevard, a line 100 feet southerly of 250th Street, a boundary line of the City of New York, 145th Avenue, Hook Creek Boulevard, 148th Avenue, a line 100 feet easterly of Hook Creek Boulevard, 148th Road, a boundary line of the City of New York, Hungary Harbor Road, Hook Creek Boulevard, 148th Drive, a line 100 feet westerly of Hook Creek Boulevard, a line midway between 148th Drive and 149th Avenue, a line 320 feet westerly of Hook Creek Boulevard, 149th Avenue, a line 330 feet westerly of 262nd Street, 149th Road, 262nd Street and its southerly centerline prolongation, a boundary line of the City of New York, a line 50 feet westerly of 259th Street and its southerly prolongation, Craft Avenue, 259th Street, 149th Road, 259th Street, a line midway between 148th Drive and 149th Avenue, 257th Street, 148th Drive, a line 200 feet easterly of Weller Lane, a line midway between 148th Road and 148th Drive, Weller Lane, 149th Road, Weller Lane, 149th Drive, a line midway between 255th Street and Weller Lane, Craft Avenue, a line midway between 254th Street and 255th Street, 149th Drive and its westerly centerline prolongation, a northeasterly and a northerly boundary line of a park and its westerly prolongation, Brookville Boulevard, 149th Avenue, 235th Street, a line midway between 148th Avenue and 148th Road, a line 170 feet southeasterly of 235th Street, 148th Avenue, Brookville Boulevard, a line midway between 147th Drive and 148th Avenue, a line 80 feet northwesterly of Brookville Boulevard, 147th Drive, 235th Street, a northeasterly boundary line of Brookville Park and its southeasterly prolongation, an easterly boundary line of Brookville Park and its northerly prolongation, 147th Avenue, 235th Street, a line 100 feet northeasterly of 147th Road, a line 75 feet westerly of Brookville Boulevard, 147th Road, a line perpendicular to the southwesterly street line of 147th Road distant 80 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of 147th Road and the westerly street line of Brookville Boulevard, a line midway between 147th Road and 147th Drive, Brookville Boulevard, a line midway between 147th Road and 147th Drive, a line 90 feet easterly of Brookville Boulevard, a line 100 feet northerly of 147th Road, a line 100 feet easterly Brookville Boulevard, a line midway between 146th Avenue and 147th Avenue, a line perpendicular to the northeasterly street line of Edgewood Avenue distant 80 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Huxley Street and the northerly street line of 147th Avenue, Edgewood Avenue, a line 130 feet southwesterly of Huxley Street, a line perpendicular to the southwesterly street line of Huxley Street distant 120 feet northwesterly (as

measured along the street line) from the point of intersection of the southwesterly street line of Huxley Street and the northerly street line of 147th Avenue, Huxley Street, a line 100 feet northwesterly of 243rd Street, Mayda Road, a line 140 feet southeasterly of 243rd Street, Newhall Avenue, a line midway between 243rd Street and 245th Street, a line 100 feet southwesterly of Newhall Avenue, a line 120 feet southeasterly of 245th Street, Newhall Avenue, 249th Street, a line midway between Caney Road and 144th Avenue, a line 100 feet southeasterly of 243rd Street, Caney Road, a line 140 feet northwesterly of 243rd Street, 142nd Avenue, a line 60 feet southeasterly of 241st Street, a line midway between 140th Avenue and Memphis Avenue, and a line 100 feet southeasterly of 241st Street; and excluding the area bounded by:

- i. 253rd Street, Weller Lane, a line 540 feet northerly of 147th Avenue, a line midway between Weller Lane and 254th Street, 147th Avenue, Francis Lewis Boulevard, a line 80 feet northerly of 147th Road, a line 110 feet westerly of Weller Lane, 147th Road, a line 50 feet easterly of 253rd Street, 147th Avenue, Mayda Road, a line 420 feet southeasterly of 249th Street, a line midway between 145th Avenue and Mayda Road, a line 280 feet southeasterly of 249th Street, 145th Avenue, a line 360 feet southeasterly of 249th Street, and 144th Avenue; and
 - ii. 147th Road, 253rd Street, a line midway between 147th Drive and 148th Avenue, a line 150 feet easterly of 253rd Street, 148th Avenue, line 200 feet easterly of 253rd Street, a line midway between 148th Avenue and 148th Road, 253rd Street, a line midway between 148th Road and 148th Drive, a line perpendicular to the southerly street line of 148th road distant 110 feet easterly (as measured along the street line) from the point of intersection of the southerly street line of 148th Road and the northeasterly street line of Huxley Street, 148th Road, 249th Street, 148th Avenue, a line 230 feet easterly of 249th Street, a line midway between 147th drive and 148th Avenue, a line 100 feet westerly of 253rd Street, a line midway between 147th Road and 147th Drive, and a line 75 feet westerly of 253rd Street;
8. changing from an R3-2 District to an R3-1 District property bounded by:
- a. 147th Drive, a line 80 feet northwesterly of Brookville Boulevard, a line midway between 147th Drive and 148th Avenue, Brookville Boulevard, 148th Avenue, a line 170 feet southeasterly of 235th Street, a line midway between 148th Avenue and 148th Road, and 235th Street;
 - b. 147th Road, 253rd Street, a line midway between 147th Drive and 148th Avenue, a line 150 feet easterly of 253rd Street, 148th Avenue, line 200 feet easterly of 253rd Street, a line midway between 148th Avenue and 148th Road, 253rd Street, a line midway between 148th Road and 148th Drive, a line perpendicular to the southerly street line of 148th road distant 110 feet easterly (as measured along the street line) from the point of intersection of the southerly street line of 148th Road and the northeasterly street line of Huxley Street, 148th Road, 249th Street, 148th Avenue, a line 230 feet easterly of 149th Street, a line midway between 147th drive and 148th Avenue, a line 100 feet westerly of 253rd Street, a line midway between 147th Road and 147th Drive, and a line 75 feet westerly of 253rd Street;
 - c. 253rd Street, Weller Lane, a line 540 feet northerly of 147th Avenue, a line midway between Weller Lane and 254th Street, 147th Avenue, Francis Lewis Boulevard, a line 80 feet northerly of 147th Road, a line 110 feet westerly of Weller Lane, 147th Road, a line 50 feet easterly of 253rd Street, 147th Avenue, Mayda Road, a line 420 feet southeasterly of 249th Street, a line midway between 145th Avenue and Mayda Road, a line 280 feet southeasterly of 249th Street, 145th Avenue, a line 360 feet southeasterly of 249th Street, and 144th Avenue;
 - d. 145th Avenue, a boundary line of the City of New York, 147th Drive, and Hook Creek Boulevard;
 - e. 149th Drive and its westerly centerline prolongation, a line midway between 254th Street and 255th Street, Craft Avenue, a line midway between 255th Street and Weller Lane, 149th Drive, Weller Lane, 149th Road, Weller Lane, a line midway between 148th Road and 148th Drive, a line 200 feet easterly of Weller Lane, 148th Drive, 257th Street, a line midway between 148th Drive and

149th Avenue, 259th Street, 149th Road, 258th Street, a line 60 feet southerly of 149th Road, a line midway between 257th Street and 258th Street, Craft Avenue, a line 50 feet westerly of 259th Street and its southerly centerline prolongation, a boundary line of the City of New York, and a northeasterly boundary line of a park and its southeasterly prolongation; and

- f. 149th Avenue, a line 320 feet westerly of Hook Creek Boulevard, a line midway between 148th Drive and 149th Avenue, a line 100 feet westerly of Hook Creek Boulevard, 148th Drive, Hook Creek Boulevard, Hungary Harbor Road, a boundary line of the City of New York, 262nd Street, and its southerly centerline prolongation, 149th Road, and a line 330 feet westerly of 262nd Street;
9. establishing within an existing R3-2 District a C1-2 District bounded by 147th Avenue, Brookville Boulevard, 147th Road, a line 75 feet westerly of Brookville Boulevard, a line 100 feet northeasterly of 147th Road, and 235th Street;
10. establishing within an existing R2 District a C1-3 District bounded by a line 150 feet northerly of Merrick Boulevard, 133rd Avenue, 243rd Street, a line 125 feet northerly of Merrick Boulevard, 132nd Road, Hook Creek Boulevard, Merrick Boulevard, 245th Street, a line 100 feet southerly of Merrick Boulevard, 244th Street, a line perpendicular to the northwesterly street line of 244th Street distant 100 feet southwesterly (as measured along the street line) from the point of intersection of the northwesterly street line of 244th Street and the southerly street line of Merrick Boulevard, a line midway between 243rd Street and 244th Street, a line 360 feet northeasterly of 134th Avenue, 243rd Street, a line 260 feet northeasterly of 134th Avenue, a line midway between 242nd Street and 243rd Street, a line 120 feet northeasterly of 134th Avenue, 242nd Street, a line perpendicular to the northwesterly street line of 242nd Street distant 175 feet southwesterly (as measured along the street line) from the point of intersection of the northwesterly street line of 242nd Street and the southerly street line of Merrick Boulevard, 241st Street, a line perpendicular to the northwesterly street line of 241st Street distant 115 feet southwesterly (as measured along the street line) from the point of intersection of the northwesterly street line of 241st Street and the southerly street line of Merrick Boulevard, a line 75 feet northwesterly of 241st Street, a line 275 feet northwesterly of 135th Avenue, and Brookville Boulevard;
11. establishing within an existing R3-2 District a C1-3 District bounded by
- a. Brookville Boulevard, a line 150 feet northeasterly of Francis Lewis Boulevard, a line midway between Brookville Boulevard and 241st Street, a line 220 feet southwesterly of 138th Avenue, 241st Street, a line 320 feet southwesterly of 138th Avenue, 242nd Street, North Conduit Avenue, a line perpendicular to the southerly street line of North Conduit Avenue distant 230 feet easterly (as measured along the street line) from the point of intersection of the southerly street line of North Conduit Avenue and the northeasterly street line of Francis Lewis Boulevard, Long Island Railroad right-of-way (Montauk Division), Brookville Boulevard, North Conduit Avenue, and a line 95 feet southwesterly of Francis Lewis Boulevard;
 - b. South Conduit Avenue, 246th Street, a line 335 feet northeasterly of Francis Lewis Boulevard, a line 100 feet northwesterly of 246th Street, a line 85 feet northeasterly of Francis Lewis Boulevard, a line 50 feet northwesterly of 247th Street, Francis Lewis Boulevard, a line midway between 246th Street and 247th Street, a line 85 feet southwesterly of Francis Lewis Boulevard, 246th Street, a line 135 feet southwesterly of Francis Lewis Boulevard, 245th Street, a line perpendicular to the southeasterly street line of 243rd Street distant 200 feet southwesterly (as measured along the street line), from the point of intersection of the southeasterly street line of 243rd Street and the southerly street line of South Conduit Avenue, 243rd Street, and 140th Avenue; and
 - c. South Conduit Avenue, Hook Creek Boulevard, 248th Street, a line perpendicular to the northwesterly street line of 248th Street distant 130 feet southwesterly (as measured along the street line) from the point of intersection of the northwesterly street line of 248th Street and the westerly street line of Hook Creek Boulevard, a line midway between 247th Street and 248th Street, a line 250 feet northeasterly of 139th Avenue, and 247th Street;
12. establishing within an existing R2 District a C2-3 District bounded by Merrick Boulevard, Hook

Creek Boulevard, a line 150 feet southerly of Merrick Boulevard, and 245th Street; and

13. establishing within an existing R3-2 District a C2-3 District bounded by South Conduit Boulevard, a boundary line of the City of New York, a line 100 feet northerly of 249th Street, and Hook Creek Boulevard;

as shown on a diagram (for illustrative purposes only) dated June 7, 2010.

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matters in the 16th Floor Hearing Room, 250 Broadway, New York City, New York 10007, commencing at 11:00 A.M. on Monday, September 13, 2010:

NOONAN PLAZA APARTMENTS

BRONX CB - 4 20105798 HKX (N 100474 HKX)
Designation (List No. 430/LP-2400) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of Noonan Plaza Apartments, located 105-149 West 168th Street a/k/a 1231-1245 Nelson Avenue/1232-1244 Ogden Avenue (Block 2518, Lot 1), as an historic landmark.

HAFFEN BUILDING

BRONX CB - 1 20105799 HKX (N 100475 HKX)
Designation (List No. 430/LP-2388) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the Haffen Building, located at 2804-2808 Third Avenue a/k/a 507 Willis Avenue (Block 2307, Lot 59), as an historic landmark.

GREENWICH VILLAGE HISTORIC DISTRICT EXTENSION II

MANHATTAN CB - 2 20105800 HKM (N 100476 HKM)
Designation (List No. 430/LP-2366) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the Greenwich Village Historic District Extension II. The district boundaries are:

Area I

Area I of the Greenwich Village Historic District Extension II consists of the property bounded by a line beginning at the northwest corner of West Houston Street and Sixth Avenue, extending northeasterly along the western curbline of Sixth Avenue to a point in the middle of the roadbed of West 4th Street, northwesterly along a line in the middle of the roadbed of West 4th Street to a point on a line extending northeasterly from the northern property line of 180-184 West 4th Street (aka 1-3 Jones Street), southwesterly along said line and the northern property lines of 180-184 West 4th Street (aka 1-3 Jones Street) through 287 Bleeker Street, southwesterly to a point in the middle of the roadbed of Seventh Avenue South, southwesterly along a line in the middle of the roadbed of Seventh Avenue South to a point on a line extending northwesterly from the eastern curbline of Bedford Street, southeasterly along said line and the eastern curbline of Bedford Street to the southeastern corner of Leroy and Bedford Streets, southwesterly along the southern curbline of Leroy Street to a point on a line extending northwesterly from the western property line of 42 Leroy Street, southeasterly along said line and the western property line of 42 Leroy Street, northeasterly along the southern property lines of 42 Leroy Street and 40 Leroy Street (aka 45 Bedford Street) to the eastern curbline of Bedford Street, southeasterly along the eastern curbline of Bedford Street to the southeastern corner of Carmine and Bedford Streets, southwesterly along the southern curbline of Carmine Street to a point on a line extending northwesterly from the western property line of 37A Bedford Street (aka 60-64 Carmine Street), southeasterly along the said line and the western property line of 37A Bedford Street (aka 60-64 Carmine Street), southwesterly along part of the northern property line of 35-37 Bedford Street and the northern property lines of 45 (aka 45-47) Downing Street through 55 ½ (aka 55A) Downing Street, southeasterly along the western property line of 55 ½ (aka 55A) Downing Street to the southern curbline of Downing Street, northeasterly along the southern curbline of Downing Street to a point on a line extending northwesterly from the western property line of 46 (aka 46-48) Downing Street, southeasterly along said line and the western property line of 46 (aka 46-48) Downing Street, northeasterly along the southern property line of 46 (aka 46-48) Downing Street through 38 Downing Street, northwesterly along part of the eastern property line of 38 Downing Street, easterly and northeasterly along the southern property line of 19 (aka 17-19) Bedford Street to the eastern curbline of Bedford Street, southeasterly along the eastern curbline of Bedford Street and the northern curbline of West Houston Street to the point of beginning, Borough of Manhattan, Community District 2.

Area II

Area II of the Greenwich Village Historic District Extension II consists of the property bounded by a line beginning at the northwest corner of Clarkson Street and Seventh Avenue South, extending northeasterly along the western curbline of Seventh Avenue South to a point in the middle of the roadbed of Leroy Street, southwesterly along the middle of the roadbed of Leroy Street to a point on a line extending northerly from the western property line of 66-68 Leroy Street (aka 10-12 Seventh Avenue South), southerly along said line and part of the western property line of 66-68 Leroy Street (aka 10-12 Seventh Avenue South), westerly and southerly along part of the irregular northern and western property lines of 2-8 Seventh Avenue South, southerly along part of the western property line of 2-8 Seventh Avenue South to the northern curbline of Clarkson Street and easterly along the northern curbline of Clarkson Street to the point of beginning.

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the

following matters in the 16th Floor Hearing Room, 250 Broadway, New York City, New York 10007, commencing at 1:00 P.M. on Monday, September 13, 2010:

Proposals subject to Council review and action pursuant to the Urban Development Action Area Act, Article 16 of the New York General Municipal Law, at the request of the Department of Housing Preservation and Development ("HPD"), which requests that the Council:

1. Find that the present status of the listed areas tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;
2. Waive the area designation requirements of Section 693 of the General Municipal Law pursuant to said Section;
3. Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the projects as Urban Development Action Area Projects pursuant to Section 694 of the General Municipal Law; and
5. Approve an exemption of the project from real property taxes pursuant to Section 696 of the General Municipal Law for Numbers 1, 4 and 5 and Section 577 of the Private Housing Finance Law for Numbers 2 and 3.

NO.	ADDRESS	BLOCK/ LOT	BORO	PROGRAM	COMMUNITY BOARD
1.	760 Jefferson Avenue	1657/44	Brooklyn	Asset Control Area	03
2.	2053 Seventh Avenue	1907/63	Manhattan	Tenant Interim Lease	10
3.	108 West 114th Street	1823/40	Manhattan	Tenant Interim Lease	10
4.	238 Van Buren Street	69/55	Staten Island	Asset Control Area	01
5.	146 No. Burgher Ave. 36 Hill Street 38A Thelma Court 56 Bond Street 53 Larkin Street 96 Maple Avenue	173/24 556/133 556/167 1018/29 1075/47 1078/49	Staten Island	Asset Control Area	01

s7-13

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, September 15, 2010 at 10:00 A.M.

**BOROUGH OF MANHATTAN
No. 1
45 EAST 70TH STREET**

CD 8 C 100140 ZSM
IN THE MATTER OF an application submitted by 70th Street Holdings, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the requirements of Section 23-691 (Limited Height Districts), Section 23-692 (Height limitations for narrow buildings or enlargements), Section 23-663(b) (Required rear setbacks for tall buildings in other districts), and Section 23-462(c) (Side yards for all other residential buildings) to facilitate a 1-story rooftop enlargement of an existing 4-story residential building on property located at 45 East 70th Street (Block 1385, Lot 29), in an R8B District, within a Limited Height District (LH-1A), within the Upper East Side Historic District.

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

**No. 2
WASHINGTON-GREENWICH STREETS REZONING
CD 2 C 100437 ZMM**

IN THE MATTER OF an application submitted by the NYC Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12a, changing from a C6-1 District to a C1-6A District property bounded by 12th Street, a line 100 feet easterly of Washington Street, a line midway between West 11th Street and Perry Street, Greenwich Street, West 10th Street, a line 150 feet easterly of Washington Street, a line 125 feet northerly of West 10th Street, and Washington Street, as shown on a diagram (for illustrative purposes only) dated June 7, 2010.

**BOROUGH OF MANHATTAN
Nos. 3-15
RIVERSIDE CENTER
No. 3**

CD 7 C 100287 ZSM
IN THE MATTER OF an application submitted by CRP/Extell Parcel L, L.P. and CRP/Extell Parcel N, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way or yard which will be completely covered over by a permanent platform and that portion of the right-of-way or yard where railroad or transit use has been

permanently discontinued or terminated to be included in the lot area, in connection with a proposed mixed use development on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), in a C4-7 District, within a general large-scale development generally bounded by West 72nd Street, Freedom Place, West End Avenue, West 59th Street and Riverside Boulevard.

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. 4

CD 7 C 100288 ZSM
IN THE MATTER OF an application submitted by CRP/Extell Parcel L, L.P. and CRP/Extell Parcel N, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 1800 spaces on portions of the ground floor, cellar, sub-cellar 1 and sub-cellar 2 of a proposed mixed use development on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), in a C4-7 District, within a general large-scale development generally bounded by West 72nd Street, Freedom Place, West End Avenue, West 59th Street and Riverside Boulevard.

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. 5

CD 7 C 100289 ZSM
IN THE MATTER OF an application submitted by CRP/Extell Parcel L, L.P. and CRP/Extell Parcel N, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 460 spaces on portions of the ground floor, cellar, sub-cellar 1 and sub-cellar 2 of a proposed mixed use development (Parcel 1), on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), in a C4-7 District, within a general large-scale development generally bounded by West 72nd Street, Freedom Place, West End Avenue, West 59th Street and Riverside Boulevard.

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. 6

CD 7 C 100290 ZSM
IN THE MATTER OF an application submitted by CRP/Extell Parcel L, L.P. and CRP/Extell Parcel N, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 230 spaces on portions of the ground floor, cellar, sub-cellar 1 and sub-cellar 2 of a proposed mixed use development (Parcel 2), on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), in a C4-7 District, within a general large-scale development generally bounded by West 72nd Street, Freedom Place, West End Avenue, West 59th Street and Riverside Boulevard.

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. 7

CD 7 C 100291 ZSM
IN THE MATTER OF an application submitted by CRP/Extell Parcel L, L.P. and CRP/Extell Parcel N, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 290 spaces on portions of the ground floor, cellar, sub-cellar 1 and sub-cellar 2 of a proposed mixed use development (Parcel 3), on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), in a C4-7 District, within a general large-scale development generally bounded by West 72nd Street, Freedom Place, West End Avenue, West 59th Street and Riverside Boulevard.

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. 8

CD 7 C 100292 ZSM
IN THE MATTER OF an application submitted by CRP/Extell Parcel L, L.P. and CRP/Extell Parcel N, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 370 spaces on portions of the ground floor, cellar, sub-cellar 1 and sub-cellar 2 of a proposed mixed use development (Parcel 4), on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), in a C4-7 District, within a general large-scale development generally bounded by West 72nd Street, Freedom Place, West End Avenue, West 59th Street and Riverside Boulevard.

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. 9

CD 7 C 100293 ZSM
IN THE MATTER OF an application submitted by CRP/Extell Parcel L, L.P. and CRP/Extell Parcel N, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 450 spaces on portions of the ground floor, cellar, sub-cellar 1 and sub-cellar 2 of a proposed mixed use development (Parcel 5), on property bounded by West 61st Street, West End Avenue, West 59th

Street and Riverside Boulevard (Block 1171, Lots 155 & 165), in a C4-7 District, within a general large-scale development generally bounded by West 72nd Street, Freedom Place, West End Avenue, West 59th Street and Riverside Boulevard.

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. 10

CD 7 N 100294 ZRM
IN THE MATTER OF an application submitted by CRP/Extell Parcel L, LP and CRP/Extell Parcel N, LP pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning Section 74-743 (Special provisions for bulk modification), Borough of Manhattan, Community District 7.

Matter in underline is new, to be added;
Matter in ~~strikeout~~ is old, to be deleted;
Matter within # # is defined in Section 12-10;

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

ARTICLE VII: ADMINISTRATION

Chapter 4

Special Permits by the City Planning Commission

74-743

Special provisions for bulk modification

- (a) For a #general large-scale development#, the City Planning Commission may permit:
 - (1) distribution of total allowable #floor area#, #rooming units#, #dwelling units#, #lot coverage# and total required #open space# under the applicable district regulations within a #general large-scale development# without regard for #zoning lot lines# or district boundaries subject to the following limitations:
 - (i) no distribution of #bulk# across the boundary of two districts shall be permitted for a #use# utilizing such #bulk# unless such #use# is permitted in both districts;
 - (ii) when a #general large-scale development# is located partially in a #Residence District# or in a C1, C2, C3 or C4-1 District and partially in other #Commercial# or #Manufacturing Districts#, no transfer of commercial #floor area# to a #Residence District# or to a C1, C2, C3 or C4-1 District from other districts shall be permitted;
 - (2) location of #buildings# without regard for the applicable #yard#, #court#, distance between #buildings#, or height and setback regulations;
 - (3) variation in the location of primary business entrances and #show windows# along frontages adjacent to #zoning lots# outside the #general large-scale development# without regard to regulations applicable near #Residence District# boundaries;
 - (4) the maximum #floor area ratio# permitted pursuant to Section 23-142 (In R6, R7, R8 or R9 Districts) for the applicable district without regard for #height factor# or #open space ratio# requirements provided that the #general large-scale development# is located partially in a C6-1, C6-2 or C6-3 District within the boundaries of Community District 7 in Manhattan and that a minimum of 50 percent of the required #open space# is provided within the #general large-scale development#. Required #open space# for the purposes of this paragraph, (a)(4), shall be calculated by utilizing the smallest #open space ratio# at the maximum #floor area ratio# pursuant to Section 23-142 for the applicable district;
 - (5) in an #Inclusionary Housing designated area# in a C4-6 or C5 District:
 - (i) a portion of the #lot area# that contains a wholly #commercial building# to be excluded from the calculation of #floor area# for any other #buildings# on the remainder of the #zoning lot#; or
 - (ii) community facility #floor area# located above the ground floor to be excluded from the calculation of the amount of #affordable housing# required pursuant to Section 23-95; or
 - (6) modification of the requirements of Section 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines) for #developments# or #enlargements#, where:
 - (i) the required minimum distance as set forth in Section 23-86 is provided between the #legally required window# in the new #development# or #enlargement# and a wall or #lot line # on an abutting property; and
 - (ii) the required minimum distance is provided by a light and air easement acceptable to the Department of City Planning and recorded in the County Clerk's office in the county in which such tracts of land are located.
- (7) modification of the definition of #outer court# in Section 12-10 (DEFINITIONS) and the provisions of Section 23-84 (Outer Court Regulations) to

include any open area that is bounded on all sides but one by building walls and is not otherwise a yard# or an inner court#, provided that:

- (i) such modifications are permitted only for general large-scale developments# previously approved by the City Planning Commission in a C4-7 District within the boundaries of Manhattan Community District 7; and
(ii) the minimum distance between a legally required window# facing onto such outer court# and a building wall shall be 30 feet, measured in a horizontal plane at the sill level of, and perpendicular to such window for the full width of the rough window opening.
(b) In order to grant a special permit pursuant to this Section for any general large-scale development#, the Commission shall find that:
(1) the distribution of floor area#, open space#, dwelling units#, rooming units# and the location of buildings#, primary business entrances and show windows# will result in a better site plan and a better relationship among buildings# and open areas to adjacent streets#, surrounding development#, adjacent open areas and shorelines than would be possible without such distribution and will thus benefit both the occupants of the general large-scale development#, the neighborhood, and the City as a whole;
(2) the distribution of floor area# and location of buildings# will not unduly increase the bulk# of buildings# in any one block# or unduly obstruct access of light and air to the detriment of the occupants or users of buildings# in the block# or nearby blocks# or of people using the public streets#;
(3) where a zoning lot# of a general large-scale development# does not occupy a frontage on a mapped street#, appropriate access to a mapped street# is provided;
(4) considering the size of the proposed general large-scale development#, the streets# providing access to such general large-scale development# will be adequate to handle traffic resulting therefrom;
(5) when the Commission has determined that the general large-scale development# requires significant addition to existing public facilities serving the area, the applicant has submitted to the Commission a plan and timetable to provide such required additional facilities. Proposed facilities that are incorporated into the City's capital budget may be included as part of such plan and timetable;
(6) where the Commission permits the maximum floor area ratio# in accordance with the provisions of paragraph (a)(4) of this Section, the open space# provided is of sufficient size to serve the residents of new or enlarged buildings#. Such open space# shall be accessible to and usable by all residents of such new or enlarged buildings#, have appropriate access, circulation, seating, lighting and paving, and be substantially landscaped. Furthermore, the site plan of such general large-scale development# shall include superior landscaping for open space# of the new or enlarged buildings#;
(7) where the Commission permits the exclusion of lot area# or floor area# in accordance with the provisions of paragraph (a)(5) of this Section, such modification will facilitate a desirable mix of uses# in the general large-scale development# and a plan consistent with the objectives of the Inclusionary Housing program; and
(8) a declaration with regard to ownership requirements in paragraph (b) of the general large-scale development# definition in Section 12-10 (DEFINITIONS) has been filed with the Commission.

The Commission may prescribe additional conditions and safeguards to improve the quality of the general large-scale development# and to minimize adverse effects on the character of the surrounding area.

For a phased construction program of a multi-building complex, the Commission may, at the time of granting a special permit, require additional information, including but not limited to a proposed time schedule for carrying out the proposed general large-scale development#, a phasing plan showing the distribution of bulk# and open

space# and, in the case of a site plan providing for common open space#, common open areas or common parking areas, a maintenance plan for such space or areas and surety for continued availability of such space or areas to the people they are intended to serve.
* * *

No. 11

CD 7 N 100294 (A) ZRM

IN THE MATTER OF an application submitted by CRP/Extell Parcel L, LP and CRP/Extell Parcel N, LP pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure for an amendment of the Zoning Resolution of the City of New York, concerning Section 23-144 (In designated areas where the Inclusionary Housing Program is applicable), Section 23-954 (Additional requirements for compensated developments), Section 74-743 (Special provisions for bulk modification), and Appendix F (Inclusionary Housing Designated Areas).

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

ARTICLE II: RESIDENCE DISTRICT REGULATIONS

Chapter 3 Bulk Regulations for Residential Buildings in Residence Districts

23-144 In designated areas where the Inclusionary Housing Program is applicable

In Inclusionary Housing designated areas#, as listed in the table in this Section, the maximum permitted floor area ratios# shall be as set forth in Section 23-952 (Floor area compensation in Inclusionary Housing designated areas). The locations of such areas are specified in APPENDIX F (Inclusionary Housing Designated Areas) of this Resolution.

Table with 2 columns: Community District and Zoning District. Rows include various districts like Bronx, Brooklyn, Manhattan, and Queens with their corresponding zoning codes.

23-954 Additional requirements for compensated developments

- (a) Height and setback in Inclusionary Housing designated areas#
(1) In Inclusionary Housing designated areas#, except within Special Mixed Use Districts# and general large-scale developments# in C4-7 Districts within the boundaries of Manhattan Community District 7, subject to the provisions of a restrictive declaration, the compensated development# must comply with the height and setback regulations of Sections 23-633 (Street wall location and height and setback regulations in certain districts) or 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts), as applicable.
(2) In Inclusionary Housing designated areas# within Special Mixed Use Districts#, the compensated development# must comply with the provisions of paragraphs (a) or (b) of Section 123-662 (All buildings in Special Mixed Use Districts with R6, R7, R8, R9 and R10 District designations), as applicable. However, where the Residence District# designation is an R6 District without a letter suffix, the compensated development# must comply with the height and setback regulations of Section 23-633, regardless of whether the building# is developed# or enlarged# pursuant to the Quality Housing Program.

- (b) Compensated development building permits
(1) HPD# may issue a permit notice# to the Department of Buildings at any time on or after the regulatory agreement date#. The Department of Buildings may thereafter issue building permits to a compensated development# that utilizes floor area compensation# based on the affordable housing# described in such permit notice#.
(2) If HPD# does not receive confirmation that the regulatory agreement# has been recorded within 45 days after the later of the regulatory agreement date# or the date upon which HPD# authorizes the

recording of the regulatory agreement#, HPD# shall suspend or revoke such permit notice#, notify the Department of Buildings of such suspension or revocation and not reinstate such permit notice# or issue any new permit notice# until HPD# receives confirmation that the regulatory agreement# has been recorded. Upon receipt of notice from HPD# that a permit notice# has been suspended or revoked, the Department of Buildings shall suspend or revoke each building permit issued pursuant to such permit notice# which is then in effect for any compensated development#.

- (c) Compensated development certificates of occupancy
(1) The Department of Buildings shall not issue a temporary or permanent certificate of occupancy for any portion of the compensated development# that utilizes floor area compensation# until HPD# has issued a completion notice# with respect to the affordable housing# that generates such floor area compensation#. However, where any story# of a compensated development# contains one or more affordable housing units#, the Department of Buildings may issue any temporary or permanent certificate of occupancy for such story# if such temporary or permanent certificate of occupancy either includes each affordable housing unit# located in such story# or only includes dwelling units# or rooming units# that are affordable housing units#. Nothing in the preceding sentence shall be deemed to prohibit the granting of a temporary or permanent certificate of occupancy for a super's unit#.
(2) HPD# shall not issue a completion notice# with respect to any portion of any generating site# unless:
(i) the Department of Buildings has issued temporary or permanent certificates of occupancy for all affordable housing# described in such completion notice# and such certificates of occupancy have not expired, been suspended or been revoked; or
(ii) where a generating site# contains affordable housing# that had a valid certificate of occupancy on the regulatory agreement date# and no new temporary or permanent certificate of occupancy is thereafter required for the creation of such affordable housing#, HPD# has determined that all renovation and repair work required by the applicable regulatory agreement# has been completed and all obligations with respect to the creation of such affordable housing# have been fulfilled in accordance with the applicable regulatory agreement#.

ARTICLE VII: ADMINISTRATION

Chapter 4 Special Permits by the City Planning Commission

74-743 Special provisions for bulk modification

- (a) For a general large-scale development#, the City Planning Commission may permit:
(1) distribution of total allowable floor area#, rooming units#, dwelling units#, lot coverage# and total required open space# under the applicable district regulations within a general large-scale development# without regard for zoning lot lines# or district boundaries subject to the following limitations:
(i) no distribution of bulk# across the boundary of two districts shall be permitted for a use# utilizing such bulk# unless such use# is permitted in both districts;
(ii) when a general large-scale development# is located partially in a Residence District# or in a C1, C2, C3 or C4-1 District and partially in other Commercial# or Manufacturing Districts#, no transfer of commercial floor area# to a Residence District# or to a C1, C2, C3 or C4-1 District from other districts shall be permitted;
(2) location of buildings# without regard for the applicable yard#, court#, distance between buildings#, or height and setback regulations;
(3) variation in the location of primary

business entrances and #show windows# along frontages adjacent to #zoning lots# outside the #general large-scale development# without regard to regulations applicable near #Residence District# boundaries;

(4) the maximum #floor area ratio# permitted pursuant to Section 23-142 (In R6, R7, R8 or R9 Districts) for the applicable district without regard for #height factor# or #open space ratio# requirements provided that the #general large-scale development# is located partially in a C6-1, C6-2 or C6-3 District within the boundaries of Community District 7 in Manhattan and that a minimum of 50 percent of the required #open space# is provided within the #general large-scale development#.

(5) in an #Inclusionary Housing designated area# in a C4-6 or C5 District:

(i) a portion of the #lot area# that contains a wholly #commercial building# to be excluded from the calculation of #floor area# for any other #buildings# on the remainder of the #zoning lot#; or

(ii) community facility #floor area# located above the ground floor to be excluded from the calculation of the amount of #affordable housing# required pursuant to Section 23-95; or

(6) modification of the requirements of Section 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines) for #developments# or #enlargements#, where:

(i) the required minimum distance as set forth in Section 23-86 is provided between the #legally required window# in the new #development# or #enlargement# and a wall or #lot line # on an abutting property; and

(ii) the required minimum distance is provided by a light and air easement acceptable to the Department of City Planning and recorded in the County Clerk's office in the county in which such tracts of land are located.

(7) modification of the definition of #outer court# in Section 12-10 (DEFINITIONS) and the provisions of Section 23-84 (Outer Court Regulations) to include any open area that is bounded on all sides but one by building walls and is not otherwise a #yard# or an #inner court#, provided that:

(iii) such modifications are permitted only for #general large-scale developments# previously approved by the City Planning Commission in a C4-7 District within the boundaries of Manhattan Community District 7; and

(iv) the minimum distance between a #legally required window# facing onto such #outer court# and a building wall shall be 30 feet, measured in a horizontal plane at the sill level of, and perpendicular to such window for the full width of the rough window opening.

(8) In an #Inclusionary Housing designated area# in a C4-7 district within the boundaries of Manhattan Community District 7, for the purpose of applying the Inclusionary Housing Program within such #Inclusionary Housing designated area#:

(i) modification of the base and maximum #floor area ratios# specified in Section 23-952, not to exceed the maximum #floor area ratios# permitted by the underlying district, based on a proportionality between #affordable floor area# and #residential floor area# in #buildings# containing multiple #uses#; and

(ii) modification of the requirements regarding distribution of #affordable housing units# specified in Section 23-96(b)

as set forth in a restrictive declaration.

(b) In order to grant a special permit pursuant to this Section for any #general large-scale development#, the Commission shall find that:

(1) the distribution of #floor area#, #open space#, #dwelling units#, #rooming units# and the location of #buildings#, primary business entrances and #show windows# will result in a better site plan and a better relationship among #buildings# and open areas to adjacent #streets#, surrounding #development#, adjacent open areas and shorelines than would be possible without such distribution and will thus benefit both the occupants of the #general large-scale development#, the neighborhood, and the City as a whole;

(2) the distribution of #floor area# and location of #buildings# will not unduly increase the #bulk# of #buildings# in any one #block# or unduly obstruct access of light and air to the detriment of the occupants or users of #buildings# in the #block# or nearby #blocks# or of people using the public #streets#;

(3) where a #zoning lot# of a #general large-scale development# does not occupy a frontage on a mapped #street#, appropriate access to a mapped #street# is provided;

(4) considering the size of the proposed #general large-scale development#, the #streets# providing access to such #general large-scale development# will be adequate to handle traffic resulting therefrom;

(5) when the Commission has determined that the #general large-scale development# requires significant addition to existing public facilities serving the area, the applicant has submitted to the Commission a plan and timetable to provide such required additional facilities. Proposed facilities that are incorporated into the City's capital budget may be included as part of such plan and timetable;

(6) where the Commission permits the maximum #floor area ratio# in accordance with the provisions of paragraph (a)(4) of this Section, the #open space# provided is of sufficient size to serve the residents of new or #enlarged buildings#. Such #open space# shall be accessible to and usable by all residents of such new or #enlarged buildings#, have appropriate access, circulation, seating, lighting and paving, and be substantially landscaped. Furthermore, the site plan of such #general large-scale development# shall include superior landscaping for #open space# of the new or #enlarged buildings#;

(7) where the Commission permits the exclusion of #lot area# or #floor area# in accordance with the provisions of paragraph (a)(5) of this Section or modification of the base and maximum #floor area ratios# or requirements regarding distribution of #affordable housing units# in accordance with paragraph (a)(8) of this Section, such modification will facilitate a desirable mix of #uses# in the #general large-scale development# and a plan consistent with the objectives of the Inclusionary Housing Program and those of Section 74-74 (General Large-Scale Development) with respect to better site planning; and

(8) a declaration with regard to ownership requirements in paragraph (b) of the #general large-scale development# definition in Section 12-10 (DEFINITIONS) has been filed with the Commission.

The Commission may prescribe additional conditions and safeguards to improve the quality of the #general large-scale development# and to minimize adverse effects on the character of the surrounding area.

For a phased construction program of a multi-building complex, the Commission may, at the time of granting a special permit, require additional information, including but not limited to a proposed time schedule for carrying out the proposed #general large-scale development#, a phasing plan showing the distribution of #bulk# and #open space# and, in the case of a site plan providing for common #open space#, common open areas or common parking areas, a maintenance plan for such space or areas and surety for continued availability of such space or areas to the people they are intended to serve.

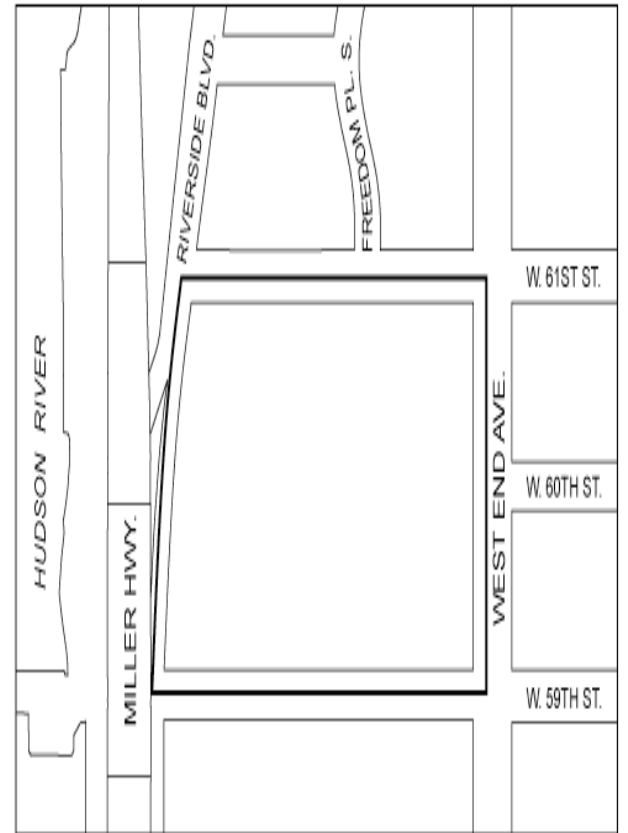
APPENDIX F: INCLUSIONARY HOUSING DESIGNATED AREAS

Manhattan

Manhattan Community District 7

In the R9A and R10 Districts within the areas shown on the following Maps 1 and 2:

Map 2



Portion of Community District 7, Manhattan

No. 12

CD 7 N 100295 ZRM IN THE MATTER OF an application submitted by CRP/ Extell Parcel L, LP and CRP/Extell Parcel N, LP pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning Section 74-74 (General Large-Scale Development) and Section 74-744 (Modification of use regulations).

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

ARTICLE VII: ADMINISTRATION

Chapter 4 Special Permits by the City Planning Commission

74-74 General Large-Scale Development

For #general large-scale developments# involving several #zoning lots# but planned as a unit, the district regulations may impose unnecessary rigidities and thereby prevent achievement of the best possible site plan within the overall density and #bulk# controls. For these #developments#, the regulations of this Section are designed to allow greater flexibility for the purpose of securing better site planning, while safeguarding the present or future use and development of the surrounding area.

No portion of a #general large-scale development# shall contain any #use# not permitted by the applicable district regulations for such portion, except as otherwise provided in Section 74-744 (Modification of use regulations). When an existing #building# in a #general large-scale development# is occupied by a #non-conforming use#, any #enlargement# of such existing #building# shall be subject to the requirements set forth in Section 52-00 (NON-CONFORMING USES: DEFINITIONS AND GENERAL PROVISIONS).

74-744 Modification of use regulations

- (a) Use modifications
(1) Waterfront and related #commercial uses#
In a C4 District, the City Planning Commission may modify applicable district regulations to allow certain boating and related #uses# listed in Use Group 14A, not otherwise allowed in such district, provided the Commission shall find that:
(i) the #uses# are appropriate for the location and blend harmoniously with the rest of the #general large-scale development#; and
(ii) the #streets# providing access to such #uses# will be adequate to handle the traffic generated thereby.
(2) Automotive sales and service #uses#
For #general large-scale developments# previously approved by the City Planning Commission in a C4-7 District within the boundaries of Manhattan Community District 7, the City Planning Commission may modify applicable district regulations to allow automotive sales and service establishments that include repair services and preparation for delivery, provided the Commission shall find that:
(i) the portion of the establishment used for the servicing and

preparation of automobiles is located entirely in a #cellar# level and below grade or established curb level, and the ground floor level of such establishment is used only for showrooms and sales;

- (ii) sufficient indoor space for storage of vehicles for sale or service has been provided; and
- (iii) such #use# will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic or adversely affect pedestrian movement.

(b) Location of #commercial uses#

For any #general large-scale development#, the City Planning Commission may permit #residential# and non-#residential uses# to be arranged within a #building# without regard for the regulations set forth in Section 32-42 (Location within Buildings), provided the Commission shall find:

- (1) the #commercial uses# are located in a portion of the #mixed building# that has separate access to the outside with no opening of any kind to the #residential# portion of the #building# at any #story#;
- (2) the #commercial uses# are not located directly over any #story# containing #dwelling units#; and
- (3) the modifications shall not have any adverse effect on the #uses# located within the #building#.

* * *

No. 13

CD 7 C 100296 ZSM
IN THE MATTER OF an application submitted by CRP/Extell Parcel L, L.P. and CRP/Extell Parcel N, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743* of the Zoning Resolution to allow the location of buildings without regard for the applicable court, distance between buildings, and height and setback regulations, in connection with a proposed mixed use development, on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), in a C4-7 District, within a general large-scale development generally bounded by West 72nd Street, Freedom Place, West End Avenue, West 59th Street and Riverside Boulevard.

* Note: Section 74-743 is proposed to be changed under a concurrent related application (N 100294 ZRM) for a zoning text amendment.

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. 14

CD 7 C 100296 (A) ZSM
IN THE MATTER OF an application submitted by CRP/Extell Parcel L, L.P. and CRP/Extell Parcel N, L.P. pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification pursuant to Section 2-06 (c)(1) of the Uniform Land Use Review Procedure, for the grant of a special permit pursuant to Section 74-743* of the Zoning Resolution to allow the location of buildings without regard for the applicable court, distance between buildings and height and setback regulations and for purposes of applying the inclusionary housing program, the modification of the base and maximum floor area ratios based on a proportionality between affordable floor area and residential floor area in buildings containing multiple uses and the modification of the requirements regarding distribution of affordable housing units, in connection with a proposed mixed use development, on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), in a C4-7 District, within a general large-scale development generally bounded by West 72nd Street, Freedom Place, West End Avenue, West 59th Street and Riverside Boulevard.

* Note: Section 74-743 is proposed to be changed under a concurrent related application (N 100294 (A) ZRM) for a zoning text amendment.

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. 15

CD 7 C 100297 ZSM
IN THE MATTER OF an application submitted by CRP/Extell Parcel L, L.P. and CRP/Extell Parcel N, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-744* of the Zoning Resolution to allow an automotive sales and service establishment that includes repair services and preparation for delivery on portions of the ground floor and cellar of a proposed mixed use development on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), in a C4-7 District, within a general large-scale development generally bounded by West 72nd Street, Freedom Place, West End Avenue, West 59th Street and Riverside Boulevard.
 * Note: Section 74-744 is proposed to be changed under a concurrent related application (N 100295 ZRM) for a zoning text amendment.

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.

NOTICE

On Wednesday, September 15, 2010, at 10:00 A.M., in Spector Hall, at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Supplemental Environmental Impact Statement (DSEIS) concerning a proposal to modify the southernmost portion of the previously approved Riverside South development

project. The proposed project site, known as Riverside Center, is bounded by West End Avenue, the alignment of Riverside Boulevard, and West 59th and West 61st Streets in the Lincoln Square neighborhood of Manhattan Community District 7. The proposed project requires CPC approval to modify the previously approved general large-scale development (GLSD) special permit and restrictive declaration to reflect the current proposal; amendments to the text of the Zoning Resolution; a new special permit relating to court, distance between buildings, and height and setback regulations, a new special permit to allow automobile sales and service uses (Use Group 16B) on the project site; a new special permit to allow development within a railroad or transit right-of-way; six new special permits associated with a public parking garage(s); an authorization to allow a curb cut; and certifications to permit curb cuts and to modify certain Streetscape regulations of the Zoning Resolution.

The proposed actions would facilitate a proposal by the applicant to redevelop their project site (Block 1171, Lots 155 and 165) with a complex of five mixed-use buildings that would include residential (including market-rate and affordable housing), commercial (including hotel, retail, office, cinema, and automotive showroom and service uses), a public elementary and intermediate school, public parking, and approximately 2.75 acres of privately owned, publicly accessible open space.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 09DCP020M.

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

s1-15

CIVILIAN COMPLAINT REVIEW BOARD

■ PUBLIC MEETINGS

The Civilian Complaint Review Board's monthly public meeting has been scheduled for: **Wednesday, September 8, 2010 at 10:00 A.M.** at 40 Rector Street, 2nd Floor, New York, NY 10006.

s8

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. 07 - Monday, September 13, 2010, 7:00 P.M., Union Plaza Care Center, 33-23 Union Street, Flushing, NY

#132-58-BZ

Location - 17-45/55 Francis Lewis Boulevard
 Application to extend the term of the variance that permits the operation of an automotive service station within the C1-2/R3-2 zoning district for an additional ten (10) years.

#107-10-BZ

Location - 12-24 149th Street
 Application for a variance pursuant to Section 72-21 of the New York City Zoning Resolution and Section 666 of the New York City Charter, from the side yard requirement in connection with an existing not-for-profit Use Group 4 community facility.

#55-10-BZ

40-22 Main Street
 Application pursuant to Section 73-44 to reduce the required number for accessory off-street parking spaces for the existing Use Group 6 office use, as well as three proposed ambulatory diagnostic health care treatment facilities which is contrary to Section 36-21 which results in the application of Section 36-231 requiring no-parking spaces.

A.K.A. Street sign rider proposal for 38th Avenue and Union Street as follows: "Macedonia A.M.E. Church Way"

s7-13

BOARD OF CORRECTION

■ MEETING

Please take note that the next meeting of the Board of Correction will be held on September 13, 2010 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 New York City's correctional system.

s7-13

EQUAL EMPLOYMENT PRACTICES COMMISSION

■ MEETING

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

s7-14

FINANCE

■ MEETING

PLEASE TAKE NOTICE THAT THERE WILL BE A Quarterly Meeting of the Banking Commission on Monday, September 13, 2010 at 11:30 A.M. in the Executive Conference Room at 1 Centre Street, Room 530, Manhattan.

s8-13

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, September 8, 2010 at 2:30 P.M., at 22 Reade Street, 2nd Floor Conference Room, Borough of Manhattan.

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

a30-s8

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, **September 21, 2010 at 9:30 A.M.** in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF QUEENS 10-9711 - Block 1458, lot 40 - 84-01 37th Avenue - Jackson Heights Historic District
 A vacant lot. Application is to construct a new building. Zoned R7-1/C1-3. Community District 3

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 10-9480 - Block 2072, lot 4 - 174 Washington Park - Fort Greene Historic District
 An Italianate style rowhouse built c. 1868. Application is to construct rooftop and rear yard addition. Community District 2.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 10-3887 - Block 190, lot 28 - 440 Pacific Street - Boerum Hill Historic District
 A Greek Revival and Italianate style rowhouse. Application is to legalize windows. Community District 2.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 09-0425 - Block 260, lot 55 - 312 Hicks Street - Brooklyn Heights Historic District
 A Greek Revival style house built in 1846. Application is to modify a window opening and construct a deck. Community District 2.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 11-0521 - Block 296, lot 32 - 177 Congress Street - Cobble Hill Historic District
 An Italianate style rowhouse built in the early 1850s and later altered. Application is to legalize and modify door, windows and planter installation at front facade and areaway without Landmarks Preservation Commission permit(s). Community District 6.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-6962 - Block 231, lot 12 - 299 Canal Street, aka 419-421 Broadway - SoHo-Cast Iron Historic District
 A mid-20th century taxpayer. Application is to establish a Master Plan governing the replacement of storefront infill, security roll-gates, awnings, and signage. Community District 2.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 11-1001 - Block 590, lot 42 - 23 Cornelia Street - Greenwich Village Historic District Extension II
 A utilitarian style stable building built in 1912. Application is to construct a rooftop addition. Zoned R6. Community District 2.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 11-1226 - Block 627, lot 7 - 34 Gansevoort Street - Gansevoort Market Historic District
 An Italianate style French flats with store building designed by Charles Mettam and built in 1870. Application is to install signage. Community District 2.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 11-0613 - Block 644, lot 41 - 32-36 Little West 12th Street, aka 823-827 Washington Street - Gansevoort Market Historic District
 A neo-Grec style building designed by James Stroud and built in 1880. Application is to install signage and lighting. Community District 2.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-9719 - Block 615, lot 44 -

17 Bank Street - Greenwich Village Historic District
An Italianate style rowhouse designed by Linus Scudder and built in 1857-57. Application is to demolish a skylight, construct a rooftop addition, and alter the rear facade. Zoned R-6. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-8596 - Block 642, lot 65 - 75 Jane Street - Greenwich Village Historic District
A Greek Revival style rowhouse designed by Peter Van Antwerp and built in 1846-1847. Application is to rebuild the rear wall and a rear extension and excavate rear yard. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-3405 - Block 631, lot 39 - 533 Hudson Street, aka 116 Charles Street - Greenwich Village Historic District
A Federal style rowhouse built in 1827. Application is to install a roof deck and railings and legalize an HVAC unit. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-0894 - Block 621, lot 7502 - 367-369 Bleecker Street - Greenwich Village Historic District
A French Second Empire style multi-family dwelling with ground floor stores constructed in 1868 and designed by Henry Engelbert. Application is to install storefront infill and signage. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-1489 - Block 821, lot 7503 - 50 West 20th Street, aka 650 6th Avenue - Ladies' Mile Historic District
A neo-Renaissance style store and loft building designed by Hubert, Pirsson & Hoddick and built in 1892. Application is to install banners. Community District 4.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-1152 - Block 1035, lot 37 - 302 West 45th Street - Al Hirshfeld/former Martin Beck Theater- Interior and Individual Landmark
A Moorish-inspired theater designed by C. Albert Lansburgh and built in 1923-24. Application is to demolish a wall within the lobby. Community District 4.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-0431 - Block 1047, lot 7502 - 300 West 57th Street - Hearst Magazine Building-Individual Landmark
An Art-Deco/Viennese Secessionist style office building designed by Joseph Urban and Geroge B. Post and Sons, and built in 1927-1928. Application is to install signage and a marquee. Zoned C6-6. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-9490 - Block 850, lot 1 - 149 Fifth Avenue - Ladies' Mile Historic District
A neo-Renaissance style store and loft building designed by Maynicke & Franke and built in 1918. Application is to replace doors and install security grilles. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-2591 - Block 1296, lot 1002 - 110 East 42nd Street - Bowery Savings Bank Building-Individual & Interior Landmark
An Academic Italian Romanesque style bank and office building and banking hall designed by York & Sawyer and W. Louis Ayres and built in 1921-23 with an addition built in 1931-33. Application is to legalize alterations within the designated banking hall. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-0669 - Block 1145, lot 31 - 103 West 73rd Street - Upper West Side/Central Park West Historic District
A Renaissance Revival style rowhouse with Neo-Grec elements designed by Henry J. Hardenbergh and built in 1879-80. Application is to construct a full lot rear extension. Zoned C1-8A. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-9867 - Block 1505, lot 10 - 15 East 93rd Street - Carnegie Hill Historic District
One of a row of four houses built in 1891-92 in the Queen Anne style and designed by William Graul, and altered in 1929-30. Application is to restore facade details. Community District 8.

NOTICE IS HEREBY GIVEN THAT PURSUANT to the provisions of 3020 of the New York City Charter and Chapter 3 of Title 24 of the Administrative Code of the City of New York (Sections 25-303 and 25-313) that on **Tuesday, September 21, 2010 at 9:30 A.M.**, at the Landmarks Preservation Commission will conduct a *continued public hearing* in the Public Meeting Room of the Landmarks Preservation Commission, located at The Municipal Building, 1 Centre Street, 9th Floor North, City of New York with respect to the following proposed Landmark and Landmark Site. Any person requiring reasonable accommodation in order to participate in the hearing should call or write the Landmarks Preservation Commission, [Municipal Building, 1 Centre Street, 9th Floor North, New York, NY 10007, (212) 669-7700] no later than five (5) business days before the hearing. There will also be a public meeting on that day.

ITEM TO BE HEARD

PUBLIC HEARING ITEM NO. 1
Public Hearing Continued from August 10, 2010
LP-2245
WILLIAM T. and MARY MARCELLITE GARNER MANSION, 355 Bard Avenue (aka 345-355 Bard Avenue), Staten Island.
Landmark Site: Borough of Staten Island Tax Map Block 102 Lot 1 in part

LOFT BOARD

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN PURSUANT TO ARTICLE 7 OF THE PUBLIC OFFICERS LAW that the New York City Loft Board will have its monthly Board meeting and a public hearing on the amendment to §§ 1-01 and 1-02 to comport with Executive Order 129 merging the New York City Loft Board into the New York City Department of Buildings on **Thursday, September 16, 2010. The meeting will be held at 2:00 P.M. at Spector Hall, 22 Reade Street 1st Floor.** The proposed agenda will include cases and general business.

The general public is invited to attend and observe the proceedings. Written comments regarding the proposed amendment rule may be sent to the New York City Loft Board at 100 Gold Street, 2nd Floor New York, NY 10038 to the attention of Ms. Nicolas on or before July 15, 2010. Persons seeking to testify are requested to notify Ms. Nicolas at 100 Gold Street, 2nd Floor, New York, NY 10038 or by telephone at (212) 566-5663.

s2-8

TAXI AND LIMOUSINE COMMISSION

■ MEETING

Notice of Commission Meeting

PUBLIC NOTICE IS HEREBY GIVEN THAT the New York City Taxi and Limousine Commission will hold a Commission Meeting on Thursday, September 16th, 2010 at 10:00 A.M. at the offices of the New York City Taxi and Limousine Commission, located at 40 Rector Street, 5th Floor, New York, New York.

s8

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ SALE BY AUCTION

PUBLIC AUCTION SALE NUMBER 11001-F

NOTICE IS HEREBY GIVEN of a public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy equipment and miscellaneous automotive equipment to be held on Wednesday, September 15, 2010 (SALE NUMBER 11001-F). Viewing is on auction day *only* from 8:30 A.M. until 9:00 A.M. The auction begins at 9:00 A.M.

LOCATION: 570 Kent Avenue, Brooklyn, NY (in the Brooklyn Navy Yard between Taylor and Clymer Streets). A listing of vehicles to be offered for sale in the next auction can be viewed on our website, on the Friday prior to the sale date at:

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

Terms and Conditions of Sale can also be viewed at this site.

For further information, please call (718) 417-2155 or (718) 625-1313.

s1-15

■ SALE BY SEALED BID

SALE OF: 4 LOTS OF MISCELLANEOUS EQUIPMENT, USED.

S.P.#: 11004 **DUE:** September 13, 2010

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007. For sales proposal, contact Gladys Genoves-McCauley (718) 417-2156.

a30-s13

SALE OF: 10 USED HOPPER BARGES.

S.P.#: 11005 **DUE:** September 9, 2010

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007. For sales proposal, contact Gladys Genoves-McCauley (718) 417-2156.

a26-s9

SALE OF: 5 LOTS OF MISCELLANEOUS AUTO/ TRUCK PARTS, UNUSED.

S.P.#: 11007 **DUE:** September 21, 2010

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007. For sales proposal, contact Gladys Genoves-McCauley (718) 417-2156.

s8-21

POLICE

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

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

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

INQUIRIES

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

FOR MOTOR VEHICLES

(All Boroughs):

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

FOR ALL OTHER PROPERTY

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

j1-d31

PROCUREMENT

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

ADMINISTRATION FOR CHILDREN'S SERVICES

■ INTENT TO AWARD

Services (Other Than Human Services)

HEAD START SPONSORING BOARD COUNCIL OF THE CITY OF NEW YORK, INC. – Sole Source – Available only from a single source - PIN# 06811S0001 – DUE 09-29-10 AT 4:00 P.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Administration for Children's Services, 150 William Street, 9th Floor Reception Desk, New York, NY 10038. Jean Sheil (212) 341-3518, fax: (212) 341-3520.

s8-14

CAMPAIGN FINANCE BOARD

■ SOLICITATIONS

Human / Client Service

ONBASE SOFTWARE MAINTENANCE AND SUPPORT – Competitive Sealed Bids – PIN# 004201100003 – DUE 09-30-10 AT 5:00 P.M. – The expected term of the contract is three years, beginning approximately November 1, 2010, with an option to renew for an additional two years upon mutual consent.

If you are interested in receiving a copy of the bid solicitation, please contact the CFB by e-mail at sma@nycffb.info, or by fax at (212) 306-7143. The bid solicitation is available both in electronic format and in hard copy. Please make sure that you provide your name, your company's name, and complete contact information including telephone number and e-mail address so that the CFB can send you any future correspondence regarding the solicitation.

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.
Campaign Finance Board, 40 Rector Street, 7th Floor New York, NY 10006. Chris Oldenburg (212) 306-7100 fax: (212) 306-7143, SMA@nycffb.info

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CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ SOLICITATIONS

Goods

MEDICAL SUPPLIES II – Competitive Sealed Bids – PIN# 8571000736 – DUE 10-05-10 AT 10:30 A.M.
● **CATHETER, SAFETY, IV SOLUTION AND IV SETS** – Competitive Sealed Bids – PIN# 8570901219 – DUE 10-06-10 AT 10:30 A.M.
● **BRAND SPECIFIC FOR RAININ PIPETTES AND PIPETTE TIPS** – Competitive Sealed Bids – PIN# 8571000923 – DUE 10-06-10 AT 10:30 A.M.

● **TRUCK, FORKLIFT, GASOLINE POWERED - D.E.P.**
– Competitive Sealed Bids – PIN# 8571000944 – DUE 10-04-10 AT 10:30 A.M.

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

Department of Citywide Administrative Services
1 Centre Street, Room 1800, New York, NY 10007.
Anna Wong (212) 669-8610, fax: (212) 669-7603
dcasdmssbids@dcas.nyc.gov

s8

AWARDS

Goods

BLANKETS: THERMAL RE-AD – Competitive Sealed Bids – PIN# 8571000612 – AMT: \$94,240.00 – TO: American Textile Systems, 13151 Midway Place, Cerritos, CA 90703.

s8

VENDOR LISTS

Goods

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

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

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

jy17-j4

EQUIPMENT FOR DEPARTMENT OF SANITATION

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

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

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

jy17-j4

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

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

jy17-j4

ECONOMIC DEVELOPMENT CORPORATION

CONTRACTS

SOLICITATIONS

Goods & Services

NYC CAPITAL ACCESS REVOLVING LOAN GUARANTY PROGRAM – Request for Proposals – PIN# 3629-13 – DUE 10-01-10 AT 4:00 P.M. – Companies who have been certified with the New York City Small Business Services as Minority and Women Owned Business Enterprises (“M/WBE”) are strongly encouraged to apply. To find out more about M/WBE certification, please call 311 or go to www.nyc.gov/getcertified.

Respondents may submit questions and/or request clarifications from NYCEDC no later than 5:00 P.M. on Wednesday, September 22, 2010. Questions regarding the subject matter of this RFP should be directed to capitalaccess@nycedc.com. For all questions that do not pertain to the subject matter of this RFP please contact NYCEDC's Contracts Hotline at (212) 312-3969. Answers to all questions will be posted on Friday, September 24, 2010, to www.nycedc.com/RFP.

To download a copy of the solicitation documents please visit www.nycedc.com/RFP. Please submit ten (10) sets of your proposal.

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

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

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EDUCATION

DIVISION OF CONTRACTS AND PURCHASING

SOLICITATIONS

Goods & Services

LIBRARY BOOK DETECTION SYSTEMS – Competitive Sealed Bids – PIN# Z1672040 – DUE 09-21-10 AT 4:00 P.M. – If you cannot download this oma, please send an e-mail to VendorHotline@schools.nyc.gov with the oma number and title in the subject line of your e-mail. For all other questions related to this oma, please send an e-mail to mmccrann@schools.nyc.gov with the oma number and title in the subject line of your e-mail.

Bid opening: Wednesday, September 22nd, 2010 at 11:00 A.M.

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

Department of Education, 65 Court Street, Room 1201
Brooklyn, NY 11201. Vendor Hotline (718) 935-2300
vendorhotline@schools.nyc.gov

s8

FINANCE

AWARDS

Goods & Services

SUBSCRIPTION OF UPDATING SERVICES FOR SANBORN MAPS – Sole Source – Available only from a single source - PIN# 836101211642 – AMT: \$93,528.98 – TO: Sanborn Map Company, 1935 Jamboree Drive, Suite 100, Colorado Springs, CO 80920.

Three year contract with an option to renew for two to publish a collection of maps that are scale for all five boroughs. Term: July 1, 2010 through June 30, 2013.

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HEALTH AND HOSPITALS CORPORATION

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

j1-d31

SOLICITATIONS

Goods & Services

PHARMACY PRIME VENDOR RFP – Request for Proposals – PIN# 001931 – DUE 10-04-10 AT 5:00 P.M. – The New York City Health and Hospitals Corporation (HHC) is seeking to enter into an agreement for a period of five (5) years with an option to renew for two (2) additional one (1) year periods for a total contract term of seven (7) years with a Pharmacy Prime Vendor that has demonstrable and extensive experience as a primary vendor for Pharmaceuticals.

A copy of the RFP can be obtained on the HHC website at: <http://www.nyc.gov/html/hhc/html/contracting/contracting.shtml>

You can also request a copy of the RFP by e-mail. Please e-mail Joseph Quinones at joseph.quinones@nychhc.org

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 Hospitals Corporation, 125 Worth Street
Room 502, New York, NY 10013.
Joseph Quinones (212) 788-5423, fax: (212) 788-5483,
joseph.quinones@nychhc.org; angela.mariani@nychhc.org

s8

Services (Other Than Human Services)

WINDOW WASHING AND GLASS CLEANING SERVICE CONTRACT – Competitive Sealed Bids – PIN# QHN2011-1024QHC – DUE 09-29-10 AT 2:00 P.M. – There will be a mandatory pre-bid/site survey on Thursday, September 23, 2010 at 10:00 A.M. and on Friday, September 24, 2010 at 10:00 A.M. All concerned need to attend one day only. Location: Queens Hospital Center, Purchasing Dept., 82-68 164th Street, “S” Building, 2nd Floor, Jamaica, NY 11432.

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

Queens Health Network, 82-68 164th Street, “S” Building,
Jamaica, NY 11432. Aurelio Morrone (718) 883-6000
fax: (718) 883-6221, morronea@nychhc.org

s8

INSTALL AND FABRICATE A SCREEN WALL – Competitive Sealed Bids – PIN# QHN2011-1025EHC – DUE 10-04-10 AT 2:00 P.M. – To bid a vendor must attend a mandatory pre-bid conference.

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

Queens Health Network, 82-68 164th Street, “S” Building,
2nd Floor, Jamaica, NY 11432. Boris Goltzman
(718) 883-6000, fax: (718) 883-6222,
boris.goltzman@nychhc.org

s8

HOMELESS SERVICES

INTENT TO AWARD

Human/Client Service

RELOCATION ASSISTANCE PROGRAM FOR HOMELESS FAMILIES – Negotiated Acquisition – PIN# 07107X0007CNVN001 – DUE 09-17-10 AT 2:00 P.M. – The Department of Homeless Services (DHS) intends on entering into negotiations with Church Avenue Merchants Block Association (CAMBA), located at 1720 Church Avenue, Brooklyn, NY 11226 to continue to operate the Relocation Assistance Program (REAP) which locates quality permanent housing for homeless families, while providing individualized case management services to enable families to reach the goal of independent living. This contract will be conducted via the Negotiated Acquisition Extension, pursuant to Section 3-04 (b)(2)(iii) of the Procurement Policy Board Rules to extend the underlying contract for one (1) year to allow the agency sufficient time to complete the anticipated targeted number of housing placements by June 30, 2011.

It is anticipated that the extension contract will be from July 1, 2010 to June 30, 2011.

Qualified vendors that are interested in bidding on future contracts that provide relocation assistance services to homeless families may contact: Marta Zmoira, Contract Officer, Department of Homeless Services, 33 Beaver St., 13 Floor, NY, NY 10004 or e-mail at mzmoira@dhs.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 Homeless Services, 33 Beaver Street
New York, NY 10004. Marta Zmoira (212) 361-0888
Fax: (917) 637-7562, mzmoira@dhs.nyc.gov

s3-10

OFFICE OF CONTRACTS AND PROCUREMENT

SOLICITATIONS

Human/Client Service

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

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

Department of Homeless Services, 33 Beaver Street
13th Floor, New York, NY 10004.
Marta Zmoira (212) 361-0888, mzmoira@dhs.nyc.gov

j6-20

HOUSING AUTHORITY

SOLICITATIONS

Goods & Services

MAINTENANCE/ANNUAL INSPECTION OF PORTABLE FIRE EXTINGUISHERS – Competitive Sealed Bids – DUE 09-29-10 – PIN# 27295 - Manhattan - Due at 10:00 A.M.
PIN# 27296 - Brooklyn - Due at 10:05 A.M.
PIN# 27297 - Bronx - Due at 10:10 A.M.
PIN# 27302 - Queens and Staten Island - Due at 10:15 A.M.

Interested firms may obtain a copy and submit it on NYCHA's website: [Doing Business With NYCHA](http://www.nyc.gov/html/nycha/html/business/business.shtml). [Http://www.nyc.gov/html/nycha/html/business/business.shtml](http://www.nyc.gov/html/nycha/html/business/business.shtml) Vendors are instructed to access the “Register Here” link for “New Vendors”; if you have supplied goods or services to NYCHA in the past and you have your log-in credentials, click the “Log into iSupplier” link under “Existing Vendor”. If you do not have your log-in credentials, click the “Request a Log-in ID” using the link under “Existing Vendor”. Upon access, reference applicable RFQ number per solicitation.

Vendors electing to submit a non-electronic bid (paper document) will be subject to a \$25.00 non-refundable fee; payable to NYCHA by USPS-Money Order/Certified Check only for each set of RFQ documents requested. Remit payment to NYCHA Finance Department at 90 Church Street/6th Floor; obtain receipt and present it to 12th Floor, General Services Procurement Group. A bid package will be generated at time of request. Note (*): Vendor/Supplier submitting sealed non-electronic (“paper”) bids must include a copy of your receipt as proof of purchase.

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

Housing Authority, 90 Church Street, 12th Floor
New York, NY 10007. Maria Manfredi (212) 306-4666
Fax: (212) 306-5991, Maria.Manfredi@nycha.nyc.gov;
Wanda.Mealing@nycha.nyc.gov; Ebony.Dunn@nycha.nyc.gov.

s8

CLEANING AND REPAIR OF ROOF TANKS AND PIPING

Competitive Sealed Bids – DUE 09-29-10 – PIN# 27299 - Bronx - Due at 10:30 A.M.
PIN# 27300 - Manhattan - Due at 10:35 A.M.
PIN# 27301 - Brooklyn and Queens - Due at 10:40 A.M.

Interested firms may obtain a copy and submit it on NYCHA's website: [Doing Business With NYCHA](http://www.nyc.gov/html/nycha/html/business/business.shtml). <http://www.nyc.gov/html/nycha/html/business/business.shtml>

Vendors are instructed to access the "Register Here" link for "New Vendors". If you have supplied goods or services to NYCHA in the past and you have your log-in credentials, click the "Log into iSupplier" link under "Existing Vendor". If you do not have your log-in credentials, click the "Request a Log-in ID" using the link under "Existing Vendor". Upon access, reference applicable RFQ number per solicitation.

Bid security in the amount of 5 percent is required. Bid Security shall be in the form of either a certified check made out to the Housing Authority for five percent (5 percent) of the amount of the proposal or a bid bond, which shall be in the form prescribed by the Authority. Vendors electing to submit a non-electronic bid (paper document) will be subject to a \$25 non-refundable fee; payable to NYCHA by USPS-Money Order/ Certified Check only for each set of RFQ documents requested. Remit payment to NYCHA Finance Department at 90 Church Street, 6th Floor; obtain receipt and present it to 12th Floor-General Services Procurement Group. A bid package will be generated at time of request. Note (*): Vendor/Supplier submitting sealed non-electronic ("paper") bids must include a copy of your receipt as proof of purchase.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Housing Authority, 90 Church Street, 12th Floor
 New York, NY 10007. Maria Manfredi (212) 306-4666
 Fax: (212) 306-5991, Maria.Manfredi@nycha.nyc.gov

Construction / Construction Services

REPLACEMENT OF VACUUM PUMPS AND INSTALLATION OF CONDENSATE PUMPS – Competitive Sealed Bids – PIN# HE1006554 – DUE 09-22-10 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M. for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Housing Authority, 90 Church Street, 11th Floor
 New York, NY 10007. Gloria Guillo, MPA, CPPO
 (212) 306-3121, fax: (212) 306-5151
 gloria.guillo@nycha.nyc.gov

s1-8

REQUIREMENT CONTRACT FOR REPLACEMENT OF HEATING CONTROL PANELS AT VARIOUS DEVELOPMENTS – Competitive Sealed Bids – PIN# HE1012006 – DUE 09-27-10 AT 10:00 A.M.
● REQUIREMENT CONTRACT FOR REPLACEMENT OF HEATING CONTROL PANELS AT VARIOUS DEVELOPMENTS – Competitive Sealed Bids – PIN# HE1013670 – DUE 09-28-10 AT 10:00 A.M.
● REQUIREMENT CONTRACT FOR REPLACEMENT OF HEATING CONTROL PANELS AT VARIOUS DEVELOPMENTS – Competitive Sealed Bids – PIN# HE1012558 – DUE 09-29-10 AT 10:00 A.M.

Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Housing Authority, 90 Church Street, 11th Floor
 New York, NY 10007. Gloria Guillo, MPA, CPPO
 (212) 306-3121, fax: (212) 306-5151
 gloria.guillo@nycha.nyc.gov

s3-10

PURCHASING DIVISION

SOLICITATIONS

Goods

SCO-VARIOUS HINGES, ROSETTES, SPINDLES, HASPS, LATCHES – Competitive Sealed Bids – SCO# 27124 MF – DUE 09-22-10 AT 10:30 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Housing Authority, 23-02 49th Avenue, 5th Floor
 Long Island City, NY 11101. Marjorie Flores (718) 707-5460.

s8

HUMAN RESOURCES ADMINISTRATION

SOLICITATIONS

Human / Client Service

WECARE PROGRAM – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 06911H072100 – DUE 12-01-10 AT 2:00 P.M. – The Human Resources Administration ("HRA" or "Agency") is seeking two qualified vendors to provide a continuum of integrated services, directly or through subcontract, to applicants for and recipients of Cash Assistance (CA) and other HRA services who have, or may have, medical and/or mental health conditions that significantly reduce their functional capacity.

A pre-proposal conference will be held on September 29, 2010 at 180 Water Street, New York, NY in the 12th Fl. Conference Room from 10:00 A.M. to 12:00 P.M. Attendance at the pre-proposal conference is optional but strongly recommended by the agency. The Vendor Source ID# is 70537.

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.
 Human Resources Administration, 2 Washington Street
 17th Floor, RFP Unit, New York, NY 10038.
 Ronni Moore (212) 495-2698, fax: (212) 495-2929
 mooreron@hra.nyc.gov

s8

JUVENILE JUSTICE

SOLICITATIONS

Human / Client Service

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Department of Juvenile Justice, 110 William Street
 14th Floor, New York, NY 10038.
 Chuma Uwechia (212) 442-7716, cuwechia@djj.nyc.gov

jj1-d16

PARKS AND RECREATION

CONTRACTS

AWARDS

Goods

ADVERTISING ON MTA PROPERTY – Sole Source – Available only from a single source - PIN# 34373846 – AMT: \$100,000.00 – TO: CBS Outdoor, Inc., P.O. Box 33074, Newark, NJ 07188. The Department of Parks and Recreation intends to enter into sole source negotiations with CBS Outdoor Group, Inc., P.O. Box 33074, Newark, NJ 07188, to provide subway platform posters for the Shape Up NYC campaign at various sites approved by the Metropolitan Transportation Authority (MTA).

Any firm that would like to join the City Bidders list may do so by filling out the NYC-FMS Vendor Enrollment Application available online at: http://www.nyc.gov/html/selltonyc/html/new_vendors.html, and in hard copy call the Vendor Enrollment Center at (212) 856-1680.

s7-13

PURCHASING AND ACCOUNTING

AWARDS

Goods & Services

BUS SHELTER ADVERTISING – Sole Source – Available only from a single source - PIN# 082710846 – AMT: \$100,000.00 – TO: Cemusa NY, LLC, 420 Lexington Ave., Suite 2533, New York, NY 10170. The Department of Parks and Recreation intends to enter into sole source negotiations with Cemusa NY, LLC, 420 Lexington Avenue, Suite 2533, New York, NY 10170, to provide bus advertising billboards for the water safety campaign and special events at various sites approved by the Metropolitan Transportation Authority (MTA). Any firm that would like to express their interest in providing services for similar projects in the future may do so by joining the City bidders list by filling out the NYC-FMS Vendor Enrollment Application available online at www.NYC.gov/selltonyc, and in hard copy by calling the Vendor Enrollment Center at (212) 857-1680.

s8-14

REVENUE AND CONCESSIONS

SOLICITATIONS

Services (Other Than Human Services)

OPERATION AND MAINTENANCE OF INTERIOR FOOD CONCESSION, SEASONAL CAFES, MOBILE FOOD UNITS AT RANDALL'S ISLAND PARK, MANHATTAN – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# M104-SB – DUE 10-14-10 AT 3:00 P.M. – The City of New York Department of Parks and Recreation (Parks) requests proposals for the operation and maintenance of one (1) interior food concession at Icahn Stadium, the construction, operation and maintenance of a minimum of two (2) but no more than five (5) seasonal cafes, and the option of constructing, operating and maintaining up to five (5) mobile food units at Randall's Island Park, Manhattan. Parks is seeking proposers who can demonstrate experience in food service operations to operate and maintain the food and beverage concessions.

There will be a recommended on-site proposer meeting and site tour on Tuesday, September 21, 2010 at 1:00 P.M. We will be meeting at the proposed concession site, in front of Icahn Stadium which is located on Randall's Island Park. If you are considering responding to this RFP, please make every effort to attend this meeting and site tour.

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, 830 5th Avenue, Room 407
 New York, NY 10065. Evan George (212) 360-3495
 fax: (212) 360-3434, evan.george@parks.nyc.gov

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YOUTH AND COMMUNITY DEVELOPMENT

SOLICITATIONS

Goods & Services

GROUP PURCHASING ORGANIZATION FOR GOODS AND SERVICES FOR CLIENT AND COMMUNITY BASED SERVICE PROVIDERS – Negotiated Acquisition – Specifications cannot be made sufficiently definite - PIN# 2601100GPONA – DUE 10-08-10 AT 2:00 P.M. – The New York City Department of Youth and Community Development ("The City") is seeking one or more appropriately-qualified group purchasing organizations ("GPO") to provide the goods and services to Client and Community Based Service Providers that do business with the City of New York. This solicitation is a component of Mayor Michael R. Bloomberg's Nonprofit Assistance Initiatives, recognizing the City's strong partnership with the

nonprofit sector which supports the efficient delivery of quality services of New Yorkers. Potential applicants may submit questions or request a conference with representatives of the City at any time until September 24, 2010, although neither of these is required. Any inquiries regarding this solicitation should be directed to acco@dycd.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 Youth and Community Development
 156 William Street, New York, NY 10038.
 Micheal Owh (212) 442-5982, fax: (212) 676-8129
 acco@dycd.nyc.gov

s1-8

AGENCY RULES

TAXI AND LIMOUSINE COMMISSION

NOTICE

Notice of Promulgation of Rules

Notice is hereby given in accordance with section 1043(e) of the Charter of the City of New York ("Charter") that the Taxi and Limousine Commission ("TLC") hereby promulgates rules governing for-hire vehicles and bases.

These rules are promulgated pursuant to sections 1043 and 2303 of the Charter and section 19-503 of the Administrative Code of the City of New York.

Public hearings on these proposed rules were held by the TLC at its offices at 40 Rector Street, 5th Floor, New York, New York 10006 on April 9, 2010 at 2:30 P.M. and on July 8, 2010 at 10:00 A.M.

These rules will take effect on January 1, 2011.

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

New Material is underlined.

CHAPTER 9 FOR-HIRE SERVICE

SUB-CHAPTER 9A FOR-HIRE VEHICLE OWNERS

SUB-CHAPTER 9B FOR-HIRE BASE OWNERS

SUB-CHAPTER 9C FOR-HIRE VEHICLE SPECIFICATIONS

§9A-01 Scope of this Sub-chapter

- (a) To establish the procedures, rules and requirements for obtaining and maintaining a For-Hire Vehicle License, including:
 - (1) For-Hire Livery Vehicles
 - (2) For-Hire Black Car Vehicles
 - (3) For-Hire Luxury Limousine Vehicles

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

§9A-02 Penalties

- (a) Unlicensed Activity.
 - (1) Unlicensed Activity is the act of providing or advertising the provision of any Commission-regulated for hire transportation service by:
 - (i) Any Licensee whose License is suspended, revoked, or expired and not yet renewed, or
 - (ii) Any person who does not hold a Valid License or Authorization from the Commission as a for hire driver, for the for hire vehicle, or for the for hire service, as applicable.
 - (2) Unlicensed Activity specifically includes the activities listed in §19-506 and §19-528 of the Administrative Code, and can subject the violator to the seizure and possible forfeiture of the vehicle involved.

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

(c) Payment of Fines.

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

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

- (a) Applicant in this Sub-chapter means an Applicant

- for an original or renewal For-Hire Vehicle License.
- (b) Black Car is a Vehicle that affiliates with a Black Car Base.
- (c) Black Car Base is a For-Hire Base that operates as follows:
- (1) All Black Car Vehicles are dispatched on a pre-arranged basis
 - (2) All Black Car Vehicles are owned by franchisees of the Base or are members of a cooperative that operates the Base; and
 - (3) More than ninety percent (90%) of the Base's business is on a payment basis other than direct cash payment by a Passenger
- (d) Driver in this Sub-chapter means a For-Hire Driver.
- (e) For-Hire Base (or "Base") is the Commission-licensed business for dispatching For-Hire Vehicles and the physical location from which For-Hire Vehicles are dispatched; a For Hire Base can be any of the following:
- (1) A Black Car Base.
 - (2) A Livery Base (or Base Station).
 - (3) A Luxury Limousine Base.
- (f) For-Hire Driver in this Sub-chapter means a Driver of a For-Hire Vehicle.
- (g) For-Hire Vehicle is a motor Vehicle Licensed by the Commission to carry Passengers For-Hire in the City, which:
- (1) Has a seating capacity of 20 or fewer Passengers
 - (2) Has three or more doors
 - (3) Is not a Taxicab, a Commuter Van, or an authorized bus as defined by NYS law.
- (h) Issuing Jurisdiction is a county within New York State contiguous to New York City that issues its own approval to allow a vehicle within its jurisdiction to contract for hire and perform pre-arranged pick-ups and drop-offs of one or more Passengers.
- (i) License in this Sub-chapter means a License for a For-Hire Vehicle.
- (j) Livery is a For-Hire Vehicle that is affiliated with a Livery Base Station.
- (k) Livery Base Station ("Base" or "Base Station") is a For-Hire Base that operates as follows:
- (1) All Livery Vehicles are dispatched from the Base on a pre-arranged basis.
 - (2) All Livery Vehicles are designed to carry fewer than six (6) Passengers.
 - (3) Passengers are charged for service on the basis of a flat rate, time, mileage, or zones.
- (l) A Luxury Limousine is a For-Hire Vehicle that is affiliated with a Luxury Limousine Base.
- (m) Luxury Limousine Base is a For-Hire Base that operates as follows:
- (1) All Luxury Limousines are dispatched from the Base by pre-arrangement.
 - (2) Luxury Limousine Vehicles have a seating capacity of 20 or fewer Passengers.
 - (3) More than ninety percent (90%) of its business is on a payment basis other than direct cash payment by a Passenger.
 - (4) Passengers are charged "garage to garage" service on the basis of a flat rate, time or mileage.
- (n) Owner or Vehicle Owner in this Sub-chapter refers to the title owner, registered owner or lessee of a For-Hire Vehicle.
- (o) Penalty Point is a non-monetary penalty assessed against either a Base Owner or the Owner of a For-Hire Vehicle if they are convicted of certain violations in this Sub-chapter.
- (p) Qualified Jurisdiction is an Issuing Jurisdiction that meets the requirements for reciprocity described in §498 of the NYS Vehicle and Traffic Laws.
- (q) Qualified Vehicle License (or "QVL") is the license issued by a Qualified Jurisdiction to that jurisdiction's vehicles authorizing them to provide pre-arranged, for-hire transportation within its jurisdiction.
- (r) Qualified Driver's License (or "QDL") is a license issued by a Qualified Jurisdiction to that jurisdiction's drivers authorizing them to operate an authorized vehicle to provide pre-arranged, for-hire transportation within its jurisdiction.
- (s) Reciprocity (or Reciprocal Recognition) means that:
- (1) New York City For-Hire Vehicles and Drivers can do pickups or drop offs in Qualified Jurisdictions for trips ending or beginning in NYC, and
 - (2) Vehicles and drivers that are licensed to perform for-hire transportation by a Qualified Jurisdiction can do pickups or drop offs in NYC for trips ending or beginning in the Qualified Jurisdiction.
- (t) Vehicle in this Sub-chapter refers to a For-Hire Vehicle.
- §9A-04 Licensing – General Requirements**
- (a) **Reserved. Identification.**
- (b) **Reserved. Age.**
- (c) **Reserved. Fingerprinting for Good Moral Character.**
- (d) **Designate Drivers as Agents to Receive Service.**
- (1) An Applicant for a For-Hire Vehicle License (and a Licensee) must designate every Driver who operates one of Owner's Vehicles as an agent for accepting service of summons or Commission notices to correct defects in the Vehicle.
 - (i) Delivery of the summons or notice to correct defect(s) to a Driver will be adequate notice to the Vehicle Owner.
 - (ii) The Commission will send a photocopy of any summons or notice to correct defect(s) to the Vehicle Owner and the Base Owner of record.
 - (2) An Applicant for a For-Hire Vehicle License (and a Licensee) must designate every Driver who operates one of Owner's Vehicles as agent for service of any legal process from the Commission that can be issued against the Owner.
- (e) **Inspection Required for a New Vehicle License.**
- (1) An Applicant for a new For-Hire Vehicle License (or approval for a replacement vehicle) must demonstrate that the vehicle was inspected at the Commission's Safety and Emissions Division within ten days:
 - (i) After being issued T&LC plates by the NYS DMV, or
 - (ii) After the Commission's acceptance of the application for vehicles registered outside New York State
 - (2) Vehicles must pass inspection within 60 days after the date of the first scheduled inspection before the new For-Hire Vehicle License will be issued.
 - (3) The maximum number of inspections allowed in this 60-day period is four.
 - (4) The maximum limit of four inspections applies whether the Applicant submits only the original vehicle, or also submits a replacement vehicle.
 - (5) Failure of the original vehicle or any replacement vehicle to pass an inspection after four tries within the 60-day period will result in denial of the application.
 - (6) **Nature of the Inspection.**
 - (i) If the vehicle has accumulated fewer than 500 miles traveled at the time the vehicle arrives at the Commission's facility for inspection, the inspection will be only a visual inspection.
 - (ii) If the vehicle is a year 1996 or later model:
 - A. The vehicle must comply with the vehicle inspection requirements set forth in section 301 of the NYS Vehicle and Traffic Law and with all applicable Rules established in this Sub-chapter.
 - B. The inspection will count as one of the "tri-annual" inspections required by §9A-26 of this Sub-chapter.
 - (iii) If the vehicle is a year 1995 or earlier model:
 - A. The vehicle must comply with the vehicle inspection requirements set forth in section 301 of the NYS Vehicle and Traffic Law and with all applicable Rules established in this Sub-chapter, except that the inspections will not include emissions testing.
 - B. The inspection will not count as one of the "tri-annual" inspections required by §9A-26 of this Sub-chapter.
- (f) **Inspection Required to Renew a Vehicle License.**
- (1) An Applicant for renewal of a For-Hire Vehicle License must have the vehicle inspected at the Commission's Safety and Emissions Division and demonstrate that the Vehicle has passed an inspection within thirty days after the date of the first scheduled inspection.
 - (2) The maximum number of inspections allowed in this 30-day period is four.
 - (3) The maximum limit of four inspections applies whether the Applicant submits only the original vehicle, or also submits a replacement vehicle.
 - (4) After the License expiration date, the vehicle must not operate until it passes inspection and meets all other requirements for Licensure.
- (g) **Reserved – Vehicle Owner Training.**
- (h) **Affiliation Required.** All Applicants for a For-Hire Vehicle License must demonstrate that they are affiliated with an appropriate For-Hire Base.
- (i) **Affiliation with Only One Base.** For-Hire Vehicles can only affiliate with one Base at a time.
- (j) **One License per Vehicle.**
- (1) There must not be more than one For-Hire Vehicle License issued and in effect for any vehicle, as indicated by the vehicle identification number, at any one time.
 - (2) If the Commission receives an application for a For-Hire Vehicle License for a Vehicle that has an existing, Valid, For-Hire Vehicle License (as indicated by the VIN number), held by someone other than the Applicant:
 - (i) The Commission will schedule a Hearing to determine whether the holder of the existing Valid For-Hire Vehicle License is fit to hold the License.
 - (ii) The Commission will revoke the existing License unless the holder demonstrates that the License has been transferred to a new vehicle.
- (k) **Special Requirements for Black Car Affiliation.**
- (1) No vehicle seeking a For-Hire Vehicle License can be affiliated with a Black Car Base unless the vehicle either:
 - (i) Meets the requirements of an Accessible Vehicle, or
 - (ii) Has a minimum city rating of twenty-five (25) miles per gallon as labeled under title 49 § 32908 of the U.S. Code and its applicable regulations.
 - (2) Beginning January 1, 2011, no vehicle seeking a For-Hire Vehicle License can be affiliated with a Black Car Base unless the vehicle either:
 - (i) Meets the requirements of an Accessible Vehicle, or
 - (ii) Has a minimum city rating of thirty (30) miles per gallon as labeled under title 49 § 32908 of the U.S. Code and its applicable regulations.
- §9A-05 Licensing – Reciprocal Recognition with Other Jurisdictions**
- (a) **Eligibility for Reciprocal Recognition.** To be eligible for Reciprocity, a vehicle with a QVL issued by a Qualified Jurisdiction meet the following requirements:
- (1) Evidence of a Valid QVL from the Qualified Jurisdiction must be attached to the vehicle's windshield.
 - (2) The vehicle must be operated by driver with a Valid Chauffeur's License.
- §9A-05(a)(2) Fine: \$100 Appearance NOT REQUIRED
- (3) The vehicle must be operated by a driver who:
 - (i) Has a Valid QDL issued by the Qualified Jurisdiction.
 - (ii) Carries proof of the Valid QDL while operating within New York City and displays it on request or has it posted within the vehicle.
 - (iii) Meets the requirements of Chapter §5-21 of these Rules.
- §9A-05(a)(3) Fine: \$350 Appearance NOT REQUIRED

(4) The vehicle must have a Valid state registration, and the certificate of registration (or a legible copy of it) is in the vehicle.
 \$9A-05(a)(4) Fine: \$100 Appearance NOT REQUIRED

(5) The vehicle must contain a Trip Record that:
 (i) Meets the requirements of §9A-19 of this Chapter,
 (ii) Demonstrates that any trip (including travel within New York City) was established by pre-arrangement, and
 (iii) Shows that either the origin or final destination of the trip is outside New York City.
 \$9A-05(a)(5) Fine: \$300 Appearance NOT REQUIRED

(6) The vehicle must carry a Valid inspection sticker issued under the laws of New York State or the state of the vehicle's registration. The sticker must indicate the date of last inspection or the expiration date of the inspection.
 \$9A-05(a)(6) Fine: Notice to Correct within 10 Days Appearance NOT REQUIRED

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

(b) Privileges of Reciprocal Recognition. A vehicle that meets the requirements of this section for Reciprocity will be allowed, without any License issued by or any fee paid to the Commission, to do the following:
 (1) Pick up Passengers in the vehicle's Qualified Jurisdiction for travel to or through New York City
 (2) Pick up Passengers in New York City for travel to the vehicle's Qualified Jurisdiction
 (3) When transporting Passengers between the jurisdictions (as described in subdivisions (1) or (2) above), temporarily discharge and pick up such Passengers within New York City; provided, however, that all the stops must occur within 24 hours of the initial pick up of the Passengers.
 (4) Transit through New York City for a trip beginning and ending outside New York City

\$9A-06 Licensing – Term of License
 (a) New License. The term of a new For-Hire Vehicle License is two years.
 (b) Renewal License. The term of a renewal License is two years.
 (c) When to File for Renewal.
 (1) A renewing Applicant must file a completed application at least 30 days before the expiration date of the License.
 (2) The Commission will allow a renewing Applicant to file a completed application less than 30 days before the expiration date as a "late application," provided the Applicant pays a late fee of \$25.
 (3) No renewal application will be accepted and the License cannot be renewed after the expiration date of the For-Hire Vehicle License.
 (d) Extension. The Commission can extend the expiration date of the License by up to an additional 31 days.
 (e) Early Termination.
 (1) A For-Hire Vehicle License terminates early if it is revoked or surrendered, or if the vehicle's state license plates are surrendered.
 (2) A License that has been terminated early cannot be renewed or reinstated.

\$9A-07 Licensing – Fees
 (a) Vehicle License Fee. The fee for each For-Hire Vehicle License will be \$275 annually.
 (b) Late Filing Fee. There will be an additional fee of \$25 for a "late filing" of a License renewal application.
 (c) When Fee is Paid. The fee for an original or renewal License must be paid at the time the application is filed.
 (d) No Refund if Application Denied. The Commission will not refund fees if it denies or disapproves the application.
 (e) Vehicle License Replacement Fee. The Commission will charge a fee of \$25 for each replacement License or Decal.
 (f) License Plate Replacement. The Commission will charge a fee of \$25 for replacement license plates.
 (g) Base Affiliation Fee. The Commission will charge a fee of \$25 to process an application for a Vehicle Licensee to change its Base affiliation.

\$9A-08 Licensing – Causes for Denial or Revocation
 (a) Material Misrepresentation.
 (1) The Commission can deny an application for a License or its renewal and revoke or suspend any License issued if it finds that

an Applicant has made a material misstatement or misrepresentation on an application for a License or its renewal.

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

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

(c) Non-Use. A For-Hire Vehicle License must be revoked for non-use if:
 (1) For 60 or more days, the Licensee fails to maintain a Base affiliation (as required by §9A-11(e) of this Chapter)
 (2) For 60 or more days, the Licensee fails to maintain insurance coverage (as required by §9A-12 of this Chapter)
 (3) For 60 or more days, the License holder fails to comply with the inspection requirements (as required by §9A-26 of this Chapter)

(d) Prior Revocation.
 (1) The Commission will not issue a For-Hire Vehicle License to any Applicant that has had a previous For-Hire Vehicle License revoked until there has been a Hearing to determine the Applicant's fitness to hold a license.
 (2) To determine if a previously revoked For-Hire Vehicle License ("Revoked License") will be attributed to this Applicant, the Commission will include any Revoked License held by any of the following:
 (i) All of Applicant's Business Entity Persons, and
 (ii) Any other entity in which any of Applicant's Business Entity Persons also serve as a partner, officer or shareholder.

\$9A-09 Licensing – Transfer of License
 (a) Transfer of Vehicle License to a New Vehicle.
 (1) In order to transfer the For-Hire Vehicle License to a new vehicle, the Owner must file an application to transfer the License within 15 days after registering the new vehicle with the applicable state DMV.
 (2) No transfer application will be approved until the Owner presents the vehicle for inspection by the Commission. (See §9A-04(e))
 (b) Only One License per Vehicle. There can only be one Valid For-Hire Vehicle License issued for any one Vehicle, as determined by the VIN.

\$9A-10 Licensing – Care of Licenses
 (a) Unauthorized Entries. No unauthorized entry can be made on the For-Hire Vehicle License or the Decal(s). No entry on the For-Hire Vehicle License or Decal(s) can be changed or defaced.
 \$9A-10(a) Fine: \$350 for first violation Appearance \$500 for second violation in 24 months REQUIRED Revocation for third violation in 36 months
 (b) Prompt Replacement of Unreadable License. An unreadable For-Hire Vehicle License or Decal(s) must immediately be surrendered to the Commission for replacement.
 \$9A-10(b) Fine: \$25 Appearance NOT REQUIRED
 (c) Prompt Report of Loss of License. In case of the theft, loss, or destruction of a For-Hire Vehicle License or Decal(s), the Owner must immediately notify the Commission, provide the Commission with an affidavit or information as required, and replace the License or Decal.
 \$9A-10(c) Fine: \$50 Appearance NOT REQUIRED
 (d) Prompt Replacement of License Plates. A For-Hire Vehicle Owner must report the replacement of any lost or stolen New York State license plates in writing to the Commission within 48 hours (not including weekends and holidays) after obtaining new plates.
 \$9A-10(d) Fine: \$50 Appearance NOT REQUIRED

\$9A-11 Compliance with Law – No Unlicensed Activity
 (a) For-Hire Vehicle License and Commission License Plate.
 (1) A For-Hire Vehicle Owner must not allow any of Owner's Vehicles to be dispatched unless:
 (i) A Vehicle registered in NYS has license plates embossed with the legend "T & LC"
 \$9A-11(a)(1)(i) Vehicle Fine: \$350 and Appearance NOT summary suspension required until compliance Penalty Points: 1
 (ii) A Vehicle registered in a state other than New York has complied with any applicable license plate requirements.
 (iii) The vehicle has a Valid For-Hire Vehicle License.
 \$9A-11(a)(1)(iii) Vehicle Fine: \$500 for the first offense in Appearance NOT 12 months; required

\$1000 for the second and subsequent offenses within a 12-month period. Penalty Points: 1

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

(b) Valid For-Hire Driver's License.
 (1) A Vehicle Owner must not allow any of its Vehicles to be dispatched unless its driver possesses a Valid For-Hire Driver's License.
 (2) The Commission will post on its website a list of Drivers holding Valid For-Hire Drivers Licenses.
 \$9A-11(b) Vehicle Fine: \$350 Appearance NOT Penalty Points: 1 REQUIRED
 (c) Valid Chauffeur's License Required.
 (1) A Vehicle Owner must not allow any of its Vehicles to be dispatched unless it is being driven by a For-Hire Driver with a Valid Chauffeur's License.
 (2) A Vehicle Owner is responsible for knowing the status of the state-issued driver's license for any driver dispatched in one of Owner's Vehicles.
 \$9A-11(c) Vehicle Fine: \$100 Appearance NOT Penalty Points: 1 REQUIRED
 (d) Validity of For-Hire Vehicle License Requires Valid State Registration.
 (1) A For-Hire Vehicle License will be Valid only while the state registration of the Vehicle remains Valid.
 (2) A For-Hire Vehicle Owner must immediately surrender his For-Hire Vehicle License to the Commission upon the expiration, restriction, suspension, or revocation of the Vehicle's state registration.
 \$9A-11(d) Fine: \$100-\$350 and/or Appearance REQUIRED suspension up to 30 days; summary suspension until compliance
 (e) Affiliation with Licensed Base. A For-Hire Vehicle Owner must not dispatch or permit another person to dispatch Owner's Vehicle unless:
 (1) It is affiliated with a Validly Licensed Base
 (2) The base dispatching the Vehicle is Validly Licensed
 (3) The Vehicle is being dispatched from its affiliated Base, unless:
 (i) The Vehicle is an Accessible Vehicle being dispatched to transport a Person with a Disability, or
 (ii) The Base informs the customer that the Vehicle is from another Base.
 \$9A-11(e) Fine: \$150 plus penalties Appearance NOT REQUIRED applicable for unlicensed operation
 (f) Surrendering Licenses. If a For-Hire Vehicle Owner license is revoked, expired or denied:
 (1) It must be surrendered to the Commission within 10 days after revocation, expiration or denial.
 (2) If the vehicle is registered in New York State, the Owner must surrender the T&LC license plates to the New York State Department of Motor Vehicles.

\$9A-12 Compliance with Law – Vehicle Insurance Coverage
 (a) Maintain Liability Insurance.
 (1) A For-Hire Vehicle Owner must maintain the required insurance coverage on all of Owner's Vehicles at all times.
 (2) When a For-Hire Vehicle Owner receives notice that his or her liability insurance is to be terminated, Owner must surrender the For-Hire Vehicle License and Decal(s) to the Commission on or before the termination date of the insurance.
 (3) This requirement will not apply if the Owner of the Vehicle submits, before the termination of the policy, proof of new insurance effective on the date of termination of the old policy.
 \$9A-12(a) Fine: \$150-\$350 and/or Appearance REQUIRED suspension up to 30 days
 (b) Notification to Commission of Changes in Insurance Coverage. Within seven days, not including holidays and weekends, a For-Hire Vehicle Owner must notify the Commission in writing of any change in insurance carrier or coverage, specifying the name and address of the new and the former insurance carriers and the number of the policy for each affiliated Vehicle. The Owner must submit proof of such coverage.
 \$9A-12(b) Fine: \$100 Appearance REQUIRED
 (c) Coverage Requirements.
 (1) General Coverage. For the purposes of insurance or other financial security, each Owner of a For-Hire Vehicle must

	maintain coverage for each Vehicle owned in amounts not less than the following:	representative, or member of the Commission or any other public servant.	
	(i) \$200,000 per person, payable for those expenses specified in paragraphs 1, 2 and 3 of subdivision a of section 5102 of the New York State Insurance Law	\$9A-13(a)(2) Fine: \$1,000 up to Revocation Appearance REQUIRED	(a) <u>Alcohol and Drug Laws.</u> A For-Hire Vehicle Owner must not knowingly allow an affiliated For-Hire Vehicle to be operated by a Driver who is under the influence of any drugs or alcohol or whose driving ability is in any way impaired.
	(ii) \$100,000 minimum liability and \$300,000 maximum liability for bodily injury and death, as those terms are described and defined in section 370(1) of the Vehicle and Traffic Law	(3) <u>Offer of Gift to Airport or Transportation Terminal Staff.</u> A Licensee must not offer or give any gift, gratuity, or thing of value to a person or persons employed at any airport or other transportation terminal to provide ground transportation information services, dispatching service, security services, traffic and parking control, or baggage handling, whether or not the person or persons are employed by the Port Authority of New York and New Jersey, LIRR, Metro-North, or any similar entity.	\$9A-14(a) Fine: \$10,000 and revocation Appearance REQUIRED
\$9A-12(c)(1)	Fine: \$350 and suspension until compliance Appearance REQUIRED	\$9A-13(a)(3) Vehicle Owner Fine: \$250 – 1,000 Appearance REQUIRED	(b) <u>Payment of all Fines and Judgments.</u> The holder of a For-Hire Vehicle License issued under this Chapter must satisfy any outstanding judgment and pay any civil penalty owed for a violation relating to traffic in a Qualified Jurisdiction or for a violation of the regulations of a Qualified Jurisdiction.
(2)	<u>Coverage for Vehicles with Seating Capacity of Nine to Fifteen.</u> Each Owner of a For-Hire Vehicle with a seating capacity of at least nine but not more than 15 Passengers must maintain coverage for each Vehicle owned in amounts not less than the following:	(b) <u>Fraud, Theft.</u> While performing the duties and responsibilities of a Licensee, a Licensee must not commit or attempt to commit, alone or in concert with another, any act of fraud, misrepresentation or theft.	\$9A-14(b) Penalty: Suspension until satisfaction or payment Appearance NOT REQUIRED
	(i) \$200,000 per person, payable for those expenses specified in paragraphs 1, 2 and 3 of subdivision a of section 5102 of the New York State Insurance Law	\$9A-13(b) Fine: \$350-1,000 and/or suspension up to 60 days or revocation Appearance REQUIRED	\$9A-15 RESERVED (Operations – Base Station Business Premises)
	(ii) \$1,500,000 minimum liability for bodily injury and death, as those terms are described and defined in section 370(1) of the Vehicle and Traffic Law	(c) <u>Willful Acts of Omission.</u> While performing the duties and responsibilities of a Licensee, a Licensee must not deliberately fail to perform any act where this failure is against the best interests of the public, although not specifically mentioned in these Rules.	\$9A-16 RESERVED (Operations – Management Oversight (Use of Agents))
\$9A-12(c)(2)	Fine: \$350 and suspension until compliance Appearance REQUIRED	\$9A-13(c) Fine: \$150-\$350 and/or suspension up to 30 days or revocation Appearance REQUIRED	\$9A-17 Operations – Service Requirements (Customers)
(3)	<u>Special Coverage for Luxury Limousines with Seating Capacity of Less than Nine.</u> Each Owner of a Luxury Limousine with a seating capacity of fewer than nine Passengers must maintain coverage for each Vehicle in an amount of not less than:	(d) <u>Willful Acts of Commission.</u> While performing the duties and responsibilities of a Licensee, a Licensee must not deliberately perform or attempt to perform any act that is against the best interests of the public, although not specifically mentioned in these Rules.	(a) <u>No Required Ride-Sharing.</u> An Owner of a For-Hire Vehicle must not require that any prospective Passenger share a ride with another prospective Passenger.
	(i) \$200,000 per person, payable for those expenses specified in paragraphs 1, 2 and 3 of subdivision a of section 5102 of the New York State Insurance Law	\$9A-13(d) Fine: \$150 - \$350 and/or suspension up to 30 days or revocation Appearance REQUIRED	\$9A-17(a) Vehicle Fine: \$50 Appearance NOT REQUIRED
	(ii) \$500,000 per accident where one person is injured, and	(e) <u>Threats, Harassment, Abuse.</u> While performing the duties and responsibilities of a Licensee, a Licensee must not threaten, harass, or abuse any person.	\$9A-18 Operation – Responsibilities with Respect to Drivers
	(iii) \$1,000,000 per accident for all persons injured in that accident.	\$9A-13(e) Fine: \$350-1,000 and suspension up to 30 days Appearance REQUIRED	(a) <u>“Restricted Area”.</u> For the purposes of this subdivision, “restricted area” is defined as all public streets and sidewalks located on either side of the street on which the Vehicle’s affiliated Base is located or within the city block front where the Base is located, including both sides of the street on which the Base is located.
\$9A-12(c)(2)	Fine: \$350 and suspension until compliance Appearance REQUIRED	(f) <u>Use or Threat of Physical Force.</u> While performing the duties and responsibilities of a Licensee or any act in connection with those duties, a Licensee must not use or attempt to use any physical force against a person.	(b) <u>Obey Traffic Rules in Restricted Area.</u> The Owner of a For-Hire Vehicle must make sure that the Driver and Vehicle will obey all applicable traffic and parking regulations within the “restricted area.”
(4)	<u>Coverage for Vehicles with Seating Capacity of Sixteen or More.</u> Each Owner of a Vehicle with a seating capacity of at least 16 Passengers must maintain coverage for each Vehicle owned in amounts not less than the following:	\$9A-13(f) Fine: \$500-1,500 and/or suspension up to 60 days or revocation Appearance REQUIRED	\$9A-18(b) Vehicle Owner Fine: \$50 Appearance NOT REQUIRED
	(i) \$200,000 per person, payable for those expenses specified in paragraphs 1, 2 and 3 of subdivision a of section 5102 of the New York State Insurance Law	(g) <u>Threat or Harm to Service Animal.</u> 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.	(c) <u>Obey Noise, Littering and General Nuisance Laws.</u> The Owner of a For-Hire Vehicle must make sure that the Driver and the Vehicle will not create a nuisance while stopped at the Base, such as engaging in horn honking, littering, or playing loud audio material within the “restricted area.”
	(ii) \$5,000,000 minimum liability for bodily injury and death, as those terms are described and defined in section 370(1) of the Vehicle and Traffic Law	\$9A-13(g) Fine: \$500-1,500 and/or suspension up to 60 days or revocation Appearance REQUIRED	\$9A-18(c) Vehicle Owner Fine: \$50 Appearance NOT REQUIRED
\$9A-12(c)(3)&(4)	Fine: \$350 and suspension until compliance Appearance REQUIRED	(h) <u>Notice of Criminal Conviction.</u>	\$9A-19 Operations – Trip Record Information
(d)	<u>Report of Accidents to Carrier and the Commission.</u>	(1) A Licensee must notify the Commission within 15 calendar days after any felony conviction of the Licensee, or of any of Licensee’s officers or members.	(a) <u>Record-Keeping with Issuing Jurisdictions.</u> Both of the following entities must ensure the requirements set forth in subdivision (b) below are met:
(1)	<u>Report to Carrier.</u> A For-Hire Vehicle Owner must immediately report in writing to Owner’s insurance carrier all accidents that are required to be reported to the insurance carrier involving Owner’s For-Hire Vehicle(s).	(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.	(1) The holder of a For-Hire Vehicle License issued by the Commission for a Vehicle used in for hire transportation between New York City and an Issuing Jurisdiction
\$9A-12(d)(1)	Fine: \$500-\$1,000 Appearance REQUIRED	\$9A-13(h) Fine: \$50 Appearance NOT REQUIRED	(2) The holder of an Issuing Jurisdiction Vehicle License issued by a Qualified Jurisdiction for a vehicle used in For-Hire transportation between New York City and the Qualified Jurisdiction
(2)	<u>Report to Commission.</u>	(i) <u>Failure to Cooperate with Law Enforcement.</u>	(b) <u>Issuing Jurisdiction’s Trip Record.</u> The entities identified in (a) above must ensure that a record is made of each trip between New York City and the Issuing Jurisdiction. This record must contain:
	(i) A For-Hire Vehicle Owner must immediately report in writing to the Commission all accidents that are required to be reported to the Department of Motor Vehicles (under §605 of the Vehicle and Traffic Law) involving Owner’s Vehicle(s).	(1) A Licensee must cooperate with all law enforcement officers and all authorized representatives of the Commission.	(1) A record is made prior to the commencement of the trip in the Trip Record carried in the vehicle.
	(ii) A copy of the report sent to the Department of Motor Vehicles must also be provided to the Commission within 10 days from the date by which the Owner is required to file the report with the DMV.	(2) Cooperation includes, but is not limited to, responding to a request for the Licensee’s name, License number, and any documents Licensee is required to have in his or her possession.	(2) The record is kept for a period of no less than one year after the trip.
\$9A-12(d)(2)	Fine: \$150 and \$25 for each day of violation thereafter and suspension until compliance Appearance REQUIRED	\$9A-13(i) Fine: \$15-\$150 Appearance REQUIRED	(3) The record is written legibly in ink and includes the following information:
\$9A-13 Compliance with Law – Personal Conduct		(j) <u>Cooperation with the Commission.</u> A Licensee must comply with the following required actions:	(i) The Passenger’s name or other identifier
(a)	<u>Bribery Prohibited.</u>	(1) Answer truthfully all questions and comply as directed with all communications, directives, and summonses from the Commission or its representatives.	(ii) The time of the scheduled pick-up of the Passenger
(1)	<u>Appearance of Bribery.</u> An Applicant or Licensee must not offer or give any gift, gratuity or thing of value to any employee, representative or member of the Commission, or any other public servant.	(2) Within ten days following a request from the Commission, produce any Licenses or other documents the Licensee is required to have.	(iii) The location of the scheduled pick-up of the Passenger
\$9A-13(a)(1)	Fine: Revocation and \$10,000 Appearance REQUIRED	\$9A-13(j)(1)&(2) Fine: \$200 and suspension until compliance Appearance REQUIRED	(iv) The locations of any intermediate stops at which the Passenger is picked up or dropped off
(2)	<u>Demand for Gratuity.</u> A Licensee must immediately report to the Commission any request or demand for a gift, gratuity, or thing of value by any employee,	(3) Within 48 hours, a Licensee must respond to any contact from the Commission, seven days a week.	(v) The final destination of the Passenger
		\$9A-13(k) Fine: \$150 Appearance NOT REQUIRED	(vi) The time the trip was completed.
		(k) <u>Courtesy.</u> A Licensee will be courteous to Passengers.	\$9A-19(b) Fine: \$300 Appearance NOT REQUIRED
			\$9A-20 Operations – Current Contact Information
			(a) <u>Mailing Address.</u>
			(1) A Vehicle Owner must notify the Commission in person or by first class mail of any change in Owner’s Mailing Address, within seven days of the change, not including holidays and weekends.
			\$9A-20(a)(1) Vehicle Owner Fine: \$50 Appearance NOT REQUIRED
			(2) Any notice from the Commission will be deemed sufficient if sent to the last Mailing Address provided by the For-Hire Vehicle Owner.

(b) Capacity for 24-Hour Access.

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

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

§9A-20(b) Vehicle Owner Fine: \$100 Appearance NOT REQUIRED

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

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

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

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

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

(a) Passenger Trips by Pre-Arrangement Only.

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

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

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

§9A-26 **Vehicles – Inspections**

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

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

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

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

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

(a) Unsafe or Unfit Vehicles.

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

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

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

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

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

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

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

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

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

(d) Correct Defect Directives. A For-Hire Vehicle Owner must comply with all Commission notices and directives to correct defects in the Vehicle.

§9A-27(d) Fine: \$50 per day until information is supplied Appearance REQUIRED

(e) Daily Personal Inspection by Owner. A For-Hire Vehicle Owner must not permit a For-Hire Vehicle to be operated without daily personal inspection and reasonable determination that all equipment, including brakes, lights, signals, and Passenger seatbelts and shoulder belts, are in good working

order and meet all the requirements of the New York State Vehicle and Traffic Law and these Rules.

§9A-27(e) Fine: \$25 – 250 Appearance REQUIRED

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

(a) Post-Manufacture Alterations.

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

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

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

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

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

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

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

§9A-28(a) Vehicle Owner Fine: \$10,000 and License suspension until compliance if alteration is not approved. \$10,000 and License revocation if certification sticker is altered. Appearance REQUIRED

(b) Proper Vehicle Identification Required.

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

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

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

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

(3) T & LC License Plates. A For-Hire Vehicle that is registered in New York must have New York State license plates affixed to the Vehicle that are embossed with the legend "T & LC."

§9A-28(b)(3) Fine: \$100 - \$350 and Summary Suspension until compliance. Appearance NOT REQUIRED

(c) Two-Door Vehicles Prohibited. No For-Hire Vehicle can be a two door vehicle.

§9A-28(c) Fine: Suspension of the Vehicle Owner License Appearance REQUIRED

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

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

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

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

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

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

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

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

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

Vehicle A:

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

Vehicle B:

- License expires May 6, 2018, having renewed on May 6, 2016

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

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

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

(a) Valid License Decals.

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

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

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

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

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

(i) When the License is renewed;

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

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

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

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

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

(c) Inspection Sticker. A Valid New York State DMV inspection sticker that has no fewer than eight months left before the sticker expires must be plainly visible on the front left side of the front windshield.

§9A-29(c) Vehicle Owner Fine: \$100 and suspension of the Vehicle Owner License until any defect found is corrected. Penalty Points: 1. Appearance REQUIRED

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

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

(e) Prohibited Advertising.

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

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

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

(f) Motor Vehicle Tax Stamp.

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

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

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

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

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

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

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

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

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

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

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

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

- (1) Must be located on the exterior of the C-pillars of a sedan or an SUV or on the exterior of the D-pillars of a minivan, on both sides of the Vehicle
- (2) Must be visible to Passengers entering the clean air vehicle

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

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

- (a) Required Items. Each For-Hire Vehicle must have:
- (1) On the right visor, on top of the right side of the dashboard, or in the glove compartment:
- (i) The certificate of registration or a legible copy of it
- (ii) The insurance card or a legible copy of it
- (2) In a protective holder attached to the back of the driver's seat:
- (i) The For-Hire Vehicle Driver's license of the Driver; and
- (ii) The For-Hire Vehicle License.
- (3) Exception for Black Cars and Luxury Limousines.
- (i) Black Cars and Luxury Limousines must comply with all requirements of this subdivision (a) except that these Vehicles will not be required to have a protective holder mounted behind the driver's seat to display:
- A. The For-Hire Vehicle Driver's License
- B. The For-Hire Vehicle License
- (ii) Those items must, however, be displayed in the Vehicle in a way so as to be clearly visible from the Passenger seat and available for inspection by the Passenger upon request.

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

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

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

(b) Trip Record.

- (1) The Trip Record required in §9A-22(b) of this Chapter must be kept in the Vehicle during any trip between New York City and an Issuing Jurisdiction, including a trip through either New York City or an Issuing Jurisdiction.
- (2) On request, the Trip Record must be presented for inspection to any police officer or peace officer acting in his or her special duties or to other persons authorized by the Commission or by the Issuing Jurisdiction.
- (3) Failure to present the Trip Record as required when requested by an authorized person will be presumptive evidence of an unlicensed operation.

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

§9A-31 Vehicle – Equipment

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

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

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

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

- (c) Meter. No For-Hire Vehicle can be equipped with a meter except a wheelchair accessible Livery which is participating in the dispatch program as described in Chapter 3 of this title.

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

(d) Distress Signaling Light – Livery Vehicle.

- (1) Requirement. The Vehicle must be equipped with a help or distress signaling light system as required by the specifications in §9C-03 of these Rules.
- (2) Exemption. A Vehicle will be exempt from the requirements of this subdivision if the Vehicle is affiliated with a Black Car Base or a Luxury Limousine Base.

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

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

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

(b) Exemptions.

- (1) A For-Hire Livery Vehicle will be exempt from the requirements of paragraph (1) if the Vehicle is equipped with all of the following safety devices:
- (i) An FCC-licensed commercial two-way radio with an emergency button that would notify the dispatcher that the Driver is in trouble or a cellular telephone that has an emergency dialing feature
- (ii) The distress signaling light required by §9A-31(d), above
- (iii) An approved in-vehicle camera system.
- (2) Black Cars and Luxury Limousines are exempt from this requirement.

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

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

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

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

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

- (a) Four Penalty Points Requires License Revocation. The License of any For-Hire Vehicle that accumulates four penalty points for violations during any License term will be revoked.
- (b) Points Accrued but not Assessed Before Renewal.
- (1) If points are imposed after a Vehicle License has been renewed based on a violation that occurred before the renewal, the points will be added to the total points accumulated by the Vehicle before its renewal.
- (2) If the additional Points raise the total

number to four or more Points, the Vehicle License will be revoked.

(c) Revocation Process.

- (1) The Chairperson can begin revocation proceedings whenever a Licensee has been assessed four or more points during the current term of that License.
- (2) The Licensee's License can also be revoked as part of the decision imposing the final point necessary for revocation.
- (3) At any time revocation of a Base License is mandated and the last penalty point arises from the same incident that created the For-Hire Vehicle License revocation mandate, separate proceedings must be held for the Base License revocation and the Vehicle License revocation.
- (d) The Chairperson will develop a point reduction program applicable to Vehicles and Bases.
- (e) No penalty points will be imposed for violations occurring before August 1, 2009.

§9B-01 Scope of this Sub-chapter

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

- (1) Livery Base Station
- (2) Black Car Base
- (3) Luxury Limousine Base

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

§9B-02 Penalties

(a) Unlicensed Activity.

- (1) Unlicensed Activity is the act of providing or advertising the provision of any Commission-regulated for hire transportation service by:
- (i) Any Licensee whose License is suspended, revoked, or expired and not yet renewed (except as provided in this Sub-chapter), or
- (ii) Any person who does not hold a License or Authorization from the Commission;
- (2) Unlicensed Activity specifically includes the activities listed in §19-506 and §19-528 of the Administrative Code, and can subject the violator to the seizure and possible forfeiture of the vehicle involved.

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

(c) Payment of Fines.

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

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

- (a) Applicant in this Sub-chapter means an Applicant for an original or renewal For-Hire Base License.
- (b) Black Car is a Vehicle that affiliates with a Black Car Base.
- (c) Black Car Base is a "central dispatch facility" (as the term is defined in New York Executive Law, §160-cc) and For-Hire Base that operates as follows:
- (1) All Black Car Vehicles are dispatched on a pre-arranged basis;
- (2) All Black Car Vehicles are owned by franchisees of the Base or are members of a cooperative that operates the Base; and
- (3) More than ninety percent (90%) of the Base's business is on a payment basis other than direct cash payment by a Passenger.
- (d) Driver in this Sub-chapter means a For-Hire Driver.
- (e) For-Hire Base (or "Base") is the Commission-licensed business for dispatching For-Hire Vehicles and the physical location from which For-Hire Vehicles are dispatched; a For Hire Base can be any of the following:
- (1) A Black Car Base,
- (2) A Livery Base (or Base Station),
- (3) A Luxury Limousine Base.
- (f) For-Hire Driver in this Sub-chapter means a Driver of a For-Hire Vehicle.
- (g) For-Hire Vehicle is a motor Vehicle Licensed by the Commission to carry Passengers For-Hire in the

City, which:

(1) Has a seating capacity of 20 or fewer Passengers

(2) Has three or more doors

(3) Is not a Taxicab, a Commuter Van, or an authorized bus as defined by NYS law

(h) License in this Sub-Chapter means a For-Hire Base License.

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

(j) Livery Base Station ("Base" or "Base Station") is a For-Hire Base that operates as follows:

(1) Livery Vehicles are dispatched from the Base on a pre-arranged basis.

(2) Livery Vehicles are designed to carry fewer than six (6) Passengers.

(3) Passengers are charged for service on the basis of a flat rate, time, mileage, or zones.

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

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

(1) All Luxury Limousines are dispatched from the Base by pre-arrangement.

(2) Luxury Limousine Vehicles have a seating capacity of 20 or fewer Passengers.

(3) More than ninety percent (90%) of its business is on a payment basis other than direct cash payment by a Passenger.

(4) Passengers are charged "garage to garage" service on the basis of a flat rate, time or mileage.

(m) Mailing Address for a For-Hire Base will be the Base address.

(n) Owner in this Sub-chapter refers to a For-Hire Base Owner.

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

(p) Respondent means an individual or Business Entity who has been noticed and charged with a violation of one or more of these Rules or the Administrative Code, or with being unfit to hold a License.

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

§9B-04 Licensing – General Requirements

(a) Reserved. Identification.

(b) Reserved. Age.

(c) Fingerprinting to Verify Good Moral Character.

(1) Initial Applicants. An individual or all Limited Business Entity Persons of a Business Entity applying for a Base License must be fingerprinted for the purpose of securing criminal history records from the New York State Division of Criminal Justice Services.

(2) Review of Criminal History. The criminal history must be reviewed in a manner consistent with Article 23-A of the New York State Correction Law.

(3) Additions or Changes to Applicant. Before or within five days after any change or addition to the Limited Business Entity Persons of a Business Entity Licensee:

(i) The Licensee must file an application with the Commission for approval of the change or addition on forms that are prescribed by the Commission.

(ii) The new Limited Business Entity Person(s) must be fingerprinted as required by this subdivision.

(4) The Applicant or Licensee must pay any processing fee required.

(d) Reserved. Designate Drivers as Agents to Receive Service.

(e) Bond Required.

(1) Before a For-Hire Base License will be issued or renewed, the Applicant must provide the Commission with a bond in the amount of \$5,000 with one or more sureties to be approved by the Commission.

(2) The bond must be for the benefit of New York City and must guarantee the following:

(i) The Licensee will dispatch only vehicles that are currently licensed by the Commission and that have a current New York City commercial use motor vehicle tax stamp.

(ii) The Licensee will pay all civil penalties owed for violating any provision of this Chapter.

(3) The bond will permit the Commission to

draw upon the bond to pay any penalties owed by the Base for any violation of this Chapter that has not been paid when due or after completion of any appeal.

(i) The Chairperson will give the Base Owner 30 days' notice before drawing upon the bond to pay any penalty.

(ii) If the Commission has to draw on the bond, the Base Owner will be assessed one Penalty Point

(4) The bond must be maintained by the Base Owner for the term of the License.

§9B-04(e) Fine: \$250 for failure to post or maintain bond; Penalty Points: One Penalty Point for draw on bond. Appearance NOT REQUIRED

§9B-05 Licensing – Special Requirements for Livery Base Stations

(a) Fitness to Hold a License.

(1) An Applicant for a License to operate a Livery Base Station must demonstrate to the satisfaction of the Commission that the Applicant is fit to operate a Base Station.

(2) The Commission will consider:

(i) The ability of the Applicant to adequately manage the Base Station.

(ii) The Applicant's financial stability.

(iii) Whether the Applicant operates or has previously operated a Licensed Base Station and the manner in which that Base Station was operated.

(3) The Commission will also consider any relevant information maintained in the records of the Department of Motor Vehicles or the Commission.

(b) Off-Street Parking. An Applicant for a License to operate a Livery Base Station must demonstrate to the satisfaction of the Commission that the operator of the Base Station will comply with the provision to provide and use lawful off-street facilities as described in §9B-15(j).

(c) Local Review. A determination by the Commission to approve an application for a new or renewal License to operate a Livery Base Station will not become final until the determination has been subject to review by the New York City Council, as follows:

(1) Upon receipt of an application for a new or renewal Livery Base Station License, the Commission will, within five business days, submit a copy of the application to the City Council and to the district office of the City Council member and the community board for the area in which the Base Station is or would be located.

(2) Within five days of a decision to approve a new or renewal Base Station License, the Commission will send to the City Council and to the district office of the Council member within whose district that Base Station is or would be located:

(i) A written copy of the approval decision.

(ii) Copies of the data, information, and other materials the Commission relied on to make the decision.

(3) Action by City Council. [Admin Code §19-511.1]

(i) Within 90 days of the first scheduled meeting following receipt of the decision and back-up data, the Council can adopt a resolution to review the decision and can approve or disapprove it.

(ii) If the Council fails to act within the 90-day period, the Commission's decision will become final.

(d) Submit Business Plan – Livery Base Only. A Livery Base Station must submit a business plan with each application for a new or renewal License or for a change of ownership of the Base Station License. The business plan must include:

(1) Contact Information. The business name, address, telephone number, email address and 24-hour contact number for the Base Station;

(2) Plans for Ensuring Compliance with Commission Rules.

(i) A general description of how the Base Station intends to monitor and ensure that the Base Station itself, its affiliated Vehicle Owners, and the Drivers operating the affiliated Vehicles comply with these Rules;

(ii) A specific plan for assuring that affiliated Vehicles and their Drivers provide transportation only through pre-arrangement made with the Base

(iii) A specific description of how the Base plans to prevent its affiliated Vehicles and their

Drivers from accepting street hails

(3) Plans for Preventing Recurrence of Past Violations. A description of how the Base Station intends to prevent a recurrence of any Rule violations that occurred during the current and previous (if any) term(s) of its License.

(4) Off-Street Parking. Policies and procedures regarding off-street parking, including:

(i) The address of the Livery Base's off-street parking location

(ii) How far the off-street parking location is from the Livery Base.

(iii) How the Base will encourage its affiliated Vehicles to use the Livery Base's off-street parking location, and

(iv) How the Livery Base will ensure that the affiliated Vehicles not using the off-street parking location do not violate applicable traffic and parking regulations when they are in the area around the Base Station.

(5) Number of Vehicles.

(i) Renewal Applicants must include the number of Vehicles currently affiliated with the Base Station

(ii) New Applicants must include the number of Vehicles they expect to be affiliated with the Base Station when it obtains the License

(iii) Both new and renewal Applicants must include an estimate of the average number of Vehicles they expect to be affiliated with the Base during the term of the License;

(6) Number of Trips.

(i) A renewal Applicant must include the average number of requests currently received and the average number of trips currently dispatched on a daily basis.

(ii) A new Applicant must include an estimate of average number of requests it expects to receive and the average number of trips it expects to dispatch on a daily basis when it obtains the License.

(iii) Both new and renewal Applicants must include an estimate of the average requests they expect to receive and the average number of trips they expect to dispatch on a daily basis during the term of the License;

(7) Customer Service. A description of how calls will be answered, rides dispatched, and complaints handled;

(8) Hours of Operation.

(i) The hours during which the Base will be providing transportation,

(ii) The hours the Base office will be open;

(9) Rates. A Rate Schedule in a form and format approved by the Chairperson;

(10) Miscellaneous. Any other matters required by the Chairperson or the Commission as a condition of renewal of a Base Station License in light of the specifics of the Base Station's application and operating history.

§9B-06 Licensing – Term of License

(a) New Base License Term.

(1) The term of a new For-Hire Base License will expire three years after the last day of the month in which the new License is issued.

(2) Example:

(i) A new Applicant files on October 10, 2009.

(ii) The Commission approves the application on December 15, 2009.

(iii) No action is taken by the City Council within its 90-day period (by March 15, 2010), and the Commission issues a License on March 24, 2010.

(iv) That License would expire on March 30, 2013.

(b) Base License Renewal Term.

(1) A License issued to a renewing Applicant on or after July 2, 2009 will expire three years after the date on which the previous License expired.

(2) A License issued prior to July 2, 2009 will expire two years after the date on which

- the previous License expired.
- (c) When to File for Renewal.
- (1) A renewing Applicant must file a completed application at least 60 days before the expiration date of the License.
- (2) The Commission will allow a renewing Applicant to file a completed application less than 60 days before the expiration date as a "late application," provided the Applicant pays a late fee of \$25.
- (3) No renewal application will be accepted and the License cannot be renewed after the expiration date of the For-Hire Base License.
- (d) Extensions.
- (1) If a timely application for renewal of a License has been made as required in subdivision (c)(1) or (2), above, the Chairperson will extend the effectiveness of the License until review of the renewal application is completed.
- (2) The effectiveness of the License during this extended period applies even if the application is ultimately denied.
- (3) If an extended License renewal application is approved, the renewal License expiration date will be based on the original expiration date of the License and not the extended date.

§9B-07 Licensing – Fees

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

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

- (a) Material Misrepresentation.
- (1) The Commission can deny an application for a License or its renewal and revoke or suspend any License issued if it finds that an Applicant has made a material misstatement or misrepresentation on an application for a License or its renewal.
- (2) The Commission must send notice and conduct a hearing before revoking or suspending any License already issued.
- (b) Violation of NYS Franchise Act.
- (1) The Commission will not grant a License or renew a License when the base owner is offering and selling franchises in violation of the New York Franchise Sales Act (for the purposes of this subdivision, "Act").
- (2) The Commission can also suspend or revoke the License of any Base Owner found to have violated the Act.
- (3) In determining whether a Base Owner is in violation of the Act, the Commission can rely upon the written advice of the New York State Department of Law certifying to the Commission that the Base Owner is in violation of the Act.
- (c) In determining whether a Base Owner is in violation of the Act, the Commission can rely upon the written advice of the New York State Department of Law certifying to the Commission that the Base Owner is in violation of the Act.
- (d) Livery Base Station—Criteria for Reviewing New Application. In reviewing an application for a License to operate a Livery Base Station, the Commission will examine and consider the following factors:
- (1) Any negative impact on Other Transportation Systems, including:
- (i) The adequacy of existing mass transit and mass transportation facilities to meet the transportation needs of the public
- (ii) Any negative impact that the proposed operation might have on those existing services

- (iii) The extent and quality of service provided by existing, legally operating For-Hire Vehicles and Taxicabs
- (2) Any negative impact on quality of life in the vicinity of the Base Station, including:
- (i) Traffic congestion
- (ii) Sidewalk congestion
- (iii) Noise.
- (e) Livery Base Station – Compliance with Rules.
- (1) In reviewing an application to renew a Base Station License, the Commission will consider whether the Licensee has violated any applicable Rule of the Commission.
- (2) No Livery Base Station will be renewed if the Applicant has been found guilty of violating the off-street parking requirements described in §9B-15(j) of this Chapter.

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

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

- (5) Criteria for Denying Proposed Transferee. A transfer will not be approved if, in the past two years, the proposed transferee or any Business Entity Person of the proposed transferee, where appropriate, has been found to have violated any law or rule involving any of the following:
- (i) Assault of a Passenger, official, or member of the public in connection with any matter relating to a For-Hire Vehicle
- (ii) Giving or offering an unlawful gratuity to a public servant, as defined in §10.00 of the NYS Penal Law
- (iii) Providing the Commission with false information
- (iv) Three unexplained failures to respond to an official communication from the Commission or the Department of Investigation that was sent by certified mail, return receipt requested
- §9B-10 **RESERVED (Licensing – Care of Licenses)**
- §9B-11 **Compliance with Law – No Unlicensed Activity**
- (a) Base License Required. No person or entity is permitted to operate a business as a Livery Base Station, Black Car Base or Luxury Limousine Base without a Valid For-Hire Base License from the Commission.
- §9B-11(a) Fine: \$200-\$1,500 Appearance REQUIRED
Penalty Point: 1
Administrative Code Penalties for Unlicensed Activity
- (b) For-Hire Vehicle License and Commission License Plate.
- (1) A Base Owner must not dispatch any For-Hire Vehicle unless:
- (i) A Vehicle registered in NYS has license plates embossed with the legend "T & LC"
- (ii) A Vehicle registered in a state other than New York has complied with any applicable license plate requirements.
- (iii) The vehicle has a Valid For-Hire Vehicle License.
- (2) The Commission will post a list of Validly Licensed For-Hire Vehicles on its Web site.
- §9B-11(b) Base Owner Fine: \$300 Appearance NOT required
Penalty Points: 1
Administrative Code Penalties for nlicensed Activity
- (c) Valid For-Hire Driver's License Required.
- (1) A Base Owner must not dispatch any Vehicle unless its driver possesses a Valid For-Hire Driver's License.
- (2) The Commission will post on its Web site a list of Drivers holding Valid For-Hire Drivers Licenses.
- §9B-11(c) Base Fine: \$500 for the first violation in 12 months; Appearance NOT REQUIRED
\$800 for each subsequent offense within a 12-month period
- (d) Valid Chauffeur's License Required.
- (1) A Base Owner must not dispatch any Vehicle unless it is being driven by a For-Hire Driver with a Valid Chauffeur's License
- (2) A Vehicle Owner is responsible for knowing the status of the state-issued driver's license for any driver dispatched in one of Owner's Vehicles.
- §9B-11(d) Base Fine: \$500 except if the DMV status of the driver's license is not available on the Commission's website. Appearance NOT REQUIRED
- (e) Advertising of Unlicensed For-Hire Service. A base owner must not hold him or herself out to the public as a for-hire service without a current License issued by the Commission for that activity. "For-Hire" service includes Livery, Black Car, or Luxury Limousine service.
- §9B-11(e) Fine: \$350 for the first violation; Appearance REQUIRED
\$500 for the second violation;
revocation for the third violation within 36 months
- (f) Unapproved Transfer of Base Location. A Base Owner who moves a Base to any location without the prior approval of the Commission is engaging in Unlicensed Activity.
- §9B-11(f) Fine: \$200-\$1,500 and Appearance REQUIRED
Suspension of Base License
Penalty Point: 1
- §9B-12 **Compliance with Law – Workers' Compensation**

(a) Livery Base Station.

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

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

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

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

(b) Black-Car and Luxury Limousine Bases.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§9B-13 Compliance with Law – Personal Conduct

(a) Bribery Prohibited.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(h) Notice of Criminal Conviction.

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

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

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

(i) Failure to Cooperate with Law Enforcement. A Licensee must cooperate with all law enforcement officers and all authorized representatives of the Commission. Cooperation includes, but is not limited to, responding to a request for the Licensee's name, License number, and any documents Licensee is required to have in his or her possession.

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

(j) Failure to Cooperate with the Commission.

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

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

(3) Licensee must aid the Commission in obtaining information it seeks regarding Drivers or Vehicles affiliated with the Base.

§9B-13(j)(1)-(3) Fine: \$200 and suspension until compliance Appearance REQUIRED

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

§9B-13(j)(4) Fine: \$500 Appearance NOT REQUIRED

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

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

§9B-14 Compliance with Law – Miscellaneous

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

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

(b) Disability Laws.

(1) A Base Owner must not instruct, authorize, or permit an affiliated Driver to discriminate unlawfully against people with disabilities.

(2) Discrimination includes:

(i) Refusing to serve People with Disabilities,

(ii) Refusing to load and unload the mobility aids of People with Disabilities,

(iii) Charge any more than the set rate for the transportation of People with Disabilities, or their Service Animals, wheelchairs, or other mobility aids.

§9B-14(b) Fine: \$350-1,000 and/or suspension up to 30 days or revocation Appearance REQUIRED

§9B-15 Operations – Business Premises

(a) Maintenance of Physical Location. A For-Hire Base Owner must maintain a principal place of business in a commercially zoned area, from which affiliated Vehicles and Drivers can be dispatched.

§9B-15(a) Fine: Suspension until requirement is met. Appearance REQUIRED

(b) Minimum Number of Affiliated Vehicles.

(1) A Base must have at least ten affiliated Vehicles associated with the Base except when either of the following applies:

(i) A Base that was first Licensed before January 1, 1988 will only be required to have at least five affiliated Vehicles.

(ii) A Livery Base that has an affiliated Accessible Vehicle is only required to have at least five affiliated Vehicles.

§9B-15(b) Fine: Suspension until minimum is met Appearance REQUIRED

(c) Working Phone at the Base. A Base Owner must maintain a working telephone at the Base.

§9B-15(c) Fine: Suspension until compliance Appearance REQUIRED

(d) Dispatching of Vehicles from Base.

(1) A Base Station Owner must provide a device for transmitting trip request information to Drivers of affiliated Vehicles.

(2) Except for Accessible Vehicles, no For-Hire Vehicle can be dispatched from any location other than the location specified in the Base License.

§9B-15(d) Fine: \$250 and Suspension until compliance Appearance REQUIRED

(e) Application to Move Base.

(1) A Base Owner who moves the Base to a new location must apply for approval of the new location by the Commission.

(2) The proposed location must comply with all of the requirements for obtaining the particular Base License sought; except that if there has been no change in the Ownership of the Base, the Commission can waive the requirements for:

(i) Proving fitness to hold License and

(ii) Posting a bond.

§9B-15(e) Fine: Suspension of Base License. Appearance REQUIRED

(f) Application to Transfer or Assign Base. A Base Owner must not transfer or assign the Base Owner's License to another without obtaining the Commission's written approval as described in §9B-09 of this Chapter.

§9B-15(f) Fine: Suspension of Base License. Appearance REQUIRED

(g) Display Rates. A Base Owner must at all time conspicuously display the current schedule of rates charged by the Base.

§9B-15(g) Fine: \$50 Appearance NOT REQUIRED

(h) Display Base Information. A Base Owner must conspicuously display the Base name, any trade, business or operating name, and the Base License number on the front or office door of the Base's premises.

§9B-15(h) Fine: \$50 Appearance NOT REQUIRED

(i) Black Car Base Affiliation. Only Black Car Bases can dispatch Vehicles to do line work and only For-Hire Vehicles that are affiliated with Black Car Bases can perform line work.

§9B-15(i) Fine: \$250 for first violation \$500 for second violation within 24 months Appearance NOT REQUIRED

Revocation for third violation within 24 months Appearance REQUIRED

(j) Off-Street Parking Requirements – Livery Base Stations.

- (1) A Base Station Owner must ensure that the operator of the Base provides and uses legal, off-street facilities for parking and storing the Licensed For-Hire Vehicles that will be dispatched from the Base.
- (2) The available off-street facilities must provide at least one parking space for every two Vehicles affiliated with the Base.
- (3) The distance between the Base and the off-street parking facilities must be one and one-half miles or less.
- (4) The off-street parking facilities must be in a location zoned for the operation of a parking facility.
- (5) Waiver. The Chairperson can reduce the number of required off-street parking spaces or can waive that requirement entirely upon a determination that:
 - (i) There are not enough legal off-street parking facilities in the vicinity of the Base to fulfill these requirements.
 - (ii) An Applicant demonstrates to the satisfaction of the Chairperson that complying with the off-street parking requirements in paragraphs (1) and (2) would impose an economic hardship upon the Applicant.
 - (iii) The Chairperson will not reduce or waive the off-street parking requirements where it has been determined in an administrative proceeding that the Applicant, or a predecessor in interest, has violated any provision governing the transfer of the Base.
 - (iv) The Commission's decision to waive or reduce the off-street parking requirements:
 - A. Will be made in writing.
 - B. Will contain a detailed statement of the reasons for the decision
 - C. Will be made a part of the Commission's approval of the application for the Base Station License.

§9B-16 Operations – Special Requirements

(a) Occupy Licensed Base Location. All Base Owners must operate the Base on the premises licensed by the Commission.

§9B-16(a) Penalty: Revocation of License

(b) Maintain Operations – Livery Base Only.

- (1) A Livery Base Station Owner must not cease operations at the Base Station for a period of 60 or more consecutive days.
- (2) There will be no penalty if the failure to operate for 60 or more days has been caused by strike, riot, war, public catastrophe or other acts beyond the control of the Licensee.

§9B-16(b) Penalty: Revocation of License

(c) Use of Temporary Premises – Livery Base Only.

(1) Where the Commission finds that a particular Livery Base Station cannot be operated due to an act beyond the control of the Licensee, a temporary Base Station License will be issued to the same Licensee for an alternative location, provided that all other requirements for such License are met and provided further that the unexpired term of the original License is six months or more.

(2) A temporary Base Station License will last no longer than 60 days.

(3) During the 60-day period, the Base Owner must either:

- (i) File an application to change the Livery Base location or
- (ii) Return operations to the original location and notify the Chairperson of the return.

(4) The temporary Base Station License will not be extended unless within the 60 day period the Base Station Owner either (1) files an application to change the location and the Commission has not completed its review of the application within the 60 day period or (2) demonstrates that good cause exists for a further extension because the Owner requires additional time to return the Base Station to the original location.

§9B-16(c) Fine: Revocation Appearance REQUIRED

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

(a) Customer Complaints. A Base Owner will be responsible for handling customer complaints when directed by the Chairperson and will provide any information requested by the Chairperson regarding such complaints.

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

(b) No Required Ride-Sharing. A For-Hire Base Owner must not require that any prospective Passenger share a ride with another prospective Passenger.

§9B-17(b) Base Fine: \$50 Appearance NOT REQUIRED

(c) Provide Accessible Transportation. A Base Owner must provide transportation service to Persons with Disabilities.

(1) Alternative Methods of Providing Service. A Base Owner can provide Accessible Vehicle transportation service to Persons with Disabilities either by:

- (i) Dispatching an Accessible Vehicle from Owner's Base, upon request
- (ii) Contracting with another Base to provide and dispatch Accessible Vehicles for Persons with Disabilities.

(2) Must Provide "Equivalent Service."

- (i) Whether the Base dispatches its own Accessible Vehicles or contracts with another Base, the Base Owner must provide "equivalent service" to persons with disabilities.
- (ii) "Equivalent Service" means that the service available to Persons with Disabilities, is equivalent to the service provided to other individuals with respect to:
 - A. Response time to requests for service
 - B. Fares charged
 - C. Hours and days of service availability
 - D. Ability to accept reservations
 - E. Restrictions based on trip purpose
 - F. Other limitations on capacity or service availability

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

(d) Must Dispatch Own Vehicles. A Base Owner must not dispatch a Vehicle that is not affiliated with the Owner's Base, unless:

- (1) The Vehicle is affiliated with another Base, and the Owner informs the customer
- (2) The Base is dispatching an Accessible Vehicle.

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

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

(a) Create and Enforce Good Conduct Rules.

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

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

(b) Rules for Conduct in Area Surrounding the Base.

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

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

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

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

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

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

§9B-19 Operations – Trip Record Information

(a) Required Information. A Base Owner must make sure that the following records are collected:

- (1) With respect to all dispatched calls:
 - (i) The date, the time, and the location of the Passenger to be picked up
 - (ii) The Driver's For-Hire License number
- (2) With respect to all affiliated Vehicles:
 - (i) The Owner's name, mailing address, and home telephone number
 - (ii) The Vehicle's registration number
 - (iii) The Vehicle's License number
 - (iv) The Vehicle's license plate number
 - (v) The name of the Vehicle's insurance carrier and the policy number
 - (vi) The dates of inspection of the Vehicle and the outcome of each inspection

(b) Maintenance of Required Information.

(1) A Base Owner must make sure that all

required information listed above is kept and made available for inspection by Commission representatives during regular business hours.

- (2) Required operational records must be safely maintained at the Base for a period of six months; inspection records must be kept for 12 months.

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

§9B-20 Operations – Current Contact Information

(a) Base Name.

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

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

(b) Mailing Address.

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

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

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

(c) Capacity for 24-Hour Access.

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

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

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

(a) Maintenance of Current Rate Schedule.

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

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

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

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

(c) Public Access Information.

- (1) A Base Owner must file with the

Chairperson all contact information made available to or offered to the public for purposes of pre-arranging transportation for hire, including telephone numbers, Web sites and email addresses.

- (2) These telephone numbers, Web sites, email addresses and other contact information and methods can be used only with the name of the Base approved under §9B-20(a) of this Chapter.

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

(d) Affiliated Vehicles and Drivers List.

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

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

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

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

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

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

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

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

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

§9B-23 Operations – Rates and Tolls

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

§9B-23(a) Fine: \$200 for Passenger overcharge, whether from any quote or from schedule of fares required to be filed with the Commission. Appearance NOT REQUIRED

(b) Rate Quotes – Livery Base Only.

- (1) A Base Station Owner must provide an accurate and binding price quote to any prospective Passenger contacting the Base for transportation to a specified destination and intermediate stop(s).
- (2) Honoring Rate Quotes. If the Passenger agrees to receive the transportation, the Base Owner must honor the price quoted unless the Passenger changes the destination or number of stops.

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

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

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

§9B-25 Operations – Miscellaneous Operating Requirements

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

accepting street hails.

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

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

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

(c) Advertising of Commission License.

- (1) A Base Owner must clearly state that the Base is licensed by the Commission in all advertising, whether print, broadcast, electronic or Internet, and in all handbills, fliers, websites or other promotional materials and on all business cards and receipts.
- (2) All of the advertising and materials listed in (1) above must include the For-Hire Base License number.

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

(d) Termination of Affiliation.

- (1) Base Owner Termination. A Base Owner can terminate the affiliation of a Vehicle only by:
 - (i) Giving the Chairperson an agreement signed and dated by both parties in which the Vehicle Owner consents to the termination, or
 - (ii) Sending notice to the Vehicle Owner’s Mailing Address by certified mail, return receipt requested, together with proof of mailing, and sending copies of the notice and proof of mailing mailed to the Commission.
 - (iii) Termination will become effective either:
 - A. The date of the Vehicle Owner’s signed agreement, or
 - B. The date notice is mailed to the Vehicle Owner.
 - (iv) A Base Owner can notify the Commission at any time when a Vehicle is no longer affiliated with Owner’s Base; this notification will be a defense to any liability attaching to the Owner for damage to persons or property caused by the Vehicle after the notification.

(2) Automatic Termination of Affiliation.

- (i) A Vehicle’s affiliation with a Base will terminate automatically when any of the following occurs:
 - A. The Base License is revoked
 - B. The Base License is suspended for more than 30 continuous days;
 - C. The Base License expires
- (ii) In addition, a Vehicle’s affiliation with a Base will terminate automatically upon expiration or revocation of the Vehicle’s License.

§9B-26 Vehicles – Inspections

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

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

§9B-27 Vehicles – Meets Safety Standards

(a) Unsafe or Unfit Vehicles.

- (1) No For-Hire Vehicle can be used in a For-Hire Vehicle service after the Commission or the NYS DMV has determined that the Vehicle is unsafe or unfit for use as a For-Hire Vehicle, and the Owner has been directed to remove the Vehicle from service.
- (2) If the Commission or the Commission’s inspection facility determines that the Vehicle is unsafe or unfit, the Decals must be removed by the Commission.
- (3) If the NYS DMV or a DMV inspection facility determines that the Vehicle is unsafe or unfit, the Vehicle Owner must return the Decals to the Chairperson within 72 hours after the determination is made.
- (4) If the Chairperson has any reason to believe that any For-Hire Vehicle is unsafe or unfit for use, the Chairperson can order the Vehicle to report to the

Commission's inspection facility.

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

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

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

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

§9B-28 Vehicles – Miscellaneous Requirements

- (a) Post-Manufacture Alteration.

- (1) No For-Hire Vehicle License can be altered after manufacture:
- To increase its length, width, weight or seating capacity, or
 - To modify its chassis and/or body design.
- (2) A For-Hire Vehicle can be altered, after manufacture, if the modification:
- Has been made under a program approved in advance by the original vehicle manufacturer, and
 - The alteration has been performed by an entity approved and certified by the vehicle manufacturer to perform such alterations.
- (3) An original, unaltered, approved vehicle modifier's certification sticker must be affixed to the Vehicle at a location to be determined by the Commission.

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

- (b) Proper Vehicle Identification Required.

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

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

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

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

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

§9B-28(b)(3) Fine: \$100 - \$350 and Summary Suspension until compliance Appearance NOT REQUIRED

§9B-29 Vehicles – Markings & Advertising

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

- (a) Valid License Decals.

- (1) Three Valid Commission License Decals must be plainly visible and affixed to the Vehicle in the following locations:
- One Decal must be on the lower front right side of the windshield.
 - One Decal must be on the lower rear corner of each of the two rear quarter windows; if there are no rear quarter windows, the Decals must be on the lower rear window just above the rear door.
 - The Decals must be affixed by Commission staff.
- (2) When the Vehicle License is renewed or when the Vehicle is replaced, changes affiliation, or changes its license plates, the Vehicle must be brought to the Commission Safety and Emissions Division to have new Decals placed on the Vehicle.
- (3) Exception for Luxury Limousines. Any For-Hire Vehicle that is a Luxury Limousine will only be required to have a single Commission Decal affixed to the lower right side of the front windshield.

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

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

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

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

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

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

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

- (e) Prohibited Advertising.

- (1) A Vehicle must not display advertising on the outside or the inside unless the Commission has authorized the advertising and has given the Vehicle Owner a permit specifying that the advertising complies with the Administrative Code.
- (2) The Commission will not approve any roof top advertising for For-Hire Vehicles.

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

- (f) Motor Vehicle Tax Stamp.

- (1) For Vehicles registered with the Department of Motor Vehicles before April 30, 1999, a Valid NYC commercial use motor vehicle tax stamp must be affixed to the front right side of the windshield of the Vehicle and clearly visible.
- (2) For Vehicles registered after April 30, 1999, the Owner must show proof that the required commercial use motor vehicle tax for the current tax period has been paid.

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

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

- (1) The name of the Base Station, its License number and telephone number in one of the following ways:
- 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);
 - 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
 - Both on the doors and rear of the Vehicle.
- (2) The letters and numerals must be of a color that contrasts with the color of the body of the Vehicle so that it is easy to see and read.
- (3) Lettering and numbering must be spaced to provide easy legibility and, if placed on doors on both sides of the Vehicle must be identical on both sides of the livery.
- (4) All Decals must be semi-permanent adhesive stickers.
- (5) Exemption. Luxury Limousines and Black Cars are exempt from the requirements of this subdivision.

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

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

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

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

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

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

- (2) Must be visible to Passengers entering the Clean Air Vehicle

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

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

- (a) Licenses and Certificates. No For-Hire Vehicle can be dispatched by a For-Hire Base unless the Vehicle contains:

- (1) On the right visor, on top of the right side of the dashboard or in the glove compartment:
- The certificate of registration or a legible copy of it
 - The insurance card or a legible copy of it

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

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

- (ii) The For-Hire Vehicle License.

- (3) Exception for Black Cars and Luxury Limousines.

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

- C. The For-Hire Vehicle Driver's License

- D. The For-Hire Vehicle License

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

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

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

- (1) The Livery Passengers' Bill of Rights in a form and format prescribed by the Commission.

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

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

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

§9B-31 Vehicle – Equipment

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

- (a) Roof Light. A Base Owner must not dispatch a For-Hire Vehicle that is equipped with a roof light, unless the Vehicle that operates primarily in Staten Island and is affiliated with a Base located in Staten Island. A roof light on a Staten Island Vehicle must meet the specifications in the definition of "roof light" in these rules.

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

- (b) Meter. A Base Owner must not dispatch a For-Hire Vehicle that is equipped with a meter.

§9B-31(b) Fine: \$50 Appearance NOT REQUIRED

- (c) Distress Signal Light – Livery Vehicle.

- (1) Requirement. A Base Owner must not dispatch a Livery Vehicle unless it is equipped with a help or distress signaling light system meeting the specifications in Sub-chapter §9C-03 of these Rules.

- (2) Exemption. Vehicles affiliated only with a Black Car Base or a Luxury Limousine Base are not subject to this requirement.

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

- (a) Requirement.

- (1) A Base Owner must not dispatch a For-

Hire Livery Vehicle unless it is equipped with a partition that isolates the Driver from the rear seat Passengers or is exempt from this requirement as described below.

- (2) The specifications for the required partition is described in Sub-chapter §9C-01 of these Rules.

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

(b) Exemptions.

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

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

(a) Requirements for In-Vehicle Camera System. If a Livery Vehicle installs an IVCS as one of the requirements for exemption from installing a partition:

- (1) The IVCS must meet the specifications described in Sub-chapter 9C §9C-02 of these Rules.
- (2) Sign. The Vehicle must display signs on each rear Passenger window, clearly visible to the outside that say “**This Vehicle is equipped with camera security. You will be photographed.**” In letters at least one-half inch high.

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

§9B-35 **Penalty Points for Bases**

- (a) Accumulation of Points. A Base will accumulate Penalty Points as penalties for violation of certain Rules and upon certain violations by the Base’s affiliated Vehicles, as specified below.
- (b) Notification of Affiliated Vehicle Points. A Base will be notified by the Commission (by USPS to the Base Mailing Address) whenever an affiliated For-Hire Vehicle accumulates a Penalty Point.
- (c) Assessment of Point for Revocation of Affiliated Vehicle License. A Base will be assessed one Penalty Point whenever an affiliated For-Hire Vehicle accumulates Penalty Points sufficient in number and time, that the Commission revokes the Vehicle’s License.
- (d) Six Penalty Points Requires Base License Revocation. The License of any Base that accumulates six or more Penalty Points for occurrences during any License term will be revoked.
- (e) Points Accrued but not Assessed Before Renewal.
 - (1) If points are imposed after a Base License has been renewed based on a violation that occurred before the renewal, the points will be added to the total points accumulated by the Base before its renewal.
 - (2) If the additional Points raise the total number to six or more Points, the Base License will be revoked
- (f) Revoking a License.
 - (1) The Chairperson can begin revocation proceedings whenever a Base Licensee has been assessed six or more points during the current term of that License.
 - (2) The Licensee’s Base License can also be revoked as part of the decision imposing the final point necessary for revocation.
- (g) Separate Proceedings for Base License and Vehicle License Revocation. At any time revocation of a Base License is mandated and the last penalty point arises from the same incident that created the For-Hire Vehicle License revocation mandate, separate proceedings must be held for the Base License revocation and the Vehicle License revocation.
- (h) Point Reduction Program. The Chairperson will develop a point reduction program applicable to Vehicles and Bases.
- (i) Penalty Point Program Start Date. No Penalty

Points will be imposed for violations occurring before August 1, 2009.

§9C-01 **In-Vehicle Camera System (“IVCS”)**

- (a) Requirement. When an existing IVCS is required to be replaced or when an IVCS system is installed, it must meet the specifications below.
- (b) Technical Specifications.
 - (1) The IVCS must be connected to the vehicle battery, and the fuse for the connection must be concealed in a tamper-resistant housing.
 - (2) Wiring between the recording unit and the camera head must use at either end, tamper-resistant registered jack (RJ) style connectors.
 - (3) All electrical connections and wiring must be protected from spikes and dips in vehicle voltage.
 - (4) The camera head housing and brackets must be tamper-proof and securely mounted to the right of the rear view mirror. The installation must provide unobstructed vision for the driver.
 - (5) The camera’s field of view must include the full face of all occupants seated in passenger seats and facing forward.
 - (6) Images must be recorded and stored in a unit separate from the camera head.
 - (7) The recording unit must be concealed from view and fastened securely with tamper-resistant hardware.
 - (8) The IVCS must provide a visual indication of system status that is located on the lower left portion of the dashboard and is visible to the driver and to law enforcement personnel inspecting the vehicle from outside of the driver door.
 - (9) The IVCS and components must be sufficiently shock-resistant to withstand typical vehicle movement and collisions.
 - (10) The IVCS must have an RS-232 connection or other means for secure image retrieval.
 - (11) Images must be sharp, undistorted, and clear enough to enable the viewer to identify all passengers under all lighting conditions, including, for example, dark and bright light, daylight, and backlight.
 - (12) Sensor resolution must be, at a minimum, 510 by 480 pixels.
 - (13) Storage capacity must be, at a minimum, 7,000 images in an encrypted format, and all access to the storage unit must result in the storage of an electronic “tag” including the installer identification number and date of the event.
 - (14) The IVCS must have connection ports for a minimum of two (2) cameras.
 - (15) The IVCS must have an event flag or panic button accessible to the driver and located in an inconspicuous location.
 - (16) The IVCS must record images and the following information for each image:
 - (i) Date and time
 - (ii) For-Hire Vehicle License number
 - (iii) IVCS serial number
 - (iv) IVCS indicator for event flags
 - (17) Image capture must be linked to the following events:
 - (i) Vehicle door openings and closings
 - (ii) Event flag button activation
 - (iii) Event flag in the test mode when the image(s) are recorded for inspection and test purposes
 - (iv) Panic button activation
 - (18) In the event of a panic button activation, systems must record to protected memory a total of three events. The recording must include, at a minimum, the 2.5 minutes immediately before and after the button activation, at one frame per second.
 - (19) Image access may be provided only to law-enforcement agencies, including the New York City Police Department.
 - (20) If the IVCS has a physical port for secure image retrieval, the port must be located on the right side of the dashboard or in the trunk, installed inconspicuously, and accessible to law enforcement personnel.
 - (21) When memory storage capacity is

reached, the IVCS must overwrite the oldest images as new images are recorded in sequence.

- (22) Installations and repairs of IVCS may be performed only by installers authorized by the manufacturer and currently licensed by the Department of Consumer Affairs. Installations and repairs may also be performed by Taximeter Businesses currently licensed by the Commission under to Chapter 14 of this title.
- (23) A notarized affidavit signed by a manufacturer’s authorized installer attesting to the proper functionality of the IVCS must be provided to the Commission by the authorized installer: (i) annually, and (ii) within 14 calendar days after any installation, repair, or modification of the IVCS.

§9C-02 **Partitions – Livery Vehicles Only**

- (a) Requirement.
 - (1) The vehicle must be equipped with a partition that isolates the driver from the rear seat passengers or all passengers of the vehicle.
 - (2) The purpose of the partition is to provide protection to the driver while ensuring passenger safety and enabling rear seat passengers to enjoy a clear and unobstructed view of the For-Hire Driver’s License and front windshield.
 - (3) A Vehicle Owner can apply for a certificate of exemption from the requirement to install a partition if the Vehicle has a communication device, distress signaling light and IVCS as specified in §9A-32(b) of Sub-chapter 9A.
- (b) Technical Specifications.
 - (1) The partition must extend from the ceiling to a specific point as recommended by the Chairperson and approved by the Commission, based upon the make and model of the vehicle.
 - (2) The transparent portion of the partition must be constructed of a mar-resistant polycarbonate not less than 0.375 inches thick that will provide passengers and drivers with maximum visibility.
 - (i) For a flat partition and a partition for a For-Hire Vehicle with factory installed curtain airbags, the transparent portion must extend from the ceiling to join or overlap with the protective plate of the partition.
 - (ii) For an L shaped partition, on the side that is behind the driver, the transparent portion of the partition must extend from the ceiling to join or overlap with the protective plate of the partition. On the side that extends forward to back between the two front seats, the transparent portion of the partition must extend from the ceiling to join or overlap with the protective plate of the partition on the right side of the center console located between the two front seats.
 - (3) The protective plate must join or overlap with the transparent portion of the partition and extend downward to the floor of the vehicle. The protective plate must be a plate of 0.085-inch thick bullet-resistant ballistic steel or its equivalent recommended by the Chairperson and approved by the Commission. The protective plate must be installed inside and covering the front seat’s entire backrest.
 - (i) The protective plate must extend from the point that the transparent portion joins it downward to the floor of the For-Hire Vehicle.
 - (ii) If the transparent portion overlaps the protective plate, the protective plate must extend from the point of joinder with the transparent portion downward to the floor of the For-Hire Vehicle.
 - (iii) For an L shaped partition, the protective plate must also cover the right side of the center console between the two front seats.
 - (4) The entire protective plate of each partition must have sufficient padding to prevent injury to any rear-seat passenger in case of an accident or sudden stopping, and all surfaces must be free of sharp and

rough edges.

- (5) There must be no opening or gap between the partition and the body of the vehicle larger than one inch, except for vehicles equipped with factory installed curtain airbags. In those vehicles, the partition shall allow a space of six inches on each side, sufficient to permit proper deployment of the curtain airbags.
- (6) In addition to meeting all other technical specifications, a partition may be installed only if it does not impair passenger and driver safety and allows passengers and drivers to communicate with each other.

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

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

Statement of Basis and Purpose of Rules

These rules are promulgated pursuant to sections 1043 and 2303 of the Charter and section 19-503 of the Administrative Code of the City of New York. The rules are part of a project undertaken by the Taxi and Limousine Commission (“TLC”) to revise its existing rule book. The first phase of this project consisted of reorganizing and redrafting TLC’s rules, to enhance their clarity and accessibility without significant substantive change. Accordingly, these rules are not intended to make any changes to TLC’s current policies, procedures or operations.

During this first phase of the rules revision project, all of TLC’s existing rules were redrafted, then posted on a chapter-by-chapter basis on the TLC Web site for review and discussion by interested members of the public. Each chapter was revised based on that discussion, then published for public comment and public hearing pursuant to the City Administrative Procedure Act (CAPA). Because this phase of the rules revision was intended to involve no substantive changes to the rules, and as announced at the Commission meeting held on August 7, 2008, public hearings were held separately from monthly stated Commission meetings.

When this process had been completed for all TLC rules, the complete set of rules was presented to the Commission for promulgation simultaneously with repeal of the current set of TLC rules. The revised rules will replace the existing rules compiled in chapter 35 of the Rules of the City of New York. Following promulgation of these rules, the rules will become effective and the repeal of the current rules will occur on January 1, 2011.

After the first phase of its rules revision is completed, TLC will move to the second phase, which will involve the assessment of its rules for more substantive changes.

The rules promulgated here are as follows:

Current Rule Chapters revised in this rule-making	New Rule Chapters
Chapter 6 (in part), FHV Vehicles and Bases	Chapter 9, For-Hire Service

The promulgated rules make several substantive changes to the provisions of current rules governing for hire vehicles and bases. Specifically, the promulgated rules:

- Eliminate as obsolete references to contact from the TLC by “telephone or pager” as contact may be made by email, where appropriate.
- Clarify that a camera is the only device, together with either a two-way radio with an emergency button or a cell phone which has an emergency dialing feature, approved by the Commission for vehicles that are not required to have a partition if they have another device.
- Clarify that the license replacement fee applies to decals as well as licenses, consistent with TLC practice.
- Clarify, consistent with section 19-511(e) of the NYC Administrative Code, that a base with an affiliated Accessible Vehicle needs only 5 vehicles affiliated with it.
- Eliminate as obsolete requirements that interim license decals be completed as required by the TLC.
- Clarify existing rule provisions that appear (contrary to TLC practice) to require for-hire vehicle owners to take periodic defensive driving courses
- To fully incorporate the provisions of Local Law 16 of 2008, the penalty provisions have been amended

to reflect that fines are stayed for thirty days, and further pending decision of a timely-filed appeal.

Supplemental Statement

A public hearing on these rules was held on April 2, 2010. Following that hearing the TLC voted at a public meeting on May 20, 2010 to conditionally approve these rules, subject to a further vote of approval after all 19 revised rules chapters have been conditionally approved. All 19 chapters having been conditionally approved by the TLC, the 19 chapters were republished for additional public comment, another hearing and final approval by the TLC, which occurred on July 15, 2010.

After the conditional TLC approval of this rules chapter (and before final approval), the following additional substantive changes were made to this chapter as a result of public comment and testimony previously received and considered and staff comments:

- Technical changes were made to conform certain definitions to those proposed in Chapter 1, Definitions as a result of staff comment.
- The insurance provisions governing luxury limousines were amended to clarify that the requirements for so-call PIP coverage apply to all luxury limousines, based on a staff comment.
- The general penalty and fines provisions were amended to clarify that bases awaiting license renewal may continue to operate, based on a staff comment.
- References to chapter 3, Accessible Dispatch, were eliminated because this chapter, preliminarily approved by the Commission, will not be submitted for final approval as a result of the conclusion of the program.

Notice of Promulgation of Rules

Notice is hereby given in accordance with section 1043(e) of the Charter of the City of New York (“Charter”) that the Taxi and Limousine Commission (“TLC”) proposes amended rules governing taxicab brokers.

These rules are promulgated pursuant to sections 1043 and 2303 of the Charter and section 19-503 of the Administrative Code of the City of New York.

Public hearings on these proposed rules were held by the TLC at its offices at 40 Rector Street, 5th Floor, New York, New York 10006 on April 3, 2009 at 2:30 P.M. and on July 8, 2010 at 10:00 A.M.

These rules will take effect on January 1, 2011.

Section 1. Title 35 of the Rules of the City of New York is hereby amended by adding a new chapter 12 thereto, to read as follows:

New Material is underlined.

Chapter 12 TAXICAB BROKERS

§12-01 Scope of this Chapter

- (a) To establish procedures for the licensing and supervision of an individual or Business Entity acting as a Taxicab Broker.
- (b) To establish the qualifications, requirements, prohibitions, and procedures for getting and maintaining a Taxicab Broker’s License.
- (c) To establish operating rules to protect the customers and the public.
- (d) To establish appropriate penalties for the violation of these Rules.

§12-02 Penalties

- (a) Unlicensed Activity.
 - (1) Unlicensed Activity is the act of providing or advertising the provision of any Commission-regulated service or business by:
 - (i) Any Licensee whose License is suspended, revoked, or expired and not yet renewed, or
 - (ii) Any person who does not hold a Valid License from the Commission for the service or business.
 - (2) Unlicensed Activity specifically includes the activities listed in §19-528 of the Administrative Code and can subject the violator to padlocking and other penalties.
- (b) Specific Penalties. If there are specific penalties for violating a Rule, they are shown at the end of the Rule. The penalty section also states whether the violator must attend the Hearing.
- (c) Payment of Fines.
 - (1) Fines are due within 30 days of the day the violator is found guilty of the violation.
 - (2) If fines are not paid by the close of business on the due date, the violator’s License will be suspended until the fine is paid.
 - (3) If a Respondent has made a timely

request for a copy of the Hearing recording (see §18-14(e) of these Rules), the time for payment of fines is extended to 21 days from the date the recording is issued.

§12-03 Definitions Specific to this Chapter

- (a) Administrator means the duly appointed administrator, executor, executrix or personal representative of an estate.
- (b) Applicant in this Chapter means an Applicant for an original or renewal License as a Taxicab Broker
- (c) Broker or Taxicab Broker is an individual or Business Entity licensed by the Commission to act as an agent for another person or Business Entity in negotiating either of the following:
 - (1) The transfer of any interest in a Medallion
 - (2) A loan to be secured by a Medallion or a Taxicab
- (d) Brokerage is the term for the business of being a Broker.
- (e) De-licensed means an individual or Business Entity whose License is suspended or revoked.
- (f) Exclusive Listing means that the Broker has been given the right to be the only Broker for a particular transaction. Usually the right will be limited to a specific period of time.
- (g) License in this Chapter means a License to be a Taxicab Broker.

§12-04 Licensing – General Information Required

- (a) Identification. An Applicant for an original License must provide the following two forms of identification:
 - (1) A Valid government-issued photo ID
 - (2) A Valid, original Social Security card
- (b) Proof of Age. An individual Applicant and each Business Entity Person of an Applicant must be at least twenty-one (21) years of age.
- (c) Good Moral Character. An individual Applicant and each Business Entity Person of an Applicant must be of good moral character. Moral character will be determined in part through fingerprinting and background investigations, as follows:
 - (1) Fingerprinting Applicants. An individual and all Business Entity Persons applying for a Broker’s license must be fingerprinted.
 - (2) Fingerprinting New Business Entity Persons. Fingerprinting is also required when a Business Entity Licensee adds new Business Entity Persons. A Business Entity Licensee must notify the Commission of any new Business Entity Persons within five working days of their addition. The Commission can permit continued use of the Broker’s License during completion of the background investigation.
 - (3) Fingerprinting Financiers. An individual or the Business Entity Person who provides funds for Brokers must be fingerprinted unless the provider is a licensed bank or loan company.
 - (4) Waiver of Fingerprinting. The Commission can waive fingerprinting requirements at its discretion.
- (d) Proficiency in the English Language. An individual Applicant and at least one Business Entity Person of a Business Entity Applicant must be able to understand, speak, read and write the English language.
- (e) Experience. An individual Applicant and at least one Business Entity Person of a Business Entity Applicant must have at least one of the following types of experience:
 - (1) Active participation in the Taxicab Brokerage business under the supervision of a licensed Taxicab Broker for not less than one (1) year
 - (2) Equivalent experience in the general Taxicab business for a period of at least two (2) years

The Applicant must provide a sworn affidavit regarding the required experience. The Commission may allow or require the Applicant to provide other proof of the required experience, or waive the requirement entirely.

Waivers for Attorneys. An attorney who is a member in good standing of the Bar of the State of New York, does not need to submit proof as otherwise required in §12-04.

§12-05 Licensing – Specific Information Required

- (a) Location of Business Premises. The Applicant must provide the physical address of the location where the Applicant will conduct business.
- (b) Prior Business or Occupation of Applicant. The Applicant must provide information on the prior business or occupation of the individual Applicant

or, if a Business Entity, information on the Applicant's Business Entity Persons during the two years immediately before the date of the application. The information must specify the place or places of the business or occupation and the name or names of employers.

(c) Potential Conflicts of Interest. The Applicant must disclose all information about Applicant's interest if the Applicant or any principal of the Applicant also:

(1) Acts as a lender, insurance broker, or automobile dealer or

(2) Has a financial interest in a lender, insurance broker, or automobile dealership

(d) Additional Information as Required by the Commission. The Applicant must provide any additional information the Commission may require to determine if the Applicant is qualified to assume the duties and obligations of a Taxicab Broker.

§12-06 Licensing-Fees

(a) Annual Fee. The fee for an Agent's License will be five hundred dollars (\$500) annually.

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

§12-07 Licensing – Bond Required

(a) Amount of Bond. An Applicant for a Broker's License or a license renewal must deposit with the Commission a bond in the sum of fifty thousand dollars (\$50,000) payable to the City of New York. The bond must be furnished by one or more sureties approved by the Commission.

(b) Bond Guarantees. The bond must guarantee that the Applicant or Licensee will comply with the provisions of the Administrative Code of the City of New York, observe all applicable rules or regulations of the Commission, pay all fines imposed by the Commission, and pay all judgments or settlements arising from any action connected in any way with the Broker's License.

(c) Fines and Judgments. The Broker is immediately liable for any fine or judgment when the amount becomes due, including in case of an appeal, when the final determination is issued.

§12-08 Licensing – Rules for Business Entity Applicants

(a) Partnerships. If the Applicant is a partnership, its application must include a certificate from the clerk of the county where the principal place of business is located.

(b) Corporations.

(1) The Commission will not accept any corporate or trade name similar to a name already in use by another Taxicab Broker.

(2) A corporation must file with its license application the following:

(i) A certified copy of its certificate of incorporation

(ii) A list of its officers and shareholders

(iii) A certified copy of the minutes of the meeting at which the current officers were elected

§12-09 Licensing – Term of License

Term of License. Taxicab Broker's Licenses will be issued as of January 1st and will expire on the next December 31st unless suspended or revoked before then by the Commission.

§12-10 Licensing – Cause for Denial

(a) Failure to Meet Requirements. If the Commission determines that the Applicant has failed to meet the requirements for a Taxicab Broker's license, the Commission will notify the Applicant in writing the reason for the denial within a reasonable period of time.

(b) Material Falsifications. The Commission will deny a license application or revoke or suspend a license for any of the following reasons:

(1) The Applicant or Broker provided materially false information in an original or renewal application for a license.

(2) The Applicant or Broker failed to notify the Commission of a material change in the information contained in the application.

(3) The Applicant or Broker attempted to conceal the identity of a party who has an interest, direct or indirect, in his or her business as a Broker.

(c) No Longer Meets Requirements. Whenever the Commission determines that a licensed Broker no longer meets the requirements to hold a Broker's License, the Commission will deny the renewal application or suspend or revoke the License in the manner provided in Chapter 18 of these Rules.

§12-11 Provisions in the Event of Licensee's Death

(a) When an individual Broker dies, the Administrator

of his or her estate may complete any unfinished Brokerage business.

(b) The Administrator must be authorized for this purpose under the provisions of §215-a of the Surrogate's Court Act.

(c) The Administrator's authority cannot extend beyond 120 days from the date of the Broker's death unless the Commission extends this time period for good cause.

§12-12 Requirements & Prohibitions – No Unlicensed Activity

(a) Must Have Valid License. An individual or Business Entity must possess a valid Taxicab Broker's License in order to act as a Taxicab Broker or hold himself or herself out as a Taxicab Broker.

§12-12(a) Fine: \$500-\$1,500 Appearance REQUIRED

(b) Must Display License. A Broker must conspicuously and continuously display a copy of his or her Broker's License in every place of business maintained by the Broker.

§12-12(b) Fine: \$100 Appearance NOT REQUIRED

(c) Must Not Display Invalid License. A Broker must not display a Taxicab Broker's License that is expired, suspended, or revoked and must surrender such a license immediately to the Commission.

§12-12(c) Fine: \$500 - \$1,500 Appearance REQUIRED

(d) Must Renew Before Expiration. A Broker must submit an application for renewal of the License no later than the expiration date of the License unless the Commission grants an extension.

§12-12(d) Fine: \$25 Appearance NOT REQUIRED

(e) Must Not Employ Certain De-Licensed Persons. A Broker must not employ or use the services of any individual whose License as a Taxicab Broker has been revoked or is suspended or who was the chief executive officer of a partnership or corporation whose License has been revoked or is suspended without the prior written consent of the Commission.

§12-12(e) Fine: \$2,500 and suspension Appearance REQUIRED

(f) Must Not Act on Behalf of De-Licensed Broker. A Broker must not act on behalf of any Broker whose License has been suspended or revoked without the prior written consent of the Commission.

§12-12(f) Fine: \$2,500 and suspension Appearance REQUIRED

§12-13 Requirements & Prohibitions – Broker as Fiduciary Agent of Owner

(a) Owner Authorization Required

(1) A Broker must not offer a Taxicab for transfer unless the Broker is authorized to do so by the owner.

§12-13(a)(1) Fine: \$500-\$1,000 Appearance REQUIRED

(2) A Broker must not operate or cause to be operated any Medallion delivered to the Broker without the owner's written consent.

§12-13(a)(2) Fine: \$250-\$1,000 Appearance REQUIRED

(b) Withdrawal of Authorization. An owner can withdraw his or her authorization by giving written notice to the Broker except where an Exclusive Listing has been given for a fixed period.

§12-13(b) Fine: \$500-\$1,000 Appearance REQUIRED

(c) Storage with Commission. A Broker holding a Medallion and Rate Card for purposes of sale must deliver them to the Commission for storage within 48 hours of their receipt, not including holidays or weekends.

§12-13(c) Fine: \$250-\$1,000 Appearance REQUIRED

(d) Broker Compensation. A Broker must not accept any commission, rebate, or profit on expenditures that the Broker makes for the owner unless the owner provides written consent. The Broker must retain the written consent for three years.

§12-13(d) Fine: \$250-\$2,000 Appearance REQUIRED

§12-14 Requirements & Prohibitions – Intentional Interference with Contract

A Broker must not encourage any party to break a contract for the transfer of a Taxicab Medallion in order to substitute a new contract with another owner.

§12-14 Fine: \$100-\$750 Appearance REQUIRED

§12-15 Requirements & Prohibitions – Self-Dealing

(a) A Broker must not directly or indirectly buy for himself or herself any interest in a Medallion listed with the Broker without first disclosing that fact in writing to the owner.

§12-15(a) Fine: \$500-\$2,000 Appearance REQUIRED

(b) A Broker must not sell a Medallion in which he or she owns an interest without disclosing that interest in writing to the purchaser.

§12-15(b) Fine: \$250-\$750 Appearance REQUIRED

(c) The Broker must disclose any financial interests in writing to the owners in any transaction where the Broker acts as a lender, insurance broker, or

automobile dealer or has a financial interest in the lender, insurance brokerage firm, or automobile dealership.

§12-15(c) Fine: \$250-\$2,000 Appearance REQUIRED

§12-16 Business Procedures – Mailing Address

(a) Required Mailing Address. A Broker must provide to the Commission the street address of his or her primary business location for the mailing of all notices and correspondence, as well as for the service of summonses.

(b) Additional Mailing Address. A Broker may also designate a post office box number as a mailing address.

(c) Report of Changes in Mailing Address. A Broker must report to the Commission any change in his or her mailing address and in the address of any other office where the Taxicab Brokerage business is conducted. The report must be filed in person or by registered or certified mail, with return receipt requested, within seventy-two (72) hours of the change, not including weekends and holidays.

§12-16(a)-(c) Fine: \$50-\$500 and/or suspension Appearance REQUIRED

§12-17 Business Procedures – Exclusive Agreements

(a) Specific Disclosure. The Broker must include the following explanation in type size of not less than six point in all agreements that provide for an Exclusive Listing of a Taxicab Medallion:

An "Exclusive Right to Sell" listing with a Broker is one where the owner has surrendered his or her own right to sell. This means that if you, the Taxicab Medallion owner, find a buyer for your Taxicab, or if another Broker finds a buyer, you must nonetheless pay the agreed commission to the Broker who has the Exclusive Right to Sell.

This explanation must be signed or initialed by the owner and attached to the listing, printed in boldface type on the listing, or printed on the reverse side of the listing.

§12-17(a) Fine: \$100-\$500 Appearance REQUIRED

(b) No Automatic Continuation. A Broker must not be a party to an Exclusive Listing contract that contains an automatic continuation of the period for the listing beyond the end date specified in the contract.

§12-17(b) Fine: \$100-\$750 Appearance NOT REQUIRED

§12-18 Business Procedures – Net Listings

Net Listings. A Broker must not enter into a net listing contract for the transfer of a Medallion or any interest in it unless the contract is part of a bulk transfer of 10 or more Medallions owned by a fleet or minifleet and is completed within six months of the listing.

§12-18 Fine: \$100-\$1,000 Appearance REQUIRED

§12-19 Business Procedures – Documents, Transactions, and Closing Procedures

(a) Interested Parties.

(1) A Broker must not request, accept or permit a party to provide a Power of Attorney or any other legal document that has not been completed and signed.

(2) If a Broker requests a party to sign a document and return it to the Broker, the Broker must give the party a duplicate copy for the party's own records. If any party attends a closing and is presented with a document for signature, the Broker must furnish that party with a copy of the signed document at that closing.

(3) All other documents prepared by the Broker for an interested party must be delivered to that party within 10 business days after the completion of a closing or other transaction.

(4) The Broker must request written acknowledgement that the party received the papers.

§12-19(a)(1)-(4) Fine: \$400-\$2,000 and/or suspension Appearance REQUIRED

(5) A Broker must give written notice to all sellers and buyers involved in a Medallion transfer of their right to be represented by an attorney or an accountant of their own choosing.

§12-19(a)(5) Fine: \$500-\$1,000 Appearance REQUIRED

(b) Principals.

(1) A Broker who arranges a loan for his or her principal must give that principal a copy of the lender's commitment and of all other documents provided by the lender to the Broker.

§12-19(b)(1) Fine: \$400-\$2,000 and/or suspension Appearance REQUIRED

(2) Within 10 business days after the

completion of a closing (including the financial closing), a Broker must give his or her principal(s) and the Commission a written closing statement including the following:

- (i) Names and addresses of seller(s) and purchaser(s)
- (ii) Medallion(s) being sold
- (iii) Sales price
- (iv) Vehicle cost (if any)
- (v) Amount of personal funds furnished by purchaser
- (vi) Names and addresses of lenders together with amount(s) of loan(s)
- (vii) Broker's commission
- (viii) List of all disbursements or payments made on behalf of the principal(s) including an explanation of the purpose for the individual payments

§12-19(b)(2)(i)-(viii) Fine: \$500-\$2,000 Appearance REQUIRED

- (3) Within 10 business days after completion of the financial closing, a Broker must forward all monies due to his or her principal(s).

§12-19(b)(3) Fine: \$1,000-\$2,500 and/or suspension or revocation Appearance REQUIRED

§12-20 Business Procedures – Record Keeping

(a) Retention of Records. A Broker must keep and maintain the following records for three years:

- (1) The names and addresses of transferor(s), transferee(s), mortgagee(s), or other lien holder(s), if any
- (2) The purchase price
- (3) Amount of deposit paid on contract
- (4) Amount of commission paid to Broker
- (5) Expenses of procuring the mortgage loan, if any
- (6) Closing statements
- (7) Listing placed with the Broker

§12-20(a)(1)-(7) Fine: \$250-\$1,000 Appearance NOT Required

(b) Inspection of Records. Upon demand, a Broker must furnish all records and documents listed above to the Commission or its representatives for inspection.

§12-20(b) Fine: \$500-\$1,500 and/or suspension Appearance REQUIRED

§12-21 Business Procedures – Handling of Funds

(a) A Broker must not pay any part of funds advanced by the transferee to the transferor or any other person without the written approval of the transferee.

§12-21(a) Fine: \$1,000-\$2,500 Appearance REQUIRED

(b) The Broker must not commingle funds advanced from a transferee with his or her own funds. He or she must deposit advanced funds promptly in a separate, federally insured, special account.

§12-21(b) Fine: \$1,000-\$2,500 Appearance REQUIRED

(c) The Broker must provide written notification to the person who advanced the funds, giving the name and address of the bank in which the money was deposited and the amount of the deposit.

§12-21(c) Fine: \$100-\$500 Appearance REQUIRED

(d) The Broker must not retain any of the interest earned from the deposited funds unless he or she has written permission from the principal.

§12-21(d) Fine: \$100-\$500 Appearance REQUIRED

§12-22 Business Procedures – Advertising

(a) A Broker must indicate in any advertisement placed by the Broker that he or she is a licensed Broker.

§12-22(a) Fine: \$100-\$750 Appearance REQUIRED

(b) A Broker must not use deceptive or misleading advertising.

§12-22(b) Fine: \$500-\$2,000 Appearance NOT REQUIRED

§12-23 Comply with Laws – Conduct Rules

(a) Bribery. A Licensee or anyone acting on behalf of the Licensee must not offer or give any gift, gratuity or thing of value to any employee, representative or member of the Commission, or any other public servant.

§12-23(a) \$2,000 and/or suspension Appearance REQUIRED or revocation

(b) Failure to Report Bribery. A Licensee must

immediately report to the Commission any request or demand for a gift, gratuity or thing of value by any employee, representative or member of the Commission, or any other public servant.

§12-23(b) \$500-\$1,000 and/or suspension Appearance REQUIRED or revocation

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

§12-23(c) \$100-\$2,500 and/or suspension Appearance REQUIRED or revocation

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

§12-23(d) \$100-\$2,500 and/or suspension Appearance REQUIRED or revocation

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

§12-23(e) \$100-\$2,500 and/or suspension Appearance REQUIRED or revocation

(f) Threats, Harassment, Abuse. A Licensee, his or her representatives, and his or her employees must not threaten, harass, or abuse any governmental or Commission representative, public servant, or other person while performing the duties and responsibilities of a Licensee.

§12-23(f) \$1,000-\$2,500 Appearance REQUIRED

(g) Use or Threat of Physical Force. A Licensee, his or her representatives, and his or her employees must not use or attempt to use any physical force against a Commission representative, public servant, or other person while performing the duties and responsibilities of a Licensee.

§12-23(g) \$2,000-\$5,000 and/or suspension or revocation Appearance REQUIRED

(h) Notice of Criminal Conviction.

(1) A Licensee must immediately notify the Commission when he or she is convicted of a crime. The Licensee must also report any criminal convictions of any of the Licensee's Business Entity Persons or employees.

(2) The notification must be in writing and accompanied by a certified copy of the certificate of disposition issued by the Clerk of the Court.

§12-23(h) \$500-\$1,000 Appearance REQUIRED

(i) Failure to Cooperate with Law Enforcement. A Licensee must cooperate with all law enforcement officers and all authorized representatives of the Commission, and comply with all their reasonable requests.

§12-23(i) \$500-\$1,500 and/or suspension Appearance REQUIRED

(j) Failure to Cooperate with the Commission.

(1) A Licensee must answer or comply with all questions, communications, or directives received from the Commission or its representatives within 72 hours. An emergency communication must be answered immediately.

§12-23(j)(1) \$250-\$750 and/or suspension Appearance NOT REQUIRED

(2) A Broker must answer all summonses from the Commission on the scheduled date.

§12-23(j)(2) \$250-\$750 and/or suspension Appearance NOT REQUIRED

Statement of Basis and Purpose of Rules

These rules are promulgated pursuant to sections 1043 and 2303 of the Charter and section 19-503 of the Administrative Code of the City of New York. The rules are part of a project undertaken by the Taxi and Limousine Commission ("TLC") to revise its existing rule book. The first phase of this project consisted of reorganizing and redrafting TLC's rules, to enhance their clarity and accessibility without significant substantive change. Accordingly, these rules are not intended to make any changes to TLC's current policies, procedures or operations.

During this first phase of the rules revision project, all of TLC's existing rules were redrafted, then posted on a chapter-by-chapter basis on the TLC Web site for review and discussion by interested members of the public. Each chapter was revised based on that discussion, then published for public comment and public hearing pursuant to the City Administrative Procedure Act (CAPA). Because this phase of the rules revision was intended to involve no substantive changes to the rules, and as announced at the Commission meeting held on August 7, 2008, public hearings were held separately from monthly stated Commission meetings.

When this process had been completed for all TLC rules, the complete set of rules was presented to the Commission for promulgation simultaneously with repeal of the current set of TLC rules. The revised rules will replace the existing rules compiled in chapter 35 of the Rules of the City of New York. Following promulgation of these rules, the rules will become effective and the repeal of the current rules will occur on January 1, 2011.

After the first phase of its rules revision is completed, TLC will move to the second phase, which will involve the assessment of its rules for more substantive changes.

The rules proposed here are as follows:

Current Rule Chapters revised in this rule-making	New Rule Chapters
Chapter 5, Taxicab Brokers	Chapter 12, Taxicab Brokers

The promulgated rule, as initially proposed, made one substantive change. To fully incorporate the provisions of Local Law 16 of 2008, the penalty and bond provisions have been amended to reflect that fines are stayed pending decision of a timely-filed appeal.

Supplemental Statement

A public hearing on these rules was held on April 3, 2009. Following that hearing the TLC voted at a public meeting on April 16, 2009 to conditionally approve these rules, subject to a further vote of approval after all 19 revised rules chapters have been conditionally approved. All 19 chapters having been conditionally approved by the TLC, the 19 chapters were republished for additional public comment, another hearing and final approval by the TLC, which occurred on July 15, 2010.

After the conditional TLC approval of this rules chapter (and before final approval), the following additional substantive changes were made to this chapter as a result of public comment and testimony previously received and considered and staff comments:

- Technical changes were made to conform certain definitions to those proposed in Chapter 1, Definitions as a result of staff comment.
- The general penalty and fines section was amended to include the subject of unlicensed activity and to align payment of fines terms with those of other chapters. These changes were made as a result of staff comment based on further drafting refinements made by the consultant.
- Fee provisions were added to align the rule with practice and statutory authority, based on a staff comment.
- The provisions of section 12-23 regarding acts of commission and omission were modified based on staff comment to reflect further refinements to this language by the consultant and the staff, including following public comment to similar provisions in Chapter 4.

TRANSPORTATION

NOTICE

NOTICE OF ADOPTION to the rules relating to the use of pigmented concrete on sidewalks in specific commercial districts within the City of New York.

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE Commissioner of the Department of Transportation by subdivision (b) of Section 2903 of the New York City Charter, and in accordance with the requirements of Section 1043 of the New York City Charter, that the Department of Transportation hereby adopts amendments to Chapter 2 of Title 34 of the Official Compilation of the Rules of the City of New York, the Highway Rules, by amending Section 2-09(f)(4). This rule was published in the City Record on July 16, 2010 and a public hearing was held on August 18, 2010.

Matter underlined is new; matter in [brackets] is deleted.

Section 1. Paragraphs (i), (iii), (vii) and (xvi) of Section 2-09(f)(4) of Chapter 2 of Title 34 of the Official Compilation of the Rules of the City of New York are amended to read as follows:

(4) General Sidewalk Requirements.

(i) Except as otherwise authorized, all sidewalks not in C4-4 through C4-7, C5 or C6 commercial districts, as defined in the Zoning Resolution of the City of New York, shall be of untinted concrete. However, all sidewalks in C4-4 through C4-7, C5 and C6 commercial districts shall be of pigmented concrete with saw-cut type joints as set forth in section 4.13 C of the Department's specifications. In such commercial districts, any sidewalk installation or replacement constituting 50 percent or more of the total square footage of sidewalk abutting a property shall be of pigmented concrete in conformance with the aforementioned section of the Department's specifications. For the purposes of these rules and unless otherwise stated, the word "concrete" shall mean untinted and pigmented concrete, as applicable. Sidewalks shall consist of a single course of concrete, 4" in thickness, laid upon a foundation 6" in thickness; in driveways and corner quadrants the concrete slab shall be 7" in thickness.

(iii) The sidewalk shall be constructed of [New York City Mix Design Number B3200] concrete mix as per the Department's specifications, unless otherwise authorized. [The concrete shall be bought from a concrete plant approved by the New York State Department of Transportation or from an approved volumetric mixer. Any permittee placing 150 square feet or less of sidewalk may request approval to use a

portable mixer from the Department.]

(vii) Flags shall be 5'x 5' where feasible. The following methods of scoring shall be employed unless otherwise approved by the Commissioner. The frontage of each building shall be divided by five. If it is exactly divisible, all flags shall be 5' wide; if not, the flags shall be plus or minus in an amount which will make them as near to 5' as possible. Cross flag scoring shall be at 90 degrees to the building line and curb. The flag markings along the sidewalk between the curb and property line shall be parallel with the property line and curb and be uniformly 5' apart commencing at the [property line] curb, with the odd flag width, if any, nearest the [curb] property line.

(xvi) Distinctive Sidewalk.

(A) A sidewalk of a distinctive design or material may be permitted and shall harmonize with the architecture of the abutting building and/or area. The property owner or designated representative shall contact the Department and submit to the Department for approval: detailed design plans, applicable fee, [the] a duly executed Distinctive Sidewalk Improvement Maintenance Agreement (DSIMA) and material samples of the proposed sidewalk.

(B) The distinctive sidewalk shall be [repaired in kind or be replaced in its entirety with concrete. Changes to existing materials require a new DSIMA] approved by the Public Design Commission of the City of New York prior to installation.

(C) The distinctive sidewalk shall be [approved by the Art Commission prior to installation] repaired in kind or replaced in its entirety with concrete. If a distinctive sidewalk is replaced in its entirety with concrete, the Public Design Commission of the City of New York shall approve of such replacement prior to its replacement. Changes to existing materials shall require a new DSIMA.

STATEMENT OF BASIS AND PURPOSE OF RULE

The Commissioner of the New York City Department of Transportation (DOT) is authorized to promulgate rules relating to the construction, maintenance and repair of public streets pursuant to Section 2903(b) of the New York City Charter.

Chapter 2 of Title 34 of the Rules of the City of New York (RCNY) is being amended to reflect the type of concrete property owners in certain commercial districts will now be required to use when installing or replacing concrete sidewalks. These commercial district property owners will now be required to install pigmented concrete without having to submit this treatment to the Public Design Commission, formerly the Art Commission. This new material option should reduce the number of distinctive sidewalk applications DOT and/or the Public Design Commission review and it will allow for consistent application of aesthetically pleasing material for the sidewalks abutting these properties. Additionally, this amendment reflects the guidelines outlined in the Department's Street Design Manual, which describes the use of design elements and materials, including pigmented concrete; and updates the distinctive sidewalk review process.

SPECIAL MATERIALS

COMPTROLLER

NOTICE

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on September 9, 2010 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Table with 3 columns: Damage Parcel No., Block, Lot. Rows include parcels 11, 12, and 16 and 17.

Acquired in the proceeding, entitled: Fifth Amended Brooklyn Center Urban Renewal Project, Phase 2, 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

a25-s9

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 September 16, 2010 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Table with 3 columns: Damage Parcel No., Block, Lot. Row includes parcel 1.

Acquired in the proceedings, entitled: 149th Avenue from 183rd to 184th Street 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

s1-16

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on September 8, 2010 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Table with 3 columns: Damage Parcel No., Block, Lot. Rows include parcels 1 and 1A, 2, and 3 and 3A.

Acquired in the proceeding, entitled: Udall's Cove Ravine

Addition 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

a24-s8

WATER BOARD

NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that the New York City Water Board (the "Board") is considering additions and revisions to its Regulation No. 1, which would modify the "Reimbursable Metering Program" currently in effect.

The Reimbursable Metering Program ("RMP") allows owners of unmetered properties, or properties with outdated or malfunctioning water meters, the opportunity to have meters installed/replaced by licensed master plumbers of their own choosing and to receive reimbursement from the Board. Reimbursement is in the form of a credit to the property's water/wastewater account with the New York City Department of Environmental Protection ("DEP"), which can be applied against current or future bills or may be refunded to those customers who are eligible and so request. The credit is equal to the scheduled amount or the actual amount paid to a plumber for each type and size of meter installed or replaced, whichever is less. The proposed changes include the following:

- 1. Extending the time period for licensed plumbers to return original completed meter permits to a DEP Bureau of Customer Services Borough Office from 72 hours to ten (10) business days;
2. Adjustments to the scheduled reimbursement amounts for various meter sizes and types;
3. Addition of "Enhanced Meter Reimbursement Amounts" (effective for two years only) for meters 3" and larger that were installed before 1995;
4. Merging of reimbursements for replacement of compound, single-jet or electromagnetic meters with single-jet or electromagnetic meters;
5. Requirement that requests for extensions of meter installation or replacement permits, which are valid for 30 days, must be received prior to the expiration of the 30-day period;
6. Elimination of reimbursement for telephone-based AMR equipment installations;
7. Elimination of reimbursement for installing or replacing detector check valve assemblies; and
8. Minor updates and editorial changes to the RMP booklet.

Specific details, including the rules, guidelines, forms, and reimbursement schedule are provided in DEP's "Reimbursable Metering Program" booklet. Copies of the booklet with the proposed changes can be downloaded from http://nyc.gov/nycwaterboard or by contacting James Gallagher, DEP BCS Metering/Conservation Unit, 96-05 Horace Harding Expressway, 1st Floor, Corona, NY 11368-4100, (718) 595-4701 or jgallagher@dep.nyc.gov.

Members of the public who wish to comment on the proposed changes to the Board may do so in writing to Kevin Kunkle, New York City Water Board, 59-17 Junction Boulevard, 8th Floor, Flushing, NY 11373-5108, (718) 595-3601 or kkunkle@dep.nyc.gov. Deadline for the submission of comments is September 16, 2010. Following the period allowed for public comment, a proposal concerning the changes will be submitted to the Board for consideration at a meeting on September 24, 2010.

s3-10

CHANGES IN PERSONNEL

POLICE DEPARTMENT FOR PERIOD ENDING 08/06/10

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for the Police Department.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Continuation of personnel changes for the Police Department.

O' SULLIVAN	CORNELIU	M	70235	\$94300.0000	RETIRED	NO	07/24/10
ORLANDO	NUNZIATA		71651	\$29217.0000	APPOINTED	NO	07/11/10
ORTEGA-GONZALEZ	RONY		71651	\$29217.0000	APPOINTED	NO	07/11/10
ORTIZ, JR.	EDGARDO		71651	\$29217.0000	APPOINTED	NO	07/06/10
PACHECO-QUINDE	DENISSE	I	71651	\$29217.0000	APPOINTED	NO	07/06/10
PAN	ZHEN CAI		70210	\$41975.0000	RESIGNED	NO	07/09/10
PATRICK	LONELL	N	60817	\$35323.0000	APPOINTED	NO	07/06/10
PAUL	MICHAEL	J	7021A	\$83921.0000	RETIRED	NO	07/31/10
PEREZ	LUIS	M	70210	\$41975.0000	RESIGNED	NO	07/13/10
PHILLIP	NAKIETA	T	71651	\$29217.0000	APPOINTED	NO	07/11/10
PINEDA	BRIDGET	A	7021A	\$83921.0000	RETIRED	NO	07/25/10
PINZONE	ANTHONY	J	70210	\$76488.0000	RETIRED	NO	07/31/10
PISANO	BRETT	W	70210	\$41975.0000	RESIGNED	NO	07/17/10
POTANOVIC	RAYMOND	F	70265	\$140945.0000	RETIRED	NO	07/21/10
RACZYNSKI	THOMAS	R	7021B	\$94300.0000	RETIRED	NO	07/19/10
RAHMAN	AMINUR		71651	\$29217.0000	APPOINTED	NO	07/11/10
RAMCHANDANI	NISHA		12627	\$59536.0000	APPOINTED	YES	07/18/10
REASON	KATHIE	B	71651	\$29217.0000	APPOINTED	NO	07/11/10
REID-HARRISON	MARVA	C	71651	\$29217.0000	APPOINTED	NO	07/11/10
REILLY	PATRICK	J	71651	\$29217.0000	APPOINTED	NO	07/11/10
RICE	JUDY		70205	\$12.9000	RESIGNED	YES	07/02/10
RIVERA	AMADOR		10144	\$35285.0000	APPOINTED	NO	07/06/10
RIVERA	JONATHAN	G	70210	\$41975.0000	APPOINTED	NO	07/06/10
ROBERTS JR.	CRAIG		92510	\$250.9600	APPOINTED	NO	07/25/10
RODRIGUEZ	ANNETTE		60817	\$35323.0000	APPOINTED	NO	07/06/10
RODRIGUEZ	HECTOR	E	71651	\$29217.0000	APPOINTED	NO	07/11/10
RODRIGUEZ	PAULA	M	71651	\$29217.0000	APPOINTED	NO	07/11/10
RODRIGUEZ -BROW	BARBARA	C	10251	\$24859.0000	APPOINTED	NO	07/18/10
RODRIGUEZ-MEDIN	JOSE		71651	\$29217.0000	APPOINTED	NO	07/11/10
ROSENBERG	SCOTT	A	70235	\$94300.0000	RETIRED	NO	07/25/10
SADEQUE	MD	Z	71651	\$29217.0000	APPOINTED	NO	07/11/10
SANDERS	TELISSA	D	71651	\$29217.0000	APPOINTED	NO	07/11/10
SAXON	TYRON	L	70210	\$41975.0000	APPOINTED	NO	07/06/10
SCALIA	ROBERT	A	70210	\$41975.0000	RESIGNED	NO	07/27/10
SEWER	ELROY		71651	\$29218.0000	DISMISSED	NO	07/24/10
SIMMONS	MARIE		60817	\$35344.0000	DISMISSED	NO	07/27/10
SINGH	DEODHRAM		7021A	\$83921.0000	DISMISSED	NO	07/09/10
SLAUGHTER	LEE		70210	\$43644.0000	RESIGNED	NO	07/27/10
SLOTOROFF	JEFFREY	S	70210	\$41975.0000	RESIGNED	NO	07/31/10
SMALL	KYMESHA	K	71651	\$29217.0000	APPOINTED	NO	07/11/10
SMITH	HELEN	C	06750	\$80000.0000	APPOINTED	YES	07/29/10
SNYDER	HEIDI	E	70210	\$41975.0000	RESIGNED	NO	07/09/10
SOLDANO	NICHOLAS		70210	\$76488.0000	RETIRED	NO	07/25/10
SPINELLA	RAYMOND		70260	\$108244.0000	RETIRED	NO	07/24/10
STACKPOLE	MICHAEL	J	70210	\$41975.0000	APPOINTED	NO	07/06/10
STANLEY	ROBYN		71651	\$29217.0000	APPOINTED	NO	07/11/10
STROMSVOLD	ERIC	G	71651	\$29217.0000	APPOINTED	NO	07/11/10
SUTTON	CELESTIN	S	71651	\$29217.0000	APPOINTED	NO	07/11/10
SWEENEY	JOHN	F	7021C	\$108244.0000	RETIRED	NO	07/18/10
SWEENEY	THOMAS	F	10096	\$116158.0000	RETIRED	YES	07/31/09
SWEENEY	THOMAS	F	92123	\$273.4200	RETIRED	NO	07/31/09
SWEETING JR	NELSON	B	70210	\$41975.0000	APPOINTED	NO	07/06/10
SYMBY	JEAN	B	60817	\$32112.0000	APPOINTED	NO	07/06/10
TAVERA	ELIZABET		70210	\$41975.0000	APPOINTED	NO	07/06/10
TAYLOR	CHERYL		60817	\$35323.0000	APPOINTED	NO	07/06/10
THATCHER	TIMOTHY	G	7021B	\$94300.0000	RETIRED	NO	07/31/10
THOMPSON	CIDNEY		60817	\$32112.0000	APPOINTED	NO	07/06/10
TJORNHOM, JR.	ERIK	J	71652	\$43249.0000	APPOINTED	NO	07/06/10
TOBIERRE	KERVIN		71651	\$29217.0000	APPOINTED	NO	07/06/10
TOLENTINO	JOANNE	M	71651	\$29217.0000	APPOINTED	NO	07/11/10
TOLLERSON	JEFFREY		7021A	\$83921.0000	RETIRED	NO	07/31/10
TRIA	ANTHONY		7026E	\$156223.0000	DECEASED	NO	07/16/10
UDDIN	JASIM		40502	\$54312.0000	APPOINTED	NO	07/06/10
UDDIN	MD	Z	71651	\$29217.0000	APPOINTED	NO	07/11/10
VALDIVIESO	FAUSTO	R	71651	\$29217.0000	APPOINTED	NO	07/11/10
VAN DUYN	KEITH		71651	\$29217.0000	APPOINTED	NO	07/11/10
VENTURA	SUSANA	K	71651	\$29217.0000	APPOINTED	NO	07/11/10
VILLAFANE	NANCY		10147	\$42932.0000	RETIRED	NO	07/19/10
WARD	ALLAN	R	60817	\$31259.0000	APPOINTED	NO	07/06/10
WASHINGTON	TANYELLE	D	60817	\$35323.0000	DISMISSED	NO	07/24/10
WENDT	CLARK	K	70210	\$76488.0000	RETIRED	NO	07/27/10
WILLIAMS	IAN	G	71651	\$29217.0000	APPOINTED	NO	07/11/10
WILLIAMS	JACQUELI	S	10251	\$24859.0000	APPOINTED	NO	07/18/10
WILLIAMS	JHANIQUE	S	71651	\$29217.0000	APPOINTED	NO	07/11/10
WILLIAMS	THELMA		70205	\$12.0500	RETIRED	YES	07/05/10
WILLIAMS-JONES	ANTHONY	C	71651	\$29217.0000	APPOINTED	NO	07/11/10
WRIGHT	LAQUASHA	E	71651	\$29217.0000	APPOINTED	NO	07/11/10
YOUSSEF	OMAR	S	70210	\$41975.0000	RESIGNED	NO	07/08/10
ZEITLER	SCOTT	R	60817	\$35323.0000	APPOINTED	NO	07/06/10
ZENDER	JERRY	M	70210	\$41975.0000	APPOINTED	NO	07/06/10
ZIRPOLI	MARY GRA	T	7021A	\$83921.0000	RETIRED	NO	07/31/10

FIRE DEPARTMENT
FOR PERIOD ENDING 08/06/10

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	
ABDUL-KARIM-MID	ISA ISHA	53053	\$31931.0000	APPOINTED	YES	07/11/10	
ACOSTA	DANIEL	53053	\$31931.0000	APPOINTED	YES	07/11/10	
ALY	MAHMUD	A	53053	\$48153.0000	RESIGNED	NO	07/12/10
ARROYO	MARILYN	L	53053	\$31931.0000	APPOINTED	YES	07/11/10
ASHBY	ROHAN	L	53053	\$31931.0000	APPOINTED	YES	07/11/10
ATALA	GAMIL	S	34205	\$67818.0000	INCREASE	YES	07/11/10
AURELUS	MARC	A	53053	\$44489.0000	RESIGNED	YES	07/06/10
BARBARA	CHRISTOP	E	53053	\$31931.0000	APPOINTED	YES	07/11/10
BARWICK	KEVIN		53055	\$57206.0000	PROMOTED	NO	07/06/10
BASTIDAS	MARIO		53055	\$61025.0000	PROMOTED	NO	07/06/10
BAYARD	JEREMY	L	53053	\$31931.0000	APPOINTED	YES	07/11/10
BENSON	KIMBERLY	N	53054	\$49309.0000	INCREASE	YES	03/07/10
BEST	MICHAEL	G	53054	\$50091.0000	RESIGNED	YES	07/06/10
BLACKWELL	RYAN	C	53053	\$31931.0000	APPOINTED	YES	07/11/10
BOUSKILA	ISAAC	I	53053	\$31931.0000	APPOINTED	YES	07/11/10
BRADY	BARBARA	A	53055	\$57206.0000	PROMOTED	NO	07/06/10
BRADY	MATTHEW	P	53053	\$31931.0000	APPOINTED	YES	07/11/10
BROADBENT	NICHOLAS	A	53053	\$31931.0000	APPOINTED	YES	07/11/10
BROWNING III	PHILIP	Y	53053	\$31931.0000	APPOINTED	YES	07/11/10
BROWNSTEIN	JOSHUA		53053	\$31931.0000	APPOINTED	YES	07/11/10
BUDER	CHRISTOP	S	53053	\$31931.0000	APPOINTED	YES	07/11/10
CALLEJAS	PABLO		53054	\$27295.0000	DECREASE	NO	11/30/08
CAPLAN	MARK	R	53055	\$61025.0000	PROMOTED	NO	07/06/10
CARR	HOLLY	B	53053	\$33740.0000	RESIGNED	NO	07/13/10
CASTLE	NANCY		53054	\$48127.0000	RESIGNED	YES	07/18/10
CASTLE	NANCY		53053	\$33740.0000	RESIGNED	NO	07/18/10
CEDENO	CHARLES	E	53053	\$31931.0000	APPOINTED	YES	07/11/10
CHALEN	JORGE	D	53055	\$61025.0000	PROMOTED	NO	07/06/10
CHECCO	THOMAS	M	53053	\$31931.0000	APPOINTED	YES	07/11/10
CLARKE	JAMEL		53053	\$31931.0000	APPOINTED	YES	07/11/10
COGLIANO	ROBERT	C	53053	\$31931.0000	APPOINTED	YES	07/11/10
COSTANTIN	KARINA		53053	\$48153.0000	RESIGNED	NO	07/27/10
DARELUS	CHRISTIN		53053	\$31931.0000	APPOINTED	YES	07/11/10
DEINNOCENTIIS	JESUS	V	53055	\$61025.0000	PROMOTED	NO	07/06/10
DEL ROSARIO	JORDWIN		53054	\$49309.0000	INCREASE	YES	03/07/10
DEMARCO	MICHAEL	A	53055	\$57206.0000	PROMOTED	NO	07/06/10
DIFIORE	LAWRENCE		53055	\$57206.0000	PROMOTED	NO	07/06/10

DONOHUE	DANIEL		53053	\$31931.0000	APPOINTED	YES	07/11/10
EBERSBACH	FINN	D	53053	\$31931.0000	APPOINTED	YES	07/11/10
ELDAHRY	WA-IL	K	53055	\$61025.0000	PROMOTED	NO	07/06/10
FERNANDEZ	CHRISTOP	L	53053	\$31931.0000	APPOINTED	YES	07/11/10
FIELDS	BRETT	J	53055	\$61025.0000	PROMOTED	NO	07/06/10
FLAKSMAN	STANISLA		53054	\$51587.0000	DECREASE	NO	08/24/09
FLOOD	KEVIN	R	53053	\$31931.0000	APPOINTED	YES	07/11/10
FLYNN	MICHAEL	M	53053	\$31931.0000	APPOINTED	YES	07/13/10
FLYNN	PATRICK		53055	\$57206.0000	PROMOTED	NO	07/06/10
FOUGERE	NELIDA	E	53053	\$31931.0000	APPOINTED	YES	07/11/10
GERDTS	BRIAN	R	53053	\$31931.0000	APPOINTED	YES	07/11/10
GJYREZI	ERLIS		53054	\$27295.0000	DECREASE	NO	08/17/07
GOMES	DILSHAN	R	53053	\$31931.0000	APPOINTED	YES	07/11/10
GONZALEZ	CARLOS	M	53053	\$31931.0000	APPOINTED	YES	07/11/10
GONZALEZ	EDWIN	S	53053	\$31931.0000	APPOINTED	YES	07/11/10
GORDAY	JOHN	H	53054	\$43690.0000	RESIGNED	YES	07/07/10
GREEN	JASON	P	53053	\$48153.0000	DECEASED	NO	07/19/10
GUIDEN	KEYMARRO		53053	\$31931.0000	APPOINTED	YES	07/11/10
GUTEKUNST	THOMAS	C	53053	\$31931.0000	APPOINTED	YES	07/11/10
HAYES	MARTIN	J	53053	\$48153.0000	RESIGNED	NO	07/20/10
HEADLEY	TENNYSON	L	1002A	\$98258.0000	DECREASE	YES	07/19/10
HERNANDEZ	BRENDON	C	53053	\$31931.0000	APPOINTED	YES	07/11/10
HONORE	GARY	M	53053	\$31931.0000	APPOINTED	YES	07/11/10
HUNT	JASON	B	53053	\$31931.0000	APPOINTED	YES	07/11/10
IMBASCIANI	ANTHONY	J	53053	\$31931.0000	APPOINTED	YES	07/11/10
JACOBS	VERONICA	L	53053	\$48153.0000	APPOINTED	NO	07/23/10
JAMES	DESMIN		53053	\$31931.0000	APPOINTED	YES	07/11/10
JANUSZKIEWICZ	JAMES	M	53053	\$31931.0000	APPOINTED	YES	07/11/10
JARVIS-MAXWELL	JEAN		53055	\$61025.0000	PROMOTED	NO	07/06/10
JIMENEZ	JOSHUA		53053	\$31931.0000	APPOINTED	YES	07/11/10
JONES	ANGELA	M	53055	\$61025.0000	PROMOTED	NO	07/06/10
JOSEPH	ELIS	U	53053	\$31931.0000	APPOINTED	YES	03/14/10
KAPADIA	HARSHUL	S	13644	\$79462.0000	APPOINTED	NO	07/11/10
KELLY	JANE	E	53053	\$48153.0000	DISMISSED	NO	07/09/10
KHAN	STEVEN	J	53053	\$31931.0000	APPOINTED	YES	07/11/10
KING	SHAUN	R	53053	\$31931.0000	APPOINTED	YES	07/11/10
KINGSTON	DONNAY	M	1012A	\$50790.0000	APPOINTED	NO	01/04/10
KNUTH	KATHLEEN	E	53055	\$57206.0000	PROMOTED	NO	07/06/10
KOCAJ							