

CHAPTER 1

TAXICAB OWNERS RULES

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Updated 12/22/10

* [As reads in the Official Compilation of the Rules of the City of New York.]

§ 1-01 Definitions

Accessible taxicab. An “accessible taxicab” is a taxicab that complies with section 3-03.2 of this title.

Adequate Mail Notice to Claimant. “Adequate mail notice to claimant” shall mean for the purposes of section 1-81 of this chapter, notice by certified mail, return receipt requested, with a copy by regular mail and with a copy to the Commission, attention legal department, transfer division, to holders of claims that may be excess claims as follows, provided that proof of attempted mailing is provided to the Chairperson:

- (1) to a holder of a claim as may be disclosed by the lien, judgment and lawsuit searches required to be obtained in section 1-80.1(p) of this chapter, to the address for such claimant disclosed by such search and, if such notice is returned as non-deliverable, to any other address for such claimant or attorney of record of such claimant as disclosed by such search, with such notice to be deemed given if attempts to mail are made to all such addresses even if any such notice is returned as non-deliverable;
- (2) to a holder of a claim as may be disclosed by a prior claim letter or a valid claim letter, to the address for such claimant as disclosed by such letter and to the sender of the letter, or, if there is no such address disclosed for the claimant, to the address of the sender of such letter, or such address as the sender may provide, with such notice to be deemed given if an attempt is made to mail to such address even if any such notice is returned as non-deliverable; provided that, if the sender provides another address for the claimant (or recipients at any such subsequent address provide a further address for claimant), notice must be mailed to all such other, subsequently provided, addresses;
- (3) to a holder of a claim as may be disclosed by tort letters provided as required in section 1-80.1(q) of this chapter, to the address as may be disclosed in, by or through any such tort letter, or to any counsel of record as may be disclosed in, by or

through such tort letter, or, if neither is indicated, by consultation with the insurers providing the tort letters as to either an address of a claimant or a counsel of record for such claimant as obtained therefrom, with such notice to be deemed given, even if any such notice is returned as non-deliverable after two mailings; provided that, if any recipient of such notice provides another address for the claimant (or recipients at any such subsequent addresses provide a further address for claimant), notice must be mailed to all such other, subsequently provided addresses; provided, further however, if no address for either a claimant or claimant's counsel or representative can be obtained, public notice of the contents of the notice must be provided by running the notice in *The New York Times* and *The New York Law Journal* as a public notice for one business day (that is, not a Saturday, Sunday, or public holiday).

Agent. An individual, partnership, or corporation that acts, by employment, contract or otherwise, on behalf of one or more owners to operate or provide for the operation of a licensed vehicle in accordance with the requirements of these rules. The term "agent" shall not include an attorney or representative who appears on behalf of one or more owners before the Commission or the TLC hearing tribunal, and taxicab drivers licensed pursuant to Chapter 5, Title 19 of the Administrative Code when acting in that capacity.

Applicant. (a) An "applicant" is an individual, partnership, limited liability company or corporation seeking a license for a medallion taxicab.
(b) Whenever within this chapter reference is made to the partners, general partners, shareholders and/or officers of an applicant, such reference shall also include the members and managing members of any applicant which is a limited liability company.

Association. An "association" is a group of owners which has registered its name and business address with the Commission and furnished a copy of its emblem, if any.

Chairperson. The "Chairperson" shall mean the Chairperson of the Commission, or his or her designee.

Chauffeur's license. A "chauffeur's license" is a valid license of the State of

New York to operate a vehicle for hire, or a valid license of similar class from another state of which the licensee is a resident.

Claim Letter. A “claim letter” is a letter asserting a possible excess claim against an owner of a taxicab medallion or against the taxicab medallion itself. Claim letters which are neither prior claim letters nor valid claim letters will not be considered for purposes of the escrow determination to be made in section 1-81 of this chapter.

Clean air taxicab. A “clean air taxicab” is a taxicab that complies with section 3-03.3 of this title.

Commission. "Commission" means the New York City Taxi and Limousine Commission.

Compliance date. The compliance date for the installation of taxicab technology systems in medallion taxicabs shall be the date of the first regularly scheduled inspection for each taxicab on or after October 1, 2007, unless extended pursuant to section 1-11(g) of this chapter.

Driver. A "driver" is a person licensed by the commission to drive a medallion taxicab in the City of New York.

Escrow Amount. The “escrow amount” is the amount for which an escrow account is required to be established in order to satisfy one or more excess claims. The escrow amount will be determined as set forth in section 1-81 of this chapter and shall not in any event exceed the maximum escrow amount.

Excess Claim. An “excess claim” is a tort claim asserted against the owner of a taxicab medallion for an amount in excess of the amount covered by an insurance policy in effect at the time the claim arose.

Fair Market Value. The “fair market value” in reference to the transfer of a taxicab medallion shall be the average value for arms-length transactions for similar medallions for the prior calendar month as maintained by the Commission.

Fleet. A "fleet" is a corporate entity or limited liability company:

- (1) organized for the ownership or operation of twenty-five (25) or more taxicabs;
- (2) which are dispatched from a single location serving as both garage and office of record, which has been approved by the Commission as adequate for the storage, maintenance, repair and dispatch of the fleet taxicabs; and
- (3) which has a dispatcher on the premises at least eighteen (18) hours every day, who is responsible for assigning drivers to fleet taxicabs.

Independent taxicab owner. An "independent taxicab owner" is an individual, partnership, limited liability company or corporation owning only one medallion taxicab in the City of New York.

Licensed vehicle. A "Licensed vehicle" is a medallion taxicab authorized by the Commission to accept passengers for hire.

Long-term driver. A long-term driver is a licensed taxi driver who meets all of the following conditions: The driver must be:

- (1) A steady driver, who drives the taxicab at the rate of at least 160 hours per month; and
- (2) A named driver, who is named on the rate card pursuant to Rules 1-47 and 1-48; and
- (3) Either an owner of the medallion (including a shareholder in a corporation owning the medallion) or a lessee of the medallion pursuant to a lease with a term of no less than five months; and
- (4) A long-term driver on no more than one taxicab.

Mailing address. A "mailing address" is the address designated by the owner for the mailing of all notices and correspondence from the commission and for service of summonses. A post office box is not acceptable. An owner may designate the address of the owner's agent as the owner's mailing address.

Market Value. The “market value” in reference to the transfer of a taxicab medallion shall mean the consideration for the transfer unless the transfer is for less than fair market value, in which case the “market value” shall be the fair market value of the medallion being transferred.

Maximum Escrow Amount. The “maximum escrow amount” equals the greater of (a) the market value of a taxicab medallion being transferred less the value of any debt or liens secured by such medallion and the costs of transfer (including the costs of any foreclosure or similar action and any outstanding fines or fees owed to the Commission or the Parking Violations Bureau) or (b) the market value of a taxicab medallion being transferred less the value of any debt or liens secured by such medallion and the costs of transfer (including the costs of any foreclosure or similar action and any outstanding fines or fees owed to the Commission or the Parking Violations Bureau) PLUS the value of any proceeds of any refinancing received by the owner which was not used to reduce any previously existing debt or liens secured by such medallion following the date of an occurrence of an alleged tort involving the taxicab which tort gives rise to a potential excess claim, except that in a transfer resulting from a sale by a lender or judgment creditor, the maximum escrow amount in respect of proceeds of sale held by such lender or creditor shall not exceed (a).

Medallion. A "medallion" is a plate issued by the Commission as the physical evidence of a taxicab license, and affixed to the outside of such taxicab.

Merchant. A “merchant” is an individual or business entity licensed by the Commission that contracts with a merchant bank provider of credit/debit card services and other merchant account related services, which merchant bank provider is approved by the Commission as a subcontractor to one or more taxicab technology service providers for the purpose of providing in-cab payment of taxicab fares, surcharges, tolls and tips by credit/debit cards.

Minifleet. A "minifleet" is a limited liability company or corporation licensed by the Commission to own and operate two (2) or more taxicabs.

MTA Tax. The “MTA Tax” is the 50-cent tax on taxicab trips that is imposed by article 29-A of the New York State Tax Law.

Owner. (a) An “owner” is an individual, partnership, limited liability company or corporation licensed by the Commission to own and operate a medallion taxicab or taxicabs. A trust, foundation, or non-profit or not-for-profit entity may not be an owner and may not own any interest in an owner except as specifically provided in this chapter.

(b) Whenever within this chapter reference is made to the partners, general partners, shareholders and/or officers of an owner, such reference shall also include the members and managing members of any owner which is a limited liability company.

Passenger. A "passenger" is any individual seated in a taxicab for travel for hire to a given destination.

Prior Claim Letter. A “prior claim letter” is a claim letter received by the Commission prior to February 1, 2009.

Prospective passenger. A "prospective passenger" is a person who has hailed or sought to hire a taxicab for the purpose of being transported to a destination, or one who is awaiting the arrival of a radio dispatched taxicab and who is not seated in the taxicab.

Rate card. A "rate card" is a card issued by the Commission for each medallion taxicab, which displays the taxicab license number, rates of fare, and such other data as the Commission may prescribe.

Renewal applicant. A "renewal applicant" is an owner seeking a renewal of a valid taxicab license.

Standby vehicle. A "standby vehicle" is any vehicle approved by the Commission for use as a replacement vehicle.

Taxicab. A "taxicab" is a motor vehicle licensed by the Commission to carry passengers for hire, designed to carry a maximum of five (5) passengers, and authorized to accept hails from prospective passengers in the street. As used in these rules the term taxicab also includes the license issued by the Commission to operate the motor vehicle as a taxicab.

Taxicab driver's license. A "taxicab driver's license" is the authority granted by the Commission to an individual to drive a taxicab in the City of New York.

Taxicab license. A "taxicab license" is the authority granted by the Commission to an owner to operate a designated vehicle as a taxicab in the City of New York.

Taxicab technology service provider. A "taxicab technology service provider" is a vendor who has contracted with the Commission to install and maintain the taxicab technology system in taxicabs.

Taxicab technology system. The "taxicab technology system" is hardware and software that provides the following four core services (collectively "four core services"): (i) allows credit, debit and prepaid card payment required by section 3-03(e)(7) of this title, (ii) text messaging required by section 3-03(e)(8) of this title, (iii) trip data collection and transmission required by section 3-06 of this title, and (iv) data transmission with the passenger information monitor required by section 3-07 of this title.

Taximeter. A "taximeter" is an instrument or device approved by the Commission by which the charge to a passenger for hire of a licensed taxicab is automatically calculated and on which such charge is plainly indicated.

Taxpayer. "Taxpayer" is a person or entity who is liable under article 29-A of the New York State Tax Law to pay the MTA Tax to the New York State Department of Taxation and Finance.

Tort Letter. A "tort letter" is a statement from the insurer of a taxicab as to whether or not the insurer is aware of excess claims against the taxicab medallion or its owner.

Transfer. A "transfer" is a conveyance of an interest in a taxicab license or interest in a limited liability company owning a taxicab license or stock in a corporation owning a taxicab license, from one party to another.

Transferee. A "transferee" is an applicant approved by the Chairperson to own and operate a medallion taxicab which is acquiring an interest, either directly or indirectly, in a taxicab license pursuant to sections 1-80, 1-80.1

and 1-80.2 of this chapter. A secured lender foreclosing upon, repossessing, or otherwise realizing against its security interest in, a taxicab license is not a transferee provided that such lender places the medallion in storage as required by section 1-80.2(c) of this chapter.

Transfer form. A "transfer form" is a document, kept in a standby vehicle with an SBV rate card when such standby vehicle is used as a replacement vehicle, containing the medallion number and SBV number.

Trip record: A "trip record" also known as a trip sheet or trip log, is the written, computerized, automated and/or electronic accounting of a taxicab ride. The trip data to be transmitted or recorded shall include the taxicab license number (medallion number); the taxicab driver's license number; the location of trip initiation; the time of trip initiation; the number of passengers; the location of trip termination; the time of trip termination; the itemized metered fare for the trip (tolls, surcharge, and tip if paid by credit or debit card); the distance of the trip, the trip number, the method of payment, the total number of passengers, as well as such other information as may be required by the Commission. The data captured by the trip record may be stored in paper, electronic or such other form as approved by the Commission. Trip record information shall be available to the TLC, the taxicab driver, medallion owner, taxicab owner and/or leasing agent at the end of each shift and/or lease term. The trip record shall be kept in an approved archived form for a minimum of three years after the date of the taxicab ride.

Valid Claim Letter. A "valid claim letter" is a claim letter which is not a prior claim letter, and which must (a) be dated no more than one year prior to the date of submission to the Chairperson of the documentation seeking approval for a proposed transfer of a taxicab medallion as set forth in this chapter, (b) set forth a minimum claim amount in an amount sufficient to be an excess claim, (c) include a copy of the police report regarding the incident in question, and (d) include a representation by the sender that the party against which the excess claim has been asserted has been provided with a copy of the claim letter.

§1-02 General Provisions for Licensing.

- (a) An applicant for a taxicab license shall file an application jointly with the transferor of the license.

- (b)
 - (1) An individual, the members of a partnership, or the officers and shareholders of a corporation, applying for a taxicab license must provide to the Commission proof of identity in the form of
 - (i) A valid form of photo identification issued by the United States, any state or territory thereof or any political subdivision of such state or territory, and;
 - (ii) A valid, original social security card.
 - (2) An individual, the members of a partnership, or the officers and shareholders of a corporation applying for a taxicab license or its renewal
 - (i) must be at least 18 years of age; and
 - (ii) must be of good moral character.

- (c) The applicant must demonstrate to the satisfaction of the commission:
 - (1) that he is qualified to assume the duties and obligations of an owner of a taxicab license;
 - (2) that he is the owner of a vehicle meeting all requirements of the commission and those of all other governmental agencies having concurrent jurisdiction;
 - (3) that he has liability insurance coverage by bond or policy as required by the State of New York and the rules of the Commission;
 - (4) that he has the certificate of title or photostat thereof and the certificate of registration, both of which must be in the name of the applicant unless title is retained by a lessor or conditional

vendor; and

- (5) that he has furnished to the Commission all required information concerning the financing of the purchase price of the medallion and/or taxicab.
 - (6) in the case of an applicant on or after January 7, 1990 to acquire a medallion owned by an independent taxicab owner, that he possesses a current taxi driver's license issued by the Commission and represents that he will drive the taxicab himself in fulfillment of the service requirements of §1-09(b). In the event that the applicant is a corporation or partnership, then one shareholder or partner, as the case may be, must fulfill this requirement.
- (d) An individual, the members of a partnership, and officers and shareholders of a corporation applying for an owner's license shall be fingerprinted. Fingerprinting shall also be required of new officers and shareholders of a corporation holding a taxicab license, and of the officers and shareholders of a management company which operates a taxicab fleet. An individual, the members of a partnership and officers and shareholders of a corporation, who provide funds for any owner, shall also be fingerprinted, unless such provider is a licensed bank or loan company. The requirements of this paragraph may be waived by the Commission in its discretion. All such fingerprints must be submitted in the manner prescribed by the Chairperson prior to the approval of the application for ownership of any interest in any medallion and each person fingerprinted must pay any required fees or costs for the taking and processing of fingerprints and securing criminal history records from the New York State Division of Criminal Justice Services, provided that, if any person required to be fingerprinted hereby has an electronic fingerprint record made no earlier than one year prior to the date of the proposed transfer on file with the Commission, such person need not submit an additional set of fingerprints.
- (e) If the owner is a partnership, it shall file with its license application a certified copy of the partnership certificate from the clerk of the county where the principal place of business is located.

- (f) No corporate or trade name will be accepted by the Commission which is similar to a name already in use by another owner.
- (g) If the applicant is a corporation, it shall file with its license application a certified copy of its certificate of incorporation. A list of officers and shareholders and a certified copy of the minutes of the meeting at which the current officers were elected shall also be furnished. Each officer or shareholder shall disclose to the Commission each medallion in which he or she has any interest whatsoever, including but not limited to, any interest as individual owner, partner, shareholder, director or officer. Such a disclosure shall be made upon original application for a vehicle license, upon application for renewal of such license, and upon application for transfer of such license.
- (h) An applicant or renewal applicant shall not offer or give any gift or gratuity to any employee, representative or member of the Commission, or any public servant, and shall immediately report to the inspector general of the Commission or to the New York City Department of Investigation any request or demand for any gift or gratuity by any employee, representative or member of the Commission, or any public servant.
- (i) If the Commission determines that the applicant has failed to meet the requirements for a taxicab license it may deny the license or its renewal and specify in writing to the applicant the reason for such denial.
- (j) Any material falsification contained in an original or renewal application for a license, any failure to notify the commission of any material change in the information contained therein or any attempt by an owner or applicant to conceal the identity of a party having an interest in the ownership of a taxicab shall be cause for denial of such application or revocation or suspension of such license, in addition to any other sanctions imposed by the Commission.
- (k) If at anytime during the term of the taxicab owner's license the Commission becomes aware of information that the owner no longer meets the requirements for a taxicab owner's license the Commission

may deny his renewal application or suspend or revoke his license.

- (l) Each individual medallion owner, member of a partnership owning one or more medallion taxicabs, or shareholder, director or officer of any corporation owning one or more medallion taxicabs shall furnish to the Commission a financial disclosure statement, executed under oath, together with all attachments and documentation required by the Commission. This disclosure statement will be completed on a form provided by the Commission, and shall include but not be limited to the entire disclosure of assets, liabilities, income and net worth of the owner, partner, shareholder, officer or director.
- (m) Each individual applicant and renewal applicant shall submit with his or her application the child support certification required by New York General Obligation Law section 3-503.

§1-03 Standards and Criteria for Ownership.

- (a) All medallion transfers together with all transferees, owners or officers of transferees must be approved by the Taxi and Limousine Commission. Otherwise, transfer will not be effective.
- (b) Corporate officers are subject to the same standards and criteria as are individual owners. Corporate officers will not be recognized by the Commission unless they have met with the approval of the Commission. It is a violation of the owners rules for a corporate owner to appoint a new officer without the approval of the Commission; and upon a finding of guilt, an appropriate penalty will be imposed. Temporary approval contingent on final approval may be permitted in cases in which an officer has resigned or died and another individual must be able to continue the regular daily operation of the owner corporation.
- (c) The standards and criteria for ownership are to be equally applicable when the stock or shares of a corporate owner are held by another corporation or by an association. Each principal, shareholder, and officer of an entity succeeding in interest to any party must be approved by the Commission, and particularly before that entity can

purchase an interest in an additional medallion.

- (d) The following criteria shall be considered by the TLC in granting permission to own a medallion or additional medallions. For purposes of this subdivision, the term applicant refers to both an individual and to officers and shareholders of a legal entity.
- (1) Applicant's criminal history will be considered in a manner consistent with the Corrections Law of the State of New York.
 - (2) Applicant's TLC and DMV records. TLC History Check will determine whether a prospective owner has owned or currently owns other medallions, directly or as a shareholder, or has been an officer of such a corporation; or possessed or currently possesses a TLC driver license. Ownership or transfer will not be approved if in the past two years, the prospective owner has been found guilty of rule violations involving:
 - (i) assaultive behavior toward a passenger, official or member of the public in connection with any matter relating to a taxicab,
 - (ii) any instance of bribery or unlawful gratuity toward a city employee not otherwise covered in §1-03(d)(1), above,
 - (iii) providing TLC with false information,
 - (iv) two or more passenger service refusals,
 - (v) two or more incidents of overcharging, as a driver,
 - (vi) three failures to respond to an official communication,
 - (vii) three or more vehicle safety violations for a particular taxicab, or
 - (viii) ten or more outstanding unexcused failures to appear at scheduled TLC hearings or unsatisfied TLC fines that remained or remain unsatisfied until renewal, or, if other

than personal summons, was a stockholder or officer of such an entity.

A prospective owner or shareholder will not be approved to own another medallion, hold stock or be an officer in another corporate medallion owner if he has evidenced a chronic disregard for the rules and regulations that impact on the welfare, safety or security of the riding public.

- (3) A medallion owner, stockholder or owner of any type of interest in a taxicab license must be at least eighteen (18) years of age. Stock or membership interests in a limited liability company may be owned in the form of a formal trust for the benefit of a minor who retains equitable interest, only as provided by section 1-82(d) of this chapter.
 - (4) If an owner dies or is declared incompetent by a court of competent jurisdiction, the interest in the medallion or medallion owning entity must be transferred to an owner approved as required by this chapter and meeting the requirements of sections 1-02, 1-03, 1-80, 1-80.1, and 1-80.2 and 1-81 of this chapter or must be operated by an administrator, executor, conservator or guardian as provided in section 1-82 of this chapter.
 - (5) An independent taxicab owner must also possess a taxi driver's license issued by the Commission, and for any individual medallion transferred on or after January 7, 1990, he must represent that he will drive the taxi himself in fulfillment of the service requirements of §1-09(b). In the event that the independent taxicab owner is a corporation or partnership, then one shareholder or partner, as the case may be, must fulfill this requirement.
- (e) In addition to the foregoing, the Commission will require shareholder responsibility as follows:

A stockholder in a closed corporation that owns a medallion will be personally accountable for adherence to TLC regulations and relevant law directly and uniquely pertaining to medallion ownership.

The Commission will require that prior to approval of any future stock transfers or medallion transfer to a closed corporate owner that all stockholders execute a personal assumption of all the duties and responsibilities in the Commission's Owners Rules and Regulations including personal indemnification for all unpaid Commission fines or fees regarding the medallion or medallions owned by the corporation. This will be the assumption and indemnification agreement.

§1-04 License Fees.

- (a) Pursuant to §19-504(b) of the Administrative Code of the City of New York, the license fee for each taxicab and coach shall be five hundred fifty dollars (\$550) annually, pro rated if the license period is for a period other than one year.
- (b) Except as set forth in subdivision (e), a license to operate a taxicab shall be for a term of two years and shall expire on May 31 each alternate year. The Chairman may, however, extend the effectiveness of a taxicab license until the completion of the next scheduled inspection of the taxicab, or until such other time as may be appropriate in the administration of the renewal of taxicab licenses.
- (c) Unless the time to renew the license has been extended by the Chairman, an owner shall be responsible for filing a completed renewal application for the vehicle license together with the required fee no later than April 30 of each year in which a license is scheduled to expire. It shall be the owner's responsibility to obtain said renewal application in order to comply with the filing requirements described above.
- (d) Pursuant to §19-504(j) of the Administrative Code of the City of New York, the fee for replacement of a medallion "tin" when such medallion is replaced shall be ten dollars (\$10).
- (e) Taxicab licenses expiring on May 31, 2003 shall be renewed for one year, except for licenses containing the letters A, E, J, and N in their license designation, which shall be renewed for two years. Taxicab

medallion licenses expiring on May 31, 2004 shall be renewed for one year, except for licenses containing the letters B, F, K and P, which shall be renewed for two years. Taxicab medallion licenses expiring on May 31, 2005 shall be renewed for one year, except for licenses containing the letters A, C, E, G, J, L, N, W, and all Standby Vehicles, which shall be renewed for two years. All taxicab licenses expiring on or after May 31, 2006 shall be renewed for two years.

1-05 Inspection Fees.

- (a) The fee payable to TLC for the inspection required for the issuance of a certificate of inspection of a taxicab, inclusive of the issuance of such certificate, shall be fifty dollars (\$50).
- (b) An owner shall pre-pay upon license renewal the inspection fees, set by §1-05(a), for the three inspections per year required by §1-10(b). Pre-payment for each inspection scheduled during renewal period shall be made in connection with an application for renewal of a taxicab license and shall be a condition for license renewal.
- (c) If any taxicab fails to pass any of the inspections required by §1-10(b) for any reason relating to the vehicle inspection requirements set forth in section 301 of the Vehicle and Traffic Law (VTL), it shall be reinspected for the fee of thirty-five dollars (\$35). If any taxicab fails to pass such reinspection or subsequent reinspections for any reason relating to the vehicle inspection requirements set forth in section 301 of the VTL, it shall be reinspected for the fee of thirty-five dollars (\$35).

§1-06 Administrative Fees.

- (a) An owner may transfer a medallion to a different vehicle after approval by the Chairperson and payment of a \$50 fee.
- (b) An owner may replace the license plates on a taxicab after approval by the Chairperson and payment of a \$25 fee.
- (c) An owner must pay a separate fee for each separate transfer, regardless

of when such transfer is made.

§1-07 Licensing Requirements.

- (a) A taxicab in operation for hire shall be currently licensed by the Commission and have a current medallion affixed thereto.
- (b) An owner who is not currently licensed shall not advertise or hold himself out as doing business as a "taxi," "taxicab" or "hack" service.
- (c) A taxicab may be operated only while the registration of the vehicle remains valid. Operation of a vehicle without a valid registration shall constitute operation without a Commission-issued license in violation of section 19-506 of the Administrative Code of the City of New York, regardless of whether a Commission-issued license had previously been obtained while a registration was valid.

§1-08 [Reserved]

§1-09 Service Requirements.

- (a) A taxicab fleet or minifleet owner shall operate each taxicab or its replacement standby vehicle of such fleet for a minimum of two (2) shifts of nine (9) hours each day including weekends and holidays.
- (b) An independent owner, while not required to double shift his vehicle, is nevertheless required to provide service to the public on a regular basis. An independent owner must provide service for at least two hundred ten (210) nine (9) hour shifts in every calendar year. An independent owner who obtained the medallion through a transfer on or after January 7, 1990 must drive the taxicab himself to fulfill the above-stated requirement. In the event that the independent taxicab owner is a corporation or partnership, then one shareholder or partner, as the case may be, must fulfill such requirement. Upon written request by an owner, the Commission may waive or modify the

requirements of this rule, for a limited time, for good cause shown.

§1-10 Taxicab Inspections.

- (a) No new or replacement taxicab shall operate for hire unless it has been inspected and approved by the Commission. Such inspection consists of safety and emissions vehicle inspection requirements set forth in section 301 of the Vehicle and Traffic Law (VTL) and visual inspections of the interior and exterior of taxicabs for compliance with Commission rules.
- (b) An owner shall have his taxicab inspected every four months at a date and time designated by the Commission and at any other time deemed necessary by the Commission.
- (c) An owner shall comply with all notices and directives to correct defects in taxicabs.
- (d) An owner shall repair or replace a taxicab when the Commission determines that the vehicle is unsafe or unfit for use as a taxicab, and directs the owner to remove it from service. The owner shall surrender the medallion and rate card to the Commission for storage and shall be suspended pursuant to section 8-17(b) of this title.

§1-11 Vehicle Condition.

- (a) While a taxicab is in operation, all equipment, including brakes, tires, lights and signals must be in good working order and meet all requirements of the New York State Vehicle and Traffic Law, the Commission, and sections 3-03 and/or 3-03.1 or 3-03.2 of this title and these rules.
- (b) The taxicab's exterior and interior must be clean.
- (c) The medallion number on the front and rear of the roof light must be clean and unobstructed so that the medallion number is plainly visible.
- (d) The trunk compartment must be capable of securely holding

passengers' baggage.

- (e) (i) For any taxicab that is required to be equipped with the taxicab technology system, such equipment shall at all times be in good working order and each of the four core services shall at all times be functioning.
- (ii) In the event of any malfunction or failure to operate of such taxicab technology system, the owner shall file an incident report with the authorized taxicab technology service provider promptly and in no event more than two (2) hours following the owner's discovery of such malfunction or failure to operate or such time as the owner reasonably should have known of such malfunction or failure to operate. If the driver or taxicab agent previously filed a timely incident report regarding such malfunction or failure to operate, the owner shall not be required to file a separate incident report but shall obtain an incident report number from the driver, agent or authorized taxicab technology service provider. The owner shall meet, or shall instruct the taxicab agent to meet the appointment for repair scheduled by the authorized taxicab technology service provider following the filing of an incident report with such authorized taxicab technology service provider. A taxicab in which any of the four core services of the taxicab technology system, or any part thereof, are not functioning shall not operate more than forty-eight (48) hours following the timely filing of an incident report by the owner, driver or agent.
- (f) The owner of any taxicab required to be equipped with the taxicab technology system shall equip such taxicab, except as provided in subdivision (g) of this section, with a taxicab technology system as set forth in sections 3-03(e)(7) and (8), 3-06 and 3-07 of this title.
- (g) The owner of any taxicab required to be equipped with a taxicab technology system shall contract to procure such equipment on or before August 1, 2007. Except as provided in this subdivision, the owner shall install a taxicab technology system no later than the compliance date set forth in section 1-01 of this chapter. Taxicabs that are to be retired within six (6) months of the compliance date for each such taxicab shall be exempt from the requirement that the taxicab technology system be installed in the taxicab. If any taxicab

technology service provider contracts to provide more than three thousand (3,000) taxicabs with its taxicab technology system on or before August 1, 2007, the date by which each such taxicab is required to be equipped with such taxicab technology system may, upon prior written approval from the Chairperson, or his or her designee, be extended to each such taxicab's first scheduled inspection at the Commission's Safety and Emissions Facility on and after February 1, 2008.

- (h) The owner of any taxicab requiring six (6) or more repairs of the taxicab technology system in any thirty (30) day period shall promptly take such vehicle for inspection to, or schedule an inspection with, the Commission's Safety and Emissions Facility. Such requirement shall not apply to the owner if compliance is made by the driver or agent of such vehicle.

§1-12 Illumination.

- (a) When a taxicab is in operation for hire after sunset, the following items must be illuminated so that they are clearly visible from the rear seat:
 - (1) the face of the taximeter;
 - (2) the taxicab driver's license; and
 - (3) the rate card.
- (b) The dashboard dimmer switch or any other device may not control the candlepower of the roof light, taximeter light, card frame light or interior lighting.

§1-13 Optional Equipment.

- (a) A taxicab may be equipped with a two-way radio only in the Citizens Radio Service and only on the forty frequencies, within allowed deviation, specifically authorized under the rules of the Federal Communications Commission. Emissions, transmission power and antenna length shall be in accordance with limits established by the rules of the Federal Communications Commission. Such two-way

radio may not be used for purposes of dispatch or passenger reservations.

(b)

- (1) A taxicab may be equipped with a cellular telephone which is accessible for passenger use and driver use by use of a credit card and by use of a calling card. Such cellular telephone may also be accessible by third party billing.

Such a cellular telephone must be of a make and type acceptable to the Commission, and installed in a manner approved by the Commission. Such a cellular telephone must be equipped with an emergency 911 feature, which does not require a telephone card or a credit card to operate. Such a cellular telephone shall not receive incoming telephone calls.

- (2) Such a cellular telephone shall not be used for purposes of dispatch or passenger reservations.
- (3) An owner of a taxicab equipped with a cellular telephone shall not charge a passenger or a driver a fee to use such telephone.
- (4) A taxicab equipped with a cellular telephone must display a sign describing the cost per telephone call in the interior of the taxicab next to the telephone, in accordance with §1-36.
- (5) A taxicab equipped with a cellular phone may indicate that a telephone is available with a sign on the exterior of the taxicab, in accordance with §1-36.

§1-14 Air Conditioning.

- (a) Each taxicab commencing with the 1990 model year and for all model years thereafter shall be equipped with an operable air conditioning system; when the vehicle is also equipped with a partition, the air conditioning system must be able to provide cool air to the rear passenger area.

§1-15 Safety Belts.

- (a) All seat belts and shoulder belts shall be clearly visible, accessible and in good working order.
- (b) Each taxicab commencing with the 1990 model year and for all model years thereafter shall in addition to seat belts for each seating position and shoulder belts for both outside front seat positions be equipped with shoulder belts for both outside passenger rear seat positions.

§1-16 Structural Changes.

- (a) An owner, without the Commission's written approval, shall make no structural change in a taxicab deviating from the Commission taxicab specifications.

§1-17 Partition; In-Vehicle Camera System.

- (a) An owner shall equip all taxicabs, except as provided in subdivision (b) of this section, with a partition that meets the specifications set forth in section 3-03(e)(3)(i) of this title, and with provision for air conditioning for the rear passenger compartment, as set forth in section 3-05 of this title.
- (b) An owner of an independent taxicab or a shareholder of a corporation owning one or more medallions shall be exempt from the provisions of subdivision (a) if:
 - (1) the taxicab is driven by the medallion owner or corporate shareholder(s), and
 - (2) the rate card lists only the persons named in subdivision (1) as driver(s), and
 - (3) the taxicab is equipped with a cellular telephone which has an emergency dialing feature, in accordance with section 1-13(b) of this chapter, and the taxicab is equipped with some other device specifically approved by the Commission to satisfy this requirement in addition to the trouble light required by section 1-18(a) of this chapter, and

- (4) the owner has not previously been found in violation of this rule with respect to the subject medallion, and
 - (5) the owner has applied for and received a certification of exemption from the Commission. Notwithstanding compliance with the above conditions, if a partition is the only approved location for display of the rate card and driver license in a particular model of automobile, then a partition is required.
- (c) A taxicab that is equipped with factory installed curtain airbags shall be equipped with a partition which shall not extend the full width of the interior of the taxicab, but instead shall allow a space of six inches at each side, sufficient to permit proper deployment of the curtain airbags, and shall conform in all other respects with the applicable requirements of section 3-03(e)(3)(i) of this title.
- (d) Where section 3-03(e)(3)(v) of this Title applies, the taxicab shall be equipped with a cellular telephone as set forth in subdivision (b) of this section and an in-vehicle camera system that meets the specifications set forth in such section 3-03(e)(3)(v), in addition to the trouble light required by section 1-18(a) of this chapter.
- (e) An in-vehicle camera system shall be installed and maintained by the manufacturer's authorized installer and shall be in good working order.
- (f) Each taxicab equipped with an in-vehicle camera system shall display decals on each rear passenger window, visible to the outside, that contain the following information: "This vehicle is equipped with camera security. YOU WILL BE PHOTOGRAPHED."

§1-18 Trouble Lights.

- (a) An owner shall equip all taxicabs with a help or distress signaling light system in accordance with §3-03(e)(3)(ii) of the Taxicab Specifications.

§1-19 Electrical Dual Message Reminder Voice. [Repealed] .

§1-20 Taximeters.

- (a) An owner shall equip the taxicab with a taximeter subject to the following conditions:
- (1) it shall be of a make and type acceptable to the Commission;
 - (2) Reserved.
 - (3) it shall be affixed to the vehicle's dashboard so as to be clearly readable and visible to all passengers in the vehicle;
 - (4) its serial number shall be the same as that shown on the rate card assigned to the taxicab; or entered on the rate card by an authorized meter shop; and
 - (5) tire size shall be the same as that for which the taximeter is calibrated, as indicated by the rate card.
- (b) A taxicab shall be equipped with a taximeter which shall be in good working condition and shall accurately compute the rate of fare currently established by the commission. Penalties for violation are as follows:
- (1) The penalty is \$50, if the meter is found to be at least 52.8 feet (one percent) inaccurate, but less than 264 feet (five percent) inaccurate in computing distance, or more than one percent but less than five percent inaccurate in computing time.
 - (2) The penalty is \$200, if the meter is found to be at least 264 feet (five percent) inaccurate but less than 528 feet (ten percent) inaccurate in computing distance, or more than five percent but less than ten percent inaccurate in computing time.
 - (3) The penalty is \$300, if the meter is found to be at least 528 feet (ten percent) inaccurate in computing distance or ten percent

inaccurate in computing time, for a first violation.

- (4) The penalty is \$600, if the meter is found to be at least 528 feet (ten percent) inaccurate in computing distance or ten percent inaccurate in computing time, for a second and subsequent violation within thirty-six months.

§1-21 Taximeter Installation.

- (a) All taximeter seals shall be installed by a licensed taximeter repair shop or agent of the Commission.
- (b) The pinion gear shall be sealed with a cap seal or such other seal as approved by the Chairman or his designee, in such manner that the pinion gear can not be removed or changed without breaking or otherwise damaging the seal.
- (c) The wiring harness leading from the taximeter to the speed sensor shall be of one piece construction with no intervening connectors, splices, "Y" connections, or direct or indirect interruptions or connections of any kind whatsoever.

§1-22 Defective Taximeter or Taximeter Installation.

- (a) A taxicab shall not be in service for hire with a defective taximeter or taximeter installation. Whenever a taximeter or its installation is defective or whenever a taximeter computes an inaccurate rate of fare, the owner shall have it repaired, tested and certified at a licensed taximeter business or replaced by such taximeter business with an approved taximeter which has been inspected, tested and sealed and the taximeter/vehicle assembly shall be tested and certified in accordance with Commission regulations.
- (b) No adjusted, repaired or recalibrated taximeter or appurtenance of a taximeter shall be installed in a taxicab unless the adjustment, repair or recalibration was done at a licensed taximeter repair shop or other authorized facility; the owner is responsible for any installation which violates this rule.

§1-23 Tampering Prohibited.

- (a) Unless authorized by the Commission no person shall tamper with, alter, repair or attempt to repair the taximeter or the taxicab technology system, or any seal affixed to the taxicab by a licensed taximeter repair shop or other authorized facility, cable connection or electrical wiring thereof, or make any change in the vehicle's mechanism or its tires which would affect the operation of the taximeter or the taxicab technology system; the owner is responsible for any tampering, alteration or any unauthorized repair or attempt to repair.

- (b) It shall be an affirmative defense to a violation of section 1-23(a) that the owner: (1) did not know of or participate in the alleged taximeter or taxicab technology system tampering; and (2) exercised due diligence to ensure that taximeter- tampering or tampering with the taxicab technology system does not occur. Examples of an owner's due diligence shall include, but are not limited to: (A) giving drivers a clear warning that violations of the taximeter or taxicab technology system tampering rules will result in the immediate termination of any lease agreement, the reporting to the Commission of driver tampering and the Commission's probable revocation of the driver's taxicab driver's license; (B) including on any written lease agreement provisions containing the warnings against violation of meter and taxicab technology system tampering rules; (C) stamping warnings regarding the illegality of meter and taxicab technology system tampering on the trip records issued, if applicable, to all drivers of an owner's taxicabs; (D) requiring management personnel or mechanics to periodically check for proper odometer and meter mileage comparisons in order to determine if there are inappropriate disparities between the two sets of figures; (E) conducting periodic random inspections of the taxicab meter and wiring and of the taxicab technology system for all such owner's taxicabs to detect any evidence of violation of meter or taxicab technology system tampering rules; and (F) having all of such owner's taxicabs inspected by a licensed meter shop once every inspection cycle.

§1-24 Operation of the Rooflight.

- (a) While a taxicab is in operation for hire, the "Off Duty" sign may not be illuminated in any way other than by a manually operated switch on the taxicab dashboard.
- (b) The taxicab roof light shall be automatically controlled by the operation of the taximeter so that it is lighted only when the taximeter is in an off position and unlighted when the taximeter is in a recording position. An owner shall not tamper with the operation of the taxicab's rooflight.

§1-25 Taximeter Inspection.

- (a) A taxicab's taximeter shall be tested by personnel authorized by the commission for accuracy over a measured mile course and its installation shall be tested by such personnel for compliance with the rules of the Commission. The results of such test shall be indicated on the rate card:
 - (1) within one year of the date of the last test;
 - (2) whenever a taximeter is installed in a vehicle;
 - (3) when the transmission, pinion gear or differential is altered, repaired or replaced;
 - (4) when a change is made in any other part of the taxicab that may affect the meter reading; and
 - (5) at any other time required by the Commission.

§1-26 Taxicab Identification Braille and Raised Lettering Plaques.

- (a) As of October 1, 1997, an owner shall equip all taxicabs with a Taxicab Identification Braille Plaque and a Taxicab Identification Raised Lettering Plaque, in conformance with the following specifications:

- (1) The Taxicab Identification Braille Plaque shall be made of .040 gauge aluminum with a matte finish and measure three and a quarter inches in length by one and three quarter inches in height, with radius corners. The plaque shall state, in Raster Braille grade two, the medallion number centered on the first line, the word “COMPLAINTS” centered on the second line, and the telephone number “212 NYC TAXI” centered on the third line. The plaque shall be permanently affixed on the door armrest of the horizontal plane of the right rear door, or another location approved by the Chairperson.

- (2) The Taxicab Identification Raised Lettering Plaque shall be made of one eighth of an inch thick black acrylic plastic and measure eleven inches in length and five inches in height, with radius corners and four holes (one in each corner) for attachment with screws. The plaque shall state, in one inch high white Helvetica lettering that is permanently affixed, the medallion number centered on the first line, the word “COMPLAINTS” centered on the second line, and the telephone number “212 NYC TAXI” centered on the third line with appropriate spacing between the three words. The plaque shall be permanently affixed on the rear of the front right passenger seat or partition, not more than six inches below the lexan or polycarbonate portion of the partition.

§1-27 [Reserved] .

§1-28 [Reserved] .

§1-29 [Reserved] .

§1-30 [Reserved] .

§1-31 **Attaching, Removing or Transferring a Medallion.**

- (a) An owner may not affix, remove or transfer a medallion to a new or replacement vehicle, without prior authorization of the commission, except that an owner may affix additional bolts to a medallion in order to further secure it.

§1-32 Unauthorized Rate Card Entries.

- (a) An owner shall not make an unauthorized entry on a taxicab's rate card, or change, deface, conceal or obliterate any entry thereon, or allow a rate card to be displayed that contains erroneous information.

§1-33 Medallion and Rate Card to be Surrendered.

- (a) An owner, who has been notified that his license has been suspended or revoked, shall surrender to the Commission his medallion and rate card within forty-eight (48) hours of such notice.
- (b) An owner shall surrender his medallion and rate card for storage prior to the sale of his taxicab or its removal from service for a period of thirty (30) consecutive days or more.
- (c) An owner shall immediately surrender to the Commission for replacement an unreadable rate card or a damaged medallion.

§1-34 [Reserved] .

§1-35 Markings and Advertising.

- (a) An owner of a taxicab shall apply taxicab markings approved by the Commission, specifically, two taxicab logo decals, two rate of fare decals, two medallion number decals and two checkerboard stripe decals, to such taxicab at the locations described in section 1-36 of this chapter. An owner of a taxicab shall obtain the approved taxicab markings from a person or entity authorized by the Commission to print and distribute such decals. A depiction of the decals described herein and a list of persons authorized to print and distribute such decals shall be available on the Commission's website and/or through other means determined by the Commission and announced on its website. Authorized stand-by vehicles shall display SBV number decals in lieu of the medallion number decals.
- (b) An owner shall not display any lettering, emblem, or advertising of any kind on the exterior of a taxicab, its windows or an exterior

accessory, by means of paint, stencil, decal, sticker, or otherwise, unless authorized by the Commission, except:

- (1) the taxicab markings specified in subdivision (a) of this section;
- (2) such inscriptions as are permitted or required by these rules or the Commission's Marking Specifications for Taxicabs;
- (3) such advertising that may be authorized by the Commission on the vehicle's rate card;
- (4) Reserved.
- (5) for an accessible taxicab, insignia, the designs of which shall be provided by the Commission on its website or through other means it deems appropriate as set forth on its website, that identify the vehicle as an accessible taxicab. Such insignia shall be located on the exterior of the C-pillars of a sedan or an SUV or on the exterior of the D-pillars of a minivan, on both sides of such taxicab, and shall be visible to passengers entering the accessible taxicab and shall also be located on the middle of the hood of such taxicab so as to be visible to passengers hailing or approaching such taxicab; and
- (6) for a clean air taxicab, insignia, the design of which shall be provided by the Commission on its website or through other means it deems appropriate as set forth on its website, that identify the vehicle as a clean air vehicle. Such insignia shall be located on the exterior of the C-pillars of a sedan or an SUV or on the exterior of the D-pillars of a minivan, on both sides of such taxicab, and shall be visible to passengers entering the clean air taxicab.

Such inscriptions and advertising shall be maintained in good condition.

- (c) An owner shall not display inside a taxicab any advertising or other notice not specifically authorized by these rules or the Commission's Marking Specifications for Taxicabs unless approved by the Commission, except:

- (1) industry signage/logos of all credit/debit cards accepted by the taxicab technology system, all of equal size, shown in the information content on the passenger information monitor screen; and
 - (2) advertising in the information content on the passenger information monitor screen as set forth in section 1-36 of this chapter and in section 3-07 of this title.
- (d) An owner shall not display emblems on his vehicle's exterior, other than an emblem identifying the owner, an association of owners, a taxicab drivers' union, or the taxicab manufacturer. Such emblems shall conform to the Marking Specifications for Taxicabs and shall be subject to the approval of the Commission. No more than two of the same emblem may be displayed on a taxicab, unless otherwise authorized by the Commission.

§1-36 Marking Specifications for Taxicabs Inscription Location Size.

<u>INSCRIPTION</u>	<u>LOCATION</u>	<u>SIZE</u>
(a) Rate of fare decals (required). (Non-detachable type only.)	Both rear doors centered left to right and located in the upper half of the flat surface between the bottom edge of the door and the door handle.	The size of the approved rate of fare decals shall be determined by the Commission.
	The base line of the rate of fare and taxicab logo decals shall be parallel and the same distance to the bottom	

<u>INSCRIPTION</u>	<u>LOCATION</u>	<u>SIZE</u>
	door edge.	
(b) Taxicab logo decals (required) (Non-detachable type only.)	Both front doors centered left to right and located in the upper half of the flat surface between the bottom edge of the door and the door handle.	The size of the taxicab logo decals shall be determined by the Commission
	The base line of the rate of fare and taxicab logo decals shall be parallel and the same distance to the bottom door edge.	
(c) Medallion number (required)	Front and rear of roof light.	2¾" to 3" high letters ½" thick.
(d) "OFF DUTY" (required)	Each end of roof light.	1¼" high letters ¼" thick.
(e) "Owner-Driver" (optional) (Detachable signs suspended from door frames are not permitted.)	Rear of taxi.	3" maximum height

INSCRIPTION

LOCATION

SIZE

(f) EMBLEMS (Optional) (1) Fleet Owner (2) Owner Association (3) Taxicab Drivers’ Union insignia (4) Taxicab manufacturer	On rear baggage compartment in lower right corner of deck lid. Consult the Commission if contour of lid requires another location on the lid.	2" high letters ¼" thick. Avoid overcrowding
(g) Medallion number, interior (required). May be one-piece decal or a stencil. The number must be of a color contrasting with the seat, to provide for easy legibility.	On the back of the front seat. The top of the number shall be located not more than two inches below the top of the front seat.	Numbers and letter shall be 3" minimum in height.
(h) Passenger Information Sign. (required) Shall contain the information required by the Chairman or his designee.	On the back of the front seat or on a safety partition, displayed in a manner which is clearly visible to the passengers in the back seat. If the taxi is equipped with a safety partition, the passenger information sign may be placed on the partition behind the driver’s head, but no higher than a headrest would be.	Approximately 12" wide by 6" high.

<u>INSCRIPTION</u>	<u>LOCATION</u>	<u>SIZE</u>
(i) “Drivers Wanted” sign. May include the telephone number of the owner. (Optional)	Rear of taxi.	No more than 24" wide by 3" high.
(j) “If this taxi is parked for over 24 hours, please call owner at (telephone number)...” (Optional)	Rear of taxi or horizontal on dashboard.	No more than 24" wide by 3" high.
(k) Rate for Cellular connections to telephone network, plus a statement that telephone network charges would be additional. (required for taxicabs equipped with cellular telephones)	Interior of passenger compartment.	To be approved by the Commission.
(l) Telephone available, or similar language or symbol (optional)	Exterior, on a door or a side window.	4" by 6", or smaller.
(m) Brand name of passenger information monitor manufacturer or taxicab technology service provider	On the bezel of the frame of the passenger information monitor	Not to exceed 1 1/4" in height and 4" in length

INSCRIPTION

LOCATION

SIZE

(n) “This vehicle is equipped with camera security. YOU WILL BE PHOTOGRAPHED.” (Decal; non-detachable type) only)

On rear passenger window

Letters shall be at least one-half inch high.

(n) Medallion number decals (required). (Non-detachable decals only.)

Immediately before the checkerboard stripe decal so that the two decals appear to be one stripe.

The size of the medallion number decals shall be determined by the Commission.

The decals shall be applied to both rear quarter panels, just below the rear windows or following the line created by the bottom edge of the windows, such that the number and checkerboard are aligned and appear to be one stripe.

On some vehicles, such as minivans, the medallion number may be placed at the rear of the sliding door, but must still align with the checkerboard stripe.

INSCRIPTION

LOCATION

SIZE

(o) Checkerboard stripe decals (required). (Non-detachable decals only.)

Immediately behind the medallion number decal so that the two decals appear to be one stripe.

The size of the checkerboard stripe decals shall be determined by the Commission.

The decals shall be applied to both rear quarter panels, just below the rear windows or following the line created by the bottom edge of the windows, such that the number and checkerboard are aligned and appear to be one stripe.

The tailing end of the checkerboard may be shortened, if necessary, on vehicles with short quarter panels.

(p) Drivers are not allowed to use cell phones or handheld electronics. Decal or sticker shall be issued by the Commission.

Interior of passenger compartment, plainly visible to passengers.

As issued by the Commission.

§1-37 E-Z Pass Required.

- (a) An owner shall participate in the E-Z Pass New York Program. An owner shall maintain a current account with the Metropolitan Transportation Authority, Triborough Bridge and Tunnel Authority (“MTA Bridges and Tunnels”) E-Z Pass New York Program with a sufficient balance as required by said program. An owner shall have available at least one E-Z Pass tag for each medallion.
- (b) An owner shall equip all taxicabs with an E-Z Pass tag provided by the MTA Bridges and Tunnels, which shall be attached as required by MTA Bridges and Tunnels, unless a driver has elected to use his own E-Z Pass tag as permitted pursuant to Rule 2-27(d).
- (c) An owner shall be reimbursed by a driver for any discount toll amount incurred during the driver’s shift through use of the E-Z Pass at the conclusion of the shift or lease period, or if not so reimbursed, may deduct said amount from any replenishment account established pursuant to Rule 1-83. However, an owner may not require the driver to reimburse more than the E-Z Pass discount toll amount.

§ 1-38 [Reserved] .

§ 1-39 [Reserved] .

§ 1-40 Insurance Coverage.

- (a) An owner shall comply with the New York State Vehicle and Traffic Law and the New York State Insurance Law regarding coverage by bond or policy of liability insurance and all other forms of insurance required by law.
- (b) An owner shall notify the Commission, in connection with an application for renewal of a taxicab license each year, of the name and address of the carrier and the number of the policy for each taxicab owned by him, and submit proof of such coverage. The provision of such insurance information shall be a condition for license renewal.
- (c)
 - (1) An owner shall immediately report to his/her insurance carrier,

in writing all accidents involving his/her taxicab which are required to be reported to the insurance carrier.

- (2) An owner shall immediately report to the Commission, in writing, all accidents involving his or her taxicab which are required to be reported to the Department of Motor Vehicles pursuant to §605 of the Vehicle and Traffic Law. A copy of any report furnished to the Department of Motor Vehicles pursuant to law shall be furnished to the Commission within ten (10) days of the date by which the owner is required to file such report with the Commission* of Motor Vehicles.
- (d) Notwithstanding any inconsistent provision of subdivision a of this rule, each owner shall, for each taxicab owned by him, maintain for purposes of insurance or other financial security, coverage in an amount not less than \$200,000 per person, payable for those expenses specified in paragraphs 1, 2 and 3 of subdivision a of §5102 of the New York State Insurance Law, and coverage in an amount of not less than \$100,000 minimum liability and of not less than \$300,000 maximum liability for bodily injury or death, as said terms are described and defined in §370(1) of the Vehicle and Traffic Law.

§1-41 Double Shift Insurance Coverage.

- (a) An independent taxicab owner operating the taxicab for more than one shift daily, and a taxicab fleet or minifleet shall continuously maintain double shift insurance coverage.

§1-42 Cancellation or Change of Insurance.

- (a) An owner within seventy-two (72) hours of receipt of notice shall notify the Commission in writing of the cancellation of the required liability insurance or change of insurance carrier or policy number of his insurance.
- (b) An owner who has received notice that his liability insurance is to be terminated shall surrender his rate card and medallion to the Commission on or before the termination date of the insurance, unless

* [As reads in the Official Compilation of the Rules of the City of New York.]

he submits proof of new insurance effective on the date of termination of the old policy.

§1-43 Workers' Compensation Coverage.

- (a) An owner shall comply with all workers' compensation laws.
- (b) An owner shall maintain on file with the Commission a current Certificate of Workers' Compensation Coverage, or a current, valid exemption from the requirement of workers' compensation coverage.
- (c) An owner shall designate the Commission as a certificate holder to receive all notices concerning the workers' Compensation policy.
- (d) Upon filing with the Workers' Compensation Board to end the disbursement* of benefits for a driver due to recovery from a disabling work-related injury and readiness to work, an owner shall provide the driver with documentation that benefits have ceased in order for the Commission to return such driver's license.

§1-44 Dispatch of Taxicab.

- (a) An owner shall not dispatch a taxicab from a public street or other public area if such dispatch will prevent the flow of pedestrians and/or vehicular traffic, or cause inconvenience or annoyance to the public.

§1-45 Maintaining a Business Premise.

- (a) Any agent, any owner who leases or otherwise dispatches one or more taxicabs for return at the end of a shift, and any business entity in which a principal holds in the aggregate a substantial interest in taxicab medallions, shall maintain a business premise in a location zoned for the operation of a business, with:
 - (1) Sufficient off-street space at or near its business premise to store the lesser of 25 vehicles or the following: fifty percent of the taxicabs leased or otherwise dispatched on a daily or a shift basis, plus five percent of the taxicabs leased for longer than one

* [As reads in the Official Compilation of the Rules of the City of New York.]

day;

- (2) Sufficient office space to conduct business, where all records required by the Commission, including trip sheets and driver records, are kept;
 - (3) Regular business hours, including the hours of 9:00 a.m. through 5:00 p.m. for every weekday; and
 - (4) A business address and telephone number on file with the Commission.
- (b) For purposes of this section, a "principal" shall mean a person who holds an equity interest in an entity or who is an officer of a corporation; and "substantial interest in taxicab medallions" shall mean either
- (1) ownership of 25 percent or more of the stock in one or more corporations which own medallions, or a partnership interest in one or more partnerships which own medallions, or any other form of full or partial ownership, such that the number of medallions in which the principal has a direct or indirect equity interest exceeds three, or
 - (2) a position or positions as an officer of one or more corporations which in the aggregate have a direct or indirect equity interest in more than three medallions.

§1-46 Authorized Taxi Drivers.

- (a) No taxicab shall be operated for hire unless the driver has in his or her possession a current valid taxicab driver's license.
- (b) An owner may permit a person who does not possess a taxicab driver's license to drive the vehicle only under the following limited circumstances:
 - (1) The vehicle is being driven to or from the Commission's centralized taxicab inspection facility or a repair facility;

- (2) The off-duty light is illuminated; a current written trip record signed by the owner is in the taxicab or print out of an electronic trip record indicating "Off-Duty" and the reason; and the rear doors are locked;
- (3) The person driving the vehicle is licensed to drive a motor vehicle; and
- (4) The person driving the vehicle is not a person whose taxicab driver's license is suspended or revoked.

§1-47 Driver of Record.

- (a) An owner shall not authorize or allow a driver to operate a taxicab unless either:
 - (1) the driver's name has been entered on the rate card by the Commission and a lease driver is not operating beyond the lease expiration date entered on the rate card, or
 - (2) "Unspecified Drivers," has been entered on the rate card by the Commission.
- (b) An owner shall not authorize or allow a lessee of a taxicab to sublease the taxicab to another party.
- (c) An owner shall keep accurate records of the driver for each shift.
- (d) An owner shall maintain on file with the Commission a current driver authorization statement indicating whether the taxicab will be:
 - (1) operated by named drivers of record, including, when applicable, the owner or officers of the owner corporation, or
 - (2) operated by "unspecified drivers."

§1-48 Named Driver.

- (a) If an owner elects to lease to named drivers, the owner shall file a driver authorization statement for each lessee, prior to the lessee's taking possession of the taxicab. The owner must file the driver authorization statement with the Commission in person or by power of attorney. The driver authorization statement shall be signed by both parties and shall include but not be limited to:
- (1) the date of execution of the lease;
 - (2) the names and addresses of the lessor and lessee and their social security or federal tax identification numbers;
 - (3) the medallion and license plate numbers of the leased taxicab; its vehicle identification number and titled owner;
 - (4) the term of the lease;
 - (5) the name and address of the auto liability and workers' compensation insurance carriers, the policy numbers and expiration dates;
 - (6) the name, address and telephone number of the owner's agent, if such agent arranged or manages the lease; and
 - (7) the charges to lessee.
- (b) If a lease or its renewal, the disclosure of which is required pursuant to subsection (a) herein, is terminated for any reason, the lessor shall notify the Commission in writing within forty-eight hours of such termination, unless exempted by the Commission.

§1-49 Unspecified Drivers.

- (a) If an owner elects to operate with unspecified drivers, the owner shall file with the Commission, with the driver authorization statement, a

copy of a master lease, employment agreement and/or union contract, together with evidence that the owner has unnamed driver insurance for the vehicle.

§1-50 Leasing a Taxicab.

- (a) The Commission will enter on the rate card the owner's choices pursuant to §1-47(d), including, when applicable, the named drivers of record and the expiration dates of applicable leases.
- (b) An owner may lease a taxicab to a licensed taxicab driver, or to licensed drivers working different shifts or days, if the owner is in compliance with the provisions of this rule. Regardless of the terms of the lease, the owner is responsible for complying with all laws, rules and regulations governing owners.

§1-51 Driver's Workshift.

- (a) An owner shall not require a driver to operate one or more taxicabs for more than twelve (12) consecutive hours.

§1-52 Required to be Present in the Taxicab.

- (a) The following shall be present in the taxicab while it is in operation for hire:
 - (1) the driver's written trip record, also known as a "trip sheet" until the taxicab is required to be equipped with the taxicab technology system and thereafter whenever the taxicab technology system is inoperable for not more than forty-eight (48) hours following the filing of an incident report with the authorized taxicab technology service provider, as set forth in section 1-11(e) of this chapter;
 - (2) the taxicab driver's license;

- (3) the rate card in the frame alongside the frame for the taxicab driver's license.
- (4) an insurance card or photostat thereof, unless the owner is self insured and has noted this fact on the rate card along with any other information required by the Commission; and
- (5) all notices required to be posted in the taxicab, including, but not limited to information provided by the Commission to the owner of a clean air taxicab which shall be displayed in the rear passenger compartment of such taxicab, visible to all rear seat passengers, by printed notice prior to the date when a personal information monitor (PIM) is required to be installed in taxicabs and thereafter in content displayed on the PIM, and which (i) identifies such taxicab as a clean air vehicle, (ii) includes the address of the Commission web page(s) and (iii) includes, to the extent practicable, estimated air quality benefits associated with the use of such vehicle and the type of fuel used to power such vehicle.

§1-53 Trip Records. [Repealed] .

§1-54 Completion of the Workshift. [Repealed] .

§1-55 Reporting Requirements.

- (a) *Passenger lost property.*
 - (1) Passenger lost property found in a taxicab shall be taken without delay to the police precinct in which the garage is located unless it can be returned to its rightful owner within a reasonable time.
 - (2) The owner shall promptly inform the Commission of any property which has been taken to a police precinct pursuant to

§1-55(a).

(b) *Address and Telephone Number.*

- (1) Each owner shall maintain a mailing address as defined in Section 1-01. In addition, each owner shall maintain such owner's personal address and a telephone number where such owner can be reached directly, on file with the Commission. This requirement of a personal address may not be satisfied by filing the address and telephone number of an agent or any other indirect means of reaching the owner. The Commission is not required to send any communication to the owner's personal address, except as provided in Section 1-77(b)(5). It is otherwise in the Commission's sole discretion as to when, and if, any communications will be sent to the owner's personal address.
- (2) An owner shall appear at the Commission, in person with the rate card of every vehicle which he or she owns, to report a change of office of record or mailing address, within seventy-two (72) hours of such change, exclusive of weekends and holidays. Any notice from the Commission shall be deemed sufficient if sent to the mailing address furnished by the owner.
- (3) An owner shall maintain on file with the Commission a current telephone number (which must be connected to an answering machine or recording device), pager number, answering service telephone number or similar means of telephone contact, so that the owner may be reached by the Commission on a twenty-four hour basis.
- (4) An owner must respond to any telephone or pager contact from the Commission within forty-eight hours, seven days a week.

(c) *Conviction of a felony or misdemeanor.* An owner, including a member of a partnership or any officer or shareholder of a corporation, shall immediately notify the Commission of his conviction of a felony or misdemeanor. Such notification shall be in writing and must be accompanied by a certified copy of the certificate of disposition issued

by the Clerk of the Court.

- (d) *Lost license plates.* An owner shall report to the Commission the replacement of any lost or stolen New York State license plates within forty-eight (48) hours, exclusive of weekends and holidays, after obtaining such plates.
- (e) *Lost medallion or rate card.* An owner shall notify the Commission and the Police Department, within forty-eight (48) hours exclusive of weekends and holidays, of the theft, loss or destruction of any medallion or rate card, and furnish such affidavit or information as may be required including the police receipt number; a substitute medallion and rate card will be issued by the Commission.
- (f) *Found medallion or rate card.* An owner shall notify the Commission and the Police Department within twenty-four (24) hours exclusive of weekends and holidays, when any medallion or rate card that was reported as stolen or lost is located or returned, and shall furnish such affidavit or information as may be required.
- (g) *Lost taximeter.* If a taximeter is lost, stolen or damaged beyond repair, the owner shall notify the Commission and the Police Department, within forty-eight (48) hours exclusive of weekends and holidays, of the loss, theft or destruction, and shall furnish such affidavit or information as the Commission may require.

§1-56 Records.

- (a) A fleet or mini-fleet owner shall maintain for a period of three years a written record of every shift setting forth the following information for each taxicab: the driver's name, the taxicab driver's license number, the state license plate number, the medallion number, the time of leaving garage, and the exact time of return.
- (b) An owner shall maintain for a period of three (3) years, the following additional records:
 - (1) Drivers' electronic or written trip records;

- (2) receipts and disbursements from the taxicab operations;
 - (3) payments to drivers;
 - (4) mileage record of each vehicle;
 - (5) Workers' compensation insurance coverage, if any;
 - (6) liability insurance coverage; and
 - (7) such other information as the Commission may require.
- (c) An owner shall make available to a driver any records which the owner is required to maintain, or photocopies thereof, which the driver may be required to present to the Commission or any other governmental agency.
- (d)
- (1) An owner shall not knowingly transmit false information to the electronic trip data record keeper for entry on the electronic trip record nor make erasures or obliterations on a written trip record, or other record which he or she is required to maintain. If a wrong entry is made on any such electronic or written record, the driver or owner shall correct it on the electronic record or written record and record the date, time, and reason for the change so long as a record of the manually changed entry exists. Trip records shall not be changed either in whole or in part, unless authorized by the Commission.
- (e) An owner shall take possession of the written trip records from the driver on a weekly basis, until the taxicab is required to be equipped with the taxicab technology system and thereafter whenever the taxicab technology system is inoperable for not more than forty-eight (48) hours following the filing of an incident report with the authorized taxicab technology service provider, as set forth in section 1-11(e) of this chapter.

§1-57 Driver as Agent for Service of Notices.

- (a) An owner shall designate each and every driver who operates his taxicab as his agent for accepting service by Commission personnel of notices to correct defects in the taxicab. Delivery of such notice to a driver shall be deemed proper service of the notice on the vehicle's owner.

§1-58 [Reserved] .

§1-59 Stand-By Vehicles.

- (a) Each fleet may maintain stand-by vehicles ("SBVs"), equal in number to ten percent (10%) of all currently licensed taxicabs owned or operated by the fleet. (If ten percent [10%] of the fleet does not equal a whole number, the number shall be rounded to the nearest digit.) A stand-by vehicle may be dispatched in place of a currently licensed taxicab only when the currently licensed taxicab is out of service for repairs or for required inspection. An SBV vehicle may be used to replace a vehicle that has been stolen or permanently retired from service for no more than thirty (30) days from the date of such theft or retirement. When a stand-by vehicle is dispatched, the medallion and medallion number in the roof light shall be transferred from the out-of service taxicab to the stand-by vehicle. A stand-by vehicle shall not be dispatched unless there is also present in the vehicle the SBV transfer form and SBV rate card.

- (b) Repealed.

§1-60 Compliance with Law and Proper Conduct.

- (a) An owner shall comply with the Commission's taxicab specifications, the Marking Specifications for Taxicabs, all pertinent provisions of the Administrative Code and other laws, rules or regulations governing taxicab owners.
- (b) (1) An owner, while performing his duties and responsibilities as a taxicab owner, shall not commit or attempt to commit, alone or in concert with another, any act of fraud, misrepresentation or larceny against a passenger, Commission representative, public servant or

any other person.

- (2) An owner, while performing his duties and responsibilities as a taxicab owner, shall not commit or attempt to commit, alone or in concert with another, any willful act of omission or commission which is against the best interests of the public, although not specifically prescribed in these rules.
- (c) An owner shall not use or permit any other person to use his taxicab, garage or office of record for any unlawful purpose.
- (d) An owner shall not conceal any evidence of crime connected with his taxicab, garage or office of record.
- (e) An owner shall report immediate* to the policy* any attempt to use his taxicab to commit a crime or escape from the scene of a crime.

§1-61 Unlawful Acts.

- (a) An owner shall not present a vehicle for inspection unless it is in fact the vehicle that is licensed by the Commission or use false credentials in presenting a vehicle for inspection, or avoid or seek to avoid inspection of a licensed vehicle by any other means contrary to law or regulation of the Commission.
- (b) An owner shall not operate or present for inspection a vehicle in which the Vehicle Identification Number has been loosened and reattached, or switched from another vehicle or otherwise altered in a manner not in compliance with Article 17 of the New York State Vehicle and Traffic Law.
- (c) An owner shall not present documents to the Commission which falsely purport to indicate that liability insurance and/or Workers' Compensation insurance requirements have been met.
- (d) An owner shall not bribe or attempt to bribe nor proffer any gratuity whatsoever to any employee, representative or member of the

* [As reads in the Official Compilation of the Rules of the City of New York.]

Commission in return for favorable or preferential treatment.

- (e) An owner shall not file with the Commission any statement required to be filed pursuant to Rule 1-02(g) or Rule 1-02(l) which he or she knows or reasonably should have known to be false, misleading, deceptive or materially incomplete.

§1-62 Gifts Prohibited.

- (a) An owner shall not offer or give any gift or gratuity to any employee, representative or member of the Commission, any public servant or any dispatcher employed at a public transportation facility.
- (b) An owner shall immediately report to the Commission and the NYC Department of Investigation any request or demand for a gift, gratuity or thing of value by any employee, representative or member of the Commission or any public servant or any dispatcher employed at a public transportation facility or authorized group-ride taxi line.
- (c) An owner, when the taxicab is in his possession, shall remove all currency from the taxicab's interior prior to its inspection by any Commission personnel.

§1-63 Abuse and Physical Force Prohibited.

- (a) An owner, while performing his duties and responsibilities as a taxicab owner, shall not threaten, harass or abuse any governmental or commission representative, public servant or other person.
- (b) An owner, while performing his duties and responsibilities as a taxicab owner, shall not use any physical force against a Commission representative, public servant or other person.

§1-64 Solicitation Prohibited.

- (a) An owner shall not, in any manner, cause any service or merchandise to be sold or advertised to any passenger, nor make any arrangement with the owner, manager or employee of any restaurant, bar, night

club, cabaret, dance hall, hotel, or like places, or any premises maintained in violation of law, for which the owner agrees that she/he, his/her drivers and/or agents shall solicit or recommend patronage for such places, without prior, written, approval of the commission.

**§1-65 Participation in Procession and Parades Prohibited.
[Repealed] .**

§1-66 Commercial Use Motor Vehicle Tax Stamp.

- (a) An owner shall affix to the lower right side of the taxicab windshield, so as to be plainly visible, a current New York City commercial use motor vehicle tax stamp.

§1-67 Cooperating with TLC.

- (a) An owner shall cooperate with all law enforcement officers, authorized representatives of the Commission and the NYC Department of Investigation, and shall comply with all reasonable requests, including, but not limited to giving, upon request, his or her name and medallion number and exhibiting his or her rate card, required electronic and or written trip records, log books, and other documents required to be maintained by the owner.
- (b) An owner shall notify the Commission by telephone immediately, and in writing within twenty-four (24) hours, upon the discovery of any of the following:
 - (1) That any taximeter other than the taximeter approved by the Commission and indicated on the rate card, has been installed in such owner's taxicab;
 - (2) That any taximeter seal in such owner's taxicab has been removed or tampered with;
 - (3) That any unauthorized device has been connected to any taximeter, any seal, cable connection or electrical wiring, in such owner's taxicab, which may affect the operation of the

taximeter;

- (4) That any intervening connections, splices, “Y” connections or direct or indirect interruptions or connections of any kind whatsoever have been discovered on any wiring harness attached to the taximeter in such owner’s taxicab.

§1-68 Compliance with Communications, Directives and Summonses.

- (a) An owner shall promptly answer and comply with all questions, communications, directives and summonses from the Commission or its representatives and the NYC Department of Investigation or its representatives.

§1-69 Flat Rates from Kennedy Airport to Manhattan.

(a) Notwithstanding the rate of fare set forth in §1-70 (a) and (b), the fare for a trip between Kennedy Airport and Manhattan shall be a flat rate of Forty-five Dollars (\$45), plus any tolls; and beginning on November 1, 2009, plus the MTA Tax of fifty cents per trip.

- (1) The surcharge set forth in §1-70 (b) shall not be added to this flat rate.
- (2) The taximeter shall reflect that this trip is a flat fare.

(b) If passengers request multiple stops on a trip from Kennedy Airport to Manhattan, the fare shall be as follows: the first stop in Manhattan is paid in accordance with subdivision (a) of this section; the meter is then turned on for a separate trip at the rate of fare as set forth in § 1-70, and the total on the meter is paid at the last stop by the remaining passenger. (For example, if three passengers request stops at 42nd St., 18th St. and 4th St., then \$45.50 will be collected at 42nd St. and the meter will be turned on. When the second passenger exits at 18th St., the meter remains on, and no money is paid to the driver. The passenger dropped off at 4th St. must pay the fare on the meter.)

(c) All trips between Kennedy Airport and a borough other than

Manhattan shall continue to be governed by the meter rate of fare as set forth in §1-70.

(d) The Chairperson is authorized to suspend the enforcement of this provision at any time, if in the judgment of the Chairperson such a suspension is necessary to preserve adequate levels of service from Kennedy Airport.

§1-70 Metered Rate of Fare.

(a) *Metered rate of fare.* The rate of fare for taxicabs shall be as follows, regardless of the number of passengers or stops:

- (1) The charge for the initial unit is \$2.50.
- (2) The charge for each additional unit is \$.40.
- (3) The unit of fare is:
 - (i) one-fifth of a mile, when the taxicab is traveling at 12 miles an hour or more; or
 - (ii) 60 seconds (at a rate of forty cents per minute), when the taxicab is traveling at less than 12 miles an hour.
- (4) The taximeter shall combine fractional measures of distance and time in accruing a unit of fare. Any combination of distance or time specified in paragraph (3) above shall be computed by the taximeter in accordance with Handbook 44 of the National Institute of Standards and Technology.
- (5) The fare shall include pre-assessment of the unit currently being accrued; the amount due may therefore include a full unit charge for a final, fractional unit.

(b) *Surcharge.* In addition to the rate of fare set forth in §1-70(a), all taxicabs shall charge One Dollar (\$1.00) for all trips beginning after 4:00 p.m. and before 8:00 p.m., weekdays, excluding legal holidays, and fifty cents (\$.50)

for all trips beginning after 8:00 p.m. and before 6:00 a.m. on all days, including weekends and holidays.

(c) In addition to the rate of fare set forth in §1-70(a) and, if applicable, the surcharge set forth in §1-70(b), all taxicabs shall charge, beginning on November 1, 2009, the MTA Tax of fifty cents per trip on any trip that originates in New York City and terminates either in New York City or in the county of Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk or Westchester.

§1-71 Group Rides.

(a) *Repealed.*

(b) *Group ride fare from York Avenue.* Notwithstanding the rate of fare set forth in §1-70 (a) and (b), the fare for trips made pursuant to a group riding plan from York Avenue to the Financial District shall be as follows for each passenger: \$6.00. In addition, there may be such fee for dispatch services as the Commission may determine.

(c) *Experimental Group Ride Programs.*

(1) The Chairperson shall have the authority to recommend, subject to Commission approval, additional experimental group riding plan pickup locations on a temporary basis as pilot programs to determine the effectiveness of each such group riding plan. The Chairperson shall also have the authority to recommend, subject to Commission approval additional group riding plans on a temporary basis for a limited period of time to respond to demand created by special events or unique circumstances. Such pickup locations shall be established for the transportation of more than one passenger from a common location to destinations within a specified common geographic area. Notwithstanding the rate of fare set forth in §1-70(a) and (b), the fare charged each passenger shall be set by the Commission and shall be less than the average metered rate of fare for such trip.

(2) Any group ride plan established by the Commission pursuant to

this subdivision shall terminate one year after the date such plan was established, unless: (i) final rulemaking has been enacted establishing the group riding plan location and rate of fare; or (ii) the Commission has determined that it is in the best interest of the Commission to extend the group riding plan pilot program for an additional definite period of time not to exceed one year. The Commission may discontinue any group riding plan that has not been the subject of final rulemaking upon a determination, in its sole discretion, that continuation of such plan is not in the best interest of the public.

- (d) *MTA Tax.* The fare for any passenger paying the MTA Tax for any group ride trip will be reduced by the amount of the MTA Tax paid. Therefore, all passengers in a particular group ride plan will pay the same total amount. (*Example:* If three passengers are taking a group ride for which the fare is \$6.00 per person, the fare will be adjusted so that the total fare for all three passengers equals \$17.50 plus the \$0.50 MTA Tax.)

§1-72 Tolls.

- (a) On all trips within the City of New York, any bridge and tunnel tolls to the destination shall be reimbursed by the passenger, who shall be so informed before the start of the trip. The amount of the reimbursement shall not exceed the E-Z Pass toll amount. Said reimbursement shall be remitted to the E-Z Pass tag holder by the driver.
- (b) On all trips within the City of New York, there shall be no reimbursement for return tolls except for trips over the Cross Bay Veterans, and Marine Parkway-Gil Hodges Memorial Bridges. The amount of the reimbursement shall not exceed the E-Z Pass toll amount. Said reimbursement shall be remitted to the E-Z Pass tag holder by the driver.
- (c) On trips beyond the City of New York, all necessary tolls to and from the destination shall be paid by the passenger. If E-Z Pass is used on tolls on trips beyond the City of New York, the amount of the reimbursement shall not exceed the E-Z Pass toll amount. Said reimbursement shall be remitted to the E-Z Pass tag holder by the

driver.

- (d) A driver who charges a passenger an amount in excess of the E-Z Pass toll amount shall be guilty of an overcharge as prohibited by §2-34(a). A driver who fails to reimburse an E-Z Pass tag holder for all toll charges incurred, including toll charges for which there is no passenger reimbursement, shall be subject to the provisions of §2-25(i). In addition to any other penalty permitted, the Commission may order restitution to a passenger or the E-Z Pass tag holder.

§1-73 Trips Beyond the City.

- (a) For a trip beyond the limits of the City of New York, except for the Counties of Westchester or Nassau, or the facilities of the Port Authority of New York and New Jersey at Newark Airport, the fare shall be a flat rate. (A flat rate is a definite amount fixed between the driver and the passenger at the start of the trip. For example, "\$20" is a flat rate. "Double the meter" is *not* a flat rate and is *not* the proper fare.) Beginning on November 1, 2009, the MTA Tax of fifty cents per trip shall be added to the total fare on any trip that originates in New York City and terminates either in New York City or in the county of Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk or Westchester.
- (b) For a trip to the Counties of Westchester or Nassau the fare shall be:
 - (1) the amount shown on the taximeter for that portion of the trip that is inside the City limits, plus twice the amount shown on the meter for that portion of the trip that is outside the City limits;
 - (2) all necessary tolls to and from the destination shall be paid by the passenger; and
 - (3) beginning on November 1, 2009, the MTA Tax of fifty cents per trip shall be added to the total fare.
- (c) For a trip to Newark Airport the fare shall be:

(1) the amount shown on the taximeter plus a surcharge of \$15.00; and

(2) all necessary tolls to and from the destination shall be paid by the passenger.

(d) Any continuous trip where the point of origin and the destination are both within the limits of the City of New York shall not be considered a trip beyond the City limits, even though the shortest and most direct route requires traveling outside such limits but within continuous* counties. For such a trip the meter must be kept in the recording position throughout.

§1-74 Luggage; Mobility Aids.

(a) There shall be no charge for handling steamer trunks or other luggage or belongings, wheelchairs, crutches, three-wheeled motorized scooters and other mobility aids transported in the interior of the taxicab, or for use of the taxicab's trunk.

§1-75 Owner's Direct Operational Responsibility.

(a) Except as otherwise provided in §1-76 of these rules, an owner shall operate a taxicab through personal observation of the vehicle, personal oversight of compliance with inspection, insurance and all other regulatory requirements, and personal communication with drivers. An owner may, however, utilize employees or a licensed agent to perform any or all such functions. The use of an employee or agent shall not relieve an owner of any obligation under these rules. An owner remains fully accountable for any violations of commission rules, committed by any employee or agent in the operation of such owner's medallion.

§1-76 Owners Who Use Agents.

(a) An owner may designate an agent to act on the owner's behalf to operate a licensed vehicle and perform all functions incident thereto. Such agent shall be licensed by the Commission in accordance with §19-530 of the Administrative Code. Such designation shall be in effect until revoked by the owner and the Commission is notified, or

* [As reads in the Official Compilation of the Rules of the City of New York.]

until such agent's license is suspended or revoked by the Commission.

- (b) An owner who uses an agent shall file a designation of the agent with the Commission, prior to use of such agent.
- (c) An owner shall not designate or use more than one agent for such owner's taxicabs. Minifleet taxicabs may be split, each to a different agent, to comply with the terms of a management contract in effect prior to February 1, 1996, but in no case may such taxicabs be split among agents after December 31, 1996. Upon the expiration of such a contract, the minifleet taxicabs must be managed by no more than one agent. At all times, an owner shall comply with the requirement that no more than one agent shall be designated for a taxicab.

§1-77 Limitations on an Owner's Use of an Agent.

- (a) An owner may designate or use an agent, only if the agent:
 - (1) shall operate the taxicab through personal observation of the vehicle, personal oversight of compliance with inspection, insurance and all other regulatory requirements, and personal communications with drivers. An agent may, however, utilize employees to assist in fulfilling such functions, to the extent consistent with the terms of the owner's designation of the agent. The owner's designation of an agent shall be ineffective if delegated by the agent to another party; and
 - (2) shall maintain a business premises which meets the requirements of §1-45(a) and §12-05 of these rules.
- (b) An owner may not designate or continue to use an agent, if the Commission has notified the owner that the specified agent's license is suspended or revoked.
- (c) The Commission shall direct owners not to continue to use a specified agent, by mailing to the owner's personal address, if such owner is currently using such specified agent. The Commission shall further maintain on file a list of all agents with respect to whom such directives have been issued and are currently in effect, and shall make

such list available for inspection by any person. Any owner who, notwithstanding the availability of such list, seeks to designate an agent who has been the subject of a directive not to designate shall be notified of such directive by the Commission at the time the designation is filed.

- (d) No contract or other agreement entered into by an owner with an agent shall include a provision which purports to supersede or impair the effectiveness, in whole or in part, of the provisions of this rule.

§1-78 Limitations on Standard Lease Rates Charged to Drivers.

- (a) *Standard Lease Cap.* An owner of a taxicab may charge a lease rate to a driver that is not greater than the Standard Lease Cap.
 - (1) The Standard Lease Cap for a medallion and vehicle for one twelve-hour shift shall not exceed:
 - (i) \$105, for all day shifts;
 - (ii) \$115, for the night shift on Sunday, Monday and Tuesday;
 - (iii) \$120, for the night shift on Wednesday;
 - (iv) \$129, for the night shifts on Thursday, Friday and Saturday.
 - (2) The Standard Lease Cap for a medallion and vehicle for one shift for a week or longer shall not exceed \$666 weekly.
 - (3) *Cost adjustments.* The Standard Lease Caps set forth in paragraphs one and two of this subdivision shall be adjusted as follows:
 - (i) For a vehicle that is hacked up pursuant to section 3-03.1 of this title, including a vehicle that is authorized by section 3-03(c)(10) of this title, the Standard Lease Cap shall be adjusted upward by \$3 per shift (\$21 per week).
 - (ii) For a vehicle that is hacked up pursuant to section 3-03 of this title, excluding section 3-03(c)(10) of this title, the

Standard Lease Cap shall be adjusted downward by \$4 per shift (\$28 per week) beginning on May 1, 2009,* by \$8 per shift (\$56 per week) beginning on May 1, 2010, and by \$12 per shift (\$84 per week) beginning on May 1, 2011.

- (4) *Limits on Additional Charges.* No owner, including any employee or agent of an owner, may charge to or accept from a driver any payment of any kind, such as a tax, surcharge, pass-along, tip or fee of any kind, for the lease of a medallion or of a medallion and a vehicle, other than a lease amount no greater than the applicable Standard Lease Caps set forth in paragraphs one and two of this subdivision, plus
- (i) a credit card pass-along no greater than permitted by section 1-85(b) of this chapter;
 - (ii) a security deposit no greater than permitted by section 1-79(c) of this chapter, less any deductions permitted by section 1-79(a) of this chapter;
 - (iii) the discount toll amount for use of the EZ-Pass as permitted by sections 1-37 and 1-83 of this chapter;
 - (iv) a late charge not to exceed \$25 for any shift; and
 - (v) a reasonable cancellation charge, subject to the provisions of section 1-79.1(b)(6) of this chapter; and
 - (vi) parking tickets and red light violations permitted to be deducted from the security deposit pursuant to section 1-79(a)(3) and (4) of this chapter provided that the lessor and agent of the lessor permits the driver to challenge such tickets and violations.
 - (vii) If the owner or agent is a Taxpayer who is liable for the

* The \$4 lease cap decrease is suspended until further notice.

MTA Tax, the owner or agent may collect the MTA Tax due from the driver by, first, deducting the MTA Tax due from credit card reimbursements due to the driver pursuant to §1-78(d); second, deducting any additional MTA Tax due from the driver's security deposit pursuant to §1-79(a)(5); and third, charging the driver for any remaining MTA Tax due.

(viii) The lease of a medallion and vehicle under paragraphs one and two of this subdivision includes service and maintenance. Service and maintenance of the vehicle is the responsibility of the lessor of the medallion and vehicle and the lessor and an agent of lessor may not charge the lessee for service and maintenance costs for the vehicle.

(5)

(i) The Standard Lease Cap for a medallion only, covering the entire time during a week or longer, shall not exceed \$800 weekly.

(ii) *Cost adjustment.* The Standard Lease Cap set forth in subparagraph (i) of this paragraph shall be adjusted as follows:

For a vehicle that is hacked up pursuant to section 3-03.1 of this title, including a vehicle that is authorized by section 3-03(c)(10) of this title, the Standard Lease Cap shall be adjusted upward by \$42 per week.

(iii) *Maintenance.* The lease of a medallion under this paragraph does not include, and does not require a medallion owner or its agent to provide, service and maintenance of the vehicle. A medallion owner or an agent of the medallion owner must not require the lessee to obtain service and maintenance from any particular provider, including, but not limited to the medallion owner or an agent of the medallion owner.

- (b) Repealed.
- (c) The provisions of this rule do not apply to owners and lease drivers whose business relationship is governed by the terms of a collective bargaining agreement which regulates the subject of lease prices.
- (d) *Credit Card Charges.* (1) An owner or the owner's agent must pay a driver daily in cash the driver's receipts that are charged to a credit card on that day, less only a credit card pass-along no greater than permitted by section 1-85(b) of this chapter for any lease under paragraphs one or two of subdivision (a) of this section. For all other leases, an owner or an owner's agent must pay the driver in cash no less often than weekly the driver's receipts that are charged to a credit card, less only a credit card pass-along no greater than permitted by section 1-85(b) of this chapter. (2) If any owner or owner's agent is a Taxpayer, then the owner or owner's agent may deduct from the driver's credit card receipts payable under this subdivision (d) the amount due for the MTA Tax as a result of the trips driven by the driver.

§1-78.1 Changes to Lease Caps.

- (a) During March of each even-numbered year, the Commission shall hold a public hearing and solicit written comment as to operating expenses, driver earnings, the retention of experienced drivers in the taxi industry, and other matters relevant to the setting of lease caps, for purposes of considering changes to the Standard Lease Caps set forth in section 1-78 of this chapter.
- (b) Notwithstanding the provisions of subdivision (a) of this section, the Commission may initiate lease cap changes at any time, based on the Commission's assessment of appropriate policy considerations.

§1-79 Limitations on Security Deposits Required of Drivers.

- (a) An owner may include in a lease a provision for a security deposit

from the driver, in addition to lease payments, subject to the limitations of this paragraph. At the termination or expiration of a lease an owner may be reimbursed from the security deposit for:

- (1) any unpaid but owing lease charges;
 - (2) damage to the vehicle, if the lease clearly and prominently states that the driver is responsible for damage;
 - (3) any parking tickets issued during the lease;
 - (4) any red light violations issued to the owner during the lease, pursuant to the N.Y.C. Dept. of Transportation's camera surveillance system; and
 - (5) if the owner or agent is a Taxpayer liable for the MTA Tax, any MTA Tax remaining due from the driver after deductions from credit card reimbursements due to the driver.
- (b) An owner shall not withhold or deduct from a security deposit any reimbursement additional to those specified in subdivision (a). An owner shall not require a driver to pay any summons that is written to the owner as respondent, other than those specified in subdivision (a).
- (c) An owner shall not require a driver to post any security deposit that is greater in amount than the rate for one lease term. However, if the lease term is for more than one week, an owner shall not require a driver to pay a security deposit in an amount greater than the lease rate for one week. Examples:
- (1) An owner who leases a taxicab for one shift at the rate of \$80 per shift may require up to an \$80 security deposit.
 - (2) An owner who leases a taxicab or medallion for one week at the rate of \$500 a week may require up to a \$500 security deposit.
 - (3) An owner who leases a taxicab for six months at the rate of \$2,000 a month may require up to a \$500 security deposit.
- (d) An owner shall provide written receipts for any security deposits made by a driver. An owner shall provide a driver with a written itemization of any items withheld or deducted from a security deposit. An owner shall return a security deposit either by check or by cash exchanged for a written receipt from the driver. An owner shall return a security

deposit no later than thirty days after the end of the lease term.

- (e) An owner who requires a security deposit shall deposit same in an interest-bearing account in a bank or credit union within the City of New York, which account is devoted to security deposits and not commingled with funds of the owner. The owner shall indicate in writing provided to the driver the name and address of such bank or credit union and the applicable account number. Interest on such security deposit shall accrue to the benefit of the driver furnishing the security, except, however, that the owner may retain one percentage point of any interest, as compensation for bookkeeping expenses.
- (f) The provisions of this section do not apply to owners and lease drivers whose business relationship is governed by the terms of a collective bargaining agreement which regulates the subject of security deposits.

§1-79.1 Lease Terms and Form of Lease.

- (a) Every lease entered into pursuant to section 1-78 of this chapter, including any amendment to such lease, must be in writing, and must be signed by the owner or a person duly authorized to act on behalf of the owner, and by the leasing driver or drivers. A copy of the fully executed lease must be provided to the leasing driver or drivers.
- (b) Every such lease must contain the following terms:
 - (1) *The length of the lease.* The lease must state the beginning date and time of the lease and the ending date and time of the lease. A weekly lease must run for seven consecutive calendar days. A shift must run for 12 consecutive hours.
 - (2) *Itemization of the costs covered by the lease.* The lease must state the total lease amount, and an itemization of that total cost. The itemization must separately state the amount of the lease that applies to the medallion and the amount if any that applies to the vehicle.
 - (3) *Other costs.* The lease must state the amounts if any of the

security deposit, the percentage credit card pass-along and any other costs that the driver will be charged.

- (4) *Notices.* For each cost itemized pursuant to paragraphs two and three of this subdivision, the lease must include a reference to the Commission rule authorizing the imposition of such cost on the driver. The lease must either recite the complete text of each such rule or state the address of the Commission's Web page on which the rule is published.
- (5) *Overcharges.* Every lease must contain clearly legible notice that overcharges are prohibited by the Commission's rules, and that complaints of overcharges may be made in writing to the Commission or by telephone call to 311.
- (6) *Cancellation charges.* Any cancellation charge contained in the lease must be reasonable, and will not be permitted unless the lease also provides that
 - (i) no cancellation charge may be charged to driver if the medallion owner or its agent demands the return of the medallion and the driver is not late in making lease payments at the time of such demand;
 - (ii) if an agent demands the return of a medallion upon the request of an owner, the driver has the right to request that the agent supply a replacement medallion and, if a medallion is provided through the agent, the driver will not be responsible for the costs of hacking up a replacement vehicle; and
 - (iii) when a cancellation payment is made, the driver's obligation to make lease payments terminates upon such payment.
- (7) *Deposit information.* Each lease must include the information regarding deposits required by section 1-79(e) of this chapter.

§1-79.2 Receipts.

A driver shall be given a written receipt for every payment made to or deduction taken by the owner, or any person acting on behalf of the owner. The receipt must include the name of the driver and the number of the medallion subject to the lease. The receipt shall clearly state the date of the payment or deduction, the name of the person who accepted the payment or the deduction, the amount of the payment or deduction, the purpose of the payment or the deduction, and the number of the section of this chapter that authorizes the payment or deduction.

§1-79.3 Retaliation.

An owner may not act in retaliation against any driver for making a good faith complaint against any owner for violation of sections 1-78 through section 1-79.3 of this chapter. “Retaliation” shall be broadly construed, and shall include imposing any adverse condition or consequence on the driver or withholding or withdrawing any beneficial condition or consequence from the driver.

§1-80 General Provisions Concerning Medallion Transfers.

- (a) Transfer of a taxicab license may be accomplished by purchase, gift, bequest, operation of law, acquisition of the stock or assets of a corporation, or acquisition of membership interests in or assets of a limited liability company and only with the written approval of the Chairperson as to the transferee. Any transfer of any interest in a taxicab license, whether in whole or in part, and whether directly or indirectly, is subject to the provisions of this section. Any proposed transferee of any direct or indirect interest in a taxicab license must apply for a taxicab license and must comply with the provisions of this chapter and meet the qualifications and requirements for ownership and operation of a medallion taxicab as set forth in this chapter, including those contained in sections 1-02 and 1-03 of this chapter, the tort claim provisions contained in section 1-81 of this chapter, and the medallion transfer provisions in this section and sections 1-80.1 and 1-80.2.

- (b) No person or entity shall attempt to transfer or participate in the transfer of any taxicab medallion without fulfilling the requirements of

subdivisions (c) and (d) of this section, as applicable to such person, and obtaining the written approval of the Chairperson for such transfer. Submission to the Chairperson of an application to transfer a taxicab medallion shall not be a violation of this subdivision.

- (c) An applicant for a taxicab license which is a transferee, or an applicant which is an executor, administrator, conservator or guardian seeking to operate a taxicab under the provisions of section 1-82 (c) of this chapter, in order to complete the transfer of such license to applicant pursuant to this section, must appear in person as directed by the Chairperson, except that an applicant (or as to any shareholder, partner or member of an applicant who is required to appear by the following sentence) who (i) holds an existing, continuing license from the Commission, and (ii) has an electronic fingerprint record made no earlier than one year prior to the date of the transfer on file with the Commission, may appear by power of attorney. If the applicant is a corporation, partnership or limited liability company, applicant must be represented in such appearance by all individual shareholders, general partners, or members, except those to whom the exception in the preceding sentence is applicable.
- (d) A transfer of the interest in the taxicab license shall be complete and effective upon the Chairperson's approval of the applicant's application, the appearance of the transferee as required in subdivision (c) of this section 1-80, payment of any New York City taxicab license transfer tax due as required in subdivision (h) of this section 1-80 and in subdivision (m) of section 1-80.1 of this chapter, the transferor's and the transferee's fulfillment of the requirements as to tort liabilities set forth section 1-81 of this chapter and the fulfillment by the parties of the applicable medallion clearance requirements of section 1-80.2 of this chapter.
- (e) Each transferee of a taxicab medallion must place the medallion into service with a vehicle eligible for use as a taxicab under chapter 3 of this title and which has been hacked up as that term is used in section 3-01(a) of this title within seven (7) days of the effectiveness of the transfer of the taxicab. Each applicant which is an executor, administrator, conservator or guardian seeking to operate a taxicab under the provisions of section 1-82 (c) of this chapter must place the

medallion into service with a vehicle eligible for use as a taxicab under chapter 3 of this title and which has been hacked up within seven (7) days of approval of the application.

- (f) No voluntary transfer or sale of a taxicab license may be made if a judgment has been filed within the City of New York against the holder of a license and remains unsatisfied and notice of said judgment has been filed with the Chairperson, except that a transfer may be permitted if an appeal is pending from an unsatisfied judgment and a bond is filed in an amount sufficient to satisfy the judgment but not to exceed the fair market value of the medallion or medallions being transferred. A transfer may also be permitted without filing a bond provided that all the judgment creditors of unsatisfied judgments file written permission for such a transfer with the Chairperson or provided that the proceeds of sale are paid into court or held in escrow, on terms and conditions approved by the Chairperson.
- (g) An owner's interest in such a taxicab license may be transferred involuntarily and disposed of by public or private sale in the same manner as personal property. However, upon such involuntary transfer, the owner's license shall immediately be cancelled. A new license shall be issued to the purchaser or his or her vendee when the transfer is effective as provided in subdivision (d) of this section, provided that (i) such purchaser or vendee has qualified as a transferee under and met the requirements as provided in this sections 1-80 through 1-80.2 of this chapter and (ii) the tort liability requirements of section 1-81(e) of this chapter have been met or are met at the time of such transfer; except that if the involuntary transfer is by reason of a tort judgment against an involuntary transferor, no bond need be provided with respect to the same judgment.
- (h) A transferee of a taxicab license must satisfy his or her transfer tax liability as determined by the Department of Finance pursuant to Title 11 of the Administrative Code, prior to or at the time of transfer.
- (i) A transfer of the taxicab license of an independent taxicab owner shall be made only to a transferee that will be an independent taxicab owner; similarly, the transfer of the license of a fleet or minifleet taxicab owner shall be made only to transferee that will be a minifleet or fleet

owner.

- (j) An independent taxicab owner may not have a financial interest in any other taxicab; a taxicab fleet or minifleet, including any officer, director, partner, and/or member of an owner thereof, may not have a financial interest in an independently owned taxicab. For purposes of this subdivision, “financial interest” shall mean any direct or indirect ownership interest or any interest given or received as a pledge or security or subject to a security agreement to secure any financing or obligation.

- (k) Conditional sales agreements
 - (1) No transfer of an interest in a taxicab medallion through a conditional sales agreement shall be effective until the requirements of sections 1-02, 1-03, 1-80, 1-80.1, 1-80.2 and 1-81 of this chapter have been fulfilled and the vendee has qualified as a transferee under this section 1-80. Any fines or penalties imposed against the taxicab license for violations occurring during the term of any conditional sales agreement shall remain the responsibility of the seller until the transfer is effective under subdivision (d) of this section 1-80.

 - (2) Parties to a conditional sales agreement are subject to the “lease cap” provisions of section 1-78 of this chapter.

 - (3) Parties to a conditional sales agreement shall provide the Chairperson with a disclosure statement indicating the terms of agreement.

 - (4) The vendor party to a conditional sales agreement shall notify the Chairperson in writing of any repossession by the vendor of the taxicab within seventy-two (72) hours exclusive of weekends and holidays.

 - (5) For purposes of this subdivision, “conditional sales agreement” shall mean an agreement for the transfer of a taxicab medallion for which the effectiveness as between the parties is contingent upon the completion and/or satisfaction of certain conditions, including, but not limited to, the completion of payment of

financial consideration .

- (1) *Applicability.* (1) Any person seeking to become a transferee of an interest in a taxicab license, including a person acquiring a taxicab license from or through a secured lender as a result of a foreclosure, repossession, or other realization upon security, must comply with the provisions of this section, must meet the standards and criteria for ownership of a taxicab medallion as set forth in sections 1-02 and 1-03 of this chapter, must provide the documentation required in sections 1-80.1 and 1-81 of this chapter, except if such person seeks to become a transferee of a medallion acquired pursuant to an auction of taxicab medallions under chapter 13 of this title, such person need not comply with sections 1-80.1(m)-(n), 1-80.1(p)-(r) and 1-81 of this chapter, although any subsequent proposed transferee therefrom must so comply.
- (2) Any seller or transferor of an interest in a taxicab medallion (other than a secured lender foreclosing upon or repossessing its security) must comply with the provisions of sections 1-80.2 and 1-81 of this chapter.
- (3) Any secured lender foreclosing upon, repossessing, or otherwise realizing upon its security in a taxicab license and not seeking to be a transferee is not required to comply with these provisions or with sections 1-80.1, 1-80.2 and 1-81 of this chapter except to the extent required in sections 1-80.1(n), 1-80.2(c) and 1-81 (e) of this chapter, although any proposed transferee acquiring an interest from or through such lender must so comply.
- (4) Any administrator, executor, conservator or guardian seeking authority to operate a taxicab medallion must comply with the provisions of section 1-82 of this chapter as must any distributee from an estate or trust as permitted by this chapter.

§1-80.1 Documentation And Other Requirements For Qualification As A Transferee.

An applicant for a taxicab license, in order to qualify for ownership of a medallion taxicab as a transferee under section 1-80 of this chapter, shall

include the following with his, her or its application for a taxicab license:

- (a) a completed application in form prescribed by the Chairperson;
- (b) payment of the fees in the amount of
 - (i) fifty dollars, in accordance with section 19-504(h) of the Administrative Code of the City of New York, for the transfer of a medallion or license from one vehicle to another, where applicable; and
 - (ii) one hundred sixty dollars, in accordance with section 19-512(d) of the Administrative Code of the City of New York, which must be paid upon submission of the application provided for in subdivision (a) of this section for the transfer of (a) the owner's interest in a taxicab license, or (b) stock in a corporation or membership interests in a limited liability company which is an owner of a taxicab license or an interest therein.
- (c) payment of the license and inspection fees required pursuant to sections 1-04 and 1-05 of this chapter;
- (d) proof of identity in the form prescribed in section 1-02(b) of this chapter, including the identity of all partners of a partnership, officers and shareholders of a corporation, and members and managing members of a limited liability company and disclosure of any trade name or entity name under which the owner intends to operate;
- (e) if the applicant is acquiring an interest in a medallion from an independent taxicab owner, a current, valid number of a taxicab driver's license issued by the Commission to the person who will fulfill the service requirements of section 1-09(b) of this chapter;
- (f) proof of purchase in the form of a bill of sale of vehicle eligible to be used as a taxicab under chapter 3 of this title or an affidavit from the applicant specifying that the applicant will have a vehicle eligible to be used as a taxicab under chapter 3 of this title within seven days following the effectiveness of the transaction, pursuant to section 1-80(d) of this chapter;

- (g) proof of payment of any outstanding fines or fees owed to the Commission, the Parking Violations Bureau, or the successors thereto by the applicant, or any officers, shareholders, partners or members thereof;
- (h) documentation in form satisfactory to the Chairperson detailing the sources of the applicant's funds used in the transaction including
 - (i) copies of bank account passbooks or bank statements;
 - (ii) affidavit explaining cash sums and deposits over \$10,000 paid to or by the applicant within six months prior to the date of submission of documentation required in this section;
 - (iii) affidavits from donors of any gifts;
 - (iv) statements from secured and/or unsecured lenders detailing amounts lent, security if any, and terms of payment; and
 - (v) copies of IRS Form 8300 filed by any broker in respect of funds received in the context of the transaction.
- (i) if the applicant is a corporation,
 - (i) in the case of a corporation that is a newly formed corporation, the filing receipt of the certificate of incorporation and a copy of the certificate of incorporation;
 - (ii) in the case of a corporation that is not a newly formed corporation, either the filing receipt of the certificate of incorporation together with a copy of the certificate of incorporation or, alternatively a certified copy of the certificate of incorporation;
 - (iii) a copy of the resolution of or action by the incorporators, shareholders or directors electing officers of the corporation; and

- (iv) a list of stockholders, including number of shares owned.
- (j) if the applicant is a partnership,
 - (i) a copy of the applicant's certificate of partnership; and
 - (ii) a list of the partners, including the percentages owned.
- (k) if the applicant is a limited liability company,
 - (i) a copy of the applicant's articles of organization;
 - (ii) a copy of the applicant's operating agreement; and
 - (iii) a list of the members, including the percentages owned.
- (l) if the applicant is a partnership, corporation or limited liability company not organized under the laws of the State of New York, in addition to the foregoing, proof of authorization of such entity to operate in New York State.
- (m)
 - (i) payment of the New York City taxicab license transfer tax due in connection with the transfer and/or
 - (ii) if the transfer is by a gift or is for less than market value, a New York City Department of Finance Waiver letter, together with any documentation referred to therein.
- (n) if the transfer is the result of a foreclosure or similar action by a creditor,
 - (i) a hypothecation agreement, stock pledge or stock pledge agreement if the transfer is occurring by transfer of, or foreclosure upon, stock;
 - (ii) a UCC Article 9 Foreclosure "Affidavit of Disbursements" showing that all claims have been satisfied or will be satisfied or acceptable documentation regarding any claims not satisfied;

- (iii) copies of UCC-1 filings (including file stamp or file number) filed against the owner or owner's interest in the medallion;
- (iv) copies of all security agreements involved in the transfer in respect of the lenders' interests in the medallion;
- (v) bill of sale, if any, or proof of other transfer in respect of any security agreement;
- (vi)
 - A. proof of advertisement of the auction together with the attendance sheet or
 - B. a copy of the Notice of Sale;
- (o) an affidavit or affirmation under penalty of perjury from the applicant in a form approved by the Chairperson that the applicant does not rely upon the actions or determination of the Commission with respect to the medallion. In addition, if circumstances warrant, the applicant will provide an affidavit or affirmation in a form approved by the Chairperson as to other matters pertaining to documentation.
- (p) copies of a New York State UCC lien search, together with a lawsuit and judgment search for all counties in which the transferor has been domiciled for the shorter of either five (5) years prior to the transfer or while owning an interest in the medallion(s) being transferred, which searches shall also provide copies of all active records, together with an affidavit or affirmation under penalty of perjury executed by the transferor and the applicant that they have reviewed all such searches and are familiar with the contents thereof, and warranting that all disclosed liens and judgments will be satisfied prior to or from the proceeds of the transfer, included in the escrow amount, or assumed by the applicant, together with a copy of the results of such lien search.
- (q) tort letters from the transferor's insurer covering the shorter of (i) six years prior to the date of the proposed effective date of transfer, as set forth in section 1-80 (d) of this chapter or (ii) the transferor's period of ownership of the taxicab medallion, down to and including the date that the medallion is placed into storage as required by section 1-80.2

of this chapter, or if not placed into storage, the date prior to the proposed effective date of transfer, together with such documentation as may be required in respect of potential excess claims as may be disclosed thereby, together with any information held by the applicant or transferor regarding any potential excess claims or as may be necessary to determine the escrow amount for the purposes of section 1-81 of this chapter. If tort letters are not available, or such letters as are available indicate a lapse in coverage during such six year period, or a secured lender is transferring an interest in a taxicab medallion as a result of foreclosure, repossession, or other realization upon its security and has not obtained tort letters, the provisions of section 1-81(e) of this chapter regarding the establishment of the escrow amount in the absence of tort letters, shall apply.

- (r) if the applicant seeks to purchase an interest in a corporation, partnership, or limited liability company that owns a taxicab medallion or medallions, such applicant must also furnish with respect to such entity the documents required in subdivisions (i), (j), (k), and (l) of this section;
- (s)
 - (i) the transferor must provide proof of notice of the transfer to the taxicab technology service provider that holds the contract for the taxicab technology system for such medallion pursuant to section 1-11(g) of this title. The notice must be mailed to the taxicab technology service provider at the address specified in the contract at least thirty days prior to the date of the proposed transfer by certified mail, return receipt requested. Proof of notice shall consist of a copy of the notice, a copy of the certified mail receipt and an affidavit or affirmation under penalty of perjury verifying the mailing;
 - (ii) the transferor must also provide, on a form prescribed by the Chairperson, a statement of intent regarding the contract for the taxicab technology system, stating the transferor's intention to (A) either cancel the contract or assign the contract to the transferee, and (B) either return the taxicab technology system to the taxicab technology service provider if the transferor does

not own that equipment, or, if the transferor does own that equipment, retain the taxicab technology system or transfer the equipment to the transferee;

- (iii) the transferee must also provide, on a form prescribed by the Chairperson, a statement that either (A) states the transferee's intent to assume the transferor's contract for the taxicab technology system or (B) identifies the approved taxicab technology service provider with which the transferee intends to enter into a contract for the taxicab technology system.
- (t) such other documentation as may be required by the Chairperson in order to assist in the determination whether the proposed transferee meets the criteria for licensing and ownership of a taxicab medallion, including as set forth in sections 1-02, 1-03, 1-80, 1-80.1, 1-80.2 or 1-82 of this chapter.

§1-80.2 Medallion Clearance.

Pursuant to the transfer of any interest in a taxicab license and before the transfer can be effective, the transferor of the interest in the taxicab license must, or must cause the owner of the taxicab license to:

- (a) place the medallion in storage with the Chairperson for at least seven (7) days not counting the day it is put in storage or the day the clearance is given; except that a medallion owned by a corporation, or limited liability company need not be placed in storage if the transfer is to be effected by a transfer of stock or membership interests therein; and
- (b) clear all open items (including response to all summons issued by the Commission, payment of all outstanding fines and penalties due to the Commission, the Parking Violations Bureau, or the successors thereto, and completion of all uncompleted renewal requirements) against the medallion or the owner of the medallion or the officers, shareholders, partners or members of the owner, as well as any fines and penalties against the owner's taxicab drivers license (including those of any officer, shareholder, partner or member of the owner).

- (c) Any secured lender which is foreclosing upon, repossessing or otherwise realizing upon its security in respect of any taxicab license must, upon obtaining possession of the medallion, place the medallion in storage with the Chairperson.

§1-81 Tort Claims and Medallion Transfers.

- (a) An applicant for a taxicab license, in order to be qualified as a transferee, shall supply proof to the Chairperson that the applicant or the transferor has filed a bond with the Chairperson to cover all outstanding tort liabilities of the vendor or transferor; however this requirement shall not apply to an applicant who is a legatee or distributee of a decedent's estate owning a taxicab license.
- (b) In lieu of filing a bond as provided in subdivision (a) of this section, the applicant or his or her transferor may establish an escrow account in the amount of the escrow amount, not to exceed the maximum escrow amount, to satisfy excess claims. No transfer of the taxicab medallion(s) may occur until the bond is posted, or the escrow account is established, and the escrow agent has given an undertaking to the Chairperson to establish the escrow account and hold it on the terms required by this section, with confirmation of the establishment to occur in writing within five (5) days of such establishment, or it is determined by the Chairperson that none of the foregoing is required as provided in this section.
- (c) Establishing the claim amount.
 - (i) The transferor must first attempt to establish the amount of each claim that is a potential excess claim for purposes of determining the escrow amount by the following process:
 - (A) The transferor must request copies of claim letters held in the Commission's medallion file.
 - (B) The transferor must notify the holder of each potential excess claim that may be indicated by either a valid claim letter, a prior claim letter, a tort letter, or the lien, judgment and lawsuit searches required to be obtained in

section 1-80.1(p) of this chapter of the escrow amount transferor proposes to establish in respect of such claim. The transferor must provide adequate mail notice to such claimant by certified mail, return receipt requested, with a copy by regular mail and with a copy mailed to the Commission, to the attention of the legal department, transfer division. The transferor must provide to the Chairperson proof of mailing of all such notices in the form of copies of the mailing receipts together with an affidavit or affirmation under penalty of perjury verifying the mailing.

- (C) The transferor's notice shall be of a form approved by the Chairperson:
 - (1) The notice to each potential claim holder must state whether such holder's claim is believed by the transferor to be a potential excess claim or not and must state a specific dollar amount (including \$0) proposed to be established as the escrow amount for such claim.
 - (2) Such notice must further state that the claimant has thirty days from the date of the notice to object thereto, by notice to the transferor, with a copy of such notice to be provided to the Commission, to the attention of the legal department, transfer division.
 - (3) Such notice must further state that failure of the Commission to receive the claimant's objection within such thirty day period shall be deemed acceptance of the transferor's proposal regarding the escrow amount to be established for such claim.
 - (4) Such notice must further state that the claimant's acceptance of, or failure to object to, the transferor's proposed escrow amount for such claim shall not prejudice any rights, claims, or

remedies the claimant may have against the transferor.

- (5) Failure of the claimant to object to the transferor's proposed escrow amount within thirty (30) days of the transferor's notice provided pursuant to this paragraph (c)(i) (and the Commission's non-receipt of an objection shall be deemed a failure to object) shall be deemed acceptance of the proposed escrow amount in respect of such claim. Claimant's objection to the transferor's proposed escrow amount must state the basis for such objection.
- (ii) If claimant objects to the transferor's proposed escrow amount as to such claim, the Chairperson shall refer the matter to the New York City Office of Administrative Trials and Hearings (OATH) to determine the amount of the claimant's claim to be included in the escrow amount.
 - (A) In any proceeding before OATH to determine the amount of the claim to be included in the escrow amount, OATH's rules of practice shall govern. In determining the amount of the claim to be included in the escrow amount, OATH shall apply principles of tort law.
 - (B) For the purposes of such proceeding, the transferor shall be the respondent and the transferor's notice containing the proposed escrow amount as provided in paragraph (c)(i) of this subdivision shall be the answer and the claimant shall be the petitioner and the claimant's objection required by this paragraph (c)(ii) shall be the petition. In the proceeding, the petitioner shall have the burden of proof that the claim is an excess claim. The administrative law judge assigned by OATH to decide the matter shall issue a determination which shall be a final determination.
- (iii) At any time, the transferor and the claimant may agree as between themselves as to the amount of the claim for purposes

of establishing the escrow amount in respect of such claim. Such agreement must be executed by both parties and a copy of such agreement must be provided to the Chairperson.

- (d) The Chairperson shall determine the required escrow amount following completion of the steps set forth in subdivision (c) of this section as to each claim, except for those claims for which a determination was made by an administrative law judge at OATH. This determination shall be based upon the transferor's proposed amount in the event that the claimant agrees, or does not object, to such proposed amount as provided in paragraph (i) of subdivision (c) of this section or the parties' agreement as to the proposed amount as provided in paragraph (iii) of subdivision (c) of this section. If an administrative law judge at OATH has made a determination as to any claim, as provided in paragraph (ii) of subdivision (c) of this section, the escrow amount for such claim shall be the amount as set forth in such determination. The determination shall be a final agency determination as to the amount of the claim to be used in determining the escrow amount, although nothing contained in these rules or in any such determination is intended to be, and shall not be, determinative as to the actual merits of the claim.
- (e) If tort letters cannot be obtained for all or any part of the period for which they are required to be provided in section 1-80.1(q) of this chapter, or if a secured lender seeking to transfer an interest in a taxicab medallion pursuant to a foreclosure, repossession or other realization upon its security has not obtained such tort letters, no transfer may occur unless an escrow account is established as provided in subdivision (f) of this section in the maximum escrow amount. Notwithstanding the provisions of subdivision (f) of this section, such escrow account must be maintained for not less than the shorter of six (6) years following the date of the transfer, or until such date that tort letters can be obtained and the transferor has validated the appropriate escrow amount to be established for any possible excess claims disclosed as required in this section and the Chairperson has determined the escrow amount for each such claim as provided in subdivision (d) of this section (with any such resulting escrow amounts to be held as required by subdivision (f) of this section).

- (f) Once the escrow amount has been determined, an escrow account in the amount of the escrow amount shall be established from the proceeds of the transfer or other resources of the transferor, provided that no transfer may be effective as provided in section 1-80 (d) of this chapter until either such escrow account is established or the holder of the escrow account has given to the Chairperson an undertaking to establish the escrow account, to hold it on the terms required by this section, with written confirmation of the establishment to occur in writing within five (5) days of such establishment. The account established may be held by any of counsel for the claimant, the transferor, or otherwise as the claimant and transferor agree, although the parties must advise the Chairperson as to the holder of such account, and such account will be maintained until all the claims represented therein are satisfied or released, although amounts in the escrow account allocable to specific claims may be released upon satisfaction of, or in satisfaction of, such specific claims. Any person or entity seeking a release of escrowed funds from the escrow account shall provide proof of release, satisfaction or dismissal of the underlying claim or agreement of the parties as to resolution of such claim, or a judgment of a court directing payment of all or part of the escrow amount to a party, and if the evidence is an order of a court, such order must constitute a final order, which must be fully executed and, if appropriate filed or entered. No funds shall be released from the escrow account without the prior written approval of the Chairperson.

§1-82 Special Provisions Regarding Estates and Incompetency.

- (a) When a medallion or stock or membership interests in a corporation or limited liability company owning a medallion is distributed from an estate to a legatee or distributee, the recipient of such interest must qualify as a transferee under section 1-80 and must fulfill the requirements of sections 1-02, 1-03, 1-80, 1-80.1 and 1-80.2 of this chapter and the following additional documents shall be submitted to the Commission:
- (1) a certified copy of the death certificate of the former owner listed with the Commission;

- (2) a certified copy of letters testamentary or letters of administration, and, if the estate is not a New York estate, a certified copy of ancillary letters testamentary or letters of administration covering the estate's New York property; and all such letters must have been issued no earlier than six months prior to the date of submission and must be either (i) unqualified as to the amount of estate assets which the executor or administrator is authorized to administer and distribute or transfer or (ii) if qualified as to amount, such amount must be in excess of the value of the medallion(s) to be operated or transferred, as the case may be; and
 - (3) a copy of the will, if any, certified by the appropriate surrogate or probate court.
- (b) Upon the death of an owner of an interest in a taxicab medallion, or upon a declaration of incompetence or the appointment of a guardian for such owner by a court of competent jurisdiction, the medallion may continue to be operated by the estate or executor or administrator of such owner's estate or conservator, guardian, or such other representative, as the case may be for a period of up to one hundred twenty (120) days following the death or date of declaration of incompetence of the owner, provided that such medallion is operated pursuant to an agreement with an agent licensed by the Commission. If, during such 120 day period, an executor, administrator, conservator, guardian or other representative is appointed, such representative shall have sixty (60) days from the date of appointment to be approved to operate the medallion as provided in subdivision (c) of this section. If the decedent, or the incompetent owner, was an independent taxicab owner, the service requirements of section 1-09(b) of this chapter are waived during the 120 day period, and, if a representative is appointed within such period, during the 60 day period following the appointment thereof. Thereafter, neither the estate nor such representative may continue to operate the medallion and the medallion must be placed in storage until either an executor, an administrator, conservator, guardian or new owner has qualified to operate the medallion as provided in subdivision (c) of this section. If no representative qualifies to operate the medallion as provided in subdivision (c) of this section within one hundred eighty (180) days of

the death of the previous owner or the declaration of incompetence or disability of the owner, the interest of such owner must be transferred to a transferee who has received the approval of the Chairperson following submission of an application to own a taxicab license and compliance with the provisions of sections 1-02, 1-03, 1-80, 1-80.1, 1-80.2 and 1-81 of this chapter. Notice of the death or incompetence of a medallion owner must be given to the Chairperson promptly upon such occurrence.

- (c) Except as provided in subdivision (b) of this section, an executor, administrator, conservator, or guardian may continue the operation of a taxicab beyond the one hundred twenty-day period provided for in such subdivision only with approval of the Chairperson as to his or her qualifications. The executor, administrator, conservator or guardian must apply for such approval by submitting an application for a taxicab license and complying with the applicable provisions of sections 1-02, 1-03, 1-80 and 1-80.1 of this chapter and must submit in addition the documentation set forth in subdivision (a) of this section if the applicant is an executor or administrator, or a copy of an order of a court of competent jurisdiction if applicant is a conservator or guardian. Notwithstanding anything else contained within this section, if neither an executor, administrator, conservator, guardian or a new owner has qualified to operate the taxicab within one hundred eighty days following the death of the previous owner, or the date of a judicial declaration of incompetence or disability of the owner, the taxicab may not be operated and the medallion must be placed into storage until a representative or transferee has qualified to operate the taxicab. A representative for an independent taxicab owner which qualifies to operate the taxicab must also meet the service requirements set forth in section 1-09(b) of this chapter.
- (d) A distribution of an ownership interest in a taxicab medallion may be made from an estate to a trust only if the distribution is of stock of a corporation or membership interests in a limited liability company distributed to a trust for the benefit of a minor. The interest in the taxicab medallion must be distributed out of the trust within 60 days following the date on which the beneficiary reaches the age for ownership of a taxicab medallion required by this chapter, and at the time of such distribution, such beneficiary must qualify as a transferee

and be approved as an owner under, and fulfill the requirements of, sections 1-02, 1-03 1-80, 1-80.1, 1-80.2 and 1-81 of this chapter if such beneficiary is to retain an interest upon its distribution. Notice must be given to the Chairperson promptly upon the beneficiary reaching the age for ownership of a taxicab medallion.

§1-83 E-Z Pass Replenishment Account. .

An owner or agent dispatching a vehicle equipped with an E-Z Pass for one or more shifts may require a driver, in addition to any other payment or account authorized herein, to maintain an E-Z Pass replenishment account with the E-Z Pass tag holder. The amount permitted to be maintained in this account shall not exceed ten (\$10) dollars per twelve (12) hour shift included within a lease period, to a maximum of one hundred (\$100) dollars for any driver. An owner or agent shall collect from this account any tolls paid by said owner or agent through the driver's use of the E-Z Pass tag assigned to a taxicab operated by the driver, which have not been otherwise reimbursed to the owner or agent. The owner or agent shall return any funds held in the replenishment account not used to reimburse the owner or agent as authorized by this Section, to a driver, upon demand, within (30) days after the termination of the driver's lease with the owner or agent.

§1-84 Special Procedures Relating to the Transfer of Taxicab Medallions While Revocation Proceedings are Pending. .

Where the Commission has commenced a revocation proceeding against a medallion owner, the owner may not transfer his taxicab license during the course of the proceedings without the written permission of the Chairperson. The Chairperson may require that such a sale may not be made to a relative of the medallion owner, nor to any other person or entity affiliated with the owner. The Chairperson may require that, as a condition of granting such permission, an escrow* be held in an amount to be determined by the Chairperson after an approved closing in order to satisfy any fines subsequently levied against the owner.

§1-85 Limitations on Credit and Debit Card Transaction Fees .

* [As reads in the Official Compilation of the Rules of the City of New York.]

- (a) A merchant shall not charge a mark-up to any passenger for credit/debit card transactions.
- (b) A merchant who is an owner may charge a mark-up to a driver licensed by the Commission of not more than five percent (5 %) of the total credit/debit charges incurred during the driver's shift.

§1-86 Penalties for Violation of Rules Governing Owners of Medallion Taxicabs.

<u>Rule No.</u>	<u>Penalty</u>	<u>Personal Appearance Required</u>
	All fines listed below also include a separate license suspension, to run concurrent with any underlying suspension, until such fine is paid, unless such fine is paid by close of business on the day assessed.	
§1-04(c)	\$50 - 350 and/or suspension up to 30 days	Yes
§1-07(a)	\$50 - 350 and/or suspension up to 30 days	Yes
§1-07(b)	\$50 - 350 and/or suspension up to 30 days	Yes
§1-07(c)	\$100-\$350 and/or suspension up to 30 days; summary suspension until compliance pursuant to section 8-17(b) of this title.	Yes
§1-09(a)	\$75	No
§1-09(b)	\$100 - 350 and/or suspension up to 30 days	Yes
§1-10(a)	\$100 and seizure of the vehicle	No

<u>Rule No.</u>	<u>Penalty</u>	<u>Personal Appearance Required</u>
§1-10(b)	<p>All fines listed below also include a separate license suspension, to run concurrent with any underlying suspension, until such fine is paid, unless such fine is paid by close of business on the day assessed.</p> <p>\$100 and summary suspension until compliance pursuant to section 8-17(b) of this title.</p> <p>If the failure to inspect extends 31 days after* the scheduled inspection date or the date of an order to inspect* or re-inspect on other than the tri-annual schedule, \$100-250 and summary suspension until compliance pursuant to section 8-17(b) of this title.</p> <p>If the failure to inspect extends 61 days after the scheduled inspection date or the date of an order to inspect or re-inspect on other than the tri-annual schedule, \$250-500 and summary suspension until compliance pursuant to section 8-17(b) of this title .</p> <p>If the failure to inspect extends 121 or more days after the scheduled inspection date or the date of an order to inspect or re-inspect on other than the tri-annual schedule, \$500 and/or revocation.</p> <p>For failure to have the vehicle inspected on a tri-annually scheduled date, (or for failure to re-inspect after failing such inspection) an owner could be found in violation of this rule up to four times in the course of 121 days: for failure to inspect within 30 days, within 61-120 days, and for more than 120 days. In addition, the owner could also and concurrently be found in violation of any order(s) to have the vehicle inspected that may be issued in the course of street enforcement, without limit as to number.</p>	Yes Rate card must be brought.

<u>Rule No.</u>	<u>Penalty</u>	<u>Personal Appearance Required</u>
	All fines listed below also include a separate license suspension, to run concurrent with any underlying suspension, until such fine is paid, unless such fine is paid by close of business on the day assessed.	
§1-10(c)	\$50 and suspension after the hearing until the defective condition is corrected.	No
§1-10(d)	\$100 - 350 and/or suspension up to 30 days; summary suspension until compliance pursuant to section 8-17(b) of this title.	Yes
§1-11(a)	\$100	No
§1-11(b)	\$25	No
§1-11(c)	\$50	No
§1-11(d)	\$75	No
§1-11(e)(i)	\$250 and suspension until compliance.	Yes
§1-11(e)(ii)	\$250 and suspension until compliance	Yes
§1-11(f)	\$1,000 and suspension until compliance	Yes
§1-11(g)	\$250 and suspension until compliance.	Yes
§1-11(h)	\$250	Yes
§1-12(a)(1)	\$25	No
§1-12(a)(2)	Notice to correct within 10 Days (failure to comply with such notice shall be a violation of §1-68(a).)	N/A
§1-12(a)(3)	Notice to correct within 10 Days (failure to comply with such notice shall be a violation of §1-68(a).)	N/A
§1-12(b)	\$50 – 350 and/or suspension up to 30 days	Yes
§1-13(a)	\$100 – 350 and/or permanent removal of radio	Yes
§1-13(b)(1)	\$100 – 350 and/or permanent removal of telephone	Yes
§1-13(b)(2)	\$100 – 350 and/or permanent removal of telephone	Yes
§1-13(b)(3)	\$100 – 350 and/or permanent removal of telephone	Yes
§1-13(b)(4)	\$100	No

* [As reads in the Official Compilation of the Rules of the City of New York.]

<u>Rule No.</u>	<u>Penalty</u>	<u>Personal Appearance Required</u>
	All fines listed below also include a separate license suspension, to run concurrent with any underlying suspension, until such fine is paid, unless such fine is paid by close of business on the day assessed.	
§1-14(a)	The penalty for failure to comply with this rule shall be \$50 per day, except that where the system is installed and malfunctioning, a notice to correct within ten days shall be issued.	No
§1-15(a)(1)	\$100 - \$250	Yes
§1-15(a)(2)	\$100 – 250	Yes
§1-16(a)	\$100	No
§1-17(a)	\$300 and suspension until the condition is corrected	Yes
§1-17(c)	\$300 and suspension until the condition is corrected	Yes
§1-17(d)	\$50	No
§1-17(e)	\$50	No
§1-17(f)	\$50	No
§1-18(a)	\$100 and suspension until the condition is corrected	Yes
§1-19(a)	\$100 if no device. Notice to correct within 10 days if device is non-functioning. (Failure to comply with such notice shall be a violation of Rule 1-68(a).)	No
§1-20(a)(1)	\$50	No
§1-20(a)(3)	\$50	No
§1-20(a)(4)	\$500	No
§1-20(a)(5)	\$50	No
§1-20(b)(1)	\$50	No
§1-20(b)(2)	\$200	No
§1-20(b)(3)	\$300 for a first violation. \$600 for a second and subsequent violation within thirty-six months.	Yes
§1-21(a)	\$500	Yes
§1-21(b)	\$500	Yes

<u>Rule No.</u>	<u>Penalty</u>	<u>Personal Appearance Required</u>
	All fines listed below also include a separate license suspension, to run concurrent with any underlying suspension, until such fine is paid, unless such fine is paid by close of business on the day assessed.	
§1-21(c)	\$500	Yes
§1-22(a)	\$100	No
§1-22(b)	\$75	No
§1-23(a)	\$250 - 1,500 and/or suspension up to 30 days. Summary suspension until compliance pursuant to section 8-17(b) of this title.	Yes
§1-24(a)	\$75	No
§1-24(b)	\$50 – 350 and/or suspension up to 30 days	Yes
§1-25(a)(1)	\$100	No
§1-25(a)(2)	\$100	No
§1-25(a)(3)	\$50	No
§1-25(a)(4)	\$50	No
§1-25(a)(5)	\$100	No
§1-26(a)	\$100	No
	No penalty for missing plaque, if condition is corrected within forty-eight hours.	
§1-30(a-e)	N/A	
§1-31(a)	\$100 – 350 and/or suspension up to 30 days	Yes
§1-32(a)	\$100	No
§1-33(a)	\$100	Yes
§1-33(b)	\$100	No
§1-33(c)	Notice to correct within 10 days (Failure to comply with such notice shall be a violation of §1-68(a).)	N/A
§1-35(a)	\$75	No
§1-35(b)(1), (2), (3) and (4)	\$25	No
§1-35(b)(5) and (6)	\$75	No
§1-35(c)	\$50	No
§1-35(d)	Notice to correct within 10 days (Failure to comply with such notice shall be a violation of §1-68(a).)	N/A

<u>Rule No.</u>	<u>Penalty</u> All fines listed below also include a separate license suspension, to run concurrent with any underlying suspension, until such fine is paid, unless such fine is paid by close of business on the day assessed.	<u>Personal Appearance Required</u>
§1-36	N/A	
§1-37(a)	\$100 and suspension until compliance	Yes
§1-37(b)	\$100 and suspension until compliance	Yes
§1-37(c)	\$250	No
§1-40(a)	\$150 – 350 and/or suspension up to 30 days	Yes
§1-40(b)	\$100	Yes
§1-40(c)(1)	\$500 - 1,000	Yes
§1-40(c)(2)	\$150 and \$25 for each day of violation thereafter and suspension until compliance	Yes
§1-40(d)	\$350 and suspension until compliance	Yes
§1-41(a)	\$50 - 350 and/or suspension up to 30 days	Yes
§1-42(a)	\$100	No
§1-42(b)	\$50	No
§1-43(a)	\$25 for each day in violation	Yes
§1-43(b)	\$200	No
§1-43(c)	\$200	No
§1-43(d)	\$100 – 250	Yes
§1-44(a)	\$100	No
§1-45(a)(1)	suspension until condition is corrected	Yes
§1-45(a)(2)	suspension until condition is corrected	Yes
§1-45(a)(3)	\$100	No
§1-45(a)(4)	\$100	No
§1-45(b)	N/A	
§1-46(a)	\$100 - 350 and/or suspension up to 30 days	Yes
§1-46(b)	\$100 - 350 and/or suspension up to 30 days	Yes
§1-47(a)	suspension until compliance, and \$75 - 150 for first violation \$150 - 300 for second violation \$300 - 500 for third violation within 24 months	Yes

<u>Rule No.</u>	<u>Penalty</u>	<u>Personal Appearance Required</u>
	All fines listed below also include a separate license suspension, to run concurrent with any underlying suspension, until such fine is paid, unless such fine is paid by close of business on the day assessed.	
§1-47(b)	suspension until compliance, and \$75 - 150 for first violation \$150 - 300 for second violation \$300 - 500 for third violation within 24 months	Yes
§1-47(c)	\$250	No
§1-47(d)	\$250 - 500 and suspension until compliance	Yes
§1-48(a)	\$250 - 500 and suspension until compliance	No
§1-48(b)	\$100	Yes
§1-48(c)	\$250 - 500 and suspension until compliance	Yes
§1-50	N/A	
§1-51(a)	\$50	No
§1-52(a)(1-4)	\$25 for violation of each subdivision hereof. No fine for violation of this rule shall exceed \$75.	No
§1-52(a)(5)	Notice to correct within 10 days (Failure to comply with such notice shall be a violation of §1-68(a).)	N/A**
§1-54(a)(1)	\$25 – 250	Yes
§1-54(a)(2)	\$25	No
§1-54(b)(1)	\$100	No
§1-54(b)(2)	\$100	No
§1-54(c)	\$50 – 250	Yes
§1-54(d)	Notice to correct within 10 days (Failure to comply with such notice shall be a violation of §1-68(a).)	N/A**
§1-55(a)(1)	\$25 – 250	Yes
§1-55(a)(2)	\$25	No
§1-55(b)(1)	\$100	No
§1-55(b)(2)	\$100	No

** Not applicable.

<u>Rule No.</u>	<u>Penalty</u>	<u>Personal Appearance Required</u>
	All fines listed below also include a separate license suspension, to run concurrent with any underlying suspension, until such fine is paid, unless such fine is paid by close of business on the day assessed.	
§1-55(b)(3)	\$100	No
§1-55(b)(4)	\$500	No
§1-55(c)	\$50 – 250	Yes
§1-55(d)	Notice to Correct Within 10 Days (Failure to comply with such notice shall be a violation of Rule 1-68(a).)	N/A**
§1-55(e)	\$200	No
§1-55(f)	\$200 for the first violation. \$350 - 500 for the second or subsequent violation within 36 months.	No
§1-55(g)	\$100	No
§1-56(a)	\$25	No
§1-56(b)(1-7)	\$50 for violation of each subdivision hereof.	No
§1-56(c)	\$50	No
§1-56(d)(1)	\$50	No
§1-56(d)(2)	\$100 - 350 and/or suspension up to 30 days	No
§1-56(e)	\$25	No
§1-57(a)	N/A	
§1-59(a)	\$50 - 350 and/or suspension up to 30 days	Yes
§1-60(a)	\$50	No
§1-60(b)(1)	\$350 – 1,000 and/or suspension up to 60 days or revocation	Yes
§1-60(b)(2)	\$150 - 350 and/or suspension up to 30 days or revocation	Yes
§1-60(c)	\$350 – 1,000 and/or suspension up to 30 days or revocation	Yes
§1-60(d)	\$350 – 1,000 and/or suspension up to 30 days or revocation	Yes
§1-60(e)	\$100 - 350 and/or suspension up to 30 days	Yes

<u>Rule No.</u>	<u>Penalty</u>	<u>Personal Appearance Required</u>
	All fines listed below also include a separate license suspension, to run concurrent with any underlying suspension, until such fine is paid, unless such fine is paid by close of business on the day assessed.	
§1-61(a)	Mandatory divestiture of any and all taxicab licenses held by the owner, and any held by a director, officer or stockholder of the owner, plus a fine of up to \$10,000 per medallion implicated in the violation.	Yes
§1-61(b)	Mandatory divestiture of any and all taxicab licenses held by the owner, and any held by a director, officer or stockholder of the owner, plus a fine of up to \$10,000 per medallion implicated in the violation.	Yes
§1-61(c)	Mandatory divestiture of any and all taxicab licenses held by the owner, and any held by a director, officer or stockholder of the owner, plus a fine of up to \$10,000 per medallion implicated in the violation.	Yes
§1-61(d)	Mandatory divestiture of any and all taxicab licenses held by the owner, and any held by a director, officer or stockholder of the owner, plus a fine of up to \$10,000 per medallion implicated in the violation.	Yes
§1-61(e)	A fine of up to \$10,000 per medallion implicated in the violation and/or mandatory divestiture of any and all interests in any taxicab licenses held by the owner, shareholder, officer, director or partner in violation.	Yes
§1-62(a)	Revocation and \$10,000	Yes
§1-62(b)	\$100	No
§1-62(c)	\$50	No
§1-63(a)	\$350 – 1,000 and/or suspension up to 30 days or revocation	Yes
§1-63(b)	\$500 – 1,500 and/or suspension up to 60	Yes

<u>Rule No.</u>	<u>Penalty</u>	<u>Personal Appearance Required</u>
	All fines listed below also include a separate license suspension, to run concurrent with any underlying suspension, until such fine is paid, unless such fine is paid by close of business on the day assessed.	
	days or revocation	
§1-64(a)	\$50 – 200	Yes
§1-65(b)	\$50 – 200	Yes
§1-66(a)	Notice to correct within 10 days (Failure to comply with such notice shall be a violation of §1-68(a).)	N/A**
§1-67(a)	\$50 – 350	Yes
§1-67(b)	\$500-1,500 and/or suspension up to 60 days or revocation	Yes
§1-68(a)	\$200 and suspension until compliance	Yes
§1-76(a)	\$500 - 1,000 and/or suspension up to 30 days	Yes
§1-76(b)	\$200	No
§1-76(c)	\$200	No
§1-77(a)	\$200	No
§1-77(b)	\$500 - 1,000 and/or suspension up to 30 days	Yes
§1-78(a)	First violation: \$500 Second and subsequent violations: \$1,000 and/or suspension of the medallion for up to thirty days In addition to the penalty payable to the Commission, the administrative law judge may order the owner to pay restitution to the driver, equal to the excess that was charged to the driver.	Yes

** Not applicable.

<u>Rule No.</u>	<u>Penalty</u>	<u>Personal Appearance Required</u>
	All fines listed below also include a separate license suspension, to run concurrent with any underlying suspension, until such fine is paid, unless such fine is paid by close of business on the day assessed.	
§ 1-78(a)(4)	First violation \$500 Second and subsequent violations: \$1000 and/or suspension of the medallion for up to thirty days. In addition to the penalty payable to the Commission, the administrative law judge may order the owner to pay restitution to the driver, equal to the excess that was charged to the driver.	Yes
§ 1-78(d)	\$100	No
§1-79(b)	First violation: \$250 Second violation: \$350 Third and subsequent violations \$500 and/or suspension of the medallion for up to thirty days In addition to the penalty payable to the Commission, the administrative law judge may order the owner to pay restitution to the driver, equal to the excess that was withheld from the driver, or equal to the amount that the driver paid, at the requirement of the owner, to satisfy any summons against the owner.	Yes
§1-79(c)	\$200	No
§1-79(d)-(e)	\$50	No
§1-79.1(a)	\$500	No
§1-79.1(b)	First violation \$500 Second and subsequent violations: \$1000 and/or suspension of the medallion for up to thirty days. In addition to the penalty payable to the Commission, the administrative law judge may order the owner to pay restitution to the driver, equal to the excess or non-	Yes

<u>Rule No.</u>	<u>Penalty</u>	<u>Personal Appearance Required</u>
	All fines listed below also include a separate license suspension, to run concurrent with any underlying suspension, until such fine is paid, unless such fine is paid by close of business on the day assessed. authorized charge that was charged to the driver.	
§1-79.2	\$50 plus driver gets free shift.	
§1-79.3	\$1,000	No
§1-80(b)	\$10,000 per entity, per medallion and attempted transfer invalid; penalty applicable to person or persons (transferor, transferee or both) whose actions constituted violation; revocation may be ordered.	No
§1-80(e)	\$250	No
§1-81(f)	\$10,000	No
§1-82(b)	\$250 for failure to notify; revocation may be ordered if medallion operated beyond, or not transferred by, the periods specified.	No
§1-82(d)	\$250	No
§1-83	\$250 plus restitution to the driver of any replenishment account improperly retained by an owner or agent.	Yes
§1-85 (a) and (b)	First violation: \$200. Second violation: \$300. Third violation: \$500. In addition to the penalty payable to the Commission, the administrative law judge may order the owner to pay restitution to the passenger or driver, equal to the excess amount that was charged to the passenger or driver.	Yes

§1-87 Owners of Accessible Taxicabs.

An owner of an accessible taxicab medallion must also comply with chapter

16 of this title.

** Not applicable