

## NEW YORK CITY TAXI AND LIMOUSINE COMMISSION

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

**What are we proposing?** The Taxi and Limousine Commission is considering adding a rule which would require all licensed Street Hail Livery vehicles to display a decal informing prospective passengers that street hail pick-ups are not permitted in the “Hail Exclusionary Zone.”

**When and where is the Hearing?** The Commission will hold a public hearing, at which the public and interested parties are invited to submit comments and testimony on the proposed rules, at 10:00 a.m. on September 18, 2014. This hearing will be held in the Commission’s public hearing room at 33 Beaver St., New York, NY on the 19<sup>th</sup> Floor.

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

- **Mail.** You can mail written comments to the Taxi and Limousine Commission, Office of Legal Affairs, 33 Beaver Street – 22<sup>nd</sup> Floor, New York, New York 10004.
- **Fax.** You can fax written comments to the Taxi and Limousine Commission, Office of Legal Affairs, at 212-676-1102.
- **Email.** You can email written comments to [tlcrules@tlc.nyc.gov](mailto:tlcrules@tlc.nyc.gov).
- **Website.** You can submit comments to the Taxi and Limousine Commission through the NYC rules Web site at [www.nyc.gov/nycrules](http://www.nyc.gov/nycrules).
- **By Speaking at the Hearings.** Anyone who wants to comment on the proposed rule at the public hearings must sign up to speak. You can sign up before either hearing by calling 212-676-1135. You can also sign up in the hearing room before the session begins on September 18, 2014. You can speak for up to three minutes.

**Is there a deadline to submit written comments?** Yes, you must submit written comments by September 15, 2014.

**Do you need assistance to participate in the Hearings?** You must tell the Office of Legal Affairs if you need a reasonable accommodation of a disability at the Hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at 212-676-1135. You must tell us by September 11, 2014.

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

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

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

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

## STATEMENT OF BASIS AND PURPOSE OF RULES

The TLC is proposing a rule that would require Street Hail Livery vehicles (also known as Boro Taxis or green cabs) to display a mandatory “Hail Zone” decal on each of its rear doors. The decal will inform prospective passengers that these vehicles are not authorized to pick up passengers in Manhattan south of East 96<sup>th</sup> Street and south of West 110<sup>th</sup> Street or at the La Guardia or John F. Kennedy airports. (These areas are known as the Hail Exclusionary Zone.)

By educating the public by means of the decal regarding where Boro Taxis may not make pick-ups, the TLC expects to reduce both prospective passengers’ confusion and attempts by prospective passengers to hail Boro Taxis in the Hail Exclusionary Zone. The decal will also support drivers when they inform passengers that they may not pick them up in the Hail Exclusionary Zone. Passengers will know that they are not being refused service unfairly and that the driver is prohibited by law from picking them up.

The Commission believes that the cost incurred by the licensees for the decal will be minimal.

The Commission’s authority for this rule change is found in section 2303 of the New York City Charter and section 19-503 of the Administrative Code of the City of New York.

New material is underlined.

[Material inside brackets indicates deleted material.]

(1) *Marking Specifications for Street Hail Liveries*

| <b>INSCRIPTION*</b>  | <b>LOCATION</b>   | <b>SIZE</b>  |
|--|---|--|
| <u>(n) “Street Hail Livery Hail Zone Decal.” The decal may be obtained pursuant to instructions posted on the Commission website or through other appropriate means announced on its website. (required)</u> | <u>On the driver and passenger side rear doors, with the left-most point of the decal vertically aligned with the left-most point of the metered fare decal, and located two inches below the base line of the rate of fare decals.</u> | <u>The size of the decal will be determined by the Commission.</u> |

**NEW YORK CITY LAW DEPARTMENT  
100 CHURCH STREET  
NEW YORK, NY 10007  
212-356-4028**

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

**RULE TITLE: Street Hail Livery Decal**

**REFERENCE NUMBER: 2014 RG 065**

**RULEMAKING AGENCY: Taxi and Limousine Commission**

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN  
Acting Corporation Counsel

Date: August 8, 2014

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

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

**RULE TITLE: Street Hail Livery Decal**

**REFERENCE NUMBER: TLC-70**

**RULEMAKING AGENCY: TLC**

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco X. Navarro  
Mayor's Office of Operations

August 11, 2014  
Date