

**Regulatory Agenda
Of the New York City Taxi and Limousine Commission**

Fiscal Year Ending June 30, 2011

Pursuant to Section 1042 of the Charter of the City of New York, the New York City Taxi and Limousine Commission (“TLC”) hereby publishes a Regulatory Agenda for the Fiscal Year ending June 30, 2011. This Regulatory Agenda describes briefly the subject areas in which it is anticipated that rules may be promulgated during the fiscal year.

The legal basis for each proposed rule is the authority conferred to the TLC pursuant to chapter 65 of the City Charter and Title 19, Chapter 5 of the Administrative Code of the City of New York, which confer upon the Commission the authority to promulgate rules relating to public safety, comfort and convenience, standards and conditions of service, the issuance, suspension and revocation of licenses, and the development of a transportation policy relating to for-hire vehicles and taxicabs.

The individuals and entities likely to be subject to the proposed rules are the owners and drivers of licensed medallion taxicabs, for-hire vehicles, commuter vans and paratransit services vehicles; the owners of bases dispatching for-hire vehicles, paratransit services vehicles and commuter vans; taxicab brokers; taxicab agents; taximeter businesses; and representatives authorized to appear before the Commission’s Adjudications Tribunal.

An agency official knowledgeable about the subject area of each proposal is:

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1. **Comprehensive Rule Revision**

As the second phase of a three-phase project to assess, restructure and revise the Commission's rules, the Commission expects to complete a largely non-substantive revision and re-promulgation of its entire body of rules during FY 2011. The revision consists primarily of restating existing rules in plainer English, eliminating outdated and duplicative rules, and re-organizing the overall structure of the Commission's rules to be more accessible and user-friendly.

The Commission expects to promulgate the new rules during the Summer of 2010.

2. **Adjudications Procedures**

The Commission expects to propose several rules relating to adjudications before the Commission's tribunal. Among these will be rules to establish fixed fines for all violations, eliminating fines that can vary within specified ranges. That proposal would enable individuals who wish to plead guilty to violations to do so by mail, thereby eliminating the requirement of a personal appearance before an administrative law judge. Other proposed rules would revise the procedures for appeals from decisions rendered by the Commission's administrative law judges, adjournments, and motions to vacate defaults.

These proposals are scheduled for consideration in the Summer of 2010.

3. **Licensing Requirements**

The Commission expects to propose rules revising and standardizing licensing requirements for new and renewal applicants. The proposed amendments will include a one-year ban after license revocation for all license types; eliminate or codify license renewal grace periods; and revise licensee education/training requirements. This will allow the Commission to process applications more quickly and provide better customer service to the public and licensees.

The Commission also expects to propose a rule requiring that new and renewal license applicants pay any outstanding fines before their application can be accepted for review. This will increase the Commission's ability to collect outstanding debts and further deter licensees from violating Commission rules and regulations.

The Commission expects to consider these proposals in the Fall of 2010.

4. **Vehicle Tow and Removal Fees**

The Commission expects to amend applicable penalties for unlicensed activity, including the fees charged for vehicle tow and removal. Currently the penalties for vehicle tow and removal vary between industries; the proposed rules will standardize and update them. This proposal is scheduled for consideration in the Winter of 2010 - 2011.

5. **Rooftop Advertising Fixtures**

The Commission expects to propose rules stating technical standards for taxicab rooftop advertising fixtures. The Commission expects to consider this proposal in the Winter of 2010 - 2011.

6. **Medallion Revocations**

The Commission expects to propose rules revising the procedures for the re-sale of revoked medallions. The Commission expects to consider this proposal in the Spring of 2011.

7. **For Hire Service for Disabled Passengers**

The Commission expects to propose rules clarifying that TLC-licensed paratransit services can provide "equivalent service" for under Commission rule 6-07(f) which mandates that for-hire vehicle bases offer equivalent service to the disabled. The Commission expects to consider this proposal in the Fall of 2010.

8. **Returned Check Fees**

The Commission expects to propose rules imposing a \$20 fee on each returned check. The Commission expects to consider this proposal in the Fall of 2010.

9. **Camera Rules**

The Commission expects to propose certain technical amendments to its rules regarding cameras, including specification that cameras must be functional. The Commission expects to consider this proposal in the Fall of 2010.

10. **Payment of Outstanding Fines**

The Commission expects to propose rules clarifying that applicants for new or renewal licenses must pay all outstanding fines as a condition of licensure. The Commission expects to consider this proposal in the Fall of 2010.

11. **Use of Licenses**

The Commission expects to propose rules clarifying that a license qualifies a driver to provide service only of the class for which he or she is licensed, and to repeal a pilot program which permitted holders of taxicab licenses to drive for-hire vehicles. The Commission expects to consider this proposal in the Fall of 2010.

12. **Taxicab Agents**

The Commission expects to propose amendments to rules governing taxicab agents. Among other things, the Commission will propose rules requiring all agents to maintain 24-hour contact information and penalizing agents who dispatch owner-must-drive medallions in a way that does not comply with owner-must-drive service requirements. The Commission expects to consider this proposal in the Fall of 2010.

13. **Critical Driver**

The Commission expects to propose amendments to “critical driver” rules to make maximum use of the “critical driver” authority given by the Administrative Code and to resolve certain technical issues regarding the 15-month “look-back” period. The Commission expects to consider this proposal in the Fall of 2010.

14. **Driver Appearance**

The Commission expects to propose rules eliminating the specific clothing and appearance requirements for taxicab drivers and replacing those with a “neat and clean appearance” requirement for all licensed drivers. The Commission expects to consider this proposal in the Fall of 2010.

15. **Items Present in a Taxicab**

The Commission expects to propose revisions to rules specifying the items that must be present in a taxicab, including the requirement that there be a map which seems outdated now that all taxis have a GPS system, and specifying the items that must be visible to passengers. The Commission expects to consider this proposal in the Fall of 2010.

16. **Stickers and Decals**

The Commission expects to propose rules requiring that expired license stickers and decals must be removed from a vehicle. In addition, the Commission expects to propose rules requiring side decals on paratransit vehicles. The Commission expects to consider these proposals in the Fall of 2010.

17. **Business Entity Rules**

The Commission expects to propose rules permitting limited liability companies to hold any licenses which corporations are currently permitted to hold. The Commission expects to consider these proposals in the Fall of 2010.

18. **Service Animals**

The Commission expects to propose rules standardizing the requirements for transport of service animals which are presently not exactly the same across all license classes. The Commission expects to consider these proposals in the Fall of 2010.

19. **Persistent Violator**

The Commission expects to propose rules applying persistent violator rules like those currently applicable to taxicab and for-hire vehicle drivers, to commuter van and paratransit vehicle drivers. The Commission expects to consider these proposals in the Fall of 2010.

20. **Base and Vehicle Affiliation.**

The Commission expects to propose rules governing affiliation of commuter vans with commuter van services and paratransit vehicles with paratransit bases which are intended to be consistent with existing rules governing affiliation of for-hire vehicles with for-hire vehicle bases. The Commission expects to consider these proposals in the Fall of 2010.

21. **E-mail Addresses and Notices**

The Commission expects to propose rules for all license classes requiring that all licensees maintain a current, working e-mail address on file with the Commission and specifying that the Commission may give notice of items affecting the license, including expiration, renewal, and suspension, by use of such email address. The Commission expects to consider these proposals in the Fall of 2010.

22. **Unlicensed Activity**

The Commission expects to propose rules clarifying, for all license classes, that operating with a suspended license is unlicensed activity. The Commission expects to consider these proposals in the Fall of 2010.