

NEW YORK CITY TAXI AND LIMOUSINE COMMISSION

Notice of Promulgation of Rules

Notice is hereby given in accordance with section 1043(e) of the Charter of the City of New York (“Charter”) that the Taxi and Limousine Commission (“TLC”) hereby promulgates rules governing various vehicle transfer fees.

These rules are promulgated pursuant to sections 1043 and 2303 of the Charter and section 19-504 of the Administrative Code of the City of New York.

A public hearing on these proposed rules was held by the TLC at its offices at 40 Rector Street, 5th Floor, New York, New York 10006 on July 15, 2010 at 10:00 a.m.

Pursuant to section 1043(e)(1)(c) of the Charter, these rules will take effect 30 days following publication in the City Record.

New Material is underlined.

[Material inside brackets indicates deleted material.]

Section 1. Section 1-06 of Title 35 of the Rules of the City of New York is hereby amended to read as follows:

(a) [Pursuant to §19-504(k) of the Administrative Code of the City of New York, the fee for replacement of license plates issued by the New York State Department of Motor Vehicles shall be twenty-five dollars (\$25) per vehicle.] 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.

Section 2. Section 4-16(g) of Title 35 of the Rules of the City of New York is hereby amended to read as follows:

(g) *Vehicle Transfer Fees.*

[Pursuant to §19-504(h) of the Administrative Code of the City of New York, a vehicle licensee may change the base with which it is affiliated, subject to the approval of the Commission and upon payment of a fee of twenty-five dollars (\$25).]

(1) An owner may change the base with which a paratransit vehicle is affiliated after approval by the Chairperson and payment of a \$25 fee.

(2) An owner may transfer a paratransit vehicle license to a different vehicle after approval by the Chairperson and payment of a \$25 fee.

(3) An owner may replace the license plates on a paratransit vehicle after approval by the Chairperson and payment of a \$25 fee .

(4) An owner must pay a separate fee for each separate transfer, regardless of when such transfer is made.

Section 3. Section 6-03(g) and delete section 6-03(h) of the Title 35 of the Rules of the City of New York is hereby amended to read as follows:

(g) Vehicle Transfer Fees. [Pursuant to §19-504(h) of the Administrative Code of the City of New York, a vehicle licensee may change the base with which it is affiliated, subject to the approval of the Commission and upon payment of a fee of twenty-five dollars (\$25).]

(1) The holder of a for-hire vehicle permit may change the base with which the for-hire vehicle is affiliated after approval by the Chairperson and payment of a \$25 fee.

(2) The holder of a for-hire vehicle permit may transfer the for-hire vehicle permit to a different vehicle after approval by the by the Chairperson and payment of a \$25 fee.

(3) The holder of a for-hire vehicle permit may replace the license plates on the for-hire vehicle after approval by the Chairperson and payment of a \$25 fee.

(4) The holder of a for-hire vehicle permit must pay a separate fee for each separate transfer, regardless of when such transfer is made.

[(h) Pursuant to §19-504(k) of the Administrative Code of the City of New York, the fee for replacement of license plates issued by the New York State Department of Motor Vehicles shall be twenty-five dollars (\$25) per vehicle.]

Section 4. Section 9-15 of Title 35 of the Rules of the City of New York is hereby amended by adding a new subdivision (d), to read as follows:

(d) Vehicle Transfer Fees.

(1) A holder of a commuter van license may change the commuter van service with which the commuter van is affiliated after approval by the Chairperson and payment of a \$25 fee.

(2) A holder of a commuter van license may transfer the commuter van license to a different vehicle after approval by the Chairperson and payment of a \$25 fee.

(3) A holder of a commuter van license may replace the license plates on the commuter van after approval by the Chairperson and payment of a \$25 fee.

(4) A holder of a commuter van license must pay a separate fee for each separate transfer, regardless of when such transfer is made.

Statement of Basis and Purpose

These rules amend the provisions of chapters 1 (Taxicab Owners), 4 (Paratransit Service), 6 (Vehicles for Hire) and 9 (Commuter Van Services) of the Taxi and Limousine Commission's Rules with respect to the collection of certain fees authorized by sections 19-504 (h) and (k) of the New York City Administrative Code.

Specifically, the rules provide that the holder of a vehicle license under any of these chapters will be required to pay a transfer fee each time such licensee seeks to

- Change the licensed vehicle
- Change the vehicle's base or service affiliation (if applicable) or
- Change the vehicle's license plates.

Any licensee who seeks to make more than one type of transfer at any one time must pay a separate fee for each transfer. Therefore, for example, under the rule, a licensee who seeks to simultaneously transfer base affiliation and license plates would be charged two fees, one for each transfer type.