



The New York City
Department of
Consumer Affairs
42 Broadway
New York, NY
10004-1716

July 21, 2008

[REDACTED]

[REDACTED]

Jonathan Mintz
Commissioner

[REDACTED]
Assistant Commissioner
[REDACTED]

Re: Horse Drawn Cabs – Weekend Restrictions

Dear Ms. [REDACTED]

I'm writing in reply to your email of June 10, 2008 in which you sought clarification of the legal restrictions for driving or operating horse drawn cabs on the weekends. You asked whether horse drawn cabs can be driven and operated on the weekends between 8 a.m. and 9 a.m. at the hack line on Central Park South. The answer is that the Administrative Code does not prohibit the driving or operation of horse drawn cabs during those times on Central Park South.

The law is written in such a way as to only list the times and places that operating a horse drawn cab would be prohibited. Section 20-381.1 (a) states as follows: It shall be unlawful for a driver of a horse drawn cab to operate such cab at any time when and where such operation is prohibited." Therefore, if a time or place is not restricted, then one can infer that it is allowed.

The restricted times and places for operating a horse drawn cab are contained in Section 20-381.1 (b). That subsection breaks down as follows:

(b) (1) sets forth the prohibited times in Manhattan generally during the weekday mornings, from 7 a.m. to 10 a.m. and during the daytime and part of the evenings, from 10 a.m. until 9 p.m., with an exception between the hours of 10 a.m. and 9 p.m. for the area immediately adjacent to Central Park.

(b) (2) sets forth the prohibited times in Manhattan generally, during the evening hours of 9 p.m. and 11:30 p.m. and two specific grid locations in Manhattan, neither of which include along Central Park.

(b) (3) set forth the weekend restrictions during certain times of the year in one of the grid locations in Manhattan referred to in (b) (2) above, which does not include along Central Park.

(b) (4) sets forth with prohibited times and areas in Manhattan in connection with certain holidays (e.g. New Year's Day and Christmas).

(b) (5) sets forth the absolute prohibition of horse drawn cabs going on bridges and tunnels in the city of New York, at any time.

Therefore, subsections (b) (2) and (b) (3) contain the only relevant provisions relating to restrictions of horse drawn cab operation on the weekends. Since Central Park and the areas along it are not restricted on the weekends at any time, the hack line at Central Park South would not be restricted between the hours you inquired about.

I hope this clarifies the relevant Administrative Code sections and explains how to read them.

Sincerely,

A black rectangular redaction box covering the signature of the Assistant Commissioner for Legal Services.

Assistant Commissioner
for Legal Services

A black rectangular redaction box covering the contact information of the Assistant Commissioner for Legal Services.