

**DEPARTMENT OF CONSUMER AFFAIRS
CITY OF NEW YORK**

DEPARTMENT OF CONSUMER AFFAIRS,

Complainant,

-against-

AARIDGE CARRIAGE INC.


and

SALVATORE TERRANOVA


Respondents.

CONSENT ORDER

Violation No. LL 2532689

**License # 1023818
(Horse Drawn Cab)**

AARIDGE CARRIAGE (“Respondent”) acknowledges receiving the above-captioned Notice of Hearing charging it with violating NYC Administrative Code (“Code”) §§20-101 and 20-381(e). The Respondent agrees to entry of this consent order to settle the charges contained in the Notice of Hearing without an admission of guilt.

Background

1. Respondent has held a license to operate a Horse-Drawn Cab issued by the Department since on or about November 19, 1999.
2. The Department issued license plate no 087 1100 to the Horse-Drawn Cab operated by Respondent.
3. On July 25, 2011, Respondent permitted Salvatore Terranova (“Terranova”) to operate the Horse-Drawn Cab with license plate number 087 1100.

4. Respondent had known Terranova to be a licensed Horse-Drawn Cab driver for many years and had permitted Terranova to operate its Horse-Drawn Cab on occasion during the ten years prior to July 25, 2011.
5. The Department issued Horse-Drawn Cab Driver license No. 0709926 to Terranova on or about April 21, 1998.
6. On or about September 1, 2010, the Department suspended Terranova's license for failure to pay a fine owed to the Department in the amount of \$250.00.
7. Although the Department directed Terranova on or about September 1, 2010 to surrender his license pending payment of the fine owed to the Department, Terranova did not do so.
8. On July 25, 2011, Respondent did not have actual knowledge that the Department had suspended Terranova's Horse-Drawn Cab Driver's license on September 1, 2010.
9. On July 25, 2011, while Terranova was operating the Horse-Drawn Cab with license plate number 087 1100 on 59th Street in New York City, a taxi cab struck the Horse-Drawn Cab in the rear end.
10. Section 20-381(e) of the Code states in relevant part: "It shall be unlawful for the owner of a horse drawn cab to permit such horse drawn cab to be operated by a person who does not possess a current valid driver's license issued pursuant to this section. In any prosecution of an owner for a violation of this section, it shall not be necessary to prove that the owner knew or should have known that the driver was unlicensed[.]"

Injunctive Relief

11. Respondent shall comply with all laws and rules applicable to Horse-Drawn Cab operators in the City of New York, including, but not limited to, Title 20 of the Code and Title 6 of the RCNY.

Fine

12. Respondent shall pay a fine of \$250 to settle in full all violations alleged in the Notice of Hearing in this proceeding. There shall be no other penalties of any kind.

License Renewal or Transfer

13. Entry of this Consent Order shall not prevent renewal of Respondent's license pursuant to Code § 20-373 or transfer of Respondent's license pursuant to Code § 20-374.

Records Disposal – Privacy Concerns

14. Respondent shall dispose of records containing personal identifying information such as social security numbers, driver's license numbers, non-driver identification card numbers, mother's maiden name, financial services account numbers or codes, savings account numbers or codes, checking account numbers or codes, debit card numbers or codes, automated teller machine numbers or codes, electronic serial numbers, and/or personal identification numbers by:
 - a. Shredding the records before disposal;
 - b. Destroying the personal identifying information contained in the record; and/or
 - c. Modifying the record to make the personal identifying information unreadable.
15. Respondent shall immediately notify the Department and the police of any breach of security or unauthorized possession of personal identifying information that compromises the security, confidentiality, or integrity of such information.
16. Respondent shall shorten (truncate) the account information on electronically printed credit and debit card receipts given to consumers. Respondents shall not include more than the last five digits of the credit card number and shall delete the card's expiration date.
17. Nothing in this Order shall be construed as waiving or abrogating Respondent's responsibilities under federal, state or local law concerning record-keeping or record maintenance.

Waiver of Appeals

18. Respondent hereby waives any further right to a hearing and appeal on any of the matters referred to herein, under Title 20, Chapter 1, and Section 20-381(e) of the Code or under Article 78 of the New York State Civil Practice Law and Rules, §§7801-7806.

Miscellaneous

19. Nothing in this Order shall be construed to limit in any way the authority of the Department to exercise its enforcement powers under Sections 20-101 or 20-320 of the Code.

Agreed to for the Respondents by: 12/12/11

Signature



Lonnie S. Rosenberg
Attorney for Respondent

Date

Accepted for the Department of Consumer



Deputy General Counsel

12/13/11

Date

Businesses licensed by the Department of Consumer Affairs (DCA) must comply with all relevant local, state and federal laws. Copies of New York City licensing and consumer protection laws are available in person at DCA's Licensing Center, located at 42 Broadway, 5th Floor, New York, NY, by calling 311, New York City's 24 hour Citizen Service Hotline, or by going online at www.nyc.gov/consumers.