



Jonathan Mintz
Commissioner

July 23, 2012

VIA E-MAIL ([REDACTED])

[REDACTED]
Staff Attorney
Legal Division
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

42 Broadway
9th Floor
New York, NY 10004

+1 [REDACTED] tel
+1 [REDACTED] fax

nyc.gov/consumers

RE: Definition of a Pedicab "Accident" & Reporting Requirements

Dear Mr. [REDACTED]:

The New York City Department of Consumer Affairs (the "Department" or "DCA") issues this letter in response to your email requesting "a legal definition of the term 'accident,' at least as it pertains to pedicabs."

Section 2-415(d) of Title 6 of the Rules of the City of New York ("RCNY" or "Rules") defines an "accident" as "any event arising from the operation of a pedicab that causes or caused human injury or damage to property." The Rules require licensed pedicab drivers and businesses to notify the Department in writing when an accident occurs. Section 2-240 of the Rules provides that:

(a) Every pedicab business licensee and pedicab driver shall submit to the Department ... a written report of every accident relating to a pedicab within **twenty-four hours** after the occurrence of such accident. Such completed form shall be signed by the pedicab business owner or his or her agent and by the pedicab driver involved in the accident.

(b) Whenever any person sustains an injury requiring medical treatment or dies in an accident related to a pedicab, the pedicab business owner to whom is issued a pedicab business license shall **immediately notify** the Department by telephone and by facsimile transmission to the telephone numbers prescribed by the Department, and furnish such information as is sufficient to identify the time and location of the accident and the nature of the injuries sustained by any person.

See 6 RCNY § 2-420 (emphasis added).

Accordingly, when a pedicab has a "fender bender," which causes human injury or damage to property, both the pedicab driver(s) and pedicab business(es) involved must provide written notification to the Department of the accident in a timely manner. See 6 RCNY § 2-420.

Additional general information about license requirements and a compilation of licensing laws is available on the DCA's website at nyc.gov/consumers.

Sincerely,

[REDACTED SIGNATURE]