



Legislation Text

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File #: Int 0182-2010, Version: \*

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Preconsidered Int. No. 182

By Council Members Brewer, Levin, Chin, Jackson, James, Koppell, Lander, Rose, Sanders Jr., Williams and Rodriguez

A Local Law to amend the administrative code of the city of New York, in relation to sound reproduction devices on sight-seeing buses.

Be it enacted by the Council as follows:

Section 1. Subchapter 21 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-376.1, to read as follows:

Section 20-376.1 Sound reproduction on open-air sight-seeing buses. a. Definitions. For purposes of this section the following terms shall have the following meanings:

(1) "Fleet" shall mean the total number of sight-seeing bus licenses issued to open-air sight-seeing buses that are held by one person. A person shall be considered to hold all sight-seeing bus licenses in which: (i) such holder has a direct or indirect beneficial interest; or (ii) a family member of such holder has a direct or indirect beneficial interest.

(2) "Headphone-limited sound reproduction system" shall mean a sound reproduction system that transmits an audio signal, including but not limited to the amplified voice of any guide on an open-air sight-seeing bus, so that the audio signal is audible through personal headphones and is not otherwise audible.

(3) "Open-air sight-seeing bus" shall mean a sight-seeing bus, licensed to operate in New York City, that has seating that is partially or entirely unenclosed.

b. The commissioner shall not issue a new license to any open-air sight-seeing bus that is not equipped with a headphone-limited sound reproduction system. For purposes of this section, a new license is any license issued to a sight-seeing bus that is not a renewal.

c. Open-air sight-seeing buses shall be equipped with headphone-limited sound reproduction systems

according to the following schedule:

(1) By July 1, 2011 no less than ten percent of each fleet;

(2) By July 1, 2012 no less than forty percent of each fleet;

(3) By July 1, 2013 no less than sixty percent of each fleet;

(4) By July 1, 2014 no less than eighty percent of each fleet;

(5) By July 1, 2015, every open-air sight-seeing bus in each licensee's fleet shall be equipped with a headphone-limited sound reproduction system.

d. The department shall verify by inspection that the required number of open-air sight-seeing buses has been equipped with headphone-limited sound reproduction systems, in compliance with the schedule as set forth in paragraph c of this section. The sight-seeing bus license holder of each fleet required to comply with this section shall provide annually to the department a list of buses that are equipped with the required sound equipment, in accordance with rules promulgated by the commissioner.

e. Any sight-seeing bus license holder shall be subject to a fine of not less than \$200 nor more than \$750 per day for each open-air sight-seeing bus that is required to be equipped with a headphone-limited sound reproduction system in order for the fleet to be in compliance with the applicable percentages set forth in paragraph c of this section and that is not so equipped. Additionally, the commissioner shall suspend the licenses of as many open-air sight-seeing buses as the number of such buses that are required to be equipped with a headphone-limited sound reproduction system as set forth in paragraph c of this section but that are not so equipped. Such suspension(s) shall continue until such time as compliance with paragraph c is complete.

f. Beginning on April 1, 2016 the Commissioner shall not renew the license of any open-air sight-seeing bus that is not equipped with a headphone-limited sound reproduction system and shall revoke the license of any open-air sight-seeing bus that is not equipped with a headphone-limited sound reproduction system.

g. The commissioner shall promulgate such rules as are necessary to carry out the provisions of this section.

§2. This local law shall take effect thirty days after it shall have been enacted into law.

LCC  
LS #242  
Int. 742-2008  
4/28/10

## NOTICE OF ADOPTION

Notice of Adoption of Amendments rule regarding horse drawn cabs and drivers.

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN the Commissioner of the Department of Consumer Affairs by Section 20-104(b) of Chapter 1, Title 20 of the Administrative Code of the City of New York and in accordance with the requirements of Section 1043 of the New York City Charter that the Department promulgates and adopts an amendment to an existing rule regarding horse drawn cabs and drivers.

These amendments were proposed and published on December 3, 2010. The required public hearing was held on January 5, 2011.

Material being deleted is shown below in brackets and material being be added is underlined.

### RULE

Section 1. Subdivisions (b) and (s) of Section 2-212 of Chapter 2, Title 3 of the Rules of the City of New York are amended to read as follows:

(b) (1) A schedule of permitted rates shall be conspicuously displayed at all times upon two signs, which shall be permanently affixed to the vehicle. These signs shall be at least six (6) inches by eight (8) inches and shall be attached to or painted on each exterior side of the vehicle. Signs must read as follows:

“MAXIMUM RATE  
\$[17.00]50 first [1/2 hour]20 minutes or fraction thereof;  
\$[5]20.00 each additional [1/4 hour]10 minutes.  
Rates per trip— not per person.  
Licensed by New York City  
Department of Consumer Affairs  
(Insert the Department’s current  
address and [telephone number] CALL 311)”

(2) The words "MAXIMUM RATE" and the dollar amounts must be written with characters at least 3/4 inch in height. [The phone number "487-4444" must be written with numbers] The words "CALL 311 shall be written in letters at least 1/2 inch in height. All other characters must be a minimum of 1/4 inch in height. Signs shall be obtained by the licensee. The design of the signs must be submitted for approval to the Department of Consumer Affairs prior to attachment to or painting on the vehicle. The signs shall not be defaced or obscured in any manner, including complete or partial concealment by a horse blanket or otherwise. No direct or indirect charge of any kind shall be made to a passenger for any reason other than the charges permitted by law.

(3) The maximum rate authorized to be charged shall be adjusted April 30 every third year following April 2010 to reflect the change in the seasonally adjusted consumer price index published by the U.S. Department of Labor for all urban consumers for December of the year that the maximum rate is to be adjusted. The Department shall publish the adjusted rate on its

web site within 15 days thereafter.

(s) Each horse drawn cab that is driven upon a public highway, path or street from one half hour after sunset to one half hour before sunrise and at such other times as visibility for a distance of three hundred fifty feet ahead of such vehicle is not clear, shall display:

(1) at least two lighted lamps on the front of the vehicle, one on each side, having light sources of equal power and visible from the front for a distance of at least three hundred fifty feet;

(2) at least one lighted lamp on the rear, located between the center and the left side of the vehicle, which shall display a red or amber fixed or flashing light visible from the rear for a distance of at least five hundred feet, and at least one lighted lamp affixed on the rear axle near where the horse drawn cab license is affixed; and

(3) reflective material upon the shafts of the vehicle or other parts thereof which shall normally parallel the body, head or legs of the horse pulling such vehicle.

**Statement of Basis and Purpose:** Local Law Number 10 for the Year 2010 amended Section 20-380 of the Administrative Code to increase the rates that may be charged and collected for horse drawn cab rides. The law also added Section 20-381.2 to require that the Commissioner specify by rule that sufficient lighting and reflective materials be provided on horse drawn cabs, including lighting on rear axles where licenses are affixed.

To implement these amendments to the Administrative Code, the Department amends subdivisions (b) and (s) of section 2-212 of Chapter 2 of Title 6 of the Rules of the City of New York. The amendments to subdivision (b) revise the content of the rate sign required to be affixed to each horse drawn cab to reflect the new rates operators are authorized to charge and specifies the method for adjusting the rates according to the Consumer Price Index that was prescribed by Local Law Number 10. Since the provisions of subdivision (s) already specify the lighting and reflective material to be affixed to horse drawn cabs, the amendment to subdivision (s) specifies how the lights to illuminate the license plate are to be affixed to ensure compliance with such requirements that were added by Local Law Number 10.



## Legislation Text

File #: Int 0035-2010, Version: A

### Int. No. 35-A

By Council Members Gennaro, Crowley, Koslowitz, James, Koppell, White, Reyna, Comrie, Sanders and Ulrich

A Local Law to amend the administrative code of the city of New York, in relation to the regulation of horse drawn cabs and repealing section 17-333 of the administrative code.

Be it enacted by the Council as follows:

Section 1. Subdivisions b, c, g, l, n and p of section 17-330 of the administrative code of the city of New York are amended and two new subdivisions q and r are added to read as follows:

b. 1. Horses shall not be left untethered or unattended except when confined in a stable or other enclosure. When tethered, all horses shall be secured by the use of a rope attached to the halter, not to the bit or bridle.

2. Horse bridles and halters shall be used on carriage horses at all times when operating a carriage.

c. [Standing stalls in stables shall be of a size specified by regulation of the commissioner.] Standing stalls for carriage horses shall be sixty square feet or larger, with a minimum width of seven feet, and shall be configured to permit a carriage horse to turn around and safely lay down within the stall. Horses shall be un-tied when stabled. A halter shall be on the horse or hung outside each stall at all times.

g. 1. Carriage horses shall not be at work for more than nine hours in any continuous twenty-four hour period. Riding horses shall not be at work for more than eight hours in any continuous twenty-four hour period. Rest periods for carriage horses and riding horses shall be of such duration and at such intervals as the commissioner shall prescribe, but rest periods for carriage horses shall in no event be for less than fifteen minutes after each two hour working period, and the time of such rest period shall be included in calculating the number of hours the horse has worked in any twenty-four hour period. During such rest periods, the person in charge of such carriage horses shall make fresh water available to the horse.

2. Carriage horses shall receive no less than five weeks of vacation or furlough every twelve months at a horse stable facility which allows daily access to paddock or pasture turnout. Proof of such vacation or furlough shall be provided upon request to the department and/or the ASPCA.

l. An owner of a rental horse business shall keep such records as the commissioner of health shall prescribe including but not limited to a consecutive daily record of the movements of each licensed horse including the driver's name and identification number, if applicable, rider's name, the horse's identification number, vehicle license plate number, if applicable, time of leaving

stable and time of return to stable. An owner of a rental horse business shall also keep written protocols for emergencies, including but not limited to primary and secondary emergency contact information for each horse owner and insurance company information, if applicable. Such records shall be kept on the premises of the stable where the horses are kept and shall be available for inspection. The commissioner may, in his or her discretion, require a time clock, date stamp or time stamp where such commissioner believes it is appropriate.

n. Every horse required to be licensed hereunder shall be examined by a veterinarian prior to its use in a rental horse business, at time of each license renewal, and thereafter at intervals of not [more than once year] less than four months and not greater than eight months. The examination shall include the general physical condition of the horse, its teeth, hoofs and shoes, its stamina and physical ability to perform the work or duties required of it, and whether it is current on vaccinations, including those for rabies, Eastern/Western equine encephalitis, West Nile virus, Rhinopneumonitis virus, and tetanus, or any other vaccinations the Commissioner may require by rule. The examination shall also include a record of any injury, disease, or deficiency observed by the veterinarian at the time, together with any prescription or humane correction or disposition of the same. A signed health certificate by the examining veterinarian shall be maintained at the stable premises at which such horse is located and shall be displayed on the outside of the such horse's individual stall. [A copy] An original of said certificate shall be mailed by the examining veterinarian to the department [of health and mental hygiene].

p. [In the event that any regulation requiring horse drawn carriages to be equipped] Every carriage horse required to be licensed hereunder shall be equipped with a manure catching device, [is adopted by any city agency or agencies, such] Such devices shall be affixed or attached to the carriage and shall at no time be affixed or attached to the horse.

q. Carriage horses shall not be younger than five years at the time placed into service in any rental horse business and licensed. No carriage horse older than 26 years of age shall be licensed to work in a rental horse business. Acceptable proof of age shall include a signed letter from a licensed veterinarian stating the horse's age, a certificate from an officially recognized national registry of horses stating the horse's age, or another industry approved method of certifying age.

r. Owners shall insure that during the months of November through April every carriage is equipped with a heavy winter horse blanket large enough to cover the horse from crest of neck to top of rump. Such blankets shall be used to cover carriage horses in cold weather. Waterproof horse blankets of a lighter material shall be provided at all times to cover the horse from withers to tail during periods of wet weather when the air temperature is 55 degrees or below.

§2. Section 17-333 of the code is REPEALED.

§3. Section 17-334.1 of the code is amended by adding a new subsection d to read as follows:

d. The training program shall be available only to persons holding a currently valid driver's license.

§4. Section 20-380 of the code is amended to read as follows:

§20-380. Rates of horse drawn cabs. The amount to be charged and collected for the use of a horse drawn cab by one or more passengers shall be the total of the following items: [thirty-four] fifty dollars for the first [half-hour] twenty minutes or fraction thereof[, the fraction of the half-hour shall be at the passenger's option,] and [ten] twenty dollars for each additional [fifteen] ten minutes thereafter. Such rates shall be indexed for inflation based on the Consumer Price Index every three years.

§5. Section 20-381 of the code is amended by adding a new subsection f to read as follows:

f. An applicant who has not previously held a license under this section shall be issued a probationary license upon approval of his or her application. A holder of a probationary license may ride alongside a licensed driver at any time. A probationary license shall be valid from the date of issuance until six months after the date of issuance and may be revoked for any violation of the rules and regulations pertaining to rental horses and horse drawn cabs. Until he or she accrues eighty hours time spent operating a horse drawn cab, a holder of a probationary license shall only be permitted to operate a horse drawn cab at staging areas immediately adjacent to Central Park and on roadways or paths wholly within a New York City park. Following the accrual of eighty hours of time spent operating a horse drawn cab, a holder of a probationary license shall be permitted to operate a horse drawn cab to or from a stable at any time. For the purposes of this subsection a person shall be considered to be operating a horse drawn cab if he or she is holding the reins of a horse attached to a horse drawn cab and directing such horse's movements while the cab is in motion. At the conclusion of six months, if the probationary licensee has accrued no violations under subchapter 3 of title 17 or this subchapter, the licensee shall be issued a horse drawn cab driver's license under the terms of this subchapter.

§6. Subsections a and b of section 20-381.1 of the code are amended to read as follows:

a. 1. 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.

2. In addition to the time restrictions on the operation of horse drawn cabs as set forth in this section, no horse drawn cab may operate on any street in New York between the hours of 3:00 a.m. and 7:00 a.m., seven days a week.

b. (1) Horse drawn cabs shall not be driven or operated in the borough of Manhattan between the hours of 7:00 a.m. and 10:00 a.m. on Monday through Friday. Horse drawn cabs shall not be driven or operated in the borough of Manhattan between the hours of 10:00 a.m. and 9:00 p.m. on Monday through Friday except for that area inside or immediately adjacent to Central Park.

(2) Between the hours of 9:00 p.m. and 11:30 p.m. on Monday through Friday, between the hours of 12:30 p.m. and 11:30 p.m. on Saturday, and between the hours of 1:30 p.m. and 7:00 p.m. on Sunday, horse drawn cabs shall not be driven or operated in the borough of Manhattan in the areas bounded by and including the following streets: on the north by West Fifty-seventh Street, on

the east by Seventh Avenue, on the south by West Forty-second Street and on the west by Ninth Avenue; and on the north by West Sixty-fifth Street, on the east by Columbus Avenue, on the south by West Fifty-seventh Street and on the west by Amsterdam Avenue.

(3) On Saturday between the hours of 10:00 a.m. and 8:00 p.m. throughout the year and on Sunday between the hours of 10:00 a.m. and 7:00 p.m. during the period commencing with the Sunday preceding Thanksgiving until the sixth day of January immediately thereafter, horse drawn cabs shall not be driven or operated in the borough of Manhattan in the area bounded by and including the following streets: on the north by West Fifty-seventh Street, on the east by Fifth Avenue, on the south by West Forty-second Street and on the west by Avenue of the Americas.

(4) On New Year's Day, Thanksgiving Day and Christmas Day, the restrictions set forth in paragraphs one, two and three of this subdivision shall not apply. On the aforementioned days between the hours of 10:00 a.m. and 11:30 p.m., horse drawn cabs shall not be driven or operated in the borough of Manhattan in the areas bounded by and including the following streets: on the north by West Fifty-seventh Street, on the east by Seventh Avenue, on the south by West Forty-second Street and on the west by Ninth Avenue; and on the north by West Sixty-fifth Street, on the east by Columbus Avenue, on the south by West Fifty-seventh Street and on the west by Amsterdam Avenue.

(5) At no time shall any horse drawn cab be driven or operated on or in any bridge or tunnel within the city of New York.

(6) At no time shall any horse drawn cab be driven or operated on any street below 34<sup>th</sup> Street in the borough of Manhattan.

§7. Subchapter 21 of Title 20 of the code is amended by adding a new section 20-381.2 to read as follows:

§ 20-381.2 Lighting and safety equipment for horse drawn cabs. a. The commissioner shall promulgate rules requiring that sufficient lighting and reflective materials be provided on horse drawn cabs including sufficient lighting on the rear axle of all horse drawn cabs at the location where licenses are affixed. Such rules shall be enforced in the same manner as the enforcement of rules promulgated pursuant to section 20-384 of the code.

b. Every horse drawn cab licensed pursuant to this subchapter of the code must be equipped with an emergency brake system, unaffected by rain or wet street conditions.

§8. This local law shall take effect immediately, except that section 17-330 (c) shall take effect one hundred eighty days after the local law that added this section became effective and except that the commissioners of the department of health and/or consumer affairs shall take all actions necessary for its implementation, including the promulgation of rules, prior to such effective date.

4/6/10

**Note:** New York City businesses must comply with all relevant federal, state, and City laws and rules. All laws and rules of the City of New York, including the Consumer Protection Law and Rules, are available through the Public Access Portal, which businesses can access by visiting [www.nyc.gov/consumers](http://www.nyc.gov/consumers). For convenience, sections of the New York City Licensing Law (and Rules, if enacted) are included as a handout in this packet. The Law (and Rules) are current as of January 2009.

Please note that businesses are responsible for knowing and complying with the most current laws, including any City Council amendments. The Department of Consumer Affairs (DCA) is not responsible for errors or omissions in the handout provided in this packet. The information is not legal advice. You can only obtain legal advice from a lawyer.

**NEW YORK CITY ADMINISTRATIVE CODE**  
**TITLE 20: CONSUMER AFFAIRS**  
**CHAPTER 2: LICENSES**  
**SUBCHAPTER 21: SIGHT-SEEING BUSES, HORSE-DRAWN CAB AND DRIVERS**

§ 20-371 Licensing of sight-seeing buses, horse drawn cabs and horse drawn cab drivers. Legislative findings. The legislative findings heretofore made in relation to the business of sight-seeing buses and horse drawn cabs in the city of New York and set forth in local law number ten of nineteen hundred sixty-four continue to be valid; such businesses are vested with a public interest and their regulation and control continue to be necessary and essential in order to cope with certain evils and hazards which existed in the absence of governmental supervision. The supervision formerly was reposed in the police commissioner, but recent experience and study indicate that jurisdiction over such businesses should be transferred to the commissioner. It is further found that the present number of horse drawn cabs licensed in the city of New York is adequate to meet the public need and demand and should be preserved, unless the commissioner finds that additional licenses are necessary and advisable.

§ 20-372 Definitions. Whenever used in this subchapter, the following terms shall mean:

1. "Owner" shall include any person, firm, partnership, corporation or association owning and operating a sight-seeing bus or buses, or horse drawn cab or cabs, and shall include a purchaser under a reserve title contract, conditional sales agreement or vendor's agreement and the lessee of such vehicle or vehicles under a written lease or similar contract provided such purchaser or lessee of sight-seeing bus or buses shall be entitled to obtain in his or her name a license or licenses therefor from the commissioner of motor vehicles of the state of New York.

2. "Sight-seeing bus license" shall designate the license issued by

the commissioner for each sight-seeing bus.

3. "Inspection card" shall designate the card issued by the commissioner for the sight-seeing bus licensed or horse drawn cab licensed, which card shall display the license number and capacity of such vehicle.

4. "Sight-seeing bus" shall mean a motor vehicle designed to comfortably seat and carry eight or more passengers operating for hire from a fixed point in the city of New York to a place or places of interest or amusements, and shall also include a vehicle, designed as aforesaid which by oral or written contract is let and hired or otherwise engaged for its exclusive use for a specific or special trip or excursion from a starting point within the city of New York.

5. "Horse drawn cab" shall mean a horse drawn vehicle operating for hire, so designed and constructed to comfortably seat not more than four adults, or two adults and four children, each of whom is under twelve years of age, or three adults and two children, each of whom is under twelve years of age, in the interior thereof.

6. "Horse drawn cab driver" shall include any person licensed to drive a horse drawn cab in the city of New York.

7. "Horse drawn cab license" shall designate the license issued by the commissioner for each horse drawn cab.

8. "Horse drawn cab driver's license" shall designate the license issued by the commissioner for a driver of a horse drawn cab.

9. "Certificate of conformity" shall mean that document issued by the Administrator of the United States environmental protection agency pursuant to section 206(a) of the Clean Air Act of 1990, 42 U.S.C. §7525(a), reflecting such Administrator's determination that an engine conforms to emissions standards and other regulations issued under section 202 of the Clean Air Act of 1990, 42 U.S.C. §7521, as well as the terms and the time periods prescribed thereon, and as such laws and such regulations may be amended from time to time.

10. "Fleet" shall mean a group of vehicles owned or operated by the same person.

§ 20-373 License required; fee; term. a. It shall be unlawful to operate or permit another to operate for hire a sight-seeing bus or horse-drawn cab within the city unless the owner shall have first obtained a license therefor from the commissioner. An applicant for a horse-drawn cab license shall be at least eighteen years of age.

b. Fees. The original and renewal license fee for each sight-seeing bus shall be fifty dollars and for each horse-drawn cab shall be fifty dollars.

c. The commissioner shall not renew any horse-drawn cab license in the event that he or she shall determine that the horse-drawn cab has not been operated for at least four months during the preceding license

year, provided that such failure to operate shall not have been caused by strike, riot, war or other public catastrophe. However, in the event that it is shown to the commissioner by competent proof that the licensee has been disabled through illness or has been unable to operate the horse-drawn cab because of other cause beyond his or her control, the commissioner may renew such license.

d. The commissioner may refuse to renew any horse drawn cab license in the event that he or she determines that the holder of the horse drawn cab license has demonstrated a disregard for the provisions of this subchapter as illustrated by repeated violations of such provisions.

§ 20-374 Granting and transferring of licenses. a. Any person, firm, partnership, corporation or association, owning or operating a sight-seeing bus, or buses, or horse-drawn cab, or cabs engaging in the business of transporting passengers in, about, over and upon any of the streets, avenues, bridges, highways, boulevards or public places within the limits of the city of New York, shall be issued a license for each bus or cab so operating, provided, however any such person, firm, partnership, corporation or association owning or operating a sight-seeing bus or buses, shall first have obtained a license or licenses, as he or she shall be entitled to receive from the commissioner of motor vehicles of the state of New York as made and provided by law.

b. It shall be unlawful for a license, after being issued by the commissioner, to be transferred to any person, firm, partnership, corporation or association for any cause whatsoever, except that licenses for horse-drawn cabs may be transferred with the approval of the commissioner. Upon voluntary sale or transfer of a licensed horse-drawn cab by the holder of a license or his or her legal representative, the licensee shall immediately notify the commissioner of his or her intention to replace such horse-drawn cab, or shall surrender his or her license. If the license is surrendered, the vendee or transferee may make application to the commissioner for the licensing of the horse-drawn cab so purchased. A new license shall then be issued by the commissioner in place of the license so surrendered, provided the applicant has demonstrated to the satisfaction of the commissioner that he or she is qualified to assume the duties and obligations of a horse-drawn cab license.

c. The commissioner shall issue additional licenses only after conducting a public hearing to determine whether the public convenience, welfare and necessity require the operation of additional horse-drawn cabs. The public hearing shall be called upon his or her own motion or upon written request by any applicant. Notice of such public hearing shall be published in the City Record once a week for two consecutive weeks and shall be mailed to all current licensees. If the commissioner

shall determine that additional horse-drawn cabs are necessary and advisable, he or she shall certify the number of new licenses to be granted. Not more than one such public hearing shall be held during any calendar year and the commissioner may refuse to consider any request if it appears that a recent public hearing has adequately considered the question. In making his or her determination, the commissioner shall consider among other things, the income of the driver, the income of the owner, the effect upon traffic, and the public demand. The new licenses which are granted shall be allocated to the then existent licensees in the ratio of the number of licenses held by the licensee to the total number of licenses issued and in effect. If a licensee does not accept his or her allotted number within sixty days, his or her additional licenses shall be allocated in the same manner among the remaining licensees. If the number of additional licenses authorized is insufficient to permit such allocation, then the distribution among those licensees entitled to the smallest number of additional licenses shall be made so that priority shall be given to those who have been uninterruptedly licensed for the longest period. New applicants for such additional licenses shall be considered only when the present licensees refuse to accept their allocation of licenses in the manner provided above. The distribution of such additional licenses to new applicants shall be in the order of their filing, provided however that each new applicant shall not be entitled to more than one such additional license until each new applicant who has filed at the time of distribution and who is otherwise eligible has received one license.

§ 20-375 License plate. Upon the payment of the license fee the commissioner shall issue a license to the owner of the sightseeing bus or horse drawn cab together with a license plate to be securely affixed to a conspicuous and indispensable part of such sightseeing bus or securely and conspicuously affixed to the rear axle of such horse drawn cab, on which shall be clearly set forth the license number of such sightseeing bus or horse drawn cab. The license plate issued to the licensee may, in the discretion of the commissioner, be a plate of a permanent nature with a replaceable date tag attached thereto, indicating the expiration date of the plate during each license year and the issuance of such a plate with such date tag to a person possessing such a plate, shall be deemed issuance of a license plate. Such license plate and the replaceable date tag to be issued from year to year to be attached thereto, shall be of such material, form, design and dimension and set forth such distinguishing number or other identification marks as the commissioner shall prescribe. The commissioner upon renewal of the license hereunder, may continue the use of the license plate for as many additional license years as he or she in his or her discretion may determine, in which event he or she shall issue and deliver to the

licensee a replaceable date tag as evidence of renewal of the license, which shall be attached or affixed in such manner as he or she may prescribe by rule. The failure to affix or display such date tag in a manner prescribed by the commissioner shall constitute a violation of this section. In the event of the loss, mutilation or destruction of any license plate or date tag issued hereunder, the owner may file such statement and proof of facts as the commissioner shall require, with a fee of twenty-five dollars, at the department, and the department shall issue a duplicate or substitute license plate or date tag.

§ 20-376 Inspection of sight-seeing buses. a. A vehicle shall be licensed as a sight-seeing bus only after it shall have been examined and inspected to determine that it complies with this section, and that it also (1) complies with all the requirements of the vehicle and traffic law of the state of New York, and (2) is certified by the department of transportation of the state, as being safe and properly equipped to operate.

b. (1) On and after the effective date of the local law which added this amendment, the commissioner shall not issue a sight-seeing bus license to any vehicle that when originally manufactured was not equipped with an engine covered by a certificate of conformity unless an engine covered by a certificate of conformity for the model year applicable to the date on which a sight-seeing bus license application for such bus is submitted to the commissioner, has been installed in such vehicle.

(2) The commissioner shall not renew the license of any sight-seeing bus that was licensed as of the date of the introduction of the local law which added this amendment and that when originally manufactured, was not equipped with an engine covered by a certificate of conformity unless an engine covered by a certificate of conformity for a model year no earlier than the model year applicable to the date on which the local law which added this amendment was introduced, has been installed in such bus.

(3) The commissioner shall not renew the license of any sight-seeing bus that was first issued a sight-seeing bus license on or after the date of introduction of the local law that added this amendment and before the effective date of such law and that, when originally manufactured, was not equipped with an engine covered by a certificate of conformity, unless an engine covered by a certificate of conformity for a model year no earlier than the model year applicable to the date on which the first sight-seeing bus license renewal application for such bus is submitted to the commissioner, has been installed in such bus.

c. The commissioner shall refuse a license to any sight-seeing bus not in compliance with the requirements of this section, any rules promulgated thereunder or with any other laws or rules governing

sight-seeing buses, or which is otherwise found to be unfit for operation. Grounds for refusal to issue a license shall include, but not be limited to, installation of an engine which does not meet the requirements of subdivision b of this section, failure to submit a bus or records pertaining to the operation and maintenance of such bus for inspection, installation of an engine not covered by a certificate of conformity in a vehicle which was originally manufactured with such an engine, installation of an engine of any model year preceding the year of manufacture in a vehicle which was originally manufactured with an engine covered by a certificate of conformity and being found to have violated the requirements for diesel fuel-powered sight-seeing buses contained in section 24-163.6 of the administrative code.

d. The commissioner may adopt rules (1) requiring the inspection by the department of sight-seeing buses and/or records pertaining to the operation and maintenance of such buses to determine compliance with the requirements of subdivision b of this section and section 24-163.6 of the administrative code; (2) delegating the performance of such inspections to the department of environmental protection; and (3) authorizing the acceptance of the results of inspections consistent with paragraph one of this subdivision conducted by a state or federal agency authorized to conduct such inspections on such buses.

§ 20-377 Inspection of horse-drawn cab. A vehicle shall be licensed as a horse-drawn cab only after it shall have been examined and inspected. The commissioner shall refuse a license to, or if already issued, suspend the license of any horse-drawn cab found to be unfit for operation.

§ 20-377.1 Insurance. a. As a condition of the issuance of a license to operate a horse drawn cab, each applicant shall furnish proof that such horse drawn cab is insured under a liability insurance policy with respect to such horse drawn cab for personal injury or death and for injury to or destruction of property of one or more persons resulting from any one accident of not less than the minimum dollar amount of liability insurance coverage required by vehicle and traffic law to be maintained by owners of vehicles engaged in the business of carrying or transporting passengers for hire.

b. The licensee shall notify the commissioner of any modification, amendment, cancellation or substitution of any insurance policy required under subdivision a of this section within ten days of notice to the licensee of such modification, amendment, cancellation or substitution.

§ 20-378 Periodic inspection. The license department shall cause all

sight-seeing buses and horse-drawn cabs now, or hereafter licensed, to be inspected at least once every four months. The date of such inspection and the signature of the person making the inspection shall be recorded upon the inspection card in the spaces provided therefor.

§ 20-379 Form of inspection card. The commissioner shall prescribe an appropriate form of inspection card for sight-seeing buses and horse-drawn cabs and the manner in which such card and the sight-seeing bus driver's and horse-drawn cab driver's identification cards shall be displayed.

§ 20-380 Rates of horse drawn cabs. The amount to be charged and collected for the use of a horse drawn cab by one or more passengers shall be the total of the following items: thirty-four dollars for the first half-hour or fraction, the fraction of the half-hour shall be at the passenger's option, and ten dollars for each additional fifteen minutes thereafter.

§ 20-381 Horse drawn cab driver's license. a. It shall be unlawful for any person to operate a horse drawn cab within the city without having a valid horse drawn cab driver's license from the commissioner.

b. The biennial fee for each such horse drawn cab driver's license shall be thirty dollars.

c. The commissioner shall investigate each applicant as to character and fitness before such license shall be issued.

d. A horse drawn cab driver's license shall not be issued or renewed unless the applicant therefor has submitted to the commissioner a certificate issued by the commissioner of health pursuant to section 17-334.1 of the code.

e. It shall be unlawful for any 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, and there shall be a rebuttable presumption that such cab was operated with the permission of the owner.

§ 20-381.1 Area and time restrictions on the operation of horse drawn cabs. a. 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.

b. (1) Horse drawn cabs shall not be driven or operated in the borough

of Manhattan between the hours of 7:00 a.m. and 10:00 a.m. on Monday through Friday. Horse drawn cabs shall not be driven or operated in the borough of Manhattan between the hours of 10:00 a.m. and 9:00 p.m. on Monday through Friday except for that area inside or immediately adjacent to Central Park.

(2) Between the hours of 9:00 p.m. and 11:30 p.m. on Monday through Friday, between the hours of 12:30 p.m. and 11:30 p.m. on Saturday, and between the hours of 1:30 p.m. and 7:00 p.m. on Sunday, horse drawn cabs shall not be driven or operated in the borough of Manhattan in the areas bounded by and including the following streets: on the north by West Fifty-Seventh Street, on the east by Seventh Avenue, on the south by West Forty-Second Street and on the west by Ninth Avenue; and on the north by West Sixty-Fifth Street, on the east by Columbus Avenue, on the south by West Fifty-Seventh Street and on the west by Amsterdam Avenue.

(3) On Saturday between the hours of 10:00 a.m. and 8:00 p.m. throughout the year and on Sunday between the hours of 10:00 a.m. and 7:00 p.m. during the period commencing with the Sunday preceding Thanksgiving until the sixth day of January immediately thereafter, horse drawn cabs shall not be driven or operated in the borough of Manhattan in the area bounded by and including the following streets: on the north by West Fifty-Seventh Street, on the east by Fifth Avenue, on the south by West Forty-Second Street and on the west by Avenue of the Americas.

(4) On New Year's Day, Thanksgiving Day and Christmas Day, the restrictions set forth in paragraphs one, two and three of this subdivision shall not apply. On the aforementioned days between the hours of 10:00 a.m. and 11:30 p.m., horse drawn cabs shall not be driven or operated in the borough of Manhattan in the areas bounded by and including the following streets: on the north by West Fifty-Seventh Street, on the east by Seventh Avenue, on the south by West Forty-Second Street and on the west by Ninth Avenue; and on the north by West Sixty-Fifth Street, on the east by Columbus Avenue, on the south by West Fifty-Seventh Street and on the west by Amsterdam Avenue.

(5) At no time shall any horse drawn cab be driven or operated on or in any bridge or tunnel within the city of New York.

c. The prohibitions contained in this section shall not be construed to apply to horse drawn cabs which are being driven, without passengers, on a direct route to or from the location at which the horse is sheltered, provided that they are so driven no more than one-half hour prior to the end of any time restriction or one-half hour after the beginning of any time restriction. The driver may be accompanied at such times only by the owner or operator of a horse drawn cab, a stable owner, the driver of a horse drawn cab and driver-trainee, or an employee of an owner or operator of a horse drawn cab or stable owner.

d. Where exigent circumstances exist and a police officer or other authorized officer or employee of the department, the department of

transportation, or the department of parks and recreation gives notice to the driver of a horse drawn cab to refrain from operating such cab in a specific location at a specific time, such driver shall not operate such cab at such location at such time. For purposes of this subdivision, exigent circumstances shall include, but shall not be limited to, unusually heavy pedestrian or vehicular traffic, the existence of any obstructions in the public space at or near such location, an accident, fire or other emergency situation, or a parade, demonstration or other similar event or occurrence at or near such location.

e. This section shall be enforced by the department and the department of transportation, with the cooperation of the department of parks and recreation, the police department, the department of health and mental hygiene and the American Society for the Prevention of Cruelty to Animals.

f. This section shall not be construed to permit the operation, parking, stopping or standing of any horse drawn cab in any area at any time where or when such operation, parking, stopping or standing is prohibited by any other law or rule.

§ 20-382 Unlawful agreements by owners or horse drawn cab drivers. It shall be unlawful for any owner or any horse drawn cab driver to have or make any contract or agreement with any owner of any hotel, apartment house, restaurant or cafe or with the agent or employee of such places, by which such owner or such horse drawn cab driver shall agree to solicit the patronage of any passenger for any such hotel, apartment house, restaurant or cafe.

§ 20-383 Suspensions and revocations. a. After notice and opportunity to be heard, the commissioner may suspend or revoke any sight-seeing bus license where the holder has failed to comply with any provisions of this subchapter or of the rules promulgated thereunder, or with any other laws or rules governing sight-seeing buses, or which sight-seeing bus is otherwise found to be unfit for operation. Such suspension shall remain in effect until compliance and fitness have been established by the licensee and accepted by the department. Grounds for suspension or revocation shall include, but not be limited to, installation of an engine which does not meet the requirements of subdivision b of section 20-376 of this subchapter, being found to have violated the requirements for diesel fuel-powered sight-seeing buses contained in section 24-163.6 of the administrative code, failure to submit a bus for inspection, installation of an engine not covered by a certificate of conformity in a vehicle which was originally manufactured with such an engine and installation of an engine of any model year preceding the year of

manufacture in a vehicle which was originally manufactured with an engine covered by a certificate of conformity.

b. Any driver of a horse drawn cab found to have committed within any twelve-month period, in the aggregate, at least three violations of this subchapter shall have his or her license suspended by the commissioner for a period of not less than three months. For purposes of this subdivision, all violations written on any one day shall constitute a single violation.

c. Notwithstanding the provisions of subdivision b of this section, any driver of a horse drawn cab found to have committed within any twenty-four month period, in the aggregate, at least five violations of this subchapter shall have his or her license suspended by the commissioner for six months. For purposes of this subdivision, all violations written on any one day shall constitute a single violation.

d. Notwithstanding the provisions of subdivisions b and c of this section, any driver of a horse drawn cab found guilty of one violation of subdivision d of section 20-381.1 of the code or sections three hundred fifty-one, three hundred fifty-three, three hundred fifty-five through three hundred sixty-two or three hundred sixty-nine of the New York state agriculture and markets law or who is found guilty of a violation of this subchapter while his or her license is suspended, shall have his or her license revoked. A driver whose license has been revoked in accordance with this provision may not apply for a new license for five years from the date of revocation.

§ 20-384 Regulations. The commissioner may make and promulgate such rules and regulations and prescribe such forms as are necessary to carry out the provisions of this subchapter.

**Note:** New York City businesses must comply with all relevant federal, state, and City laws and rules. All laws and rules of the City of New York, including the Consumer Protection Law and Rules, are available through the Public Access Portal, which businesses can access by visiting [www.nyc.gov/consumers](http://www.nyc.gov/consumers). For convenience, sections of the New York City Licensing Law (and Rules, if enacted) are included as a handout in this packet. The Law (and Rules) are current as of January 2009.

Please note that businesses are responsible for knowing and complying with the most current laws, including any City Council amendments. The Department of Consumer Affairs (DCA) is not responsible for errors or omissions in the handout provided in this packet. The information is not legal advice. You can only obtain legal advice from a lawyer.

**RULES OF THE CITY OF NEW YORK**  
**TITLE 6: DEPARTMENT OF CONSUMER AFFAIRS**  
**CHAPTER 2: LICENSES**  
**SUBCHAPTER U: SIGHTSEEING BUSES, HORSEDRAWN CABS AND DRIVERS**

**§2-211 Buses, Bus Owners and Drivers.**

(a) All circulars, leaflets, posters, pamphlets or any other advertising matter describing any trip, tour or excursion, except of buses exclusively hired or engaged under a contract for a special trip or excursion, must receive the approval of the commissioner prior to display or distribution to the public.

(b) A schedule of rates of fare for each type of trip or tour, except buses exclusively hired or engaged under a contract for a special trip or excursion, shall be filed with the Department by the licensee.

(c) A schedule of rates charged for each trip or tour except of buses exclusively hired or engaged under a contract for a special trip or excursion, shall be conspicuously displayed at the starting point upon a sign attached to the bus as near to the entrance as practicable, prior to and during the time the passengers are entering such vehicle and shall remain thereon until the bus departs. The figures on the sign must be at least 3 inches high and the sign must be at least 13 inches long and 9 inches wide.

(d) The rate of fare (including all charges) for the particular tour about to be conducted, except of buses exclusively hired or engaged under a contract for a special trip or excursion, shall be set forth in a sign prominently displayed in the forward part of the interior of the vehicle facing the passengers and shall remain posted in its original position until the termination of the tour. This sign shall be printed in letters and figures at least three-quarters of an inch in height and shall read as follows:

"The fare for this tour (specifying tour number) including all expenses and admissions is (insert price). Report all violations to the Department of Consumer Affairs, (Insert the Department's current address and current telephone number)".

(e) The owner, or his agent, shall deliver to all passengers upon payment of fare, a printed receipt indicating the amount of fare paid, the description or designated number of the trip and the time scheduled for the bus to leave the starting point. This receipt

shall become the property of the passenger and shall not be collected or taken from him. Unless the bus leaves as scheduled, the fare paid by the passenger must be refunded immediately upon request. This provision shall not apply to buses exclusively hired or engaged under a contract for a special trip or excursion.

(f) The owner, his agent, operator, sightseeing bus driver, sightseeing bus guide or lecturer, shall not charge or attempt to charge, any passengers a sum greater than set forth in the rate schedule. No additional charges shall be made, solicited, collected or permitted to be made, for entering any building or premises or for any purposes whatsoever, during the trip or tour or the termination thereof.

(g) No vending of any articles of merchandise or literature to the passengers shall be permitted in the bus.

(h) Each bus, except buses exclusively hired or engaged under a contract for a special trip or excursion, shall have two conspicuously displayed signs, showing the time the bus is scheduled to leave; one such sign shall be hung on the windshield in the interior and the other on the outside at a conspicuous point near the door where the passengers enter, which signs shall be removed upon the departure of the bus. These signs shall read as follows:

"This bus leaves (specifying time) sharp  
or money refunded upon request."

The figures on the signs must be at least 3 inches high and the signs must be at least 13 inches long and 9 inches wide.

(i) No passengers, other than on buses exclusively hired or engaged under a contract for a special trip or excursion, may be received or discharged at the start or termination of any trip on any public highway within the city except at locations designated by the commissioner. Where such stops are permitted, they shall not be made for a period longer than is actually necessary to expeditiously receive or discharge such passengers, but in no case to exceed 10 minutes.

(j) A sightseeing bus, except buses exclusively hired or engaged under a contract for a special trip or excursion, after leaving its starting point, shall not receive additional passengers between such place of starting and its ultimate destination, and shall operate on a prescribed route when one is so designated.

(k) The owner or his agent shall keep a permanent daily record in a separate book of each trip, tour or excursion made, or in which such owner acts as intermediary. Such book shall be kept on the owner's premises and shall be available at all times for inspection and shall contain the following information:

(1) Date and time of the start and termination of the trip, tour or excursion.

(2) Location of the starting point, and a description of the specific trip, tour or excursion made.

(3) Name (and license number, if any) of the person, firm or corporation who contracted or solicited the passengers or who contracted for the specific trip, tour or excursion.

(4) The name and license number of the person acting as the guide or lecturer during the trip, tour or excursion.

(5) The name and license number of the driver.

(6) The sightseeing bus license number of the vehicle.

(7) Whenever such owner or agent transfers any person, or persons, who have contracted for any trip, tour or excursion, to another owner, or agent, for the purpose of having the latter conduct such trip, tour or excursion, an entry shall be made of the total number of passengers affected and the name of the person, firm or corporation receiving them.

A record shall not be required of special trips or excursions in buses exclusively hired or engaged under a contract for such a purpose.

(l) Owners shall keep accurate books and records of

(1) Receipts from operations.

(2) Payments from drivers.

(3) Corporation tax.

(4) Social Security Tax.

(5) Disbursements and receipts.

(6) Mileage run.

(7) Accidents incurred and Public Liability claims paid.

(8) Any information that this department may prescribe from time to time by written notification to the licensee relating to the licensee and his sightseeing bus operations.

Such books and records shall be available at all times for inspection.

(m) An owner shall not permit any one driver to operate a vehicle or vehicles more than 12 hours in any continuous 24 hour period, except the driver of a bus exclusively hired or engaged for a special trip or excursion.

(n) Each vehicle and its equipment shall be inspected at least once each day.

(o) Each vehicle must be kept clean, sanitary, and in good mechanical condition, with brakes, lights and signalling devices in good working order.

(p) Each vehicle shall be equipped with efficient windshield wipers.

(q) Any person employed by the owner to operate a sightseeing bus shall possess a New York State chauffeur's license which permits the person to operate a sightseeing bus and a sightseeing bus driver's license.

(r) A sightseeing bus driver must be

(1) A citizen of the United States or a declarant.

(2) At least 21 years of age.

(3) Of sound physique, with good eyesight, and not subject to epilepsy, vertigo, heart trouble, or any other infirmity of body or mind, which might render him unfit for the safe operation of the vehicle.

(4) Able to speak, read or write the English language.

(5) Licensed as a chauffeur or operator for at least 3 years.

(6) The holder of a New York State chauffeur's license.

(7) Be clean in dress and not addicted to the use of drugs or intoxicating liquors.

(s) (1) *Examination of drivers.* Each applicant for a driver's license under the provisions of this section shall be examined by a person or persons designated by the Commissioner as to his physical condition, as to his knowledge of the provisions hereof, the traffic regulations, and the geography of the city, and if the result of the examination or examinations are unsatisfactory, he shall be refused a license.

(2) *Photograph of driver.* Each applicant for a driver's license must file with his application two recent photographs of himself, 1 1/2 inches square, one of which shall be attached to the license when issued; the other shall be filed with the application.

(t) Sightseeing bus drivers shall thoroughly search the interior of the vehicle after termination of each trip for any article left or lost in the vehicle. The driver shall immediately take any such property to the stationhouse in the police precinct where the passenger or passengers were discharged.

(u) A sightseeing bus driver shall report all accidents as required by the Vehicle and Traffic Law and report all accidents to the owner.

(v) A sightseeing bus driver shall not smoke while the vehicle is carrying passengers.

(w) A sightseeing bus driver shall not operate the vehicle for more than 12 hours of any continuous 24 hour period. This provision shall not apply to the driver of a bus exclusively hired or engaged for a special trip or excursion.

(x) A sightseeing bus driver shall not solicit or recommend patronage for restaurants, nightclubs, cabarets, dance halls, hotels, or like places, nor solicit for or recommend any place maintained in violation of law.

(y) A sightseeing bus driver shall shut off the engine in the vehicle when the vehicle is parked. A sightseeing bus driver shall not run the engine while the vehicle is standing unless it is necessary to warm the engine in cold weather.

(z) A sightseeing bus driver shall keep the interior of the vehicle clean.

(aa) A sightseeing bus driver shall be required to inspect the vehicle to determine that the vehicle is mechanically fit, with brakes, lights and signalling devices in good working order.

(bb) A sightseeing bus driver shall carry his New York State chauffeur's license and his license as a sightseeing bus driver at all times while engaged in his employment.

(cc) A sightseeing bus driver shall not abandon his vehicle nor permit another to drive it for him.

#### **§2-212 Horse Drawn Cabs, Owners and Drivers.**

(a) A current horsedrawn cab license plate shall be permanently and conspicuously affixed to the side of each vehicle and shall be sealed thereon by the Commissioner or his designee.

(b) A schedule of permitted rates shall be conspicuously displayed at all times upon two signs, which shall be permanently affixed to the vehicle. These signs shall be at least six (6) inches by eight (8) inches and shall be attached to or painted on each exterior side of the vehicle. Signs must read as follows:

"MAXIMUM RATE  
\$17.00 first 1/2 hour or fraction thereof;  
\$5.00 each additional 1/4 hour.  
Rates per trip— not per person.  
Licensed by New York City  
Department of Consumer Affairs  
(Insert the Department's current  
address and telephone number)"

The words "MAXIMUM RATE" and the dollar amounts must be written with characters at least 3/4 inch in height. The phone number "487-4444" must be written with numbers at least 1/2 inch in height. All other characters must be a minimum of 1/4 inch in height. Signs shall be obtained by the licensee. The design of the signs must be submitted for approval to the Department of Consumer Affairs prior to attachment to or painting on the vehicle. The signs shall not be defaced or obscured in any manner, including complete or partial concealment by a horse blanket or otherwise. No direct or indirect charge of any kind shall be made to a passenger for any reason other than the charges permitted by law.

(c) A card frame shall be permanently and conspicuously affixed to the vehicle at the forward part of the passenger compartment facing the passenger's seat. Such card frame shall contain, at all times, the current horse drawn cab driver's license and Departmental inspection card.

(d) Each horse drawn cab, its harness and traces shall be clean, in good working condition, and shall be inspected at least once daily by the licensee.

(e) Each vehicle shall be available for inspection by the Department of Consumer Affairs as required by §20-378 of the Administrative Code.

(f) Each licensee shall make repairs and alterations to the horse drawn cab as may be required by the Department of Consumer Affairs or as is necessary to maintain proper standards of comfort and safety.

(g) Each carriage horse shall be plainly and conspicuously marked by a different number, 3/4 of an inch high, permanently branded onto its left front hoof.

(h) All carriage horses shall be treated in a humane manner. An owner shall be responsible for the humane care and treatment of his carriage horses when they are under his direct supervision and control. At all other times, the owner is required to take all necessary and reasonable steps to insure the humane care and treatment of his horses while under the direct supervision and control of a licensed driver.

(i) Each owner shall maintain complete, accurate and permanent, consecutive daily records in a bound volume, which volume shall be kept at the owner's premises. Such records shall be available at all times for inspection at the Department by the Commissioner or his designee, and shall contain the following information:

(1) Receipts from drivers;

(2) Payments to drivers;

(3) Corporation tax;

(4) Disbursements and receipts;

(5) A record of accidents incurred and public liability claims paid;

(6) Any additional information that the Department of Consumer Affairs may require by written notification to the owner relating to his horse drawn cab.

(j) Each owner shall maintain a record, in type or ink, of the identification number branded on each horse together with a description of the horse. Such record shall be available at all times for inspection at the Department by the Commissioner or his designee.

(k) Each owner shall maintain for inspection at the Department, a consecutive daily record, in a bound volume, in type or in ink, of the movements of each horse drawn cab and horse, as follows:

- (1) Driver's name;
- (2) Driver's identification;
- (3) Horse's identification number;
- (4) Vehicle license plate number;
- (5) Exact time of leaving the stable;
- (6) Exact time of return to the stable;\*

(l) No owner shall permit any one horse to be in harness more than 10 hours in any continuous 24 hour period. If more than one driver is assigned to the same horse in any continuous 24 hour period, the records shall indicate the time each driver and horse left and returned to the stable.

(m) Each applicant for a horse drawn cab driver's license must meet the following requirements:

- (1) Be at least 18 years of age;
- (2) Have good eyesight, be in good physical condition and not be subject to any infirmity of body or mind which might render him unfit for the safe operation of the vehicle;
- (3) Be able to sufficiently speak and write the English language to carry out the duties required of a licensed horse drawn cab driver;
- (4) Be clean in dress and not addicted to the use of drugs or intoxicating liquors;
- (5) Be a person of good character.

(n) Each applicant for a horse drawn cab driver's license shall be required to satisfactorily establish that he knows:

- (1) The applicable Department of Consumer Affairs regulations;
- (2) The applicable traffic regulations;
- (3) The geography of Central Park and its ingress and egress routes;
- (4) And has mastered the proper care, handling and driving of carriage horses.

(o) Each applicant for a horse drawn cab driver's license must apprentice himself to a fully-qualified, licensed horse drawn cab driver for five days. Such apprenticeship requires the applicant to:

- (1) Learn the proper method of fitting a harness to a horse and hitching and unhitching a properly harnessed horse to a carriage;
- (2) Ride with a licensed driver for the first three days to observe proper handling and driving of a horse drawn cab; and
- (3) Drive the horse drawn cab under the licensed driver's supervision for the last two days of the apprenticeship.

Upon completion of such apprenticeship, each applicant shall file with the Department a sworn statement from the licensed horse drawn cab driver that the applicant has satisfactorily completed his apprenticeship.

(p) Each horse drawn cab driver shall:

- (1) Keep the interior of the vehicle clean;
- (2) Inspect the vehicle and its equipment at least once daily to determine that it is mechanically fit and in good working order;
- (3) Report all accidents as required by the Vehicle and Traffic Law and report each accident to the owner;
- (4) Conspicuously post his current license in the card frame attached to the vehicle;

(5) Upon request of any passenger, after payment of fare, deliver a written receipt indicating the amount of fare paid. This receipt shall become the property of the passenger and shall not be collected or taken from him;

(6) Thoroughly search the interior of the vehicle after termination of each trip for any article left or lost in the vehicle. Any such property shall be immediately taken to the stationhouse in the police precinct where the passenger or passengers were discharged;

(7) At all times be responsible for the proper and humane care and treatment of the horse under his direct supervision and control.

(q) No horse drawn cab driver shall:

(1) Solicit or recommend patronage for restaurants, nightclubs, cabarets, dance halls, hotels, or similar places, nor solicit for or recommend any place maintained in violation of law;

(2) Sell or offer for sale articles or merchandise or literature to the passengers in his vehicle;

(3) Operate the vehicle for more than 12 hours within any 20 hour period.

(4) After leaving the starting point, receive additional passengers between such starting point and the ultimate destination, or operate on any route other than the prescribed route, when such a route is designated;

(5) Abandon his vehicle, permit another to drive it for him, except an apprentice, or permit any passenger to ride on the driver's seat;

(6) Operate the vehicle while under the influence of intoxicating liquors or drugs;

(7) Carry more than four passengers in the vehicle at any one time.

(r) Each horse drawn cab driver shall maintain a daily log listing the time each fare commenced, the route travelled, the number of passengers, the time each fare ended and the amount charged. At the end of each day, the log shall be given to the owner to be retained and made available at all times for inspection at the Department by the Commissioner or his designee.

(s) Each horse drawn cab that is driven upon a public highway, path or street from one half hour after sunset to one half hour before sunrise and at such other times as visibility for a distance of three hundred fifty feet ahead of such vehicle is not clear, shall display:

(1) at least two lighted lamps on the front of the vehicle, one on each side, having light sources of equal power and visible from the front for a distance of at least three hundred fifty feet;

(2) at least one lighted lamp on the rear, located between the center and the left side of the vehicle, which shall display a red or amber fixed or flashing light visible from the rear for a distance of at least five hundred feet; and

(3) reflective material upon the shafts of the vehicle or other parts thereof which shall normally parallel the body, head or legs of the horse pulling such vehicle.