

New York City Taxi and Limousine Commission

Notice of Promulgation of Rules

Notice is hereby given in accordance with section 1043(b) of the New York City Charter (“Charter”), that the Taxi and Limousine Commission (“TLC”) promulgates amendments to its taxicab vehicle specifications for accessible vehicles that are placed into service as a taxicab, by allowing additional models to be used. In addition, accessible taxicabs may add an accessible taxi symbol to the roof light.

This rule is promulgated pursuant to sections 1043 and 2303 of the Charter and section 19-503 of the Administrative Code of the City of New York.

This rule was published on September 30, 2019, for public comment in the City Record. On October 30, 2019, a public hearing was held by the TLC at its offices at 33 Beaver Street, 19th Floor, New York, New York, 10004 and the rule was adopted by the Commission at a public meeting held on February 5, 2020. Pursuant to section 1043(e)(1)(c) of the Charter, this rule will take effect 30 days following publication in the City Record.

Statement of Basis and Purpose of Rule

In order to allow greater vehicle choice for medallion owners and a broader selection of vehicles for passengers who use wheelchairs, these rules permit taxicab medallion owners who are required to, or choose to, hack-up with an accessible vehicle to use approved vehicle models in addition to the Nissan NV200 Taxi of Tomorrow. In addition, the rules permit accessible taxicabs to add an accessible taxi symbol to the roof light. The rules also remove outdated material relating to the introduction of the NV200 Taxi of Tomorrow in New York City. Also, the rule change amends the technical specifications for taxicabs regarding partitions in vehicles, such as the NV200 Taxi of Tomorrow, where the partition is specifically designed to not interfere with the deployment of an airbag.

TLC's authority for these rules is found in section 2303 of the New York City Charter and section 19-503 of the New York City Administrative Code.

New material is underlined.

[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. The definitions of terms “Accessible Official Taxicab Vehicle (“Accessible OTV”)", “Official Taxicab Vehicle (“OTV”)", and “Official Taxicab Vehicle Activation Date (“OTV Activation Date.”)", as set forth in section 51-03 of Title 35 of the Rules of the City of New York are deleted, and the definition of term “Taxicab Model” is amended, to read as follows:

§51-03 Definitions

[Accessible Official Taxicab Vehicle (“Accessible OTV”) is the OTV modified in a manner that is consistent with the City's contract with Nissan North America.]

[Official Taxicab Vehicle (“OTV”) is the vehicle that is a purpose built taxicab for model years 2014 – 2024, manufactured pursuant to the City's contract with Nissan North America. All references to OTV include Accessible OTV unless otherwise specified.]

[Official Taxicab Vehicle Activation Date (“OTV Activation Date”) is September 1, 2015, the date on or after which the Official Taxicab Vehicle is required to be used in the Hackup of any Unrestricted Medallion unless otherwise provided in section 67 of these Rules.]

Taxicab Model is [the OTV, the Accessible OTV, or] a Taxicab Candidate that has been verified by the Commission as complying with the standard specifications set forth in §67-05.1 or §67-05.2 of these Rules.

Section 2. Subparagraph (vii) of paragraph 6 of subdivision (c) of section 58-21 of Title 35 of the Rules of the City of New York is amended to read as follows:

(vii) Based on the index, the surcharge will be as follows:

[UNTIL THE OTV ACTIVATION DATE:

When the Index is:	The surcharge will be:
\$2.49 or less	\$13 per shift (or \$78 per week)
\$2.50 to \$2.99	\$16 per shift (or \$96 per week)
\$3.00 to \$3.49	\$18 per shift (or \$108 per week)
\$3.50 to \$3.99	\$21 per shift (or \$126 per week)
\$4.00 to \$4.49	\$23 per shift (or 138 per week)
\$4.50 to \$4.99	\$26 per shift (or \$156 per week)
\$5.00 or more	\$28 per shift (or \$168 per week)

ON AND AFTER THE OTV ACTIVATION DATE:]

When the Index is:	The surcharge for Hybrid Electric and Diesel-Fueled taxicabs will be :	The surcharge for all other taxicabs will be
\$2.49 or less	\$13 per shift (or \$78 per week)	\$16 per shift (or \$96 per week)
\$2.50 to \$2.99	\$16 per shift (or \$96 per week)	\$19 per shift (or \$114 per week)
\$3.00 to \$3.49	\$18 per shift (or \$108 per week)	\$21 per shift (or \$126 per week)
\$3.50 to \$3.99	\$21 per shift (or \$126 per week)	\$24 per shift (or \$144 per week)
\$4.00 to \$4.49	\$23 per shift (or 138 per week)	\$26 per shift (or \$156 per week)
\$4.50 to \$4.99	\$26 per shift (or \$156 per week)	\$29 per shift (or \$174 per week)
\$5.00 or more	\$28 per shift (or \$168 per week)	\$31 per shift (or \$186 per week)

Section 3. Subdivision (d) of section 58-31 of Title 35 of the Rules of the City of New York is amended to read as follows:

§58-31 Vehicle Condition – Miscellaneous

- (d) *No Alterations.* An Owner will make no structural change in a Taxicab [or in an OTV] that deviates from the Taxicab specifications set forth in Chapter 67 of these Rules without the Commission’s written approval.

§58-31(d)	Fine: \$100	Appearance NOT REQUIRED
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Section 4. Paragraphs (n) and (t) of subdivision (i) of section 58-32 of Title 35 of the Rules of the City of New York are amended to read as follows:

INSCRIPTION*	LOCATION	SIZE
(n) [Checkerboard stripe decals (Reserved)] <u>New York State symbol for accessibility, for Accessible Taxicabs. (optional)</u>	<u>Front and rear of roof light, displayed on both sides of the medallion number.</u>	
(t) The decal will feature the International Symbol of Access for Hearing Loss, described as the profile of an ear with a wide diagonal line running from the bottom left to the top right. The symbol contrast shall be light on dark or dark on light. A “T” will be placed in the lower right-hand corner of each decal. The internal decal will include the language “Induction loop installed. Switch hearing aid to T-coil.”	[The decal will be placed on the outside of each OTV on the B-pillar and on the inside of each OTV rear passenger compartment on the partition in a location plainly visible to passengers. For vehicles that are not OTVs but have Hearing Induction Loop technology, place as directed by the Chairperson.] <u>Vehicles equipped with Hearing Induction Loop technology must place the decal on the outside of the vehicle as directed by the Chairperson, and inside the rear passenger compartment in a location plainly visible to passengers.</u>	The exterior B-pillar decal will be 3.0 x 3.0 inches; the interior passenger compartment decal dimensions will be as issued by the Commission.

Section 5. Subdivision (c) of section 58-35 of Title 35 of the Rules of the City of New York, relating to modifications for curtain airbags in taxicabs equipped with a partition, is REPEALED.

