

<p>Chapter 53</p>	<p>Accessible Taxicabs and Accessible Street Hail Vehicles</p>
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§53-01 Scope of this Chapter.

- (a) This Chapter sets the requirements and rules for the dispatch of Accessible Taxicabs and Accessible Street Hail Liveries.
- (b) This Chapter applies to Drivers of Accessible Taxicabs, Owners of Taxicab Medallions required to be hacked up with Accessible Taxicabs, Owners of Taxicab Medallions which are hacked up with vehicles that qualify to be Accessible Taxicabs, Drivers of Accessible Street Hail Liveries, and Owners and Bases of Accessible Street Hail Liveries. This Chapter also applies to Agents of any such Medallion Owners and Accessible Street Hail Liveries.

§53-02 Penalties.

- (a) *Unlicensed Activity.*
 - (1) Unlicensed Activity is the act of providing or advertising the provision of any Commission-regulated for hire transportation service by:
 - (i) Any Licensee whose License is suspended, revoked, or expired and not yet renewed, or
 - (ii) Any person who does not hold a Valid License or Authorization from the Commission as a for hire driver, for the for hire vehicle, or for the for hire service, as applicable.
 - (2) Unlicensed Activity specifically includes the activities listed in §19-506 and §19-528 of the Administrative Code, and can subject the violator to the seizure and possible forfeiture of the vehicle involved.
- (b) *Specific Penalties.* If there are specific penalties for violating a Rule, they are shown at the end of the Rule. The penalty section also states whether the violator must attend a Hearing.
- (c) *Payment of Fines.*
 - (1) Fines are due within 30 days of the day the Respondent is found guilty of the violation, unless:
 - (i) the Respondent files an appeal of the decision issued by the Taxi and Limousine Tribunal within the time required by Chapter 5 of Title 48 of the Rules of the City of New York, in which case the payment of the fines will be deferred until 30 days after the date of the appeal decision.
 - (2) If the fine is not paid by the close of business on the date due, the Commission will notify the Respondent in writing that the Respondent's License will be

suspended in 10 business days of the date of the notification until the fine is paid, unless the Respondent demonstrates to the Commission, in person or in writing, that the fine has been paid.

§53-03 Definitions

- (a) *Accessible Taxi Dispatcher.* The Accessible Taxi Dispatcher is the entity which, under contract with the Commission, will convey dispatches or requests for accessible service to Drivers of Accessible Taxicabs and to Drivers of Accessible Street Hail Liveries to provide transportation for a Passenger or group of Passengers, at least one of whom must be mobility-impaired, for trips that originate in New York City.
- (b) *Accessible Vehicle,* for the purposes of this Chapter, is a vehicle designed to permit access to and enable the transportation of persons in wheelchairs and is authorized by the Commission to transport passengers for hire by prearrangement or by dispatch of the Accessible Taxi Dispatcher. Accessible Vehicles, for purposes of this Chapter, include all vehicles in use as Accessible Taxicabs, Taxicabs required or opting to be used with accessible vehicles under Section 58-50 of these Rules, and Accessible Street Hail Liveries.
- (c) *Approved Driver.* An Approved Driver is a Driver who has a Valid License from the Commission as a TLC Driver and who has successfully completed Wheelchair Passenger Assistance Training.
- (d) *Dispatch Equipment.* The “Dispatch Equipment” is the communications equipment provided by the Accessible Taxi Dispatcher or an acceptable interface with the Technology System that allows Approved Drivers operating Accessible Vehicles to receive dispatches from the Accessible Taxi Dispatcher.
- (e) *Dispatch Fee.* The “Dispatch Fee” is the fee payable to the Driver of an Accessible Vehicle, according to the Dispatch Fee schedule, for completing or attempting to complete a trip dispatched by the Accessible Taxi Dispatcher. The Dispatch Fee schedule, including cancellation fees and passenger no-show fees, will be determined by the Commission, and posted on the Commission’s website, every six months based on a review of available funds and the Accessible Taxi Dispatcher’s service rates.
- (f) *Owner.* In this chapter, the Owner refers to the owner of a Medallion Taxicab or Street Hail Livery, including a Taxicab required to be hacked up with a vehicle that qualifies as an Accessible Vehicle.

§53-04 Comply with Law—Approved Driver

- (a) *Comply with this Chapter.* All Accessible Taxicab Owners, Accessible Street Hail Livery Owners and all Approved Drivers must comply with all provisions of this chapter. Agents for Accessible Taxicab Owners and bases dispatching or acting on behalf of

Accessible Street Hail Liveries under section 59B-04.2 of these Rules must also comply with these Rules where applicable.

- (b) *Driver Responsibility.* An Accessible Vehicle can only be driven by an Approved Driver; that is, one who has successfully completed Wheelchair Passenger Assistance Training.

§53-04(b)	Fine: \$400	Appearance NOT REQUIRED
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- (c) *Owner Responsibility.* A Taxicab Owner and a Street Hail Livery Owner may not allow Drivers who are not Approved Drivers and have not successfully completed Wheelchair Passenger Assistance Training, to operate the Owner's Accessible Taxicab or Street Hail Livery.

§53-04(c)	Fine: \$400	Appearance NOT REQUIRED
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- (d) *Agent Responsibility.* An Agent or a base may not allow Drivers who are not Approved Drivers and have not successfully completed Wheelchair Passenger Assistance Training, to operate an Accessible Vehicle.

§53-04(d)	Fine: \$400	Appearance NOT REQUIRED
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§53-05 Requirements Not Exclusive

- (a) Other than when this Chapter expressly provides otherwise, each Approved Driver, each Accessible Taxicab Owner, each Owner of a Taxicab hacked up with a Vehicle that qualifies to be hacked up as an Accessible Taxicab, each Accessible Street Hail Livery Owner, each Base and each Agent for Accessible Taxicab Owners and Bases dispatching or acting on behalf of Accessible Street Hail Liveries under section 59B-04.2 of these Rules must comply with all applicable provisions of this Title.

§53-06 Dispatch Equipment for Accessible Taxicabs and Street Hail Liveries

- (a) The Owner and/or Agent of an Accessible Vehicle and a base dispatching or acting on behalf of an Accessible Street Hail Livery under TLC Rule 59B-04.2 must have Dispatch Equipment installed in the Vehicle in compliance with a deadline announced by TLC.

§53-06(a)	Fine: \$200	Appearance NOT Required
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- (b) The Owner of an Accessible Taxicab or Accessible Street Hail Livery, the Agent, the Base dispatching an Accessible Street Hail Livery or acting on behalf of Accessible Street Hail Liveries under section 59B-04.2 of these Rules and the Approved Driver must not allow operation of an Accessible Taxicab or Accessible Street Hail Livery unless:

- (1) The Accessible Vehicle is equipped with Dispatch Equipment

§53-06(b)(1)	Fine: \$150 if plead guilty before a hearing and \$200 if found guilty after a hearing. Suspension of Vehicle License until condition is corrected	Appearance NOT Required
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- (2) While the Accessible Vehicle is in operation, the Dispatch Equipment must be turned on, connected to the dispatch system and able to receive dispatches.

§53-06(b)(2)	Fine: \$100 per day until compliance	Appearance Required
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- (3) If the Dispatch Equipment becomes inoperable:

- (i) The Approved Driver must notify the Accessible Taxi Dispatcher and Vehicle Owner, Agent or Base within 1 hour, or by the end of his or her shift, whichever comes first, that the Equipment is not operable.

§53-06(b)(3)(i)	Fine: \$250	Appearance NOT Required
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- (ii) The Owner, Agent or Base must replace or repair Dispatch Equipment promptly upon being notified to do so and in no event later than 48 hours after receiving such notification.

- (iii) An Accessible Vehicle with inoperable Dispatch Equipment cannot operate *without accepting dispatches* for more than 48 hours without repair or replacement of the Dispatch Equipment.

§53-06(b)(3)(ii)-(iii)	Fine: \$250 and suspension until compliance	Appearance NOT Required
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- (c) Each Approved Driver must:

- (1) Log onto the Dispatch Equipment at the beginning of the Driver's shift
- (2) Log off at the conclusion of each shift,
- (3) Communicate with the Accessible Taxi Dispatcher about dispatches, as directed by the Accessible Taxi Dispatcher.

§53-06(c) (1)-(3)	Fine: \$250	Appearance NOT Required
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- (4) Log onto the Dispatch Equipment any time either or both of the taximeter and the Technology System is on or engaged.

§53-06(c) (4)	Fine: \$500	Appearance NOT Required
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- (d) *No Tampering.* An Approved Driver, Agent or Owner must not
- (1) Tamper with the Dispatch Equipment; or
 - (2) Tamper with the geographic locator equipment.
 - (3) Disable the Dispatch Equipment; or
 - (4) Render the Dispatch Equipment inoperable in any way.

§53-06(d)	Fine: \$350 and/or suspension up to 30 days	Appearance REQUIRED
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§53-07 RESERVED

§53-08 Acceptance of Dispatch

- (a) *Driver MUST Accept Dispatch.*

- (1) While operating an Accessible Vehicle, an Approved Driver must accept a dispatch from the Accessible Taxi Dispatcher.
- (2) An Approved Driver who does not accept a dispatch has refused to provide service and will be subject to Mandatory Penalties for a refusal under sections 80-02(e) and 80-20(a) of these Rules.
- (3) An Approved Driver must not operate an Accessible Vehicle unless the Dispatch Equipment is turned on.

§53-08(a)	Fine: \$100 per day	Appearance NOT Required
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- (b) *No Prior Pick-Ups.* An Approved Driver of an Accessible Vehicle who has accepted a dispatch from the Accessible Taxi Dispatcher must not accept any other Passenger before picking up the Passenger with a mobility impairment. *Note:* This includes acceptance of another trip using an approved e-hail application.

§53-08(b)	Fine: \$100	Appearance NOT Required
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§53-09 Fares.

- (a) *Fare Amount.* The fare for transporting Passengers with mobility impairments following a dispatch will be the same as the current Taxicab and Street Hail Livery fares set by the Commission.
- (b) *Rules for Calculating Fares.*
- (1) An Approved Driver of an Accessible Vehicle must not charge a fare to a mobility-impaired Passenger higher than that indicated on the Taximeter.

§53-09(b)(1)	Fine: \$100, in addition to any Mandatory Penalties required under section 80-17(a) of these Rules	Appearance Required
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- (2) An Approved Driver MUST NOT turn on the Taximeter when dispatched by the Accessible Taxi Dispatcher until the Passenger is seated and secured in the vehicle.

§53-09(b)(2)	Fine: \$50	Appearance NOT Required
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§53-10 Driver Duties Regarding Passengers in Wheelchairs and Passengers with Other Mobility Impairments.

- (a) *Assisting the Passenger.* An Approved Driver

- (1) Must assist a Wheelchair-using Passenger and a Passenger with other mobility impairments:
- (i) Upon entry, from the sidewalk to the vehicle; and
 - (ii) Upon exiting, from the vehicle to the curbside.
- (2) Must secure a Wheelchair-using Passenger and the Wheelchair within the Vehicle.

§53-10(a)	Fine: \$200	Appearance NOT Required
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- (b) *Packages.* An Approved Driver must place a mobility-impaired Passenger’s packages and parcels in the Vehicle and secure them and must retrieve them for the Passenger at the end of the trip.

§53-10(b)	Fine: \$50	Appearance NOT Required
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- (c) *Service Animal(s) and Companions.* An Approved Driver must accept and provide transportation in the Accessible Taxicab for a mobility-impaired Passenger’s Service Animal(s) and for as many companions as can be legally seated in the vehicle.

§53-10(c)	Fine: Mandatory Penalties as set forth in §80-02(e) of these Rules.	Appearance NOT Required
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- (d) *Waiting for the Passenger with a mobility impairment.* An Approved Driver who has accepted a dispatch must wait for the Passenger with a mobility impairment to appear curbside at the pick up point for at least ten minutes after the time of arrival reported by the Driver for on-demand trips, and at least ten minutes after the scheduled pickup time indicated by the Dispatcher for advance reservation trips.

§53-10(d)	Fine: \$50	Appearance NOT Required
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(e) *Notice to Accessible Taxi Dispatcher.* An Approved Driver who has accepted a dispatch must notify the Accessible Taxi Dispatcher in the proper manner:

- (1) What time the driver has arrived at the pickup location, and what time the meter was turned on;
- (2) Whether the Driver has picked up any Passengers;
- (3) If the Passenger did not show, what time the Vehicle left the location; and
- (4) When the trip is completed.

§53-10(e)	Fine: \$50	Appearance NOT Required
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(f) *Assist with payment.* Upon a Passenger's request, the Driver must assist Passenger with completing payment, such as helping the Passenger to access the credit card reader and counting cash aloud.

§53-10(f)	Fine: \$50	Appearance NOT Required
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