

# Chapter 10-A

# Paratransit Vehicle Owners

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**§10A-01 Scope of this Chapter**

- (a) To establish the procedures and requirements for obtaining and maintaining a Paratransit Vehicle Owner’s License.
- (b) To provide penalties for violation of the requirements of maintaining a Paratransit Vehicle Owner’s License.

**§10A-02 Penalties**

- (a) *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 the Hearing.
- (b) *General Penalty.* If the fine is not paid by the close of business on the date due, the violator’s License will be suspended until the fine is paid. Fines are due on the day that the violator is found guilty of the violation unless the violator has filed a timely appeal of the guilty finding. If a timely appeal is filed, fines are stayed until a decision is made in the appeal.
- (c) *Mandatory Penalties.*

- (1) The following violations incur mandatory penalties:

Description of Violation	Rule	Mandatory Penalty for All Violations
1. Operation of unlicensed Vehicle	§10A-12(a)	<ul style="list-style-type: none"> <li>• <b>First violation:</b> \$100-\$350</li> <li>• <b>Second violation (any combination of provisions) within 24 months: \$350 - \$500</b></li> <li>• <b>Third violation (any combination of provisions) within 24 months: Mandatory Revocation of License</b></li> </ul>
2. Driver unlicensed by TLC	§10A-12(b)	
3. Driver unlicensed by State and/or has not qualified as Article 19-A “bus driver”	§10A-12(c)	
4. Unlicensed advertising “having Paratransit Service”	§10A-12(e)	
5. Marking or defacing Paratransit Vehicle License	§10A-11(a)	
6. No overcharges or disability surcharges	§10A-25(b)	
7. No refusing orderly passenger	§10A-19(e)	

- (2) The 24-month period will be counted backward from the date of the most recent conviction.
- (3) The License of any Licensee who has five (or more) open and outstanding summonses for a 12-month period, will be revoked.

**§10A-03 Definitions Specific to this Chapter**

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- (a) *Base Affiliation.* Each Paratransit Vehicle must be associated with a specific Paratransit Base and to work only with the Base with which it is affiliated.
- (b) *Business Entity.* A Paratransit Business Entity must be either a corporation or a partnership.
- (c) *Electronic Trip Record System* is the hardware and software that collects and stores the data that must be recorded for each passenger trip.
- (d) *Licensee*, in this Chapter, refers to a Paratransit Vehicle Owner.
- (e) *Rate Schedule*, is the Commission-approved listing of the manner in which and amount of fare that a Paratransit Vehicle Owner is permitted to charge a passenger.
- (f) *Vehicle*, in this chapter, refers to a Paratransit Vehicle.
- (g) *Vehicle Owner (or Owner)*, in this Chapter, refers to a Paratransit Vehicle Owner, and can be an individual or Business Entity who:
  - (1) Owns the Vehicle outright;
  - (2) Is purchasing the Vehicle from a conditional vendor;
  - (3) Is leasing the Vehicle; or
  - (4) Is an agent or employee of any of the above and has authority to act on their behalf.

**§10A-04 Licensing – Requirements**

**Requirements (a) through (e) apply to an individual Applicant and to all of a Business Entity Applicant’s Business Entity Persons**

- (a) *Age.* Applicants must be at least 18 years of age.
- (b) *Identification.* Applicants for a new (original) Paratransit Vehicle License must provide both of the following proofs of identity :
  - (1) A Valid Government photo ID
  - (2) A Valid, original social security card
- (c) *Fingerprinting to Verify Good Moral Character.*
  - (1) Applicants must be of good moral character.

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- (2) Applicants must be fingerprinted.
  - (3) In addition, any individual and all Business Entity Persons of a Business Entity that provides funds to a Vehicle Owner Applicant/Licensee must be fingerprinted, unless the provider is a licensed bank or loan company.
  - (4) The Commission may waive any of this subdivision's fingerprinting requirements.
- (d) *Valid Certificate of Operating Authority.* Applicants must have a valid certificate of Operating Authority for the City of New York issued by the New York State Department of Transportation.
- (e) *Operate from Licensed Base.* Applicants must demonstrate that the Vehicle will operate from a Base that is Licensed unless exempted from this requirement by the Commission.
- (f) *Complete Application Forms.* The Applicant must complete and file the required Commission application forms.
- (g) *Fitness to Hold License.* The Commission will determine an Applicant's fitness by examining the Applicant's (or Licensee's) criminal and driving records, medical and mental health records, and any history of drug or alcohol use.
- (h) *Own a Paratransit Vehicle.* Applicants must have ownership in a Paratransit Vehicle.
- (i) *Vehicle Mileage Requirements.* The Applicant for an original (new) License must submit a New York State Department of Transportation Form MC300, dated not more than one month from the application date, proving that the Vehicle meets the relevant mileage requirement:
- (1) On and after January 1, 2008, a vehicle must have fewer than 100,000 miles.
  - (2) On and after January 1, 2009, a vehicle must have fewer than 50,000 miles.
  - (3) On and after January 1, 2010, a vehicle must have fewer than 25,000 miles.
  - (4) On and after January 1, 2011, a vehicle must be of the most recent model year or the immediately preceding model year and must have fewer than 500 miles.
- (j) *Other Requirements Relating to the Vehicle.* The Applicant must demonstrate that:
- (1) The vehicle is in safe operating condition and meets all the requirements of the Commission and all other Government agencies that have concurrent jurisdiction.
  - (2) Applicant has the required vehicle liability insurance coverage by bond or policy as determined by the State of New York.

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- (3) The certificate of title and the certificate of registration are in the Applicant's name (unless title is retained by a lessor or conditional vendor).
- (4) The vehicle will not have to be retired before the end of the two-year term of the License under the terms of Vehicle Retirement established in §10A-34 of this Chapter.
- (k) *Other Required Documents.* In addition to copies of the certificate of title and the certificate of registration, the following documents must be filed with the application:
  - (1) A copy of the motor vehicle tax stamp receipt for the Paratransit Vehicle
  - (2) A current Rate Schedule
  - (3) A New York State Department of Transportation inspection checklist
  - (4) A copy of the leasing agreement, if Applicant is leasing the vehicle
  - (5) A partnership Applicant must file a certified copy of its partnership certification from the County Clerk
  - (6) A corporate Applicant must file a certified copy of its certificate of incorporation and a list of its current shareholders and officers.
- (l) *Designate Drivers as Agents to Accept Service.* The Applicant must agree that any Driver who operates one of Owner's Paratransit Vehicles will be considered as an agent of the Owner for purposes of accepting service of Commission notices to correct Vehicle defects.

**§10A-05 Licensing – Terms of License**

- (a) *New Licenses.* The term of a new Vehicle License is two years.
- (b) *Renewals.* The renewal term of a Vehicle License is two years from the date on which the previous License expired.
- (c) *Extension.* The Commission can extend the expiration date of the Vehicle License by up to an additional 31 days.
- (d) *When to File Application for Renewal.* A renewing Applicant must file on or before the expiration date of the current License.

**§10A-06 Licensing – License and Administrative Fees**

- (a) *Fee for License.* The fee for a Vehicle License will be \$275 annually.

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- (b) *License Replacement Fee.* The Commission will charge an additional fee of \$25 for each License it issues to replace a lost or mutilated License.
- (c) *Late Filing Fee.* The Commission will charge an additional fee of \$25 for late filing of a renewal application, if it allows the filing at all.
- (d) *No Refund if Application Denied.* The Commission will not refund fees if it denies or disapproves an application.
- (e) *Change of Base Affiliation.* A Vehicle Owner can change the Paratransit Base with which it is affiliated after approval by the Commission and payment of a \$25 fee.

**§10A-07      Licensing – Causes for Denial**

- (a) *Failure to Meet the Requirements.* The Commission will deny an application for a new or renewed License if the Applicant fails to meet the requirements.
- (b) *No Longer Meets Requirements.* The Commission will deny a Licensee's renewal application or suspend or revoke a License if the Commission learns that the Vehicle Owner no longer meets the licensing requirements.
- (c) *Material Misrepresentation or Falsification.* The Commission will deny a Paratransit License application and may suspend or revoke a renewal application if the Applicant:
  - (1) Fails to notify the Commission of any material change in the information contained in the application;
  - (2) Attempts to conceal the identity of a party who has an interest in the ownership of a Paratransit Vehicle, or
  - (3) Lies or misrepresents any information in the application.
  - (4) The Commission can impose other sanctions as well as denial, suspension and revocation.
- (d) *Prior License Revocation.* The Commission will not issue any License to any individual or Business Entity that has had its license revoked until at least one year following the date of the revocation.
- (e) *Misleading Trade Name.* The Commission will not issue a License to a Business Entity with a corporate or trade name similar to a name already in use by another Paratransit Vehicle Owner.

**§10A-08      Licensing – Process upon Denial**

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- (a) *Denial of Application.* If the Commission denies the application for a Paratransit Vehicle License or its renewal, the Applicant will be notified, in writing, of the reason(s) for the denial.
- (b) *Right to Appeal On Denial.* If the Commission denies an application for a new or renewal Paratransit Vehicle License:
  - (1) The Applicant is entitled to a hearing before the Commission
  - (2) The Applicant can be represented by an attorney or by a non-attorney
  - (3) The Commission can, for cause, refuse to allow a non-attorney to represent the Applicant.

**§10A-09      Licensing – Care of Licenses**

- (a) *Unauthorized Changes to License.* A Vehicle Owner must not make any unauthorized entry on a Paratransit Vehicle License or change, deface, conceal, obliterate or render any entry on that License unreadable.

§10A-09(a)	Mandatory Penalties See §10A-02(d)	
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- (b) *Surrender of Unreadable License.* A Vehicle Owner must immediately surrender an unreadable Paratransit Vehicle License to the Commission to obtain a legible replacement.

§10A-09(b)	Fine: \$25	Appearance NOT required
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- (c) *Surrender Upon Suspension or Revocation.* A Vehicle Owner must surrender a suspended or revoked License it to the Commission within 48 hours of the suspension or revocation.

§10A-09(c)	Fine: \$100	Appearance NOT required
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- (d) *Report of Lost, Stolen, or Destroyed License.*

- (1) A Vehicle Owner must notify the Commission and the Police Department within 48 hours (not including weekends and holidays) of the theft, loss or destruction of a Paratransit Vehicle License.
- (2) The Vehicle Owner must also furnish the Commission with an affidavit or other information as may be required, including the police receipt number.
- (3) A substitute Paratransit Vehicle License will be issued by the Commission.

§10A-09(d)	Fine: \$50	Appearance NOT required
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- (e) *Report of Plate Replacement.* A Vehicle Owner must notify the Commission within 48 hours (not including weekends and holidays) after replacing the Vehicle’s New York State license plates.

§10A-09(e)	Fine: \$50	Appearance NOT required
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**§10A-10 Compliance with Laws – Unlicensed Activity**

- (a) *Vehicle Must Be Licensed.* A Vehicle Owner must not allow a Paratransit Vehicle to be dispatched or operated if the Vehicle does not have a Valid License from the Commission.

§10A-10(a)	Mandatory Penalties. See §10A-02(d)	
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- (b) *Driver Must Have a Paratransit License.* A Vehicle Owner must not allow a Vehicle to be dispatched or operated by a Driver who does not have a Valid Paratransit Driver’s License.

§10A-10(b)	Mandatory Penalties See §10A-02(d)	
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- (c) *Drivers Must Have State Driver’s License.* A Vehicle Owner must not allow a Vehicle to be dispatched or operated by a Driver who does not have a Valid state driver’s license.

- (d) *Compliance with §5-09(d).* A Vehicle Owner must not allow a Vehicle to be dispatched or operated by a Driver who has not complied with §5-09(d) of Article 19-A of the New York State Vehicle and Traffic Law (setting forth certain requirements for bus drivers).

§10A-10(d)	Mandatory Penalties See §10A-02(d)	
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- (e) *Base Must be Licensed.* A Vehicle Owner must not dispatch or allow to be dispatched any Paratransit Vehicle from a Base that does not have a Valid License, unless it has been exempted by the New York State Department of Transportation.

§10A-10(e)	Fine: \$150	Appearance NOT required
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- (f) *Advertising of Unlicensed Paratransit Service.* A Vehicle Owner whose License is not Valid may not advertise or claim to offer “Paratransit Service” or any comparable service.

§10A-10(f)	Mandatory Penalties See §10A-02(d)	
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- (g) *Activity After License Expiration.* Any activity to provide paratransit service after the Vehicle License has expired and before a renewal License has been issued is considered “unlicensed activity” and is subject to the penalties in these Rules and in Administrative Code.

**§10A-11 Compliance with Law – Vehicle Insurance**

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(a) *Maintain Liability Insurance.*

- (1) A Vehicle Owner must maintain at least the minimum amount of liability insurance required by the NYS Department of Transportation for each Vehicle owned by Owner.
- (2) A Vehicle Owner must comply with all New York State Laws regarding this coverage.

§10A-11(a) (1 ) and (2)	Fine: \$50	Appearance NOT required
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(b) *Submit Proof of Insurance.*

- (1) A Vehicle Owner must submit annual proof of liability insurance coverage to the Commission on or before the 15<sup>th</sup> day of January of each year.
- (2) Proof must include the name and address of the carrier and the insurance policy number for each Paratransit Vehicle owned.

§10A-11(b) (1) and (2)	Fine: \$50	Appearance NOT required
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(c) *Notify Commission of Cancellation or Change of Carrier.* A Vehicle Owner must notify the Commission, in writing, within 72 hours after receiving notice of:

- (1) Cancellation of the required liability insurance
- (2) Change of insurance carrier, or
- (3) Change in the policy number.

§10A-11(c)	Fine: \$100	Appearance NOT required
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(d) *Surrender License on Loss or Termination of Insurance.* A Vehicle Owner must surrender the Paratransit Vehicle License to the Commission prior to or on the termination date of the liability insurance unless:

- (1) The Owner is not notified, or
- (2) The Owner obtains new insurance effective on the termination date of the old policy.

§10A-11(d)	Fine: \$100	
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**§10A-12 Compliance with Laws – Proper Conduct**

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- (a) *Bribery.* A Vehicle Applicant or Licensee must not offer or give any gift, gratuity or thing of value to any employee, representative or member of the Commission or any other public servant.

§10A-12 (a)	Fine: \$1,000 up to revocation	Appearance REQUIRED
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- (b) *Failure to Report Bribery.* A Vehicle Owner must immediately report to the Commission any request or demand for a gift, gratuity or thing of value by any employee, representative or member of the Commission or any other public servant.

§10A-12 (b)	Fine: \$1,000 up to revocation	Appearance REQUIRED
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- (c) *Fraud, Theft.* While performing the duties and responsibilities of a Vehicle Owner, a Licensee must not commit or attempt to commit, any act of fraud, misrepresentation or theft.

§10A-12 (c)	Fine: \$25-\$350 and/or suspension up to 30 days	
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- (d) *Willful Acts of Omission.* While performing the duties and responsibilities of a Vehicle Owner, a Licensee must not commit or attempt to commit any willful act of omission that is against the best interests of the public.

§10A-12 (d)	Fine: \$25-\$350 and/or suspension up to 30 days	
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- (e) *Willful Acts of Commission.* While performing the duties and responsibilities of a Vehicle Owner, a Licensee must not commit or attempt to commit any willful act of commission that is against the best interests of the public.

§10A-12 (e)	Fine: \$25-\$350 and/or suspension up to 30 days	
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- (f) *Threats, Harassment, Abuse.* While performing the duties and responsibilities of a Vehicle Owner, a Licensee must not threaten, harass, or abuse any person.

§10A-12 (f)	Fine: \$25-\$350 and/or suspension up to 30 days	Appearance REQUIRED
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- (g) *Use or Threat of Physical Force.* While performing the duties and responsibilities of a Vehicle Owner or any act in connection with those duties, a Licensee must not use or attempt to use any physical force against a person or Service Animal.

§10A-12 (g)	Fine: \$20-\$350 and/or suspension up to 30 days; possible revocation (OATH)	
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- (h) *Notice of Criminal Conviction.*

- (1) A Vehicle Owner must notify the Commission within 15 calendar days after any criminal conviction of the Licensee, individually or, if the Licensee is a Business Entity, of any Business Entity Person.

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- (2) The notice must be in writing and must be accompanied by a certified copy of the certificate issued by the clerk of the court explaining what happened as a result of the conviction.

§10A-12 (h)	Fine: \$50-\$250	Appearance REQUIRED
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(i) *Failure to Cooperate with Law Enforcement.*

- (1) A Vehicle Owner must cooperate with all law enforcement officers and all authorized representatives of the Commission.
- (2) Cooperation includes, but is not limited to, responding to a request for the Licensee's name, License number, and any documents Licensee is required to have in his or her possession.

§10A-12 (i)	Fine: \$200 and suspension until compliance	Appearance REQUIRED
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(j) *Failure to Cooperate with the Commission.*

- (1) A Vehicle Owner must promptly and truthfully answer all questions and comply with all communications, directives, and summonses issued by the Commission or its representatives.

§10A-12 (j)(1)	Fine: \$200 and suspension until compliance	Appearance REQUIRED
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- (2) A Vehicle Owner must respond to any telephone or pager contact from the Commission within forty-eight hours, seven days a week.

§10A-12 (j)(2)	Fine: \$500	Appearance NOT required
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(k) *Courtesy.* Vehicle Owners must be courteous toward passengers and the general public, including Commission personnel, while performing their duties and responsibilities as Licensees.

§10A-12 (k)	Fine: \$25	Appearance NOT required
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(l) *Unlawful Uses of Vehicle or Garage.* A Vehicle Owner must not use or permit another person to use his or her Paratransit Vehicle or garage for any unlawful purpose and must immediately report to the police any criminal use or attempt thereof involving the Vehicle or Base.

§10A-12 (l)	Fine: \$25-\$350 and/or suspension up to 30 days	Appearance REQUIRED
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**§10A-13 Compliance with Laws – Miscellaneous**

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- (a) *Compliance with Laws, Rules and Regulations.* A Vehicle Owner must comply with the Commission’s Paratransit Vehicle Specifications and all other pertinent laws, rules or regulations governing Vehicle Owners.

§10A-13(a)	Fine: \$50	Appearance NOT REQUIRED
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**§10A-14 RESERVED [Operations – Business Premises]**

**§10A-15 RESERVED [Operations – Management Oversight (Use of Agents)]**

**§10A-16 Operations – Service Requirements (Passengers)**

- (a) *Timely Pickups.* Vehicle Owners must schedule the daily trips as efficiently as possible, to avoid unreasonably late pickups and missed trips.

§10A-16(a)	Fine: \$25	Appearance NOT required
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- (b) *Notify Passenger of Delay.* If a pickup is unreasonably delayed or cancelled, the Vehicle Owner (or Base Owner) must promptly notify the waiting passenger.

§10A-16(b)	Fine: \$50	Appearance NOT required
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- (c) *Monitor Drivers’ Behavior.* Vehicle Owners must monitor the behavior and conduct of the Drivers toward the passengers, investigate complaints, and take appropriate action to resolve the complaints.

§10A-16(c)	Fine: \$50-\$250 and/or suspension until a monitoring procedure is devised and/or other appropriate action is taken to the satisfaction of the Commission	
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- (d) *Unauthorized Refusal to Provide Transportation.* A Vehicle Owner must not refuse by words, gestures or any other means, to provide transportation to any orderly person who has prearranged the trip and the destination is within New York City, unless:

- (1) There is no Vehicle then available for the requested transportation; or
- (2) There is a justification for refusing that is listed in §6-20(b) of the Paratransit Driver’s chapter.

§10A-16(d)	Mandatory Penalties. See §10A-02(d)	
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**§10A-17 Operations – Owners’ Responsibilities with Respect to Drivers**

- (a) *Training for Paratransit Drivers.* A Vehicle Owner must ensure that every Driver is trained how to properly and safely:

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- (1) Assist any Person with a Disability or other passenger in and out of a Paratransit Vehicle

§10A-17(a)(1)	Fine: \$50-\$150	Appearance REQUIRED
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- (2) Utilize the wheelchair ramp, the fastening devices, and any other safety precautions or devices contained in the Vehicle.

§10A-17(a)(2)	Fine: \$50-\$150	Appearance REQUIRED
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**§10A-18 Records – Trip Record Information**

- (a) *Trip Sheet.* All Paratransit Vehicles must be equipped with an electronic Trip Sheet that shows the following information:

- (1) The Paratransit Driver’s License number
- (2) The Paratransit Vehicle’s state license plate number
- (3) The date and time of pick-up of each passenger
- (4) The date and time of drop-off of each passenger
- (5) The locations of pick-ups and drop-offs
- (6) Any other entries required by the Commission and local, state or federal law.

§10A-18(a)	Fine: \$50 for each violation of this rule; however, no violation of this rule may exceed \$100 for each vehicle stop	Appearance NOT required
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- (b) *Contemporaneous Recording.* The specific information about each trip must be collected and recorded when it occurs.
- (c) *Transmit Monthly.* All data required under subdivision (a) above must be electronically transmitted to the Commission on a monthly basis
- (d) *Re-Write of Trip Record Prohibited.* A Vehicle Owner must not rewrite a Trip Record in whole or in part, without prior Commission approval.

§10A-18(c)	Fine: \$75-\$350 and/or suspension up to 30 days	
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- (e) *Correcting Electronic Trip Sheets.*
- (1) The Vehicle Owner must ensure that all necessary corrections and additions are made to the Trip Sheet.

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- (2) The electronic Trip Record data collected in the Paratransit Vehicle must not be erased, deleted, altered, changed or obliterated.

§10A-18(d)	Fine: \$30	Appearance NOT required
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(f) *Hand-written Trip Sheets.*

- (1) In the event that the electronic Trip Record equipment malfunctions, hand-written Trip Sheets showing the same information required in subdivision (a) above, must be used during the period the Vehicle is permitted to operate (*see §10A-33(c)*).

§10A-18(e)(1)	Fine: \$50 for each violation of this rule; however, no violation of this rule may exceed \$100 for each vehicle stop	Appearance NOT required
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- (2) The Vehicle Owner must not allow a Vehicle to be dispatched until the Owner has signed his or her name to the hand-written Trip Sheet.
- (3) At the end of a Driver's shift, the Vehicle Owner must examine any hand-written Trip Record and must enter the date and time in ink.
- (4) The Vehicle Owner must also enter and sign a statement indicating that the Driver's entries have been examined.

§10A-18(e)(2)-(4)	Fine: \$25	Appearance NOT required
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(g) *Correcting Mistakes on Hand-Written Trip Sheets.*

- (1) The Vehicle Owner must correct wrong entries on a written Trip Record (or any other written records Owner is required to maintain) by drawing a single line through the incorrect entry and initialing the correction.
- (2) A Vehicle Owner must not make erasures or obliterate or omit any essential information.

§10A-18(f)	Fine: \$30	Appearance NOT required
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**§10A-19 Records – Current Contact Information**

(a) *Current Mailing Address.*

- (1) The Mailing Address for a Paratransit Vehicle Owner must be either a designated post office box, or one of the following:
- (i) The home address for an individual Vehicle Owner

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- (ii) A partner's home address for a partnership Licensee
- (iii) The address of the secretary of the corporation for a corporate Licensee.
- (2) The Commission will consider any notice or summons sent to the last address given by the Vehicle Owner as sufficient notice.
- (b) *24-hour Communication Device.*
  - (1) A Vehicle Owner must maintain a current telephone number on file with the Commission.
  - (2) This number must be connected to an answering machine or must be a pager number, answering service number or something similar that allows the Commission to contact the Vehicle Owner on a 24-hour basis.

§10A-19(b)	Fine: \$100	Appearance NOT required
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**§10A-20 Records – Additional Records to be Maintained**

- (a) *Financial and Operational Records.* A Vehicle Owner must maintain complete financial and other operational records for a period of three years. The records must be available to the Commission for inspection and must include the following:
  - (1) Vehicle liability insurance coverage
  - (2) Any other documents specifically prepared in connection with the operation of a Paratransit Vehicle

§10A-20(a)	Fine: \$50	Appearance NOT required
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**§10A-21 Reporting Requirements**

- (a) *Give Drivers Access to Records for Reporting.* A Vehicle Owner must make available to a Driver any records that the Vehicle Owner is required to maintain, if a Driver is required to bring those records to the Commission or any other Government agency.

§10A-21(a)	Fine: \$50	Appearance NOT required
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- (b) *Lost Property.*
  - (1) A Vehicle Owner must look inside the Paratransit Vehicle after each work shift for anything passengers have forgotten.
  - (2) If property is found and the rightful owner is known or can be easily determined, the Vehicle Owner must notify the rightful owner within a reasonable time.

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- (3) If the rightful owner cannot be determined, the lost property must be taken without delay to the police precinct where the garage is located.

§10A-21(b)	Fine: \$50-\$250	Appearance NOT required
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- (c) *Lost Property Notification.* The Vehicle Owner must promptly inform the Commission of any property found and taken to a police precinct.
- (d) *Notification of Change of Status.* A Vehicle Owner must report any important changes, including any changes regarding Vehicle ownership, title, financing and registration, to the Commission within 72 hours.

§10A-21(d)	Fine: \$50	Appearance NOT required
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**§10A-22 Operations – Rates and Tolls**

- (a) *Overcharges.*
- (1) A Vehicle Owner must not charge or attempt to charge a fare above the approved rate of fare currently filed with the Commission.
- (2) A Vehicle Owner must not impose or attempt to impose any additional charge for transporting a Person with a Disability, a service animal accompanying a Person with a Disability, or a wheelchair or other mobility aid.

§10A-22(a)	Mandatory Penalty: See 10A-02	
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**§10A-23 RESERVED [Operations – E-ZPass]**

**§10A-24 RESERVED [Operations – Miscellaneous Requirements]**

**§10A-25 Vehicle Condition – Inspections**

- (a) *Inspection of Paratransit Vehicles.* A Vehicle Owner is responsible for ensuring that all repairs discovered by the Base Owner during Base Owner’s inspection are made before allowing a Driver to operate the Vehicle.

§10A-25(a)	Fine: \$50-\$500	Appearance NOT required
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- (b) *Approved Paratransit Vehicles.* A Vehicle Owner must only allow Paratransit Vehicles that have been inspected and approved by the New York State Department of Transportation to be dispatched.

§10A-25(b)	Fine: \$100-\$500	Appearance NOT required
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- (c) *Compliance with NYCDOT Rules.* A Vehicle Owner must comply with the New York State Department of Transportation regulations and inspection requirements and schedules.

§10A-25(c)	Fine: \$100	Appearance NOT required
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**§10A-26 Vehicle Condition – Safety**

- (a) *Compliance with Notices to Correct Defects.* A Vehicle Owner must comply with all Commission notices, summonses, and directives to correct defects in a Paratransit Vehicle.

§10A-26(a)	Fine: \$100	Appearance NOT required
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- (b) *Timely Repairs.* A Vehicle Owner must make all repairs or alterations that the New York State Department of Transportation requires to meet its specifications or to maintain proper standards of safety and comfort. These repairs or alterations must be made within the time period given by the state inspectors.

§10A-26(b)	Fine: \$100	Appearance NOT required
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- (c) *Replacement of Unsafe or Unfit Vehicles.*

- (1) A Vehicle Owner must replace a Paratransit Vehicle when the New York State Department of Transportation determines that the Vehicle is unsafe or unfit for use as a Paratransit Vehicle and directs the Owner to remove it from service immediately.
- (2) If a Vehicle Owner fails to replace the Vehicle within 120 days of notice, the Commission will consider it as abandonment of the Paratransit Vehicle License and the Commission can initiate revocation proceedings.

§10A-26(c)	Fine: \$100-\$500 and suspension for 30 days	Appearance REQUIRED
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- (d) *Handling of Infectious Disease.*

- (1) *Handling Passengers with Infectious Diseases.* Owners and Drivers must obey all Government laws, rules and regulations, regarding the handling of passengers with infectious diseases.

§10A-26(d)(1)	Fine: \$25-\$1,000 and possible suspension or revocation (OATH)	Appearance REQUIRED
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- (2) *Compliance with Rules.* Owners must obey all Government laws, rules and regulations, regarding what must be provided to the Driver or passengers when transporting passengers with infectious diseases (e.g. masks, gloves, etc.).

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§10A-26(d)(2)	Fine: \$25-\$1,000 and possible suspension or revocation (OATH)	Appearance REQUIRED
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- (3) *Protective Clothing.* The Vehicle Owner must provide protective clothing, (goggles, gloves, gowns, and masks) to any employee who disinfects the Vehicle.

§10A-26(d)(3)	Fine: \$25-\$1,000 and possible suspension or revocation	Appearance REQUIRED
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- (4) *Cleaning of Vehicle after Transportation.*

- (i) Owners and Drivers must obey all Government laws, rules and regulations, regarding the cleaning of Paratransit Vehicles after transporting passengers with infectious diseases and the disposal of contaminated materials.
- (ii) An appropriate disinfectant solution (according to the New York City Emergency Medical Service and the New York State Department of Health) is:
  - A. One (1) part sodium hypochlorite solution (bleach) to nine (9) parts water
  - B. Fill the bucket with water first and then add the solution.
  - C. This solution is incompatible with acids, organic material or reducing agents; NEVER mix this solution with hydrogen peroxide, ammonia or any other cleansing agent.

§10A-26(d)(4)	Fine: \$25-\$1,000 and possible suspension or revocation (OATH)	Appearance REQUIRED
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- (5) *Stretchers and Linens.*

- (i) If a stretcher is contaminated, clean and disinfect by wiping.
- (ii) If it is saturated, dispose of it in an appropriate manner.
- (iii) Dispose of any contaminated linen.
- (iv) Dispose of contaminated material by placing the items in a buff-colored impervious plastic bag, seal the bag, tag it as “contaminated” and dispose of the material in the manner approved at a local hospital.

§10A-26(d)(5)	Fine: \$25-\$1,000 and possible suspension or revocation (OATH)	Appearance REQUIRED
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- (6) *Gross Contamination.* In the case of gross contamination where the Vehicle is saturated or encrusted, the Vehicle must be sterilized through the use of steam gas or liquid agents.

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§10A-26(d)(6)	Fine: \$25-\$1,000 and possible suspension or revocation (OATH)	
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**§10A-27 Vehicle Condition – Miscellaneous**

- (a) *Clean, Painted, Good Appearance.* A Vehicle Owner must keep all Paratransit Vehicles clean, well-painted and in good appearance.

§10A-27(a)	Fine: \$25	Appearance NOT required
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**§10A-28 Vehicle – Markings and Advertising**

- (a) *Vehicle Specifications and Markings.* A Vehicle Owner must comply with the Markings Specifications for Paratransit Vehicles.

§10A-28(a)	Fine: \$50	Appearance NOT required
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- (b) *Remove Markings Before Selling.* A Vehicle Owner is responsible for removing all official markings when selling or disposing of a Paratransit Vehicle, unless the Owner obtains Commission approval in approved transfers.

§10A-28(b)	Fine: \$100	Appearance NOT required
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- (c) *Required ID Marking.* The Vehicle Owner must attach a Valid Commission decal to the Vehicle in a plainly visible location when a License is granted, renewed, or whenever else a new decal is required.

§10A-28(c)	Fine: \$50	Appearance NOT required
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- (d) *Commercial Use Tax Stamp.* A Vehicle Owner must attach a commercial use motor vehicle tax stamp to the lower right side of the Vehicle windshield, so that it is plainly visible.

§10A-28(d)	Fine: \$25	Appearance NOT required
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- (e) *Unauthorized Advertising.* A Vehicle Owner may not display advertising on the exterior or interior of a Paratransit Vehicle unless the Vehicle Owner has first obtained Commission authorization.

§10A-28(e)	Fine: \$50	Appearance NOT required
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**§10A-29 Vehicle – Documents Required in Vehicle**

- (a) A Vehicle Owner may only permit the operation and the dispatch of a Paratransit Vehicle when the following are present in the Vehicle:

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- (1) The Driver's written Trip Record
- (2) The Driver's Paratransit Driver's License
- (3) A copy of the registration certificate
- (4) A copy of the Paratransit Vehicle License
- (5) A copy of the individual vehicle insurance card
- (6) A copy of the lease card or agreement, if any
- (7) All required notices
- (8) A two-way radio, if the Paratransit Base Owner uses a radio system
- (9) An electronic Trip Record system.

§10A-29(a)	Fine: \$15 for each violation	Appearance NOT required
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**§10A-30 Vehicle – Equipment**

- (a) *Only Authorized Equipment.*
- (1) A Vehicle Owner must allow the dispatch only of Paratransit Vehicles outfitted with equipment and devices specifically required by the Vehicle and Traffic Laws and by the Commission for use in Paratransit Vehicles.
  - (2) The Commission has the authority to approve equipment and devices other than those described in paragraph (1) upon the request of the Vehicle Owner.
  - (3) Owner does not need Commission approval to install additional mobility devices such as grab bars or non-slip flooring.

§10A-30(a)	Fine: \$30-\$300 and/or suspension up to 30 days	Appearance REQUIRED
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**§10A-31 RESERVED [Vehicle Equipment – Partitions]**

**§10A-32 RESERVED [Vehicle Equipment – In-Vehicle Camera System]**

**§10A-33 Vehicle Equipment – Electronic Trip Record System**

- (a) *Must Be Installed.* A Vehicle Owner must install Electronic Trip Record Systems in all Paratransit Vehicles owned by Owner.

§10A-33(a)	Fine: \$250 and suspension until compliance	Appearance NOT required
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- (b) *Must Be in Good Working Order.* A Vehicle Owner must not allow a Paratransit Vehicle to be dispatched unless the Electronic Trip Record System in the Vehicle is in good working order.

§10A-33(b)	Fine: \$500	Appearance REQUIRED
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- (c) *System Malfunction.*

- (1) If the Electronic Trip Record System malfunctions, the Vehicle Owner must have the system repaired or replaced within three (3) business days after the malfunction is reported to the Commissions Safety and Emissions facility.
- (2) A Vehicle Owner can dispatch a Paratransit Vehicle in which the Electronic Trip Record System does not work, only:
  - (i) For three business days after the malfunction was reported to Safety and Emissions.
  - (ii) If a hand-written Trip Record is used in place of the Electronic Trip Record

**§10A-34 Vehicle Retirement Dates**

- (a) *On and after January 1, 2008*, all Paratransit Vehicles that are of model year 1998 or earlier must be retired from paratransit service no later than the expiration dates of their Paratransit Vehicle Licenses.
- (b) *On and after January 1, 2009*, all Paratransit Vehicles that are of model year 2000 or earlier must be retired from paratransit service no later than the expiration dates of their Paratransit Vehicle Licenses.
- (c) *On and after January 1, 2010*, all Paratransit Vehicles that are of model year 2002 or earlier must be retired from paratransit service no later than the expiration dates of their Paratransit Vehicle Licenses.
- (d) *On and after January 1, 2011*, all Paratransit Vehicles that are of model year 2004 or earlier must be retired from paratransit service no later than the expiration dates of their Paratransit Vehicle Licenses.
- (e) *On and after January 1, 2012*, all Paratransit Vehicles must be retired no later than seven years after the Vehicle was first licensed.
- (f) *Mandatory Retirement.*

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- (1) A Paratransit Vehicle that cannot pass the New York State Department of Transportation inspection must be retired, regardless of whether its retirement date has been reached.
  - (2) A Paratransit Vehicle which has reached its retirement date must be retired, regardless of whether it may still pass the New York State Department of Transportation inspection.
- (g) *Extension of Time for Retirement.*
- (1) A Vehicle Owner can request an extension of a Vehicle's retirement date.
  - (2) Any request for an extension of the retirement date must be made at least two months before that date.
  - (3) The extension request must include documentation demonstrating that:
    - (i) A new vehicle has been ordered
    - (ii) The new vehicle will not be delivered until after the retirement date
    - (iii) The new vehicle will be delivered no later than 60 days after the retirement date.
  - (4) If the Vehicle Owner's documentation is complete and accurate, the retirement date of the Vehicle will be extended to the projected delivery date of the new vehicle.