

## NEW YORK CITY TAXI AND LIMOUSINE COMMISSION

### **Notice of Public Hearing and Opportunity to Comment on Proposed Rules**

**What are we proposing?** The Taxi and Limousine Commission is considering changing its rules. The change would add an exemption to the TLC Rules governing licensing requirements for Medallion Taxicab Drivers.

**When and where is the Hearing?** The Commission will hold a public hearing, at which the public and interested parties are invited to submit comments and testimony on the proposed rules, at 9:00 a.m. on June 19, 2014. This hearing will be held in the Commission's public hearing room at 33 Beaver St., New York, NY on the 19<sup>th</sup> Floor.

**How do I comment on the proposed rules?** Anyone can comment on the proposed rules by:

- **Mail.** You can mail written comments to the Taxi and Limousine Commission, Office of Legal Affairs, 33 Beaver Street – 22<sup>nd</sup> Floor, New York, New York 10004.
- **Fax.** You can fax written comments to the Taxi and Limousine Commission, Office of Legal Affairs, at 212-676-1102.
- **Email.** You can email written comments to [tlcrules@tlc.nyc.gov](mailto:tlcrules@tlc.nyc.gov).
- **Website.** You can submit comments to the Taxi and Limousine Commission through the NYC rules Web site at [www.nyc.gov/nycrules](http://www.nyc.gov/nycrules).
- **By Speaking at the Hearings.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling 212-676-1135. You can also sign up in the hearing room before the session begins on June 19, 2014. You can speak for up to three minutes.

**Is there a deadline to submit written comments?** Yes, you must submit written comments by June 16, 2014.

**Do you need assistance to participate in the Hearings?** You must tell the Office of Legal Affairs if you need a reasonable accommodation of a disability at the Hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at 212-676-1135. You must tell us by Thursday, June 12, 2014.

**Can I review the comments made on the proposed rules?** A few days after the hearing, a transcript of the hearing and copies of the written comments will be available to the public at the Office of Legal Affairs.

**What authorizes the Commission to make this rule?** Sections 1043 and 2303 of the City Charter and section 19-503 of the City Administrative Code authorize the Commission to make this proposed rule. This proposed rule was not included in the Commission's regulatory agenda for this Fiscal Year because the need for it was not contemplated when the Commission published the agenda.

**Where can I find the Commission's rules?** The Commission's rules are in title 35 of the Rules of the City of New York.

**What rules govern the rulemaking process?** The Commission must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043(b) of the City Charter.

## STATEMENT OF BASIS AND PURPOSE OF RULES

In 1999, the Taxi and Limousine Commission (TLC) adopted a taxi school requirement to ensure that New York City's taxi drivers have the training required to provide good customer service. Today, there are 11,000 taxi drivers in the pool of 53,000 active drivers who received their license before 1999. Under the current rule, these drivers must complete taxi school when they reapply for a license. The TLC has determined, however, that these drivers do not need to attend taxi school because they already have the experience needed to provide good taxi service to the public. The TLC is therefore proposing to amend its rules to exempt these taxi drivers from the taxi school requirement.

The Commission believes that waiving the taxi school requirement for this group of experienced drivers with good records, that is, who have no outstanding summonses, fines or suspensions, will not pose a threat to the public's safety, while relieving the drivers from an unnecessary requirement. However, this exemption will not apply to the requirement that all applicants and renewal applicants for taxicab drivers licenses complete sex trafficking awareness training, which was introduced in December, 2012.

The Commission's authority for this rule change is found in section 2303 of the New York City Charter and section 19-503 of the Administrative Code of the City of New York.

New material is underlined.

[Material inside brackets indicates deleted material.]

Section 1. Paragraph (6) of subdivision (k) of section 54-04 of Title 35 of the Rules of the City of New York is renumbered paragraph (7), and a new paragraph (6) is added, to read as follows:

(6) *Life Experience Exemption.* Any Applicant for a License who previously held a valid Taxicab Driver's License will not be required to take the Authorized Taxicab Training course, provided that applicant meets the following conditions:

- (i) The Applicant obtained the previous Taxicab Driver's License before January 1, 1999.
- (ii) The prior Taxicab Driver's License expired because the Applicant failed to renew that license.
- (iii) The Applicant applies for the Taxicab Driver's License no later than two years after the expiration date of the prior Taxicab Driver's License.
- (iv) The Applicant meets all other requirements for obtaining a new Taxicab Driver's License.

- (v) The Applicant had no outstanding summonses, fines or suspensions when the Applicant's prior Taxicab Driver's License expired.

**NEW YORK CITY LAW DEPARTMENT  
100 CHURCH STREET  
NEW YORK, NY 10007  
212-356-4028**

**CERTIFICATION PURSUANT TO  
CHARTER §1043(d)**

**RULE TITLE: Driver Education Waiver for Experienced License Applicants**

**REFERENCE NUMBER: 2014 RG 021**

**RULEMAKING AGENCY: Taxi and Limousine Commission**

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN  
Acting Corporation Counsel

Date: April 21, 2014

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS  
253 BROADWAY, 10<sup>th</sup> FLOOR  
NEW YORK, NY 10007  
212-788-1400**

**CERTIFICATION / ANALYSIS  
PURSUANT TO CHARTER SECTION 1043(d)**

**RULE TITLE: Driver Education Waiver for Experienced License Applicants**

**REFERENCE NUMBER: TLC-65**

**RULEMAKING AGENCY: TLC**

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco X. Navarro  
Mayor's Office of Operations

May 2, 2014  
Date