

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 rules regarding roof lights on street hail liveries.

These rules are promulgated pursuant to Sections 1043 and 2303 of the Charter and Section 19- 503 of the Administrative Code of the City of New York.

These rules were published on January 20, 2015, for public comment in the City Record. On February 26, 2015, a public hearing was held by the TLC at its offices at 33 Beaver Street, 19th Floor, New York, New York, 10004. These rules were approved at a TLC Commission Meeting on March 19, 2015. These rules will take effect 30 days after publication.

STATEMENT OF BASIS AND PURPOSE OF RULES

The Taxi and Limousine Commission (TLC) prohibits street hail liveries (SHLs) from picking up hails in the “exclusionary zone,” which includes Manhattan south of West 110th Street and East 96th Street. To enforce this requirement, TLC rules require that, among other things, SHL roof lights automatically turn off in the exclusionary zone to indicate to the public that SHLs are not available for street hails. SHL drivers, however, can skirt this requirement because of a design feature in the vehicle technology system.

Roof lights in SHLs, as well as in yellow taxis, are controlled by the taximeter inside the car, which calculates fares. When the taximeter is off, the roof light is on, signaling that the driver is on duty and available for a hail; when the taximeter is on, the roof light is off, signaling that the driver is unavailable.

While the taximeter can be detached from its bracket, in part to protect against theft while off duty, tampering with the taximeter, including detaching it from the bracket while on duty, is prohibited. However, when the vehicle is in operation and the taximeter is detached, the roof light automatically illuminates. According to complaints made to the TLC, some SHL drivers have detached the taximeter in the Manhattan exclusionary zone to illuminate the roof light and then accepted passengers who mistakenly believe that they are available to make a legal pick up.

This rule would prevent this type of abuse by requiring that SHL roof lights must be unlighted when the taximeter is detached from the vehicle.

This rule is authorized by Section 2303 of the New York Charter and Section 19-503 of the Administrative Code.

New material is underlined.

[Material inside brackets indicates deleted material.]

Section 1. Paragraph (1) of subdivision (a) of section 82-35 of Title 25 of the Rules of the City of New York is amended to read as follows:

- (1) *Controlled by Taximeter.* The Street Hail Livery roof light must be automatically controlled by the operation of the Taximeter so that it is lighted only when the Taximeter is in an off position and unlighted when the Taximeter is in a recording position or off duty position, or when the Taximeter is detached from its bracket. A Licensee must not tamper with the operation of the Street Hail Livery's roof light.

Section 2. Subdivision (c) of section 82-54 of Title 35 of the Rules of the City of New York is amended by adding a new paragraph (6), to read as follows:

- (6) The Roof Light must be unlighted when the Taximeter is detached from its bracket.