

CHAPTER 11

**RULES CONCERNING
PETITIONS TO INITIATE
RULEMAKING**

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§11-01 Definitions.

Person. Person shall mean any individual, partnership, corporation or other legal entity, and any individual or entity acting in a fiduciary or representative capacity.

Petition. Petition shall mean a request or application for the Taxi and Limousine Commission to adopt a rule.

Petitioner. Petitioner shall mean the person who files a petition.

Rule. Rule shall have the same meaning set forth in §1041(5) of the New York City Charter.

§ 11-02 Procedures for Submitting Petitions.

(a) Any person may petition the Taxi and Limousine Commission to consider the adoption of rules.

(b) The petition must contain the following information:

(1) The proposed language for the rule to be adopted;

(2) A statement of the Taxi and Limousine Commission's authority to promulgate the rule and its purpose;

(3) The petitioner's argument in support of adopting the rule;

(4) The period of time the rule should be in effect;

(5) The name, address and telephone number of the petitioner;

(6) The signature of the petitioner.

(c) All petitions should be typewritten.

(d) The Taxi and Limousine Commission is authorized to adopt a form petition. Every petition shall be submitted on such a form unless such a form is not available from the Taxi and Limousine Commission, in which case the petition shall be filed on plain white, durable paper which shall be eleven by eight and one-half inches in size.

(e) Petitions shall be mailed or delivered to the offices of the Taxi and Limousine Commission at 221 W. 41st Street, New York, New York, 10036, marked to the attention of the Chairman.

§ 11-03 Procedures for Consideration of Petitions.

(a) Upon receipt of a petition submitted in proper form, the petition shall be stamped with the date it was received and shall then be assigned a processing number. The petition shall then be forwarded to the Chairman who may, at his or her discretion, reject the petition or present the petition for consideration by the Commission. Within sixty days from the date such petition is received in proper form, the Chairman shall either deny such petition by written notice stating the reasons for the denial, or shall state in writing the Taxi and Limousine Commission's intention to grant such petition and to initiate rulemaking by a specific date.

(b) If the Chairman denies a petition, copies of the Chairman's notice rejecting such petition, together with a copy of the petition, shall be presented to the Commission at the next regularly scheduled session. At or after such session, any Commission member may present the petition for consideration by the Commission as to whether to initiate rulemaking. The Commission will notify the petitioner of the results of such session.

(c) In proceeding with rulemaking, the Taxi and Limousine Commission shall not be bound by the language proposed by the petitioner, but may amend or modify such proposed language at the Taxi and Limousine Commission's discretion.

§ 11-04 Review.

The Taxi and Limousine Commission's decision to deny or grant a petition is final and shall not be subject to judicial review.