

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 (“TLC”) is proposing to amend its rules to improve wheelchair accessible taxicab service by (1) replacing the Accessible Dispatch Program with a streamlined regulatory approach and (2) changing how the Taxi Improvement Fund is administered.

When and where is the Hearing? TLC will hold a public hearing on the proposed rule. The public hearing will take place at 10:00 am on January 22, 2025. The public hearing will be held online using Zoom. There will be no in person public hearing. The public hearing will be livestreamed on TLC’s website at www.nyc.gov/tlc. To participate in the public hearing, please e-mail the TLC at tlcrules@tlc.nyc.gov or call TLC at 212-676-1135 by January 21, 2025. After you have signed up to speak, TLC will provide you with a Zoom URL to enter in on your computer or dial-in via phone number if you prefer to call in.

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

- **Website.** You can submit comments to the Taxi and Limousine Commission through the NYC rules website at www.nyc.gov/nycrules.
- **Email.** You can email comments to tlcrules@tlc.nyc.gov.
- **Mail.** You can mail comments to the Taxi and Limousine Commission, Office of Legal Affairs, 33 Beaver Street – 22nd Floor, New York, NY 10004.
- **Fax.** You can fax comments to the TLC at 212-676-1102.
- **By speaking at the hearing.** To sign up to speak and provide testimony, you must e-mail the TLC at tlcrules@tlc.nyc.gov or call 212-676-1135 by 5:00 p.m. on January 21, 2025. Speakers will not be able to sign up to testify the day of the hearing. Those who did not sign-up in advance to testify are welcome to view the live-stream of the meeting on TLC’s website. Please note that the hearing is for accepting oral testimony only and is not held in a “Question and Answer” format.

Is there a deadline to submit written comments? Yes, you must submit written comments by January 21, 2025.

Do you need assistance to participate in the Hearing? 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 January 21, 2025. This location has the following accessibility option(s) available: Simultaneous transcription for people who are deaf or hard of hearing and audio only access.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at www.nyc.gov/nycrules. A few days after the hearing, copies of all comments submitted online, copies of all written comments, and a summary of oral comments concerning the proposed rule 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 New York City Administrative Code authorize the Commission to make this proposed rule. This proposed rule was not included in TLC's regulatory agenda for fiscal year 2025 because 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? TLC 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 of the City Charter.

Statement of Basis and Purpose

These proposed rules will streamline how passengers request trips for Wheelchair Accessible Taxis and Wheelchair Accessible Street Hail Liveries (SHL), commonly known as "Green" and "Yellow" taxis. Licensed E-Hail Application Providers already must provide a wheelchair accessible vehicle (WAV) option on their apps. With the increase in Taxicab and SHL WAVs and the increase in E-Hail Application Providers that offer this WAV option to their customers, a separate vendor to operate the Accessible Dispatch program is no longer necessary. While customers can already request a WAV from the E-Hail Application Provider of their choice, this rule package would ensure that customers can also request a WAV from the apps via a telephone call.

The change from a single vendor handling WAV dispatches to permitting individual apps to conduct their own WAV dispatches is made possible by the rise in accessible vehicles on New York City streets. In January of 2018, there were only 2,223 accessible vehicles affiliated with medallions, or 16% of the city's 13,587 privately owned medallion taxicabs. As of October 2024, the number of accessible taxicabs increased to 3,992, or 41% of the taxi fleet, and this number will continue to increase until 50 % of the taxi fleet is wheelchair accessible. With thousands of accessible taxicabs on the road at any time, and E-Hail technology greatly improved, this new approach will help customers better connect with a WAV when they need one.

The proposed rule also includes new penalties for failure to comply with the new E-Hail Application requirements.

The TLC anticipates that substantial cost savings will accrue to TLC’s Taxicab Improvement Fund by sunseting the Accessible Dispatch program. Specifically, the money that TLC used to pay to the Accessible Dispatch program provider will now remain in the Taxicab Improvement Fund. This annual savings of \$6 million will be reallocated to fund the TIF hack-up payments that assist medallion owners in the purchase and hack-up of Accessible Vehicles.

New material is underlined.

[Deleted material is in brackets.]

*** indicates unamended text.

Section 1. Section 51-03 of Title 35 of the Rules of the City of New York is amended by deleting the definitions of “Accessible Taxi Dispatcher” and “Dispatch Equipment”, amending the definition of “E-Hail”, and adding a definition of “Accessible E-Hail Request”, in alphabetical order, to read as follows:

[**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.]

Accessible E-Hail Request. An Accessible E-Hail Request is any request for an Accessible Taxicab or Accessible Street Hail Livery that is initiated via a TLC-licensed E-Hail Application Provider.

[**Dispatch Equipment.** The “Dispatch Equipment” is the communications equipment provided by the Accessible Taxi Dispatcher or an acceptable interface with the Taxicab Technology System and the Street Hail Livery Technology System, that allows Approved Drivers operating Accessible Vehicles to receive dispatches from the Accessible Taxi Dispatcher.]

E-Hail is a Hail requested through an E-Hail Application, which can either be a metered fare trip or a Flex Fare trip. An E-Hail can be requested for a trip that is fulfilled by either a Wheelchair Accessible Vehicle or a non-accessible vehicle.

Section 2. Chapter 53 of Title 35 of the Rules of the City of New York, relating to accessible taxicabs and accessible street hail vehicles, is REPEALED.

Section 3. Subdivision (g) of section 58-34 of Title 35 of the Rules of the City of New York, relating to dispatch equipment in accessible vehicles, is REPEALED.

Section 4. Subdivision (d) of section 63-12 of Title 35 of the Rules of the City of New York is amended to read as follows:

(d) [Dispatch Equipment] Technology System Capable of Servicing Accessible E-Hail Requests.

- (1) An Agent must not dispatch an Accessible Taxicab unless it is equipped with [Dispatch Equipment] a Technology System capable of servicing Accessible E-Hail Requests.

§63-12(d)(1)	Fine: \$200	Appearance NOT required
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- (2) An Agent must replace or repair [Dispatch Equipment] a Technology System that is not capable of servicing Accessible E-Hail Requests promptly upon being notified to do so and in no event later than 48 hours after receiving notification.

§63-12(d)(2)	Fine: \$250 and suspension until compliance	Appearance NOT required
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- (3) An Agent must not allow an Accessible Taxicab to operate with [inoperable Dispatch Equipment] a Technology System that is not capable of servicing Accessible E-Hail Requests [, that is, without the ability to accept dispatches,] for more than 48 hours without repair or replacement of [the Dispatch Equipment] such Technology System.

§63-12(d)(3)	Fine: \$250 and suspension until compliance	Appearance NOT required
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- (4) An Agent must not
- (i) Tamper with the [Dispatch Equipment] Technology System; or
 - (ii) Tamper with the geographic locator equipment; or
 - (iii) Disable the [Dispatch Equipment] Technology System's ability to receive Accessible E-Hail Requests; or
 - (iv) Render the [Dispatch Equipment] Accessible E-Hail Request functionality inoperable in any way.

§63-12(d)(4)(i-iv)	Fine: \$350 and/or suspension up to 30 days	Appearance Required
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Section 5. Subparagraph (i) of paragraph (1) of subdivision (c) of section 66-02 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (i) the Respondent files an appeal of the decision issued by the [Taxi and Limousine Tribunal] OATH Hearings Division 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.

Section 6. Section 66-22 of Title 35 of the Rules of the City of New York, relating to duties of the Technology System Provider, is REPEALED.

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(a) The Technology System Provider must make commercially reasonable efforts, as described in this section, to cooperate with the Commission, its designees and any contractor(s) of the Commission, including the Accessible Taxi Dispatcher as defined in section 51-03 of these rules:

- (1) in the development and support of any application(s) developed by the Commission or the Commission’s designees, where such applications are developed specifically for the purpose of interoperating with the Technology System (including but not limited to smartphone applications); and

§66-22(a)	Penalty: \$5,000 and suspension until compliance	Appearance Required
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(b) The Technology System Provider must provide a data connection for TLC’s Accessible Dispatch Program. The data connection will, at a minimum, provide the following functionality in the manner specified by the Accessible Taxi Dispatcher:

- (1) Automatically indicate the log on/off status of the Vehicle;
- (2) Automatically switch to the appropriate log on/off status in response to the Driver’s response to an Accessible E-Hail Request;
- (3) Driver must be within 0.35 of a mile in order to indicate that the vehicle is at the pickup location.
- (4) Notify the Driver of a Dispatch ride initiated by using the Technology System’s driver interface in a manner that identifies such dispatch as coming from the Accessible Taxi Dispatcher; and
- (5) Transmit all Trip Data to the Accessible Taxi Dispatcher’s system as it is collected.

§66-22(b)	Penalty: \$5,000 and suspension until compliance	Appearance Required
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(c) The Technology System Provider may only charge the Accessible Taxi Dispatcher for the costs of labor, equipment, data, data connections, or any other expense resulting from the data connection to the Accessible Dispatch Program. All expenses charged to the Accessible Taxi Dispatcher must be clearly documented.

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Section 7. Paragraphs (3) through (7) of subdivision (a) of section 66-24 of Title 35 of the Rules of the City of New York are renumbered paragraphs (4) through (8), and a new paragraph (3) is added, to read as follows:

- (3) Valid TLC and any state Department of Motor Vehicle credentials. The Technology System must interact with the Taximeter only upon successful log-in, which requires system-initiated search of Valid Department of Motor Vehicle and TLC Licenses (including both a TLC Driver License number and the Medallion number).

<u>§66-24(a)(3)</u>	<u>Fine: \$500</u>	<u>Appearance REQUIRED</u>
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Section 8. The introductory paragraph and paragraph (1) of subdivision (e) of section 66-24 of Title 35 of the Rules of the City of New York are amended to read as follows:

(e) *Public API.* All Technology System Providers must maintain an application programming interface (API) that is available to any licensed E-Hail Provider [and the Accessible Taxi Dispatcher].

(1) The API must include but is not limited to the following functionalities:

- (A) Allow the E-Hail Application Provider [or Accessible Taxi Dispatcher] to query and obtain a list of a specified number (at least 5) and type (*e.g.*, WAV, SUV, etc.) of Vehicles that are available for hire and closest to a designated pickup location, and, for each Vehicle listed in the response to such query, access real-time meter status, GPS coordinates and direction for no less than 1 minute following such query. The Vehicle or list of Vehicles provided in response to any such query must include the medallion or SHL permit number, vehicle make and model, car type (*e.g.*, SUV, minivan, etc.), wheelchair accessibility, and Driver name and TLC license number;
- (B) Allow the E-Hail Application Provider [or Accessible Taxi Dispatcher] to send an E-Hail or dispatch via the Technology System to the Driver of any or all of the Vehicles included in the list of Vehicles provided in response to a query, including the pickup time and location, and, if applicable, the pre-arranged fare and drop-off location;
- (C) Return the Driver's acceptance or rejection of the E-Hail or dispatch, or, if the driver takes no action within 30 seconds, return a timeout;
- (D) Allow the E-Hail Application Provider Licensee [or Accessible Taxi Dispatcher] to cancel any E-Hail or dispatch regardless of whether a Driver has responded;

(E) For any Driver that has accepted an E-Hail or dispatch from an E-Hail Application Provider [or Accessible Taxi Dispatcher] for the duration of the trip from acceptance through meter off or cancellation, provide the E-Hail Application Provider [or Accessible Taxi Dispatcher] with a data feed of real-time GPS location and ride/meter events, and allow the E-Hail Application Provider [or Accessible Taxi Dispatcher] to communicate with such Driver via the Technology System, including:

- i. allowing the E-Hail Application Provider [or the Accessible Taxi Dispatcher] to provide the Driver with the passenger's name and phone number and drop-off location, as well as other relevant trip information (*e.g.*, "passenger waiting at south entrance," "passenger uses a wheelchair," etc.),
- ii. allowing the Driver to report trip events to the E-Hail Application Provider [or the Accessible Taxi Dispatcher] (*e.g.*, "passenger in vehicle," "passenger no-show," etc.), and
- iii. [providing onsite event] when Driver reports being onsite, provide a no-show event if the Driver indicates a passenger no-show, and provide a cancel event if the Driver cancels or retracts his or her acceptance of an E-Hail or [dispatch] Accessible E-Hail Request.

(F) For licensed E-Hail Applications that provide E-Payment, the API must include the following payment functionality:

- i. Provide access to itemized fare data including time-and-distance fare, tolls, surcharges, extras, and taxes from the Technology System and Taximeter, in real time, when the trip has been completed and the Driver has disengaged the Taximeter;
- ii. Receive from the E-Hail Application Provider [or Accessible Taxi Dispatcher] a confirmation that electronic credit card payment for the total fare amount has been successfully processed; and
- iii. Receive relevant payment information from the E-Hail Application Provider [or Accessible Taxi Dispatcher] to the extent necessary to display the total charges, including E-Hail service fee and tip (if applicable) on the receipt and collect and transmit Trip Data.
- iv. Provide the name of the credit card merchant.

(2) The Technology System Provider may charge the E-Hail Application Provider [or Accessible Taxi Dispatcher] a fee not to exceed one dollar (\$1.00) per E-Hail request accepted by a Driver for use of the API. The Technology System Provider may not charge the E-Hail Application Provider [or Accessible Taxi Dispatcher] credit card processing fees

greater than the wholesale fees collected by the credit card issuer and credit card network for that transaction.

- (3) The Technology System Provider may require E-Hail Application Provider sending E-Hails to Drivers via the Technology System to charge a uniform Passenger cancellation and/or no-show fee.
- (4) Separate Violations. Each failure on the part of a Technology System Provider to cooperate with the E-Hail Application Provider [or Accessible Dispatcher] for the purpose of maintaining an API as provided in paragraph (1) of this subdivision will constitute a separate violation of this rule.

<u>§66-24(e)</u>	Fine: <u>\$1,000 for first offense.</u>	<u>Appearance REQUIRED</u>
	<u>\$5,000 for second offense.</u>	
	<u>\$10,000 for third offense.</u>	

Section 9. Paragraph (3) of subdivision (k) of section 66-24 of Title 35 of the Rules of the City of New York is amended as follows:

- (3) the Technology System’s connection to [the Accessible Dispatch vendor] any entity licensed by the Commission to route Accessible E-Hail Requests, including any other Technology System Provider; and

Section 10. Title 35 of the Rules of the City of New York is amended by adding a new section 66-26, to read as follows:

§66-26 Trip Request Capabilities

(a) The Technology System must be capable of servicing Accessible and non-Accessible E-Hail Requests to Drivers of Taxis and Street Hail Liveries via a TLC-licensed E-Hail Application Provider or other solution approved by the TLC.

(1) The Technology System must be capable of the following functions:

- (i) Automatically send Accessible E-Hail Requests to Drivers any time the taximeter or the Technology System, or both the taximeter and the Technology System, are on or engaged.

<u>§66-26(a)-</u>	Fine: <u>\$500</u>	<u>Appearance NOT Required</u>
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Section 11. Subparagraph (i) of paragraph (1) of subdivision (c) of section 78-02 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (i) the Respondent files an appeal of the decision issued by the [Taxi and Limousine Tribunal] OATH Hearings Division 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.

Section 12. Subdivision (b) of section 78-15 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (b) *Fares.* An E-Hail Application and an E-Hail Application Provider must NOT charge any Passenger a fare for a trip that exceeds the fare as calculated by the Taximeter, permitted in §58-26 and §82-26 of these Rules, unless it is a Flex Fare Trip. The E-Hail Application and the E-Hail Application Provider may however charge additional fees to a Passenger above the fare for the trip in accordance with subdivision (c) below so long as such fees are clearly delineated and not called a fare or tip or gratuity. Any fare charged for a Wheelchair Accessible Vehicle must not exceed the fees charged for a non-Accessible Vehicle.

Section 13. Section 78-17 of Title 35 of the Rules of the City of New York is amended by adding a new subdivision (h), to read as follows:

- (h) Accept E-Hails by Telephone. E-Hail Application Providers must maintain a call center for customers to request a trip or to ask about the status of a trip over the phone, which must be available to take calls 24 hours a day and seven days a week. These calls must be handled by a customer service representative and not by an automated service.

<u>§78-17(h)</u>	<u>Penalty: \$500 per violation and suspension until compliance</u>	<u>Appearance REQUIRED</u>
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Section 14. Subdivision (a) of section 78-21 of Title 35 of the Rules of the City of New York is amended by adding new paragraph (7), to read as follows:

- (7) The E-Hail Application must
 - (h(i)) Automatically send Accessible E-Hail Requests to Drivers any time the E-Hail Application is on or engaged (except where the Driver opts out of the E-Hail function).
 - (ii) Display the Passenger's request for service to the Driver in a way that does not indicate to the Driver that the Passenger will require additional assistance to enter or exit the Vehicle.

<u>§78-21(a)(1)-(7)</u>	<u>Fine: \$500</u>	<u>Appearance Required</u>
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Section 15. Subdivision (d) of section 78-21 of Title 35 of the Rules of the City of New York, relating to the Automatic Trip Dispatcher in an E-Hail Application, is REPEALED, subdivisions (e) through (g) are relettered subdivisions (d) through (f), and subdivision (d), as relettered by this section, is amended to read as follows:

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(d) *Public API*. The E-Hail Application Provider must maintain an application programming interface (API) that includes but is not limited to the following functionalities:

(1) *Dispatching*

(i) For any Driver that has accepted an E-Hail or dispatch from an E-Hail Application Provider [or the Accessible Taxi Dispatcher], provide:

(A) a cancel event if the Passenger cancels or retracts his or her E-Hail or dispatch; and

(B) a unique E-Hail request identification number;

(2) *E-Payment*

(i) Receive from the E-Hail Application Provider or Accessible Taxi Dispatcher access to itemized fare data including time-and-distance fare, tolls, surcharges, extras, and taxes from the Technology System and Taximeter, in real time, when the trip has been completed and the Driver has disengaged the Taximeter, or access to itemized fare data for Flex Fare Trips;

(ii) Provide to the E-Hail Application Provider or Accessible Taxi Dispatcher a confirmation that electronic credit card payment for the total fare amount has been successfully processed; and

(iii) Provide relevant payment information to the E-Hail Application Provider or Accessible Taxi Dispatcher to the extent necessary to display the total charges, including E-Hail service fee and tip (if applicable) on the receipt and collect and transmit Trip Data.

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([e]d) *Trip Data Collection and Transmission*. An E-Hail Application and its third party designee, if any, must be capable of automatically collecting and transmitting E-Hail request data and Trip Data as described below.

(1) The E-Hail Application and its third part designee, if any, must be capable of automatically collecting and transmitting to the Commission data on all E-Hail requests and the outcome of those requests (including pickup and drop-off locations specified by latitude and longitude), in a format, schedule and layout prescribed by the Commission, including (if the trip was fulfilled):

(i) the date and time the Passenger requested the trip, and

- (ii) the date and time the vehicle arrived at the pickup location
- (iii) An E-Hail Provider must submit accurate and complete trip data for a month's trips no later than the last day of the following month. For example, all September trip records will be due on October 31st. The following penalties accrue with respect to each untimely, inaccurate or incomplete submission of trip records:

<u>§78-21(d)</u>	<u>Fine: \$100 for each day past the date the complete, accurate records are due if plead guilty before a hearing and suspension until compliance; \$150 for each day past the records are due if found guilty following a hearing and suspension until compliance. Fine amount not to exceed \$10,000.</u>	<u>Appearance NOT Required</u>
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([f]e)Security.

- (1) If the E-Hail Application provides for E-Payment, all features of the E-Hail Application related to E-Payment required by this section, including the collection, transmission and maintenance of data by the E-Hail Application Provider, must conform to applicable PCI Standards.

([g]f)Data Retention. All data required to be collected, transmitted and maintained pursuant to this section must be maintained for at least three (3) years.

Section 16. Paragraph (6) of subdivision (a) of section 80-20 of Title 35 of the Rules of the City of New York is amended to read as follows:

(6) Accessible [Dispatch Program] E-Hail Requests.

- (i) While operating an Accessible Vehicle, a Driver [must accept a dispatch from the Accessible Taxi Dispatcher], after accepting any E-Hail based on the metered rate of fare received through the Technology System or from licensed E-Hail Application providers, must not refuse to transport a Passenger.
- (ii) An Approved Driver who does not [accept a dispatch] provide service after accepting an E-Hail Request based on the metered rate of fare has refused to provide service and will be subject to Mandatory Penalties for a refusal under subdivision (e) of this section.

(iii) A Driver must not operate an Accessible Vehicle unless the Technology System is turned on.

§80-20(a)(6)(i)-(iii)	Mandatory penalties as set forth in §80-02(e)	Appearance NOT Required
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(iv) Assisting the Passenger. A Driver

(A) Must assist a passenger who uses a wheelchair or a passenger with other disabilities when:

(I) Entering the vehicle from the sidewalk; and

(II) Exiting from the vehicle to the curbside.

(B) Must secure a passenger with a disability and their mobility device within the Vehicle in a manner as specified in an approved TLC Education Provider training course.

§80-20(a)(6)(iv)	Fine: \$50 and suspension if plead guilty before a hearing; \$150 if found guilty following a hearing and suspension. The suspension is deferred for 60 days if the Driver completes the Vision Zero and Accessibility Remedial course within the 60-day period, and the Driver will not be suspended.	Appearance NOT Required
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(v) Packages. Upon a Passenger's request, a Driver must place the packages and parcels of a passenger with a disability in the Vehicle and secure them and must retrieve them for the Passenger at the end of the trip.

§80-20(a)(6)(v)	Fine: \$50 and suspension if plead guilty before a hearing; \$150 if found guilty following a hearing and suspension. The suspension is deferred for 60 days if the Driver completes the Vision Zero and Accessibility Remedial course within the 60-day period, and the Driver will not be suspended.	Appearance NOT Required
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(vi) Service Animal(s) and Companions. A Driver must accept and provide transportation in the Accessible Taxicab for the Service Animal(s) of a passenger with a disability and for as many companions as can be legally seated in the vehicle.

<u>§80-20(a)(6)(vi)</u>	<u>Fine: Mandatory Penalties as set forth in §80-02(e) of these Rules.</u>	<u>Appearance NOT Required</u>
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(vii) Assist with payment. Upon a Passenger’s request, the Driver must assist the Passenger with completing payment, including but not limited to helping the Passenger to access the credit card reader and counting cash aloud.

<u>§80-20(a)(6)(vii)</u>	<u>Fine: \$50</u>	<u>Appearance NOT Required</u>
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Section 17. Paragraph (15) of subdivision (b) of section 80-20 of Title 35 of the Rules of the City of New York is amended to read as follows:

(15) The Vehicle is a Taxicab or Street Hail Livery and the Driver has accepted [a trip from the accessible dispatch program pursuant to section 53-08 of these Rules or] an Accessible E-Hail Request from an approved E-Hail App and is logged on but unavailable for street-hail in the Technology System.

Section 18. Subdivision (c) of section 80-25 of Title 35 of the Rules of the City of New York is amended to read as follows:

(c) Unavailable Procedures for a Taxicab and Street Hail Livery. Upon accepting [a trip from the] an Accessible E-Hail Request [Dispatch Program pursuant to section 53-08 of these Rules or a Licensed E-Hail Application or a Pre-Arranged Trip], a Driver must be logged on but unavailable for street hail in the Technology System.

Section 19. Subdivision (a) of section 82-42 of Title 35 of the Rules of the City of New York is amended by adding new paragraphs (1) and (2), to read as follows:

- (1) Accessible E-Hail Requests. While an Accessible Street Hail Livery is in operation, the Technology System must be turned on and able to receive Accessible E-Hail Requests.
- (i) If the Technology System becomes incapable of receiving Accessible E-Hail Requests:
- (A) The Licensee, Agent or Base must replace or repair the Technology System promptly upon being notified to do so (as specified by the Commission) and in no event later than 48 hours after receiving such notification.

<u>§82-42(a)(1)(i)</u>	<u>Fine: \$250 and suspension until compliance</u>	<u>Appearance NOT Required</u>
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(ii) An Accessible Vehicle with a Technology System that is not capable of receiving Accessible E-Hail Requests cannot operate for

more than 48 hours without repair or replacement of the Technology System.

<u>§82-42(a)(1)(ii)</u>	<u>Fine: \$250 and suspension until compliance</u>	<u>Appearance NOT Required</u>
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(2) No Tampering. An Agent or Licensee must not

- (i) Tamper with the Technology System;
- (ii) Tamper with the geographic locator equipment;
- (iii) Disable the Technology System's ability to receive Accessible E-Hail Requests; or
- (iv) Render the Accessible E-Hail Request functionality inoperable in any way.

<u>§82-42(a)(2)</u>	<u>Fine: \$350 and/or suspension up to 30 days</u>	<u>Appearance REQUIRED</u>
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**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028**

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

RULE TITLE: Amendment of Accessible Dispatch Rules

REFERENCE NUMBER: 2024 RG 063

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
Senior Counsel

Date: December 11, 2024

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

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

RULE TITLE: Amendment of Accessible Dispatch Rules

REFERENCE NUMBER: TLC-152

RULEMAKING AGENCY: Taxi and Limousine Commission

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 is not practicable under the circumstances.

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

December 11, 2024
Date