

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2016**

No. 51

Introduced by Council Members Rodriguez, Constantinides and Kallos.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to a universal driver's license for taxicab and for-hire vehicle drivers.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 19-505 of the administrative code of the city of New York, as amended by local law number 115 for the year 1993, is amended to read as follows:

a. No person shall drive any motor vehicle for hire which is regulated by the provisions of this chapter without first obtaining from the commission:

(i) a taxicab *or universal* driver's license, if the vehicle driven is a taxicab; or

(ii) a coach driver's license, if the vehicle driven is a coach; or

(iii) a for-hire vehicle *or universal* driver's license, if the vehicle driven is a for-hire vehicle;

or

(iv) a wheelchair accessible van driver's license, if the vehicle driven is a wheelchair accessible van; or

(v) a commuter van driver's license, if the vehicle driven is a commuter van.

The issuance of a license to a person to drive any one of the aforementioned licensed vehicles shall not entitle such person to drive any other such licensed vehicle without first obtaining the additional appropriate driver's license, *except that a person who has obtained a*

universal driver's license shall be entitled to drive a taxicab and for-hire vehicle without obtaining an additional commission-issued driver's license. The commission shall not issue taxicab driver's licenses or for-hire vehicle driver's licenses. Each taxicab driver's license and for-hire vehicle driver's license issued and in effect, including any such license which is suspended, shall be deemed a universal driver's license. For purposes of this section, a universal driver's license is a license which authorizes a driver to drive taxicabs and for-hire vehicles.

§ 2. Section 19-505 of the administrative code of the city of New York is amended by adding a new subdivision r to read as follows:

r. Any procedures established by the commission to determine the ability of an applicant for a universal driver's license to speak and understand English shall not include a written examination.

§ 3. Paragraph 1 of subdivision a of section 19-507.1 of the administrative code of the city of New York, as amended by local law number 30 for the year 2014, is amended to read as follows:

(1) Any taxicab or for-hire vehicle driver may attend a remedial or refresher course approved by the commission. Upon presentation to the commission of proof of satisfactory completion of a commission-approved course by such driver, three points shall be deducted from the number of points assessed under the persistent violators program against his or her [taxicab or for-hire vehicle] *commission-issued* driver's license, except as otherwise provided in this paragraph. A taxicab or for-hire vehicle driver shall be eligible for a point reduction pursuant to this subdivision only once within a five-year period. In the event no such approved course is available at the time such driver seeks to enroll, such driver may take a course provided for in paragraph one of subdivision c of section 19-507.2 of this chapter. In such instance, completion of a course taken pursuant to this paragraph or pursuant to paragraph one of subdivision c of section

19-507.2 shall result in the removal of three points from either the number of points accrued under the persistent violators program or from the number of points accrued under the critical drivers program, but not from both, upon the election of the driver who completes such course.

§ 4. Subdivision b of section 19-507.1 of the administrative code of the city of New York, as amended by local law number 30 for the year 2014, is amended to read as follows:

b. Any taxicab or for-hire vehicle driver who has been found guilty of violations of the commission's rules such that six or more points but fewer than ten points have been assessed against his or her [taxicab or for-hire vehicle] *commission-issued* driver's license within any fifteen-month period and whose license has not been revoked shall have his or her [taxicab or for-hire vehicle] *commission-issued* driver's license suspended for up to thirty days.

§ 5. Subdivision c of section 19-507.1 of the administrative code of the city of New York, as amended by local law number 30 for the year 2014, is amended to read as follows:

c. Any taxicab or for-hire vehicle driver who has been found guilty of violations of the commission's rules such that ten or more points have been assessed against his or her [taxicab or for-hire vehicle] *commission-issued* driver's license within any fifteen-month period shall have his or her [taxicab or for-hire vehicle] *commission-issued* driver's license revoked.

§ 6. Subdivision e of section 19-507.1 of the administrative code of the city of New York, as amended by local law number 30 for the year 2014, is amended to read as follows:

e. A taxicab or for-hire vehicle driver shall not be subject to an assessment of points against his or her [taxicab or for-hire vehicle] *commission-issued* driver's license or the imposition of duplicate penalties where the same act is a violation under provisions of law other than commission rules and where such violations duplicate each other or are substantively the same and any such driver may be issued only one summons or notice of violation for such violation. Points

assessed pursuant to section 19-507.2 of this chapter may, pursuant to subdivisions i and j of this section, be added to points assessed by the commission under this section for violations of commission rules.

§ 7. Subdivision h of section 19-507.1 of the administrative code of the city of New York, as added by local law number 20 for the year 1999, is amended to read as follows:

h. For purposes of subdivision g of this section, examples of an owner's due diligence shall include, but are not limited to (1) giving to their drivers a clear warning that violations of the meter tampering rules will result in the immediate termination of any lease agreement, the reporting to the commission of driver tampering and the commission's probable revocation of the driver's [taxicab] *commission-issued* driver's license, (2) including in any written lease agreement provisions containing the warnings against violation of meter tampering rules, (3) stamping warnings about the illegality of meter tampering on the trip cards issued to all drivers of an owner's taxicabs, (4) having management personnel or mechanics periodically check for proper odometer and meter mileage comparisons in order to determine if there are inappropriate disparities between the two sets of figures, (5) conducting periodic random inspections of the taxicab meter and its wiring for all of its taxicabs to detect any evidence of violation of the meter tampering rules and (6) having all of such owner's taxicabs inspected by a licensed meter shop once every commission inspection cycle.

§ 8. Subdivision i of section 19-507.1 of the administrative code of the city of New York, as added by local law number 30 for the year 2014, is amended to read as follows:

i. Any taxicab or for-hire vehicle driver who has been found guilty of violations such that six or more points but fewer than ten points in total have been assessed within any fifteen-month period against his or her [taxicab or for-hire vehicle] *commission-issued* driver's license pursuant

to this section and against the driver license issued to such taxicab or for-hire vehicle driver by the department of motor vehicles or an equivalent licensing agency of the driver's state of residence pursuant to section 19-507.2 of this chapter and whose [taxicab or for-hire vehicle] *commission-issued* driver's license has not been revoked shall have his or her [taxicab or for-hire vehicle] *commission-issued* driver's license suspended for up to thirty days; provided, however, that only points assessed against a [taxicab or for-hire vehicle] *commission-issued* driver's license for violations that threaten the safety of passengers or any other persons, as specified by rule of the commission, may be applied for purposes of this subdivision.

§ 9. Subdivision j of section 19-507.1 of the administrative code of the city of New York, as added by local law number 30 for the year 2014, is amended to read as follows:

j. Any taxicab or for-hire vehicle driver who has been found guilty of violations such that ten or more points in total have been assessed within any fifteen-month period against his or her [taxicab or for-hire vehicle] *commission-issued* driver's license pursuant to this section and against the driver's license issued to such taxicab or for-hire vehicle driver by the department of motor vehicles or an equivalent licensing agency of the driver's state of residence pursuant to section 19-507.2 of this chapter shall have his or her [taxicab or for-hire vehicle] *commission-issued* driver's license revoked; provided, however, that only points assessed against a [taxicab or for-hire vehicle] *commission-issued* driver's license for violations that threaten the safety of passengers or any other persons, as specified by rule of the commission, may be applied for purposes of this subdivision.

§ 10. Subdivision a of section 19-507.2 of the administrative code of the city of New York, as amended by local law number 30 for the year 2014, are amended to read as follows:

a. Any taxicab or for-hire vehicle driver who has been found guilty of violations such that six or more points have been assessed by the department of motor vehicles or an equivalent licensing agency of the driver's state of residence against the driver license issued to such taxicab or for-hire vehicle driver within any fifteen-month period and whose [taxicab or for-hire vehicle] *commission-issued* driver's license has not been revoked shall have his or her [taxicab or for-hire vehicle] *commission-issued* driver's license suspended for thirty days.

§ 11. Subdivision b of section 19-507.2 of the administrative code of the city of New York, as amended by local law number 30 for the year 2014, is amended to read as follows:

b. Any taxicab or for-hire vehicle driver who has been found guilty of violations such that ten or more points have been assessed by the department of motor vehicles or an equivalent licensing agency of the driver's state of residence against the driver license issued to such taxicab or for-hire vehicle driver within any fifteen-month period shall have his or her [taxicab or for-hire vehicle] *commission-issued* driver's license revoked.

§ 12. Subdivision b of section 19-515 of the administrative code of the city of New York, as amended by local law number 76 for the year 1986, is amended to read as follows:

b. For-hire vehicles shall have the name of the owner or operator displayed on the outside or inside of the vehicle in such form as shall be prescribed by the commission, except that the commission may prescribe an exemption from this requirement for classes of for-hire vehicles for which such display would be inappropriate. All for-hire vehicles must at all times carry in the glove compartment and produce upon demand of any police, peace, law enforcement officer, inspector or officer of the commission:

1. The for-hire vehicle license.
2. The driver's [for-hire vehicle-] *commission-issued* driver's license.

3. Evidence of current liability insurance or financial responsibility.

§ 13. This local law shall take effect 120 days after its enactment into law, except that the Taxi and Limousine Commission shall take all necessary action, including the promulgation of rules, prior to such effective date.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on April 7, 2016 and approved by the Mayor on April 21, 2016.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 51 of 2016, Council Int. No. 1095-A of 2016) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

STEPHEN LOUIS, Acting Corporation Counsel