

NEW YORK CITY TAXI AND LIMOUSINE COMMISSION

Notice of Promulgation of Rules

Notice is hereby given in accordance with section 1043(e) of the Charter of the City of New York (“Charter”) that the Taxi and Limousine Commission (“TLC”) promulgates rules governing (a) allowing Taxicab Technology Service Providers to print commercial advertising and commercial sponsorships on the back of taximeter receipts, (b) clarifying that a driver must offer a taximeter receipt to a passenger and (c) updates the items required on a passenger receipt.

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.

A public hearing on these rules was held by the TLC at its offices at 33 Beaver Street, 19th Floor, New York, New York, on March 1, 2012, at 10:00 a.m.

These rules will take effect 30 days after they are published in the City Record.

Statement of Basis and Purpose of Promulgated Rule

The purpose of the promulgated rule is to:

- Permit advertising and sponsorship on taximeter receipts;
- Clarify that a Driver must always offer a taximeter receipt to a passenger personally, via the PIM, or via other electronic means;
- Give the passenger the option to refuse a receipt;
- Clarify that if a passenger does not want a receipt or does not indicate whether or not he or she wants a receipt, a Driver will not be held responsible for not giving a receipt;
- Clarify that if the PIM is not working, the driver will not be held responsible for offering a receipt for 48 hours after the non-working PIM is reported to the authorized taxicab technology service provider; and,
- Update the items required to appear on taximeter receipts.

Commercial Advertising

Currently, the Commission rules permit commercial advertising and commercial sponsorships on passenger information monitors (“PIMs”) in the rear seat of medallion taxicabs. Such advertising and sponsorships must conform to the standards in the Medallion Taxicab Technology Enhancements Service Program (“T-PEP”) contracts with the two Taxicab Technology Service Providers.

The Commission wants to allow commercial advertising and sponsorships on the back of taximeter receipts. The promulgated rule permits commercial advertising and commercial sponsorships to be printed on the back of taximeter receipts in taxicabs.

Taximeter receipt advertising is permitted only if:

- Advertising and sponsorships comply with the standards in the T-PEP contracts, and,
- The advertising and sponsorship does not reduce the readability of the taximeter receipt.

Driver’s Offering Receipts

The existing Driver rule requires that a Driver must give a taximeter receipt to a passenger but is unclear as to whether a Driver is required to always give a receipt to a passenger or only when a passenger acknowledges he or she wants one. The promulgated rules clarify that a Driver must always offer, either personally or via the passenger information monitor (“PIM”) or other electronic means, a receipt to a Passenger. The passenger then has the choice of accepting or refusing a receipt.

- If in response to the driver’s request a passenger personally or electronically confirms that he or she wants a receipt, then the Driver must provide it.

- If a passenger does not indicate, personally or electronically, whether or not they want a receipt, the Driver will not be in violation of the rule by not giving a receipt to a passenger.

The promulgated rules also create the following exception for the driver offering a receipt:

- If the PIM is not working, the driver will not be held responsible for offering a receipt for 48 hours after the non-working PIM is reported to the authorized taxicab technology service provider.

Items Required on Receipts

The promulgated rules also update the items required on a passenger receipt to include the items required by the T-PEP contracts (as amended by Amendment No. 4 dated June 13, 2011):

- date
- time
- Medallion number
- trip number
- total fare
- tolls
- surcharges
- extras
- tip, if paid by credit/debit card
- last four digits of card account number, if applicable
- Driver's hack license number, and,
- the "311" Commission Complaint telephone number.

New material is underlined.

[Deleted material is in brackets.]

Section 1. Section 54-16(d) of chapter 54 of Title 35 of the Rules of the City of New York is amended, to read as follows:

§ 54-16 Operations – Comply with Reasonable Requests

(d) *Passenger Receipt.*

- (1) (a) [A] At the end of a trip, a Driver, personally or via the passenger information monitor (PIM) or other electronic means, must [give] offer a Passenger a receipt for payment of fare [at the end of a trip].

(b) except when the PIM is inoperable, for not more than 48 hours after the driver files an incident report with the authorized taxicab technology service provider, as set forth in §58-41(b)(1), and

(2) when a Passenger requests a receipt, personally or via the PIM or other electronic means, a Driver must give a Passenger a receipt for payment of the fare.

(3) The receipt must state the:

(i) date[,]

(ii) time[,]

(iii) Medallion number[,]

(iv) trip number

(v) total fare [paid,]

(vi) tolls

(vii) surcharges

(viii) extras[,]

(ix) tip, if paid by credit/debit card

(x) last four digits of card account number, if applicable

(xi) Driver's hack license number and

(xii) the "311" Commission Complaint telephone number.

§54-16 _(d)	Fine: \$50 before a hearing; \$75 if found guilty following a hearing. Points: 1	Appearance NOT REQUIRED
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Section 2. Section 58-16(a) of chapter 58 of Title 35 of the Rules of the City of New York is amended to read as follows:

(a) *Compliance with Commission Rules and Regulations, Generally and Specifically.*

(1) An Owner must comply with the Commission's Taxicab specifications, the Marking Specifications for Taxicabs, all pertinent provisions of the Administrative Code and

other laws, rules or regulations governing Taxicab Owners.

§58-16 (a)(1)	Fine: \$ 200 if plead guilty before a hearing; \$300 if found guilty following a hearing.	Appearance NOT REQUIRED
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(2) Commercial Advertising and Commercial Sponsorships on the Back of Taximeter Receipts.

(i) Commercial advertising and commercial sponsorships may be printed on the back of receipts produced by a taximeter.

(ii) Any such advertising and sponsorships appearing on a receipt must comply with the commercial advertising and commercial sponsorship standards as set forth in the contracts between the Commission and Taxicab Technology Service Provider(s).

(iii) Any such advertising and sponsorships appearing on a receipt must not interfere with the readability of the fare information on the face of the receipt.

<u>§58-16 (a) (2)(ii) and (iii)</u>	<u>Fine: \$200 if plead guilty before a hearing; \$300 if found guilty following a hearing.</u>	<u>Appearance NOT REQUIRED</u>
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