

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”, “the Commission”) is proposing to amend the rules relating to the payment of round-trip tolls within the City of New York, specifically, the Verrazzano Narrows Bridge.

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 August 9, 2023. 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 5:00pm on August 8, 2023. 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.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling 212-676-1135. You can also sign up in the hearing room before the hearing begins. You can speak for up to three minutes.

Is there a deadline to submit written comments? Yes, you must submit written comments by August 8, 2023.

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. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by August 2, 2023. 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 Sections 19-503 of the New York City Administrative Code authorize the Commission to make this proposed rule. This rule was not included in the agency regulatory agenda as it was not contemplated at time of publication.

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

TLC's current rules require that passengers pay only for tolls incurred driving *to* the passenger's destination and no tolls for the *return* trip on all trips within the City of New York, except for trips over (1) the Cross Bay Veterans Bridge and (2) the Marine Parkway-Gil Hodges Memorial Bridge, both of which connect to the Rockaway Peninsula.

Although still within the City of New York, these two bridges operate with a two-way tolling system, which refers to the practice of collecting a toll over a bridge in each direction as opposed to only collecting a toll in one direction. Passengers are required to pay both the *to* and *from* tolls for these two bridges to prevent the Driver from incurring an additional expense to re-enter the rest of the City from the Rockaway Peninsula.

Since December 2, 2020, the Verrazzano Narrows Bridge has operated with a two-way tolling system. There is no way to return from Staten Island to the other four boroughs without again crossing the Verrazzano, just as there is no way to return from the Rockaway Peninsula without again taking the Cross Bay Veterans Bridge or the Marine Parkway-Gil Hodges Memorial Bridge.

TLC proposes to amend its existing rules to add the Verrazzano Narrows Bridge to those bridges within the City for which passengers must pay the return toll.

TLC's authority for these rules is found in sections 2303 and 1043(a) of the New York City Charter and section 19-503 of the New York City Administrative Code.

New material is underlined.

[Deleted material is in brackets.]

Section 1. Paragraph (1) of subdivision (f) of section 58-26 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (f) *Tolls – What Tolls are Paid by Passenger.*
 - (1) On all trips within the City of New York, the passenger must pay:
 - (i) All tolls incurred driving *to* the passenger’s destination
 - (ii) No tolls for the Driver’s *return* trip, except for trips over:
 - A. The Cross Bay Veterans Bridge
 - B. The Marine Parkway – Gil Hodges Memorial Bridge
 - C. The Verrazzano Narrows Bridge

Section 2. Paragraph (1) of subdivision (b) of section 59A-23 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (b) *Tolls – What Tolls are Paid by Passenger*
 - (1) On all trips within the City of New York, the passenger must pay:
 - (i) All tolls incurred driving to the passenger’s destination
 - (ii) No tolls for the Driver’s return trip, except for trips over:
 - A. The Cross Bay Veterans Bridge
 - B. The Marine Parkway – Gil Hodges Memorial Bridge
 - C. The Verrazzano Narrows Bridge

Section 3. Paragraph (1) of subdivision (g) of section 82-26 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (g) *Tolls – What Tolls are Paid by Passenger.*
 - (1) On all trips within the City of New York, the passenger must pay:
 - (i) All tolls incurred driving *to* the passenger’s destination.
 - (ii) No tolls for the Driver’s *return* trip, except for trips over:
 - A. The Cross Bay Veterans Bridge[;], [or]
 - B. The Marine Parkway – Gil Hodges Memorial Bridge, or
 - C. The Verrazzano Narrows Bridge.

**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 Rules Relating to Payment of Round Trip Tolls

REFERENCE NUMBER: 2023 RG 041

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: June 29, 2023

**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 Rules Relating to Payment of Round Trip Tolls

REFERENCE NUMBER: TLC-136

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 does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

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

June 29, 2023
Date