

NEW YORK CITY HUMAN RESOURCES ADMINISTRATION

Notice of Public Hearing and Opportunity to Comment on Proposed Amendments to Chapter 12 of Title 68 of the Rules of the City of New York Regarding the Fair Fares NYC Program

What are we proposing? The New York City Human Resources Administration (“HRA”) proposes to amend the Fair Fares program by increasing the income eligibility standard from 100 percent of the federal poverty level to 120 percent.

The public hearing will take place remotely via Zoom on Friday, October 6, 2023, at 10:00 am. Those wishing to attend the hearing may join by:

Zoom (video and audio): <https://www.zoomgov.com/j/1618835130>

Or go to www.zoom.us, click on “join a meeting” and enter Meeting ID: 1618835130

Phone (audio only): 1-646-828-7666

When prompted, enter meeting ID: 1618835130

One tap mobile: +16468287666,,1618835130#

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

- **Website.** You can submit comments to HRA through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to NYCRules@hra.nyc.gov. Please include “Fair Fares Amendments” in the subject line.
- **Mail.** You can mail comments to:

HRA Rules
c/o Office of Legal Affairs
150 Greenwich Street, 38th Floor
New York, NY 10007

Please make clear that you are commenting on the Fair Fares Amendments.

- **Fax.** You can fax comments to 917-639-0413. Please include “Fair Fares Amendments” in the subject line.
- **By speaking at the hearing.** You may sign up to speak at the hearing by calling 929-221-7220 or emailing NYCRules@hra.nyc.gov on or before the start of the hearing on

October 6, 2023. Speakers will be called in the order that they signed up and will be able to speak for up to three minutes.

Is there a deadline to submit comments? The deadline to submit comments is midnight on October 6, 2023. Comments, including those sent by mail, must be received by HRA on or before October 6, 2023.

What if I need assistance to participate in the hearing? You must tell us if you need language interpretation services or a reasonable accommodation to participate in the hearing. You can tell us by email at NYCRules@HRA.nyc.gov. You may also tell us by telephone at 929-221-7220. Advance notice is requested to allow sufficient time to make arrangements. Please tell us by Friday, September 29, 2023 at 9:00 am.

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 <http://rules.cityofnewyork.us/>. Shortly 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 on HRA's website.

What authorizes HRA to make this rule? Sections 603 and 1043 of the City Charter. This proposed rule was not included in HRA's regulatory agenda for this fiscal year as it was not anticipated at the time of publication.

Where can I find the HRA rules? The HRA rules are in Titles 68 of the Rules of the City of New York.

What rules govern the rulemaking process? HRA 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(b) of the City Charter.

Statement of Basis and Purpose of Rule

The Fair Fares NYC Program helps New York City residents with low incomes manage their transportation costs by providing them with a 50% discount on public transportation. Eligible New York City residents receive a 50% discount on subway and eligible bus fares. Pay-per-Ride, weekly unlimited, and monthly unlimited options are all available. Fair Fares can also provide 50% off MTA Access-A-Ride paratransit trips.

The current Fair Fares rule provides that an applicant's gross income must not exceed 100 percent of Federal Poverty Level (FPL). This proposed rule will raise the income level to 120 percent of the FPL. Expansion of the Fair Fares program discount will assist low-income New Yorkers by improving access to daily needs such as jobs, education, healthcare, food, nature and recreation and foster equitable development and restoration of NYC post pandemic. Additionally, improved access addresses income disparities and allows for favorable quality of life outcomes for the lowest income New Yorkers.

The Department's authority for these rules is found in Section 603 of the City Charter and Section 34 of the New York Social Services Law.

New material is underlined. Deleted material is [bracketed].

Section 1. Subdivision (a) of section 12-03 of Title 68 of the Rules of the City of New York is amended to read as follows:

- (a) To be eligible to receive a Fair Fares discount an applicant must:
- (1) submit a completed application, including supporting documentation, in a format and manner established by the Program;
 - (2) submit a signed Fair Fares NYC Conditions of Use form pursuant to DSS/HRA's Memorandum with New York City Transit Authority; and
 - (3) meet the following eligibility requirements:
 - (A) The applicant must be a New York City resident;
 - (B) The applicant must be between 18 and 64 years of age;
 - (C) The applicant's gross income must not exceed [100] 120 percent of FPL;
 - (D) Except as provided in 68 RCNY § 12-02(a), the applicant must not currently be eligible for a duplicative discount or benefit from DSS/HRA, NYCT or any other entity or program;
 - (E) The applicant must not be currently suspended or permanently disqualified from the Program under 68 RCNY § 12-05(b);

§ 2. Subdivision (a) of section 12-08 of Title 68 of the Rules of the City of New York is amended to read as follows:

- (a) For so long as the Program uses a card to facilitate the discount for some types of transportation, the Program reserves the right to limit the number of replacement cards it will issue to an individual within [a calendar] an enrollment year, in accordance with the Conditions of Use pursuant to DSS/HRA's Memorandum of Understanding with NYCT.

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 Fair Fares Program Rules

REFERENCE NUMBER: HRA-36

RULEMAKING AGENCY: Human Resources Administration

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

September 1, 2023

Date

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 Fair Fares Program Rules

REFERENCE NUMBER: 2023 RG 071

RULEMAKING AGENCY: Human Resources Administration

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

Date: August 31, 2023