

New York City Department of Consumer and Worker Protection

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Consumer and Worker Protection (“DCWP” or “Department”) is proposing to add a new subchapter I to chapter 7 of Title 6 of the Rules of the City of New York to implement Local Law 52 of 2026. Specifically, this proposed rule would establish recordkeeping and reporting requirements and clarify the compliance obligations of high-volume for-hire vehicle services under the law.

When and where is the hearing? DCWP will hold a public hearing on the proposed rule. The public hearing will take place at 11:00AM on August 5, 2026. The public hearing will be accessible by phone and videoconference.

- To participate in the public hearing via phone, please dial +1 646-893-7101.
 - Phone conference ID: 932 276 402#
- To participate in the public hearing via videoconference, please follow the online link:
 - Meeting link: <https://tinyurl.com/49c4fm2t>
 - Meeting ID: 262 130 668 923 423
 - Passcode: zM6fQ3MC

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

- **Website.** You can submit comments to DCWP through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to Rulecomments@dcwp.nyc.gov.
- **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 emailing Rulecomments@dcwp.nyc.gov. You can also sign up on the phone or videoconference before the hearing begins at 11:00AM on August 5, 2026. You can speak for up to three minutes. 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 comments? Yes. You must submit any comments to the proposed rule on or before **August 5, 2026**.

What if I need assistance to participate in the hearing? You must tell DCWP’s External Affairs division if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You may tell us by email at Rulecomments@dcwp.nyc.gov. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by July 29, 2026.

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/>. A few days after the hearing, all comments received by DCWP on the proposed rule will be made available to the public online at <http://www1.nyc.gov/site/dca/about/public-hearings-comments.page>.

What authorizes DCWP to make this rule? Sections 1043 and 2203(f) of the New York City Charter and subchapters 1 and 8 of chapter 12 of title 20 of the administrative code of the city of New York authorize the Department of Consumer and Worker Protection to make these proposed rules.

This proposed rule was included in the Department of Consumer and Worker Protection's regulatory agenda for this Fiscal Year.

Where can I find DCWP's rules? DCWP's rules are in title 6 of the Rules of the City of New York.

What laws govern the rulemaking process? DCWP 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 of Proposed Rule

The Department of Consumer and Worker Protection ("DCWP") is proposing to add a new subchapter I to chapter 7 of Title 6 of the Rules of the City of New York to implement the provisions of Local Law 52 of 2026, which places obligations on high-volume for-hire vehicle services ("HVFHV services") and establishes protections for high-volume for-hire vehicle drivers ("drivers"). Specifically, the new subchapter I added by these proposed rules would:

- Add definitions in section 7-901;
- Add section 7-902 to clarify Local Law 52's coverage and to provide that any driver's prospective waiver of rights under such law is void;
- Add section 7-903 to clarify drivers' protections from retaliation;
- Add section 7-904 to require the production and retention of certain information necessary for implementation of Local Law 52;
- Add section 7-905 to clarify HVFHV services' obligation to provide drivers with a progressive discipline policy and information about any disciplinary measures and their rights;
- Add section 7-906 to clarify the obligations of an HVFHV service to provide an Advance Notice of Deactivation and a Final Notice of Deactivation to drivers;
- Add section 7-907 to clarify obligations of an HVFHV service related to deactivation for a bona fide economic reason;
- Add section 7-908 to clarify obligations of an HVFHV service related to prior deactivations;

- Add section 7-909 to clarify obligations of an HVFHV service under section 20-1286 of the Administrative Code related to the provision of the Deactivation Information Packet upon deactivation;
- Add section 7-910 to establish requirements related to the transmission of the various notices required under the law and for supplementing such notices after this proposed rule is final and adopted;
- Add section 7-911 to specify reporting obligations of an HVFHV service.
- Add section 7-912 to clarify the law’s requirements concerning the informal resolution process pursuant to section 20-1287 of the Administrative Code, enforcement and remedies.

This statement of basis and purpose provides context and additional detail for select provisions in the proposed rule.

Policies Concerning Driver Conduct

Section 20-1289 of the Administrative Code requires an HVFHV service to maintain and disseminate to drivers a progressive discipline policy. Section 20-1289 also lists the topics a progressive discipline policy must address.

The proposed rules are directed at the *process* by which an HVFHV service disciplines or deactivates a driver — including notice, an opportunity to respond, and recordkeeping — and not at the substantive conduct standards themselves, which remain within the discretion of each HVFHV service.

Consistent with this approach, the Notice of Discipline (section 7-905(d)(2)(iii)), the Advance Notice of Deactivation (section 7-906(a)(2)(ii)), and the Final Notice of Deactivation (section 7-906(b)(1)(iv)), require the HVFHV service to identify the specific rule, practice, or policy of the HVFHV service that the driver is alleged to have violated, which remain within the discretion of each HVFHV service.

Section 7-906(b) of the proposed rules would require an HVFHV service to provide a Final Notice of Deactivation five days after deactivation to all drivers subject to deactivation, including those who received an Advance Notice of Deactivation. The provision of a Final Notice of Deactivation to drivers who received an Advance Notice of Deactivation is necessary to confirm that a deactivation occurred and that the deactivation was for the reasons stated in the Advance Notice or for other reasons, including conduct that occurred after the Advance Notice is issued.

Section 7-905 also clarifies how and by when an HVFHV service must provide drivers with the progressive discipline policy and the DCWP Notice of Rights, as defined in section 7-901. The DCWP Notice of Rights is a notice DCWP publishes and an HVFHV service must provide to drivers that states in plain language drivers’ rights under Local Law 52. This “DCWP Notice of Rights” is distinct from the “deactivation rights information,” as defined in section 7-901, that an HVFHV services must provide to drivers in connection with a deactivation or planned deactivation. An HVFHV service may comply with the obligation to provide the “deactivation

rights information” by linking to information on DCWP’s website, but an HVFHV service is not required to use DCWP’s web publication to satisfy that obligation.

Immediate Deactivation of Drivers In Certain Circumstances

Local Law 52 and these rules do not require an HVFHV service to keep offering trips to a driver who poses a risk of harm or whose acts or omissions cannot reasonably be addressed through discipline or advance notice.

Section 7-906(a)(3) sets forth three circumstances in which an HVFHV service may deactivate a driver immediately without the 14-day advance notice period otherwise applicable to a planned deactivation and provide notice thereafter:

- (1) where a deactivation is legally required and the basis for the deactivation was not foreseeable 14 days in advance;
- (2) where the deactivation is based on egregious misconduct, account sharing, a pattern of repeated fraudulent behavior, or conduct too outrageous to be addressed through progressive discipline; or
- (3) where the HVFHV service reasonably determines that the driver poses an unreasonable risk to public health, public safety, or rider safety.

The rule further defines “conduct that poses an imminent danger” to include conduct causing financial or emotional harm, in addition to physical harm (section 7-901), clarifying that this exception includes property damage, theft, and fraud and is not limited to physical safety risks.

The rule also clarifies that a restriction of a driver’s access to a driver platform does not constitute a “deactivation” triggering these notice obligations until the restriction remains in effect continuously for 72 hours, or, in the aggregate, for 168 hours within a one-year period (7-906(b)(2)). Accordingly, an HVFHV service may restrict a driver’s access immediately, for example, to investigate suspected dangerous or fraudulent conduct, without triggering the advance or final notice requirements, provided the duration of the restriction is less than these specified periods.

In short, if a deactivation is legally required or the driver poses unreasonable risks to public safety or passengers, nothing in Local Law 52 or this proposed rule prevents a service from immediately restricting that driver’s access to trips.

Redaction and Withholding of Information

Several provisions of Local Law 52 and the proposed rule protect against the disclosure of certain information, including passengers’ personal information or HVFHV services’ sensitive business information, such as trade secrets, proprietary and confidential fraud detection techniques, or privileged information, to a driver in the course of the notice requirements established by Local Law 52 of 2026.

First, the proposed rule defines “personally identifiable information” broadly and allows redaction or withholding of such information in many instances.¹

Second, section 7-910(c) permits an HVFHV service to redact, from a Notice of Discipline, an Advance Notice of Deactivation, a Final Notice of Deactivation, or a Prior Deactivation Notice, any information that the service reasonably determines would allow a driver to identify a passenger, where the service reasonably believes that disclosure could result in harm to that passenger or could reveal the service's fraud detection techniques. Where an HVFHV service redacts information on this basis, it must designate that the redaction was made pursuant to this provision, and must produce the redacted material, upon request, to DCWP in furtherance of an investigation, or to an arbitrator or a court in a private action, so that the appropriateness of the redaction may be reviewed.

Third, section 7-909(a)(2)(vii) requires an HVFHV service to include in the Deactivation Information Packet the full text and date of customer comments, ratings, and complaints regarding the driver, but requires that such text be redacted to remove any personally identifiable information of passengers. This provision balances the driver’s interest in reviewing the substance of the feedback that may have contributed to the driver’s deactivation against the passenger’s interest in not having their identity disclosed in connection with that feedback. The same provision further limits the scope of this disclosure obligation: where the reasons for the deactivation stated in the Final Notice of Deactivation are unrelated to customer interactions or job performance, an HVFHV service is not required to include customer comments, ratings, or complaints in the packet at all, thereby avoiding the unnecessary disclosure of passenger-related records where such records bear no relationship to the basis for the deactivation.

Fourth, section 7-909(b) requires an HVFHV service to maintain a log of redactions made to records included in the Deactivation Information Packet, including any redaction of passenger personally identifiable information made pursuant to section 7-909(a)(2)(vii). For each redaction, the log must identify the location of the redaction within the document and either the category of personally identifiable information redacted or the basis for the redaction. This documentation requirement ensures that redactions of passenger information may be reviewed, so that an HVFHV service does not withhold information from a driver beyond what is necessary to protect a passenger's identity.

Similarly, section 7-909(b) permits an HVFHV service to withhold a document from a Deactivation Information Packet under certain circumstances, such as where disclosure would reveal a trade secret or proprietary fraud detection technique, subject to a logging requirement, including identification of the type, date, and general subject matter of the withheld document.

Deactivations Predating the Law's Effective Date

Local Law 52 does not have retroactive effect. The Law and these proposed rules do not impose liability on an HVFHV service for a deactivation decision made before the Law's

¹ Section 7-901 of the proposed rule defines “personally identifiable information” to mean information that may be used, alone or with other information, to identify or locate an individual, including but not limited to a person's name, date of birth, government-issued identification numbers, financial account information, home or work address, contact information, social media information, and biometric data.

effective date, nor do they require an HVFHV service to relitigate that decision under a legal standard that did not exist at the time it was made. Rather, section 7-908 of the proposed rule establishes a prospective process, operative only on and after Local Law 52's effective date, by which a driver deactivated between July 28, 2019 and July 27, 2026 may petition an HVFHV service to reconsider that deactivation, and by which the HVFHV service is required to respond.

Local Law 52 and this proposed rule contain several provisions designed to ensure that this process operates fairly for both drivers and HVFHV services. First, an HVFHV service responding to a driver's petition for reinstatement is not required to immediately reinstate the driver; it may instead place the driver on a waitlist or issue a Prior Deactivation Notice setting forth the reasons for the prior deactivation, "to the extent such information is known or reasonably available to the HVFHV service" (section 7-908(c)). Second, in determining whether a prior deactivation was for just cause, the rule instructs a fact-finder to consider whether relevant records were destroyed pursuant to the HVFHV service's records retention policy in the ordinary course of business (section 7-912(e)(2)(ii)). Finally, a driver is not entitled to back pay for a prior deactivation under any circumstance (section 7-912(c)(3)). These provisions are intended to calibrate an HVFHV service's obligations to the records it can reasonably be expected to review and produce.

Enforcement and Remedies

The proposed rule clarifies how the remedial provisions of Local Law 52 of 2026 operate where DCWP or a driver pursues relief for a violation of Local Law 52. The rule distinguishes among a driver's available enforcement pathways and specifies how relief is calculated and limited in particular circumstances.

Relief for Notice-Only Violations: Section 7-912(b) addresses the relief available where an HVFHV service's violation relates only to the content or timeliness of a required notice — an Advance Notice of Deactivation, a Notice of Layoff, a Final Notice of Deactivation, a Prior Deactivation Notice, or another required disclosure — where a proper notice has since been issued and the service otherwise had just cause, a legal reason, or a bona fide economic reason for the deactivation under section 20-1282(a) or 20-1283(a) of the Administrative Code. In such circumstances, a driver is not entitled to reinstatement. DCWP may instead seek a worker relief award of \$500 and an order directing the HVFHV service to comply with the applicable notice requirement. This provision distinguishes between a deficiency in the process by which a deactivation was communicated and a deficiency in the substantive basis for the deactivation itself, and calibrates the available remedy accordingly: reinstatement remains available where the deactivation itself lacked a valid basis, while a fixed monetary remedy and a compliance order address a notice-only violation.

Calculation and Limitation of Back Pay: Section 7-912(c) clarifies three aspects of back pay under Local Law 52. First, the amount a driver would have normally earned or received, for purposes of calculating back pay, includes passenger tips in addition to base fare income. Second, a driver is not entitled to back pay for the duration of any suspension or revocation of the driver's license by the Taxi and Limousine Commission, consistent with § 20-1290(4). Third, a driver is not entitled to back pay during their probation period, consistent with section 20-1290(1).

Fourth, a driver is not entitled to back pay for a prior deactivation, consistent with the relief provisions in sections 20-1208 and 12-1211 and consistent with section 7-908 of this rule.

Administrative Enforcement and Adjudication: Section 7-912(d) clarifies the administrative pathway available where a driver elects to file a complaint with DCWP, including alleging a wrongful deactivation in violation of section 20-1282 or 20-1283 of the Administrative Code. DCWP cannot adjudicate such cases within the agency. Section 6-01 of chapter 6 of title 6 of the Rules of the City of New York delegates DCWP's adjudicatory powers to the Office of Administrative Trials and Hearings (OATH). Consistent with this delegation, the rule confirms that DCWP must file a case alleging a violation of Local Law 52 with the trials division of OATH.

Arbitration of Private Actions: Section 7-912(d) clarifies that Local Law 52 does not override any applicable mandatory arbitration agreements. The rule addresses the circumstance in which a driver elects to pursue a private action and the claim is covered under an arbitration agreement the driver and the HVFHV service had previously entered into. In that circumstance, the HVFHV service may require the driver to proceed through the arbitration procedures to which the parties had previously agreed, rather than in court. DCWP's understanding is the two existing HVFHV services, Uber and Lyft, include arbitration clauses in their agreements with drivers. As a result, virtually all private actions drivers bring will be adjudicated in the arbitration forums that Uber and Lyft have selected.

Implementation Timelines

The proposed rule addresses the additional time HVFHV services may need to implement certain provisions. For example, section 7-909(c) provides that, for deactivations that occurred prior to or within 30 days of the effective date of the final rule, an HVFHV service has 60 days after the final rule's effective date to provide that driver with the Deactivation Information Packet required by the rule. Section 7-910(d) of the rule provides that an HVFHV service has 60 days after the final rule's effective date to supplement or correct notices. This is meant to give an HVFHV service enough time to develop internal procedures for storing, collecting, and generating this information for each driver.

Comments Supported By Data Are Encouraged

DCWP encourages commenters to submit data and other information about their methods to support any claims made in comments. DCWP may give less weight to claims that are hypothetical in nature, or that cite statistics that are not supported by data and a clear description of the underlying data and analysis. For example, if an HVFHV service wishes to comment about common deactivation scenarios, it can support this comment by including data about how often such a circumstance arises and the methods it used to arrive at that conclusion.

Sections 1043 and 2203(f) of the New York City Charter and subchapters 1 and 8 of chapter 12 of Title 20 of the New York City Administrative Code authorize DCWP to make these proposed rules.

New material is underlined.

[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this Department, unless otherwise specified or unless the context clearly indicates otherwise.

Proposed Rule Amendments

Chapter 7 of Title 6 of the Rules of the City of New York is amended to add a new subchapter I, to read as follows:

Subchapter I: High-volume for-hire vehicle drivers

§ 7-901 Definitions.

As used in this subchapter, the following terms have the following meanings:

Advance Notice of Deactivation. The term “Advance Notice of Deactivation” means the notice required in accordance with section 7-906 of these rules.

Contact information. The term "contact information" means the mobile phone number, email address, and mailing address of a driver.

Conduct that poses an imminent danger. The term “conduct that poses an imminent danger” in the definition of egregious misconduct, as defined in section 20-1281 of the Administrative Code, is broadly construed as conduct that may cause injury, pain, harm, or loss, including physical, emotional, or financial injury, pain, harm or loss.

DCWP Notice of Rights. The term “DCWP Notice of Rights” means the notice that the commissioner must publish, pursuant to subdivision d of section 20-1289, setting forth drivers’ rights under Local Law 52.

Deactivation Information Packet. The term “Deactivation Information Packet” means the information and data required in accordance with section 7-909 of these rules.

Deactivation rights information. The term “deactivation rights information” means information about: (1) the driver’s right to challenge the deactivation as unlawful under subchapter 8 of chapter 12 of title 20 of the Administrative Code; (2) how the driver may initiate an informal resolution process with the HVFHV service pursuant to section 20-1287 of the Administrative Code; (3) the opportunity for the driver to submit evidence to substantiate a challenge to the deactivation; (4) the driver’s right to file a complaint with the department or to initiate a private action; and (5) eligible drivers’ right to access unemployment insurance.

Driver. The term “driver” means a high-volume for-hire vehicle driver as defined in section 20-1281 of the Administrative Code.

Fair and objective investigation. The term “fair and objective investigation” means an investigation that reflects adequate due diligence in light of the circumstances of the case and demonstrates an unbiased and neutral view of facts collected.

Final Notice of Deactivation. The term “Final Notice of Deactivation” means the notice required in accordance with section 7-906 of these rules.

HVFHV service. The term “HVFHV service” means a high-volume for-hire vehicle service as defined in section 20-1281 of the Administrative Code.

Internal identifier. The term “internal identifier” means a character string comprised of letters, numbers, or symbols that an HVFHV service assigns to a driver for purposes of uniquely identifying such driver within its records.

Laid-off driver. The term “laid-off driver” means a driver who was deactivated based on a bona fide economic reason pursuant to section 20-1284 of the Administrative Code.

Notice of Discipline. The term “Notice of Discipline” means the notice required in accordance with section 7-905 of these rules.

Notice of Layoff. The term “Notice of Layoff” means the notice required in accordance with section 7-907 of these rules.

Personally identifiable information. The term “personally identifiable information” means information that may be used on its own or with other information to identify or locate an individual, including, but not limited to: name, date of birth, social security number, driver's license number, non-driver photo identification card number, financial account number, current or previous home address, work address, email address, or phone number, information concerning social media accounts, mother's maiden name, computer system username or password, electronic signature, and unique biometric data, such as a fingerprint or retinal image.

Planned deactivation. The term “planned deactivation” means a deactivation that an HVFHV service intends to carry out (i) if a driver fails to contest one or more issues in the Advance Notice of Deactivation by a date certain or fails to take an action specified in the Advance Notice of Deactivation by a date certain, or (ii) pursuant to a Notice of Layoff. “Planned deactivation” is synonymous with the term “impending deactivation” and “impending deactivation” in section 20-1282 of the Administrative Code.

Prior Deactivation Notice. The term “Prior Deactivation Notice” means the notice required in accordance with section 7-908 of these rules.

Probation period. The term “probation period” means a period of 30 calendar days beginning on the first date that a driver performs a passenger trip with a pick-up location in New York City for an HVFHV service.

Reinstatement Notice. The term “Reinstatement Notice” means the notice required in accordance with section 7-908 of these rules.

Relevant and adequate training. The term “relevant and adequate training,” as that phrase is used in section 20-1282 of the Administrative Code, means instruction provided at no cost

to a driver on how to satisfactorily perform the job duties of a driver and comply with the standards, policies, and procedures of the HVFHV service. This may include training on safe driving, interacting with customers, federal, state, and local anti-discrimination laws, any specific job duties a driver is expected to satisfactorily perform, and any standards, policies, or procedures with which the driver is expected to comply, as well as any specific job duties, standards, policies, or procedures with which the driver has failed to follow in the past.

Seniority. The term “seniority” means a ranking of drivers based on length of time performing driving services for an HVFHV service, computed from the first date that a driver performs a passenger trip with a pick-up location in New York City for such HVFHV service, including any probationary period, except that, if a driver’s performance of driving services in New York City is interrupted by more than six months, seniority must be computed from the date such driver resumes performing driving services in New York City. Provided however, a hiatus that was the result of military service, illness, educational leave, leave protected or afforded by law, or any deactivation based on a bona fide economic reason or that is in violation of any local, state or federal law, including this subchapter, shall not count as an interruption of performance of driving services in New York City.

Waitlist Notice. The term “Waitlist Notice” means the notice required in accordance with section 7-908 of these rules.

§ 7-902 General Provisions.

(a) Coverage. For purposes of subchapter 8 of chapter 12 of Title 20 of the Administrative Code, a “deactivation” includes a revocation or restriction of a driver’s authorization to accept a passenger trip with a pick-up location within New York City on a driver platform and excludes a revocation or restriction of a driver’s authorization to accept a passenger trip with a pick-up location outside New York City.

(b) Waiver of rights. Any agreement purporting to prospectively waive or limit rights under chapter 12 of Title 20 of the Administrative Code or this chapter shall be invalid as a matter of law, except as provided in chapter 12 of Title 20 of the Administrative Code and any regulation promulgated thereunder or as otherwise provided by law.

§ 7-903 Retaliation.

(a) If an HVFHV service maintains a system in which a driver’s deactivation, trip offers, or compensation depend, in whole or in part, on a driver’s internal or public ratings, it is a retaliatory adverse action when such HVFHV service downgrades or otherwise adversely changes a driver’s internal or public ratings based on the exercise or attempted exercise of a right protected under chapter 12 of Title 20 of the Administrative Code.

(b) Each downgrading of or other adverse change to a driver’s internal or public ratings as a result of such worker's exercise or attempted exercise of a right protected under chapter 12 of Title 20 of the Administrative Code shall constitute a separate instance of retaliation and a separate instance of a violation for purposes of section 20-1208(d)(3) of the Administrative Code.

§ 7-904 Recordkeeping.

(a) 1. The department may issue an order, subpoena, or other written request for purposes of discharging any of its responsibilities under subchapters 1 and 8 of chapter 12 of title 20 of the Administrative Code, which must be in writing and may be served on an HVFHV service in person, by mail, or by email.

2. When the department issues an order, subpoena, or written request for the production of data, documents, testimony, or other information pursuant to § 20-1288(b)(3) of the Administrative Code, an HVFHV service must provide all responsive data, documents, testimony, or other information to the department within twenty (20) days of service of such order, subpoena, or written request; provided that a deadline of more than 20 days may be agreed to on consent by the department and the HVFHV service.

3. Unless otherwise specified, an HVFHV service must provide data, documents, or other information to the department in their original format or, if so requested, in the formats and layouts prescribed by the department in such order, subpoena, or written request.

4. The department may issue a notice of violation to an HVFHV service that fails to provide true and accurate records or other information by the deadline provided in the order, subpoena, or written request or the deadline agreed to by the parties, provided that any monetary penalties authorized by law for a violation of section 20-1288 of the Administrative Code shall not apply if such order, subpoena, or written request is the subject of a motion to the department challenging such order, subpoena, or request, or the subject of a motion pursuant to section 2304 of the civil practice law and rules.

(b) 1. An HVFHV service must create and maintain contemporaneous, true, and accurate records documenting its compliance with the applicable requirements of chapter 12 of title 20 of the code and of this subchapter for a period of 3 years. Upon request, an HVFHV service must produce and allow the department to access such records and other information in furtherance of an investigation conducted pursuant to chapter 12 of Title 20 of the Administrative Code. Such records include, but are not limited to, the records specified in this section.

2. If, in the ordinary course of business, any record required to be maintained under this part is created by a person other than such HVFHV service, it is the responsibility of such HVFHV service to obtain and maintain a copy of such record.

(c) The department may prescribe file format and data specifications, including field definitions, record layouts, and uniform codes, for any record required to be maintained or produced pursuant to this subchapter. If prescribed by the department, an HVFHV service must maintain and produce the required records in accordance with such specifications.

(d) The records required to be created and maintained pursuant to subdivision (b) of this section include the following:

1. *Driver Personnel File.* i. For each driver, an HVFHV service must maintain a set of records in accordance with the requirements of this paragraph.

ii. *Driver Profile.* For each driver, an HVFHV service must maintain the following information:

(1) first name, last name, and if applicable, middle name;

(2) last-known contact information provided to the HVFHV service;

(3) internal identifier;

(4) taxpayer identification number, if such number is required to be maintained under local, state, or federal law;

(5) date the driver first performed a passenger trip with a pick-up location in New York City for the HVFHV service;

(6) driver's license number;

(7) New York City Taxi and Limousine Commission license number;

(8) preferred language;

(9) seniority relative to all other current drivers; and

(10) if deactivated based on a bona fide economic reason, seniority relative to all other drivers on the seniority list in accordance with section 7-907.

iii. Permissions Log. (1) An HVFHV service must maintain a log of all changes to a driver's permission to access or use its driver platform, including but not limited to, any revocation or restriction of a driver's authorization to accept trips on its driver platform.

(2) Such log must contain separate entries that show:

(A) the dates and times of each change to a driver's permission to access or use the driver platform;

(B) the reason for each change to a driver's permission to access or use the driver platform;

(C) the specific permission that was changed; and

(D) with respect to each such change, whether such change is an indefinite or permanent discharge, termination, or layoff of a driver, or would result in a deactivation, as defined in section 20-1281 of the Administrative Code, if the change is in effect for a total of 168 hours or continuously for 72 hours.

iv. Disciplinary Record. An HVFHV service must maintain records of any discipline of a driver, including but not limited to:

(1) All records, including but not limited to, reports, memoranda, communications, notes, recordings or other media, related to a disciplinary measure or an investigation conducted in relation to potential discipline;

(2) Each Notice of Discipline provided to a driver in accordance with section 7-905 and the driver's response, if any;

(3) Actions taken by the driver to address the reasons for the discipline, if any;

(4) A description of any progressive discipline applied and the dates such discipline was applied; and

(5) Each notice provided to a driver in accordance with paragraph 3 of subdivision (d) of section 7-905 and the date, time, and method by which such notice was provided to the driver.

v. *Deactivation Records.* An HVFHV service must maintain records related to any deactivation or planned deactivation of a driver, including but not limited to:

- (1) All evidence or records the HVFHV service considered in connection with deactivating a driver;
- (2) Each Advance Notice of Deactivation provided to a driver in accordance with section 7-906 and any record of actions taken by the driver to address the reasons for the planned deactivation;
- (3) Each Final Notice of Deactivation provided to a driver in accordance with section 7-906 and any record of actions taken by the driver to address the reasons for the deactivation;
- (4) Each Deactivation Information Packet provided to a driver in accordance with section 7-909;
- (5) Each Prior Deactivation Notice provided to a driver in accordance with section 7-908;
- (6) Each Waitlist Notice provided to a driver in accordance with section 7-908;
- (7) Each Reinstatement Notice provided to a driver in accordance with section 7-908;
- (8) For deactivations based on a bona fide economic reason, (i) the date each driver was placed on the seniority list pursuant to section 7-907, (ii) each offer of reinstatement or restoration of access to the driver platform, and (iii) whether the driver accepted the offer;
- (9) For drivers placed on a waitlist pursuant to section 20-1283 of the Administrative Code, (i) the date each driver was placed on the waitlist, (ii) each offer of reinstatement or restoration of access to the driver platform, and (iii) whether the driver accepted the offer;
- (10) Records of all communications exchanged between the HVFHV service and the driver or their representatives concerning a deactivation or a planned deactivation, including but not limited to, any evidence submitted by such driver or their representatives or any agreements entered into in connection with the informal resolution process pursuant to section 20-1287 of the Administrative Code; and
- (11) If the driver initiated an informal resolution process pursuant to section 20-1287 of the Administrative Code, (i) the date the driver initiated the process, (ii) the applicable 15-day deadline or any mutually agreed extension, and (iii) the outcome of such process.

2. *Proof of Bona Fide Economic Reasons.* For each deactivation based on a bona fide economic reason in accordance with section 20-1284 of the Administrative Code, records sufficient to show that the deactivation is in response to (i) a proportionate reduction in the HVFHV service's volume of sales or profit within the fiscal quarter prior to the issuance of a Notice of Layoff in accordance with this part, or (ii) the HVFHV service discontinuing its driving services in the

city. Such records must include, but are not limited to, tax returns, income statements, profit and loss statements, monthly gross revenue schedules, and balance sheets.

3. *Notice of Progressive Discipline Policy and Notice of Rights.* An HVFHV service must maintain (i) all progressive discipline policies and notices of a change to the progressive discipline policy distributed in accordance with section 7-905, and (ii) data sufficient to show the date, time, and manner in which an HVFHV service provided to each driver each such progressive discipline policy, notice of a change to the progressive discipline policy, and DCWP Notice of Rights.

4. *Preservation of prior deactivation records.* An HVFHV service must preserve all records relevant to a prior deactivation of a driver until at least July 28, 2029, or until the resolution, including on appeal, of any petition or other action to seek reinstatement or restoration of driver platform access, whichever is later.

§ 7-905 Progressive Discipline Policy, DCWP Notice of Rights, and Notice of Discipline.

(a) Section 20-1289 of the Administrative Code lists the topics a progressive discipline policy must address to provide information to drivers about conduct that may lead to discipline or deactivation and how an HVFHV service applies discipline and notifies drivers. The progressive discipline policy also must include a copy of the DCWP Notice of Rights or a link to the DCWP Notice of Rights on the department's website.

(b) An HVFHV service must provide its progressive discipline policy, including the DCWP Notice of Rights, to a driver no later than July 28, 2026, or prior to the driver first performing a passenger trip with a pick-up location in New York City for the HVFHV service, whichever is later. If the HVFHV service changes its progressive discipline policy, such service must provide a description of the change and the updated policy to a driver at least 14 days before such change takes effect.

(c) An HVFHV service must provide to a driver its progressive discipline policy, including the DCWP Notice of Rights, by email and as a link to a downloadable file in a Portable Document Format ("PDF") within a text message, and must also make them continuously available on the HVFHV service's driver platform.

(d) *Notice of Discipline.* 1. Pursuant to subdivision (b) of section 20-1289 of the Administrative Code, an HVFHV service must provide a Notice of Discipline to notify a driver in writing of any disciplinary measure that an HVFHV service intends to take against such driver and must provide an opportunity for the driver to respond.

2. Such Notice of Discipline must include the following information:

- i. the effective date, or anticipated effective date, of the discipline;
- ii. the precise and detailed reasons for the discipline, including but not limited to, the location and timing, including the trip date, start time, and end time, of any incident that forms a basis for the discipline and a specific description of the driver's conduct and the substance of any underlying customer complaint;

- iii. the specific rules, practices, or policies that the driver violated;
- iv. a description of the nature of the discipline and the consequences of the discipline, if any;
- v. the actions the HVFHV service required of the driver to address the reasons for the discipline, if any;
- vi. how the driver may submit a response to the HVFHV service, which must include an e-mail option;
- vii. the deadline by which the driver must respond, if any; and
- viii. the date the HVFHV service provided the Notice of Discipline to the driver.

3. Within 14 days of providing a Notice of Discipline or within 14 days of any deadline to respond, whichever is later, the HVFHV service must notify the driver in writing of whether the HVFHV service has rescinded, modified or applied the disciplinary measure.

4. A Notice of Discipline is not required if the disciplinary measure that an HVFHV service intends to take against a driver is a deactivation; provided, however, an HVFHV service must provide an Advance Notice of Deactivation, if applicable, and a Notice of Deactivation, as set forth in section 7-906.

§ 7-906 Advance Notice of Deactivation and Final Notice of Deactivation.

(a) Advance Notice of Deactivation. 1. An HVFHV service must provide a driver with 14 days' advance notice of a planned deactivation that is based on just cause or on a federal, state, or local law or rule requiring the HVFHV service to deactivate the driver, except as provided in paragraph 3.

2. Such Advance Notice of Deactivation must include the following information:

- i. the precise and detailed reasons for the deactivation, including but not limited to, the location and timing, including the trip date, start time, and end time, of any incident that forms a basis for the deactivation and a specific description of the driver's conduct and the substance of any underlying customer complaint;
- ii. the specific rules, practices, or policies that the driver violated;
- iii. the anticipated effective date of the deactivation;
- iv. the actions by the driver required to address the reasons for the deactivation, if any, and the deadline to take any such action, if any;
- v. how the driver may submit a response to the HVFHV service, which must include an e-mail option;

- vi. deactivation rights information, as defined in section 7-901; and
- vii. the date the HVFHV service provided the Advance Notice of Deactivation to the driver.

3. An HVFHV service must provide the Advance Notice of Deactivation to a driver at least 14 days prior to the anticipated effective date of the deactivation unless:

- i. a deactivation is based on a federal, state, or local law or rule requiring the HVFHV service to deactivate the driver and the reason for the deactivation is not foreseeable 14 days in advance of the deactivation;
- ii. the deactivation is for egregious misconduct, account sharing, a pattern of repeated fraudulent behavior, or conduct that is so outrageous that a service cannot reasonably expect to correct it through discipline; or
- iii. the deactivation is because an HVFHV service reasonably determines that a driver poses an unreasonable risk to public health, public safety, or rider safety.

(b) Final Notice of Deactivation. 1. Within 5 days after the effective date of a deactivation, an HVFHV service must provide a Final Notice of Deactivation that contains the following information:

- i. the effective date of the deactivation;
- ii. deactivation rights information, as defined in section 7-901;
- iii. the precise and detailed reasons for the deactivation, including but not limited to, the location and timing, including the trip date, start time, and end time, of any incident that forms a basis for the deactivation and a specific description of the driver's conduct and the substance of any underlying customer complaint;
- iv. the specific rules, practices, or policies that the driver violated;
- v. if the deactivation was for just cause, the Final Notice of Deactivation must itemize each disciplinary step taken and the dates of each Notice of Discipline, unless the deactivation was for egregious misconduct;
- vi. if the deactivation was for egregious misconduct, account sharing, or a pattern of repeated fraudulent conduct, the Final Notice of Deactivation must state that the deactivation was for such reason;
- vii. if the deactivation was for a bona fide economic reason, the Final Notice of Deactivation must include the information required by section 7-907(b)(2);
- viii. if the deactivation was required by federal, state, or local law or rule, the Final Notice of Deactivation must specify the federal, state, or local law or rule that required the high volume for-hire vehicle service to deactivate the driver; and

ix. the date the HVFHV service provided the Final Notice of Deactivation to the driver.

2. For purposes of paragraph 1 of this subdivision, the effective date is:

i. the date of the indefinite or permanent discharge, termination, or layoff of the driver;

ii. the date when a revocation or restriction of the driver's authorization to accept trips on the driver platform has been continuously in effect for 72 hours; or

iii. the date when the revocation or restriction of the driver's authorization to accept trips on a driver platform consisting of multiple periods of revocation or restriction within a 1-year period equals or exceeds 168 hours.

(c) Amending Notices. 1. If an HVFHV service previously provided a driver with a Notice of Layoff or Advance Notice of Deactivation, an HVFHV service may, in the Final Notice of Deactivation, revise or add to the reasons that it included in the Advance Notice of Deactivation or Notice of Layoff, including to add information of which the HVFHV service became aware after issuing such notice. If the HVFHV service has no additional reasons for deactivation, the HVFHV service must issue a Final Notice of Deactivation that incorporates the Notice of Layoff or Advance Notice of Deactivation by reference.

2. If an HVFHV service's investigation of the reason for the deactivation remains ongoing at the time the Final Notice of Deactivation is provided pursuant to subdivision b, the HVFHV service may issue an amended Final Notice of Deactivation, revising or supplementing the precise and detailed reasons, including based on any conduct or communication that occurred after it issued the initial Final Notice of Deactivation.

3. Within 15 days of a driver initiating the informal resolution process pursuant to section 20-1287 of the Administrative Code, or within 5 days of a mutually agreed deadline to reach a resolution pursuant to section 20-1287(b), an HVFHV service may issue an amended Final Notice of Deactivation, revising or supplementing the precise and detailed reasons, including based on any conduct or communication that occurred after it issued the initial Final Notice of Deactivation.

§ 7-907 Deactivations for a bona fide economic reason.

(a) To comply with the requirement in section 20-1284 that deactivations of drivers based on bona fide economic reason shall be done in reverse order of seniority, an HVFHV service must maintain a system for tracking the seniority of all current drivers and maintain

a seniority list of all laid-off drivers, if any. Such seniority list must reflect, for each laid-off driver, their seniority relative to any other laid-off driver.

(b) Notice of Layoff. 1. Pursuant to subdivision (d) of section 20-1282 of the Administrative Code, an HVFHV service must provide a Notice of Layoff to a driver at least 120 days before a deactivation for a bona fide economic reason.

2. The Notice of Layoff must include the following information:

- i. whether the deactivation is due to the HVFHV service discontinuing its driving services in the city or to a proportionate reduction in volume of sales or profit within the prior fiscal quarter;
- ii. the precise and detailed reasons for the deactivation;
- iii. the anticipated effective date of the deactivation;
- iv. a statement concerning the HVFHV service's obligation pursuant to section 20-1284 of the Administrative Code to offer reinstatement or restoration of access to its driver platform to any driver deactivated based on a bona fide economic reason within the previous 3 years before such service may provide access to any new driver;
- v. how the driver can obtain information about their placement on a seniority list for reinstatement or restoration of access to the HVFHV service's driver platform;
- vi. the driver's last-known email address and mobile phone number on file and how the driver can provide updated contact information to the HVFHV service;
- vii. deactivation rights information, as defined in section 7-901; and
- viii. the date the HVFHV service provided the Notice of Layoff to the driver.

(c) For each laid-off driver, an HVFHV service must maintain the last-known contact information provided by the laid-off driver and provide laid-off drivers an accessible method to provide updated contact information to the HVFHV service.

(d) When offering a laid-off driver reinstatement or restoration of access to its driver platform pursuant to section 20-1284 of the Administrative Code, the HVFHV service must:

1. contact the laid-off driver by email and text message using the most updated contact information provided by the laid-off driver;
2. state any deadline to accept the offer, which must be at least 14 calendar days from the date the HVFHV service transmitted the offer; and
3. state how the laid-off driver may notify the HVFHV service of their acceptance of the offer.

(e) An HVFHV service is not required to offer reinstatement or restoration of access to its driver platform to a laid-off driver when:

1. the laid-off driver was deactivated more than 3 years prior; or
2. the laid-off driver has notified the HVFHV service in writing that the driver does not want to receive offers of reinstatement or restoration of access to its driver platform.

§ 7-908 Prior Deactivations.

(a) *Petitions for Reinstatement.* 1. Pursuant to section 20-1283 of the Administrative Code, a driver whom an HVFHV service deactivated on or after July 28, 2019 but before July 28, 2026 may petition that the HVFHV service reinstate or restore the driver's access to such HVFHV service's driver platform. An HVFHV service must maintain an email address or accessible website through which such a driver or their representative may submit such a petition. A driver must submit such a petition to the HVFHV service on or after July 28, 2026 but before July 29, 2027. Within 5 business days after receipt of such a petition, the HVFHV service must send the driver an email confirming receipt of the petition.

2. Within 30 days after receipt of a timely petition pursuant to paragraph 1 of this subdivision, an HVFHV service must respond by:

- (i) offering the driver reinstatement or restoration of access to its driver platform in a Reinstatement Notice in accordance with subdivision d;
- (ii) placing the driver on a waitlist and issuing a Waitlist Notice in accordance with subdivision b; or
- (iii) issuing a Prior Deactivation Notice in accordance with subdivision c.

(b) *Waitlist.* 1. Pursuant to subdivision (d) of section 20-1283 of the Administrative Code, an HVFHV service may decline to immediately reinstate or restore access to its driver platform to a driver whose access is required to be reinstated or restored pursuant to subdivision (a) of section 20-1283 of the Administrative Code, if the HVFHV service did not provide access to its driver platform to any new drivers on or after April 28, 2026 and before July 28, 2026, and is not providing access to any new drivers to its driver platform.

2. If an HVFHV service declines to reinstate or restore access to its driver platform pursuant to subdivision (d) of section 20-1283 of the Administrative Code, the HVFHV service must place the driver on a waitlist for reinstatement or restoration of access to its driver platform and issue a Waitlist Notice. Such Waitlist Notice must include the following information:

- i. A statement explaining that the HVFHV service is not providing access to its driver platform to any new drivers but has placed the driver on a waitlist for reinstatement or restoration of access to the HVFHV service's driver platform;

- ii. A statement concerning the HVFHV service's obligation to offer reinstatement or restoration of access to its driver platform to drivers on the waitlist before such service may provide any new driver access to its driver platform;
- iii. The last date that the HVFHV service provided access to its driver platform to new drivers;
- iv. The driver's place on the waitlist relative to other drivers;
- v. How to obtain updated information about the driver's place on the waitlist and the minimum requirements that apply to all current drivers for the HVFHV service;
- vi. The driver's last-known contact information on file and how the driver can provide updated contact information to the HVFHV service;
- vii. Deactivation rights information, as defined in section 7-901; and
- viii. The date the HVFHV service provided the Waitlist Notice to the driver.

(3) An HVFHV service must maintain its waitlist until it has offered reinstatement or restoration of access to its driver platform to every driver on such waitlist in accordance with subdivision d of this section.

(c) *Prior Deactivation Notice.* 1. If an HVFHV service does not issue a Waitlist Notice or Reinstatement Notice, the HVFHV service must provide a Prior Deactivation Notice. Such Prior Deactivation Notice must include:

- i. the precise and detailed reasons for the prior deactivation, to the extent such information is known or reasonably available to the HVFHV service, including but not limited to, the location and timing, including the trip date, start time, and end time, of any incident that forms a basis for the prior deactivation and a specific description of the driver's conduct and the substance of any underlying customer complaint;
- ii. deactivation rights information, as defined in section 7-901; and
- iii. the date the HVFHV service provided the Prior Deactivation Notice to the driver.

(d) *Reinstatement.* When an HVFHV service offers a driver reinstatement or restoration of access to its driver platform, an HVFHV service may require that a driver submit information demonstrating that the driver meets the minimum requirements that apply to all current drivers for such HVFHV service. Such HVFHV service must indicate such requirement and such minimum requirements in a Reinstatement Notice. Within 5 days after receipt of the information demonstrating that the driver meets the minimum requirements that apply to all current drivers for such HVFHV service, such HVFHV service must reinstate or restore the driver's access to its driver platform.

§ 7-909 Deactivation Information Packet.

(a) 1. At the same time an HVFHV service issues a Final Notice of Deactivation or a Prior Deactivation Notice in accordance with sections 7-906 or 7-908, the HVFHV service must provide the deactivated driver with a Deactivation Information Packet in accordance with this subdivision. The Deactivation Information Packet contains the information and data relevant to such driver's deactivation or prior deactivation as required by section 20-1286 of the Administrative Code, provided that for a prior deactivation, the HVFHV service is only required to provide information and data reasonably available to the HVFHV service.

2. The Deactivation Information Packet must be organized into subsections, as specified in this subdivision. Each subsection must be preceded by a cover page indicating the name of the subsection in accordance with the subheadings enumerated in this paragraph. If an HVFHV service intends to omit all records for a particular subsection, the cover page must be followed by a page that states "This page is intentionally left blank." Each page of the Deactivation Information Packet must be sequentially numbered and contain the driver's name and unique identifier. The Deactivation Information Packet must be organized as follows:

- i. *Deactivation Information Packet.* The first page of the packet must include only the subsection title ("Driver Information Packet"), driver name and driver internal identifier.
- ii. *Table of Contents.* An index that lists all subsections in the packet and each document within each subsection and corresponding page numbers.
- iii. *Deactivation Summary.* A document that contains the following information:
 - (1) The driver profile details required under section 7-904(d)(1)(ii), except the document must omit driver personally identifiable information in paragraphs (4) (taxpayer identification number), (6) (driver's license number), and (7) (NYC Taxi and Limousine Commission number) of that section;
 - (2) A description in plain language of the changes to the driver's permission to access or use the driver platform;
 - (3) The effective date of the deactivation; and
 - (4) If applicable, the date and time the HVFHV reinstated the driver or restored the driver's access to the driver platform after a period of deactivation.
- iv. *Relevant Records.* A section that contains the following records:
 - (1) If the deactivation was for just cause, any records relevant to the factors set forth in section 20-1282(b) or section 1283(b) of the Administrative Code;
 - (2) If the deactivation was for a bona fide economic reason, records demonstrating that such deactivation is in response to: (i) a proportionate reduction in volume of sales or profit within the fiscal quarter prior to the issuance of a Notice of Layoff; or (ii) the HVFHV service discontinuing its driving services in the city; and
 - (3) If the deactivation was for a legal compliance reason, any records demonstrating that a federal, state, or local law or rule required the HVFHV service to deactivate the driver.

- v. Required notices. Copies of all notices the HVFHV service provided to the driver pursuant to sections 7-905, 7-906, 7-907, 7-908, and 7-910. Such copies must be organized in chronological order based on the date such documents were provided to the driver.
- vi. Driver earnings. A table that contains the driver's total gross earnings, including tips, and total net payments, including tips, each week during the 3 years preceding the deactivation.
- vii. Customer feedback. The full text and date of all customer comments, ratings, and complaints received regarding the driver, as well as the date and time of the associated trip, if available, provided that the text must be redacted to remove any personally identifiable information of passengers and such redactions must be documented in a log in accordance with subdivision b of this section, and provided further that, if the reasons for the deactivation listed in the Final Notice of Deactivation are not related to interactions with a customer or performance of job duties, an HVFHV service is not required to provide such customer comments, ratings, and complaints.
- viii. Driving performance data. Driving performance data specific to such driver, provided that, if the reasons for the deactivation listed in the Final Notice of Deactivation are not related to a driver's operation of a for-hire vehicle, an HVFHV service is not required to provide driving performance data in the Deactivation Information Packet.
- ix. Anonymized and aggregated reports. Anonymized and aggregated reports pursuant to section 20-1286(a)(3) of the Administrative Code shall include, in addition to other relevant information an HVFHV service may identify, the total number of drivers that were deactivated on or after July 28, 2026 because of the same or similar conduct and were disciplined but not deactivated on or after July 28, 2026 because of the same or similar conduct, broken down to reflect which circumstances the HVFHV classified as (1) egregious misconduct; (2) failure to satisfactorily perform job duties; (3) account sharing; (4) a pattern of repeated fraudulent behavior; or (5) other misconduct that is harmful to the high-volume for-hire vehicle service's legitimate business interests.

(b) 1. An HVFHV service may withhold a record relevant to the deactivation from the Deactivation Information Packet if disclosure of the document would reveal a trade secret, reveal proprietary and confidential fraud detection techniques, or result in a waiver of a privilege and redaction of the information is not feasible, provided however such HVFHV service must provide a log of all information that is withheld or redacted in accordance with this subdivision.

2. For any document that is withheld, the log must note for each document: (i) the type of document; (ii) the general subject matter of the document; (iii) the date of the document; (iv) the author of the document; (v) the ground for withholding the document pursuant to paragraph 1; and (vi) a unique identifier for the document.

3. For any document that is redacted, the log must state for each redaction: (i) the document Bates page number; (ii) the exact location of the redaction within the page; (iii) either the category of personally identifiable information that is redacted or the ground for the redaction pursuant to paragraph 1; and (iv) a unique identifier for the redaction.

(c) For any deactivation that occurs prior to or within 30 days of the effective date of the rule adding this subchapter, an HVFHV service may issue the Deactivation Information Packet within 60 days of the effective date of the rule adding this subchapter.

§ 7-910 Provisions Applicable to All Notices.

(a) An HVFHV service must provide a driver with a Notice of Discipline, Notice of Layoff, Advance Notice of Deactivation, Final Notice of Deactivation, Waitlist Notice, Reinstatement Notice, or Prior Deactivation Notice in a downloadable file format, such as a Portable Document Format (PDF) file. The HVFHV service must alert the driver by email, text message, and, if the driver has access to its driver platform, through an in-app notification in its driver platform, that any such notice was issued and is available to view and download.

(b) An HVFHV service may comply with the obligation to provide deactivation rights information by providing a link to a webpage with the deactivation rights information that the commissioner publishes on the department's website.

(c) An HVFHV service may redact information in a Notice of Discipline, Advance Notice of Deactivation, Final Notice of Deactivation, or Prior Deactivation Notice that the service reasonably determines would allow a driver to identify a passenger, if such service reasonably believes the driver will harm such passenger, or to discover such service's proprietary and confidential fraud detection techniques. If an HVFHV service redacts such information pursuant to this subdivision, the HVFHV service shall designate that the redaction is pursuant to this subdivision and upon request, shall produce the redacted information to the department when requested in furtherance of an investigation or to an arbitrator or a court in a private action to determine whether the redaction is warranted or the information must be produced to the driver or their representative.

(d) For any deactivation that occurs prior to or within 30 days of the effective date of the rule adding this subchapter, an HVFHV service may supplement or correct any notice required pursuant to this subchapter within 60 days of the effective date of the rule adding this subchapter.

§ 7-911 Reporting.

(a) An HVFHV service must produce reports to the department containing aggregate information concerning deactivations or after July 28, 2026; provided however, that for periods between July 28, 2026, and the effective date of the rule adding this section, an HVFHV service must produce reports only to the extent that such HVFHV service maintained all or part of such records.

(b) The reports required to be produced pursuant to this section may be required by the department no more frequently than monthly and must be produced in accordance with specifications for content, format, layout, and procedure prescribed by the department. Such reports may require the following information:

1. The number of drivers during a reporting period that:
 - i. performed at least one trip with a pick-up in New York City for the HVFHV service;

- ii. performed their first trip with a pick-up in New York City for the high-volume for-hire vehicle service;
 - iii. experienced a deactivation for just cause, egregious misconduct, a bona fide economic reason, or legal reason;
 - iv. initiated an informal resolution process pursuant to section 20-1287 of the Administrative Code;
 - v. reached an informal resolution with the HVFHV service pursuant to section 20-1287 of the Administrative Code;
 - vi. petitioned the HVFHV service for reinstatement or restoration of their access to the driver platform pursuant to section 20-1283 of the Administrative Code;
 - vii. had their access to the driver platform reinstated or restored pursuant subdivision (a) of section 20-1283 of the Administrative Code;
 - viii. were placed on a waitlist pursuant to section 20-1283 of the Administrative Code; and
 - ix. had a petitions denied pursuant to 20-1283 of the Administrative Code.
2. The number of arbitrations or private actions drivers filed that allege violations of sections 20-1282 or 20-1283 of the Administrative Code and the outcomes of such proceedings.

§ 7-912 Informal Resolution Process, Enforcement and Remedies.

(a) Informal Resolution Process. 1. The informal resolution process set forth in section 20-1287 of the Administrative Code is an opportunity for a driver to informally challenge a deactivation, prior deactivation, or planned deactivation pursuant to a Notice of Layoff, engage with the HVFHV service about the reasons for a deactivation or planned deactivation pursuant to a Notice of Layoff, and request reinstatement of their access to the driver platform and back pay or rescission of the planned deactivation. The process may allow the parties to efficiently identify and resolve situations where the deactivation is based on mistake, a software error, a false report, or misapprehension of the relevant facts, among other issues.

2. An informal resolution process is commenced on the date the driver submits a challenge pursuant to subdivision a of section 20-1287. Failure to reach an informal resolution or issue a decision on a driver's challenge pursuant to 20-1287 within 15 days, or any extended time period pursuant to the parties' written agreement, shall not be considered a failure to engage in good faith with the informal resolution process subject to a civil penalty at OATH, provided the HVFHV service demonstrates that it had good cause for not timely issuing a decision on the driver's challenge or memorializing the resolution of the challenge in a written agreement within 15 days, or any extended time period pursuant to the parties' written agreement.

3. Initiation of an informal resolution process, or an agreement to extend the 15-day period pursuant to subdivision (b) of section 20-1287 of the Administrative Code, does not toll or extend the effective date of a deactivation, unless the parties' written agreement expressly so provides.

4. A driver may opt out of the informal resolution process pursuant to subparagraph (ii) of subdivision (e) of section 20-1287 of the Administrative Code by submitting to DCWP a written opt-out, on a form prescribed by the department, or by making an oral statement to a DCWP staff member that the driver elects not to pursue informal resolution in the course of DCWP's handling of a complaint filed pursuant to section 20-1207 of the Administrative Code. In correspondence with an HVFHV service concerning the driver's complaint, DCWP shall inform the HVFHV service in writing of the driver's decision to opt-out of informal resolution.

(b) *Driver remedies for technical notice violations.* A driver is not entitled to reinstatement where an HVFHV service had just cause, a legal reason, or a bona fide economic reason for the deactivation pursuant to 20-1282(a) or 20-1283(a) and the HVFHV service's violations solely relate to a defect in the content or timeliness of an Advance Notice of Deactivation, a Notice of Layoff, a Final Notice of Deactivation, a Prior Deactivation Notice, or other required notice or disclosure, provided that the HVFHV service issued a corrected notice or disclosure prior to adjudication of the deactivation. In such situations, the department may seek worker relief of \$500 and an order directing compliance.

(c) *Back pay.* 1. For the purposes of calculating back pay, the amount a driver would have normally earned or received includes tips.

2. A driver is not entitled to back pay for the duration of any suspension or revocation of the driver's license by the taxi and limousine commission or during a driver's probation period.

3. A driver is not entitled to back pay for a prior deactivation.

(d) *Election of remedies.* 1. If a driver elects to file a complaint with the department for a violation of subchapter 8 of chapter 12 of title 20, including a wrongful deactivation in violation of 20-1282 or 20-1283, the department may attempt to resolve it through any action authorized by chapter 64 of the charter and subchapter 8 of chapter 12 of title 20. Pursuant to section 6-01 of subchapter A of chapter 6 of title 6 of the rules, the department's adjudicatory powers are delegated to the Office of Administrative Trials and Hearings (OATH). To adjudicate an alleged violation related to title 20 of the administrative code relating to laws that confer rights or benefits on workers, the department must file the case with the trials division of OATH.

2. If a driver elects to file a private action and the driver's claim is subject to a mandatory arbitration agreement that the HVFHV service and the driver had previously entered into, the HVFHV service may require the driver to pursue the private action through the arbitration procedures the parties agreed to, in lieu of filing a private action in a court of competent jurisdiction.

(e) *Just cause factors that a fact-finder may consider.* 1. In addition to the factors set forth in section 20-1282(b) of the Administrative Code to evaluate whether a deactivation is for just cause and any other relevant factors, a fact-finder may consider the severity or the gravity of the driver's alleged misconduct or failure to satisfactorily perform job duties.

2. In addition to the factors set forth in section 20-1283(b) of the Administrative Code to evaluate whether a prior deactivation is for just cause and any other relevant factors, a fact-finder may consider:

i. the severity or the gravity of the driver's alleged misconduct or failure to satisfactorily perform job duties;

ii. whether relevant records were destroyed in the ordinary course of business pursuant to the HVFHV service's written records retention policy; and

iii. whether the HVFHV service maintained records that would show whether a policy, rule, or practice was applied consistently.

**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: Rules Relating to High-Volume For-Hire Vehicle Services

REFERENCE NUMBER: 2026 RG 044

RULEMAKING AGENCY: Department of Consumer and Worker Protection

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: July 1, 2026

**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: Rules Relating to High-Volume For-Hire Vehicle Services

REFERENCE NUMBER: DCWP-79

RULEMAKING AGENCY: Department of Consumer and Worker Protection

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

July 1, 2026
Date