

NASSAU COUNTY TAXI AND LIMOUSINE COMMISSION

RULES AND REGULATIONS



VERSION 1.1 DRAFT

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NASSAU COUNTY TAXI AND LIMOUSINE COMMISSION
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§ 1. STATUTORY AUTHORITY

- 1-01. Chapter 430 of the Laws of 2003 amended the General Municipal Law and authorized the County of Nassau to adopt ordinances for the purpose of regulating taxi cabs and limousines.
- 1-02. The Nassau County Legislature adopted Ordinance No. 90-2003, establishing a system for the registration and regulation of for-hire vehicles. Said ordinance was amended by Ordinance No. 113-2005.
- 1-03. The Nassau County Taxi and Limousine Commission was established by Ordinance _____, amending Ordinance No. 113-2005 which amended Ordinance No. 90-2003, and amendment of Article XXI-B of the County Government Law of Nassau County (the County Charter).
- 1-04. Authority to issue rules and regulations to carry out this law is contained in §2159.1.d of Article XXI-B of the County Government Law of Nassau County (the County Charter).

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§ 2. DEFINITIONS

- 2-01. **Advertised company:** The dispatching company that is displayed on the vehicle body of an operating for-hire vehicle.
- 2-02. **Agent:** An individual, partnership, or corporation that acts by employment, contract or otherwise on behalf of one or more owners to operate or provide for the operation of a registered vehicle in accordance with the requirements of these rules. An agent shall not include an attorney or representative who appears on behalf of the vehicle owner before the Commission.
- 2-03. **Applicant:** An individual who has submitted an application to the Commission for a Nassau County hack license, or, an individual, partnership, corporation or any other entity in whose name a vehicle is titled, or the lessee of such vehicle from the titled owner, who has submitted an application to the Commission for a for-hire vehicle registration.
- 2-04. **Base station:** A base station is a central facility, which manages, organizes and/or dispatches for-hire vehicles.
- 2-05. **Black Car:** A for-hire vehicle bearing NCTLC license plates, that carries no more than five passengers including the driver if the vehicle is a sedan and no more than seven passengers including the driver if the vehicle is a minivan or SUV, whose passengers will be charged for transportation on a pre-arranged basis and is required to be licensed as a for-hire vehicle or taxicab by a town, city or village within Nassau County and/or registered by the Commission.
- 2-06. **Chauffeur's license:** A valid Class A, B, CDL-C or E driver license issued by the State of New York appropriate for the type of vehicle, type of passengers and number of passengers transported or a valid driver license of an equivalent and appropriate class from another state of which the licensee is a resident.
- 2-07. **Commission:** The Nassau County Taxi and Limousine Commission.
- 2-08. **Commissioner:** The Commissioner of the Nassau County Taxi and Limousine Commission.
- 2-09. **DMV:** The New York State Department of Motor Vehicles.
- 2-10. **DOT:** The New York State Department of Transportation.
- 2-11. **Decal:** A decal issued by the Commission evidencing the registration of a for-hire vehicle.

- 2-12. **Dispatch:** A request by a base station to a for-hire driver to provide transportation to a passenger who has previously arranged for that transportation with a base station.
- 2-13. **DMV:** New York State Department of Motor Vehicles
- 2-14. **E-Mail address:** Electronic mail address designated in the for-hire vehicle registration or for-hire vehicle driver's license application for the mailing of notices and correspondence from the Commission.
- 2-15. **For-hire vehicle:** A vehicle carrying passengers on a for-hire basis required to be registered by the Commission. It shall not include a bus operating along a fixed route nor any vehicle over which the County of Nassau does not have jurisdiction pursuant to state or federal law, provided such vehicle is found to be operating in compliance with all provisions of such law at the time of vehicle stop.
- 2-16. **For-hire vehicle driver:** A person who drives a for-hire vehicle and who is required to have an NCTLC or municipal for-hire vehicle driver's license as defined herein.
- 2-17. **For-hire vehicle license:** A vehicle license issued by a county, town, city or village to the owner of a for-hire vehicle to allow such vehicle to operate as a for-hire vehicle pursuant to the laws, rules and regulations of the licensing jurisdiction and the rules, regulation and definitions contained herein.
- 2-18. **For-hire vehicle owner:** An individual, partnership, corporation or any other entity in whose name a for-hire vehicle is titled, or the lessee of such vehicle from the titled owner. Service shall be deemed proper service on the vehicle owner if sent to the registrant or the lessee of the vehicle.
- 2-19. **For-hire vehicle registration:** A vehicle registration issued by the Commission to a vehicle meeting all the requirements herein, evidencing that vehicle's status as a valid for-hire vehicle, operating pursuant to the rules, regulations and definitions contained herein.
- 2-20. **For-hire vehicle driver's license/hack license:** A for-hire vehicle driver's license issued by a county, town, city or village authorizing the licensee to operate a for-hire vehicle.
- a. **NCTLC for-hire vehicle driver's license/hack license:** A valid for-hire vehicle driver's license issued by the Commission authorizing the licensee to operate a for-hire vehicle within Nassau County or any participating Qualified Jurisdiction as defined herein, but NOT within any licensing municipality, unless specifically authorized to do so by the laws or regulations of such licensing municipality.

- b. **Municipal for-hire vehicle driver's license/hack license:** A valid for-hire vehicle driver's license issued by a town, city or village to operate a for-hire vehicle.
- 2-21. **Licensing Municipality:** Any town, city or village, located within Nassau County that regulates the licensing and operation of for-hire vehicles, and requires for-hire vehicles and/or for-hire vehicles drivers to be licensed pursuant to the laws, rules and regulations of said town, city or village.
- 2-22. **Limousine:** A for-hire vehicle bearing NCTLC license plates with at least three doors that is capable of carrying more than five (5) but no more than eleven (11) passengers, including the driver, whose passengers will be charged for transportation within an agreed upon period of time, on a pre-arranged contract basis, and is required to be licensed by a town, city or village within Nassau County and/or registered by the Commission.
- 2-23. **Mailing address:** The address designated in the registration or hack license application for the mailing of all notices and correspondence from the Commission and for service of tickets.
- 2-24. **NCTLC:** The Nassau County Taxi and Limousine Commission.
- 2-25. **NCTLC license plate:** A for-hire vehicle license plate authorized to be issued by the Commission to for-hire vehicle registrants and is issued by the DMV.
- 2-26. **NYS:** New York State
- 2-27. **One point trip:** A for-hire trip that terminates in a county, town, city or village different from where it originated.
- 2-28. **Operating within a licensing municipality:** Operating or allowing to be operated a for-hire vehicle that shall conduct point-to-point for-hire vehicle transportation within the boundaries of any licensing municipality, thereby subjecting said for-hire vehicle to regulation, licensing and/or registration by said licensing municipality.
- 2-29. **Passenger:** A person who has engaged a for-hire vehicle for the purpose of being transported to a destination, or a person who is awaiting the arrival of a dispatched for-hire vehicle.
- 2-30. **Person with disability:** An individual with a physical impairment or incapacity, including any person who uses a wheelchair, three-wheel scooter, crutches, other mobility aid or service animal, who can transfer from such mobility aid to a for-hire vehicle with or without reasonable assistance.

- 2-31. **Point-to-point trip:** A for-hire trip that originates and terminates within the same county, town, city or village.
- 2-32. **Qualified Jurisdiction:** A qualified jurisdiction is a licensing jurisdiction as defined by and meeting the standards and requirements set forth in subdivisions three (3), four (4) and six (6) of section 498 of the New York State Vehicle and Traffic Law.
- 2-33. **Respondent:** An individual or business entity, including but not limited to a for-hire vehicle owner and/or a for-hire vehicle driver, who has been noticed and charged with a violation of one or more of the Commission's Rules and Regulations.
- 2-34. **Service Animal:** A guide dog or any other animal trained specifically to work or to perform tasks for a person with a disability, including but not limited to guiding individuals with visual impairments, pulling a wheelchair, or retrieving items.
- 2-35. **Smoke:** To smoke is to burn a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco as defined by New York State Public Health Law Article 13-E.
- 2-36. **Taxi/Taxi cab:** A vehicle registered with the New York State Department of Motor Vehicles as a "Taxi" and bearing NCTLC license plates, that carries no more five passengers including the driver if the vehicle is a sedan and no more than seven passengers including the driver if the vehicle is a minivan or SUV , whose passengers will be charged for transportation and is required to be licensed as a for-hire vehicle or taxicab by a town, city or village within Nassau County and/or registered by the Commission.
- 2-37. **Trip Sheet/Passenger Log:** A trip sheet or passenger log is a fully completed legibly written or electronic read only record not including a pager or cell phone of each passenger trip that is recorded prior to the commencement of the trip and is carried, at all times, in the for-hire vehicle. Such record shall include the vehicle's state license plate number, the passenger's name, the date and time of scheduled pick up, the location of scheduled pickup and the final destination.
- 2-38. **Valid:** For the purposes of these rules valid is defined as not conditional, suspended, expired, restricted, probationary, surrendered, revoked or in violation of any of the regulations herein.
- 2-39. **Weapon:** Any firearm as defined in the New York Penal Law or any instrument or thing whether real or simulated and capable of inflicting or threatening bodily harm, including but not limited to any other weapons, the possession of which is prohibited pursuant to the New York Penal Law.

§ 3. FOR-HIRE VEHICLES

APPLICATION PROCEDURE

- 3-01. **Application for registration of a for-hire vehicle operating in a licensing municipality.** A first-time application submitted by a for-hire vehicle owner for registration of a for-hire vehicle that will be dispatched from a base station within Nassau County and will operate within and be required to be licensed by a licensing municipality shall consist of the following:
- a. A completed NCTLC first-time application form;
 - b. Proof of adequate insurance as defined herein
 - c. Satisfactory proof that the applicant is the registered owner or lessee of the subject vehicle;
 - d. Satisfactory proof that the for-hire vehicle owners place of business and the for-hire vehicles location of dispatch are within Nassau County.
 - i. Satisfactory proof shall consist of:
 1. An original signed commercial lease or photocopy thereof, or;
 2. Two (2) of more utility invoices for a commercial space in the name of the for-hire vehicle owner, or;
 3. Any other documentary proof deemed sufficient by the commissioner.
 - ii. An affirmation from a for-hire vehicle owner that a for-hire vehicle to be registered shall be dispatched from the same location as another for-hire vehicle, previously registered by the for-hire vehicle owner, and, where satisfactory proof was previously submitted for said location at the time of the previous vehicles registration, shall constitute satisfactory proof for the purposes of this section.
 - e. One of the following:
 - i. A valid for-hire vehicle license for the vehicle issued by the town, city or village, which includes all of the following:
 - Name of issuing municipality.
 - Municipality license number of vehicle.
 - Name of vehicle title owner.
 - Name of affiliated base or the words “Independent Owner”.
 - Year of vehicle.
 - Make of vehicle.
 - Model of vehicle.
 - Vehicle identification number (at least last 6).
 - License plate number.
 - Date license was issued.
 - Expiration Date of License.
 - ii. A certification for taxi plate form also known as a taxi legend for the vehicle issued by the town, city or village, which includes all of the following:

Name of issuing municipality.
Date form was issued.
Name of vehicle title owner.
Name of affiliated base or the words "Independent Owner".
Year of vehicle.
Make of vehicle.
Model of vehicle.
Vehicle identification number (at least last 6).

iii. An original letter from the town, city or village, on municipal letterhead, stating either that "the following for-hire vehicle(s) is(are) licensed" or that "the following for-hire vehicle(s) is(are) in the process of receiving a license" and which includes all of the following:

Date letter was issued.
Name of vehicle title owner.
Municipality license number of vehicle if licensed.
Name of affiliated base or the words "Independent Owner".
Year of vehicle.
Make of vehicle.
Model of vehicle.
Vehicle identification number (at least last 6).
License plate number if licensed.
Date license was issued if licensed.
Expiration Date of License if licensed.

- f. If the for-hire vehicle is applying to qualify for reciprocal operation within a qualified jurisdiction as defined herein, it must be accompanied by an application for an NCTLC for-hire vehicle driver's license, for an individual who shall operate said for-hire vehicle;
- g. Application must include the advertised company name that the for-hire vehicle shall operate under.
- h. Payment of the application fee, in full, at the time of submission in an acceptable form as stated herein. Application fee is non-refundable.

3-02. **Application for registration of a for-hire vehicle not operating in a licensing municipality.** A first-time application submitted by a for-hire vehicle owner for registration of a for-hire vehicle that will be dispatched from a base station within Nassau County, but will not operate within a licensing municipality and therefore is under no requirement to be licensed by any municipality, shall consist of the following:

- a. A completed NCTLC first-time application form;
- b. Proof of adequate insurance as defined herein
- c. Satisfactory proof that the applicant is the registered owner or lessee of the subject vehicle;
- d. Satisfactory proof that the for-hire vehicle owners place of business and the for-hire vehicles dispatching base station are within Nassau County.
 - i. Satisfactory proof shall consist of the following:

1. An original signed commercial lease or photocopy thereof, or:
 2. Two (2) of more utility invoices for a commercial space in the name of the for-hire vehicle owner, or:
 3. Any other documentary proof deemed sufficient by the commissioner.
- ii. An affirmation from a for-hire vehicle owner that a for-hire vehicle to be registered shall be dispatched from the same location as another for-hire vehicle, previously registered by the for-hire vehicle owner, and, where satisfactory proof was previously submitted for said location at the time of the previous vehicles registration, shall constitute satisfactory proof for the purposes of this section.
- e. The Commission shall require a background check of the vehicle owner including but not limited to a current fingerprint and DMV license check, the cost of which shall be borne by the applicant.
- i. In the event that the applicant is a corporation, partnership or other business entity, all of the officers, principals and stockholders owning 10% or more of the outstanding stock shall require a background check, the cost of which shall be borne by the applicant..
- f. Application must be accompanied by an application for an NCTLC for-hire vehicle driver's license, for an individual who shall operate said for-hire vehicle.
- g. Application must include the advertised company name that the for-hire vehicle shall operate under.
- h. Payment of the application fee, in full, at the time of submission in an acceptable form as stated herein. Application fee is non-refundable.

- 3-03. **Application for registration of an out-of-county for-hire limousine.** A first-time application submitted by a for-hire limousine owner for registration of a for-hire limousine that will not be dispatched from a base station within Nassau County nor operate within a licensing municipality and therefore is under no requirement to be licensed by any municipality, shall consist of the following:
- a. A completed NCTLC first-time application form;
 - b. Proof of adequate insurance as defined herein
 - c. Satisfactory proof that the applicant is the registered owner or lessee of the subject vehicle;
 - d. The Commission shall require a background check of the vehicle owner including but not limited to a current fingerprint and DMV license check, the cost of which shall be borne by the applicant.
 - i. In the event that the applicant is a corporation, partnership or other business entity, all of the officers, principals and stockholders owning 10% or more of the outstanding stock shall require a background check, the cost of which shall be borne by the applicant.

- e. Application must be accompanied by an application for an NCTLC for-hire vehicle driver's license, for an individual who shall operate said for-hire vehicle.
- f. Application must include the advertised company name that the for-hire vehicle shall operate under.
- g. Payment of the application fee, in full, at the time of submission in an acceptable form as stated herein. Application fee is non-refundable.

3-04. **Application for renewal of a for-hire vehicle registration.** An application submitted by a for-hire vehicle owner for the renewal of a for-hire vehicle registration shall consist of the following:

- a. A completed NCTLC renewal application form;
- b. Proof of adequate insurance as defined herein;
- c. Payment of the application fee, in full, at the time of submission in an acceptable form as stated herein. Application fee is non-refundable.

3-05. **Application Review.** The Commission shall review the application for completeness and accuracy; submit the necessary documentation for the completion of the required background check; review any other relevant information in the files of the DMV, Nassau County Police Department or any other law enforcement body as necessary and prudent.

- a. In the event the application is found to be incomplete or deficient in any manner, the commission shall notify the applicant, in writing, of said deficiencies. The applicant shall have ten (10) business days, from the receipt of notice, to submit a corrected application. Should the applicant fail to do so within ten days, the application shall be deemed to have been denied and a new application required.

3-06. **Denial of an application.** In determining the issuance or renewal of a for-hire vehicle registration the Commission's review may consist of, but is not limited to, whether or not the applicant has violated any of the provisions of these rules or other applicable law; the applicants complete violation and enforcement history; and, the violation and enforcement history of any corporation, partnership or business entity, currently operating or which previously operated as, a for-hire vehicle owner, in which the applicant was previously a controlling entity. The making of false statements is punishable as a crime pursuant to the New York State Penal Law and may constitute grounds for denial of a NCTLC registration.

- a. No for-hire vehicle owner may register or renew a registration of a for-hire vehicle unless and until all outstanding fines or fees owing to the County of Nassau or to any other qualified jurisdiction or to a municipality within the County of Nassau are paid.
- b. Any and all existing for-hire vehicle registrations of a vehicle owner, against whom there is an outstanding judgment and/or civil fine, levied by the Commission and/or any other qualified jurisdiction and/or any licensing municipality within the County of Nassau, shall be suspended

until such time as all the outstanding judgments and/or civil fines are satisfied or paid.

TERMS OF FOR-HIRE VEHICLE REGISTRATION

- 3-07. A for-hire vehicle registration shall expire one year subsequent to the date the registration was issued. The Commissioner may, in his/her discretion, extend the expiration date of such registration by up to an additional thirty-one (31) days.
- 3-08. Any for-hire vehicle owner having applied to the Commission with a letter from a town, city or village within the County of Nassau, declaring that the owner's vehicle(s) is(are) "in the process of receiving a license" and including all information as set forth in §3-01.d.i-iii shall be permitted to register such vehicle(s) for a period of up to one (1) year or until notification by the issuing town, city or village of license application denial, whichever comes first. Upon notification of a license application denial all issued Commission registrations and all DMV registrations issued as a result of such "in the process" letter shall be suspended and must be immediately turned in to the Commission.
- 3-09. An applicant for an original or renewal for-hire vehicle registration shall designate the for-hire vehicle operator or driver as agent for service of process from the Commission, which may be issued against the titled owner, registered owner or lessee.
- 3-10. A renewing for-hire vehicle registration applicant must file a completed application, as determined by the Commission, on or before the due date on the Commission for-hire vehicle registration renewal notification.
- 3-11. Any for-hire vehicle engaged in for-hire activity after the expiration date of a for-hire vehicle registration and before the issuance of a renewal registration may subject the for-hire vehicle owner to penalties pursuant to applicable statutes and regulations, regardless of whether said for-hire vehicle is currently licensed by any licensing municipality.
- 3-12. A for-hire vehicle owner shall pay all fines, settlements, penalties and fees assessed or agreed to and fulfill any additional requirements by the Commission pursuant to these rules and regulations. If a for-hire vehicle owner fails to pay any fines, settlements, penalties or fees owed to the Commission or County of Nassau or fails to fulfill any requirements, all owned for-hire vehicle registrations may be suspended and all owned for-hire vehicles may be seized and held until all monies owed are paid in full and/or all requirements met.
- 3-13. All required for-hire vehicle owners failing to renew their Commission registration within thirty (30) days after the expiration date are subject to enforcement proceedings and may have their DMV registration suspended or revoked for having no Commission registration.

- 3-14. All for-hire vehicle owners must register each of their for-hire vehicles with NCTLC license plates. Vehicles licensed by and required to have New York City Taxi and Limousine Commission or Westchester County Taxi and Limousine Commission license plates or out of state plates are exempt from this rule.
- 3-15. Any for-hire vehicle owner registering a for-hire vehicle with the DMV and the Commission with a declared seating capacity less than the vehicle actually has, as evidenced by the actual number of passengers found in the vehicle or by measurement, may have the Commission registration of such vehicle revoked immediately at the time the actual seating capacity is determined, subjecting such vehicle to impoundment as an unregistered for-hire vehicle with owner and operator in violation of NYS Vehicle and Traffic Law §392 and such vehicle owner and operator subject to all applicable penalties therefor.
- 3-16. No for-hire vehicle shall be permitted to have less than three (3) operable doors.
- 3-17. Any vehicle that otherwise meets the requirements described herein, operated and insured solely for funeral transportation, shall be exempt from all registration requirements. Any exempt vehicle found to be operating as a for-hire vehicle in any non-exempt function, including but not limited to proms and weddings, shall be subject to enforcement as an unregistered for-hire vehicle, including but not limited to seizure and impoundment of said vehicle.
- 3-18. A for-hire vehicle registration may be issued to a for-hire vehicle owner for a for-hire vehicle regardless of whether that vehicle is dispatched from a base within a licensing municipality or not.

FOR-HIRE VEHICLE REGISTRATIONS

- 3-19. **Diamond:** A decal issued by the Commission evidencing the registration of a for-hire vehicle, being dispatched from a base station within Nassau County, registered to conduct one point and point-to-point trips within Nassau County, SUBJECT TO the laws, rules, regulations and licensing requirements of any regulating town, city or village within Nassau County.
- 3-20. **Circle:** A decal issued by the Commission evidencing the registration of a for-hire vehicle, being dispatched from a base station within Nassau County, registered to conduct one point and point-to-point trips in Nassau County, SUBJECT TO the laws, rules, regulations and licensing requirements of any regulating town, city or village within Nassau County, and;
 - a. Authorizes the for-hire vehicle to conduct one point trips in a qualified jurisdiction outside of Nassau County pursuant to §498 of the New York Vehicle and Traffic Law.
 - b. For-hire vehicles possessing a circle decal **MUST** be operated by a for-hire vehicle driver possessing a valid NCTLC hack license.

- 3-21. **Out-of-county circle:** A decal issued by the Commission evidencing the registration of a for-hire limousine, being dispatched from a base station not within Nassau County, registered to conduct one point and point-to-point trips in Nassau County, SUBJECT TO the laws, rules, regulations and licensing requirements of any regulating town, city or village within Nassau County, and;
- a. Authorizes the for-hire limousine to conduct one point trips in a qualified jurisdiction outside of Nassau County pursuant to §498 of the New York Vehicle and Traffic Law.
 - b. For-hire vehicles possessing a circle decal **MUST** be operated by a for-hire vehicle driver possessing a valid NCTLC hack license.

FOR-HIRE VEHICLE OWNER CONDUCT

- 3-22. For-hire vehicle owners shall be responsible for the acts of a driver who operates the for-hire vehicle as the agent of the owner.
- 3-23. A for-hire vehicle registration shall be valid only while the NYS registration of the vehicle remains valid, or in a case where a vehicle is registered in another state, while the vehicle registration issued by such state remains valid.
- a. Operation of a for-hire vehicle without a valid NYS registration or in a case where a vehicle is registered in another state without a valid registration from such state, is operation without a Commission registration, regardless of whether such registration had previously been obtained while a New York or other state registration was valid.
 - b. A for-hire vehicle owner shall immediately surrender his for-hire vehicle registration to the Commission upon the expiration, restriction, suspension or revocation of the NYS or other state vehicle registration.
- 3-24. A for-hire vehicle owner shall not dispatch nor permit another person to dispatch a for-hire vehicle without a valid Commission for-hire vehicle registration.
- 3-25. A for-hire vehicle owner shall not dispatch nor permit another person to dispatch a for-hire vehicle without a valid local for-hire vehicle license, when such license is required.
- 3-26. A for-hire vehicle owner shall not dispatch nor permit another person to dispatch a for-hire vehicle unless operated by a driver whose for-hire vehicle driver license is valid, as defined herein.
- 3-27. A for-hire vehicle owner shall not dispatch nor permit another person to dispatch a for-hire vehicle in violation of the NYS Vehicle and Traffic Law, Nassau County local law, and any other applicable ordinances, rules or regulations.

- 3-28. A for-hire vehicle owner shall not dispatch nor permit another person to dispatch a for-hire vehicle which is substantially different from the vehicle that the for-hire vehicle owner has contracted to provide.
 - a. Substantially different shall be construed to include but not be limited to the following: presence and number of bathrooms in the FHV; seating capacity of the FHV; make and model of the FHV where such has been specifically requested and contracted for by the customer, and; any specific function or feature of the FHV that has been specifically requested and contracted for by the customer.
- 3-29. A for-hire vehicle owner shall not dispatch nor permit another person to dispatch a for-hire vehicle with more than one Commission registration decal affixed to the windshield.
- 3-30. A for-hire vehicle owner shall not dispatch nor permit another person to dispatch a for-hire vehicle unless the driver's chauffeur's license as defined herein is valid.
- 3-31. No for-hire vehicle owner shall knowingly allow a registered vehicle to be dispatched where the driver is under the influence of any drugs or alcohol or whose driving ability is in any way impaired.
- 3-32. A for-hire vehicle owner or dispatcher shall return any personal property left by any passenger of such for-hire vehicle to the Nassau County police precinct of occurrence within twenty-four (24) hours as per NYS Personal Property Law Article 7-B.
- 3-33. A for-hire vehicle owner shall comply with the NYS Vehicle and Traffic Law and the NYS Insurance Law regarding coverage by bond or policy of liability insurance and all other forms of insurance required by law.
- 3-34. A for-hire vehicle owner and base station shall comply with all provisions of the NYS Workers' Compensation Law and rules and regulations promulgated thereunder with respect to the provision of coverage and benefits to eligible persons.
- 3-35. A for-hire vehicle owner, who receives notice that his liability insurance is to be terminated, shall surrender his for-hire vehicle registration certificate and decal to the Commission on or before the termination date of the insurance, unless the owner of the vehicle submits proof of new insurance effective on the date of the termination of the policy.
- 3-36. Within seven days, exclusive of holidays and weekends, a for-hire vehicle owner shall notify the Commission in writing of any change in insurance carrier or coverage, specifying the name and address of the insurance carrier.

- 3-37. A for-hire vehicle owner shall immediately report to the Commission in writing when the registered for-hire vehicle is removed permanently from for-hire service.
- 3-38. For-hire vehicle registration certificates and decals shall be maintained in a legible condition in the registered vehicle.
- 3-39. No unauthorized entry shall be made on either the for-hire vehicle registration certificate or decal nor shall any entry on either the for-hire vehicle registration certificate or decal be changed or defaced.
- 3-40. An illegible for-hire vehicle registration decal shall be immediately surrendered to the Commission for replacement, at the cost of the applicant.
- 3-41. A for-hire vehicle owner shall notify the Commission of the theft, loss or destruction of a for-hire vehicle decal, within twenty-four hours or the next business day, whichever occurs earlier, of such theft, loss or destruction and shall furnish the Commission with an affidavit or such information as may be required, and shall replace the decal, at the cost of the applicant.
- 3-42. A for-hire vehicle owner shall be responsible for ensuring that the replacement of any lost or stolen NYS license plates is reported to the Commission within twenty-four hours, exclusive of weekends and holidays after obtaining such plates.
- 3-43. Every for-hire vehicle driver who operates a for-hire vehicle shall be deemed an agent of the for-hire vehicle owner for acceptance of service of tickets or notices, from the Commission or NCTLC personnel, including but not limited to tickets or notices to correct defects in the vehicle. Delivery of such tickets or notice to a for-driver shall be deemed proper service of the ticket or notice on the for-hire vehicle owner.
- 3-44. A for-hire vehicle owner shall notify the Commission in person or by first class mail, within seven days, exclusive of weekends and holidays, of any change in mailing address. Any notice, directives or other communication from the Commission shall be deemed sufficient if sent to the last mailing address furnished by the for-hire vehicle owner.
- 3-45. A for-hire vehicle owner shall comply with all Commission notices and directives within the time limits set forth therein, including but not limited to those concerning complaints, tickets, hearings and vehicle defect repairs. Failure to do so may result in suspension or revocation of for-hire vehicle registrations.
- 3-46. A for-hire vehicle owner shall maintain on file with the Commission a current telephone number, which must be connected to an answering machine or recording device, a pager number, an answering service telephone number or

similar means of telephone contact so that the owner may be reached by the Commission on a twenty-four (24) hour basis. Failure to do so may result in suspension or revocation of for-hire vehicle registrations.

- 3-47. A for-hire vehicle owner shall maintain on file with the Commission a current e-mail address that is checked on a daily basis, so that the owner may be reached by the Commission on a twenty-four (24) hour basis. Failure to do so may result in suspension or revocation of for-hire vehicle registrations.
- 3-48. A for-hire vehicle owner must respond to any telephone message, telephone pager contact or e-mail from the Commission within forty-eight hours, seven days a week. Failure to do so may result in suspension or revocation of for-hire vehicle registrations.
- 3-49. A for-hire vehicle owner must respond to any written communication, received via United States Postal Service, within seven days of receipt of such communication. Failure to do so may result in suspension or revocation of for-hire vehicle registrations.
- 3-50. A for-hire vehicle owner shall keep all trip sheets / passenger logs in a secure location for a period of no less than one year after such trip and made available for inspection upon request by a police officer, peace officer or other person authorized by the Commission during this time.
- 3-51. A for-hire vehicle owner shall not permit a for-hire vehicle to operate in for-hire service unless the vehicle is in compliance with the following:
 - a. A valid Commission registration decal is affixed to the front right (passenger's side) windshield of the vehicle so as to be plainly visible.
 - b. A valid DMV registration sticker is affixed to the front left (driver's side) windshield so as to be plainly visible, or in a case where a vehicle is registered in another state, a registration sticker or other registration identifier shall be affixed to the vehicle as designated
 - c. A valid DMV inspection sticker is affixed to the front left (driver's side) windshield so as to be plainly visible, or in a case where a vehicle is registered in another state, an inspection sticker or other inspection identifier shall be affixed to the vehicle as designated by such state. For-hire vehicles shall be inspected annually, and at any other time the Commission has reason to believe that the vehicle is unfit or unsafe for use.
 - d. The vehicle identification number (VIN) and the current plate number on the state registration of a for-hire vehicle shall match the VIN and plate number on the Commission decal, if any, and shall match the VIN and plate number on the vehicle.
- 3-52. A for-hire vehicle owner shall not permit a for-hire vehicle to operate in for-hire service unless the following documents are present in the vehicle:

- a. The driver's valid chauffeur's license as defined herein;
 - b. The driver's valid NCTLC or Municipal Hack License, as defined herein;
 - c. The NYS vehicle registration certificate or photocopy thereof, or in a case where a vehicle is registered in another state, a registration certificate or photocopy thereof of a vehicle registration issued by such other state;
 - d. The Commission registration certificate or photocopy thereof;
 - e. Valid insurance card or photocopy thereof, and
 - f. A trip sheet / passenger log as defined herein. Failure to present a trip sheet / passenger log to a police officer, Commission officer or other authorized employee or agent of the Nassau County Taxi and Limousine Commission on their request shall be presumptive evidence of illegal inter-jurisdictional operation as per NYS Vehicle and Traffic Law, section 498 (3)(i).
- 3-53. A for-hire vehicle owner shall not permit a for-hire vehicle to be operated without a daily personal inspection and a reasonable determination that all equipment, including but not limited to, air conditioning, heating, tires, brakes, lights, signals, and passenger seat belts and shoulder belts, is in good working order; the vehicle is clean inside and out and the vehicle meets all equipment requirements of the NYS Vehicle and Traffic Law and these rules. For-hire vehicles owners shall keep a log of such daily inspection and present such log to any a police officer, Commission officer or other authorized employee or agent of the Nassau County Taxi and Limousine Commission upon their request for inspection.
- 3-54. A for-hire vehicle owner shall not allow a vehicle to operate as a for-hire vehicle when authorized representatives of the Commission or of a qualified jurisdiction, the Police, the DMV or the DOT has determined that the vehicle is unsafe or unfit for use as a for-hire vehicle and the vehicle owner has been directed to remove such vehicle from service.
- 3-55. A for-hire vehicle owner shall not allow a vehicle to operate as a for-hire vehicle unless all seat belts and shoulder belts are clearly visible, accessible and in good working order. Each for-hire vehicle shall be equipped with shoulder belts for both outside rear seat passenger positions and shall be in compliance with NYS Vehicle and Traffic Law §375(51)(a) and (b) – “Adam’s Law”, requiring legible and conspicuous posting to all passengers in all seating positions the following notice: “Seatbelts must be available for your use. Please buckle up.”
- 3-56. A for-hire vehicle owner shall not dispatch nor permit another person to dispatch a for-hire vehicle without valid NCTLC license plates being affixed to both the front and back of the vehicle in the proper location.
- 3-57. For-hire vehicle plates and registrations shall not be transferred until all fines accrued in connection with the vehicle plates or registrations are being transferred from are paid in full.

3-58. A for-hire vehicle owner shall notify the Commission in writing of the change of a vehicle's advertised company within five (5) days of such change.

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§ 4. FOR-HIRE VEHICLE DRIVERS

APPLICATION PROCEDURE

- 4-01. **Application for an NCTLC for-hire vehicle driver's license:** A first-time application submitted by a for-hire vehicle driver for an NCTLC for-hire vehicle driver's license shall consist of the following:
- a. Completed NCTLC first-time application form;
 - b. Proof that the applicant has a valid chauffeur's license as defined herein;
 - c. Proof that the applicant has completed a New York State DMV-certified defensive driving course at a school, facility or agency approved by the Commission. Said course must have been completed within six months prior to the application.
 - d. Applicant shall submit to being fingerprinted for the purpose of securing criminal history records from the NYS Division of Criminal Justice Services. The applicant shall pay any processing fee required by the State.
 - e. Applicant, other than an applicant who is a current Nassau County Police Officer, shall submit to being tested for drugs or controlled substances, as set forth in §3306 of the NYS Public Health Law. Such testing shall be performed by an individual or entity designated by the Commission and possessing a requisite permit issued by the NYS Department of Health. The applicant shall pay any processing fee required for the test directly to the testing lab.
 - f. Payment of the application fee, in full, at the time of submission in an acceptable form as stated herein. Application fee is non-refundable.
- 4-02. **Application for renewal of an NCTLC for-hire vehicle driver's license:** An application submitted by a for-hire vehicle driver for the renewal of an NCTLC for-hire vehicle driver's license shall consist of the following:
- a. Completed NCTLC renewal application form;
 - b. Proof that the applicant has a valid chauffeur's license as defined herein;
 - c. Proof that the applicant has completed a New York State DMV-certified defensive driving course at a school, facility or agency approved by the Commission. Said course must have been completed within three years prior to the application for renewal.
 - d. Applicant, other than an applicant who is a current Nassau County Police Officer, shall submit to being tested for drugs or controlled substances, as set forth in §3306 of the NYS Public Health Law. Such testing shall be performed by an individual or entity designated by the Commission and possessing a requisite permit issued by the NYS Department of Health. The applicant shall pay any processing fee required for the test directly to the testing lab.
 - e. Payment of the application fee, in full, at the time of submission in an acceptable form as stated herein. Application fee is non-refundable.

- 4-03. **Application review:** The Commission shall review the application for completeness and accuracy; submit the necessary documentation for the completion of the required background check; review the results of the applicant's test for drugs and controlled substances; review any other relevant information in the files of the DMV, Nassau County Police Department or any other law enforcement body as necessary and prudent.
- a. In the event the application is found to be incomplete or deficient in any manner, the commission shall notify the applicant, in writing, of said deficiencies. The applicant shall have ten (10) business days, from the receipt of notice, to submit a corrected application. Should the applicant fail to do so within ten days, the application shall be deemed to have been denied and a new application required.
- 4-04. **Denial of an application.** In determining the issuance or renewal of an NCTLC for-hire vehicle driver's license the Commission's review may consist of, but is not limited to, whether or not the applicant has violated any of the provisions of these rules or other applicable law and the applicant's complete violation and enforcement history. The making of false statements is punishable as a crime pursuant to the New York State Penal Law and may constitute grounds for denial of a NCTLC registration.
- a. Any applicant, new or renewal, who tests positive for any controlled substance or intoxicating liquors shall be denied an NCTLC for-hire vehicle driver's license, and the NCTLC for-hire vehicle driver's license of any licensee who tests positive for controlled substances or intoxicating liquors shall be revoked, following notice and a hearing and a ruling adverse to the applicant.
 - b. No for-hire vehicle driver may be granted an NCTLC for-hire vehicle driver's license or license renewal unless and until all outstanding fines or fees owing to the County of Nassau or to any other qualified jurisdiction or to a municipality within the County of Nassau are paid.
 - c. The NCTLC for-hire vehicle driver's license of a for-hire vehicle driver, against whom there is an outstanding judgment and/or civil fine, levied by the Commission and/or any other qualified jurisdiction and/or any licensing municipality within the County of Nassau, shall be suspended until such time as all the outstanding judgments and/or civil fines are satisfied or paid.
 - d. Any applicant for a new, or renewal, NCTLC for-hire vehicle driver's license shall be denied, and an existing NCTLC for-hire vehicle driver's license shall be suspended or revoked, upon conviction of the applicant or licensee of a serious criminal offense as set forth in section 498(1)(f) of the NYS Vehicle and Traffic Law.
 - e. In the event an application is denied by the Commission, a notice of such denial shall be mailed to the applicant, and shall include a statement containing the reason for denial as well as instructions for how an appeal may be made.

TERMS OF NCTLC FOR-HIRE VEHICLE DRIVER'S LICENSE

- 4-05. An NCTLC for-hire vehicle driver's license shall expire one (1) year subsequent to the date the license was issued. The Commissioner may, in his/her discretion, extend the expiration date of such license by up to an additional thirty-one (31) days.
- 4-06. Failure of a for-hire vehicle driver licensee to be tested by the expiration date of such license shall result in denial of an NCTLC for-hire vehicle driver's license renewal application, if any, and expiration of the license. If such licensee fulfills his or her for-hire vehicle driver license renewal requirements, including undergoing the required drug testing, within thirty (30) days after the expiration of the license, such licensee shall be required to pay a late fee of twenty-five dollars (\$25.00). If such licensee fulfills his or her for-hire vehicle driver license renewal requirements, including undergoing the required drug testing, between thirty (30) and sixty (60) days after the expiration of the license, such licensee shall be required to pay a late fee of fifty dollars (\$50.00). A for-hire vehicle driver license cannot be renewed if all renewal requirements are not fulfilled within sixty (60) days after the expiration of the license.
- 4-07. A renewing NCTLC for-hire vehicle driver's license applicant must file a completed application, as determined by the Commission, on or before the due date on the Commission for-hire vehicle driver license renewal notification.
- 4-08. A driver who engages in for-hire vehicle activity after the expiration date of an NCTLC for-hire vehicle driver's license and before the issuance of a renewal NCTLC for-hire vehicle driver's license shall be deemed to be operating as an unlicensed for-hire vehicle driver and subject to enforcement pursuant to these rules and regulations.
- 4-09. A driver shall pay all fines, settlements, penalties and fees assessed or agreed to and fulfill any additional requirements by the Commission within the time allotted by a Hearing Officer, authorized employee or agent of the Nassau County Taxi and Limousine Commission and/or the Commissioner. If an individual driver fails to pay any fines, settlements, penalties or fees owed to the Commission or County of Nassau and/or fails to fulfill any requirements, his/her NCTLC for-hire vehicle driver's license may be suspended, all owned for-hire vehicle registrations may be suspended and all owned for-hire vehicles may be seized and held until all monies owed are paid in full and/or all requirements met. NCTLC for-hire vehicle driver's license and for-hire vehicle registration suspensions shall be effective immediately at the close of business on the day payment and/or terms of settlement are due to be completed.
- 4-10. The for-hire vehicle driver license of a driver may be suspended in emergency situations where the Commissioner determines that a suspension is necessary to protect the riding public.

FOR-HIRE VEHICLE DRIVER CONDUCT

- 4-11. A for-hire vehicle driver shall not operate a for-hire vehicle without a valid for-hire vehicle driver's/hack license issued by the NCTLC or a licensing municipality, as required by NCTLC rules and regulations, or the law, rules or regulations of any licensing municipality.
- a. Registered for-hire vehicles found operating without the driver in possession of a valid for-hire vehicle driver's/hack license, as defined herein, may immediately have the for-hire vehicle registration revoked and may subject the vehicle to impoundment as an unregistered for-hire vehicle and the owner and driver to enforcement pursuant to these rules and regulations;
- 4-12. A for-hire vehicle driver shall not operate a for-hire vehicle without a valid chauffeur's license, as defined herein.
- 4-13. A for-hire vehicle driver shall not operate a for-hire vehicle without a valid Commission for-hire vehicle registration decal affixed to the front right (passenger's side) windshield so as to be plainly visible and the following items shall be present in the vehicle:
- a. The driver's valid chauffeur's license as defined herein;
 - b. The driver's valid NCTLC or municipal for-hire vehicle driver's license/hack license, as defined herein, conspicuously displayed;
 - i. Registered for-hire vehicles found operating without the driver in possession of a valid for-hire vehicle driver's/hack license, as defined herein, will immediately have the for-hire vehicle registration revoked and may subject the vehicle to impoundment as an unregistered for-hire vehicle and the owner and driver to enforcement pursuant to these rules and regulations;
 - c. The Commission for-hire vehicle registration certificate or photocopy thereof;
 - d. The NYS vehicle registration certificate or photocopy thereof, or in a case where a vehicle is registered in another state, a registration certificate or photocopy thereof of a vehicle registration issued by such other state,
 - e. A valid insurance card or photocopy thereof, and
 - f. A trip sheet / passenger log as defined herein.
 - i. Failure of a driver to present a trip sheet / passenger log to a police officer, Commission Investigator or other authorized employee or agent of the Nassau County Taxi and Limousine Commission on their request shall be presumptive evidence of illegal inter-jurisdictional operation as per NYS Vehicle and Traffic Law, section 498 (3) (i).
- 4-14. A for-hire vehicle driver shall not smoke nor permit any passengers to smoke while operating a for-hire vehicle as per the NYS Public Health Law Article 13-E, section 1399-O, subsection 5.

- 4-15. A for-hire vehicle driver shall not pick up additional passengers except if the passenger who hired the vehicle requests that the driver do so.
- 4-16. A for-hire vehicle driver shall not solicit or pick up passengers by any means other than pre-arranged for-hire vehicle transportation, arranged and dispatched to the driver by a base station, subject to the laws, rules and regulations of any municipality located within Nassau County.
- 4-17. A for-hire vehicle driver, while operating a for-hire vehicle shall not have in his or her possession or in the vehicle, a weapon as defined herein, or any other instrument which is intended to be used as a weapon. This includes any weapon that the driver may otherwise be licensed to carry.
- a. Any off-duty police officer, working or employed during off-duty hours as a for-hire vehicle driver, and who is required to carry a weapon at all times pursuant to the regulations of the officer's employing department, shall apply to the Commission for a waiver of this provision, and shall carry at all times while working as a for-hire vehicle driver, a valid Commission waiver certificate or photocopy thereof.
- 4-18. A for-hire vehicle driver, during his or her work shift, shall keep the for-hire vehicles interior clean, including but not limited to free of excessive refuse, passenger seating areas devoid of excessive paperwork or personal property of the for-hire vehicle driver, and all entrances and exits shall be devoid of anything that could impede or prevent the entering or exiting of the for-hire vehicle.
- 4-19. A driver shall be clean and neat in dress and person. A driver may not wear as outer clothing: underwear, tank tops, tube tops, body shirts, swimwear, bathing trunks or cut-off shorts.
- 4-20. A for-hire vehicle driver shall not operate a for-hire vehicle without all equipment, including but not limited to, air conditioning, heating, tires, brakes, lights, signals, and passenger seat belts and shoulder belts being in good working order.
- 4-21. A for-hire vehicle driver shall not operate a for-hire vehicle in violation of the NYS Vehicle and Traffic Law, New York State Penal Law, Nassau County local law, and/or any other applicable ordinances, rules or regulations.
- 4-22. A for-hire vehicle driver shall not refuse to transport any person with a physical disability who is capable of entering and exiting the vehicle with or without reasonable assistance or any service animal assisting such person.
- 4-23. A for-hire vehicle driver shall return any personal property left by any passenger to the Nassau County police precinct of occurrence prior to the end of his or her work shift as per NYS Personal Property Law Article 7-B.

- 4-24. A for-hire vehicle driver shall not operate a for-hire vehicle under the influence of any controlled substances, drugs or alcohol or if his or her driving ability is in any way impaired.
- 4-25. If involved in an accident while operating a for-hire vehicle, a for-hire vehicle driver shall provide the following upon request:
- a. The driver's valid chauffeur's license as defined herein;
 - b. The driver's NCTLC or municipal for-hire vehicle driver's/hack license;
 - c. The vehicle's NCTLC for-hire vehicle registration;
 - d. The vehicle's DMV license plate number;
 - e. The vehicle's insurance carrier and insurance policy number;
 - f. A for-hire vehicle driver may not leave the scene of an accident until all of the above have been provided to any injured party or owner of damaged property.
- 4-26. A for-hire vehicle driver shall:
- a. Comply with all Commission notices and directives within the time limits set forth therein, including but not limited to those concerning tickets, complaints and hearings.
 - b. Comply in a timely manner with any lawful directive by a police officer, Commission Investigator or other authorized employee or agent of the Nassau County Taxi and Limousine Commission.
- 4-27. For-hire vehicle driver's/hack licenses shall be maintained in a legible condition and no unauthorized entry shall be made on it, nor shall the license be altered or defaced in any way, including the picture attached thereto.
- a. An illegible or unreadable NCTLC for-hire vehicle driver's license shall be immediately surrendered to the Commission for replacement at the sole cost and expense of the for-hire vehicle driver.
 - b. A for-hire vehicle driver shall immediately notify the Commission of the theft, loss or destruction of their NCTLC for-hire vehicle driver's license and shall furnish the Commission with an affidavit or such information as may be required, and shall replace the license at the sole cost and expense of the for-hire vehicle driver.
- 4-28. For-hire vehicle driver shall not operate a for-hire vehicle while using a telephone, including a cell phone, unless the vehicle is lawfully standing or parked, or unless driver is using a lawful hands-free device.
- 4-29. For-hire vehicle driver's licenses are NON-TRANSFERABLE and a for-hire vehicle driver shall not allow another individual to use his/her for-hire vehicle driver's license in any manner.
- 4-30. A for-hire vehicle driver shall maintain on file with the Commission the following information:

- a. A current mailing address. A for-hire vehicle driver shall notify the Commission in person or by first class mail, within seven days, exclusive of weekends and holidays, of any change in mailing address. Any notice, directives or other communication from the Commission shall be deemed sufficient if sent to the last mailing address furnished by the for-hire vehicle driver.
- b. A current telephone number, which must be connected to an answering machine or recording device, a pager number, an answering service telephone number or similar means of telephone contact so that the driver may be reached by the Commission on a twenty-four (24) hour basis.
- c. A current electronic mail address so that the driver may be reached by the Commission on a twenty-four (24) hour basis.
- d. A for-hire vehicle driver licensee must respond to any telephone, pager or electronic mail contact from the Commission within forty-eight hours, seven days a week.
- e. Failure to comply with the foregoing could result in suspension of for-hire vehicle driver's license.

4-31. Critical Driver Program.

- a. The for-hire vehicle driver license of any driver who, within a period of fifteen (15) months, accumulates six (6) or more points against his license issued by the DMV or an equivalent license issued by the driver's state of residence, unless previously revoked, shall be suspended for thirty (30) days.
- b. The for-hire vehicle driver license of any driver who, within a period of fifteen (15) months, accumulates ten (10) or more points against his license issued by the DMV or an equivalent license issued by the driver's state of residence shall be revoked.
- c. The Commissioner may at any time review the fitness of a currently licensed for-hire vehicle driver or a for-hire vehicle driver license applicant concerning any moving violation, accident, or other driving related incident. Nothing contained herein shall preclude the imposition by the Commission of additional or more severe penalties, or any other action deemed appropriate by the Commissioner.
- d. For the purpose of this rule, the points assigned by the DMV for any violation shall be deemed to have been accumulated as of the date of occurrence of the violation.
- e. The relevant fifteen (15) month period to be used for calculating any suspension or revocation imposed under subsection (a) or (b) herein shall be calculated from the date of the most recent occurrence which led to a conviction of a violation carrying points.
- f. For the purpose of calculating penalties pursuant to subsection (a) or (b), herein, a driver who has accumulated points for multiple violations arising from a single incident shall be deemed to have accumulated points for the single violation with the highest point total.

- 4-32. Program for Persistent Violators of For-Hire Vehicle Rules.
- a. Any for-hire vehicle driver who has been found guilty of six (6) or more Commission violations that occurred within the term of his current license period and whose license has not been revoked shall have his NCTL license suspended for thirty (30) days.
 - b. Any driver who has been found guilty of (10) or more Commission violations that occurred within the term of his current license period shall have his NCTL for-hire vehicle driver's license revoked.
 - c. For the purpose of subdivisions (a) through (c) of this section, a driver who has been charged with multiple violations arising from a single incident but has plead guilty to one violation as part of a settlement agreement, shall have only the one violation to which he/she plead guilty count against his/her license.
 - d. The penalties set forth herein will be imposed following a hearing or settlement conference wherein a settlement was reached. These penalties will be added to those imposed for the underlying rule and regulation violations.
 - e. The minimum penalties set forth in subdivision (a) through (c) of this section shall not preclude the imposition by the Commission of additional or more severe penalties in accordance with Rules and Regulations of the Commission.
- 4-33. For-hire vehicle driver shall remain courteous when interacting with a police officer, commission investigator, other authorized employee or agent of the Nassau County Taxi and Limousine Commission, passenger or any other person.
- 4-34. For-hire vehicle driver shall not threaten, harass, abuse, use physical force in any manner against any police officer, commission investigator, other authorized employee or agent of the Nassau County Taxi and Limousine Commission, passenger or any other person.
- 4-35. A for-hire vehicle driver shall not commit or attempt to commit, alone or in concert with another, any act of fraud, misrepresentation or larceny against a passenger, member of the public or any other person.
- 4-36. A for-hire vehicle driver shall not offer, give or accept any gift, gratuity or thing of value, to any police officer, commission investigator, other authorized employee or agent of the Nassau County Taxi and Limousine Commission, or any person employed by any airport, Port Authority of New York, LIRR, Metro North, or the Metropolitan Transit Authority.

§ 5. FEES

- 5-01. All registration and/or licensing fees shall be paid in full at the time of submission of any application via certified or bank check, money order purchased not more than thirty (30) days prior to the date of submission, cash or valid credit card. Fees SHALL NOT be refunded in the event of a denial of an application for cause.
- 5-02. Fees for drug, controlled substance and intoxicating liquors testing are set by the testing facilities and are to be paid directly to the testing facility in a form and amount required by such testing facility.
- 5-03. Fees for defensive driving courses are set by the course provider and are to be paid directly to the course provider in a form and amount required by such course provider.
- 5-04. For-hire vehicle registration fees shall be as follows:
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|----|---|--------|
| a. | Vehicle registration | \$300. |
| b. | Renewal vehicle registration (annual) | \$250. |
| c. | Vehicle registration, licensed by licensing municipality | \$5. |
| d. | Renewal vehicle registration, licensed by licensing municipality (annual) | \$5. |
| e. | Out-of-county limousine vehicle registration | \$350. |
| f. | Renewal out-of-county limousine vehicle registration (annual) | \$300 |
| g. | NCTLC vehicle license plates | \$25. |
| h. | Fingerprinting/background checks | \$75 |
- 5-05. NCTLC For-Hire Vehicle Driver's license fees shall be as follows:
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|----|-------------------------------------|--------|
| a. | NCTLC hack license | \$100. |
| b. | Renewal NCTLC hack license (annual) | \$75. |
| c. | Fingerprinting/background checks | \$75 |
- 5-06. Administrative fees shall be as follows:
- | | | |
|------|---|-----------------|
| a. | Late filing fee | |
| i. | Renewal vehicle registration (all classes) | \$50. |
| ii. | Renewal NCTLC hack license, within 30 days | \$50. |
| iii. | Renewal NCTLC hack license, within 60 days | \$75. |
| b. | Replacement fee (registrations and licenses) | \$50. |
| c. | Suspension lift fee (registrations and licenses) | \$25. |
| d. | Bounced, dishonored or returned check fee
(in addition to any bounced, dishonored or returned check fees incurred by NCTLC or Nassau County) | \$25 |
| e. | Stopped or dishonored credit card fee | \$100. |
| f. | Duplication fee | \$.25¢ per page |

- 5-07. There is no fee to amend a document previously submitted to NCTLC unless such amendment would require the re-printing of any for-hire vehicle registration or NCTLC hack license, in which case a replacement fee would be charged.
- 5-08. In addition to the fees set forth above for any bounced, dishonored and/or returned check, any for-hire vehicle registration or NCTLC hack license upon which said check is based shall be suspended until such time as any and all payments and fees due the Commission and/or Nassau County have been paid.
- 5-09. In addition to the fees set forth above for any credit card payment being stopped or dishonored, any for-hire vehicle registration or NCTLC hack license upon which said credit card payment is based shall be revoked. The issuance of said for-hire vehicle registration or NCTLC hack license would then require the submission of a new application and new application fee.

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§ 6. ENFORCEMENT AND HEARINGS

- 6-01. The Nassau County Taxi and Limousine Commission may issue a Ticket and Summons to Appear for Pre-Hearing Conference to anyone alleged to have violated any provision of the Rules and Regulations of the Nassau County Taxi and Limousine Commission.
- 6-02. The rules and regulations herein shall be enforced by the Commission Investigators of the Nassau County Taxi and Limousine Commission, the Officers of the Nassau County Police Department, the Officers of any local police jurisdiction within Nassau County and/or any other employee or agent of the Nassau County Taxi and Limousine Commission, as authorized by law. Any for-hire vehicle or driver that/who is found to be in violation of these rules and regulations shall be issued a Ticket and Summons to Appear for Pre-hearing Conference.

CONTENT AND FORM OF TICKET AND SUMMONS TO APPEAR

- 6-03. The summons to appear shall contain the following information:
- a. Name of the Respondent
 - b. NYS Driver's License Number, if any
 - c. For-hire vehicle driver's/hack license Number, if any, and an indication whether it is an NCTLC or municipal for-hire vehicle driver's/hack license, and the licensing municipality
 - d. VIN number of the vehicle
 - e. For-hire vehicle registration number, if any
 - f. Date of Issuance
 - g. Section of the Rules and Regulations alleged to have been violated
 - h. Nature of the charge
 - i. Penalty sought
 - j. Signature of the Commission Investigator, Police Officer or other issuing agent
 - k. Date, time and place of appearance
 - l. A statement that the Respondent has a right to a hearing, has the right to be represented by counsel and the right to cross-examine and present witnesses and evidence
 - m. A statement that a personal appearance of the Respondent is required if pleading "not guilty" or wishing to participate in a pre-hearing conference.
 - n. A statement that if the respondent may, if he/she so wishes, enter a plea of "guilty" by mail, pay the fines as listed on the ticket, either in person, by mail or via the Commission web-site, without having to appear, and instructions on how to do so.
 - o. A warning that failure to appear at such conference shall constitute a default whereby respondent waives a pre-hearing conference and the administrative law judge may immediately proceed with a hearing in the respondent's absence and a determination may be made against the

respondent without any further opportunity to be heard or offer evidence by the respondent.

- p. A statement that an adjournment may be granted if made within certain time restrictions.

- 6-04. A failure to fully complete all sections of the Ticket and Summons to Appear described above shall not result in a dismissal of the charges.

ADMINISTRATIVE LAW JUDGES

- 6-05. All Tickets shall be returnable in front of an Administrative Law Judge (hereinafter "ALJ"), contracted or employed by the Nassau County Taxi and Limousine Commission for the purposes of conducting all administrative and enforcement hearings, including but not limited to hearings on Tickets and Summonses issued by Commission Investigators, law-enforcement officers or other employees or agents of the Commission. The ALJ shall have the following duties, powers and authorities:

- a. Hear Arguments and make findings of fact and determinations of law regarding all issues, including motions to dismiss;
- b. Administer any and all oaths or affirmations
- c. Add a party respondent to the proceedings, upon notice to the respondent and to the respondent to be added;
- d. Issue subpoenas to compel the attendance and examination of witnesses and the production of books, records, papers and other documents;
- e. Admit and exclude evidence;
- f. Hear and make determinations regarding testimony of witnesses;
- g. Render a decision;
- h. Issue and administrative order of disposition in accordance with the Rules and Regulations of the Nassau County Taxi and Limousine Commission, or dispose of a case in any manner provided by law.
- i. Perform such other acts, make such other orders and mandates, and take all measures necessary, but not otherwise prohibited by law, as may be necessary for the proper effectuation of these Rules and Regulations.

- 6-06. All Proceedings shall be open to the public unless the ALJ, in his/her discretion, determines otherwise.

- 6-07. The Commission may, at any time, for any reason, refer any issue regarding permits, procedures, or any other matter concerning facts and/or law, for a hearing before an Administrative Law Judge.

SERVICE OF TICKET AND SUMMONS TO APPEAR FOR PRE-HEARING CONFERENCE

- 6-08. The ticket and summons and/or any other legal document or notice, may be served on the respondent or their agent as defined herein in any of the following manners:

- a. In person;
- b. Via certified mail, return receipt, to the designated address as defined herein;
- c. By affixing a copy of same to the door of the designated address and mailing a copy of same via first class mail to designated address;
- d. By leaving a copy of same with a person of suitable age and discretion at the designated address and mailing a copy of same via first class mail.
- e. For purposes of this section, designated addresses shall be the following:
 - i. For-hire vehicle driver: Home address of the driver
 - ii. For-hire vehicle owner: Address listed on the for-hire vehicle registration and registration certificate.
- f. Service of ticket and summons and/or any other legal document or notice, properly delivered or sent to the last address provided to the Commission by the respondent, registrant or licensee, shall be deemed good and proper service.

NON-APPEARANCE AND/OR DEFAULT OF RESPONDENT

- 6-09. In the event the respondent fails to appear at the date, time and place designated by the ticket and summons to appear, after a showing of proper service by the Commission Prosecutor, the ALJ may:
 - a. Rule that respondent's non-appearance constitutes default and proceed in their absence to, in the ALJ's discretion, hear testimony, admit evidence, make a ruling, and impose any disposition, including but not limited to fines and suspensions, in accordance with the Rules and Regulations of the Commission, or;
 - b. In the ALJ's discretion, adjourn the matter to a later date to allow for the respondent's appearance.
- 6-10. Upon conclusion of the matter the decision and disposition set by the ALJ shall be mailed to the designated address of the respondent, with instructions of how to appeal attached, at which time he/she may appeal.

PROCEDURE UPON A PLEA OF "GUILTY"

- 6-11. In the event the respondent pleads "guilty" to the violations charged he/she shall be given an opportunity, if he/she so wishes, to offer an explanation in mitigation of the civil penalty.
 - a. Nothing in these rules and regulations shall prohibit the Commission from accepting the fine listed on the ticket, permitting the respondent to plead guilty by mail, and permitting the respondent to pay such fine by mail or in person or via the Commission web-site, without appearing before the ALJ. A plea of "guilty" and payment of fines must be received by the Commission at least three (3) days prior to the scheduled court appearance. The payment shall be made by money order, certified check

or credit card if in person or money order or certified check if by mail, or credit card if made on the Commission web-site.

- b. In the event of a “guilty” plea by mail, fines shall be set by the Commission in accordance with the fine schedule in the rules and regulations contained herein.

PRE-HEARING CONFERENCE

- 6-12. The respondent shall have the opportunity to participate in a pre-hearing conference with the Commission Prosecutor. The respondent may be represented by counsel. At such conference the parties may present any information they deem relevant to the proceeding.
- 6-13. In the event the parties wish to dispose of the matter without a hearing, all dispositions, fines and penalties, agreed upon by the parties, must be approved by the ALJ.
- 6-14. The ALJ may accept the settlement agreement in its entirety, or, at the discretion of the ALJ, accept the settlement agreement in an amended form, and impose any disposition pursuant to these rules and regulations, including but not limited to fines and suspension or revocation of registrations and/or licenses, upon consent of the respondent.
 - a. In the event the respondent does not wish to consent to a settlement as amended by the ALJ, the respondent may then reject the amended settlement, withdraw any “guilty” pleas entered if any, and proceed to a hearing.
- 6-15. Upon the acceptance of a settlement by all parties and the ALJ, the ALJ shall issue an Administrative Order of Disposition stating what the Respondent has plead guilty to and the disposition imposed, pursuant to these rules and regulations.

HEARINGS

- 6-16. In the event the matter cannot be disposed of at pre-hearing conference and the respondent wishes to enter a plea of “not guilty,” the ALJ shall schedule a formal hearing.
- 6-17. At hearing:
 - a. A record of all proceedings shall be made by stenographic or electronic means;
 - b. The standard rules of evidence need not be strictly applied;
 - c. The burden of proof in all enforcement proceedings rests on the Commission as the presenter/prosecutor of the matter before the ALJ;
 - d. The ALJ may take judicial notice of any judicial or administrative proceeding;

- e. Written reports of Commission Investigators of the Nassau County Taxi and Limousine Commission, the Officers of the Nassau County Police Department, the Officers of any local police jurisdiction within Nassau County and/or any other employee or agent of the Nassau County Taxi and Limousine Commission shall be presumptive evidence of the facts so stated therein relating to complaints, alleged violations, investigations, proceedings, actions, orders, enforcement of law(s), and shall be received as such in evidence;
 - f. The ALJ may add a party respondent to the proceeding;
 - g. The ALJ may issue subpoenas for witnesses, books, records, papers, and other documents;
 - h. The ALJ shall base all findings of fact, rulings of law and administrative orders of disposition on substantial evidence.
- 6-18. At hearing all parties to the proceeding shall have the right, but are not required to:
- a. Make opening and closing statements;
 - b. Call witnesses to offer testimony and cross examine witnesses called by the opposition;
 - c. Offer evidence, including books, records, papers and other documents, in support of their position;
 - d. Request the ALJ to issue subpoenas for such evidence;
 - e. Amend or supplement a pleading at any time prior to the ALJ's decision;
- 6-19. At the conclusion of the hearing the ALJ shall render a decision with a finding of either "guilty" or "not guilty" for each charge alleged and issue an administrative order imposing a disposition including but not limited to:
- a. Fines pursuant to the rules and regulations herein;
 - b. Suspensions or revocations when appropriate, pursuant to the rules and regulations herein;
 - c. Directing the respondent to correct any existing or continuing violation of the law or the rules and regulations contained herein, at the sole cost and expense of the respondent;
 - d. Directing the respondent to cease and desist an operation, activity or action determined to be in violation of applicable law or the rules and regulations herein;
- 6-20. Respondent may request an adjournment of a hearing, for good cause, in writing, at least three days prior to the hearing date. Respondent shall be notified if such adjournment is granted.
- 6-21. If the facts on which the violations are based are also the subject of a pending criminal investigation of, or criminal proceedings against, any NCTLIC licensee, then the ALJ may postpone the hearing until the conclusion of the criminal investigation or criminal proceedings.

§ 7. APPEALS

- 7-01. Every notice of disposition provided to a respondent, by mail, in person or otherwise, shall be accompanied by a notice instructing the respondent that he/she has the right to appeal the ruling of the ALJ to the Commissioner, which the Commissioner may grant at his/her discretion. The Commissioner shall only hear facts and evidence regarding questions of interpretation and application of the rules and regulations herein or other applicable law, the presentation of new evidence that could not have been known to the respondent or discovered by the respondent prior to or during the pendency of his hearing, or the presentation of extenuating circumstances. The Commissioner shall not hear the re-presentation of any evidence, testimony or argument of fact previously heard by the ALJ.
- a. Respondent must file a notice of appeal with the Commission within fifteen (15) days of the ALJ rendering a decision and order.
 - b. Notice of appeal must be made to the Commission in writing, by filling out the Commission's notice of appeal form.
 - c. The notice of appeal may be accompanied by an additional writing, not to exceed three (3) pages, if needed, to offer reasons and arguments for why an appeal should be granted.
 - d. The Commissioner shall respond, in writing, within 10 days of receipt of a notice of an appeal, the time, date and place of the appeal if granted, and a statement containing the reason for denial in the event the appeal is denied.
- 7-02. In the event the Commissioner grants an appeal and reverses or amends the ALJ's decision in any way, the Commissioner may then refer the matter for a new hearing back to the ALJ, or, impose any disposition the Commissioner finds appropriate pursuant to the rules and regulations herein, that would have been permissible at the time of the ALJ's decision and order.
- 7-03. In the event the Commissioner grants an appeal and upholds and affirms the decision and order of the ALJ, the disposition ordered by the ALJ becomes effective immediately, and the time period to pay any fines shall be deemed to have run from the date of the ALJ's decision and order. In the event the time period to pay fines has expired during the pendency of any appeal, the respondent shall have an additional five (5) days to pay any fines, from the date of the Commissioner's decision.
- a. Following the Commissioner's decision to uphold and affirm the decision and order of an ALJ that contained a disposition that suspends a registration or license, said suspension shall be deemed to have been effective as of the original date of the ALJ's decision and order. A for-hire vehicle or for-hire vehicle driver MAY NOT operate during the pendency of such an appeal.

- 7-04. Any individual or entity who has been denied a for-hire vehicle registration or NCTLC hack license may appeal to the Commissioner within fifteen (15) days of notice of such denial.
- 7-05. Respondent may be represented by counsel at any appeal.
- 7-06. The burden of proof to be used in appeal proceedings shall be on the appellant to produce facts and evidence sufficient to show that the original decision was not based on substantial evidence and should therefore be reversed.

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§ 8. SUSPENSIONS AND REVOCATIONS

- 8-01. The Commissioner is hereby given authority to suspend or revoke any for-hire vehicle registration and/or NCTLC hack license issued by the Commission, pursuant to the rules and regulations contained herein.
- 8-02. The ALJ rendering an administrative order of disposition is hereby authorized to suspend or revoke any for-hire vehicle registration or NCTLC hack license issued by the Commission, pursuant to the rules and regulations contained herein.
- 8-03. Any for-hire vehicle owner or for-hire vehicle driver who has had his/her for-hire vehicle registration or for-hire vehicle driver's license previously revoked, may, after a period of six (6) months file a request in writing, with the Commissioner for clearance to apply for a new for-hire vehicle registration or for-hire vehicle driver's license. The Commissioner shall consider all relevant information presented by the applicant.

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§ 9. COMPLAINT PROCEDURE

- 9-01. All complaints concerning the practices of an individual or entity whose business is regulated by the Commission shall be directed to the Commission for investigation and action. Complaints may be made by:
- a. Filling out the Commission complaint form and delivering it in person to the Commission office, or;
 - b. Filling out the Commission complaint form and delivering via first class mail to the Commission office, or;
 - c. Filling out the Commission complaint form on the Commission web-site for electronic submission to the Commission.
- 9-02. Upon receipt of the completed form, each complaint shall be logged, assigned a case number and assigned to a Commission investigator.
- 9-03. A verification notice shall be mailed to the complainant indicating that the complaint was received and shall be investigated.
- a. Results of a complaint investigation and any action taken shall not be made available to the complainant unless the complainant is directly affected financially by the outcome of the investigation and action taken.
- 9-04. Any complaint found to be without merit shall be closed and the record of same expunged.
- 9-05. In the event the Commission finds a claim to be meritorious, the Commission may take any action available to it pursuant to the rules and regulations herein or any other applicable law.

§ 10. COMMISSION PROCEDURES

- 10-01. The Commission shall have the following authorities, powers and duties, pursuant to the Commissions statutory authority and the rules and regulations contained herein:
- a. To examine the qualifications and fitness of all applicants for for-hire vehicle registrations and NCTLC hack licenses;
 - b. To issue for-hire vehicle registrations or NCTLC hack licenses to all qualified applicants;
 - c. To establish rules and regulations as may be necessary to reasonably effectuate the provisions of the Commissions statutory authority and amend such rules and regulations when necessary, prepare publications of its rules and regulations and make such publications available to the public for the appropriate fee;
 - d. To accept formal complaints from local municipalities and private individuals;
 - e. To suspend or revoke for-hire vehicle registrations or NCTLC hack licenses for cause;
 - f. To enforce the rules and regulations contained herein by conducting investigations, collecting information or conducting any law-enforcement operation via the Commission Investigators, Nassau County Police Department, the Police of any local jurisdiction, other authorized employee or agent of the Commission or any other law enforcement personnel;
 - g. To prosecute the alleged violation of the rules and regulations contained herein, via the Commission Prosecutor and to impose and collect fines for the violation of said rules and regulations;
 - h. To enter into agreement with the New York State Division of Criminal Justice Services to permit fingerprinting and background checks of applicants;
 - i. Enter into agreements of reciprocity with other governmental entities as authorized by the state and county legislatures, respectively;
 - j. Enter into intergovernmental agreements with municipalities within Nassau County for inter-municipal cooperation and enforcement pursuant to relevant State and Local law.
- 10-02. All licenses and registrations shall be signed by the Commissioner.
- 10-03. All licenses and registrations shall be numbered pursuant to the Commissions internal systems and procedures.
- 10-04. The Commission shall keep records of all meetings and proceedings and of all registrations and licenses issued, suspended or revoked.

INFORMATION SHARING WITH QUALIFIED JURISDICTIONS

10-05. The Commission shall maintain a dedicated phone line or read-only access to an electronic database to make available to qualified jurisdictions the information required to be shared pursuant to section 498 (3)(e) of the New York State Vehicle and Traffic Law.

RECIPROCAL RECOGNITION OF VEHICLES AND DRIVERS LICENSED BY QUALIFIED JURISDICTIONS

10-06. A vehicle for which a qualified jurisdiction has issued a license or permit shall be eligible for reciprocity as set forth in section 498 (2) of the New York State Vehicle and Traffic Law provided that such vehicle license or permit is valid and the vehicle and driver meet all of the following requirements:

- a. Evidence of a valid vehicle license from the qualified jurisdiction must be attached to the windshield of the vehicle;
- b. the vehicle is operated by a driver who holds a valid chauffeur's license as defined herein;
- c. the vehicle is operated by a driver who holds, is carrying and provides on request to a police officer, Commission Investigator or other authorized employee or agent of the NCTLC, a valid for-hire vehicle driver license issued by a qualified jurisdiction;
- d. the vehicle is validly registered in NYS or the state of the vehicle owner's residence and evidence of such registration in the form of the certificate or a legible photostat thereof must be carried in the vehicle;
- e. a valid DMV inspection sticker is affixed to the front left (driver's side) windshield so as to be plainly visible, or in a case where a vehicle is registered in another state, a valid inspection sticker or other inspection identifier shall be affixed to the vehicle as designated by such state;
- f. the vehicle must contain and the driver must have completed a trip sheet / passenger log as defined herein and which the vehicle owner must keep as described in §3-49 herein; failure of a driver to present a trip sheet / passenger log to a police officer, Commission Investigator or other authorized employee or agent of the NCTLC on their request shall be presumptive evidence of illegal inter-jurisdictional for-hire vehicle operation.

10-07. A qualified jurisdiction vehicle or driver found not to be in compliance with §10-06 (a) through (f) shall subject such vehicle owner and / or driver or base to all applicable penalties for illegal inter-jurisdictional operation including tickets and vehicle impoundment.

VIOLATIONS & FINES

******* THIS SECTION IS FOR REFERENCE ONLY. REFER TO THE FOREGOING SECTIONS FOR CONTROLLING DEFINITIONS AND CLARIFICATION.**

For-Hire Vehicle Owner Violations

I = Vehicle may be subject to impound at time of citation
 S = FHV registration or driver's license may be suspended
 R = FHV registration may be suspended or revoked

<u>Violation</u>	<u>Description</u>	<u>1st Offense</u>	<u>2nd Offense w/in 5 years</u>	<u>3rd Offense w/in 5 years</u>
§3-22	a. Dispatching or allowing dispatch of FHV w/o valid NYS vehicle registration	\$300- \$1,500 I	\$600- \$3,500 I S-30 days	\$1,000- \$5,000 I S-60 days
	b. Failure to surrender FHV registration upon expiration of NYS vehicle registration	\$150	\$300	\$450
§3-23	Dispatching or allowing dispatch of FHV without valid Nassau County FHV Registration	\$300- \$1,500 I	\$600- \$3,500 I S-30 days	\$1,000- \$5,000 I S-60 days
§3-24	Dispatching or allowing dispatch of FHV without local FHV license	\$350	\$450	\$550 S-30 days
§3-25	Dispatching or allowing dispatch of FHV operated by driver without valid FHV driver's license	\$150	\$250	\$350 S-30 days
§3-26	Dispatching or allowing dispatch of FHV in violation of NYS VTL, Nassau County Local Law and/or any other applicable law, rule, regulation or ordinance	\$150	-	-
§3-27	Dispatching or allowing dispatch of FHV substantially different from contracted for vehicle	\$1,000	-	-
§3-28	Dispatching or allowing dispatch of FHV with more than one NCTLC FHV registration decal	\$150	-	-
§3-29	Dispatching or allowing dispatch of FHV driven without valid chauffeur's license	\$150	-	-
§3-30	Dispatching or allowing dispatch of FHV with driver under the influence of drugs, alcohol or impaired driving ability	\$500 S-30 days	\$1,000 S-60 days	\$1,500 R
§3-31	Failure to return personal property of rider	\$75	-	-
§3-32	FHV not properly insured	\$300	-	-
§3-34	Failure to surrender FHV registration upon cancellation of liability insurance	\$50	-	-
§3-35	Failure to notify commission of change in insurance	\$75	-	-
§3-36	Failure to notify commission of decommission of FHV	\$75	-	-
§3-37	Dispatching or allowing dispatch of FHV with illegible FHV registration	\$100	-	-
§3-38	Dispatching or allowing dispatch of FHV with altered FHV registration	\$200	\$400 S-30 days	\$600 S-60 days
§3-39	Failure to surrender illegible or damaged FHV registration	\$50	-	-
§3-40	Failure to notify Commission of theft, loss or destruction of FHV registration	\$75	-	-

§3-41	Failure to notify Commission of lost or stolen NYS license plates	\$100	-	-
§3-43	Failure to notify Commission of change of mailing address	\$50	-	-
§3-49	Failure to maintain trip sheets/passenger logs	\$150	\$300	\$450 S-30 days
§3-50	Allowing FHV to operate:			
	a. FHV registration decal not properly affixed	\$50	-	-
	b. DMV registration decal not properly affixed	\$50	-	-
	c. Inspection sticker not properly affixed	\$50	-	-
	d. VIN and/or plate number do not match those listed on FHV registration	\$100	-	-
§3-51	Allowing FHV to operate without following present in the vehicle:			
	a. Valid chauffeur's license	\$75	-	-
	b. Valid FHV driver's license	\$75	-	-
	c. Valid NYS vehicle registration	\$75	-	-
	d. Valid FHV registration certificate	\$75	-	-
	e. Valid insurance card	\$75	-	-
	f. Trip sheets/passenger logs	\$125	-	-
§3-52	Failure to properly maintain/present vehicle inspection logs	\$200	-	-
§3-53	Dispatching or allowing dispatch of FHV that has been determined to be unsafe/unfit	\$1,500 S-30 days	\$3,500 S-60 days	\$5,000 R
§3-54	Seat-belts not visible & in working order/Adam's law notice not visible	\$150	-	-
§3-55	Dispatching or allowing dispatch of vehicle without both license plates	\$150	\$250	\$350 S-30 days

For-Hire Vehicle Driver Violations

I = Vehicle may be subject to impound at time of citation
S = FHV registration or driver's license may be suspended
R = FHV registration may be suspended or revoked

<u>Violation</u>	<u>Description</u>	<u>1st Offense</u>	<u>2nd Offense w/in 5 years</u>	<u>3rd Offense w/in 5 years</u>
§4-11	Operating for-hire vehicle w/o valid for-hire vehicle driver's/hack license *Could result in impoundment of for-hire vehicle and revocation/suspension of for-hire vehicle registration	\$250 I	\$500 I S-30 days	\$750 I S-60 days
§4-12	Operating for-hire vehicle w/o valid chauffeur's license	\$250 I S-30 days	\$500 I S-60 days	\$750 I R

§4-13	Operating for-hire vehicle w/o FHV reg. decal properly affixed, w/o following present in vehicle:	\$50	-	-
	a. chauffeur's license	\$50	-	-
	b. FHV driver's license	\$50	-	-
	c. FHV reg. certificate	\$50	-	-
	d. NYS veh. Reg.	\$50	-	-
	e. Valid Insurance card	\$50	-	-
	f. Trip sheet/passenger log	\$100	-	-
§4-14	FHV driver smoking in vehicle	\$100	-	-
§4-15	FHV driver picking up additional passengers w/o passenger permission	\$100	-	-
§4-16	FHV driver Picking up passengers other than pre-arranged	\$150	-	-
§4-17	FHV driver operating FHV while in possession of a weapon	\$500 S-30 days	\$1,000 S-60 days	\$1,500 R
§4-18	Unclean FHV	\$50	-	-
§4-19	FHV driver not clean/neat; wearing clothing not permitted	\$25	-	-
§4-20	FHV driver operating FHV w/o all equipment in working order	\$100	\$200	\$300 S-30 days
§4-21	FHV driver operating FHV in violation of NYS VTL, NYS Penal law or any other local or state law, ord., rule or reg.	\$150	\$250 S-30 days	\$350 S-60 days
§4-22	FHV driver refusing transport to a person with a physical disability who is capable of entering and exiting the vehicle with or without reasonable assistance and any service animal assisting	\$150	\$250	\$350
§4-23	FHV driver failing to return or turn in personal property	\$50	\$100	\$150
§4-24	FHV driver operating a FHV while under the influence of any controlled substance, drugs or alcohol; ability impaired	\$1,500 S-30 days I	\$3,000 S-60 days I	\$4,500 R I
§4-25	FHV driver failing to provide the following at accident scene:			
	a. Chauffeur's license	\$100	-	-
	b. FHV driver's/hack license	\$100	-	-
	c. NCTLC FHV registration/municipal FHV license	\$100	-	-
	d. License plate no.	\$100	-	-
	e. Insurance information	\$100	-	-
	f. Leaving scene of accident w/o providing all	\$500 S-30 days	-	-
§4-26	FHV driver failing to:			
	a. Comply with notices and directives from NCTLC including those involving tickets	\$100	-	-
	b. FHV driver failing to comply w/ lawful directive from police office, commission investigator, or any other authorized employee or agent of NCTLC	\$100	-	-

§4-27	FHV driver operating or in possession of FHV driver's license that has been altered, defaced, or unauthorized entry made, or is illegible, including picture;	\$100	\$200	\$300
	a. Failure to turn in/replace illegible or damaged FHV driver's license	\$50	-	-
	b. Failure to notify Commission of stolen or lost FHV driver's license	\$50	-	-
§4-28	Operating a FHV while using a telephone including a cell phone	\$50	\$50	\$50
§4-29	Allowing another individual to use FHV driver's license	\$300 S-30 days	\$500 S-60 days	\$700 R
§4-33	FHV driver failing to remain courteous	\$50	-	-
§4-34	FHV driver threatening, harassing, abusing, or using physical force in any way against police officer, commission investigator, other NCTLC agent/employee, passenger or any other individual	\$500 S-30days	\$1,000 S-60 days	\$1,500 R
§4-35	FHV driver committing any fraud, misrepresentation or larceny, alone or in concert with another	\$300 S-30 days	\$400 S-60 days	\$500 R
§4-36	FHV driver offering, giving or accepting any gift, gratuity or thing of value, to/from any police officer, commission investigator, other NCTLC agent/employee, or any person employed by any airport, Port Authority of New York, LIRR, Metro North, or the Metropolitan Transit Authority.	\$500 S-30 days	\$1,000 S-60 days	\$1,500 R