



## Legislation Text

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**File #:** Res 1467-2008, **Version:** \*

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### Res. No.1467

Resolution calling upon the New York State Legislature to pass A.8868 and S.5865, and the Governor to sign into law, an act to amend the Vehicle and Traffic Law and the Criminal Procedure Law, in relation to unlawful solicitation of ground transportation services at an airport.

By Council Members Vallone Jr., Gentile and Nelson

Whereas, The New York City Taxi and Limousine Commission (TLC) was created in 1971 and is responsible for licensing and regulating New York City's medallion (yellow) taxicabs, for-hire vehicles (community-based liveries and black cars), commuter vans, paratransit vehicles (ambulettes) and certain luxury limousines; and

Whereas, The TLC licenses and regulates over 50,000 vehicles and approximately 100,000 drivers, performs safety and emissions inspections of more than 13,000 medallion taxicabs three times each year, and holds numerous hearings for violations of City laws and TLC rules; and

Whereas, The TLC maintains that it is the most active taxi and limousine licensing regulatory agency in the United States; and

Whereas, According to the TLC, for-hire vehicles (FHV) are responsible for meeting the demand for local for-hire service via passenger-initiated requests made directly to one of the 550 licensed FHV base stations in the City; and

Whereas, New York City law and the rules of the TLC strictly prohibit FHV from accepting street hails; and

Whereas, When FHV illegally pick up street hails, this undermines the structure established by the TLC which only allows the taxicab industry to pick up street hails; and

Whereas, People purchase taxicab medallions, which give them the privilege of accepting street hails and taxicabs are heavily regulated to ensure public safety and quality customer service; and

Whereas, In January 2002 the Taxi Policy Institute, a taxi industry advocacy group, in conjunction with Schaller Consulting, a transportation consultant, conducted a study on illegal livery street hails in three Manhattan locations: Midtown, the Upper East Side and the Upper West Side; and

Whereas, The study revealed that for every 3 taxicabs that stopped, 2 FHV's stopped for testers and the FHV quoted fares were on average 97% higher than estimated taxicab fares for the same trip; and

Whereas, Without prearrangement, as required for FHV's, the consumer is put into a precarious situation and may be taken advantage of; and

Whereas, Airports are a hotspot where this type of activity is prevalent because of the large number of tourists unfamiliar with laws and rules governing FHV's and the need for ground transportation which leaves passengers vulnerable to exploitation; and

Whereas, This illegal activity by the FHV's also simultaneously takes business away from taxicabs who are legally permitted to pick up hails; and

Whereas, Officials believe that some FHV's engage in street hails because the penalties are regarded as little more than the cost of doing business and enforcement measures are not able to catch a significant number of offenders; and

Whereas, A.8868 and S.5865 would reconcile this shortfall making unlawful solicitation of ground transportation services at an airport a class A misdemeanor and an offense where the offenders would be fingerprinted; and

Whereas, These changes to the current law would make the penalty more severe and allow repeat offenders to be tracked and permit higher penalties to be imposed for repeat offenses; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass A.8868 and S.5865, and the Governor to sign into law, an act to amend the Vehicle and Traffic Law and the Criminal Procedure Law, in relation to unlawful solicitation of ground transportation services at an airport.

JM  
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