

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2016**

No. 49

Introduced by The Speaker (Council Member Mark-Viverito) and Council Members Garodnick, Rodriguez, Torres, Menchaca and Kallos.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to fare quotes for black car and luxury limousine service.

Be it enacted by the Council as follows:

Section 1. Section 19-502 of the administrative code of the city of New York is amended by adding a new subdivision z to read as follows:

z. “Dispatch service provider” means an entity licensed by the commission to dispatch, reserve, or refer trips to drivers on behalf of a base station, black car base, or luxury limousine base through a publicly-available, passenger-facing booking tool.

§ 2. Chapter 5 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-545 to read as follows:

§ 19-545 Fare quotes. a. A black car base or luxury limousine base, or a dispatch service provider operating on behalf of such a base, shall not quote or charge a fare that is more than the fare listed in the rate schedule filed with the commission.

b. 1. Any website, smartphone application, software program accessed through an electronic device, or similar publicly-available, passenger-facing booking tool utilized by a black car base or luxury limousine base, or dispatch service provider operating on behalf of such a base, shall allow prospective passengers to request a fare quote prior to booking transportation;

provided, however, that this subdivision shall not apply to trips that are the result of line work. For purposes of this section, “line work” means a type of pre-arranged service provided pursuant to a contract with a black car base in which the dispatch and passenger assignment are completed at the point of pick up by an employee or contractor of either the black car base or the contracting party.

2. Any black car base or luxury limousine base, or dispatch service provider operating on behalf of such a base, that utilizes a booking website, smartphone application, software program accessed through an electronic device, or similar publicly-available, passenger-facing booking tool shall issue a one-time notification to any prospective passengers that accesses such booking website, smartphone application, software program accessed through an electronic device, or similar publicly-available, passenger-facing booking tool of their right to a fare quote pursuant to subdivisions b and c of this section through such website, smartphone application, software program accessed through an electronic device, or similar publicly-available, passenger-facing booking tool, or by electronic mail or text message.

c. 1. If a prospective passenger requests a fare quote, a black car base or luxury limousine base, or dispatch service provider operating on behalf of such a base, such base or entity shall ask such passenger to specify a destination and shall provide an accurate fare quote expressed in dollars and cents for the trip before such passenger books transportation. If such passenger agrees to receive such transportation, such base or entity shall not charge such passenger a fare that is more than 120 percent of the price quoted unless such passenger takes any action to alter the estimated route, including, but not limited to, changing the location of the pick-up, destination, number of stops, or the vehicle type requested, or requests a route change requiring the payment of

a toll. Such price quote may be expressed in a range in dollars and cents, provided that the fare charged is not more than 120 percent of the highest price included in such range.

2. If a fare quote is expressed in a range, the higher price in such range shall not be more than 150 percent of such lower price and the fare charged shall not be more than 120 of such higher price. Such higher price may be rounded to the nearest whole number; provided, however, that the price charged pursuant to paragraph 1 of subdivision c shall not be based upon a rounded price.

d. Any black car base or luxury limousine base, or dispatch service provider operating on behalf of such a base, that has been found to have violated any provision of this section shall be subject to a civil penalty of not less than \$250 nor more than \$500 for each offense; provided, however, that if a passenger was charged a fare in violation of paragraph 1 of subdivision c of this section and requests that such base or entity bring the fare into compliance with such paragraph, such base or entity shall not be in violation of such paragraph if such passenger is refunded the amount of the overcharge within 10 business days of such request.

§ 3. This local law takes effect 120 days after it becomes law, except that the Taxi and Limousine Commission shall take such actions as are necessary for the implementation of this local law, including the promulgation of rules, prior to such date.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on April 7, 2016 and approved by the Mayor on April 21, 2016.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 49 of 2016, Council Int. No. 1080-A of 2016) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

STEPHEN LOUIS, Acting Corporation Counsel