

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2018**

No. 150

Introduced by Council Members Lander, Constantinides, Rivera, Powers, Chin, Ayala, Levin and Rosenthal.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to establishing minimum payments to for-hire vehicle drivers and authorizing the establishment of minimum rates of fare

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-549 to read as follows:

§ 19-549 Minimum payments to for-hire vehicle drivers and minimum fares. a. Definitions.

For purposes of this section, the term “trip” means a transportation service that involves picking up a passenger at a location, and taking and depositing such passenger at a different location requested by such passenger.

b. The commission shall by rule establish a method for determining the minimum payment that must be made to a for-hire vehicle driver for a trip dispatched by a high-volume for-hire service to such driver. In establishing such method, the commission shall, at a minimum, consider the duration and distance of the trip, the expenses of operation to the driver, any applicable vehicle utilization standard, rates of fare and the adequacy of for-hire vehicle driver income considered in relation to for-hire vehicle driver expenses. Such rule promulgated by the commission shall not prevent payments to for-hire vehicle drivers from being calculated on an hourly or weekly basis,

or by any other method, provided that the actual payments made to such drivers are no less than the minimum payments determined in accordance with the method established by the commission.

c. The commission shall study payments to for-hire vehicle drivers dispatched by bases other than through high-volume for-hire services for trips dispatched by such bases and may by rule establish a method for determining the minimum payment that must be made to a for-hire vehicle driver for a trip dispatched by any such base.

d. Following completion of the study required by section 19-550, the commission shall determine whether the establishment of minimum rates of fare to be charged by vehicles licensed by the commission would substantially alleviate any of the problems identified in such study. If the commission determines that such minimum rates of fare would have such an effect, the commission is authorized to establish by rule such minimum rates of fare. In setting such minimum rates of fare, the commission may consider the category of vehicle, the type of trip, including trips in which the vehicle is available for the transportation of two or more passengers, the rates of fare for other categories of vehicles carrying passengers for hire, including but not limited to taxicabs, the location of the trip, including trips originating, terminating or passing through the hail exclusionary zone, as defined in section 51-03 of title 35 of the rules of the city of New York, and any other factors the commission determines to be appropriate to achieve their intended result. Such minimum rates of fare shall not include any taxes, fees or surcharges imposed on trips made by vehicles licensed by the commission. The commission shall, on a periodic basis, but not less than once annually, review such minimum rates of fare in order to determine whether any amendment of such minimum rates of fare is warranted or necessary in order for such minimum rates of fare to continue to achieve their intended result. If the commission determines that such an

amendment is warranted or necessary, it is hereby authorized, by rule, to promulgate such amendment.

§ 2. This local law takes effect immediately.

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 August 8, 2018 and approved by the Mayor on August 14, 2018.

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. 150 of 2018, Council Int. No. 890-B of 2018) 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.