



Legislation Text

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Int. No. 158-A

By Council Members Yassky, The Speaker (Council Member Quinn), Koppell, Jackson, Nelson, Gennaro, Liu, McMahon, Seabrook, Garodnick, Lappin, Sears, Weprin, Lanza and The Public Advocate (Ms. Gotbaum)

A Local Law to amend the administrative code of the city of New York, in relation to extending the retirement period for clean air and accessible taxicabs.

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 19-535 to read as follows:

§19-535 Extension of retirement periods for taxicabs. a. Definitions. For the purposes of this section only, the following terms shall have the following meanings:

1. “Accessible taxicab” shall mean any vehicle approved for use by the commission as a taxicab that meets the specifications and requirements for accessible vehicles pursuant to the americans with disabilities act of 1990, as amended, and rules promulgated by the commission.

2. “Level one clean air taxicab” shall mean any vehicle approved for use by the commission as a taxicab that receives an air pollution score of 9.5 or higher from the United States environmental protection agency or its successor agency and is estimated to emit 5.0 tons or less of equivalent carbon dioxide per year by the United States department of energy or its successor agency; provided that such vehicle is powered by the fuel for which such vehicle meets the above-specified standards. In the event the test method used by the United States environmental protection agency or its successor agency for determining fuel economy is adjusted in a way that impacts United States department of energy or its successor agency estimates of equivalent carbon dioxide emissions for motor vehicles, the commission shall, for vehicles that fall within the affected model

years, modify by rule the equivalent carbon dioxide emissions estimate included herein so as to appropriately reflect such adjustment's impact consistent with the intent of this section.

3. "Level two clean air taxicab" shall mean any vehicle approved by the commission for use as a taxicab that receives an air pollution score of 9.0 or higher from the United States environmental protection agency or its successor agency and is estimated to emit 6.4 tons or less of equivalent carbon dioxide per year by the United States department of energy or its successor agency and that does not meet the definition of a level one clean air taxicab pursuant to paragraph 2 of this subdivision; provided that such vehicle is powered by the fuel for which such vehicle meets the above-specified standards. In the event the test method used by the United States environmental protection agency or its successor agency for determining fuel economy is adjusted in a way that impacts United States department of energy or its successor agency estimates of equivalent carbon dioxide emissions for motor vehicles, the commission shall, for vehicles that fall within the affected model years, modify by rule the equivalent carbon dioxide emissions estimate included herein so as to appropriately reflect such adjustment's impact consistent with the intent of this section.

b. Extension of retirement period. 1. The retirement period for any accessible taxicab or level one clean air taxicab shall be extended by two years beyond the applicable standard retirement period for taxicabs established pursuant to rule of the commission; provided that the retirement period for any such taxicab that must be retired and replaced pursuant to rules of the commission no later than thirty-six months after the vehicle is hacked up, shall be extended by one year beyond the applicable standard retirement period for taxicabs established pursuant to rule of the commission. The two-year extension period established pursuant to this paragraph shall also apply to any vehicle, as specified by rule of the commission, which is not a level one clean air taxicab as defined in this section, but which meets or exceeds the standards established pursuant to paragraph 2 of subdivision a of this section.

2. The retirement period for any level two clean air taxicab shall be extended by one year beyond the

applicable standard retirement period for taxicabs established pursuant to rule of the commission.

3. The commission may modify the extended retirement period established pursuant to this subdivision for any taxicab where such vehicle does not pass two of the inspections, not including reinspections, conducted at the commission's inspection facility pursuant to section 19-504 of this chapter in the twelve-month period immediately preceding the time at which such vehicle would otherwise be required to be retired pursuant to rule of the commission, or where such vehicle does not pass an inspection conducted at the commission's inspection facility pursuant to section 19-504 of this chapter after the time at which such vehicle would otherwise be required to be retired pursuant to rule of the commission.

c. Nothing contained herein shall affect the authority of the commission pursuant to subdivision f of section 19-504 of this chapter to order an owner to repair or replace a licensed vehicle where it appears that such vehicle no longer meets the reasonable standards for safe operation prescribed by the commission.

§2. This local law shall take effect one hundred twenty days after its enactment into law, provided that the commission may promulgate any rules and take any other actions as shall be necessary for the timely implementation of this local law prior to such effective date; provided further that this local law shall be deemed repealed for any new vehicle placed into service seven years after such law's effective date.

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