# Legislation Details (With Text)

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**Title:** A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to including a fuel surcharge in taxicab rates.

**Sponsors:**

**Indexes:**

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| 8/22/2001 | * | City Council | Referred to Comm by Council | |
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Int. No. 966

By Council Members Eldridge and Warden; also Council Members Leffler and Pinkett

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to including a fuel surcharge in taxicab rates.

*Be it enacted by the Council as follows:*

Section one. Subdivision a of section 2304 of the New York city charter is amended to read as follows:

§2304. Rates. a. The amount to be charged and collected for the hire of a taxicab for one or more passengers within the city of New York shall be the total of the following items:

1. For the first one-fifth mile or fraction thereof, or the first one minute of waiting time or fraction thereof, or the combination thereof, sixty cents.

2. For each additional one-fifth mile or fraction thereof, or seventy-two seconds of waiting time or fraction thereof, or the combination thereof, ten cents.

3. Fifty cents for each trunk.

4. All bridge and tunnel and ferry tolls.

5. There shall be no charge for personal luggage or for other belongings of the passengers transported in the interior of the



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taxicab.

6. Fifty cents on each fare for the cost of fuel when such charge is in effect pursuant to the administrative code of the city of New York.

§2. Chapter five of title 19 of the administrative code of the city of New York is amended by adding thereto a new section 19 -532 to read as follows:

19-532. a. There shall be a fuel surcharge of fifty cents added to every taxicab fare in accordance with the provisions of subdivision b of this section.

b. The fuel surcharge imposed pursuant to subdivision a of this section shall be effective immediately and shall continue in effect so long as the citywide monthly average gasoline price, inclusive of taxes, is at or above the threshold price of one dollar twenty-five cents per gallon of regular grade unleaded gasoline. This fuel surcharge shall remain in effect for a minimum of six full calendar months following the effective date of this section. Subsequent to this six month period, if the citywide monthly average gasoline price, inclusive of taxes, should fall below the price previously set forth herein for a full calendar month, the surcharge shall expire on the first calendar day of the following month. The fuel surcharge shall be reinstated when the citywide monthly average gasoline price, inclusive of taxes, reaches or exceeds the threshold price for a period of three consecutive full calendar months. In this event, the surcharge shall be reinstated effective on the first calendar day of the next month and shall continue in effect for a minimum of three consecutive full calendar months and shall be subject to the same expiration provision as described herein. The weekly gasoline price surveys for the city of New York, inclusive of taxes, of the United States department of energy shall be used to establish the citywide monthly average for the price of regular grade unleaded gasoline.

c. The commission shall notify the public as to whether the fuel surcharge is in effect by requiring that each taxicab conspicuously post an advisory notice in its interior and on its exterior, in such form as the commission determines, and by any other means the commission deems necessary.

d. The commission shall be prohibited from promulgating any rule or regulation that would alter the fuel surcharge established by this section or the manner in which it is imposed. The commission may, if it deems it appropriate, increase the surcharge to ensure that quality taxicab service is maintained.

e. No person may increase any rate for leasing a taxicab or a taxicab medallion or impose any other charge upon the driver of such taxicab as a result of a fuel surcharge. Any person who increases the lease rate for a taxicab or a taxicab medallion or imposes any other charge upon the driver of such taxicab subsequent to August twenty-second, two thousand one, shall be required, following the complaint of a driver to the commission, to prove to the commission, if the commission should so order after examination of the complaint, that such increase in the lease rate or such other charge was due exclusively to factors other than a fuel surcharge. Failure


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to prove to the commission that a lease rate increase or other additional charge imposed upon the driver of a taxicab was due exclusively to factors other than a fuel surcharge, shall make such person who imposed the unlawful increase liable for a penalty as set forth in subdivision f of this section.

f. The commission shall have the authority to award a penalty for violation of this section, payable to the driver, equal to a minimum of twice the total of lease fees or other additional charges unlawfully imposed up to a maximum of five times the total of such lease fees or other additional charges unlawfully imposed. The commission may impose an additional penalty of seven hundred fifty dollars for increasing lease rates or imposing additional charges in violation of subdivision e of this section.

§3. This local law shall take effect within thirty days of its enactment into law.



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