



Legislation Text

File #: Int 1139-2023, Version: A

Int. No. 1139-A

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A Local Law to amend the administrative code of the city of New York, in relation to advertising on the interior of for-hire vehicles

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 § 19-525.1 to read as follows:

§ 19-525.1 Interior advertising in for-hire vehicles. a. Definitions. For purposes of this section, the following terms have the following meanings:

Approved electronic tablet. The term “approved electronic tablet” means a third-party device, including an electronic display, touchscreen, or similar device, that is approved by the commission, attached to the interior of a for-hire vehicle, capable of broadcasting electronic media to a passenger of such for-hire vehicle, and capable of being turned on and off, muted, or having its volume adjusted by such passenger, that meets the specifications set out in the rules and regulations promulgated by the commission under this section.

Approved software. The term “approved software” means any software running on an approved electronic tablet, approved by the commission, for the purpose of broadcasting electronic media to a passenger of a for-hire vehicle, that meets the specifications set out in the rules and regulations promulgated by the commission under this section.

Discriminate. The term “discriminate” means imposing any negative consequences on a driver, including but not limited to deactivating the driver, refusing to lease a for-hire vehicle to a driver, imposing an

additional charge for leasing a vehicle without an approved electronic tablet, reducing the compensation provided to the driver, either directly or indirectly through manipulating the number or type of rides assigned to the driver, or disciplinary action.

Electronic media. The term “electronic media” means audio-visual content, including but not limited to advertising, interactive content, informative graphics, music, and videos.

b. Optional use of an approved electronic tablet. A for-hire vehicle may have an approved electronic tablet running approved software in such vehicle, provided that such vehicle does not have more than 1 such tablet operating in the vehicle at the same time. No driver shall be required to install or pay for the installation of an approved electronic tablet in such driver’s vehicle, or be required to operate a vehicle with an approved electronic tablet. No high-volume for-hire service or other service regulated by the commission may discriminate against a driver based on whether the driver chooses to operate a vehicle with an approved electronic tablet, or based on the brand or affiliation of the approved electronic tablet if a driver chooses to use an approved electronic tablet, or based on the approved software running on such approved electronic tablet, except that it shall not be discrimination for such a service to pay for the installation of an approved electronic tablet; to provide a driver of a vehicle in which an approved electronic tablet is installed a portion of the proceeds it receives from broadcasting electronic media on an approved electronic tablet, as determined pursuant to subdivision d of this section; or to facilitate the payment of a gratuity from a passenger to a driver through such approved electronic tablet.

c. Interior advertising company license required. It shall be unlawful for any person to provide or supply an approved electronic tablet for use in a for-hire vehicle unless such person secures a license therefor from the commission. The fee for the issuance of such license shall be no more than \$500 a year. Any person licensed under this section shall provide the commission with any and all information required by the rules and regulations promulgated pursuant to this section, including but not limited to the information required under section 19-546.

d. Driver compensation. Any interior advertising company licensed pursuant to subdivision c of this section shall compensate drivers of a for-hire vehicle with an approved electronic tablet with 25 percent of the revenue generated by such tablet in their vehicle. One year after the implementation of this local law, the commission shall provide the speaker of the council and the mayor a report examining the compensation received by drivers from approved tablets and may adjust the minimum compensation standards if the commission deems necessary. In the case of a for-hire vehicle with more than 1 driver, each driver operating such vehicle shall receive a pro rata share of such revenue, based on the share of hours the driver operated the vehicle.

e. Application to all drivers irrespective of vehicle ownership. The commission shall promulgate such rules and regulations as are necessary to carry out the provisions of this section, provided that such rules apply equally to drivers whether they rent, lease, or own the for-hire vehicle in which the approved electronic tablet is installed.

§ 2. This local law takes effect 90 days after it becomes law.

Session 12
SRB/CoJM/XC
LS 13142
12/12/23 11:30pm

Session 11
NAB
LS #13099
Int. 1866-2020