

Int. No. 1646

By Council Members Rodriguez, Espinal, Chin, Lander and Menchaca

A Local Law to amend the administrative code of the city of New York, in relation to gratuity for black car and luxury limousine service.

Be it enacted by the Council as follows:

1           Section 1. Chapter 5 of title 19 of the administrative code of the city of New York is  
2 amended by adding a new section 19-547 to read as follows:

3           § 19-547 Gratuity. a. Definitions. For the purposes of this section, “passenger-facing  
4 booking tools” means any website, smartphone application, software program accessed through  
5 an electronic device, or similar publicly-available tool utilized by a black car base or luxury  
6 limousine base, or dispatch service provider operating on behalf of such a base. For purposes of  
7 this section, “line work” means a type of pre-arranged service provided pursuant to a contract  
8 with a black car base in which the dispatch and passenger assignment are completed at the point  
9 of pick up by an employee or contractor of either the black car base or the contracting party.

10           b. Any black car base or luxury limousine base, or dispatch service provider operating on  
11 behalf of such a base, utilizing a passenger-facing booking tool, shall include a gratuity option  
12 using one of the methods of payment passengers use to pay for the fare; provided, however, that  
13 this subdivision shall not apply to trips that are the result of line work. Drivers shall be made  
14 aware of any gratuity received by any passenger-facing booking tool as soon as practicable.

15           c. Any black car base or luxury limousine base, or dispatch service provider operating on  
16 behalf of such a base, that utilizes a passenger-facing booking tool shall issue a one-time  
17 notification to any prospective passenger that accesses such passenger-facing booking tool of the  
18 gratuity option pursuant to subdivision b of this section through such passenger-facing booking  
19 tool, or by electronic mail or text message.

1           d. Any black car base or luxury limousine base, or dispatch service provider operating on  
2 behalf of such a base, that has been found to have violated any provision of this section shall be  
3 subject to a civil penalty of not less than \$250 nor more than \$500 for each offense.

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

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