

New York City Taxi and Limousine Commission

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Taxi and Limousine Commission (“TLC”) is proposing to amend its rules relating to the issuance of grants under the Medallion Relief Program.

When and where is the hearing? TLC will hold a public hearing on the proposed rule. The public hearing will take place at 10:00 am on February 8, 2022. The public hearing will be held online using Zoom. There will be no in person public hearing. The public hearing will be livestreamed on TLC’s website at www.nyc.gov/tlc. To participate in the public hearing, please e-mail the TLC at tlcrules@tlc.nyc.gov or call TLC at 212-676-1135 by February 4, 2022. After you have signed up to speak, TLC will provide you with a Zoom URL to enter in on your computer or dial-in via phone number if you prefer to call in.

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to the TLC through the NYC rules website at <http://rules.cityofnewyork.us>
- **Email.** You can email comments to tlcrules@tlc.nyc.gov
- **Mail.** You can mail comments to Taxi and Limousine Commission, Office of Legal Affairs, 33 Beaver St, 22nd Floor, New York, NY 10004
- **Fax.** You can fax comments to the Taxi and Limousine Commission, Office of Legal Affairs, at 212-676-1102
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling 212-676-1135 or by emailing at tlcrules@tlc.nyc.gov by February 4, 2022. You can speak for up to three minutes.

Is there a deadline to submit comments? Yes, you must submit written comments by February 8, 2022.

What if I need assistance to participate in the hearing? You must tell the Office of Legal Affairs if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at 212-676-1135. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by February 4, 2022.

This location has the following accessibility option(s) available: Simultaneous transcription for people who are deaf or hard of hearing and audio only access.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A

few days after the hearing, copies of all comments submitted online and copies of all written comments will be available by request by emailing tlcrules@tlc.nyc.gov and a transcript of the hearing will be available online at www.nyc.gov/tlc and at the public at the Office of Legal Affairs.

What authorizes TLC to make this rule? Sections 1043 and 2303 of the City Charter and section 19-503 of the City Administrative Code authorize TLC to make this proposed rule. This proposed rule was not included in the Commission's regulatory agenda for this Fiscal Year because it was not contemplated when the Commission published the agenda.

Where can I find TLC rules? The Taxi and Limousine Commission rules are in title 35 of the Rules of the City of New York.

What laws govern the rulemaking process? TLC must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043 of the City Charter.

Statement of Basis and Purpose of Proposed Rule

On November 3, 2021, the Mayor announced a supplement to the recently enacted Medallion Relief Program (MRP). This supplemental program would offer a deficiency guaranty, subject to appropriations by the City and provided by a third party, on renegotiated loans that meet additional, specified requirements, in addition to a grant of \$30,000 through the MRP. The goal of adding a deficiency guaranty to MRP renegotiated loans is to incentivize more lenders to participate in the MRP and to offer terms that are as favorable as possible to individual medallion owners. This loan deficiency guaranty supplement to the MRP will support the goals of the original MRP in promoting the recovery of the yellow taxicab industry in New York City.

These proposed rules establish the eligibility criteria for applying for a supplemental loan deficiency guaranty through the MRP.

TLC's authority for these rules is found in section 2303 of the New York City Charter and section 19-503 of the New York City Administrative Code.

New material is underlined.

[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. Subdivision (a) of section 58-51 of the title 35 of the Rules of the City of New York is amended to read as follows:

(a) *Definitions Specific to this Section*

- (1) *Applicant* means a medallion owner that is applying for a Grant, [or] Supplemental Grant, or Supplemental Loan Deficiency Guaranty.
- (2) *Application* means a written request in a form satisfactory to the TLC, supplemented by all requested supporting documents, made by an Applicant to the TLC to determine the eligibility of an Applicant for a Grant, Supplemental Grant, or Supplemental Loan Deficiency Guaranty.
- (3) *Grant* means one or more disbursements from the Medallion Relief Program for purposes of restructuring a medallion loan.
- (4) *Loan Restructure* means the new terms agreed to by the Applicant with their lender for the medallion loan.
- (5) *Program Administrator* means the entity selected by the TLC to receive Applications and distribute Grants, [and] Supplemental Grants, and provide Supplemental Loan Deficiency Guaranties.
- (6) *Supplemental Grant* means one or more disbursements from the Medallion Relief Program for purposes of supporting payments on loans restructured under the Medallion Relief Program.

- (7) Supplemental Loan Deficiency Guaranty means a guaranty on the principal balance of Loan Restructure that meets the criteria established in subdivision (e) of this section provided by the Program Administrator to the Applicant's lender.

Section 2. Section 58-51 of title 35 of the Rules of the City of New York is amended by adding a new subdivision (e), to read as follows:

- (e) Supplemental Loan Deficiency Guaranty Eligibility Criteria: To be eligible for Supplemental Loan Deficiency Guaranty, an Applicant must satisfy the following criteria:
- (1) Applicant must be the recipient of or be eligible to receive a Grant provided in accordance with subdivision (b) of this section, meeting the criteria established in paragraphs (1) through (5) of that subdivision; and
 - (2) Applicant's Application must contain a Loan Restructure that meets the following minimum standards:
 - (i) Remaining principal balance of \$170,000 or less,
 - (ii) A fixed interest rate of 5% or less, and
 - (iii) Fully amortized over 20 years.

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Supplementary Medallion Relief Program

REFERENCE NUMBER: 2021 RG 094

RULEMAKING AGENCY: Taxi and Limousine Commission

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: December 20, 2021

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

**CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

RULE TITLE: Supplementary Medallion Relief Program

REFERENCE NUMBER: TLC-124

RULEMAKING AGENCY: Taxi and Limousine Commission

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco X. Navarro
Mayor's Office of Operations

December 20, 2021
Date