



June 16, 2025

All Members of The New York Black Car Operators' Injury Compensation Fund

Dear Member,

I'm writing to make you aware of a new policy, effective July 15, 2025, adopted by the New York Black Car Operators' Injury Compensation Fund, Inc. (the "Fund"). It is essential for the Fund's efficient operations that it receive prompt and accurate information from its member bases regarding all accidents and injuries to black car operators. The Fund is dependent on its members for that information. But too often, member bases have been derelict in their responsibilities in this regard. This has impaired the Fund's operations and increased its costs. The new policy announced here is designed to correct those issues and incentivize member bases to promptly share the necessary information with the Fund. **Enclosed with this letter is a copy of the amendment to the Fund's Plan of Operation that seeks to encourage accident and injury reporting compliance by member bases.**

The statute creating the Fund specifically provides for the Fund to collect from its members information about black car operator accidents and injuries. The law states that the Fund's Plan of Operation shall "establish procedures to ensure prompt and accurate notification to the fund by its members of all accidents and injuries to black car operators." Exec. Law § 160-gg(2)(g). The Plan of Operations does just that. In Article VIII(8), the Plan states as follows:

Notice of all accidents and injuries to black car operators arising out of and in the course of providing covered services for a Central Dispatch Facility that is a member of the Fund must be reported, by the Central Dispatch Facility for whom the black car operator was providing services at the time of the accident or injury, in writing by electronic mail to: accidents@nybcf.org or by facsimile to (646) 556-7110, within five (5) days of its receipt of knowledge of such accident or injury, whether arising out of notice from the black car operator or the Fund or any other source, to the Manager of the Claims Department of the Fund. Such notice shall include: the name and address and mobile and/or home telephone number of the black car operator; a legible photocopy of the black car operator's state driver's license and for-hire vehicle driver's license or hack license; the black car operator's for-hire vehicle license number; the name and address of the Central Dispatch Facility; a true and complete copy of the black car operator's trip log, including, without limitation, a record of the date, time and location for every offer of a ride which the Central Dispatch Facility dispatched to the black car operator during the 18 hour period prior to the accident or injury and the 18 hour period after the accident or injury; the date and location of the accident or injury; a brief description of the accident or injury; the date, police precinct number and file number of any police reports made; and the motor vehicle insurance policy number and insurer covering the black car operator.

In short, the Plan requires member bases to provide certain detailed information about a black car operator's accident or injuries within five days of learning of such accident or injuries, including learning about them from the Fund itself. Again, despite the mandatory obligation to supply the Fund with this information, which is crucial to the Fund's operations, too many member bases have simply ignored their obligation and disregarded the Fund's requests for the required information. The Fund has tried numerous approaches to more consistently obtain this information, but to no effect.

To address the ongoing problem of noncompliance, the Fund has decided to impose a new policy designed to increase compliance with members' obligations to provide information regarding driver injuries to the Fund.

Going forward, member bases that do not provide complete and timely information in response to Fund requests will be subject to a \$500 fine per request. Timely compliance means responding within seven (7) days of receiving a request for accident or injury information from the Fund. A complete response will include all of the information set forth in the first paragraph of Article VIII(8) of the Plan of Operations. To the extent that the member base does not have all the information, it must provide what information it has and offer an explanation for why it does not have the required information. The base must also offer a reasonable estimate for when it will be able to provide the remainder of the information.

Further noncompliance with the Fund's requests for information—either by failing to respond to an initial request or by failing to respond to requests related to additional accidents after the imposition of a fine as set forth above—will result in a fine of \$1,000 per disregarded request.

Continued noncompliance with the Fund's requests for information regarding black car operator's accidents or injuries after being assessed with the fines described above may result in the Fund declining to renew a dispatch base as a member.

Moreover, in any instance in which the Fund is required by the Workers' Compensation Board to make payments on a claim for which the Fund has not received the required information from the relevant member base, that base will be responsible for reimbursing the Fund for the full claim amount and any additional expenses associated with the claim, including the Fund's administrative costs.

The Fund sincerely hopes that none of the above-described steps are required. But it can no longer permit member bases to disregard their obligations to the Fund's detriment. Please feel free to reach out if you have any questions.

Sincerely,

David Perine  
Chief Financial Officer

Enc. as stated