



Appeal No. 73571140A

TLC v. Walker, Jonathan

February 12, 2026

Appeal Decision

The appeal of Respondent, a licensed Taxi and Limousine Commission (TLC) driver, is **denied**.

Respondent appeals from a decision by Judicial Hearing Officer (JHO) T. Finn, dated January 8, 2026, sustaining a charge of § 80-13(a)(3)(xiv) of Title 35 of the Rules of the City of New York (RCNY) for driving in the wrong direction. After a full review of the record, the Tribunal finds, as follows:

Summons	Law Charged	Hearing Result	Appeal Determination	Penalty
73571140A	35 RCNY § 80-13(a)(3)(xiv)	In Violation	Affirmed – In Violation	\$400, 3 points

In the summons the issuing officer (IO) affirmed observing on April 12, 2024, at 10:39 p.m. between 49th Avenue and 11th Street, Queens, Respondent’s vehicle traveling west on 49th Avenue between 11th Place and 11th Street driving in the wrong direction, having passed two DOT approved “Do Not Enter” signs at the corner of 49th Avenue and 11th Place, in violation of § 1127(a) of New York Vehicle and Traffic Law (VTL). After the telephone hearing, at which Petitioner, TLC, appeared by telephone and Respondent in person, the JHO sustained the violation. The JHO credited the IO’s affirmed observations in the summons and expressly discredited Respondent’s testimony and documents. On appeal, Respondent repeats his hearing assertions and contentions. Petitioner did not answer the appeal.

The Tribunal affirms the JHO’s decision. Per 35 RCNY § 80-13(a)(3)(xiv), TLC drivers must obey traffic rules governing hazardous moving violations, specifically traffic laws governing driving in the wrong direction. The underlying traffic rule violated, VTL § 1127(a), provides that a vehicle shall be driven only in the designated direction on a roadway designated and signposted for one-way traffic. Petitioner established its prima facie case with the IO’s sworn observations Respondent’s vehicle traveled in the wrong direction. Respondent did not refute the charge as the JHO did not credit his assertion he was confused by a conflict between the one-way and “Do Not Enter” signs directly in front of him at the cited intersection and the traffic control lights a block away at a different intersection. There simply is no conflict between traffic-control devices controlling different intersections. Moreover, Respondent’s own nighttime photograph,

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Exhibit 2, disproves his claim of confusion because it shows the well-lit intersection of 49th Avenue and 11th Place and two one-way street signs facing east posted directly atop two large red “Do Not Enter” signs at the northwest and southwest corners of the intersection Respondent faced. Respondent’s nighttime photo also shows traffic control signals well in the distance --beyond the “Do Not Enter” signs -- at the next intersection of 49th Avenue and 11th Street. In any event, confusion is not a defense to traffic violations. *See, e.g., TLC v. Uziel Hudja*, Appeal No. RL0040274 (February 16, 2021) (rejecting defense respondent was confused by topographical features of location and absence of crosswalk); *TLC v. Nelu Dorel Ariton*, Appeal No. 7167602A (January 4, 2019) (rejecting defense respondent was confused by sign directing traffic to proceed forward and another sign directing traffic to turn left between 7 a.m. to 10 a.m.); *TLC v. MD. S. Talukder*, Appeal No. 5402403 (August 8, 2012) (rejecting defense respondent was confused by steady green signal for through traffic and red traffic arrow for turning traffic).

Finally, Respondent relies on the absence of pavement markings and a DOT Queens borough planner’s statement, but neither one provides a defense. The one-way and “Do Not Enter” signs at the cited intersection were clearly visible despite the absence of pavement markings, and the confusion caused, in the planner’s view, by the traffic signal at 49th Avenue and 11th Street being out of alignment and facing 49th Avenue did not affect the one-way and “Do Not Enter” signs at the cited intersection. Moreover, planners do not enforce the traffic laws.

Accordingly, the Tribunal affirms the JHO’s decision finding Respondent in violation of 35 RCNY § 80-13(a)(3)(xiv) and imposing the civil penalties of \$400 and three points on Respondent’s TLC driver’s license.

By: OATH Appeals Division