

**NEW YORK CITY**  
**TAXI AND LIMOUSINE COMMISSION**

**Minutes of Commission Meeting**

**March 26, 2009**

Present:

Matthew W. Daus, *Commissioner/Chair*

Elias Arout, *Commissioner*

Harry Giannoulis, *Commissioner*

Edward Gonzales, *Commissioner*

Jeffrey Kay, *Commissioner*

Iris Weinshall, *Commissioner*

Charles Fraser, *General Counsel*

1. The Chair called the meeting to order and reported the following:
  - The Chair reported that at the next TLC meeting scheduled for April 16, 2009, the TLC will hold a public hearing concerning reforms to the FHV industry and the FHV rules. The Commission has met with stakeholders and will continue to meet with any interested stakeholders. Copies of the rules are available on the website, and a synopsis of the rules is available at the back of the room. The livery bill of rights that the City Council passed and the Mayor signed is also included in this rule proposal. (Tr. pp. 3-4)
  - The Chair reported on the Accessible Dispatch Program. The TLC has modified the line priority for accessible vehicles at the airport. As of March 1<sup>st</sup>, priority will only be given to those who have demonstrated that they have given an accessible ride to a wheelchair-bound passenger. The TLC is also starting a program, which was developed in conjunction with the Mayor's Office of Operations, which uses the taxi technology information monitor in the front of the accessible yellow cabs for the dispatch of accessible cabs. This is in addition to the Blackberry system and about half of the 238 accessible vehicles will use Blackberries as part of this pilot. The TLC will be comparing the two systems to see which works better. The Chair thanked the Greater New York Taxi Association, Creative Mobile Technologies, Aleph, and Executive Charge. If this system works well, the TLC will explore expanding it in terms of using prepaid or other debit cards as part of the system to transport passengers. Dispatch service numbers have increased to about 81 calls per week and 39 vehicles logging on daily to accept calls. There have been 1,404 dispatches, with only 149 cancellations. The average

wait time has consistently been in the same range, about 31 minutes. (Tr. pp. 4-6)

- The Chair reported on bus lane cameras on 34<sup>th</sup> Street and upcoming traffic changes on Broadway, where certain parts will be closed to traffic. Some industry notices on this have already been published and the TLC has had outreach meetings with DOT, the Mayor's Office, and the industry. The TLC will continue the outreach to make sure everyone understands the terms of the pilot. (Tr. p. 6)
  - The Chair reported on the Taxi Technology Systems. The TLC is expecting to release the RFI in the next week or so. For the first time, the TLC has comprehensive data which shows what cabs are doing at all times. The TLC hopes to post monthly updates on the website of ridership and other data. Analysis of the data indicates that the actual number of riders has increased by 11 percent from December to February. There are more cabs on the road and drivers are earning between \$14 and \$16 an hour. Drivers are working less than 9.5 hours on average. Credit card usage remains consistent at about 20%. Unfortunately, the black car industry has been losing some money and fares as a result of the use of credit cards in yellow cabs. The Chair is confident that the black car industry is resilient and will bounce back and innovate to deal with current economic conditions. The TLC also has a record 47,200 taxi drivers. Medallion sale prices also reached record highs, averaging \$750,000 for a corporate medallion and \$559,000 for an individual medallion. (Tr. pp. 6-8)
  - The Chair reported on recent TLC programs that allow for teleconferencing and videoconferencing for hearings. Passengers may testify by telephone and licensees may testify by telephone from the TLC's Staten Island facility. As of this week, the Chair is proud to announce that the TLC is the first city tribunal to offer videoconferencing to our licensees in Staten Island. The Chair thanked Jeff Grunfeld, Gary Weiss, Ray Scanlon, and Commissioner Arout for their work on this project. If this works, the TLC might expand the project to allow passengers to testify from wherever they work using webcams. (Tr. pp. 9-11)
  - The Chair reported that there are 2019 hybrids and 13 clean diesel vehicles in the taxi fleet. That is more than 15% of the fleet. (Tr. p. 11)
  - The Chair reported that on April 3, at 2:30 pm, there will be a public hearing on Chapter 12, Brokers, as part of the rules revision project. (Tr. p. 11)
2. A motion was made by Commissioner Arout to adopt the minutes of the February 12, 2009 Commission meeting. The motion was seconded by Commissioner Gonzales, and it passed unanimously. (Tr. p. 12)

3. Item 3 on the agenda, Base Applications for determination was presented to the Commission. Chairman Daus pulled from consideration the application of Double A Car Service following a complaint from their community board. The TLC will try to investigate the complaint and report back next month. Georgia Steele-Radway, Base Licensing Supervisor, presented the following base station license applications for consideration:

**The following bases were recommended for approval:**

**RENEWALS(10):**

B01338	3210 Webster Avenue Prestige Car Service
B01420	A.M.N. Management Inc. D/b/a Always Ready Car Service
B01346	Arecibo Car Service, Inc.
B02048	Big King Car & Limo. Inc.
B01124	Cooperativa Clbna De Con Inc.
B01148	Evelyn Car Service, Inc.
B01482	GDR Car & Limo., Inc. D/b/a Seaside Car Service
B01128	Pak-Eagle Inc. D/b/a Jewel Car Service
B02066	Plaza Executive, Inc. D/b/a Song Car & Limousine Service
B01126	U-Need Car Service

**RENEWAL & RELOCATION (1):**

B02049	Prospect Car & Limo. Inc
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**RELOCATION (1):**

B00790	Segura Mobile Service, Inc. D/b/a Allen Car Limo. Service
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**RELOCATION, OWNERSHIP CHANGE & NAME CHANGE (1):**

B02188	Narrows Limo. & Car Inc. (to be changed to Colonial Car & Limo. Inc.)
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**OWNERSHIP CHANGE (4):**

B01495	Black Sea Car & Limo. Service, Inc.
B00229	Clifton Boulevard Car Service
B02269	DDA Luxury Limo. & Car Service
B02168	Easy Limo. Leasing, Inc.

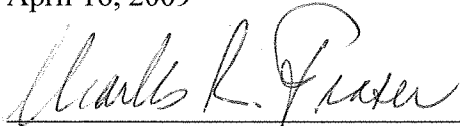
4. A motion was made by Commissioner Arout to approve all of the base station license applications that were recommended for approval. The motion was seconded and it passed unanimously. (Tr. pp. 12-13)
5. Item 4 on the agenda, Rules Revision Project for Commission Action was presented to the Commission. A motion was made by Commissioner Arout to conditionally approve proposed rules chapters 2 (TLC Administrative Matters) and 13 (Taxicab Agents), pending a future vote approving the entire rulebook and repealing the existing rulebook at the same time. The motion was seconded and it passed unanimously. (Tr. pp. 13-15)
6. Item 5 (a) on the agenda, Proposed Rules for Public Hearing and Commission Action—Repeal of Special Inspection Requirements for Accessible and Alternative Fuel Taxicabs was presented to the Commission. A public hearing was held on these rules and the following people testified: Councilman David Yassky; and Ethan Gerber, Greater New York Taxi Association. A motion was made by Commissioner Gonzales to approve the rules. This motion was seconded by Commissioner Giannoulis and it passed unanimously. (Tr. pp. 16-26)
7. Item 5 (b) on the agenda, Proposed Rules for Public Hearing and Commission Action—Lease Cap Changes and Taxicab Leasing Reforms was presented to the Commission. A public hearing was held on these rules and the following people testified: Councilman David Yassky; Jack Hidary, SmartTransportation.org; Amy Henes, American Lung Association; Peter Mazer, Metropolitan Taxicab Board of Trade; Michael Woloz, Metropolitan Taxicab Board of Trade; Eddie Burgess, Environmental Defense Fund; Michael Levine, Ronart Leasing Corporation; Ethan Gerber, Greater New York Taxi Association; Osman Choudhury, New York Taxi Workers Alliance; Bill Lindauer, New York Taxi Workers Alliance; and Bhairavi Desai, New York Taxi Workers Alliance. A motion was made by Commissioner Arout to approve the rules. This motion was seconded by Commissioner Kay. Commissioner Giannoulis abstained. The motion passed 5-0 (Commissioners Daus, Arout, Kay, Gonzales, and Weinshall). (Tr. pp. 18-19, 26-80)
8. Item 6 (a) on the agenda, Pilot Program Proposal for Commission Action—Honda Accord Vehicle Pilot, was presented to the Commission. Chairman Daus recommended denial of the proposal. Commissioner Weinshall made a motion to deny the proposal. Commissioner Gonzales seconded the motion and it passed unanimously. (Tr. p. 81)
9. Item 6 (b) on the agenda, Pilot Program Proposal for Commission Action—Assistive Audio Induction Loop Technology Pilot was presented to the Commission. Chairman Daus recommended extending the existing pilot program to July 31, 2009 to allow for additional testing. Commissioner Arout made a

motion to extend the pilot program. Commissioner Giannoulis seconded the motion and it passed unanimously. (Tr. pp. 81-82)

10. The Commission recessed briefly. (Tr. p. 82)
11. Item 5 (c) on the agenda, Proposed Rules for Public Hearing and Commission Action—Long-Term Taxicab Leases was presented to the Commission. A public hearing was held on these rules and the following people testified: Councilman David Yassky; David Pollack, Committee for Taxi Safety; Mammunul Haq, New York Taxi Workers Alliance; Beresford Simmons, New York Taxi Workers Alliance; Bhairavi Desai, New York Taxi Workers Alliance; and Ed Ott, New York City Central Labor Council. Action on these proposed rules is deferred to the next Commission meeting or meeting thereafter to allow for further consideration of the proposed rules. (Tr. pp. 19-21, 83-103)
12. Item 7 (a) on the agenda, the Commission Appeals of TLC vs. Parvez Iqbal/ Hack License # 433665 is adjourned due to a lack of quorum. (Tr. p. 103)
13. Chairman Daus made a motion to close the meeting and it passed unanimously.

The meeting was adjourned at approximately 12:20 p.m.

Minutes as approved by the Taxi & Limousine Commission on  
April 16, 2009



Deputy Commissioner for Legal Affairs / General Counsel

April 17, 2009  
Date