

NEW YORK CITY
TAXI AND LIMOUSINE COMMISSION

Minutes of Commission Meeting

April 18, 2013

Present:

David Yassky, *Commissioner/Chair*
Edward Gonzales, *Commissioner*
Iris Weinshall, *Commissioner*
LaShann DeArcy, *Commissioner*
Frank Carone, *Commissioner*
Elias Arout, *Commissioner*
Meera Joshi, *General Counsel*

1. No motion was heard on Agenda Item 1 and the Commission did not enter into executive session.
2. Chairman Yassky called the meeting to order at 9:59 a.m. with Commissioners Gonzalez, Weinshall, Carone, and Arout present and reported on the following:
 - The Chair commended Deputy Commissioner Ray Scanlon and his staff for their extraordinary work over the past month, seizing 724 unlicensed taxis in the month of March.
 - The Chair announced that the TLC began working with Knights Towing, the winner of an RFP, to tow and pound seized vehicles.
 - The Chair presented a plaque to Deputy Commissioner Ray Scanlon Assistant Commissioner Jeff Hunt to commemorate the new record for number of vehicles seized in a month, which was achieved in January of 2013.
3. Item 4 on the agenda, Adoption of Minutes (February 21, 2012, Commission meeting), was presented to the Commission for approval. A motion was made to adopt the minutes. The motion passed unanimously.
4. Item 5 on the agenda, Base Applications for Determination, was presented to the Commission by Christopher Tormey, Director of Applicant Licensing. The following bases were presented for consideration:

NEW (5):

B02589

Anges Car Service Corp.

B02614 Mexico La New Poblanita Express Inc.
B02613 NYC Star Limousine & Car Services Corp. D/b/a NYS Car Services
B02607 Oasis Car & Limo Service Inc.
B02626 Velocity Limo Inc.

RENEWALS (27):

B00987 Ahsan Inc. D/b/a Marlboro Car Service
B01039 Bnei Joseph Car & Limo. Service Inc. D/b/a Bnei Joseph Car Service
B01631 B.O.B. Express Inc.
B01509 Brunwish Enterprises, Ltd. D/b/a Eastland Car Service
B01265 Caprice C/S Corp.
B01663 Cibao Radio Dispatch
B00957 DMD Inc.
B00823 Eastern L.P.B. Inc. D/b/a Eastern Car Service
B02021 Easyride Car Service Inc.
B01215 Ecuadoor Corp.
B02015 Hankook Limo. Car Service Inc.
B02037 Kingsdale Dispatch Inc.
B01868 Limo 4 L.L.C. D/b/a Dial 4 Limo.
B02210 Murray Car Service Inc.
B00965 Nelpel Car Service, Inc.
B01233 New Laconia Radio Dispatch Inc.
B01525 Northside Luxury Inc.
B01175 Pacific Car Service Inc.
B01021 Pamelene Transportation Corp. D/b/a Sea Breeze Car Service
B00991 PF Management Inc. D/b/a Blue Lane Car Service
B00859 Promenade Car Lease Inc.

B01273 Puerto Rico Car Service Inc.
 B01339 RC Audubon Service Inc.
 B01177 SLMK Inc. D/b/a AA PDQ Car & Limousine Service
 B01453 St. George Express Car Service Inc.
 B01145 Ultra Radio Dispatch Inc.
 B01009 United Limo C/M Service Corp.

RENEWAL & OWNERSHIP CHANGE (3):

B01313 Brook Car & Limo. Service Inc.
 B01918 Samia Car & Limo Service Inc.
 B01285 Union Radio Dispatch Inc.

RELOCATION, OWNERSHIP CHANGE & NAME CHANGE(2):

B02333 A Door to Door Transportation Inc.
 B02488 J & B Car & Limo. Service Inc.

RENEWAL, OWNERSHIP CHANGE & NAME CHANGE(1):

B01455 Republica Car & Limo Service Corp

5. A motion was made to approve the base station license applications that were recommended for approval. The motion passed unanimously.
6. Item 6, Accessible Dispatch Program Presentation, was presented by Cindi Davidson, Director of Policy and Government Affairs for the TLC. The Accessible Dispatch Program, in its sixth month of operation, is a city-sponsored service that enables wheelchair using passengers to request an accessible taxicab to pick them up anywhere in Manhattan. In its first six months, the program averaged roughly fifty trips per day with an average wait time of 13 minutes, with the average daily trips increasing and the average wait time decreasing in each progressive month.
7. Item 7, Retirement Extension Rules, was presented for public hearing and Commission action. TLC General Counsel Meera Joshi introduced the rule which gives an automatic one-year extension to any taxicab whose fixed retirement date is between April 1, 2013 and the launch of the Taxi of Tomorrow. A public hearing was held and no one testified. A motion was made to adopt the rule and the motion passed unanimously.
8. Item 8, Amendments to Fare and Lease Cap Rules, was presented for public hearing. TLC General Counsel Meera Joshi introduced the rule which clarify that fleets are not

required to offer a weekly rate to drivers who actually lease on a daily basis; clarifying that fleet lessors and drivers leasing fleet vehicles on a weekly basis can agree that the driver will be liable for damage to the vehicle caused by the driver's negligence and that the lessor will refund to the driver any insurance proceeds received; clarify that fleet drivers can be charged a \$25 per hour late return fee; amend provisions on collision coverage for DOVs to allow agents and lessors to impose a \$250 per week deductible; amend provisions on permissible additional charges to provide that drivers leasing only medallions or drivers leasing in a DOV model can be charged a late fee of \$50 per each weekly payment paid late; amend provisions requiring that the lease payments be prorated when a vehicle is unavailable to clarify that they do not include when the vehicle is being inspected or must be repaired because the lessee failed to properly maintain it; clarify that the driver and the lessor can enter into a medallion-only lease instead of the medallion-and-vehicle lease, the all-in lease, when the driver has a separate arrangement for purchase of the vehicle as long as the lessor does not have a 2 percent or more interest in the entity selling or financing the vehicle; convert the \$10 per shift that lease caps were increased to cover the costs of credit card processing into a \$10 per shift surcharge to cover credit card processing, to be reevaluated twice per year; allow lease agreements to hold drivers liable for owner summonses issued for unlicensed drivers and missed inspections; reduce penalties for retaliation from \$10,000 to \$1,000 plus restitution for the first offense and a fine of \$10,000 plus restitution to the driver for the second offense within five years; replace a provision requiring reports every two years on the fare and lease cap issues with a requirement that a public hearing be held every two years; update marking requirements to fully reflect previously passed fare and lease cap rules; and make a technical amendment to the agent rules relating to credit card surcharges to conform them to changes in the related lease cap rules relating to the credit card surcharge. Chairman Yassky expressed his full support for the entirety of the proposed rule package and recommended its passage, stating that he would have put the amendments in the original lease cap rule package, had he been exposed to the arguments for their inclusion at that time. Prior to the public hearing, the Commissioners were joined by Commissioner DeArcy. A public hearing was held and the following people testified: Richard Thaler, OMNI Media; Ethan Gerber, Greater New York Taxi Association; Osman Chowdhury, United Taxi Driver Association; David Pollack, Committee for Taxi Safety; Bhairavi Desai, New York Taxi Workers Alliance ("NYTWA"); Taifour Dishaby, taxi driver; Liagqat Khan, taxi driver; Haron Ur Rashid, taxi driver; Noor Mengle, taxi driver; Mohammed Ali Oban, taxi driver; Mohammed Karim, taxi driver; Bill Lindauer, NYTWA; Victor Salazar, taxi driver; Luis Molina, taxi driver; Ghaore Likoud, taxi driver; Cheikh Mbaye, taxi driver; Abdoulaye Mbou, taxi driver; Mohammed Iqbal, taxi driver; Foday Tambadou, taxi driver; Beresford Simmons, NYTWA; Kazi Karim, taxi driver; Ryan Richardson, NYTWA; Vincent Okyere, taxi driver; Asim Akhtar, taxi driver; and Biju Mathew, NYTWA.

9. The meeting was adjourned at approximately 12:39 p.m.

Minutes as approved by the Taxi & Limousine Commission on June 20, 2013


Deputy Commissioner for Legal Affairs / General Counsel

8/8/13
Date