



NEW YORK CITY LAW DEPARTMENT
OFFICE OF THE CORPORATION COUNSEL

Michael A. Cardozo, *Corporation Counsel*

Press Release

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For Immediate Release

**COURT RULES CUSTOMER SERVICE
ENHANCEMENT TECHNOLOGY CAN BE USED IN TAXIS**

INSTALLATION OF NEW EQUIPMENT WILL GO FORWARD

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New York, September 28, 2007 – Today Judge Richard M. Berman issued a 21-page decision rejecting claims made by the New York Taxi Workers Alliance that the requirements for installation of electronic equipment, including text-messaging, credit card processors and GPS devices, violated the rights of taxi owners and operators by invading their privacy and imposing illegal burdens on their property. The decision described in detail the public benefits that will result from the installation of the electronic equipment - the ability to communicate to taxi drivers and passengers about traffic obstructions and emergencies, the convenience of credit card payment, and the value of accurate information about taxi operation. In his decision, issued in the case of *Alexandre v. New York City Taxi and Limousine Commission*, Judge Berman concluded that the Taxi and Limousine Commission's regulation did not violate federal or state law. Specifically, he found that the TLC requirements will not prevent taxi owners from operating a profitable business, and that any intrusion on the privacy of taxi drivers was outweighed by the public interest in providing safe and efficient service to passengers.

Corporation Counsel Michael Cardozo noted, "This is a satisfying legal victory - and a victory for all taxi passengers who will enjoy the benefits of these service improvements."

TLC Commissioner Matthew W. Daus said, "Judge Berman's decision showed a great understanding of the history and the issues at hand, and we appreciate his thoughtful decision. We will continue to work closely with the taxi industry to provide the promised customer service technology enhancements, and hope that today's decision allows us to continue to advance and progress without distraction or delay."

Paula Van Meter, Senior Counsel in the New York City Law Department and the attorney who represented the Taxi and Limousine Commission in the case, stated "We are pleased that this program of benefits to taxi passengers can proceed as scheduled on Monday. The Court's decision addressed all of the legal arguments raised in the case and detailed the reasons why plaintiffs failed to prove their arguments that these requirements were unconstitutional."

The litigation was brought as a Class Action in Federal Court (SDNY, Southern District of New York) seeking a Temporary Restraining Order and a Preliminary Injunction to prevent the rules imposing the requirements for installation of the equipment, beginning on October 1st, from being enforced. Today's decision determined that plaintiffs were not entitled to that relief. The litigation also demands that the TLC rules be stricken permanently and compensation for the costs of the program. Today's decision scheduled a court conference for October 10th concerning those remaining elements of the lawsuit

(more)

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