

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

**Minutes of Commission Meeting**  
**February 9, 2006**

**Present:**

Matthew W. Daus, *Commissioner/Chair*  
Elias Arout, *Commissioner*  
Noach Dear, *Commissioner*  
Harry Giannoulis, *Commissioner*  
Elliot Sander, *Commissioner*  
Iris Weinshall, *Commissioner*  
Howard R. Vargas, *Commissioner*  
Edward Gonzales, *Commissioner*  
Charles Fraser, *General Counsel*

1. The Chair called the meeting to order and reported that the customer service technology enhancements package would be sent to the Comptroller soon. (Tr. p.3)
2. The Chair reported that the TLC had productive meetings with Commissioners from Nassau and Westchester counties regarding reciprocity agreements. (Tr. pp.3-4)
3. The Chair stated that the TLC met with staff from the State Insurance Department and the Department of Motor Vehicles to discuss enforcement issues. (Tr. pp.4-5)
4. The Chair reported that the next Commission meetings would be March 9 and April 4, and thereafter on every second Thursday with exceptions made for holidays. (Tr. pp.6)
5. Barbara Schechter, *Deputy Commissioner for Licensing*, reported that there was an industry notice on TLC's website regarding changes to the license renewal process. (Tr. pp.8-10)
6. Commissioner Gonzales made a motion to adopt the minutes of the January 12, 2006 Commission meeting. Commissioner Weinshall seconded the motion, and it passed unanimously. (Tr. p.13)
7. A public hearing was held on proposed rules governing pilot programs. The following individuals testified at the hearing: Tim Kerr, the Chairman of Ad Fleet Advertising; Bill Dell, BD for Business Development at SGS Testcom; Rob

Kressin, Advermotion and Ubiquitous Group; Joseph Gianetto and Michael Woloz, Metropolitan Taxicab Board of Trade; Bill Lindauer and Kevin Fitzpatrick, New York Taxi Workers Alliance; Mitch Schwartz, Clear Channel Taxi Media; Juan Perez, Hybrid LLC; and Richard Thaler. (Tr. pp.13-43)

8. After discussion, Commissioner Giannoulis made a motion to adopt the proposed rules, modified by substituting the following for section 14-04(b), (c) and the first paragraph of (d):

“(b) The Chairperson shall forward to the Commission a proposed pilot program within 60 days of receipt of a completed proposal, except that the Chairperson may within such 60-day period extend the time for forwarding the proposed pilot program.

“(c) The Commission shall consider the proposal and shall approve or reject the proposed pilot program. Grounds for rejection shall include, but shall not be limited to, the merits of the proposal and the administrative ability of the Commission or its staff to implement, monitor, or evaluate the proposed pilot program. Approval of a pilot program by the Commission shall be done in accordance with paragraph (d) of this section.

“(d) The Commission's resolution of approval of any proposed pilot program shall set forth terms governing the implementation, monitoring and evaluation of the proposed pilot program, including but not limited to, the following.” (Tr. pp.43-64)

The motion was seconded by Commissioner Gonzales and was passed unanimously.

9. A public hearing was held on proposed rules governing drug testing procedures for taxicab and for-hire vehicle drivers, to make permanent the expedited rules adopted by the Commission on November 17, 2005. Mr. Fraser explained that the proposed rules differ from the expedited rules by clarifying that licensees who fail to be drug tested during their renewal year will not be renewed. The following individuals testified at the hearing: Bill Lindauer, Bhairavi Desai, and Kevin Fitzpatrick, New York Taxi Workers Alliance; Joseph Gianetto and Michael Woloz, Metropolitan Taxicab Board of Trade; David Pollack, Executive Director of the Committee for Taxi Safety; and Erhan Tuncel. (Tr. pp.64-102)
10. After discussion, Commissioner Giannoulis made a motion to adopt the rules, and that the Chair report on notice procedures to the Commission within 60 days. The motion was seconded by Commissioner Sander, and it was passed unanimously (Tr. pp.102-104)
11. William Carter, *Executive Director for Licensing*, presented the following base license applications:

<u>BASE NAME</u>	<u>Base #</u>
<b><u>Renewal Applications (11)</u></b>	
4621 Avenue N Corp dba Mill Basin Car Service	B01733
Albuja dba Flushing Express	B01497
Classic Car Service Corp dba Paisa Classic	B01381
Columbia Street Limousine Service, Inc.	B01010
Friendly-Bestway Transportation Inc.	B00531
Laurelton Car Service Inc.	B01855
Masada III Car & Limo Service Corp.	B01710
New Bell Car Service Inc.	B01190
Shamrock Dispatch Inc dba Kelly's Private CS	B00171
Shah & Hassan dba PJ Car Service	B00984
V&M Transportation Corp dba Empire C&L	B01394
<b><u>Relocations (3)</u></b>	
440 Car Service, Inc.	B01194
Early Bird Car Service, Inc.	B00485
Livonia Corporation dba Livonia Car Service	B01767
<b><u>Combinations (6)</u></b>	
Alnagar Car Limo. Service (Ownership & Relocation)	B02071
Brooklyn Heights Car & Limo Service (Ownership & Relocation)	B02077
Kiss Car Service, Inc. (Renewal & Ownership)	B00647
Maj Management, Inc. dba All Corners CS (Renewal & Ownership)	B00593
Professional Car Service, Inc. (Renewal & Ownership)	B00221
Rechev of Brooklyn, Inc. (Renewal & Ownership)	B00727
<b><u>Denial Recommendations (6)</u></b>	
Bee-Bee Car & Limo Corp.	B00856
FS Car Service Inc. dba Clinton Limo Serv	B01428
Habirah Inc. dba Elat Car & Limousine	B00378
Monumental Radio Dispatch Corp.	B01364
St. Albans-Hollis Car Service	B01958
STM Enterprises Inc dba Java Car & Limo Service	B01522

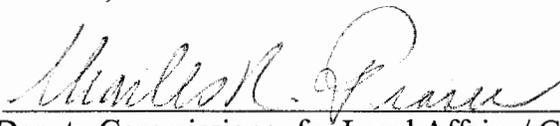
(Tr. pp.104-109)

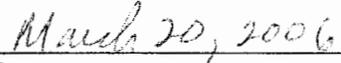
12. The Chair made a motion to deny the six bases recommended for denial; Commissioner Gonzales seconded the motion. The motion passed unanimously. (Tr. pp.105-106)

13. The Chair made a motion to approve the following bases, and to require that these bases be subjected to detailed review upon their next renewal and before if needed: Classic Car Service Corp dba Paisa Classic, Columbia Street Limousine Service, Inc., Masada III Car & Limo Service Corp., New Bell Car Service Inc., Kiss Car Service, Inc. (Renewal & Ownership), Maj Management, Inc. dba All Corners CS (Renewal & Ownership), and Professional Car Service, Inc. (Renewal & Ownership). (Tr. pp.107-109) Commissioner Giannoulis seconded the motion. The motion passed unanimously. (Tr. pp.109-112)
14. Commissioner Giannoulis made a motion to approve the remaining base applications. Commissioner Sander seconded the motion, and it passed unanimously. (Tr. p.109)
15. Mr. Fraser reported that new procedures regarding appeals to the Commission from the Chair's decisions in discretionary license revocation cases were available to the public. Changes from the previous procedure include an explicit prohibition against ex parte communications and a provision that when the respondent and the respondent's advocate are invited to appear before the Commission with regard to an appeal, the Commission's prosecuting attorney will be invited to appear also. (Tr. pp.112-113)
16. Commissioner Giannoulis made a motion to go into executive session, Commissioner Gonzales seconded the motion, and it passed unanimously. (Tr. p.114)
17. Commissioner Gonzales made a motion to adjourn the meeting. Chairman Daus seconded. It passed unanimously. (Tr. p.114)
18. At the executive session, the appeal of Evangelos Kyriazopoulos was considered. The respondent and his attorney, and the Commission's prosecuting attorney attended. By vote of 3-3, the Commission affirmed the decision of the Chair from which the respondent had appealed.

The meeting was adjourned at approximately 1:30 p.m.

Minutes as approved by the Taxi & Limousine Commission on  
March 9, 2005.

  
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Deputy Commissioner for Legal Affairs / General Counsel

  
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Date