

NEW YORK CITY
TAXI AND LIMOUSINE COMMISSION

Minutes of Commission Meeting

March 18, 2010

Present:

Matthew W. Daus, *Commissioner/Chair*
Elias Arout, *Commissioner*
Harry Giannoulis, *Commissioner*
Edward Gonzales, *Commissioner*
Jeffrey Kay, *Commissioner*
Lauvienska Polanco, *Commissioner*
Iris Weinshall, *Commissioner*
Charles Fraser, *General Counsel*

1. The Chair called the meeting to order and reported the following:
 - The Chair reported on the rate 4 overcharging situation. This matter is being investigated by the New York City Department of Investigation, in conjunction with law enforcement. The taxicab technology system vendors are developing passenger alerts which are expected to be in every cab shortly. (Tr. pp. 1-12)
 - The Chair honored three drivers. Mukul Asaduzzaman was honored for returning approximately \$21,000 to a passenger. Patrick Omeje was honored for assisting in the apprehension of alleged bank robbers. Khaled Abed was honored for returning a cell phone to a passenger. (Tr. pp. 12-15)
 - The Chair reported on the accessible dispatch program. There have been 4,147 dispatches and 518 cancellations to date. The average waiting time is 35 minutes and the average number of daily dispatches was 9.4 in February and 9.5 in March. (Tr. p. 15)
 - The Chair reported on the livery stand pilot program. The goal of the project is to have at least two livery stands in each borough. Only one response was received so the deadline for responses has been extended. The Chair reported that he has spoken with the new Chairman of the Transportation Committee, who expects to find additional participants interested in the project. (Tr. pp. 15-16)
 - The Chair reported on the proposal for a livery stand at the Staten Island Ferry Terminal. A request for proposals was issued and there will be a pre-proposal meeting on March 24, 2010. March 26, 2010, is the final day to submit questions

on the RFP and on April 2, 2010, an addendum to the RFP will be issued. Responses are due on April 14, 2010. (Tr. pp. 16-19)

- The Chair reported on group rides. The pilot project got off to a slow start, but the TLC is working to bring passengers and drivers together. The TLC will expand these stands to other locations including Penn Station, the Port Authority Bus Terminal, Grand Central Station and LaGuardia Airport. (Tr. pp. 19-21)
 - The Chair reported on the backseat driver competition. Passengers can vote for the next greeting passengers will see when they get in the back of a taxicab. Passengers may vote at NYC.gov/backseatdriver before March 31, 2009. The Chair thanked Commissioner Catherine Oliver and NYC Media. (Tr. p. 22)
 - The Chair reported that, as part of continuing distracted driver enforcement, 977 cell phone summonses have been issued - 631 to taxicab drivers and 346 to for-hire vehicle drivers. (Tr. pp.23-24)
 - The Chair reported on the Taxi of Tomorrow request for proposals. The deadline for submission of proposals has been extended to May 14, 2010. The expected start date for the contract is November 2010. (Tr. p. 24)
 - The Chair reported that the TLC is working on a handbook for drivers. This handbook will provide a plain language explanation to drivers of what it means to be a driver. A draft of this handbook is available on the TLC website and the TLC is distributing this handbook to all stakeholders. Eventually the handbook will be made available in other languages as well. (Tr. p. 25-26)
 - The Chair announced that he is leaving the TLC and that this is his last Commission meeting. The Chair welcomed incoming TLC Chairman David Yassky. Chairman Daus recounted some of his accomplishments at the TLC. (Tr. pp. 26-45)
 - The Chair reported that, following today's hearing on lease caps, the deadline for comments on lease caps will be extended to the end of April. (Tr. p. 45)
2. Item 2 on the agenda, adoption of minutes (December 17, 2009 Commission Meeting), was presented to the Commission for approval. A motion was made by Commissioner Arout to approve the minutes. The motion was seconded, and it passed unanimously (Commissioners Daus, Arout, Giannoulis, Gonzales, Kay, Polanco, and Weinshall). (Tr. p. 45)
 3. Item 3 on the agenda, base applications for determination, was presented to the Commission. Georgia Steele-Radway, Base Licensing Supervisor, presented the following base station license applications for consideration:

NEW (2):

B02367 Azteca Car Service Inc.
B02370 New Shacks Car Service, Inc.

RENEWALS (28):

B01343 All People Car Service Inc.
B01239 Best Deal Private Car Service Inc.
B01495 Black Sea Car & Limousine Service Inc.
B01868 Chelsea Express Car, Inc.
B01327 Continental Car & Limousine Service
B02185 Encore Car & Limo. Service Inc.
B01485 Flamingo Transportation & Limo. Services Inc.
B01129 Gateway Inc. D/b/a Gateway Car & Limo. Service
B01625 Globe Car Service Inc.
B01635 Har-Sinay Car & Limo Service Inc.
B01465 Ivette Car Service
B02037 Kingsdale Dispatch Inc.
B01978 KLS Transportation Inc.
B02206 La Poblanita Car Service Corp.
B01677 New Golden Horse Car & Limousine Service Inc.
B01233 New Laconia Radio Dispatcher Inc.
B01487 New Relampago Car Service Corp.
B02080 Number 1 Mexicaly Car Services Corp.
B02194 Number 1 Transportation Inc.
B02195 Ogden Car Services Inc.
B00991 P F Management Inc.
B01963 Porttal Car Service, Corp.
B01479 Pratt Car Service
B01565 R & B Car Limo Corp.
B01918 Samia Car & Limo. Service Inc.
B01453 St. George Express Car Service Inc.
B00975 T.J.Q. Car Service Inc. D/b/a Quality Car Service
B01315 V.I.T. Car Service, Inc.

RENEWAL AND NAME CHANGE (2):

B01475 Always on Time Car Service Corp.
(To be changed to Midwood VS, Inc.)
B01177 SLMK D/b/a New Richmon (to be changed
to D/b/a AA PDQ Car & Limousine Service)

RENEWAL, OWNERSHIP CHANGE AND NAME CHANGE (1):

B01461 North Shore Car & Limo Corp.
(to be changed to U.S. One Car Service)

RENEWAL AND OWNERSHIP CHANGE (7):

B01469 Brothers Car Service, Inc.
B00881 Crossbay Car Service Inc.
B01741 Monaco Limo. & Car Services Inc.
B01187 New Ridgewood Car Service Inc.
B01995 NYMex Uno Executive Sedan's Inc.
B00977 Sun Fat Tat Exp Corp.
B01145 Ultra Radio Disp Service Inc.

RENEWAL, RELOCATION & OWNERSHIP CHANGE (1):

B00957 DMD. Inc.

RELOCATIONS (1):

B01277 D & J Service Inc. D/b/a Citicar Private Car Service

The following bases are recommended for denial if TLC requirements are not met within 30 days:

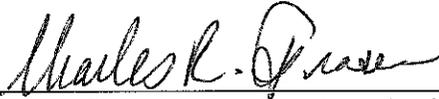
B02365 J Woods Global Transportation Services Limited
B00665 RCS Transportation Corp. D/b/a Remsen Car Service
B01982 State Car & Limo. Service

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 by Commissioner Weinshall and it passed unanimously (Commissioners Daus, Arout, Giannoulis, Gonzales, Kay, Polanco and Weinshall). (Tr. p. 45)
5. A motion was made by Commissioner Arout to deny all of the base station license applications that were recommended for denial if they do not comply with requirements within 30 days. The motion was seconded and it passed unanimously (Commissioners Daus, Arout, Giannoulis, Gonzales, Kay Polanco, and Weinshall). (Tr. pp. 45-46)
6. Item 4 (a), a staff presentation on the commuter van passenger bill of rights, was presented to the Commission by David Klahr, Special Advisor to the Chair. (Tr. pp.46-51)

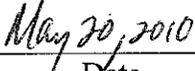
7. Item 4 (b), a staff presentation on the Livery Drivers' Workers' Compensation Fund, was presented to the Commission by Christopher Wilson, Assistant General Counsel. (Tr. pp. 51-65)
8. Item 5 (a) on the agenda, rules revision project, was presented to the Commission. A motion was made by Commissioner Arout to conditionally approve proposed rule chapter 8 (Taxicab Owners), pending a future vote approving the entire rulebook and repealing the existing rulebook. The motion was seconded by Commissioner Gonzales and it passed unanimously (Commissioners Daus, Arout, Giannoulis, Gonzales, Kay and Weinshall). (Tr. pp. 66-67)
9. Item 5 (b) on the agenda, rules revision project, was presented to the Commission. A motion was made by Commissioner Arout to conditionally approve proposed rule chapter 20 (Transition Provisions), pending a future vote approving the entire rulebook and repealing the existing rulebook. The motion was seconded by Commissioner Gonzales and it passed unanimously (Commissioners Daus, Arout, Giannoulis, Gonzales, Kay and Weinshall). (Tr. pp. 67-69)
10. The Commission held a public hearing on item 6, lease cap public hearing. At the hearing, the following people testified: Ethan Gerber, Gerber and Gerber; Suly Singh; David Pollack, Taxi Safety Committee; Bhairavi Desai, New York Taxi Workers Alliance; Beresford Simmons, New York Taxi Workers Alliance; Biju Mathew, New York Taxi Workers Alliance; Victor Salazar, New York Taxi Workers Alliance; Bill Lindauer, New York Taxi Workers Alliance; Richard Thaler; Tariq Baig; Osman Chowdhury; Michael Woloz (for Ron Sherman), Metropolitan Taxicab Board of Trade; Steve Seltzer; and Patrick K. (Tr. pp. 69-120)
11. Deputy Commissioner for Public Affairs Allan Fromberg thanked Chairman Daus for his service on behalf of the staff of the TLC. (Tr. pp.120-121)
12. A motion was made to close the public meeting and convene in executive session to consider the appeals of TLC v. Mohamed Elouannas / Hack License No. 483899; TLC v. Zolio Martinez / Hack License No. 5174681, and TLC v. Mohammed Hossain / Hack License No. 5093268. The motion was seconded and it passed unanimously. (Tr. p. 122)
13. In executive session, the revocation of Mr. Elouannas's hack license was affirmed by a vote of 5-0 (Commissioners Arout, Giannoulis, Kay, Polanco and Weinshall). Mr. Martinez's fine of \$1,350 was affirmed, but the revocation of Mr. Martinez's license was converted to a suspension, pending submission to the TLC of proof of the completion of anger management training, by a vote of 5-0 (Commissioners Arout, Giannoulis, Kay, Polanco and Weinshall). The revocation of Mr. Hossain's hack license was affirmed by a vote of 5-0 (Commissioners Arout, Giannoulis, Kay, Polanco and Weinshall).

The meeting was adjourned at approximately 4:05 p.m.

Minutes as approved by the Taxi & Limousine Commission on
May 20, 2010



Deputy Commissioner for Legal Affairs / General Counsel



Date