

NEW YORK CITY
TAXI AND LIMOUSINE COMMISSION

Minutes of Commission Meeting

May 20, 2010

Present:

David Yassky, *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 personnel changes at the TLC. Deputy Commissioner for Administrative Services Lou Tazzi is retiring. David Klahr is now the Executive Director of Enforcement in the Uniformed Services Bureau. (Tr. pp. 4-5)
 - The Chair reported that this will be the last Commission meeting for Commissioner Jeff Kay. (Tr. pp. 5-6)
 - The Chair recognized former TLC First Deputy Commissioner Andrew Salkin for his service at the TLC. (Tr. p. 7)
 - The Chair reported on the rate 4 overcharge situation. When the TLC became aware of the problem, the TLC took steps to address it by educating the public and equipping each taxicab with an alert screen. TLC staff analyzed trip data and believes that there were 286,000 instances of overcharging. That is one tenth of one percent of all the trips during that two year period. The next step is enforcement proceedings, which began last week. The first group of enforcement proceedings is against 633 drivers with 50 or more overcharges. The next group is 1,000 drivers who overcharged between 10 and 50 times. The TLC will be seeking fines from those drivers of up to \$4,900. (Tr. pp. 8-13)
 - The Chair reported on recent complaints of doormen at hotels seeking money in exchange for referring customers to taxi drivers. The TLC has also received complaints of fleet dispatchers asking for tips, conduct that is prohibited by TLC

rules. The TLC will take enforcement action in response to these complaints. (Tr. p. 13)

- The Chair reported on group rides. Last year the Commission authorized ten group ride stands: five in Manhattan and five locations at La Guardia Airport. Three of the group ride locations in Manhattan began operation on February 26, 2010 but have been slow to take off. The TLC remains committed to the group ride concept. Three more group ride stands approved by the Commission will begin operation soon. These stands will be at the Port Authority Bus Terminal and two stands at La Guardia Airport, specifically the Marine Air Terminal and the U.S. Airways Shuttle Terminal. The TLC will look into expanding group ride taxi stands where MTA service cutbacks will result in disappearing service, specifically the express bus route from Yorkville to the World Financial Center. (Tr. pp. 13-19)
- The Chair reported that the TLC's budget will be cut by a quarter of a million dollars. The TLC has identified administrative savings that can be implemented to absorb that cut without scaling back on enforcement efforts. The Chair thanked Deputy Commissioner Tazzi for his work on this problem. (Tr. pp.19-20)
- The Chair reported on FHV inspections at TLC's Woodside facility. Through the end of last week, 20,206 inspections were conducted at Woodside. These inspections were part of the recent FHV Accountability Rules package. The pass rate for those inspections was 47 percent. 35 percent of new applicants have failed to appear for scheduled appointments. The TLC is also seeing increased calls to the call center from FHV owners and drivers who didn't know about the rules requiring them to have their vehicles inspected for renewal. These are examples of the adjustment process to new rules. In March there was a backlog in inspections, resulting in a five to six week wait for an appointment, due to increased demand, but the TLC added Saturday inspection hours reducing the wait to nine or ten days. To thank the inspectors for their hard work, the TLC will have a cookout on Saturday at Woodside. Everyone is invited. (Tr. pp. 20-23)
- The Chair reported on the rules revision project. This phase of the project involves redrafting and reorganizing our rules to make them more accessible, by rewriting them in plain language with few substantive changes. The final four chapters are on today's agenda. If the Commission approves those chapters, the TLC will republish the entire set of nineteen chapters, accept more public comments, put the entire rules package up for a final vote, and they will take effect months after the final vote. In the next phase, the TLC will put together a package of revisions that are substantive, but don't really involve significant policy changes. These items, a couple dozen, will address things that don't really work well in the current rules. These proposals should be before the Commission in September. Additional, more substantive rules changes, will be considered later in the year. (Tr. pp.23-25)

- The Chair reported on retirement age and fuel efficiency standards for black cars. The original deadline had been deferred until this July 1; however, the TLC will again postpone this deadline. The TLC plans to bring a proposal to create a retirement age incentive for fuel efficient vehicles. This proposal will hopefully be brought to the Commission in July. (Tr. pp. 25-28)
2. Item 2 on the agenda, adoption of minutes (March 18, 2010 Commission Meeting), was presented to the Commission for approval. A motion was made by Commissioner Arout to approve the minutes. The motion was seconded by Commissioner Kay and it passed unanimously (Commissioners Yassky, Arout, Giannoulis, Gonzales, Kay, Polanco, and Weinshall). (Tr. p. 28)
 3. Item 3 on the agenda, base applications for determination, was presented to the Commission by Georgia Steele-Radway, Base Licensing Supervisor. Base B02015, Hancock Limo and Car Service, was removed from consideration because they did not meet the ten-vehicle minimum required for approval. The following bases were presented for consideration:

NEW(6):

B02383	Dupont Limousine & Car Service LLC
B02377	Economy Car Service, LLC
B02381	General Car Service Inc.
B02380	Oppa Car Service Corp.
B02379	The Option Transportation Corp.
B02378	Wellcare Car Service D/b/a Kissena Car Service

RENEWALS (38):

B00054	128 Bluebird Transport Inc. D/b/a Latch Car Service
B00983	1431 Car Service, Inc. D/b/a Three Guys Car Service
B00987	Ahsan Inc. D/b/a Marlboro Car Service
B01195	Alex II
B02219	All Queens Car & Limousine, Inc.
B00746	Bamadu Car Service
B01631	B.O.B. Express Inc.
B01509	Brunwish Enterprises Ltd. D/b/a Eastland Car Service
B00693	Bushwick Car Service Inc.
B00827	Castle Car Service, Inc.
B01663	Cibao Radio Dispatch
B01641	Depaul Car Service
B00823	Eastern L.P.B. D/b/a Eastern Car Service
B01215	Ecuador Corp.
B02028	Forest Avenue Car Service Inc.
B00955	Golden-Town Car & Limousine Service Inc.
B01351	Haderech Inc.

B00160	Jaffa Car & Limousine Service Inc.
B01529	J.I.G Transport Corp. D/b/a New Eastern Car & Limousine Service
B01489	Lincoln Limo. Brok'age Inc.
B00855	Magnificent 7's Enterprise Inc.
B00021	Mexicana High Class Inc.
B00909	Mexicanos DF Car Services Inc.
B02055	Montague Management Services, Inc. D/b/a Prominent Car & Limousine
B01527	New Family Radio Dispatch Inc.
B02229	New Fat Inc.
B01355	New Harlem Car Service Inc.
B01175	Pacific Express Car Service Inc.
B01021	Pamelene Trans. Corp. D/b/a Sea Breeze Car Service
B00859	Promenade Car Lease Inc.
B01996	Puebla Express Corp.
B01273	Puerto Rico Car Service Inc.
B01339	R C Audubon Service Inc.
B02227	Rez's Car Service Inc.
B01569	Shaheeda Corp. D/b/a Jamaica Express #2 Car Service
B01982	State Car & Limo. Service
B01009	United Limo. Car Service Corp.
B00536	Winthrop Holding of New York Inc.

RENEWAL, RELOCATION & OWNERSHIP CHANGE (1):

B01231	G.A.L. Limousine Service Inc.
--------	-------------------------------

RENEWAL & OWNERSHIP CHANGE (2):

B02213	Express 11 Car Service Inc.
B00965	Nelpel Car Service Inc. D/b/a Newport Car Service

RENEWAL & NAME CHANGE (3):

B00220	Big East Multi Group D/b/a Premier Car Service
B01353	Dyker Car Service LLC D/b/a Dyker Car Service (to be Dyker Express)
B00210	Queens Dispatch Service Inc. D/b/a Howard Car Service

RELOCATION & OWNERSHIP CHANGE (2):

B01514	Accord Car & Limousine Service Inc.
B02316	West End Cars & Limousines Inc.

OWNERSHIP CHANGE (1):

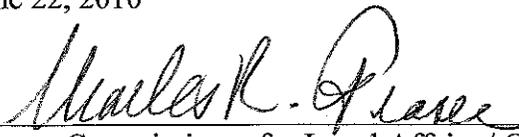
B02006	America United Multiplex Car Service Corp.
--------	--

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

B01247 All American Car Service Inc.
B01653 Art's Place, Inc.
B02107 Apollo Radio Dispatch Inc.

4. A motion was made by Commissioner Aroust to approve all of the base station license applications that were recommended for approval. The motion was seconded by Commissioner Kay and it passed unanimously (Commissioners Yassky, Aroust, Giannoulis, Gonzales, Kay, Polanco and Weinshall). (Tr. p. 29)
5. A motion was made by Commissioner Aroust to deny all of the base station license applications that were recommended for denial if they do not comply with requirements within thirty days. The motion was seconded by Commissioner Gonzales and it passed unanimously (Commissioners Yassky, Aroust, Giannoulis, Gonzales, Kay, Polanco, and Weinshall). (Tr. p. 30)
6. Item 4 (a), a staff presentation on proposed inspection fee increases, was presented to the Commission by Deputy Commissioner for the Uniformed Services Bureau Pansy Mullings. (Tr. pp.30-39)
7. Item 4 (b), a staff presentation on for-hire vehicle decals, was presented to the Commission by David Klahr, Executive Director of Enforcement. (Tr. pp. 39-48)
8. Item 5 on the agenda, rules revision project, was presented to the Commission. A motion was made by Commissioner Aroust to conditionally approve proposed rule chapters 5 (FHV Drivers), 9 (FHV Vehicles and Bases), 1 (Definitions), and 3 (Accessible Vehicles), pending a future vote approving the entire rulebook and repealing the existing rulebook at the same time. The motion was seconded by Commissioner Weinshall and it passed unanimously (Commissioners Yassky, Aroust, Giannoulis, Gonzales, Kay and Weinshall). (Tr. pp. 48-51)
9. The Chair reported on two additional items. The Chair reported that the Taxi of Tomorrow Request for Proposals ("RFP"). Responses to the RFP are due on May 27th. The Chair also reported on the next iteration of the T-PEP devices. The contracts with the vendors who presently provide these devices are set to expire this fall. The TLC is considering how to proceed. Factors being weighed include features, cost, and how to regulate these devices. The Chair invited members of the public and other stakeholders to submit their views on these factors. The TLC will also reach out to meet with stakeholders. (Tr. pp.51-55)
10. A motion was made to close the meeting. The motion passed unanimously. (Tr. pp. 55-56)

Minutes as approved by the Taxi & Limousine Commission on
June 22, 2010



Deputy Commissioner for Legal Affairs / General Counsel



Date