

NEW YORK CITY
TAXI AND LIMOUSINE COMMISSION

Minutes of Commission Meeting

May 28, 2009

Present:

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

1. The Chair called the meeting to order and reported the following:
 - The Chair reported on the MTA bailout taxi surcharge legislation. The TLC has been talking to NYS Department of Taxation and Finance Commissioner Robert Megna and his staff. The TLC does not have further answers for the industry or the public, but expects that this issue will be discussed at a future Commission meeting in June or July. (Tr. p. 3)
 - The Chair reported on the Accessible Dispatch System. There are 239 cabs going to all five boroughs to pick up passengers who use wheelchairs. The Chair thanked WINS, PLJ, WOR, WABC, the Mayor's Office and the City's 311 telephone network for their work in promoting public service announcements informing the public that they can call 311 and request a wheelchair accessible vehicle to take them where they need to go. This month, the average number of trips per day has increased to 17.68 from 4-6 trips per day several months ago. (Tr. pp. 3-4)
 - The Chair reported that the Taxi Technology Request for Information deadline is June 15, 2009. The TLC encourages anyone interested to submit comments through our website, by email or by delivering comments in person. (Tr. p. 4)
 - The Chair reported on the Rules Revision Project. The next public hearing is on Chapter 10, Paratransit Vehicles and Bases, on Friday, June 5, 2009 at 2:30 p.m. (Tr. p. 4)
 - The Chair reported on recent medallion industry statistics. For the sixth or seventh month in a row, there has been a record number of yellow cab drivers

licensed by the TLC. As of April 26, there are 47,627 yellow cab drivers. As of May 26, there are 2,274 hybrid vehicles on the road, just over 17% the total fleet. Additionally, there are 18 clean diesel Volkswagen Jettas in the fleet. (Tr. pp. 4-5)

2. Item 2 on the agenda, Adoption of Minutes (April 16, 2009 Commission Meeting) was presented to the Commission for approval.
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 (1):

B02318 Luxury Cars Group LLC

RENEWALS (18):

B00481 18th Avenue Private Car Service
B02145 2020 Car Service
B00325 Continental Radio Dispatch Corp.
B00492 Blu White Associated Transportation Service, Inc.
B00225 Delancey Car Service
B01815 Indo-Pak Inc. D/b/a Main Street Car Service
B01268 Lakeview Cars Inc. D/b/a Clove Lake Cars
B01028 Mauser Service, Inc. D/b/a Nu Nu Car Service
B01738 New Commando Car Service, Corp. D/b/a N.Y. Saeta
B01672 New Day Night Car Service
B01200 New York Apple Car Service Inc. D/b/a New York Limo.
 & Car Service
B01927 Northlands Trips Car Service, Inc.
B00305 Riteway Private Car Service
B01540 Rockaway Car & limo. Service, Inc. D/b/a Rockaway Car
 Service of Queens
B01522 STM Enterprises, Inc. D/b/a Java Car & Limousine Service
B00281 Vee Cee Limousine Service, Inc. D/b/a Nostrand
 Car Service
B00706 Vic & Bay Car Service, Inc. D/b/a Dejoy's Red Top
B01642 Victory Car & Limo. Service, Inc.

RENEWAL & RELOCATION (1):

B02034 Moe Limo. & Car Service

RENEWAL & OWNERSHIP CHANGE (1)

B00850 Uptown Transit Corp.

RENEWAL, OWNERSHIP CHANGE & NAME CHANGE (2):

B01280 Bensonhurst Car Service Corp.
B01510 Parsons Car Service, Inc. (to be changed to
Waheguru Transportation)

RELOCATION (1):

B00746 Bamadu Car Service

RELOCATION, OWNERSHIP CHANGE & NAME CHANGE (1):

B02182 Spirit Car & Limousine Service

OWNERSHIP CHANGE & NAME CHANGE (1):

B01392 New American Class Car Service Corp. (to be changed to
New America Class Limo. & Car Service)

The following bases are recommended for denial (3):

B01364 Tulcingo Car Service, Inc.
B01194 440 Car Service Inc.
B02312 JLJ Car Service Corp.

4. A motion was made by Commissioner Arout to approve all of the base station license applications that were recommended for approval and to approve the minutes from the April 16, 2009 Commission Meeting. The motion was seconded by Commissioner Gonzales. Commissioners Daus, Arout, Gonzales, and Kay voted in favor, and the vote was held open for any Commissioners who arrived later. (Tr. pp. 5-6)
5. A motion was made 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. Commissioners Daus, Arout, Gonzales, and Kay voted in favor, and the vote was held open for any Commissioners who arrived later. (Tr. p. 6)
6. Item 4 on the agenda, Rules Revision Project for Commission Action, was presented to the Commission. A motion was made by Commissioner Arout to conditionally approve proposed rule chapter 6 (Paratransit Drivers), pending a future vote approving the entire rulebook and repealing the existing rulebook at the same time. The motion was seconded by Commissioner Gonzales. Commissioners Daus, Arout, Gonzales, and Kay voted in favor, and the vote was held open for any Commissioners who arrived later. (Tr. p. 6)

7. Item 5 (a) on the agenda, Pilot Program Proposal for Commission Action—Ridesharing using Multi-fare Meters, was presented to the Commission. David Klahr, Chief of Staff to the First Deputy Commissioner gave a presentation outlining the pilot. A motion was made by Commissioner Arout made to approve the pilot. The motion was seconded by Commissioner Polanco and it passed unanimously (Commissioners Daus, Arout, Giannoulis, Gonzales, Kay, and Polanco). (Tr. pp. 6-24)
8. Commissioners Polanco and Giannoulis voted in favor of Agenda Items 2 (adoption of minutes), 3 (Licensing’s base recommendations), and 4 (conditional approval of paratransit rules revision). (Tr. pp. 24-25)
9. Item 5 (a) on the agenda, Pilot Program Proposal for Commission Action—Group Rides, was presented to the Commission. Gary Roth, from the Office of the Chief of Staff, gave a presentation outlining the proposed group ride pilot. A motion was made by Commissioner Arout to approve the pilot. The motion was seconded by Commissioner Gonzales and it passed unanimously (Commissioners Daus, Arout, Giannoulis, Gonzales, Kay, and Polanco). (Tr. pp. 25-38)
10. Item 5 (a) on the agenda, Pilot Program Proposal for Commission Action—Livery Stands, was presented to the Commission. Tweeps Phillips, Director of Special Projects, gave a presentation outlining the pilot. A motion was made by Commissioner Arout to approve the pilot. The motion was seconded by Commissioner Gonzales and it passed unanimously (Commissioners Daus, Arout, Giannoulis, Gonzales, Kay, and Polanco). (Tr. pp. 38-54)
11. Item 5 (b) on the agenda, Pilot Program Proposal for Commission Action—Metro King was presented to the Commission. David Klahr, Chief of Staff to the First Deputy Commissioner, recommended denial of the proposal based on safety concerns about the vehicle and the vehicle’s failure to meet TLC rules and specifications. A motion was made by Commissioner Arout to deny the pilot proposal. The motion was seconded by Commissioner Gonzales and it passed unanimously (Commissioners Daus, Arout, Giannoulis, Gonzales, Kay and Polanco). (Tr. pp. 54-56)
12. Items 7 (a) and (b) on the agenda, the Commission Appeals of TLC vs. Parvez Iqbal/ Hack License No. 433665 and TLC v. Abdourahmane Bah/ Hack License No. 5129744, were adjourned due to a lack of quorum. (Tr. p. 56)
13. Item 6 on the agenda, Staff Presentations—FHV Accountability Rule Update was presented to the Commission. Samara Epstein, Assistant Commissioner for Constituent Affairs gave a presentation updating the Commission on additional outreach conducted, comments received, and outlining future steps. (Tr. pp. 56-60)

14. A motion was made to close the meeting. The motion was seconded and it passed unanimously. (Tr. p. 60)

The meeting was adjourned at approximately 11:28 a.m.

Minutes as approved by the Taxi & Limousine Commission on
June 19, 2009



Deputy Commissioner for Legal Affairs / General Counsel



Date