

NEW YORK CITY
TAXI AND LIMOUSINE COMMISSION

Minutes of Commission Meeting

May 31, 2012

Present:

David Yassky, *Commissioner/Chair*
Frank Carone, *Commissioner*
Edward Gonzales, *Commissioner*
Lauvienska Polanco, *Commissioner*
Elias Arout, *Commissioner*
Mark Gjonaj, *Commissioner*
Nora Marino, *Commissioner*
LaShann DeArcy, *Commissioner*
Meera Joshi, *General Counsel*

1. A motion was made at 9:08 a.m. to enter into executive session to discuss pending litigation and possible litigation matters with Chairman Yassky and Commissioners Carone, Gonzalez, Arout, and Gjonaj present for the vote. The motion passed unanimously and the Commission entered into executive session.
2. The Commission returned from executive session at 10:40 a.m., joined by Commissioners DeArcy, Marino, and Polanco, and TLC Assistant General Counsel Chris, standing in for TLC General Counsel Meera Joshi, who left following the vote to enter into executive session. Chairman Yassky called the meeting to order and reported on the following:
 - Chairman Yassky reminded medallion owners that medallion renewals were due that day, and urged medallion owners to submit renewals by June 11, 2012 to avoid possible suspensions.
 - Chairman Yassky welcomed a new class of 22 inspectors. Chairman Yassky noted that TLC seized 505 illegal livery vehicles in May and congratulated TLC's inspectors for their tremendous work.
 - Chairman Yassky reported on TLC's taxicab accessibility programs. Chairman Yassky noted that in about one month, people will be able to call 311 to request an accessible taxi. Additionally, Commissioner Frank Carone will spearhead the TLC's effort to introduce 2,000 accessible taxis into service over the next few years.

3. Item 4 on the agenda, Adoption of Minutes (April 19, 2012, Commission meeting), was presented to the Commission for approval. A motion was made to adopt the minutes. The motion passed unanimously.
4. Item 5 on the agenda, Base Applications for Determination, was presented to the Commission by Georgia Steele, Assistant Commissioner of Licensing and Standards. The following bases were presented for consideration:

NEW (6):

B02540	2012 Express car Service Inc.
B02300	Clean Air Car Service and Parking Corp.
B02537	Glenwood Car Service Inc.
B02525	HTP Inc.
B02511	La Corona Express Car Service Inc.
B02529	Mint Car Service Inc.

OWNERSHIP CHANGE (2):

B00919	Harlem Transportation Corp.
B02055	Montague Management Services, Inc.

RELOCATION (1):

B02481	Ten Once Con Corp.
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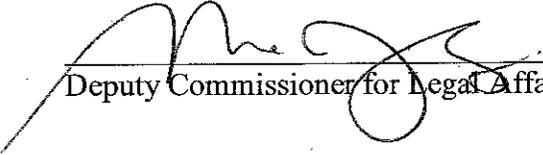
5. A motion was made to approve the base station license applications that were recommended for approval. The motion passed unanimously.
6. Item 6(a), Resolution for Pilot Inspection Program on Staten Island, was presented for Commission action. TLC Assistant General Counsel Chris Wilson introduced the Pilot Program to allow for-hire vehicles affiliated with Staten Island bases to report to the TLC Staten Island facility for their biannual TLC inspections. A motion was made to approve the Pilot Program. The motion passed unanimously.
7. Item 7(a), LPEP Security Standards, was presented for public hearing and Commission action. TLC Assistant General Counsel Chris Wilson introduced the rule. The rule would establish security standards for the Livery Passenger Enhancement Program equipment. A public hearing was held on the rule and the following people testified: Richard Thaler, OMN Gateway. A motion was made to adopt the rule. The motion passed unanimously.
8. Item 7(b), Medallion Sale Rules, was presented for public hearing and Commission action. TLC Assistant General Counsel Chris Wilson introduced the rule. The rule would increase the required bidding deposit on mini-fleet medallions, increase the time for closing following the auction from 30 days to 90 days, and allow the City to retain the

bids of losing bidders that could not successfully be returned to the losing bidders after several attempts. A public hearing was held on the rule and the following people testified: Placida Robinson, medallion owner. A motion was made to adopt the rule. The motion passed unanimously.

9. Item 7(c), Taxicab Vehicle Horsepower Allowance, was presented for public hearing and Commission action. TLC Assistant General Counsel Chris Wilson introduced the rule. The rule would increase the authorized horsepower for alternative fueled vehicles from 290 to 295 in order to permit a Lexus hybrid vehicle for use as a taxicab. A public hearing was held on the rule and the following people testified: Placida Robinson, medallion owner, Cliff Adler, League of Mutual Taxi Owners (“LOMTO”), Charbel Sfeir, hybrid vehicle owner, and Samuel Pekoh, Lexus hybrid owner. A motion was made to adopt the rule. The motion passed unanimously.
10. Item 7(d), Commercial Vehicle Tax Rule, was presented for public hearing and Commission action. TLC Assistant General Counsel Chris Wilson introduced the rule. The rule would implement legislation to transfer the authority to collect Commercial Motor Vehicle tax from certain motor vehicle owners from the Department of Finance to the TLC. A public hearing was held on the rule and no one testified. A motion was made to adopt the rule. The motion passed unanimously.
11. Item 8(a), Staff Presentation on Taxicab Rooflight Modification, was presented to the Commission. TLC Director of Research and Evaluation Dawn Miller gave a presentation on the proposed change for the rules surrounding taxi rooflights. The proposed change would eliminate the Off-Duty lights on top of the taxi, leaving only the medallion number light on top of the taxi. The proposed rules will be presented for public hearing and Commission action at a later Commission meeting.
12. Item 9, Motion to begin Fare and Lease Cap Hearing, was presented for public hearing. Chairman Yassky introduced the public hearing to address fare and lease cap increases. Chairman Yassky offered several issues relating to fare and lease caps that he would like to hear testimony on, including the magnitude of the increases, gas prices, the disparity between the lease caps for DOV and shift leasing, and credit card processing fees. A public hearing was held and the following people testified: Peter Mazer, Metropolitan Taxicab Board of Trade (“MTBOT”); Bhairavi Desai, New York Taxi Workers Alliance (“NYTWA”); David Pollack, Committee for Taxi Safety (“CTS”); John Tepper Marlin, CTS; Ethan Gerber, Greater New York Taxi Association; Vincent Sapone, LOMTO; Richard Thaler, OMN Gateway; Cliff Adler, LOMTO; Ebran Tuncel, LOMTO; Gene Chery, LOMTO; Jawaid Toppa, LOMTO; Joe Morrone, LOMTO; Mohammed Guernah, medallion owner; Mahmoud Elkosiry, DOV driver; Shehi Ismail, DOV driver; Beresford Simmons, NYTWA; Marie Dugonquan, DOV driver; Osman Chowdhury, United Taxi Driver Association (“UTDA”); Michael Ford, taxi driver; Robert Kirk, taxi driver; Mohan Singh, NYTWA; George Laszlo, New York resident; Bill Lindauer, NYTWA; Rafael Espinal, NYTWA; and Mohammad Akhtar, DOV operator.

13. The meeting was adjourned at approximately 3:51 p.m.

Minutes as approved by the Taxi & Limousine Commission on July 12, 2012



Deputy Commissioner for Legal Affairs / General Counsel

7/24/2012
Date