

NEW YORK CITY
TAXI AND LIMOUSINE COMMISSION

Minutes of Commission Meeting

September 17, 2009

Present:

Matthew W. Daus, *Commissioner/Chair*
Elias Arout, *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 International Association of Transportation Regulators' Conference ("IATR"). Government officials attended the conference to share knowledge and best practices between member jurisdictions. The theme of this year's conference was technology. Particular attention was given to the TLC's T-PEP system. The IATR recognized an IATR International Driver of the Year. Thomas Chappell, from Phoenix, Arizona, won the award in recognition of his donation of his kidney to a passenger. Another driver was recognized for his financial support of a village in Africa that has enabled 150 children to attend school, and enabled its population to be zero percent HIV positive. The Chair thanked everyone who worked on the conference. (Tr. pp. 3-7)
 - The Chair reported that the TLC is hosting an Information Exchange Summit and Conference at 11:00 today. This summit is an extension of the RFI process and provides an opportunity to gather more information and exchange ideas, for both existing vendors and other interested parties. (Tr. pp. 7-9)
 - The Chair reported on the Rules Revision Project. There will be a TATC hearing on the taxi driver's rules on Friday, October 2nd, at 2:30 p.m. (Tr. p. 9)
 - The Chair reported that thanks to lobbying efforts by industry members, the TLC and the Mayor's Office, the State Senate passed airport hustling legislation. The legislation increases the penalties for unlicensed operators who pick up passengers at airports. The legislation is pending signature by the Governor and the Chair urged everyone who lobbied for this to put in letters of support to the Governor's office. (Tr. pp. 9-11)

- The Chair reported on implementation of the For-hire Vehicle Accountability Rules. The Chair reiterated the TLC's commitment to outreach and working with the industry instead of issuing summonses. The Chair thanked members of the industry in attendance today and the Federation for their work in helping bases comply with the new rules. Additionally, the TLC is working to educate the community boards on the Livery Passenger's Bill of Rights and how to identify properly licensed cars and bases. The Chair plans to do more outreach so that people know what the stickers look like and where to look for them. Passenger and industry brochures on these rules can be found on the TLC's website, and are available in English, French, Russian, Arabic, and Spanish. The TLC is still working on creating a point reduction program. An RFI was recently issued, but few of the responses directly dealt with the point reduction program. TLC staff is working on recommendations and plans to have a program in place before anyone accrues sufficient penalty points for revocation. Anyone interested in proposing a program is urged to do so soon. To date, one vehicle has received one penalty point. Visual and DMV inspections of new vehicles have begun at our facilities, and so far out of 160 inspections, 95 passed and 65 failed, resulting in a 60% pass rate. Of the 44 vehicles that were re-inspected, the pass rate was about 85 percent. (Tr. pp. 9-15)
 - The Chair reported on Operation Safe Cab. Fernando Mateo, Jose Vilorio and the New York State Federation of Taxi Drivers ("Federation") have been working with the New York City Police Department and the TLC to make sure that drivers are kept safe. There have been a recent number of high-profile robberies of drivers and everyone is working to make sure any livery vehicle owner and driver that wants to participate in Operation Safe Cab has the stickers that are necessary to allow police officers to do safety checks of the car. By placing the sticker on the car, the owner or driver is giving the police authorization to stop the car for any reason to make sure everything is ok. The Chair thanked the Federation and the Police Department for their efforts. Stickers should be placed in the rear, corner panel window, just above or below the TLC license sticker (the poker chip sticker). (Tr. pp. 15-16)
 - The Chair reported on the Accessible Dispatch Program. As of September 15, there were 3,638 dispatches, 391 cancellations and the average wait time was 35 minutes. (Tr. p. 16)
2. Item 2 on the agenda, Adoption of Minutes (July 16, 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 by Commissioner Gonzales and it passed unanimously (Commissioners Daus, Arout, Gonzales, Kay and Polanco). (Tr. p. 17)
 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(5):

B02337 Boerum Hill Car & Limousine Service Inc.
B02301 Double A Car Service Inc. D/b/a United Cars
B02326 Nickis Car Service Inc.
B02335 Rochdale Car Service Inc.
B02338 Triple D Car & Limo. Service Inc.

RENEWALS (38):

B01194 440 Car Service Inc.
B02103 A & S Limousine Service Corp.
B01987 Ascona Car Service Inc.
B00319 Aventine Auto Rental Inc. D/b/a Safeway Car Service
B02183 Bangla Car & Limousine Service Inc.
B01629 BBA Management Inc.
D/b/a United Car & Limousine Service
B00856 Bee-Bee Car & Limousine Corp.
B01083 Broad Dyckman Car Service Inc.
B01265 Caprice Car Service Corp.
B01045 Caprice Car Service No. 2 Inc.
B01679 Century Car Service Inc.
B01381 Classic Car Service Corp. D/b/a Paisa Classic
B01010 Columbia Street Limo. Service, Inc.
B01751 Concorde Express of N.Y. Inc.
B01269 Division Car & Limo. Inc. D/b/a Natanya Transportation
B00715 Erushalaim Corp.
B00531 Friendly-Bestway Transportation
B00751 Keshet Car Service Ltd.
B00647 Kiss Car Service Inc.
B01703 Kexpress Car Service
B02047 La New Express Inc.
B02077 Latino Mix Car Service Corp.
B00469 Let It Ride Inc. D/b/a My Way Car Service
B01417 Neshar Express Car Service, Inc.
B01289 Prestij Transportation Inc.
B00031 Queens Village Inc.
B01263 Rachel's Car Service, Inc.
B01973 Raja Car & Limo. Service Inc.
B01541 Red Carpet Car Services, Corp.
B00475 Ridge Transportation Corp.
B01391 Rose 'N' Dale Car Service Inc.
B01069 RPO Car & Limousine Service Inc.
B01537 S.I. Speed, inc.
B00375 The Excellent Car Service, Inc.

B01079 The Metro Marine Car Service Inc.
D/b/a Marine Limo. & Car Service Inc
B01259 The New Brooklyn Car Service Inc.
B01977 USA Car Service, Inc.
B01737 Washington Radio Dispatch Inc.

RENEWAL & RELOCATION (3):

B01277 D & J Service Inc. D/b/a Citicar Private Car Service
B01311 Discount Car Service
B01190 New Bell Car Service Corp.

RENEWAL & OWNERSHIP CHANGE (2):

B00559 7 Ocean Express Inc.
B01764 Quick Ride Corp.

RENEWAL & NAME CHANGE (1):

B02162 ABC Service Inc.
(To be changed to ABC International Service Inc. D/b/a ABC Car

RELOCATION (1):

B01924 Easy Fast Car Service Inc.

RELOCATION & OWNERSHIP CHANGE (2):

B02211 P & L Car & Limousine Service Inc.
B00911 Webster Car Service Inc.

RELOCATION, OWNERSHIP CHANGE & NAME CHANGE (1):

B02015 Onnuri Limousine Tour Inc.
(To be changed to Hankook Limo. Car Service, Inc.)

OWNERSHIP CHANGE (3):

B02129 Discovery Transportation Corp.
B00021 Mexicana High Class Inc. D/b/a Capitol Car Service
B01175 Pacific Express Car Service Inc.

OWNERSHIP CHANGE & NAME CHANGE (1):

B01234 Bailey Radio Dispatch Inc.
(to be changed to Bailey Radio Car & Limo. Corp.)

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

B02071	Advantagedge Car & Limousine Inc.
B01065	Barrios Car Service
B01231	G.A.L. Limo. Services, Inc. D/b/a Hana Car Service & Limousine
B00378	Habirah Inc. D/b/a Elat Car & Limousine
B00665	RCS Transportation Corp. D/b/a Remsen Car Service
B00639	Rocapulco Car Service, Inc.
B01675	Towncar Transportation Inc. D/b/a New Topacio Car Service Inc.

4. A motion was made by Commissioner Gonzales to approve all of the base station license applications that were recommended for approval. The motion was seconded by Commissioner Polanco and it passed unanimously (Commissioners Daus, Arout, Gonzales, Kay and Polanco). (Tr. pp. 17-18)
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 thirty days. The motion was seconded by Commissioner Gonzales and it passed unanimously (Commissioners Daus, Arout, Gonzales, Kay and Polanco). (Tr. p. 18)
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 chapters 7 (Commuter Van Drivers) and 11 (Commuter Van Services), pending a future vote approving the entire rulebook and repealing the existing rulebook at the same time. The motion was seconded by Commissioner Polanco and it passed unanimously (Commissioners Daus, Arout, Gonzales, Kay and Polanco). (Tr. pp. 18-20)
7. Item 5A on the Agenda, Proposed Rules for Public Hearing and Commission Action—Codification of MTA Surcharge Mandated by State Law, was presented to the Commission. A public hearing was held and the following people testified: Vincent Sapone, League of Mutual Taxicab Owners; Ron Sherman (testimony read by Michael Woloz), Metropolitan Taxicab Board of Trade; Richard Thaler, Omni Media Network; Osman Chowdhury, New York Taxi Workers Alliance; Bill Lindauer, New York Taxi Workers Alliance; and Bhairavi Deasi, New York Taxi Workers Alliance. Commissioner Kay requested that the TLC prepare a written response for the Commissioners addressing the concerns raised during the public hearing. Commissioner Kay made a motion to approve the rules. The motion was seconded by Commissioner Arout and it passed unanimously (Commissioners Daus, Arout, Gonzales, Kay and Polanco). (Tr. pp. 20-54)

8. The Chair amended the agenda adding Item 5B, which is a proposed modification of the taxi fare sticker to reflect the 50 cent state surcharge. This sticker would be modified to reflect that the initial fare will go up from \$2.50 to \$3.00. A motion was made to approve the sticker. The motion was seconded by Commissioner Aroust and the motion passed unanimously (Commissioners Daus, Aroust, Gonzales, Kay and Polanco). (Tr. pp. 54-57)
9. David Klahr, Chief of Staff to the First Deputy Commissioner, gave a presentation to the Commission on the hearing loop pilot project. The Chair made a motion to extend the pilot program to January 2010, permitting vehicles with this equipment to continue to use it while TLC does rulemaking to approve this technology across all regulated vehicles. Commissioner Aroust seconded the motion and it passed unanimously (Commissioners Daus, Aroust, Gonzales, Kay and Polanco). (Tr. pp. 57-63)
10. Item 6B, Operation Safe Cab Sticker, was presented to the Commission for approval. A motion was made to approve the location of the sticker, in the rear window or rear corner window in the bottom right corner, just above or below the TLC license sticker (the poker chip sticker). The motion was seconded and it passed unanimously (Commissioners Daus, Aroust, Gonzales, Kay and Polanco). (Tr. pp. 63-67)

The meeting was adjourned at approximately 11:18 a.m.

Minutes as approved by the Taxi & Limousine Commission on
October 16, 2009



Deputy Commissioner for Legal Affairs / General Counsel

October 28, 2009
Date