

NEW YORK CITY
TAXI AND LIMOUSINE COMMISSION

Minutes of Commission Meeting

November 20, 2008

Present:

Matthew W. Daus, *Commissioner/Chair*
Elias Arout, *Commissioner*
Harry Giannoulis, *Commissioner*
Edward Gonzales, *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 that a federal judge issued a preliminary injunction blocking the TLC from implementing the 25 mpg rules. The TLC has sent out industry notices apprising the industry of how this ruling affects them. These notices are available on the website. (Tr. p. 3)
 - The Chair reported on Mayor Bloomberg's two part plan to green the taxi fleet. This plan seeks to create a series of green lease incentives and changes to federal legislation permitting cities to set fuel efficiency standards for vehicles they license. Last Friday, the Mayor, Commissioner Daus and several legislators had a news conference announcing this initiative. The Mayor has asked the TLC to make certain changes to lease cap provisions which would equalize pay between drivers, create incentives for the use of hybrid vehicles, and create disincentives for non-hybrid owners. The Chair expects to forward the details of this proposal to the Commissioners in January. (Tr. pp. 3-5)
 - The Chair reported that there are now 1,580 hybrid cabs on the road. That is approximately 12% of the taxi fleet. The Chair encouraged owners who are up for inspection to purchase hybrids. The Chair reported that several fuel efficient models, including Altimas, Mariners, Malibus, Priuses, and Escapes, are joining the fleet. (Tr. pp. 5-6)
 - The Chair reported on how current economic conditions are affecting the black car and luxury limousine industry. Many corporations have gone out of business or cut their corporate sedan contracts. Members of the industry

remain cautiously optimistic that they can ride out current conditions and potentially reinvent themselves. (Tr. pp. 6-7)

- The Chair reported on how current economic conditions are affecting the yellow cab industry. The Chair was cautiously optimistic, noting that conditions have been consistent over the last several months. September data indicates that drivers are earning a living wage, between \$19 and \$21.50 per hour. The Chair also reported that gas prices are down; ridership remains normal; and medallion prices remain at record highs. A mini-fleet medallion recently sold at \$715,000 and an independent medallion sold for \$539,000. (Tr. pp. 7-9)
- The Chair reported that license and renewal application volume has increased, as compared to last year. New license applications and renewals are up 16%. Over the last several years, the TLC has been averaging between 43,000 and 44,000 taxicab drivers. The TLC currently licenses 44,850 taxicab drivers. (Tr. p. 8)
- The Chair reported that the TLC will be trying several new innovative programs that allow testimony at the TLC's Courts to be taken by telephone. Instead of filing affidavits, consumers will be able to testify by telephone. Also, a new program is starting that will allow respondents to testify by telephone from the TLC's Staten Island facility. Respondents will be required to sign a waiver in order to testify by telephone and they would not be able to do this where identity is an issue in their case. The TLC hopes to move to videoconferencing in the future. (Tr. pp. 9-12)
- The Chair announced that the TLC will hold a public hearing on proposed revisions to the rules governing industry representatives and the sale of taxicab medallions. Charles Fraser, the General Counsel, will preside over this hearing. The hearing is scheduled for December 5, 2008 at 2:30 pm. The goal of these proposed rules is to make the rules easier to understand by reorganizing, reordering and rewriting the rules in plain language. (Tr. pp. 12-13)
- The Chair reported on the Accessible Dispatch Program. As an incentive to encourage driver participation, the Port Authority has agreed to expedite accessible vehicles through the taxi line at JFK airport. The program started on November 3 and there are 236 accessible taxicabs on the road. Approximately 600 calls have been dispatched. On average there were 150 pickups per month and only 55 cancellations, with a time of 30 minutes from call to pickup. Also, there was an average of 20-30 vehicles logged into the system to receive calls at a given time. (Tr. p. 13-14)
- The Chair made several personnel announcements. Jeffrey Grunfeld has joined the TLC as Chief Information Officer. The TLC has a new Urban

Fellow, Adrian Gonzalez, who will be working in the office of the First Deputy Commissioner Andrew Salkin. The Chair thanked Commissioner Martha Hirst at DCAS for her work on the fellowship program. (Tr. pp. 14-15)

- The Chair reported that several weeks ago the TLC participated in Customer Service Week. The Chair noted that the TLC has improved its MMR numbers, including wait times at S&E and licensing. The Chair recognized Frances Studivent as the epitome of service at this agency. Ms. Studivent represented the TLC at an awards ceremony held by Mayor Bloomberg. Ms. Studivent has worked at the TLC Call Center for 30 years. (Tr. pp. 17-19)
 - The Chair announced that eleven new Administrative Law Judges have joined the TLC. Chief Administrative Law Judge Carmena Schwecke swore the judges in. The new Administrative Law Judges sworn in are: Bernadette Taylor, Anthony Bailey, Amy Baranoff, Thomas Bello, Elizabeth Knadjl, Adele Cohen, Garret Rubin, Suzanne Zalewski, Mark Goichman, Bikku Kuruvila and Lisa Badner. (Tr. pp. 19-21)
 - The Chair announced that the next meeting is scheduled for December 18, 2008. The January meeting is expected to take place on January 8, 2009. (Tr. pp. 21-22)
2. A motion was made by Commissioner Arout to adopt the minutes of the September 10, 2008 Commission meetings. The motion was seconded by Commissioner Gonzales, and it passed 6-0 (Commissioners Daus, Arout, Giannoulis, Gonzales, Polanco, and Weinshall). (Tr. p. 22)
3. Georgia Steele-Radway, Base Licensing Supervisor, presented the following base station license applications for consideration:

The TLC Licensing and Standards Division is presenting 42 livery base applications for determination.

The following bases are recommended for approval:

NEW (3):

Bronx Luxury Services, Inc.	B02283
Matamoros Car Service, Inc.	B02279
McGuiness Car Service, Inc.	B02282

RENEWALS (23):

American Base No. 1 Inc.	B01362
American Dream Car Service, Inc.	B01734
Ameriworld 1, Inc.	B01704
Andrea Car Service, Inc.	B01222

Area's Two Transp. Inc.	B01452
A.T.B. Car & Limousine Service, Inc.	B00874
Bed Star Drivers Assoc., Inc.	B01714
Bensonhurst Car Service Corp	B01280
California Car Service, Inc.	B01716
Eilat Transportation Corp. D/b/a Manhattan Car Service	B01243
First Class Car & Limo. Service, Corp.	B01536
Golden Dragon Express, Inc.	B02102
Huang Hou Car Service, Inc.	B02111
Kennedy Radio Dispatcher, Inc.	B01300
Lucky Express Corp. D/b/a Good Luck Car Service	B01730
Melmac Service Group Corp. D/b/a Econo Express Car Service	B01100
New American Class Car Service, Corp.	B01392
New Lots Car Service, Inc.	B01282
New Pronto Transportation Inc.	B01436
N.Y. Mexicana Car & Limo. Service Corp D/b/a N.Y. Mexicana Car Service	B01568
T.J.'s Car Service, Inc.	B01833
Tomby Holding Corp. D/b/a Sen-On Car Service	B02135
W.K. Car & Limo. Service, Inc.	B01721
<u>RENEWAL & RELOCATION (2):</u>	
Eagle Car & Limo. Ltd.	B01424
M & H Car Service Corporation	B02043
<u>RENEWAL, RELOCATION & OWNERSHIP CHANGE (1):</u>	
New York Cars Corp.	B01256
<u>RENEWAL & OWNERSHIP CHANGE (8):</u>	
Guadalupana Car & Limo., Inc.	B02138
Jubilee Radio Dispatcher, Corp.	B02031
Masada II Car & Limousine Service, Inc.	B01244
My Car Service, Inc	B01416
Paisa 2 Car & Limousine Service, Inc.	B01088
PD Transporter Express, Inc	B01939
Super Class Radio Disp. Inc.	B01726
Top Limousine Service, Inc.	B01578
<u>RELOCATION (2):</u>	
Ivoire Car Service, Inc	B01811
New Superior Radio Group, Corp	B01768
<u>OWNERSHIP CHANGE (1)</u>	
La Raza Car Service, Inc.	B02249

The following bases are being recommended for denial:

DENIALS (2):

Flash Car Service	B00866
New Puebla Car & Limousine Service, Inc.	B01674

(Tr. pp. 22-24)

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 6-0 (Commissioners Daus, Arout, Giannoulis, Gonzales, Polanco, and Weinshall). (Tr. p. 23)
5. A motion was made by Commissioner Arout to deny 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 Polanco and it passed 6-0 (Commissioners Daus, Arout, Giannoulis, Gonzales, Polanco, and Weinshall). (Tr. p. 23)
6. David Klahr presented to the Commission a report on the Bruno Turnout Seat Pilot Program. A motion was made by Commissioner Gonzales to extend the pilot for an additional year, to expand the pilot to include all vehicles that can accommodate the turnout seat in a rear passenger seat, and to add a requirement that participating vehicles be marked with decals indicating that the vehicle is equipped with a turnout seat. The motion was seconded by Commissioner Arout and it passed 5-0 (Commissioners Daus, Arout, Giannoulis, Gonzales and Polanco). (Tr. pp. 23-52)
7. David Klahr presented to the Commission a proposal for the MacBox II System Pilot Program. This program would allow TLC licensed vehicles to install data collection devices, such as "black box" recorders and cameras (drivecams). The proposal was tabled to the next Commission meeting to allow TLC staff to prepare a supplemental report detailing the available equipment. (Tr. pp. 52-91)

The meeting was adjourned at approximately 11:30 a.m.

Minutes as approved by the Taxi & Limousine Commission on
December 18, 2008.



Deputy Commissioner for Legal Affairs / General Counsel

December 19, 2008

Date