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Transcript of the Meeting of the
TAXI AND LIMOUSINE COMMISSION

Held on Thursday, January 12, 2006

40 RECTOR STREET

Borough of MANHATTAN

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1 Meeting convened at 9:50 a.m.

2 P R E S E N T

3 MATTHEW W. DAUS
Chairman

4
5 NOACH DEAR
Commissioner

6 IRIS WEINSHALL
Commissioner

7
8 ELIAS AROUT
Commissioner

9 ED GONZALES
Commissioner

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11 HOWARD R. VARGAS
Commissioner

12 CHARLES FRASER
General Counsel

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1 P R O C E E D I N G S

2 CHAIRMAN DAUS: Good morning, everyone. We

3 have a revised agenda, January 11th, I'm going to go

4 through that. The first item on the agenda is the

5 Chairman's report. First I'd like to ask everyone for a

6 moment of silence in memory of Gurbaj Singh. Some of

7 you may have read in the newspaper, there was a terrible

8 and tragic accident that occurred a day or two after

9 Christmas where somebody plowed into a taxicab in Queens

10 and the driver was instantly killed. I want to, I think

11 on behalf of the whole Commission publicly thank Senator

12 Schumer for making arrangements to get the family into

13 the country to visit at the wake and the funeral service

14 and it was just a horrible tragedy and all of our

15 condolences go out to the family and the members of Sikh

16 community from which Mr. Singh was from.

17 Let's have just a moment of silence, please.

18 (Moment of silence.)

19 CHAIRMAN DAUS: Thank you. As many of you
20 may have recalled, we had a transit strike. We
21 developed a contingency plan together in conjunction
22 with the Mayor's Office of Emergency Management and DOT.
23 Under the leadership of Mayor Bloomberg we were able to
24 effectively implement that plan under the circumstances.
25 I want to thank Commissioner Weinshall and also

4

1 Commissioner Bruno from OEM who worked very closely with
2 our staff, and internally, everybody really pitched in
3 at the TLC, but in particular I'd like to thank some of
4 the architects of the plan, including Andy Salkin, Eric
5 Kim, who did a terrific job as well as Pansy Mullins who
6 isn't here today, but who did a excellent job as well,
7 as well as our staff.

8 Overall, I believe the plan worked well.
9 Our role at the TLC as part of the plan was to
10 supplement but not replace mass transit, making taxicabs
11 and for-hire services one of several alternate
12 transportation options in accordance with the citywide
13 plan. We basically had, I could best describe it in two
14 ways; simplicity and efficiency. The plan had uniform
15 zones and it also had a group ride system. We, I

16 believe the plan basically accomplished its mission.
17 There were fewer questions than I believe we anticipated
18 about how the system would work, and we certainly
19 maximized over that three-day period. We probably had
20 more riders in that three-day period taking cabs than in
21 the history of the City of New York.

22 So with that capacity in mind, I think all
23 of the members of the industry deserve a round of thanks
24 from the City for coming to work and for helping us with
25 the plan. I think everybody did a great job. I mean,

5

1 we did, you probably heard in the media some reports of
2 some people complaining about overcharges, certainly
3 there was some complaints, but there was much less than
4 anticipated given the volume, and we're still
5 investigating those and we're going to treat them
6 seriously and take action.

7 But of those complaints, we've already
8 uncovered several situations where there was just simply
9 a misunderstanding and may not have been an overcharge,
10 that people didn't agree with or like the new fares
11 because they were a little bit higher or just basically

12 didn't understand the system.

13 The next steps on this over the next weeks
14 to months, we're going to be working with DOT and OEM on
15 looking at what worked well, what things we'd like to
16 change to basically have a final plan that could be used
17 in the future, not necessarily, as the Mayor said, for
18 further strikes, but also if there's a power outage or
19 some type of other problems in the subway, always
20 looking to do better and improve on things.

21 But overall I think it worked well and I
22 think a true testament to that is the media calls that
23 came in afterwards was not why did it not work, but why
24 can't we continue it. Certainly I want to thank
25 everybody involved with that.

6

1 On the customer service front, there was a
2 meeting at the Mayor's Office of Contract Services, a
3 public hearing on the 27th of December on the contracts.
4 A couple of next steps that you'll be seeing with this
5 project. Number one, the contracts will soon be sent to
6 the controller for registration and, number two, we will
7 be briefing the Commissioners very shortly on the
8 nuances of the contracts that have been negotiated and

9 drafted.

10 Item 3, more of a housekeeping thing. We
11 received a rule-making petition from the Black Car
12 Assistance Corporation on October 3, 2005, concerning
13 the Black Car Injury Operators Compensation Fund. It's
14 a State-created fund created by State law which seeks to
15 insure that black car bases that are defined as central
16 dispatch facilities participate in the fund and pay dues
17 so that black car operators can have Workers' Comp
18 insurance. Essentially, what the rule-making petition
19 that was submitted to me review asked us to do was to
20 basically make our rules consistent with the State law.

21 On the advice of counsel, I had denied and
22 rejected that petition, because after looking at it, we
23 don't need to really amend our rules, because the State
24 law supersedes us, preempts us and applies directly. So
25 our judges are well aware that the State law applies

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1 directly and in accordance with our rules in the City
2 Charter I've presented a copy for the record to the
3 Commissioners today of my denial. So really nothing
4 changes.

5 The way it's structured is set forth in
6 State law and applies directly and there's really no
7 need to have it reflected in our rules. It was of no
8 legal consequence, I was advised.

9 Item 4. Just a quick update on the Nassau
10 County situation. My understanding is that there are
11 still lawsuits going on between the BCAC and Nassau
12 County. The good news is I've had some very productive
13 conversations with Commissioner Roger Bogstead. We've
14 agreed to come in and have a discussion. The
15 Commissioner will be joining my staff and I on
16 January 18th in my office to discuss the possibility,
17 the possibility of Statewide reciprocity legislation.
18 Just a discussion, and that's going to take place and
19 I'll report at the next meeting on the outcome of that.

20 And I want to thank in particular,
21 Commissioner Dear, who has really been on top of this.

22 The next item is something that hasn't been
23 finalized yet. I'd like to talk a little bit about it.
24 Commissioner Weinshall and I have had some very
25 productive discussions about the rules over the last

1 year or two, and I think especially for some of our

2 newer Commissioners, if you look at the mound of rules
3 we have, it's certainly voluminous. Certainly having
4 been a counsel in the past, it really, I can speak to
5 the fact that it has been a bit of a morass and bit of a
6 problem trying to weed through them and make changes
7 wherever we could.

8 Basically, since the TLC was created over
9 the last 30 years the rules have grown in number. There
10 are over 3,000 TLC rules and regulations and they've
11 also grown in their complexity. We have 13 chapters of
12 rules that are intertwined with pre-emptive legislation
13 that was passed over several decades through the City
14 Council, and when I was reappointed, I remember during
15 the confirmation testimony, I had alluded to reviewing
16 the rules to make them easier to understand, and there
17 was some real give and take with the counsel members
18 about why can't the rules be shorter, simpler, easier to
19 understand, put them in the booklet, and I believe I
20 pretty much at that point had committed to the Council
21 that we would take a look at this, and we are.

22 And one of the things we're going to be
23 doing in this new year is looking into what we can do to
24 make the rules simpler, easier to understand and
25 accomplish a couple of objectives which we've been

1 talking about. And this is by no means finalized, this
2 is a basically, an idea moving on into the right
3 direction to set forth a regulatory vision going
4 forward.

5 But the rules definitely need work. In 1998
6 when there was some reforms put into place, since then
7 every time we changed the rule, we started asking the
8 question are there other people that are similarly
9 situated that we should change the rules for as well.

10 Starting with those reforms in '98, every
11 time we had a requirement that was imposed on a cab
12 driver, we also looked to see whether it made sense to
13 impose it on a livery driver. If you look at the
14 persistent violator program, the drug testing
15 requirements, all the requirements that were imposed for
16 legal protection purposes, quite frankly, were imposed
17 consistently on both industries unless there was good
18 reason not to.

19 I think we need to look at that, because
20 there are inconsistencies with our rules, and also with
21 the rules and the City Council's laws which, I think
22 have to be worked on together.

23 We have identified a couple of objectives
24 which I'd like to put out there for further discussion
25 with the Board and with our staff. Number one, we want

1 to use this project however we carry it out, to update
2 and reflect best practices that are currently going on
3 in the industry; to also streamline agency operations,
4 whether they're things that we've done already or that
5 we plan to do and use the rules to either reflect our
6 changes or make new changes. We also want to set forth
7 a long-term regulatory vision, something that hasn't
8 been done. We moved from issue to issue to issue. For
9 the first time we want to think where do we want to be
10 ten, twenty years from now as a Commission, as an
11 industry and try to set forth that vision in the rules.

12 Number two, I think we need to better
13 organize them, condense them and make them plain
14 language whenever possible. There have been other
15 agencies in the city that have done this, the
16 procurement rules have been condensed and made easier to
17 understand. There was a project that happened at the
18 Buildings Code at the Buildings Department, we I think
19 have an obligation to do the same thing here, make them
20 easier to understand. Drivers should be able to pick up
21 the rules and understand what they say.

22 Number three, we'd like to promote fair and
23 consistent standards and penalties, like I mentioned
24 before, wherever feasible, and last but not least, to
25 develop some suggested legislative changes necessary and

11

1 consistent with these goals and to partner with the City
2 Council and the Chair of the Transportation Committee
3 and the new speaker and their staff at the beginning of
4 the process, not at the end.

5 So rather than putting a pile of paper on
6 the Council's desk saying these are the things we think
7 you should change, we'd like to bring them into the
8 process at the early stages and discuss with them what
9 changes they would like to make as well.

10 That's basically it. This is in the
11 development stage. It's certainly not been finally
12 approved or we don't have a final mechanism by which
13 we're going to do this, but I believe it's something we
14 need to start thinking about in 2006.

15 Also moving forward for the new year, I
16 think from the stability of not only the industry, but
17 our Commissioners' calendars, we'd like to start holding
18 regular Commission meetings on set dates, unless there's

19 a very good reason not to hold it, such as a holiday or
20 some other intervening emergency. So what we discussed
21 and settled on so far is the second Thursday of every
22 month. So the next two months, we have February 9th and
23 March 9th. And we already even have an agenda for
24 February 9th, which would include pilot program rules
25 and the final drug testing rules that we passed the last

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1 time for public hearings on the 9th.

2 Also the annual report to the City Council,
3 which is required by the City Charter was delivered, the
4 Commissioners have a copy of it here today. We don't
5 have copies of it yet for you, but you can access it, it
6 is on our website and we'll try to have copies at the
7 next meeting.

8 We have a number of presentations today.

9 Any questions?

10 MR. FRASER: Yes, just for the record. Item
11 2, adoption of the minutes.

12 CHAIRMAN DAUS: Yes, okay. Any questions on
13 the report? Okay. All right, item 2, adoption of the
14 minutes. Any questions or changes to the minutes?

15 COMM. AROUT: Make a motion we accept them.

16 CHAIRMAN DAUS: I have a motion. Do I have
17 a second?

18 COMM. DEAR: Second.

19 CHAIRMAN DAUS: All in favor?

20 (Chorus of "Ayes.")

21 CHAIRMAN DAUS: The minutes are passed.

22 The next item on the agenda, we had a very
23 productive meeting with the New York City Commissioner
24 of Women's Issues. I want to particularly thank the
25 Chair, Ann Southland Fuchs, and also the Executive

13

1 Director is here with us today, Elizabeth LaNegro.

2 Would you like to join us? This is regarding a proposed
3 sticker for women's history month.

4 MS. LANEGRO: Hello, thank you for having me
5 here at your Commission meeting, I'm Elizabeth LaNegro,
6 the Executive Director of the Commission on Women's
7 Issues in New York City. This year is our 30th
8 anniversary and part of our charge is to create the
9 public awareness about women's issues and the resources
10 available for women in New York. Over the year we've
11 been running a campaign called "New York Loves Women,"

12 it's been on bus shelters, phone kiosks and lamppost
13 banners. Here's an example of a lamppost banner from
14 NYC & Company. It directs people back to NYC.gov,
15 Commission on Women's Issues.

16 Then we saw this on the taxis and we
17 absolutely loved it, so we approached the Chairman and
18 asked if we could possibly put a New York Loves Women
19 sticker in directing people back to NYC.gov, on the
20 window. Our designer, a very nice pro bono person, did
21 not have a moment to create it, but I created a mockup
22 of what they would look like. I made three. They're
23 relatively similar.

24 We still have the message that says, "Exit
25 curbside and watch for cyclists" and it says New York

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1 loves women, NYC.gov, has the City seal, then dial 311,
2 it has one without the NYC.gov and one with our campaign
3 that says, "Your city, your success." We don't know
4 which one we're going to use, but it would be one of
5 these.

6 CHAIRMAN DAUS: Okay. Any thoughts -- so
7 you're proposing that we basically allow cab owners to

8 voluntarily put these on the windows in the same spot

9 where we placed the 2012 stickers.

10 MS. LANEGRO: Yes.

11 CHAIRMAN DAUS: Okay, any comments on that?

12 Seems like a great initiative to me. So what do we have

13 to do, Chuck?

14 MR. FRASER: We have to notify each one that

15 you want to be allowed, if they want to have the choice

16 of three, we would have to approve all three.

17 MS. LANEGRO: We'll only end up printing

18 one. I wanted to bring all three just in case you

19 wanted to see which versions. I don't know which one

20 we're settling on.

21 CHAIRMAN DAUS: Okay. Could we make a

22 general motion to accept whatever sticker they come up

23 with?

24 MR. FRASER: Which of those three -- sure.

25 CHAIRMAN DAUS: I'd like to make a motion

15

1 that we voluntarily allow cab owners to put these on

2 their side windows in the same spot that we approved the

3 2012 stickers.

4 COMM. AROUT: Second.

5 CHAIRMAN DAUS: All in favor.

6 (Chorus of "Ayes.")

7 CHAIRMAN DAUS: All right, congratulations.

8 We look forward to working with you. I'm sure Andy and
9 his staff will work with you.

10 MS. LANEGRO: Thank you. The Commissioner
11 is pleased.

12 CHAIRMAN DAUS: Items on the agenda. First
13 I'd like to go to the Design Trust For Public Space. I
14 see we have Executive Director Deborah Martin here.
15 Could you join us? I want to thank you and also Paul
16 Goldberger for working so hard on this project. Some of
17 the Commissioners, including Commissioner Weinshall were
18 there. Andy, as you know, has worked very closely with
19 you and we thank you for all of your hard work in
20 bringing these interesting ideas to our table.

21 Thank you for joining us today.

22 MS. MARTIN: It's my pleasure, and also I
23 want to say that, first, thank you for putting me on
24 your agenda today. I'm very happy and honored to tell
25 the Commission about our work today.

1 I want to say what a pleasure it's been
2 working with TLC. At the Design Trust we won't do a
3 project unless the City agency or the community group
4 that's going to implement the ideas we come up with is
5 involved at the beginning and TLC has been particularly
6 open and engaged with our project and it's really been a
7 pleasure particularly to work with the Chair, with First
8 Deputy Salkin and Eric Kim and Peter Schenkman.

9 What I'd like to tell you about, you have
10 before you a book "Designer Taxi," that big yellow book.
11 I'd like to give you a little bit of a sense of a
12 history of how that book came to be, how we arrived at
13 the ideas that are presented in that book and then to
14 tell you about our plans going forward in the future
15 with our new initiative which will be called TAXI 07.

16 First I'd like to tell you a little bit
17 about who the Design Trust is, how we came to take on
18 this project and what we do. Our mission is to improve
19 public space in New York City and by public space,
20 obviously, we include the streets and we consider the
21 taxi itself, the vehicle, a public space.

22 What we do is we take open submissions from
23 community groups and City agencies and they go through
24 an RFP process and if their project is selected, then
25 we'll bring on whatever experts, private sector experts;

1 designers, economists, ecologists, architects, we think
2 will be the best team to do the project we've selected.

3 What you see there on the monitors and on
4 your laptops there are two of our projects. The book on
5 the top is called Reclaiming the High Line and that was
6 the feasibility study that in part led Mayor Bloomberg
7 to say, okay, the high line is feasible as a park and
8 we're going to look into lifting the demolition order
9 that was standing against the high line under the
10 Giuliani administration.

11 And the book below is our High Performance
12 Infrastructure Guidelines. On January 24th, there will
13 be a launch party at the Center for Architecture of that
14 book which was done in conjunction with the Department
15 of Design and Construction and include cutting edge
16 techniques and materials for constructing streets and
17 sidewalks and landscaping in the City and we hope very
18 much to work with DDC and DOT on taking that book to the
19 pilot phase. So that's just an example of the kind of
20 work we do.

21 So that brings us to designing the taxi.
22 When we decided to take on this project about thinking
23 about taxis and how to improve taxis, like we begin all
24 our projects, we thought about who is it that can help

25 us kind of brainstorm about what are the issues facing

18

1 taxis today and how should we go about kind of fleshing
2 out and educating the various kind of stakeholder groups
3 that are concerned about taxis.

4 So we convened a workshop that you see
5 there. It took place in May of '05 that included
6 primarily three groups: It was taxi regulators, so
7 there were many individuals from TLC present at that
8 first workshop; taxi industry people, so we had drivers
9 as well as fleet owners, and then a huge group of
10 designers of every sort. Architects, landscape
11 architects, vehicle designer, industrial designers,
12 graphic designers. Any sort of urban thinker that we
13 thought would help, would be helped in their thinking
14 about taxis are hearing what drivers had to say, but
15 hearing what TLC staff had to say, what City people had
16 to say from DCP about what they were thinking about
17 about taxis. So that's some pictures from the workshop
18 and there were various breakout groups. Actually, it
19 was really fascinating, there were a lot of exciting
20 conversations and Andrew took the brunt of a lot of
21 complaints, but in the end it was a very productive

22 session to flush out what are the issues having to do

23 with taxis today.

24 And then we gave everyone who participated,

25 that included the designers, the City people, the

19

1 drivers, everyone, the opportunity to create either some
2 images or just come up with some ideas based on what
3 they had learned at the first workshop and present them
4 to the public at a public forum at Parsons on June 16th
5 of '05, and those are some images from the public forum,
6 that's what it looked like. We had 18 different groups
7 come forward with ideas, primarily designers, but also
8 one fleet owner, one driver and a number of civics who
9 had ideas about things like traffic controls and other
10 Citywide ideas that would improve taxi use.

11 So those ideas were presented to the public
12 on June 16th, at a very exciting forum and then over the
13 summer and then through the fall, we compiled all the
14 ideas. Some of the designers took them a bit forward
15 and we organized all of the ideas that were fleshed out
16 in that initial brainstorming for an exhibition and book
17 and that is the cover of the book there, which by the

18 way is available to anyone who would like a copy from
19 the Design Trust.

20 So the ideas were organized into two general
21 sections; the taxi system and the taxi vehicle and the
22 exhibition that's opened, and I encourage you to have a
23 look at it, it's open until January 15th at Parsons, at
24 2 West 13th Street. The bottom right there shows what
25 the exhibition looks like. I would say if you read this

20

1 book, the book is best read as a kind of outline about
2 what do we need to think about having to do with taxis.
3 The images and ideas within the book, the kind of blue
4 sky stuff that designers have come up with, it ranges
5 from the very practical, possible, implementable to a
6 very blue sky, yeah, great, in a perfect world we'd do
7 that, but who knows?

8 So I would say that the images in the book
9 are kind of an example of how the systemic and vehicular
10 questions might be resolved going into the future.

11 Now, I'm going to take you through a few of
12 the things, I believe most of the Commissioners have
13 seen the book. I'm going to take you through a few of
14 the concepts in the book to give you a flavor of what

15 the designers came up with.
16 What you see there is an idea for greening
17 the taxi fleet. So the vehicle on the top left is
18 designed by Hybrid Product Design, is responding to the
19 fact that most taxi rides, most trips take place in a
20 very short distance with either one or two passengers in
21 Manhattan. I think it's something like 70 percent of
22 rides. A number of the designers proposed, well, if
23 that's the case, why don't we have a smaller, more
24 efficient vehicle that takes up less space on the
25 streets and puts less pollution into the air and that's

21

1 one firm's idea of what that vehicle might look like.
2 On the bottom right, another firm came up
3 with an idea, there's this air filter technology that
4 would go in the grill of a vehicle, that would pull air
5 in, filter particulates and send clean air back into the
6 City at street level. This technology exists and is
7 theoretically possible to install this on vehicles
8 including cabs, so that's another idea for greening the
9 fleet.
10 Next. Then there were so many at the

11 systemic level ideas for optimizing the street, making
12 the street a more safe, more convenient place to hail a
13 cab. So on the left you see designated hailing area
14 that could be painted on particularly busy midtown
15 street corners where people would just wait there and
16 drivers would know to look at that particular spot. On
17 the right is an image of a London cab and that C means
18 that that cab is entering the congestion pricing area.
19 I'm sure all of you know what congestion pricing is.
20 What it means when a cab enters that area, cabs, as you
21 know, have specific fares, but congestion pricing means,
22 as you know, when you enter a congestion area you pay a
23 tariff. On the right is a design of a proposed taxi
24 stand that could include a dispatcher, it could include
25 a bathroom, an emergency phone, a number of different

22

1 things. Next.
2 Of course, very important to us and very
3 prominent in the workshops was the question of how taxis
4 could be made accessible, and there's another image on
5 the bottom left there of the hybrid taxi. You already
6 saw it. It shows a flip-down ramp, which would make it
7 accessible to wheelchairs.

8 On the top right, that's an image which
9 shows a wider, easier entry to a door. That one is not
10 wheelchair accessible.

11 Now we're into the area of improving the
12 vehicle. Other improvements were simply to make the
13 roof light more legible to use current technology like
14 LED lights that make it more visible in daylight, unlike
15 the roof lights hard to see in daylight now and on the
16 left is an attempt to make a roof light legible to
17 someone who doesn't speak English like many tourists
18 don't, so it would have a smiley face when it's
19 available and dark when it's not.

20 Here we're getting into kind of more long
21 term improvements unlike the roof light which could
22 actually be done on the Crown Vic, for example, this
23 would require an entirely new vehicle, but in the '30's,
24 before the '30's, taxis did have skylights and you could
25 find writings by E. B. White and others who talk about

1 what a fantastic experience it was to look up at New
2 York City at night, so some of the designers propose
3 designing a new taxi with a skylight.

4 Now I come to our new initiative which is
5 TAXI 07. TAXI 07's mission and the reason it's called
6 TAXI 07 is because 2007 is the hundredth anniversary of
7 the first gas powered taxi in New York City. What TAXI
8 07's mission will be will be to improve taxis and the
9 taxi system by 2007 and to achieve this mission we have
10 created a three-part campaign.

11 The first part of it is a public awareness
12 campaign and as you see there it's to bring New Yorkers'
13 attention to the taxi's role as cultural icon and as a
14 crucial transportation link. It became clear to us in
15 designing the taxi workshop that the taxi, despite
16 criticism that it gets from many quarters, is really a
17 beloved and prominent icon for New York City, so we hope
18 to celebrate this as part of our campaign.

19 This part of the campaign will culminate in
20 the winter of '06-'07 where we will have exhibits around
21 the city having to do with the taxi. We've already had
22 conversations with Cooper Hewitt, as well as the Museum
23 of the City of New York, who is interested in doing an
24 exhibit about the history of the taxi and the taxi's
25 role as a New York City icon, and we will have a film

1 series about prominent and historical taxi films and fun
2 taxi films. That's the public aspect of the campaign.

3 The design aspect of the campaign is to
4 invite auto manufacturers and designers to create either
5 drawings of new taxis or actually make prototypes of
6 taxis to display at the international, New York
7 International Auto Show in 2007. We've already had
8 conversations with the management of the auto show and
9 they have agreed that they will give us space, beautiful
10 rotunda space, if you know the Javitz Center, opposite
11 Starbucks, where they will display any prototypes,
12 drawings and other parts of the exhibit that we have,
13 and where you see the design partners, those are either
14 existing OEMs or purpose-built manufacturers who already
15 said they will contribute either drawings or prototypes
16 to show at this exhibit, including Pratt University
17 that's doing a taxi studio in their industrial design
18 department in the fall of '06 and they will be building
19 a taxi what they call "buck" to show at the Javitz in
20 '07.

21 So finally, in conclusion, the last part of
22 our campaign is the taxi master plan. This is really
23 for the Design Trust kind of a meat and potatoes about
24 what we're really doing about taxis and what we want to
25 look at. The Chair mentioned earlier that the

1 Commission is starting to think about where we want to
2 be in ten or twenty years and I think thinking about
3 3,000 plus rules is a great place to start and we would
4 like to complement that effort by looking at, I guess
5 you could say not blue sky, but what's the vision for
6 how taxis work systemically. So we want to look at
7 things like what would it take to actually do cell phone
8 hailing in a convenient and efficient way. Does it make
9 sense to have different vehicle types? Does it make
10 sense to have vehicles that respond to both street hails
11 and radio calls?

12 So those are the kind of long-term questions
13 that will benefit from the kind of scholarly approach
14 that the Design Trust generally takes to our projects
15 and we would like to partner with TLC to bring on some
16 private sector fellows and experts and you already see
17 there a few partners who have agreed to work on this
18 with us and to really take a look at these long-term
19 questions and help TLC to kind of come up with a vision
20 fully in partnership with where we want the taxi system
21 to be in the future and how we want it to work and what
22 we want the vehicles to be like.

23 So I guess in conclusion, I just want to say
24 it's been a pleasure working with TLC so far and we

25 really look forward to a productive relationship going

26

1 forward.

2 Thank you.

3 CHAIRMAN DAUS: Thank you. Any questions
4 for Deborah? We would love to partner with you as part
5 of TAXI 07 and continue working with you to look at your
6 ideas. It's clear that where forms and functions and
7 esthetics overlap and affects the industry. I think
8 there's a lot to look at. I'm very pleased that even
9 the conversations you've had with the manufacturers have
10 led them to, sounds like they're following up with you
11 and they're going to participate in the auto show.
12 That's great. Because that's really the key to making
13 some of the changes.

14 We'll look at them. The Commissioners have
15 had the books now for a couple of months, a little over
16 a month, and this is a very helpful presentation, we
17 look forward to working with you.

18 MS. MARTIN: Great. Thank you.

19 CHAIRMAN DAUS: Okay, the next presentation
20 has to do with LA plates. For those of you who don't

21 know what an LA plate is, we're going to describe it in
22 a minute. I want to in particular thank before we even
23 start Commissioner Elias Aroust and Commissioner Dear for
24 really helping us and assisting us in moving this agenda
25 item forward from an enforcement standpoint and from an

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1 administrative standpoint. I think we've made some
2 progress.

3 We're going to identify the problems, the
4 issues. Eric Kim is joining us. He spearheaded the
5 project along with Pansy Mullins from USB. We want to
6 talk about what the issue is, what an LA plate is, what
7 a T&LC plate is, what we're doing about it and what
8 we're going to do about it in the future.

9 MR. KIM: Good morning, Commissioners. This
10 morning I'm going to be delivering a presentation
11 concerning New York State livery plates and research
12 that the Agency has done on the topic.

13 First, let me offer a quick overview of the
14 two different types of credentials that the TLC issues
15 to for-hire or FHV vehicles. First, there are licensed
16 FHV's, also known as Tier 1's and these vehicles can
17 provide point-to-point service within the City of New

18 York on a prearranged basis only. And second, there are
19 permitted FHV's, also known as Tier 2's, and these
20 vehicles can pick up passengers in the city for final
21 destinations outside of the city. Next slide, please.

22 Let me go into some more detail about the
23 licensed FHV's. There are essentially two types of New
24 York State DMV license plates that are issued to FHV
25 licensees. There are T&LC embossed plates, which are

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1 that first picture up there, and they make up about 80
2 to 85 percent of the Tier 1's or licensed FHV's. And
3 then there are the livery embossed or LA plates, which
4 you see there an example as well. They make up about
5 10 percent of the licensed FHV's.

6 There have been some questions raised about
7 livery plates and what they mean. Comes mainly from
8 anecdotal evidence, that there seems to be a rise in the
9 number of livery plates that have been issued on the
10 street that are licensed FHV's. So the first question
11 that we have to ask is are livery plated vehicles
12 allowed to operate as licensed FHV's and, second, why
13 would they be proliferating if they are allowed to

14 operate.

15 So that first question, are they allowed to
16 operate? Currently there is no TLC rule that prohibits
17 livery plates or requires the use of T&LC plates to be
18 used for licensed FHV's. That's a loophole I will talk
19 about a little bit later at the end of the presentation.
20 Right now, vehicles which meet all the TLC rule
21 requirements are given TLC FHV licenses.

22 That second question, why would they be
23 proliferating? We've started to do some research on
24 this, and we tried to break that question down into a
25 few components. First are issues relating to insurance

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1 and we wanted to find out are the insurance
2 requirements, are there things about insurance that
3 would lead people to get livery embossed plates versus a
4 T&LC embossed plate, so we had three tracks on this
5 question. We focused on the FHV licensees, the vehicle
6 owners themselves and we tried to finding out from them
7 what levels of insurance do they have, do they meet TLC
8 requirements. Second we reached out to for-hire bases,
9 particularly those that are affiliated with a large
10 number of livery-plated vehicles, to make sure they

11 understand what the differences between plates are, what
12 the requirements of the TLC license are. And, third, we
13 reached out to insurance companies and notifying them of
14 livery-plated vehicles that have TLC FHV licenses,
15 making sure they understand here's what these vehicles
16 are doing, they're providing services within the City of
17 New York.

18 We've also in our research efforts been
19 trying to address a question related to the CMVT or the
20 Commercial Motor Vehicle Tax. The CMVT it's a tax
21 assessed by the City Department of Finance, it's a tax
22 assessed on all for-hire vehicles and medallion taxis
23 and that tax is collected at the New York State DMV
24 offices at the time of registration, so there were
25 questions that livery-embossed plates might have been an

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1 attempt to evade that CMVT or not pay that CMVT.

2 What we've done is, we're going to continue
3 working on the insurance issues and try to understand
4 what exactly is happening there. We're going to be
5 working with the FHV bases, we're going to be visiting
6 them and follow up, make sure they understand what are

7 they required to do, what are their vehicles required to
8 have if they're going to be a TLC FHV and we're going to
9 continue working with the insurance companies making
10 sure they know what their vehicles that have a license
11 are doing, that they're operating in the City of New
12 York.

13 Finally, we're going to try to close that
14 loophole that I spoke earlier about regarding a T&LC
15 plate and livery plate. We have a staff-proposed TLC
16 rule change, the text of which is on the screen right
17 now. We believe that this rule would require that TLC
18 licensed FHV's plates use T&LC embossed plates from New
19 York State DMV.

20 The rule would be 612(b)(3) and it reads
21 right now: "A for-hire vehicle for which a for-hire
22 license is issued or renewed after X date in 2006 must
23 have New York State license plates affixed to the
24 vehicles that are embossed with the legend T&LC."

25 In terms of a time line for this possible

1 rule making, we're going to be consulting further with
2 the State DMV. We've had some initial conversations.
3 We want to make sure they understand what we're trying

4 to do with this rule and make sure it works for them.

5 The goal, ideally, would be to publish in the City
6 record in time for a March or April public hearing and
7 vote on this rule.

8 That concludes the presentation that I have
9 regarding livery plates.

10 CHAIRMAN DAUS: Any question, Commissioners?

11 COMM. DEAR: I think more of a comment or
12 maybe start off with a question is, obviously, they are
13 trying to avoid the tax, as well as insurance issues.
14 In this research that you have found, did you come up
15 with any of these people who are affiliated with bases
16 that are affiliated, which are licensed by the TLC?

17 MR. KIM: Yes, there are livery-plated
18 vehicles that are licensed by the TLC that are
19 affiliated with TLC bases. They're Tier 1, so they're
20 licensed FHVs that are allowed to do point-to-point
21 service. We're trying to figure out exactly why they're
22 doing that. We're learning a little bit more about
23 that.

24 COMM. DEAR: It's very easy. Insurance
25 wise, did you speak to them, did you ask them for

1 information why, what insurance they have? Don't they
2 have to supply that to us?

3 MR. KIM: That's part of the requirements in
4 applying for a license. What we're doing is we're
5 following up with the licensees, following up with the
6 businesses and the insurance companies to confirm what
7 they're telling us is accurate, that they have the
8 requirements that the TLC requires.

9 COMM. DEAR: What they're doing, they come
10 in here, they give you the paperwork and then the next
11 day they cancel the insurance and get insurance
12 somewhere else. Usually if they want to avoid the
13 insurance issue, that's what they would do.

14 MR. KIM: That may be happening. Again, we
15 would want to work with the insurance company because
16 they are probably the best source of a lot of this
17 information, and make sure what we know is accurate.
18 Right now we're still in the research and gathering
19 stage.

20 COMM. DEAR: Could we have an understanding,
21 could we work with the insurance companies in the sense
22 there's basically one insurance company or two or a
23 handful, where assuming someone's insured, certified, we
24 know about it, then if the guy, the person does not pay
25 or he switches insurance or gets a different insurance

1 policy, that we should be notified so we could go after
2 that guy?

3 MR. KIM: That's the spirit of what we're
4 trying to do within the insurance companies. You're
5 right, there are some dominant insurance companies in
6 the market. That's what we're trying to work with.

7 CHAIRMAN DAUS: To facilitate that concept,
8 Commissioner, I spoke to Commissioner Mills the other
9 day, Superintendent of Insurance. We're going to be
10 meeting with his staff in the next week or two and we're
11 going to work out a plan to get brokers and insurance
12 companies on board with assisting us in this regard.

13 I think one of the big misconceptions,
14 especially in the industry, people who complained to us
15 about the problem really were telling us at the outside
16 if it's a livery plate, an LA plate, it's bad, it's
17 illegal. The truth of the matter is it is not. You
18 have to do, as we did, some investigation. It's
19 perfectly legitimate for someone to have a livery plate
20 to have a Tier 2 permit to be affiliated with a base
21 legally in Suffolk and come into the city and make a
22 pickup from Suffolk.

23 I think what we've been doing is to further

24 investigate those situations and find the ones which are
25 doing the wrong thing, which we found, and some people,

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1 am I right Eric, came forward with policies in place and
2 they met the standard.

3 MR. KIM: Absolutely.

4 CHAIRMAN DAUS: It's a due process issue,
5 too. We need to give people a chance to show what they
6 did was right. It's labor intensive. I believe we
7 started to make a dent in this issue and I think as we
8 further work with DMV and the State Insurance
9 Department, I think within the next Commission meeting
10 or two we'll be able to come back with a very, very
11 concrete, vetted proposal which is hopefully consistent
12 with what we came up with today.

13 COMM. AROUT: When I first found out about
14 LA plates and got some information about it, and as you
15 said here, permit, FHV Tier 2 can pick up passengers on
16 a prearranged basis within the City of New York for
17 final destinations outside the City of New York.

18 Now, if they have LA plates you really can't
19 be used in Staten Island, and other boroughs. Let me
20 finish. That LA plate, as far as I'm concerned, and I

21 was told, taking out from Staten Island going to

22 wherever, outside of the borough.

23 CHAIRMAN DAUS: Andrew.

24 COMM. AROUT: According to what I read

25 here --

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1 DEP. COMM. SALKIN: First, there's Tier 1

2 and Tier 2.

3 COMM. AROUT: I understand that.

4 DEP. COMM. SALKIN: You can be a Tier 1

5 vehicle and have your vehicle registered in Suffolk, but

6 still be allowed to do point-to-point. That's what

7 these vehicles are doing. Within the City of New York.

8 COMM. AROUT: A base on Staten Island, you

9 call up a base, with LA plates, they'll take you

10 anyplace in Staten Island.

11 DEP. COMM. SALKIN: They're allowed to do

12 that.

13 COMM. AROUT: Why? It says final

14 destination outside the city.

15 DEP. COMM. SALKIN: That's Tier 2. These

16 are Tier 1 vehicles.

17 COMM. AROUT: If you get a license, a
18 regular license, is it a Tier 1?
19 DEP. COMM. SALKIN: You're getting the
20 license plate and the TLC license confused.
21 First, the TLC license is Tier 1. That
22 allows them to do point-to-point. They can have a Tier
23 1 TLC license, even if their license plate that's given
24 by DMV has LA on it. So what you're seeing is vehicles
25 that have an LA DMV plate that also get a Tier 1 plate.

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1 What you're talking about is the loophole. This is
2 exactly what our rule addresses.
3 I think the big point, which is why I stood
4 up, I wanted to say this, from a passenger perspective,
5 the average person on the street, having T&LC plates and
6 LA plates gets very confusing. If you're going to be
7 operating in New York City, we believe that you as a
8 passenger should be able to identify this car is legal
9 and licensed to operate. That's exactly what you're
10 talking about. What we want to propose, what we're
11 proposing is a way to clean this up so there's no
12 confusion over what an LA plate is and isn't.
13 Basically, we agree with what you're saying.

14 COMM. AROUT: These folks that have LA
15 plates are getting away with murder as far as insurance
16 is concerned.

17 CHAIRMAN DAUS: If we have it our way,
18 though, they won't.

19 COMM. AROUT: I understand that. Back me
20 up. TLC plates that they have on now are going for nine
21 or \$10,000 a car, compared to maybe five or six on the
22 LA plates. Sure, I would get LA plates, why not?

23 CHAIRMAN DAUS: You can rest assured that if
24 we uncover any wrongdoing or ill motives that are
25 involved with this, we're going to deal with the

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1 appropriate authorities. Obviously, insurance fraud is
2 a potential issue. There's no reason why a Tier 1 base
3 located in the city with Tier 1 diamonds should be with
4 a livery plate.

5 COMM. AROUT: How do you know they have Tier
6 2? There's only one diamond. Is it Tier 1 or Tier 2?

7 CHAIRMAN DAUS: Depends on what the diamond
8 looks like.

9 COMM. AROUT: Are there two different types

10 of diamonds on the window?

11 MR. KIM: Bill, do you want to speak to
12 that, just quickly.

13 COMM. AROUT: I want to know myself.

14 CHAIRMAN DAUS: We appreciate you bringing
15 this up. This situation that you're very passionate
16 about, but that you brought up to our attention with
17 Noach, we started seeing, we didn't understand it. I
18 think this proposal that staff came up with will
19 specifically stop it and we won't have that situation
20 anymore.

21 Bill?

22 MR. CARTER: Commissioner the Tier 1 and
23 Tier 2 diamond are different from each other. They're
24 two different colors. One is orange, one is blue. Tier
25 2 diamond are issued to allow vehicles to operate

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1 picking up people in the city and going outside of the
2 city.

3 COMM. AROUT: That's orange.

4 MR. CARTER: No, that's the blue.

5 Tier 1 is orange, and that allows them to go
6 point-to-point in the City, regardless of license the

7 plate.

8 COMM. DEAR: My question is why do they have
9 the LA plates? If they're completely legal, why do they
10 need LA plates? They could go to TLC plates.

11 MR. KIM: That's a very good question.
12 We're trying to address that, our research indicates
13 there's a few reasons they may possibly be doing it. We
14 think the better answer would be to close that loophole,
15 require that all TLC licensed vehicles or all Tier 1's
16 have a T&LC embossed plate. Doing that addresses the
17 problem and we get rid of the livery plate issue.

18 COMM. AROUT: What I can't understand is a
19 guy comes down, opens up a base with ten vehicles, gets
20 TLC plates, goes to Staten Island. Couple of days
21 later, their ten cars have LA plates on them. What
22 happened to the TLC plates?

23 MR. KIM: They chose to register them and
24 get livery plates.

25 COMM. AROUT: You accept that?

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1 MR. KIM: I don't think we're saying we
2 accept that. We recognize that's an issue.

3 COMM. AROUT: Why didn't they come down on
4 them in the beginning? We could have avoided all this.

5 MR. FRASER: We have no legal authority over
6 the license plate. It has to have "livery" pursuant to
7 State law and it has the option to have T&LC. We have
8 nothing in place now that entitles us to require them to
9 have T&LC. This draft rule would require them to have
10 T&LC if they're going to be licensed by us as Tier 1.

11 CHAIRMAN DAUS: That's the essence of the
12 loophole and we need to close the loophole.

13 COMM. AROUT: All right, I'll accept that.

14 CHAIRMAN DAUS: Just to sum it up, I don't
15 think you could automatically conclude that it's a
16 loophole that's being illegally violated by somebody. I
17 think it's unfair. In some instances it is, there's no
18 question --

19 COMM. DEAR: It's a red flag.

20 CHAIRMAN DAUS: It's a red flag, but there
21 are some people who register their vehicles outside the
22 city that travel in and actually are doing
23 point-to-point work with the proper levels of insurance.
24 There are people that have come up to show us they have
25 the 100/300. But there are a tremendous number of

1 people that didn't respond, that fled and there are
2 people that are under active investigation which may go
3 down various roads which we're going to discuss further.

4 So, basically, I understand it's very
5 disturbing, but once people find loopholes,
6 unfortunately, they try to take advantage of it. I
7 think our goal over the next month, thanks to both of
8 you and the staff and the industry also for speaking up,
9 the legitimate members of the industry that complained
10 about that.

11 COMM. AROUT: Thank you. I accept that.

12 CHAIRMAN DAUS: We will do something about
13 it.

14 COMM. DEAR: Then we have, the next campaign
15 after this one is while we have the teeth to enforce,
16 I'd like to go after these, the straight plates that's
17 proliferating all over the place.

18 CHAIRMAN DAUS: Okay, thank you, Eric, good
19 job. Andy, thank you.

20 The next presentation has to do with the
21 concerns raised by Commissioner Dear and some of the
22 information we've been getting about some of the
23 industry complaining as well about some RFPs, the Port
24 Authority didn't understand what they're about. They're
25 pretty thick. I printed out a copy, it's this big. The

1 Port Authority is looking to enhance their services at
2 the airports. I think we got a better understanding of
3 it, so Andy has had some meetings as part of a
4 subcommittee with I believe EDC -- I don't know if DOT
5 is on there --

6 DEP. COMM. SALKIN: The City is part of the
7 Airport Advisory Board.

8 CHAIR DAUS: Commissioner Weinshall is also
9 on the board.

10 DEP. COMM SALKIN: There was a subcommittee
11 established to deal with passenger access to and from
12 airports. We hosted the meeting of that last Friday.
13 Previously we had some conversations with the Port
14 Authority about some contracts they're working on and I
15 wanted to give an update based on your request,
16 Commissioner Dear, on what these contracts are.

17 There's two contracts. The first one is for
18 basically I'd say services, for anyone who gets off an
19 airplane at the airport and you don't know how you're
20 going to get back or get to where you want to go. So if
21 you don't have someone picking you up, if you don't have
22 a livery vehicle already there prearranged to pick you
23 up and you kind of want to figure out how to get back,

24 this contract is geared to help you do that.

25 How the Port Authority works now, they

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1 currently permit many different services to pick up at
2 the airport and they run a booth and at that booth they
3 will tell you what your options are. They will include
4 taxis, they will include MTA where appropriate and they
5 will include AirTrain, but they also say you can take
6 Super Shuttle, you can take other group ride services
7 and this is the piece, the group ride services that they
8 are contracting for.

9 So they're going to contract with a vendor
10 for the right to issue permits for carriers to pick up
11 and do shared ride services at the airports.

12 Now, in turn, for winning that contract,
13 that individual will be in control of the permits and
14 they get to decide who gets to do share ride and that
15 individual will hire a third party to manage the booths
16 and the booths will be the place where you go to get
17 information. In addition, the Port Authority will be
18 maintaining their I think "Ask Me" red coats that help
19 you figure out what you're supposed to do when you get

20 to the airport, but a lot of that is geared towards
21 sending to the booth.
22 At the booth you'll get all the information
23 about all the different ways you can get to and from the
24 airports. What the Port Authority is hoping is that the
25 individual will be running this service, they

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1 anticipated that it will probably be one of the
2 providers who win the bid who gets control of the
3 permits and they will figure out ways to improve
4 efficiencies and relationships with the passengers
5 getting off to make the whole system work better.
6 That bid was due at the end of the past
7 week. They got several bids and now they said they're
8 going to review them and if they feel confident the
9 people who won the bids are able to administer the
10 services they're looking for, they will do that. That
11 is that contract and that's how this will work. This
12 will not replace and they make a point much saying that,
13 the ride board which any livery base licensed by TLC is
14 eligible to be a part of where you kind of call them and
15 they come pick you up. Right now the only two services
16 I believe that are part of that are Dial 7 and Carmel.

17 So that's the first contract.
18 Second contract coming up, this isn't, they
19 haven't put on the street yet, but we're offering
20 feedback is the general dispatch for how cabs get
21 dispatched at the airport. Currently they have them
22 split up among the airports and this new contract is
23 going to put all the airports together. We are offering
24 advice and guidance so things could be a little bit
25 better. One of the things we're doing, this is based on

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1 feedback I got from the cab industry is the dispatchers,
2 many people don't know this, they can write tickets
3 against the cabbies, but the cabbies can't do anything
4 against the dispatcher that is really not maybe treating
5 the cabbie with respect. We want the dispatcher to view
6 themselves as representing the passenger as well as the
7 cabbies and they have to marry the two together on the
8 street. Many times it's late at night, it's cold and
9 there's a lot of things that have to happen.
10 They should view the cabbie as a customer.
11 One of the things we suggest is they have a steering
12 committee that we offered to facilitate where they meet

13 with cabbies and offer advice on how to improve loading
14 and unloading at the various terminals.

15 Those are the two contracts that the Port
16 Authority has. Those are the things I wanted to share
17 with you. I'm sure you have a few questions.

18 COMM. DEAR: Yes, on the first proposal, we
19 did have a conversation about this and the concern is
20 that this could add to the cost of a ride. It will
21 increase the cost of a cab ride, obviously, a car ride
22 from the airport to whatever destination they're going
23 to go because these are added costs, am I correct?

24 DEP. COMM. SALKIN: The idea is if you want
25 to pick up at the airport as a share ride you have to

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1 pay for a permit. The permit has a cost. Port
2 Authority the way we understood it, is that the permit
3 cost doesn't cover all the costs of running the booth.
4 So what we would anticipate in this contract if someone
5 wants to break even on running the booth they would have
6 to change the permit fees. So if the permit fees go up,
7 the question is where does that cost go.

8 If your thought is it goes to the passenger,
9 perhaps that's something that would happen. We're going

10 to monitor that and we're concerned. Again, it's a
11 little bit outside of our jurisdiction but it's
12 something that obviously we're going to share with the
13 Airport Executive Board and let them know that this is
14 what we're looking at.

15 COMM. DEAR: The next aspect is they're
16 going to start charging permit fees, the next thing we
17 know, cabbies will have to pay permit fees and all kinds
18 of people will have to start paying permit fees, so
19 they are stepping into our jurisdiction and stepping on
20 to --

21 DEP. COMM. SALKIN: Permit fees are nothing
22 new, but there has been conversations, I know I
23 participated in them, I know Commissioner Weinshall has
24 and I believe the Chairman has, with the Port Authority
25 wanting to charge other vehicles coming into the

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1 airports a fee and I think the City has stated its
2 position is we're absolutely against charging,
3 especially for cabs to come to the airport.

4 COMM. DEAR: According to the first
5 proposal, they're going to bring in other -- which

6 companies come now --

7 DEP. COMM. SALKIN: Services that already go
8 to the airport in theory will still go to the airport
9 and instead of paying the money to the Port Authority,
10 they will pay it to the vendor.

11 COMM. DEAR: Right now the car services that
12 come, the livery services that come into the airport
13 don't pay any fees.

14 DEP. COMM. SALKIN: You're a livery vehicle
15 and you're coming to the airport, and you already have
16 prearranged service, this contract affects you zero.

17 COMM. DEAR: Right. Now, if you want to
18 come in to pick up --

19 DEP. COMM. SALKIN: It affects you zero. If
20 you want to be a share ride. Share ride, not an
21 individual ride. You and I come back for a trip, we
22 called ahead for Carmel, this does not affect us.
23 Business travellers coming in from Chicago, we don't
24 know how to get to the City, we go to the booth, we say,
25 "We'd like a car."

1 They say, "You can use the phone behind us
2 or we'll set you up with a share ride." They set up a

3 share ride, that will be through the permit system.

4 COMM. DEAR: It's only share rides they'll

5 be setting up or individual?

6 DEP. COMM. SALKIN: Only share ride. We

7 asked them over and over. It's only share ride.

8 COMM. DEAR: How do you control that?

9 DEP. COMM. SALKIN: The Port Authority has

10 very extensive documentation they shared with us and

11 they tried to do a lot of customer management. If you

12 look at the contract they've written in the past,

13 there's lots of language there about what you can and

14 cannot do, how you can and can't behave. They also

15 apparently have a mystery shopper program where they

16 kind of try to anonymously get services and see if the

17 services are being provided up to the standard and I

18 believe there are penalties in the contract for not

19 providing services up to the standard, as defined in the

20 standard. It's a very detailed contract or at least

21 copies of old contracts we've seen are very detailed. I

22 imagine it will be the same.

23 COMM. DEAR: What is the current system now

24 when someone steps up to the desk and wants a share

25 ride?

1 DEP. COMM. SALKIN: The way they envision it

2 now --

3 COMM. DEAR: No, before they implement it.

4 Right now.

5 MR. SALKIN: It's going to look exactly the
6 same to a passenger. You come in, see someone with a
7 red coat hired by the Authority, you say, "I want to get
8 to the City."

9 They say, "Go to the booth."

10 You go to the booth -- people have talked
11 about the booth not being in the most prominent
12 places -- you go to the booth and you ask a contracted
13 employee, I believe, that's provided by the Port
14 Authority, what services you have available and they
15 give you the whole option. You can take a cab, share
16 ride, call one of the phones on the list behind us,
17 Carmel or Dial 7, they give them the whole option.

18 That's still going to be there. It's not
19 going to be run by the Port anymore.

20 COMM. DEAR: What happens when they get off
21 the plane with the new rules?

22 DEP. COMM. SALKIN: You go to the booth,
23 they tell you what share ride options you have. Super
24 Shuttle I think goes to Connecticut. Depending on where
25 you go, there are different services availability.

1 COMM. DEAR: The anticipation of the new
2 program is they want a share ride, which is going to be,
3 obviously, licensed by the Port Authority or have a
4 contract with Port Authority.

5 DEP. COMM. SALKIN: You're going to get
6 permits from the party they contract with and the party
7 they contract with is going to manage, make sure there's
8 appropriate service being provided. The contract says
9 you have to provide service to the passengers. They
10 have to line up the right number of vehicle providers to
11 provide the right service. They're going to do that
12 through a permitting system that they're going to
13 manage. I guess they will collect a fee and that fee
14 will go towards staffing the booth.

15 CHAIRMAN DAUS: This is ultimately their
16 decision, they're managing the airport, but I understand
17 the concerns. I mean, my recommendation is that we work
18 with the Port Authority to share some of our ideas.

19 I think their intentions are good. I think
20 that what they're looking to do is enhance service to
21 the public, have a clearer and more effective system for
22 the people who are getting off planes to arrange for

23 transportation, and making it more efficient.

24 That's a good intention. How they carry it

25 out, based on our relationship, Commissioner Weinshall

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1 sitting on the Board and our good relationship, I would
2 like to over the next couple of weeks share our concerns
3 and our information with them.

4 Ultimately, I think they're trying to do the
5 right thing. I think you would probably agree with
6 that. I don't know if everybody in the industry agrees,
7 but certainly this will not impact the industry in a
8 very big way. It's probably going to impact a few
9 operators, like Andy said, Dial 7, Carmel, the ones that
10 do a lot of airport business.

11 DEP. COMM. SALKIN: It shouldn't. It's not
12 supposed to.

13 CHAIRMAN DAUS: It's possible they might
14 actually end up benefitting from this, I understand.
15 It's possible.

16 COMM. DEAR: But again, there are other --
17 what was brought to my attention that they did something
18 like this in California, Los Angeles. Do you know about
19 that? Some of these car services went out of business

20 subsequent to that. I just want to make sure that we're
21 not mimicking what they're doing.
22 DEP. COMM. SALKIN: Sounds like they're
23 basing their model on what happened in L.A. My
24 understanding is L.A. is run by Super Shuttle. This is
25 me repeating what they said to me. I think what

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1 happens, Super Shuttle in that case decides who gets
2 permits. They work out individual deals. I would
3 envision some companies disappearing, others would
4 become more prominent.

5 CHAIRMAN DAUS: Commissioner Weinshall, then
6 Gonzalez.

7 COMM. WEINSHALL: Let me say, the Port
8 Authority of the City of New York is taking this very
9 seriously and feels it's a very important aspect of
10 visitors' first experience in the City. I believe
11 that's why the Port Authority took this on. Right now,
12 somebody entering, particularly JFK, there's sort of a
13 beehive of activity, and the traveller is really put at
14 a disadvantage in terms of what's available, what they
15 can take, how they get from the airport into the city.

16 I would dare say of among the major cities in the world
17 certainly we have one of the more confusing entrances
18 into our city. Would you agree, Andy?

19 DEP. COMM. SALKIN: It is confusing.

20 COMM. WEINSHALL: I know sitting on this
21 Board the Port Authority talked about it a lot, but more
22 importantly, the City is very concerned about how we
23 approach this and what the ultimate outcome is.

24 COMM. DEAR: I would hope so, because this
25 eventually, who is going to get socked, the increase and

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1 everything is the consumer and I think that's something
2 we have to be concerned about. Also, they shouldn't
3 start treading on our turf on issues of how to control,
4 how to regulate the industry.

5 COMM. WEINSHALL: I don't think they want
6 to -- I think that, quite frankly, that, you know, they
7 would, and Andy, I don't know, jump in, I think that
8 they would more readily sort of hand this over to us as
9 opposed to taking it over and sort of getting more
10 involved. I think that they sort of view that the
11 transportation is really more the City's responsibility
12 and people's first impressions here.

13 DEP. COMM. SALKIN: You're right, there's
14 that intermodal piece where you go from being a
15 passenger on the plane to a passenger on New York City
16 streets and I think this is a place where I don't think
17 we've had real formal conversations until now and I
18 think we're going to be -- everyone agrees there's
19 problems and are willing to fix them, so at least we're
20 talking about it.

21 COMM. DEAR: One of the things we have to do
22 quickly if they really want to cooperate is the
23 hustlers.

24 DEP. COMM. SALKIN: That's absolutely what's
25 going to happen. Hustling was the main point of the

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1 conversation. A lot of what we talked about is how will
2 these contracts touch upon hustling, will they not help,
3 will they hurt, and hustling is clearly an issue and
4 Commissioner Weinshall has already talked about. That's
5 what we talked about, how do you give the passenger
6 regardless of where they're coming from the information
7 they need to make the right decision and get a safe,
8 legal ride and they don't have to spend a fortune

9 because they didn't know the rules.

10 CHAIRMAN DAUS: Commissioner Gonzalez.

11 COMM. GONZALES: One point I would like to

12 make instead of speculating what the Port Authority sees

13 as the shortcomings of the current system, they can have

14 an exclusive statement on what they actually hope to

15 achieve. What's coming through here we're kind of

16 speculating, it's the customer coming into New York

17 their first experience, could be this, could be that.

18 If we had something I guess explicit from the Port

19 Authority, we could hopefully be on the same page.

20 DEP. COMM. SALKIN: You make an excellent

21 point. Talking to the Port Authority, it's a very large

22 organization, much like New York City, but I think

23 conversations can sometimes be challenging, you don't

24 always know if you're talking to the right group. One

25 of the things we're going to do is brief the City's

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1 Executive Board so when they're meeting with the leaders

2 of the Port Authority Aviation Team, we can ask those

3 questions and I think that's the type of question we

4 should be asking is what exactly do you hope to

5 accomplish and how do you know if you succeeded or not

6 and if you don't succeed what do you do and if you do
7 succeed, what do you do to make it even better.

8 Those are the things that the Board was
9 created to do, if I'm not mistaken.

10 COMM. GONZALES: Thank you.

11 CHAIRMAN DAUS: Any other questions? Okay,
12 thank you, and thank you for bringing up the topic,
13 Noach, I appreciate it.

14 Before we get to item 5, we have a lot of
15 bases on item 5. We had to cancel due to the transit
16 strike the last Commission meeting. Speaking of that,
17 there was something I failed to mention, we have a
18 transit strike survey put together in conjunction with
19 OEM and by Samara Epstein on our staff, which is on the
20 website now. It's also linked to OEM. Any members of
21 the public who want to comment on the plan, what things
22 we did good, or things we'd like to change.

23 COMM. WEINSHALL: Just in keeping with the
24 theme of the transit strike, DOT is putting together an
25 analysis of the entire strike, which we also did in

1 1980, and there will be a TLC section in that analysis,

2 so when the report is finished, it will be available on
3 our website as well.

4 CHAIRMAN DAUS: Okay, any questions? So
5 it's now up there if you wish to peruse it and to fill
6 it out.

7 Item 5, base licensing application review.

8 MR. CARTER: Good morning, Mr. Chairman,
9 Commissioners, I'm Bill Carter, Executive Director of
10 Licensing, and we have quite a large list this morning.

11 First I'd like to start out with the seven
12 bases that were conditionally denied the last meeting.
13 They were given thirty days to comply. Three of the
14 bases; 3210 Webster Avenue, Prestige Car Service, GDR
15 Car & Limo doing business as Seaside Car Service and New
16 Special, Inc., those three bases met the requirements
17 and we're recommending approval.

18 CHAIRMAN DAUS: Any issue with those three
19 bases? Consistent with our past practice, 3210 Webster
20 and New Special, I believe, based on their conviction
21 history, I believe they should also be required to do a
22 business plan.

23 MR. CARTER: They have submitted a business
24 plan. I'll review it if they have not addressed their
25 violation history issues, I will ask them to submit a

1 revised plan.

2 CHAIRMAN DAUS: Sounds good.

3 MR. CARTER: Two of the other bases
4 submitted immediately after the last meeting so they are
5 in with the renewals that you'll see on the list that I
6 go through.

7 CHAIRMAN DAUS: Okay. If there are no
8 issues, why don't we keep proceeding and we'll do one
9 motion?

10 MR. CARTER: There are two bases that were
11 on that list of conditionally denied. One base is
12 closed, that's God Bless America and one base is still
13 pending a licensing standards review.

14 Okay, new applications: Cherry Car & Limo
15 Service.

16 Renewal applications: 810 Car Service
17 Corporation --

18 CHAIRMAN DAUS: I'm sorry, if any
19 Commissioners have any issues with any of these bases as
20 Bill reads them through, raise your hand or say
21 something and we'll put it to the side.

22 MR. CARTER: All American Car Service;
23 Ascona Car Service Inc. doing business as Safeway Car
24 Service.

25 CHAIRMAN DAUS: I'm sorry, Bill, 810 Car

1 Service is one I'd like to discuss.

2 MR. CARTER: Ascona Car Service doing
3 business as Safeway Car Service; Aventine Auto Rental;
4 Community Car Service Corp., Crestwood Car & Limo
5 Service; Discount Car Service; Early Bird Car Service
6 Inc.; GAL Limo Services Inc. doing business as Hana Car
7 Service & Limo; G Way Transport Inc.

8 CHAIRMAN DAUS: I'd like to note G Way as
9 something for discussion.

10 MR. CARTER: Hoyt Limo & Service Corp.;
11 Jahangir A. Kahn, doing business as U-Need Car Service;
12 Jameel Ali Inc. doing business as Rockaway Car Service
13 of Queens; Janjua Khurshid, doing business as Dreamland
14 Car & Limo Service.

15 CHAIRMAN DAUS: Could we put that one to the
16 side, please for discussion.

17 MR. CARTER: Yes.

18 JJS Transportation Company Inc. doing
19 business as Grant City Car Service; Lake One Inc.;
20 Lateef Liadi, doing business as MOF Transportation;
21 Lefferts Car & Limo Service, Let It Ride Inc. doing
22 business as My Way.

23 CHAIRMAN DAUS: I'd like to discuss that
24 one, please.

25 MR. CARTER: Metroline Car Service, Mirage

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1 Limousine Service Inc. doing business as UFO Private Car
2 & Limo Service; Rachel's Car Service, Inc., Rosedale
3 Base Car Service doing business as Danny's Car Service;
4 RPO Car & Limousine Service Inc., Speed Inc.

5 COMM. AROUT: I'd like to put a hold on
6 that.

7 MR. CARTER: Yes.

8 Transportation Unlimited Car Service Inc.;
9 Two Way Black Cars and Radio Group Transportation Inc.;
10 USA Car Service Inc.; Vee Cee Limousine Service,
11 Incorporated, doing business as Nostrand Car Service;
12 Vic and Bay Car Service, Inc.

13 CHAIRMAN DAUS: I'd like to discuss that
14 one.

15 MR. CARTER: Windsor Ambulette Corp.

16 COMM. VARGAS: I have a question with that
17 one.

18 MR. CARTER: Y. Boateng, doing business as

19 UNC Car & Limo.

20 CHAIRMAN DAUS: Like to discuss that one.

21 MR. CARTER: Y. Boateng and N. Duah doing

22 business as New Daynight Car Service.

23 CHAIRMAN DAUS: That one as well.

24 MR. CARTER: Those were the renewals.

25 CHAIRMAN DAUS: Want to go straight to

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1 ownership?

2 MR. CARTER: Ownership changes: 18th Avenue

3 Too, Inc.; A New Day Radio Dispatch, Inc.; Early Bird

4 Car Service, Inc.; Hunts Point Car Service Corp.

5 COMM. VARGAS: I have a question with that

6 one.

7 CHAIRMAN DAUS: Okay.

8 MR. CARTER: Mexicanos DF Car Service, Inc.;

9 New Elegante Car Service Inc.; Promenade Car Lease, Inc.

10 Relocations: Big King Car & Limo, Inc.;

11 Bushwick Car Service, Inc.; Panthers Transportation

12 Group Inc.; Plaza Executive Inc. doing business as Song

13 Car & Limo.

14 These are combinations: New York Kings

15 Transportation, doing business as Kings Car Service; New

16 York Limo & Car Service; Raja Car and Limousine
17 Services, Inc. I might make a note here that they
18 asked for a relocation and ownership change. They have
19 stricken the relocation. Surf Car Systems, Inc.

20 That completes the list.

21 CHAIRMAN DAUS: For those items that we have
22 not been asked to set aside for discussion, do we have a
23 motion to approve?

24 COMM. AROUT: Make a motion we approve.

25 CHAIRMAN DAUS: I second the motion.

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1 All in favor?

2 (Chorus of "Ayes.")

3 CHAIRMAN DAUS: This is to approve the ones
4 that have no issue. The ones that I think we had some
5 issues with, I think you raised, why don't we just go
6 through them.

7 Speed, I think you had a problem with Speed?

8 COMM. AROUT: I'd like to put a hold on
9 Speed until next month, because our inspectors were out
10 there and they brought out some things that I would like
11 to see the report on it, on Speed and a few others, but

12 Speed is one of them on Staten Island. I'd like to put

13 a hold on it until next month.

14 MR. CARTER: We'll check with enforcement

15 and find out what the report entailed.

16 CHAIRMAN DAUS: The ones that I have, all of

17 the ones that I have asked to be discussed are similar

18 to what Commissioner Arout has said. They have one or

19 more convictions for unlicensed activity, dispatching

20 unlicensed vehicles, et cetera, things that we believe

21 have raised concerns in the past and we have asked in

22 the past that business plans be provided.

23 What assurances do we have that they're

24 going to correct these activities?

25 MR. CARTER: Correct, and I'll look and see

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1 whether their business plans address the issue in the

2 first place. Many of them have included their violation

3 history in the business plan because we're mailing it to

4 them at the renewal time and they address the issue, so

5 I'll look and see if the plan has addressed that issue.

6 CHAIRMAN DAUS: Maybe we could clear this

7 up. I'm a little confused. In the past we were asking

8 them to submit additional business plans because of

9 their record, and the only reason I've been raising at
10 this point is I want to also make sure that we're
11 consistent. Are these group of bases similarly situated
12 to the ones where we already imposed the requirement
13 that they have a business plan where they're going to
14 explain to us how to overcome these bad records?

15 MR. CARTER: What happened is I think it was
16 the second Commission meeting we brought this issue up.
17 We decided to send them the violation history along with
18 their renewal package and asked them to address that in
19 the business plan. We reiterated that to them in the
20 seminars. Many of the business plans will address this
21 issue, so we have to look and see whether or not they
22 addressed it and if they haven't they have to submit a
23 new business plan.

24 CHAIRMAN DAUS: We also had two bases
25 Commissioner Vargas has a concern about. The first was

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1 Windsor Ambulette.

2 COMM. VARGAS: Just a very generic question
3 at first. How does your office contact a Councilmember
4 for input on a renewal?

5 MR. CARTER: On the renewals we ask that the
6 base contact the Councilmember directly themselves. If
7 they decide to do it in person, they bring back a letter
8 that says the Councilmember agrees with that base being
9 there or not. If they decide to do it by letter, then
10 we asked them for a receipt that shows they sent the
11 letter to allow 30 days for a response from the
12 Councilman's office. If we do not receive a response,
13 we will call the Councilman's office to find out if they
14 wish to respond.

15 COMM. VARGAS: Specifically now with
16 Windsor, it says there was no response in the two-page
17 memo that was put together, it says there was no
18 response from a Council District. I think that might be
19 the wrong Council District that's listed there. It says
20 43. Is there anything in the file from the
21 Councilmember on that?

22 MR. CARTER: No, there was not, but I'll
23 double check the Council District. We're taking the
24 information of the Council District from the logs we get
25 from the City Council, so it should be correct.

1 CHAIRMAN DAUS: Was there a particular

2 matter brought to your attention?

3 COMM. VARGAS: No, I'm just reflecting that

4 Council District 43 is not in Bronx County.

5 The second issue that we had --

6 MR. CARTER: Hunts Point.

7 COMM. VARGAS: Yes. Number 6, the memo or

8 outline says specifically with regard to number 6, "see

9 memo." Is there another memo or something that's

10 attached that would reflect that?

11 MR. CARTER: I think in the original file

12 there may be and we did not forward a copy of that, but

13 I would have to double check and see what that memo

14 said.

15 COMM. VARGAS: Do your records indicate that

16 there was any problems with fingerprints that it said

17 "see memo?"

18 MR. CARTER: I don't want to ad lib and say

19 no. I would have to double check it. I can almost

20 assure that we would not put it forward for

21 recommendation if there was a criminal record without a

22 disposition.

23 CHAIRMAN DAUS: This is on Windsor.

24 COMM. VARGAS: No, this is on Hunts Point.

25 MR. CARTER: Hunts Point.

1 CHAIRMAN DAUS: Do you want to double check
2 it and bring it back next month, maybe?

3 MR. CARTER: Yes, I will.

4 CHAIRMAN DAUS: Just for future reference
5 and for the record, especially since we have new
6 Commissioners the way we've been trying to go about the
7 process, to prevent you from having a book that's this
8 thick every month, when you get the books, if you have
9 any questions, be happy to provide you with any copies
10 of any aspect of the licenses filed before the meetings
11 so we can at least get a final determination every time
12 we bring it up. So maybe we can get a copy of whatever
13 memos you have to Commissioner Vargas and anyone else
14 who wants it.

15 Why don't we take that one off the agenda.

16 We'll take Hunts Point off.

17 Do we have a motion to do that?

18 COMM. AROUT: Motion.

19 CHAIRMAN DAUS: All in favor.

20 (Chorus of "Ayes.")

21 CHAIRMAN DAUS: Okay. Are you satisfied
22 with what you heard on Windsor, Commissioner?

23 COMM. VARGAS: Yes.

24 CHAIRMAN DAUS: So why don't we have a vote
25 on Windsor, then we'll deal with the other ones that

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1 have the records issue. Why don't we just have a quick
2 vote to approve Windsor, which is one of the items that
3 you had singled out. All in favor?

4 (Chorus of "Ayes.")

5 CHAIRMAN DAUS: Last, but not least, let me
6 know if I'm missing anything. These are the bases that
7 have a bad record. I'd like to make a motion to approve
8 with the caveat you're going to take a hard look at all
9 their records and make sure they stay in compliance, as
10 we did with past practices and that would include, to
11 make sure we're all on the same page -- a business plan
12 with 60 days, if it hasn't already been submitted, for
13 3210 Webster Avenue, New Special, 810 Car Service Corp.,
14 G Way Transport, Janjua Kurshid d/b/a Dreamland Car
15 Service, Let It Ride Inc. d/b/a My Way, Speed Inc., Vic
16 and Bay Car Service, Y. Boateng, d/b/a UNC Car & Limo
17 and Y. Boateng and N. Duah d/b/a New Daynight Car
18 Service and also New kings Transportation, d/b/a Kings
19 Car Service.

20 Can I have a motion to approve with that
21 caveat that they provide the business plan within 60

22 days if not already provided?

23 MR. CARTER: Did you include 3210 Webster on
24 that list? You did.

25 CHAIRMAN DAUS: 3210 Webster and New Special

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1 have records. Did you say they already submitted the
2 plans to us?

3 MR. CARTER: Yes they did, they submitted a
4 plan and that issue is addressed in that plan.

5 CHAIRMAN DAUS: What about New Special?

6 MR. CARTER: New Special also.

7 CHAIRMAN DAUS: So we'll take 3210 Webster
8 and New Special out of that list. This is a motion to
9 provide the 30-day plan, but otherwise to approve. Can
10 I have a motion?

11 COMM. AROUT: Motion.

12 COMM. WEINSHALL: Second.

13 CHAIRMAN DAUS: All in favor.

14 (Chorus of "Ayes.")

15 CHAIRMAN DAUS: So did we vote on 32 Webster
16 and New Special?

17 MR. CARTER: I believe we did.

18 MR. FRASER: I think technically we didn't,

19 so we probably should do that to be clear.

20 CHAIRMAN DAUS: For the record, 3210 Webster
21 Avenue, Prestige Car Service and New Special Inc. I'd
22 like to make a motion to approve the bases.

23 Do we have a second?

24 COMM. WEINSHALL: Second.

25 CHAIRMAN DAUS: Second, Commissioner

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1 Weinshall.

2 All in favor?

3 (Chorus of "Ayes.")

4 CHAIRMAN DAUS: Am I missing anything, Bill?

5 MR. CARTER: No, that's it.

6 CHAIRMAN DAUS: Chuck? Can I have a motion
7 to close the meeting? I'm sorry, Andy --

8 DEP. COMM. SALKIN: I miscounted. I wanted
9 to be sure you had enough Commissioners voting.

10 COMM. WEINSHALL: We do. I counted.

11 DEP. COMM. SALKIN: There's five.

12 CHAIRMAN DAUS: I didn't want to have to go
13 through that all over again.

14 COMM. WEINSHALL: That's why I'm still here.

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DEP. COMM. SALKIN: Good.
CHAIRMAN DAUS: Thank you for your patience,
thanks, everybody, see you in February, February 9th.
(Time noted: 11:08 a.m.)

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C E R T I F I C A T E

I, LINDA FISHER, a Certified Shorthand
Reporter and notary public within and for the State of
New York, do hereby certify that I reported the
proceedings of the TAXI AND LIMOUSINE COMMISSION on
January 12, 2006, and that this is an accurate
transcription of what transpired at that time and place.

Transcript -- 1-12-06 Meeting.txt

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Linda Fisher,

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Certified Shorthand Reporter

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