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NYC TAXI AND LIMOUSINE COMMISSION

PUBLIC MEETING

held on Thursday, February 14, 2008

40 Rector Street

5th Floor

New York, New York

1 Public Meeting convened at 9:35 a.m:

2

P R E S E N T:

3

4 MATTHEW W. DAUS, COMMISSIONER/CHAIR

5 ELIAS AROUT, COMMISSIONER

6 IRIS WEINSHALL, COMMISSIONER

7 HARRY GIANNOULIS, COMMISSIONER

8 EDWARD GONZALES, COMMISSIONER

9 LAUVIENSKA POLANCO, COMMISSIONER

10 CHARLES FRASER, GENERAL COUNSEL

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1 CHAIRMAN DAUS: We are going to get
2 started. Can everybody please take their
3 seat.

4 Good morning, everybody. First and
5 foremost, happy Valentine's Day. Love is in
6 the air in our industry, as you probably have
7 read in the paper the last couple of days,
8 there is a Cupid Cabby out there who is
9 apparently matchmaking in the back of the cab,
10 has hooked up about 19 couples so far. So we
11 commend him for his customer service. It
12 certainly goes above and beyond what is
13 required of our professional drivers, but,
14 nevertheless, that reminds me that I should
15 remind you that we are having a driver
16 recollection ceremony. Maybe we will honor
17 Ahmed Ebrahim (ph) as well as other drivers
18 who have gone above and beyond in terms of
19 providing customer service.

20 It is going to be on March 27th,
21 which is a Thursday, at the Top of the Rock.
22 I will have some more details in terms of time
23 and so forth for the Commissioners, who are
24 all invited, as well as the industry group
25 leaders. And we will be narrowing down over

1 the next week or two some of the drivers who
2 will get top awards for going above and beyond
3 in terms of customer service, doing good deeds
4 for the City of New York and so forth. So we
5 are very excited about that.

6 Talking about customer service, I
7 just want to give an update since we last met,
8 for my Commissioners, about Operation Secret
9 Rider, the new operation that we started to
10 basically enhance customer service in the
11 industry. It is going very, very well.

12 We have basically taken a page out of
13 the retail book with regard to Secret Shopper
14 and applied it to the back of the cabs with
15 undercover officers going into the back of the
16 cabs and simulating an actual ride. The
17 results have been very encouraging so far.

18 We are looking at everything in the
19 Passenger Bill of Rights, including cell
20 phones, credit cards refusals, whether the
21 cabs clean, whether the seat belts are
22 working. And basically any violation that our
23 officers see can and will be written. They
24 are going in groups of one, two, three and
25 four, so you never know what combination of

1 potential passengers might be showing up. We
2 have dedicated the full enforcement complement
3 to it as well and they are all dressing in
4 different types of attire, including business
5 suits for some of them, casual attire,
6 dressing I guess as tourists as well with bags
7 and luggage and so forth.

8 So basically it is going well. The
9 results are encouraging. We've had
10 consistently since the start of the Operation
11 a 90 percent compliance rate. So the drivers
12 are doing good; we want them, obviously, to do
13 better. The Operation is here to stay because
14 we think it is a good thing to do, it is
15 always going to keep the drivers on their
16 toes.

17 We have the full enforcement
18 complement doing it now, and, in addition,
19 over the last week or two we had also added a
20 number of additional inspectors, and I want to
21 congratulate the new class of inspectors that
22 we recently hired that are being added to the
23 mix.

24 And I want to thank, in particular,
25 Pansy Mullins, Deputy Commissioner for

1 Enforcement, who has done a fantastic job in
2 moving this initiatives forward. We will be
3 hearing a little bit more about the credit
4 card aspect and the technology projects aspect
5 of this enforcement initiatives, but at least
6 for now I think two numbers are interesting
7 when you break them down, the cell phones,
8 obviously, received a lot of attention. Out
9 of 2,008 tests, there were 432 summonses
10 issued. And with regard to cell phones alone,
11 there were only 116 summonses issued, which
12 ends being about a 94 percent compliance rate,
13 which is a little bit higher. So that's very
14 encouraging.

15 And I think what's important is over
16 the last couple of months, I think the drivers
17 and the industry and the perception is that
18 service has declined, the perception is that
19 drivers are angry and have issues. This
20 Operation, I think, is a first step in
21 restoring the confidence of the industry, in
22 restoring the confidence of the passengers in
23 our industry, to bring it back to where it was
24 before. And that's slowly happening as we
25 speak.

1 We still have the vast majority of
2 our drivers are doing a fantastic job, and as
3 with anything else, I think the stats pretty
4 much show and prove that there were a small
5 number of drivers that were creating a bit of
6 a problem. So our goal is not to hurt
7 anybody. Our goal is to get people on the
8 right track, get them to curb their behavior,
9 provide better service, as the Cupid Cabby
10 has, he is, obviously, very friendly.

11 We would like to see more
12 interactions that are positive, not just doing
13 your job, but it would be nice if drivers said
14 hello, good-bye, have a good day. Obviously,
15 that is not mandatory, but, you know what, if
16 you are smart, this is a service industry, the
17 customer is always right, the customer and the
18 passenger are paying your bills. They are the
19 people that can give you a small tip, a large
20 tip or no tip. So I think it is important to
21 reaffirm that aspect and remind drivers.

22 So it is kind of a wake up call and
23 it will continue, and my hope is that we will
24 continue to be the best industry in the world.
25 So thanks for everybody's help and support on

1 that initiative.

2 In terms of forward-thinking
3 projects, we are reaching a crossroads now
4 with the Taxi of Tomorrow project. Within the
5 next week or two we will be issuing the
6 Request For Information, which is a voluminous
7 document. It is in its final draft stages
8 with us and the Mayor's office, and it is
9 going to be requesting information from
10 potential manufacturers in terms of what they
11 believe they can do to build the Taxi of
12 Tomorrow and what interest there is out there
13 by various manufacturers. So we are excited
14 about that.

15 I recently asked First Deputy
16 Commissioner Andy Salkin and Assistant
17 Commissioner Peter Schenkman to go to the
18 Detroit Auto Show where there seemed to be a
19 lot of buzz about what we are doing, and there
20 was some very positive feedback based upon our
21 preliminary meetings with manufacturers.

22 In terms of the Medallion sale, I
23 think I announced previously that we are going
24 to be doing the Medallion sale before the end
25 of this fiscal year, probably at a date in

1 May. But in terms of the last Medallion sale,
2 a quick update. We have 28 accessible
3 Medallions that completed their closings out
4 of the 63 Medallions that were auctioned.
5 Nine are scheduled for today actually, and 25
6 accessible taxis are on the road from the last
7 auction that was held in November.

8 The Technology Service Enhancement
9 Report I am going to defer because we are
10 going to have a more detailed staff
11 presentation on some of the numbers and how we
12 are doing with the technology project.

13 An accessible dispatch update which I
14 promised every month is that the contract, I
15 am pleased to announce, has been signed off
16 and approved by the Mayor's Office of
17 Contracts Services, by our agency and by the
18 city lawyers. It is now in the hands of the
19 potential contractor, Executive Charge. We
20 are waiting for them to sign it. As soon as
21 we have them sign it, which will, hopefully,
22 be within the next couple of days, we will
23 send that to the New York City Comptroller's
24 Office for registration approval. The
25 Comptroller, I believe, has 30 days to do that

1 and then we will start the contract and we
2 will be on our way.

3 Last week I testified at the request
4 of the Council before the Transportation
5 Committee about Roads Forward. That's the
6 document I shared with the Commissioners
7 previously and which was put out by the Design
8 Trust for Public Space. I am pleased that we
9 have Deborah Martin here today and she is
10 going to be giving a more detailed
11 presentation, somewhat like what she gave to
12 the Council.

13 I was pleased to go to a Council
14 meeting, and you know that the Council is an
15 oversight arm and they have lots of questions
16 and they are always putting your feet to the
17 fire on some of the tough projects that you
18 are working on. And I was pleased that
19 Chairman Liu and many of the other Council
20 Members were basically very happy about this
21 project and about Roads Forward and the work
22 that we are doing. So it was really nice to
23 get that stamp of approval.

24 Of course, they were trading ideas
25 about what is a good idea, bad idea,

1 obviously, in the book. And we will be
2 hearing about those specific ideas and
3 recommendations today from the Design Trust
4 and I had promised the Council more than once
5 during that hearing that our Commissioners
6 would give every due consideration and discuss
7 the various proposals that are in the
8 document. So Deborah Martin is here and she
9 will be going through that in a little while.

10 Also, as required by local law and
11 the New York City Charter, we on time
12 submitted our annual report to the City
13 Council. It is on our website, it can be
14 downloaded and it is available in the back as
15 well if you would like a copy. If we run out,
16 just let Endera Strauss know and she will get
17 you some more copies.

18 Upcoming Commission meetings, the
19 next Commission meeting will be on Thursday,
20 March 13th, and the meeting after that will be
21 Thursday, April 10th, so we are back on our
22 second Thursday of the month schedule.

23 Also, as I mentioned at our last
24 meeting, we are going to do a separate hearing
25 on leasing which is required by our rules

1 every two years. Our deadline for doing it is
2 the end of March. We set a tentative date of
3 March 20th at 10:00 a.m. It is a public
4 hearing regarding leasing. We ordinarily take
5 testimony on the equities of system, where we
6 are. The matters are identified in our
7 regulations, but we are also going to be
8 putting out a more detailed public notice that
9 will be prompting some interesting issues and
10 questions that we have been gathering through
11 our research over the last couple of years.
12 And we would ask that people that participate
13 try to answer those questions.

14 Commissioners aren't required to
15 attend but are welcome if they wish. What we
16 intend to do is to summarize the testimony,
17 analyze and then present it at a future
18 Commission meeting. So it is not mandatory,
19 but if you can come, it's great.

20 That pretty much concludes my report.

21 Any questions?

22 (No response.)

23 CHAIRMAN DAUS: Okay, thank you.

24 That's Item 1.

25 Item 2, adoption of minutes.

1 Do we have any comments, questions or
2 changes to the minutes?

3 COMM. AROUT: I make a motion we
4 accept the minutes.

5 CHAIRMAN DAUS: We have a motion to
6 accept. Do we have a second?

7 COMM. POLANCO: Second.

8 CHAIRMAN DAUS: All in favor?

9 (Chorus of "Ayes.")

10 CHAIRMAN DAUS: So approved.

11 Item 3, base licensing application
12 review. Do we have a representative from
13 licensing?

14 MS. STEELE-RADWAY: Good morning.
15 Licensing would like to present before the
16 Commission the 18 bases with a recommendation
17 for approval.

18 CHAIRMAN DAUS: Do I have a motion to
19 approve.

20 COMM. AROUT: Just one question.

21 CHAIRMAN DAUS: Sure.

22 COMM. AROUT: You have down here
23 Brothers Car Service, are they affiliated with
24 Staten Island?

25 They are registered in Brooklyn, I

1 just want to make sure, are they the same
2 company?

3 MS. STEELE-RADWAY: I would have to
4 look into the ownership.

5 COMM. AROUT: I would appreciate it.

6 MS. STEELE-RADWAY: I will get back
7 to you on that.

8 COMM. AROUT: Okay, motion.

9 CHAIRMAN DAUS: Is there a second?

10 COMM. POLANCO: Second.

11 CHAIRMAN DAUS: All in favor?

12 (Chorus of "Ayes.")

13 CHAIRMAN DAUS: So approved.

14 We have some denials.

15 MS. STEELE-RADWAY: There is one
16 base that Licensing is recommending for denial
17 with a request that the Commission grants an
18 additional 30 days so that they may present
19 the outstanding items.

20 CHAIRMAN DAUS: Is there a motion to
21 approve?

22 COMM. AROUT: I make a motion to
23 approve.

24 CHAIRMAN DAUS: Is there a second?

25 COMM. GONZALEZ: Second.

1 CHAIRMAN DAUS: All in favor?

2 (Chorus of "Ayes.")

3 CHAIRMAN DAUS: Okay.

4 MS. STEELE-RADWAY: In addition to
5 the bases that have been presented, Licensing
6 is requesting that B01437 be reviewed by the
7 Commissioners for reconsideration, as per the
8 memo included within the Commission book.

9 CHAIRMAN DAUS: Okay, do we have a
10 motion to reconsider?

11 COMM. AROUT: I make a motion.

12 CHAIRMAN DAUS: Is there a second?

13 COMM. GONZALEZ: Second.

14 CHAIRMAN DAUS: Actually, should we
15 clarify that that would be giving them an
16 additional 30 days to get their paperwork in
17 in order.

18 MS. STEELE-RADWAY: That's correct.

19 CHAIRMAN DAUS: All right, so we
20 have a motion, a second, all in favor?

21 (Chorus of "Ayes.")

22 CHAIRMAN DAUS: Okay, thank you,
23 Georgia.

24 Also, I would like to point out that
25 we are still on track in terms of analyzing

1 some of the information about livery reforms.
2 We haven't forgotten about that. We had a
3 meeting earlier last year about it. We have
4 been working very closely with some individual
5 Commissioners. I want to, in particular,
6 thank Commissioner Gonzalez, who spent a lot
7 of his free time with us going over some ideas
8 in terms of how do we deal with the issue of
9 suspensions and how do we deal with the issue
10 of the dispatch of unlicensed vehicles.

11 And also Commissioner Arout has been
12 in touch with us about some of these issues.
13 And as we get closer we will be meeting with
14 some of the Commissioners to get their ideas,
15 but we would like to, sometime during 2008,
16 have a reasonable set of regulations that make
17 sense for us and the industry to enhance base
18 accountability and enhance livery for-hire
19 vehicle accountability. So that will be
20 coming back on track and I will keep everybody
21 posted.

22 I also want to acknowledge and thank,
23 I think Assemblyman Kellner is here as well.
24 I want to thank the Assembly Member for
25 joining us and thank the Assembly Member for

1 the commitment to our accessibility issues in
2 general. We have been working very closely on
3 some issues, and I want to thank the Assembly
4 Member for joining us.

5 Also I think we are now on Item 4A on
6 the agenda. There are two pilot programs
7 under item 4 that we are going to discuss
8 today. The first is Nest Energy Systems, and
9 David Klahr, if you could give us an update on
10 what we are doing here.

11 MR. KLAHR: Sure. Good morning,
12 Commissioners.

13 The first part of the proposal we
14 have to consider today is from Nest Energy
15 Systems, which is a company based in Arizona,
16 and they submitted a proposal to test a result
17 device they sell called the Solinator. This
18 is a solar powered battery charger. This does
19 not power a vehicle, it merely recharges the
20 battery.

21 The proposed use of this, there are
22 two uses for it. The first is to kind of keep
23 the battery fresh and recharged for a vehicle
24 that idles for a long period of time.
25 Something we don't see a lot of in the taxicab

1 industry. The second use is to power
2 rechargeable devices that a driver may use
3 while seated in the car, and, thus, keeps the
4 idling to kind of keep the battery running,
5 also something that we don't see too much and
6 don't want to encourage in our industry.

7 Therefore, the recommendation of
8 staff is to reject this particular proposal.
9 The technology seems fine, it seems to work
10 fine. It certainly uses a clean energy
11 source. It just doesn't seem like a great
12 match for TLC regulated industries. And it
13 should be noted that there is nothing
14 currently in TLC that prohibits this company
15 from selling these devices to people in the
16 industry if they wish.

17 Thank you.

18 CHAIRMAN DAUS: Thank you. Any
19 questions?

20 (No response.)

21 CHAIRMAN DAUS: Okay, I would like to
22 recommend that we deny the pilot program, only
23 because it doesn't make sense. This device
24 even sounds like an interesting device that
25 could be good for the environment, but it

1 primarily gets its benefit from basically cars
2 that are parked for long periods of time as
3 well as those that idle for long periods of
4 time, which really makes no sense for the taxi
5 industry since most of these cars are on the
6 road 24/7 going to and fro. It probably makes
7 more sense for the black car industry, and
8 there is nothing that we need to vote on since
9 our pilot program would only pertain to our
10 approving it for the yellow cabs, as it is a
11 free market for the black cars.

12 So any comments, questions,
13 suggestions?

14 (No response.)

15 CHAIRMAN DAUS: Do we have a motion
16 to deny.

17 COMM. AROUT: I make a motion to
18 deny.

19 CHAIRMAN DAUS: Is there a second?

20 COMM. GONZALEZ: Second.

21 CHAIRMAN DAUS: All in favor?

22 (Chorus of "Ayes.")

23 CHAIRMAN DAUS: Thank you.

24 The next is Freedom Motors, Toyota
25 Sienna Accessible Pilot Program.

1 Peter Schenkman, will you join us,
2 please, and give us an overview of where we
3 are with the Sienna.

4 MR. SCHENKMAN: Good morning. Today
5 we have another company proposing a modified
6 accessible Toyota Sienna. The first was by
7 Auto Van. That vehicle has been on the road
8 for six months so far. It has gotten very
9 favorable inspection ratings and we have seen
10 some positive feedback. We are just waiting
11 to collect some more data on that.

12 That being said, the next company, as
13 I said, is Freedom Motors, and they are
14 proposing a similar designed rear-entry Toyota
15 Sienna for a pilot.

16 CHAIRMAN DAUS: You are from Freedom
17 Motors?

18 MR. BOGENAGER: That is correct.

19 CHAIRMAN DAUS: Good morning.

20 MR. BOGENAGER: Good morning, Chair,
21 Commissioners. Thank you for this time.

22 CHAIRMAN DAUS: Could you identify
23 yourself for the record.

24 MR. BOGENAGER: My name is Erasmo
25 Bogenager (ph). Just call me Raz.

1 CHAIRMAN DAUS: Okay, Raz.

2 Is there A technician in the house?

3 (Pause.)

4 CHAIRMAN DAUS: Okay.

5 MR. BOGENAGER: Just an oversight,
6 real quick. Freedom Motors has been in the
7 business for over 20 years. We have
8 introduced to the United States 20 years ago
9 the rear entry van, so any van that you see
10 out there is really kind of copied after ours.

11 We are in a 300,000 foot facility.
12 We have been there for over a year. We
13 introduced the Toyota in 2004. We were the
14 original manufacturer of that, we came up with
15 idea.

16 CHAIRMAN DAUS: Where is your
17 company based?

18 MR. BOGENAGER: Battle Creek,
19 Michigan.

20 On the safety factor, all of our
21 vehicles have been crash tested. We have
22 crash tested more vehicles than any
23 manufacturing company of wheelchair accessible
24 vans. We make the Honda Element. We make the
25 PT Cruiser. We are in the process of making a

1 Honda Scion.

2 On the durability of it, we are
3 currently being used by New York -- excuse me,
4 by Houston yellow cab and San Francisco Bay
5 area. The FMI vehicle design offers the best
6 in class accessibility and would accommodate
7 most wheelchairs and scooters.

8 This is the Toyota chassis itself.
9 It has 56 inches and it is ADA compliant. It
10 is 59 inches in height. The ramp is 30
11 inches. The wheelchair length is 58. That's
12 the manual bi-fold. The lower floor, the
13 length of it is 58 inches. It can accommodate
14 four ambulatory passengers and one up front
15 with the driver. It has a four point
16 retractable recoil restraint system and it has
17 commercial non-slip flooring.

18 FMI developed the first rear entry
19 van 20-some years ago. When we brought it
20 over to the United States, we were the first
21 to put it on a Toyota platform in 2004. We
22 are fully ADA, NHTSA and FMVSS compliant, and
23 we are all fully crash tested. And the Toyota
24 platform is classified as an ultra-low
25 emission vehicle.

1 The Toyota non-accessible Sienna has
2 proven to be a superior taxi platform here in
3 New York. Designed is Laos, usage of the OAM
4 seats and gas tank and will accommodate most
5 wheelchairs and scooter sizes. Design also
6 utilizes function on both sides of the doors
7 so when you pick up ambulatory passengers, you
8 can pick them up on either side of the street.
9 Rear entry access allows safer loading and
10 unloading of the wheelchair passengers.

11 What's nice about it is if you have
12 someone in a wheelchair and they accommodated
13 by family members or other people, you can get
14 the person in the chair and up to four more
15 people in the van itself.

16 Our vans, it's a proven concept.
17 Hundreds of FMI vans are utilized across the
18 company for transit and paratransit use right
19 now. Our customers include Greater Houston
20 Transportation, which is largely considered
21 the largest taxi account in North America, and
22 several large fleets in San Francisco. Our
23 R&D department is able to develop and
24 implement innovations and improvements at an
25 accelerated rate. Like I say, we are making a

1 Honda Scion right now. In our department
2 right now we have the hybrid and the Escape
3 and the Highlander right now, which is getting
4 completed. Hopefully, we will be able to
5 launch that by we are thinking at the end of
6 the year.

7 CHAIRMAN DAUS: A rear entry Ford
8 Escape ramp?

9 MR. BOGENAGER: Yes, and a Toyota
10 Highlander.

11 Our production is housed in 300,000
12 square feet production facility, so we will be
13 able to supply vehicles. On our commercial
14 department side we can make up to 20 to 25 a
15 month, so if fleet owners, usually what
16 happens is they want them right away as soon
17 as they get the Medallion. So we will be able
18 to produce them and get them out real quick
19 for you.

20 On the safety side, again, we use top
21 grade materials like tubular steel. The
22 tubular steel goes around the cage where the
23 floors are lowered. As far as I know, we are
24 the only manufacturing company that does do
25 that. And I know that safety is really

1 important. When I visited Mr. Schenkman and
2 saw the high tech state of the art maintenance
3 place over there with the checking of the
4 brakes, I know safety is really, really
5 important. We have documented pictures of
6 crashes with vehicles that have been hit from
7 the side and the back, and the only thing left
8 was our tubular steel configuration in the
9 back. So it's very, very safe.

10 We recommend that if a vehicle is
11 accepted, that it is crash tested.

12 The pilot program details: FMI will
13 supply two vehicles to a Medallion holder for
14 the purpose of evaluation. FMI can supply
15 references regarding vehicle durability and
16 reliability including Pierman Van Downsen (ph)
17 of Greater Houston Transportation, and John
18 James of San Francisco Ford, the premiere
19 suppliers of access taxis in the Bay area.

20 FMI will work hand-in-hand with
21 vehicle owners, drivers and passengers to
22 evaluate the vehicles utilizing a postcard
23 survey, which I think the Commissioners have
24 copies of that. These will be given to the
25 riders, and we are also going to implement one

1 for the drivers so we can stay on it on a
2 weekly or monthly basis, so we can react if
3 there is anything that needs to be changed.
4 And that's getting back to our R&D department,
5 if things do need to be changed or something
6 needs to be critiqued, we have quick response
7 time to do that.

8 CHAIRMAN DAUS: Do you have a
9 Medallion owner lined up to do this at this
10 point?

11 MR. BOGENAGER: We have two of them
12 that we have had contact with. They are just
13 waiting for approval or wanting to know when
14 we do get in the pilot program.

15 FMI would like to leave the pilot
16 program time line open in order to insure that
17 the TLC has ample time to complete its
18 evaluation. The only thing that we do ask is
19 that it may be expedited since a similar
20 vehicle has already been in for six months, we
21 would like to try to get into the next
22 Medallion sale, if we could.

23 CHAIRMAN DAUS: Okay, is that it?

24 MR. BOGENAGER: Yes.

25 CHAIRMAN DAUS: Thank you.

1 Commissioners, do you have any
2 questions?

3 COMM. GONZALES: Excuse me, sir, a
4 couple of questions. First, you mentioned
5 crash testing. What are ratings on the crash
6 test?

7 MR. BOGENAGER: I can probably say
8 we are the only manufacturing company that has
9 passed the very first time.

10 COMM. GONZALES: Three star, five
11 star?

12 MR. BOGENAGER: I don't know how
13 they rate those. But I think Mr. Daus has
14 copies of our crash test data. I think it's
15 either pass or fail.

16 MR. SCHENKMAN: It's actually done
17 by a score and then there is a median, which
18 above is judged to be a pass, but they don't
19 actually say pass or fail.

20 CHAIRMAN DAUS: Well, the Sienna
21 gets crash tested first under NHTSA standards
22 and then this is a separate crash test once
23 the ramp is installed.

24 Do you know what the crash test --
25 also what I think would be helpful, what is

1 the crash test score for the Sienna in
2 general?

3 MR. SCHENKMAN: The NHTSA score for
4 an unmodified is four stars.

5 CHAIRMAN DAUS: Okay.

6 COMM. GONZALES: Also with respect
7 to vehicle warranty, does this compromise the
8 vehicle warranty?

9 MR. BOGENAGER: For the vehicle
10 itself?

11 COMM. GONZALES: For the vehicle
12 itself, yes.

13 MR. BOGENAGER: No.

14 COMM. GONZALEZ: So the vehicle
15 warranty is still --

16 MR. BOGENAGER: It is three years,
17 36,000 for the Toyota part of it.

18 COMM. GONZALES: And then the last
19 question, with respect to retrofitting the
20 ramp, anything in your observation with
21 respect to compromising any brake lines or
22 chassis?

23 MR. BOGENAGER: No, we don't alter
24 any of that. The gas tank stays in tact.

25 CHAIRMAN DAUS: Just to clarify, the

1 warranty is from Toyota or from you?

2 MR. BOGENAGER: The Toyota part of
3 it, that would the engine, the transmission,
4 any mechanical parts that we don't touch,
5 still remains in tact for three years and 36
6 through Toyota.

7 CHAIRMAN DAUS: And do you have a
8 separate warranty for your work?

9 MR. BOGENAGER: Yes.

10 CHAIRMAN DAUS: What does that cover
11 and how long is it?

12 MR. BOGENAGER: That would be
13 covered, like we have with Houston right now,
14 it is the life of the vehicle.

15 CHAIRMAN DAUS: Does that just cover
16 the ramp or does it go further?

17 MR. BOGENAGER: No. Any
18 construction that we put on the vehicle.

19 CHAIRMAN DAUS: Okay.

20 Commissioner Giannoulis, did you have
21 some questions?

22 COMM. GIANNOULIS: Yes.

23 First, an administrative question.
24 What is being proposed to us exactly, a new
25 pilot program?

1 MR. FRASER: Yes. The pilot is
2 actually identical in all respects to the Auto
3 Van pilot which is currently running.
4 Technically, we have to do this as a new pilot
5 because there was a time limit period to be a
6 participant in the Auto Van pilot. So even
7 though it is an identical pilot, it needs to
8 be reapproved as a new pilot because of
9 Freedom's coming forward.

10 COMM. GIANNOULIS: And what was the
11 time period to respond to the earlier pilot?

12 MR. FRASER: I don't remember. It
13 probably was 30 days, something like that,
14 after we published it. And we are going on
15 close to a year ago.

16 COMM. GIANNOULIS: So fundamentally
17 he is getting an extension?

18 MR. FRASER: Well, I guess that
19 would be one way to look at it. We will now
20 republish this and anyone else who wants to
21 participate in this pilot will be able to do
22 so on the same terms.

23 COMM. GIANNOULIS: But it's the same
24 exact pilot?

25 MR. FRASER: Correct, yes.

1 CHAIRMAN DAUS: You are talking
2 about the 30 days for the RFI that went out?

3 MR. FRASER: That is what I was
4 referring to, yes.

5 CHAIRMAN DAUS: But there is nothing
6 legally preventing us from going beyond that
7 date?

8 MR. FRASER: Not at all, no.

9 CHAIRMAN DAUS: Is it the identical
10 terms that is being proposed for this pilot as
11 for the other pilot?

12 MR. SCHENKMAN: Yes.

13 COMM. GIANNOULIS: So there was a
14 RFI that was out. One person responded to it,
15 the earlier one?

16 MR. SCHENKMAN: Only Auto Van. No
17 one stepped up.

18 COMM. GIANNOULIS: Was that because
19 they had put in a proposal for the pilot to
20 begin with? They kind of generated the pilot
21 program, so to speak?

22 MR. SCHENKMAN: Correct.

23 COMM. GIANNOULIS: And, sir, you
24 chose not to participate in that? You knew
25 about it, didn't know about?

1 MR. BOGENAGER: There are some legal
2 matters right now, which I don't know if I can
3 go into right now about that.

4 COMM. GIANNOULIS: I find it a
5 little strange that a national model in this
6 wouldn't have participated in the New York
7 City pilot program.

8 MR. FRASER: My understanding is,
9 and I might be correctable on this, but my
10 understanding is that Freedom is the modifier
11 for the van that Auto Van is using in its
12 pilot.

13 MR. SCHENKMAN: That is incorrect.

14 MR. FRASER: All right, I am wrong.
15 Sorry.

16 CHAIRMAN DAUS: It is the first time
17 anyone has ever corrected you.

18 MR. SCHENKMAN: Sorry.

19 MR. FRASER: It's okay.

20 CHAIRMAN DAUS: Do you want to
21 clarify? Peter, do you want to elaborate on
22 that?

23 COMM. GIANNOULIS: If there are legal
24 issues that we can't talk about, that's fine.
25 I am just surprised just that somebody who --

1 legal issues in terms of your own company, you
2 mean?

3 MR. BOGENAGER: Us and another
4 company.

5 CHAIRMAN DAUS: There is some type
6 of issue between Auto Van and Freedom, that's
7 a private issue in terms of employees that
8 used to work for Freedom. I don't know as
9 much as about it as you do, so maybe you can
10 elaborate. And if you can't, I mean, this is
11 a separate company. It's basically coming
12 forward with something, quite frankly, which I
13 have a hard time saying if two or three, four
14 companies come forward with exactly the same
15 thing, I have a hard time saying one company
16 should get it and the others shouldn't get the
17 opportunity, too. That's just my personal
18 feeling.

19 COMM. GIANNOULIS: I don't disagree
20 with that. My only point is -- I mean, we
21 have had issues with these pilots, my only
22 point is, that's actually why we put out a
23 pilot, which is we don't put out a rigged
24 pilot, we put out an open pilot. Everybody is
25 allowed to participate.

1 It just seems to me, and I don't know
2 enough about this, but if somebody responds to
3 a pilot and they put in the resources to
4 pursue a pilot, and I didn't know about these
5 legal issues but now it kind of makes more
6 sense to me, if somebody else is putting in
7 the resources to pursue a pilot and then
8 people in the company may leave or doing
9 something else and we kind of reup the pilot,
10 it's not really a pilot, it is a running
11 pilot, which I just think from a business
12 perspective is not -- I mean, I am a lot more
13 comfortable with somebody saying, "This pilot
14 didn't work out, we are opening it up again.
15 Let's see if somebody has a better idea," but
16 opening up an RFI, closing it, and somebody
17 else comes in a little bit later --

18 CHAIRMAN DAUS: Just to clarify, and
19 correct me if I am wrong, but I think they are
20 the original pilot. The Auto Van, from what I
21 -- and correct me if I am wrong, Peter -- Auto
22 Van sought approval and the actual vehicles on
23 the road under Auto Van are actually Freedom
24 Motors' vehicles.

25 Is that correct?

1 MR. SCHENKMAN: No.

2 The very first vehicle that Auto Van
3 showed to me for the initial approval was a
4 Freedom Motors' vehicle. Subsequently, the
5 employee left Freedom Motors, started Auto
6 Van, and to the best of my knowledge, the two
7 vehicles that are on the road today are
8 manufactured by Auto Van. There are subtle
9 differences the between two modifications.
10 That does change some things.

11 CHAIRMAN DAUS: In your opinion, is
12 it worth the extra time and effort to test
13 this different type of model?

14 MR. SCHENKMAN: I think anything
15 that fulfills the mission of the agency to put
16 more accessible more vehicles in to test them
17 is worth it.

18 COMM. GIANNOULIS: I don't disagree
19 with that. My issue is, again, when we are
20 going through pilot programs, I don't know
21 what resources were spent by somebody, but it
22 just seems to me to be a fair game issue,
23 which is if a company pursues a pilot program
24 and then we kind of extend the pilot, which
25 seems to be pretty clearly what happened here,

1 which may be legitimate, may be fine, but we
2 should call it for what it is. It seems like
3 an extension of the pilot program, which it
4 seems to me that we should issue -- there may
5 be are other companies that want to come in,
6 and if somebody comes in 60 days from now,
7 they are out? Well, that doesn't seem right.

8 Anyway, just a few more questions on
9 the specifics.

10 CHAIRMAN DAUS: Commissioner?

11 MR. SALKIN: One of the questions I
12 think I hear you saying is the extension of
13 the pilot. I think what we are doing here is
14 we are extending the opportunity for someone
15 to enter into the pilot.

16 I would argue that this pilot, then
17 putting vehicles on the road is basically a
18 continuation of the other pilot program. So
19 now we have, instead of two vehicles to test,
20 we are going to have four vehicles to test.
21 It's not to say that if Auto Van gets through
22 the process and presents data and we can bring
23 it back to the Commission and approve a
24 vehicle and make rule making, that if the
25 Commission approves that vehicle, likely,

1 since the modifications are similar, then
2 their vehicle that is still on the road that
3 is still in pilot phase will actually be
4 approved as well.

5 COMM. GIANNOULIS: I understand it
6 is not world. I have no problem with that.

7 My issue is real simple: We are
8 talking about a pilot program. Somebody is
9 expending resources at the end of the day, a
10 business person is expending resources to test
11 a product. If you tell me I have a year to
12 test a product, I am going to make one
13 decision. If you tell me, like, for example,
14 does this mean that the other people are now
15 extended?

16 MR. SALKIN: No. That's what I am
17 trying to say.

18 COMM. GIANNOULIS: Well, maybe they
19 should be then. That's, I guess, my point:
20 Do they get another six months? Because if
21 they get did six months --

22 COMM. WEINSHALL: Let him answer.

23 COMM. GIANNOULIS: -- They may have
24 decided to do something different.

25 MR. SALKIN: I think what we are

1 hoping happens is that the Auto Van pilot gets
2 concluded quickly. We find favorably, we can
3 work through whatever issues or concerns there
4 are. We can bring it to the Commission for
5 rules. The commission votes on an approved
6 modification for Siennas. That, in my mind,
7 from what I understand about both vehicles
8 would mean that both vehicles, both companies
9 would now qualify, plus anyone else who we
10 didn't pilot would also qualify. Thus, ending
11 the pilot that we would be addressing today
12 because that would now be grandfathered by the
13 rules that we pass.

14 But it also gives us an opportunity
15 to see if we have concerns with the Auto Van
16 pilot, that there is now another vehicle on
17 the road that is looking at it from a slightly
18 different perspective, so that we have the
19 ability to do more research and get different
20 perspectives. That's what we are trying to
21 do.

22 I want to make clear, the intent here
23 is not to say we have one pilot that has been
24 going on for six months, we are going to start
25 another one and it is another year added on to

1 both pilots. That pilot is still running.
2 The intent of the year is to make a decision
3 within that year frame whether or not we are
4 going to pass rules or not.

5 CHAIRMAN DAUS: Well, the pilot, to
6 actually clarify that, is over. The six-
7 month period to over.

8 MR. SALKIN: It is six to a year.

9 CHAIRMAN DAUS: We are not proposing
10 extending it. We are basically just waiting,
11 from what I understand, additional data from
12 Auto Van so that Peter can finalize his
13 recommendations to the Commission.

14 MR. SALKIN: Correct.

15 CHAIRMAN DAUS: So nothing that is
16 done here is going to delay the Auto Van
17 situation.

18 MR. SALKIN: In theory what could
19 happen, let's say in April we have worked
20 through the Auto Van issues and the staff is
21 ready to present rule making and propose rules
22 to the Commission, we might not only have the
23 Auto Van information, but we might have also
24 have the Freedom Motors, if they are going to
25 be handing out postcards and doing surveys, to

1 help supplement that argument and actually
2 help us to make an argument one way or another
3 toward passing rules.

4 COMM. WEINSHALL: Can I ask a
5 question: If a third company came in now,
6 would you let them --

7 MR. SALKIN: I think what the
8 Chairman was arguing is, yes, the more people
9 doing this type of vehicle the better; the
10 more testing, the better.

11 COMM. WEINSHALL: So it is similar
12 to what we did with the hybrid vehicles, what
13 we are saying is as many vehicles as possible,
14 if we can either test or get into service,
15 it's a good thing.

16 MR. SALKIN: It's a good thing.

17 As Commissioner Giannoulis said, I
18 think the idea is not to have this as a pilot
19 in perpetuity just going on forever, we want
20 to at some point end it. And we are basically
21 at this point, there is --

22 COMM. WEINSHALL: But you didn't
23 answer my question.

24 Let's say tomorrow I am a third
25 company and I come to you and say I have a

1 vehicle.

2 MR. SALKIN: We would say great.

3 COMM. WEINSHALL: And you would let
4 me have a pilot program?

5 MR. SALKIN: We would say great.

6 COMM. WEINSHALL: But would let me
7 enter into a pilot?

8 MR. SALKIN: Tomorrow, yes. But if
9 it is a year from now, I think we would have
10 to understand what is different about what
11 they are proposing and we have on the road
12 that the Commission did approve.

13 COMM. WEINSHALL: So at what point
14 would you tell a third company that they
15 couldn't come in?

16 MR. SALKIN: I think the real point
17 would be after the Commission says we don't
18 approve a vehicle. And right now, since it is
19 all in testing phase, our idea is more testing
20 is better. But at some point we are going to
21 be ending testing. We are going to bring it
22 in front of the Commission and say here is the
23 results of the testing and here is the
24 recommendation from staff, what do you want to
25 do, Commission?

1 If one of your recommendations is to
2 cancel this project, you do not like this
3 care, it is not safe, I think anyone who comes
4 forward with this vehicle, we have to say it's
5 not safe.

6 COMM. GIANNOULIS: I am not against
7 more testing. The analogy I am concerned
8 with, Commissioner Weinshall, is we approved
9 the hybrids based on, and then people were
10 approved, once they fell into category of
11 approved standards. We didn't continue to
12 retest the same vehicle.

13 CHAIRMAN DAUS: This was done
14 specifically to, I think, the company. So
15 maybe in future pilots we could be -- let me
16 ask you this question.

17 COMM. GIANNOULIS: Look, people
18 raise concerns. Everybody know that. I don't
19 have a dog in this race.

20 CHAIRMAN DAUS: I don't think anyone
21 here has dogs in this race.

22 COMM. WEINSHALL: You shouldn't have
23 a dog in this race.

24 COMM. GIANNOULIS: It just seems
25 that it is a little -- again, I am more

1 comfortable if someone were to say to me,
2 "This pilot ran its course. Sorry, Buddy,
3 this thing doesn't work. This is why it
4 didn't work. Let's put out another pilot,"
5 where everybody, including the original
6 person, is able to recompete and be able to
7 say, "Okay, if you are saying this doesn't
8 work, I can fix that."

9 I am just worried that concurrent
10 pilots, does that really happen because
11 somebody is running on a one-year schedule,
12 the other person is running on another
13 one-year schedule. If this guy gets rejected,
14 this guy is sitting there with something on
15 the street, knowing the other guy just got
16 rejected and he is able to fix his thing. I
17 just find that a little strange.

18 MR. SALKIN: Again, if something
19 eventually gets approved by the Commission,
20 everyone who meets that --

21 COMM. GIANNOULIS: That's a good
22 point.

23 MR. SALKIN: We are trying to figure
24 out the right answer. There are a lot of
25 concerns with the Sienna, but there is a lot

1 of positive results with the Sienna. It's
2 been a vehicle that has been used as a taxicab
3 for a long time. A lot of the owners and the
4 people that run the Sienna understand the
5 Sienna, like the Sienna. And if you modify it
6 and make it work, it will be great.

7 CHAIRMAN DAUS: Right. And since we
8 brought dogs up, it is not a dog race, it is
9 not a dog show. There is not like one
10 Westminster Dog Show winner.

11 As Commissioner Weinshall pointed
12 out, there are several companies, but there
13 could be more than one winner of this dog
14 show.

15 COMM. GIANNOULIS: Hopefully, it's
16 people with disabilities.

17 CHAIRMAN DAUS: I guess my question
18 is, you guys are the experts and you have
19 researched this. Commissioner Weinshall, I
20 think, brings up a very good point on the
21 issue of other companies.

22 Are there any known companies out
23 there anywhere in the United States or
24 elsewhere that actually are in the business of
25 doing the modifications to the Toyota Sienna

1 other than these two companies?

2 MR. SCHENKMAN: I do know of one
3 other company that is exploring. They
4 currently have vehicles on the road as New
5 York City taxis, but they are exploring the
6 options that they have, but they have not
7 committed to it.

8 CHAIRMAN DAUS: Did they get a copy
9 of the RFI?

10 MR. SCHENKMAN: They did originally,
11 but at the time they were not prepared or
12 interested.

13 CHAIRMAN DAUS: Maybe to kind of
14 meet both of the concerns, because I think I
15 agree with Commissioner Weinshall that I think
16 the best, in terms of experimentation and
17 pilot programs, is to test as many different
18 ways to do this as possible. But I agree with
19 Commissioner Giannoulis, I think Andy was
20 pointing this out, that you don't want
21 something to go on forever.

22 The disabled community is entitled to
23 get an answer on this, and we want to
24 basically have some type of resolution. I
25 think Auto Van, from what I understand from

1 Peter, is close to the goal line. They just
2 need to get us the data.

3 And we will consider your request.
4 We have up to six months with you. But if all
5 make sense, we will come back and basically
6 pass rules that say we are going to make this
7 permanent if it make sense. So that's where
8 we are going to be. So I guess my question
9 is, to meet both concerns, why don't we send
10 out a letter and a final notification to
11 whatever companies we know of, letting them
12 know that we have approved these two, that
13 within the next 30 days, 60 days, whatever you
14 think is reasonable, we would appreciate it is
15 you are interested to let us know.

16 This way at least we have given
17 everybody who is similarly situated a fair
18 opportunity, that we can rest well-assured
19 that we basically reached out to anyone and
20 everyone. And then we will get this show on
21 road. No pun intended.

22 COMM. GIANNOULIS: I just have two
23 specific questions on this particular project.

24 You say that the vehicle was crash
25 tested with the modifications?

1 MR. BOGENAGER: That's correct.

2 COMM. GIANNOULIS: Can you give me a
3 sense of what that costs, \$5 million, \$50,000,
4 \$100,000?

5 MR. BOGENAGER: 100,000.

6 COMM. GIANNOULIS: So it costs
7 around \$100,000. You take it to an
8 established crash testing center and they go
9 through the thing and then they give you a
10 grade?

11 MR. BOGENAGER: It's for gas
12 leakage, if there is any leakage of fuel in a
13 collision.

14 COMM. GIANNOULIS: So is it
15 different tests?

16 MR. SCHENKMAN: Freedom Motors'
17 vehicle is crash tested for one specific
18 reason, they modified the filler neck on the
19 fuel tank, so they have to comply with FMVSS
20 3.01, which is fuel tank integrity because it
21 was modified. So it is strictly to test
22 leakage.

23 COMM. GIANNOULIS: So the existing
24 results of the Sienna stand and you just test
25 that particular thing?

1 MR. SCHENKMAN: Yes.

2 COMM. GIANNOULIS: And it costs
3 around \$100,000 to be able to do that?

4 MR. BOGENAGER: Yes.

5 COMM. GIANNOULIS: And you didn't do
6 that?

7 MR. BOGENAGER: No, that is a third
8 party that does that.

9 COMM. GIANNOULIS: I mean, it was
10 done on the vehicle?

11 MR. BOGENAGER: Yes.

12 COMM. GIANNOULIS: And you passed,
13 the vehicle passed scores?

14 MR. SCHENKMAN: It got an acceptable
15 grade.

16 COMM. GIANNOULIS: An acceptable
17 grade, which is passing, I assume?

18 MR. BOGENAGER: Yes.

19 COMM. GIANNOULIS: And then, I'm
20 sorry, I wasn't paying attention for a second.
21 Did you say you had a fleet lined up?

22 MR. BOGENAGER: We do and we have a
23 couple. I guess I would just like to say that
24 being a wheelchair accessible van, it is a
25 delicate situation, the customers that we are

1 dealing with. We have been doing it for over
2 20 years, so I just want to recommend to look
3 into our references that we are going to give
4 to you, where we are and who we have been and
5 who we have been with for years, especially
6 Greater Houston. They have been with us for
7 four or five years, just ordered another 90
8 from us.

9 COMM. GIANNOULIS: Thank you.

10 CHAIRMAN DAUS: Okay. Any more
11 questions?

12 (No response.)

13 CHAIRMAN DAUS: Does anybody dare to
14 make a motion?

15 COMM. WEINSHALL: I will make
16 motion.

17 CHAIRMAN DAUS: Do I have a second?

18 COMM. AROUT: Second.

19 CHAIRMAN DAUS: All in favor?

20 (Chorus of "Ayes.")

21 CHAIRMAN DAUS: So approved, it's
22 unanimous. Thank you. We are looking forward
23 to, hopefully, expediting the resolution of
24 this program for the disabled community.

25 I want to thank Michael Harris for

1 joining us, who has been at the forefront of
2 this issue, as well as, again, Assembly Member
3 Kellner.

4 Do you want to say a few words,
5 Assembly Member?

6 No, okay. But thank you for joining
7 us. We appreciate it.

8 Our next presenter is Deborah Martin
9 from Design Trust. Good morning, Deborah. I
10 just want to say a few words before Deborah
11 starts.

12 First of all, I want to thank you and
13 your staff for all that you have done, it has
14 been for the last couple of years now, you
15 have been a tremendous partner. We have some
16 great ideas and you withstood a lot of
17 questioning, from what I understand, from the
18 City Council and came out okay and prompted a
19 lot of debate and kind of raised the profile
20 of the issue for all New Yorker in a positive
21 way. And I just, from the bottom of our
22 hearts, on Valentine's Day, thank you for all
23 that you have done. And welcome.

24 MS. MARTIN: Thanks for that warm
25 welcome. And I return the compliment, because

1 this whole project, from the beginning,
2 designing the taxi, through our exhibit, now
3 Roads Forward has been a kind of active trust
4 on the part of you, Chairman, and
5 Commissioners as a whole, working with a
6 non-profit like the Design Trust, being open
7 to our ideas. So we are really very grateful
8 that you were willing to partner with us on
9 this important effort. And we hope that the
10 work will be really useful to Commissioners.

11 As the Chairman noted, I am Deborah
12 Martin, Executive Director of the Design Trust
13 for Public Space. I am here to introduce you
14 to Taxi '07: Roads Forward, which I believe
15 you all have a copy of already. And I know
16 that most of you are already familiar with who
17 we are and what our history is with taxis and
18 the Commission, but I will tell you a little
19 bit about that just to give you a sense of
20 where we are coming in and the credibility
21 that we bring to this project.

22 So the Design Trust is 501-C3
23 non-profit. Every year we take project
24 proposals from city agencies or community
25 groups and then we bring together teams of

1 economists, designers, landscape architects,
2 whoever is required to do the work of the
3 project. We have worked with all kinds of
4 city agencies, including DCP, DCA, DDC, Parks
5 OEC, and, of course, TLC. Most notably
6 perhaps we are known for a series of high
7 performance or green guidelines that we have
8 worked on with DDC. And we look to that
9 project as a kind of fundamental change and
10 help the agency as a kind of model for the
11 work that we have been doing with TLC.

12 Our role really is to make sure that
13 the City of New York has access to the highest
14 quality information and design expertise
15 available. We are not an advocacy
16 organization. We are a resource for the city
17 and we make sure we are kind of a pinch hitter
18 that comes in and makes sure that the City of
19 New York has the most up-to-date design and
20 policy advice in the areas that we engage in.

21 Our involvement with taxis goes back
22 to 2005 when we began the project to celebrate
23 Taxi's 100th anniversary. Since we won't
24 start a project without the city agency or
25 community group that has to implement or that

1 we hope will implement whatever we come up
2 with, we approached the TLC to see if they
3 would work with us on this project, and they
4 were very willing and open to the
5 possibilities.

6 We had a series of workshops where we
7 brought together a broad range of taxi
8 stakeholders, many of who are in this room
9 today. You can see in the images, there were
10 many people who never met with one another
11 before. Fleet owners, drivers, industrial
12 designers, urban planners, landscape
13 architects, Medallion holders. And our idea
14 was to have these groups speak with one
15 another and kind plumb the limits of what were
16 the constraints and possibilities related to
17 taxis and the taxi system.

18 That's the book that was the product
19 of those series of workshops. It's here, I
20 believe you all have this already. This book
21 is not so much a recommendation as a series of
22 ideas that resulted from what was really a
23 three-week workshop series and the results of
24 an exhibit at Parsons. And those are images
25 from the opening of the exhibit.

1 So we were very much encouraged by
2 the excitement about this project, the
3 continued support from TLC and the industry
4 and the public. So in summer of 2006 the
5 Design Trust launched Taxi '07, and the image
6 on the bottom left is from the press
7 conference that announced Taxi '07 as well as
8 Gardens in Transit. The project was designed
9 to take the ideas generated by designing the
10 taxi to the next level. Taxi '07 has a dual
11 focus, the vehicle and the system.

12 The vehicle, we explored at the Taxi
13 '07 exhibit, which some of you may have
14 visited. It was at the New York International
15 Auto Show in April 2007. That exhibit
16 brought together auto manufacturers, some of
17 the nations top designers, many taxi component
18 manufacturers who work here in the city to
19 kind of hack up cars and make them into taxis.
20 We've helped put together teams that then
21 produced eight prototypes that were shown at
22 the exhibit.

23 The exhibit also covered many other
24 taxi-related things. We had a film about
25 drivers, where drivers spoke about their lives

1 and what it is like to be a taxi driver.

2 There was a lot of information about
3 alternative fuel and what kind of fueling
4 trains will be in taxis in the future.

5 So I can say pretty confidently that
6 it was the largest and most comprehensive
7 exhibit ever in U.S. history about taxis and
8 taxi systems.

9 In addition to raising awareness in
10 general among the public about taxis, the
11 exhibit acted as a catalyst for change within
12 the system. Inspired by the exhibit, Consumer
13 Reports performed and published a study on
14 replacing the New York City taxi fleet with an
15 improved taxi vehicle. And as you know, as
16 the Commissioner mentioned earlier, the
17 Commission is now working on the Taxi of
18 Tomorrow project and the EPS, which is an
19 outgrowth of these programs.

20 The exhibit received a huge amount of
21 press. The image you see there is there was
22 an AM New York cover and there was a huge
23 amount of information, coverage by the press
24 and interest within the press on this. And we
25 took that as a sign of support from the public

1 at large.

2 A fundamental premise of Taxi '07 is
3 that New York's taxi services form a system,
4 an independent network -- an interdependent
5 network of people, vehicles, and the city
6 itself. Taxi '07: Roads Forward, which is
7 this publication, and this available from the
8 Design Trust for anyone here who would like to
9 get a copy of it, published in collaboration
10 with TLC and released in December 2007,
11 analyzes the current taxi system and outlines
12 taxi improvement strategies that are feasible
13 and cost effective over a ten-year period.

14 The primary authors of this document
15 are depicted in this image. They are an
16 interdisciplinary team that included urban
17 planners, information designers, economists
18 and transportation experts. I call your
19 attention, in particular, to Sylvia Harris
20 designed the 2002 U.S. Census. So she worked
21 on the question of the interface between taxi
22 users, the industry and the kind of
23 communication system.

24 Eric Rothman worked for Transport for
25 London in dealing with the dispensation of

1 their capital budget. He worked, in
2 particular, on the economic value portion of
3 Roads Forward.

4 Adam Miller Ball is a recognized
5 national expert on taxis and taxi systems. So
6 just to give you an idea of who is behind the
7 recommendations in this document.

8 Roads Forward was created to give the
9 City of New York and the TLC the best and most
10 thorough information available about the state
11 of the taxi system today, and to just define
12 what are the opportunities for improvement.
13 And, of course, the Commission and the city
14 can then decide for itself which of those
15 opportunities they choose to pursue and to
16 promote.

17 As I noted, the Design Trust is not
18 an advocacy organization. My goal today in
19 presenting this document is to brief you on
20 what's in it and how it can be a resource for
21 you. So the document is divided into three
22 sections. The first section is called
23 "Guiding Principles," and it is in a sense an
24 executive summary of the whole document.

25 Now, Commissioners, you all know that

1 you have been working from a certain set of
2 values for years and making decisions based on
3 certain premises, and we thought it might be
4 useful and, of course, our partners on TLC
5 staff agreed that it would be useful to just
6 articulate what are those values that underlie
7 the decisions that the Commission is making.

8 So the first section goes over them.
9 They are that New York City's taxi system
10 should offer taxi services that are safe,
11 comfortable and easy to use for all passengers
12 and drivers. That the system should provide a
13 good economic value to passengers and service
14 providers. That is should efficiently match
15 the supply of taxi services with passenger
16 demand. And that it should contribute to the
17 environmental sustainability of the city. So
18 very obvious, they almost hardly bear stating.
19 But they are actually so important that they
20 are worth stating explicitly, and now they are
21 memorialized in this document for use by the
22 Commissioners.

23 Section two is an illustrated guide
24 to the taxi system. We included this section
25 because we feel that it is not appropriate to

1 make recommendations for improving the system
2 without really understanding how the system
3 works today. So this section tells the story
4 of the how system works today, who all the
5 participants are. Everything from looking at
6 the passenger, the driver, Medallion owners,
7 leasing, what fleets are, different ownership
8 structures. And that story is told through
9 pictures, through gothic novel format, and
10 also infographics. That is one of the
11 infographics you see there.

12 So, for example, if you will bear
13 with me for a moment, this one shows a typical
14 cab ride so it analyzes from the driver's
15 perspective where the driver goes on shift,
16 and from the passenger's perspective at the
17 top. If the passenger decides to take a cab
18 what actually is involved in that process
19 until the passengers steps out and when the
20 driver's shift is over. So that's just one
21 example of many infographics that describe how
22 the system works. So that's Section two.

23 Then Section three is the section
24 that really gets into what are the strategies
25 for improving the taxi system. Those are

1 grouped parallel to the guiding principles of
2 the book that I outlined in Section one in
3 four areas: Usability, economic value,
4 efficiency and sustainability. Each section
5 follows the same pattern. In the usability
6 section, for example, there is an analysis, an
7 assessment of usability parameters, what are
8 usability parameters. And then it goes into
9 more specific possibilities for improving
10 usability.

11 I am not going to read all of these.
12 I put them here for your information. The top
13 level is categories and then you can drill
14 deeper into each of these, if this interests
15 you as a kind of initiative for the
16 Commissioners. The top level categories are
17 things like supporting driver customer
18 service; helping passengers become expert
19 users, meaning making sure that passengers
20 understand what drivers can and cannot do
21 legally; ensure a safe, comfortable and
22 accessible ride; and enhance usability through
23 design and communications.

24 And this section includes
25 recommendations that are very much about

1 process, how TLC works. So, for example, one
2 of the things that the Commission could
3 consider doing, and staff as well, is approach
4 new requirements, for example, like service
5 procurements as opposed to product
6 procurements. And the book lays out the
7 international organization for standards, the
8 ISO standards methodology, which is to define,
9 design, develop, deploy and document new
10 initiatives.

11 This method identifies users, it sets
12 success criteria, and it makes phased,
13 collaborative decisions and documents the
14 outcome, so it helps meet project goals and
15 serves to identify an audience, whether it is
16 the passenger or it is the owner. So this is
17 just one offering of this book as a way to
18 think about taxi services as service
19 procurements as opposed to products is one
20 example.

21 The next section is the economic
22 value section. As I mentioned earlier, the
23 primary author of this section was Eric
24 Rothman, who is currently a partner at HR&A,
25 and came to this project immediately after

1 leaving Transport for London, goes into
2 matters that include providing economic
3 incentives for taxi availability.

4 Many of these are things that the
5 Commissioner is already considering: Support
6 regular sustainable economic change; support
7 driver ownership; boost reinvestment in system
8 improvements. So these are very broad
9 systemic recommendations that would require,
10 of course, action by the Commission as well as
11 the City Council and the city as a whole.

12 The next section looks at efficiency.
13 And efficiency is really a question of
14 matching supply and demand, so efficiency has
15 an environmental parameter in that if we were
16 to reduce the time that taxis drive without a
17 passenger even by 10 or 20 percent, the
18 implications of that, the environmental
19 implications of that would be huge. So
20 although there is a separate section on
21 sustainability, efficiency and sustainability
22 are, obviously, very closely matched. So the
23 efficiency section, the top level
24 recommendations cover things like promote
25 flexibility in cab supplies, increase cab

1 availability in high demand periods, improving
2 matching of cab supply with passenger demand.
3 Obviously, obvious goals that you have been
4 working for for years but then there are
5 specific recommendations about how to achieve
6 those goals.

7 And then, finally, sustainability.
8 And I would say that the Commission is already
9 working in a very laudable way to improve the
10 sustainability of our city's taxi vehicles.
11 The new hybrid initiative to make all taxi
12 vehicles require 30 miles per gallon by 2012,
13 we applaud that effort. And, of course, we
14 would recommend that the Commission continue
15 its effort to collect metrics regarding
16 environmental impacts of taxi use. And that's
17 the first top level recommendation in the
18 sustainability section: Maintain up-to-date
19 environmental requirements.

20 And then also, explore new solutions
21 for enhancing sustainability, advocate for
22 sustainability with all levels of taxi
23 stakeholders. So both the vehicles' impact on
24 the outside environment, and then the
25 sustainability of the vehicle itself, thinking

1 of it in the life cycle.

2 In short, that's a very brief summary
3 of what is a very comprehensive and detailed
4 document that really was created primarily for
5 your use. So in closing, I guess I would just
6 say that I really thank the Commission for the
7 opportunity to present this book, and we are
8 now working in terms of next steps to
9 determine whether a group like the
10 Straphangers would be feasible for taxi
11 riders. We welcome your suggestion about
12 that. And we also welcome, of course, any
13 questions you may have about Roads Forward and
14 any comments.

15 So thank you very much for hearing
16 the presentation.

17 CHAIRMAN DAUS: Thank you, Deborah.

18 Do Commissioners have any questions
19 about some of the proposals or the work?

20 COMM. GONZALES: I would just like
21 to say thanks for all your effort in putting
22 this book together. It's very comprehensive
23 and it has opened my eyes to different things
24 that we just take for granted. But I look
25 forward to taking it to the next level.

1 MS. MARTIN: Thank you,
2 Commissioner.

3 COMM. POLANCO: And I also concur
4 with the representation and the book itself.
5 Also the graphics and so forth, I really
6 appreciate your work.

7 MS. MARTIN: Thank you so much.

8 CHAIRMAN DAUS: Any other comments?

9 Thanks so much, Deborah. We
10 appreciate it. The Straphangers idea is an
11 interesting one. Be careful what you ask for.

12 MS. MARTIN: This whole project has
13 been be careful what you ask for.

14 CHAIRMAN DAUS: Actually, I
15 testified about this before the Council, a lot
16 of the ideas that have been developed during
17 the process have been implemented already.
18 There are some that are on the table and we
19 will go through one-by-one. We probably can't
20 do all of that right here now, but as the
21 Commissioners continue to read the books and
22 digest them, we will have discussions and,
23 hopefully, we will have you back in the future
24 to talk about it.

25 But, certainly, I think the good

1 thing is not just working with the architects
2 and designers and people we don't ordinarily
3 work with, it was really great -- I think I
4 said this at the press conference -- to just
5 get the passenger, who has been missing in
6 action. You know, the passengers, there were
7 focus groups that are in this book that were
8 done with passengers about levels of service
9 and are they satisfied, are they dissatisfied,
10 what do they like and dislike. And we did
11 some of that with our technology project, but
12 this was about service in general, and that
13 was very helpful.

14 Since mostly our Commission meetings
15 here are attended by industry folks, people
16 who are stakeholders, which is good and it's
17 great to have them here, but we never really
18 get passengers, with the exception, of course,
19 the disability community that comes. We never
20 get passengers coming here or any organized
21 group representing passengers. So I think
22 your book and certainly the work of the Design
23 Trust was a first step in that direction, and
24 we certainly hope to see more of that.

25 And thanks for participating as well

1 is the Taxi of Tomorrow project. This could,
2 I guess, serve as its genesis, and I think you
3 are on the committee, so thanks for your
4 additional work.

5 MS. MARTIN: It's my pleasure.

6 CHAIRMAN DAUS: Okay, the next and
7 final item on the agenda, I apologize, Ira,
8 for skipping over you. I got caught up in
9 these bullet points here.

10 The last presentation is on T-Pep.
11 We have our chief of staff, Ira Goldstein. I
12 want to, first of all, thank Ira and his
13 staff. They have been working very hard. We
14 are well into this project now and there is a
15 lot that has been written about it, heard
16 about it in the media. The Commissioners have
17 been on top of it, but now we are kind of like
18 more than halfway through implementation and
19 we thought it would be a good time to give you
20 a briefing on the numbers and what some of the
21 data is showing already.

22 So welcome, Ira, and thanks for the
23 presentation.

24 MR. GOLDSTEIN: Good morning,
25 Commissioners.

1 As the Chairman said, I felt it was a
2 good time to give you an update on where the
3 project is, give you some of the statistic
4 that we have seen so far, and to give you a
5 little bit of an update on the status of a few
6 things.

7 As of now, there are over 9,400 cabs
8 that are installed, so that represents almost
9 three-quarters of the entire fleet. The main
10 hold up right now is that there is one vendor
11 that has been mentioned before that's in a
12 bankruptcy proceeding. And that represents
13 over 2,200 cabs. So we are hoping that we are
14 going to have a resolution to that issue
15 shortly. And the main -- the most important
16 thing out of that is that everyone should know
17 we haven't taken any enforcement action
18 against any of the cabs, the owners that
19 signed up with that vendor. So they are not
20 being penalized in any way for not having the
21 systems installed.

22 So far we've logged over 27 million
23 trips with the systems installed, so it's a
24 very large amount of data that we have been
25 working with. And the amount of fares that

1 were paid with credit card are over \$28
2 million. So, clearly, this looks like
3 something that the public wants and wants to
4 continue to use.

5 One of the other things we are seeing
6 is that the average fare that the public is
7 using credit or debit card to charge is a
8 little over \$18, versus an average fare of
9 around \$10.

10 COMM. GIANNOULIS: What's the
11 discrepancy? It's confusing, 264 million
12 spent on fares --

13 MR. GOLDSTEIN: That's total.

14 COMM. GIANNOULIS: And 28 is the
15 credit part?

16 MR. GOLDSTEIN: Right, of cabs that
17 have the systems installed.

18 That \$28 million represents
19 approximately one and a half million trips
20 that have been paid with a credit card, and
21 thus far, since the roll-out began, the
22 mandatory compliance date of October to date,
23 about 5.7 percent of all fares have been
24 charged with a credit card.

25 On the next slide, that just gives

1 you a breakdown by month of how many of the
2 trips have been paid with a credit card that
3 have the systems installed. And as you can
4 see, it's going up. It goes up gradually
5 every month. And so far this month with the
6 data that we received so far, it's over 8
7 percent.

8 CHAIRMAN DAUS: Ira, I am sorry to
9 interrupt. What about debits cards?

10 MR. GOLDSTEIN: That the debit and
11 credit. That's both.

12 CHAIRMAN DAUS: Okay.

13 MR. GOLDSTEIN: So the use of credit
14 cards is increasing.

15 COMM. GIANNOULIS: You don't have
16 any comparison that you have heard of that you
17 can compare it to?

18 MR. GOLDSTEIN: In other cities?

19 COMM. GIANNOULIS: No. Just normal
20 usage of credit cards in terms of
21 transactions. There is no context for me. Do
22 you have any context? Do people use credit
23 cards 70 percent of the time when they are
24 buying stuff, 10 percent?

25 MR. GOLDSTEIN: I think that in the

1 retail and services, when they combine it, it
2 comes up to, if I remember correctly what I
3 read in one of the Nielson Reports, I think
4 it's over 40 percent. Somewhere between 40
5 and 50 percent.

6 COMM. WEINSHALL: Ira, can I ask you
7 another question: Do you have any data on
8 fraud or people saying I was mischarged or
9 anything like that? Do you have any
10 information about that?

11 MR. GOLDSTEIN: Yes. Not fraud, but
12 we have had some issues. One of the slides
13 coming up is about we kind of broke down the
14 complaints that we received from the public,
15 from 311 and through our website basically
16 into situations where there was a passenger
17 double charged -- I think he feels I
18 misinterpreted your question.

19 As far as chargeback data, that is
20 something we are working to get directly from
21 the credit card companies, where there is
22 actual chargebacks. Some of that is
23 proprietary, so we are trying to work out
24 arrangements with each one of the individual
25 credit cards. But, in general, it seems to be

1 a low number. There hasn't been any ground
2 swell of people complaining.

3 I apologize for that, Commissioner
4 Weinshall.

5 CHAIRMAN DAUS: We encourage staff
6 members whispering in each other's ears.

7 MR. GOLDSTEIN: If I am off, I am
8 off if I am answering the wrong question.

9 The next slide just shows what we
10 started to use, the text messaging capability,
11 that we send text messages to the drivers.
12 The first time that we used it as far as
13 giving them information about possible fare
14 opportunities was the Gotham Film Festival
15 awards at the Steiner Studios in the Brooklyn
16 Navy Yards. I think it was about two months
17 ago. And it was held on a Tuesday night, and
18 it was the first time that they switched the
19 location from Manhattan. So the Borough
20 President, as well as NYC & Company were very
21 concerned about having enough cabs there when
22 the event broke, when it finished.

23 So we sent out text messages to the
24 fleet of cabs around the shift change in the
25 late afternoon, and then we also kept staff in

1 the office and we had staff on-site to
2 monitor, to see what types of cabs were coming
3 there. At first there wasn't too much of a
4 response, but as we sent out text messages to
5 cabs that were within a certain radius of the
6 event, we ended up attracting about 60 cabs
7 there.

8 A couple of interesting thing about
9 that were not all the cabs that were there had
10 the systems. So the text message we sent out
11 at shift change, wherever drivers were
12 congregating, either in restaurants or at the
13 airports, they talked about this. And
14 presumably they had a fare that they dropped
15 off in Brooklyn and were going to come back
16 empty and they stopped there on the way back.
17 I doubt there are many cabs cruising the
18 Brooklyn Navy Yards at 10:30 on a Tuesday
19 night. So we think it was successful.

20 And the other good part was the fact
21 that they were there, also there were a lot of
22 straight plate cars, unlicensed vehicles that
23 were waiting, and we took the opportunities
24 away from them. So that's just one example
25 that we used it on. We think it's working

1 well.

2 My staff, we are also working with
3 the dispatch company that does the airports,
4 they also do for the cruise ships as well, so
5 we are going to start doing that. We also
6 used it a few times when JFK notified us that
7 they were stripped out, that they were almost
8 down to no cabs. And we were able to attract,
9 I think we did it twice, I think it was about
10 150 cabs or so. I am not exactly sure on the
11 numbers, but my staff stayed here until late
12 one night and we accommodated them with that
13 request.

14 At this point for a couple of things,
15 I will it turn over to our Deputy Commissioner
16 Pansy Mullins for uniformed services, to talk
17 about inspections and give you a little more
18 detail on the Operation Secret Rider.

19 CHAIRMAN DAUS: Thanks.

20 Hello, Pansy.

21 MS. MULLINS: Good morning. A
22 couple of things. We check T-Pep several
23 ways, when a vehicle comes in for its normal
24 quarterly inspection, we test it as part of
25 our inspection in the lane. So we have credit

1 cards that we test and we test the system to
2 see that it works.

3 Also, towards the end of
4 September/beginning of October, we started
5 leasing vehicles and driving them around the
6 city. One inspector was a driver, one
7 inspector was a passenger. And we do various
8 rides and test the system. So during the
9 course of that, it's a fairly high compliance
10 of the system working.

11 Beginning January 23rd, we began
12 Operation Secret Rider, where basically we
13 pretended to be passengers. We would hail
14 cabs throughout the city. At the end of the
15 ride, we would try to pay by credit card. If
16 the driver refused to allow us to pay by
17 credit card, we would issue violations. If
18 the driver was talking on the cell phone while
19 we were doing the ride, they would be issued
20 violations. If seat belts weren't working, if
21 the diver told us we couldn't pay by credit
22 card because the T-Pep system wasn't working,
23 we would still test it to see that it was
24 working.

25 That's a project that we have been

1 doing since January 23rd, where we have been
2 using four of the squads during the day and
3 during the night 2:00 to 10:00. On the
4 overnight squad, we do a slightly different
5 thing, where we will pull a cab over and just
6 test the system to see that it is working.
7 The STED unit of the police department has
8 joined with us in this operation. They are
9 not riding as passengers. They are basically
10 pulling cars over and testing the system.

11 It has been a fairly high compliance
12 rate, especially for the use of credit cards.
13 The cell phone is probably the biggest
14 violations we have issued, but even that is
15 down.

16 COMM. GONZALES: Two quick
17 questions.

18 Would it be hard, given whatever the
19 percentage number was, I guess 75 of the cars
20 that have it, would it be hard for a driver to
21 find a fleet that doesn't have one, instead of
22 rejecting people?

23 MS. MULLINS: The fleets have it in.
24 Mostly we are talking about individuals.

25 COMM. GIANNOULIS: That's my second

1 question: Is there a particular pattern of
2 who tends to reject the credit cards?

3 MS. MULLINS: No, not really.

4 In fact, once we started this
5 project, the rejection has gone way, way down.
6 So it really seems -- I think part of it is
7 just a learning curve, everyone had to get
8 used to it.

9 COMM. GIANNOULIS: Thank you.

10 COMM. WEINSHALL: Can I ask, of the
11 9.9 that failed, just following up on
12 Commissioner Giannoulis's question, do you
13 have a breakdown, how many of those are fleet
14 and how many are owner-drivers?

15 MS. MULLINS: No, but we can get
16 that for you.

17 COMM. WEINSHALL: I would love to
18 see that.

19 MS. MULLINS: Okay. Thank you.

20 CHAIRMAN DAUS: Thank you, Pansy.
21 Ira?

22 MR. GOLDSTEIN: I would also just
23 like to, I really just want to say that I went
24 out and did a tour with Pansy's officers one
25 night, and, really, the officers and the

1 drivers really should be commended, because
2 when I went out we didn't give out a single
3 summons.

4 There were a couple of close calls,
5 but basically there were no summonses issued.
6 And just the experience that at the end of the
7 trip, we identified ourselves as TLC and we
8 paid them in cash for the trip. I think we
9 may have the makings of a new reality show
10 because some of the reactions were great.

11 CHAIRMAN DAUS: I wish you could
12 have been there the first day. When I went
13 out I was a little alarmed that I basically
14 got one driver who ended up getting a six pack
15 and was very, very horrible. And as the days
16 went on, the numbers really came down
17 dramatically. So I think even after like a
18 half day of doing this, we saw the results and
19 they continue.

20 And we don't say this often, but I
21 see some media here, I would like to thank the
22 media for reporting it. It's nice to actually
23 be able to announce an operation like this,
24 and the drivers read the paper and they say,
25 "You know what, maybe I should be doing this.

1 Maybe I should change my ways." So I think
2 part of it was getting the message out
3 beforehand. It is hard, really, to judge the
4 before and after here because there wasn't
5 this operation before. But Pansy did a
6 similar operation with cell phones from the
7 street level and the compliance numbers, even
8 though they are different somewhat, were much,
9 much lower.

10 So kudos, and we are just getting,
11 the letters are pouring in from passengers.
12 And we really haven't gotten many complaints
13 drivers either. Most drivers that were
14 interviewed or spoke to folks basically said,
15 "Yeah, you should be doing this." It's just a
16 small handful of people and I would agree with
17 you.

18 By the way, I did go out again, like
19 you did, after that. And I couldn't find
20 another person who failed. It is just hard.
21 They are just doing their job.

22 COMM. AROUT: I would like to say
23 thank you very much for doing a great job. It
24 wasn't an easy one. Thank you so much.

25 MR. GOLDSTEIN: We are trying. We

1 are getting there.

2 And also just certain things were
3 said, but we even allowed the vendors that
4 requested, we let them send out a text message
5 on the systems the day that we started the
6 operation, to tell them that we were starting
7 a major enforcement initiative. So it wasn't
8 about trying to catch them and it wasn't about
9 trying to surprise them or revenue, whatever
10 some people said in the press. This was just
11 really about getting them to do the right
12 thing and do their jobs properly.

13 CHAIRMAN DAUS: You also have put on
14 the screens, if I am not mistaken, reminders
15 to passengers on the Bill Of Rights in the
16 preview.

17 MR. GOLDSTEIN: Yes, we have.

18 CHAIRMAN DAUS: That's important to
19 note. And, if possible, what I would also
20 like to do if we can work this out, maybe we
21 can give reminder text messages to the drivers
22 on the screens, just a reminder of the right
23 of the day or something like that just to keep
24 it fresh as time goes on.

25 MR. GOLDSTEIN: Absolutely.

1 And just one story I think that
2 wrapped it all up. There was one driver that
3 when we asked him to end the trip, ended up
4 pulling over to the side of the road where
5 there was a marked TLC vehicle. So when he
6 saw the TLC vehicle, he said, "Do you mind if
7 I just pull up in front of that, those TLC
8 people are here."

9 And we said, "What do you think of
10 those guys?"

11 And the driver said, "You do your
12 job, their okay." And then we identified
13 ourselves. So it was interesting.

14 I will move along. The next slide
15 just basically shows that this has to do with
16 the complaints that we have gotten from
17 consumers, and it shows that even as we are
18 getting more cabs on the road, that the amount
19 as a percentage, the complaints are going
20 down.

21 And then, finally, just on public
22 service announcements, if you remember in the
23 contracts with each of the vendors, we
24 negotiated for the right to have 20 percent of
25 the time on the passenger information monitors

1 to be able to put out TLC and other city
2 public service announcements. And what you
3 have there is a list of different things that
4 we have been able to show there. As it shows,
5 millions of people have been able to see these
6 announcements. What we usually did is we try
7 to time it with the launch of a new campaign.
8 For instance, like colon cancer awareness
9 month, we ran their message for about two
10 weeks where they celebrities talking about the
11 importance of testing. So I think that's
12 something that has worked out very well and
13 that we will continue to use in the future.

14 That concludes the presentation.

15 Does anyone have any questions?

16 (No response.)

17 CHAIRMAN DAUS: Okay. Thank you,
18 Ira.

19 COMM. AROUT: Good job.

20 CHAIRMAN DAUS: All the numbers seem
21 to show it is going well, so I am very
22 pleased.

23 Any other questions on any other
24 topics?

25 (No response.)

1 CHAIRMAN DAUS: Okay, I wish
2 everybody a Happy V Day.

3 We do need motion to go into
4 executive session to consider the matter of
5 TLC versus Fazal Wali, Hack license number
6 446339. I will not be participating. I will
7 be recusing myself, it is an appeal of a
8 decision of mine.

9 Do we have a motion to go to
10 executive session?

11 COMM. AROUT: I make a motion.

12 CHAIRMAN DAUS: Is there a second --
13 sir?

14 AUDIENCE MEMBER: They are supposed
15 to be voting on my license today.

16 CHAIRMAN DAUS: Yes. We are going
17 to end up doing it in the conference room on
18 the other side. If you would kindly, with
19 your representative, go out to the reception
20 area and we will be right with you when we
21 call you in.

22 We are going to convene to another
23 conference room. Do we have a second to the
24 motion?

25 COMM. POLANCO: Second.

1 CHAIRMAN DAUS: All in favor?

2 (Chorus of "Ayes.")

3 CHAIRMAN DAUS: Okay, I will abstain
4 from that motion.

5 And a motion to close the meeting?

6 COMM. AROUT: I make a motion.

7 COMM. POLANCO: Second.

8 CHAIRMAN DAUS: All in favor?

9 (Chorus of "Ayes.")

10 CHAIRMAN DAUS: Thank you.

11 (Time noted: 11:00 a.m.)

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C E R T I F I C A T I O N

I, MARGARET EUSTACE, a Shorthand Reporter and a Notary Public, do hereby certify that the foregoing is a true and accurate transcription of my stenographic notes.

I further certify that I am not employed by nor related to any party to this action.

MARGARET EUSTACE,
Shorthand Reporter