

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

-----X
PUBLIC HEARING ON PROPOSED AMENDED RULES
GOVERNING COMMUTER VAN DRIVERS
-----X

August 28, 2009
2: 35 p. m.

A Public Hearing held on the above matter at
the above time, at New York Ci ty Taxi and Li mousi ne
Commi ssi on, 40 Rector Street, New York, New
York, before a Notary Public of the State of New
York.

1
2

A P P E A R A N C E S:
Page 1

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CHARLES FRASER - General Counsel for the Taxi
and Limousine Commission

CHRISTOPHER WILSON - Assistant General Counsel
for the Commission

DAVID CLARK - Chief of Staff for the First
Deputy Commission

* * *

1
2
3
4
5

MR. FRASER: My name is Charles Fraser.
I am the General Counsel for the Taxi
and Limousine Commission. To my left is
Christopher Wilson, the Assistant General
Page 2

6 Counsel for the Commission. To my right
7 is David Clark, the Chief of Staff for
8 the First Deputy Commission. We are in
9 the Second Phase of our Rules and
10 Provisions project. The Second Phase is
11 the one we are calling Zero Sum, which
12 means that we are rewriting the rules to
13 make them clearer, plainer English to
14 simplify, be more accessible and better
15 organized, but at least, where it is
16 not necessary, not changing the substance
17 of the rules. Phase Three of the rule
18 provisions involves substance changes,
19 but that is not what we are doing now.
20 For those of you who may speak today and
21 for those of you who may read this
22 transcript later online, if you have
23 comments about the substance, by all
24 means, submit them. We will consider
25 them when we get to Phase Three. Please

4

1
2 understand that we will not be making
3 substance changes at the current time.
4 Although the deadline for comments was
5 today, we will not actually be having a
6 final vote on the rules and provisions
7 until December. Again, for those of you
8 who might read this online, feel free to
Page 3

9 submit comments if you have any
10 additional comments after this hearing.
11 We have two people signed up to speak.
12 Mr. Won, if you would come up to the
13 podium. The microphone is not on. We
14 ask that you speak loud for everyone to
15 hear.

16 MR. WON: I am a commuter driver. I have
17 been driving more than 10 years. I am
18 driving from 8th Avenue to Chinatown,
19 but also the Ezo (Phonetic) at 8th
20 Avenue has too much lights. They use
21 TLC, pay competition to drive like
22 commuter vans, but we try to complain
23 many times, but you know they are still
24 driving around 8th Avenue, so we
25 have to get them out of business because

5

1
2 of too much problems for customers, because
3 they do not have enough insurance to
4 cover their customer, because they use
5 TLC, pay. They buy insurance like five
6 persons or up to eight persons, but we are
7 driving commuter vans, we drive 20 people
8 with insurance cover for the customer, and
9 also they don't have BP driver license.
10 They just use regular driver license
11 like class E. They cannot drive more

12 than 14 people, and I also try to
13 complain to the local police, but local
14 police tell us they cannot take the
15 force to them to take the action, but we
16 try to complain to TLC many times.
17 Also DOT, because they don't have DOT
18 inspection, but we follow the rules, DOT
19 inspection, TLC and we have BP license,
20 commuter license. We follow the rules,
21 too much rules, but I think it is not
22 fair for us, you know, and also right
23 now I know that the TLC have the new
24 rules coming for the stickers. For the
25 police how to -- I don't know. How to

6

1
2 recognize which one is illegal commuter
3 van and which one is not illegal
4 commuter van.
5 MR. FRASER: Did you get your sticker?
6 MR. WON: Yes.
7 MR. FRASER: Now, the illegal vans don't
8 have the stickers, right?
9 MR. WON: No.
10 MR. FRASER: Is that helping the police
11 and our inspectors with enforcing?
12 MR. WON: I hope so.
13 MR. FRASER: You said that you
14 complained to TLC about illegal vans?

15
16
17
18
19
20
21
22
23
24
25

MR. WON: Yes.
MR. FRASER: If you want, you can call 311 and report it. Obviously if the police gets there and the guy is gone, there is nothing they can do, but if he is still there, they can take action.
MR. WON: We tried to complain many times to the local police, Community Affairs police, but they say that they cannot take action, because it is for TLC.
MR. FRASER: Right. I appreciate you

7

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

coming in and speaking. It is an illegal operation and obviously is a matter of trying to protect us for all the reasons you said; not to be properly licensed and tend not to have required insurance and they are not safe and the public should not get involved and furthermore legal legitimate operators like yourself are undercut by illegal competition. They are not paying the insurance, so they are probably charging less, taking away your customers. This is a matter of very serious concern to us, and I appreciate your time to come in and talk to us about it. Mr. Chang I believe is next.
MR. CHANG: I work at BQE Express,

18 Inc. I am here to complain about Eighth
19 Avenue.

20 MR. FRASER: What route do you drive?

21 MR. CHANG: I think they got a sticker for
22 TLC, Taxi and Limousine sticker, but a
23 different commuter color.

24 MR. FRASER: Are you saying that there
25 are fake stickers out there?

8

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

MR. CHANG: Not fake stickers, but I think they have a different sticker from you know the commuter vans. Temporary for car service, another one for commuter vans. The one for commuters - it looks like commuter van.

MR. FRASER: TLC for car service?

MR. CHANG: Yes, for car service and one for commuter vans they have.

MR. WILSON: Temporary stickers are going to be the same colors for commuter vans and car services. Starting in about a month, everyone will get permanent stickers and there will be different colors for car services and commuter vans. Car services will be blue and the other one will be red, so you will be able to tell very easily in about a month.

21 MR. WON: Also, I think commuter vans
22 have three stickers.

23 MR. WILSON: There will be four.

24 MR. WON: We have three.

25 MR. WILSON: There is a City Counsel Law

9

1
2 that says there will be four eventually.
3 Right now, temporarily, you will have three;
4 two on the sides and one in the back and
5 a sign in the front. Then the permanent
6 stickers we will have four stickers.
7 We will place one sign in the front
8 and the three others will be in the
9 other locations, it will look much
10 different.

11 MR. WON: Then sometimes they have a TLC.
12 When they know that TLC police come, they
13 run. They don't catch them. We know it
14 is 20 something drivers. Can we just
15 write down the number and give it to TLC?

16 MR. FRASER: Absolutely. Anything else
17 you want to say for the meeting?

18 MR. WON: No.

19 MR. CHANG: No.

20

21

22

23

24
25

10

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. FRASER: Thank you so much for
coming in. We will close the hearing.

(Whereupon, at 2:40 p.m., the above
matter concluded.)

I, MARI CHAL L. HARRI SON, a Notary
Public for and within the State of New
York, do hereby certi fy that the above
is a correct transcripti on of my
stenographi c notes.

MARI CHAL L. HARRI SON