

NYC TAXI AND LIMOUSINE COMMISSION

Public Meeting

Held on Thursday, November 19th, 2009

40 Rector Street

5th Floor

New York, New York 10006

1:00 p.m.

1

2 A P P E A R A N C E S :

3

4 MATTHEW W. DAUS
Chairman, Commissioner

5

6 HARRY GIANNOULIS
Commissioner

7 LAUVIENSKA POLANCO
Commissioner

8

9 ED GONZALES
Commissioner

10 IRIS WEINSHALL
Commissioner

11

12 CHARLES FRASER
General Counsel

13

14

15

16

17

18

19

20

21

22

23

24

25

1

2

COMMISSIONER DAUS: Good afternoon,

3

everybody. Can we take our seats. We're

4

actually, we're working from a revised agenda.

5

It was revised this morning actually, I

6

apologize.

7

First item, the Chair's Report. I know its

8

been a little confusing because we've changed our

9

times. We're going to potentially be, because of

10

Commissioners' schedules, we're looking at

11

different dates. I know we usually do the second

12

Thursday in the morning. It's turning out to be

13

a conflict. We're actually here today and in

14

December in the afternoon because it's hard to

15

get everybody together given the schedules of the

16

Commissioners. So we're going to try to come up

17

with, we're going to poll the Commissioners over

18

the next couple weeks to try to come up with, at

19

least for the new year, a date most likely in the

20

morning but a date that will work, the first or

21

second Tuesday of the month, whatever that might

22

be but it's probably not going to be the second

23

Thursday of every month anymore unless things

24

change. But we will let you know that soon,

25

probably by the December meeting, so at this

1
2 point people can plan ahead.

3 The first item I have is the Accessible
4 Dispatch Report. As I promised every month, as
5 of November 15th these are the numbers. To date
6 we've had 4,277 dispatches. We've completed
7 3,821 trips as of the 13th of November. And
8 cancelations, we've had 455. The average wait
9 time is about 36 and a half minutes. On average,
10 the number of daily dispatches is 8.5. Those
11 numbers have remained fairly consistent.

12 Item 2, Distracted Driving and Cell Phones.
13 As you know, we had a staff presentation last
14 week, I mean last month and we had some very good
15 comments from the Commissioners. I want to thank
16 Commissioner Giannoulis in particular for
17 pointing out some good ideas about how we deal
18 with the business needs of the limousine, black
19 cars and livery industry. We took that advice to
20 heart and we went back to the table and we had
21 meetings with several stakeholders. Personally
22 and either me or my staff will be meeting with
23 everyone who wants a meeting and we will be
24 continuing our outreach between now and the
25 December public hearing. We actually drafted

1
2 rules, which are subject to change, which are in
3 the back, posted on the website and City Record
4 and the Commissioners have them and I think most
5 of the industry folks have them. So I'd ask you
6 to get your comments in early. Some of the
7 drafting is challenging, I would say at the very
8 least for some of the things that are being
9 proposed, such as exemptions and technologies, so
10 Chuck and his staff have his work cut out for
11 him. I'm confident he can pull it together but
12 rather than waiting until the last second, I'd
13 appreciate it if we could get the comments in
14 earlier. The next Commission meeting will be
15 December 17th at 1:30 p.m. At that point, we'll
16 be having a public hearing on cell phones among
17 other things.

18 We are moving along on our Rules Revision
19 Project. We are going to vote on some more rules
20 today. But the next Rules Revision hearing topic
21 will be Medallion Owners, Chapter 8. We do not
22 have a hearing date yet but we'll advise everyone
23 as soon as we do.

24 On the FHV rules, the limitation we
25 currently are seeing is a 53 percent failure rate

1
2 on initial inspections, 21 percent on
3 reinspections. We are also continuing to work
4 actively on the training component, we should
5 have some results soon. I know Commissioner
6 Polanco is interested in that.

7 We also have continued our outreach. I
8 don't know if there's been a rule that we've been
9 as reasonable on in terms of enforcing as the new
10 requirements for the Bill of Rights, the license
11 posting and the decals. I think we've been very
12 reasonable given the circumstances, in terms of
13 outreach, getting people to cooperate. I think
14 there's a decent level of compliance but in the
15 next week or two, I'm going to be announcing a
16 firm enforcement date. If you look at the
17 penalties, they are pretty stiff penalties. So
18 when I announce that enforcement date that's the
19 last call. Deputy Commissioner Mullings is going
20 to be going out there with everybody. If you
21 don't have your license sticker, you are going to
22 be pulled off the road. I'm giving everybody
23 warning. Its been 6 months since we passed the
24 rules. I think we've been reasonable and after
25 talking to some of the Commissioners and some of

1
2 the staff, we are going to have to announce an
3 enforcement date at some point. We will do that
4 shortly and it'll be a firm date, everyone will
5 know about it and plan accordingly. So if you're
6 from the FHV industry and you represent a trade
7 group, you need to get the word out that this is
8 going to happen.

9 COMMISSIONER GONZALES: When you get an
10 opportunity, I'd like to know how many
11 inspections were done and also how many, what was
12 the most common failures for these inspections.

13 COMMISSIONER DAUS: We could get that for
14 you.

15 COMMISSIONER GONZALES: These are all DMV
16 inspections, right, at our facility?

17 COMMISSIONER DAUS: At our facility. We're
18 DMV certified. So try to get it together if you
19 can before the meetings over.

20 Also, on group rides, we've made some
21 progress. If you remember at the State of the
22 City address, the Mayor at the beginning of the
23 year asked the TLC to come up with some plans
24 that we all voted on, some pilot programs that
25 we're looking into at the Commission meetings I

1
2 think in the spring. So I'm happy to announce
3 that three of them are almost ready to go and the
4 livery stand or Satellite Bass Project is also
5 almost ready to go. So within the next week or
6 two we'll be announcing a request for
7 participation in that program and we hope before
8 the year's over to actually have at least three
9 group ride stands up and running. I'm not going
10 into the details because Assistant Commissioner
11 Epstein is going to be doing the staff
12 presentation to update the Commissioners here
13 today. She'll brief us on it and I just want to
14 thank and commend everybody for working on this
15 and I want to thank the DOT, the Port Authority
16 and also the Business Improvement Districts we've
17 been working with because we couldn't have gotten
18 this far so far without their help. This is not
19 something we can do on our own.

20 Last but certainly not least, we have a
21 major, major personnel announcement, which I'm
22 sure many of you know already because word
23 travels fast in this industry that our first
24 Deputy Commissioner is unfortunately going to be
25 leaving us but fortunately not leaving the City

1
2 family. He's going to the Department of Finance.
3 I don't know if that makes him more beloved or
4 not, I'm not really sure than the TLC but, you
5 know, certainly I can't believe that 5 years, I
6 think it's about 5 years have gone by since he's
7 been here. When we welcomed Andy at the TLC, I
8 think the thought was we hadn't had for many,
9 many years somebody even from the days of
10 Commission Chair Delvaley, he had Brucaley, he
11 had a research unit. Many years went by without
12 studies and research and statistics that are the
13 quality and level that Andy's been able to pull
14 together for us and, you know, really I think you
15 need to balance taking action and doing things
16 and not just sitting on studies all day but I
17 think we found that balance with Andy. I think
18 Andy helped make sure that when we brought a
19 higher level degree of sophistication in terms of
20 research and studies and analysis to basically
21 not just promote transparency but come to the
22 truth. Sometimes we hear things from owners and
23 drivers and people on the street and even within
24 our own staff ranks, people have different
25 opinions on what the earnings are. Andy helped

1
2 spearhead many major reforms with us over the
3 last 5 years. There's just too many to name and
4 he's really been an indispensable part of our
5 staff and he hired some very good people that
6 he's brought onboard and have done great and
7 we're going to miss him tremendously. So I
8 wanted to first of all thank you, Andy and we're
9 going to miss you. We hope we have projects we
10 can work on with you over there, though I doubt
11 it. He's going to be Deputy Commissioner of
12 Operations; is that right? So I want to thank
13 you and commend you for all your work here. I
14 know some other Commissioners might want to say a
15 few words as well.

16 COMMISSIONER WEINSHALL: I just want to make
17 a presentation to Andy, if that's all right?

18 COMMISSIONER DAUS: Good, good.

19 COMMISSIONER WEINSHALL: Why don't you open
20 this first.

21 I just want to say that, I just want to say
22 that I met Andy in 1997 when he came to work with
23 me at DCAS and the thing that always struck me
24 about Andy is he's an idea guy. And he was in a
25 unit that was really called upon to come up with

1
2 new and innovative ways for City Government to do
3 both procurement and real estate and personnel.
4 And Andy was so good at what he did that Deputy
5 Commissioners wouldn't let him on their floors.
6 They didn't let him roam around and talk to staff
7 because inevitably when he did that, he came up
8 with somebody that most Deputy Commissioners
9 didn't want to do but in the end we did do it and
10 it worked out well.

11 Then Andy came with me to DOT. For those of
12 you who don't know, Andy really after 911, I
13 think he was one of the more instrumental people
14 in getting Lower Manhattan moving again. And
15 there were actually days and weeks that Andy
16 never went home. He just stayed at the office
17 and really worked really hard to try to get the
18 City back up and operating.

19 When Matt was looking for a First Deputy a
20 number of years ago, he and I talked about
21 possible candidates and I said, even though Andy
22 would be a great loss to DOT, he would really be
23 a great addition here at TLC and he has really
24 proven himself to be just that, starting with the
25 fair increase a few years ago. I know a lot of

1
2 people from the industry are in this room and
3 they know about the back and forth that we had at
4 City Hall but we got it done, all the technology
5 improvements, now the new rules change that we're
6 going through at the TLC and Matt sort of touched
7 on this but I really have to say, you know, you
8 can tell a lot about a leader by the staff that
9 they hire and the staff that they bring with
10 them. And I have to tell you, Andy, I think
11 you've assembled just a spectacular staff here.

12 I just want to end by saying that those in
13 elected government, we serve because we care
14 about people, we really care about the City and
15 we really care about the job we do each and every
16 day and I think Andy really just qualifies in all
17 those categories. He's a great, great civil
18 servant, so I want to wish you all the best in
19 Finance.

20 COMMISSIONER DAUS: Thank you Iris. Anybody
21 else want to say anything?

22 COMMISSIONER GONZALES: Yes. Andy, just
23 like to say thanks again for helping my personal
24 transition from being solely from the private
25 sector to come into the government and to really

1
2 appreciate for everything that the public sector
3 here does and can do. You're going to be missed
4 here but I'm glad you're still with the City.

5 COMMISSIONER POLANCO: I too echo
6 Commissioner Gonzales's expression. And I want
7 to thank Andy because the first day that I got
8 basically sworn in as a Commissioner, the first
9 thing he did, I really wanted to see the
10 industry, so we took me down to Woodside and
11 basically showed me around and I really
12 appreciate that. We'll definitely keep in touch
13 and I appreciate everything that you've done for
14 me. Thanks.

15 COMMISSIONER GIANNOULIS: I also want to
16 thank you and congratulate you on your new job.
17 It sounds interesting and exciting and look
18 forward to seeing you there.

19 COMMISSIONER DAUS: I've asked Andy to say a
20 few words but before we do that, we didn't have
21 time to get him together the plaque that we would
22 like to give to him but we will at some point
23 present that to him. Traditionally what we do is
24 we take the badge and we laminate that, so we
25 will bring you back to do that. But for now, we

1
2 have something that I'd like to read and ask you
3 to come up and join us so we can take a photo
4 with the Commissioners. This is a plaque
5 presented to Andy with great gratitude by the TLC
6 for your dedication, to excellence in public
7 service, which was an inspiration to us all. In
8 your hands, statistics were more than just
9 columns on a page, they were a universe of
10 questions answered and knowledge revealed.
11 Congratulations, Andy. Why don't you join us for
12 a photo.

13 (Whereupon, photographs were taken.)

14 MR. SALKIN: Thanks very much for that,
15 Matt.

16 I want to thank Matt for the opportunity and
17 for his leadership over these, oh gosh, 5 years.

18 Iris, obviously I want to thank you so much
19 for the opportunity and guidance you've given me
20 to clean up the City. I feel very fortunate to
21 continue that.

22 And to all the Commissioners. I think, I
23 want to thank you all for teaching the agency to
24 work with you and all the good things you've done
25 for the citizens of New York and the riders. No

1
2 one reports on that. They report on the things
3 that the TLC does. I appreciate you guys coming
4 out all the time to these meetings, you're unpaid
5 and lobbied and hassled but I think its been
6 great stuff. I think the industry is, the
7 Commission that I see today was a very strong
8 one, so thank you for all that.

9 To everyone here, I've been listening and
10 talking to people. Its been great to hear things
11 of all the different things we did. I do want to
12 thank the staff that works here, that was here,
13 that came and worked with me, you guys are great.
14 I know the TLC is really in great hands, so keep
15 up the good work and keep making me as proud as I
16 am today.

17 To the industry, going way back to the first
18 time we toured and learned all about the industry
19 and knew nothing, you were great and you really
20 opened up and explained a lot and shared a lot.
21 I think because of your willingness to share and
22 help make sure the industry understood, we did a
23 lot of really great things.

24 And to the drivers who worked so hard and
25 you do work hard, you're under appreciated and

1
2 people might not understand everything you do.
3 Keep up the good work and hopefully have a good
4 holiday season.

5 And really to the riders of New York, who
6 looks like none of you are here and I want to
7 thank all of you who are the riders because you
8 don't really know what the people in this room
9 do. Since riders don't come to the meetings, let
10 me represent a rider. I want to thank everyone
11 here for providing service to New York, whether
12 you're an owner, a car owner, a licensee, a
13 driver or Commission or member of the Commission,
14 someone who works here, over 1.2 million people
15 get rides everyday from TLC regulated vehicles.
16 They go from point A to point B. Everyone talks
17 about the MTA, everyone talks about the Staten
18 Island Ferry, people talk about how they get
19 around the City. One of the ways you get around
20 New York is you get around in a taxi, a Gipsy cab
21 as people still call them and no one really knows
22 how that works except for the people in this
23 room. You guys really in this room, as I look
24 around, there's some people missing that you guys
25 know and keep up good work, keep up the good

1
2 service.

3 I hope in the Mayor's final term, you can
4 continue to expand and improve. I think a Times
5 article came out a couple of weeks ago saying how
6 New York leapfrogged other taxi industries and
7 provided services to the passengers with credit
8 cards and other services within the cabs is
9 tremendous. I think it's Matt who I think trying
10 to get the chain rules and things we're doing now
11 are leapfrogging the service that's being
12 provided to the City, not just in one part of the
13 City but all over the City and what future might
14 hold better, which are better vehicles, cleaner
15 vehicles, smarter vehicles, better drivers,
16 smarter drivers that are compensating everybody,
17 cheaper fares, I don't know what it is but I know
18 this agency can do that and I think everyone in
19 this room can do that.

20 I look forward to being a passenger, I look
21 forward to filling a complaint and complements.
22 But for that as a passenger/rider, thank you
23 everyone.

24 COMMISSIONER DAUS: Thank you, Andy.

25 So Item 2 on the agenda is the Adoption of

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

the Minutes. Any questions or concerns?

(No response given.)

COMMISSIONER DAUS: A motion to approve?

COMMISSIONER POLANCO: I move.

COMMISSIONER DAUS: Second?

COMMISSIONER GONZALES: Second.

COMMISSIONER DAUS: All in favor?

THE COMMISSION: (In unison hands raised.)

COMMISSIONER DAUS: Minutes approved.

Item 3, Base Applications. Georgia?

MS. STEELE-RADWAY: Good afternoon.

Licensing would like to present before the
Commission 26 bases with a recommendation for
approval.

COMMISSIONER DAUS: Do we have a motion?

COMMISSIONER GONZALES: Motion to approve.

COMMISSIONER DAUS: Second?

COMMISSIONER POLANCO: Second.

COMMISSIONER DAUS: All in favor.

THE COMMISSION: (In unison hands raised.)

MS. STEELE-RADWAY: Licensing is
recommending one base with a recommendation for
denial with a request that the Commission grants
an additional 30 days so that they may present

1

2 the outstanding items.

3

COMMISSIONER DAUS: Motion to deny?

4

COMMISSIONER GONZALES: Motion to deny for

5

30 days.

6

COMMISSIONER DAUS: Second?

7

COMMISSIONER WEINSHALL: Second.

8

COMMISSIONER DAUS: All in favor?

9

THE COMMISSION: (In unison hands raised.)

10

COMMISSIONER DAUS: Thank you, so denied.

11

MS. STEELE-RADWAY: Thank you.

12

COMMISSIONER DAUS: Thank you, Georgia.

13

Item 4, For Commission Action, the Rules

14

Revision Project, Item A, Chapter 18,

15

Adjudications. I'm going to turn it over to

16

Chuck Fraser. Chuck?

17

MR. FRASER: This is the 13th TETC chapter

18

to come before the Commission for conditional

19

approval. This is proposed Chapter 18, which

20

would replace existing Chapter 8 relating to

21

Adjudications.

22

We published the rules for the required

23

30-day comment period. We received two written

24

comments and we had three speakers at the public

25

hearing. The comments, both written and

1
2 testimonial were overwhelmingly for subsitive
3 [sic] changes to be made to the rules and so
4 we're deferring those to phase three of the Rules
5 Revision Project. There are three changes that
6 we did make to the proposed rules as they were
7 published and the Commission has both the revised
8 rules, the transcript of the public hearing and
9 copies of the written comments. So the staff is
10 recommending that this chapter, like the previous
11 12, be conditionally approved subject to further
12 vote after the remaining six chapters are
13 approved.

14 COMMISSIONER DAUS: Does anybody want to
15 make a motion to approve?

16 COMMISSIONER WEINSHALL: So moved.

17 COMMISSIONER DAUS: Second?

18 COMMISSIONER GONZALES: Second.

19 COMMISSIONER DAUS: All in favor?

20 COMMISSIONER POLANCO: Are there any
21 comments basically from the industry today in
22 terms of them approving these rules because from
23 what I see here, you mentioned that there have
24 been several subsitive [sic] changes to Chapter
25 18. I want to know more about them. You specify

1
2 6 of the bullet point statements and I know you
3 mentioned consist, that is mentioned, I'm sorry,
4 consistent with local law, consistent with
5 practice to fully incorporate the provisions of
6 local law.

7 MR. FRASER: The local law that that refers
8 to is Local Law 16 of 2008. We did a rule
9 making, we were under a fair amount of time
10 pressure because the local law had a very short
11 effective date and we did a rule making to
12 implement it and we found consistently as we've
13 gone through the chapters that we missed points.
14 So these are substantive[sic] changes to the old
15 rules but they're also legally mandatory because
16 they're mandated by Local Law 16 of 2008.

17 The one on the vehicle towing and storage
18 fees, we've updated that because the vehicle
19 towing and storage fees are not what the rules
20 say they were. We use some, Deputy Commissioner
21 Mullings would have to explain this. We use a
22 different towing than we used to and so it has a
23 different fee and we do storage at the PD's pound
24 so it's the PD's fee, so we updated the rules to
25 reflect that.

1

2 COMMISSIONER POLANCO: I'm sorry, when local
3 law to fully incorporate the provision of local
4 law, they are items that are mandatory?

5 MR. FRASER: Yes. The local law was passed
6 and as I said, we did a rule making at that time
7 to implement the requirements of it but as we've
8 gone through, we found, you know, as we've been
9 doing this comprehensive revision, we have found
10 a number of instances where we didn't fully, we
11 didn't get everything, so we are correcting that
12 now.

13 COMMISSIONER POLANCO: We cannot wait until
14 the phase --

15 MR. FRASER: Our preference, we have a rule
16 that's actually not legal. We would prefer to do
17 it now. It is true we are not making substantive
18 [sic] changes in this rules revision in a general
19 manner but we have a rule that doesn't comply
20 with statutory law, we have been changing it.
21 This is the most we've had. Usually it's one or
22 two changes in a chapter and this is I think six
23 and that is the most but then Local Law 16 was
24 about Adjudication, so I think three or four of
25 the points here are Local Law 16.

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

COMMISSIONER DAUS: You've made, the way we've been working this is that we've been having public hearings separately and we give you the transcript. I think you did made some changes that the Industry wanted you to make, correct?

MR. FRASER: We made three changes that were requested. They were not subsitive [sic] changes. They were changes where our drafting was not as clear as it should have been, so those were not subsitive [sic] changes. Those are not listed, therefore, in the listing of subsitive [sic] changes in the bank.

COMMISSIONER DAUS: Are you going to vote for, against it or abstain or do you want more information?

COMMISSIONER POLANCO: I think I'll need more information because I know that we do, from what I've noticed from the hearings, the comments are attached but then I don't hear the reply from the other side.

COMMISSIONER DAUS: We actually, there was --

COMMISSIONER POLANCO: Well, basically I hear the changes.

1

2 COMMISSIONER DAUS: I apologize but there
3 was an memo that we e-mailed yesterday to all the
4 Commissioners, sorry for being so late. But
5 Chuck went and itemized every point and responded
6 to every single one. You didn't get that?

7 COMMISSIONER POLANCO: No.

8 COMMISSIONER DAUS: If you're not
9 comfortable, we'll just table it.

10 MR. FRASER: There was an unusually large
11 number of comments this time, I believe came to
12 99 total comments, meaning not commenters but
13 points made in the total comments.

14 COMMISSIONER POLANCO: Correct.

15 MR. FRASER: So it took longer than it
16 usually does to summarize them.

17 COMMISSIONER DAUS: If you want, we'll just
18 table it.

19 COMMISSIONER POLANCO: Can you? I'd feel
20 more comfortable.

21 COMMISSIONER DAUS: Yes because you only did
22 get the memo yesterday, so that's fine. Why
23 don't we table this and we'll bring it back up at
24 next month's meeting.

25 COMMISSIONER GIANNOULIS: Is there specifics

1
2 we could discuss now, if you want to go forward?

3 COMMISSIONER WEINSHALL: Why don't you let
4 her get comfortable with the memo. It's a rather
5 full memo, I read it. So why don't you let her
6 read it and then vote in December.

7 COMMISSIONER DAUS: Okay. Sounds good.
8 We'll table Item 4 A.

9 The next item is Item 5 A, Pilot Program
10 Proposal For Commission Review and Action, called
11 the Blade. David Clar is going to show us what
12 the Blade is.

13 MR. CLAR: Hi. Good afternoon, everybody.
14 I did bring in the Blade. We don't, vehicle
15 pilot I can't bring in to show you but this kind
16 of mechanical pilot I can.

17 What this is is a device intended to go on
18 the end of a tailpipe of a car. It comes in two
19 pieces. There's inner, we'll call it a sock for
20 lack of a better word and then an outer housing.
21 You can see it screws on by a kind of a screw and
22 bolt assembly.

23 What this is is a device manufactured by a
24 company called Saber Tech and we received a
25 proposal from a distributor of this device called

1
2 Drive the Change based in Pennsylvania. The
3 intent is you put this on your tailpipe of your
4 taxi or for-hire vehicle and the sock captures
5 much, if not all of the particular matter that is
6 supposed to be coming out of your tailpipe. And
7 then Drive the Change also claims this will
8 improve your gasoline mileage. All though, when
9 we replied to them and asked them to explain how
10 that happens, they were unable to do so.

11 The device is similar to a lot of other
12 devices that have already been looked at over the
13 last 20, 30 years by the EPA, none of which have
14 proven to be a really substantial contribution to
15 either reducing emissions or increase mileage.
16 If people in the industry really want to
17 drastically reduce their gas consumption and
18 drastically reduce the amount of pollution, they
19 should buy a hybrid electric vehicle, which is
20 consistent with the City and the Mayor's policy
21 in general.

22 Therefore, the staff's recommendation on
23 this particular pilot is to reject it and to kind
24 of move on to more general policy solutions to
25 this problem.

1

2 COMMISSIONER GIANNOULIS: In honor of Andy
3 Salkin, I will not complain about anything today
4 and I put a motion in to reject the Blade.

5 COMMISSIONER DAUS: Do we have a second to
6 that motion?

7 COMMISSIONER WEINSHALL: I second.

8 COMMISSIONER DAUS: All in favor.

9 THE COMMISSION: (In unison hands raised.)

10 COMMISSIONER DAUS: It's so rejected.

11 MR. CLAR: Thank you.

12 COMMISSIONER DAUS: The next item is Item 6
13 A. We have a presentation by staff involved with
14 the NYC Media Sticker. I know we have from the
15 Mayor's office of film, theater and broadcasting
16 we have both Ally Cleaver and Todd Asher with us.
17 I think, Ally, you are going to chat?

18 MS. CLEAVER: We both are.

19 COMMISSIONER DAUS: You're both going to do
20 it?

21 MS. CLEAVER: Yes.

22 COMMISSIONER DAUS: This is a late addition
23 to the agenda. I just want to point out to the
24 Commissioners that Catherine Oliver is now
25 taking, has taken over NYCTB.

1

2 COMMISSIONER WEINSHALL: Really?

3 COMMISSIONER DAUS: Yes. She has been
4 really very helpful to us. She's been doing very
5 good work with the Commission over the last
6 couple of months and we're thankful for that and
7 for her wonderful staff. They have a proposal
8 for another sticker.

9 COMMISSIONER WEINSHALL: Can I just say
10 something before this presentation?

11 COMMISSIONER DAUS: Sure.

12 COMMISSIONER WEINSHALL: Maybe I'll be
13 tarred and feathered for this, how many stickers
14 are we going to put on these cabs? I mean for
15 God's sake it's a yellow cab. How many more
16 stickers are we going to put on these cabs?
17 They're like Christmas trees already.

18 COMMISSIONER DAUS: Is that a rhetorical
19 question or.

20 COMMISSIONER WEINSHALL: It's rhetorical. I
21 got it out of my system. Harry said he would
22 behavior himself at this meeting, I didn't say I
23 would.

24 COMMISSIONER DAUS: I guess it depends, the
25 answer is how pretty the sticker and how

1
2 substitutive [sic] it is.

3 COMMISSIONER WEINSHALL: Are we taking off
4 any stickers or just adding a sticker?

5 COMMISSIONER DAUS: Well, I think this is a
6 proposal for a voluntary sticker.

7 COMMISSIONER WEINSHALL: Oh, okay.

8 COMMISSIONER DAUS: Not to prejudge anything
9 but I think it looks wonderful but go ahead.

10 MR. ASHER: It was Andy's last wish that we
11 put this sticker on the cabs before he leaves.

12 Thank you for seeing us, I know we were a
13 late addition. And just for the benefit of those
14 who might not know, NYC Media are the TV stations
15 for and radio stations owned and operated by the
16 State of New York, all of a noncommercial nature.
17 And what we are looking to do is develop
18 programming that's in line with the Commission of
19 the City to promote City initiatives, working
20 closer with sister agencies and also to celebrate
21 the diversity of the City.

22 We have begun creating that program but
23 what's really important to us is making sure that
24 there's the ability for people to see and
25 awareness of the fact that the channels exist.

1
2 Channel 5 is available over the air, so it's
3 available to people who don't have the benefit of
4 cable or satellite as well. It happens to also
5 be on the cable and satellite systems.

6 So Ally has been working very closely with
7 the communications department and with other
8 agencies to develop a new brand and this is one
9 of the elements we think would give great
10 visibility to the station and great things to the
11 City of New York.

12 MS. CLEAVER: The idea, basically we're
13 rebranding. We've been over the last couple
14 months not only NYC Media but the individual
15 properties that broadcast channels as well as the
16 radio station. In an effort to generate
17 awareness of the new rebranding, as well as just
18 generate awareness of the assets and the resource
19 to New York City residents, we're looking to take
20 an opportunity to work with the TLC and display
21 this kind of messaging in the new year.

22 COMMISSIONER WEINSHALL: Where would this
23 decal go?

24 MR. ASHER: It would go on the rear of the
25 cab on the inside on either window.

1

2 COMMISSIONER DAUS: This is just like,
3 remember we approved the 2012 stickers and
4 Commission on Women's History Month stickers. It
5 would be a voluntary thing.

6 COMMISSIONER WEINSHALL: So still someone
7 could read the sticker?

8 COMMISSIONER DAUS: Yes.

9 MR. ASHER: From the passenger viewpoint.
10 And we're also in the process of creating new
11 intros and outros at no cost for the TLC for the
12 benefit of the passengers. So when you get into
13 the cabs now, we created one years ago but
14 created now three new ones for the Candlewood
15 Aware Campaign and to promote the interactivity
16 of the screen. So when you get in the cab and it
17 tells you to put your seatbelt on, it gives you
18 all the information about the ride, as well as
19 letting you know when you exit the cab to collect
20 your affairs and having a good day. So we're
21 also working on that. This would give us a more
22 permanent visible presence as there's other
23 videos going on on the screen.

24 COMMISSIONER WEINSHALL: I'm confused.
25 Todd, you're saying you're going to put a video

1

2 now?

3 MR. ASHER: We're already doing that and we
4 are refreshing that as we speak, so that'll be
5 out later.

6 MR. FRASER: This is unrelated to the
7 sticker.

8 COMMISSIONER WEINSHALL: It's above and
9 beyond that.

10 COMMISSIONER GIANNOULIS: It's a video
11 that's a public, I'm not sure, the contracts that
12 were done with the companies, I don't really know
13 what they are. There's a certain amount of time
14 that's given to the City.

15 MR. FRASER: Right, correct, correct, yes.

16 COMMISSIONER DAUS: Right. People are kind
17 of board of the and it's really kind of worn out
18 its welcome. It's not as interactive as it could
19 be. Its been on there for a long time, so the
20 Mayor's office has been kind enough to help us
21 revamp that. So they're doing a lot of work with
22 us on this and rebranding is a part of that. So
23 we're getting really good, free talented help
24 with the Passenger Information monitor, like the
25 intro and outro, the beginning and the end when

1

2 it says buckle up your seatbelt, etcetera.

3

4 COMMISSIONER GIANNOULIS: I have a question
5 and I'll go along again in honor of Andy Salkin
6 with whatever I respond to today. But your
7 channels are great, I watch them, I listen to
8 them and you guys do a great job. Do you do
9 anything for the taxi industry?

9

10 MR. ASHER: Do we do anything in which
11 regard? Through the TLC?

11

12 COMMISSIONER GIANNOULIS: Well, no. For the
13 taxi industry. You're the channel of New York,
14 there's a lot of, the taxi industry is pretty
15 big. Is there involving your channels or your,
16 any of the programs or media that you provide
17 that's related to the taxi industry?

17

18 MR. ASHER: Absolutely. We do a number of
19 things. One, we're looking to promote economic
20 development in general in terms of transportation
21 issues. We have a channel that's entirely
22 dedicated to traffic, above-street traffic.
23 We're working on collecting more data that we
24 could put onto the screen and we'd love to work
25 with anyone related to the TLC or the taxi
industry to collect that data, display it, get

1
2 more visibility to the riding public about their
3 options. As well as looking at issues including
4 the disabled access to transportation and things
5 that really resonate within the sectors of the
6 TLC.

7 COMMISSIONER DAUS: They also broadcast all
8 of these meetings, Harry. That's something
9 pretty --

10 COMMISSIONER GIANNOULIS: How much of your
11 contract would you call entertainment?

12 MR. ASHER: If you look across all of the
13 properties, less than half and really our mission
14 since Catherine took over in April, May is to
15 develop all of our programming being in line,
16 having an intersection with New York City and
17 promoting things that are educational but always
18 with an entertainment so they're enjoyable to
19 watch and present people to watch them. Part of
20 that is this awareness effort to make sure that
21 people know that there's programming that can
22 better their lives but where to find it.

23 COMMISSIONER GIANNOULIS: Thanks.

24 COMMISSIONER WEINSHALL: Can I just ask one
25 other thing. So we have all these bus stop

1
2 shelters all over the City of New York. I would
3 hope that you're also going to put these in a
4 larger form. 20 percent of the advertising space
5 is set aside for public messages. So I'm sure
6 you're already on it but I would hope that not
7 only are you going to dress up our cabs with this
8 but you will add this to the bus stop shelters.

9 MR. ASHER: We're working very closely with
10 the NYC Co. right now, yes.

11 COMMISSIONER WEINSHALL: Great. Thank you.

12 COMMISSIONER DAUS: Any other questions?

13 COMMISSIONER POLANCO: It's voluntary?

14 COMMISSIONER DAUS: Yes. I would like to
15 make a motion to approve the sticker for
16 voluntary placement on the rear quarter panel
17 window.

18 COMMISSIONER WEINSHALL: So moved.

19 THE COMMISSION: (In unison hands raised.)

20 COMMISSIONER DAUS: It's unanimous.

21 MR. ASHER: Thank you very much.

22 COMMISSIONER DAUS: You're welcome. I think
23 it looks nice but that's just my opinion. Thanks
24 again for all your help. We appreciate
25 everything that you're doing for us, we really do

1
2 and thanks for covering us for the last 10,
3 15 years.

4 MR. ASHER: Our pleasure.

5 COMMISSIONER DAUS: And also for covering us
6 when we go before the City Council.

7 So we're now up to Item 6 B. Assistant
8 Commissioner Samara Epstein is going to give us
9 an update on the Taxicab Stand Pilot Program.

10 MS. EPSTEIN: Good afternoon. So I'm just
11 here to update you on the group ride highlights
12 that we talked about. Back in May was the last
13 presentation that we did and we've been working
14 since then with DOT and the Local Business
15 Improvement Districts and Port Authority to work
16 on the these and see if there's any additional
17 locations. So there are some new ideas that have
18 come up through these conversations and I'll just
19 update you on where we are with that.

20 So just a reminder of what we had discussed,
21 which is that a group ride would be a pilot.
22 They are for two or more passengers only. They
23 would be for group ride pilot locations only. It
24 would be limited to the morning rush hour, the
25 idea being that there are a lot of people that

1
2 take cabs when they come into the City in the
3 morning or from one place to the next, so we're
4 going to focus on just that morning rush.
5 Passengers will be dropped off along the quarter
6 route and I won't go through the locations. Just
7 to remind you what we had discussed in May, it's
8 a flat fair per person, which is less expensive
9 for them, so passengers are going to have some
10 sort of incentive to take these.

11 In May, you approved these six locations and
12 as the Chair mentioned at the beginning of the
13 meeting, we are going to start with three of them
14 by the end of the year is our goal. The first
15 three are the last three on this list. Those are
16 the ones we're going to start with. The reason
17 for that is a little more complicated to get
18 these stands up and running. The transportation
19 help is more involved in doing that. So those
20 first three will be the first ones to go and you
21 can see with the prices per person, it's \$3 or
22 \$4. And they go to these specific locations and
23 by being dropped off along the quarter route,
24 what we mean is anywhere along Park Avenue to
25 42nd Street. That's how long the flat fair will

1
2 be applied and people will be dropped off along
3 that route. They can't say I want to go to
4 Madison, it's just going to go down that route.

5 Over the course of these discussions, we did
6 talk to a bunch of the businesses. The Times
7 Square Alliance who we talked to about one of the
8 ones in Midtown said, you know, we'd really like
9 to see if you guys could try this idea after
10 shows during the week because we'd like people to
11 share cabs. It can be hard for cabs to get into
12 the location, so they're hoping that it will help
13 the cab drivers get more passengers and the
14 passengers will save money getting home and of
15 course, it's a more efficient way to move people
16 too. So they surveyed theater owners and theater
17 owners were into this idea and they want to do a
18 single pilot stand for that whole area, which
19 would be on 44th Street. We still have to
20 finalize the location because we're working with
21 the theaters to make sure it's okay with
22 everybody and it would only be active on weekdays
23 after the evening theater performance from 10:30
24 to 11:30 p.m.

25 So this is something, the pilot possibility

1
2 I'm bringing to you today is something we are
3 going to actually vote on in December. So we can
4 talk about it today and then if there's anything
5 else we need to follow up on, we can do that
6 before December's meeting.

7 The other additional pilot possibilities are
8 at LaGuardia Airport. Right now we have TLC
9 rules in place that specify a group ride and
10 they're not used. They haven't been used in a
11 long time. They were put in the books in 1993
12 and from internal conversations and talking to
13 the industry and talking to Port Authority, we
14 think they were put in place really because there
15 weren't a lot of cabs going to LaGuardia at that
16 time, so it was an incentive to get cabs to go
17 there. We don't have that problem today. A lot
18 of people use cabs to go to and from LaGuardia
19 Airport. So the Port Authority and the staff are
20 recommending that we repeal these rules so that
21 we can try out a different pilot. You'll also
22 note, I've listed the amount that's in the rule.
23 It's really not a lot of money, so it doesn't
24 make sense. The rates have changed a lot since
25 then. So that's the other thing that we would

1
2 like to talk about and more on our conversations
3 with the Port Authority are they discussed Marine
4 Air Terminal, which is where the Delta shuttle
5 comes in. It's a lot of commuters, so in line
6 with our original idea, they thought that would
7 be a good place to start it.

8 We ran some trip sheet data and the average
9 fair is about \$32 per person. That's averaging
10 across Manhattan and we are proposing a fair of
11 \$20 per person to any Midtown location. We also
12 talked to the Port Authority about doing one of
13 the larger terminals and they have agreed that US
14 Air Terminal might be another place to do that.
15 So in December, we'll bring to you more final
16 numbers for US Air Terminal. We still need to
17 run that trip sheet data and see, make sure that
18 the \$20 will work there too.

19 The next step in December, we're going to
20 bring a rules reposal to appeal the LaGuardia
21 group ride rate so that we could then vote on a
22 pilot. We have to appeal the group ride rate in
23 order to be able to do that and we will also
24 bring to you a decision for the Times Square
25 pilot with all the final details on that. And

1
2 then hopefully we'll have, be in the process or
3 already be done of installing and activating
4 these first three locations that you voted on in
5 May.

6 Do you have any questions, comments?

7 COMMISSIONER WEINSHALL: Did you ever
8 consider, there are portions of the City that
9 have become very popular during certain parts of
10 the day, like the Lower East Side. Did you ever
11 every consider setting up a stand there and maybe
12 having cabs not only do a flat rate in Manhattan
13 but maybe in Brooklyn, like going to Flatbush
14 Avenue at night? Did you ever look at that?

15 MS. EPSTEIN: That was something we had
16 talked about a few months ago as part of this
17 kind of review. What we ended up deciding was we
18 wanted to start with areas that we knew people
19 were going to be coming in in the mornings, see
20 how that works and then we can expand that along
21 the way. If that's something you want us to look
22 at, we can certainly look at the data and see if
23 it --

24 COMMISSIONER WEINSHALL: I would. I'd like
25 you to look at that because, you know, that area,

1
2 Williamsburg in Brooklyn, I mean these are areas
3 that are, yeah, they get very popular because,
4 you know, they're a destination and I just know
5 from folks that I've spoken to that particularly
6 from the Lower East Side, it's very difficult to
7 get cabs to go to Brooklyn at 1:00 or 2:00 in the
8 morning.

9 MS. EPSTEIN: So you are thinking for late
10 night?

11 COMMISSIONER WEINSHALL: Yes.

12 MS. EPSTEIN: On the weekend? During the
13 week? Any idea what --

14 COMMISSIONER WEINSHALL: Well, it's mostly
15 busy on the weekends.

16 MS. EPSTEIN: Let's say Thursday through
17 Saturday.

18 COMMISSIONER DAUS: Why don't we take a look
19 at the data.

20 COMMISSIONER WEINSHALL: I've been told
21 Thursday is the new Saturday.

22 MS. EPSTEIN: It's true.

23 COMMISSIONER DAUS: Especially in the
24 summer.

25 MS. EPSTEIN: So we'll get back to you on

1

2 that.

3 COMMISSIONER DAUS: Any other questions,
4 request?

5 (No response given.)

6 COMMISSIONER DAUS: So we'll have more
7 information before the next meeting. Thank you,
8 Samara.

9 MS. EPSTEIN: Thank you.

10 COMMISSIONER DAUS: Where are we now, 7.
11 We're going to have to adjourn this, correct? We
12 don't have enough people because I have to recuse
13 myself, so unfortunately we have to adjourn Item
14 7 A and B to the next meeting and the next
15 executive session held thereafter.16 I'd like to wish everybody a happy
17 Thanksgiving. We'll see you in December.

18 Do we have a motion to close the meeting?

19 COMMISSIONER WEINSHALL: So moved.

20 COMMISSIONER DAUS: All in favor?

21 THE COMMISSION: (In unison hands raised.)

22 COMMISSIONER DAUS: Thank you.

23 (Time noted: 2:04 p.m.)

24

25

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

C E R T I F I C A T E

STATE OF NEW YORK)
 :ss
COUNTY OF SUFFOLK)

I, NICOLE LIMONCELLI, a Notary Public in and
for the State of New York, do hereby certify:

THAT the foregoing is a true and accurate
transcript of my stenographic notes.

IN WITNESS WHEREOF, I have hereunto set my
hand this day of , 2009.

NICOLE LIMONCELLI