

1 "THIS TEXT IS BEING PROVIDED IN A ROUGH DRAFT FORMAT.  
2 COMMUNICATION ACCESS REALTIME TRANSLATION (CART) IS PROVIDED  
3 IN ORDER TO FACILITATE COMMUNICATION ACCESSIBILITY AND MAY  
4 NOT BE A TOTALLY VERBATIM RECORD OF THE PROCEEDINGS."

5 \*JULY 21, 2011\*

6 NEW YORK CITY TLC

7 COMMISSION

8 >> LADIES AND GENTLEMEN, IF ANYONE WOULD LIKE TO SPEAK, THIS IS  
9 YOUR LAST CHANCE TO SIGN UP TO SPEAK. THE SHEETS ARE ON THE  
10 PODIUM. THERE IS ADDITIONAL SEATING. IF YOU WOULD LIKE TO GO  
11 INTO THE HALLWAY, THEY WILL DIRECT YOU TO THE OVERFLOW ROOM.  
12 COMM. YASSKY: GOOD MORNING. WELCOME BACK TO OUR ORDINARY  
13 HOME, HERE AT BEAVER STREET.

14 I HAVE A COUPLE OF REMARKS BEFORE WE GET GOING. BUT I AM  
15 NOTICING THAT I SEE SOME FAMILIAR FACES FROM THE LAST HEARING  
16 IS; PEOPLE, WHO IF I AM REMEMBERING CORRECTLY, ARE MEDALLION  
17 OWNERS CONCERNED ABOUT THE OWNER MUST DRIVE RULE AND ITS  
18 IMPACT IN PARTICULAR ON SURVIVING SPOUSES OF -- PEOPLE WHO  
19 INHERITED A MEDALLION THAT WAS OWNED BY A DECEASED SPOUSE;  
20 WHO HAD BEEN GRANDFATHERED; AND THEREFORE WAS NOT REQUIRED  
21 TO DRIVE.

22 AT THE LAST MEETING, COMMISSIONERS, AS YOU KNOW, WE  
23 RECOGNIZED THAT THE RULE THAT WE ADOPTED LAST MEETING DID  
24 HAVE A POTENTIAL UNFAIRNESS WITH RESPECT TO THAT GROUP OF

1 MEDALLION OWNERS. WE AGREED THAT WE WOULD CORRECT THAT.

2 WE HAVE PUBLISHED A PROPOSED RULE TO CORRECT THAT. THE  
3 REASON I AM RAISING THIS IS JUST TO MAKE CLEAR TO PEOPLE IN THE  
4 AUDIENCE, THAT IS NOT ON THE AGENDA TODAY. THE CITY'S  
5 ADMINISTRATIVE PROCEDURE ACT REQUIRES THAT RULES BE  
6 PUBLISHED FOR COMMENT -- PUBLISHED AND RECEIVE COMMENTS; AND  
7 EVALUATE THEM, PRIOR TO VOTING.

8 THERE ARE SOME SPECIFIED TIME PERIODS. IN THERE. THE RULE  
9 WILL BE PUBLISHED IN TIME FOR US TO VOTE AT THE NEXT COMMISSION  
10 MEETING, WHICH IS SEPTEMBER.

11 SO, JUST FOR PEOPLE HERE WHO ARE PERHAPS -- I DON'T KNOW IF  
12 YOU WERE HERE EXPECTING THAT TO BE ON THE AGENDA TODAY, BUT  
13 IT IS NOT. IT WILL NOT BE ON THE AGENDA -- IT WILL BE ON THE  
14 AGENDA OUR NEXT MEETING, IN SEPTEMBER.

15 YOU ARE CERTAINLY WELCOME TO STAY AND ENJOY OUR  
16 HOSPITALITY HERE.

17 BUT DON'T FEEL THE NEED TO, IF YOU CHOOSE NOT TO.

18 SO, COMMISSIONERS, I JUST DO WANT TO BRIEFLY NOTE THAT THIS  
19 WEEK MARKS THE FOUR0TH ANNIVERSARY OF THE TAXI AND LIMOUSINE  
20 COMMISSION, CREATED IN 1971. YES, WE HAVE SPECIAL  
21 COMMEMORATIVE LAPEL PINS. WE CAN TAKE NOT TOO MUCH TIME, BUT  
22 A MOMENT TO I THINK TAKE SOME PRIDE IN WHAT THE COMMISSION  
23 AND THE INDUSTRY, WORKING IN PARTNERSHIP, HAVE ACCOMPLISHED  
24 OVER THE PAST FOUR0 YEARS.

1 I THINK THAT THE INDUSTRY AND THE SET OF RULES THAT ARE  
2 ESTABLISHED AND ENFORCED BY THE COMMISSION HAVE CREATED 1 OF  
3 THE WORLD'S GREAT BRANDS. IT IS A GRAND THAT IS IN  
4 EXTRAORDINARY DEMAND I DON'T THINK DOLLARS AND SENSE ARE THE  
5 MEASURE OF EXTRAORDINARY THINGS. BUT IN 1971. MEDALLIONS  
6 TRADE SO THOUSAND, CORPORATE AND 25,000 FOR INDIVIDUAL. I GUESS  
7 THE REQUIREMENT THAT CORPORATE HAD TO BE OWNED 2 AT A TIME  
8 MADE THEM LESS DESIRABLE, APPARENTLY.

9 INDIVIDUAL MEDALLION THAT TRADED AT 25,000 IN 1971, TRADES  
10 AT 650,000 TODAY. THAT IS A 2006 100% INCREASE. CORPORATE FOR  
11 \$10,000. 1971 IS 950,000 TODAY. 9005 100% INCREASE. BY COMPARISON  
12 THE S&P OVER THAT PERIOD RAISED 1387%, ABOUT HALF AS MUCH AS  
13 THE INDIVIDUAL MEDALLIONS. MAYBE 1/6 AS MUCH AS THE  
14 CORPORATE. THE DOW JOANS ABOUT THE SAME: 1400%.

15 I DO THINK THAT IS IN MANY WAYS A MEASURE OF THE SUCCESS  
16 OF THE COMMISSION AND EVEN THOUGH WE HERE ARE ONLY -- ONLY ITS  
17 MOST RECENT ITERATION, ON BEHALF OF OUR PREDECESSORS, I THINK IT  
18 IS FAIR TO PAUSE A MOMENT AND TAKE SOME PRIDE IF THAT.

19 THIS MAY OR MAY NOT AMUSE YOU. I WAS LOOKING AT  
20 NEWSPAPER CLIPPINGS FROM 1971, AROUND THE TIME THE COMMISSION  
21 WAS ADOPTED. I NOTED FOR BETTER OR FOR WORSE, MANY OF THE  
22 ISSUES THAT WERE AROUND THEN, ARE AROUND TODAY. I WOULD LIKE  
23 TO THINK THAT WE ARE GOING TO MAKE PROGRESS. I AM SURE THAT  
24 WE WILL. 1 OF THE FIRST ISSUES CONFRONTED BY THE NEW

1 COMMISSION IN '7 IS WAS THE ISSUE AS THE NEW YORK TIMES PUT IT  
2 GYPSY CABS. [71. THE INDUSTRY WAS NOT LICENSED FOR LIVERY  
3 SERVICE. 1 OF THE FIRST ACTS OF THE COMMISSION WAS TO LICENSE  
4 LIVERY CABS. THERE WAS CONSIDERABLE CONCERN. THE  
5 METROPOLITAN TAXI BOARD OF TRADE FILED A LAWSUIT TO PREVENT  
6 THAT LICENSURE, SAYING IT WOULD LEAD TO THE EROSION OF  
7 MEDALLION VALUE. AS WE SEE, THINGS WORKED OUT JUST FINE.

8 THE QUESTION OF WHICH TAXI AND LIMOUSINE COMMISSION,  
9 WHICH VEHICLE WAS APPROPRIATE WAS ON THE MINDS OF THE  
10 COMMISSION. THE PRATT INSTITUTE CALLED FOR A NEW, MORE  
11 SPACIOUS CAB; AND THEY UNVEILED -- DIDN'T CALL IT THE TAXI OF  
12 TOMORROW BUT WHAT WE ARE TALKING ABOUT HERE; A TAXI THAT  
13 WOULD BE MORE SPACIOUS.

14 AS A RESULT, THE TAXI COMMISSION, LATER THAT YEAR,  
15 DISAPPROVED. THE VEHICLE HA HAD BEEN THE DOMINANT MODEL AT  
16 THE TIME; THE DODGE SOMETHING OR OTHER -- THAT WAS 60% -- IT DOES  
17 NOT SAY WHAT DODGE. BUT A DODGE THAT WAS 60% OF THE CITY'S  
18 TAXIS THAT THE COMMISSION THEN HAD DISAPPROVED, IN FAVOR OF  
19 THE MORE SPACIOUS VEHICLES.

20 THE COMMISSION WAS TALKING ABOUT GROUP RIDES AT  
21 AIRPORTS. WE KNOW THAT KIND OF BEEDEVILED US, STILL TODAY.

22 SOMEWHERE IN HERE IS THAT THE FIRST REPORT ISSUED BY THE  
23 NEW COMMISSION WAS -- HAD TO DO WITH THE REFUSAL OF SERVICE TO  
24 WHAT THE REPORT TERMED BLACK AND PUERTO RICAN

1 NEIGHBORHOODS; THAT WAS APPARENTLY A PROBLEM THAT PEOPLE  
2 WERE CONCERNED ABOUT THEN.

3 WE REMAIN CONCERNED ABOUT IT.

4 LET YOU KNOW WE RECENTLY STIFF ENDED OUR PENALTIES AND  
5 TOUGH ENDED OUR -- PUT MORE FIELD RESOURCES TOWARD THAT.

6 I AM HOPEFUL THAT WE WILL IN FOUR0 YEARS, THAT WILL NO  
7 LONGER BE ON THE AGENDA.

8 I WANTED TO SAY TAKE A MOMENT TO COMMEMORATE THOSE  
9 YEARS AND INVITE EVERYONE TODAY HERE, TO JOIN US FOR A MODEST  
10 RECEPTION NEXT DOOR TO JOIN US FOR THIS MILESTONE. I WANT TO  
11 THANK BRIAN FOR DOING THAT. RIGHT AFTER THIS, WE WILL HAVE  
12 MODEST REFRESHMENTS FOR ANYONE WHO WANTS TO PARTICIPATE.

13 QUICKLY, COMMISSIONERS, ON SOME SUBSTANCE, AS YOU KNOW,  
14 SINCE WE LAST MET, I THINK THE MOST EXCITING DEVELOPMENT IS THE  
15 STATE LEGISLATURE'S APPROVAL OF THE 5-BOROUGH TAXI BILL. IN  
16 PARTICULAR, CREDIT I THINK GOES TO SPONSORS, SENATOR MARTIN  
17 GOLDMAN, ASSEMBLY MEMBER CARL HEESTY, THE SPEAKER AND  
18 SENATE MAJORITY LEADER. THE LEGISLATION HAS NOT YET BEEN SENT  
19 TO THE GOVERNOR.

20 THE LEGISLATURE AGREED THAT THEY WANTED TO AMEND THE  
21 BILL TO CLARIFY THAT THE 50-CENT PER RIDE MTA SURCHARGE SHOULD  
22 APPLY TO THE BOROUGH TAXIS AS IT DOES TO THE REGULAR TAXIS.  
23 CERTAINLY MAKES SENSE.

24 SINCE THEY PASSED THAT AT THE VERY CLOSE OF THE SESSION,

1 THEY WERE NOT ABLE AS TO MAKE ABLE TO MAKE THAT AMENDMENT  
2 CONSISTENT WITH THEIR 3-DAY AGING RULE. AS SOON AT LEGISLATURE  
3 RECON CONVENIENCE IT IS MY BELIEF THEY WERE ADOPT THAT AND  
4 SEND IT TO THE GOVERNOR. COMMISSIONERS, YOU SHOULD KNOW THAT  
5 WE ARE MOVING WITH ALL DUE SPEED TO PREPARE TO IMPLEMENT THE  
6 BILL. DEPUTY COMMISSIONER GARY WEISS, CHIEF INFORMATION  
7 OFFICER JEFF BEGUN FILLED, ARE PREPARING. THEY ARE REALLY MORE  
8 PLANNING TO PREPARE IN SOME WAYS. THEY ARE FIGURING OUT WHAT  
9 LICENSING, STAFF AND PROCESS CHANGES WE WILL NEED. STAFF  
10 INCREASES AND PROCESS CHANGES.

11 WHAT MIS CHANGES WE WILL NEED TO HAVE WHAT IS  
12 ESSENTIALLY A IN YOUR CATEGORY OF LICENSE. ENFORCEMENT IS  
13 ALREADY BEING INCREASED. TOMORROW WE ARE WELCOMING 11 NEW  
14 CAD ITS FINISHING TRAINING. WE HAVE AUTHORITY FROM OMB TO HIRE  
15 30 MORE. WE ARE GOING INTO THAT PROCESS. WE HAVE THE  
16 AUTHORITY TO HIRE AS MANY AS WE NEED TO DO THE JOB TO MAKE  
17 SURE THERE IS NO POACHING.

18 OUR PREPARATIONS ARE UNDER WAY. WE HAVE EVERY  
19 EXPECTATIONS -- I HAVE EVERY EXPECTATION AND CONFIDENCE THAT  
20 THE AGENCY WILL BE READY TO BEGIN IMPLEMENTING THE BILL ON  
21 JANUARY 15, WHEN IT WILL TAKE EFFECT.

22 ON THE ISSUE OF ACCESSIBILITY. AS YOU KNOW, WE ISSUED A  
23 COUPLE OF REQUESTS FOR PROPOSAL FOR AN ACCESSIBLE DISPATCH  
24 SERVICE. 1 FOR MANHATTAN AND 1 FOR THE OTHER BOROUGHES. WE

1 GOT A NUMBER OF RESPONSES. ARE PLEASED FOR THOSE. THERE IS A  
2 COMMITTEE THAT EVALUATES THESE. MY GOAL WOULD BE TO MAKE  
3 AN AWARD WITHIN THE NEXT COUPLE OF MONTHS SO WE CAN HAVE  
4 IMPLEMENTATION BY EARLY 2012. LAST SUBSTANTIVE NOTE: IT HAS  
5 COME TO OUR ATTENTION THAT A NUMBER OF ENTREPRENEURS, I  
6 GUESS, ARE OFFERING SMART PHONE APPLICATIONS THAT ARE  
7 DESIGNED TO CONNECT PASSENGERS WITH LIVERY BASES. THAT IS, I  
8 GUESS, WOULD BE MY WAY OF DESCRIBING WHAT THEY DO BECAUSE I  
9 LOOK AT IT THROUGH THE PRISM OF OUR REGULATIONS. LOOKING AS IT  
10 AS A CUSTOMER, THEY MIGHT APPEAR TO BE ESSENTIALLY LIVERY  
11 SERVICES, LIVERY BASES. SO, THIS RAISED SOME CONCERN FOR US. ON  
12 THE 1 HAND WE WANT TO MAKE SURE WE DO NOT STEVEAL  
13 INNOVATION. OBVIOUSLY, A LOT OF THESE THINGS A LOT OF PEOPLE  
14 FIND HANDY. WE DO NOT WANT TO GET IN THE WAY OF NEW  
15 OPPORTUNITIES FOR BUSINESSES TO REACH OUT TO BUSINESSES AND  
16 BUSINESSES TO FIND THEIR CUSTOMERS. ON THE OTHER HAND WE HAVE  
17 TO MAKE SURE OUR RULES ARE RESPECTED. COMMISSIONERS, I WANT  
18 TO MAKE SURE YOU KNOW, WE NOTIFY THE PUBLIC. WE ISSUED AN  
19 INDUSTRY NOTICE A FEW DAYS AGO TO MAKE SURE PEOPLE IN THE  
20 INDUSTRY UNDERSTAND WHAT OUR RULES ARE.

21 THE INDUSTRY NOTICE WHICH IS ON OUR WEBSITE, RIGHT THERE  
22 ON THE FIRST PAGE, PROMINENTLY FEATURED, MAKES IT CLEAR THAT  
23 SMART PHONE APP CERTAINLY CAN OPERATE WITHIN OUR RULES AS  
24 LONG AS IT IS OPERATING UNDER CONTRACT WITH LICENSED LIVERY

1 BASES AND NOT CONTACTING DIRECTLY WITH DRIVERS.

2 WE HAVE GOTTEN REPORTS -- UNCONFIRMED BUT SOME IN THE  
3 INDUSTRY TELL US THAT THEY BELIEVE THE SMART PHONE APP ARE  
4 CONTRACTING DIRECTLY WITH DRIVERS.

5 OBVIOUSLY, THAT WOULD BE CONTRARY TO OUR RULES AS LONG  
6 AS SMART PHONE APP IS FUNCTIONING AS IN ESSENCE AN SIZE  
7 ADVERTISEMENT FOR OUR BASE THAT IS PERFECTLY CONSIST AT THE  
8 PRESENT TIME WITH OUR RULES. AGAIN, THE RULES MUST BE  
9 RESPECTED. OUR RULES REQUIRE THAT THE BASE NAME BE IN THE  
10 ADVERTISEMENT.

11 THAT MEANS THAT IF THE SMART PHONE APP IS CONNECTING YOU  
12 WITH A BASE, IT MUST TELL YOU THE NAME OF THE BASE.

13 THAT IS CRITICAL, BECAUSE OUR CONCERN IS TO MAKE SURE  
14 THERE IS ACCOUNTABILITY, THAT IF CUSTOMERS HAVE A PROBLEM, IF A  
15 CUSTOMER GETS INTO A CAR AND IS MISTREATED, YOU KNOW, THAT  
16 THEY CAN CALL 311 AND WE CAN GO OUT AND ENFORCE OUR RULES.

17 THEY CAN'T DO IF ALL THEY KNOW IS THEY GOT IT FROM SMART  
18 PHONE INC. OR AN APP INC. RATHER THAN THROUGH A BASE. I WOULD  
19 URGE FOLKS ESPECIALLY IN THE LIVERY INDUSTRY TO TAKE A LOOK AT  
20 THE NOTICE; AND IF YOUR BASE IS CONTRACTING WITH 1 OF THE SMART  
21 PHONE APPS, PLEASE DO READ THAT NOTICE AND MAKE SURE THAT THE  
22 APP THAT YOU ARE CONTRACTING WITH IS FOLLOWING THE RULES.

23 OTHERWISE WHAT COULD RESULT WOULD BE A DISPATCH THAT IS  
24 IN VIOLATION OF OUR RULES FOR WHICH THE BASE WOULD BE HELD

1 RESPONSIBLE.

2 WITH THAT, COMMISSIONERS, WE CAN MOVE TO OUR AGENDA,  
3 THE FIRST ITEM IS THE ADOPTION OF MINUTE.

4 YOU HAVE BEFORE YOU THE MINUTES FROM THE JUNE 16, 2011  
5 COMMISSION MEETING. ALL IN FAVOR OF ADOPTING THOSE MINUTES,  
6 PLEASE SAY AYE. VOTE TAKEN.

7 COMM. YASSKY: THE MINUTES ARE ADOPTED.

8 WE HAVE A SLEW OF BASE APPLICATIONS. IS ASSISTANT  
9 COMMISSIONER RATAWAY [PHONETIC] HERE? SHE IS. WHILE SHE IS  
10 COMING. I APOLOGIZE NOT SAYING THIS AT THE OUTSET: WE ARE NOT  
11 MEETING IN AUGUST. LAST MEETING I SAID WE LIKELY WON'T BE.

12 BUT WE DON'T HAVE ANYTHING THAT IS URGENT ENOUGH TO TRY  
13 TO ACCOMPLISH THE DIFFICULT STAFF OF AN AUGUST SCHEDULING.  
14 OUR NEXT MEETING WILL BE IN SEPTEMBER.

15 ASSISTANT COMMISSIONER.

16 >> GOOD MORNING. LICENSING WOULD LIKE TO PRESENT BEFORE  
17 THE COMMISSION FOUR8 BASES WITH A RECOMMENDATION FOR  
18 APPROVAL.

19 COMM. YASSKY: ALL IN FAVOR SAY AYE VOTE TAKEN.

20 COMM. YASSKY: THE APPLICATIONS ARE APPROVED.

21 >> COMMISSIONLY, WE WOULD LIKE TO PRESENT 1 BASE WITH A  
22 RECOMMENDATION FOR DENIAL WITH THE REQUEST THAT THE  
23 COMMISSION GRANTS AN ADDITIONAL 30 DAYS FOR THEM TO SUBMIT  
24 THE OUTSTANDING [VOTE TAKEN \*\*\*.

1 COMM. YASSKY: THAT ARE RECOMMENDATION IS ADOPTED AS WELL.

2 >> THANK YOU.

3 COMM. YASSKY: YES?

4 VOICE: MICROPHONE. CAN'T HEAR YOU.

5 COMM AROUT: IS THAT OKAY? THE BRONX CORPORATION, AS OF  
6 APRIL 8 OF 2010, THEIR FINES COME UP AT \$10,100. THAT IS AN AWFUL  
7 LOT. WHAT DO WE KEEP DOING, GETTING THE REVENUE OR CLOSE THEM  
8 DOWN?

9 COMM. YASSKY: ASSISTANT COMMISSIONER? I AM ARE GLAD YOU  
10 RAISED IT.

11 >> IT WAS A CONCERN FOR LICENSING AS WELL. THE BASE OWNER  
12 SUBMITTED A LETTER TO US, INDICATING THAT HE DID REALIZE THAT HE  
13 WAS ACCUMULATING A LOT OF SUMMONSES, A LOT OF THEM FOR  
14 ADMINISTRATIVE ISSUES. HIS DISPATCHER WAS GIVING CALLS TO CARS  
15 NOT AFFILIATED WITH HIS BASE. I THINK HE TERMINATED THAT  
16 PERSON.

17 HE ALSO HAS GIVEN US AN EXPENSIVE BUSINESSMAN PLAN ABOUT  
18 HOW HE PLAN OS TO ADDRESS THE SUMMONSES HE RECEIVES IN THE  
19 PAST.

20 COMM. YASSKY: THE SHORT OF IT: THIS BASE HAS BEEN IN OPERATION  
21 SOMETIMES. DO YOU REMEMBER?

22 >> NOT OFF THE TOP OF MY HEAD. SORRY. IT IT IS AN OLD  
23 LICENSE.

24 COMM. YASSKY: IN OPERATION A LONG TIME. DID NOT HAVE A PRIOR --

1 UNTIL RECENTLY, DID NOT HAVE THIS VIOLATION HISTORY. THERE ARE  
2 QUITE A NUMBER OF VIOLATIONS.

3 LICENSING STAFF AS GEORGIA EXPLAINED DID DID REACH OUT,  
4 EXPRESS THE CONCERN, TALKED TO THEM EXTENSIVELY, FELT  
5 COMFORTABLE THAT THE BASE OWNERSHIP IS SINCERE IN ITS  
6 COMMITMENT TO REFORM ITS PRACTICES.

7 NEEDLELESS TO SAY, IF THEY DO NOT IMPROVE THEIR FITNESS OR  
8 GO IN THE DIRECTION THEY ARE GOING OF UNFITNESS, WE WILL ACT  
9 ACCORDINGLY.  
10 COMM AROUT: THANK YOU YOU.

11 >> THANK YOU.

12 COMM. YASSKY: WE HAVE 2 -- SEVERAL ITEMS, REALLY, FOR  
13 INTERACTION TODAY. THE FIRST IS THE FITNESS INTERVIEW RULES.  
14 THIS WAS ON THE AGENDA LAST MEETING. AS COMMISSIONERS YOU  
15 KNOW WE HEARD A FAIR BIT OF TESTIMONY AT THE TIME. I THINK THE  
16 TESTIMONY WAS QUITE USEFUL; HIGHLIGHTED THE ISSUES BEFORE US.

17 I KNOW THAT A NUMBER OF YOU COMMISSIONERS HAVE BEEN  
18 TALKING SINCE THEN WITH OUR LEGAL STAFF AND LICENSING STAFF.  
19 THERE IS NO PUBLIC HEARING REQUIRED. WE HAD THAT LAST TIME.  
20 COMMISSIONERS ARE THERE REMAINING COMMENTS OR QUESTIONS  
21 BEFORE WE MOVE TO A VOTE?

22 COMM CARONE: I WANT TO BOTH THE ASSISTANTS COMMISSIONER.

23 ERRS [GAVE NAMES] WHO WERE VERY HELPFUL IN ANSWERING  
24 QUESTIONS RAISED AT THE LAST COMMISSION HEARING, IN THE BRONX.

1 QUESTIONS REGARDING POSSIBLE SUBJECTIVE LANGUAGES, WORDS  
2 SUCH AS DISHONESTY OR MISREPRESENTATION; WITHOUT CLARIFYING  
3 WORDS SUCH AS "MATERIAL MISREPRESENTATION." THOSE WORDS  
4 WERE CLARIFIED." MATERIAL "WAS HADDADED. DISHONESTY IN A  
5 VACUUM WAS TAKEN OUT. VERY HELPFUL. THEY ALSO ASSURED ME  
6 ANYWAY THAT THE SYSTEM FOR APPROVAL WAS VERY MUCH AN  
7 INTERACTIVE 1. THE APPLICANT HAD AMPLE OPPORTUNITY TO DISCUSS  
8 SHORT COMING OR HAVE A CHANCE TO SPEAK. IF HE OR SHE FELT THEY  
9 HAD A BAD INTERVIEW. BASED ON THOSE DISCUSSIONS, I AM VERY  
10 COMFORTABLE WITH THE PROPOSED RULE.

11 COMM. YASSKY: THANK YOU FOR POINTING THAT OUT. I WAS REMISS IN  
12 NOT REALLY ACKNOWLEDGE THE GREAT DEAL OF WORK AS YOU SAY  
13 DEPUTY COMMISSIONERS WEISS AN CHOPPER PUT IN AS WELL AS CHRIS  
14 WILSON AND OUR COUNCIL OFFICE.

15 A LOT OF WORK HAS GONE INTO THIS. NONETHELESS I STILL SAW  
16 IT AS A WORK IN PROGRESS AT LEAST AS FAR -- I TALKED TO A FEW OF  
17 YOU COMMISSIONERS ABOUT THIS -- AS FAR AT TREATMENT OF  
18 CRIMINAL CONVICTIONS GOES.

19 THE FUNDAMENTAL FACT HERE IS THAT STATE LAW REQUIRES  
20 THAT IF A CRIMINAL CONVICTION IS TAKEN INTO ACCOUNT IN A  
21 LICENSING PROCESS, THE APPLICANT HAS TO HAVE AN ADVISOR  
22 INDIVIDUALIZED DETERMINATION. WHILE IN THEORY THAT SOUNDS  
23 LIKE IT MAKES SENSE AND IN MANY CASES IT DOES, I THINK OUR  
24 PROCESS WOULD BE MORE STRAIGHTFORWARD IF WE SIMPLY COULD

1 SAY A DRUNK DRIVING CONVICTION FROM 6 MONTHS AGO IS  
2 PROHIBITIVE AND A SHOPLIFTING CONVICTION FROM 20 YEARS AGO IS  
3 NOT A BAR AND A PERSON CAN GET A LICENSE.

4 THAT WOULD BE SIMPLER. WE WORKED WITH THE LAW  
5 DEPARTMENT A LOT TO TRY TO FIGURE OUT IF THERE WAS A WAY TO  
6 ACHIEVE THAT GOAL. THE ANSWER IS: STATE LAW DOES COMPEL US TO  
7 HAVE AN INDIVIDUALIZED DETERMINATION IN EACH OF THOSE CASES.

8 AT ANY RATE, GIVEN THAT, UNTIL WE CAN GET THE STATE LAW  
9 TO ALLOW THAT MORE STRAIGHTFORWARD PROCESS, I I DO THINK THIS  
10 IS THE BEST WE CAN DO.

11 COMM CARONE: YOU REMINDED ME, HAVING EXPERIENCE IN DEFENSE  
12 BAR, 1 OF THE ITEMS WE DISCUSSED WAS HOW WE DEAL WITH  
13 SOMETHING CALLED CALLED A CERTIFICATE OF RELIEF FROM CIVIL  
14 DISABILITY. ALTHOUGH NOT A CATCH-ALL, IT WOULD BE A FACTORS, 1  
15 OF THE FACTORS IN PERHAPS MITIGATING A PRIOR CONVICTION, WHICH  
16 IS GOOD; SOMETHING COMMONLY ASKED FOR IN THE COURTS.

17 COMM. YASSKY: I WOULD PUT ON THE RECORD THAT IT IS COMMISSION  
18 POLICY THAT THOSE ARE TAKEN INTO ACCOUNT AS THEY SHOULD BE.  
19 THEY ARE PART OF THE CRIMINAL HISTORY IN THAT PARTICULAR CASE.

20 SO, WITH THAT, I WOULD CALL FOR A VOTE ON THE FITNESS  
21 INTERVIEW RULES. \*\*\* VOTE TAKEN.

22 COMM. YASSKY: THEY ARE ADOPTED.

23 NEXT IS RENEWAL OF OUR LIVERY STAND PILOT.

24 CHRIS?

1 >> GOOD MORNING, WE CURRENTLY HAVE A PILOT RESOLUTION IN  
2 EFFECT WHICH WE PASSED IN 2009 TO CREATE LIVERY STANDS IN  
3 CERTAIN LOCATIONS THROUGHOUT THE CITY [THIS IS COMMISSIONER  
4 WILSON. WE REQUEST THAT THE COMMISSION EXTEND THAT PILOT  
5 THROUGH 2012. THAT WILL ALLOW THE FOUR STANDS FURNITURE R.  
6 CURRENTLY IN OPERATION TO CONTINUE WITHOUT DISRUPTION AND  
7 ALLOW THE TLC TO CONSIDER ADDITIONAL PILOT STANDS. WE MAY  
8 MAKE FURTHER RULINGS ON THIS IN THE FUTURE. WHICH ANY DATA ON  
9 HOW SUCCESSFUL IT HAS BEEN AND HOW MANY LIVERY CABS AWAILED  
10 THEMSELVES OF THESE?

11 COMM. YASSKY: THE MOST SUCCESSFUL 1 BY FAR HAS BEEN THE  
12 STATEN ISLAND FERRY TERMINAL WHERE SOME 300 TRIPS A DAY ARE  
13 TAKING PLACE.

14 OF COURSE, THE -- ASSUMING THAT THE 5-BOROUGH TAXI  
15 LEGISLATION IS ADOPTED, WE ARE GOING TO HAVE TO FIGURE OUT HOW  
16 TO INTEGRATE THESE LIVERY STANDS INTO IT. IF AT ALL. THAT MAY  
17 OBTAIN THE NEED FOR THEM. SOME MAY BE WORTH KEEPING. THERE  
18 MAY BE AREAS, LIKE STATEN ISLAND WHERE NON-PRE ARRANGED  
19 SERVICE SHOULD BE STAND-BASED RATHER THAN WIDESPREAD.

20 SO -- BUT AT ANY RATE SINCE JANUARY 15 IS THE EFFECTIVE DATE  
21 AND THESE EXPIRE IN SEPTEMBER, AT LEAST THAT INTERIM PERIOD IT IS  
22 NECESSARY TO ADOPT (INAUDIBLE). COMMISSIONER? NO. ALL IN  
23 FAVOR SAY AYE \*\*\* VOTE TAKEN.

24 COMM. YASSKY: THE LIVERY STAND PILOT RENEWAL IS ADOPTED.

1 THE NEXT ITEM IS A PROPOSED RULE REGARDING ROOFTOP  
2 ADVERTISING. THIS IS SUBJECT TO PUBLIC HEARING. SO, CHRIS, DO YOU  
3 WANT TO CRY IT.

4 DESCRIBE IT BRIEFLY THEN WE WILL HAVE THE PUBLIC HEARING.  
5 WHICH FOR COMMISSION CONSIDERATION PROPOSED RULES GOVERNING  
6 ROOFTOP ADVERTISING DEVICES FOR TAXICABS. PREVIOUSLY THE  
7 COMMISSION A OF PRODUCT DEVICES ON AN AD HOC BASES WITH MOU'S.  
8 WHAT WE ARE PROPOSING TO DO TODAY IS TO PASS A SETH OF RULES  
9 WHICH WILL GIVE SPECIFICATIONS. ANY LOVE TOP ADVERTISING  
10 DEVICE MEETING SPECIFICATION WILL BE APPROVED FOR USE ON A  
11 TAXICAB. IN ADDITION, ROOFTOP ADVERTISING DEVICES APPROVED BY  
12 MOU IN EFFECT AGAVES AUGUST 31 CONTINUE TO BE APPROVED FOR  
13 USE ON TAXICABS. WE PUBLISHED THIS IN THE CITY RECORD JUNE 8.  
14 WRITTEN COMMENTS DUE BY July 15.

15 TWO COMMENTS WERE RECEIVED. 1 LATER COMMENT I BELIEVE  
16 HAS BEEN GIVEN TO THE COMMISSIONERS. FOLLOWING PUBLICATION OF  
17 THE RULE WE MADE ONE ADDITIONAL CHANGE BASED ON A STAFF AND  
18 PUBLIC COMMENT. THAT IS TO ADD A REQUIREMENT TO PERMIT THE  
19 VEHICLE OWNER A LONG-TERM LESSEE OF A TAXICAB VEHICLE WHO IS  
20 NOT THE MEDALLION OWNER TO GIVE PERMISSION TO THE MEDALLION  
21 OWNER PRIOR TO TLC LICENSE.  
22 COMM. YASSKY: THE LIST OF WITNESSES, I SEE. BEFORE THE  
23 WITNESSES, I KNOW I DESCRIBED THIS AT THE LAST COMMISSION  
24 MEETING. THE GENESIS FOR THIS RULE IS THAT THE TLC'S LONG

1 STANDING PRACTICE OF PERMITTING ROOFTOP ADVERTISING THROUGH  
2 INDIVIDUAL MEMORANDA OF UNDERSTANDING WAS -- HAS BEEN  
3 EXPEDIENT AND -- BUT ARGUABLY INCONSISTENT WITH THE CITY  
4 ADMINISTER I HAVE PROCEDURE ACT, WHICH DOES REQUIRE  
5 RULEMAKING IN THIS INSTANCE. THE LAW DEPARTMENT HAS ADVISED  
6 US OF THAT.

7 SO, AS A RESULT, WE ARE REPLACING THE MEMORANDUM OF  
8 UNDERSTANDING WITH RULEMAKING.

9 I SAID WHEN WE LAST DISCUSSED THIS THAT WHILE WE WERE  
10 DOING THAT, WE ALSO TOOK A LOOK AT SOME OF THE POLICY  
11 QUESTIONS INVOLVED, PARTICULARLY THE QUESTION OF WHETHER IT  
12 WOULD BE POSSIBLE TO GENERATE MORE REVENUE FOR THE SREU BY  
13 HAVING THE CITY IDENTIFY A SINGLE ADVERTISING VENDOR RATHER  
14 THAN HAVE MULTIPLE VENDORS.

15 WE GOT A FAIR BIT OF FEEDBACK FROM INDUSTRY FOLKS THAT  
16 THEY THOUGHT THAT WOULD NOT INCREASE -- IT MIGHT HAVE AN  
17 IMMEDIATE INCREASE IN REVENUE FOR THE INDUSTRY BUT THEY  
18 THOUGHT LONG-TERM IT WOULD NOT BE BENEFICIAL. SO, WHILE THAT  
19 REMAINS SOMETHING THAT I THINK THAT WE SHOULD LOOK AT IN THE  
20 FUTURE, IT IS NOT ON OUR AGENDA HERE.

21 THIS RULE SIMPLY PRODUCES THE BASIC STRUCTURE OF THE  
22 EXISTING M.U'S WITH THE EXCEPTION, AS CHRIS NOTED, OF ALSO GIVING  
23 THE VEHICLE OWNER IN THE CASE WHERE THE VEHICLE OWNER AND  
24 THE MEDALLION OWNER ARE NOT THE SAME PERSON, THE RIGHT TO

1 VETO A STRUCTURE ON HIS OR HER VEHICLE.

2 I HAVE GOTTEN A NUMBER OF QUESTIONS OR WE HAVE GOTTEN A  
3 NUMBER OF QUESTIONS ABOUT THE FUTURE OF ROOFTOP ADVERTISING.

4 HOW DOES THIS WORK WITH TAXI OF TOMORROW.

5 I AM SOMEWHAT HESITANT TO PEER TOO FAR INTO THE FUTURE  
6 BUT I DO, BECAUSE WE HAVE GOTTEN THESE QUESTIONS, I DO WANT TO  
7 SAY IT IS OUR EXPECTATION THAT ROOFTOP ADVERTISING WILL  
8 CONTINUE WITH THE TAXI OF TOMORROW.

9 WE HAVE TOLD NISSAN THAT OF THEY HAVE TO ACCOMMODATE  
10 ROOFTOP ADS EVEN WITH THE TRANSPARENT ROOFTOP STRUCTURE WE  
11 ARE SEEKING.

12 THEIR INITIAL TAKE ON THAT WAS THAT IT WAS ABSOLUTELY  
13 DOABLE. SINCE WE HAVE NOT FINALIZED THAT DESIGN, CAN'T SAY FOR  
14 SURE. I WANT TO SAY TO FOLKS THAT IT IS OUR EXPECTATION THAT  
15 TAXI OF TOMORROW WILL BE DESIGNED SO AS TO PRODUCE ROOFTOP  
16 ADS. LOOK, ANYTHING THAT BRINGS REVENUE TO THE INDUSTRY  
17 ULTIMATELY WORKS TO KEEP FARES DOWN. I THINK THAT IS THE  
18 ARGUMENT FOR THE ROOFTOP ADS. A NUMBER OF PEOPLE HAVE SIGNED  
19 UP TO SPEAK. FIRST IS STEVEN NEWMAN FROM THE ASTRO MEDIA  
20 GROUP.

21 >> MY NAME IS STEVEN NEWMAN, PRESIDENT AND FOUNDER OF  
22 ASTRO MEDIA GROUP. IT HAS BEEN A ROOFTOP ADVERTISING FIXTURE,  
23 MANUFACTURER AND PROVIDER TO NEW YORK CITY, CHICAGO AND  
24 OTHER MARKETS AROUND THE COUNTRY. STARTING IN YEAR 2001,

1 ASTRO MEDIA WORKED WITH TLC TO GAIN APPROVAL FOR THE TAXI  
2 SPONSORING SYSTEM, A ROOFTOP ADVERTISING FIXTURE WHICH  
3 ALLOWS FOR ADVERTISING TO THE FRONT AND BACK OF THE VEHICLE.  
4 OUR COMPANY CONDUCTED A SUCCESSFUL PILOT PROGRAM IN 2003 AND  
5 FULL APPROVAL WAS GRANTED ASTRO MEDIA BY THE TLC IN 2004  
6 ALL WHILE DISPLAYING ADVERTISING TO THE FRONT AND BACK OF THE  
7 VEHICLE. DISPLAYING ADVERTISING TO THE FRONT AND BACK AS WELL  
8 AS SIDES OF THE VEHICLE ALSO REFERRED TO AS FOUR-SIDED  
9 ADVERTISING, ASTRO MEDIA'S FOUR SIDED ROOFTOP ADVERTISING  
10 FIXTURES OPERATED ON NEW YORK CITY TAXIS 5 YEARS, 2003 TO '8  
11 WITHOUT INCIDENT OR COMPLAINT AS A SAFETY HAZARD. THE  
12 ESTHETICS OF FOUR-SIDED ADVERTISING DISPLAYS ARE PLEASING TO  
13 THE PUBLIC EYE, DESIRABLE TO ADVERTISERS AND GENERATE GREATER  
14 REVENUES FOR ROOF TO PROVIDE ERRS AND TAXI OWNER OPERATE ORS  
15 THAN 2-SIDED DISPLAYS. IN THE TLC PRESENTATION FEBRUARY 2007,  
16 FOUR-SIDE ADVERTISING WAS DESCRIBED AS AN EMERGING TREND IN  
17 THE INDUSTRY. I WAS NOT UNTIL ASTRO MEDIA CONVINCED TO  
18 COMPETE WITH CLEAR CHANNEL IN 2007 DID FOUR-SIDED ADVERTISING  
19 BECOME A PROBLEM FOR THE TLC WITH INITIALLY LEVELING THE  
20 PLAYING FIELD AND SAFETY CONCERNS. TO ENSURE NO SAFETY  
21 CONCERNS OR CONFUSION OR DISTRACTION EXISTS EACH  
22 ROOFTOPICALLY SHOULD INCLUDE THE TAXI MEDALLION NUMBER AND  
23 ON AND OFF-DUTY LIGHTS THAT MUST USE SEPARATE ON DISTINCTLY  
24 DIFFERENT LIGHTS FROM ILLUMINATION OR BACKLIGHTING OF THE

1 ROOFTOP DISPLAY AS CHICAGO LAW ALLOWS AT PRESENT. CHICAGO  
2 HAS OVER 5 YEARS OF DOING THIS, MANUFACTURED OR DESIGNED BIAS  
3 TOE MEDIA WITHOUT ANY KNOWN INCIDENCE OR SAFETY CONCERNS.

4 THE CHICAGO CODE I SUBMITTED IN THE PUBLIC STATEMENTS  
5 AVAILABLE ON THE INTERNET ASTRO MEDIA RESPECTFULLY REQUESTS  
6 THE TLC REALLOW ADVERTISING TO THE FRONT AND BACK OF THE  
7 VEHICLE, WITH THE SIDES OF THE ADVERTISING NOT TO EXCEED  
8 11 INCHES HIGH BY 8 INCHES HIGH AND INTEGRATE THIS LANGUAGE  
9 INTO 6716 RULES GOVERNING ROOFTOP FIXTURES. INTEGRATING THE  
10 LANGUAGE INTO THE RULES WOULD MAKE IT CONSISTENT WITH  
11 ARTICLE I, SECTION 8 [INAUDIBLE] OF THE CONSTITUTION.

12 AS DRAFTED, SUBSECTION FOUR OF THE PROPOSED RULES  
13 RESULTS AFOUL OF BOTH OF THESE CONSTITUTIONAL PROVISIONS.  
14 FROM PAST EXPERIENCE IT IS THE BELIEF OF ASTRO MEDIA THAT  
15 ALLOWING FOUR SIDED ADVERTISING ON ROLF TOP ADVERTISING NEW  
16 YORK CITY WILL RAISE THE BAR TO THE BENEFIT OF THE PUBLIC, THE  
17 ROOFTOP ADVERTISING FIXTURE PROVIDERS AND THE TAXI OWNER  
18 OPERATORS OF THIS GREAT CITY.

19 THANK YOU VERY MUCH.

20 COMM. YASSKY: THANK YOU, MR. NEWMAN. THE NEXT SPEAKER IS  
21 (INAUDIBLE) DESAI FROM THE NEW YORK TAXI WORKERS ALLIANCE.

22 >> GOOD MORNING. MR. CHAIRMAN, MEMBERS OF THE  
23 COMMISSION. WE ARE TESTIFYING IN SUPPORT OF THESE PROPOSED  
24 RULES. IN PARTICULAR, THE PROVISION WHICH WOULD ALLOW FOR A

1 DRIVER OWNERS TO CONTROL WHETHER OR NOT THEIR VEHICLES HAVE  
2 THE ADVERTISING FIXTURE. OWNER OPERATORS WHO OWN THE  
3 VEHICLES FLEETS WHO OWN THAT VEHICLE CERTAINLY HAVE THE  
4 CONTROL. THE ONLY SEGMENT OF VEHICLE OWNERS WHO CANNOT  
5 DECIDE ON THE AESTHETICS, THE ECONOMICS AND MECHANICS OF THE  
6 CAR ARE THE DRIVERS WHO OWN THAT CAR AND LEASE THE  
7 MEDALLION. THEY ARE THE FASTEST GROWING SEGMENT OF THE  
8 DRIVERS TODAY.

9 SO, WE FEEL STRONGLY THAT THE RULES SHOULD BE PASSED  
10 THAT WOULD REQUIRE THE MEDALLION OWNER OR THE AGENT TO  
11 OBTAIN WRITTEN PERMISSION FROM A DOV OPERATOR IN ORDER TO PUT  
12 THE ADVERTISING FIXTURE ON. YOU WILL BE HEARING FROM SOME OF  
13 MY COLLEAGUES AS TO THE VARIOUS MECHANIC ISSUES THAT THEY  
14 HAVE FOUND WITH THE FIXTURES. I WANTED TO CONCENTRATE ON THE  
15 ECONOMICS.

16 PRIOR TO 2007 DOV OPERATORS DID RECEIVE THE ADVERTISING  
17 REVENUE. SINCE THEN, THE AGENTS OR THE BROKERS HAVE TAKEN  
18 THAT MONEY AND THAT IS SIGNIFICANT MONEY.

19 WE KNOW IN AT LEAST UP TO 2007 IT WAS UP TO 1,200 OR 1500 AT 1  
20 TIME FOR THE INSTALLATION THEN AS MUCH AS 100 TO \$200 A MONTH.  
21 FOR A DRIVER IT HAS BEEN A SIGNIFICANT LOSS OF MONEY.

22 YET IN RETURN, THE DRIVERS BEAR THE BURDEN WHEN THE  
23 FIXTURE FIRST HAS TO BE INSTALLED. IT COSTS MORE IN FUEL ONCE  
24 THAT FIXTURE IS UP THERE.

1           IN TERMS OF THE BULB, IF THE BULB GOES OUT, ONCE THERE IS A  
2           FIXTURE, YOU NEED TO EITHER GO TO A MECHANIC -- WHICH IS TIME  
3           AND MONEY -- OR IN SOME CASES YOU HAVE TO RETURN TO THE METER  
4           SHOP.

5           IF A DLV OPERATOR HAS TO BEAR THE BURDENS, SURELY THEY  
6           SHOULD BE ABLE TO REAP THE BENEFITS OF IT. IT IS ABSOLUTELY  
7           UNFAIR THAT THEY ARE THE ONLY VEHICLE OWNERS IN THE INDUSTRY  
8           STINGALLED OUT NOT.

9           SINGLED OUT NOT TO HAVE THAT CONTROL.

10          MANY DRIVERS DO NOT WANT THE FIXTURE, NOT ONLY BECAUSE  
11          OF THE ECONOMICS BUT SIMPLY BECAUSE YOU ARE DRILLING A HOLE IN  
12          THAT CAR. THEY DON'T WANT THE VEHICLE TO BE MESSED WITH.

13          SECONDLY, SOMETIMES YOU DON'T LIKE THE CONTENT. YOU  
14          CAN'T CONTROL WHAT ADVERTISING CONTENT IS UP THERE.

15          YEAH, WHEN THAT VEHICLE IS PARKED IN YOUR NEIGHBORHOOD,  
16          IN FRONT OF YOUR FRIENDS AND FAMILY, THAT MEDALLION NUMBER,  
17          THAT VEHICLE IS ASSOCIATED WITH YOU. WE HAVE GOTTEN  
18          COMPLAINTS FROM MANY OF OUR MEMBERS THAT THERE ARE ADS THAT  
19          HAVE BEEN UP THERE THAT THEY DON'T WANT TO BE ASSOCIATED WITH.

20          BUT IF THEY AS A DLV OPERATOR HAVE THAT SENSE OF CONTROL,  
21          THEN THEY WILL BE ABLE TO MAKE THOSE DECISIONS FOR  
22          THEMSELVES. WHETHER THAT CAR HAS BEEN PAID OFF ALTOGETHER  
23          OR YOU SIMPLY ENTERED INTO THE CONTRACT AND BEGAN YOUR  
24          PAYMENTS; IN EVERY RESPECT, YOU ARE CONSIDERED A VEHICLE

1 OWNER AS FAR AS THE EXPENSES AND RESPONSIBILITY IS CONCERNED.

2 ALL WE ARE ASKING FOR IN RETURN IS A FAIR POLICY THAT SAYS  
3 IF YOU WILL BE HELD RESPONSIBLE FOR THE ECONOMICS OF  
4 OWNERSHIP, YOU MUST REAP SOME OF THE BENEFITS; AND CERTAINLY  
5 THE CONTROL OF OWNERSHIP.

6 SO, WE RECOMMEND TO ALL OF THE MEMBERS OF THE  
7 COMMISSION TO PASS THIS REGULATION AND PARTICULARLY WITH  
8 THAT PROVISION. THANK YOU.

9 COMM. YASSKY: THANK YOU. OUR NEXT -- SORRY -- SPEAKER -- I SEE  
10 THERE ARE A NUMBER OF . . . OKAY.

11 THE NEXT SPEAKER IS CHAVAID CHURIK [PHONETIC]. ALSO FROM  
12 NEW YORK TAXI WORKERS ALLIANCE.

13 >> GOOD MORNING, MR. CHAIRMAN. I HAVE BEEN DRIVING A CAB  
14 IN THE LAST 15 YEARS. BEFORE BEING A DRIVER, I USED TO DRIVE IN G.  
15 GARAGES WITH THAT ROOFTOP. WHAT I WAS FACING AT THAT TIME IT  
16 WAS UNBARABLE. A COUPLE OF TIMES THE ROOFTOP LIGHTS GOING OFF  
17 AND I GOT SUMMONSES, NOT HAVING THE ROOF LIGHT ON. I GOT NO.

18 COULD NOT HANDLE THAT KIND OF HEADACHE -- HANDLE THAT  
19 KIND OF A SITUATION. WHEN I WAS A DRIVER I SAME NOT GOING TO  
20 HAVE THE ROOFTOP. EACH SHIFT I HAVE TO PAY AN EXTRA 30 OR  
21 \$FOUR0 FOR THE GAS. I DID NOT HAVE THAT ROOFTOP. NOW, BECAUSE  
22 OF THESE LOOP HOMAL HOLES IN THE SYSTEM, BROKERS ARE  
23 ENFORCING THOSE ROOF ADS ON YOUR CAB WHILE -- IT IS MY  
24 PROPERTY; I AM PAYING OVER 20, 30,000 IN INTEREST AND PAYING 2 AND

1 A HALF YEARS FOR THE CABS, NOT GETTING A SINGLE INCENTIVE. I AM  
2 PAYING EACH SHIFT FOR THAT GAS MONEY. THAT IS WHY -- IF I WANTED  
3 THAT ROOF AD ON MY CAR, I SHOULD. OTHERWISE, I SHOULD NOT. I ASK  
4 THE COMMISSION TO PASS THAT RULE: IT SHOULD DEPEND ON THE  
5 DRIVER IF HE WANTS THE ROOF AD OR NOT. NOT IN THE HANDS OF  
6 BROKERS. NOW THEY ARE ENFORCING TO THE DRIVER TO SIGN UP THAT  
7 CONTRACT AND YOU HAVE TO SEE THOSE INVISIBLE CONTRACT, HOW  
8 THEY CAN CLOSE THE LOOPHOLES.

9 [APPLAUSE].

10 COMM. YASSKY: THANK YOU. GARY CAN'T ERR MAN FROM JTL  
11 MANAGEMENT.

12 I WAS SKIPPING AHEAD BUS THERE WERE A NUMBER OF FOLKS  
13 FROM THE ALLIANCE. I FIGURED WE WOULD MIX IT UP. DAVE I HAD  
14 POLLOCK FROM THE COMMITTEE FOR TAXI SAFETY.

15 >> GOOD MORNING, MR. CHAIRMAN, COMMISSIONERS.

16 ON BEHALF OF THE MEN AND WOMEN WHO MAKE UP THE  
17 COMMITTEE FOR TAXI SAFETY, I AM SAD ENDED TO HAVE TO A POSE  
18 THIS RULE ON ROOFTOP ADVERTISING. THE COMMIT I OPPOSED TO THE  
19 RULE IN ITS PRESENT FORM BUT ALSO THE PROCESS LEADING UP TO THE  
20 LAST-MINUTE CHANGES TO THE RULE.

21 WE HAVE A SYSTEM AS THE CHAIRMAN WAS STATING BEFORE OF  
22 RULES AND HOW THEY ARE PASSED, WHEN THEY ARE READ AND WHEN  
23 THEY ARE POSTED. ITEM 5 WAS NOT IN THE CITY RECORD. I DIDN'T EVEN  
24 SEE A COPY OF IT UNTIL A COUPLE OF DAYS AGO. WHERE CAN YOU

1 RESPOND OR GET TOGETHER YOUR WORDS FOR HEARING ON THAT  
2 PARTICULAR ISSUE. IF IT WAS NEVER POSTED IN THE CITY RECORD.  
3 WHEN THE ENTIRE INDUSTRY WAS NEGOTIATING AN OUT OF SERVICE  
4 PLAN, YOUTH THE CHAIRMAN INFORMED US BASED ON THE  
5 CONVERSATION WITH THE GOLDSMITH, HE WAS CANALING IT THE CITY  
6 WANTED REVENUE FROM ADVERTISEMENT. THE CITY IS ALLOWED  
7 REIMBURSEMENT FOR THE SAFETY YOU INSPECTION. THE COMMITTEE  
8 DISCUSSED OUR CONCERNS AND HE AGREED TO PUT IT INTO A RULE. WE  
9 WERE HAPPY TO SEE A RULE PUBLISHED WHICH LARGELY REFLECTED  
10 THAT MO. IN ADDITION NEW YORK STATE IS UNUSUAL. IT IMPOSES  
11 LIABILITY ON THE OWNER AND THE REGISTRANT OF THE VEHICLE. TLC  
12 REGULATIONS REQUIRE THAT THE VEHICLE BE REGISTERED TO THE  
13 MEDALLION OWNER. THE TLC PURCHASES THE CAR. WHEN IT IS PAID  
14 FOR IN FULL, TITLE CAN BE TRANSFERRED TO THE VEHICLE. [READING  
15 FAST DON'T HAVE THE SPEECH.

16 [THE DRIVER END THE REGISTRANT WHICH IS MEDALLION OWNER  
17 CAN BE USED. EVEN THOUGH THERE IS DUAL LIABILITY IT IS THE  
18 MEDALLION OWNER WHO BEARS THE RISK FOR THIS OCCURRENCE.  
19 SIMULA LAUREL, NOTES ARE NOT ALLOWED TO CHARGE DRIVERS FOR  
20 THE COST OF REPAIRS EVEN (INAUDIBLE). FOR DOV'S, IT IS NOT  
21 UNCOMMON NOR DRIVERS TO AUTOMATIC WAY FROM BAD ACCIDENTS,  
22 LEAVING THE DRIVER TO COVER THE COST OF REPAIRS. IN ADDITION  
23 LITTLE, SHOULD THE DRIVER DEFEAT, THE AGENT IS RESPONSIBLE FOR  
24 PAYING THE CAR DEALERSHIP. BECAUSE THE MEDALLION OWNER HAS

1 THE GREATER RISK BE IN A DOV OPERATION, THE DRIVER HAS NOT  
2 COMPLETED THE ARRANGEMENTS, THEREFORE IS NOT THE OWNER OF  
3 THE VEHICLE YET, UNIVERSITY STANDS TO REASON THAT THE AGENT OR  
4 MEDALLION HONE ERR HAS THE RIGHT TO SAY WHAT HAPPENS TO THE  
5 VEHICLES AND RECEIVE THE BENEFITS. THIS INCLUDES THE DECISION  
6 WHETHER OR NOT TO HAVE A ROOFTOP AND DECEIVE THE BENEFIT  
7 FROM ANY ROOFTOP PLACEMENT. HOWEVER, SHORTLY AFTER  
8 JULY FOUR WE WERE INFORMED THE TLC WAS MEGAN IN ADDITION TO  
9 THE RULE WHICH WOULD GIVE THE VEHICLE OWNER PERMISSION  
10 BEFORE HAVING A ROOFTOP. LAST FRIDAY, JULY 15, THE CHAIR  
11 INFORMED US FOR THE REASON OF THE CHANGE, A AGREEMENT WAS  
12 NEGOTIATED WHEREBY THIS CHANGE IN THE PROPOSED RULE AND  
13 REDUCTION IN CREDIT CARD FEES, TWA WOULD SUPPORT THE MAYOR'S  
14 OUT OF BOROUGH STREET LIVERY PLAN. WE TAKE NO ISSUE FOR THE  
15 TAXI WORK ESSAY LINES FOR MAKING A DEAL THEY THINK IS IN THE  
16 BEST INTERESTS OF MEMBERS. WE TAKE EXCEPTION TO HAVING THE  
17 DEPUTY MAYOR PUT THE CHAIR IN A POSITION OF HAVING TO GO BACK  
18 ON HIS WORD.] BELL RINGING] THAT REGULATES THE COMPETING  
19 INTERESTS OF THE INDUSTRY. WE UNDERSTAND THE ENORMOUS  
20 PRESSURES ON THE CHAIR. HOWEVER WE APPEAL TO THE MEMBERS OF  
21 THE COMMISSION. AFTER HEARING TESTIMONY AT THIS OR ANY TLC  
22 HEARING, EACH COMMISSIONER HAS THE POWER TO AMEND A RULE.  
23 THE COMMISSIONER CAN PASS A RULE WITH THE HE WOULD. ALL WE  
24 ASK IS PASS WITH THE RULE AS IT APPEARED IN THE CITY RECORD.

1 THEN TABLE ANY CHANGES UNTIL ALL SEGMENTS OF THE INDUSTRY  
2 HAVE HAD A CHANTOR WEIGH IN PAIR FAIRLY ON THIS ISSUE [BELL] WE  
3 IMPLORE THE MEMBERS OF COMMISSION TO (INAUDIBLE) REGULATE A  
4 PROCESS THAT IS FAVOR E. FAIR AND ABOVE FAVORITISM. APPEARANCE  
5 OF QUID PRO QUO EVEN IF I BELIEVES TO ACHIEVE A PERCEIVED GOOD  
6 SHOULD NEVER BE PERMITTED BAY REGULATORY BODY. WE REQUEST  
7 THAT YOU PASS THE RULE AS IT APPEARED IN THE CITY RECORD. WE  
8 ARE WILLING TO NEGOTIATE ANY ISSUE BASED ON ITS MERITS. THANK  
9 YOU.

10 [APPLAUSE]

11 COMM. YASSKY: I APPRECIATE YOUR CONCERN FOR MY -- WHAT YOU  
12 PERCEIVE TO BE THE DIFFICULT IS OF MY POSITION.

13 TO CORRECT THE RECORD, THE IDEA THAT THE VEHICLE OWNER  
14 SHOULD CONTROL WHAT HAPPENS TO THE VEHICLE IS 1 THAT THE TLC  
15 STAFF STRONGLY BELIEVES IN, 1 THAT I STRONGLY BELIEVE IN; 1 I  
16 BELIEVE BELONGS IN THIS RULE. WITHOUT WHICH, I WOULD NOT  
17 SUPPORT THIS RULE.

18 AGAIN, I APPRECIATE YOUR CONCERN BUT THIS IS NO PRESSURE  
19 WHATEVER. THIS, I PERSONALLY BELIEVE IS NOT JUST THE RIGHT RULE  
20 BUT I WOULD NOT THINK THE RULE WOULD BE WORTH ADOPTING  
21 WITHOUT THAT PROVISION. SO I APPRECIATE YOUR CONCERN.

22 JUST A QUESTION DASH 1 SMALL QUESTION. PAGE 2 OF YOUR  
23 TESTIMONY YOU SAY TLC REGULATIONS REQUIRE THAT THE VEHICLE  
24 REGISTRANT BE THE MEDALLION OWNER "IS THAT THE CASE?"

1 >> MAYBE WE SHOULD ASK SOMEONE FROM THE TLC.

2 >> YES.

3 [LAUGHTER].

4 COMM. YASSKY: CAN YOU SHOW US WHERE THAT IS AT SOME POINT?

5 >> AT SOME POINT, SURE.

6 VOICE: IT IS A REQUIREMENT OF OUR RULES.

7 COMM. YASSKY: THANK YOU.

8 COMM. YASSKY: GLAD WE SETTLED THAT DIFFERENCE OF OPINION

9 THEN, AMONG THE STAFF.

10 >> IT SHOULD BE NOTED THAT ANY BULB THAT GOES OFF ON THE  
11 ROOFTOP, WHETHER ADVERTISING OR NOT, NEEDS TO BE REPLACED, BY  
12 RULE.

13 COMM. YASSKY: THANK YOU.

14 THE NEXT WITNESS IS MOHAN SINGH FROM THE NEW YORK TAXI  
15 WORKERS ALLIANCE.

16 >> GOOD MORNING. I HAVE BEEN DRIVING A CAB FOR THE LAST  
17 FOUR YEARS? FOUR0?]. I AM A DLV DRIVER. THE ROOFTOP IS A BIG BOX  
18 WHICH LOWERS THE SPEED. WE HAVE TO PUT IN EXTRA GAS TO MAKE  
19 THE SPEED. THE GAS IS TRANSIT AND IT GOES FROM MY POCKET. THE IF  
20 THE BULB IS BURNED OUT, WE HAVE TO PAY FOR THE COST OF THE  
21 BULB, THE LABOR AND LOSE THE TIME.

22 WHILE DRIVING ON THE HIGH WAKE IT MAKES A LOT OF NOISE  
23 AND SPOILS THE COMFORT OF THE PASSENGER.

24 THE ROOFTOP HAS A LOT OF POWER THAT TAKES IT FROM

1 BATTERY WHICH SOON LOSES ITS LIFE. WE HAVE TO PAY FOR THE PRICE  
2 OF THE BATTERY FROM OUR POCKET.

3 WHILE THE BATTERY LOSES THE POWER, THE ALTERNATOR HAS  
4 TO WORK OVER TIME TO KEEP THE BATTERY CHARGING.

5 THE HARD WORK OF THE ALTERNATOR LOSES ITS LIFE TOO. THE  
6 COST OF THAT IS ALSO PAID FROM OUR POCKET.

7 AS THE TIME PASSES, THE BLOW OF THE AIR EXTENDS THE SIZE OF  
8 THE HOLES ON THE ROOFTOP. AS IT RAINS, THE WATER GOES IN MY CAR  
9 AND IT DESTROYS THE LIGHT. AT LAST, WHEN THE VEHICLE RETIRES  
10 FROM THE JOB, IT LOSES THE RESALE VALUE. EVERYTHING GOES FROM  
11 MY POCKET. THE BROKER NEVER TELLS US HOW MUCH THEY EARN AND  
12 WHAT THEY GET.

13 WE DON'T GET ANYTHING EXCEPT A FEW DOLLARS.

14 AT LAST, IN SIMPLE WORDS I CAN SAY I LOSE MY GAS, I LOSE  
15 MONEY IN GAS, IN PARTS AND LOSE A LOT OF TIME IN THE GARAGE.

16 WE, THE DRIVER LIVERY OWNERS HAVING V TO BE ABLE TO  
17 DECIDE WHETHER WE WANT THAT OR NOT. AT LAST, 1 THING MORE:  
18 THAT ADVERTISEMENT IS ON MY CAR, PARKED IN THE DRIVEWAY. MY  
19 CHILDREN ASK WHAT IT IS. I WANT TO GO TO A GENTLEMAN'S CLUB.  
20 WHAT SHOULD I ANSWER THEM. WE HAVE TO TAKE CARE OF THE KIDS.  
21 IF THE ADVERTISEMENT IS NOT GOOD, WHAT SHOULD WE DO. THIS  
22 SHOULD BE IS TAKEN IN MIND IN YOUR DECISION. THANK YOU VERY  
23 MUCH. AND GOD BLESS YOU.

24 COMM. YASSKY: THANK YOU VERY MUCH.

1 THE NEXT 1, THIS IS RICHARD THALER FROM OMNI MEDIA  
2 NETWORK.  
3 >> THE TWO-SIDED DISPLAY LIMITATION IN THE PROPOSED RULE  
4 AUTHORIZED ROOFTOP ADVERTISEMENT FIXTURE SHOULD BE REMOVED  
5 ALTHOUGH IN THE DESIGN SHOULD BE CONSIDERED. SECTION FOUR IT  
6 APPEARS THAT THE RULE WOULD NOT PERMIT AN ADDITIONAL DISPLAY  
7 SURFACE. THERE IS NO EXPLANATION FOR THE NEED OR JUSTIFICATION  
8 TO GIVE TONE THE TWO-SIDED LIMITATION. IT IS THEREFORE SUGGESTED  
9 THAT THE 2-SIDED LIMITATION BE REMOVED AND ANY DESIGN BE  
10 SUBMITTED FOR INITIAL APPROVAL SUBJECT TO MEETING STRUCTURAL  
11 AND SAFETY REQUIREMENTS. THE MTA USES A REAR ADVERTISING  
12 DISPLAY ON ITS BUSES THERE IS NO OBVIOUS REASON THE TAXI  
13 SHOULD NOT HAVE A REAR FACING ROOFTOP DISPLAY IN AIR OR  
14 DYNAMIC. THE TLC IS COLLECTING THE TAX AND AT LEAST BE  
15 PERMITTED THE SAME OPPORTUNITIES AS A REAR FACING MTA  
16 ADVERTISING DISPLAY. REGARDING THE RULE PROHIBITING ROOFTOP  
17 DISPLAYS ON FHV'S THIS PROHIBITION SHOULD BE REMOVED.  
18 ACCORDINGLY, ALL REFERENCES TO TAX SHOULD INCLUDE FHV'S. AT  
19 THE COMMISSION MEETING SEVERAL YEARS AGO IT WAS ANTICIPATED  
20 THAT THE F H V ADVERTISING WOULD BE APPROVED. PRIOR TO THE  
21 VOTE, ## FIRST HOUR, COMMISSIONER SANDER MOVED TO PROHIBIT  
22 ROOFTOP ADVERTISING. WITHOUT ANY DISCUSSION IT WAS PASSED.  
23 THAT PERHAPS HE IS TRANS WOULD NOT BE ABLE TO DISTINGUISH BETWEEN  
24 A TAXI AND F H V BECAUSE OF THE STRUCTURE. THIS IS LUD CRUCES.

1 THIS PROHIBITION CONTINUES IN 5829. THE DISCRIMINATION IS UNFAIR,  
2 DISCRIMINATION AGAINST THE F H V INDUSTRY, DEMOGRAPHICS OF THE  
3 F H V MARKETPLACE. SHOULD BE REMOVED. THIS ALSO HAS THE  
4 SUPPORT OF THE FEDERATION OF TAXI DRIVERS, REPRESENTING F H V  
5 TAXI DRIVERS AND F H V (INAUDIBLE).

6 THANK YOU. ENFORCEMENT THANK YOU. THE NEXT SPEAKER IS  
7 ETHAN GERBER, THE GREATER NEW YORK TAXI ASSOCIATION.  
8 COMM GJONG: GOOD MORNING MR. CHAIRMAN, COMMISSION. TODAY,  
9 THE TLC ONCE AGAIN ENTERS AREAS THAT DO NOT CONCERN THE  
10 SAFETY OR WELL FAIR OF THE RIDING PUBLIC AND ONCE AGAIN  
11 INTERFERE WAS PRIVATE CONTRACTS. SECTION 583FOUR, SECTION 5  
12 DEMANDS TITLE OWNERS GIVE WRITTEN CONSENT TOE ADVERTISE.  
13 THIS NEVER HAS BEEN A REQUIREMENT BECAUSE THE TLC KNOWS  
14 FLEETS ARRANGE THE FINANCING OF GROUP CARS, NEGOTIATE ON  
15 BEHALF OF THE FLEET. THIS WAS NOT PUBLISHED TIMELY ENOUGH FOR  
16 COMMENT. IS A MAJOR CHANGE OF FOLLOW. FLEET MANAGERS CAN NO  
17 LONGER PAY FOR ADVERTISING BECAUSE THEY CANNOT DELIVER ALL  
18 MEMBERS OF THE FLEET. THEY WOULD NOT BE ABLE TO GET THE  
19 PRICES. 1 RECALCITRANT DRIVER CAN PUT THEM IN BREACH OF A  
20 DRIVER; 1 RECALCITRANT DOV OPERATOR CAN ABOUT TOSH  
21 EXORBITANT AMOUNTS. THIS SERVES NO PURPOSE EXCEPT AS PART OF  
22 A GOODIE BAG TO GET TWA TO DROP THEIR PLAN THE DAY BEFORE  
23 THEY SAID IN WRITING ON DEVELOP TELEVISION WOULD BE  
24 DEVASTATING TO THE TAXI DRIVERS,S EXCLUSIVITY WHICH THE TLC

1 GAVE AWAY FOR MILLIONS OF DOLLARS. THIS HAS BEEN THE CURRENT  
2 THEME OF THIS ADMINISTRATION. EVEN WITH THE TAXI OF TOMORROW,  
3 THE ABILITY TO NEGOTIATE WITH CAR MANUFACTURERS HAS BEEN  
4 REMOVED SO PRIVATE BUSINESSES CAN RUN AS INEFFICIENTLY AS  
5 GOVERNMENT. AS INEFFICIENT AS THE TLC WHICH SPENT MILLIONS OF  
6 TAXPAYER MONEY FOR A MARYLAND FIRM TO REWRITE RULES ITS PAID  
7 LAYERS WROTE. MILLIONS TO A FAILED DISPATCH SYSTEM AT  
8 TAXPAYER HE IS EXPENSE, HAND BLACKBERRIES TO DRIVERS, EVEN  
9 WHILE DEBSING BEHIND THE WHEEL WAS BEING MADE ILLEGAL. IT IS  
10 INTERESTING THAT THE TLC SAVED WOULD BE A BETTER NEGOTIATE  
11 FOR FOR AN INDUSTRY BUT THE FLEET SHOULD NOT NEGOTIATE FOR  
12 THE FLEET.

13 AT EVERY TURN, THE TLC IS STATE TAG ITS INNATE KNOWLEDGE  
14 OF OUR INDUSTRY IS NOT BETTER THAN THE PEOPLE WHO BUY THE  
15 CARS, FINANCE THE INVESTMENTS, MAKE THE REPAIRS, GET THE CARS  
16 ON THE STREET DAY AFTER DAY. COMMISSIONERS YOU HAVE A BILL  
17 THAT WAS NOT PUBLISHED FINALLY WHICH ARE ONCE AGAIN IT FEARS  
18 WITH PRIVATE CONTRACTS, VIOLATES THE CONTRACT, IMPEDES OUR  
19 ABILITY TO NEGOTIATE, IS A THINLY VEILED ATTEMPT TO REWARD A  
20 GROUP FOR ITS COMMON SENDS PRINCIPLES. TELL THE TLC TO STICK TO  
21 PASSENGER SAFETY. IF YOU WISH, I COULD SPEAK FOR HOURS ON  
22 PASSENGER SAFETY. IT IS THE ONLY AREA THAT THE TLC SEEMS  
23 COMPLETELY UNINTERESTED IN. DRIVERS WISH TO SHARE IN REVENUE.  
24 I DON'T BLAME THEM. EVERYDAY CLIENTS OF MINE PAY TENS OF

1 THOUSANDS FOR THE DRIVERS, THE DRIVERS, REGISTERED OTHER  
2 THANS, DOV SITUATIONS, NEVER SHARE IN THE BURDEN. THE IT WILL IS  
3 CONCERNED WITH THE SHARING REVENUE BUT NOT THE ISSUES WHICH  
4 AFFECT PASSENGER SAFETY. IF THE D O V WISHES TO NEGOTIATE  
5 WHERE AGENCIES, NOTHING STOPS THEM, NOTHING EVER HAS. WE ARE  
6 ADULTS. LET US NEGOTIATE OUR OWN CONTRACTS. THANK YOU.  
7 COMM. YASSKY: THANK YOU. THE NEXT WITNESS IS THOMAS OSAM.  
8 NOT HERE? OKAY. THE NEXT THEN LEE OR LEAH ACEY.

9 VOICE: NOT HERE EITHER.

10 COMM. YASSKY: THEN TERI BAIG?

11 >> GOOD MORNING, COMMISSIONER.

12 COMM. YASSKY: GOOD MORNING.

13 >> CHAIRMAN YASSKY. GOOD MORNING EVERYONE. THE TAXI  
14 TOP WITH THE DOV INDUSTRY. HOW ABOUT THE PEOPLE DRIVING WITH  
15 THE GARAGES. ARE THEY NOT DRIVER THIS IS NOT PAYING MORE  
16 MONEY IN GASSES? HOW ABOUT THE BROKERS. THEY WANT TO GIVE  
17 YOU THE CAR WITH CONTRACT. ONLY WAY THEY SAY WE WILL GIVE  
18 YOU THE NEW CAR TO BUY IF YOU SIGN A CONTRACT WITH THE  
19 ROOFTOP. HOW ABOUT IF THEY 10 IT. WE DON'T GIVE ANY MEDALLION  
20 WITHOUT THE TAXI TOP.

21 SO, THE DRIVER REALLY HAS TO SIGN THE CONTRACT WITH THE  
22 ROOFTOP.

23 IF YOU WANT TO REALLY STOP THE TAXI TOP, EVERY TAXI. ARE  
24 YOU KILLING THE TAXI ADVERTISEMENT INDUSTRY. ALSO KILLING THE

1 HUNDREDS OF PEOPLE WORKING WITH THE TAXI ADVERTISEMENT  
2 THINGS. SO, THEY ARE ALSO GOING TO GO WITHOUT A JOB. THE DOV  
3 DRIVERS WILL SAY WE DON'T NEED THE TOP. THEY WILL GO OUT TO  
4 WORK. IF YOU WANT TO ELIMINATE, ELIMINATE THE TAXI TOP FOR  
5 EVERY SINGLE TAXI OR PLEASE DON'T FORCE THE BROKERS TO GO TO  
6 THE FLEET. YOU REALLY ARE KILLING THE INDUSTRY.

7 THE BROKERS, IF THEY DON'T MAKE MONEY LIKE THIS, THEY ARE  
8 GOING TO GO TO FLEET. EVERY BROKE CERTIFY GOING TO BECOME A  
9 FLEET. THERE WILL BE NO DOV ANYMORE. THE FLEET PEOPLE ARE  
10 MAKING MORE MONEY, THE LEASES, EVERYTHING. THE BROKER, THEY  
11 WANT TO MEET COMPETE. THEY WANT TO PAY THE MEDALLION  
12 OWNERS MORE MONEY. THE GARAGES PEOPLE PAY MORE MONEY TO  
13 THE MEDALLION OWNERS, THE BROKERS WANT TO COMPLETE COMPETE  
14 THROUGH THE GARAGES. BROKERS EVENTUALLY WILL COME TO THE  
15 GARAGES. THAT WOULD REALLY KILL THE DOV INDUSTRY. PLEASE  
16 CONSIDER THE TAXI TOP THING FOR EVERY SINGLE TAXI, NOT ONLY  
17 JUST FOR THE DOV. THANK YOU.

18 COMM. YASSKY: THANK YOU.

19 FOR THE REMAINING PEOPLE IF YOU ARE DUPLICATIVE, IT IS ALL  
20 RIGHT FOR YOU TO SAY MY VIEWS HAVE BEEN EXPRESSED. EVERYONE  
21 HAS A RIGHT TO TESTIFY. IF YOUR VIEW HAS BEEN EXPRESSED, I WOULD  
22 ASK YOU TO CONSIDER NOT DUPLICATING WHAT HAS ALREADY BEEN  
23 SAID. VINCENT LUPONE. I KNOW YOU ARE HERE.

24 >> GOOD MORNING, COMMISSIONERS, MR. CHAIRMAN.

1 COMM. YASSKY: GOOD MORNING.

2 >> THANK YOU FOR GIVING ME THE OPPORTUNITY TO SPEAK. I AM  
3 SITTING HERE LISTENING. I AM LISTENING TO BOTH POINTS OF VIEW.

4 THE BOTTOM LINE IS THIS IS ALL ABOUT MONEY.

5 THAT IS WHAT IT IS ABOUT.

6 THE DRIVERS WANT TO MAKE SOME EXTRA MONEY. I SUGGEST  
7 INSTEAD OF HURTING SMALL BUSINESS PEOPLE, WHO OWN THESE  
8 LEASING COMPANIES, WHY DON'T YOU GIVE A SURCHARGE FROM 7 TO #  
9 10 IN THE MORNING. WHY DON'T YOU REDUCE THE PRICE OF THE  
10 SUMMONSES THAT THE TLC NOT JUST YOU BUT FOR 30, FOUR0 YEARS,  
11 EVERY YEAR THEY RAISE A SUMMONS. IT SEEMS LIKE -- I AM SORRY TO  
12 SAY -- MOST OF YOU COMMISSIONERS WERE NOT HERE -- THE  
13 COMMISSIONERS GO FOR. THESE GUYS MAKE X AMOUNT OF DOLLARS A  
14 DAY. THAT IS IT. THEY CAN'T PAY THESE SUMMONSES, THAT IS NUMBER  
15 1. THEY NEED A SURCHARGE IN THE IMPORTANT MORNING. SOMEONE  
16 TRIED TO PAY A PARKING TICKET WITH A CREDIT CARD. THEY WANTED  
17 A SURCHARGE FOR THE CREDIT CARD. MEANTIME WE CAN'T CHARGE  
18 THE PUBLIC A DOLLAR OR 2 OR USING A CREDIT CARD. IN BOSTON THEY  
19 DO. THIS IS ABOUT MONEY. I DON'T THINK THERE IS ANY HATRED HERE.  
20 THEY ARE TRYING TO GET SOME MONEY. THEY WANT TO SAVE THEIR  
21 BUSINESS.

22 I MEAN, WHAT ARE WE HERE FOR? WE ARE SUPPOSED TO BE HERE  
23 PROTECTING THE PUBLIC, PROTECTING THE DRIVER AND PROTECTING  
24 THE SMALL BUSINESSMAN. SO FAR, WE AIN'T DOIN' NOTHING. I

1 UNDERSTAND THE DRIVERS' POINT. I DO. BUT YOU CAN'T COME INTO MY  
2 HOUSE, OPEN MY FRIDGE, TAKE ALL OF THE FOOD OUT OF THERE. THAT  
3 DON'T WORK. ANYWAY, I HOPE YOU GUYS CAN GET TOGETHER AND USE  
4 YOUR HEADS. YOU GOTTA BE THE SMARTEST PEOPLE AROUND OR ELSE  
5 YOU WOULDN'T BE SITTING THERE.

6 COMM. YASSKY: SECOND.

7 >> WE NEED SOME MONEY HERE FOR THESE DRIVERS. LEAVE THE  
8 SMALL BUSINESS PEOPLE ALONE. MAKE IT HAPPEN. THANK YOU MOUNT  
9 SINAI.

10 COMM. YASSKY: HOE HAM ED AKTAR.

11 >> HI. GOOD MORNING COMMISSIONER, GOOD MORNING  
12 EVERYONE.

13 I HAVE BEEN DRIVING 6 YEARS. BEFORE I WAS GARAGE DRIVER  
14 NOW A DRIVER OPERATOR. THE ONLY POINT I WANT TO MAKE IS THE  
15 ISSUE IS WHO SHOULD HAVE A RIGHT TO PUT THE ROOFTOP AD. I THINK  
16 THE DRIVER SHOULD GET THAT RIGHT. THERE ARE DRIVERS OUT THERE  
17 WHO WANT THAT. THERE WILL BE DRIVERS WHO DON'T WANT THAT. SO,  
18 THE DRIVERS WHO DON'T WANT THAT, PLEASE, GIVE THEM A RIGHT. IF  
19 THEY DON'T WANT IT, DON'T FORCE THEM TO PUT A ROOFTOP AD ON TOP  
20 OF THEIR VEHICLE.

21 THE SECOND THING, THE DRIVERS WHO DON'T WANT THE ROOFTOP  
22 AD ON THEIR VEHICLE -- A FRIEND OF MINE WAS PAYING \$20 EXTRA A  
23 VEHICLE BECAUSE HE REFUSED TO PUT THE ROOFTOP AD ON TOP OF HIS  
24 VEHICLE. IT HAPPENED 2 YEARS AGO. STILL, THERE ARE SOME BROKERS

1 CHARGING 35R DOLLARS EXTRA FOR NOT HAVING A ROOFTOP ON THEIR  
2 VEHICLE.

3 EITHER GET THE ROOFTOP ON TOP OF THE VEHICLE OR PAY 25, \$30  
4 EXTRA A VEHICLE FOR NOT HAVING THE ROOFTOP. THAT IS IT. THANK  
5 YOU [CELL PHONE]

6 [APPLAUSE].

7 COMM. YASSKY: THE NEXT SPEAKER IS NURADIN MUSTAFA. NO? DAVID  
8 BEYER.

9 >> GOOD MORNING. I AM COUNSEL TO THE COMMITTEE FOR TAXI  
10 SAFETY. ALSO IN HOUSE COUNSEL TO A TLC LICENSED AGENT TAXI  
11 FLEET MANAGEMENT MANAGING MORE THAN 500 TAXI MEDALLIONS. I  
12 SPEAK IN OPPOSITION TO THE PROPOSED RULE REQUIRING VEHICLE  
13 OWNERS ALSO DEFINED AS LONG-TERM DRIVERS TO GIVE CONSENT TO  
14 PLACEMENT OF ADS ON TOP OF THE VEHICLES. THAT IS PRACTICAL  
15 CONSIDERATION IN TERMS OF THE ACTUAL OPERATION OF THE  
16 BUSINESS OF MANAGING TAXIS. WHEN WE PURCHASE VEHICLES ON  
17 BEHALF OF THE DRIVERS WE FINANCE THEM. THE VEHICLES ARE SOLD  
18 TO US AS A LICENSED AGENT BASED ON OUR CREDIT, OUR SIGNING THE  
19 LOAN DOCUMENTS TO FINANCE THAT PURCHASE. IF THE DRIVER  
20 LEAVES IN THE MIDDLE OF HIS LEASE WE ARE RESPONSIBLE TO THE  
21 LOAN PAYMENTS TO THE BANK OR THE CAR MANUFACTURER WE  
22 BORROWED THE MONEY FROM.

23 IT FOLLOWS THAT PROFITS THAT REAP FROM HAVING THE  
24 VEHICLE SHOULD FOLLOW THE LIABILITIES OF THE VEHICLE. IF WE ARE

1 FINANCING THE VEHICLE WE NEED THE INCOME FROM THE VEHICLE TO  
2 HELP PAY THAT FINANCING.

3 DAVID POLLOCK FROM THE COMMITTEE MENTIONED THE DUAL  
4 LIABILITY FOR TORT CLAIM THE OR ACCIDENTS OF THE VEHICLES. FROM  
5 A PRACTICAL PERSPECTIVE, THE MEDALLION OWNER IS THE SO-CALLED  
6 DEEP POCKET AND WHO CLAIMANTS SEEM TO IMPOSE LIABILITY  
7 AGAINST. DESPITE THE FACT THAT THE DRIVER DROVE THE CAR WHEN  
8 THE ACCIDENT OCCURRED, PLAINTIFFS RARELY NAME THE DRIVERS IN  
9 LAWSUITS. IN ALL OF THE YEARS I HAVE BEEN PRACTICING IN THIS  
10 INDUSTRY, MORE THAN 30 YEARS, I HAVE NOT REMEMBERED ONCE  
11 WHEN A DRIVER PAID A DOLLAR WITH REFERENCE TO A TORT CLAIM  
12 JUDGMENT. ACCORDINGLY, BENEFITS SHOULD FOLLOW RISKS. IT IS A  
13 STANDARD SIMPLE BUSINESS MODEL, IF YOU BEAR THE RISK YOU  
14 SHOULD REAP THE BENEFIT. ED MEDALLION BEARS THE RISK SO SHOULD  
15 REAP THE BENEFITS OF THE INCOME THE VEHICLE IS ABLE TO EARN.  
16 THAT TRANSLATES INTO HIGHER MANAGEMENT FEES FOR THE OWNER.  
17 THE REGISTRANTS VEHICLE, THE MEDALLION OWNER -- SHOULD THE  
18 DRIVER SHOULD NOT BE ABLE TO WALK AWAY WITHOUT THE LIABILITY.  
19 IF THE TLC IS LOOKING TO GIVE DRIVERS NOR INCOME, LET IT RAISE ITS  
20 FARES. NOT PUTS ITS POCKET INTO THE MANAGEMENT OWN HE IS, WHO  
21 OPERATE THE SAFEST OWNED CARS IN THE INDUSTRY.

22 THERE ARE THE TLC CANNOT IGNORE THE FACT -- WAVE A MAGIC  
23 JUAN ACTION SAY FORGET EVERYTHING THAT EXISTS BECAUSE WE  
24 WANT TO DO IT THE WAY IT EXISTS NOW. THE TLC CANNOT VOID

1 EXISTING CONTRACTS. FOURTH, THE TLC'S MANDATE IS TO REGULATE  
2 THE TACK I'S INDUSTRY, NOT THE SAME AS RUNNING THE INDUSTRY AS  
3 A BUSINESS. THE TLC'S MANDATE IS TO "CONTINUE FURTHER DEVELOP  
4 AND IMPROVE TAXI AND LIMOUSINE SERVICE IN NEW YORK CITY,  
5 PROMOTE PUBLIC COMFORT AND CONVENIENCE." WHERE DOES  
6 INTERFERENCE WITH CONTRACTS AND SETTING TERMS WITH BUSINESS  
7 CONTRACTS WITH PROVIDERS FALL WITHIN THAT. THE TLC HAS TAKEN  
8 TO MICROMANAGING OUR INDUSTRY. IT SHOULD NOT. THAT IS NOT ITS  
9 MANDATE. THE OPERATION THE OPERATORS, LET THEM RUN THE  
10 INDUSTRY AND THE TLC CONTINUE TO IMPROVE THE SERVICE OF THE  
11 BUSINESS. FOR ALL OF THE ABOVE REASONS WE ASK THAT THE TLC  
12 DOES NOT APPROVE THE REGULATION.

13 THANK YOU.

14 COMM. YASSKY: A FINAL SPEAKER HISSED: OS MAC C H ADHURY.

15 >> I HAVE BEEN DRIVING THE LAST 15 YEARS. I AM DRIVING IN  
16 THE GARAGE. I KNOW A LOT OF PRIVATE DRIVERS. A LOT OF FRIENDS  
17 INTO IN MY CIRCLE. THE SUPPORTERS OF THE BENEFIT TALKS ABOUT  
18 ACCIDENT, THE DRIVER WALKS AWAY. THIS IS A LIE. THE MEDALLIONS  
19 ARE RELEASED. VERY TO HAVE 5, 6000 IN INSURANCE. IF THERE IS AN  
20 DEPARTMENT, I DO NOT LEAVE THE CAR. IF I GO AWAY, THEY CAN SUE  
21 THE DRIVER. ALSO ANOTHER WAY I AM GOING TO SAY, I AM DRIVING  
22 FOR A GARAGE. THEY PUT A ROOFTOP, COMMERCIAL AD. I SEE THE  
23 ROOFTOP AD DASH WE NEED TO KNOW WHAT IS IT GOING TO SAY, THAT  
24 IS THE THING.

1 COMM. YASSKY: THANK YOU. THAT CONCLUDES OUR PUBLIC HEARING.  
2 COMMISSIONERS, IF THERE IS DISCUSSION? FOR MY PART, I THINK THAT  
3 WAS QUITE FRUITFUL A HEARING. JUST TO REITERATE MY POSITION ON  
4 THE CORE ISSUE OF MAINTAINING THE ROOFTOP ADS, I BELIEVE WE  
5 OUGHT TO DO THAT. PASSING THIS RULE ENABLES US TO DO THAT.  
6 OTHERWISE, THE MEMORANDUM OF UNDERSTANDING WILL EXPIRE AT  
7 END OF AUGUST. THIS IS AN IMPORTANT SOURCE OF REVENUE FOR THE  
8 INDUSTRY, IT WILL BE CUT OFF ALTOGETHER. ON THE SPECIFIC ISSUES  
9 THAT MOST OF THE WITNESSES ADDRESSED, THE QUESTION OF  
10 WHETHER THE VEHICLE OWNER OR THE MEDALLION OWNER SHOULD --  
11 MEDALLION OWNER SHOULD BE SOLELY ABLE TO PUT A ROOFTOP AD OR  
12 REQUIRES THE CONSENT OF THE VEHICLE OWNER IN THESE CASES -- IT IS  
13 AN IMPORTANT AND GROWING SEGMENT OF THE VIE IN WHICH THE  
14 VEHICLE OWNER AND THE MEDALLION OWNER ARE DIFFERENT, I THINK,  
15 AS THIS RULE WOULD DO, THAT THE VEHICLE OWNER IN THE FINAL --  
16 ULTIMATELY OUGHT TO BE ABLE TO MAKE THAT CHOICE. I THINK THAT  
17 THE ARGUMENTS -- I THINK FOR ALL OF THE REASONS THAT WE WANT  
18 THE DRIVER-OWNED VEHICLE MODEL TO THRIVE AND FLOURISH AS A  
19 COUPLE OF WITNESSES POINTED OUT, IT IS THE SAFEST MODEL. THAT IS  
20 WHY WE HAVE TAKEN GREAT PAINS TO PROMOTE THAT SECTOR OF THE  
21 INDUSTRY.

22 ALONG WITH VEHICLE OWNERSHIP, SHOULD GO WITH -- THE  
23 REASON WE WANT IT IS BECAUSE THE DRIVER WILL TAKE CARE OF THE  
24 CAR. THAT RESULTS IN BETTER SERVICE TO THE PASSENGER.

1 JUST ALONG WITH THAT, I THINK SHOULD GO THE RIGHT TO  
2 CONTROL WHAT GOES ON THE CAR.

3 SO, I DO RECOMMEND A YES VOTE ON THIS RULE.

4 COMMISSIONERS, IF THERE IS COMMENT?

5 COMM GJONG: OF THE 8500 OR SO VEHICLES THAT CURRENTLY HAVE  
6 ROOFTOP ADS, CAN WE HAVE AN ANSWER FROM THE INDUSTRY AS TO  
7 HOW MANY ARE DOV OWNED? MY SECOND QUESTION FOR YOU, CHAFE,  
8 IS, THE COMMENT THAT WAS MADE THAT THE RULE HAS NOT BEEN  
9 PUBLISHED AS WE SEE IT IN THE CITY RECORD? THERE WAS A  
10 REFERENCE TO ITEM 5 MENTIONED.

11 COMM. YASSKY: CORRECT. THE PROVISION ABOUT VEHICLE OWNER  
12 CONSENT, WAS ADDED SUBSEQUENT TO PUBLICATION IN RESPONSE TO  
13 THE COMMENTS.

14 COMM GJONG: REFERRING TO THE CONSENT OF OWNER?

15 COMM. YASSKY: CORRECT. THAT WAS ADDED. FITNESS RULE.  
16 SUBSEQUENT PUBLICATION ALSO. AS IS OFTEN OUR PRACTICE, IN  
17 RESPONSE TO PUBLIC COMMENT, IF WE CHANGE SOMETHING, WE DON'T  
18 REPUBLISH.

19 COMM AROUT:

20 COMM DEARCY: THIS WAS CONSISTENT WITH OUR RULES.

21 COMM GJONG: WITH RESPECT TO THE QUESTION OF HOW MANY OF OUR  
22 8500 VEHICLES ARE ABOVE OWNED, DO YOU HAVE AN ANSWER?  
23 WORKERS ALLIANCE HAS AN ANSWER? WE REALLY DON'T KNOW HOW  
24 MUCH ARE BEING AFFECTED, OF THE 85700 VEHICLES THAT CURRENTLY

1 HAVE ROOFTOPS.

2 >> 35% WOULD BE THE DOV. 30 TO 35%.

3 >> AT LEAST 3500.

4 >> SUBTRACT THE MTOB 3500 FROM THE 85. YOU HAVE ABOUT  
5 8500.

6 >> THEY ARE NOT ALL DOV'S.

7 >> LICENSES AND REISSUES THE LICENSE EVERY YEAR. I AM SURE  
8 THEY HAVE THE STATS.

9 COMM. YASSKY: YES, DEPUTY COMMISSIONER?

10 >> TLC STAFF DOES NOT KNOW WHAT THE EXACT BREAKDOWN IS.  
11 WHAT WE KNOW IS THERE ARE 2.

12 VOICE: SPEAK UP.

13 >> THE 2 LARGEST VENDORS OF THE TAXI TOP ADS HAVE  
14 FOCUSSED ON SEGMENTS OF THE INDUSTRY. 1 CONTROLS 23RD OF THAT  
15 MARKET FOCUSSED ON FLEET CLIENTS AND THE OTHER, A THIRD OF THE  
16 MARKET, FOCUSSED ON INDIVIDUALS AND AGENTS. WE CAN  
17 EXTRAPOLATE THAT ONE-THIRD OF MARKET IS DOV BUT WE DO NOT  
18 HAVE AN EXACT NUMBER.

19 THAT INFORMATION HAS NOT BEEN COLLECTEDS.

20 COMM CARONE: AFTER HEARING THE TESTIMONY, SOLIDIFIED IN MY  
21 MIND, READING THE PROPOSED RULES AND THINKING ABOUT THEM  
22 CONCERNING THE ROOFTOP ADVERTISING. IF I MAY FOR A MOMENT,  
23 THE WAY I SEE THE RULES IS BIFURCATED. I HEAR THE TESTIMONY IN  
24 ALMOST 3 FACES. FIRST IS THE CHANGING OF THE MOU TO

1 RULEMAKING. OBVIOUSLY, I SUPPORT THAT. IT IS THE LAW. IT IS A  
2 CLEAR PUBLIC POLICY TO COMPLY WITH CITY ADMINISTRATIVE  
3 PROCEDURE ACT CAPA. THAT PART OF THE PROPOSAL I AM IN FAVOR OF  
4 AND I DON'T THINK I HEARD TESTIMONY TO THE CONTRARY WHICH  
5 ABORTION PERSUADE ME OTHERWISE. I DO SEE A CLEAR PUBLIC POLICY  
6 FOR THAT REASON. THE SECOND PART OF THE RULE WHICH TROUBLES  
7 ME A LITTLE IS THE REQUIREMENT THAT IS IMPOSED UPON THE DOV  
8 FLEETS OR THE AGENTS, IF YOU WILL, TO PROCURE WRITTEN APPROVAL  
9 FROM THE DRIVERS.

10 I DON'T SEE A CLEAR PUBLIC POLICY REASON FOR THAT. INSTEAD,  
11 I SEE A REAL COMMERCIAL ISSUE. A DISPARATE IMPACT ON THE DOV  
12 FLEETS AND MEDALLION OWNERS. BECAUSE I DON'T OR CAN'T SEE IN  
13 THIS RULE, A CLEAR PUBLIC POLICY REASON FOR DOING IS SO. INSTEAD  
14 SEE IT AS A PRIVATE COMMERCIAL CONTRACTUAL RELATIONSHIP,  
15 WITHOUT THAT CLEAR PUBLIC POLICY, I DON'T FIND MYSELF  
16 SUPPORTING THIS RULE.

17 [APPLAUSE].

18 COMM. YASSKY: IS THERE FURTHER DISCUSSION? YES?

19 COMM GJONG: I WOULD AGREE WITH COMMISSIONER CARONE ON THIS  
20 ISSUE. PERHAPS WE ARE OVERSTEPPING -- FOCUSING MORE ON  
21 CONTRACT AGREEMENTS THAN WE SHOULD BE.

22 COMM. YASSKY: ALL IN FAVOR SAY AYE \*\*\* VOTES TAKEN.

23 COMM. YASSKY: I AM SORRY.

24 VOICE: THAT IS IT.

1 COMM. YASSKY: THAT IS A BIT OF A -- DEBT CEILING HERE. WELL, THEN,  
2 I REGRET TO INFORM FOLKS IN THE INDUSTRY THAT THE -- UNLESS WE  
3 COMMISSIONERS SCHEDULE AN AUGUST MEETING, WHICH PERHAPS WE  
4 SHOULD CONSIDER DOING, OTHERWISE, UNFORTUNATELY, THE  
5 AUTHORITY FOR THE VEHICLES TO CARRY ROOFTOP ADVERTISING WILL  
6 EXPIRE AT THE END OF AUGUST. THAT WILL BE A WHOLE LOT OF  
7 TICKETS THEY WILL HAVE TO WRITE.

8 VOICE YOU CAN AMEND TO (INAUDIBLE).

9 COMM. YASSKY: WHY DON'T WE DO THE REST OF THE AGENDA.

10 WE CAN RECESS AT THAT POINT AND HAVE DISCUSSION AS TO  
11 HOW TO PROCEED.

12 LET'S MOVE TO THE REST OF THE AGENDA WHILE WE ARE HERE.

13 COMM GJONG: WE ALSO HAVE THE OPTION OF PASSING THE YOU  
14 (INAUDIBLE) TO AVOID ANY UNDUE.

15 COMM. YASSKY: I WOULD NOT SUPPORT DOING THAT.

16 I DON'T BELIEVE THAT THAT WOULD BE -- I HEARD COMMISSIONER  
17 CARONE'S POINT ABOUT THE PUBLIC PURPOSE. THE POINT SHEER  
18 THOUGH WE HAVE TO MAKE A DECISION 1 WAY OR THE OTHER. EITHER  
19 IT IS THE MEDALLION OWNER WHO CHOOSES WHAT GOES ON THE  
20 VEHICLE OR THE VEHICLE OWNER WHO CHOOSES.

21 WE HAVE HEARD QUITE ELOQUENT STATEMENTS FROM THE  
22 PROPONENTS OF THE DOV SECTOR OF THE INDUSTRY MANY TIMES AT  
23 THESE MEETINGS ABOUT THE DESIRABILITY OF HAVING THE DRIVER  
24 OWN THE VEHICLE. THE DRIVER TAKES CARE OF IT, KEEPS IT CLEAN,

1 BETTER ENVIRONMENT FOR THE PASSENGER. DRIVES SAFELY.

2 I THINK THAT BY THAT SAME TOKEN, IF WE ARE GOING TO TREAT  
3 THE DRIVER -- THE OWNER/DRIVER OF THE VEHICLE AS THE OWNER,  
4 THEN, FOR THE PURPOSE OF ENCOURAGING THE DOV SECTOR, THEN WE  
5 SHOULD TREAT THE DRIVER OWNER AS THE OWNER FOR PURPOSES OF  
6 THE ROOFTOP AD. WE HAVE TO MAKE THE DECISION 1 WAY OR THE  
7 OTHER. IT IS NOT A QUESTION OF SAYING YOU KNOW WE SHOULD STAY  
8 OUT OF IT.

9 THE QUESTION IS WHO COMES IN AND GETS THIS AUTHORITY  
10 FROM THE COMMISSION.

11 AND -- CELL PHONE]

12 COMM. YASSKY: I WOULD LIKE TO MOVE TO THE REST OF THE AGENDA.  
13 I ABSOLUTELY SEE THIS ISSUE NEEDS SOME DISCUSSION AMONG THE  
14 COMMISSIONERS. SO, WHY DON'T WE DO THE REST OF THE AGENDA. WE  
15 CAN THEN RECESS AFTERWARDS AND DECIDE WHETHER WE ARE GOING  
16 TO TAKE THIS UP NOW OR RECONVENE IN AUGUST.

17 THE NEXT ITEM ON THE AGENDA IS A RULE ON PERMANENT  
18 VEHICLE SPECIFICATIONS WHICH I WILL REMIND PEOPLE HOW WE GOT  
19 TO IT. THE FOUR CROWN VICTORIAS GOING OUT OF PRODUCTION. IN  
20 OUR APRIL MEETING WE APPROVED EMERGENCY RULE TOSS APPROVE  
21 CONCERN VEHICLES TO REPLACE THE CROWN VICTORIA. IN EFFECT,  
22 THOSE VEHICLES AUTHORIZED WERE THE NONHYBRID VERSION OF ALL  
23 OF THE APPROVED HYBRID TAXICAB VEHICLES. THOSE RULES TOOK  
24 EFFECT ON MAY 56789 BECAUSE THEY ARE EMERGENCY RULES, THEY

1 WILL EXPIRE SEPTEMBER 2. WE HAVE PROPOSED PERMANENT RULES TO  
2 SORT OF FILL THE GAP.

3 THE PERMANENT RULES WERE PUBLISHED ON JUNE 1FOUR.  
4 COMMENTS WERE DUE ON JULY 1FOUR. NO COMMENTS WERE RECEIVED.  
5 THE RULES DO ESSENTIALLY 2 THINGS: FIRST, THEY APPROVE -- MAKE  
6 PERMANENT ALL OF THE VEHICLES APPROVED IN THE EMERGENCY  
7 RULE. IN ADDITION THEY APPROVED 3 NEW VEHICLES NOT IN THE  
8 EMERGENCY RULE: THE CHEV ROW LAY I AM PAL A, THE FORD TAURUS  
9 AND FORD TRANSIT CONNECT.

10 NO 1 HAS SIGNED UP TO SPEAK. ANY DISCUSSION, I GUESS \*\*\*  
11 VOTE TAKEN.

12 COMM. YASSKY: THE RULE IS ADOPTED.

13 WE HAVE 2 FURTHER ITEMS BEFORE RETURNING TO THE ROOFTOP  
14 ADS. THE T ITEM ON LICENSE AND MENTION FEES. WHICH THESE RULES  
15 HAVE BEEN OUT FOR PUBLICATION QUITE SOMETIME. COMMENTS WERE  
16 DUE FEBRUARY 2. WE HAVE NOT BROUGHT THEM TO THE COMMISSION  
17 NOW. ONLY RECENTLY WAS LOCAL LEGISLATION PASSED. IT IS PASSED.  
18 WEAVER PROPOSING THE RULE ITCH DOES ESSENTIALLY 3 THINGS:  
19 RAISE ALL CURRENT DRIVER LICENSE FEES FROM 60 TO 8FOUR A YEAR,  
20 TAXICAB INSPECTION FEES TO \$90 FROM RADIO DOLLARS AND RAISE THE  
21 FHV INSPECTION FEE WHEN IT IS DONE AT TLC FACILITY TO 75 FROM \$37.

22 AGAIN, THESE RULES WERE PUBLISHED. NO COMMENT WAS  
23 RECEIVED.

24 NO 1 HAS SIGNED UP TO SPEAK.

1 COMM. YASSKY: IS THERE ANY DISCUSSION, COMMISSIONERS?

2 COMM GJONG: I WOULD LIKE TO MAKE A COMMENT AS WELL AS  
3 CONTINUE TO URGE THE INDUSTRY TO BE VOCAL WHEN IT COMES TO  
4 ANY TYPE OF FEE INCREASES. IF YOU GUYS ARE OKAY WITH IT, NOT  
5 OPPOSED TO ANY INCREASES, THEN WE SHOULDN'T HAVE ANY ISSUE  
6 WITH IT. ALTHOUGH FOR THE RECORD I WOULD SAY I OPPOSE ANY  
7 INCREASE OF ANY FEE.

8 [APPLAUSE].

9 COMM AROUT: MR. CHAIRMAN, 1 QUESTION ON INSPECTION FEES: IS IT  
10 ALREADY NOW -- ACCORDING TO WHAT I READ IT HAS BEEN ADOPTED  
11 AND THE MAYOR SIGNED LOCAL FOURFOUR-002011. IN OTHER WORDS  
12 WHAT I SAY TODAY WOULDN'T MEAN ANYTHING. THE FEES THAT ARE  
13 BEING CHARGED ARE TERRIBLY HIGH FOR THESE PEOPLE. I SYMPATHIZE  
14 WITH ALL OF THE BILLS COMING UP, ALL OF THE FINES THEY ARE  
15 GETTING, GOOD OR BAD. IF I MAY READ IT TO THE PUBLIC: FOLLOWING  
16 THE USE OF COST THE CITY ADOPTED AND THE MAYOR SIGNED THE  
17 LOCAL LAW WHICH INCREASES THE FEE FOR ATTACKS I CAB INSPECTION  
18 FROM \$90 DASH FROM \$50 AND THE FEE FOR A FOR HIRE INSPECTION  
19 FROM 37 TO \$75.

20 I THINK THAT IS AN AWFUL LOT. I DON'T REMEMBER CAN'T WE GO  
21 BACK TO WHAT IT ORIGINALLY WAS.

22 I JUST DON'T -- THE OTHER THING IS THE COST OF THEIR LICENSE  
23 FEES. IT WAS \$60. NOW IT IS \$8FOUR.

24 I THINK WE -- I PERSONALLY WOULDN'T VOTE FOR THIS UNLESS

1 WE WENT BACK TO DISCUSS THIS A LITTLE MORE THOROUGHLY.  
2 ACCORDING TO THIS, THE MAYOR ALREADY SIGNED IT. I DON'T KNOW IF  
3 WE CAN DO ANYTHING ABOUT IT.

4 [APPLAUSE].

5 COMM. YASSKY: WELL, COMMISSIONER, THE LICENSE AND INSPECTION  
6 FEES FOR THE MOST PART, NOT THE FHV PART, A MORE RECENT  
7 VINTAGE, BUT THE -- NOT THE FHV INSPECTIONS BY THE MEDALLION  
8 LICENSES AND THE MEDALLION INSPECTION FEES HAVE BEEN AT THAT  
9 SAME LEVEL FOR -- IN MOST CASES, 20 PLUS YEARS. SO, WHILE THERE IS  
10 NO QUESTION, EVERY DOLLAR IS A VALUABLE DOLLAR TO PEOPLE, THE  
11 REALITY IS THAT, EVEN AT THE LEVEL PROPOSED IN THIS RULE, THEY  
12 WILL NOT PAY FOR THE COST OF CONDUCTING THOSE INSPECTIONS; THE  
13 TAXPAYERS DO.

14 IT IS REALLY A QUESTION OF HAVING THE BENEFICIARIES OF THE  
15 LICENSE PAY FOR THE COST OR AT LEAST THE BULK OF THE COST OF  
16 THE -- OF PROVIDING THAT LICENSE. OTHERWISE IT FALLS TO THE  
17 TAXPAYERS.

18 COMM. WEINSHALL: 1 GENERAL COMMENT: NO 1 WANTS TO PAY MORE  
19 MONEY. GIVEN THAT THE FEES HAVE NOT BEEN CHANGED SINCE 1908'S,  
20 GENERAL LEVEL OF INTERESTS RATES IS MORE THAN 2 TIMES DASH  
21 GENERAL LEVEL OF INFLATION IS MORE THAN TWICE WHAT IT WAS IN  
22 THE '80S. THE FEES AS PROPOSED HERE ARE LESS THAN TWICE. SO, I  
23 THINK IT IS -- AGAIN, NO 1 WANTS TO PAY MORE MONEY. I THINK IT IS  
24 FAIR.

1 COMM AROUT: I AM TRYING TO SAY, IS THIS WRITTEN IN STONE? THE  
2 MAYOR SIGNED IT. CAN WE SAY ANYTHING AGAINST IT.

3 COMM. YASSKY: THESE ARE THE AMOUNTS PROVIDED IN THE LOCAL  
4 LAW. I DO THINK THAT IT IS INCUMBENT ON US TO RATIFY IT.

5 WEINSHALL: AM I CORRECT THAT THESE NEW NUMBERS ARE  
6 REFLECTED.

7 COMM. YASSKY: THAT'S CORRECT.

8 WEINSHALL. IF IT DOES NOT GET IMPOSED, THE AGENCY WOULD  
9 HAVE TO MAKE CUTS?

10 COMM. YASSKY: THAT'S CORRECT. WE WOULD HAVE TO REDUCE OUR  
11 WORK FORCE.

12 >> YOU ARE SPENDING TOO MUCH TOO MUCH TOO MUCH.

13 COMM. YASSKY: THAT IS A FAIRWAY OF SAYING THAT.

14 VOICE: WHAT ABOUT A FARE INCREASE.

15 COMM. YASSKY: IT WOULD NOT EASE THIS PROBLEM.

16 >> I KNOW IT IS NOT ON THE AGENDA. I HAVE BEEN HERE A LONG  
17 TIME.

18 COMM. YASSKY: \*\*\* VOTE TAKEN. IT IS ADOPTED. THERE IS A NO VOTE.

19 LAST AN ON THE AGENDA IS THE MANDATORY PENALTY RULES,  
20 CHRIS WOULD YOU DESCRIBE THESE.

21 COMM. WILSON: DIRECTION TO THE TLC TO I AM POETS FEES ON TAXI  
22 DRIVERS WHO REFUSE SERVICE TO CERTAIN PASSENGERS. THESE RULES  
23 APPEARED IN THE CITY RECORD ON JUNE 8. WRITTEN COMMENTS WERE  
24 DUE JULY 15. NO COMMENTS WERE RECEIVED. WE DO HAVE 3 PEOPLE

1 SIGNED UP TO SPEAK.

2 COMM. YASSKY: THE FIRST SPEAKER IS RUFFINO TARJEDA [PHONETIC]

3 COMM. WILSON: THE NEXT SPEAKER IS MR. CHADHURY. [(INAUDIBLE)

4 MICROPHONE IS OFF] [AND] TURNED ON]. THERE IS NOBODY TALKING

5 ABOUT PASSING THE LAW THAT VERY TO GO TO THE BRONX, BROOKLYN,

6 WHATEVER IT IS WE WILL COMPLY WITH THE LAW. FIREFIGHTER PEOPLE

7 COME TO MY CARRY DON'T PICK THEM. I GET A FINE, \$500. SOMEBODY

8 DRUNK. I DON'T TAKE HIM. I GO TO A DESTINATION, THEY THROW MY

9 CAB. WHAT ABOUT PRO HECHTING E. PROTECTING THE DRIVER.

10 WHY SAY WHETHER THE DRIVER CAN PICK UP PASSENGERS THEY

11 ARE AFRAID OF. IF I DON'T, VERY TO PAY 500. CAN'T REFUSE THEM? IT IS

12 NOT GOING TO WORK THAT WAY. YOU HAVE TO DECIDE THAT THE

13 DRIVER CAN DO THAT. THANK YOU.

14 COMM. WILSON: THE NEXT SPEAKER IS MR. FITZSIMMONS.

15 >> GOOD MORNING. I REALLY SIGNED UP TO SPEAK ON THE

16 ROOFTOP SITUATION. I AM SORRY, I DIDN'T HAVE A CHANCE TO. I HOPE

17 IT'S NOT REALLY OVER NOW. I WOULD LIKE TO HAVE A CHANCE TO SAY

18 SOMETHING ABOUT THAT. BECAUSE I HAVE BEEN DRIVING FOR OVER

19 FOUR0 YEARS IN THIS TAXI INDUSTRY AS AN EX-OWNER OF A FLEET;

20 NOW A DOV DRIVER.

21 WHEN I WAS AN OWNER OF THE MINI FLEET, I GOT PAID \$2000 PER

22 CAB UPFRONT PLUS \$125 A MONTH. NOW THAT I AM A DOV DRIVER, THIS

23 IS MY SECOND DOV CAR -- I STARTED WITH \$75 A MONTH IN PAYMENT. I

24 DON'T UNDERSTAND WHY THESE BROKERS HERE TODAY ARE CRYING

1 ABOUT PAYING THE DOV DRIVERS WHEN WE ARE PAGAN EXCESS  
2 AMOUNT ON THESE CARS FOR INTEREST FEES WHEN WE BUY THESE  
3 CARS. THESE GUYS ARE ARE MAKING A LOT OF MONEY. WE HAVE TO  
4 MAINTAIN THESE CARS. SOMETIMES THE ROOF FALLS OFF. WHICH IS  
5 DANGEROUS. WE HAVE TO STOP, FIX THE CARS. I ASK YOU  
6 COMMISSIONERS TO RECONSIDER THE SITUATION ON THE DOV DRIVERS  
7 IN THIS INDUSTRY. WE TAKE CARE OF OUR CARS. WE NEED THE EXTRA  
8 MONEY TO PAY FOR OUR CARS BECAUSE WE ARE PAGAN EXTREME  
9 AMOUNT OF INTEREST RATES ON THESE CARS.

10 THESE GUYS ARE CRYING, THEY HAVE NOTHING TO CRY ABOUT.  
11 THEY ARE MAKING A LOT OF MONEY. I HAVE BEEN DRIVING FOUR0  
12 YEARS. I KNOW IT. THESE GUYS CHARGE A LOT IN DOWN PAYMENTS  
13 AND INTEREST. PLEASE CONSIDER WHAT THE DOV DRIVERS ARE GOING  
14 THROUGH TO RECONSIDER.

15 THANK YOU VERY MUCH.

16 COMM. YASSKY: THANK YOU.

17 I DON'T THINK THAT WAS ON THE TOPIC OF THIS RULE, BUT ON THE  
18 PENALTIES FOR REFUSALS IF WE CAN VOTE ON THAT. THEN I HAVE A  
19 PROPOSAL AS TO HOW TO PROCEED.

20 ON THE MANDATORY PENALTY RULESES.

21 \*\*\* VOTE TAKEN.

22 COMM. YASSKY: THOSE RULES ARE ADOPTED.

23 COMM. YASSKY: COMMISSIONERS, IT IS CLEAR TO ME THERE IS A  
24 DIVERSITY OF OPINION ON THE COMMISSION ABOUT HOW TO PROCEED

1 ON THE ROOFTOP RULES.

2 RATHER THAN TRY AND DO THIS ON THE FLY, WHAT I WILL DO IS  
3 ADJOURN THIS MEETING. I WILL ANNOUNCE AND WE WILL PUT OUT A  
4 FORMAL INDUSTRY NOTICE TO THIS EFFECT THAT WE WILL NOT  
5 SUMMONS VEHICLE OWNERS FOR WHAT WILL BECOME ILLEGAL  
6 ROOFTOP ADS ON SEPTEMBER 1 THROUGH THE MONTH OF SEPTEMBER.

7 TO GIVE US TIME TO ADDRESS THIS AT THE SEPTEMBER MEETING.

8 AGAIN, TO BE CLEAR, IF FOLKS IN THE INDUSTRY WILL PUT OUT A  
9 NOTICE IN THE INDUSTRY TO THIS EFFECT.

10 WE WILL NOT SUMMONS ON SEPTEMBER # 1, UNDER OUR RULES, A  
11 VEHICLE WITH A ROOFTOP AD WOULD BECOME A, YOU KNOW, WOULD  
12 BECOME A DASH NON-COMPLIANT WITH OUR RULES.

13 WE WILL NONETHELESS, THROUGHOUT SEPTEMBER, APPROVE AT  
14 WOOD SIDE, WE WILL APPROVE FOR VEHICLE INSPECTION VEHICLES  
15 NOTWITHSTANDING THE ROOFTOP AD IF THEY ARE OTHERWISE  
16 COMPLIANT AND WE WILL NOT ISSUE ANY SUMMONSES.

17 THAT WILL ALLOW US TIME, COMMISSIONERS TO FIGURE OUT  
18 WHAT THE WEIGHT OF OPINION IS ON THE COMMISSION ON THIS ISSUE.  
19 AND WE CAN ADOPT A RULE IN ACCORDANCE WITH THAT. SO, I -- THAT  
20 IS HOW -- I THINK THAT MAKES SENSE HOW TO PROCEED.

21 I APPRECIATE PEOPLE'S TIME. WE HAD A LOT OF BUSINESS FOR  
22 THIS MEETING. JUST FOR A PREVIEW, THE SEPTEMBER MEETING WILL  
23 ALSO BE FAIRLY BUSY. IN ADDITION TO REVISITING THE ROOFTOP ADS,  
24 WE HAVE LOST PROPERTY RULES THAT WE TALKED ABOUT LAST TIME.

1 THE OWNER MUST DRIVE PROVISION FOR SURVIVING SPOUSES SHOULD  
2 BE -- NOT JUST SHOULD BE IS -- WE WILL ENSURE IT IS NOTICED IN TIME  
3 FOR ACTION AT THE SEPTEMBER MEETING. DEPENDING ON HOW FAST  
4 THE ACCESSIBILITY OF RFP'S GO, WE WILL BE ABLE TO ACT ON THOSE. I  
5 SEE YOUR HAND UP. WE WILL BE HAPPY TO TALK TO YOU AFTER THE  
6 MEETING. BUT UNFORTUNATELY, THIS ITEM IS NOT ON THE AGENDA.  
7 VOICE: NO, NO. I AM JUST GOING TO SAY IN SEPTEMBER I AM BRINGING  
8 A NEWBORN HERE. YOU WILL HEAR A BABY CRYING. BECAUSE YOU  
9 SAID IN JUNE YOU OKAYED IT. NOW WE GOT THE RULES BACK. I THINK  
10 THAT IS UNFAIR. I AM GOING INTO LABOR. YOU PROBABLY WILL  
11 DELIVER THE BABE HERE TODAY FROM FROM THE STRESS I HAVE. I  
12 NEED TO SPEAK BECAUSE I AM HAVING A BABE ANY AUGUST. IN  
13 SEPTEMBER I AM GOING TO BRING A NEWBORN HERE? I DON'T THINK IT  
14 IS FAIR.

15 COMM. YASSKY: I ALWAYS WONDERED IF THE WHOLE THING ABOUT  
16 THE TAXI DRIVERS DELIVERING BABIES WAS URBAN LEGEND OR TRUE.  
17 SINCE I HAVE BEEN HERE, I BELIEVE WE HAVE HAD 2 EITHER DELIVERED  
18 IN THE TAXI OR PRETTY MUCH THERE ABOUTS. CLOSE ENOUGH.

19 COMMISSIONERS, I SHOULD NOTE FOR THOSE WHO DON'T KNOW. THE  
20 MORE PERCEPTIVE OF YOU ALREADY PICKED THAT UP AT THE LAST  
21 PERIOD, BUT APPARENTLY COMMISSIONER P OOLANCO IS EXPECTING A  
22 CHILD SHORTLY. THAT IS WHY SHE IS NOT HERE. SHE IS IN THE FINAL  
23 WEEKS PRIOR TO HER DUE DATE. SHE WAS FEELING A LITTLE LIKE  
24 STAYING AT HOME WOULD BE A GOOD IDEA.

1 SO, THANK YOU. WE WILL LOOK FORWARD. I HOPE THE DELIVERY  
2 GOES WELL AND SMOOTHLY AND --

3 >> I HOPE YOUR VOTE GOES SMOOTH TOO.

4 COMM. YASSKY: WE WILL SEE YOU IN SEPTEMBER. WITH THAT,  
5 COMMISSIONERS, THE HEARING IS ADJOURNED.

6 "THIS TEXT IS BEING PROVIDED IN A ROUGH DRAFT FORMAT.

7 COMMUNICATION ACCESS REALTIME TRANSLATION (CART) IS PROVIDED

8 IN ORDER TO FACILITATE COMMUNICATION ACCESSIBILITY AND MAY

9 NOT BE A TOTALLY VERBATIM RECORD OF THE PROCEEDINGS."