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3   NEW YORK CITY

4   TAXI & LIMOUSINE COMMISSION

5   PUBLIC MEETING

6 --X

7   33 Beaver Street
                                  New York, New York

8   April 25,2019
9   10:02 a.m.

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13   H E L D   B E F O R E :

14   JACQUES JIHA, Acting Chair

15   CHRIS WILSON, General Counsel

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       BOARD OF COMMISSIONERS:
17
       BILL HEINZEN, Acting Commissioner
18
       BILL AGUADO
19
       THOMAS SORRENTINO
20
       STEVEN KEST
21
       KENNETH C. MITCHELL
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23
       Sabrina Brown Stewart,
24   Court Reporter

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2   S P E A K E R S:

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       Peter Mazer, MTBOT

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       Golam Istiaque, Independent medallion owner/driver

5

       Johan Nijman, IDG driver

6

       Aziz Bah, IDG driver

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       Pedro Acosta, IDG driver

8

       Tina Raveneau, IDG driver

9

       Nikolae Hent, Independent Medallion Owner/driver

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       Amro Abdelhalim, Driver

11

       Surin Manaktala, Independent Medallion Owner/driver

12

       Michael Keogh, CTS

13

       Raul Rivera, independent Medallion Owner/driver

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       Bhairavi Desai, NYTWA

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       Lmakpa Smerpa, NYTWA

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       Khokon, NYTWA

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       Golan Talukder, NYTWA

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       Manhbub Chou Dhury,

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       John Mcdonegh, NYTWA

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       Alexander Khrom Chenko, NYTWA

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       Medet Fidan, NYTWA

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       Richard Lipsky, Alpha Strategic Planning

23

       Bernardo Celerino, TMODA

24

       Zubin Soleiman, NYTWA

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2   S P E A K E R S   C O N T I N U E D:

3   Mohammad Tipu Sultan, NYTWA

4   Bista, NYTWA

5   Saibou Sidibe, NYTWA

6   Bill Lindauer, NYTWA

7   Jana Stroe, NYTWA

8   Masum Chourdhury, NYTWA

9   Mahabub, Medallion Owner and Driver

10   Mohammad Hossain, NYTWA

11   Machotra Vinod, NYTWA

12   Michael Higgins, Taxi Driver

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2   COMMISSIONER JIHA: It's about two

3   after ten o'clock. And I would like the

4   record to reflect that we have a quorum for

5   the meeting. My name is Jacques Jiha. And

6   following the departure of former

7   commissioner, Meera Joshi, from the TLC, I

8   will serve in the interim as Chair of the

9   TLC.

10   First, I want to commend Commissioner

11   Joshi for the awesome job that she did and

12   thank her for all the contributions that she

13   made to both the agency and the industry it

14   serves. Because of her contributions, New

15   York City today is a better place.

16   (Applause.)

17   COMMISSIONER JIHA: Joining me this

18   morning is Bill Heinzen, who will serve as

19   the head of the agency until a determination

20   is made as to Meera's successor. On the

21   agenda today is the biennial fare and lease

22   cap hearing provided for the TLC rules. In

23   addition, there will be a public hearing on

24   some proposed revisions to the rules

25   governing taxicab technology service

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2   providers, including provisions requiring all

3   accepted payment methods to be available to

4   passengers with disabilities. Clarifying

5   requirements for antiquating technology

6   systems with E-Hail applications, clarifying

7   certain contractual requirements between

8   service providers and medallion owners to

9   facilitate switches among providers.

10   And finally, reducing credit card

11   charges to align with changes made to the

12   requirements applicable to taxi owners in

13   December. In addition, we will have the

14   following presentations: There will be one

15   on optional taxi markings for the Pride

16   event. There's also going to be a

17   presentation on the TLC Driver Protection

18   Unit and the work that they do. Also, a

19   presentation on the proposed changes to the

20   taxi technology service providers' rules.

21   And finally, there will be presentation on

22   the progress regarding the implementation of

23   the drivers' income rule in the High-Volume

24   for-hire sector.

25   At this time, I would like to invite

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2   Acting Commissioner, Bill Heinzen, to say a

3   few words.

4   COMMISSIONER HEINZEN: Thank you.

5   Thank you very much, Commissioner Jiha, and

6   good morning. I've worked with many of you

7   over the last few years, and I'm excited to

8   continue to work with you during this period.

9   And I hope we can continue those

10   conversations. I want to join in the Chair's

11   comments about Meera Joshi. We, at TLC, miss

12   her every day. Our team is working very hard

13   on the path that she and the commissioner set

14   for us and those goals.

15   We are pursuing those goals with the

16   same intensity and, of course, our incoming

17   transparency protections for drivers,

18   accessibility to all sectors, excellent

19   customer service for all licensees, and

20   continued measures to protect public safety

21   through enforcement and inspection. All of

22   this built on data. And one of Meera Joshi's

23   greatest legacies is intelligent, focused,

24   and extremely determined data collection,

25   which we use to inform our policy-making

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2   interactions.

3   Finally, I just want to note that there

4   was a disturbing incident earlier this week

5   when a woman got into a vehicle with stolen

6   license plates that she thought had been

7   dispatched by a base. The car was driven by

8   someone without a TLC license. The vehicle

9   was unlicensed. Thanks to the intervention

10   of the State police. They saw that the

11   license plate connected back to a stolen

12   vehicle. She had been locked in the back

13   seat. She was released. TLC is

14   investigating whether this vehicle was

15   dispatched by a local base. And we will take

16   all appropriate actions.

17   But I want to remind everyone of the

18   importance of only using licensed for-hire

19   service in New York City. In New York, we

20   are very fortunate that all of our licensed

21   drivers undergo stringent background checks.

22   The licensed vehicles are inspected for

23   safety. Additionally, licensed vehicles have

24   clear markings to help you determine if a car

25   is legitimate. So, I know everyone in this

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2   room knows this. But anyone out there, I

3   urge the public to make absolutely sure when

4   you get into a vehicle, make sure it is a

5   licensed vehicle and it's the vehicle that

6   you ordered. If you request a ride from a

7   car service, always look at the license plate

8   and make sure that this is a TLC license

9   plate from New York State. If you have any

10   questions, you can call the base and you

11   could ask for the license plate of the car

12   they dispatched.

13   If you requested a ride by app, you

14   should confirm that the car and license plate

15   number match the vehicle that appears on the

16   app. And again, the car must have a New York

17   State TLC license plate. Thank you very

18   much.

19   COMMISSIONER JIHA: Thank you, Bill.

20   The first item for action today is the

21   approval of the minutes from

22   December 4, 2018. Do we have a motion to

23   approve the minutes?

24   MR. AGUADO: (Hand gesture.)

25   COMMISSIONER JIHA: Second?

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2   COMMISSIONER KEST: (Hand gesture).

3   COMMISSIONER JIHA: All in favor?

4   (Chorus of aye's.)

5   COMMISSIONER JIHA: Let's provide an

6   answer. Next item is approval of the

7   lively-based licensed applications and

8   renewals. Do I have someone from Licensing?

9   AUDIENCE MEMBER: Apparently, stuck in

10   the subway.

11   MR. WILSON: I can probably do.

12   COMMISSIONER JIHA: Okay. You can do

13   it?

14   MR. WILSON: So, Licensing this morning

15   is presenting numerous base applications,

16   including twenty-three renewals, one renewal

17   with change of base location, one change of

18   location, one change of ownership and

19   location, four changes of ownership, two

20   changes of ownership officer and base name,

21   and five renewals. And one renewal location

22   and base name change. The matters are set

23   forth in either books all the commissioners

24   have; and that's that.

25   COMMISSIONER JIHA: Does anyone move?

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2   MR. AGUADO: So moved.

3   COMMISSIONER JIHA: Second?

4   COMMISSIONER KEST: (Hand gesture.)

5   COMMISSIONER JIHA: All in favor?

6   (Chorus of aye's.)

7   COMMISSIONER JIHA: Now, we're going to

8   have a brief presentation regarding New York

9   City and Company's plans for optional taxi

10   markings during WorldPride.

11   MR. SWITZER: New York City and Company

12   isn't here as yet. Would you like us -- me

13   to do it on my own?

14   MR. WILSON: I would say just go ahead

15   and do it because it's pretty brief, right?

16   MR. SWITZER: Yes. Good morning,

17   commissioners. My name is Brian Switzer.

18   I'm director of operations here at TLC. I'm

19   here to present the temporary yellow taxicab

20   markings for celebration of WorldPride. Our

21   colleagues at New York City and Company are

22   just running a little late. So, I'll just do

23   the presentation for them.

24   So, first off, it's -- in 2019, it is

25   WorldPride and New York City and Company has

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2   been doing an ad campaign to promote

3   New York City around the world. We are

4   expecting four million visitors for the month

5   of June. And it's going to be a very large

6   event citywide with lots of different events.

7   And part of New York City and Company's

8   endeavor is to -- what they call Project

9   Rainbow, and it's to put markings and Pride

10   symbols around the City on hotels and

11   MetroCards and restaurants and storefronts.

12   So, one of their ideas is to include

13   our yellow taxis in there. So, these are

14   some of the renderings that they would like

15   to include on the taxicabs. We have some

16   window clings and stickers, larger stickers

17   on the doors or the hoods. And so, the

18   temporary markings are voluntary. So, it's

19   for yellow taxi owners that want to

20   participate. They will be going around and

21   asking different garages. So, if anyone's

22   here that's interested in doing it, please

23   let me know. The markings will be provided

24   at no cost to the owners. The installation,

25   de-installation will be covered by

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2 New York City and Company. And the

3 authorized meter shops that we have at the

4 TLC, they will be the ones doing the

5 installation and de-installation. Oh, and

6 our friends from New York City and Company

7 are here. Prisca Sanchez from New York City

8 and Company is here, if anyone has any

9 questions for her.

10 COMMISSIONER JIHA: Does anyone have

11 any questions?

12 AUDIENCE MEMBER: Yes, I have a

13 question. Previously, they gave the

14 desirable person in the JFK Airport and they

15 put the sticker on the taxi hoods. After

16 this, TLC gave them violations. So, my

17 question is that if they're going to put it,

18 how long is it going to be staying there.

19 And if the driver or the vehicle owner is not

20 going to have it removed, if TLC put the

21 ticket, who is going to pay for it? Thanks

22 so much.

23 MR. SWITZER: So, this would be an

24 authorized taxicab marking that's being

25 presented to commission. So, if they vote in

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2   favor of it, it would be allowed to be put on

3   the car. And the goal is to have it during

4   the month of June of 2019.

5   AUDIENCE MEMBER: That question is that

6   it's going to cost TLC the money, but yellow

7   cab drivers is right now in a very

8   financially difficult crisis. So, why you

9   guys are not helping this money to the other

10   -- for the driver for the inspection payment

11   so we can live? This is not the business for

12   the company. This comes to the TLC owner

13   driver -- yellow cab owner driver and put

14   their heads and they take their part. Thank

15   you so much.

16   MR. SWITZER: I think it's a larger

17   question about fee and things like that

18   towards the industry. That's not what I'm

19   here for. I'm here just to talk about the

20   markings with New York City and Company.

21   They're looking to do this marketing campaign

22   that we think would be very beneficial to the

23   industry. We're going to have millions of

24   people here in the City. And we hope that a

25   lot of people will participate in it.

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2   COMMISSIONER JIHA: Any other question?

3   (No response.)

4   COMMISSIONER JIHA: Does anyone move?

5   MR. AGUADO: (Hand gesture.)

6   COMMISSIONER JIHA: So moved. Second?

7   COMMISSIONER KEST: (Hand gesture.)

8   COMMISSIONER JIHA: All in favor?

9   (Chorus of aye's.)

10   COMMISSIONER JIHA: Motion approved.

11   Now, we will move onto the next

12   presentation, which is on the proposed rules

13   regarding changes to the taxi Technology

14   Service Providers rule.

15   MR. GARBER: Good morning,

16   commissioners. My name is Jeffrey Garber,

17   and I'm the Director of Technology Innovation

18   at the Taxi & Limousine Commission. I'm here

19   today to present a proposed rule package that

20   improves the relationship between Technology

21   System Providers and their customers -- that

22   is medallion owners, fleet owners,

23   Street-Hail Livery owners, as well as E-Hail

24   licensees. In May 2018, the commission

25   passed rules establishing the Technology

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2   System Provider license, streamlining earlier

3   versions of technology rules in yellow taxis

4   and Street-Hail Liveries.

5   Technology System Providers create and

6   manage the equipment that provides credit

7   card processing, trip data recording and

8   driver authentication in taxis and SHLs.

9   That rule package in 2018 was partly intended

10   to spur competition in the in-vehicle

11   technology market. At the time, there were

12   only two approved technology systems. Well,

13   now there are three. After passing those

14   rules, the staff began hearing from fleet

15   owners that the practical realities of

16   running a large fleet, make it difficult for

17   them to explore their options and take

18   advantage of better or cheaper technologies.

19   So, in order to foster a competitive

20   market and allow owners to benefit from that

21   competition, TLC is proposing changes to

22   required contract language that will remove

23   bottlenecks in the change-over process and

24   give owners time to transfer between

25   providers without disrupting service. In

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2   addition, TLC is lowering the amount

3   Technology Service Providers can charge

4   owners for credit card processing from

5   five percent to 3.75 percent. This mirrors

6   the reduction in credit card fees that lease

7   drivers can be charged that was adopted by

8   the commission in December of 2018.

9   This rule package also makes two minor

10   modifications to functionality in the

11   vehicles, based on recommendations from our

12   sister agencies. The first is that when in

13   visually impaired mode, the system should

14   audibly read out any available pairing codes,

15   so that passengers with visual impairments

16   can pay for their rides by E-Hail app in the

17   same way that sighted passengers can.

18   The second is to modify how tolls are

19   added to fares to prevent the wrong tolls

20   being charged accidentally. In the interest

21   of maximizing efficiency and use of the taxi

22   fleet, the TLC is also updating rules

23   regarding how Technology System Providers

24   open their systems to licensed E-Hail apps,

25   particularly, as it relates to (inaudible).

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2   Technology System Providers are already

3   required to integrate their systems with

4   E-Hail licensees to allow E-Hail customers to

5   pay for their rides seamlessly. But in

6   practice, that integration has been difficult

7   to achieve. So, this rule package

8   establishes clear deadlines, rights and

9   responsibilities to make that process

10   smoother. In addition to ensure a smooth

11   payment process for passengers, this rule

12   package creates a new requirement for

13   licensed E-Hail apps, that if they offer

14   payment functionality for street hailing

15   customers, that functionality must work in

16   every single taxi, regardless of Technology

17   System Provider installed.

18   And lastly, this package also

19   implements Local Law 217, which was enacted

20   by city council December 2018. It requires

21   that in the event that a payment transaction

22   fails, then the high-volume for-hire services

23   must pay the driver the full amount owed for

24   that trip.

25   Thank you. And I'd be happy to answer

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2   any questions you have at this time.

3   COMMISSIONER JIHA: Any questions?

4   AUDIENCE MEMBER: I got one.

5   MR. WILSON: Okay. So, we're now ready

6   for public testimony. We have three speakers

7   signed up. The first of whom is Mohammad

8   Tipu Sultan --

9   AUDIENCE MEMBER: I have a question.

10   Basically, I would like to know if the same

11   technology that applies to the yellow cab

12   today as a source of control, as a source of

13   the number of trips and everything of yellow

14   cabs, is it the same one that is applying

15   today for the app cars? You don't understand

16   the question?

17   MR. GARBER: No, sorry. I don't

18   understand.

19   AUDIENCE MEMBER: It's not the same

20   one? The technology that is applying today

21   to yellow cabs, you can tell me how many

22   trips the yellow cab industry is doing almost

23   from where to where they're going, how much

24   they're charging, how many taxis are on the

25   road -- it's the technology that you control

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2   today. Is it the same one that is applying

3   to Uber, Lyft and all those app cars?

4   MR. GARBER: No, it's not the same

5   companies. We can discuss this after.

6   AUDIENCE MEMBER: No, I would like to

7   discuss it here because the City Council, I

8   mean a dozen members are here. And I would

9   like them to know that the taxi industry, the

10   yellow cab industry is seemingly controlled

11   by the TLC.

12   COMMISSIONER JIHA: This is not the

13   rule we're discussing now.

14   AUDIENCE MEMBER: Maybe I'm wrong.

15   MR. GARBER: We can discuss that.

16   MR. WILSON: Is Mr. Tipu Sultan here?

17   MR. SULTAN: Good morning, TLC and

18   other commissioners. My name is Mohammad

19   Tipu Sultan. I'm driving since 2005, yellow

20   cab and still I'm driving. And also I'm of

21   the New York Taxi Workers Alliance. So, I

22   know the whole picture of the industry.

23   Since 2005 I'm observing, so driver situation

24   is very dire. In the whole industry --

25   yellow, green, Uber, Lyft -- all this whole

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2   situation ever. Some of the very elder

3   drivers is here, they will be testifying.

4   They will testify how their situation is

5   going on because of this Wall Street gig

6   economy. We're talking about all the times

7   how it's going to be affected. Today, I'm

8   talking about this whole situation and you're

9   going to hear this one, two years later what

10   is the whole situation. So, before we get

11   that situation, we should start talking about

12   the driver economy today. And from today and

13   right now, we have to be decided how we --

14   COMMISSIONER JIHA: Sir? Sir? This is

15   about technology in the taxicab. So, there

16   is going to be another presentation on the

17   driver's income (inaudible).

18   MR. SULTAN: I'm coming to the point,

19   because of this technology, this is the whole

20   situation now. There are some many drivers

21   deactivated. There are so many drivers

22   having problems with the meter. There are so

23   many drivers that has this technology -- how

24   this technology was affecting this driver?

25   For example, there is a yellow meter, you see

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2   the meter, so all the yellow and green meter

3   has a problem with the $2, the extra. It's

4   the extra. Whatever you start the meter, you

5   set $2.50 is the initial fare and after that

6   is the tax coming in extra. So, whenever

7   meter running, all the passengers curious,

8   where is this extra coming from? So, every

9   driver have to struggle with the passenger

10   that this is this. This is this. This is

11   this. This is not the driver's duty. This

12   is the technology's problem.

13   Just like two days ago, another

14   technology problem, a Lyft driver, she is a

15   woman driver. She take a fare from the Bronx

16   to Yonkers and Yonkers to the Bronx, and all

17   started with the passenger saying, "My phone

18   is dead. I need to change the address." And

19   she did not give the phone. The passenger

20   grabbed the phone and take this phone and

21   within three minutes, take one thousand

22   twelve hundred-something to another account,

23   money is gone within one minute (sic).

24   Four hours later, the police came; that

25   happened with the technology.

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2   So, this technology needs to be fixed

3   for the driver. And beside that, the yellow

4   and green cab has all this GPS system is not

5   correct. Sometimes it's broken. Sometimes

6   they have to go to there, and the machine is

7   not -- they're not opened 24 hours. And they

8   have to wait. They have to lose the shift,

9   lose the time. This is all problems with

10   this technology. I think the TLC can work

11   more on it. They can get the best choices of

12   technology. It is all about the technology.

13   Even the poorer countries in the world --

14   even in Africa, they have the technology.

15   They know how to do that. But the TLC is --

16   (Bell rings.)

17   -- way more than updated technology.

18   Thank you so much.

19   MR. WILSON: Thank you.

20   And the next speaker is Bhairavi Desai.

21   MS. DESAI: Good morning. I just --

22   I'm sorry. Just to clarify, I want to make

23   sure because I had signed up for the driver

24   economics part as well.

25   COMMISSIONER JIHA: There's another

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2   presentation to cover that.

3   MS. DESAI: Okay, great. Thank you.

4   Good morning. My name is Bhairavi

5   Desai. I'm the Executive Director of the New

6   York Taxi Workers Alliance. We would support

7   rules that modernize the E-Hail system. It's

8   absolutely necessary. Some of you may recall

9   that in, I believe, 2011/2012 when the TLC

10   first passed the E-Hail rules, TWA had

11   mobilized for them. We know that they are

12   necessary. We support the idea that

13   whichever TPEP system it is, both of them,

14   you know, should be able to send the signal

15   out to all the nearest drivers that are

16   available, regardless of which E-Hail system

17   is associated or affiliated with the

18   particular TPEP in that vehicle.

19   Also, as Tipu mentioned, something has

20   to be done about, you know, having the shops

21   being opened for 24 hours. I mean, for

22   yellow cabs because all the technology is

23   integrated with the meter, if the meter is

24   down -- you know, the other day, I know of

25   several members where the roof light just

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2   wasn't working. And so, they couldn't

3   continue to pick up fares in Manhattan,

4   right? But there was no shop that was opened

5   to them for 24 hours. This is a 24/7

6   industry. The shops that support it need to

7   be available to the drivers 24/7.

8   Also, there are lot of problems with

9   drivers being able to even download their

10   earning system. You know, owner drivers have

11   more readily access to the TPEP online, but

12   these drivers have very limited access. Also

13   if the driver's license, for example, has

14   been suspended because they haven't posted a

15   DMV bond, while on the TLC site their license

16   may be updated, it seems to take the TPEP

17   vendors sometimes up to 48 hours. And so,

18   the driver is out of work for another

19   two days.

20   These things need to be readily fixed.

21   Also, there needs to be a way on E-Hail for

22   taxis where the passengers can pay up front.

23   They need to mandate prepayment from the

24   passenger to ensure that the driver will be

25   paid, you know, to disincentivize passengers

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2   from canceling the trips. If the app

3   companies can do it, certainly, it should be

4   extended to E-Hail across the entire

5   industry. It would also give the drivers

6   more security to pick up E-Hails, you know,

7   as they're trying to balance the business

8   between E-Hails, as well as street hails.

9   And lastly, we very much support -- you

10   know, I mean, many of these I know came from

11   our petition. But we very much support the

12   idea that the credit card processing must be

13   reduced. On things like the tax and tips,

14   there should be no credit card processing

15   rate at all. There are now vendors that can

16   complete credit card processing for, you

17   know, less than one percent. At 3.75 is

18   still high. So, at least on things like the

19   taxes and tips and surcharges, there should

20   absolutely be no charge to the driver at all.

21   (Applause.)

22   (Bell rings.)

23   MS. DESAI: Thank you.

24   MR. WILSON: Thank you.

25   The next speaker is Richard Taylor.

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2   MR. TAYLOR: Good morning,

3   commissioners, Council Wilson. Attached on

4   the sheet that I distributed, below are my

5   comments submitted in previous reading on

6   October 18th. I'm resubmitting them again

7   today in order to provide lease drivers the

8   option of paying the bundle credit card

9   charge under the original rule, just a

10   percentage of each payment. As more

11   instances of departing from routine shift

12   activity, drivers could be overpaying the

13   cost of credit card fare payment processing.

14   Drivers may work regular salaries, may

15   have unusually high number of cash payments

16   or larger number of short, low fare trips.

17   When the driver ends the trip, they will be

18   able to select either way of paying, either

19   the bundle rate or the individual percentage

20   per trip. And given the financial

21   environment for taxi drivers now, any driver

22   losing any dollar would be ashamed. So, on

23   behalf of any driver, if this amendment is

24   passed, on behalf of any driver, they thank

25   you for considering this amendment.

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2   MR. WILSON: Thank you.

3   And the next speaker is Richard Lipsky.

4   MR. LIPSKY: Good morning,

5   commissioners. Welcome to Commissioner

6   Heinzen and his new role. I'm also going to

7   testify on the industry economics, but

8   technology and the economic questions are

9   inevitably intertwined. Our concern here --

10   I represent medallion owners. Our concern

11   here is that the commission is not

12   instituting under basic constitutional

13   principles, equal protection under the law.

14   You have dual technology systems, one which

15   has very comprehensive oversight over

16   everything done in the yellow taxi. And you

17   have, on the other hand, higher-volume app

18   base services that are basically submitting

19   data and being allowed to basically check

20   their own tests and mark their own tests

21   without proper oversight.

22   And these are companies that are

23   documented. If you look at public citizen

24   report on undermining democracy and

25   municipalities all over the country -- these

1

2   are companies, like, particularly Uber, that

3   has gamed the system, undermine regulations

4   and done so in their own interest. Now, if

5   you remember back before Commissioner Joshi

6   left, she warned -- and it's important to

7   understand technology and its disparate

8   application here -- I'll get back to Chair

9   Joshi in a second. But in November, you

10   promulgated then passed rules saying that the

11   commission has the power to tell companies

12   what technology system they must use. And

13   then, you avoided applying the same

14   technology requirements for taxis -- for FHVs

15   as you do for taxis. This is especially

16   egregious when looking at the surcharge that

17   was implemented in February because you have

18   taxis that are, at the moment, being

19   charged -- yellow taxis being charged that

20   surcharge, while you have for-hire vehicles

21   that don't have a drop fare -- and are -- if

22   we look at the data that's being submitted,

23   we don't see the date yet, I don't understand

24   why. We have data for for-hire vehicle trips

25   in January and February, but nothing for

1

2   yellow cabs. But all our anecdotal

3   information that we've gotten is that we're

4   down fifteen percent, and it's a robust

5   increase in the number of for-hire vehicle

6   trips.

7   Commissioner Joshi warned that without

8   a drop fare, it's going to be very difficult

9   to have a surcharge that's going to be fairly

10   implemented. And given the data that has

11   been submitted already on for-hire vehicles,

12   it seems that she was absolutely right.

13   Someone's gaming the system, it looks like.

14   And the question is: Does the TLC have the

15   ability to do the proper oversight over the

16   for-hire vehicle system? And I'll get into

17   more detail when I talk about the industry

18   economics.

19   But just in closing, we have a system,

20   which is equivalent to the air traffic

21   control system, where seventy-five percent of

22   the planes are invisible.

23   (Bell rings.)

24   MR. LIPSKY: We need a system where all

25   the cars are visible, we know where they're

1

2   going. We know there are ghost trips coming

3   in from out of the City, probably picking up

4   passengers in the City. TLC is unaware of

5   that. Certainly, Uber and Lyft are not going

6   to disclose illegal pickups. But if you had

7   them connected through technology, you would

8   be able to do the proper regulation that is

9   absent today. Thank you.

10   MR. WILSON: Thank you.

11   We have one more speaker, Mr. Mahabub.

12   MR. MAHABUB: Can you hear me?

13   COMMISSIONER JIHA: Yes.

14   MR. MAHABUB: Hello, everyone. I'm

15   here. I'm a taxi driver, New York City taxi

16   owner, medallion owner, also, since 1997.

17   And I enjoy my business as embassador of

18   New York City or embassador of whole world.

19   Because I greet all world to New York City;

20   that's me, Mohammad Mahabub. Now, I'm a --

21   seriously, a distressed person. I'm like a

22   -- nobody don't know me anymore. I'm not

23   that situation. I'm not anywhere. I'm here.

24   Thank you for giving me a chance to say my

25   word, and I appreciate it. But where I am,

1

2   I'm nowhere. I'm at TLC office now for

3   hearing, yes. Anywhere else, nobody look at

4   me. Years ago, medallion auction, they took

5   money from us as a driver and sell the

6   property or bank loan, all those things, and

7   someone get the money. Where is that money?

8   Who is going to help? Who took our money,

9   billions? The City, I guess. But now, the

10   City is looking at other way. They don't

11   know us --

12   COMMISSIONER JIHA: Mr. Mahabub --

13   MR. MAHABUB: Yes, sir. I'm coming to

14   the point.

15   COMMISSIONER JIHA: Okay.

16   MR. MAHABUB: The technological,

17   they're coming -- this situation is anywhere

18   worse, getting worse and worse and worse.

19   Driver going to you suicide. Family

20   breakdown, everything happening. The last

21   thing -- last nail they put in the governor,

22   they put the surcharge, a condition price on

23   us. Yesterday, I picked a fair -- I'm sorry.

24   I'm taking one minute more than I expected.

25   I took a fare from the JFK. I dropped off

1

2   96th and Westside, Riverside, which is -- the

3   lady wants to stop there, 96th, because why?

4   You're going to save the $2.50, and that

5      $2.50, I'm going to give it to you. I know

6   you have very hardship, hard time going on.

7   But I tried to -- an old lady, I stopped the

8   meter. And fifteen feet from 96th to down 90

9   -- throughout to 95th. Right there where it

10   scans $2.50 more, $9 -- $9.80. She said,

11   "Oh, I'm sorry. I'm an old lady."

12   The governor is very clever. He knows

13   how to take the money from the people. And

14   you guys are suffering. Thanks, that lady

15   tried to help me. Not to governor, to help

16   the driver. Say, "Stop 96th and I give the

17     $2.50 to you." I say, "That's up to you, but

18   I'm sorry. I can't help you because this is

19   the technology. They're going to take money

20   any way." So, my passengers, my people --

21   (Bell rings.)

22   MR. MAHABUB: People are suffering.

23   They want to help us, not to the governor.

24   Condition prices is killing us. Condition

25   price should be omitted from the mile meter.

1

2   MS. SCOTT: Thank you for your

3   comments, sir.

4   MR. MAHABUB: Thank you very much.

5   Thanks for listening, everyone.

6   (Applause.)

7   COMMISSIONER JIHA: Can you do me a

8   favor? Please limit your comments to the

9   taxi and technology service provider, okay?

10 The copies that we have on-hand -- because

11 we're going to have a presentation on

12 drivers' income after that.

13   MR. AZIZ BAH: My name is MJ Aziz Bah.

14 I'm a member of the Taxi Workers Alliance.

15 Last year, I was deactivated from the Uber

16 platform for complaining from the customer.

17 She's claiming like I was impaired and

18 intoxicated, intoxicated while I was driving.

19 So, I have so far been deactivated from --

20   COMMISSIONER JIHA: Sir, are your

21 comments limited to technology or is this

22 something else? If it's something else,

23 you're going to have to talk to staff in the

24 back, all right?

25   MR. AZIZ BAH: No problem.

1

2   COMMISSIONER JIHA: Thank you.

3   MR. AZIZ BAH: You're welcome, sir.

4   COMMISSIONER JIHA: So, this is the

5   extent of the comments we have on the taxi

6   Technology Service Provider. Now, we will

7   move to the Fare and Lease Cap Hearing

8   required every two years by TLC rules. But

9   before calling people who have signed up to

10   speak, we will have a presentation by the TLC

11   Driver Protection Unit about the work that

12   they do. Anyone here?

13   MS. DWEDAR: Good morning, everyone.

14   But a special good morning to our driver

15   advocates who are here who keep us abreast

16   with what's going on in the industry, but

17   also the drivers that keep us moving every

18   day. So, thank you for being with us today.

19   My name is Yasmin Dwedar, and I'm the senior

20   supervising attorney of the Driver Protection

21   Unit. And just to give you a little bit of

22   background about what the Driver Protection

23   Unit does and how it came about.

24   It started in 2012 when there were

25   rampant over lease charges. And we were

1

2   trying to address that issue then, but since

3   then, the industry has evolved. And we have

4   been evolving with those changes in the

5   industry to make sure that we're keeping up

6   with those changes, so we can better serve

7   the needs of the 200,000-plus drivers that

8   keep this city moving every day. Since the

9   unit's inception, we've gotten back more than

10         $3.2 million to drivers and that number is

11   increasing every day.

12   So, to explain a little bit about how

13   the complaint process works for drivers,

14   drivers can actually file complaints in a

15   very similar manner to how the general public

16   can file complaints. So, drivers can call

17   311 and they can file either online or speak

18   to them by phone. You have the option of

19   contacting the Driver Protection Unit. We

20   have a hotline. They can also reach us by

21   e-mail at the Driver Protection Unit e-mail

22   address. But drivers can also show up to the

23   TLC and meet with us. And sometime driver

24   advocacy groups or other agencies will send

25   drivers our way, so we can help them with

1

2   their issues.

3   The Driver Protection Unit handles a

4   number of complaints that come against

5   licensees. Licensees include medallion

6   owners, for-hire vehicle owners, leasing

7   companies, technology service providers, base

8   owners and garages. And when they violate

9   our rules, we end up prosecuting those cases.

10   So, some of the types of cases that we

11   handle, one of the most popular complaints is

12   actually driver pay. The drivers aren't

13   being paid at all or that they're not being

14   paid the correct amount that they should be

15   paid. We also get complaints sometimes about

16   drivers paying more than they should be

17   paying for leasing their vehicles. Sometimes

18   drivers are not getting the documentations

19   that they're entitled to receive, including

20   receipts and lease agreements because drivers

21   should understand what kind of agreement

22   they're getting into and how they're getting

23   paid and what's being deducted.

24   Another thing that's been happening in

25   the industry is people taking advantage of

1

2   drivers and stealing their identities, taking

3   their information, taking trips under their

4   names, which causes a lot of problems for

5   drivers. Sometimes there's fraud. We've had

6   cases, for instance, from drivers where

7   leasing companies have fraudulently used

8   their signatures on leases to extend them.

9   And also, sometimes licensees will take

10   action against drivers when they complain to

11   us, which is a violation of our rules.

12   So, when we receive a complaint from

13   drivers, there's a process that we go

14   through. And it's also very similar to the

15   process of how we handle consumer complaints.

16   So, when a driver comes in, what we do is we

17   investigate. And a part of that

18   investigation is that we speak to the driver.

19   We get documents from them. And once we get

20   an idea of what the case is about, we require

21   that the respondent, who would be the

22   licensee or the accused, submit documents to

23   us and we review our own data to kind of see

24   what's going on. And we often will bring the

25   respondent in, so that we can have a

1

2   conference with them. But that's not always

3   the case. Sometimes we take a case to

4   hearing or trial. Particularly, cases that

5   are very egregious. But in some cases, a

6   respondent is willing to plea guilty to

7   whatever violation it is that they committed.

8   We make sure that we hold them accountable,

9   that they pay fines. And if money is owned

10   to a driver, that that driver gets the money

11   back.

12   So, we try to make sure the case is

13   resolved. We want to make sure that whoever

14   is doing the wrong is making sure that they

15   make things right and they make a driver

16   whole again. And we don't just stop there.

17   We want proof that a driver was actually paid

18   or whatever wrong happened is actually

19   resolved. And if a summons, for instance,

20   was incorrectly issued to a driver because of

21   what this company or individual did, we make

22   sure to take care of that, so that the driver

23   is not held responsible for something that's

24   not their fault.

25   We've actually had a number of

1

2   interesting cases. Particularly, in recent

3   months in the Driver Protection Unit, we've

4   actually had one of -- someone who was

5   formerly licensed by us, we took away his

6   license because of all the bad things he was

7   doing. So, what he did was, he started

8   stealing people's identities and he was

9   logging in trips through drivers hack

10   licenses and he was charging hundreds of

11   dollars to passengers for airport trips and

12   committing other sorts of violations to the

13   point that at one point, he even opened a

14   credit card and took out at least $10,000 in

15   a driver's name. As a result of our

16   investigation, we were able to have our TLC

17   officers track him down on a trip that was

18   happening live. And we were ultimately able

19   to have the NYPD arrest that individual.

20   Another case involved a vehicle that

21   fraudulently named a driver as being the

22   person responsible for violations that were

23   coming in and put that driver's name

24   resulting in a high amount being charged to

25   the driver. We brought that vehicle owner in

1

2   and we made sure that that owner took care of

3   all the violations that came in, in terms of

4   paying the fines. But we also have them plea

5   guilty, pay a fine, and we also made them

6   surrender their license as a result of their

7   actions.

8   We also had a garage that failed to pay

9   a driver for many, many months. We made sure

10   that that driver was paid back the thousands

11   of dollars that he was owed. And we made

12   them plea guilty for failing to pay that

13   driver. So, not only was the driver paid, we

14   also assessed a fine against them. We also

15   recently had a case where a driver was paid

16   at least $20,000 from Technology Service

17   Provider because they failed to make mobile

18   payments to this driver. With respect to

19   that case, that technology service provider

20   actually reexamined how they look at those

21   types of payment to make sure it's not

22   happening to other drivers as well.

23   And we also had a case where a leasing

24   company fraudulently used a driver's

25   signature to extend the lease. In that case,

1

2   we fined them. We made sure that their

3   license was suspended. And there was a

4   finding of guilt for fraud misrepresentation,

5   theft and retaliation after a hearing was

6   held. We also had one case of identity theft

7   that resulted in an app company reexamining

8   how it looks at driver applications to make

9   sure that the documents that are being

10   submitted are valid, so that drivers

11   identities are not being misused. And that

12   change actually happened across that

13   particular app company.

14   So, in terms of supporting our drivers,

15   we've had community presentations. We go out

16   to houses of worship or community

17   organizations because a part of helping

18   drivers is making sure that they're informed

19   about their rights. So, we do that on a

20   regular basis. And we also, you know, hear

21   their questions and complaints at those

22   events. We also partner with other agencies

23   and organizations and we also take

24   recommendations from driver advocacy groups

25   and organizations to help us improve drivers'

1

2   rights. And we also refer drivers to free

3   legal services. Because there are some

4   matters that the TLC doesn't handle or falls

5   outside of our jurisdiction. So, we make

6   sure to refer those individuals to places

7   that can help them because we understand that

8   legal services could sometimes be costly.

9   So, moving forward, you know, the

10   Driver Protection Unit has undergone

11   tremendous changes in an effort to serve as a

12   better resource for the TLC driver

13   population. And moving forward, we're going

14   to continue this work and we're going to

15   expand our efforts, in terms of outreach and

16   continuing working with driver groups and

17   organizations to ensure that we're meeting

18   the needs of our drivers. And we have

19   attorneys on staff that care very deeply

20   about drivers. We take the time to listen to

21   you and your issues and your problems. And

22   we hope that you'll contact us if there are

23   problems with the industry because we want to

24   make sure that those matters are being

25   handled.

1

2   Do the commissioners have any questions

3   for me? I'm actually going to stay

4   throughout the remainder of the presentation

5   in case any drivers have questions. So, if

6   you'd like to meet with me, I will be towards

7   the back. Thank you.

8   COMMISSIONER JIHA: Thank you.

9   Now, we'll have a brief presentation on

10   the recently passed rules regarding drivers

11   income in the high volume for-hire sector.

12   MR. LOPEZ: Good morning,

13   commissioners. My name is Fausto Lopez, and

14   I'm the Data and Analytics Manager at TLC.

15   With me is Elizabeth Major. She's a Senior

16   Geospatial Analyst at TLC. We are here today

17   to present a brief, but informative, update

18   on driver pay, what compliance looks like

19   under the new rule and what our next steps

20   are. While the focus of this presentation is

21   on for-hire driver pay, we wanted to take a

22   moment to first highlight improvements we've

23   made in raising taxi driver pay and reducing

24   expenses.

25   So, maximum credit card surcharge

1

2   reductions have gone from $11 to $7 a shift,

3   which now save full-time drivers up to $100 a

4   month. For drivers with accessible vehicles,

5   incentive payments increased from fifty cents

6   a trip to $1/trip for yellow drivers and

7   green drivers also receive $1 per trip;

8   that's an increase of over $1,700 a year.

9   Deadhead payments for accessible dispatch now

10   begin at $15 and go up to $35. For owners of

11   accessible vehicles, hack-up payments under

12   TIF will be available for anyone who hacks up

13   a WAV, even if not required. And maintenance

14   payments will continue as long as the vehicle

15   remains in service.

16   So, we've covered changes in a taxi

17   driver paying expenses, but what does this

18   look like for for-hire vehicle drivers? What

19   does the new rule require? Well, after

20   finding that eighty-five percent of

21   high-volume drivers made below the

22   independent contractor equivalent of $15 an

23   hour, TLC proposed new rules to address the

24   issues. New rules mandated a driver pay

25   standard and additional data to monitor

1

2   payments according to that standard. This

3   all went into effect on February 1, 2019.

4   The pay standard includes minimum pay

5   rates for time, so a permanent rate and

6   mileage spent with a passenger. Rules

7   required new data recording to audit and

8   identify trips paid below the minimum. So,

9   I'm sure you're wondering how many trips have

10   we reviewed and how much have drivers made

11   under this new standard? Well, as of

12   February and March, under the new standard,

13   we've identified 32.8 million trips in total,

14   with regards to high volume. And since the

15   rule went into effect, drivers have been paid

16   an additional $56 million. Now that we've

17   reviewed driver pay, rules, and some of the

18   initial impacts, I'd like to hand over the

19   rest of the presentation to Elizabeth, who

20   will cover compliance, trends, and what our

21   next steps will be.

22   MS. MAJOR: Good morning,

23   commissioners. Good morning, everyone. As

24   part of the new rule package, the TLC now

25   receives detailed information about each high

1

2   volume trip, including financial information,

3   which Fausto and I have examined over the

4   last few months. We used the trip records to

5   verify that each trip was paid according to

6   the minimum pay standard based on the vehicle

7   type, time, and distance of the trip. The

8   graph above shows the number of underpaid

9   trips between February 1st and March 31st.

10   You can see a large number of underpaid trips

11   at the beginning of February and a

12   significant decline as the high volume

13   companies perfect their pay formulas to match

14   our rules. All totaled, this comes out to a

15   little more than 200,000 underpaid trips

16   between February 1st and March 31st. We are

17   preparing to send documentation of these

18   underpaid trips to the high volume companies

19   who will have to pay the difference back to

20   the drivers as restitution.

21   In the coming months, we expect over

22         $500,000 to be paid out to about 50,000

23   drivers who had at least one underpaid trip

24   over the period. Moving forward, the TLC

25   will send notice to the high volume companies

1

2   for each underpaid trip completed on their

3   platform. Those companies will be directed

4   to send restitution to each driver with an

5   underpaid trip. They will also have to

6   provide documentation of that restitution

7   payment to the TLC. With each new week of

8   data submissions, we will continue to monitor

9   driver pay and other outcomes in this new

10   policy.

11   We are happy to answer the

12   commissioners questions about the new pay

13   standard to the best of our abilities, and we

14   will remain to hear comments from the public

15   in the form of your testimonies. Thank you,

16   everyone.

17   MR. AGUADO: In one of the last

18   meetings, it had been proposed, and I am

19   supported by several members of this

20   commission, that consideration would be given

21   to the minimum wage or a percentage of the

22   fare. And I think we discussed eighty-five

23   percent, and it was supposed to be brought up

24   and discussed in greater detail in this

25   meeting. So, I would like to remind the

1

2   commission, TLC and everyone, that I think --

3   not think. We must consider and do the

4   research on this to make sure that the

5   workers get more of the living wage.

6   (Applause).

7   COMMISSIONER HEINZEN: Commissioner

8   Aguado, thank you for raising that. A

9   reminder to everyone that under the local

10   laws that were passed last August, TLC is

11   mandated to study the impacts of the for-hire

12   vehicle industry citywide. And one of the

13   issues we are looking at is the impact on

14   driver income, and that law also requires us

15   to evaluate things like a minimum fare and

16   FHV. So, we are working on that. We will

17   have more to tell you very soon.

18   MR. AGUADO: And I'll continue to

19   remind --

20   COMMISSIONER HEINZEN: Thank you.

21   (Applause).

22   COMMISSIONER HEINZEN: Thank you very

23   much.

24   MR. LOPEZ: We will actually be taking

25   questions in the form of testimony.

1

2   AUDIENCE MEMBER: No questions?

3   COMMISSIONER JIHA: Are you signed up

4   to speak.

5   AUDIENCE MEMBER: No, basically, their

6   mention of the restitution of the 200,000

7   trips that the app bases have been paying to

8   the drivers below what they have to pay. My

9   question is: Besides restitution, have you

10 considered penalties also or is it only

11 restitution?

12   MR. LOPEZ: I cannot comment on that.

13 I'm sorry.

14   COMMISSIONER HEINZEN: The goal is for

15 drivers to get paid. So, restitution will be

16 the first thing we pursue. We have other

17 options against companies or bases that

18 refuse to pay the increase in severity and --

19   AUDIENCE MEMBER: You're not really

20 (inaudible) with yellow cab drivers. Thank

21 you.

22   COMMISSIONER JIHA: Now, we will begin

23 the testimonies. And we have a very

24 sensitive list. Please limit your comments

25 to a few minutes.

1

2   MR. WILSON: And also, we encourage

3   anybody who wants more time, they can simply

4   submit written comments and I'll evaluate all

5   of them.

6   The first speaker this morning is Peter

7   Mazer from MTBOT.

8   MR. MAZER: Good morning, Acting Chair,

9   Jiha and members of the commission,

10   Commissioner Heinzen. My name is Peter

11   Mazer, and I'm general council to the

12   Metropolitan Taxicab Board of Trade. Trade

13   association dedicated to serving medallion

14   taxicab owners and operators for nearly

15   seventy years. We represent more than five

16   thousand medallions owners and operators to

17   provide free legal services and training

18   services to thousands of drivers who operate

19   our medallion taxicabs.

20   This morning, I will address issues

21   concerning the medallion taxicab industry and

22   the economics. I have written testimonies,

23   which you all have. There are three charts

24   that tells you everything you need to know.

25   Six years, ridership has fallen in half.

1

2   Six years, the amount of annual income that

3   comes into this industry has declined by

4      $800 million a year. That's money that our

5   drivers were using to sustain and support

6   their families and our own as we used it to

7   buy and maintain vehicles and operate their

8   business. That's $58,000 less in revenue per

9   cab, per year than it was six years ago. You

10   see the devastation of the medallion taxicab

11   market, the financial market, $14 billion

12   worth of assets wiped out. Foreclosures are

13   rampant, suicides resulting from financial

14   ruin have happened. A week does not go by

15   that I don't have someone in my office

16   pleading for some help and forestalling the

17   inevitable, personal financial destruction.

18   And frankly, I can offer little help.

19   I stood before you on April 2nd of

20   2015, and I stood before you on April 6th of

21   2017. I gave you the same charts. I said

22   the same things I'm saying today. It only

23   has gotten worse. The numbers have changed.

24   The conditions have not. As commissioners,

25   you have limited resources. One of the

1

2 resources you have is a fare increase. The

3 governor beats you to the punch. He put a $3

4 surcharge on almost every trip, took

5 $250 million away from the public, up to

6 Albany, not a penny of it for our drivers and

7 owners.

8 I could sit here and give you

9 statistics on vehicles, parts, insurance.

10 What does that mean when you've lost $60,000

11 when you have to pay over $600,000 loan, with

12 an asset that's worth a quarter of that?

13 Every cost, no matter how insignificant,

14 becomes an incredible burden. For example, I

15 will tell you that at the end of May,

16 thousands of medallions will be suspended

17 because medallion owners cannot afford to pay

18 medallion renewal fees that will come due.

19 There will be more foreclosures, not fewer,

20 unless major structural changes occur.

21 Everything from how many liveries can operate

22 to who can drive them, to where they can go,

23 to how much they can charge and to how an

24 owner and a driver structure their financial

25 arrangements must be on the table if we are

1

2   serious about saving a seriously bruised and

3   battered industry. A top to bottom review of

4   everything you do here and how you regulate

5   is in order today and it's urgent. A dire

6   situation, yes. Is it hopeless? No. But I

7   believe that if we work together on these

8   issues, we can save this industry and improve

9   the lives of thousands of affected owners and

10   drivers. When I stand before you in

11   April of 2021, which I will, maybe we will

12   have something to smile about. I thank you

13   for your time and for your consideration.

14   (Applause.)

15   MR. WILSON: Thank you.

16   The next speaker is Golam Istiaque.

17   MR. ISTIAQUE: Good morning. Thank you

18   so much to call me. I am a driver and a

19   medallion owner. You give me two minutes.

20   So, two minutes is a very difficult place

21   right for me. This is now my daily income --

22   can you pass for me (handing) -- daily income

23   which I make. And this is very -- and this

24   my gross income for the yearly. So, GPS

25   printout and they are not separating for this

1

2   one. I tell you that I want to talk with

3   technology. Day before yesterday, on the

4   23rd of April, I signed up for the hour

5   class. And for three o'clock on the 24th of

6   April and 11:23, they canceled the class

7   without any reason. I called them and they

8   said they don't know. Another thing that --

9   if I get a passenger and they're paying the

10   cash, they leave the car and they don't want

11   to pay, I have to charge $3.50 -- $3.30. And

12   (inaudible) the CMG, that you have to cut

13   down from my total income, that I don't make

14   it or I got it. But they said that you do

15   the no charge. At the end of the trip, I

16   have to go see the same amount they are

17   charging me. On top of that, I have an

18   account with the New York Community Bank and

19   I tried to talk with the broker through the

20   bank, but they try to make the commitment

21   letter to see the bank, but they didn't. The

22   problem is that bank try to settle the price

23   is $300,000, but bank block it. I give you

24   all the papers.

25   And another thing, our income is so

1

2   bad. We cannot survive our life. This is my

3   hardship letter that I give to you one by one

4   because I'm the driver and the owner. Nobody

5   give you the paper look like that. And each

6   of the part I give to you, which I have them

7   make. Another thing, the five percent. The

8   five percent the commission get better than

9   3.75, this is no good because the thing is

10   happen between me and the matching account of

11   the bank. There is nothing to do with the

12   CMG or the E-Hail provider. The bank charge

13   us two percent -- less than two percent, but

14   middle of the thing for me and the bank, the

15   provider, you take the sample. This is

16   unfair.

17   And another thing, everything is going

18   up. So, it should be going down. The

19   account the -- 3.75 is going by two person

20   and most of that is my time. The last thing

21   is that when I pay the TLC any fine, any

22   transmission, all the inspection, TLC put us

23   on convenient fee, what's the reason? They

24   have to (inaudible) the convenient fee?

25   Thank you so much. My time is over.

1

2   (Applause).

3   MR. WILSON: Thank you.

4   And the next speaker is Johan Nijman.

5   MR. NIJMAN: Good morning,

6   commissioners.   I'm here to report to you.

7   The last time we saw each other was

8   December 10th.   And I thought that this day

9   my life would have been a little bit better.

10   But I can share with you that they got us.

11   They got us.   My business is

12   thirty-two percent down.   When I left here

13   that day, I thought that each and every one

14   of us in the industry will do much better

15   than September -- December 9th.

16   Unfortunately, the pool -- within the app

17   base industry, the pool and us are doing

18   slightly better.   And I'm happy for my fellow

19   drivers that they -- but the rest of the

20   industry is not doing well at all.

21   Like I told you, my business is down

22   thirty-two percent and so are many of my SUV,

23   black car, XL drivers, we are not doing well.

24   They are containing this now.   If you woke up

25   in the morning early and you get a good start

1

2   and you make a quick hundred dollar, by maybe

3   seven o'clock, if you get in by 4:30, believe

4   it or not, the next job you will get will be

5   maybe 5:00 o'clock in the afternoon and you

6   make $14. So, there are things that I'm

7   urging you to look into.

8   It can never be the case that you go to

9   work and you're not getting paid. When you

10   clock in, you're getting paid from the time

11   that you clock in until you clock out. In

12   our industry, you could clock in 4:30 in the

13   morning and go home ten o'clock at night and

14   you're not getting paid a dime. How is that

15   possible? I'm urging you to look into those

16   cases. I have a family that I need to

17   support. I cannot go there being ready for

18   the at-base company to work and not getting

19   compensated for it. It's not a good thing

20   for our drivers. We need to do something.

21   I'm sure you're doing your best. I

22   appreciate the work you do. But there is a

23   lot more to do. I'll share a next thing with

24   you. The fact that the at-base company can

25   take you off the platform at will, at any

1

2   moment of time -- you're working in

3   New York City facing harsh traffic, public,

4   police, DOT and everybody else that's trying

5   to get in your pocket as fast as they can,

6   and you could lose your job in a New York

7   minute -- is something that I urge you to

8   look into. It could never be the case that

9   I'm working and some guy sitting somewhere in

10   San Francisco and with the press of a button,

11   I'm out of business. If I invest so much, I

12   invest $78,000 in the business, your fees not

13   included, you cannot take me off. We're

14   partners. At least we can have a

15   conversation or there should be somewhere

16   where everyone could go or the app base

17   company could go and put professionals in

18   there and look at cases, you know, before you

19   deactivate. It is hard to understand that I

20   can have a job now and when I walk out the

21   door I don't have a job. And I'm asking you

22   to not let this app base company get away

23   with it. If we do something, we pay for it,

24   whether we're going to get a cup of coffee,

25   we're getting a ticket from NYPD, DOT --

1

2   everybody in the City.

3   COMMISSIONER JIHA: Let me ask you a

4   question.

5   MR. NIJMAN: Yes, sir.

6   COMMISSIONER JIHA: Did Uber give you

7   any warning before they deactivated your --

8   MR. NIJMAN: No, sir. No, sir. I got

9   out of two situations -- one is that I picked

10   up someone from a major broadcast company,

11   the lady sat in my car for half an hour, the

12   bill is raising because the minute she got in

13   I put my meter on. The bill is going up and

14   it took the other parties about half an hour

15   to come in. The next thing you know, at the

16   end of the trip, I got a nice check for that

17   ride. But the next day, I was taken off the

18   platform because the lady said that I was

19   looking at funny videos while five people

20   were in the car. And I challenged them.

21   What they didn't know is that I had a video,

22   and I asked them to tell me the time and

23   place to present my chip and I never heard

24   back from them. Now, if this guy don't have

25   a camera, he's out. He's out. There must be

1

2   somewhere where that complaint can go and

3   take action, you know, on the seriousness of

4   the -- but not for anything, you know. So,

5   I'm asking you to protect the driver. So,

6   let's work on the financial part but make

7   sure that they keep the money as well. I

8   appreciate your time.

9   (Applause.)

10   COMMISSIONER JIHA: Thank you.

11   MR. WILSON: Thank you.

12   The next speaker is Aziz Bah.

13   MR. BAH: Hello, commissioners. Hello,

14   everyone. My name is Aziz Bah. I'm a driver

15   and a member of the Independent Drivers

16   Guild. And as we stood here many times going

17   back and forth testifying about drivers'

18   income, I'm here, again, today to let you

19   know -- I mean, I must start with a big thank

20   you. Thank you for the pay floor, which is

21   the first in the nation that, actually, we

22   need to recognize is a step -- a big leap

23   towards ensuring drivers' liveable wage. But

24   it goes without saying that there are certain

25   issues associated with it. And even though

1

2   we appreciate it, but there are still certain

3   aspects that needs to be ironed out.

4   The people that are driving, X, Pool,

5   I'll refer to it as share-ride and XL,

6   they're seeing a slight increase. But there

7   are other classes of vehicles, mainly black

8   and SUVs, they kind of lose money, especially

9   at night where there is no traffic. Given

10   the utilization rate that banks more -- when

11   you're in traffic, you make more money. At

12   night, you tend to lose some money. So,

13   we're just -- I'm advocating with you trying

14   to figure out how you guys can fix those

15   issues. And urge you now -- with the

16   Independent Drivers Guild, we are out there,

17   we've been on the forefront fighting for

18   drivers' liveable wage and fair pay. And

19   we're going to keep on doing that to every

20   level. But I don't want to go off topic

21   here, I just want to talk about the other

22   issues we have, as well, that kind of impact

23   that raise that drivers think they have.

24   Because if you give me a raise as a driver, I

25   should be able to enjoy that raise, take some

1

2   benefit of that raise and see it. But,

3   unfortunately, enforcement is taking most of

4   it. It's like giving it to me in one hand

5   and taking it out on the other hand.

6   Some drivers also have issues -- like

7   Johan mentioned early about deactivation.

8   And I want to say thank you to TLC Driver

9   Protection Unit for putting a calculator out

10   there that allow drivers to know that they're

11   being compensated fairly. But the problem

12   with a calculator is, now drivers are having

13   many problems with the app-base companies

14   because after every trip, they go and check

15   it against the calculator. Sometimes when

16   it's off by a few dollars, they report it.

17   As they continue to report it on a daily

18   basis -- five, ten, fifteen, after each ride,

19   the app companies kind of get fed up and flag

20   you as fraud; and that's something that needs

21   to be addressed as well. You know, they

22   shouldn't be punished for asking for their

23   money. And that's one big problem we're

24   having. And besides, I just want to put

25   emphasis again on the black and SUV aspect of

1

2   it because those guys also need to get

3   compensated fairly. And also, I want to

4   finish by thanking the TLC Community Affair,

5   as well, that's going to neighborhoods trying

6   to bridge the gap between communities and

7   drivers to --

8   (Bell rings.)

9   MR. BAH: To kind of take that, you

10   know, that -- sorry. Trying to take that

11   intimidating aspect of TLC. Because when we

12   think about TLC or drivers, everybody think

13   about the intimidating part, as opposed to

14   TLC being there for drivers. So, I commend

15   you guys to really do a better job, you know,

16   come into communities and let us know that,

17   listen, you want to work with us, we want to

18   work with you. Thank you very much.

19   COMMISSIONER JIHA: Thank you.

20   MR. WILSON: Thank you.

21   The next speaker is Pedro Acosta.

22   MR. ACOSTA: Good morning,

23   commissioners. Good morning, everyone here.

24   I'm here to talk -- my name is Pedro Acosta

25   and I'm part of the IDG, Guild, and I'm here

1

2   to talk about the income. The last time we

3   had a meeting, we came out of the meeting

4   very happy thinking that we were going to

5   have a very significant increase in our

6   income. However, as days pass by, we don't

7   see any significant increase in our income.

8   We just had very minor change because of

9   the -- when they implemented this payment,

10   it's not that clear. And also, they have to

11   make some other change that when they give us

12   a little bit on one side, they took it away

13   from the other side. For example, one of

14   these days before this income -- the

15   increase, I mean, they used to pay like what

16   they call a "base fair," and that was removed

17   since they implemented the new increase.

18   As you can see, this resize has still

19   continued happening -- even though after the

20   increase -- and this is to prove that we are

21   not seeing any significant change. And

22   because of this, we continue to have

23   struggling with the same issues that is

24   happening for years. So, like the gentleman

25   here said it before, you should be monitoring

1

2   the big companies because they are everything

3   in making some tricks and they are taking

4   away some of the money. But what you do is

5   that you only make them to refund the money

6   to drivers, but you don't have any penalty

7   for them, apparently, because they continue

8   to do the same thing. If you have, like, a

9   penalty for them --

10   (Applause.)

11   MR. ACOSTA: Thank you -- like, a big

12   amount of thousands of dollars, penalty for

13   those companies, probably they would stop

14   doing these things because they don't care to

15   continue doing this because they are engineer

16   that they spend the whole day playing around

17   with the computers and finding out tricks to

18   steal money from us. They don't care if they

19   are found guilty of these things because what

20   they only do is that they refund the money

21   back to us but they don't have to pay any

22   penalty because of what they are doing.

23   However, with us, we just make a few dollars.

24   You are very aggressive to give us violation.

25   For example, I was found guilty of a single

1

2   violation, like a light bulb that wasn't

3   working on my car, which I could change in

4   three minutes, but you guys, especially the

5   enforcement department, don't care about

6   what's going on with us. I had to pay $200

7   for that.

8   When the Department of DMV -- I mean,

9   the police department, they give us 24 hours

10   to fix that. They wipe it out. I know that

11   today you guys, you already fixed that

12   problem, but there are so many issues that we

13   have to deal with because every day they are

14   doing things that I don't think they are

15   supposed to do, especially with traffic

16   violations. They are doing many, many, many

17   things with us and the traffic violations

18   that a lot of us are afraid to be picking up

19   people in Midtown, especially, because there

20   are too many things going on with the

21   enforcement department. For example --

22   (Bell rings),

23   MR. ACOSTA: -- if I am going to drop

24   off somebody on one of the avenues that has

25   any bike lane or bus lane, if I drop off,

1

2   like, in the middle of the lane here

3   (indicating) because if I do it on the bus

4   lane --

5   MS. SCOTT: Thank you for your

6   comments, sir.

7   MR. ACOSTA: -- they give me a summons.

8   So, if I drop it here --

9   MS. SCOTT: You're time is up.

10   MR. ACOSTA: -- the TLC is going to

11   give me a summons because I put them in

12   unsafe situation.

13   COMMISSIONER HEINZEN: Mr. Acosta, may

14   I ask you some questions?

15   MR. ACOSTA: Sure.

16   COMMISSIONER HEINZEN: What company do

17   you drive for; is it one or a few companies?

18   MR. ACOSTA: I work for Uber.

19   COMMISSIONER HEINZEN: Uber?

20   MR. ACOSTA: Yes.

21   COMMISSIONER HEINZEN: And you said you

22   feel like since the pay increase went in,

23   there have been additional fees that have

24   been charged by the company that have eaten

25   up the increase?

1

2   MR. ACOSTA: What happened is that they

3   make change on the way they do their payment.

4   So, it's hard to understand. Also, they

5   reduced the wipeout or the base fare that

6   they used to pay us before. They used to pay

7   by minutes, per mile. Also, they used to pay

8   base fare. Now, they don't pay any more of

9   the base fare, just mile a minute.

10   COMMISSIONER HEINZEN: So, could

11   someone from External Affairs and Prosection

12   speak to him this morning. And if you can

13   give us copies of receipts that show those

14   fees, that would be very interesting to us.

15   MR. ACOSTA: At least, I have one here.

16   COMMISSIONER HEINZEN: Great. So, if

17   you look in the back of the room -- great,

18   and Kala is raising her hand in the back. If

19   you could just talk with her, thank you.

20   MR. WILSON: Thank you.

21   And the next speaker is Tina Raveneau.

22   MS. RAVENEAU: Good morning. My name

23   is Tina Raveneau, and I am an IDG member and

24   a TLC driver. I want to thank the TLC for

25   their help with our pay increase this past

1

2   February. Thank you. It's a step in the

3   right direction. This has never happened

4   before, and it's great. However, since the

5   increase to FHV drivers, the app-base

6   companies have continued to make our lives

7   harder. They have now taken out destination

8   filters, okay? As a single mother, I drive

9   every day to pay my rent and take care of my

10   son. If I am -- whenever I am out of the

11   City and I'm coming back, I'm coming back

12   empty now because there's no filter. I can't

13   set my destination to come home or to go pick

14   up my son, you know, that's out. So, now I

15   have to drive less. Now, we're making more

16   money and have to drive less because

17   something I relied on to help me make more

18   money is taken away. Also, I drive for both

19   Uber and Lyft --

20   COMMISSIONER JIHA: Can you tell us why

21   there is a destination filter? I'm just

22   trying to educate myself.

23   MS. RAVENEAU: Okay. It's a system

24   that we're all used to as FHV, right, where

25   if I know I'm picking up my son, say, which

1

2   is 3:30 every day, I will set my destination

3   maybe around one o'clock to take me in that

4   direction until I get him. So, that worked

5   for me as a single mother. I have no one to

6   pick him up, right? Now, he's on the steps

7   by himself, I'm running late, you know, the

8   principal is calling me because I'm late or

9   else I have to stop three hours because you

10   never know where you're going to be. There's

11   traffic now. I could be at LaGuardia. I

12   have to cancel rides -- like, it's chaotic

13   now. This is affecting our livelihood. You

14   guys help us and it's great, but you guys

15   should really look into this. This is

16   affecting working families. We rely on it.

17   Secondly -- also, when we -- with Lyft

18   also, which is all a game to control and

19   manipulate the system, when we start driving

20   and we make a certain amount of money, they

21   start playing the other rhythms. You get

22   less work, which keeps you, you know, just

23   idling and waiting for more calls, okay?

24   Which, before, that would never happen. If

25   you end up making two or $300, you have to

1

2   wait another fifteen, thirty, forty-five

3   minutes to get a ride; that's time just

4   wasted. So, now, you have us going to Uber,

5   playing that game, stop the Uber, then going

6   to Lyft, and Lyft playing that game. It's

7   all a game to just, you know, have the system

8   where they want to.

9   And I encourage you to please think of

10   drivers and working families. Because these

11   app companies, you guys move one step further

12   and they move like three steps ahead of you

13   guys. They just keep on planning over and

14   over. It's like a losing battle. Thank you.

15   MR. WILSON: Thank you.

16   The next speaker is Nikolae Hent.

17   MR. HENT: Thank you, commissioners.

18   Thank you, Chairman. My name is Nikolae

19   Hent. I am an individual medallion

20   owner/driver. You praised before, Meera

21   Joshi, nice for you, nice of you. I would

22   like to add something here about her and you

23   too. Medallion owners, which lease their

24   medallion, is getting tricked now. You

25   allowed the thief to steal for four years.

1

2   Why you didn't lock his meters after

3   four months or after eight months or after

4   one year? You are an accomplice with him of

5   stealing from the owners. Second, mention

6   about the unlicensed vehicle about the

7   permit, you allowed that to go to the

8   airports, especially, JFK and LaGuardia. You

9   allowed the numbers to be hidden, TLC plates,

10   with names like Istanbul, Saheed, Sole Pilot

11   and so on, and they cover their TLC small

12   letters, and they have dark windows, nobody

13   can see anything. So, that's you. How did

14   they pass the inspection? Again, you are not

15   doing your job.

16   Further down, at LaGuardia, watch out.

17   Now, there when I go, because they push the

18   taxi out of the terminals, to every single

19   terminals, every -- our lot is out. Now, who

20   is in? Uber, Lyft, so on. What they want to

21   do now, because waiting with the phone

22   looking for the numbers takes time, they want

23   to go one by one. That's not E-Hail. That's

24   hail. That's -- I did pay for that.

25   (Applause.)

1

2   MR. HENT: Don't try to push me out of

3   there into the College Point and left the

4   thieves continue to thief -- to steal. You

5   rob me of what I had. Good for you. God

6   bless you for that. I hope you're going to

7   suffer like I do. Further down, now, MTA,

8   another thief. Yesterday, I took a picture

9   from the flat rate from 545 East 70th,

10   special surgery to Brooklyn -- to Greenpoint

11   says 16.43, don't those people think you have

12   to pass the bridge and the tunnel? How can

13   you allow that? That's good. Further down,

14   you have the power to close the loophole for

15   the 2.50, which -- 2.75, which is supposed to

16   pay by the app-cars, you don't do that.

17   Meera Joshi admitted that. It's a loophole.

18   They can say, "Oh, I need an Uber pool," they

19   don't pay 2.75, they pay 75, doesn't have to

20   be more than one person. That's how they

21   steal. You gave them that loophole,

22   especially the governor, the thief, which

23   just to take a look at what the governor

24   does. Silver, Silver, Rick scammer, he's

25   long time adviser for former commissioner,

1

2   Schneiderman. What is this? You still allow

3   them to do it. Mr. Fromberg, you are the

4   spokesman, come up, call a press conference

5   and say about LaGuardia -- going one by one.

6   That's why you're the spokesperson for this

7   institution --

8   COMMISSIONER JIHA: Your time is up,

9   sir.

10   MR. HENT: I think I said enough.

11   Thank you very much.

12   (Applause.)

13   COMMISSIONER JIHA: Thank you.

14   MR. WILSON: Thank you.

15   The next speaker is Sal Mali. Is Sal

16   here?

17   (No response.)

18   COMMISSIONER JIHA: The next speaker is

19   Amro Abdelhalim.

20   MR. ABDELHALIM: Good morning,

21   commissioners. My name is Amro Abdelhalim

22   I'm the operation manager of the Belrose

23   Corp. Car Rental. And I am a small fleet

24   owner, as well. And I'm here, as well,

25   representing hundreds of individuals have

1

2   been hurt due to illegal practice of

3   licensing departments of the TLC after the

4   crises of August 14th. I can hand some

5   testimonial to the gentleman right here

6   (handing). That covers my testimonial, and

7   also, can handle the petitions with the

8   gentleman (handing). It's the same copy,

9   actually, for everyone. I'm going to take a

10   moment of your time.

11   For years, TLC licensing department

12   known to have, like, you know, a particular

13   form of applications that's allowed,

14   individuals or drivers, to transfer vehicles

15   at any point. And you create a form for that

16   and you regulate that form or regulate the

17   licensing department if you have an ownership

18   approved by bill of sale, registrations,

19   titles -- that or, or, or, and actually, it's

20   right here. I can hand it to the gentleman

21   right here (handing).

22   Okay. Those rules has been secretively

23   changed without notice to the public. If a

24   government agency has set up rules that

25   allows the public to follow it and then

1

2   changed those rules, the public out there

3   need to know these rules, need to be

4   notified. But those rules has been,

5   actually, secretively changed and that caused

6   really hard financial damage to a lot of

7   people out there. I know a lot of people,

8   personally, that's borrowed money to be

9   independent, free to have a dream to buy a

10   vehicle, to put their own plate license on

11   the vehicle and have, like, a freedom of

12   financial -- not depending on rental from

13   other companies. Those dreams has been

14   crushed. Those dreams has been crushed,

15   based on what? Based on illegal practice of

16   the licensing department.

17   I know that companies, small, not

18   huge -- even the huge ones suffers as well --

19   has borrowed money from banks to invest on

20   diamonds and insurance during the time of

21   licensing, which is -- I have a like a time

22   window from August until, actually, April.

23   Those times insurance has to be maintained,

24   payments of the vehicle has to be maintained,

25   all of this is gone by a simple letter that

1

2   comes from the licensing department says,

3   "Sorry. We deny your application." For what

4   reason? Because you didn't give us proof

5   that you have all the legal proof before

6   August 14th.

7   Okay. What kind of proof do you

8   actually need from us? Which is actually,

9   says, "bill of sale, registrations, titles,"

10   and so and so.

11   (Bell rings.)

12   MR. ABDELHALIM: And they are actually

13   violating the TLC rules. Violating the TLC

14   rules, violating the Local Law 147 of 2018,

15   violating that law, as well. So, I'm not

16   really sure -- I reached out to the head of

17   the licensing department, at some point --

18   COMMISSIONER JIHA: Thank you for your

19   testimony.

20   MR. ABDELHALIM: Yeah, just if you give

21   me ten seconds extra, I'll be appreciated

22   because this actually hurt a lot of people

23   out there with their financial and they're

24   actually really destroyed. Their financial

25   and destroyed their dreams having that -- I

1

2   reached out to the head of the licensing

3   department, at some point, with e-mails and I

4   really appreciate him. He answered me back

5   right away, and I addressed this point, maybe

6   some people at the windows or back in the

7   office, something like that, not doing their

8   job very well. So, the head of the licensing

9   department has reached out to me with an

10   e-mail saying the same thing that the other

11   people are saying. And I explained it to

12   him, the law says, "123," your regulation

13   says, "123," technically, you are violating

14   your own rules.

15   (Bell rings.)

16   MR. ABDELHALIM: Technically, you're

17   violating the Local Law 147, 2018. So, based

18   on that secret, rules has been created in the

19   back office --

20   (Bell rings.)

21   MR. ABDELHALIM: -- in somehow,

22   somewhere, right? The government never being

23   notified. We actually filed, kind of like a

24   petition, with hundreds of drivers that I

25   know of, as a networking, and they're

1

2   actually willing to sign this petition --

3   MR. WILSON: Thank you.

4   MR. ABDELHALIM: -- and any time you

5   guys decided to --

6   MR. WILSON: Sir, thank you for your

7   testimony.

8   MR. ABDELHALIM: Do you have any

9   questions for me?   No questions?

10   MR. WILSON: We will.

11   MR. ABDELHALIM: May I ask, like, where

12   I can put these petitions, hand it to you?

13   MR. WILSON: The next speaker is Surin

14   Manaktala.

15   MR. MANAKTALA: Good afternoon, good

16   morning.   Actually, it's still good morning.

17   Hello, everybody.   I'm a member of Taxi

18   Alliance and my name is Surin Manaktala.   I

19   have issues about Uber, Lyft.   I drove a few

20   weeks ago and I have seen Uber charges

21   sometimes $225 from JFK to the City.   Do you

22   have any control on that price gauging?

23   While yellow drivers still get only $55.

24   Also, there's a great need of a better method

25   to collect the rent and taxes from the

1

2   drivers. And we need a fair increase by at

3   least twenty percent to pay our bills, and

4   support our families, and to pay the mortgage

5   on medallions. And TLC should be in a

6   greater position to help us in this matter.

7   We are not liable for MTA surcharges.

8   And TLC is going for that and they should

9   oppose that. So, at least we should get a

10   twenty percent increase to pay our bills.

11   Thank you very much.

12   (Applause.)

13   MR. WILSON: Thank you.

14   The next speaker is Michael Keogh.

15   MR. KEOGH: Good morning,

16   commissioners. And congratulations on being

17   a Chair and new Acting Commissioner, Heinzen,

18   congratulations.

19   I'm here to talk before -- well, on

20   behalf of the Committees for Taxi Safety;

21   that's a group of license lease agents here

22   in New York City. We wouldn't have

23   testified, but for the increase that has

24   happened with the congestion prices,

25   surcharge put on taxis for an increase of

1

2   fare that would go to the drivers because

3   everybody is very much in favor of seeing

4   drivers make more income and more money. And

5   the only way to attract drivers in the

6   current climate is to allow them to maximize

7   their income going forward. That is not

8   possible because of the congestion pricing

9   surcharge. We did support that two years

10   ago. We would have supported it this time,

11   but for the congestion pricing surcharge. It

12   is having a very negative effect on the

13   industry; you heard some of that data before.

14   Since the two months, it's been -- or

15   going onto two months, it's been implemented,

16   we have seen five hundred drivers saying that

17   they are giving back their cars, they're not

18   going on the road. That's in addition to

19   the -- over two thousand taxis that have been

20   sitting idle since the commission implemented

21   the accessibility settlement and the

22   lotteries that converted unrestricted

23   medallions to being accessible wheelchair

24   medallions. There is no way that we can

25   successfully compete for passengers and

1

2   drivers earning a living if the yellow taxi

3   is not seen on the streets of New York,

4   especially since every other sector is able

5   to add cars at will.

6   Even the recent cap added so many new

7   cars that have come in since the institution

8   of that cap because so many people who were

9   working on organizing for Uber and Lyft got

10   people in the system to get approved and to

11   get their vehicles on the road. We now have

12   over a hundred thousand universe of for-hire

13   vehicles. There is no way that that universe

14   is going to be able to sustain a living for

15   every driver in every sector going forward.

16   And you're hearing that a lot today. The

17   only way that you're going to be able to get

18   drivers more money in the current environment

19   with this surcharge that is having a very

20   negative effect right now is to limit the

21   number of for-hire vehicles going forward in

22   the future. I know that it's something that

23   is a part of the studies that you were doing

24   since you complied with some of the laws that

25   were passed by City Council last August. But

1

2   the urgency and the need to do something is

3   dire because of the acuteness of the

4   surcharge that is being felt right now.

5   One other aspect of it, a lot of people

6   were talking about credit card processing

7   fees. Credit card processing fees have gone

8   up because the surcharge has added to the

9   fee, that has happened. If the TLC were to

10   pass a rule, as somebody suggested earlier

11   today, that credit card processing fees as

12   well as taxes not be part and subject to

13   something that credit card companies could

14   charge for as part of the fee, that would be

15   great because that would alleviate the

16   problem immediately. If, however, that is

17   not the case.

18   (Bell rings.)

19   MR. KEOGH: And just the last point.

20   We would recommend that the commission do

21   what you currently have the authority to do

22   under the state law and pass the additional

23   credit card processing fees be paid by the

24   passenger, which was the intent of the law,

25   even though they did not expressively say it.

1

2   Right now, the owners and the medallion

3   owners are getting stuck with that bill and

4   they cannot afford it.

5   (Applause.)

6   MR. WILSON: Thank you.

7   The next speaker is Raul Rivera.

8   MR. RIVERA: Good morning. My name is

9   Raul Rivera. I'm a TLC driver. I usually

10   have something written down. I'm at a loss

11   for words. The last time I was here, Bill

12   said he didn't know what to do, how to help

13   the drivers. Now, he says

14   eighty-five percent. I commend him on that.

15   We need eighty-five percent or more. We are

16   TLC drivers. We're not Uber drivers. We're

17   not Lyft drivers. This commission is killing

18   the yellow. They need to bail out the yellow

19   and save them and create a petition to

20   reform --

21   (Applause.)

22   MR. RIVERA: -- create a petition to

23   reform this commission. We need drivers on

24   this panel. We need a certified IT person.

25   And all of you should be required to get a

1

2   TLC license. Your punishment should be a

3   year driving in them streets. You guys are

4   costing lives. You're costing lives. Shame

5   on this commission. I have a meeting today

6   with Jumaane Williams, the new public

7   advocate of New York. I'm passing my

8   petition to the City Councilmembers. They're

9   going to support a reform with this

10   commission. It's going to happen. Be ready.

11   (Applause.)

12   MR. WILSON: Thank you.

13   I've got a number of speakers related

14   with the Taxi Workers Alliance coming up. I

15   would encourage them to consolidate their

16   testimony to the extent possible, so that we

17   can get through all the speakers.

18   The next speaker up is Mr. Janot

19   (phonetic).

20   (No response.)

21   MR. WILSON: Is Bhairavi Desai here?

22   MS. DESAI: Hi, good morning, again. I

23   think it's still morning. I'm Bhairavi

24   Desai. I'm the Executive Director of the New

25   York Taxi Workers Alliance. There is so much

1

2   to say. I also remember standing right here

3   at this spot exactly two years ago. I

4   remember that morning really well because I

5   had been at the hospital with my mom. And I

6   remember coming straight from there to here

7   and I remember talking to Beresford Simmons,

8   who was our longtime board member. And, you

9   know, two years later, both my mom and Beres

10   are gone. But here we are with the same

11   level of crisis for a workforce that we love

12   so dearly.

13   You know, two years ago, I testified

14   about the number of calls I was getting about

15   depression and drivers feeling suicidal. To

16   be honest with you, very few people heard

17   that call. And seven months later, we got

18   our first call about the suicides. And since

19   then, there have been nine of our brothers

20   that we have lost to this economic despair.

21   Thank God that the cap was passed. We're

22   thankful that although on the driver payments

23   -- and thank you so much, Commissioner, for

24   raising the point that TLC regulation should

25   be focusing on the outside on guarantying

1

2   drivers at minimum, eighty to

3   eighty-five percent of the fare. That was

4   actually the petition that the Taxi Workers

5   Alliance put forth. We think a minimum wage

6   is just that, it's only minimum. And for

7   companies that are valued at over a

8   hundred billion dollars, they can do so much

9   better than that. Drivers deserve and are

10   entitled to much more than just that minimum

11   wage.

12   But, of course, the world celebrated

13   that minimum wage because of the level of

14   destitute poverty that the drivers were

15   already in. And that really just speaks to

16   the immorality of this business model that

17   left eighty-five percent of the drivers

18   earning below even the minimum wage, while

19   these companies right now are vying for a

20   hundred billion-dollar evaluation under IPO.

21   I mean, it's just unconscionable. And along

22   the way, every single practice where Uber and

23   Lyft have tried to starve the app driver,

24   they have done it so they can starve the taxi

25   driver. They flooded the streets with

1

2   vehicles, and continued to cut the rate of

3   fare. They did it at the expense of their

4   own workforce, but they did it specifically

5   so that they could depress the competing

6   workforce and take them off the street.

7   And today, what you have is a situation

8   where out of 13,000 medallion yellow cabs,

9   11,000 of them are still operational, not in

10   storage; 6,000 of them are being operated by

11   individual owner/drivers themselves. It's

12   impossible for them to earn a living. We've

13   been working on hardship letters. I know

14   Mr. Istiaque gave you a copy of one of them.

15   We've been working on hardship letters to

16   submit to the banks and the lenders to reduce

17   the mortgages. We're calling on you to

18   support a debt relief -- a debt forgiveness

19   campaign. Same thing that happened in 2008

20   during the financial crisis is what we need

21   to see today.

22   (Applause.)

23   MS. DESAI: Where government and the

24   lenders and the borrowers come to the

25   table --

1

2   (Bell rings.)

3   MS. DESAI: -- and come up with a

4   collective program.

5   Up to today, it's only been the owners

6   that are taking the hit and with 6,000 of

7   them are driving alone. I'm talking to

8   people that are 59, 60, 65, some of them in

9   their early 70's and they're still driving.

10   There is not retirement left in this

11   industry. People who bought in 2004 at the

12   -- 2014 during the TLC auction, they put down

13   140/$150,000 after ten, fifteen, twenty years

14   of savings and personal loans on top of it,

15   bidding at the bid that the TLC set --

16   (Applause.)

17   MS. DESAI: -- and we know that the

18   former chairman who set that auction price,

19   of course, had went to work for Lyft, and his

20   policy director then went to work for Uber.

21   Well, before they got their new jobs, they

22   set these bids at these unconscionable

23   amounts, got a bunch of mostly immigrant

24   people of color to put down their life's

25   worth of savings. You know, and all of those

1

2   folks, there's no credit line for them.

3   There's no second mortgage they're going to

4   get to invest into a house by using their

5   medallion mortgage. Many of them are still

6   living in one bedroom apartments. I talk to

7   people who have families of four to five --

8   one gentleman who has three kids, he and his

9   wife, they're still living in a studio

10   apartment. Meanwhile --

11   COMMISSIONER JIHA: Thank you for your

12   testimony.

13   MS. DESAI: -- he's got a medallion in

14   his name for a million dollars. It's just

15   the policy is unconscionable. We need you to

16   support a debt relief program, but even that

17   will not be enough at this point. Even if

18   the mortgages come down to $900 a month,

19   because --

20   MR. WILSON: Thank you for your

21   testimony.

22   MS. DESAI: -- of the downturn.

23   AUDIENCE MEMBER: Hello. My name is

24   (inaudible), and I'm going to give you my

25   time, okay?

1

2   MS. DESAI: Thank you. Because of the

3   economic downturn due to the congestion

4   surcharge, at the point, even if the mortgage

5   comes down to $900 a month right, because of

6   the downturn, they're likely to still earn a

7   fifteen to twenty percent less than they did

8   last year. So, they're still going to remain

9   in debt. I mean, we need the -- you know, I

10   know you voted with your conscience, and

11   thank God that you did. Actually, you didn't

12   vote. That was the point. That you didn't

13   hold a vote on implementing the surcharge,

14   but we need you to still stand up, issue your

15   own hardship reports. You get the phone

16   calls from the drivers. You see the data.

17   Put that data out there. Put it on the table

18   of every single state senator and

19   assemblymember.

20   Right now, the governor is out of the

21   process because the budget over which he

22   presides like king is finally over. Put

23   these reports on the table of our

24   assemblymembers and senator. Make them look

25   at the numbers and understand there has to

1

2   been an exemption from this surcharge for

3   yellow and green cabs.

4   (Applause.)

5   MS. DESAI: Right now, there's seesaw

6   in the yellow cab industry. On one hand

7   because the cap passed, it stopped some of

8   the hemorrhaging. And then two months later,

9   what happened? You know, the surcharge

10   started. And it wiped out whatever benefits

11   we could have seen from stopping the

12   saturation of the vehicles. We can't have a

13   situation now where if we somehow win on

14   getting an exemption on the surcharge than

15   you then go back and lift the cap; it just

16   can't happen. You cannot keep putting

17   people's lives on that seesaw. There needs

18   to be a sense of stability and a ground that

19   everybody can stand on. We would like to see

20   the 2.50, you know, eliminated as a

21   surcharge. But allow -- even if you allow

22   50 cents to 75 cents to a dollar to still

23   remain on the meter but allow all of it, a

24   hundred percent to go back to the drivers so

25   they can finally start to not only come out

1

2   of their debt but earn something back for

3   themselves.

4   (Applause.)

5   Lastly, I just want to go back to the

6   app drivers and say the deactivation has

7   become massive, massive issue. While you

8   continue to study the data and hopefully

9   regulate toward one minimum rate across this

10   industry -- because you have to bear in mind

11   there is no way for you to lift up the

12   conditions for app drivers without addressing

13   Uber and Lift's anticompetitive practices.

14   (Applause.)

15   MS. DESAI: They're one in the same.

16   They starve their own drivers so they can

17   starve the competing drivers. It's one in

18   the same. If you uplift one, that's the only

19   way you're going to uplift everybody else.

20   So, at this point, something needs to be done

21   about the minimum fare, raising that rate and

22   allowing app drivers to earn eighty to

23   eighty-five percent of it so you regulate the

24   actual commission rate, and allowing -- and

25   also, for app drivers to have some job

1

2   security. Liveable income is -- no worker

3   can survive without a liveable income, but it

4   means nothing if you don't have security to

5   keep that job once you earn at a liveable

6   income. We need a just-cause policy that

7   would justify deactivations. You have the

8   authority. Require them to issue a new

9   contract --

10   MR. WILSON: Thank you for your

11   testimony.

12   MS. DESAI: -- and put in that

13   contract, all the terms regarding

14   deactivations.

15   AUDIENCE MEMBER: I did sign my name.

16   My name is Abdulo (phonetic). I want to give

17   her my time.

18   (Applause.)

19   MS. DESAI: I didn't orchestrate that,

20   but thank you, brother.

21   You have the authority. So, I will

22   say, we've reviewed the contracts that Uber,

23   Lyft have right now in accordance with the

24   new TLC rules that went into effect. And so,

25   while you're looking at their compliance with

1

2   how much they're actually paying the driver,

3   we also need you to look at the actual

4   contract language because your rules also

5   require them to make their contracts clear

6   and transparent to the drivers. And as of

7   now, they're not doing that. We will be

8   presenting to you, a legal memo which

9   outlines all the ways that their contract is

10   not in compliance. We believe that means

11   that you need to issue one new contract.

12   What they have been doing since 2015 is

13   adding new terms but they just call the new

14   terms an addendum, so this way they don't

15   have to issue a brand new contract. And the

16   reason they don't want to have to issue a

17   brand new contract is because the minute they

18   issue a new contract, all the 85,000 app

19   drivers in New York City and the drivers

20   across the country, actually, since it's a

21   national contract, would have a thirty-day

22   window to actually opt out of their

23   arbitration requirement, where right now they

24   have a clause in their contract that if you

25   have a grievance, you can't go to court, you

1

2   have to submit yourself to a private

3   arbitrator; they know that. They depend on

4   that. It's the way that they continue to,

5   you know, to commit wage theft against

6   drivers. They know that they're secure

7   against any legal action by the drivers

8   because of binding arbitration. But if

9   they're required to issue a new contract,

10   then drivers will have a window of

11   opportunity to opt out of that arbitration.

12   That's why since 2015, they've not been

13   issuing new contracts.

14   So, now, as the new rules went into

15   effect in 2019, their 2015 contract certainly

16   did not reflect what these rules would

17   require of them to do. And so, you know, the

18   reality is that new contract needs to be

19   issued. Drivers need to -- the contract, as

20   of now, doesn't even tell the drivers what

21   the rate of fare will be, for example, on

22   out-of-town trips. The basic information is

23   missing in these contracts. We need a new

24   one to be issued so drivers are informed of

25   their rights. And while a new one is issued,

1

2   it needs to include terms in there regarding

3   arbitration. Right now, drivers across this

4   industry are in a debt of, you know,

5   imprisonment. They're in a debtor's precinct

6   right now. Whether you're driving for yellow

7   or you're driving in the app world. App

8   driver's that end up being deactivated, they

9   purchased a vehicle at $40,000, then,

10   meanwhile, these companies deactivate you,

11   like, with the snap of their fingers. You

12   have no one to talk to to try to get your job

13   back, but you still have to keep making your

14   payments.

15   People who may have built up their

16   credit line for ten, fifteen years so they

17   could go to a dealer and get a good deal on a

18   car, now are ending up seeing repossession

19   notices because they're out of work. It's

20   just -- it's insane and it's criminal. At

21   bare minimum --

22   (Bell rings.)

23   MS. DESAI: -- it's illegal under TLC

24   regulation. So, they need to take action.

25   (Applause.)

1

2   MS. DESAI: I'm going to stop so they

3   can speak for themselves. Thank you.

4   MR. WILSON: Thank you.

5   The next speaker is David Beier. David

6   Beier?

7   (No response.)

8   MR. WILSON: The next speaker is Lmakpa

9   Smerpa.

10   MR. SMERPA: Hi, good morning,

11   commissioners. My name is Lmakpa Smerpa.

12   I'm here for "Stop unfair deactivation." And

13   about these things for the app base company,

14   this need control from the TLC. Because the

15   app base, they collect the text message from

16   the customer and just they deactivate. And

17   so, there is, like, no proof, nothing, and

18   the app company doesn't want to know for

19   driver -- and then you wake up tomorrow

20   morning and they say, "deactivate." For what

21   reason? Nothing is the reason.

22   If it is that it's a serious reason,

23   the person to come in person to the TLC,

24   you're telling it like a serious case. This

25   is not normal. So, now, we have to take very

1

2   seriously to the TLC and come to the person

3   and bring like a -- they have like a -- the

4   app company like a (inaudible). When the

5   driver have like a car that's damaged or they

6   vomit, they say send three pictures then

7   we'll collect money from the customer; that

8   is they did good. But same time if the

9   driver did some things bad for him or for

10   her, why don't they ask the proof. Where is

11   the picture? Where is the proof? Just

12   texting three letters, maybe this customer is

13   traveling in a bad mood, rush. And then

14   maybe they're unhappy about their food.

15   Maybe they're unhappy about their office.

16   Maybe they're unhappy there and had something

17   to drink at the office. Later, they wrote

18   the taxi at base and then all their angry

19   throw to the driver without proof. This is

20   without proof.

21   So, now, it's how they look the taxi

22   commission for this case? Taxi Commission,

23   you took control for the app base, their

24   policy of this deactivation. The

25   deactivation policy that app base, they have,

1

2   but TLC doesn't control what the policy says,

3   what they're going for the driver. Because

4   the City, we want -- they don't have a

5   customer and driver. If both have a rule, if

6   the TLC do the good, the City always is that

7   everybody is satisfied. There is two -- I

8   want to say that there is a very small person

9   in the body, like people entering the taxi is

10   a bad mood and rush. And like they say, like

11   I come to the taxi, "Good morning, sir. Good

12   morning, miss." What they respond, they

13   said, "I'm rush." So, that is the response?

14   No. If I say for my customer, "Good morning,

15   sir. Good morning, and," and what they

16   respond, "I'm rush," and then later, what

17   they do, they step out from my car and they

18   leave the bad comment. And that is the

19   reason of the deactivation.

20   So, for that, my request is for taxi

21   commission, please, those app base need to

22   control for the deactivation policy. Without

23   proof -- if it is like they say my car have a

24   damage or asking me without picture, without

25   proof, we cannot collect the fare.

1

2   (Bell rings.)

3   MR. SMERPA: So, now, the customer

4 write the two lines and then later they

5 deactivate me without proof. So, there is

6 not an equal rule. Ours is like behind the

7 door. Like they're coming behind the door --

8   MS. SCOTT: Sir, thank you for your

9 testimony.

10   MR. SMERPA: If we are a person, we

11 have to tell person to person. And then the

12 commission have to bring this serious case on

13 the table. Thank you.

14   (Applause.)

15   MR. WILSON: Thank you.

16   The next speaker is Mr. Khokon.

17   MR. KHOKON: Hello. Good morning,

18 everybody. Good morning, sir. I am really

19 happy because I am very new in the City of

20 New York. I am from Bangladesh. I am very

21 glad to speak to you here. I am not very

22 expert in English. But I'm trying to speak

23 in English because I'm Uber driver app, and I

24 was driving last one and a half years. But

25 after two months, in the morning, I saw my

1

2   app say, "deactivation." But what's the

3   reason? I want to say -- I want to write

4   Uber some message, but they don't accept any

5   reason and any caution. I was calling every

6   time, but they don't say -- they said, "no,

7   I'm not normal. It's permanently

8   deactivated." I was bought in one car but

9   still I am very surprised. How can I just

10   cover my insurance and how to cover my lease?

11   But still I'm working by the base, local

12   base, but it's not enough for me. That's why

13   before they speak, like, same thing to what

14   had happened. And without reason, they

15   deactivate my account; not only me. Every

16   guy there, they said that two lines they

17   write against me, after that deactivation.

18   What's the reason? That's why I remind you

19   that you have rules and regulations to

20   control Uber, Lyft and Juno. They have no

21   right without any big issue, without issue,

22   to deactivate my account. I support taxi

23   owner alliance because they're fighting for

24   us. They're fighting with you.

25   (Applause.)

1

2   MR. KHOKON: Against the Uber and Lyft

3   and yellow taxi, they're fighting; that's why

4   I'm saying that. Give me a chance. Let me

5   live with my family and I am really happy. I

6   am really happy. I am really happy. Thank

7   you very much.

8   (Applause.)

9   COMMISSIONER HEINZEN: Mr. Khokon?

10   Sir, may I ask you a question?

11   MR. KHOKON: Sorry, yes.

12   COMMISSIONER HEINZEN: Thank you.

13   Thank you for testifying.

14   Did Uber ever -- did you ask Uber why

15   you were deactivated?

16   MR. KHOKON: Yes.

17   COMMISSIONER HEINZEN: And did they

18   give you an answer?

19   MR. KHOKON: No. He said that, "No

20   more. It's permanently deactivated, your

21   account." But I write them several times in

22   my app, but they said that, "No more." They

23   don't want to talk with me.

24   AUDIENCE MEMBER: And they give you a

25   generic response and the deactivation is

1

2   final.

3   MR. KHOKON: They said, "deactivation

4   final."

5   COMMISSIONER JIHA: So, they don't have

6   any appeal process?

7   AUDIENCE MEMBER: No, defense for that.

8   Some of us get deactivated at will from the

9   passenger, at will.

10   MR. KHOKON: I think we're getting some

11   money -- they take from us thirty to

12   forty percent. We are getting only for

13   50 percent. We just prepared my car. We

14   just do everything my car, but we get only

15   for fifty percent to sixty percent. They

16   take more money. And we're supposed to say

17   that we're getting eighty percent for driver

18   and twenty percent for any driver app.

19   (Applause.)

20   MR. KHOKON: It's my attention, I

21   think, you are fighting with there. Thank

22   you very much.

23   COMMISSIONER HEINZEN: Thank you.

24   MR. WILSON: Thank you.

25   The next speaker is Golan Talukder.

1

2   MR. TALUKDER: Good morning. My name

3   is Golan Talukder. I am a proud member of NY

4   Taxi Workers Alliance. I am an owner

5   medallion driver. Thank you so much with

6   Meera Joshi and everybody. You bring

7   Access-A-Ride like our Uber. Uber is not our

8   enemy, our friend, or worker. Just Nicolae

9   mentioned one fare, they're giving the fare

10   and this is our extra bonus you are bringing

11   in. Like, let's believe. I pick up a

12   passenger from Fordham Road in the Bronx. I

13   drop off 64th Street in between 2nd and 3rd

14   Avenue. The fare should be $30. I am

15   driving this taxicab for seventeen years.

16   They put flat fare only $22 and 2.75, this

17   thing. You are bringing -- you want to help

18   us, but I don't know how come they give me

19    $22 only from there to here and how many

20   miles.

21   Can you please take with the -- you are

22   giving option to cab and everybody. In the

23   past, we get a fare -- like, you know, turn

24   on the meter and drop off. This is the fare

25   enough. Nowadays, they put the Access-A-Ride

1

2   fare, car, all of them are flat fare. We are

3   making the trip less than Uber. You think

4   I'm crazy? You investigate it with the cab,

5   whatever they are doing. Right now, I don't

6   have to tell you all the expense and

7   everything.

8   Medallion owners, we are dying. I took

9   the loan, one bank, there is a servicer

10   called Mega Funding, I took the loan from

11   commercial bank. We need help with the

12   mortgage. Mortgage payment is killing us.

13   We are hearing bailout this, that -- when

14   they're going to come, after we're dead?

15   Sir, please help us. We went directly to the

16   bank. Like, look, some bank called Signature

17   Bank, they said, "You have $200,000 cash.

18   You don't have to pay anymore." Some bank is

19   helping. Some bank is not there helping. We

20   went directly to the bank, Commercial Bank,

21   "Please help us." They say, "We have a

22   contract with the broker called Mega

23   Funding." We went to the Mega Funding say,

24   "Look, in between as a servicer, you are

25   making $800. We are dying. Can you give us

1

2   some discount so we can survive?" I know

3   before a lot of people testified, you guys

4   said, "It's not our jurisdiction." But any

5   lender they give the loan, they have to

6   become TLC fingerprinted. So, how come you

7   don't have any jurisdiction or you cannot do

8   anything?

9   (Bell rings.)

10   MR. TALUKDER: At least, you know,

11   temporarily lift, if you give us, we can

12   survive. My time is up. You think I'm

13   crazy. So, please, if you cannot do

14   anything, just do what with the thing. You

15   know, in between brokers, I paid $3,100 --

16   MS. SCOTT: Thank you for your

17   testimony, sir.

18   MR. TALUKDER: My interest is 3.75,

19   okay? In the broker, they got like 5, 6 --

20   3.25 get bank, and 3.75. They stopped that

21   difference, the broker get it. We went

22   directly to the bank. They don't want to

23   hear anything. Sir, I don't know what to ask

24   for help. "We are helping. Help is coming."

25   But after our debt, with everything, then

1

2   we're going to be good. Sir, please, if you

3   cannot do mortgage, can you take a look with

4   the car and E-Hail, help us. And Meera

5   Joshi, I appreciated she helped us. What

6   they're taking, you investigate it, you know,

7   what they're doing, flat rate. We make much

8   more cheaper than Uber. That should be help

9   us. Thank you, sir.

10   (Applause.)

11   MR. WILSON: Thank you.

12   The next speaker is Manhbub Chou Dhury.

13   MR. CHOU DHURY: Hello. My name is

14   Manhbub Chou Dhury. I am driving yellow taxi

15   from 1978, and still now, still I'm driving.

16   (Applause.)

17   MR. CHOU DHURY: Now, to everyone --

18   so, my problem, I'm just complaining to you

19   about the congestion prices. We have a very

20   difficulty to get passenger. And incase we

21   find, they don't give us tips. And also,

22   about the E-Hail, when we accept something,

23   because it is so much stuff -- we go through

24   that they dismiss the thing. Then we waste

25   time. This technology is not that developed.

1

2   Someday, I get it from Williamsburg

3   Bridge, then I accept it, then I go around

4   and, you know, so much time that's the

5   problem. And also, we are very much affected

6   by the sector. The sector is not our fault.

7   They give a lot of cars like E-Hail, Uber,

8   Lyft -- them three only make problems.

9   Yellow was from the beginning. And also, I

10   think it's a bit confusing for the yellow

11   taxi from Mr. Giuliani till now, this mayor

12   and governor. Thank you, sir.

13   (Applause.)

14   MR. WILSON: Thank you.

15   The next speaker is John McDonegh.

16   MR. MCDONEGH: My name is John

17   McDonegh, and I've been driving the yellow

18   cab over forty years. I drive out of a

19   garage in Long Island City, Midtown, and 55

20   Stan. I also host a show on WBAI. Today,

21   we're talking about congestion pricing, which

22   will have minimum effect on congestion. The

23   reason we have congestion in Manhattan now is

24   bike lanes, bus lanes, concrete barriers, and

25   one lane is to go across town. That is not

1

2   going to be affected by the congestion

3   pricing that's coming in.

4   On my way in here today, which you

5   can't make it more difficult to come into

6   this place if you're looking to park or

7   attend a meeting. Governor Murphy in New

8   Jersey makes a call to Cuomo and he gets a

9   carve-out for the New Jersey drivers coming

10   in on the Washington Bridge. We also have

11   Pat Lynch from the NYPD getting a carve-out

12   for his union members that are going to come

13   in. And I would hope that it's not all left

14   to Bhairavi to sign the Taxi Workers Alliance

15   to try to get a carve-out like the black

16   taxis have in London, where we're exempt for

17   the congestion pricing coming into the City.

18   Now, I have three things that I hope

19   the TLC can work on. One of the brothers

20   touched on it before, the meters. The meters

21   now have to be about this long (indicating)

22   to add all the new prices that are going on.

23   (Applause.)

24   MR. MCDONEGH: People are getting in,

25   they go, "What's the drop? What's the

1

2   fifty cents MTA? What's the wheelchair?

3   What's the congestion pricing?" I would beg

4   the TLC, make it a drop. It would affect the

5   tips better because people are not working in

6   all the different numbers. If whenever they

7   get into the car, even if it's below

8   wherever, 60th Street, if you just have an

9   initial drop, whatever it is, people can

10   identify with that. I don't want to be

11   explaining the tax burdens of New York City

12   to every passenger that gets into the car.

13   The second thing that TLC could do,

14   when Uber first came to town, God help us,

15   they had an option on their app that you

16   could get a yellow cab; I would like to see

17   that brought back, that any app that wants to

18   work in New York City, they have to give the

19   people of New York City the option of taking

20   the yellow cab, and it was very beneficial.

21   But, of course, when greed set in, that

22   lasted about a year. They dropped that from

23   their apps and they dropped the yellow cab

24   thing.

25   Now, the final thing -- and I don't

1

2   know if it's in your purview. The congestion

3   pricing is already a reality for yellow and

4   green cabs and the rest of the cab driving --

5   it starts at 96th Street. A law was just

6   passed in Albany where congestion pricing is

7   at 60th Street. Why can we not reclaim

8   thirty-six of our streets back and now have

9   it right now, tomorrow, that the congestion

10   pricing starts at 60th Street? Why are we

11   starting at 96th Street? It's not a business

12   area. I don't consider it the same bar as

13   business.

14   So, I don't know if it's in your

15   purview. I'd like to ask you, can you drop

16   it from 96th down to 60th? The law was

17   passed at Albany. So, how do we go about

18   that?

19   COMMISSIONER HEINZEN: That's State

20   law.

21   AUDIENCE MEMBER: Albany.

22   MR. MCDONEGH: Albany? So, we have no

23   choice. Albany can pick out an arbitrary

24   street, just like they did with this new law.

25   Now it's 60th, but yet we are charged at 96th

1

2   Street. Why can't we be like everyone else?

3   The trucks, everybody else is going to be

4   using it. Now, we charge below 60th Street.

5   The yellow can and the green and everyone

6   else, should be charged the same thing. We

7   should not have the extra thirty-six blocks.

8   That's it. It's over.

9   MR. WILSON: Thank you.

10   The next speaker is Mohammad Hossain.

11   AUDIENCE MEMBER: He had to leave.

12   MR. WILSON: Okay. The next speaker is

13   Alexander Khrom Chenko.

14   MR. KHROM CHENKO: Good morning. My

15   name is Alexander Khrom Chenko. I'm a cab

16   driver. And I want to tell you that one of

17   the reasons the medallion was created because

18   Manhattan is an island and there is no way to

19   put a hundred thousand cars inside the

20   Midtown to move around. And people lose a

21   lot of income because of that, they cannot

22   move because. Plus, bicycle lanes, they

23   don't belong to Midtown. It's become a

24   danger zone. And most of the time, people

25   don't drive bicycle wintertime, when it's

1

2   raining, but it take away a lot of part of

3   the road.

4   And as a cabdriver, I cannot make money

5   just sitting in the traffic. And they say

6   the medallion lost a value around

7      $40 billion. They never lost the value. The

8   value was transferred from one pocket to

9   another pocket.

10   AUDIENCE MEMBER: Thank you.

11   (Applause.)

12   MR. KHROM CHENKO: And technology was

13   used there. And about the loans, our income

14   goes all the way down, but the banks don't

15   care about that. The City sold medallions

16   from the City auctions for millions of

17   dollars. Medallions is a franchise from the

18   City; it's a stock from the City. And the

19   City did not do nothing to protect that.

20   Thank you very much.

21   (Applause.)

22   MR. WILSON: Thank you.

23   The next speaker is Mr. Kevin. No?

24   (No response.)

25   MR. WILSON: So, the next speaker is

1

2   Medet Fidan.

3   MR. FIDAN: Hello, everybody,

4   commissioner and council. I'm Medet Fidan.

5   I'm a father of two and husband of cancer

6   survivor. And since April 21, 1999, I'm an

7   owner and driver. And I have already used

8   four cars over 400,000 miles, and I know

9   every single street of city, people of this

10   city, problem of this city, and problem of

11   this industry. So, the reason we are over

12   here today, and since Mr. Giuliani's

13   administration, the reason I have no idea,

14   and each commissioner for here, I wish you

15   the luck. I hope you're going to stand

16   behind us today.

17   (Applause.)

18   MR. FIDAN: And the taxi industry has

19   too many problems. Yes, technology is

20   miserable. The meter that we use is

21   miserable. Partition is still miserable. I

22   just recently go to the meter shop to try to

23   remove my partition and $1,200 they tried to

24   charge me, you believe or not. And we are

25   taxi driver, the whole family, I have

1

2   brothers and cousins, seven -- and already

3   three of them are out of the business because

4   of the bankruptcy; they cannot pay anymore.

5   And we call the Fidan family, "taxi

6   family," with a taxi culture and we

7   appreciate the business. We are dedicated to

8   this city, has great records, no problem at

9   all with the City with the tax or anything.

10   And why you bring us down? I still don't

11   understand. Why? Why? Why? What is the

12   reason? We don't understand each other or we

13   don't understand and analyze this business.

14   And I'm a teacher in Turkey. So, my second

15   major was statistics. Before -- I want to

16   stay extra time. I'm sorry.

17   Before this computerized credit card

18   system has come, I studied and recorded every

19   single trip, and statistically, I tried to

20   find out how much gas I put. How much money

21   I gotta make it. How many miles and, and how

22   many hours I am putting every single base.

23   Believe me, it used to be at $11, average

24   fare, $11. Right now, if you do not do the

25   taxes, it's coming to $9. Almost

1

2   twenty years. Almost twenty years.

3   So, in this twenty years, everything go

4   up. I'm asking you, how many times you got a

5   raise in your salary? Yeah, we have a right

6   to ask, isn't it? And the technology is not

7   addressing today's taxi problems. I don't

8   know what explanation it is or how we're

9   going to get out from this, but we have to

10   find some solution. We have nowhere else to

11   go. We have nowhere else to go, and you're

12   responsible for this. No one else.

13   (Applause.)

14   MR. FIDAN: You're not our enemy.

15   You're our friends. You're regulating us

16   from A to Z; is that right or not? And on

17   the back, each time you turn on --

18   (Bell rings.)

19   MR. FIDAN: Each time you turn on --

20   (Bell rings.)

21   MR. FIDAN: I'm so sorry. Each time

22   you turn on the fare on the meter, on the

23   back side -- complain to driver. Complain to

24   driver. Complain to driver. Is the best way

25   to get the services you're rewarding the

1

2   people.

3   (Bell rings.)

4   MR. FIDAN: I'm a teacher, any time you

5   punish the kids, any time you punish your

6   employer, your not going to get profit. You

7   better educate them, you're better to stay

8   behind them, you're better to improve their

9   condition.

10   (Applause.)

11   MR. FIDAN: So, the congestion pricing

12   is another killing for us. And financially,

13   I got a picture of this for you --

14   MS. SCOTT: Thank you for your

15   comments, sir.

16   MR. FIDAN: -- and I have $58,000

17   income. Because of my wife's cancer, I

18   couldn't work for months. So, $2,829.55 I

19   pay every month to taxi loan; $6,700 I pay

20   for insurance; $2,500 Workers' Comp; almost

21     $800 for TLC renewal fees; approximately $70

22   for TLC license renewal, and gas and car

23   repairs, the appreciation of the car, et

24   cetera. This is not something we can do.

25   (Bell rings.)

1

2   MR. FIDAN: I'm waiting for next year,

3   17th of March, and I'm going to have

4   another -- my terms, the long term is over.

5   And probably they're going to come

6   five percent, six percent. So, right now, I

7   have 2.5, I can pay right now. But next

8   year, definitely I will be out of the

9   business.

10   COMMISSIONER JIHA: Thank you, sir.

11   Thank you very much.

12   MR. FIDAN: Thank you.

13   (Applause.)

14   MR. WILSON: Thank you.

15   The next speaker is Richard Lipsky.

16   AUDIENCE MEMBER: He had to leave, but

17   I can read his testimony, if that's all

18   right.

19   Good morning, commissioners. I'd just

20   like to say one thing before I read this very

21   brief testimony on industry economics. I

22   think we're losing sight of the basic problem

23   and we're thinking about symptoms, whether

24   it's driver income and Uber lying and

25   cheating their drivers or laying them off.

1

2   The basic problem is, we have too many cars

3   on the road. There's 135,000 cars on the

4   road that are registered with the TLC, and

5   who knows how many unregistered cars are also

6   picking up and dropping off in New York City.

7   And until you do something about that, none

8   of these other problems are going to improve.

9   Now, to Dr. Lipsky's:

10   "The City Council passed a series of

11   laws last August that delegated significant

12   new duties and authority to the Taxi &

13   Limousine Commission. The stated goal was to

14   address the lack of equity in the current

15   taxi FHV market. Local Law 147, the

16   so-called Cap Law, is due to expire in

17   August. TLC is late with its second quarter

18   report on the effects of Local Law 147.

19   Local Law 149, a more comprehensive need for

20   service bill, addresses the issue of the

21   number of FHVs actually needed; this is the

22   critical thing, and the continued

23   proliferation of these vehicles at the

24   expense of congestion and existing yellow

25   taxis who pay dearly to be able to serve what

1

2   has been called -- now, ironically -- the

3   taxi exclusionary zone. To sum up, the

4   conditions in the taxi industry, with an

5   understanding that the number of FHVs on the

6   street is the critical and unaddressed

7   variable are bad or getting worse;

8   exacerbated sadly, not only by the

9   introduction of the surcharge but the

10   somnambulance of the TLC. So, these are the

11   questions that are being vent: Number 1,

12   what is the TLC doing to evaluate the impact

13   of the cap, pursuant Local Law 147? Two,

14   what is the TLC doing to study the need for

15   service requirements for FHVs, pursuant to

16   Local Law 149? Three, has the TLC

17   investigated, in the context of the

18   surcharge, FHV discounting without any drop

19   fares, as former commissioner, Joshi

20   predicted and the impact of this policy on

21   FHV versus taxi trips?"

22   I'll just add to that that I'm getting

23   ads all the time from Uber offering me

24   forty percent discounts on my trips. So, so

25   much for the surcharge.

1

2   "Number 4, has the TLC investigated the

3 FHV ghost trips into the City from outside

4 jurisdictions? Something that the agency

5 itself has estimated to be in the thousands

6 per week. Number 5, has the City replied to

7 the Uber lawsuit or is it simply dragging its

8 feet until the cap expires? Instead of

9 asking for industry input, we sincerely

10 request that the TLC take the bull by the

11 horns, roll up its regulatory sleeves,

12 investigate the gaming of the surcharge, and

13 implement the laws that were passed last

14 year." Thank you.

15   (Applause.)

16   MR. WILSON: Thank you.

17   The next speaker is Celerino, Bernardo.

18   MR. CELERINO: Good afternoon. My name

19 is Bernardo Celerino. I'm a medallion owner

20 since 1989; it's going to be thirty years

21 now. I have to say, I'm very sad that today

22 the yellow cab drivers are working below the

23 minimum wages. I kept seeing last year that

24 the TLC was very concerned that Uber drivers

25 or Lyft drivers makes at least the minimum

1

2   wage, and I think it's okay. I think they

3   just have to make the minimum wage and more.

4   However, I don't see that the TLC is

5   regulating directly to see opposing wage for

6   the people who started this industry and

7   who's in this job for more than eighty or

8   ninety years.

9   Basically, I urge you guys to take a

10   look into that and to understand that we

11   cannot keep living below the minimum wage.

12   That is totally illegal. I mean, somebody

13   here do not understand that please speak up

14   and say. But to me, that is illegal. So,

15   the TLC have to take the bull by the horns,

16   as somebody just said before, and they have

17   to work on that, okay? Another thing, the

18   surcharge is going to -- breaking us a lot.

19   I was reading yesterday about somebody

20   whose name is Thomas, Thomas Caputo. Maybe

21   nobody every hear about him, but it's very

22   disgusting to read that this employee from

23   the MTA was making $344,000 in overtime in

24   the year 2018. And also learned -- maybe you

25   guys don't know, that the MTA paid

1

2          $418 million in overtime in the year 2018.

3   And they're expecting from us $1 million a

4   day, which is $365 million a year. So, our

5   money, our effort has to go to pay overtime

6   for the MTA. I know that you have nothing to

7   do with the MTA, but you can make a letter to

8   be more down-to-earth and say, "Come on guys,

9   if you don't need it, stop charging these

10   drivers $2.50 and let these drivers make at

11   least the minimum wages."

12   (Applause.)

13   MR. CELERINO: Another thing that I

14   read also, it's very sad, that the year 2018,

15   the MTA lost $225 million in unpaid fare in

16   the subway and buses, which is more than half

17   the money they take from us. Come on, put

18   the police to work on that and not give

19   ticket to yellow cab drivers. That is very

20   unfair to see a guy, if you make an illegal

21   turn, and see approximately 225,000 people a

22   day jumping the turnstile. Something has to

23   be done. Another thing I want to say: As a

24   medallion owner, I enter in a contract with

25   different credit unions, especially Melrose.

1

2   And just in case you don't know, Melrose

3   Credit Union is out of business. A lot of

4   credit unions are out of business.

5   Progressive Credit Union is out of business.

6   Montauk and Melrose is, as I said, Melrose,

7   Progressive and Montauk are out of business.

8   And all of and gets happened under the Meera

9   Joshi administration.

10   This about your praising that you just

11   mentioned that you really miss Meera Joshi.

12   We don't miss Meera Joshi, okay? Nobody miss

13   Meera Joshi.

14   (Applause.)

15   MR. CELERINO: But they gotta do

16   something if you in one number here and one

17   number here commission. Why can't you people

18   miss Meera Joshi at 33 Beaver or Rector.

19   7,000 people do not miss Meera Joshi, okay?

20   Another thing I want to say is that I don't

21   think that Meera Joshi showed in Moscow, all

22   the list of the foreclosures that she left in

23   the City of New York. I don't think that

24   Moscow was able to see that. Just in case

25   you don't know, she went to Moscow for one

1

2   day. She'll say what job that was, okay?

3   (Bell rings.)

4   So, the internet rate went up from

5   four percent to six and a quarter percent for

6   me, which is very unfair. This is a kind of

7   anti-Robin Hood situation.

8   (Bell rings.)

9   MR. CELERINO: And more than 7,000

10   people are suffering the consequences. And

11   you guys should control the NCUA, National

12   Credit Union Administration --

13   (Bell rings.)

14   MS. SCOTT: Thank you for your

15   comments, sir.

16   MR. CELERINO: -- to take a look into

17   that. We are overcharged in interest rate,

18   thanks to a poor job of Meera Joshi. Thank

19   you.

20   (Applause.)

21   MR. WILSON: Thank you.

22   The next speaker is Zubin Soleimany.

23   MR. SOLEIMANY: Good morning, Chair

24   Heinzen, commissioners. My name is Zubin

25   Soleimany. I'm the staff attorney for the

1

2   New York Taxi Workers Alliance. And I just

3   want to talk today about looking forward to

4   the summer when the TLC is explicitly in

5   power to set consumer rates for High-Volume

6   FHV services and the effect that that could

7   have on drivers. Not only the effect that

8   that could have on drivers actually driving

9   for other services, but the entire universe

10   of TLC drivers.

11   The driver payrolls that had been put

12   into effect have been a good start, but there

13   is so much more to do. A year ago, the City

14   Council, we were talking about forty percent

15   of app base drivers being eligible for

16   Medicaid, about fifteen percent of them being

17   eligible for Food Stamps. I'm hopeful that

18   that's not a conversation we have to be

19   having this year, but the minimum wage is

20   just that. And this has never been the

21   industry in which drivers have aspired merely

22   to minimum wage.

23   For generations, driving a taxi or

24   for-hire vehicle has been an income that can

25   support a family, a real living wage, and

1

2   that's what we need to get back to. And that

3   is the promise that these app base companies

4   made to drivers when they came here. If you

5   signed up for Uber in 2013, you were looking

6   at getting $3 a mile and a ten percent

7   commission rate. They brought that down to

8          $2.15 a mile and upped the commission rate to

9   twenty percent. This has been the trajectory

10   as they lower what the customer pays and they

11   increase what they took. It got up in 2016

12   to 25 percent and $1.75 a mile.

13   Now, at that point, drivers were at the

14   lowest they had ever been. And then in May

15   2017, they switched up their whole formula,

16   and they froze what drivers who were paid.

17   They divorced it from what and froze them at

18   an equivalent per mile and per minute rate of

19   that seventy-five percent up to $1.75 a mile.

20   And then they completely threw out the rate

21   book for passengers, as far as anybody is

22   actually concerned. They can charge them

23   whatever they want. And for whatever changes

24   happen in TLC rules, that formula is intact.

25   So, we've analyzed over a thousand UberX

1

2   fares from our members. And what we've found

3   is that the real commission right now, is

4   upwards of more than twenty-eight percent.

5   And what we're finding is that by charging

6   customers whatever they want, they're taking

7   increasingly large portions of that fare

8   without sharing with the driver.

9   So, what we need to see happen is,

10   we're reiterating our call for a fair fare

11   across all sectors that is key to the taxi

12   fare. This will not affect ridership. This

13   will -- there's a lot of -- I think Lyft is,

14   especially, making that point in State court

15   right now, that drivers will be armed by

16   that; that is not the case. Our analysis

17   shows that in those thousand fares, in the

18   aggregate, passengers are already paying more

19   than six and a half percent for those UberX

20   fares than what the taxi fare would be for

21   that same trip. They are paying more than

22   thirteen percent of what they last thought

23   they would be paying when UberX fares -- when

24   Uber last actually made those rates static

25   and available to them.

1

2   There is room for growth in what these

3   companies can charge, and that money can be

4   shared with drivers equitably as it had been

5   in the past. Crucially, having those static

6   fare rates would give passengers that

7   critical transparency that they need to have

8   before they agree to take that service. It

9   allows them to see how surcharges are being

10   processed in their payment.

11   (Bell rings.)

12   MR. SOLEIMANY: It allows taxi drivers

13   and green cab drivers to compete fairly with

14   companies that have to put those charges on

15   top of the actual fare that they're charging

16   to the customer.

17   (Bell rings.)

18   MR. SOLEIMANY: I will just say

19   briefly, one more thing. We have always in

20   this industry gathered around to a fair

21   income for drivers by regulating the fare, by

22   regulating their expenses and the number of

23   cars. We have two of those --

24   MS. SCOTT: Thank you for your

25   comments.

1

2   MR. SOLEIMANY: -- FHV sectors. One

3   thing is missing is the regulation of the

4   fare -- of the lease rates for for-hire

5   vehicles. A Toyota Camry that is regulated

6   to cost $2.75 a week, forty-two nine over

7   three years should not cost 78,000, just

8   because --

9   MS. SCOTT: Your time is up. Thank you

10   for your testimony.

11   MS. QUAN: I can give up my time. My

12   name is Jena Quan (phonetic). I'm on the

13   list.

14   MR. SOLEIMANY: Thank you.

15   So, the TLC has the power to implement

16   these regulations for For-Hire vehicles.

17   They are TLC licensed vehicles. You have

18   that power. You need to exercise that power

19   right now. Because these are commercial

20   vehicles, no other legal framework addresses

21   the terms and conditions that may be charged,

22   the interest rates that may be charged for

23   these For-Hire vehicles. People are paying

24   effective fifty percent interest rates when

25   they're buying a Toyota Sierra or a Toyota

1

2   Camry for $78,000. It is unconscionable, and

3   the TLC needs to do more than just make sure

4   that there are regulations that drivers can

5   see how transparently they are being

6   exploited by a fifty percent interest rate.

7   You need to step in and actually call that

8   rate down.

9   Well, I think that -- so, I'm looking

10   forward to seeing you take the right steps

11   this summer. And forward to continuing the

12   conversation as you learn more from that

13   data. But explicitly, I want to say that we

14   have very limited means through our members

15   to study that data. I'm requesting that the

16   TLC does continue that study, look at what

17   app base companies actually are charging.

18   What are they actually charging? How does

19   that rate compare to the rate set forth in

20   the rules for ad code for taxis and green

21   cabs? How much of that is going to the

22   driver? I think that information is crucial

23   to understanding what we need to do to get

24   fair driver pay across sectors when the time

25   comes to do so in the summer. And that

1

2   information has to be made public for

3   everybody in the industry need to know what

4   that is, for folks both in the TLC and for

5   the Council, to know what that is before we

6   go forward and make more changes to driver

7   pay. Thank you.

8   (Applause.)

9   COMMISSIONER JIHA: Thank you.

10   MR. WILSON: Thank you.

11   The next speaker is Mohammad Tipu

12   Sultan.

13   MR. SULTAN: My name is Mohammad Tipu

14   Sultan. I'm a taxi driver since 2005 and

15   working in the New York Taxi Workers Alliance

16   since 2005 too, up to now. So, when I'm

17   talking about the driver economy situations,

18   it is an old situation ever the current time.

19   So, let's see the app base activate, you see

20   the deactivation. That is the all situation

21   for the driver. They are all buying the car.

22   They are all insurance. They have all need

23   to be paid. All something, and the one

24   finger text, deactivate, done. Then what is

25   the driver going to be going? Nowhere.

1

2   There is no response. They don't know where

3   to go. This is all about one e-mail, you're

4   no longer in there. So, it is financially

5   affecting the driver, app base company.

6   So, those rules should be TLC -- should

7   be regulated. It should be the playing

8   field. If yellow cab, green cab regulated,

9   deactivated, they have a fare ride to be get

10   adjusted while they're deactivated. This is

11   the land of the justice. Why is thousands of

12   drivers deactivated? And they don't know why

13   they're deactivated. Who's supporting them

14   financially? Who is paying their car?

15   Nobody. So, we want to get this answer. The

16   TLC make the rules and regulations and you

17   get the authority that last year the City

18   gave the authority to regulate them. So,

19   this is the time to be doing that. Hardship

20   letter for -- hardship people, the

21   owner/driver. They're the whole situation.

22   They're dying. Nine driver suicides, another

23   three drivers are medallion owners. I don't

24   need to explain, there's a lot of drivers

25   here that can explain their dire situation.

1

2   Debt relief, the City has agreed to make

3   (inaudible), that was the tax force, nine

4   member tax force. When this going to be

5   formed? It is on the process of form, I

6   don't know that. But we need to be more

7   pushed up to be as soon as possible. Every

8   day drivers are going to bankruptcy. Every

9   day they're doomed. There are hundreds of

10   driver come today in the office. We are

11   writing down very pinpoint the hardship

12   situation. We have the documents in our

13   office. Congestion pricing, look how many

14   times you in Albany. Where is this mayor and

15   this TLC? Why they don't come out and say

16   that, "Hey, we need the congestion pricing

17   out." This is another bullet to be careless,

18   take this wipeout the yellow sector. What is

19   the other bullet? Two hundred percent

20   penalty. If someone cannot pay their fine,

21   the congestion pricing, by the 20th of the

22   month, they're getting two hundred percent

23   fine. What is this about? This is the

24   second bullet. All right. You're not going

25   to be wiped out with the congestion pricing,

1

2   here is another bullet I have. You're going

3   to forget one day to pay this congestion

4   pricing and I will be kicked out. It's

5   thousands of dollars. Nobody have the money.

6   If this is $2,000 congestion pricing come

7   out, so the penalty would be another 2,000.

8   It will be $6,000 is the penalty. Where is

9   this? And you are the regulator. You are

10   the rule maker. You are from this city.

11   This city served hundred years of yellow cab

12   with the icon. Keep this. Save this.

13   Protect this. 30,000 drivers --

14   (Applause.)

15   MR. SULTAN: -- they will be wiped out.

16   It's not Albany.

17   (Bell rings.)

18   MR. SULTAN: It's a big economy. It's

19   right there, Wall Street. And it will be the

20   history, all of your face. And our children

21   will be saying all of your names. Who was in

22   the commission. Who was there? Who was

23   sitting? Who has taped their mouth? Who

24   taking in Albany? Who is the lobbyist --

25   MS. SCOTT: Thank you for your

1

2   comments, sir.

3   MR. SULTAN: Please, protect the

4   drivers and support the Taxi Workers

5   Alliance --

6   MS. SCOTT: Thank you for your

7   comments.

8   MR. SULTAN: -- they are the true

9   fathers. Thank you so much.

10   MR. WILSON: Thank you.

11   The next speaker is Mr. Bista.

12   MR. BISTA: Hi, everybody. My name is

13   (inaudible) Bista. And my account is

14   deactivated by Uber. And I drive like

15   two years with Uber. And I got some

16   complaints from customer but that is very

17   unfair complain. And I come in here today in

18   order to -- I apply to you. I should get a

19   second chance. What happened is, I live in

20   Jersey City and I take passengers from Jersey

21   City to New York. And there's multiple

22   passenger and a one, three requests. And

23   when I get to New York City, they always have

24   one destination. When I get to New York City

25   and everybody want to go different places,

1

2   and always, I don't argue with the passenger.

3   I respectfully ask them, "Please put in the

4   system, you should put in the system multiple

5   destination and I will do my job." And they

6   try to ignore me and they try to hang out in

7   the City for a couple hours. And I got those

8   kind of complaints from passengers and Uber

9   deactivated my account. Last September is

10   almost eight months, and I tried it many

11   times and still they don't respond.

12   Now, I'm driving with Lyft and they

13   don't have enough passengers and now my

14   income is almost half. And I am a father of

15   two kids. And my wife is a (inaudible)

16   person seeking work full-time. So, my

17   situation is a little bit off. And I'm here

18   to conduct money about me. A lot of drivers

19   like me in New York City and they treat --

20   the Uber, they dictate with a driver like me.

21   And I'm here to request the Commission or

22   TLC, Uber should be under TLC rules and

23   regulation. They are not a dictator for us.

24   (Applause.)

25   MR. WILSON: Thank you.

1

2   The next speaker is Mr. Maha

3 (phonetic).

4   AUDIENCE MEMBER: Malhotra?

5   MR. WILSON: I did not say that but,

6 okay.

7   MR. MACHOTRA: Good afternoon,

8 everyone. My name is Vinod Malhotra. I am

9 with NYTWA for long time. So, good afternoon

10 and, first of all, we thank TLC to vote

11 against fee. And the last time against voter

12 fee -- and against the tax. Thanks. Thanks

13 a lot. Even they don't do right thing, but

14 thanks anyway. So, why are we collecting

15 congestion fees? The government is unfair

16 fix this pay overtime for the employees. Can

17 you explain and tell them explain us? So,

18 why are they burdening the New Yorkers with

19 this new congestion price? So, since -- we

20 appreciate for your vote against that. Since

21 these app companies come here, we are

22 struggling to survive. Since all app base

23 companies took all our business, we have

24 very, very hard time to pay bills, provide

25 meals for our families -- food, college

1

2   tuition fees, clothes and stuff. Our

3   earnings already below the minimum wage.

4   It's $15 -- whatever. So, since this

5   congestion fees started, we lost most short

6   fares and lost -- decreasing in tips. So,

7   just some ride would come, you know. We

8   feeling in summer we going to lose more and

9   more business. So, the City is very hard,

10   especially for yellow taxi owner practice,

11   too much mortgage to pay.

12   So, that MTA chief, you know everything

13   they said in the news, all the guys overtime.

14   In overtimes, there pay is too much, even

15   more than Mr. Governor, even more than

16   Mr. Mayor. They're making $300,000 a year.

17   So, we are dyings. We are dying. So,

18   they're putting burden on us to collect for

19   them, 2.50, it's not fair.

20   So, I'm sorry -- before they put the

21   burden on the New Yorkers for the congestion

22   fees, and all these yellow taxis to collect

23   these fees, which is killing our business, we

24   have to talk to Mr. Cuomo to -- many of these

25   yellow taxis, we have to talk to Mr. Cuomo to

1

2   adjust these taxi work congestion fees

3   because we are already (inaudible) by the app

4   companies. Second and third, they did not

5   control the MTA workers, they are playing or

6   they're sitting on their jobs. No congestion

7   fee can help if this happens.

8   So, please, first, take a look into

9   exactly what's going on in the environment.

10   How could you put burden on the New Yorkers

11   then it may be worth it. Sir, please,

12   control the growth of the app base companies,

13   which is already crowding all New York

14   streets. It's very hard --

15   (Applause.)

16   MR. MACHOTRA: -- to go from point A to

17   point B.

18   (Bell rings.)

19   MR. MACHOTRA: They're paying more

20   money for the fares, they're besting more

21   time. So, go to their jobs --

22   MS. SCOTT: Thank you.

23   MR. MACHOTRA: -- especially

24   (inaudible) since I'm a member of the NYTWA

25   and I also know that it's a long time wish

1

2   for us. We haven't had any help from TLC,

3   New York City. Thanks for the council

4   member --

5   MS. SCOTT: Thank you for your

6   testimony, sir.

7   MR. MACHOTRA: Guys you please bail us

8   out as soon as possible, save our lives.

9   Save our future. Thank you so much.

10   (Applause.)

11   MR. WILSON: Thank you.

12   Mr. Saibou?

13   MR. SIDIBE: Hi. My name is Saibou

14   Sidibe. I'm a member of New York Taxi

15   Workers Alliance. I'm a driver and also an

16   organizer. I'm here today to bring back the

17   issue of deactivation. This is very

18   important. I have a couple of friends who

19   have been deactivated. One is Muslim, he

20   never drank in his life. And he observed he

21   got deactivated and when he went to Uber to

22   find out, they said a customer report because

23   he was drunk. So, everything -- his daughter

24   even gave him a letter, you know, he went

25   back and he couldn't get in. And seeing he

1

2   was being deactivated, he is driving with

3   Lyft.

4   So, this is very important issue.

5   People just get deactivated. We don't have

6   any power to just discuss and, you know.

7   When it's done, it's done. And one also

8   bought his car, brand new car. One month, he

9   was driving with Uber and he got deactivated.

10   So, now he has to find a way to give up his

11   car. Because when you're deactivated

12   sometimes by one app, all other follow.

13   Like, all these apps, most of the time, will

14   follow only the grade you have on Uber. And

15   sometimes you have drivers, they have great

16   -- good grade, like four, seven, that's going

17   to be good. But once, for only one complaint

18   of customer, you get deactivated for all your

19   life. So, that's a very important issue. We

20   need to find out the solution for this

21   family. They have children they're taking

22   care of. So, also, last meeting -- meeting

23   for Meera Joshi, she really mentioned -- we

24   bring up a case regarding raise for all, and

25   most of them, you know, sitting there very

1

2   approve the idea. What we wanted is to have

3   raise for all, and as my predecessor said,

4   just give any amount, go like 3.30, bills

5   paid for all that sixty minutes, for example,

6   and from there yellow drivers keep their

7   money. For app base companies, just give

8   them thirty percent of this amount.

9   So, there's no hard way to find out the

10   authorization rate, because this is really

11   hard for drivers. But if the driver know, I

12   have $20, from the $20, I get thirty percent;

13   that's it.

14   (Applause.)

15   MR. SIDIBE: So, we won't have to think

16   about anything else. So, that is pragmatic

17   for all, and it helps everybody all the same.

18   So, now, like, this company has mistreated

19   drivers and there's no way to find out. And

20   this little rate from February, it doesn't

21   work. And we're on setback, you know, they

22   always find a way to ruin it for drivers.

23   And the last time, the last thing was

24   for the yellow cab situation, I asked a

25   friend, he said, "Every $10 I spend -- the

1

2   customer give me, I pay $3 tax." But what

3   company paying, like, for $10, you have to

4   pay $3 tax to the state. That's what's

5   happening now. Because of the congestion, it

6   doesn't matter how much you tell the driver

7   you have to pay, you have to pay 2.50, plus

8   the fifty cents and the thirty cents there.

9   So, like $3.30. I said $3 but it's $3.30.

10   And this is up to TLC to tell the governor,

11   you know, all these people, you know, to look

12   into drivers.

13   (Bell rings.)

14   MR. SIDIBE: You know, we are serving

15   New York and we appreciate what TLC does but

16   you have to do more. You have to be with us

17   because without drivers, there's no TLC. So,

18   we make TLC today.

19   (Applause.)

20   MR. SIDIBE: Thank you.

21   MR. WILSON: Thank you.

22   The next speaker is Bill Lindauer.

23   COMMISSIONER HEINZEN: Mr. Lindauer, if

24   you could please just give me one minute. I

25   just want to speak about -- it won't cut into

1

2   your time, obviously.

3   I just wanted to comment about the

4   deactivation. I think we've heard that from

5   at least ten drivers today. Among the data

6   that we now collect is deactivations from the

7   app companies. And they also have to

8   indicate whether or not the driver initiated

9   it. I think it's clear from what we're

10   hearing, at least today, that this is not a

11   driver initiated issue but a company

12   initiated issue. So, we appreciate the

13   testimony on this topic. The best thing that

14   we can have from app drivers and from your

15   advocates is documentation from your side of

16   the deactivations, whether or not you ask for

17   a reason, whether or not they gave you a

18   reason for the deactivation, how long it

19   lasted, et cetera.

20   So, again, thank you for that

21   testimony. We encourage you to provide us

22   with that information specific to you, the

23   drivers, which we can then use as we read the

24   deactivation data that we're beginning to get

25   from the companies. Thank you.

1

2   (Applause.)

3   MR. LINDAUER: It's readily apparent

4   that this industry is in crisis. Families

5   are in crisis. Drivers are in crisis. The

6   people -- the citizens of New York are in

7   crisis. Because if the evil empire, the

8   empire that (inaudible) Uber and Lyft,

9   destroyed the yellow cab industry. The

10   prices of cab rides will be higher than rents

11   in this town. You can't let that happen. As

12   a Vidal Sassoon hairstylist used to say, "If

13   we don't look good, you don't look good."

14   Hey, if we don't survive, the Taxi &

15   Limousine Commission and all it's many

16   employees will be looking for work. The

17   industry is unbelievable. The righteousness

18   of your cause is unbelievable. I mean, it's

19   so true what Bhairavi said that she

20   represents thousands and thousands of

21   drivers. You must listen to her. She has

22   ways to solve some of these problems.

23   Please, do it. Thank you.

24   (Applause.)

25   MR. WILSON: Thank you.

1

2   The next speaker is Mr. Contkia

3   (phonetic).

4   (No response.)

5   MR. WILSON: No?

6   Hera Fobiang (phonetic)?

7   (No response.)

8   MR. WILSON: Okay. Masum Chourdhury?

9   MR. CHOURDHURY: Hello. Good

10   afternoon, everybody. My name is Masum

11   Chourdhury, and I'm driving from 1988 in

12   yellow taxi. And there was a time I was very

13   comfortable with my living. And now, as you

14   know, every time they put a load on my

15   shoulders, more load, more load, more load.

16   Now I cannot take any more load. I am

17   breaking down, almost broke down. You know,

18   since I start, there was no workmens'

19   compensation. Okay. We had to pay the

20   workmens' compensation. Now, they start MTA,

21   fifty cents; it's okay. Then charge another

22   thirty cents. TLC, now, 2.50. We cannot

23   take it any more. We break down already.

24   And since we don't have no raise. How

25   many years we do not get raise? I'm not

1

2   asking over there to make a raise, because if

3   the raise, we will not break down, we will

4   die. Because I am asking to cut down this --

5   take this load from our shoulder. Like, you

6   know, the MTA people making seven digit

7   money, seven digit salary, six digit salary.

8   One employee make about nearly $200,000 in

9   overtime. He's regular tips. You know, I

10   know some of these guys. And I know some of

11   these bus drivers. You know, they're making

12   lot of money, about 80/90,000. How much we

13   make? And we have to make money for them to

14   pay. Just consider this thing, as you

15   understand. You understand our feeling,

16   understand our sorrows, understand our

17   problems. You know, we work very hard.

18   Because I don't understand why

19   everybody hates taxi drivers. I get this

20   type of impression. When I drive on the

21   road, all the law enforcement agencies,

22   police and everything, they thing we are

23   criminal type people. It's, you know -- and

24   I want you to look on this problem because if

25   you take the load from our shoulders, you

1

2   know, the MTA or something, you have to look

3   for -- and got a reason to make money. Such

4   as, if we want the congestion charge, they're

5   supposed to put everybody's congestion

6   charge, everybody in 96, they put up too.

7   (Applause.)

8   MR. CHOURDHURY: They single out the

9   yellow cab and the taxi industry. You know,

10   this surprised me. I thought it would get

11   everybody. Get into that 96th Street, there

12   will be less congestion in the City. But

13   congestion is still there. One person said,

14   "Wait, why congestion charge? It's a Sunday.

15   Why congestion charge one o'clock in the

16   morning?" I said, "I cannot answer this

17   question."

18   (Applause.)

19   MR. CHOURDHURY: They're to answer, the

20   governor, Mr. Cuomo. And ask the TLC, they

21   know it better. I'm only driver."

22   And I wish you would reconsider our

23   problem.

24   (Bell rings.)

25   MR. CHOURDHURY: As you know, all of --

1

2   it's not my only problem. All the taxi

3   drivers problem over here. Thank you.

4   (Applause.)

5   MR. WILSON: Thank you.

6   Mr. Mahabub.

7   MR. MAHABUB: Hello, Mr. Commissioner,

8   and thank you, especially. You will be one

9   of the best, you will be. And you're going

10   to make history, and that history for the

11   driver, for the industry, and for the TLC.

12   I'm a guy, I work long, long time, long

13   years. Since 1997, I bought the medallion.

14   The second auction of Mr. Giuliani's. I had

15   a good time. I am a good man. And I work

16   for TLC for passengers, for the City, and for

17   the good name.

18   Now, I want to give you thanks,

19   everyone, sitting here hours and hours. I

20   don't know how many hours. I was late, and

21   you will be here. Last night, I worked like

22   fourteen hours, and after that I go home and

23   wake up and come back to you. So, only one

24   thing I want to say, I work seven days, seven

25   nights, but problem is going to be there, if

1

2   you not solve. You, the person, and you, the

3   authority, to solve all those problems and

4   listen to all the speakers who were here. I

5   have a good story. And I had the American

6   dream. I have American dream.

7   My son, this year, going to NYU with a

8   full scholarship.

9   (Applause.)

10   MR. MAHABUB: And I just -- I want to

11   make him a very good citizen. Where is it

12   coming from, this money, from the street and

13   with the help of TLC. I use my money -- I

14   have two sons, one is going to freshman year

15   at NYU. Another going to be -- he is the

16   very best student. He is now second one.

17   He's in special high school in New York City.

18   He's going to be another better University, I

19   can promise you. I used my money to build a

20   good citizen because I lost my turn. But I

21   don't want to lose their turn.

22   As American dream, I want to fulfill

23   and I'm trying to do my best. Please, just

24   help me now to keep up with the good dream

25   come true. I'm trying my best, but this is

1

2   the situation, I'm sinking. I'm not dying.

3   I'm sinking. I try to live, try to be

4   strong. Please help. Please help. Please

5   help.

6   (Applause.)

7   MR. MAHABUB: That's my only appeal to

8   you. Mr. Commissioner, as I say, you're

9   going to be the very best commissioner in

10   TLC's history, if you jump on the problem and

11   solve it. Not like any other commissioner

12   doing job, doing service, doing battle for

13   TLC. No, help to be a driver. TLC driver

14   means TLC commissioner. Otherwise, you do

15   not exist. So, please help us to help you,

16   the City, and the country. Thank you very

17   much.

18   (Applause.)

19   COMMISSIONER JIHA: Thank you, sir.

20   MR. WILSON: Thank you.

21   The next speaker is Mohammad Hossain.

22   MR. HOSSAIN: Good afternoon,

23   commissioners. Good afternoon to everyone.

24   My name is Mohammad Hossain, and I'm also a

25   member of the New York Taxi Workers Alliance.

1

2   Now, I'm driving taxi since 1988, and I also

3   work taxi last auction, I'm a medallion

4   owner. So, this is my (inaudible). And I

5   put down payment here $100,000; that's all my

6   money. All of my life I made this money. I

7   work as same as doggy, but I cannot save my

8   money for my life, for my family. And for

9   time and money, I cannot save for my family

10   and for money.

11   So, I'm alone, 100 -- 760 grand, and I

12   have no second driver. I have to go to my

13   mortgage, and insurance, tax, fee and

14   that's -- so, my money, when I put the down

15   payment, the money is under dark (inaudible),

16   so I cannot reach it. So, my life is

17   terrible right now. So, I'm almost die. So,

18   city -- I bought a medallion from the City of

19   New York. City, give me back my debt, okay?

20   I want not to die, okay? I help my family.

21   I have my family. My mother died when I was

22   nine months, okay? And my life has been

23   terrible because my father married another

24   woman. And I had a very bad experience. I

25   was born in a very rich family, but my

1

2   father, he forget me. But I'm happy to come

3   here. So, I bring my brother here, so we all

4   have a dream, the American dream.

5   So, I have to give life to my daughter,

6   my daughter is only twelve years old; she is

7   7th grade. So, I don't want to die, okay?

8   Because I have experience -- after die my

9   mom, I want my life. So, I need to better --

10   I need to life. I need to still life to

11   better life for my daughter. So, City has to

12   be responsible for this because once the Uber

13   come, then people there, they need to punish

14   to Uber, Lyft -- all these companies, but how

15   the people there, they keep sell to the

16   medallion to us. Because one medallion,

17   like, five years ago, 10 years ago, I bought

18   medallion like $200,000. Then, I have -- a

19   lot of people here, I know them. They bought

20   a medallion like $1 million. They bought a

21   house. They bought two house. They're rich.

22   Now, they're crying for a regular price job.

23   Look, I bought every single penny in the New

24   York City. I drive taxi over twenty years.

25   So, I believe City will be help, especially,

1

2   like Uber last auction. Because city has to

3   be held responsible. And who the one who

4   dies? A lot of medallion -- some medallion

5   owner, they die, you know. So, I --

6   (Bell rings.)

7   MR. HOSSAIN: -- have to see the City

8   responsible for that. And all the help us

9   down the medallion long and health. Help

10   stop the status. Thank you so much, and have

11   a nice day. Thank you, everyone.

12   (Applause.)

13   COMMISSIONER JIHA: Thank you, sir.

14   MR. WILSON: Thank you.

15   The next speaker is Awan Ali Mohammad.

16   (No response.)

17   MR. WILSON: Villatelle Talliper

18   (phonetic).

19   (No response.)

20   MR. WILSON: No?

21   Michael Higgins?

22   MR. HIGGINS: How are you doing? Good

23   morning, everybody. My name is Michael

24   Higgins. I usually tell people that my first

25   cab was a dinosaur, right. So, here I am.

1

2   I'd like to welcome the new commissioner on

3   board.

4   First things first. I think the new

5   MTA surcharge is an utter and complete

6   ripoff, okay? It's not in a lockbox. This

7   money is going to pay pork for the various

8   politicians. And I want to thank Jumaane

9   Williams, who has made some end roads, as far

10   as looking into that, according to some of

11   the drivers I have talked to. Also, I think

12   the MTA surcharge for the yellow cab,

13   conclusively, is illegal and discriminatory.

14   Again, there was no due process to go to the

15   public hearing of cases or even find out if

16   we need that. And you should give that money

17   to the taxi drivers because we haven't had a

18   fair increase for six years.

19   (Applause.)

20   MR. HIGGINS: The other thing I would

21   like to jump into -- a couple things you can

22   do for the drivers right now without a fair

23   increase hearing, let the drivers get money

24   advances for larger fares, because they're

25   constantly getting ripped off for these $30

1

2   and $40 fares on the streets, especially at

3   nights. Also, put the rates back on the side

4   of the doors of yellow cabs. I mean, the

5   tourists get in, they're always -- it used to

6   be there for seventy years. I don't know why

7   the TLC took off the rates on the side of the

8   doors. You're going to a restaurant, you're

9   going to a baseball game, you're going to a

10   bar -- everybody has got a price of how much

11   things cost in those establishments. And I

12   think it's ridiculous that they were taken

13   off in the first place. I mean, a big "T" on

14   the side of the cab doesn't tell you how much

15   the cab costs. Especially, with the à la

16   carte surcharge money that's coming in now.

17   People have no clue how much it costs to get

18   in a cab. And I have had that argument

19   because I still drive part-time. And the

20   people say, "Oh, my God. It's $5.80, I wish

21   I would have known that first or else I --"

22   you know, blah, blah, blah.

23   So, also, I think the JFK flat rate, we

24   might have to go back to the meter because

25   cab drivers are paying, basically, passengers

1

2   to ride from Kennedy Airport if there's rush

3   hour traffic. They spend two hours for $52

4   versus one hour for $52, which was the

5   spearhead of law. Also, I have to say --

6   where am I? Sorry. I have been scribbling

7   all morning. I apologize. The other thing

8   is that the TLC approved 50,000 more app cars

9   in the course of the last five years. So, I

10   have to laugh when I see de Blasio talking

11   about Earth Day, when people can't even

12   breathe because they got 50,000 more cars

13   squashed into Midtown, Manhattan.

14   Also, every time we want to put more

15   money into the driver's pocket, they say,

16   "Oh, do a group ride." And that group ride

17   is usually peanuts. Sometimes it's $3 a

18   person or $4 -- listen, you got people paying

19         $10 million for a condo in New York City, no

20   problem. You can afford to give four or $5 a

21   piece for the gang or $10 a piece to make

22   sure it works. The last thing is -- oh, and

23   as far as administrative stuff, I think

24   sometimes we have to look at the 311 system

25   where people are calling from the outside.

1

2   You're unable to mount a defense case against

3   these people. You don't know who these

4   people are. Somebody calls from the outside,

5   hasn't even been a cab passenger and is like,

6   "Oh, the cab driver did this and did that."

7   There's no chance to investigate this person

8   to see if they've been, you know, let out of

9   a nuthouse or they called a hundred times

10   with the same excuse. You don't even know

11   who these people are. All of a sudden,

12   you're guilty before proven innocent.

13   The other thing I like to talk about

14   that TLC can look into is defensive driving.

15   We are mandated from time to time to take --

16   (Bell rings.)

17   MR. HIGGINS: May I please? We are

18   mandated from time to time to take defensive

19   driving courses and the spearhead of the law

20   is to reduce some points on the drivers' TLC

21   license. But the problem is this will be the

22   third time coming up where I'm going to be

23   taking defensive driving with zero points on

24   my license, so I lose the benefit of having a

25   points reduction because they're not going to

1

2   give you a negative point reduction versus

3   the driver and having to benefit coming down

4   to four points.

5   And lastly, no fare increase in the

6   last five years. The medallion is down by

7   nine percent in the last five years. There's

8   no yellow cab auction. Very few people know

9   about the handicap vans.

10   (Bell rings.)

11   MR. HIGGINS: 50,000 additional Uber

12   cars --

13   MS. SCOTT: Thank you for your

14   comments, sir.

15   MR. HIGGINS: Okay. Well, I'd just

16   like to say, we really -- there is room for

17   improvement, A to Z, and I wish you well,

18   Commissioner Heizen?

19   COMMISSIONER HEINZEN: Heinzen.

20   MR. HIGGINS: Heinzen, okay. I'm

21   trying.

22   COMMISSIONER HEINZEN: Okay. That's

23   good.

24   MR. HIGGINS: So, thank you very much.

25   But if you could please look into some of

1

2   these things and before having a fare

3   increase hearing, find ways to put --

4   MS. SCOTT: Thank you, sir. Thank you

5   for your comments.

6   MR. HIGGINS: More money to drivers

7   from a peripheral standpoint. Thank you very

8   much.

9   (Applause.)

10   MR. WILSON: Thank you.

11   The next speaker is Amily Chen

12   (phonetic).

13   (No response.)

14   MR. WILSON: Shamy Ramirez?

15   (No response.)

16   MR. WILSON: And the last speaker Abdul

17   Ra (phonetic). That's it?

18   COMMISSIONER JIHA: That's it. All

19   right. Thank you.

20   MR. WILSON: Let the record show we

21   adjourned at ten minutes after one. Thank

22   you.

23   MS. STROE: I was very late, sir, to

24   come in. Could you give me a few minutes?

25   Okay. I'm Jana Stroe. I drive cab for

1

2   thirty years. My husband died from cancer by

3   driving for thirty years, the last ten years.

4   So, I remain with his debt. This is

5   terrible. Let's go to just a little bit

6   about the congestion charge. On the meter is

7   adjust tip. On the back of the computer, is

8   adjust tip. This can be restored and not to

9   put the meter on the back. Tip should be

10   considered -- because people who gets in a

11   cab, when they see a tip, "I'm not going to

12   give you thirty percent or twenty-five

13   percent tip." This is another aspect of

14   charging the meter. Do you consider that? I

15   mean, do you beware of that (sic)?

16   And congestion charge, everybody here

17   present their speech, and it's so much to --

18   they've been saying almost everything. But I

19   have a few things which I want to consider:

20   Complaints, the beauty of this city, yellow

21   cabs. Now, we remain like thirty years or

22   forty years ago when gypsy cabs -- everybody

23   ignore us, disrespect us very, very much.

24   Can TLC restore something? Do the hard and

25   tell the City of New York we are here and we

1

2   are yellow cab. This is the beauty of this

3   city and now we remain of almost nothing.

4   Uber and all this -- Lyft and these companies

5   cover us and they can make complaint against

6   us for anything, which was happening to me.

7   For anything, they can turn the computer,

8   make complaints against us for anything. How

9   we can complain to make complaint against

10   them? It's impossible. Because if you have

11   -- because they stop anywhere they want and

12   they make complaint.

13   I have a few complaints from Uber and I

14   have to pay the fine for no reason at all.

15   For very small things. And also, the public,

16   the people of this city driving, besides the

17   point of being a yellow -- I mean, a Uber and

18   Lyft, they do the same thing, take pictures

19   and send to TLC and we have complaint. With

20   the medallion, I'm an owner of medallion

21   because my husband passed it on to me. So, I

22   start with big, big mortgage. Ten years ago,

23   I mean, not even ten years ago, eight years

24   ago. This was -- the mortgage was $600,000.

25   I'm paying for eight years. I'm 475 now.

1

2   So, is anybody come along and help us? One

3   of these millionaires in this city, like

4   somebody mentioned here, they can buy

5     $10 million or $100 million of apartments

6   here and nobody comes and -- what is the

7   issue? How we can come back and help us?

8   Somebody has to help us with these mortgages.

9   Because when Wall Street collapsed in Obamas'

10   time, somebody came around and help.

11   (Applause.)

12   MS. STROE: Who is going to come to

13   help us? Somebody has to come and help us

14   with this because those mortgages are --

15   (Bell rings.)

16   COMMISSIONER JIHA: Thank you.

17   MS. STROE: Thank you. Thank you very

18   much and I hope we'll get some response from

19   you.

20   COMMISSIONER HEINZEN: May I just ask

21   you -- I don't think I understood, and I'm

22   sorry -- your question about the tips, what

23   is your proposal?

24   MS. STROE: The proposal on the

25   meter -- I think everybody is facing this.

1

2 When people get in the cab, all right, and at

3 the end of the trip, or whatever, we have

4 their percentage -- twenty-five to thirty

5 percent. And it's tip instead of being

6 charged, because the card -- when they swipe

7 the card, all right? So, people says, "I'm

8 not going to give you --" the trip is $20,

9 right, or $30 or $40, all right. On the back

10 on the computer, you have three choices to

11 press the tip. So, passengers says, "Well,

12 I'm not going to give you twenty percent or

13 thirty percent or thirty-five percent." This

14 has been established since the technology,

15 you know --

16   AUDIENCE MEMBER: What are you

17 suggesting?

18   COMMISSIONER HEINZEN: May I ask? May

19 I ask?

20   So, you think that the passenger

21 reaction is they see those percentages as too

22 high, and so they just don't leave anything

23 even though they could touch them?

24   MS. STROE: No, they don't consider --

25 like, "I'm not going to give you this tip."

1

2   I mean, does any --

3   AUDIENCE MEMBER: No, the passenger has

4   the option to the boxes or to use the

5   numbers, which is numbers from one to ten.

6   So, some of them, they look at the box and

7   don't look at the number. But they have the

8   option to use the boxes or use the numbers.

9   MS. STROE: Reverse or do it other

10   ways. I mean, this issue maybe, you know,

11   was my idea or somebody else idea. Would

12   anybody consider this? I don't know.

13   COMMISSIONER HEINZEN: Okay. Could

14   someone from External Affairs please talk to

15   her after the hearing.

16   COMMISSIONER JIHA: Thank you.

17   (TIME NOTED: 1:16 p.m.)

18

19

20

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22

23

24

25

1

2   C E R T I F I C A T E

3

4   STATE OF NEW YORK)

5   :SS

6   COUNTY OF QUEENS)

7

8   I, Sabrina Brown Stewart, a shorthand

9   reporter within and for the State of New York, do

10   hereby certify that the within is a true and

11   accurate transcript of the statement taken on

12   April 25, 2019.

13   I further certify that I am not related to

14   any of the parties to this action by blood or by

15   marriage, and that I am in no way interested in the

16   outcome of this matter.

17   IN WITNESS WHEREOF, I have hereunto set my

18   hand this 25th day of April, 2019.

19

20

21   *Sabrina Brown Stewart*
                      Sabrina Brown Stewart

22

23

24

25

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