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NEW YORK CITY
TAXI & LIMOUSINE COMMISSION
PUBLIC HEARING
FHV DRIVER PAY
-----X

May 24, 2022
10:10 a.m.

VIA VIDEOCONFERENCE

B E F O R E:
RYAN WANTTAJA,
COMMISSIONER AND CHAIR

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

TLC COMMISSIONERS

RYAN WANTTAJA, Acting Commissioner

BILL AGUADO, Commissioner

THOMAS SORRENTINO, Commissioner

STEVE KEST, Commissioner

COMMISSIONER SORRENTINO

ASSISTANT COMMISSIONER RYAN WANTTAJA

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MR. WANTTAJA: Good morning, and welcome to our second day of hearings on industry economics. I am Ryan Wanttaja, and I'm joined today by Commissioners Kest, Aguado and Sorrentino. And as always, several members of the TLC staff who are watching and taking notes.

Thanks to everyone who participated in yesterday's open hearing on the Taxi Meter Rate of Fare, and thanks to everyone who supplemented their testimony with additional comments. Today, we are here to get your input on anything you believe the TLC should consider when setting minimum driver pay rates for high volume, for-hire service drivers.

Again, we have a very lengthy list of speakers who have signed up, so I will keep the housekeeping brief.

As I mentioned, at today's hearing, we hope to hear testimony --
(Audio interruption.)

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MR. WANTTAJA: As I mentioned, at today's hearing, we hope to hear testimony about expenses related to operating a for-hire vehicle so we can properly set the minimum per minute and per mile rates for high volume for-hire drivers.

Before we get to your testimony, because I imagine we will hear quite a bit about this today, I want to give a brief explanation about utilization rates.

TLC rules require high volume companies to pay their drivers a minimum per minute and per mile rate for all the time they spend transporting passengers. But, we all know that times spent transporting a passenger isn't the only time a driver spends working. Drivers spend time waiting for trips, they spend time driving to the pick-up location of a trip, they spend time waiting for a passenger to show up and enter a

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vehicle.

The concept of a utilization rate attempts to factor in all of that time into what drivers must be paid. All a utilization rate does is calculate the amount of time a company's drivers collectively spend on the company's app, but without a passenger in the car. If a company's drivers spend a lot of time on the app without a passenger, the company will have a lower utilization rate and the company will have to pay its drivers more for the time they do spend with passengers.

So when a company tells you that if TLC starts calculating utilization rates again, they will have to cut off your access to the app, what they are saying is that they are choosing to lock you out now so they can pay you less in the future. That's it.

And to be clear, we are open to adjustments to all of this. That is

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in large part why we are having these hearings. We would love to get your thoughts on how we might adjust the way TLC calculates driver pay that still ensures drivers are properly and barely compensated for all of the time they are working. So I look forward to everyone's testimony on this topic today.

And to repeat just about everything I mentioned at yesterday's hearing, in addition to testifying today and providing written comments to us, the most helpful thing you can do to ensure that the TLC has all the information it needs to set driver pay rates is to fill out the driver expense survey TLC sent out yesterday.

Any adjustments we make to minimum driver pay rates need to be based on driver expense data, and the survey is one of the main ways we will be collecting that data. If you want to ensure your voice is heard, please

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fill out that survey.

And finally, we have about 100 people who have signed up to speak. So we are, again, limiting testimony to two minutes. As always, you are more than welcome to supplement your testimony today with written comments, which you can send to TLC Rules at TLC dot NYC dot GOV.

Since we are just in the information gathering stage of adjusting minimum driver pay standards, there is no hard deadline to submit additional comments.

With that said, let's dive right into this. Please ensure your Zoom display name matches the name you used when you signed up to speak. When I call your name, you are free to turn on your camera, unmute your mic and begin your testimony. You'll be given a notice when you have 30 seconds remaining and then another when your time has expired. At which time, you

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must conclude your testimony.

So with that, our first speaker will be Andrew Greenblat followed by Aziz Bah (phonetic).

SPEAKER: Good morning. Thank you. Good morning, members of the Taxi & Limousine Commission. My name is Andrew Greenblat, and I'm the policy director of the Independent Driver's Guild. I'm here today to speak about ensuring that Black Car drivers earn a living wage, and to recommend a crucial change the TLC needs to make to ensure that that happens.

Specifically, the TLC must put a moratorium on issuing new TLC driver's licenses until the current market stabilizes, and we can determine the appropriate number of drivers to serve the demand. If the TLC determines that it does not have the authority to do that, we are prepared to work with the TLC to go to Albany and get you

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that authority.

So why am I so focused on the number of drivers? Because what we've learned since the TLC set a minimum wage is that without managing the number of new drivers on the road, the system works in perfectly and drivers suffer.

When the TLC raised the pay floor of drivers to meet the State's minimum wage, the result was predictable. Higher wages attracted more drivers, and drivers drove more hours. This lead to more drivers on the road chasing the same number of rides, lowering the utilization rate and thus depressing the hourly wage.

To make sure per trip rates didn't raise any higher, the app companies responded with lockouts. These lockouts have been devastating to drivers who count on being able to work to pay rent and other bills on time.

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TIMEKEEPER: Thirty seconds remaining.

SPEAKER: The TLC's moratorium on new plates does limit the number of drivers indirectly, but does so in an imperfect way that ends up also costing drivers. As the permanent per mile rate increases, the value of those plates go up and fleets are able to charge more and more to the drivers.

In past discussions, the TLC has raised -- staff has raised that they may not be able to set this moratorium. Again, we are willing to work with you to make it happen. Thank you.

TIMEKEEPER: Time has expired.

SPEAKER: I'm here to answer any questions you may have.

MR. WANTTAJA: Thank you for your testimony.

Our next speaker will be Wanim Brahim (phonetic), followed by Hailey

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Robinson.

Sorry. Aziz Bah is up next.
I'm sorry. Aziz Bah.

SPEAKER: Good morning,
Commissioners. My name is Aziz Bah.
Organizing director of the Independent
Driver's Guild, the nation's largest
organization of Uber and Lyft drivers.
We represent more than 250 thousand
drivers and 80,000 in New York City or
more.

As you may know, the IBG
petitioned for and won the nation's
first paid minimum wage guarantee for
app base drivers a few years ago. The
Commission's intention in passing this
regulation was to ensure a livable
wage for the City's Uber and Lyft
drivers and their families.

The Mayor, the City Council and
this Commission were clear that the
intent to enact a livable wage pay
rate after expenses, the City intended
for these rates to pay drivers gross

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payment of at least 27.86 an hour and 17.22 an hour net. If they make less than that on a given trip, the app companies must pay the difference. Drivers are not making the minimum and the app companies are not paying the difference. Furthermore, the app companies are hurting riders, drivers, and the New York City economy by taking excessive fees from each fare.

One of the key pay proposal the Guild put forward and studied by the TLC has never been enacted as of today, the Commission cap. Right now, Uber and Lyft are underpaying drivers --

TIMEKEEPER: Thirty seconds remaining.

SPEAKER: -- by taking massive fees out of the fare's pay. The drivers do the work. They pay all the expenses, the driver should be guaranteed no less than 90 percent of the fare.

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The most important thing this Commission can do to address this is to cap the amount the app can take, the 10 percent and guarantee drivers a minimum of 90 percent of each fare. The Commission must revise the utilization rate that the app companies are exploiting, of course, and --

TIMEKEEPER: Time has expired.

SPEAKER: -- and are locking them out of the app. Drivers should always have the freedom to work when they want. And finally, we urge this Commission to pause on license additional -- on licensing additional FHV drivers until we have enough business for the existing drivers to make a living.

Thank you so much.

MR. WANTTAJA: Thank you for your testimony.

Our next speaker will be Manu Reman (phonetic), followed by Hailey

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Robinson (phonetic).

SPEAKER: Hi. Good morning, everyone. Hi Ryan, hi, Commissioner Thomas.

We've seen Uber came in -- I only have two minutes, so I'm going to keep it very precise.

Uber came in in 2010 and disrupted the market. What I just heard about utilization rate, if the app companies are going to lock out the drivers again, if any more suicides are coming out, that will be on hands of the TLC Commission. So we have to be very careful about it.

The other thing is, these app companies sharing their data with the TLC, the latest -- because we have the unions -- so-called unions around in New York. But the problem is the data which has been collected before are based on which the rates were set. That data is from X cars. Camry, sedans and all that. So that data

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doesn't justify the SUV Black Car drivers.

Right now, after the pandemic, everybody just got back into the industry. So the cost of living is way too high than what we are getting paid now by these companies. These companies have cut down on the rates for the passengers. But they never cut down the rates on the commissions. The commissions are going up. And we need TLC to make a driver advisory board as well as technology advisory board --

TIMEKEEPER: Thirty seconds remaining.

SPEAKER: -- oversees how these app companies are manipulating. Because drivers don't have the tools to differentiate between what commission the companies are taking and how much money is going in their pocket. With the inflation rate so high, the gas prices skyrocketed.

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So if the City brings out -- if the TLC puts the utilization rate where the companies have to pay the drivers and they don't, the companies will choose to lock out the drivers --

TIMEKEEPER: Time has expired.

SPEAKER: -- before the pandemic. We cannot accept that anymore. Any one more suicide happens, the City Council will be held accountable for that and the TLC will be held accountable of that. Because you guys are the gatekeepers.

So we appreciate it, and we can do another meeting on that so that we can follow what needs to be done. We cannot just --

TIMEKEEPER: Time has expired.

MR. WANTTAJA: We are going to move on to the next speaker.

Our next speaker is Hailey Robinson, followed by Lloyd Dinma (phonetic).

SPEAKER: Good morning. My name

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is Hailey Rubinson. I'm vice president for corporate affairs at Revel, the City's first locally based, all electric, all W-2 employee for-hire vehicle service.

With respect to the industry, Revel has two goals, accelerating EV adoption and providing the option of W-2 employment for drivers who want it.

The electrification of the City's for-hire vehicle fleet is one of the most meaningful steps we can take as a city to drastically reduce carbon emissions and improve local air quality. Revel is pairing our all electric ride hail with the infrastructure to support it while also making it available to the public, including all TLC licensed drivers.

Our flagship site in Bed-Stuy is the largest universal fast-charging site in North America. We'll have

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several more sites open this year.
Revel also provides drivers with the
opportunity to be an employee of a
company. Our company.

We support independent drivers.
And as we grow, we are exploring ways
to incorporate them into our service.
However, we do know there is demand
for the stability that comes with W-2
employment and not having to bear
vehicle costs. Our drivers are
guaranteed an hourly wage in tip rate,
PTO, access to benefits and are not
responsible for any vehicle expenses.
Taken together, this translates into a
net pay rate of between 30 and \$35 an
hour. This does not include driver
incentives of one hundred dollars a
week on additional tips over the rate
we guarantee.

The single --

TIMEKEEPER: Thirty seconds
remaining.

SPEAKER: -- barrier to employ

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more drivers, however, is a cap on new EVs imposed last June. In our view, ride hail in the past 10 years in this City cannot be ride hail in the next 10. The system needs to work for the New Yorkers who use it and as importantly, the drivers who keep it going.

Reversing last year's cap on new EV licenses for owner/operators, whether they be W-2 employers or independent drivers, is an important part of the equation. At present, the incumbent at base ride hail companies and their business model --

TIMEKEEPER: Time has expired.

SPEAKER: -- dominates the industry and leaves little room to provide drivers with optionality in how they earn a living.

We applaud the Commission for taking seriously the need to evaluate measures to increase driver pay and for letting us provide feedback today.

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Thank you.

MR. WANTTAJA: Thank you for your testimony.

Our next speaker will be Lloyd Dinma, followed by Edward Baccio (phonetic).

SPEAKER: For the record, Lloyd Dinma. Good morning to everyone and good morning to the Commissioner.

I have been FVE driver for the last four years. I believe I have a simple solution that will -- crisis without resorting to another lockout and with a driver schedule. Telling the FVE drivers when to drive like we had just before the pandemic.

In the interest of credibility and to tackle any spirit of dismissiveness here, there is need to point out that I have been fortunate to earn a degree in computer engineering from a top institution and also an MBA. I have work experience in the finance and telecommunications

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industry. Due to a situation outside the realm of my control, I can no longer accept employments.

Before I dive in, I want to touch on the nature of the problem, utilization rates. If we have a scenario where we too many FVEs are on the road chasing -- with few rides, this creates congestion and pollution. However, in resorting to a lockout as a solution, the TLC and the ride share are conflating online time with drive time. That's not necessarily the case. Just because the drivers are online doesn't mean that they're driving.

The solution is to get the driver off the road while remaining online for future ride requests. The luxury tiers of the ride share, the SUVs, self imposed this principle to conserve gas. So we were exempted in the lockouts before the pandemic. I would often have to go to a Starbucks

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after dropoff. To amend this, the ride shares would -- according to their driver app to detect if the vehicle is in motion after dropoff via its GPS sensor.

TIMEKEEPER: Thirty seconds remaining.

SPEAKER: It effectively shuts off the app, instructing the driver to pull over and await another ride request. As long as the vehicle is in motion, no ride requests. Congestion is definitely eased and the lockout is no longer necessary.

Thank you very much for your time.

MR. WANTTAJA: Thank you for your testimony.

Our next speaker will be Edward Baccio, followed by Vayda Vitesay (phonetic).

SPEAKER: Hello, can you hear me?

MR. WANTTAJA: Yes, we can hear

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you.

SPEAKER: Okay. Right now, Ubers get -- Uber, Lyft, whatever the -- all the services, there's so many cars on the road. Just massive amounts. And what we are doing, I'm working for Uber. 80, 90 percent of the time, I'm driving around not getting a call. Uber is not paying anything near the 27 or \$28 an hour. We are not getting that because we are not getting the rides. I have many cases, and I'll forward it to you, where I'm driving two hours through Brooklyn and Queens without getting a single Uber call.

This -- it seems like Uber did away with the utilization rate guaranteeing that we were going to make that 27, \$28 an hour. They cut my pay, what they were paying me per minute by about 30 -- 35 percent in late December of 2021.

So, you know, it's back to

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making, you know, five, \$6 an hour after expenses. Because Uber is not paying attention to the utilization rate and --

TIMEKEEPER: Thirty seconds remaining.

SPEAKER: That was imposed before the pandemic. So Uber is back to doing what they want. And right now you've got all these cars that speaks myself 80 percent of the time probably not with a ride 80, 90 percent. There's no many cars out there wasting so much gas, which doesn't help the gas prices for everyone. Because it's just such a waste. And Uber has to --

TIMEKEEPER: Time has expired.

SPEAKER: -- guarantee that wage again. That's what needs to be done. The TLC put that into effect and Uber followed it for a short period of time. Once the pandemic hit, Uber --

TIMEKEEPER: Time has expired.

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SPEAKER: Okay. Thank you.

MR. WANTTAJA: Thank you for your testimony.

Our next speaker will be Veta Vidasan, followed by Basil Mansour (phonetic).

SPEAKER: Good morning. I'm Veta Vidasan, executive director of the New York Taxi Workers' Alliance. I'm speaking to you from the corner of Broadway and Murray, outside City Hall, where drivers, Uber and Lyft drivers are gathered rallying for a raise.

The current app driver payment rates are based on 2017 expenses. Gasoline has gone up by 80 percent just from 2019 up to today. Drivers need a real raise. Those rates also assume that drivers will be taking home only about 17.22 per hour. This is not a minimum wage job. Drivers are collectively serving one million people every single day. They work in

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high risk, in dangerous conditions,
they work during holidays and
weekends, sacrificing time with their
families and making sure that New York
remains a 24/7 global City. Their
labor needs to be rewarded and valued.

Drivers are earning less of the
fare today at a moment in time when
Uber and Lyft are charging passengers
at an all-time high. The rates need
to be adjusted so no driver is left
without or below \$25 per hour after
expenses. That means the rates need
to be adjusted and the TLC must begin
to license and regulate the FHV
vehicle licensing market. It's a
market --

TIMEKEEPER: Thirty seconds
remaining.

SPEAKER: -- particularly over
the last several years. We need the
same protections for Uber and Lyft
lease drivers that we have for yellow
cab lease drivers. And drivers should

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be able to earn the lion share of that fare. At minimum, is the \$25 per hour after expenses. If these companies continue to charge more, the rates need to be adjusted so that drivers earn the lion share percentage of that fare.

TIMEKEEPER: Time has expired.

SPEAKER: Uber and Lyft left only New York City drivers out of a fuel surcharge. The TLC must fix that immediately, impose an immediate temporary fuel surcharge while these rates are being promulgated.

Thank you.

MR. WANTTAJA: Thank you for your testimony.

Our next speaker will be Basil Mansour, followed by Jackie Lynn (phonetic).

SPEAKER: Good morning. Recently, many drivers have received e-mail threats from Uber saying that the company will lock them out or

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reapply the planner if the City applies the utilization rate.

The lockout time and the time planner must not be allowed. This -- this is an illegal act. It should be outlawed. We all know how that ended up when the company applied the time planner and the lockout. I personally ended up making 50 percent less money than what I used to -- to make.

When we signed up for this job, we signed up as independent contractors. Meaning that we have the flexibility and we can work when we want, whenever we want. However, with the planner, that was not possible. The flexibility is gone. We still pay the same expenses, the same insurance, the same repairs while the car is not basically utilized or active.

Again, if the City wants to apply the utilization rate, which I think is a great idea, it must ban Uber and Lyft from locking out

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drivers.

Thank you.

MR. WANTTAJA: Thank you for
your testimony.

Our next speaker will be Jackie
Lynn, followed by Aladin Jabber
(phonetic).

SPEAKER: Okay. Everybody hear
me?

MR. WANTTAJA: Yes. We can hear
you.

SPEAKER: Hi. Good afternoon,
everybody. So, you know, what --
sorry. What I want to say is, we want
to cap drivers capping app fees so
90 percent guarantees for drivers.

One of the key pay proposals for
the guild, is to put forward the study
by the TLC has not been enacted, the
commission cap. Right now, Uber and
Lyft are underpaying drivers and
gouging riders by taking massive fees
or commissions out of the fare paid.
The driver do the work, the drivers

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pay all the expenses; gas, insurance, maintenance, cleaning. The drivers should be guaranteed no less than 90 percent of the fare.

Continuing to allow billion-dollar, multinational companies to take these exorbitant commissions hurt our local economy by taking money that was earned in New York City and which should stay in New York City economy and diverting it wealthy international investors. You cannot continue to allow Uber and Lyft to rob drivers and riders alike with unlimited commissions and fees.

Currently, Uber and Lyft take as much as 90 percent of the fares on some trips. Sometimes even more. The TLC hired experts to study this issue and they found that Uber could continue to operate profitably based on a commission of 7 percent.

There are adjustments needed to pay the minimum rate. The -- the pay

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rate calculated expense per mile.
However, during the last
two years since the pay rate --

TIMEKEEPER: Thirty seconds
remaining.

SPEAKER: -- the expense per
mile has soared. When the pandemic
hit New York City, business plummeted.
Daily trips dropped more than
80 percent and now remains 28 percent
below prepandemic levels. Yet the
largest expense for drivers have
remained the same or gone up.

For example, drivers are
required by the commission to purchase
vehicle insurance that cost nearly
\$5,000 per year. Sometimes more. Car
loans are also fixed cost --

TIMEKEEPER: Time has expired.

SPEAKER: -- dollars per year
and has more. The Commission has also
set fees for FHV drivers license
renewal and vehicle inspections that
costs hundreds of dollars and remain

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the same.

So that's -- that's the point I want to put on so far. And you guys take on the remaining time.

MR. WANTTAJA: Thank you for your testimony.

Our next speaker will be Aladin Jabber, followed by Ibrahim Viakite (phonetic).

SPEAKER: Hi. So I disagree with a lot of what the people said today on limiting the licenses for new drivers. I think that shouldn't be allowed. I think anyone who decides to move to New York City and chooses to apply for TLC license and chooses to sign up for one of the app-based companies should be allowed to do so.

Many immigrants came to this City to get that job specifically. And to lock out a population that had years of opportunity and take that away from them because the existing drivers want to make more money is

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selfish.

I worked for Uber and Lyft for three years, and when I first started, I was hard-pressed for money and I needed a job, and that was an easy opportunity for me. And that's still the case for a lot of people.

I do think there should be a path for allowing existing long-term drivers to get a car that's reasonably priced, forcing drivers to get very expensive EV vehicles, very expensive waive vehicles is probably really kind of selfish. Like, you know, if we are making \$17 an hour and you are asking people to buy luxury Teslas, don't you think that's kind of silly, Commissioners? If you really think about it.

Also, I think you need to stop Uber and Lyft from using tip data to adjust the fares. If a passenger regularly tips a driver for a familiar route \$7 and then Uber and Lyft is

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able to adjust that fare based on what the customer is comfortable paying, they're going to stop tipping because they feel oh, well I used to always pay 32 and I tipped the driver eight, but now the fare has increased to forty --

TIMEKEEPER: Thirty seconds remaining.

SPEAKER: -- now I don't need to tip. So I think it's important that Uber doesn't use tip data to adjust fares and take tips away from drivers. That's important.

I think a really good solution would just be instead of limiting drivers to 60 hours a week of driving, drop that down to 40 and increase the pay that way.

Yeah. I know a lot of drivers talk about not getting fares. I think they're just not working the right hours. I think if they wake up earlier and work on the weekends, they

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would get -- earn a lot better. You are not going to get fares at 3:00 o'clock in the afternoon on a Tuesday.

TIMEKEEPER: Time has expired.

SPEAKER: Thank you.

MR. WANTTAJA: Thank you for your testimony.

Our next speaker will be Ibrahim Viakite, followed by Joe Lapretti (phonetic).

Ibrahim, you may unmute your microphone and begin your testimony.

(No response.)

MR. WANTTAJA: Another call for Ibrahim, you may unmute your microphone and begin your testimony.

SPEAKER: Good morning.

MR. WANTTAJA: Good morning.

SPEAKER: Good morning, Commissioner. Good morning, everybody. My name is Ibrahim Jakiti (phonetic). I have an issue with the cap.

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As you know, up to two weeks before the cap, a lot of drivers were rushing to, you know, lease to own or finance a car. I was one of those people. We want to lease. Because I was renting already. Now, the leasing company, you know, they made us believe that if you pay a down payment before the cap, you know, we are going to have our own plate after we finish paying off.

But it hasn't been the case. So basically, we've been naive, but because, you know -- you know, they trick us when it comes to -- when I look now at my contract, because we got a contract, you know, six week after, you know, we pay a down payment. So we told -- the contract started with, you know, when we pay a down payment before the cap. But that's not what happened.

So basically these people want us to keep leasing and the plate and

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getting insurance through them. So we can pay more money.

So I think, you know, TLC should consider giving license to those people, we've been listening for more than three years. Because that's not going to put a lot of car on the street. Because we already on the street.

But, you know, at least that will improve, you know, our income because we are not going to be leasing the vehicle --

TIMEKEEPER: Time has expired.

SPEAKER: I think this is very important for us. You know, there's probably a thousand drivers out there who lease the same situation. I mean, they have a car but they have no plate. You know, no matter how much increase we get in the fare, if you don't have the plates, you are not going to make money. So that was my issue.

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Thank you, everyone.

MR. WANTTAJA: Thank you for your testimony.

SPEAKER: You're welcome.

MR. WANTTAJA: Our next speaker will be Joe Lapretti, followed by Guillermo Fondour (phonetic).

SPEAKER: Good morning. Good morning.

MR. WANTTAJA: Good morning.

SPEAKER: My name is Joe Lapretti, and I belong to the Taxi Alliance union and I drive for Uber and Lyft.

TLC drivers must receive a pay increase immediately. Expenses have increased across the board. Mortgage and rent, food and gas has all increased. The TLC liability insurance increased from 2,900 in 2021 to 3,800 in 2022. That is about \$75 extra a month.

Car maintenance is costly. Very costly. Tires need to be replaced

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yearly. I had witnessed New York City potholes destroy rim, break the axle off vehicles.

Out of state surcharge has remained the same, even though tolls have increased twice in the last few years. We are essential workers. During the pandemic, we were at the frontline. But we never received the pay that we rightly deserved.

Drivers should not have --

TIMEKEEPER: Time has expired.

SPEAKER: -- not be on the road and drive more than 12, 14, or even 16 hours per shift. We need to rest to ensure the safety and well-being of our passengers and ourselves.

Drivers will be able to work more cautious and efficient if we were paid more and did not have to work the long hours. We are forced to at the moment.

Thank you very much for hearing my testimony.

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MR. WANTTAJA: Thank you for
your testimony.

Our next speaker will be
Guillermo Fondour, followed by Israel
Acevedo (phonetic).

Guillermo, you may unmute your
microphone and begin your testimony.

(No response.)

MR. WANTTAJA: One more call for
Guillermo Fondour. You may unmute
your microphone and begin your
testimony.

(No response.)

MR. WANTTAJA: Okay. Well,
Guillermo, if you are able to reenter
this, we'll gladly put you back on the
speaker list here. But for now, we
will move onto our next speaker.

Israel Acevedo, followed by
Ibrahim Diallo (phonetic).

SPEAKER: Good morning. Can you
hear me?

MR. WANTTAJA: Yes. We can hear
you.

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SPEAKER: Hey, Ryan. Good morning. How you doing.

So I just want to say, right, I'm going to talk about expenses and I'm also going to talk about the utilization rate. Very brief.

For me 2021, Uber's expenses and fees were \$34,937. Business expenses were 35,957. This includes gas, car wash, commercial liability, collision insurance, vehicle payments, vehicle registration, vehicle inspection, TLC vehicle license, vehicle maintenance, vehicle repairs and auto parts.

Between both those expenses, that was almost \$71,000 for 2021. My annual personal expenses come up to almost \$34,000. And that includes rent, electrical bill, gas bill, cable bill and groceries. Not to mention, from these earnings we are also responsible for paying a 15 percent self employment tax, a federal tax and a state tax. Okay.

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In regards to the utilization rate, the utilization rates lead to lockouts and lockouts are harmful for drivers. Lockouts prevent drivers from earning. Lockouts force drivers to be on the roads longer searching for areas of demand to be able to generate income. Lockouts can lead to driver fatigue due to longer times on the road searching for areas of demand. Lockouts interfere with driver's quality of life and family life. Lockouts interfere with driver flexibility.

TIMEKEEPER: Time has expired.

SPEAKER: If you are going to reinstitute the utilization rate, I ask that the TLC create a rule that prevents the apps from locking out the drivers. I ask that the TLC protect the drivers' ability to earn uninterrupted. Our bills must be paid.

Thank you for letting me share.

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MR. WANTTAJA: Thank you for your testimony. I appreciate the specificity of the expense numbers here. And I will just again use this as an opportunity to ask everybody who has received the driver expense survey to please fill that out.

Our next speaker will be Ibrahim Diallo, followed by Robert Hidalgo (phonetic).

SPEAKER: Hi. Thank you. My name is Ibrahim Diallo. I am a staff attorney at the New York Taxi Workers' Alliance. Thank you again for hosting this hearing.

There is a fundamental misunderstanding about Uber and its finances. There's this simplistic public narrative that somehow the company is not profitable. Time and time again, we hear this from reporters and financial analysts. So when there's questions about raising driver pay, we hear, you know, they're

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not making money, how could they pay more. This broad generalization really misses the mark. We know that in New York City, Uber is profitable. The TLC knows this as well. Because the TLC knows exactly, to the penny, how much Uber earns from its mobility business in the City.

What is happening is that Uber is using this very healthy earning in New York City to finance its expansions both in the United States and out -- and around the world. Every quarter, we hear Uber has bought this company or had bought that other company. We know for example last year, Uber spent 2.25 billion dollars, that's 2.25 billion dollars in an all-cash transaction to purchase Transplace, which is a -- a freight business.

The 2.5 billion dollars is to expand Uber, to expand the company so that it can earn around the world and

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around the country. So simply put,
New York City drivers who are earning
the company money in New York City are
effectively subsidizing --

TIMEKEEPER: Time has expired.

SPEAKER: -- Uber's global
expansion. How can we tell the
drivers in New York City who are
bringing in this money for Uber that
they can't earn \$25 an hour.

There is money in this industry,
New York City. New York City drivers
are the ones bringing in that money
and they should be paid adequately.
The labor should be respected, their
sacrifices should be honored.

We are asking that drivers get
paid not less than \$25 an hour after
expenses. We have submitted a
comprehensive comments and --

TIMEKEEPER: Time has expired.

SPEAKER: -- we believe that's
the way of getting there. And we look
forward to working with the TLC on

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that.

Thank you.

MR. WANTTAJA: Thank you for
your testimony.

Our next speaker will be Robert
Hidalgo, followed Liandro Hidalgo
(phonetic).

SPEAKER: Hey, do you guys hear
me?

MR. WANTTAJA: Yes. We can hear
you.

SPEAKER: What's goody,
everybody. My name is Robert Hidalgo.
Shout out to my family in Throgs Neck.
I love y'all.

Yeah, I'm a New Yorker, through
and through. Born and raised in the
City. Listen, I could go into the
utilization rate and how to -- drivers
because the app companies lock us out
and we can't earn a living. Or I can
go into the fact that the driver's
licenses aren't capped. The TLC
driver's licenses aren't capped, and

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that just floods the market and creates this environment for lockouts to even exist. But I'll let my brothers and sisters in the industry explain all that.

I'm here to explain one thing, or to say one thing, I'm a real New Yorker and if you are a real New Yorker, you can see when you are getting played. If you have eyes to see, you can see. And we are getting played. The politicians, the regulators, the EL companies, they're using all of their leverages against the drivers. That's why so many of us don't show up to work. Some of us just leave the industry all together because it's a financial money pit. Others unfortunately, commit suicide to escape.

Maybe one day, none of us are going to show up. Maybe one Friday morning, we all kick up our feet and impress our leverage on this industry.

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It's simple.

The rate per mile --

TIMEKEEPER: Thirty seconds
remaining.

SPEAKER: -- and the rate per
minute --

The rate per mile and the rate
per minute needs to go all the way up.
And to the politicians, the
regulators, the E-hail companies, we
see you. Stop playing with us and
start to truly partner with us.

To my brothers and sisters in
the industry, my fellow drivers, it's
all love, always. Driver power.

(Foreign language spoken.)

SPEAKER: Thank you, everybody.
I appreciate the time. Peace.

MR. WANTTAJA: Thank you for
your testimony.

Our next speaker will be Liandro
Hidalgo, followed by Camal Sumari
(phonetic).

SPEAKER: Yes. Hello. Can you

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hear me?

MR. WANTTAJA: Yes. We can hear you.

SPEAKER: Yes, good morning. Thank you for having me. My name is Liandro Hidalgo. I like to coin the phrase Babylon's whore, because I think all of our City drivers are treated like Babylon's whore.

What we have currently happening, is a transparency issue. Checks and balances, and trust and honesty. Okay. TLC has failed us because TLC is the key to balancing what Uber and all these apps do to rate and fleets, all of our drivers.

Okay. Right now, Uber dictates what amount they take with no transparency. We don't know what the starting price is, we don't know what they take. All we know is that going to Newark Airport at 4:00 in the afternoon for 30 something dollars, something is wrong.

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I used to also be a yellow taxi driver. I will be writing a book called Babylon's Whore with this whole experience and letdown. Unprofessionally and uncared for, that the drivers have been experiencing.

I have all my experiences in a Discover card. Most of my experiences -- expenses per month are balancing between \$2500 and \$2700. So the overhead that the drivers have incurred is -- is ridiculous. On top of the \$200,500 that the drivers incur in charges. They also have to pay their rent, take care of their families. They say that we have the freedom to be our own boss --

TIMEKEEPER: Thirty seconds remaining.

SPEAKER: We don't have the freedom to be our own boss because the overhead is so high, that you are forced to drive ridiculous hours to take a \$17 an hour pay rate. We

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provide safety. We drive drunks. We give New York City citizens safety and -- and -- and -- and lack of unrest that they're experiencing in the country now.

TLC needs to step up their game. They need to rectify the situation and fix this unfairness.

Thank you for having me.

MR. WANTTAJA: Thank you for your testimony.

Our next speaker will be Camal Sumari, followed by Ally Langley (phonetic).

SPEAKER: Good morning. Good morning, everybody. My name is Camal Sumari, and I am a member of New York City Taxi Workers' Alliance.

So basically, like my top issue right now is inflation. As everybody know, the gas prices, the full prices up. And we are the driver. We are the one who go outside on the issue, we spend that time driving the car.

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And at the end of the day, we -- we take the bare minimum. That's not fair. As the driver, we're supposed to get a raise basically because we clean our car, maintain our car, pay the insurance and all of that. So those are the --

And second, the fees that Uber and Lyft charge on -- on every trip, at -- the trip I think is too much. Because they take up to like 35 to 40 percent on top of every single trip. That's not fair. They should take at least like 10, 10 percent or lower. Those are my top. So --

MR. WANTTAJA: Okay. Thank you for your testimony.

Our next speaker will be Ally Langley, followed by Hoziel Endujar (phonetic).

SPEAKER: My name is Ally Langley. I'm a staff attorney at the New York Taxi Workers' Alliance.

According to a survey of our

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members, we know that 91 percent of Uber and Lyft drivers reported working five to seven shifts a week, meaning driving is a full-time job for them. And indeed, 89 percent of our members reported that their driving income is the main income in their family, with over half reporting that they're responsible for supporting as many as four or more family members.

It's plain that drivers rely heavily on income they earn from driving to support themselves and their families. Yet despite this, drivers are routinely deactivated without cause. Sometimes, they don't even know why. Other times, we've heard from drivers who were deactivated for blatantly untrue allegations. Such as the driver, who is an observant Muslim who's never had a drink of alcohol in his life, was deactivated because a customer complained that he was driving drunk.

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Yet drivers have no way to challenge these allegations, and are left without access to the work they need to survive because of a customer's unsubstantiated complaint or an algorithm's arbitrary judgments. This is unacceptable.

The TLC has acknowledged the importance of due process when enforcing licensing regulations, which are enforced through oath hearings, where TLC has to prove the complaints. It's essential that these protections are extended to the private sector where the outcome, job loss, has the same devastating affect as losing your TLC license. Drivers deserve meaningful protections from deactivation that allows them to contest the deactivations and provides the transparent and clear process.

TIMEKEEPER: Thirty seconds remaining.

SPEAKER: -- recent models of

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how to implement a model framework like this, including in Seattle, as well as New York City's own framework for just cause terminations in the fast food industry. Although this would require City Council action, given the importance of this issue to TLC licensees, the centrality to their lives and their ability to make a livelihood off of this work, the Commission must show leadership in the area and actively support and champion this plan.

Thank you.

MR. WANTTAJA: Thank you for your testimony.

Our next speaker will be Hoziel Endujar, followed by Richard Anderson (phonetic).

SPEAKER: Hi, guys. Hello?

MR. WANTTAJA: Hello, hi, yes.

SPEAKER: Yeah. Yeah. How are you, man.

My name is Hoziel. I'm a former

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activist of the taxi industry, and the people with disabilities.

What I want to say, last year, maybe -- I don't know if it was August or September, we have a hearing about, you know, economics in the industry. And I called out the inflation issue. I was trying to work with the -- with the last Commissioner about it. But the answer, oh, if you got a stress or mental health or some kind of issue -- you know, I saw it coming. Now everybody talking about inflation.

And, you know, this problem -- I'm -- I'm trying to -- to make the taxi industry, you know, TLC to be aware when these changes happen and they should have somebody there, you know, to be aware so they can -- ahead, you know. Now, we are suffering from -- from high inflation. Not only in foods, you know, in groups like -- like people work and they buy food, everything expensive. But we

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have another pressure. It's the pressures of our expenses, you know.

The gas prices, like everybody know, and everything, you know, the tires, everything is expensive, you know. So companies have to take responsibility. I like what one of the guys said about how Uber --

TIMEKEEPER: Thirty seconds remaining.

SPEAKER: -- you know, are making money. But they just hiding, we don't got profits. I like the 25 percent of the taxi alliance. But I had to mention the issue with the -- with the plate caps.

The problem with the plate caps, the drivers should have their own plate for drivers that maybe have four years or more in the industry. Why? Because that will bring relief to the drivers. That will not create no more traffic. Because we're already in the street.

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One of the problems that was there --

TIMEKEEPER: Time has expired.

SPEAKER: Just five seconds.

One of the problems that was there is that TLC allowed corporation to take like 90 percent of the plate and that is screwed us all.

So please, TLC, take responsibility for this and -- and -- and let us have their own plates so we can have some kind of relief in this hard situation.

Thank you so much. Have a great day.

MR. WANTTAJA: Thank you for your testimony.

Our next speaker will be Richard Anderson, followed by Zubin Salamani (phonetic).

SPEAKER: Hello. My name is Richard Anderson. I'm affiliated with Uber. Today, I just wanted to speak on the fact that we get paid a little

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bit over minimum wage when you factor in all of the expenses.

Gas prices have went up by 50 percent from last year. The -- the price to maintain a vehicle for me has cost me over \$10,000. In the past for four, six months, I've ran over potholes, I've seen different wear and tear because of using my vehicle 40 to 60 hours per week. And minimum wage or a little bit over minimum wage is not enough to compensate for all of these expenses and still be able to live a lifestyle that I would consider just surviving.

In New York City, the cost of a one-bedroom apartment is 15, \$1600. To eat, get groceries, it cost easily \$500 a month. And to, you know, pay -- pay student loans, which are -- for me, you know, I pay, is another couple hundred dollars a month. When you factor in the cost to live in New York City and you look at --

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TIMEKEEPER: Thirty seconds remaining.

SPEAKER: -- and how much you make, it really doesn't match up. This is not a minimum wage job. People do support families off of this. It's -- it's just -- it's just -- it's just something that -- that needs to be changed, the -- the amount that we make per mile and the amount that we make per minute. And the amount that Uber takes should be less.

And that's all I have to say for today.

MR. WANTTAJA: Thank you for your testimony.

Our next speaker will be Zubin Salamani, followed by Rosa Inajosa (phonetic).

SPEAKER: Hello. Good morning. My name is Zubin Salamani. I'm an attorney at the Taxi Workers' Alliance. I want to talk about some

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concrete steps that the TLC can take to actually make sure that the rates are functioning as intended to provide a real living wage and not just a poverty minimum wage.

First thing, I want to thank the TLC for instituting the change in the CPI index, the 5.3 percent increase. Which although not a raise, kept the raise from losing value. We are heartened that that happened. We brought that to your attention that it had not happened yet, and it had not happened the prior year and you moved quickly to enact that. And we are grateful for that. But the TLC needs to pass rules to make sure that those mistakes don't happen again.

A year shouldn't go by without that increase happening because the TLC simply forgot. Instead, you need to promulgate rules that make the rate adjustment automatic at a set date with public notice of the rate, and

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with public notice of when it will be enacted. Seattle has already done this. Chicago is going to do that. New York can clearly do that too.

Secondly, the rate of what the Consumer Price Index that's assessed on expenses needs to be distinct from the take-home pay. Take home. Household expenses, groceries, rent, clothing went up 5.3 percent. But the cost of a car in the last year, vehicle expenses of a new car went up 12.2 percent. Fuel went up 65 percent just in one year. This is so completely divorced from the cost of groceries and so much more significant. That needs to be accounted for separately.

TLC needs to look -- needs to completely reassess what the costs of --

TIMEKEEPER: Thirty seconds remaining.

SPEAKER: -- the industry are

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when setting -- when setting a new baseline rate for vehicle expenses.

Looking at insurance vehicle costs, the vehicle leasing that has exploited perceptions of scarcity in the market. And most importantly, what the TLC needs to do, what it's had the power to do for decades, the power that it has asserted in the taxi industry, is regulate the cost of these cars.

The TLC doesn't allow anybody to charge more than 275 a week for a yellow Toyota Camry. It's illegal. They will be fined. They will lose their license --

TIMEKEEPER: Time has expired.

SPEAKER: Somehow, though, the TLC throws up its hands, and when companies are charging 525 a week for a Camry because it's black, that's somehow okay. That should be illegal. Companies that do it should be fined. They should have their licenses taken

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away if they do it after you pass these rules.

Thank you for the time. I look forward to seeing those changes made.

MR. WANTTAJA: Thank you for your testimony.

Our next speaker will be Rosa Inajosa, followed by Walter Dean (phonetic).

SPEAKER: Hi, good morning. I've been an Uber driver since 2018, which that was the year that I make the lease to own agreement with American Lease. But unfortunately, I was missed by 10 weeks of payment. And after that, I got -- when I went to TLC to get my new plates, I got denied because of those 10 weeks. Which American Lease never explained to me that I wouldn't be able to do that.

From that point on, I've been renting a car, spending \$400 a week. Which all with this inflation, has

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made a hole in my whole savings account because I have to work more, pay more for gas, expenses on the car.

And I definitely think that TLC has to do something with all of those drivers out here. That we have our license since 2018 before close out the -- the new -- the TLC plates so we could continue working, putting food on our table, paying for bills, paying for rent and all that, and we deserve to be treated better.

Thank you.

MR. WANTTAJA: Thank you for your testimony.

Our next speaker will be Walter Dean, followed by Michelle Dotten (phonetic).

SPEAKER: Okay. Thank you all very much and good morning. My name is Walter Dean, and I'm just a regular taxi passenger. And it should be noted that there were no passengers represented at the hearing yesterday

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or today up to now.

The problem with the taxi business is that rides are too expensive for regular, hard-working New Yorkers, so fewer people are riding taxis. The drivers are also subject to too much regulation and have to pay too many fees and don't get enough from the high fares that are paid.

There were 10,000 taxis on the streets a few years ago, and now there are fewer than 3,500. This is a taxi crisis that is not being addressed. Raising fares at this time will not help the few drivers that are left. My fellow passengers tell me that the surcharges that the City and State charge, which do not go to the drivers, are the single reason that they are not taking taxis anymore.

Although fares that go to the drivers have not increased in 10 years, the cost of passengers has

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increased dramatically with all of these new surcharges. There's currently a 4.50 rush-hour fee when there is no rush hour in Midtown, a 2.50 congestion fee when there's little congestion with so many working at home. A 2.50 pick-up fee and an 80 cents accessibility charge, plus what I think is a 450 airport surcharge.

Has anyone from the Commission or the union stood up to object to any of these surcharges. Short rides in my neighborhood are more than \$15. If I go to my office, that's \$30 a day. If I go out at night in my neighborhood, that's another \$30 in route --

TIMEKEEPER: Thirty seconds remaining.

SPEAKER: I am cutting back on taxi riding because of these high fares which hurts the drivers. Why not insist these extra fees and surcharges be reduced or eliminated,

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or be given to the drivers directly to make up for inflation.

I'm not sure who is looking out for the drivers. I talk to them every day, rather than speaking on my cell phone. The taxi TVs drives them crazy, yet it's still in operation. The taxi of tomorrow use too much gas and break down and rattle. The drivers tell me that the airport taxi bathrooms are dirty and that they're disrespected by the airport attendants.

TIMEKEEPER: Time has expired.

SPEAKER: I respectfully suggest that every member of the Commission pledge to take taxis at their own expense and to return their City-issued personal car parking permits. Finally, the TLC needs to have more drivers and passengers on the Commission. A heartfelt thanks to the drivers. We, the passengers, stand with you and we appreciate all

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that you do.

Thank you.

MR. WANTTAJA: Thank you for
your testimony.

Our next speaker will be
Michelle Dotten, followed by Zojar
Bahid (phonetic).

SPEAKER: Good morning,
Commissioners. Welcome Commissioner
Do. I'm looking forward to you
approving more drivers and new
policies.

Sorry. Good morning,
Commissioner. Welcome, Commissioner
Do. I'm looking forward to you
approving more driver-friendly
policies.

First, I'm asking for a
10 percent commission cap based on the
study TLC hired an expert to conduct.
Which determined app companies can
operate profitably with a 7 percent
commission. I believe 10 percent is
reasonable.

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I'm also requesting the utilization rate to be eliminated since it was never used for the intended purpose to give drivers a higher pay. Instead, there are companies found a loophole, which allowed them to implement a lockout that hurt the drivers even more by taking their freedom to work when they want away, limiting earning potential in a road.

In addition, when implementing a new pay structure, there should be a greater oversight in place to ensure there isn't any loopholes the app companies can exploit again. Please consider this the high cost such as gas, insurance, car payments, TLC inspection, tolls, repairs, incidentals. Family responsibilities.

With regard to the cap on plates, simply put, this causes drivers to be held hostage by leasing and rental companies, charging drivers

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unreasonably high --

TIMEKEEPER: Thirty seconds remaining.

SPEAKER: -- starting from 450 and up. Drivers have no other choice, since they could not afford to get a plate prior to their license cap. I'm asking you to open up plates for electric vehicles to single-owner drivers who rented or leased prior to the cap.

Simply put, grandfather those drivers. Leasing and rental companies took advantage of electric vehicle plates, blocking the single-owner operators. Causing you, TLC --

TIMEKEEPER: Time has expired.

SPEAKER: -- to close the electric plate option to single-owner drivers.

Please, please, please, put the drivers first. They need plates. Thank you so much.

MS. SCOTT: Moving onto our next

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speaker.

SPEAKER: Can you hear me?

MR. WANTTAJA: Yes, we can hear you.

SPEAKER: I've been driving for nine years. I've driven yellow cab, green cab, and I'm currently driving Uber and Lyft. I commend the TLC for implementing the plate cap because now I see equilibrium with the amount of rides, with the amount of cars on the road. But the utilization rates definitely had a detrimental effect.

I was putting myself through college. I just graduated two years ago. I'm still driving full-time. But when the utilization rate came into effect -- I know it was to help the drivers, but it actually hurt most of the drivers. Because you basically needed to be living on the road to get priority status and go online whenever you chose to. And that wasn't the case for me.

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I was working about 30, 40 hours a week, and the amount of rides I wasn't able to hit. So I was like a gold status drivers, meaning I only got 11 slots, meaning 11 hours a week to actually go and work when I could. Or else you would have to drive to a busy area.

And, you know, this business is always up and down. It's not steady. It's always, you know, this time of the year is slow, this time of the year it picks up. So that utilization rate, hourly rate doesn't really work. If the TLC really wants to help driver pay, they could put a cap on commission. Let's say 10 to 15 percent, whatever you guys decide to do with Uber and Lyft. You can put a cap on the commission to really help the drivers.

And also the whole deactivations. A lot of times passengers would make a false

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complaint that you're under the influence. But you work through your shift. In the morning, you get a notice, your account has been deactivated, somebody reported you, impaired driving or whatever --

TIMEKEEPER: Thirty seconds remaining.

SPEAKER: We have so many police on the roads, and the fact that we can keep working through the night and in the morning you get a text saying that you are at risk of being deactivated because of a false complaint, basically the passenger wants a free ride. The passenger is pissed, they paid a high price. It was probably a surge price. And they're just pissed and they're retaliating with Uber by stating that the driver was under the influence to get that money back. But it's hurting the driver because the driver loses access and loses, you know, security for his job.

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Thank you.

MR. WANTTAJA: Thank you for your testimony.

Our next speaker will be Samer Ibrahim, followed by Malik Anwar (phonetic).

SPEAKER: Hello. Good morning. Can you hear me?

MR. WANTTAJA: Yes, we can hear you.

SPEAKER: Hi. How are you doing.

Now, I'm not sure who is responsible for locking the drivers out. TLC say it's the apps, and Uber and Lyft say it's TLC. Now, if a higher pay rate would mean being locked out, I rather not have the higher pay rate.

When the rules were first implemented, I had to work 15-hour days because I was locked out for most of the time. But I was persistent to complete the number of trips required

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to go online any time.

After a few weeks, I was able to achieve that. But once I did that, I had to work 70 hours a week because I needed to maintain the status of being able to go online anytime, or else I would have to start from -- from scratch and go back to 15-hour days. I think it's cruel and inhumane by being presented by choice of working 70-hour weeks or not being able to work at all.

Now, on the other hand, the reason that was given by TLC as well is to reduce traffic in the city. But we were not able to go online on the roads as well. There is a speaker also who said that he's against capping the number of TLC drivers or -- or plates. I think this needs to be done. I used to be a food vendor, and the city put a cap on the number of licenses for food vendors or for the food cart itself.

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TIMEKEEPER: Thirty seconds remaining.

SPEAKER: I understand.

And any other business, you can allow the free market to take place and it's not referable, then the driver can switch to different industry. But most drivers invest in cars when they start driving for Uber and Lyft. So -- and to be hard for them to switch and try different industry --

I have eight seconds left. I don't want to run my time. Thank you. I'm done.

MR. WANTTAJA: Thank you for your testimony.

Our next speaker will be Malik Anwar, followed by Raul Rivera (phonetic).

SPEAKER: All right. I'm on -- I'm not on mute. Can you hear me?

MR. WANTTAJA: Malik, we can hear you.

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SPEAKER: Okay. Cool.

So first of all, I want to say, like what's going on today is giving a lot of drivers anxiety because of this utilization rate and the lockout. Maybe it's coming back. I really hope it's not. Because I'll tell you my story.

In 2019, like the first two quarters I made 60,000. And then the second two quarters, the last two quarters, I made 30,000. And that was because the lockout came back. So just take that for an example.

The second thing is, it was an awesome job that just app workers and IDG got 10,000 signatures for the 90 percent cap on -- and 10 percent cap on Uber's commission, 90 percent goes to the drivers. An amazing caravan it was.

So the first thing is, TLC needs to stop giving out their license. And I know that's the root of the problem.

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Like we all know that. We just don't want to fix it. Right. And -- where's the other one -- yeah.

Two, app companies need to stop hiring and focus on the workers that make them millions of dollars. Three, we need to cap Uber commission at 10 percent and the rest of the 90 that goes to the driver should go to the driver. Because getting robbed, stabbed, shot, wasn't what we signed up for.

TLC also needs to worry about driver's health, driver's future. Right now, we can't even promise that we are going to come back home alive. Because that's how bad it is in New York City.

TIMEKEEPER: Thirty seconds remaining.

SPEAKER: I see it.

TLC needs to work with the city to fix this. Last but not least, I'll say it once again, thank you, IDG, for

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standing up for us. I just saw Michelle and Aziz with all those drivers behind giving support. So thank you.

Have a good day.

MR. WANTTAJA: Thank you for your testimony.

Our next speaker will be Raul Rivera, followed by Mariko Walton (phonetic).

SPEAKER: Good morning. My name is Raul Rivera. Can you hear me?

MR. WANTTAJA: Yes. We can hear you.

SPEAKER: Good morning. My name is Raul Rivera. I'm a New York native, I'm a TLC driver and I'm a TLC driver advocate. I want to touch on -- well, first, you know, I do want to say that I, myself, personally, I don't have all the answers. We don't have all the answers. I don't pretend to be a person that's condescending. But we do come and we advocate with

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some simplicity and with some common sense.

We have a petition to reform the Tax Limousine Commission. We met with many elected officials. We even met with Eric Adams, and he signed our petition to reform the TLC. He requested from us points to reform the TLC to start that reform. We gave him close to 30 points. We also gave him three bills that were drafted by the City Council for the benefit of the driver and the reform of the TLC.

There's an excellent way for Mr. Wanttaja and David Do, if you are listening, if there's an excellent way for you to embarrass the Mayor, an excellent way, continue the lockouts. Bring the lockouts back, and that will be an excellent way to embarrass the Mayor. Which will also add to PTSD, add to depression, and -- and God willing, it won't add to the -- to the suicides. We already have 12

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suicides --

TIMEKEEPER: Thirty seconds remaining.

SPEAKER: Under Mayor Adams' administration, we have none. We say no to the lockouts. A pay raise will not do -- will do no good if the lockouts continue. We want the -- the lockouts to be eliminated. It's also one of the points that we address to the Mayor. I repeat, if you want to embarrass the Mayor, you are going to implement those lockouts and you will embarrass the Mayor.

So we say no to the lockouts. Thank you for your time.

MR. WANTTAJA: Thank you for your testimony.

Our next speaker will be Mariko Walton, followed by Otomanjay Otouara (phonetic).

SPEAKER: Good morning, everyone. I'm Mariko Walton. How are you.

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So everyone kind of touched on, you know, my concerns. But for me, I just got back on the road since the pandemic started. I, you know, had a new baby. And I was, you know, afraid to, you know, expose my child to, you know, lots and lots of passengers.

I just recently got back on the road. I lost my plates. I did have personal plates, but I lost my plate in 2021. Because I just couldn't afford to keep it. I wasn't working, and I couldn't afford to keep it. So now I'm renting.

I'm renting for \$400 a week, and it is not worth it. One week, because of my baby and -- drop her off to my mom after my mom gets off of work, just, you know, put in a few hours. One week, I made \$800. I'm giving 400 to the car, 100 and something dollars to gas, I'm coming home with less than \$300. It's just not worth it.

The fact of the matter is

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that --

MR. WANTTAJA: I'm sorry, I'm sorry, Mariko. We got -- our next speaker is off mute. Continue. I'm sorry.

SPEAKER: Okay.

The fact of the matter is the cars are worn out, have so many miles. The first week alone on the road, I was at the mechanic three times. So I'm paying \$400 for a car that was paid for because my car is 2018. I've -- they've paid -- they made over \$80,000 on this car.

TIMEKEEPER: Thirty seconds remaining.

SPEAKER: Why are you charging \$400 for a car? That's more -- it's ridiculous. And one thing I do want to mention is, can we bring back the destinations? Because destinations was very helpful when you get a long trip, say to New Jersey.

The other day I went to New

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Rochelle and I had to drive back, you know, home empty. And gas is too expensive to be driving a whole hours and change without, you know, a passenger. So, thank you.

MR. WANTTAJA: Thank you for your testimony.

Our next speaker will be Ottomanjay Otouara, followed by Bazia Osousky (phonetic).

SPEAKER: Hello, everyone.

MR. WANTTAJA: Hello.

SPEAKER: You hear me?

MR. WANTTAJA: Yes. We can hear you.

SPEAKER: Okay. My name is Ottomanjay Otouara. I'm a member of the New York Taxi Workers' Alliance.

So I fully supported the demand of the New York Taxi Workers' Alliance. And we need a new rate. We need TLC to set a new rate for the driver. For all the industry. The same rate for all the industry. So no

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company can go below this rate.

And we also need TLC to set at least 85 percent of whatever the customer paid to go to the driver. Or a hundred percent of the rate. And we also need TLC to look by the out of town surcharge. To be the double meter like the yellow cab. Because sometimes when we get the ride, it's out of state.

We don't want to go, but with TLC rule, we have to go. But if you go, you have to go out and receive the drive to come back in the City empty. It's not fair. We are not getting a double meter out of the city like yellow cab.

Uber just pay us a small amount. That will not cover our fees and gas. The gas price are very high now. So we need --

TIMEKEEPER: Thirty seconds remaining.

SPEAKER: -- to double an out of

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town for -- for also Uber driver. And we also need the TLC to cap -- the TLC surmount because we are paying too much for the TLC surmount. The fee is too high for us. So we need to reduce that fee.

Thank you.

MR. WANTTAJA: Thank you for your testimony.

Our next speaker will be Bazia Osousky, followed by Phillip Madison (phonetic).

Bazia, you may begin your testimony.

SPEAKER: Can you hear me?

SPEAKER: Hello?

MR. WANTTAJA: One second. So we got Phillip Madison waiting. We are going to keep Phillip Madison on mute.

Bazia Osousky, you may begin your testimony.

SPEAKER: Hello.

MR. WANTTAJA: Yes. Hello.

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SPEAKER: Good morning. I just would like to underline a few points.

First of all, the -- the surcharge and -- to the drivers supposed to be cut at least in half. And the condition price, they shouldn't pay to the City because I'm in the bus, MTA pay surcharge, no. We should be allowed our raise because it's very hard to drive 16 hours. People should be able to make the living, work 40 hours a week.

Second of all, a long time ago, we should get already surcharge for the gas. The passengers obviously complained about the raise that unfortunately we all are affected by this.

So would be nice if TLC standby -- by drivers.

TIMEKEEPER: Thirty seconds remaining.

SPEAKER: -- represent us, and not to be against the drivers. And

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one more thing.

The Uber and Lyft should be regulated. Finally, they should be regulated. They promise rose garden to the drivers. That's why the yellow industry was really affect.

Thank you.

MR. WANTTAJA: Thank you for your testimony.

Our next speaker will be Phillip Madison, followed by Sonum Llama (phonetic).

SPEAKER: Hi, hello, everyone. My issue that I have with -- with TLC is the fact -- which I think is the most crucial part to a driver earning his fair share, is that the TLC should definitely implement a cap on the -- on the number that the leasing companies and rental companies are able to charge a driver.

Because on average, we've -- probably all of us, probably pay about \$400 a week, which is very expensive.

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If, you know, you -- you put a car in the street, a car would maybe cost you one year about \$300 per month. That's almost four times what you are paying, you know, going through DMV itself.

So I definitely believe that they should put a cap on the amount the leasing companies are able to charge drivers.

And also, I believe that drivers that got in right before the cap, especially, you know, they should definitely grandfather the time. You know, because again, the young lady said one week, I remember making \$900. And that same week, I had to give \$500 to a leasing company.

You know, I can make that at McDonald's. Much more. You know. So it's not fair to the drivers. And, you know, everything else, you know, as far as the lockout, definitely don't want the lockout to happen.

TIMEKEEPER: Thirty seconds

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remaining.

SPEAKER: But -- I mean, if the
lockout has to happen, then it has to
happen. Definitely, I want to see
Uber. And I can't -- I can't say this
enough, is to -- to go at the leasing
companies.

That's all I have to say, and
everybody have a great day.

MR. WANTTAJA: Thank you for
your testimony.

Our next speaker will be Soma
Llama, followed by Ivan Ventura
(phonetic).

SPEAKER: Where is the video?
Hello?

MR. WANTTAJA: Yes. Soma. We
can hear you.

SPEAKER: No, it's -- I --
Hello, everyone. You hear me?

MR. WANTTAJA: Yes. We can hear
you.

SPEAKER: So you can hear me. I
can't turn on my video.

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MR. WANTTAJA: We can hear you.

SPEAKER: Okay. Anyways, so we are here, over 100 drivers in Independent Driver Guild office.

So today, I'm talking to all the Commissioners, very straightly, I -- I have a respect for you all. My name is Sonum Llama, originally from Nepal. I'm a driver advocate and a community leader from driver society.

So I'm not here today to make some drama. Actually, I have a 66-year-old driver with me standing, but I don't know why you guys don't turn on the video. But anyway, so he's a TLC driver licensed. He's 66 years old. He pays -- he pays \$550 per week for renting the car. He makes around \$6,000 per month. And with the deductions of the plate, he takes home 3,080 -- 3,800. And then after that, with his rent, 2,300. His net income is 1500. And then gas price is so high, he pays now 900,

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something around on the gas price.

So food, 600. So drivers are literally taking \$0 at home, you know. So this is ridiculous. So please, please, please. We want our plate now. What do we want?

We want the new plate now.

TIMEKEEPER: Thirty seconds remaining.

SPEAKER: You guys promised. One month. One year, two year, three year, four years passed. Nothing. What do we want?

So please, we want new plates. Wait -- wait -- wait -- wait -- wait --

And also, the Commission and -- we -- app company, we want 10 commission cap. Period.

TIMEKEEPER: Time has expired.

SPEAKER: Please, Commissioners, you are there for us. We know that. Please do it now.

MR. WANTTAJA: Thank you for

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your testimony.

Our next speaker will be Ivan Ventura, followed by Rafael Martinez (phonetic).

SPEAKER: Hey, Commissioners. How you doing. Hi, Ryan. Nice to see you again.

My name is Ivan Ventura. I'm a New York City taxi driver. I'm also a driver advocate.

I had a long speech, but in two minutes, it's not going to happen. So we are just going to speak from the heart here.

I think what you guys have forgotten as Commissioners is technically, you guys work for us. We are your clients. So drivers first. You guys have to look at the simplicity of all the fact that you guys have. You guys know how much we earn. You guys saw that the pay rate made no sense. You know, you guys also did that only counting Uber X and

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Lyft, regular Lyft. You guys have not taken black and SUV into consideration.

The cost of being an Uber Black car driver in New York City has doubled over the last two -- two and a half years. I would say. What you guys really got to look at is try to get behind the wheel, you know. Sign up. Get a TLC license, sign up, go out there, work an eight-hour shift.

When you make 250 to \$300 and you spend 108 in gas, then you guys are going to be like, oh this shit doesn't make any sense. You guys really have to look like at it from the outside. Take all the data, you guys have over 90,000 drivers that are tired of telling you what you guys need to do.

You know, you guys technically --

TIMEKEEPER: Thirty seconds remaining.

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SPEAKER: We pay you guys to have a license. So we work -- y'all work for us. You have to literally embed that the driver comes first. You know, I started doing Uber in 2014. The percentages was 20 percent. We were doing good. You know, 10 percent I think is reasonable. You just got to look at our costs and what it takes us to work every day. It's -- it's just too --

TIMEKEEPER: Time has expired.

MR. WANTTAJA: Thank you for your testimony.

Our next speaker will be Rafael Martinez, followed by Larvi Itavu (phonetic).

Rafael Martinez, you may unmute your mic and begin your testimony.

SPEAKER: Hello. Good morning. I will be talking on behalf of my dad.

My name is Rafael Martinez, and I have been an Uber driver since December 2018. My interest in

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participating today is to expose what these three and a half years of using rental vehicles have meant to me.

In 2018, when I started to work with Uber, the first vehicle I rented was two years old, 2016. And the weekly payment was \$365. Today in 2022, I had a car two years older, 2020, again, and I pay weekly for this \$450.

The 2016 vehicle I originally leased to this date it still rents for \$365 per week. My wake-up call is the following: Have these vehicles do not depreciate over the years? Why was the rent increased 25 percent for a vehicle two years older than the current one? Who or whom regulates the companies that rent these vehicles. And I mention it for these reasons without considering depreciation and price increases.

In the three and a half years that I have been paying car rentals, I

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have had to pay these companies the approximate amount of \$60,000. These money could have been invested not only in my well-being and that of my --

TIMEKEEPER: Thirty seconds remaining.

SPEAKER: But also in the acquisition of a new vehicle to carry out my work.

The last time I contacted a TLC office to find out if I could access my own vehicle, the answer was that it could only be possible if the car was wheelchair accessible.

In other words, I want to make it clear that if the TLC supports workers behind the wheel, it could relax these regulations. At least for those drivers who carry a certain amount of years behind the wheel --

TIMEKEEPER: Time has expired.

SPEAKER: -- as is my case.

Please consider the amount of

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money that drivers are losing by renting vehicles and only in favor of large companies or corporations that buy and rent fleets of cars. That's all I wanted to say.

Thank you so much.

MR. WANTTAJA: Thank you for your testimony.

Our next speaker will be Larvi Itavu, followed by Jose Tavaréz (phonetic).

SPEAKER: All right. Good morning. Good morning, drivers of New York City. Well, today, my colleague actually wanted to present to you earlier one of the oldest driver and he's suffering right here. I'm just showing all the Commissioners his face.

With that said, I want to talk about capping the app fees to 90 percent guaranteed to drivers. And that's what the driver needs and that's what the drivers --

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One of the key pay proposal that the guild, this guild right here with all drivers coming together is put forward and study by -- that you guys did before but didn't pay off. We suffer for almost five years right now. Every single day, it's the same thing with the TLC. It's the same thing with the app companies, and we've had enough.

To live in New York, as you may know, because I don't know where you live, it's really hard. It's really expensive. And what we want to tell the Commission right here, think about the livelihood of these drivers. Drivers are losing their job. Drivers cannot pay the cars, cannot pay the gas. The gas went sky high.

So I'm asking on behalf of all these drivers behind me, and also for myself and my family, look at us, talk to us and make our life easier. You can do it. You are the regulator

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of --

TIMEKEEPER: Thirty seconds remaining.

SPEAKER: And you have the power to make those changes. So please make those changes right now. Drivers depends on it. Dam I family, children. There upcoming generation are dependent on that.

I have so much respect for TLC and I trust all of you. Some of you might not. But I have faith in you to make the life of these people right here a good one and an easy one.

So all what we are asking is, 90 percent guaranteed to the drivers --

TIMEKEEPER: Time has expired.

SPEAKER: And that's what should be since day one. All these app companies come in and -- and surging the city. Yes, creating a job is a good thing. But a fair pay is better for everyone.

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MR. WANTTAJA: Thank you for
your testimony.

Our next speaker will be Jose
Tavarez, followed by Dahoon Nian
(phonetic).

SPEAKER: Hi, Commissioner. And
hi to everybody. Thank you for trying
to help us to figure out to have a
better living.

I'm advocating -- I work for
Uber and Lyft. I'm advocating that
Uber and Lyft lower their commission.
Please, the TLC, please bear in mind
that an Uber and Lyft, the car
maintenance is skyrocketing. We have
to keep on cleaning the car and
cleaning a car is between 18 and
20-dollar. And even more. And we
have to do it because we get rated on
cleanliness.

Now, insurance and many other
costs in the car, is very, very high
nowadays. The cost of living is
unbelievable. It went up. It's

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really high. The gas is unbelievable.
It keep going to go up. I can't
imagine when it comes July and August.
The gas will be probably \$7 here in
New York City. And probably higher
than that.

And the security. Please, TLC.
You must address the security. A lot
of driver are being harmed to the
point, you know, killed. So please --

TIMEKEEPER: Thirty seconds
remaining.

SPEAKER: Help us in the
security. Thank you. That's all I
got to say.

MR. WANTTAJA: Thank you for
your testimony.

Our next speaker will be Dahood
Nian, followed by Ahmed Edmond
(phonetic).

SPEAKER: Hi. Thank you very
much for the time.

We understand the need to
prevent abuse by FHV corporations,

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especially those who have access to hundreds of FHV licenses that none waive focused TLC drivers cannot access anymore.

As a smaller FHV corporation, we see merits in a lease cap, like the yellow cap industry currently follows. However, as a leasing company that focuses on the Uber Black market, we think it's very important to incorporate vehicle acquisition costs, or we'll risk limiting luxury leasing options for TLC drivers.

For example, if a lease cap doesn't incorporate a cost of the vehicle, it can lead to unintended consequences. Leasing companies only offer Camrys.

Furthermore, we believe lease cap should adjust on an annualized basis based on agreed to -- formula, versus once every several years.

There's other things we wrote in written testimony, which we won't get

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into now. In terms of just, you know -- I'm not an owner of a huge leasing company, but I know the media is listening to this call and did a hit piece about three or four years ago. When weekly rates, when people say oh \$400 is a crazy rate, you are paying \$1,600 for a Camry, that includes insurance, that includes maintenance. There's a lot of costs incorporated in that.

So as the media listens to this call, they did a hit piece four years ago, they need to understand --

TIMEKEEPER: Thirty seconds remaining.

SPEAKER: Understand what that weekly rate incorporates.

Final two-points. We do think there should be a way for a driver to earn their own plate if they reached the threshold.

And finally, I used to live in London for five years. Just maybe

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make the licensing exam harder versus capping the license.

That's it. Thank you so much for your time.

MR. WANTTAJA: Thank you for your testimony.

Our next speaker, and I believe final speaker, will be Ahmed Eckman (phonetic).

SPEAKER: Yes. Can you hear me?

MR. WANTTAJA: Yes. We can hear you.

SPEAKER: Yeah, I wanted to say that there is no city rules that have unlimited number of taxis and for-hire vehicles. So just to be real, because there's a limit for congestion and all these problems that arise that cause the lockout. So there must be a way to -- if somebody want to enter this business and work to make it available for them through easing on the rent or -- or trying to put the -- keeping -- keep putting new cars on

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the road, it's going to make it worse and we will have more fees coming and all this, what happened, this is not fair for the driver.

And also the issue of the -- the job to be -- to look out somebody -- some people have full-time job and they work to make extra money with driving. I don't have a problem with that. But if you are going to lock me out to work from this -- to keep people working to make extra money, this is my only income. So this is not fair.

So I have to talk about it this way. It's not selfish. I don't have a problem if somebody want to make more money. But you don't lock me out and this is my only job. So you have to consider this, who have -- who can work and who -- I mean, have other sources to survive in this bad economic condition.

And of course --

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TIMEKEEPER: Thirty seconds remaining.

SPEAKER: Yeah. They need to put a cap for the rents that the company exaggerating the number for all the car used. And the pressuring the drivers. That's to be fair again. Thank you.

MR. WANTTAJA: Thank you for your testimony. And that concludes our open hearing on the FHV driver pay rates. Thank you all so much for your testimony today. Thank you to the Commissioners and staff for joining us. We hope to have -- we are going to take all this info back and generate some proposals.

And once again, before I sign off, please implore everybody listening to fill out that driver expense survey that we sent. That is going to be a very useful tool for us to make sure we get all of this correct. So if you please fill out

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that survey, that will be a great help
to us in setting the appropriate
rates.

Thank you again for all your
testimony, and have a great rest of
your week.

(TIME NOTED: 11:42 a.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)

:SS

COUNTY OF SUFFOLK)

I, Elbia Baires, a Notary Public within
and for the State of New York, do hereby certify:

I reported the proceedings in the
within-entitled matter, and that the within
transcript is a true record of such proceedings to
the best of my ability.

I further certify that I am not related
to any of the parties to this action by blood or
marriage; and that I am in no way interested in
the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set
my hand this 2nd day of June, 2022.


Elbia Merino (Baires)

\$0 93:4	\$7 33:25 103:5	access 5:20 18:14 54:4 74:24 98:13 104:2,5 (7)	addition 6:13 70:13	afford 71:7 83:13,14
\$10000 59:7	\$71000 41:17		additional 3:15 7:15 13:17,17 18:20 (5)	afraid 83:6
\$15 67:14	\$75 38:22	accessibility 67:9		after 11:24 15:4 22:2,5 24:3 26:13 27:4 36:11,19 45:19 64:2,17 76:3 83:19 92:23 (15)
\$1600 59:18 105:9	\$800 83:21	accessible 98:16	address 13:3 82:11 103:9	
\$17 33:16 50:25	\$80000 84:15	according 22:3 52:25	addressed 66:15	
\$200500 50:14	\$900 90:16	account 65:3 74:5	adequately 45:15	afternoon 29:13 35:4 49:24
\$25 26:13 27:3 45:11,19 (4)	& 1:4 8:8	accountable 16:12,13	adjust 6:4 33:23 34:2,13 104:21 (5)	again 3:20 5:19 7:5 10:16 14:13 24:21 28:22 43:5,15,22 61:19 70:17 79:25 90:15 94:8 97:10 108:8,19 109:5 (19)
\$2500 50:11	15hour 75:22 76:9	accounted 62:19	adjusted 26:12,15 27:6	
\$2700 50:11	20dollar 102:19	accounted 62:19	adjusting 7:13	
\$28 23:11,21	2nd 110:19	acevedo 40:6,20	adjustment 61:24	against 47:15 76:19 88:25
\$30 67:15,17	66yearold 92:14	achieve 76:4	adjustments 5:25 6:20 30:24	ago 11:16 66:13 72:17 88:14 105:7,15 (6)
\$300 83:24 90:4 95:13	70hour 76:12	acknowledged 54:9	administration 82:6	agreed 104:22
\$34000 41:19	ability 42:22 55:10 110:13	acquisition 98:10 104:12	adoption 17:9	agreement 64:14
\$34937 41:9	able 9:23 10:10,15 27:2 34:2 39:19 40:16 42:8 59:14 64:21 73:4 76:3,7,12,17 88:12 89:22 90:9 (18)	across 38:18	advantage 71:15	aguado 2:6 3:6
\$35 18:17		act 28:6	advisory 15:13,14	ahead 56:21
\$365 97:8,14		acting 2:5	advocate 80:19,25 92:10 94:11 (4)	ahmed 103:20 106:9
\$400 64:24 83:16 84:12,19 89:25 105:8 (6)	about 4:4,11,12 6:11 7:3 8:12 14:11,16 23:23 25:22 33:20 34:22 38:22 41:5,6 43:18,24 56:6,10,14 57:9 60:25 73:2 79:14 88:17 89:24 90:4 99:22 100:16 105:6 107:16 (31)	action 55:7 110:15	advocating 102:11,12	air 17:16
\$450 97:11		active 28:21	affairs 17:3	airport 49:23 67:10 68:11,13 (4)
\$500 59:20 90:17		actively 55:13	affect 54:17 89:7	aladin 29:7 32:8
\$5000 31:18		activist 56:2	affected 88:18	albany 8:25
\$550 92:18		actually 61:3 72:20 73:7 92:13 99:16 (5)	affiliated 58:23	alcohol 53:23
\$6 24:2		adams 81:7		
\$6000 92:20	abuse 103:25	adams' 82:5		
\$60000 98:3	accelerating 17:8	add 81:22,23,24		
	accept 16:9 21:4			

<p>algorithm's 54:7</p> <p>alike 30:15</p> <p>alive 79:17</p> <p>allcash 44:20</p> <p>allegations 53:21 54:3</p> <p>alliance 25:10 38:14 43:15 51:19 52:24 57:15 60:25 85:19,22 (9)</p> <p>allow 30:6,14 63:13 77:6 (4)</p> <p>allowed 28:5 32:15,19 58:7 70:8 88:10 (6)</p> <p>allowing 33:10</p> <p>allows 54:20</p> <p>alltime 26:11</p> <p>ally 51:14 52:19,22</p> <p>almost 41:17,19 90:5 100:7 (4)</p> <p>alone 84:10</p> <p>already 36:7 37:9 57:25 62:3 81:25 88:15 (6)</p> <p>also 10:7 17:20 18:3 20:24 25:20 31:19,22 33:21 41:6,22 50:2,15 66:7 70:2 73:23 76:19 79:14 81:11,22 82:10 86:3,7 87:2,3 90:11 93:18 94:10,25 98:9 100:22 107:6 (31)</p>	<p>although 55:6 61:10 66:23</p> <p>always 3:7 7:6 13:14 34:5 48:16 73:11,12 (7)</p> <p>am 1:10 3:4 9:3 43:13 51:18 67:21 109:8 110:14,16 (9)</p> <p>amazing 78:21</p> <p>amend 22:2</p> <p>america 17:25</p> <p>american 64:15,20</p> <p>amount 5:7 13:4 49:19 60:11,12,13 72:11,12 73:3 86:19 90:8 98:3,22,25 (14)</p> <p>amounts 23:7</p> <p>analysts 43:23</p> <p>anderson 55:19 58:20,23</p> <p>andrew 8:4,9</p> <p>annual 41:18</p> <p>annualized 104:21</p> <p>another 7:24 16:16 20:14 22:11 35:16 57:2 59:22 67:17 (8)</p> <p>answer 10:20 56:11 98:14</p> <p>answers 80:22,23</p> <p>anwar 75:6 77:20</p>	<p>anxiety 78:5</p> <p>anybody 63:13</p> <p>anymore 16:10 66:22 104:5</p> <p>anyone 32:15 67:11</p> <p>anything 3:16 23:11</p> <p>anytime 76:7</p> <p>anyway 92:16</p> <p>anyways 92:3</p> <p>apartment 59:18</p> <p>app 5:9,11,20 9:20 11:16 12:4,7,8 13:4,8,13 14:12,17 15:19 22:4,10 25:16 29:16 46:21 69:22 70:16 78:17 79:5 93:19 99:22 100:10 101:21 (27)</p> <p>appbased 32:18</p> <p>applaud 19:22</p> <p>applied 28:8</p> <p>applies 28:3</p> <p>apply 28:23 32:17</p> <p>appreciate 16:15 43:3 48:19 68:25 (4)</p> <p>appropriate 8:21 109:3</p> <p>approving 69:12,17</p>	<p>approximate 98:3</p> <p>apps 42:20 49:16 75:16</p> <p>arbitrary 54:7</p> <p>are 3:8,15 5:20,21,24 6:2,6,8 7:5,6,11,20 8:24 10:10,16 12:6,7,9,16 13:9,12 14:12,14,22 15:7,12,19,22 16:14,20 18:7,12,14 21:8,13,15 23:7,12,12 25:14,17,24 26:8,10 27:15 29:22 30:24 31:15,19 33:15,16 35:3 36:10 37:13,23 39:8,22 40:16 41:22 42:4,17 45:3,4,9,14,18 47:9,10,12,22 49:9 50:10,23 51:23,23 52:8,16 53:16 54:3,12,15 55:23 56:21 57:12 59:21 61:4,11,16 62:25 63:21 66:4,6,7,11, 14,17,21,22 67:14 68:12 70:6 74:14 75:12 79:17 81:16 82:13,24 84:9,18 86:16,21 87:4,20 88:18 89:21 90:5,9 92:4 93:3,23 94:14,19 95:15,19 99:2 100:18,25 101:10,16 103:10 105:8 107:11 108:16 (133)</p> <p>area 55:13 73:9</p> <p>areas 42:8,11</p>	<p>aren't 46:24,25</p> <p>arise 106:19</p> <p>around 14:20 23:9 44:14,25 45:2 92:20 93:2 (7)</p> <p>ask 42:19,21 43:6</p> <p>asking 33:16 45:18 69:19 71:9 100:21 101:16 (6)</p> <p>asserted 63:10</p> <p>assessed 62:7</p> <p>assistant 2:10</p> <p>assume 25:21</p> <p>attempts 5:4</p> <p>attendants 68:14</p> <p>attention 24:4 61:13</p> <p>attorney 43:14 52:23 60:24</p> <p>attracted 9:13</p> <p>audio 3:25</p> <p>august 56:5 103:4</p> <p>authority 8:23 9:2</p> <p>auto 41:15</p> <p>automatic 61:24</p> <p>available 17:20 106:22</p> <p>average 89:23</p> <p>await 22:11</p>
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<p>aware 56:18,20</p> <p>away 23:19 32:24 34:14 64:2 70:11 (5)</p> <p>awesome 78:17</p> <p>axle 39:3</p> <p>aziz 8:5 11:3,4,6 80:3 (5)</p> <p>b 1:14</p> <p>baby 83:6,18</p> <p>babylon's 49:8,10 50:4</p> <p>baccio 20:6 22:21</p> <p>back 15:5 23:25 24:9 40:17 67:21 74:22 76:9 78:7,14 79:17 81:20 83:4,9 84:21 85:2 86:15 108:17 (17)</p> <p>bad 79:18 107:23</p> <p>bah 8:5 11:3,4,6 (4)</p> <p>bahid 69:8</p> <p>baire 110:8</p> <p>balances 49:13</p> <p>balancing 49:15 50:11</p> <p>ban 28:24</p> <p>bare 52:3</p> <p>barely 6:7</p> <p>barrier 18:25</p> <p>base 11:16 19:15</p>	<p>based 6:22 14:23 17:4 25:17 30:22 34:2 69:20 104:22 (8)</p> <p>baseline 63:3</p> <p>basically 28:21 36:14,24 51:20 52:5 72:21 74:16 (7)</p> <p>basil 25:6 27:19</p> <p>basis 104:22</p> <p>bathrooms 68:12</p> <p>bazia 85:10 87:11,14,22 (4)</p> <p>bear 18:11 102:14</p> <p>because 4:10 9:4 14:19 15:20 16:13 21:15 23:12 24:3,17 32:24 34:4 36:6,15,17 37:7,9,13 44:6 46:21 47:19 49:8,15 50:22 52:5,12 53:24 54:5 57:22,24 59:10 61:21 63:22 64:19 65:3 67:22 72:10,21 74:15,23 75:23 76:5 78:5,8,14 79:11,18 83:12,17 84:13,22 86:9 87:4 88:8,10 89:23 90:15 100:13 102:20 106:17 (59)</p> <p>bedstuy 17:23</p> <p>before 4:9 14:22 16:8 20:17 21:5,24 24:9 36:3,10,22 65:8 90:12 100:6 108:19 (14)</p>	<p>begin 7:22 26:15 35:14,18 40:8,12 87:14,22 96:20 (9)</p> <p>behalf 96:22 100:21</p> <p>behind 80:4 95:10 98:19,22 100:22 (5)</p> <p>being 9:23 27:15 66:15 74:14 75:18 76:6,11,12 95:5 103:10 (10)</p> <p>believe 3:17 20:12 36:9 45:23 69:24 90:7,11 104:20 106:8 (9)</p> <p>belong 38:13</p> <p>below 26:13 31:12 86:2</p> <p>benefit 81:13</p> <p>benefits 18:14</p> <p>best 110:13</p> <p>better 35:2 65:13 101:24 102:10 (4)</p> <p>between 15:21 18:17 41:16 50:11 102:18 (5)</p> <p>bill 2:6 41:20,20,21 (4)</p> <p>billion 44:18,19,23</p> <p>billiondollar 30:7</p> <p>bills 9:24 42:23 65:11 81:12 (4)</p> <p>bit 4:11 59:2,12</p> <p>black 8:12 15:2</p>	<p>63:22 95:3,5 104:10 (6)</p> <p>blatantly 53:20</p> <p>blocking 71:16</p> <p>blood 110:15</p> <p>board 15:14,15 38:18</p> <p>book 50:3</p> <p>born 46:18</p> <p>boss 50:18,22</p> <p>both 41:16 44:13</p> <p>bought 44:15,16</p> <p>brahim 10:25</p> <p>break 39:3 68:10</p> <p>brief 3:22 4:12 41:7</p> <p>bring 57:22 81:20 84:21</p> <p>bringing 45:10,14</p> <p>brings 16:2</p> <p>broad 44:3</p> <p>broadway 25:12</p> <p>brooklyn 23:16</p> <p>brothers 47:5 48:14</p> <p>brought 61:13</p> <p>bus 88:9</p> <p>business 13:19 19:16 31:9 41:9 44:9,22 66:4</p>	<p>73:10 77:5 106:22 (10)</p> <p>busy 73:9</p> <p>buy 33:17 56:24 99:5</p> <p>c 2:2 110:2,2</p> <p>cab 26:25 72:7,8 86:9,18 (5)</p> <p>cable 41:20</p> <p>calculate 5:7</p> <p>calculated 31:2</p> <p>calculates 6:5</p> <p>calculating 5:18</p> <p>call 7:20 23:10,17 35:16 40:10 97:14 105:5,14 (8)</p> <p>called 50:4 56:8</p> <p>camal 48:23 51:13,17</p> <p>came 14:6,9 32:20 72:18 78:14 (5)</p> <p>camera 7:21</p> <p>camry 14:24 63:15,22 105:9 (4)</p> <p>camrys 104:19</p> <p>can 4:5 5:22 6:15 7:9 8:20 13:3,4 16:15,17 17:14 21:3 22:23,25 28:15 29:11 37:3 40:22,24 42:9 44:25 45:8 46:11,22 47:10,12 48:25 49:3 56:20 58:13 61:2 62:5</p>
--	---	--	--	--

<p>69:22 70:17 72:3,4 73:20 74:11 75:9,10 77:5,8,23,24 80:13,14 84:21 85:15 86:2 87:16 90:19 91:19,22,24 92:2 100:25 104:17 106:11,12 107:21 (59)</p> <p>can't 45:11 46:22 79:16 91:6,6,25 103:3 (7)</p> <p>cannot 16:9,18 19:5 30:14 100:19,19 104:4 (7)</p> <p>cap 12:15 13:4 19:2,10 29:16,21 35:25 36:3,10,22 69:20 70:22 71:8,12 72:10 73:17,21 76:23 78:19,20 79:8 87:3 89:19 90:8,12 93:20 104:7,8,15,21 108:5 (31)</p> <p>capped 46:24,25</p> <p>capping 29:16 76:20 99:22 106:3 (4)</p> <p>caps 57:17,18</p> <p>car 5:10 8:12 15:2 28:20 31:18 33:11 36:5 37:8,20 38:24 41:10 51:25 52:6,6 62:12,13 64:24 65:4 68:20 70:19 83:22 84:12,13,15,19 90:2,3 92:19 95:6 97:9,25 98:15 102:15,17,18,23 108:7 (37)</p>	<p>caravan 78:22</p> <p>carbon 17:16</p> <p>card 50:9</p> <p>care 50:16</p> <p>careful 14:16</p> <p>carry 98:10,21</p> <p>cars 14:24 23:6 24:11,14 63:12 72:12 77:10 84:9 99:5 100:19 106:25 (11)</p> <p>cart 76:25</p> <p>case 21:15 33:8 36:13 72:25 98:24 (5)</p> <p>cases 23:14</p> <p>cause 53:17 55:5 106:19</p> <p>causes 70:23</p> <p>causing 71:17</p> <p>cautious 39:20</p> <p>cell 68:6</p> <p>centrality 55:9</p> <p>cents 67:9</p> <p>certain 98:21</p> <p>certify 110:9,14</p> <p>chair 1:16</p> <p>challenge 54:3</p> <p>champion 55:13</p> <p>change 8:14 61:8 85:5</p>	<p>changed 60:10</p> <p>changes 56:18 64:5 101:6,7 (4)</p> <p>charge 10:11 27:5 52:10 63:14 66:20 67:9 89:22 90:10 (8)</p> <p>charges 50:15</p> <p>charging 26:10 63:21 70:25 84:18 (4)</p> <p>chasing 9:16 21:9</p> <p>checks 49:13</p> <p>chicago 62:4</p> <p>child 83:7</p> <p>children 101:9</p> <p>choice 71:6 76:11</p> <p>choose 16:6</p> <p>chooses 32:16,17</p> <p>choosing 5:21</p> <p>chose 72:24</p> <p>citizens 51:3</p> <p>city 1:3 11:11,21,24 12:10 16:2,11 17:15 19:5 25:12 26:6 27:11 28:2,22 30:11,12 31:9 32:16,21 39:2 44:5,9,12 45:3,4,9,13,13 46:19 49:9 51:3,19 55:7 59:17,25 66:19 76:16,23 79:19,23 81:13 86:15,17 88:8 94:10 95:6</p>	<p>99:15 101:23 103:6 106:15 (50)</p> <p>city's 11:19 17:4,13 55:4 (4)</p> <p>cityissued 68:20</p> <p>clean 52:6</p> <p>cleaning 30:3 102:17,18</p> <p>cleanliness 102:21</p> <p>clear 5:24 11:22 54:22 98:18 (4)</p> <p>clearly 62:5</p> <p>clients 94:19</p> <p>close 65:8 71:19 81:11</p> <p>clothing 62:11</p> <p>coin 49:7</p> <p>colleague 99:15</p> <p>collected 14:22</p> <p>collecting 6:24</p> <p>collectively 5:8 25:24</p> <p>college 72:16</p> <p>collision 41:11</p> <p>come 41:18 79:17 80:25 86:15 101:22 (5)</p> <p>comes 18:10 36:16 96:5 103:4 (4)</p> <p>comfortable 34:3</p>	<p>coming 14:14 56:13 78:7 83:23 100:4 107:3 (6)</p> <p>commend 72:9</p> <p>comments 3:15 6:14 7:8,15 45:21 (5)</p> <p>commercial 41:11</p> <p>commission 1:4 8:8 11:22 12:15 13:3,7,16 14:15 15:22 19:22 29:21 30:23 31:16,22 55:12 67:11 68:17,23 69:20,24 73:18,21 78:20 79:8 81:5 93:18,20 100:16 102:13 (29)</p> <p>commission's 11:17</p> <p>commissioner 1:16 2:5,6,7,8,9,10 14:4 20:10 35:22 56:10 69:10,15,15 102:7 (15)</p> <p>commissioners 2:4 3:6 11:6 33:19 69:10 92:7 93:22 94:6,17 99:19 108:15 (11)</p> <p>commissions 15:11,12 29:24 30:9,16 (5)</p> <p>commit 47:20</p> <p>common 81:2</p> <p>community 92:10</p> <p>companies 4:15 9:21 12:5,7,9 13:9</p>
--	--	---	---	--

14:12,18 15:8,9,19,22 16:4,5 19:15 27:4 30:8 32:19 46:21 47:14 48:11 57:7 63:21,24 69:22 70:7,17,25 71:14 79:5 89:21,21 90:9 91:8 97:20 98:2 99:4 100:10 101:22 104:18 (40)	concludes 108:11	control 21:3	couple 59:23	dam 101:8
company 5:12,14,17 18:5,5 27:25 28:8 36:8 43:21 44:16,17,24 45:4 86:2 90:18 93:19 104:9 105:4 108:6 (19)	concrete 61:2	cool 78:2	course 13:9 107:25	dangerous 26:2
company's 5:8,9,10	condescending 80:24	corner 25:11	cover 86:20	data 6:22,24 14:18,21,24,25 33:22 34:13 95:18 (9)
compensate 59:13	condition 88:7 107:24	corporate 17:3	cpi 61:9	date 61:24 97:13
compensated 6:7	conditions 26:2	corporation 58:7 104:6	crazy 68:8 105:8	david 81:16
complained 53:25 88:17	conduct 69:21	corporations 99:4 103:25	create 42:19 57:23	day 3:3 25:25 47:22 52:2 58:16 67:15 68:6 80:6 84:25 91:10 96:11 100:8 101:21 110:19 (14)
complaint 54:6 74:2,15	conflating 21:13	correct 108:25	creates 21:10 47:3	days 75:23 76:9
complaints 54:13	congestion 21:10 22:13 67:6,7 106:18 (5)	cost 15:6 31:17,19 59:7,17,19,24 62:12,16 63:11 66:25 70:18 90:3 95:5 102:24 104:16 (16)	creating 101:23	deactivated 53:16,20,24 74:6,14 (5)
complete 75:25	consequences 104:18	costing 10:8	credibility 20:18	deactivation 54:20
completely 62:16,21	conserve 21:23	costly 38:24,25	crisis 20:13 66:15	deactivations 54:21 73:24
comprehensive 45:21	consider 3:17 37:5 59:15 70:18 98:25 107:21 (6)	costs 18:12 31:25 62:21 63:5 96:10 102:23 104:12 105:11 (8)	crucial 8:14 89:17	deadline 7:14
computer 20:22	consideration 95:4	could 30:21 44:2 46:19 65:10 71:7 73:7,17 98:4,13,15,19 (11)	cruel 76:10	dean 64:9 65:18,22
concept 5:3	considering 97:22	couldn't 83:12,14	current 8:19 25:16 97:19	decades 63:9
concerns 83:3	consumer 62:7	council 11:21 16:11 55:7 81:13 (4)	currently 30:17 49:11 67:4 72:8 104:8 (5)	december 23:24 96:25
conclude 8:2	contacted 98:12	count 9:23	customer 34:3 53:24 86:5	decide 73:19
	contest 54:21	counting 94:25	customer's 54:6	decides 32:15
	continue 27:5 30:14,22 65:10 81:19 82:9 84:5 (7)	country 45:2 51:6	cut 5:19 15:9,11 23:21 88:6 (5)	deductions 92:21
	continuing 30:6	county 110:6	cutting 67:21	definitely 22:14 65:5 72:14 89:19 90:7,14,23 91:5 (8)
	contract 36:17,18,20		dad 96:22	
	contractors 28:14		dahood 103:19	
			dahoon 102:5	
			daily 31:10	

degree 20:22	didn't 9:20 100:6	60:5 63:13 73:15 95:16 104:16 (9)	7:13 12:23 15:13 18:18 19:24 20:11,15 21:19 22:4,10 25:16 26:12 29:25 33:24 34:6 42:10,14 43:7,25 48:16 50:3 51:23 52:4 53:21 64:12 73:16 74:21,23,24 77:8 79:10,11 80:18,19 81:14 85:24 86:5 87:2 89:17,22 92:5,10,11,14,17 94:10,11 95:6 96:5,24 99:17,24 103:10 105:21 107:5 108:12,21 (65)	45:3,9,13,18 46:20 47:16 48:15 49:9,17 50:7,12,14 53:3,12,16,19 54:2,18 57:19,20,23 65:7 66:7,17,21,24 67:23 68:2,5,11,22,24 69:12 70:5,9,24,25 71:6,11,14,21,23 72:20,21 73:5,22 75:15 76:20 77:9 78:5,21 80:4 88:5,21,25 89:6 90:10,11,21 92:4 93:3 94:19 95:19 98:21 99:2,14,23,25 100:4,17,18,18,22 101:7,18 104:4,14 108:8 (167)
demand 8:22 18:9 42:8,12 85:20 (5)	difference 12:5,8	doing 23:7 24:10 41:3 75:13 94:7 96:6,8 (7)	driver's 8:11,18 11:8 42:13 46:23,25 79:15,15 (8)	drivers' 42:22
denied 64:19	different 59:9 77:8,12	dollars 18:19 31:21,25 44:18,19,23 49:24 59:23 79:7 83:22 (10)	driverfriendly 69:17	drives 68:7
dependent 101:10	differentiate 15:21	done 16:17 24:21 62:3 76:22 77:16 (5)	drivers 3:19 4:8,15,21 5:5,8,11,14 6:6 8:13,21 9:4,7,8,11, 14,14,15,23 10:6,8,12 11:9,11,16,20,25 12:6,9,17,22 13:5,13,18,19 14:13 15:3,20 16:5,6 17:10,22 18:3,6,12 19:2,8,13,20 20:16 21:15 25:13,14,19,21,23 26:8,24,25,25 27:6,11,23 29:2,16,17,22,25 30:3,15 31:13,15,23 32:14,25 33:11,12 34:14,18,21 36:3 37:18 38:16 39:12,19 42:5,5,6,21	driving 4:23 21:17 23:9,15 34:18 51:25 53:5,7,14,25 72:6,8,17 74:7 77:10 85:4 107:10 (17)
depends 101:8	dinma 16:23 20:6,9	dominates 19:18		drop 34:19 83:18
depreciate 97:16	directly 68:2	dot 7:10,10		dropoff 22:2,5
depreciation 97:23	director 8:10 11:7 25:9	dotted 65:18 69:7		dropped 31:10
depressing 9:18	dirty 68:12	double 86:8,17,25		drove 9:14
depression 81:23	disabilities 56:3	double 86:8,17,25		drunk 53:25
deserve 54:18 65:12	disagree 32:11	double 86:8,17,25		drunks 51:2
deserved 39:11	discover 50:9	doubled 95:7		due 21:2 42:10 54:10
despite 53:15	discussions 10:13	down 15:9,11 34:19 36:9,19,22 68:10 73:11 (8)		during 26:3 31:3 39:9
destinations 84:22,22	dismissiveness 20:20	drafted 81:12		
destroy 39:3	display 7:18	drama 92:13		
detect 22:4	disrespected 68:13	dramatically 67:2		
determine 8:20	disrupted 14:10	drastically 17:15		
determined 69:22	distinct 62:8	drive 20:16 21:13 38:14 39:15 50:24 51:2 73:8 85:2 86:15 88:11 (10)		
determines 8:22	dive 7:16 21:5	driven 72:7		
detrimental 72:14	diverting 30:12	driver 1:6 3:18 4:20 6:5,17,18,21,22		
devastating 9:22 54:17	divorced 62:16			
diallo 40:21 43:10,13	dmv 90:6			
dictates 49:18	does 5:6 8:23 10:5,6 18:18 (5)			
	doesn't 15:2 21:16 24:16 34:13			

e 1:14,14 2:2,2 110:2,2 (6)	effectively 22:9 45:5	empty 85:3 86:15	essential 39:8 54:14	excessive 12:11
each 12:11 13:6	efficient 39:20	enact 11:23 61:16	ev 17:8 19:11 33:13	executive 25:9
earlier 34:25 99:17	ehail 48:11	enacted 12:14 29:20 62:3	evaluate 19:23	exempted 21:23
earn 8:13 19:21 20:22 27:2,7 35:2 42:22 44:25 45:11 46:22 53:13 94:23 105:22 (13)	eight 34:6 77:14	end 52:2	even 30:19 39:6,15 47:4 53:18 70:9 79:16 81:6 102:19 (9)	existing 13:19 32:24 33:10
earned 30:10	eighthour 95:12	ended 28:7,10	every 25:25 44:15 52:10,13 68:5,17 96:11 100:8 104:23 (9)	exorbitant 30:8
earning 26:8 42:6 44:11 45:3 70:11 89:17 (6)	el 47:14	ends 10:7	everybody 15:5 29:9,14 35:23 43:6 46:14 48:18 51:17,21 56:14 57:4 91:10 102:8 108:20 (14)	expand 44:24,24
earnings 41:22	elbia 110:8	endujar 52:20 55:19	expense 6:19,22 31:2,7,13 43:4,7 68:19 108:22 (9)	expansion 45:8
earns 44:8	elected 81:6	enforced 54:12	expansions 44:13	expenses 4:4 11:24 12:23 18:15 24:3 25:17 26:14 27:4 28:19 30:2 38:17 41:5,8,9,16,18 45:20 50:10 57:3 59:3,14 62:8,10,13 63:3 65:4 (26)
eased 22:14	electrical 41:20	enforcing 54:11	engineering 20:23	expensive 33:13,13 56:25 57:6 66:5 85:4 89:25 100:15 (8)
easier 100:24	electrification 17:12	engineer 13:18 59:13 66:10 91:7 100:11 (5)	enough 13:18 59:13 66:10 91:7 100:11 (5)	experience 20:24 50:5
easily 59:19	electric 17:5,18 71:10,15,20 (5)	ensure 6:16,25 7:17 8:15 11:18 39:17 70:15 (7)	everyone 3:10,13 14:4 20:9 24:17 38:2 82:24 83:2 85:12 89:14 91:21 101:25 (12)	experiences 50:8,10
easing 106:23	electrical 41:20	ensures 6:6	everyone's 6:9	experiencing 50:7 51:5
easy 33:6 101:15	eliminated 67:25 70:3 82:10	ensuring 8:12	everything 6:12 56:25 57:5,6 90:22 (5)	expert 69:21
eat 59:19	else 73:8 76:7 90:22	enter 4:25 106:21	evs 19:3	experts 30:20
eckman 106:9	email 27:24	environment 47:3	exactly 44:7	expired 7:25 10:19 13:11
economic 107:24	embarrass 81:18,21 82:13,15 (4)	equation 19:14	exaggerating 108:6	
economics 3:4 56:7	embed 96:5	equilibrium 72:11	exam 106:2	
economy 12:10 30:9,12	emissions 17:16	eric 81:7	example 31:15 44:17 78:15 104:15 (4)	
edmond 103:20	employ 18:25	escape 47:21	excellent 81:15,17,19,21 (4)	
edward 20:6 22:20	employee 17:5 18:4	especially 90:13 104:2		
effect 24:22 72:14,19	employers 19:12			
	employment 17:10 18:11 41:24			
	employments 21:4			

16:7,19 19:17 24:19,25 27:9 31:20 35:6 37:15 39:13 42:16 45:6,22 58:4 63:18 68:15 71:18 93:21 96:13 98:23 101:19 (24)	familiar 33:24	66:18	fixed 31:19	force 42:6
explain 47:6,7	families 11:20 26:5 50:17 53:15 60:7 (5)	few 11:16 21:9 39:7 66:13,17 76:3 83:20 88:3 (8)	flagship 17:23	forced 39:22 50:24
explained 64:20	family 42:13 46:15 53:8,11 70:21 100:23 101:8 (7)	fewer 66:6,14	fleet 17:13	forcing 33:12
explanation 4:12	fare 3:13 12:11,25 13:6	fhv 1:6 13:18 26:16 31:23 103:25 104:3,6 108:12 (8)	fleets 10:10 49:17 99:5	foreign 48:17
exploit 70:17	fare's 12:21	figure 102:9	flexibility 28:15,18 42:15	forgot 61:22
exploited 63:6	fares 30:18 33:23 34:14,22 35:3 66:10,16,23 67:23 (9)	fill 6:18 7:2 43:8 108:21,25 (5)	floods 47:2	forgotten 94:17
exploiting 13:9	fast 55:6	final 105:20 106:9	floor 9:11	forhire 3:19 4:5,8 17:6,13 106:16 (6)
exploring 18:7	fastcharging 17:24	finance 20:25 36:5 44:12	focus 79:6	former 55:25
expose 83:7 97:2	fatigue 42:10	finances 43:19	focused 9:3 104:4	formula 104:22
extended 54:15	favor 99:3	financial 43:23 47:19	focuses 104:10	fortunate 20:21
extra 38:23 67:24 107:9,13 (4)	federal 41:24	find 98:13	follow 16:17	forty 34:8
eyes 47:11	fee 67:4,6,8 87:5,7 (5)	fined 63:16,24	followed 8:4 10:25 13:25 16:23 20:6 22:21 24:23 25:6 27:20 29:7 32:9 35:11 38:7 40:5,20 43:10 46:7 48:23 51:14 52:20 55:19 58:20 60:20 64:9 65:18 69:7 75:6 77:20 80:10 82:21 85:10 87:12 89:12 91:14 94:4 96:17 99:11 102:5 103:20 (39)	forward 6:8 12:13 23:14 29:19 45:25 64:5 69:11,16 100:5 (9)
f 1:14 110:2	feedback 19:25	finish 36:11	found 30:21 70:7	four 20:12 53:11 57:21 59:8 90:5 93:13 105:6,14 (8)
face 99:20	feel 34:5	first 8:3 11:15 17:4 33:4 61:7 69:19 71:23 75:21 78:3,10,23 80:20 84:10 88:4 94:19 96:5 97:6 (17)	framework 55:2,4	free 7:20 74:16 77:6
fact 46:23 58:25 74:11 83:25 84:8 89:16 94:21 (7)	fees 12:11,21 29:16,23 30:16 31:23 41:9 52:9 66:9 67:24 86:20 99:22 107:3 (13)	five 24:2 53:4 58:5 100:7 105:25 (5)	following 97:15	freedom 13:14 50:18,22 70:10 (4)
factor 5:4 59:2,24	feet 47:24	fix 27:12 51:9 79:3,24 (4)	follows 104:8	freight 44:21
failed 49:14	fellow 48:15		fondour 38:8 40:5,11	friday 47:23
fair 52:4,14 86:16 89:18 90:21 101:24 107:5,15 108:8 (9)			food 38:19 55:6 56:25 65:10 76:22,24,25 93:3 (8)	frontline 39:10
faith 101:13			foods 56:23	fuel 27:12,14 62:14
false 73:25 74:15				

full 51:22	generate 42:9 108:18	god 81:23	grandfather 71:13 90:14	hailey 10:25 13:25 16:22 17:2 (4)
fulltime 53:5 72:17 107:8	generation 101:9	goes 78:21 79:10	grateful 61:17	half 53:9 88:6 95:8 97:3,24 (5)
fully 85:20	get 3:16 4:9 6:3 8:25 21:18 23:4 32:21 33:11,12 35:2,3 37:22 45:18 52:5 58:25 59:19 64:18 66:10 71:7 72:22 74:4,13,22 84:23 86:10 88:15 95:10,11 102:20 104:25 108:24 (31)	going 14:7,12 15:12,23 16:20 19:9 23:20 34:4 35:3 36:10 37:8,13,24 41:5,6 42:17 47:23 49:22 62:4 78:4 79:17 82:13 87:20 90:6 94:13,14 95:15 103:3 107:2,11 108:16,23 (32)	great 28:24 58:15 91:10 109:2,6 (5)	hall 25:13
functioning 61:4	gets 83:19	gold 73:5	greater 70:15	hand 76:14 110:19
fundamental 43:17	getting 15:7 23:10,12,13,16 34:22 37:2 45:24 47:11,12 79:11 86:16 (12)	gone 25:18 28:18 31:14	green 72:8	hands 14:15 63:20
further 110:14	give 4:11 51:3 70:5 90:17 (4)	good 3:2 8:6,7 11:5 14:3 16:25 20:9,10 25:8 27:22 29:13 34:16 35:19,20,21,22 38:9,9,11 40:22 41:2 49:5 51:16,16 60:22 64:11 65:21 69:9,14 75:8 80:6,12,16 82:8,23 88:2 96:8,21 99:13,14 101:15,24 (42)	greenblat 8:4,9	happen 10:17 56:18 61:19 90:24 91:4,5 94:13 (7)
furthermore 12:8 104:20	given 7:22 12:4 55:8 68:2 76:15 (5)	goody 46:13	groceries 41:21 59:19 62:10,17 (4)	happened 36:23 61:12,14,15 107:4 (5)
future 5:23 21:20 79:15	giving 37:5 78:4,24 80:4 83:21 (5)	got 15:5 24:11 36:18 56:11 57:14 64:17,18 73:6 78:18 83:4,9 84:4 87:19 90:12 95:9 96:10 103:16 (17)	gross 11:25	happening 44:10 49:12 61:21
fve 20:11,16	gladly 40:17	gouging 29:23	groups 56:23	happens 8:16 16:11
fves 21:8	global 26:6 45:7	gov 7:10	grow 18:7	hard 7:14 58:14 77:11 88:11 100:14 (5)
game 51:7	go 8:25 10:10 21:25 46:19,23 48:9 51:24 61:20 66:20,23 67:15,16 72:23 73:7 76:2,7,9,17 79:10 86:2,5,12,13,14,14 91:7 95:11 103:3 (28)	gps 22:6	guarantee 11:15 13:5 18:21 24:20 (4)	harder 106:2
garden 89:5	goals 17:8	graduated 72:16	guaranteed 12:24 18:13 30:4 99:23 101:17 (5)	hardpressed 33:5
gas 15:25 21:23 24:15,16 30:2 38:19 41:10,20 51:22 57:4 59:4 65:4 68:9 70:19 83:23 85:3 86:20,21 88:16 92:24 93:2 95:14 100:20,20 103:2,5 (26)			guaranteeing 23:20	hardworking 66:5
gasoline 25:18			guarantees 29:17	harmed 103:10
gatekeepers 16:14			guild 8:11 11:8 12:13 29:19 92:5 100:3,3 (7)	harmful 42:4
gathered 25:14			guillermo 38:8 40:5,7,11,16 (5)	has 6:16 7:25 10:13,14,19 12:14 13:11 14:22 16:7,19 17:8 19:17 24:18,19,25 25:18 27:9 29:20 31:8,20,22,22 34:7 35:6 37:15 38:19 39:5,13 42:16
gathering 7:12			guys 16:14 32:4 46:9 55:21 57:9 73:19 92:15 93:11 94:16,18,20,22,22, 23,24 95:2,9,14,16 ,19,20,22 96:2 100:5 (24)	
gave 81:10,11			hail 17:18 19:4,5,15 (4)	
generalization 44:3				

<p>43:7 44:15 45:6,22 49:14 54:9,13,16 58:4 59:6 62:3 63:5,10,18 64:25 65:6 66:25 67:11 68:15 71:18 74:5 91:4,4 93:21 95:6 96:13 98:23 101:19 (57)</p> <p>hasn't 36:13</p> <p>having 6:2 18:11 49:6 51:10 (4)</p> <p>he 53:25 81:7,8 92:18,18,19,21,25 (8)</p> <p>he's 76:19 92:17,17 99:18 (4)</p> <p>health 56:12 79:15</p> <p>healthy 44:11</p> <p>hear 3:24 4:3,10 22:23,25 29:9,11 40:23,24 43:22,25 44:15 46:9,11 49:2,3 72:3,4 75:9,10 77:23,25 80:13,14 85:14,15 87:16 91:19,21,22,24 92:2 106:11,12 (34)</p> <p>heard 6:25 14:11 53:19</p> <p>hearing 1:5 3:12,24 4:3 6:13 39:24 43:16 56:6 65:25 108:12 (10)</p> <p>hearings 3:3 6:3 54:12</p> <p>heart 94:15</p>	<p>heartened 61:12</p> <p>heartfelt 68:23</p> <p>heavily 53:13</p> <p>held 16:11,13 70:24</p> <p>hello 22:23 48:25 55:21,22 58:22 60:22 75:8 85:12,13 87:17,24,25 89:14 91:17,21 96:21 (16)</p> <p>help 24:16 66:17 72:19 73:16,21 102:9 103:14 109:2 (8)</p> <p>helpful 6:15 84:23</p> <p>her 83:18</p> <p>here 3:16 8:11 10:20 20:20 40:18 43:5 47:7 65:7 92:4,12 94:15 99:18 100:3,16 101:15 103:5 (16)</p> <p>hereby 110:9</p> <p>hereunto 110:18</p> <p>hey 41:2 46:9 94:6</p> <p>hi 14:3,4,4 29:13 32:11 43:12 55:21,22 64:11 75:12 89:14 94:7 102:7,8 103:22 (15)</p> <p>hidalgo 43:10 46:7,7,14 48:23 49:7 (6)</p> <p>hiding 57:13</p>	<p>high 3:19 4:7,14 15:7,25 26:2,11 50:23 56:22 66:10 67:22 70:18 71:2 74:18 86:21 87:6 92:25 100:20 102:23 103:2 (20)</p> <p>higher 9:13,20 70:6 75:18,20 103:6 (6)</p> <p>him 81:10,11</p> <p>hired 30:20 69:21</p> <p>hiring 79:6</p> <p>his 53:23 74:25 89:18 92:23,23 99:19 (6)</p> <p>hit 24:24 31:9 73:4 105:6,14 (5)</p> <p>hole 65:2</p> <p>holidays 26:3</p> <p>home 25:22 62:9 67:8 79:17 83:23 85:3 92:22 93:4 (8)</p> <p>honesty 49:14</p> <p>honored 45:17</p> <p>hope 3:24 4:3 78:7 108:16 (4)</p> <p>hostage 70:24</p> <p>hosting 43:15</p> <p>hour 12:2,3 18:18 23:11,21 24:2 25:22 26:13 27:3 33:16 45:11,19 50:25 67:5 (14)</p>	<p>hourly 9:18 18:13 73:15</p> <p>hours 9:15 23:15 34:18,24 39:16,22 50:24 59:11 73:2,6 76:5 83:20 85:4 88:11,13 (15)</p> <p>household 62:10</p> <p>housekeeping 3:22</p> <p>how 6:4 15:18,23 19:21 28:7 37:21 41:3 44:2,8 45:8 46:20 55:2,23 57:9 60:4 75:12 79:18 82:24 94:7,22 (20)</p> <p>however 18:9 19:2 21:11 28:16 31:3 104:9 (6)</p> <p>hoziel 52:20 55:18,25</p> <p>huge 105:3</p> <p>hundred 18:19 59:23 86:6</p> <p>hundreds 31:25 104:3</p> <p>hurt 30:9 70:9 72:20</p> <p>hurting 12:9 74:23</p> <p>hurts 67:23</p> <p>i'll 23:14 47:4 78:8 79:24 (4)</p> <p>i'm 3:5 8:9,11 10:20 11:4 14:7 17:2 23:7,9,15 25:8,11 41:5,6 46:17 47:7,8</p>	<p>52:23 55:25 56:16,16 58:23 60:23 65:22 68:4 69:11,16,19 70:2 71:8 72:8,17 75:14 77:16,22,23 80:17,18,18 82:24 83:15,16,21,23 84:3,3,5,12 85:18 88:8 92:6,10,12 94:9,10 99:18 100:21 102:11,12 105:3 (60)</p> <p>i've 59:8,9 64:12,23 72:6,7 84:14 (7)</p> <p>ibg 11:13</p> <p>ibrahim 32:9 35:10,13,17,23 40:21 43:9,13 75:6 (9)</p> <p>idea 28:24</p> <p>idg 78:18 79:25</p> <p>illegal 28:6 63:15,23</p> <p>imagine 4:10 103:4</p> <p>immediate 27:13</p> <p>immediately 27:13 38:17</p> <p>immigrants 32:20</p> <p>impaired 74:7</p> <p>imperfect 10:7</p> <p>implement 55:2 70:8 82:14 89:19 (4)</p> <p>implemented 75:22</p>
--	---	--	--	--

<p>implementing 70:13 72:10</p> <p>implore 108:20</p> <p>importance 54:10 55:8</p> <p>important 13:2 19:13 34:12,15 37:17 104:11 (6)</p> <p>importantly 19:8 63:7</p> <p>impose 27:13</p> <p>imposed 19:3 21:22 24:8</p> <p>impress 47:25</p> <p>improve 17:16 37:12</p> <p>inajosa 60:20 64:9</p> <p>incentives 18:19</p> <p>incidentals 70:21</p> <p>include 18:18</p> <p>includes 41:10,19 105:10,10 (4)</p> <p>including 17:21 55:3</p> <p>income 37:12 42:9 53:7,8,13 92:24 107:14 (7)</p> <p>incorporate 18:8 104:12,16</p> <p>incorporated 105:12</p> <p>incorporates 105:19</p>	<p>increase 19:24 34:19 37:22 38:17 61:9,21 (6)</p> <p>increased 34:7 38:18,20,21 39:7 66:24 67:2 97:17 (8)</p> <p>increases 10:9 97:23</p> <p>incumbent 19:15</p> <p>incur 50:14</p> <p>incurred 50:13</p> <p>indeed 53:6</p> <p>independent 8:10 11:7 18:6 19:13 28:13 92:5 (6)</p> <p>index 61:9 62:7</p> <p>indirectly 10:6</p> <p>industry 3:4 15:6 17:7 19:19 21:2 45:12 47:5,18,25 48:15 55:6 56:2,7,17 57:21 62:25 63:11 77:9,13 85:24,25 89:7 104:8 (23)</p> <p>inflation 15:24 51:21 56:8,14,22 64:25 68:3 (7)</p> <p>influence 74:3,22</p> <p>info 108:17</p> <p>information 6:17 7:12</p> <p>infrastructure 17:19</p> <p>inhumane 76:10</p>	<p>input 3:16</p> <p>insist 67:24</p> <p>inspection 41:13 70:20</p> <p>inspections 31:24</p> <p>instead 34:17 61:22 70:6</p> <p>instituting 61:8</p> <p>institution 20:23</p> <p>instructing 22:10</p> <p>insurance 28:19 30:2 31:17 37:2 38:21 41:12 52:7 63:4 70:19 102:22 105:10 (11)</p> <p>intended 11:24 61:4 70:5</p> <p>intent 11:23</p> <p>intention 11:17</p> <p>interest 20:18 96:25</p> <p>interested 110:16</p> <p>interfere 42:12,14</p> <p>international 30:13</p> <p>interruption 3:25</p> <p>into 5:5 7:17 15:5 18:8,16 24:22 46:19,23 72:19 95:3 105:2 (11)</p> <p>invest 77:9</p> <p>invested 98:4</p>	<p>investors 30:13</p> <p>is 5:6,21,25 6:18,23,25 7:14 8:9 9:6 11:3,6 13:3 14:17,21,24 15:6,23 16:22 17:2,13,17,23 18:9 19:2,13 20:20 21:18 22:5,12,14,14 23:10 24:3,9 25:23 26:12 27:3 28:6,18,20,24 29:15,19 32:25 33:14,25 34:3 35:23 37:16 38:12,22,24 43:13,17,21 44:5,1 0,10,11,21,23 45:12 46:14 49:6, 12,15,21,22,25 50:13,13,23 51:17,21 52:11,22 53:5,7,22 54:8 55:25 57:6 58:7,9,22 59:12,18,22 60:6,23 62:4,15 63:11 65:22 66:4,14,15 67:5,10 68:4 69:24 73:10,13 74:17 75:14 76:16,18 78:4,16,23 79:18 80:13,17 83:17,25 84:5,8,13,21 85:3,17 87:5 89:16,16,18,25 91:7,16 92:9,24,25 93:5 94:9,17 95:9 96:9,23 97:2,14 98:24 100:4 101:16,23,24 102:16,18,23,24 103:2 105:5,8 106:15 107:4,14,14,20 108:22 110:12 (158)</p> <p>isn't 4:20 70:16</p>	<p>israel 40:5,20</p> <p>issue 30:20 35:24 37:25 49:12 51:20,24 55:8 56:8,12 57:16 89:15 107:6 (12)</p> <p>issuing 8:18</p> <p>itavu 96:17 99:11</p> <p>its 5:14 22:6 43:18 44:8,12 63:20 (6)</p> <p>itself 76:25 90:6</p> <p>ivan 91:14 94:3,9</p> <p>jabber 29:7 32:9</p> <p>jackie 27:20 29:6</p> <p>jakiti 35:23</p> <p>jersey 84:24</p> <p>job 25:23 28:12 32:21 33:6 53:5 54:16 60:6 74:25 78:17 100:18 101:23 107:7,8,20 (14)</p> <p>joe 35:11 38:7,12</p> <p>joined 3:5</p> <p>joining 108:15</p> <p>jose 99:11 102:4</p> <p>judgments 54:7</p> <p>july 103:4</p> <p>june 19:3 110:19</p> <p>just 6:11 7:11 14:10 15:5 16:18 20:17 21:15 23:6 24:17 25:19</p>
--	--	---	---	---

<p>34:17,23 41:4 43:5 47:2,18 55:5 57:13 58:5,24 59:16 60:8,9,9 61:5 62:15 65:22 72:16 74:19 78:15,17 79:2 80:2 83:4,9,12,20,24 86:19 88:2 94:14 96:10,12 99:18 105:2,25 106:17 (47)</p> <p>justify 15:2</p> <p>keep 3:22 14:8 19:8 36:25 74:12 83:13,14 87:20 102:17 103:3 106:25 107:12 (12)</p> <p>keeping 106:25</p> <p>kept 61:10</p> <p>kest 2:8 3:6</p> <p>key 12:12 29:18 49:15 100:2 (4)</p> <p>kick 47:24</p> <p>killed 103:11</p> <p>kind 33:14,18 56:12 58:13 83:2 (5)</p> <p>know 4:19 11:13 18:9 23:25 24:2 28:7 29:14 33:15 34:21 36:2,4,8,10, 15,15,18,19,21 37:4,11,12,17,21 43:25 44:4,17 49:20,21,22 51:22 53:2,18 56:5,7,13, 15,17,20,21,23 57:3,5,5,7,12 59:20,22 72:19 73:10,12 74:25</p>	<p>78:25 79:2 80:20 83:3,5,6,7,8,20 85:3,5 90:2,6,13,1 5,19,20,22,22 92:15 93:4,23 94:22,24 95:10,22 96:6,8 100:13,13 103:11 105:3,4 (84)</p> <p>knows 44:6,7</p> <p>labor 26:7 45:16</p> <p>lack 51:4</p> <p>lady 90:15</p> <p>langley 51:14 52:20,23</p> <p>language 48:17</p> <p>lapretti 35:11 38:7,13</p> <p>large 6:2 99:4</p> <p>largest 11:8 17:24 31:13</p> <p>larvi 96:17 99:10</p> <p>last 19:3,10 20:12 26:22 31:3 39:7 44:17 56:4,10 59:5 62:12 78:12 79:24 95:7 98:12 (15)</p> <p>late 23:24</p> <p>latest 14:19</p> <p>lead 9:15 42:3,9 104:17 (4)</p> <p>leader 92:11</p> <p>leadership 55:12</p> <p>learned 9:5</p>	<p>lease 26:24,25 36:4,6 37:19 64:14,15,20 104:7,15,20 (11)</p> <p>leased 71:11 97:13</p> <p>leasing 36:7,25 37:13 63:5 70:24 71:14 89:20 90:9,18 91:7 104:9,13,18 105:4 (14)</p> <p>least 12:2 37:11 52:15 79:24 86:4 88:6 98:20 (7)</p> <p>leave 47:18</p> <p>leaves 19:19</p> <p>left 26:12 27:10 54:4 66:17 77:14 (5)</p> <p>lengthy 3:20</p> <p>less 5:23 12:3,24 26:8 28:10 30:4 45:19 60:14 83:23 (9)</p> <p>let 47:4 58:12</p> <p>let's 7:16 73:18</p> <p>letdown 50:5</p> <p>letting 19:25 42:25</p> <p>levels 31:12</p> <p>leverage 47:25</p> <p>leverages 47:15</p> <p>liability 38:20 41:11</p> <p>liandro 46:7</p>	<p>48:22 49:7</p> <p>license 13:16 26:16 31:23 32:17 37:5 41:14 54:18 63:17 65:8 71:8 78:24 95:11 96:3 106:3 (14)</p> <p>licensed 17:21 92:17</p> <p>licensees 55:9</p> <p>licenses 8:19 19:11 32:13 46:24,25 63:25 76:24 104:3 (8)</p> <p>licensing 13:17 26:17 54:11 106:2 (4)</p> <p>life 42:13,14 53:23 100:24 101:14 (5)</p> <p>lifestyle 59:15</p> <p>like 20:16 23:18 33:15 49:7,10 51:20 52:12,15 55:3 56:24,24 57:4,8,14 58:8 73:4 78:4,10 79:2 86:9,17 88:3 95:15,17 104:7 (25)</p> <p>limit 10:5 106:18</p> <p>limiting 7:5 32:13 34:17 70:11 104:13 (5)</p> <p>limousine 1:4 8:8 81:5</p> <p>lion 27:2,7</p> <p>list 3:21 40:18</p> <p>listen 46:19</p>	<p>listening 37:6 81:17 105:5 108:21 (4)</p> <p>listens 105:13</p> <p>literally 93:4 96:4</p> <p>little 19:19 58:25 59:12 67:7 (4)</p> <p>livable 11:18,23</p> <p>live 59:15,24 100:12,14 105:24 (5)</p> <p>livelihood 55:11 100:17</p> <p>lives 55:10</p> <p>living 8:13 13:20 15:6 19:21 46:22 61:5 72:22 88:13 102:10,24 (10)</p> <p>llama 89:12 91:14 92:9</p> <p>lloyd 16:23 20:5,8</p> <p>loans 31:19 59:21</p> <p>local 17:16 30:9</p> <p>locally 17:4</p> <p>location 4:23</p> <p>lock 5:22 14:12 16:6 27:25 32:22 46:21 107:11,19 (8)</p> <p>locked 75:19,23</p> <p>locking 13:12 28:25 42:20 75:15 (4)</p>
---	---	---	---	--

<p>lockout 20:14 21:11 22:14 28:4,9 70:8 78:6,14 90:23,24 91:4 106:20 (12)</p> <p>lockouts 9:21,22 21:24 42:4,4,5,6,9,12,14 47:3 81:19,20 82:7,9,10,14,16 (18)</p> <p>london 105:25</p> <p>long 22:12 39:22 84:23 88:14 94:12 (5)</p> <p>longer 21:4 22:15 42:7,10 (4)</p> <p>longterm 33:10</p> <p>look 6:8 36:17 45:24 59:25 62:20 64:4 86:7 94:20 95:9,17 96:10 100:23 107:7 (13)</p> <p>looking 63:4 68:4 69:11,16 (4)</p> <p>loophole 70:7</p> <p>loopholes 70:16</p> <p>looses 74:24,24</p> <p>lose 63:16</p> <p>losing 54:17 61:11 99:2 100:18 (4)</p> <p>loss 54:16</p> <p>lost 83:10,11</p> <p>lot 5:11 32:12 33:8 34:21 35:2 36:3 37:8 73:24 78:5 103:9 105:11</p>	<p>(11)</p> <p>lots 83:8,8</p> <p>love 6:3 46:16 48:16</p> <p>lower 5:13 52:16 102:13</p> <p>lowering 9:17</p> <p>luxury 21:21 33:17 104:13</p> <p>lyft 11:9,19 12:16 23:4 25:13 26:10,23 27:10 28:25 29:22 30:14,17 33:3,22,25 38:15 52:10 53:3 72:9 73:20 75:17 77:11 89:3 95:2,2 102:12,13,15 (28)</p> <p>lynn 27:20 29:7</p> <p>made 36:8 64:5 65:2 78:11,13 83:21 84:14 94:24 (8)</p> <p>madison 87:12,19,20 89:12 (4)</p> <p>main 6:23 53:8</p> <p>maintain 52:6 59:6 76:6</p> <p>maintenance 30:3 38:24 41:14 102:16 105:11 (5)</p> <p>make 6:20 8:15 9:19 10:17 12:3 13:20 15:13 23:21 28:11 32:25 37:24 55:10 56:16 60:5,11,12 61:3,18,23 64:13</p>	<p>68:3 73:25 79:7 88:12 90:19 92:12 95:13,16 98:17 100:24 101:6,6,14 106:2,22 107:2,9,13,18 108:24 (40)</p> <p>makes 92:20</p> <p>making 12:6 17:20 24:2 26:5 28:10 33:16 44:2 57:13 90:16 (9)</p> <p>malik 75:6 77:19,24</p> <p>man 55:24</p> <p>managing 9:6</p> <p>manipulating 15:19</p> <p>mansour 25:6 27:20</p> <p>manu 13:24</p> <p>many 21:8 23:6,13 24:14 27:23 32:20 47:16 53:10 66:9 67:7 74:10 81:6 84:9 102:22 (14)</p> <p>mariko 80:10 82:20,24 84:4 (4)</p> <p>mark 44:4</p> <p>market 8:19 14:10 26:17,18 47:2 63:7 77:6 104:10 (8)</p> <p>marriage 110:16</p> <p>martinez 94:4 96:17,19,23 (4)</p> <p>massive 12:20</p>	<p>23:6 29:23</p> <p>match 60:5</p> <p>matches 7:18</p> <p>matter 37:21 83:25 84:8 110:11,17 (5)</p> <p>may 1:9 10:15,21 11:13 35:13,17 40:7,11 87:14,22 96:19 100:12 (12)</p> <p>maybe 47:22,23 56:5 57:20 78:7 90:3 105:25 (7)</p> <p>mayor 11:21 81:18,22 82:5,12,13,15 (7)</p> <p>mba 20:24</p> <p>mcdonald's 90:20</p> <p>me 22:24 23:22 29:10 33:7 40:23 41:8 42:25 46:10 49:2,6 51:10 59:6,7,22 64:21 66:18 68:11 72:3,25 75:9 77:23 80:13 83:3 85:14 87:16 91:21,24 92:14 97:4 100:22 106:11 107:11,19 (33)</p> <p>mean 21:16 37:19 75:18 91:3 107:22 (5)</p> <p>meaning 28:14 53:4 73:5,6 (4)</p> <p>meaningful 17:14 54:19</p> <p>means 26:14</p>	<p>meant 97:4</p> <p>measures 19:24</p> <p>mechanic 84:11</p> <p>media 105:4,13</p> <p>meet 9:11</p> <p>meeting 16:16</p> <p>member 51:18 68:17 85:18</p> <p>members 3:8 8:7 53:2,6,11 (5)</p> <p>mental 56:12</p> <p>mention 41:21 57:16 84:21 97:21 (4)</p> <p>mentioned 3:23 4:2 6:12</p> <p>merits 104:7</p> <p>met 81:5,6</p> <p>meter 3:12 86:9,17</p> <p>mic 7:21 96:20</p> <p>michelle 65:18 69:7 80:3</p> <p>microphone 35:14,18 40:8,12 (4)</p> <p>midtown 67:5</p> <p>might 6:4 101:13</p> <p>mile 4:7,16 10:9 31:2,8 48:3,8 60:11 (8)</p> <p>miles 84:9</p>
--	---	---	--	--

<p>million 25:24</p> <p>millions 79:7</p> <p>mind 102:14</p> <p>minimum 3:18 4:6,16 6:21 7:13 9:5,12 11:15 12:6 13:6 25:23 27:3 30:25 52:3 59:2,11,12 60:6 61:6 (19)</p> <p>minute 4:6,16 23:23 48:7,9 60:12 (6)</p> <p>minutes 7:6 14:7 94:13</p> <p>missed 64:16</p> <p>misses 44:4</p> <p>mistakes 61:19</p> <p>misunderstanding 43:18</p> <p>mobility 44:8</p> <p>model 19:16 55:2</p> <p>models 54:25</p> <p>mom 83:19,19</p> <p>moment 26:9 39:23</p> <p>money 15:23 28:10 30:10 32:25 33:5 37:3,24 44:2 45:4,10,12,14 47:19 57:13 74:22 98:4 99:2 107:9,13,19 (20)</p> <p>month 38:23 50:10 59:20,23 90:4 92:20 93:12 (7)</p>	<p>months 59:8</p> <p>moratorium 8:18 10:4,16</p> <p>more 5:15 7:7 9:14,14,15 10:11,11 11:10,12 14:13 16:10 18:2 19:2 27:5 30:19 31:10,18,22 32:25 37:3,6 39:15,20,21 40:10 44:3 53:11 57:21,24 62:17 63:14 65:3,4 67:14 68:22 69:12,17 70:9 84:19 89:2 90:20 102:19 107:3,19 (44)</p> <p>morning 3:2 8:6,7 11:5 14:3 16:25 20:9,10 25:8 27:22 35:19,20,21,22 38:9,10,11 40:22 41:3 47:24 49:5 51:16,17 60:22 64:11 65:21 69:9,14 74:4,13 75:8 80:12,16 82:23 88:2 96:21 99:14,14 (38)</p> <p>mortgage 38:18</p> <p>most 6:15 13:2 17:14 50:9 63:7 72:20 75:23 77:9 89:17 (9)</p> <p>motion 22:5,13</p> <p>move 16:21 32:16 40:19</p> <p>moved 61:15</p> <p>moving 71:25</p> <p>ms 71:25</p>	<p>mta 88:9</p> <p>much 13:21 15:23 22:16 24:15 30:18 37:21 39:24 44:8 52:11 58:15 60:4 62:17 65:21 66:8 68:9 71:24 87:5 90:20 94:22 99:7 101:11 103:23 106:4 108:13 (24)</p> <p>multinational 30:7</p> <p>murray 25:12</p> <p>muslim 53:22</p> <p>must 5:5 8:2,17 12:5 13:7 26:15 27:12 28:5,24 38:16 42:23 55:12 103:9 106:20 (14)</p> <p>mute 77:23 84:5 87:21</p> <p>my 8:8 11:6 16:25 21:3 23:22 35:23 36:17 37:24 38:12 39:25 41:17 43:12 46:14,15 47:4 48:14,15 49:6 50:8,9 51:17,20 52:16,22 55:25 58:22 59:10 60:23 64:18 65:2,21 66:18 67:14,15,16 68:6 77:15 78:8 80:12,16 83:3,7,10 ,11,18,18,19 84:13 85:17 89:15 91:25 92:8 94:9 96:22,23,25 97:14 98:5,6,11,14,24 99:15 100:23 107:14,20 110:13,19 (68)</p> <p>myself 24:12</p>	<p>72:15 80:21 100:23 (4)</p> <p>n 2:2</p> <p>naive 36:14</p> <p>name 7:18,18,20 8:8 11:6 16:25 35:23 38:12 43:13 46:14 49:6 51:17 52:22 55:25 58:22 60:23 65:21 80:12,16 85:17 92:8 94:9 96:23 (23)</p> <p>narrative 43:20</p> <p>nation's 11:8,14</p> <p>native 80:18</p> <p>nature 21:6</p> <p>near 23:11</p> <p>nearly 31:17</p> <p>necessarily 21:14</p> <p>necessary 22:15</p> <p>neck 46:15</p> <p>need 6:21 15:13 19:23 20:20 25:20 26:11,14,22 27:6 33:21 34:11 38:25 39:16 51:8 54:5 61:22 71:23 79:5,8 85:22,23 86:3,7,22 87:3,6 95:21 103:24 105:15 108:4 (30)</p> <p>needed 30:24 33:6 72:22 76:6 (4)</p> <p>needs 6:17 8:15 16:17 19:6 24:21 26:7 48:9 51:7</p>	<p>60:10 61:17 62:8,18,20,20 63:8 68:21 76:21 78:23 79:14,23 99:24 (21)</p> <p>neighborhood 67:14,17</p> <p>nepal 92:9</p> <p>net 12:3 18:17 92:24</p> <p>never 12:14 15:10 39:10 53:22 64:20 70:4 (6)</p> <p>new 1:3 8:18 9:7 10:5 11:11 12:10 14:21 19:2,7,10 25:10 26:5 27:11 30:10,11 31:9 32:13,16 39:2 43:14 44:5,12 45:3,4,9,13,13 46:17 47:8,9 51:3,18 52:24 55:4 59:17,24 62:5,13 63:2 64:18 65:9 66:6 67:3 69:12 70:14 79:18 80:17 83:6 84:24,25 85:19,21,22,23 93:8,15 94:10 95:6 98:10 99:14 100:12 103:6 106:25 110:4,9 (65)</p> <p>newark 49:23</p> <p>next 10:24 11:3 13:24 16:21,22 19:5 20:5 22:20 25:5 27:19 29:6 32:8 35:10 38:6 40:4,19 43:9 46:6 48:22 51:13 52:19 55:18 58:19 60:19 64:8 65:17 69:6 71:25 75:5 77:19</p>
---	---	---	--	---

80:9 82:20 84:4 85:9 87:11 89:11 91:13 94:3 96:16 99:10 102:4 103:19 106:8 (43)	92:25 93:7,8,24 100:8 101:7 102:22 105:2 (35)	79:25 104:23 108:19 (5)	optionality 19:20	100:24 102:4 103:19 106:8 108:12 (73)
nian 102:5 103:20	nowadays 102:24	one 6:23 12:12 16:10 17:13 18:19 25:24 29:18 32:18 36:5 40:10 47:7,8,22,23 51:24 57:8 58:2,6 62:15 79:4 82:11 83:17,21 84:20 87:18 89:2 90:4,16 93:12,12 97:19 99:17 100:2 101:15,15,21 (36)	options 104:14	ourselves 39:18
nice 88:20 94:7	number 8:21 9:4,7,16 10:5 75:25 76:20,24 89:20 106:16 108:6 (11)	onebedroom 59:18	organization 11:9	out 5:22 6:18,19 7:2 12:21 13:13 14:12,14 16:2,6 20:21 24:14 27:11,25 28:25 29:24 32:22 37:18 39:5 42:20 43:8 44:14 46:15,21 56:8 65:7,8 67:16 68:4 75:16,19,23 78:24 84:9 86:7,11,14,17,25 95:12 98:11,13 102:9 107:7,12,19 108:21,25 (48)
night 67:16 74:12	numbers 43:4	ones 45:14	originally 92:9 97:12	outcome 54:16 110:17
nine 72:7	nyc 7:10	online 21:13,16,20 72:23 76:2,7,17 (7)	osousky 85:11 87:12,22	outlawed 28:7
no 7:14 12:24 21:3 22:13,15 24:14 26:12 30:4 35:15 37:20,21 40:9,14 49:19 54:2 57:24 65:24 67:5 71:6 82:7,8,16 85:25 88:9 91:20 94:24 106:15 110:16 (28)	o 1:14	only 4:20 14:7 25:22 27:11 56:23 73:5 94:25 98:5,15 99:3 104:18 107:14,20 (13)	other 9:24 14:17 44:16 53:18 71:6 76:14 77:5 79:4 84:25 98:17 102:22 104:24 107:22 (13)	outside 21:2 25:12 51:24 95:18 (4)
none 47:22 82:6 104:3	o'clock 35:4	onto 40:19 71:25	others 47:20	over 18:20 22:11 26:21 53:9 59:2,7,8,12 84:14 92:4 95:7,19 97:16 (13)
north 17:25	oath 54:12	open 3:11 5:24 18:2 71:9 108:12 (5)	ottomanjay 82:21 85:10,18	overhead 50:12,23
notary 110:8	object 67:12	operate 30:22 69:23	otouara 82:21 85:10,18	oversees 15:18
noted 65:24 109:8	observant 53:22	operating 4:5	ottomanjay 85:10,18	oversight 70:15
notes 3:9	obviously 88:16	operation 68:8	our 3:3 8:3 10:24 13:24 16:22 17:17,23 18:5,8,12 19:3 20:5 22:20 25:5 27:19 29:6 30:9 32:8 35:10 36:11 37:12 38:6 39:18 40:4,19 42:23 43:9 46:6 47:24,25 48:22 49:9,17 50:18,22 51:13 52:6,6,19,25 53:6 55:18 57:3 58:19 60:19 64:8 65:7,11,17 69:6 71:25 75:5 77:19 80:9 81:7 82:20 84:4 85:9 86:20 87:11 88:10 89:11 91:13 93:6 94:3 96:10,16 99:10	own 36:4,11 50:18,22 55:4 57:19 58:12 64:14 68:18 98:14 105:22 (11)
nothing 93:13	offer 104:19	operators 71:17	otomanjay 82:21 85:10,18	owner 105:3
notice 7:23 61:25 62:2 74:5 (4)	office 67:15 92:5 98:13	opportunity 18:4 32:23 33:7 43:6 (4)	otouara 82:21 85:10,18	owneroperators
now 5:22 12:15 15:4,8 23:3 24:11 29:21 31:11 34:7,11 36:7,17 40:18 49:18 51:6,21 56:13,21 66:2,13 72:10 75:14,17 76:14 79:16 83:15 86:21	officials 81:6	option 17:9 71:20	otomanjay 82:21 85:10,18	
	often 21:25			
	oh 34:5 56:11 95:15 105:8 (4)			
	old 92:18 97:7			
	older 97:9,18			
	oldest 99:17			
	once 24:24 76:4			

<p>19:11</p> <p>p 2:2,2</p> <p>paid 5:5 11:15 15:8 29:24 39:21 42:24 45:15,19 58:25 66:11 74:18 84:13,14 86:5 (14)</p> <p>pairing 17:17</p> <p>pandemic 15:4 16:9 20:17 21:24 24:9,24 31:8 39:9 83:5 (9)</p> <p>parking 68:20</p> <p>part 6:2 19:14 89:17</p> <p>participated 3:11</p> <p>participating 97:2</p> <p>particularly 26:21</p> <p>parties 110:15</p> <p>partner 48:13</p> <p>parts 41:15</p> <p>pass 61:18 64:2</p> <p>passed 93:13</p> <p>passenger 4:20,25 5:10,12 33:23 65:23 74:16,17 85:6 (9)</p> <p>passengers 4:18 5:16 15:10 26:10 39:18 65:24 66:18,25 68:22,24 73:25 83:8 88:16 (13)</p> <p>passing 11:17</p>	<p>past 10:13 19:4 59:7</p> <p>path 33:10</p> <p>pause 13:16</p> <p>pay 1:6 3:18 4:15 5:14,22 6:5,17,21 7:13 9:10,24 11:23,25 12:5,12,21,22 16:4 18:17 19:24 23:22 28:18 29:18 30:2,25,25 31:4 34:6,20 36:9,19,21 37:3 38:16 39:11 43:25 44:2 50:15,25 52:6 59:21,21,22 62:9 65:4 66:9 70:6,14 73:17 75:18,20 82:7 86:19 88:8,9 89:24 94:23 96:2 97:10 98:2 100:2,6,19,19 101:24 108:12 (66)</p> <p>paying 12:7 23:10,22 24:4 34:3 36:12 41:23 65:11,11 84:12 87:4 90:5 97:25 105:9 (14)</p> <p>payment 12:2 25:16 36:9,20,22 64:16 97:8 (7)</p> <p>payments 41:12 70:19</p> <p>pays 92:18,18,25</p> <p>peace 48:19</p> <p>penny 44:7</p> <p>people 7:4 25:25 32:12 33:8,17 36:6,24 37:6 56:3,24 60:7 66:6</p>	<p>88:12 101:14 105:7 107:8,13 (17)</p> <p>per 4:6,7,16,16 9:19 10:8 23:22 25:22 26:13 27:3 31:2,7,18,21 39:16 48:3,6,8,9 50:10 59:11 60:11,12 90:4 92:19,20 97:14 (27)</p> <p>percent 12:24 13:5,6 23:8,23 24:12,14 25:18 28:10 29:17 30:5,18,23 31:11,11 41:23 52:13,15 53:2,6 57:15 58:8 59:5 61:9 62:11,14,14 69:20,23,24 73:19 78:19,19,20 79:9 86:4,6 96:7,9 97:17 99:23 101:17 (42)</p> <p>percentage 27:7</p> <p>percentages 96:7</p> <p>perceptions 63:6</p> <p>perfectly 9:8</p> <p>period 24:23 93:20</p> <p>permanent 10:8</p> <p>permits 68:21</p> <p>persistent 75:24</p> <p>person 80:24</p> <p>personal 41:18 68:20 83:11</p> <p>personally 28:9 80:21</p>	<p>petition 81:4,8</p> <p>petitioned 11:14</p> <p>phillip 87:12,19,20 89:11 (4)</p> <p>phone 68:7</p> <p>phonetic 8:5 10:25 13:25 14:2 16:24 20:7 22:22 25:7 27:21 29:8 32:10 35:12,24 38:8 40:6,21 43:11 46:8 48:24 51:15 52:21 55:20 58:21 60:21 64:10 65:19 69:8 75:7 77:21 80:11 82:22 85:11 87:13 89:13 91:15 94:5 96:18 99:12 102:6 103:21 106:10 (41)</p> <p>phrase 49:8</p> <p>picks 73:14</p> <p>pickup 4:23 67:8</p> <p>piece 105:6,14</p> <p>pissed 74:17,19</p> <p>pit 47:19</p> <p>place 70:15 77:6</p> <p>plain 53:12</p> <p>plan 55:14</p> <p>planner 28:2,5,9,17 (4)</p> <p>plate 36:11,25 37:21 57:17,18,20 58:8 71:8,20 72:10 83:11 92:21 93:6,8 105:22 (15)</p>	<p>plates 10:5,10 37:23 58:12 64:18 65:9 70:23 71:9,16,23 76:21 83:10,11 93:15 (14)</p> <p>played 47:11,13</p> <p>playing 48:12</p> <p>please 6:25 7:17 43:8 58:10 70:17 71:22,22,22 93:5,6,6,15,22,24 98:25 101:6 102:14,14 103:8,11 108:20,25 (22)</p> <p>pledge 68:18</p> <p>plummeted 31:9</p> <p>plus 67:9</p> <p>pocket 15:24</p> <p>point 20:21 32:3 64:23 103:11 (4)</p> <p>points 81:9,11 82:11 88:3 (4)</p> <p>police 74:10</p> <p>policies 69:13,18</p> <p>policy 8:10</p> <p>politicians 47:13 48:10</p> <p>pollution 21:10</p> <p>population 32:22</p> <p>possible 28:17 98:15</p> <p>potential 70:11</p> <p>potholes 39:3</p>
--	---	---	--	--

59:9	private 54:15	provide 19:20,25 51:2 61:4 (4)	quite 4:10	raul 77:20 80:9,13,17 (4)
poverty 61:6	probably 24:13 33:14 37:18 74:18	provides 18:3 54:21	r 1:14 2:2 110:2	reached 105:22
power 48:16 63:9,10 101:5 (4)	89:24,24 103:5,6 (8)	providing 6:14 17:9	rafael 94:4 96:16,19,23 (4)	real 25:20 47:8,9 61:5 106:17 (5)
precise 14:8	problem 14:21 21:6 56:15 57:18	pto 18:14	raise 9:20 25:15,20 52:5 61:10,11 82:7 88:10,17 (9)	really 33:14,19 34:16 44:4 60:5 73:15,16,21 78:7 89:7 95:9,17 100:14,14 103:2 (15)
predictable 9:13	66:3 78:25 107:10,18 (8)	ptsd 81:22	raised 9:10 10:14,14 46:18 (4)	
prepandemic 31:12	problems 58:2,6 106:19	public 1:5 17:21 43:20 61:25 62:2 110:8 (6)	raising 43:24 66:16	realm 21:3
prepared 8:24	proceedings 110:10,12	pull 22:11	rallying 25:14	reapply 28:2
present 19:14 99:16	process 54:10,22	purchase 31:16 44:20	ran 59:8	reason 66:21 76:15
presented 76:11	profitable 43:21 44:5	purpose 70:5	rate 3:12 4:16 5:4,6,13 9:17 10:9 11:24 13:8 14:11 15:24 16:3 18:13,17,20 23:19 24:5 28:3,23 30:25 31:2,4 41:7 42:3,18 46:20 48:3,6,8,8 49:17 50:25 61:23,25 62:6 63:3 70:3 72:18 73:15,15 75:18,20 78:6 85:22,23,25 86:2,6 94:23 105:8,19 (51)	reasonable 69:25 96:9
pressure 57:2	profitably 30:22 69:23	put 8:17 12:13 24:22 29:19 32:4 37:8 40:17 45:2 70:23 71:13,22 73:17,20 76:23 83:20 90:2,8 100:4 106:24 108:5 (20)		reasonably 33:11
pressures 57:3	profits 57:14	puts 16:3		reasons 97:22
pressuring 108:7	promise 79:16 89:5	putting 65:10 72:15 106:25		reassess 62:21
pretend 80:23	promised 93:11	quality 17:17 42:13	rated 102:20	receive 38:16 86:14
prevent 42:5 103:25	promulgate 61:23	quarter 44:15	rates 3:18 4:7,13 5:19 6:18,21 9:19 11:25 14:23 15:9,11 21:7 25:17,20 26:11,14 27:5,15 42:3 61:3 72:13 105:7 108:13 109:4 (24)	received 27:23 39:10 43:7
prevents 42:20	promulgated 27:15	quarters 78:11,12,13		recent 54:25
price 49:21 59:6 62:7 74:18,19 86:21 88:7 92:25 93:2 97:23 (10)	properly 4:6 6:6	queens 23:16		recently 27:23 83:9
priced 33:12	proposal 12:12 100:2	questions 10:21 43:24		recommend 8:14
prices 15:25 24:16 51:22,22 57:4 59:4 (6)	proposals 29:18 108:18	quickly 61:16	rather 68:6 75:19	record 20:8 110:12
principle 21:22	protect 42:21		rattle 68:10	rectify 51:8
prior 61:15 71:8,11	protections 26:23 54:14,19			reduce 17:15 76:16 87:6
priority 72:23	prove 54:13			reduced 67:25

reenter 40:16	remaining 7:24 10:3 12:19 15:17	reporters 43:23	result 9:12	rivera 77:20 80:10,13,17 (4)
referable 77:7	18:24 21:19 22:8 24:7 26:20 31:6	reporting 53:9	retaliating 74:20	road 9:7,16 21:9,19 23:6 39:14 42:11 70:12 72:13,22 83:4,10 84:10 107:2 (14)
reform 81:4,8,9,10,14 (5)	32:5 34:10 48:5 50:20 54:24 57:11 60:3 62:24 67:20 71:4 74:9 77:3 79:21 82:4 84:17 86:24 88:23 91:2 93:10 95:25 98:8 101:4 103:13 105:17 108:3 (35)	represent 11:10 88:24	return 68:19	
regard 70:22		represented 65:25	revel 17:4,8,17 18:3 (4)	
regards 42:2		request 22:12	reversing 19:10	roads 42:7 74:11 76:18
registration 41:13		requested 81:9	revise 13:7	rob 30:15
regular 65:22 66:5 95:2	remains 26:6 31:11	requesting 70:2	rewarded 26:7	robbed 79:11
regularly 33:24	reman 13:25	requests 21:20 22:13	richard 55:19 58:19,23	robert 43:10 46:6,14
regulate 26:16 63:11	remember 90:16	require 4:14 55:7	ride 17:18 19:4,5,15 21:12,20,21 22:3,11,13 24:13 74:17 86:10 (13)	robinson 11:2 14:2 16:23
regulated 89:4,5	renewal 31:24	required 31:16 75:25	riders 12:9 29:23 30:15	rochelle 85:2
regulates 97:19	rent 9:24 38:19 41:20 50:16 62:10 65:12 92:23 97:17,20 99:5 106:23 (11)	resorting 20:14 21:11	rides 9:17 21:9 23:13 66:4 67:13 72:12 73:3 (7)	room 19:19
regulation 11:18 66:8	rental 70:25 71:14 89:21 97:4 (4)	respect 17:7 92:8 101:11	ridiculous 50:13,24 84:20 93:5 (4)	root 78:25
regulations 54:11 98:20	rentals 97:25	respected 45:16	riding 66:7 67:22	rosa 60:20 64:8
regulator 100:25	rented 71:11 97:6	respectfully 68:16		rose 89:5
regulators 47:14 48:11	renting 36:7 64:24 83:15,16 92:19 99:3 (6)	responded 9:21		route 33:25 67:18
reinstitute 42:18	rents 97:13 108:5	response 35:15 40:9,14	right 7:16 12:15 15:4 23:3 24:10 29:21 34:23 41:4 49:18 51:21 77:22 79:3,16 90:12 99:13,18 100:3,7,16 101:7,14 (21)	routinely 53:16
related 4:4 110:14	repairs 28:20 41:15 70:20	responsibilities 70:21		rubinson 17:2
relax 98:20	repeat 6:11 82:12	responsibility 57:8 58:11		rule 42:19 86:13
relief 57:22 58:13	replaced 38:25	responsible 18:15 41:23 53:10 75:15 (4)	rightly 39:11	rules 4:14 7:9 61:18,23 64:3 75:21 106:15 (7)
rely 53:12	reported 53:3,7 74:6 110:10 (4)	rest 39:16 79:9 109:6	rim 39:3	run 77:15
remain 31:25			risk 26:2 74:14 104:13	rush 67:5
remained 31:14 39:6				rushhour 67:4 rushing 36:4

<p>ryan 1:15 2:5,10 3:4 14:4 41:2 94:7 (7)</p> <p>s 2:2</p> <p>sacrifices 45:17</p> <p>sacrificing 26:4</p> <p>safety 39:17 51:2,3</p> <p>said 7:16 32:12 57:9 76:19 90:16 99:21 (6)</p> <p>salamani 58:20 60:20,23</p> <p>same 9:16 26:23 28:19,19,20 31:14 32:2 37:19 39:6 54:17 85:25 90:17 100:8,9 (14)</p> <p>samer 75:5</p> <p>savings 65:2</p> <p>saw 56:13 80:2 94:23</p> <p>say 29:15 41:4 47:8 50:17 56:4 60:15 73:18 75:16,17 78:3 79:25 80:21 82:6,16 84:24 91:6,9 95:8 99:6 103:16 105:8 106:14 (22)</p> <p>saying 5:21 27:24 74:13</p> <p>scarcity 63:6</p> <p>scenario 21:8</p> <p>schedule 20:15</p> <p>scott 71:25</p>	<p>scratch 76:9</p> <p>screwed 58:9</p> <p>searching 42:7,11</p> <p>seattle 55:3 62:3</p> <p>second 3:3 52:9 78:12,16 87:18 88:14 (6)</p> <p>secondly 62:6</p> <p>seconds 7:23 10:2 12:18 15:16 18:23 22:7 24:6 26:19 31:5 34:9 48:4 50:19 54:23 57:10 58:5 60:2 62:23 67:19 71:3 74:8 77:2,14 79:20 82:3 84:16 86:23 88:22 90:25 93:9 95:24 98:7 101:3 103:12 105:16 108:2 (35)</p> <p>sector 54:15</p> <p>security 74:25 103:8,9,15 (4)</p> <p>sedans 14:25</p> <p>see 47:10,12,12 48:12 72:11 79:22 91:5 94:7 104:7 (9)</p> <p>seeing 64:5</p> <p>seems 23:18</p> <p>seen 14:6 59:9</p> <p>self 21:22 41:24</p> <p>selfish 33:2,15 107:17</p> <p>send 7:9</p>	<p>sense 81:3 94:24 95:16</p> <p>sensor 22:6</p> <p>sent 6:19 108:22</p> <p>separately 62:19</p> <p>september 56:6</p> <p>seriously 19:23</p> <p>serve 8:21</p> <p>service 3:19 17:6 18:8</p> <p>services 23:5</p> <p>serving 25:24</p> <p>set 4:6 6:17 9:5 10:15 14:23 31:23 61:24 85:23 86:3 110:18 (10)</p> <p>setting 3:18 63:2,2 109:3 (4)</p> <p>seven 53:4</p> <p>several 3:7 18:2 26:22 104:23 (4)</p> <p>share 21:12,21 27:2,7 42:25 89:18 (6)</p> <p>shares 22:3</p> <p>sharing 14:18</p> <p>shift 39:16 74:4 95:12</p> <p>shifts 53:4</p> <p>shit 95:15</p> <p>short 24:23 67:13</p> <p>shot 79:12</p>	<p>should 3:17 12:23 13:13 26:25 28:6 30:4,11 32:19 33:9 37:4 39:12 45:15,16,17 52:14 56:19 57:19 60:13 63:23,24,25 65:23 70:14 79:10 88:10,12,15 89:3,4,18 90:8,13 101:20 104:21 105:21 (35)</p> <p>shouldn't 32:14 61:20 88:8</p> <p>shout 46:15</p> <p>show 4:25 47:17,23 55:12 (4)</p> <p>showing 99:19</p> <p>shuts 22:9</p> <p>sign 32:18 95:10,11 108:19 (4)</p> <p>signature 110:22</p> <p>signatures 78:18</p> <p>signed 3:21 7:4,19 28:12,13 79:12 81:7 (7)</p> <p>significant 62:18</p> <p>silly 33:18</p> <p>simple 20:13 48:2</p> <p>simplicity 81:2 94:21</p> <p>simplistic 43:19</p> <p>simply 45:2 61:22 70:23 71:13 (4)</p>	<p>since 7:11 9:5 31:4 64:12 65:8 70:4 71:7 83:4 96:24 101:21 (10)</p> <p>single 18:22 23:17 25:25 52:13 66:21 100:8 (6)</p> <p>singleowner 71:10,16,20</p> <p>sisters 47:5 48:14</p> <p>site 17:23,25</p> <p>sites 18:2</p> <p>situation 21:2 37:19 51:8 58:14 (4)</p> <p>six 36:18 59:8</p> <p>sky 100:20</p> <p>skyrocketed 15:25</p> <p>skyrocketing 102:16</p> <p>slots 73:6</p> <p>slow 73:13</p> <p>small 86:19</p> <p>smaller 104:6</p> <p>so 3:22 4:5 5:17,22 6:8 7:5 8:3 9:3,3 10:6 13:21 14:7,15,25 15:6,24 16:2,15,16 21:23 23:5,25 24:9,15 26:12 27:6 29:14,16 32:3,4,11,19 34:12 36:13,20,24 37:2,4,24 41:4 43:23 44:24 45:2 47:16 50:11,23</p>
--	---	---	--	---

<p>51:20 52:7,16 56:20 57:7 58:10,12,15 62:15,17 65:9 66:6 67:7 71:24 73:4,14 74:10 77:11 78:3,14,23 80:4 82:16 83:2,14 84:9,11 85:6,20,25 86:21 87:6,18 88:20 90:7,20 91:24 92:3,6,12,16,25 93:3,3,5,5,15 94:14,19 96:3 99:7 100:21 101:6,11,16 103:11 105:13 106:4,17,20 107:14,16,20 108:13,25 (111)</p> <p>soared 31:8</p> <p>socalled 14:20</p> <p>society 92:11</p> <p>solution 20:13 21:12,18 34:16 (4)</p> <p>soma 91:13,18</p> <p>some 30:19 47:17 56:12 58:13 60:25 81:2,2 92:13 101:12 107:8 108:18 (11)</p> <p>somebody 56:19 74:6 106:21 107:7,18 (5)</p> <p>somehow 43:20 63:19,23</p> <p>something 49:24,25 60:9 65:6 83:22 93:2 (6)</p> <p>sometimes 30:19 31:18 53:17 86:10</p>	<p>(4)</p> <p>sonum 89:12 92:9</p> <p>sorrentino 2:7,9 3:7</p> <p>sorry 11:3,4 29:15 69:14 84:3,4,6 (7)</p> <p>sources 107:23</p> <p>speak 7:4,19 8:12 58:24 94:14 (5)</p> <p>speaker 8:3,6 10:4,20,24 11:5 12:20 13:12,24 14:3 15:18 16:8,21,22,25 18:25 19:18 20:5,8 22:9,20,23 23:3 24:8,20 25:2,5,8 26:21 27:10,19,22 29:6,9,13 31:7,21 32:8,11 34:11 35:7,10,19,21 37:16 38:5,6,9,12 39:14 40:4,18,19,22 41:2 42:17 43:9,12 45:7,23 46:6,9,13 48:6,18,22,25 49:5 50:21 51:13,16 52:19,22 54:25 55:18,21,23 57:12 58:5,19,22 60:4,19,22 62:25 63:19 64:8,11 65:17,20 67:21 68:16 69:6,9 71:5,19 72:2,3,6 74:10 75:5,8,12 76:18 77:4,19,22 78:2 79:22 80:9,12,16 82:5,20,23 84:5,7,18 85:9,12,14,17 86:25</p>	<p>87:11,16,17,24 88:2,24 89:11,14 91:3,13,16,20,24 92:3 93:11,22 94:3,6 96:2,16,21 98:9,24 99:10,13 101:5,20 102:4,7 103:14,19,22 105:18 106:8,9,11,14 108:4 (161)</p> <p>speakers 3:21</p> <p>speaking 25:11 68:6</p> <p>speaks 24:12</p> <p>specifically 8:17 32:21</p> <p>specificity 43:4</p> <p>speech 94:12</p> <p>spend 4:17,21,22,24 5:8,11,15 51:25 95:14 (9)</p> <p>spending 64:24</p> <p>spends 4:21</p> <p>spent 4:19 44:18</p> <p>spirit 20:19</p> <p>spoken 48:17</p> <p>ss 110:5</p> <p>stabbed 79:12</p> <p>stability 18:10</p> <p>stabilizes 8:20</p> <p>staff 3:8 10:14 43:13 52:23 108:15 (5)</p>	<p>stage 7:12</p> <p>stand 68:25</p> <p>standards 7:14</p> <p>standby 88:21</p> <p>standing 80:2 92:14</p> <p>starbucks 21:25</p> <p>start 48:13 76:8 77:10 81:10 (4)</p> <p>started 33:4 36:21 83:5 96:6 97:5 (5)</p> <p>starting 49:21 71:5</p> <p>starts 5:18</p> <p>state 39:5 41:25 66:19 86:11 110:4,9 (6)</p> <p>state's 9:11</p> <p>states 44:13</p> <p>stating 74:21</p> <p>status 72:23 73:5 76:6</p> <p>stay 30:11</p> <p>steady 73:11</p> <p>step 51:7</p> <p>steps 17:14 61:2</p> <p>steve 2:8</p> <p>still 6:6 28:18 33:7 59:14 68:8 72:17 97:13 (7)</p> <p>stood 67:12</p>	<p>stop 33:21 34:4 48:12 78:24 79:5 (5)</p> <p>story 78:9</p> <p>straightly 92:7</p> <p>street 37:9,10 57:25 90:3 (4)</p> <p>streets 66:13</p> <p>stress 56:11</p> <p>structure 70:14</p> <p>student 59:21</p> <p>studied 12:13</p> <p>study 29:19 30:20 69:21 100:5 (4)</p> <p>subject 66:8</p> <p>submit 7:15</p> <p>submitted 45:20</p> <p>subsidizing 45:5</p> <p>such 24:17 53:21 70:18 110:12 (4)</p> <p>suffer 9:9 100:7</p> <p>suffering 56:22 99:18</p> <p>suffolk 110:6</p> <p>suggest 68:16</p> <p>suicide 16:10 47:20</p> <p>suicides 14:14 81:25 82:2</p> <p>sumari 48:23 51:14,18</p>
--	--	--	---	---

supplement 7:7	t 110:2,2	tear 59:10	than 7:7 11:10 12:4,24 15:7	themselves 53:14
supplemented 3:14	table 65:11	technically 94:18 95:23	28:11 30:4 31:10 37:7 39:15 45:19 63:14 66:14 67:14 68:6 83:23 97:18 103:7 (18)	there's 23:5 24:14 37:17 43:19,24 67:3,6 81:15,17 104:24 105:11 106:18 (12)
support 17:19 18:6 53:14 55:13 60:7 80:4 (6)	tackle 20:19	technology 15:14	thank 8:6 10:18,22 13:21,22 20:2,3 22:16,18 25:2,3 27:16,17 29:3,4 32:6 35:7,8 38:2,3 39:24 40:2 42:25 43:2,12,15 46:3,4 48:18,20 49:6 51:10,11 52:17 55:15,16 58:15,17 60:17 61:7 64:4,6 65:14,15,20 69:3,4 71:24 75:2,3 77:15,17 79:25 80:5,7 82:17,18 85:6,7 87:8,9 89:8,9 91:11 93:25 96:14 99:7,8 102:2,8 103:15,17,22 106:4,6 108:9,10,13,14 109:5 (80)	these 6:2 9:22 11:25 14:17 15:8,8,18 24:11 27:4,14 30:8 36:24 41:22 49:16 54:3,14 56:18 59:14 63:12 64:3 67:3,13,22,24 97:3,15,20,21 98:2,3,20 100:17,22 101:14,21 106:19 (36)
supported 85:20	take 13:4 17:15 30:8,17 32:5,23 34:14 49:19,22 50:16,25 52:3,12,15 57:7	telecommunicatio ns 20:25	telling 20:15 95:20	they're 21:16 34:4,23 43:25 47:14 51:5 53:9 68:13 74:19,20 (10)
supporting 53:10	58:8,10 61:2 62:9 68:18 77:6 78:15 95:18 108:17 (24)	tell 45:8 66:18 68:11 78:8 100:15 (5)	tells 5:17	they've 84:14
supports 98:18	takehome 62:9	telling 20:15 95:20	temporary 27:14	thing 6:15 13:2 14:17 47:7,8 61:7 78:16,23 84:20 89:2 100:9,10 101:24 (13)
supposed 52:4 88:6	taken 18:16 63:25 95:3	telling 20:15 95:20	terminations 55:5	things 104:24
surcharge 27:12,14 39:5 67:10 86:8 88:5,9,15 (8)	takes 60:13 92:22 96:11	tells 5:17	terms 105:2	think 28:24 32:14,15 33:9,18,19,21 34:12,16,22,24 37:4,16 49:9 52:11 65:5 67:10 76:10,21 89:16 94:16 96:9 100:16 104:11 105:20 (25)
surcharges 66:19 67:3,13,25 (4)	taking 3:9 12:11,20 15:22 19:23 25:21 29:23 30:10 66:22 70:10 93:4 (11)	terminations 55:5	testimonies 55:5	thirty 10:2 12:18 15:16 18:23 22:7 24:6 26:19 31:5
sure 9:19 26:5 61:3,18 68:4 75:14 108:24 (7)	talk 34:22 41:5,6 60:25 68:5 99:21 100:23 107:16 (8)	testimonies 55:5	testimony 3:14,24 4:4,9 6:9 7:5,8,22 8:2 10:23 13:23 20:4 22:19 25:4 27:18 29:5 32:7 35:9,14,18 38:4 39:25 40:3,8,13 43:3 46:5 48:21 51:12 52:18 55:17 58:18 60:18 64:7 65:16 69:5 75:4 77:18 80:8 82:19 85:8 87:10,15,23 89:10 91:12 94:2 96:15,20 99:9 102:3 103:18 104:25 106:7 108:11,14 109:6 (57)	
surge 74:19	talking 56:14 92:6 96:22	testimonies 55:5	teslas 33:17	
surging 101:22	tavarez 99:11 102:5	testimonies 55:5	testifying 6:13	
surmount 87:4,5	tax 41:24,24,25 81:5 (4)	testimonies 55:5	thank 3:10,13 68:23	
survey 6:19,23 7:2 43:7 52:25 108:22 109:2 (7)	taxi 1:4 3:12 8:8 25:10 38:13 43:14 50:2 51:19 52:24 56:2,17 57:15 60:24 63:10 65:23 66:3,14 67:22 68:7,9,11 85:19,21 94:10 (24)	testimonies 55:5	their 3:14 4:15 11:20 14:18 15:23 19:16 22:4 26:4,6 45:16 47:15 50:16,16 51:7 53:7,8,15 55:9,10 57:19 58:12 63:17,25 68:18,19 70:10 71:8 78:24 100:18 102:13 105:22 (31)	
survive 54:5 107:23	taxi 1:4 3:12 8:8 25:10 38:13 43:14 50:2 51:19 52:24 56:2,17 57:15 60:24 63:10 65:23 66:3,14 67:22 68:7,9,11 85:19,21 94:10 (24)	testimonies 55:5	them 13:13 18:8 27:25 32:24 37:2 53:5 54:20 68:5,7 70:8 77:12 79:7 106:23 (13)	
surviving 59:16	taxi 1:4 3:12 8:8 25:10 38:13 43:14 50:2 51:19 52:24 56:2,17 57:15 60:24 63:10 65:23 66:3,14 67:22 68:7,9,11 85:19,21 94:10 (24)	text 74:13		
suv 15:2 95:3	taxi 1:4 3:12 8:8 25:10 38:13 43:14 50:2 51:19 52:24 56:2,17 57:15 60:24 63:10 65:23 66:3,14 67:22 68:7,9,11 85:19,21 94:10 (24)			
suvs 21:22	taxi 1:4 3:12 8:8 25:10 38:13 43:14 50:2 51:19 52:24 56:2,17 57:15 60:24 63:10 65:23 66:3,14 67:22 68:7,9,11 85:19,21 94:10 (24)			
switch 77:8,12	taxi 1:4 3:12 8:8 25:10 38:13 43:14 50:2 51:19 52:24 56:2,17 57:15 60:24 63:10 65:23 66:3,14 67:22 68:7,9,11 85:19,21 94:10 (24)			
system 9:8 19:6	taxi 1:4 3:12 8:8 25:10 38:13 43:14 50:2 51:19 52:24 56:2,17 57:15 60:24 63:10 65:23 66:3,14 67:22 68:7,9,11 85:19,21 94:10 (24)			

34:9 48:4 50:19 54:23 57:10 60:2 62:23 67:19 71:3 74:8 77:2 79:20 82:3 84:16 86:23 88:22 90:25 93:9 95:24 98:7 101:3 103:12 105:16 108:2 (32)	5:5,7,11,15 6:7 7:25,25 9:25 10:19 13:11 16:7,19 19:17 21:13,14 22:17 23:9 24:12,19,24,25 26:4,9 27:9 28:4,4,8 31:20 32:5 35:6 37:15 39:13 42:16 43:21,22 45:6,22 48:19 51:25 58:4 63:18 64:4 66:16 68:15 71:18 73:12,13 75:24 76:2 77:15 82:17 88:14 90:14 93:21 96:13 98:12,23 101:19 103:23 106:5 109:8 (66)	tips 18:20 33:24 34:14 tired 95:20 tires 38:25 57:6 tlc 2:4 3:8,17 4:14 5:18 6:5,16,19 7:9,9 8:14,17,18,22,25 9:5,10 10:13 12:14 14:15,19 15:13 16:3,12 17:21 21:12 24:22 26:15 27:12 29:20 30:20 32:17 37:4 38:16,20 41:13 42:19,21 44:6,7 45:25 46:24 49:14,15 51:7 54:9,13,18 55:9 56:17 58:7,10 61:2,8,17,22 62:20 63:8,13,20 64:18 65:5,9 68:21 69:21 70:19 71:17 72:9 73:16 75:16,17 76:15,20 78:23 79:14,23 80:18,18 81:8,10,14 85:23 86:3,7,13 87:3,3,5 88:20 89:15,18 92:17 95:11 98:12,18 100:9 101:11 102:14 103:8 104:4,14 (101)	47:18 100:4 told 36:20 tolls 39:6 70:20 tomorrow 68:9 too 15:7 21:8 52:11 62:5 66:4,8,9 68:9 85:3 87:4,6 96:12 (12) took 71:15 tool 108:23 tools 15:20 top 20:23 50:13 51:20 52:13,16 (5) topic 6:9 touch 21:6 80:19 touched 83:2 town 86:8 87:2 toyota 63:15 traffic 57:24 76:16 transaction 44:20 transcript 110:12 translates 18:16 transparency 49:12,20 transparent 54:22 transplace 44:21 transporting 4:18,19	treated 49:10 65:13 trick 36:16 trip 4:24 9:19 12:4 52:10,11,14 84:24 (7) trips 4:22 30:19 31:10 75:25 (4) true 110:12 truly 48:13 trust 49:13 101:12 try 77:12 95:9 trying 56:9,16 102:8 106:24 (4) tuesday 35:5 turn 7:20 91:25 92:16 tv 68:7 twice 39:7 two 7:6 14:7 17:8 23:15 31:4 36:2 72:16 78:10,12,13 79:5 93:12 94:13 95:7,7 97:7,9,18 (18) twopoints 105:20 uber 11:9,19 12:16 14:6,9 23:4,8,10,17,18 24:3,9,18,22,24 25:13 26:10,23 27:10,24 28:25 29:21 30:14,17,21 33:3,22,25 34:13 38:14 43:18 44:5,8,10,15,18,24 45:10 49:16,18
thomas 2:7 14:5 those 10:10 25:20 36:5 37:5 41:16 52:8,16 61:18 64:5,19 65:6 71:13 80:3 82:14 98:21 101:6,7 104:2 (18) though 39:6 63:19 thoughts 6:4 thousand 11:10 37:18 threats 27:24 three 33:4 37:7 79:7 81:12 84:11 93:12 97:3,24 105:6 (9) threshold 105:23 throgs 46:15 through 23:15 37:2 46:17,18 54:12 72:15 74:3,12 90:6 106:23 (10) throws 63:20 thus 9:18 tiers 21:21 time 4:17,20,21,22,24	timekeeper 10:2,19 12:18 13:11 15:16 16:7,19 18:23 19:17 22:7 24:6,19,25 26:19 27:9 31:5,20 34:9 35:6 37:15 39:13 42:16 45:6,22 48:4 50:19 54:23 57:10 58:4 60:2 62:23 63:18 67:19 68:15 71:3,18 74:8 77:2 79:20 82:3 84:16 86:23 88:22 90:25 93:9,21 95:24 96:13 98:7,23 101:3,19 103:12 105:16 108:2 (55) times 4:19 42:10 53:18 73:24 84:11 90:5 (6) tip 18:13 33:22 34:12,13 (4) tipped 34:6 tipping 34:4	tlc's 10:4 today 3:5,15 4:11 6:10,14 7:8 8:11 12:15 19:25 25:19 26:9 32:13 58:24 60:16 66:2 78:4 92:6,12 97:2,8 99:15 108:14 (22) today's 3:23 4:3 together 18:16	transcript 110:12 translates 18:16 transparency 49:12,20 transparent 54:22 transplace 44:21 transporting 4:18,19	two 7:6 14:7 17:8 23:15 31:4 36:2 72:16 78:10,12,13 79:5 93:12 94:13 95:7,7 97:7,9,18 (18) twopoints 105:20 uber 11:9,19 12:16 14:6,9 23:4,8,10,17,18 24:3,9,18,22,24 25:13 26:10,23 27:10,24 28:25 29:21 30:14,17,21 33:3,22,25 34:13 38:14 43:18 44:5,8,10,15,18,24 45:10 49:16,18

<p>52:9 53:3 57:9 58:24 60:13 64:12 72:9 73:20 74:20 75:16 77:10 79:8 86:19 87:2 89:3 91:6 94:25 95:5 96:6,24 97:6 102:12,13,15 104:10 (65)</p> <p>uber's 41:8 45:7 78:20</p> <p>ubers 23:4</p> <p>unacceptable 54:8</p> <p>unbelievable 102:25 103:2</p> <p>uncared 50:6</p> <p>under 74:2,21 82:5</p> <p>underline 88:3</p> <p>underpaying 12:16 29:22</p> <p>understand 77:4 103:24 105:15,18 (4)</p> <p>unfairness 51:9</p> <p>unfortunately 47:20 64:15 88:18</p> <p>unintended 104:17</p> <p>uninterrupted 42:23</p> <p>union 38:14 67:12</p> <p>unions 14:20,20</p> <p>united 44:13</p>	<p>universal 17:24</p> <p>unlimited 30:16 106:16</p> <p>unmute 7:21 35:13,17 40:7,11 96:19 (6)</p> <p>unprofessionally 50:6</p> <p>unreasonably 71:2</p> <p>unrest 51:5</p> <p>unsubstantiated 54:6</p> <p>until 8:19 13:18</p> <p>untrue 53:20</p> <p>up 3:21 4:25 7:4,19 10:7,10 11:3 15:12 25:18,19 28:8,10,12,13 31:14 32:18 34:24 36:2 41:18 47:17,23,24 48:9 51:7,23 52:12 59:4 60:5 62:11,13,14 63:20 66:2 67:12 68:3 71:6,9 73:11,14 79:13 80:2 95:11,11 102:25 103:3 (45)</p> <p>upcoming 101:9</p> <p>urge 13:15</p> <p>us 6:15 19:25 36:8,16,25 37:17 46:21 47:16,17,22 48:12,13 49:14 58:9,12 80:2 81:9 86:19 87:6 88:24 89:24 93:23 94:18 96:4,11 100:23,24</p>	<p>102:9 103:14 108:16,23 109:3 (32)</p> <p>use 19:7 34:13 43:5 68:9 (4)</p> <p>used 7:18 28:11 34:5 50:2 70:4 76:22 105:24 108:7 (8)</p> <p>useful 108:23</p> <p>using 33:22 44:11 47:15 59:10 97:3 (5)</p> <p>utilization 4:12 5:3,6,13,18 9:17 13:8 14:11 16:3 21:7 23:19 24:4 28:3,23 41:7 42:2,3,18 46:20 70:3 72:13,18 73:14 78:6 (24)</p> <p>utilized 28:21</p> <p>value 10:9 61:11</p> <p>valued 26:7</p> <p>vayda 22:21</p> <p>vehicle 4:5 5:2 17:6,13 18:12,15 22:5,12 26:17 31:17,24 37:14 41 :12,12,13,14,14,15 59:6,10 62:13 63:3,4,5 71:15 97:6,12,18 98:10,14 104:12,17 (32)</p> <p>vehicles 33:13,14 39:4 71:10 97:4,15,21 99:3 106:17 (9)</p> <p>vendor 76:23</p>	<p>vendors 76:24</p> <p>ventura 91:14 94:4,9</p> <p>versus 104:23 106:2</p> <p>very 3:20 14:8,16 22:16 33:12,13 37:16 38:24 39:24 41:7 44:11 65:21 84:23 86:21 88:11 89:25 92:7 102:23,23 103:22 104:11 108:23 (22)</p> <p>veta 25:5,9</p> <p>via 1:12 22:5</p> <p>viakite 32:9 35:11</p> <p>vice 17:2</p> <p>vidasan 25:6,9</p> <p>video 91:16,25 92:16</p> <p>videoconference 1:12</p> <p>view 19:3</p> <p>vitesay 22:21</p> <p>voice 6:25</p> <p>volume 3:19 4:7,14</p> <p>w2 17:5,10 18:10 19:12 (4)</p> <p>wage 8:13 9:6,12,18 11:15,19,23 18:13 24:20 25:23 59:2,11,12 60:6 61:5,6 (16)</p>	<p>wages 9:13</p> <p>wait 93:16,16,16,16,17 (5)</p> <p>waiting 4:22,24 87:19</p> <p>waive 33:14 104:4</p> <p>wake 34:24</p> <p>wakeup 97:14</p> <p>walter 64:9 65:17,22</p> <p>walton 80:10 82:21,24</p> <p>wanim 10:24</p> <p>want 4:11 6:24 13:15 17:10 21:5 24:10 28:16,16 29:15,15 32:4,25 36:6,24 41:4 56:4 60:25 61:7 70:11 77:15 78:3 79:3 80:19,20 82:9,12 84:20 86:12 90:24 91:5 93:6,7,8,14,15,19 98:17 99:21 100:15 106:21 107:18 (41)</p> <p>wanted 58:24 99:6,16 106:14 (4)</p> <p>wants 28:22 73:16 74:16</p> <p>wanttaja 1:15 2:5,10 3:2,5 4:2 10:22 13:22 16:20 20:3 22:18,25 25:3 27:17 29:4,11 32:6 35:8,16,20 38:3,6,11</p>
--	---	--	--	---

<p>40:2,10,15,24 43:2 46:4,11 48:20 49:3 51:11 52:17 55:16,22 58:17 60:17 64:6 65:15 69:4 72:4 75:3,10 77:17,24 80:7,14 81:16 82:18 84:3 85:7,13,15 87:9,18,25 89:9 91:11,18,22 92:2 93:25 96:14 99:8 102:2 103:17 106:6,12 108:10 (70)</p> <p>wash 41:11</p> <p>wasn't 72:24 73:4 79:12 83:13 (4)</p> <p>waste 24:18</p> <p>wasting 24:15</p> <p>watching 3:9</p> <p>way 6:5 10:7 15:7 34:20 45:24 48:9 54:2 81:15,17,19,21 105:21 106:20 107:17 110:16 (15)</p> <p>ways 6:23 18:7</p> <p>we'll 17:25 40:17 104:13</p> <p>we're 52:4 57:24</p> <p>we've 9:4 14:6 36:14 37:6 53:18 89:23 100:11 (7)</p> <p>wealthy 30:13</p> <p>wear 59:9</p> <p>week 18:20 34:18 36:18 53:4 59:11</p>	<p>63:14,21 64:24 73:3,6 76:5 83:16,17,21 84:10 88:13 89:25 90:16,17 92:19 97:14 109:7 (22)</p> <p>weekends 26:4 34:25</p> <p>weekly 97:8,10 105:7,19 (4)</p> <p>weeks 36:2 64:16,19 76:3,12 (5)</p> <p>welcome 3:3 7:7 38:5 69:10,15 (5)</p> <p>well 15:14 34:5 40:15 44:6 55:4 76:15,18 80:20 99:15 (9)</p> <p>wellbeing 39:17 98:5</p> <p>went 59:4 62:11,13,14 64:17 84:25 100:20 102:25 (8)</p> <p>what 5:5,20 9:4 14:10 15:7,21 16:17 23:7,22 24:10,21 28:11 29:14,15 32:12 34:2 36:23 44:10 49:11,16,19,20,21 56:4 57:8 62:6,21 63:8,8 67:9 79:12 90:5 93:7,14 94:16 95:8,20 96:10 97:2 99:24,25 100:15 101:16,20 105:18 107:4 (46)</p> <p>what's 46:13 78:4</p> <p>whatever 23:4</p>	<p>73:19 74:7 86:4 (4)</p> <p>wheel 95:10 98:19,22</p> <p>wheelchair 98:16</p> <p>when 3:17 5:17 7:19,19,23,24 9:10 13:14 20:16 26:9 28:8,12,15 31:8 33:4 36:16,16,21 43:24 47:10 54:10 56:18 59:2,23 62:2 63:2,2,20 64:17 67:4,6 70:10,13 72:18 73:7 75:21 77:10 84:23 86:10 95:13 97:5 103:4 105:7,7 (44)</p> <p>whenever 28:16 72:23</p> <p>where 16:4 21:8 23:15 25:13 54:13,16 91:16 100:13 (8)</p> <p>where's 79:4</p> <p>whereof 110:18</p> <p>whether 19:12</p> <p>which 7:9,25 14:22,23 24:15 28:23 30:11 44:21 54:11 59:21 61:10 64:13,20,25 66:20 67:23 69:22 70:7 81:22 89:16,25 104:25 (22)</p> <p>while 17:19 21:19 27:14 28:20 (4)</p> <p>who 3:8,10,13,21 7:4 9:23 17:10 19:7,8 32:15</p>	<p>37:19 43:6 45:3,9 51:24 53:19,21 68:4 71:11 75:14 76:19 97:19 98:21 104:2 107:21,21,22 (27)</p> <p>who's 53:22</p> <p>whole 50:4 65:2 73:23 85:4 (4)</p> <p>whom 97:19</p> <p>whore 49:8,10 50:4</p> <p>why 6:2 9:3 47:16 53:18 57:22 67:23 84:18 89:6 92:15 97:16 (10)</p> <p>will 3:22 4:10 5:12,14,19 6:23 8:4 10:24 13:24 14:14 16:6,11,12 20:5,13 22:20 25:5,21 27:19,25 29:6 32:8 35:10 37:12 38:7 39:19 40:4,19 43:5,9 46:6 48:22 50:3 51:13 52:19 55:18 57:22,23 58:19 60:19 62:2 63:16,16 64:8 65:17 66:16 69:6 75:5 77:19 80:9 81:20,22 82:7,8,14,20 85:9 86:20 87:11 89:11 91:13 94:3 96:16,22 99:10 102:4 103:5,19 106:9 107:3 109:2 (71)</p> <p>willing 10:16 81:24</p> <p>within 110:8,11</p> <p>withintitled</p>	<p>110:11</p> <p>without 5:9,12 9:6 20:14 23:16 26:13 53:17 54:4 61:20 85:5 97:22 (11)</p> <p>witness 110:18</p> <p>witnessed 39:2</p> <p>won 11:14</p> <p>won't 81:24 104:25</p> <p>words 98:17</p> <p>work 8:24 9:24 10:17 12:22 13:14 19:6 20:24 25:25 26:3 28:15 29:25 34:25 39:19,21 47:17 54:4 55:11 56:9,24 65:3 70:10 73:7,15 74:3 75:22 76:5,13 79:23 83:19 88:13 94:18 95:12 96:3,4,11 97:5 98:11 102:11 106:22 107:9,12,22 (42)</p> <p>worked 33:3</p> <p>workers 39:8 78:17 79:6 98:19 (4)</p> <p>workers' 25:10 43:14 51:19 52:24 60:24 85:19,21 (7)</p> <p>working 4:21 6:8 23:8 34:23 45:25 53:3 65:10 67:7 73:2 74:12 76:11 83:13 107:13 (13)</p> <p>works 9:8</p>
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