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6 Transcript of the Meeting of the
7 NYC TAXI AND LIMOUSINE COMMISSION

8 Held on Tuesday, July 26, 2005

9 40 Rector Street - 5th Floor

10 Borough of Manhattan

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1 Meeting convened at 10:30 a.m.

2 P R E S E N T

3 MATTHEW W. DAUS,
Chairman

4 ELLIOT SANDER
5 Commissioner

6 NOACH DEAR
Commissioner

7 IRIS WEINSHALL
8 Commissioner

9 ELIAS AROUT
Commissioner

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11 CHARLES FRASER
General Counsel

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1 P R O C E E D I N G S

2 CHAIRMAN DAUS: All right, good morning,
3 everyone.

4 VOICE: Good morning.

5 CHAIRMAN DAUS: We have a revised agenda, I
6 hope everyone has a copy. We shifted a few things
7 around. I have a very brief Chairman's report this
8 morning.

9 First of all, I'd like to thank Mayor
10 Bloomberg, the City Council, our Board of Commissioners
11 and everybody including Councilmember Yaski and
12 everybody who worked on the hybrid legislation. The
13 Mayor signed the legislation last week. It requires
14 that within 90 days of the effective date of the law
15 that we approve a hybrid electric vehicle. To that end,
16 we moved very quickly, within one week we've already met
17 here today. We had a viewing of vehicles earlier this
18 morning. We have basically six vehicles that we all

19 looked at, all the Commissioners got in them, we
20 basically didn't really discuss it substantively, but we
21 all made our own little notes and basically got a feel
22 for what it's like to sit in the back and the front of a
23 hybrid electric.

24 We're going to have a more detailed
25 presentation today about the various options so we can

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1 start making some decisions, and I want to thank my
2 colleagues, basically for bearing the weather out there.
3 It was pretty hot, but thankfully there was some air
4 conditioning in those cars.

5 The base licensing process. Just a point of
6 interest for people. We started holding seminars for
7 people who want questions answered about the new
8 applications to make sure they get it right the first
9 time and make sure they spend the least amount of time
10 on it. You can contact Bill Carter or we'll be putting
11 out more information through the industry about how you
12 can sit through that process and learn about some of the
13 changes we made to the application form. You'll be
14 notified anyway if your license is coming up for
15 renewal. Bear that in mind, it's consistent with our

16 motive to do outreach and to explain things to the
17 industry, treating them like customers and making sure
18 that when you get it right it makes us process the
19 paperwork more quickly and it helps us get it right.

20 Item three, we're going to talk a little bit
21 more about this later, but the City Council placed 1.3
22 million in our budget to fund accessible taxicabs,
23 yellow cabs. We're going to talk a little bit about
24 that today and get a couple of ideas from the staff
25 members on how we can approach taking that funding and

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1 getting it into the hands of the industry, whether it be
2 a grant program, an RFP, there are a couple of different
3 ideas and we're going to talk about them today. Our
4 chief of staff, Ira Goldstein, is going to give a
5 presentation on customer service enhancements. Everyone
6 in the industry is very anxious, as well as us, excited
7 about where we are with the technology RFP.

8 We also have a partition request for
9 information, the deadline has passed and we received
10 some responses on that and we're also going to talk
11 about group rides, one of the ongoing projects that were

12 passed by the Commission last year.

13 We have a class of twenty new inspectors
14 that have started, they're in the process of being
15 trained and we also have about nine new administrative
16 law judges that have been hired that are in the process
17 of being trained and we can hopefully swear them in at
18 our next Commission meeting.

19 Last but not least, we are tentatively
20 scheduled to hold our annual driver recognition ceremony
21 at the Jacob Javitz Center this year on September 8th.
22 You'll hear a little bit more about it as we get closer
23 and we'll be in touch with the industry, but if you can
24 note that date now and put it on your calendars, we're
25 looking forward to making it even more successful than

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1 last year.

2 That concludes my report. I now have the
3 privilege of making a very brief presentation, but a
4 very important presentation to somebody who is a dear
5 friend and I'll be up at the podium in a minute.

6 Yes, we are friends. One of our former
7 Commissioners is here, Alberto Torres, he joined us
8 today. He left the Commission, how many months ago was

9 it? December. Time flies. We miss you, we miss your
10 presence.

11 I came on the Commission in 2001, before
12 that, I was General Counsel and Alberto is also an
13 attorney, he always held my feet to the fire and he
14 always pointed that out when I was General Counsel, but
15 it seems like it's almost eight years now that we've
16 known each other. I have to say Alberto is a great guy.
17 It may seem over the years there was some
18 contentiousness on the Commission, but it was all for
19 the greater good.

20 Alberto would always bring up the interests
21 of the drivers, his home town borough of the Bronx. I
22 think we've become a better Commission for it, I think
23 we've evolved into a more collegial atmosphere, but
24 Alberto always stood up for the rights of the little guy
25 and the little gal, and did what he could at a critical

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1 time. 1998, we had some very, very sweeping reforms
2 that changed the landscape of the industry. So you've
3 always been a voice.

4 We certainly didn't agree all the time. You

5 didn't agree with the administrations, didn't agree with
6 your fellow Commissioners, sometimes we did, but at the
7 end of the day I think we've had a better product and
8 we've had good work.

9 We wish you success in all of your future
10 endeavors, including the practice of law, and my
11 colleagues and I would like to honor you here today by
12 basically retiring your badge and giving you a plaque so
13 you can hold it forever, and I'd like to present this to
14 the honorable Alberto Torres, January 31, 2001 through
15 January 3, 2005, for your distinguished service to the
16 New York City Taxi and Limousine Commission.

17 My friend, congratulations and thank you for
18 joining us here today.

19 (Applause.)

20 MR. TORRES: First, to my fellow
21 Commissioners -- photos first?

22 (Pause.)

23 MR. TORRES: I promise to keep this brief.

24 To my fellow Commissioners, I sincerely
25 thank you for the opportunity to have served. I think

2 remaining so far from when I first came here, now he's
3 the senior. There have been a lot of changes here, not
4 only with regards to the Commission, but also to the
5 staff. Congratulations to everyone who has retired
6 recently and everyone who has come in.

7 From each of the Commissioners I have
8 learned a significant amount of knowledge I have gained
9 from people like Iris and Elliott and Noach Dear and
10 Rubin, both on a personal level, which is the most
11 important, on a professional level in regards to how you
12 attempt to run an efficient agency where there are many,
13 many difficulties and constant changes in the technology
14 phases, especially in the technology phases of the
15 vehicle, in addition to all the changes we have to go
16 through with security issues.

17 To that I would really like to thank
18 everyone here for the opportunity to serve with you.
19 Eight years went by very quickly. My daughter Leslie
20 was one year old when I came, now she's nine. When I
21 came up on the elevator I realized it's eight years that
22 went by so quickly. I told Matthew I remember when
23 Marvin Greenberg told me he was here twenty-five years,
24 I said "Oh my God." It goes by so quickly when you're
25 having fun.

1 With regards to the industry, I try to be
2 who I am. What you see is what you get. I always try
3 to speak the truth. I always try to deliver whatever I
4 can, not only for the passengers, but also for the
5 industry itself, because there's a combination here.

6 There's exciting times coming ahead, I wish
7 I was here for the technology piece, because I think
8 that's going to change the scope of everyone's business.
9 We just went to look at the hybrid vehicles, which of
10 course we need now that gasoline is 2.59 a gallon, up in
11 the Bronx it's 2.59 also.

12 Anything I can do on behalf of the
13 Commission or on your behalf, I'm available. You can
14 probably get to me through Matthew Daus and whatever
15 capacity I can help, I learned a lot with regards to the
16 transportation industry.

17 I want to also thank everyone who had
18 supported me on a personal note. I ran for the City
19 Council in a special election. That was my first
20 endeavor into politics, as far as running for office.
21 I've always been involved for twenty years and it was a
22 wonderful experience. Last year was a phenomenal year
23 for me. A lot of personal changes, all for the better.
24 I've been enlightened, and I know that part of my task
25 in life is to enlighten others. I've always done that,

1 and if anyone needs to speak, needs an ear, I'm always
2 around.

3 Once again, thank you very much for the
4 opportunity to have served. Thank you.

5 (Applause.)

6 CHAIRMAN DAUS: Thank you, Alberto.

7 MR. TORRES: And I miss you guys, too.

8 CHAIRMAN DAUS: I'd also like to acknowledge
9 and thank Bishop David Hartman for joining us here.

10 Bishop Hartman has served as a very active chaplain of
11 the TLC and now he's been asked to oversee all the other
12 chaplains. We have an imam, we have a rabbi, we have
13 priests and we're constantly expanding the spiritual
14 services that we provide our employees, as do other City
15 agencies, so I'd like to congratulate you and thank you,
16 Bishop Hartman, for assuming those responsibilities.

17 (Applause.)

18 CHAIRMAN DAUS: I'd like to go item 2 on the
19 agenda, the adoption of the minutes from the June 20,
20 2005 meeting. There seems to have been some confusion
21 as we reviewed the transcript of the last meeting at the

22 end. There was a matter of B&R Car Service's
23 application. I believe what had happened I asked for a
24 motion to approve the base and one of our Commissioners
25 made a motion inadvertently to adjourn. It was

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1 basically the last case on the agenda, so I think there
2 was some confusion.

3 The Law Department, the Corporation
4 Counsel's office has asked us to clarify the record,
5 even though I think most of us intended to vote for that
6 at the time, and thought that we had voted for it, there
7 is some litigation involved and we just want to be
8 perfectly clear for the record.

9 So we've distributed some amended minutes
10 which reflect in I believe it's paragraph 22, Chuck?
11 Paragraph 22, what happened and we also looked at the
12 videotape.

13 Mr. Carter last recommended for approval the
14 application of B&R Car Service for a base license. The
15 chair asked for a motion to approve the application.
16 Then in paragraph 23, Commissioner Arout made a motion
17 to adjourn, which was seconded by Commissioner
18 Rubinstein, and which passed unanimously.

19 So the confusion was I think Elias said
20 "adjourn" by mistake, I think. Why don't we just do it
21 again, if that's okay.

22 B&R's application, do we have a motion to
23 approve the application?

24 COMM. AROUT: Make a motion we approve.

25 CHAIRMAN DAUS: Seconded?

12

1 COMM. SANDER: Aye.

2 CHAIRMAN DAUS: All in favor?

3 (Chorus of "Ayes.")

4 CHAIRMAN DAUS: It's unanimously approved.

5 Do I have a motion to adopt the minutes from
6 the June 20th meeting?

7 COMM. SANDER: So moved.

8 CHAIRMAN DAUS: Second?

9 COMM. AROUT: Aye.

10 CHAIRMAN DAUS: All in favor?

11 (Chorus of "Ayes.")

12 CHAIRMAN DAUS: Now I'd like to go to the
13 presentation.

14 As I said, we were out today in the heat

15 looking at the different models, I'd like to ask Peter
16 Schenkman and Andy Salkin to join us and present us with
17 the options that the Commission has with regard to
18 approving a hybrid vehicle.

19 DEP. COMM. SALKIN: Do you want to do a vote
20 on the sticker first?

21 CHAIRMAN DAUS: Is the Police Department
22 here? Let's do that quickly then. Let's jump out of
23 order to item 3D. The NYPD anti-graffiti sticker.

24 Good morning.

25 DEP. INSP. LAU: Good morning and thank you

13

1 for the opportunity for allowing me to speak. I'm
2 Deputy Inspector Michael Lau from the NYPD. I'm a
3 nineteen- year veteran of the Department I'm here today
4 to speak about the anti-graffiti sticker.

5 Do the Commissioners have a copy of our
6 proposed sticker? Can I pass this up?

7 CHAIRMAN DAUS: Deputy Inspector, tell us
8 more about the initiative, what you're doing citywide
9 and why this is important for the Commission.

10 DEP. INSP. LAU: In 2005 the Police
11 Department working with the Community Assistance Office

12 with the mayor's unit embarked on this anti-graffiti
13 campaign. Nationwide, the government spends
14 approximately \$7 billion yearly on graffiti to clean up,
15 education. Graffiti are one of the issues that are part
16 of the quality of life complaints. Graffiti is also
17 used by gangs to mark off turf, to signal other gang
18 members to perform violence on other gang members that
19 want to leave the gang, to mark territory. Graffiti is
20 also, certain graffiti is defamatory, it's racial in
21 nature.

22 We believe as part of the NYPD endeavor to
23 combat crime, quality of life, to improve quality of
24 life, graffiti is a very important component and by
25 allowing this sticker to be voluntarily placed in some

1 of these vehicles, taxis, liveries, it will also
2 continue our efforts to educate the public.

3 Weekly now, in addition to COMSTAT,
4 TrafficStat, we also initiated GraffitiStat, where
5 precinct executive officers are brought down on a weekly
6 basis and actually have to explain why graffiti is still
7 present, what are we doing about it and what do we plan

8 to do about it. Since this initiative started, over
9 8,000 small businesses, private tenement owners,
10 business owners, have actually faxed a waiver to the
11 mayor's office indicating that the City is allowed to
12 come at any time and clean up whatever graffiti exists.

13 Since the program has also started, the
14 Department has increased arrests in graffiti over
15 50 percent. We've expanded our anti-graffiti traffic
16 force to over 70 officers and these are all indications
17 of how serious we believe graffiti should be handled, so
18 we're hoping with your assistance we can continue this
19 effort and by making this palm card that we've
20 displayed, we would actually use our funding to turn it
21 into a sticker and if we could get voluntary cab owners,
22 livery owners to have that placed on to the cabs.

23 CHAIRMAN DAUS: Would this be, Deputy
24 Inspector, the actual size and colors?

25 DEP. INSP. LAU: Yes, it would. We can

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1 translate the cards. For example, this particular card
2 has Spanish and English. We can translate other
3 languages. In fact, we've translated to Creole,
4 Chinese, Arabic.

5 CHAIRMAN DAUS: There's certainly nothing to
6 prevent you from reaching out to the black car or
7 limousine livery industries; commuter vans as well as
8 paratransits. We don't regulate what stickers are on
9 those cars, so you can certainly do it without our
10 approval.

11 With regard to the yellow cabs, the
12 Commission must approve it by a vote consistent with our
13 regulations.

14 I would like to personally commend the
15 Police Department, yourself, on your efforts in this
16 regard. I think you've done a great job, from what we
17 know about the program, and this will bring it to the
18 next level.

19 In addition to the passengers, maybe there's
20 something we can do to get the word out in some respect
21 to the drivers as well. The drivers are out there,
22 they're the eyes and ears on the road every single day
23 of the week, at all hours. Maybe we should encourage
24 them, of course, to pull over to the side and call 311
25 or 911 as appropriate as they see crimes in progress

1 with regard to graffiti as well.

2 So I would like to make a motion to approve
3 the sticker on behalf of the Police Department's
4 request.

5 COMM. SANDER: Second.

6 VOICE: Interior, exterior?

7 CHAIRMAN DAUS: Let me amend that motion to
8 say in the interior, at a point to be specified by the
9 Assistant Commissioner for Safety and Emissions. Is
10 that appropriate? Can we do that? Okay.

11 COMM. DEAR: Again, it's voluntary.

12 CHAIRMAN DAUS: And it's voluntary.

13 COMM. SANDER: Second.

14 CHAIRMAN DAUS: Second. All in favor?

15 (Chorus of "Ayes.")

16 CHAIRMAN DAUS: Any opposed?

17 Okay, it passes unanimously.

18 DEP. INSP. LAU: Chairman, could I add one
19 thing? In regard to the education we have a twenty-
20 minute PowerPoint presentation that we've shown to
21 approximately ten thousand people already and we would
22 be very happy to teach at any type of forum that you
23 have taxi drivers attend and explain the importance of
24 graffiti.

25 CHAIRMAN DAUS: That's an interesting

1 endeavor. We'll work with you, we'll be in touch with
2 your office to see if we can set that up, what's the
3 practical way of doing that in the industry. For now,
4 what I would do is now that it's approved, just work
5 with Assistant Commissioner Peter Schenkman, who is
6 right behind you, who is going to make a presentation
7 shortly with the staff, and my Deputy, Andy Salkin, to
8 see where we should put this in the back so there's not
9 too much clutter and give some guidance. I think the
10 proper place for this is in the back where the flat fare
11 sticker is, where the map is.

12 Thank you very much.

13 DEP. INSP. LAU: Thank you.

14 CHAIRMAN DAUS: Congratulations. We look
15 forward to working with you.

16 Jumping back to item 3A, hybrid electric
17 vehicles. Andy and Peter, are you --

18 MR. SCHENKMAN: Good morning. This morning
19 you were able to see these vehicles up close and sit in
20 them and imagine them as New York City medallion cabs.
21 The presentation I'm going to give right now outlines a
22 little more specifically details about each vehicle.

23 We've got the current vehicle, the stretch
24 Crown Victoria. As you can see, 90 percent of the

25 current yellow cabs are the stretch Crown Victoria.

18

1 This vehicle was custom made for the taxi industry.
2 It's got leg room unmatched by any vehicle on the road,
3 and it was stretched four years ago and this is the
4 current vehicle and we can move on to the next.

5 This is the Ford Escape. It's a mini SUV,
6 it is a full hybrid, meaning that it uses the electric
7 motor to start when you step on the accelerator. It's
8 been in use in San Francisco with positive results since
9 February, and it is considerably smaller than the
10 current Crown Victoria. The partition would take up
11 additional space and would limit either the passenger's
12 leg room or the driver's leg room, depending on how the
13 partition were installed.

14 One of the things that we noticed when we
15 were doing this research is that this vehicle and the
16 others have traction control and what that means for
17 testing process is we cannot put it on the dynamometer,
18 which is our current method of checking the meter
19 accuracy and the brake functionality. We would have to
20 modify our equipment to test this vehicle.

21 COMM. DEAR: What cost?

22 MR. SCHENKMAN: The cost to modify our
23 equipment would be approximately 150,000 across the
24 entire building, but if we did just one lane, it would
25 be 15 to 20,000. And the difference would be a rollover

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1 brake test where you just drive over it, step on the
2 brake for a split second and it takes its reading.

3 Next vehicle is the Toyota Highlander. The
4 Highlander on paper seems pretty small, but I think we
5 all found when we sat in it today that it did have what
6 felt like considerable leg room, even though it does
7 have some of the smallest leg room of the vehicles we
8 looked at.

9 This vehicle is a powerful vehicle. It's
10 got 268 horsepower. Again, this also has traction
11 control, it cannot be turned off, so this would be a
12 vehicle that we would require special tests for also.
13 The third row of passenger seating has even less leg
14 room than the second row. I believe it's 30 inches, but
15 this car did, surprisingly, feel roomy.

16 The Prius is one of the first hybrids to
17 come out. The city has purchased a number of them, I

18 believe there are about 50,000 of them on the road
19 around the country. This vehicle has incredible gas
20 mileage, in the vicinity of about 60 miles a gallon.
21 Surprisingly roomy and again it has traction control for
22 the testing purposes and it has seen extensive testing
23 being used by the Government with minimal problems.
24 It's also one of the least expensive of the vehicles.

25 The Honda Accord is a partial hybrid. The

20

1 electric motor is added for horsepower and boost, so it
2 does not get the gas mileage improvement that one would
3 expect with a hybrid. It was designed for power, and
4 this vehicle is a nice car, it's not as roomy as one
5 would expect, given the Accord, but this vehicle, the
6 traction control can be turned off.

7 I believe this is an error in the
8 presentation. It can be turned off, there is a switch,
9 so the testing is not as much of an issue on this, and
10 the fuel economy is almost identical to the regular
11 non-hybrid Accord.

12 And the Honda Civic is a small vehicle, I
13 think we found that out when we sat in it. We've seen
14 many of them on the road. It's one of the most popular

15 cars on the road. It is a compact car and partition
16 would really hurt the rear leg room in this vehicle.
17 Even though the numbers are bigger, indicate that it's
18 larger when you sit in the vehicle due to the low
19 ceiling height, it does feel very confined. And this
20 vehicle can also be tested on our current equipment.

21 And finally, we have the Lexus 400H. This
22 is an expensive vehicle. This is \$49,000. It has a lot
23 of horsepower, just like its sibling, the Highlander.
24 This is an all-wheel-drive only vehicle, so it cannot
25 currently be tested on our equipment and it is not

21

1 offered in a two-wheel-drive configuration.

2 Although it's pretty hard to see on the TV
3 screen, what we did is a matrix that compared the
4 current Crown Victoria to all the other vehicles in head
5 room, leg room, front and rear, traction control, price
6 and economy. I believe this is available if anyone
7 would like a copy of that.

8 And the final slide is the actual Society of
9 Automotive Engineers measuring techniques to determine
10 the rear leg room and actual front leg room and head

11 room. As you can see, it's a pretty complicated sketch.
12 It involves test dummies and the leg room is actually
13 measured from the innermost bottom part of the cushion
14 to the ankle of the test dummy in this case, and that
15 does not allow for the extra couple of inches that
16 you can actually tuck your toes into the front seat, but
17 this is the industry standard for measuring vehicles,
18 and this is the head room measurement and it goes right
19 to the ceiling from the bottom cushion, and that one's
20 pretty straightforward.

21 And that wraps up the presentation, and
22 fortunately, every one of the Commissioners were able to
23 sit in the vehicles and experience them firsthand, and
24 if you have any questions, I'll be glad to answer them.

25 CHAIRMAN DAUS: Any questions from the

22

1 Commissioners, comments?

2 MR. FRASER: A clarification first. My
3 understanding is these six vehicles are all six,
4 currently available, all six models of four-door hybrids
5 that are available in the U.S., is that right?

6 MR. SCHENKMAN: Correct. These are the only
7 four door or more available. There are pickups

8 available, and Honda offers the Insight, which is a
9 two-door subcompact.

10 COMM. WEINSHALL: I want to thank you, the
11 staff, for doing a great job of benchmarking all the
12 vehicles and really doing it in a timely fashion. How
13 long would this -- Andy or Mr. Schenkman, how long would
14 this pilot be in effect?

15 DEP. COMM. SALKIN: As the rule states, the
16 Commission has to approve a vehicle in 90 days. The
17 intention here is any vehicle that gets approved will be
18 on the road for the length of the vehicle to be on the
19 road. What we will do subsequently while it's on the
20 road is test it. What we anticipate doing is coming
21 back to the Commission at the end of the year, coming
22 back to the Commission in March, to maybe pass new rules
23 so we can get the '07 models approved or change and
24 modification of the specs based on driver performance
25 and passenger satisfaction.

23

1 So any car you approve today will be on the
2 road, unless you state otherwise, for five years.

3 COMM. WEINSHALL: Mr. Chairman, my other

4 issue is -- I'm not a very tall individual, I'm fairly
5 short, so leg room is never an issue. I always have a
6 discussion with Andy about leg room in vehicles, we
7 somehow disagree on this point. If we were to say that
8 partitions didn't need to be put in, but cameras could
9 be put in instead, is that something you could do within
10 the rules of the TLC?

11 CHAIRMAN DAUS: Well, I think in some of the
12 cars there's no other way. I mean, I don't have an
13 issue with allowing what we do in the livery industry
14 for purposes of testing these vehicles, because it's the
15 option to buy the car, it's voluntary and you can choose
16 whether you want to protect yourself with a camera or
17 partition.

18 What I am concerned about, though, is in
19 situations where maybe a fleet would buy a car and not
20 put a partition in and then lease it to a driver who
21 would like to have the partition. So since it is
22 voluntary, I think that's probably a good idea. We do
23 do it in the livery industry.

24 COMM. WEINSHALL: But that driver could opt
25 to take a different car out, they wouldn't have to take

1 that car.

2 CHAIRMAN DAUS: If the driver really felt
3 strongly about protecting themselves with a partition,
4 they could select another vehicle. A couple of these
5 you could put the partition in. I don't think if you
6 put it in the Civic it would be a huge problem, or the
7 Prius.

8 DEP. COMM. SALKIN: If I could make a
9 clarification. What we're looking today is to get
10 guidance from the Commissioners, then we'll turn it into
11 rule making. I guess the question is can we make rules
12 with whatever rules you guys choose to do, can we put it
13 on the board?

14 MR. FRASER: Let me answer from a legal
15 point of view. Our current rules on partitions require
16 that every car has a partition, except that
17 individually-owned medallion cars have the option to
18 install another piece of security equipment instead of
19 the partition that's approved by the Commission, which
20 basically comes down to a digital camera with a
21 recording device. That's our current rules.

22 Obviously, we have to do rule making to
23 promulgate, to permit these hybrids to be approved
24 vehicles, so in that rule making we can change those
25 requirements to be whatever the Commission feels they

1 ought to be as to partitions and security cameras and so
2 on.

3 CHAIRMAN DAUS: I'm concerned about putting
4 partitions in some of these vehicles. It's right up on
5 the passenger.

6 COMM. WEINSHALL: Again, for those of us who
7 are shorter, it's not going to be right up on top of us,
8 so I'm not as concerned, but I would say that I think we
9 should make this an option to be able to put those
10 cameras in. So I don't know if any other Commission
11 members agree.

12 CHAIRMAN DAUS: Lee had his hand up for a
13 while, then Noach.

14 COMM. SANDER: Two questions. One
15 specifically, in terms of national experience, I know
16 there was -- we had some press about the national
17 experience. If you could just update us in terms of who
18 else is doing this nationally, and secondly, I
19 appreciate the very dry but professional presentation.

20 Do you have any observations more broadly
21 from having done this, in terms of where you think the
22 industry is going, anything else you think we as
23 Commissioners should keep in mind as we begin to enact
24 policy, any things that struck from you a policy

25 perspective that we should be mindful of?

26

1 MR. SCHENKMAN: Well, first of all, I know
2 for a fact that City of San Francisco, as I mentioned,
3 has ten and they're in the process of purchasing more,
4 Escape hybrids. City of Boston has Priuses on the road
5 as taxis.

6 COMM. SANDER: Do you know how many,
7 roughly?

8 MR. SCHENKMAN: That figure I don't have,
9 because it's a little different than down here.

10 The City of Vancouver has piloted four
11 Priuses. As far as the automotive industry goes, we're
12 at the infancy of hybrids. It's a new technology.
13 We've met with Ford, General Motors, we've spoken with
14 Toyota and these programs are going to expand. General
15 Motors has on the horizon four or five sedans within the
16 next two model years.

17 Have I found anything unusual about these
18 vehicles? No. From an average citizen's point of view,
19 you get in the car, you drive. They may have different
20 key structures, but the hybrid technology is almost

21 transparent to you.

22 The most frequent complaint I got is a
23 former fleet director, was the car keeps stalling at red
24 lights. Because in most of the vehicles, with the
25 exception of the Accord, the vehicle shuts off, and runs

27

1 on electric when you're at a traffic light.

2 COMM. WEINSHALL: I'll tell you that from my
3 City vehicle, they've given me a hybrid now, I drive the
4 hybrid -- well, I don't drive it, my driver drives it,
5 hybrid Escape, although I have driven it. I will tell
6 you that it is very quiet and I have not found it stalls
7 at red lights.

8 DEP. COMM. SALKIN: Clarification. The
9 driver thinks that it stalls, because you can't hear the
10 engine.

11 COMM. WEINSHALL: It is so quiet, it's
12 amazing, and the gas mileage is unbelievable on the car.
13 So I think while gas is, in some areas it's 2.59 a
14 gallon and I've seen it as high as 2.79, so I think it's
15 something to consider.

16 COMM. AROUT: One question. I'm not too
17 familiar with these hybrids. How does it work with gas

18 and electricity? When does the gas come in, when does
19 the electricity take over or vice versa?

20 MR. SCHENKMAN: In a full hybrid when you
21 start the car, it is initially on electricity. When you
22 step on the accelerator, depending on how hard you step
23 on it, the internal combustion engine will kick in and
24 provide assistance.

25 When you're slowing down, once you take your

28

1 foot off the accelerator in a full hybrid, the engine
2 shuts off and you are running on electric. As you're
3 stepping on the brake, you're using regenerative braking
4 to recharge the battery.

5 COMM. AROUT: Thank you.

6 CHAIRMAN DAUS: Commissioner Dear?

7 COMM. DEAR: First of all, I appreciate that
8 we're moving forward on this. Although we sort of were
9 mandated -- I had hoped we would do that before, we
10 didn't mandat it and we've been talking about this issue
11 prior to anyone telling us that we should move forward
12 on it.

13 But I must say something. I think, you

14 know, this Commission has now moved in a different
15 direction in the sense of trying to be the first in any
16 type of change and trying to be the model for the rest
17 of the country and we're doing the technology and
18 hopefully we're moving forward on the cars.

19 One of the things that I think we should
20 start looking at in particular with regard to what's
21 happening with the gas prices, it may not be a crisis in
22 a few months from now, but it's going to always come
23 back, we see it as a cycle continuously, because we're a
24 gas guzzling country, that uses the bigger the vehicle
25 the better the vehicle. I think the hybrid is one way

29

1 of going. Also, we talked about this before, where and
2 how the history of why this Commission had the mindset
3 that it wanted only big cars. You see all over the
4 world all kinds of smaller cars, smaller vehicles, so I
5 think this is a good way of looking and moving in the
6 right direction by allowing it.

7 I hope we move forward to allow all of the
8 hybrids to be used, and in addition to that, they should
9 be exempt from having the partitions. This is something
10 I've spoken to you about before, and I know you brought

11 in the Police Department, but if we look at having
12 security cameras is just as safe, we may want to take a
13 look on doing the same thing with other vehicles,
14 encouraging other vehicles if we don't have hybrids out
15 there that are good, other vehicles get a bit more,
16 larger gas mileage, I think that's something we should
17 be looking at and if need be allowing them to put
18 security cameras instead of the partitions.

19 So I think we should look forwards, not
20 backwards, and look for ways, something that's more
21 environmentally friendly for the city, as well as
22 something we are going to be able to make economic sense
23 and not have to worry about the prices of gas.

24 And talking about gasoline, we should be
25 talking about -- I know we talked about this, some sort

30

1 of gas surcharge or something, if we're talking about
2 it, because I think it's going out of hand. It's 2.79,
3 three bucks. Why should the driver absorb this?

4 We always talk about drivers. I'd like to
5 have some discussion after this, if you don't mind, a
6 little discussion, if we can, about gas surcharge.

7 CHAIRMAN DAUS: I'll tell you, I have to
8 agree with Commissioner Weinshall. My experience with
9 the hybrid so far has been very positive. I have a
10 Honda Accord. The pickup is more than I ever thought it
11 could be. It's almost like a golf cart the way it just
12 juts out there. The horsepower is high, but it's very
13 comfortable. It runs much better than I ever
14 anticipated.

15 I think all the vehicles we saw out there
16 today are nice. I think that the stats are very
17 deceiving. You look at the SAE manual and some of the
18 measurements -- there are some vehicles on paper here
19 that have what appear to be less leg room that are
20 actually bigger and roomier when you're in them.

21 The staff is going to have to figure out --
22 this is the tough part -- a way to craft a rule, Chuck
23 and Peter and Andy, that would capture what we saw out
24 there. The leg room Stats don't capture it.

25 On the policy issue, Noach, I couldn't agree

1 with you more. I think competition is the way to go in
2 terms of what we saw today. I think some of us like
3 certain vehicles more than others for probably personal

4 tastes and good experience or a good vibe when you got
5 in the back of them, but when it comes to the policy
6 priorities, it's my view that -- pardon the pun -- but
7 bigger cars need to take a back seat to the policies of
8 safety and cleaner environment. I think that's
9 something that we all agree on at this point.

10 I think -- Andy liked that one, right?

11 It's true, though. If we go back to, I
12 think it was the Commission meeting right before Noach
13 came on, at the end of 2001, you were there, we had the
14 discussion about the big cars. Elias was there. We
15 were pressured tremendously and everybody forgets this,
16 tremendously by the passengers. The biggest complaint
17 that we had at the time when I took over when Diane was
18 here was that the cars were too small.

19 I think that, you know, New Yorkers need to
20 come to realize that there's a bigger goal here. I
21 think that by allowing cameras, I think would basically
22 allow us to get these vehicles to be frequented by
23 passengers without tremendous complaint, and I think at
24 the end of the day, I think the market is going to drive
25 this. My view, hybrids, electrics are hot, they save

1 money for people, the market is there outside the taxi
2 industry and two, three, four years from now because
3 people like big vehicles, I think the companies are
4 going to start making the vehicles bigger as the
5 technology develops.

6 So I think the best is yet to come, and I
7 think we probably will be able to have our cake and eat
8 it, too, in years to come. But I think for now putting
9 the partitions in these vehicles would be almost
10 unbearable, but if you don't have the partitions and you
11 adjust the seats accordingly, there are really nice
12 contours in some of these vehicles that make for a very,
13 very comfortable ride.

14 I don't know, really, what the formula is
15 here, because the formula that we've laid out many, many
16 years ago in drafting these rules does not seem to
17 apply. For the life of me, I can't figure out how a
18 vehicle on paper that has less leg room is roomier and
19 better and nicer than other models that on paper have,
20 you know, different specs.

21 So I would say in my view, I don't know how
22 you feel, but we should look at putting all the models
23 out there, especially since I think there's a shortage
24 of available vehicles out there to begin with, that we
25 allow taxi owners, whether they come up for retirement

1 or whether they want to scrap the vehicle that they have
2 for fuel efficiency purposes, work with them, go to the
3 manufacturers, we should have ongoing meetings with them
4 to explain our feedback to all of them at some point in
5 the future; six months, eight months, whatever the
6 experience has been, to communicate that, just like we
7 did with the Ford with the stretch Crown Victoria, so
8 that the vehicles that pass muster and people like, and
9 which hold up will two, three, four, years from now,
10 could potentially be modified to have some taxi packages
11 out there that can withstand the roads.

12 There are a lot of ways in which I think
13 these deviate from our specs. So I think our staff and
14 our General Counsel have a lot of work to do, but I
15 think the rule making needs to touch on the partition/
16 camera requirement, and the camera has found
17 perpetrators, they have been a tremendous deterrent in
18 the livery industry and they work.

19 I think the light transmittance is an issue.
20 I mean, these are mostly housekeeping things. The
21 horsepower. Every adjustment needs to be made on this
22 chart in some way, shape or form to accommodate the
23 hybrids.

24 DEP. COMM. SALKIN: If I could just ask, to
25 make sure the staff is getting guidance, what I'm

34

1 getting so far is that the Commission is interested in
2 allowing all of these vehicles to be on the road, is
3 that correct?

4 COMM. SANDER: I think we concur with that.

5 COMM. RUBINSTEIN: I have a question. Just
6 this was something that Matt brought up. We are not
7 required to vote on only one of these vehicles, is that
8 correct?

9 COMM. WEINSHALL: We can vote on all of them
10 as a package.

11 COMM. RUBINSTEIN: I would assume that all
12 of us, since obviously we don't know the history of
13 these vehicles, we don't know what they're going to do
14 on the road, we have them out a very short period of
15 time. I would like to not necessarily make a motion,
16 but to have maybe a premotion to consider the fact that
17 we put as many of these vehicles on the road as
18 possible. Do absolutely all the work that needs to be
19 done --

20 DEP. COMM. SALKIN: We'll take that as

21 direction from the Commission to do that. We'll prepare
22 rules -- this is what I'm hearing so far, it sounds
23 like, allowing all the vehicles that are currently made,
24 that are four-door, and requiring, it sounds like the
25 partition -- it sounds like this is what we are actually

35

1 recommending, that you actually require them not to have
2 a partition, and require them to have a camera, as
3 opposed to the partition.

4 COMM. WEINSHALL: Either one, make it either
5 one.

6 COMM. RUBINSTEIN: Make it voluntary, as far
7 as that.

8 COMM. WEINSHALL: They're not required to
9 have.

10 COMM. AROUT: I thought it was under the
11 understanding that we would check all the vehicles out
12 outside and we would decide which particular one that we
13 would use. I know, I could only get into one. I
14 couldn't get into the others, so is it worth sending it
15 out to the public? I don't know. I mean, my personal
16 opinion was we were going to pick a vehicle out this

17 morning.

18 COMM. WEINSHALL: I think the intention was
19 that we would look at all of them and either pick one or
20 pick all of them and I think some of the sentiment
21 around the table of the Commissioners was, you know, as
22 in the case of --

23 COMM. AROUT: I don't know for a fact how
24 many Commissioners feel about it.

25 COMM. SANDER: I would concur. We spoke

36

1 about it earlier, I would concur individually with Iris.

2 COMM. AROUT: I just want to get a
3 consensus.

4 COMM. RUBINSTEIN: This is a clarification.
5 Some of the vehicles that we got into, in the first
6 vehicle we got into, there was a set partition, which
7 did not allow any movement. So if a camera is put up
8 that partition goes and obviously you can move the seat
9 back and forth, which could give you the room that you
10 need.

11 CHAIRMAN DAUS: Especially the Civic.

12 COMM. AROUT: I realize that, but the Honda
13 that I saw could or could not put a partition in it. I

14 felt you would not put the partition, but put the camera
15 in there, and I think that gives you plenty of room.

16 I went into each one of them twice, three
17 times and I decided that's what I would put, for my
18 height.

19 COMM. WEINSHALL: I think, Elias, I think
20 that's why we're talking about allowing the cameras to
21 go in.

22 COMM. AROUT: I think it's a good idea to
23 keep the cameras in there, yes.

24 COMM. SANDER: I have one question and,
25 bottom line to this is I think the market is probably

37

1 going to work without kind of any intervention from
2 Government, but are you familiar, Andy, or Peter,
3 whether any of the governmental agencies, taxi
4 regulatory agencies, do anything to encourage the
5 acquisition of vehicles that promote fuel conservation?
6 I'm looking at the Prius and as such, it's so much
7 better in terms of fuel consumption rather than the
8 other vehicles, and I think occasionally Government does
9 have a responsibility to create incentives and show the

10 way, and maybe the market is going to take care of
11 itself, because the Prius happens to be amongst the
12 cheapest, I guess the civic is the only one smaller than
13 that, but my question here is, from a policy
14 perspective, it would be helpful, you don't have to
15 answer the question right now, I'm not sure if you
16 looked at it before, whether there's anything that the
17 Taxi and Limousine Commission, if it chose to -- I'm not
18 saying I'm recommending it, but if it chose to -- could
19 do anything to enhance the acquisition of vehicles that
20 make so much of a difference in the fuel consumption in
21 trying to set an example for the American public?
22 DEP. COMM. SALKIN: I would say that it has
23 been tried in other places, it's been tried here in New
24 York City and the Commission right now I believe allows
25 an extra year for CNG vehicles, not necessarily hybrid

38

1 vehicles, but fuel efficiency vehicles.

2 City of Phoenix has a rule that only clean
3 cabs can pick up at their airport. Things like that,
4 which really promotes some behavior.

5 COMM. SANDER: Are we looking at perhaps
6 giving an extra year to encourage this?

7 CHAIRMAN DAUS: I don't think we need to do
8 that yet. I'll tell you why. With the CNG's, we didn't
9 have incentive to buy them. Basically we were up
10 against a brick wall because there weren't too many
11 fueling stations.

12 Here the incentive is built in. The market
13 right now, people are hot for hybrids because not only
14 are they green, but also they're getting more fuel
15 economy and some of the models great fuel economy, so I
16 think that we should wait and see. I think we should
17 see how -- I think the natural incentive is there for
18 owners to buy this vehicle when they retire their old
19 ones, so I think maybe we can revisit that issue down
20 the road after we get a couple of hybrids on the
21 streets.

22 COMM. DEAR: The difference in price for an
23 average driver, it doesn't come out economical to buy
24 a -- at the present time, to buy -- depends how much
25 you're driving also, to buy a hybrid, but if regarding,

1 if you take the cheapest car here or most reasonable
2 here, is it worth, does it work out economically?

3 DEP. COMM. SALKIN: The vehicle has a good
4 gas mileage. It's anticipated that instead of having to
5 fill up twice a day a vehicle that's on the road for 24
6 hours a day could fill up once. So the cost of running
7 the vehicle goes down. So the efficiency that comes
8 down to running the vehicle, if you buy a vehicle that's
9 \$10,000 more, it's a five-year purchase and you're
10 saving \$2,500 a year for five years, the end cost of the
11 vehicle could be less.

12 COMM. DEAR: For the next time when we do
13 the rules, when you make up the rules, you could have
14 this information, be more specific.

15 DEP. COMM. SALKIN: What's the question?

16 COMM. DEAR: The difference regarding --

17 MR. SCHENKMAN: If you can appreciate the
18 savings.

19 COMM. DEAR: Right, the savings in buying
20 this vehicle, because you're paying, it's still more
21 than a Crown Vic and because if not, one of the
22 suggestions we talked about, about extending it, all of
23 them, extend it another year or something like that. I
24 want them to -- we put a lot of regulations in the last
25 few years and every time we say it's for the benefit of

1 the driver, benefit of the driver, benefit of the
2 driver, benefit of the driver. I haven't seen a driver
3 walk out with more money yet. Who ends up holding the
4 bag?

5 COMM. AROUT: That's not true.

6 COMM. RUBINSTEIN: That's not true.

7 COMM. WEINSHALL: That's not true.

8 CHAIRMAN DAUS: The driver is doing pretty
9 good now, thanks to you and us.

10 COMM. DEAR: The bottom line is -- listen,
11 it's too early to tell. I want to make sure --

12 COMM. AROUT: Not true, either.

13 COMM. DEAR: Any time we give another burden
14 to make sure there is a benefit, a real cost benefit.
15 If not, let's extend it a year, extend the car for
16 another year, then.

17 CHAIRMAN DAUS: It sounds -- I just want to
18 make sure that our General Counsel has the appropriate
19 guidance. Is there a consensus that we'd like to allow
20 these six vehicles to go out there and to draft rules to
21 accommodate them in some respect?

22 COMM. DEAR: That's the question, you only
23 put these six, what happens if in two months another
24 vehicle comes out?

25 CHAIRMAN DAUS: That's a good question. In

1 terms of what you saw, is everybody comfortable in
2 allowing those six to go out there?

3 MR. SCHENKMAN: I think our goal is to
4 create specifications, rather than to pick models with
5 the rules. If we specify the leg room must be a minimum
6 of 35 inches or 34 inches, any new vehicles that come
7 out in the future --

8 COMM. DEAR: So what do you take, the
9 smallest vehicle here?

10 MR. SCHENKMAN: I think is 34.5, which is
11 the Highlander, I believe.

12 CHAIRMAN DAUS: It's 8.4 inches smaller than
13 the specs.

14 MR. SCHENKMAN: But we anticipate creating
15 specifications that will allow, because we know more
16 vehicles are going to be introduced in the next few
17 years.

18 CHAIRMAN DAUS: Would you recommend a
19 separate set of specifications just for hybrid
20 electrics?

21 MR. SCHENKMAN: Yes.

22 COMM. SANDER: Yes, we're saying we're going
23 to make that trade-off for less space, because we did

24 get hammered, as the Chairman said, but we're saying
25 we're going to make that trade-off precisely for the

42

1 environmental benefits we get.

2 CHAIRMAN DAUS: Does anybody have any
3 further thoughts on this, colleagues?

4 COMM. RUBINSTEIN: There's another factor
5 here that without the partition it gives you more leg
6 room, so the fact of using -- this is an important
7 point, I believe, the fact that the partition is no
8 longer there creates the front movement of the seat,
9 therefore, leg room is almost irrelevant in terms of the
10 numbers.

11 COMM. SANDER: Right.

12 COMM. RUBINSTEIN: Because you can move the
13 seat back and forth, whereas partitions today you
14 cannot, aside from owner-operated cars, which are
15 optional in terms of partitions, so to use that criteria
16 I think would be faulty. Because if you write down 36,
17 37 that's in a set seat. However, you put a camera in,
18 the seat now can move, you go from maybe a 34 stationary
19 to a 38 if you push the seat up. We have to tweak it.

20 DEP. COMM. SALKIN: Perhaps the rule can
21 read if it's a hybrid vehicle and four-door, it would
22 cover all of that.
23 COMM. SANDER: You should work through that.
24 Commissioner Rubinstein has a point, work through that.
25 CHAIRMAN DAUS: The next step, now that

43

1 we've had a good discussion on this, is for General
2 Counsel to draft rules that will be proposed for a
3 public hearing, so this is not really the end, it's the
4 start of discussions, so the public can weigh in and
5 point out any issues that they see that are there. Then
6 we can vote on it any time after early September.

7 I want to be sure our General Counsel,
8 Chuck, you have clarity on what we're expecting?

9 MR. FRASER: I want to bring up one point
10 which hasn't been mentioned, which is the window light
11 transmittance criterion on your chart. I think you all
12 should be aware that our current standard requires
13 70 percent minimum light transmittance. In other words,
14 not tinted windows, except for, I believe, the top
15 6 inches of the windshield.

16 The three SUV hybrids have tinted windows in

17 the back; the back and the two rear side windows. And,
18 obviously, if you want us to draft rules that include
19 these three SUV's, you have to be aware of that.

20 The tinting, as I understand it, is
21 essentially a safety issue, the ability of the police to
22 see into the back of the vehicle.

23 COMM. DEAR: The one that's allowed now, the
24 reason they allow them to have it is because they still
25 can see into the vehicle in the back.

44

1 MR. FRASER: Yes. These SUV's with
2 20 percent, you would not really effectively see into.

3 COMM. DEAR: I don't think it's an issue.

4 COMM. AROUT: How long does a hybrid
5 electric vehicle stay -- we have to replace our taxis
6 after three years, five years?

7 DEP. COMM. SALKIN: If it's a fleet, it's
8 three; an individual owner, it's five.

9 COMM. AROUT: With the hybrid, how is that
10 going to be?

11 CHAIRMAN DAUS: I think Commissioner Sander
12 brought up the retirement extension piece with regard to

13 the compressed natural gas. My feeling is we're just
14 testing these vehicles, we just follow the ordinary
15 three and five year retirement schedule apply to these
16 hybrids. If you're a fleet owner, you would retire
17 after three years; individual owner-operator, five
18 years.

19 COMM. AROUT: It should be more.

20 COMM. SANDER: Can you say that -- and if
21 you're uncomfortable I would defer that to the Chairman,
22 can we take a look a year after these have been on the
23 road and take a look at that clause to then see if they
24 are working and the public accepts them? Because if
25 they are, I think it's a terrific opportunity for the

1 City of New York and the Taxi and Limousine Commission
2 to create some leadership in terms of having vehicles
3 where there's a little trade-off for a better
4 environment.

5 COMM. DEAR: That's why I asked for the
6 numbers. If we get real data numbers of what the
7 trade-off is and how much depreciation and savings there
8 is, and if we can help work that out to be an incentive
9 by the end, the next time they do retirement, as they do

10 retirement of cars, everyone goes out for hybrids.

11 COMM. SANDER: We're not pushing one
12 particular vehicle, you have a series of vehicles, so
13 you're not favoring one manufacturer over another. That
14 would be a fair --

15 CHAIRMAN DAUS: I think we should keep that
16 option open. It would not be prudent in my view not to
17 leave that option open. I don't think it's necessary,
18 right now. People are going to buy these vehicles and
19 put them on the road. I think social consciousness is
20 one issue, I think people feel good about making the
21 environment cleaner and, number two, for the drivers who
22 complained loud and clear about the rising price of
23 fuel, this even though it might be a little bit of a
24 higher sticker price, I think ultimately will save them
25 money.

46

1 Unless you're buying the Lexus, that's
2 \$50,000. But we've had people buy those expensive
3 vehicles, the individual owners like that. We have a
4 couple of Ford Escapes out there, so why not give
5 somebody the option, great luxury ride?

6 COMM. SANDER: I think from an economic
7 standpoint it is a little bit more, but let's look at it
8 for now.

9 CHAIRMAN DAUS: Do we have everything we
10 need?

11 COMM. RUBINSTEIN: I just have a question
12 for Lee, for Commissioner Sander. I'd like to revisit
13 the point you made in terms of perhaps any Government
14 programs that are out there that we could at least
15 explore to see if there are some incentives or something
16 that the Government may or may not have for vehicles
17 that reduce emissions, that are better than gas. Maybe
18 there's something out there.

19 COMM. SANDER: Well, in fact, the Chairman
20 and I met with Jack Hittery, who has been promoting
21 this. One of Jack's staff is here and he pointed out to
22 us, the Chairman is aware that there are credits, I
23 think New York State has, as well as the federal credit
24 that's referred to in the literature, so certainly the
25 TLC should take advantage of those and those should be

1 even further promoted and I think we also should work
2 with other stakeholders prospectively for legislation

3 that further this.

4 We do have a role in the environment, I
5 think that's a very good point, so I think, Chairman, we
6 should not be passive in this process. We have a role
7 in the environment, so let's look to join with other
8 stakeholders in trying to influence state and federal
9 legislation that promotes better fuel economy and better
10 environment.

11 COMM. RUBINSTEIN: Just another point that
12 was mentioned by Andrew, that Phoenix has cars that are
13 going to the airport that are green. You mentioned
14 Boston has cars, San Francisco has cars. These are
15 programs that have been, I don't know how long since
16 they initiated. It would be good to have some research
17 done. What have they found? Because obviously they're
18 on the road, they may have some data which may be
19 beneficial to our cars.

20 DEP. COMM. SALKIN: Certainly, we'll collect
21 information.

22 CHAIRMAN DAUS: I agree wholeheartedly with
23 that point. I think, first of all, we need to educate
24 our taxi owners and drivers after these rules are
25 passed, to give them the information that they need

1 about these tax credits that are available from the
2 federal and the think the state government. People who
3 had the CNG program through us years ago got significant
4 NYSERTA grants. We're going to work with these agencies
5 and of course push for more.

6 I think that's a good idea, a great
7 incentive. Money is sometimes one of the best
8 incentives, the money that you save on your taxes
9 coupled with the increased fuel efficiency will offset
10 the sticker price, I believe. You should keep a closer
11 eye.

12 COMM. DEAR: The sticker price on some of
13 them are much lower, almost \$8,000, in some cases than
14 the Ford Crown Vic, so people are going to buy these
15 cars anyhow.

16 COMM. AROUT: Mr. Chairman, I think what we
17 should do is since the Mayor would like us to do it,
18 maybe they have a fund so that they could give to the
19 TLC, give one car to each Commissioner to try it out,
20 and we'll really go into it to see what's wrong and
21 what's not wrong with the vehicles.

22 CHAIRMAN DAUS: You could borrow my Honda
23 Accord, if you'd like.

24 COMM. RUBINSTEIN: Thanks very much.

25 DEP. COMM. SALKIN: Just one thing based on

1 the conversation and the call for leadership from
2 Commissioner Sander, I think it would be prudent for the
3 Commission to begin making the proper investments into
4 our inspection facilities, so we'll be able to inspect
5 these vehicles. We'll also start doing that.

6 CHAIRMAN DAUS: Would you recommend doing
7 one or all lanes for the new --

8 COMM. DEAR: I would hope we do all.

9 DEP. COMM. SALKIN: We would start with one.

10 COMM. DEAR: Why not all?

11 DEP. COMM. SALKIN: The other would be more
12 of a capital project and would take us --

13 COMM. DEAR: I don't want cars to be stuck
14 lined up.

15 DEP. COMM. SALKIN: We ought to monitor as
16 vehicles get purchased.

17 COMM. DEAR: I don't want people to start
18 waiting --

19 CHAIRMAN DAUS: Do you have a cost per lane?
20 Is it cheaper to get all of them done?

21 DEP. COMM. SALKIN: It's different funding
22 processes. I think right now, the needs over the next

23 six month to a year, one lane would probably be
24 appropriate.

25 CHAIRMAN DAUS: I would agree with that.

50

1 Your point is well taken, Noach. If we get to the point
2 where there are so many hybrid electrics on the road we
3 can't handle it in the facility --

4 COMM. DEAR: I anticipate, if things work
5 and the cars are holding up and it works out, I
6 anticipate this will be a way of life for the future of
7 the City of New York.

8 DEP. COMM. SALKIN: One lane will give us
9 the capacity to inspect 1600 vehicles over the cycle, so
10 that should be okay to start.

11 COMM. SANDER: Just on that point, one of
12 the things that is discussed among cities is their
13 sustainability is how would they rate with a report card
14 in terms of how municipalities are doing. I think this
15 is a step, but we should look at other ways in which the
16 Taxi and Limousine Commission is performing from the
17 point of view of sustainability.

18 So, whatever else it recommends, we look at
19 just the whole panoply of activities that the TLC does

20 to see how we can be better from a environmental
21 perspective.

22 COMM. DEAR: I would also like to recommend
23 some sort of symbol or emblem that this car is an
24 environmental friendly car.

25 CHAIRMAN DAUS: Like we could with CNG cars.

51

1 COMM. DEAR: Right. Why not be proud of it?

2 COMM. AROUT: Mr. Chairman, how many cars
3 are actually going to be out there for testing?

4 CHAIRMAN DAUS: It's really going to be up
5 to the owner-drivers to voluntarily purchase them.

6 DEP. COMM. SALKIN: We did a little bit of
7 research into this. Since we're not telling anyone to
8 purchase the vehicles, but over the next fiscal year
9 from now to the end of June next year, there's about
10 2,000 vehicles scheduled to retire. So if you just
11 think that people, when the car retires they will
12 consider purchasing, we don't know if they will do that.
13 Unfortunately, we're not sure there are 2,000 hybrid
14 vehicles available in the New York metro area for
15 purchase, so we'll have to monitor that and come back.

16 Again, the staff anticipates reporting back
17 to the Commission at the end of the year the status of
18 the program and reporting back sometime in the spring on
19 a more substantive level about passenger satisfaction,
20 driver satisfaction, maintenance and then maybe
21 discussing what we do for '07.

22 COMM. SANDER: And sustainability
23 performance?

24 DEP. COMM. SALKIN: Right.

25 COMM. DEAR: Did we have a discussion with

52

1 the industry, with the drivers about these cars? Just
2 preliminary discussion?

3 DEP. COMM. SALKIN: Asking them what they
4 think, their thoughts?

5 COMM. DEAR: Where they're going to go with
6 it.

7 DEP. COMM. SALKIN: Some owners have
8 expressed a lot of excitement about being part of it and
9 some owners, especially those who invested a lot in CNG,
10 are going to wait and see if this becomes the standard
11 and then we'll probably see greater acceptance.

12 Most of the fleets in the taxi industry,

13 where the owner of the vehicle is actually one of the
14 drivers, you have a lot of flexibility.

15 COMM. DEAR: I understand that. You know
16 how it goes, one goes, the rest go.

17 DEP. COMM. SALKIN: My anticipation is there
18 will be a lot of guinea pigs out there very early on,
19 and later in the year it will be known which one of
20 these vehicles is the best. Just if you ask your
21 drivers which one is the best Ford, they'll go '92 is
22 better than '93; they'll know X car is better than Y
23 car. We can monitor that.

24 COMM. RUBINSTEIN: Is there anything we as a
25 Commission can do to, let's say -- I hate to use the

53

1 word "subsidize," but somehow help the drivers decide on
2 a green vehicle, such as the hybrids. Is there any
3 incentives we can come up with to make --

4 CHAIRMAN DAUS: I think the incentive that
5 Lee brought up is a good one, the tax incentives.

6 COMM. WEINSHALL: They get them already,
7 state and federal.

8 CHAIRMAN DAUS: We should communicate to the

9 people whose vehicles are being retired.
10 I'm sorry to cut off the conversation for a
11 minute, because we're going to start losing
12 Commissioners. I would like to jump out of order and go
13 to item 4, the base licensing review, so we can vote on
14 some of these and go back. Commissioner Weinshall has
15 to leave, Commissioner Sander has already left. I don't
16 want to lose our quorum. We'll come back to it,
17 Commissioner Dear.

18 Item 4, Bill, base license application
19 review.

20 MR. CARTER: Good morning, Mr. Chairman,
21 Commissioners. As you know, the base licensing unit has
22 undertaken the new licensing application process and
23 what we brought before you this month is the four bases
24 that have completed the process with the new
25 applications and that includes the environmental

54

1 assessment statements that are required for all bases
2 that move or bases that -- the bases that are
3 relocating, and we also have the bases that are brought
4 before us with the new comprehensive operating plan,
5 which we used to call the business plan.

6 In your Commission books, you received two
7 bases that are up for renewal. First base up for
8 renewal was AMN Management.

9 COMM. AROUT: I question that, please.

10 CHAIRMAN DAUS: Okay.

11 MR. CARTER: Second base that was up for
12 renewal was DCL Inc. doing business as Saba Car & Limo
13 Service. Those are the only two bases this month that
14 completed the new process.

15 Two bases that are up for moves this month
16 are Prospect Car & Limo, and the other base up for a
17 move, for relocation, is Travelers Car & Limo Service.

18 CHAIRMAN DAUS: You had concerns about AMN.

19 COMM. AROUT: What I look at, unfortunately,
20 this person seems to dispatch unlicensed drivers. To go
21 back in '03 had one, '04, '04, '04, '04, '04, '04,
22 '04, and one '05. I guess he doesn't get the word. So
23 what do we do with that; renew his license?

24 MR. CARTER: What we did, Commissioner, is
25 we asked him to address that issue in a comprehensive

1 operating plan, as we did with asking for a business

2 plans for the other bases.

3 COMM. WEINSHALL: Which one is this?

4 CHAIRMAN DAUS: AMN, B01420. The first one.

5 This is a disturbing record.

6 COMM. DEAR: We had that with others.

7 MR. CARTER: They they handed us a

8 comprehensive operating plan, and we were not totally

9 satisfied with it. We asked them to revise their plan

10 to include in there the violation history, because that

11 was not what we told the bases originally when they

12 applied for the plan. They saw the violation history

13 after we got the submission from them.

14 We wanted to give them the ability to

15 address that in the new submission.

16 COMM. WEINSHALL: Why don't we pull that

17 one?

18 COMM. DEAR: I had these issues all the

19 time.

20 COMM. AROUT: It's always like that.

21 COMM. DEAR: Which I understand, and I have

22 respect for Commissioner Carter -- oh --

23 MR. CARTER: Thank you.

24 COMM. DEAR: No, I always respected, I

25 always respected you. We had an understanding here,

1 we've gone through this process once, and where is
2 Andrew? Andrew was bugging us on this. Andrew talked
3 to us about this, talked about it, that let this wave go
4 through the first time and the next time around where we
5 have our rules set, we're going to go after them.

6 In fact, it's not going to come to this
7 point, we're going to hammer them before, we're not
8 going to let them go through it.

9 The other issue, while I'm raising this, you
10 should see what's going on there. I understand we're in
11 the process of hiring a new chief of enforcement and all
12 the inspectors, everything else. You go to the places
13 that supposedly we let go through and I must tell you,
14 it's a sham. They all have straight plates now, they
15 have North Carolina plates, it's getting out of hand. I
16 hope this Commission after we finish everything else, we
17 can start focussing. I know it's a big issue with you
18 and I know in our borough, to start focussing.

19 CHAIRMAN DAUS: What would you recommend on
20 this base?

21 COMM. DEAR: I don't know. Again, I'm
22 concerned, like everybody else is, but why pull one if
23 we don't pull the others?

24 CHAIRMAN DAUS: Why would we recommend
25 approval, if we haven't been satisfied with their

1 business plan?

2 MR. CARTER: We're recommending approval,
3 because, one, the base was not told the violation
4 history would be part of the review, at the time when
5 the base was originally up for renewal, they were told
6 after the fact.

7 So what we'd like to do is give them an
8 opportunity to address that in a business plan, then we
9 can hold them to that.

10 CHAIRMAN DAUS: That's a fair point, Noach.
11 It really is.

12 COMM. DEAR: Do you feel they're
13 professional, do you feel they're okay now, did they
14 indicate change --

15 MR. CARTER: Yes, what we did was held a
16 seminar this month for all the bases that were up for
17 renewal for the January and February period of this year
18 and we explained to them what the situation was.

19 This base was told they have a particularly
20 egregious background record. They were told the
21 comprehensive operating plan they put forward, they
22 would be held to it. They gave us a plan. We didn't

23 like the plan, but we don't feel that it's strong
24 enough to deny renewal. What we'd like to do is get a
25 new plan from them and hold them to that.

58

1 CHAIRMAN DAUS: Noach, I share your concern,
2 they're duly noted. I think in the sense of fairness,
3 based upon Bill's recommendation, I'd like to move to
4 basically approve all of these four base license
5 applications and also hold AMN to their business plan
6 and make sure that we scrutinize them thoroughly when
7 they come up for renewal or before that, and I'd like to
8 make a motion to approve.

9 COMM. DEAR: So moved.

10 CHAIRMAN DAUS: Second. All in favor?

11 (Chorus of "Ayes.")

12 CHAIRMAN DAUS: Any opposed? It passes
13 unanimously. Thank you.

14 COMM. DEAR: Just one second, I raised it
15 before, Commissioner, I want to make sure if we could
16 have it also for discussion for next time or some sort
17 of regulation about a fuel surcharge. I don't want to
18 keep on talking about it and then --

19 CHAIRMAN DAUS: We can discuss it next time,
20 no problem.

21 COMM. DEAR: I want to know how do we move
22 on it --

23 CHAIRMAN DAUS: We have people in the
24 industry who have made requests for fuel surcharges.

25 COMM. WEINSHALL: The staff will make a

59

1 presentation.

2 CHAIRMAN DAUS: It also ties in with some of
3 the hybrid opportunities out there, too. I don't think
4 we can discuss it now, I don't think we're prepared to
5 discuss it.

6 COMM. DEAR: Can we discuss it at the next
7 meeting?

8 CHAIRMAN DAUS: We'll try to fit it in in
9 September.

10 COMM. DEAR: We don't have an August
11 meeting?

12 CHAIRMAN DAUS: I don't think we do, I don't
13 think we can get everybody scheduled. But we're going
14 to try to meet again after Labor Day that first week.

15 Why don't we move back quickly to item 3B on

16 the agenda. Accessible vehicle funding. Eric Kim is
17 going to give a presentation on what happened at the
18 Council.

19 MR. KIM: Do you want to get Andy as well?

20 CHAIRMAN DAUS: Yes, let's get Andy.

21 (Pause.)

22 CHAIRMAN DAUS: Okay. Ready?

23 MR. KIM: Yes. Thank you, Commissioner.

24 I'm going to be making a brief presentation on
25 accessible medallion taxicabs, regarding some of the

60

1 TLC's current experiences and the City Council's fiscal
2 year 2006 appropriations which the Chair mentioned
3 earlier.

4 During the negotiations over the City's
5 budget for fiscal year '06, the City Council and the
6 administration agreed to add 1.302 million into the Taxi
7 and Limousine Commission's budget and the stated purpose
8 of the funding, according to a report from the Council's
9 Finance Division, was this funding would subsidize the
10 cost of converting current medallions for disabled
11 taxicabs by providing cash grants current medallion

12 holders or reducing the medallion cost during an
13 auction.

14 As of now, that's the only formal direction
15 we've gotten from the City Council on this funding.
16 I'll talk now a little bit about what the TLC and taxi
17 industry has been doing with regard to wheelchair
18 accessible taxi service.

19 Last fall, the City auctioned nearly 300
20 medallions and 9 percent, or 27 of them, were reserved
21 for use with wheelchair accessible vehicles. In order
22 to encourage bidding on those accessible medallions, the
23 TLC set a discounted set price that was significantly
24 below the minimum for the regular medallions.

25 We received over 250 bids for the accessible

61

1 medallions and were able to sell all 27 that were
2 offered. And all of those medallions were placed into
3 service earlier this year on Ford Freestar minivans that
4 had been modified to meet the TLC's requirements for
5 wheelchair accessible service.

6 Next slide.

7 This chart is based on the experiences of
8 several of the purchasers of accessible medallions in

9 the fall of 2004 sale. As you can see, the key
10 differences in price are the higher cost of Ford
11 Freestar versus the Crown Vic, the cost of the
12 wheelchair modifications and the rebates that are
13 offered for those modifications. Not included in this
14 chart are any potential tax deductions that vehicle
15 owners can take for modifying a vehicle for accessible
16 service and savings in fuel economy for using a minivan
17 versus a Crown Vic, and insurance costs.

18 The chart is very preliminary and it's
19 really only meant as a starting point for initial
20 discussions and further research.

21 Next slide.

22 Earlier this summer, the TLC organized a
23 field demonstration of the accessible wheelchair taxi
24 with members of our Disabilities Advisory Board. Also
25 participating were supervising officers from the NYPD's

1 Taxi Unit and the field test gave everyone a chance,
2 including agency staff, wheelchair users and regular
3 passengers, an opportunity to see the vehicles firsthand
4 and start to make some initial assessments.

5 We learned there's a range of different
6 levels of modifications that accessibility companies can
7 provide and different types of modifications mean
8 different levels of service for wheelchair passengers
9 and non-wheelchair passengers.

10 Another lesson we learned was that the
11 challenge of taxi drivers and wheelchair users will face
12 when loading and unloading passengers from these
13 vehicles, based on the field test for rear entry
14 accessible vehicle and all 27 medallion taxis that are
15 out there now are rear entry, about 10 feet of clear
16 space is needed behind the vehicle to safely load a
17 passenger. For a side entry accessible vehicle, we
18 estimate that one to two street lanes would be needed to
19 safely load a passenger. Clearly, these are going to be
20 issues that we'll have to address as we move towards
21 providing more wheelchair accessible service.

22 Next slide.

23 Now I'll speak a little bit about the TLC's
24 experience in working with grant funding allocated in
25 our budget. As some of you may recall, in fiscal year

1 '01 the TLC actually embarked on two separate grant

2 programs, both with funding from the City budget. First
3 there is a partition/in-vehicle camera program.
4 \$5 million was budgeted and it allows livery and
5 medallion owners to reimburse up to \$325 per vehicle for
6 the cost of installing a petition or in-vehicle camera
7 system. That program was jointly administered by the
8 TLC and the City's Economic Development Corporation.

9 Also in FY '01, the TLC administered a grant
10 program for wheelchair accessible modifications,
11 originally budgeted for 500,000, that amount was doubled
12 later to a million and the program was extended into
13 fiscal year '02. The program provided reimbursements of
14 up to \$7500 for livery and 5,000 for medallion vehicles.
15 And this program was solely managed by the TLC.

16 Now, let's go to today. There seems to be
17 at least two basic approaches we might take with the 1.3
18 million in fiscal '06 budget. First, we could set up an
19 RFP to solicit bids from accessible modifiers that would
20 be able to provide modifications for medallion taxicabs
21 at a set price at specific requirements that could all
22 be detailed in a contract. The RFP approach would allow
23 the agency to be able to leverage the full value of the
24 budget allocation to get the best price from the
25 accessible modifiers.

1 This approach would also give us some more
2 control over the specifics of the modification designs,
3 if we felt higher levels of service were appropriate, we
4 could more easily dictate those requirements. Of
5 course, an RFP approach would lead to procurement, which
6 means the program could take up to several months to
7 actually establish and get vehicles on the road.

8 Second, we could establish a grant
9 reimbursement program, and this type of program would be
10 relatively simple to set up and administer, but the TLC
11 would have no real control over the prices that
12 medallion vehicle owners pay for modifications, and it
13 would be more challenging to control the specifics of
14 the modifications that are actually made to those
15 vehicles.

16 Now, these are just preliminary thoughts.

17 Next slide please.

18 Over the next few weeks the TLC will be
19 focussing on next steps working with the City Council,
20 particularly Councilmember Lopez, who was instrumental
21 in getting this additional funding added to our budget
22 and the Mayor's Office for People with Disabilities, to
23 better understand the Council's intent for the
24 allocation and the agency will also continue exploring
25 some of the legal questions and policy alternatives for

1 using this funding for wheelchair accessible taxi
2 service.

3 We do expect to report back to the
4 Commission later this fall with some further research
5 proposals and possibly rule making on this topic.

6 And that concludes my presentation. Thank
7 you.

8 CHAIRMAN DAUS: Any questions? Okay. All
9 right, so we look forward to getting the final report
10 and I think the next item on the agenda is item 3D,
11 customer service enhancement update. We have three
12 topics, Ira Goldstein, our Chief of Staff, that are part
13 of that customer service update.

14 MR. GOLDSTEIN: Good morning, Commissioners.
15 Bringing up the rear is tough around here, I'll tell you
16 now.

17 I just wanted to give you, I was asked today
18 to give a brief update on where we stand with our
19 activities on the three customer -- the taxi customer
20 enhancements. On the technology project, as you may
21 well know, the bids and proposals from prospective

22 possible vendors were due and we have the evaluation
23 committee, which consisted of members from the TLC
24 DoITT, DOT and OMB have been working very diligently on
25 getting these proposals evaluated. At this point we're

66

1 on schedule, we are hopeful of entering into contracts
2 with the vendors that the valuation committee picks out
3 by the end of August, the beginning of September, and
4 starting to get cars on the road by the fall with the
5 improvements.

6 On the partition improvement, we issued an
7 RFI or request for information back on June 20th and as
8 the Chairperson mentioned, the responses were due July
9 15th. We requested information regarding the design and
10 material changes to the partition with respect to driver
11 and passenger safety, comfort, visibility regarding
12 scratch resistance and UV resistance, maintaining
13 communication between the passenger and driver, and
14 analyzing cost, and what we also did in the RFI was we
15 also were contemplating forming a committee and we asked
16 in the RFI if anyone is interested in participating in
17 that committee to let us know.

18 The RFI went out to approximately 130

19 different organizations and other regulatory agencies
20 across the country. It went to industrial designers,
21 material manufacturers, partition manufacturers as well.

22 We received approximately 20 responses.
23 They varied in quality, but basically we received
24 recommendations in terms of what type of material we
25 should use, the thickness of the material, as well as

67

1 receiving some design ideas.

2 In terms of the next steps that we'd like to
3 take with regard to the partition is we through Andy
4 Salkin's work with -- what is it, Andy -- Design for
5 Public Trust, we have some industrial engineering groups
6 that are interested in working with us on this project
7 from the design aspect and after meeting with them, we
8 anticipate forming a partition committee with the
9 different partition manufacturers, the material
10 manufacturers as well as members from the taxicab
11 industry groups, and at that time we would submit
12 revised specifications for Commission approval.

13 And last but not least, on the group rides,
14 and what we're thinking of doing on that, we've taken

15 some surveys of drivers at the airports and there were
16 also some surveys that were done of passengers at the
17 Port Authority Bus Terminal, and after a lot of group
18 discussions and brainstorming on this, we seem to be
19 going towards a direction of having essentially two
20 different models to follow when we come up with ideas
21 for the group rides.

22 One is where there's an area of high demand,
23 but there's a low number of cabs, and we would work on
24 trying to put in certain price incentives appropriately
25 to attract cabs to a particular area to use those group

68

1 rides, and the other category that we came up with are
2 areas of potential demand, but where there's high
3 availability. Examples of that may be where cabs are
4 being -- originating their trips outside of Manhattan
5 and may be coming in for their first pickup of their
6 shift into Manhattan and looking into the possibility of
7 creating group stands at strategic places that they
8 would be willing to go pick up group ride passengers and
9 bring them into Manhattan.

10 And that concludes my report on the service
11 improvements, if any of the Commissioners have any

12 questions.

13 CHAIRMAN DAUS: Any questions? Okay. So
14 we're on track for a fall acceptance test, correct?

15 MR. GOLDSTEIN: Yes, this is correct,
16 Commissioner.

17 CHAIRMAN DAUS: On the partitions, I take it
18 you're recommending that we make changes to our
19 specifications and do some rule making eventually?

20 MR. GOLDSTEIN: Yes, that is correct.

21 CHAIRMAN DAUS: After the partition
22 committee completes its work.

23 MR. GOLDSTEIN: Yes.

24 CHAIRMAN DAUS: What's the next step with
25 regard to group rides? Is there any requirement that

69

1 the Commission undertake rule making at some point?

2 MR. GOLDSTEIN: I believe, and Chuck can
3 confirm this, there's no time frame when the rules have
4 to be made.

5 CHAIRMAN DAUS: But rules do have to be made
6 on this, correct?

7 MR. GOLDSTEIN: Eventually.

8 CHAIRMAN DAUS: Okay, great, we'll look
9 forward to the final reports.

10 I want to thank everyone for their time.
11 Commissioners, thank you. And that concludes our
12 meeting today. We will not be meeting in August. We
13 will probably be meet the first or second week in
14 September, at which time we'll get the agenda out to
15 you, but the agenda most definitely will include a
16 public hearing on proposed rules that our General
17 Counsel will be drafting between now and then on the
18 proposed hybrid vehicles.

19 Thank you very much for coming. Enjoy your
20 summer.

21 (Time noted: 11:57 a.m.)

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70

1 CERTIFICATE

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4 I, LINDA FISHER, a Certified Shorthand

5 Reporter and notary public within and for the State of
6 New York, do hereby certify that I reported the
7 proceedings of the NEW YORK CITY TAXI AND LIMOUSINE
8 COMMISSION on July 26, 2005, and that this is an
9 accurate transcription of what transpired at that time
10 and place.

11

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13 Linda Fisher,

14 Certified Shorthand Reporter

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