

NYC - Taxi & Limousine Commission Meeting  
August 2, 2018

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NYC TAXI & LIMOUSINE COMMISSION  
COMMISSION MEETING

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33 Beaver Street, FL. 22  
New York, New York

August 2, 2018  
10:10 a.m.

NYC TLC DESIGNEES

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Chair - Meera Joshi  
Commissioner - Chris Wilson  
Commissioner - Thomas Sorrentino  
Commissioner - Lauvienska Polanco  
Commissioner - Jacques Jiha  
Executive Assistant to Commissioner - Tanya Scott  
Assistant Commissioner for Legal Affairs - Ryan Wanttaja

1 MS. JOSHI: The time now is 10:10 a.m.,  
2 and we are going to begin our public meeting.  
3 We don't have any base recommendations --

4 MR. WILSON: We do.

5 MS. JOSHI: -- this month.

6 Okay. So, we have two items on the  
7 agenda, and they're both from public hearing.

8 One is a package of rules that clarifies  
9 some of the TLC processes, and the second is an  
10 amendment to the accessibility rules that we  
11 passed last year.

12 And the amendment turns the pilot that we  
13 passed last year into an exception to the  
14 existing Accessibility Requirement Rules for  
15 the FHA industry.

16 And Ryan Wanttaja from our legal  
17 department will be providing a presentation on  
18 exactly the differences between the pilot and  
19 the proposed rules before you today.

20 MR. WANTTAJA: Good morning,  
21 Commissioners. I'm Ryan Wanttaja, the deputy  
22 -- good morning, Commissioners -- is that on?  
23 Thank you.

24 I'm here this morning to talk to you about  
25 our proposed updates to our FHV Accessibility

1 Rules -- turn this on.

2 As some back ground, as you know, back in  
3 December, 2017, TLC passed rules requiring  
4 bases to dispatch 25 percent of their trips to  
5 WAVs.

6 At the same time, we also passed a pilot  
7 program allowing bases to work with approved  
8 dispatchers to meet a response time metric in  
9 lieu of the trip mandate.

10 Predictably, we got a few lawsuits over  
11 those rules. To settle a lawsuit, TLC agreed  
12 to convert the pilot program into an exception  
13 to TLC's rules to the 25-percent current  
14 mandate.

15 The settlement preserves the 25-percent  
16 mandate in TLC's rules and prevents future  
17 challenges to the 25-percent mandate. So, if  
18 these rules pass, that rule will be on the  
19 books until we otherwise change it.

20 Some differences and some similarities  
21 between the pilot and the rules before you  
22 today:

23 The structure of the WAV service  
24 requirements remains the same as the pilot.  
25 Under the proposed rules and the old pilot,

1 existing bases can comply with the trip  
2 mandate, apply to be an accessible-vehicle  
3 dispatcher, or apply to be an associate with an  
4 accessible-vehicle dispatcher and send your  
5 request for WAVs to their accessible-vehicle  
6 dispatcher.

7 Like the pilot, under the rules, new bases  
8 must comply with the trip mandate. This is an  
9 exception for existing bases only.

10 And some differences: the time metrics for  
11 trips sent to WAVs, under the pilot, it ran for  
12 2 years. In the first year, 60 percent of  
13 trips must be serviced in under 15 minutes, 90  
14 percent in under 30 minutes.

15 In the second year, 80 percent under 15  
16 minutes and 90 percent under 30 minutes.

17 Under the proposed rules, the first 2  
18 years are the same, but we get a guaranteed  
19 third year of improved service where 80 percent  
20 of trips to wheelchair-accessible vehicles need  
21 to be serviced in under 10 minutes and 90  
22 percent need to be serviced in under 15  
23 minutes. So the rules grant us this third year  
24 that was not present in the pilot program.

25 There's also some difference in data

1 reporting. Under the pilot, bases that were  
2 participating in the pilot must provide data on  
3 wait times for requests for  
4 wheelchair-accessible vehicles only.

5 Under the proposed rules, bases opting for  
6 the exception must provide data on wait times  
7 for all requests, both for  
8 wheelchair-accessible vehicles and  
9 non-wheelchair-accessible vehicles.

10 There are some administrative differences  
11 too in terms of amending the pilot. Under the  
12 pilot, since it was a pilot, TLC retained a  
13 significant amount of discretion to end or  
14 amend the pilot.

15 The pilot ended after 2 years. So after  
16 the pilot, it would necessitate further rule  
17 making if a version of the pilot were to  
18 continue.

19 Under the proposed rules, since they are  
20 rules, any changes to the requirements must go  
21 through the capital rule-making process, and  
22 any future changes to the time metrics or  
23 structure of the exception also are subject to  
24 the rule-making process.

25 But right now, this improved third year of

1 service would contend in perpetuity unless we  
2 modified that pursuant to rule-making.

3 So, in short, the structure of the FHV  
4 accessibility program remains the same under  
5 the proposed rules, but TLC gets a guaranteed  
6 third year of service. TLC gets wait-time data  
7 for all the trips, and, most importantly, the  
8 trip mandate rules remain in place.

9 Thank you, and any questions?

10 MR. WILSON: Okay. I actually have no  
11 speakers signed up for either of the hearings  
12 we are holding this morning.

13 But I guess I will call for speakers for  
14 the Clean-up Rule Package, which would codify  
15 some processes regarding drug testing and clean  
16 up a few hanging-over references in our rules  
17 or tightening things up.

18 Is there anybody here who wishes to make  
19 themselves heard on those rules? [pause] No?  
20 Let the record reflect that no one came forward  
21 to be heard.

22 And then, next, I will call our segment  
23 speakers listed for the FHV  
24 wheelchair-accessible amendments that Ryan  
25 described, but again, I will call to see if



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CERTIFICATE OF NOTARY

STATE OF NEW YORK     )  
COUNTY OF BRONX     )

I, Curtis Williams, a Stenotype Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify that the within TLC Public Hearing, was held before me, and I faithfully and impartially recorded stenographically the questions, answers, and colloquy.

I further certify that after said examination was recorded stenographically by me, it was reduced to typewriting under my supervision, and I hereby submit that the within contents of said examination are true and accurate to the best of my ability.

I further certify that I am not a relative nor an attorney for any of the parties connected with the aforesaid examination, nor am I otherwise interested in the testimony of the witness.

Curtis Williams  
CURTIS WILLIAMS

& 1:2	<b>amendments</b> 7:24	<b>briefest</b> 8:22	<b>connected</b> 9:21	<b>ended</b> 6:15
<b>25percent</b> 4:13,15,17	<b>amount</b> 6:13	<b>bronx</b> 9:3	<b>contend</b> 7:1	<b>everyone</b> 8:24
[pause] 7:19 8:2	<b>answers</b> 9:11	<b>business</b> 8:16	<b>contents</b> 9:16	<b>exactly</b> 3:18
<b>ability</b> 9:18	<b>anybody</b> 7:18	<b>call</b> 7:13,22,25	<b>continue</b> 6:18	<b>examination</b> 9:13,16,21
<b>about</b> 3:24	<b>anyone</b> 8:1	<b>came</b> 7:20 8:4	<b>convert</b> 4:12	<b>exception</b> 3:13 4:12 5:9 6:6,23 (5)
<b>accessibility</b> 3:10,14,25 7:4 8:9 (5)	<b>apply</b> 5:2,3	<b>can</b> 5:1 8:6	<b>could</b> 8:16	<b>executive</b> 2:8
<b>accessiblevehicle</b> 5:2,4,5	<b>approved</b> 4:7	<b>capital</b> 6:21	<b>county</b> 9:3	<b>existing</b> 3:14 5:1,9
<b>accurate</b> 9:17	<b>assistant</b> 2:8,9	<b>certificate</b> 9:1	<b>current</b> 4:13	<b>faithfully</b> 9:9
<b>actually</b> 7:10	<b>associate</b> 5:3	<b>certify</b> 9:7,12,19	<b>curtis</b> 9:5	<b>familybased</b> 8:10
<b>administrative</b> 6:10	<b>attention</b> 8:12,15	<b>chair</b> 2:3	<b>data</b> 5:25 6:2,6 7:6 (4)	<b>few</b> 4:10 7:16
<b>affairs</b> 2:9	<b>attorney</b> 9:20	<b>challenges</b> 4:17	<b>december</b> 4:3	<b>fha</b> 3:15
<b>affect</b> 8:16	<b>august</b> 1:9	<b>change</b> 4:19	<b>department</b> 3:17	<b>fhv</b> 3:25 7:3,23 8:8 (4)
<b>aforesaid</b> 9:21	<b>back</b> 4:2,2	<b>changes</b> 6:20,22	<b>deputy</b> 3:21	<b>first</b> 5:12,17
<b>after</b> 6:15,15 9:12	<b>base</b> 3:3	<b>chris</b> 2:4	<b>described</b> 7:25	<b>fl</b> 1:7
<b>again</b> 7:25 8:3	<b>bases</b> 4:4,7 5:1,7,9 6:1,5 8:10 (8)	<b>clarifies</b> 3:8	<b>designees</b> 2:1	<b>forward</b> 7:20 8:4
<b>agenda</b> 3:7	<b>beaver</b> 1:7	<b>clean</b> 7:15	<b>difference</b> 5:25	<b>further</b> 6:16 9:12,19
<b>agreed</b> 4:11	<b>because</b> 8:15	<b>cleanup</b> 7:14	<b>differences</b> 3:18 4:20 5:10 6:10 (4)	<b>future</b> 4:16 6:22
<b>allowing</b> 4:7	<b>before</b> 3:19 4:21 9:9	<b>codify</b> 7:14	<b>discretion</b> 6:13	<b>get</b> 5:18
<b>also</b> 4:6 5:25 6:23	<b>begin</b> 3:2	<b>colloquy</b> 9:11	<b>discussing</b> 8:19	<b>gets</b> 7:5,6
<b>am</b> 1:10 3:1 8:25 9:19,22 (5)	<b>best</b> 9:17	<b>comment</b> 8:8	<b>dispatch</b> 4:4	<b>go</b> 6:20
<b>amend</b> 6:14	<b>between</b> 3:18 4:21	<b>commission</b> 1:2,3	<b>dispatcher</b> 5:3,4,6	<b>going</b> 3:2 8:12,15,18 (4)
<b>amending</b> 6:11	<b>big</b> 8:13	<b>commissioner</b> 2:4,5,6,7,8,9 (6)	<b>dispatchers</b> 4:8	<b>good</b> 3:20,22
<b>amendment</b> 3:10,12 8:8	<b>books</b> 4:19	<b>commissioners</b> 3:21,22	<b>drug</b> 7:15	<b>got</b> 4:10
	<b>both</b> 3:7 6:7	<b>comply</b> 5:1,8	<b>either</b> 7:11	<b>grant</b> 5:23
		<b>concludes</b> 8:5,23	<b>end</b> 6:13	

<b>ground</b> 4:2	<b>know</b> 4:2 8:13	<b>month</b> 3:5	<b>over</b> 4:10	7:5 (7)
<b>groups</b> 8:14	<b>last</b> 3:11,13	<b>morning</b> 3:20,22,24 7:12 (4)	<b>package</b> 3:8 7:14	<b>provide</b> 6:2,6
<b>guaranteed</b> 5:18 7:5	<b>lauvienska</b> 2:6 8:7	<b>most</b> 7:7	<b>participating</b> 6:2	<b>providing</b> 3:17
<b>guess</b> 7:13 8:4	<b>lawsuit</b> 4:11	<b>ms</b> 3:1,5 8:7,21 (4)	<b>parties</b> 9:20	<b>pubic</b> 8:23
<b>hangingover</b> 7:16	<b>lawsuits</b> 4:10	<b>must</b> 5:8,13 6:2,6,20 (5)	<b>pass</b> 4:18	<b>public</b> 3:2,7 8:5 9:6,8 (5)
<b>heard</b> 7:19,21	<b>legal</b> 2:9 3:16	<b>my</b> 9:15,17	<b>passed</b> 3:11,13 4:3,6 (4)	<b>pursuant</b> 7:2
<b>hearing</b> 3:7 8:5,22,23,23 9:8 (6)	<b>let</b> 7:20 8:3	<b>necessitate</b> 6:16	<b>paying</b> 8:11,14	<b>questions</b> 7:9 9:11
<b>hearings</b> 7:11	<b>lieu</b> 4:9	<b>need</b> 5:20,22	<b>percent</b> 4:4 5:12, 14,15,16,19,22 (7)	<b>ran</b> 5:11
<b>held</b> 9:9	<b>like</b> 5:7	<b>new</b> 1:7,7 5:7 9:2,7 (5)	<b>perpetuity</b> 7:1	<b>really</b> 8:11,14
<b>hereby</b> 9:7,15	<b>limousine</b> 1:2	<b>next</b> 7:22	<b>pilot</b> 3:12,18 4:6,12,21,24,25 5:7,11,24 6:1,2,11, 12,12,14,15,16,17 (19)	<b>recommendation</b> s 3:3
<b>holding</b> 7:12	<b>listed</b> 7:23	<b>no</b> 7:10,19,20 8:4 (4)	<b>place</b> 7:8	<b>record</b> 7:20 8:3
<b>i'm</b> 3:21,24	<b>livery</b> 8:10	<b>nonwheelchairac</b> <b>cessible</b> 6:9	<b>polanco</b> 2:6	<b>recorded</b> 9:10,13
<b>impartially</b> 9:10	<b>long</b> 8:19	<b>nor</b> 9:20,22	<b>predictably</b> 4:10	<b>reduced</b> 9:14
<b>importantly</b> 7:7	<b>lot</b> 8:13	<b>notary</b> 9:1,6	<b>present</b> 5:24	<b>references</b> 7:16
<b>improved</b> 5:19 6:25	<b>make</b> 7:18 8:7,20	<b>note</b> 8:9	<b>presentation</b> 3:17	<b>reflect</b> 7:20 8:3
<b>industry</b> 3:15	<b>making</b> 6:17	<b>noted</b> 8:25	<b>preserves</b> 4:15	<b>regarding</b> 7:15 8:8
<b>interested</b> 9:22	<b>mandate</b> 4:9,14,16,17 5:2,8 7:8 (7)	<b>now</b> 3:1 6:25	<b>prevents</b> 4:16	<b>relative</b> 9:19
<b>into</b> 3:13 4:12	<b>meera</b> 2:3	<b>nyc</b> 1:2 2:1	<b>probably</b> 8:21	<b>rely</b> 8:13
<b>items</b> 3:6	<b>meet</b> 4:8	<b>old</b> 4:25	<b>process</b> 6:21,24	<b>remain</b> 7:8
<b>jacques</b> 2:7	<b>meeting</b> 1:3 3:2	<b>one</b> 3:8 7:20 8:4	<b>processes</b> 3:9 7:15	<b>remains</b> 4:24 7:4
<b>jiha</b> 2:7	<b>mention</b> 8:17,20	<b>only</b> 5:9 6:4	<b>program</b> 4:7,12 5:24 7:4 (4)	<b>remember</b> 8:6
<b>joshi</b> 2:3 3:1,5 8:21 (4)	<b>metric</b> 4:8	<b>opting</b> 6:5	<b>proposed</b> 3:19,25 4:25 5:17 6:5,19	<b>reporter</b> 9:6
<b>just</b> 8:5,7,9,17,20 (5)	<b>metrics</b> 5:10 6:22	<b>otherwise</b> 4:19 9:22		<b>reporting</b> 6:1
	<b>minutes</b> 5:13,14, 16,16,21,23 (6)			<b>request</b> 5:5
	<b>modified</b> 7:2			<b>requests</b> 6:3,7

<b>requirement</b> 3:14	<b>settle</b> 4:11	<b>talk</b> 3:24	<b>today</b> 3:19 4:22	<b>wav</b> 4:23
<b>requirements</b> 4:24 6:20	<b>settlement</b> 4:15	<b>tanya</b> 2:8	<b>trip</b> 4:9 5:1,8 7:8 (4)	<b>wavs</b> 4:5 5:5,11
<b>requiring</b> 4:3	<b>short</b> 7:3	<b>taxi</b> 1:2	<b>trips</b> 4:4 5:11,13,20 7:7 (5)	<b>we've</b> 8:18
<b>response</b> 4:8	<b>shortest</b> 8:6,22	<b>terms</b> 6:11	<b>true</b> 9:17	<b>what's</b> 8:12,15
<b>retained</b> 6:12	<b>shorthand</b> 9:5	<b>testimony</b> 9:23	<b>turn</b> 4:1	<b>wheelchairaccessi ble</b> 5:20 6:4,8 7:24 (4)
<b>right</b> 6:25	<b>signed</b> 7:11	<b>thank</b> 3:23 7:9 8:24	<b>turns</b> 3:12	<b>where</b> 5:19
<b>rule</b> 4:18 6:16 7:14	<b>significant</b> 6:13	<b>their</b> 4:4 5:5 8:16	<b>two</b> 3:6	<b>which</b> 7:14
<b>rulemaking</b> 6:21,24 7:2	<b>similarities</b> 4:20	<b>them</b> 8:2,13	<b>typewriting</b> 9:14	<b>who</b> 7:18 8:1
<b>rules</b> 3:8,10,14,19 4:1,3, 11,13,16,18,21,25 5:7,17,23 6:5,19,20 7:5,8,16,19 (22)	<b>since</b> 6:12,19	<b>themselves</b> 7:19	<b>um</b> 8:10,10,11,16,17 (5)	<b>will</b> 3:17 4:18 7:13,22,25 8:16 (6)
<b>ryan</b> 2:9 3:16,21 7:24 (4)	<b>some</b> 3:9 4:2,20,20 5:10,25 6:10 7:15 (8)	<b>there's</b> 5:25	<b>under</b> 4:25 5:7,1 1,13,14,15,16,17,2 1,22 6:1,5,11,19 7:4 9:14 (16)	<b>williams</b> 9:5
<b>said</b> 9:12,16	<b>sorrentino</b> 2:5	<b>these</b> 4:18	<b>unless</b> 7:1	<b>wilson</b> 2:4 3:4 7:10
<b>same</b> 4:6,24 5:18 7:4 (4)	<b>speak</b> 8:1	<b>they're</b> 3:7	<b>until</b> 4:19	<b>wishes</b> 7:18 8:1
<b>scott</b> 2:8	<b>speakers</b> 7:11,13,23	<b>things</b> 7:17	<b>up</b> 7:11,16,17	<b>within</b> 9:6,8,16
<b>second</b> 3:9 5:15	<b>start</b> 8:11,14	<b>think</b> 8:6	<b>updates</b> 3:25	<b>witness</b> 9:23
<b>see</b> 7:25	<b>state</b> 9:2,7	<b>third</b> 5:19,23 6:25 7:6 (4)	<b>us</b> 5:23	<b>work</b> 4:7
<b>segment</b> 7:22	<b>stenographically</b> 9:10,13	<b>thomas</b> 2:5	<b>vehicles</b> 5:20 6:4,8,9 (4)	<b>would</b> 6:16 7:1,14
<b>send</b> 5:4	<b>stereotype</b> 9:5	<b>those</b> 4:11 7:19 8:9	<b>version</b> 6:17	<b>x</b> 1:1,4
<b>sent</b> 5:11	<b>street</b> 1:7	<b>through</b> 6:21	<b>wait</b> 6:3,6	<b>year</b> 3:11,13 5:12,15,19,23 6:25 7:6 (8)
<b>service</b> 4:23 5:19 7:1,6 (4)	<b>structure</b> 4:23 6:23 7:3	<b>tightening</b> 7:17	<b>waittime</b> 7:6	<b>years</b> 5:12,18 6:15
<b>serviced</b> 5:13,21,22	<b>subject</b> 6:23	<b>time</b> 3:1 4:6,8 5:10 6:22 8:19,25 (7)	<b>want</b> 8:7	<b>york</b> 1:7,7 9:2,7 (4)
	<b>submit</b> 9:15	<b>times</b> 6:3,6	<b>wanted</b> 8:17,20	<b>1010</b> 3:1
	<b>supervision</b> 9:15	<b>tlc</b> 2:1 3:9 4:3,11 6:12 7:5,6 9:8 (8)	<b>wanttaja</b> 2:9 3:16,20,21 (4)	<b>1015</b> 8:24,25
	<b>surprise</b> 8:18	<b>tlc's</b> 4:13,16		

**2017** 4:3

**2018** 1:9

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