

In Re Taxi and Limousine Commission Public Hearing NYC - Taxi &  
Limousine  
August 23, 2023

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NEW YORK CITY  
TAXI & LIMOUSINE COMMISSION  
PUBLIC HEARING  
-----X

August 23, 2023  
10:02 a.m.  
Held Remotely  
via Zoom

B E F O R E:  
SHERRYL ELUTO, General Counsel  
Board of Commissioners:  
CHAIR DAVID DO  
THOMAS SORRENTINO  
SARAH KAUFMAN  
KENNETH CHAN  
PAUL BADER

Julia M. Speros  
Court Reporter

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S P E A K E R S:  
Jose Altamirano  
President, Livery Base Owners  
Alli Langley  
Staff Attorney, NYTWA  
Robert Siegel  
Fortune Limo

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PROCEEDINGS

MS. SCOTT: Good morning. Today's Public Hearing is about to begin.

This hearing is being conducted remotely via Zoom and is being simulcasted to the TLC's website, live stream and Facebook accounts.

All persons wishing to testify were asked to sign-up in advance of the hearing. All registered speakers are joining the meeting via Zoom. If you are speaking today, your audio and video were automatically muted.

When your name is called, the moderator will activate your account and you will have control of your camera and microphone. When ready, please state your name and affiliation, and then proceed with your testimony.

Public testimony will be limited to three minutes per speaker. Any additional comments may be submitted in writing to the Commission. When your testimony is complete, your audio and video will be muted by the moderator.

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1 A special note for our registered  
2 speakers:

3 Please ensure that your display name  
4 in the Zoom meeting matches the name  
5 that you used when you signed-up to  
6 speak. This will enable the moderator  
7 to confirm that you are present in the  
8 meeting.

9 Closed captioning is available for  
10 today's meeting.

11 Thank you for your attention. I  
12 will now yield the floor to our  
13 Commissioner and Chair, David Do.

14 CHAIR DO: Well, good morning  
15 everyone and welcome to the Public  
16 Hearing on TLC's new storage program.

17 I'm Commissioner David Do and I'm  
18 joined today by Commissioners Chan,  
19 Bader, Kaufman, and Sorrentino.

20 Before we begin, I have some  
21 updates.

22 Last week, City Hall and the TLC  
23 announced the Green Rides Initiative.  
24 Our proposed rules detailing the  
25 initiative to require 100 percent of

1 trips conducted by the City's high  
2 volume for-hire fleet to be either zero  
3 emission or wheelchair accessible by  
4 2030, both Uber and Lyft have already  
5 committed to meeting this goal and we're  
6 very excited to help shepherd in a new  
7 era in which TLC's fleets are both  
8 sustainable and accessible.

9 We do not expect this to happen  
10 overnight, but with the EVs becoming  
11 more affordable and the tragic results  
12 of climate change apparent every day,  
13 the time to move forward with zero  
14 emission vehicles is now.

15 The Public Hearing on Green Rides  
16 will take place on September 20th and we  
17 are eager to hear your comments.

18 Today, we will be talking about  
19 creating a new short-term storage  
20 program for FHV's, and before we get to  
21 that, I'd like to remind everyone that  
22 the Long-Term FHV Storage Program we  
23 created during COVID is ending on August  
24 31st.

25 We are balancing the need for

1 vehicles on the street and the need for  
2 drivers to have a storage option. If  
3 the rule for the new storage program  
4 passes, it will go into effect as early  
5 as November.

6 Some important reminders for our  
7 licensees:

8 If anyone has plates in storage and  
9 wants to utilize them, please get them  
10 out as soon as possible. While we will  
11 be taking today -- while we will be  
12 talking today about the Short-Term  
13 Storage Program, these programs will not  
14 overlap. After 11:59 p.m. on August  
15 31st, any vehicle license left in  
16 storage will be closed-out and the  
17 licensee will lose the plate.

18 For instructions on how to remove  
19 your licenses from storage, you may  
20 visit TLC's vehicle page on our website.

21 Now onto our hearing:

22 Today, we are -- we will be holding  
23 a Public Hearing on proposed amendments  
24 to our rules. The rule package would,  
25 one, create a new short-term program for

1 FHV's; two, clarify that licenses  
2 remaining in the COVID-19 storage  
3 program will not transfer over to this  
4 short-term FHV storage program; and,  
5 three, if the license has not expired,  
6 the license holder will be subject to  
7 fines and suspensions for failure to  
8 follow directives to exit the storage  
9 program, as well as revocation for  
10 non-use.

11 The notice to comment on the  
12 proposed rule was published in The City  
13 Record on July 20, 2023 and the comment  
14 period ended yesterday. We are not  
15 voting on these rules today.

16 Alison Hartwell, our Assistant  
17 Commissioner for Licensing and  
18 Standards, will now give a brief  
19 description of our new proposed rules.  
20 I will hand it over to Alison.

21 Alison.

22 MS. HARTWELL: Thank you,  
23 Commissioner Do. Good morning,  
24 everyone.

25 Just a few brief slides on today's

1 presentation -- my presentation for  
2 today's for-hire vehicle license storage  
3 program.

4 The COVID-19 Long-Term License  
5 Storage Program was created to give  
6 relief to vehicle license holders during  
7 the COVID-19 pandemic. As conditions  
8 have eased and trip volumes continue to  
9 rebound, the TLC is ending this program.

10 The vehicle storage program will end  
11 on August 31, 2023. All storage  
12 requests must be submitted on or before  
13 11:59 p.m. on August 31, 2023. No  
14 extensions will be given.

15 As Commissioner Do stated,  
16 instructions for how to remove vehicles  
17 from storage are located on the Vehicle  
18 Licensing page of our website. Failure  
19 to remove these licenses from storage  
20 will result in the loss of this license.

21 Moving forward to the next slide  
22 introducing the new For-Hire Vehicle  
23 License Storage Program, the TLC --

24 CHAIR DO: Give us one -- one  
25 second, Alison.

1 Can we get to the next slide,  
2 please?

3 (Complying.)

4 CHAIR DO: Okay. Go ahead.

5 So, this slide just explains that  
6 the current vehicle storage program will  
7 end August 31st, like Alison just said.  
8 No extensions will be given.

9 And then next slide, please.

10 (Complying.)

11 CHAIR DO: All right. Go ahead,  
12 Alison.

13 MS. HARTWELL: Thank you.

14 The TLC is proposing a new  
15 Short-Term For-Hire Vehicle License  
16 Storage Program, which allows for-hire  
17 vehicle licenses to go into storage  
18 under the following conditions:

19 A for-hire vehicle license can go  
20 into storage once in every two-year  
21 license cycle. They can be in storage  
22 for up to 60 days.

23 The TLC will not enforce inspection  
24 and insurance requirements while the  
25 licenses are in storage. Licenses must

1 be valid and not have any open  
2 suspensions, outstanding fines or fees  
3 to enter the License Storage Program.

4 And, finally, license plates must be  
5 surrendered to DMV prior to entering the  
6 storage program.

7 Next slide, please.

8 (Complying.)

9 MS. HARTWELL: Thank you.

10 This is a benefit to licensees who  
11 may be traveling outside of the country  
12 or who may be experiencing issues with  
13 their vehicle. Licenses that are  
14 currently in the COVID-19 storage  
15 program will not be transferred to the  
16 new storage program.

17 More information on how to place and  
18 remove for-hire vehicle licenses from  
19 storage will be posted on our web page  
20 closer to the date of the start of this  
21 program.

22 Should these rules pass, TLC expects  
23 to begin this program as early as  
24 November of 2023. Thank you.

25 Commissioner Do?

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1 CHAIR DO: Great. Excellent.

2 So, at this time, we'll move into  
3 the Public Hearing and I will turn it  
4 over to Sherryl to go through the list  
5 of speakers today.

6 Thank you.

7 MS. ELUTO: Good morning.

8 When I call your name, you can  
9 un-mute your microphone and begin your  
10 testimony.

11 Each speaker will be allotted three  
12 minutes to speak. The time limit will  
13 be strictly enforced. A 30-second  
14 warning will be provided and then you  
15 will need to conclude your testimony  
16 when your time limit is up.

17 The video of this hearing and copies  
18 of all written comments will be provided  
19 to the Commissioners prior to the vote  
20 on these rules at the next Commission  
21 Meeting.

22 With that, we'll begin our Public  
23 Hearing and I will call our first  
24 speaker.

25 Our first speaker is Jose

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1 Altamirano. He is the Vice President of  
2 the Myram (phonetic) Group Livery Base.

3 He'll be followed by Alli Langley  
4 and Robert Siegel.

5 Okay. Mr. Altamirano, you can  
6 begin.

7 MR. ALTAMIRANO: Good morning,  
8 Commissioner Do, Members of the  
9 Commission.

10 Do you hear me?

11 MS. ELUTO: Yes.

12 MR. ALTAMIRANO: Perfect. My name  
13 is Jose Altamirano. I am the President  
14 of the Livery Base Owners. We represent  
15 over 250 livery bases, along with their  
16 drivers, through New York City, which  
17 serve approximately 250,000 New Yorkers  
18 every day.

19 Our bases are small mom-and-pop  
20 businesses, which are owned and operated  
21 by immigrants, and see a largely  
22 immigrant and first generation American  
23 population of the City. Known as a  
24 community car service, our livery bases  
25 and drivers have stepped in to fill in

1 the gaps in public transportation  
2 deserts across the outer boroughs.

3 Our drivers are micro-businesses  
4 that enjoy the flexibility of working  
5 with our bases as well as pride in  
6 serving their communities. Together, we  
7 provide the communities we serve with  
8 safe, reliable transportation and these  
9 communities in turn put their trust in  
10 us and their loved ones and themselves.

11 We applaud the TLC in implementing  
12 the FHV license storage rule package.  
13 This is a vital and necessary tool for  
14 our drivers. Particularly now that the  
15 unjust 2018 vehicle cap still continues  
16 to loom and limit our industry, every  
17 vehicle license has to be protected.

18 For a driver that has to change  
19 their vehicle and has to wait for a  
20 title to arrive from four to six weeks,  
21 this is a lifesaver. This ensures that  
22 a driver does not lose his vehicle  
23 license while in the process of making a  
24 vehicle transfer. We need to ensure  
25 that our drivers are protected and have

1 the necessary tools to keep them in  
2 business.

3 We thank you for your consideration.  
4 We're happy to work together as New  
5 Yorkers to ensure that the City can  
6 continue to provide opportunity for  
7 hardworking immigrants and their  
8 families.

9 Thank you very much.

10 MS. ELUTO: Thank you.

11 Our next speaker is Alli Langley,  
12 Staff Attorney for NYTWA.

13 MS. LANGLEY: Good morning. My name  
14 is Alli Langley. I'm a staff attorney  
15 for the New York Taxi Workers Alliance.

16 Before I begin my substantive  
17 comments, I would first like to thank  
18 the TLC for the work that you have put  
19 in to make the Long-Term COVID-19  
20 Storage Program permanent in the  
21 short-term version.

22 In an industry that relies on  
23 workers providing significant upfront  
24 financial investments just to go to work  
25 every day, this is a much needed

1 solution for periods when workers are  
2 unable to make those payments, whether  
3 it's due to illness or trips abroad.

4 To ensure that the program is as  
5 effective as possible, NYTWA proposes  
6 the following modifications:

7 First, the maximum time period for  
8 storage must be extended to 120 days per  
9 year, or 240 days per the two-year  
10 license period, and that should be  
11 cumulative. So, drivers should be able  
12 to put the license into storage multiple  
13 times if necessary, if, for example,  
14 they plan a trip abroad and then  
15 unexpectedly fall ill.

16 As the TLC notes, many drivers  
17 travel abroad to visit family and this  
18 program will help facilitate that.  
19 Because the cost of international travel  
20 is so high, many drivers go for a couple  
21 of months at a time.

22 So, extending the time period of the  
23 storage program will give drivers more  
24 flexibility and will allow for them to  
25 stay abroad for a little bit longer once

1           they are able to save for the cost of an  
2           international plane ticket.

3           Second, the storage program must  
4           allow extensions for drivers who can  
5           demonstrate that they cannot drive due  
6           to illness, either their own or a family  
7           member they're taking care of, or other  
8           circumstances beyond their control.

9           For example, we've recently seen  
10          that due to supply chain issues, drivers  
11          are unable to get parts they need for  
12          maintenance or repairs in order to pass  
13          inspection. This standard for  
14          extensions would align the storage  
15          program with the statutorily mandated  
16          exceptions for the non-use license  
17          revocations and would also give drivers  
18          who are caretakers for family members  
19          with illness an additional cushion.

20          Finally, just as it addresses  
21          waiving TLC requirements for insurance  
22          and inspection during the storage  
23          period, the TLC should ensure that the  
24          rule clearly addresses the tolling of  
25          the 60 day non-use timeline.

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1           While the non-use rule is addressed  
2           at the end of the proposed language when  
3           discussing violations if the license is  
4           not removed from storage, it's not  
5           proactively waived in 59 --

6           UNKNOWN SPEAKER: 30 seconds  
7           remaining.

8           MS. LANGLEY: -- 59A-36(1), sub (a),  
9           so we would just like to see that  
10          addressed there.

11          We propose specific rule language in  
12          our written comments and are, as always,  
13          happy to answer any questions.

14          Thank you all so much for your time  
15          today and your work to make this program  
16          permanent.

17          MS. ELUTO: Thank you.

18          Our next speaker is Robert Siegel of  
19          Fortune Limo.

20          MR. SIEGEL: Good afternoon,  
21          Commissioner Do and Members of the  
22          Commission.

23          First, I do want to thank you for --  
24          sincerely for creating the storage --  
25          long-term storage program that you

1 created when it was needed most. For  
2 that, the TLC is to be applauded.

3 However, stopping this program now  
4 at this point by picking an arbitrary  
5 date, which you -- which -- of August  
6 31st, which was picked, as I've been  
7 informed, quite some time ago, without  
8 realization (sic) to the current  
9 conditions that may exist at the time is  
10 nothing short of destructive to the  
11 industry.

12 The particular program was enacted  
13 to allow at least members and base  
14 owners to survive -- survive in a very  
15 real way. If this program did not  
16 exist, more companies would have gone  
17 out of business than already have.

18 In this particular case, when you  
19 pick a date, August 31st, as you had in  
20 the past, you should have been -- at  
21 least had the flexibility to evaluate  
22 the conditions that would exist at the  
23 time.

24 Currently on the news, it's no  
25 surprise that there are new waves of

1 COVID coming amongst the City.

2 Businesses are closing down  
3 temporarily. There's talk about  
4 mandates being reimposed and, frankly,  
5 the economy in the riding public has not  
6 recovered to the extent that it needs  
7 to, to be able for bases -- particularly  
8 that's who I'm talking to -- to take  
9 their vehicles out and have enough  
10 business to support those bases --  
11 support those vehicles.

12 If you force us to take those  
13 vehicles out, you're then imposing upon  
14 your bases, unnecessary and harsh -- I  
15 dare say draconian -- rules to make them  
16 operate in an economically inviable  
17 (sic) way. To have somebody operate a  
18 base that's not economically viable  
19 doesn't serve the public. It doesn't  
20 serve the TLC. It serves no one.

21 There's no reason that I can see,  
22 and no stated reason that has been  
23 explained, why this program must end on  
24 August 31st. Ending it doesn't do  
25 anything to favor the riding public nor

1 the bases.

2 This is, frankly, with all due  
3 respect, a hostile rule to your  
4 licensees and it's going to occur to the  
5 detriment of many of us. And to have  
6 the base licenses forfeited in light of  
7 the fact that there's this cap on new  
8 bases is -- makes it only more  
9 draconian.

10 If I were to say to you, as  
11 attorneys, that -- or whatever members  
12 might be in --

13 UNKNOWN SPEAKER: 30 seconds  
14 remaining.

15 MR. SIEGEL: -- that you can no  
16 longer have any new clients, and by the  
17 way, whatever you have may be thwarted  
18 further, you would look at me like I  
19 was, you know, from some other planet.

20 This particular rule should be  
21 extended. I can see no reason that it  
22 shouldn't be. Because you can do  
23 something doesn't mean that you should,  
24 but you should in fact extend it for the  
25 benefit of the loyal licensees and the

1 base owners that exist.

2 Thank you.

3 MS. ELUTO: Thank you.

4 There are no other speakers in the  
5 queue, so that concludes our Public  
6 Hearing.

7 Commissioner, I turn it back to you  
8 to close out the hearing.

9 CHAIR DO: Okay. Well, thank you  
10 all for providing public testimony today  
11 on our rule for the Short-Term Storage  
12 Program. We will consider the comments  
13 today that we've heard and move forward.

14 At this time, it is 10:19 and I will  
15 adjourn this meeting.

16 (Time noted: 10:19 a.m.)

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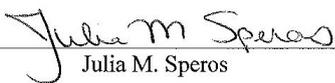
CERTIFICATION

I, JULIA M. SPEROS, a Notary Public  
for and within the State of New York, do  
hereby certify:

That the witness whose testimony as  
herein set forth, was duly sworn by me;  
and that the within transcript is a true  
record of the testimony given by said  
witness.

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

IN WITNESS WHEREOF, I have hereunto  
set my hand this 23rd day of August,  
2023.

  
\_\_\_\_\_  
Julia M. Speros

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<p><b>&amp; 4</b></p> <p><b>20th</b> 5:16</p> <p><b>23rd</b> 22:18</p> <p><b>30second</b> 11:13</p> <p><b>31st</b> 5:24 6:15 9:7 18:6,19 19:24 (6)</p> <p><b>59a361</b> 17:8</p> <p><b>able</b> 15:11 16:1 19:7</p> <p><b>about</b> 3:3 5:18 6:12 19:3 (4)</p> <p><b>abroad</b> 15:3,14,17,25 (4)</p> <p><b>accessible</b> 5:3,8</p> <p><b>account</b> 3:15</p> <p><b>accounts</b> 3:7</p> <p><b>across</b> 13:2</p> <p><b>action</b> 22:14</p> <p><b>activate</b> 3:15</p> <p><b>additional</b> 3:22 16:19</p> <p><b>addressed</b> 17:1,10</p> <p><b>addresses</b> 16:20,24</p> <p><b>adjourn</b> 21:15</p> <p><b>advance</b> 3:9</p> <p><b>affiliation</b> 3:18</p> <p><b>affordable</b> 5:11</p> <p><b>after</b> 6:14</p> <p><b>afternoon</b> 17:20</p> <p><b>ago</b> 18:7</p> <p><b>ahead</b> 9:4,11</p>	<p><b>align</b> 16:14</p> <p><b>alison</b> 7:16,20,21 8:25 9:7,12 (6)</p> <p><b>alli</b> 2:4 12:3 14:11,14 (4)</p> <p><b>alliance</b> 14:15</p> <p><b>allotted</b> 11:11</p> <p><b>allow</b> 15:24 16:4 18:13</p> <p><b>allows</b> 9:16</p> <p><b>along</b> 12:15</p> <p><b>already</b> 5:4 18:17</p> <p><b>also</b> 16:17</p> <p><b>altamirano</b> 2:3 12:1,5,7,12,13 (6)</p> <p><b>always</b> 17:12</p> <p><b>am</b> 10 12:13 21:16 22:12,15 (5)</p> <p><b>amendments</b> 6:23</p> <p><b>american</b> 12:22</p> <p><b>amongst</b> 19:1</p> <p><b>announced</b> 4:23</p> <p><b>answer</b> 17:13</p> <p><b>anyone</b> 6:8</p> <p><b>anything</b> 19:25</p> <p><b>apparent</b> 5:12</p> <p><b>applaud</b> 13:11</p> <p><b>applauded</b> 18:2</p> <p><b>approximately</b> 12:17</p> <p><b>arbitrary</b> 18:4</p>	<p><b>are</b> 3:10,12 4:7 5:7,17,25 6:22 7:14 8:17 9:25 10:13 12:19,20 13:3,25 15:1 16:1,11,18 17:12 18:25 19:2 21:4 (23)</p> <p><b>arrive</b> 13:20</p> <p><b>asked</b> 3:9</p> <p><b>assistant</b> 7:16</p> <p><b>attention</b> 4:11</p> <p><b>attorney</b> 2:5 14:12,14</p> <p><b>attorneys</b> 20:11</p> <p><b>audio</b> 3:12,24</p> <p><b>august</b> 8 5:23 6:14 8:11,13 9:7 18:5,19 19:24 22:18 (10)</p> <p><b>automatically</b> 3:13</p> <p><b>available</b> 4:9</p> <p><b>b</b> 12</p> <p><b>back</b> 21:7</p> <p><b>bader</b> 19 4:19</p> <p><b>balancing</b> 5:25</p> <p><b>base</b> 2:3 12:2,14 18:13 19:18 20:6 21:1 (7)</p> <p><b>bases</b> 12:15,19,24 13:5 19:7,10,14 20:1,8 (9)</p> <p><b>because</b> 15:19 20:22</p> <p><b>becoming</b> 5:10</p> <p><b>before</b> 4:20 5:20 8:12 14:16 (4)</p> <p><b>begin</b> 3:3 4:20 10:23 11:9,22 12:6 14:16 (7)</p> <p><b>being</b> 3:4,5 19:4</p> <p><b>benefit</b> 10:10 20:25</p>
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<b>beyond</b> 16:8	<b>circumstances</b> 16:8	<b>conclude</b> 11:15
<b>bit</b> 15:25	<b>city</b> 3 4:22 7:12 12:16,23 14:5 19:1 (7)	<b>concludes</b> 21:5
<b>blood</b> 22:14	<b>city's</b> 5:1	<b>conditions</b> 8:7 9:18 18:9,22 (4)
<b>board</b> 14	<b>clarify</b> 7:1	<b>conducted</b> 3:4 5:1
<b>boroughs</b> 13:2	<b>clearly</b> 16:24	<b>confirm</b> 4:7
<b>both</b> 5:4,7	<b>clients</b> 20:16	<b>consider</b> 21:12
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