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2   --X

3   NEW YORK CITY

4   TAXI & LIMOUSINE COMMISSION

5   PUBLIC HEARING

6   --X

7

8   November 29, 2023

9   10:00 a.m.

10

11

12   HELD AT

13   33 BEAVER STREET

14   NEW YORK, NEW YORK

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17   B E F O R E:

18   DAVID DO

19   COMMISSIONER AND CHAIR

20

21

22   Reporter: Susan Fabbricante

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

3

4   TLC COMMISSIONERS:

5   COMMISSIONER DAVID DO

6   COMMISSIONER SARAH KAUFMAN

7   COMMISSIONER ELISA VELAZQUEZ

8   COMMISSIONER KENNETH CHAN

9   COMMISSIONER KENNETH C. MITCHELL

10   COMMISSIONER PAUL BADER

11   GENERAL COUNSEL   SHERRYL ELUTO

12

13   FABIAN CANCEL, DIRECTOR OF BASE/BUSINESS SERVICES

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2   CHAIR DO: Good morning everyone.

3   Welcome to this public hearing on TLC's

4   proposed rule package demonstrating the

5   agency's continued commitment to

6   accessibility for all New Yorkers.

7   My name is David Do, and I'm

8   joined today by Commissioners Kaufman,

9   Velazquez, Chan, Mitchell and Bader,

10   and also our general counsel is Sherryl

11   Eluto.

12   Before I begin, I would like to

13   give our entire industry some updates.

14   First off, I hope everyone had a

15   lovely Thanksgiving.

16   We've entered that time of year

17   when it gets darker earlier. There are

18   a lot of festivities. So I would like

19   to remind everyone to take extra

20   precaution on our roadways.

21   We know that our crashes are

22   preventable. We know that they

23   increase this time of year. So please

24   stay safe.

25   It's been a while since our last

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2   commission meeting, and I also would

3   like to say a few words about the

4   events of the past month.

5   At our last meeting, on October

6   18th, the Board of Commission passed a

7   historic rule, the Green Rights

8   Initiative. The rule requires that 100

9   percent of the City's Rideshare trips

10   be either zero emission or wheelchair

11   accessible by 2030.

12   Green Rights is meant to give us

13   cleaner, more sustainable, and more

14   accessible fleet, reduce field and

15   maintenance cost for drivers, and spur

16   the development of the City's charging

17   infrastructure.

18   Late that same afternoon, the

19   mayor and TLC announced that we were

20   lifting the pause on EV licenses for

21   the foreseeable future. We had an EV

22   exemption to the license pause as

23   recently as 2021.

24   Since then, we have seen thousands

25   of drivers stop leasing vehicles often

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2   at predatory rates.

3   We heard from a lot of folks at

4   our public comments hearing asking for

5   us to release EV plates as part of the

6   Green Rights Initiative. That's what

7   we did.

8   We also released a report

9   explaining why this was not going to

10   undermine the gains of the license

11   pause that we achieved, at the same

12   time encouraged drivers to take their

13   time before buying an EV.

14   That is one of the reasons we

15   didn't place a time limit on how long

16   EV licenses would be available. We are

17   happy to see the drivers were taking

18   their time.

19   We were receiving about 100

20   applications a day up until November

21   8th. That's when a temporary

22   restraining order prevented the TLC

23   from accepting applications after

24   9 a.m., on November 13th.

25   This created a scarcity condition,

1

2   and we went from receiving 100

3   applications a day to 2,000

4   applications a day as drivers felt

5   forced to drive EV or missed the

6   opportunity to own the plate.

7   As a result, we have now had a

8   lot of drivers waiting for the

9   applications to be processed.

10   I want to assure them that we

11   are doing everything we can to get

12   through the applications as soon as

13   possible. We also will be doing

14   everything we can to help fast track

15   more charging infrastructure in

16   areas frequented by drivers, working

17   with our DOT partners, our state

18   partners and private industry in

19   using federal grants. We got off to

20   a bumpy start due to legal action.

21   At the other end of this is a

22   road that is greener, more inclusive

23   and accessible for all.

24   My last announcement is a

25   bittersweet one. This is First

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2   Deputy Commissioner Ryan Wanttaja's

3   last week with the TLC. Ryan is my

4   right hand. He has served the

5   agency and the City for 12 years.

6   His guidance, leadership and

7   commitment will be sorely missed.

8   He's played a pivotal role in many

9   of the TLC's accomplishments,

10   including ensuring wheelchair

11   accessible service, driver pay

12   standards, and medallion relief

13   program. Those are all bellwether

14   achievements, huge achievements.

15   It's also a lot of fun to work with

16   him, and his knowledge and aptitude.

17   We are going to sorely miss his

18   humor, warmth and camaraderie. The

19   beneficiary of this will be the

20   Department of Transportation where

21   Ryan will be serving as their

22   general counsel.

23   Ryan, I speak for all us here

24   at the TLC. I want to wish you the

25   absolute best. Congratulations and

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2   thank you so much for all you've

3   done for the TLC family.

4   Now on to our hearing.

5   Today we are holding a public

6   hearing on proposed amendments to

7   our taxi cab improvement fund rules,

8   and the rules related to wheelchair

9   accessible vehicles.

10   The rule package would

11   reapportion the TIF allocations to

12   provide a 43 percent increase in the

13   initial hack up for wheelchair

14   accessible vehicles, provide the

15   option to disburse the TIF funds

16   directly to vehicle dealerships or

17   accessible vehicle convertors on

18   behalf of the eligible medallion

19   owners prior to hacking out the

20   vehicle.

21   To keep more wheelchair

22   accessible vehicles on the road, we

23   would no longer have vehicle

24   retirement dates for both new waves

25   placed into service and currently

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2   licensed accessible taxi cab,

3   require wheelchair accessible taxis

4   remain in-service for five years

5   instead of four years, permit the

6   conversion of using vehicles to

7   wheelchair accessible vehicle in

8   accordance with the TLC's proposed

9   criteria, and clarify TLC's

10   rehacking rules to ensure that

11   medallions are eligible for

12   rehacking new vehicles adhering to

13   TLC's existing accessible

14   requirements.

15   The notice for comments on

16   these proposed rules were submitted

17   to the city record and published on

18   October 26, 2023. The comment

19   period ended yesterday. We're not

20   voting on the rules today, and we

21   are leveraging all the comments that

22   we hear today and written comments

23   to make any changes that are

24   appropriate.

25   I will now hand it over to our

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2   general counsel, Sherryl Eluto, to

3   begin our public hearing.

4   Sherryl.

5   MS. ELUTO: Good morning. When

6   I call your name, you can unmute

7   your microphone and begin your

8   testimony. Each speak will be

9   allotted three minutes to speak.

10   The time limit will be strictly

11   enforced. A 30 second warning will

12   be provided, and then you need to

13   conclude your testimony when your

14   time is up.

15   The video of this hearing and

16   copies of all written comments will

17   be provided to the commissioners

18   prior to the vote on these rules at

19   the next commission meeting.

20   With that, we'll begin our

21   public hearing, and I'll call on our

22   first speaker.

23   Our first speaker is Vinod

24   Malhotra. He will be followed by

25   Wain Chin, and Lee Komitor.

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2   Mr. Malhotra, you can unmute

3   your microphone and begin. You're

4   still muted. Mr. Malhotra? Okay.

5   We're going to come back to you.

6   Let's go to Wain Chin.

7   Mr. Chin, you can unmute your

8   microphone and begin please.

9   MR. CHIN: Hi. Good morning.

10   My name is Wain Chin. I'm also TLC

11   member.

12   Yeah, I would like to, you

13   know, have an increase in grant,

14   because my next car is going to be

15   wheelchair accessible vehicle.

16   We all having problem with

17   getting the down payment, because

18   they cost more than six years ago.

19   Six year ago the cost is like

20   50,000. Now it's like 70,000 for

21   the wheelchair accessible.

22   You know, I would like the

23   grant much higher, you know, and

24   also keep the same -- making the

25   grants for 3,000 a year, because

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2   wheelchair accessible cost more

3   money to maintain, and also the

4   insurance for full coverage cost

5   more money for the wheelchair

6   accessible vehicle.

7   You know, also because of the

8   mileage, you know, the retirement

9   thing, I don't know for 10 year or

10   longer, it doesn't make sense,

11   because most of the cars every taxi

12   they replace seven year. After

13   seven year, the maintenance is much

14   higher than, you know, the normal,

15   you know, schedule, you know.

16   So after seven year, I don't

17   know that the TLC should allow

18   making a grant, which the owner keep

19   the car after seven year, because

20   after seven year, the car, you know,

21   much higher than after seven years.

22   So I would like the grant to

23   continue to repeat after seven year.

24   And for us, you know, also the

25   cost every year that changing,

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2   right, the inflammation. So that

3   the TLC should consider, you know,

4   inflammation adjustment for every

5   grant per year, because the car cost

6   five thousand, three thousand six

7   years ago. It cost more this year,

8   because the inflation is not going

9   down any time soon. It keeps going

10   up.

11   So I would like the grant

12   adjusted by the inflammation every

13   year.

14   Thank you so much.

15   MS. ELUTO: Thank you. Thank

16   you for your comments.

17   Our next speaker is Lee

18   Komitor. Mr. Komitor, yes, you can

19   proceed.

20   Lee Komitor, I see you're

21   unmuted. So go ahead and please

22   speak. Now you muted yourself. Can

23   you unmute? Yes, go ahead.

24   There seems to be a problem.

25   Why don't we try Mr. Malhotra

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2   again. Mr. Malhotra, can you unmute

3   and please speak?

4   We're not doing well today

5   people.

6   All right. Let's go to Max

7   Greenbaum. Mr. Greenbaum, go ahead.

8   MR. GREENBAUM: Hi there. Can

9   you hear me?

10   MS. ELUTO: Yes.

11   MR. GREENBAUM: First I want to

12   thank the commissioners for

13   listening to my concerns. I have

14   submitted detailed written comments

15   as well.

16   My name is Max Greenbaum. I am

17   the vice-president of All Taxi

18   Management, a taxi cab agent

19   licensed by the TLC since 1988.

20   All taxis proud to be an early

21   adopter of the driver owned leasing

22   model, also known as DOVE.

23   This model gives the medallion

24   drivers the opportunity to purchase

25   and own their vehicle throughout

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2   their medallion lease.

3   DOVE drivers maintain their own

4   vehicles and can even sublease the

5   vehicles to other drivers in an

6   entrepreneurial spirit. It is often

7   referred to as a stepping stone to

8   becoming a medallion owner.

9   There are a number of proposed

10   rules and provisions by the TLC that

11   do not support and will actually

12   harm or destroy the DOVE model.

13   With regards to the hack up

14   payment, while we strongly agree

15   with the intent of the rule, we feel

16   the increase does not serve its

17   purpose of offsetting the cost to

18   convert a vehicle to WAVES.

19   The current cost to convert a

20   Toyota Sienna is $26,104. It would

21   only be fair to increase the hack up

22   payment to match the current cost of

23   the conversion. Furthermore, the

24   hack up payment should be at the

25   agent or medallion owner's option to

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2   be paid directly to the agent, or

3   dealer or converter.

4   Regarding the vehicle

5   operational payments, it's crazy to

6   have a 75 percent decrease from

7   4,000 to 1,000 per year and expect

8   to have more WAVES enter the

9   industry. This would deter drivers

10   from driving WAVE as an added weight

11   after converting it into a WAVE

12   drastically wears on integral costly

13   parts.

14   Furthermore, any rule change

15   should specify for future hack ups

16   not to disrupt ongoing leases.

17   Increasing the WAVE requirement from

18   four to five years proposing a rule

19   to claw back TIF funds does not work

20   within the DOVE leasing model.

21   You may not realize, under the

22   current TLC rules, the agent is

23   required to give a credit of $77

24   every week or $1,000 yearly in

25   advance to the DOVE driver

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2   regardless of the agent actually

3   receiving these funds from the TLC.

4   When the vehicle's paid off by

5   the driver, typically in three

6   years, we can rightfully take

7   ownership of the title, and return

8   the medallion. While this doesn't

9   typically occur, having this rule in

10   place would not be fair to the agent

11   who already paid these funds to the

12   lessee throughout the term of the

13   additional sale of the vehicle.

14   Additionally, the current

15   leasing cap of the vehicles is

16   42,900, which is far below the

17   actual cost of the vehicle.

18   While we appreciate and agree

19   to remove the retirement of WAVE

20   vehicles, we feel the TLC should

21   remove the retirement for all

22   medallion vehicles not just WAVE.

23   Why should there be different

24   standards for FHB basis than yellow

25   taxis?

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2   For example, FHBs get inspected

3   by the TLC once every two years,

4   while yellow taxis get inspected by

5   the TLC twice yearly.

6   Again, I thank the commission

7   for their time, and I have submitted

8   written comments.

9   MS. ELUTO: Thank you.

10   Our next speaker will be

11   Stephen Chandler to be followed by

12   Richard Chow and then Peter Mazer.

13   Mr. Chandler, go ahead.

14   MR. CHANDLER: Good morning.

15   My name is Stephen Chandler. I

16   represent City World Auto Group. I

17   pretty much just sell TLC vehicles,

18   obviously including the wheelchair

19   vehicles.

20   I wanted to speak on two

21   matters. The funds being paid

22   directly to the dealership is a

23   slight concern. I would like to try

24   to keep it to the medallion owner

25   itself.

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 2   You know, there's basically two

 3   ways the money would be used by the

 4   medallion owner as a down payment.

 5   You know, future monies could be

 6   used for down payments. Banks don't

 7   allow that. So it becomes an issue

 8   if somebody needs a $30,000 down

 9   payment. Here's 10, Steve, and

10   you'll get your 20 in four months or

11   five months.

12   I couldn't tell a bank that,

13   you know, I'm including money for a

14   down payment for something that I

15   may or may not see for four to five

16   months. So then we would have to go

17   to, you know, lowering the overall

18   cost of the vehicle up front, and

19   that's where it really becomes the

20   dealership becoming a business

21   partner with the medallion owner as

22   we're going to sell the car in a

23   large loss, and then hopefully in

24   the future be able to recoup those

25   monies not to mention if there's an

1

2   issue with the medallion, or the

3   owner's owed funds or anything like

4   that.

5   You know, there could be some

6   instances we're kind of required to

7   pay it, so we're not losing, you

8   know, tens of thousands of dollars

9   there.

10   So it would really make the

11   dealership have to float, you know,

12   probably four to five million

13   dollars before they started

14   recouping when this program would

15   start, and the cash flow of the

16   dealership, I don't know if it

17   supports it.

18   The other thing would be, you

19   know, with the WAVE requirements in

20   terms of years. You know, it's a

21   small subject that a lot of people

22   think about.

23   When we order these vehicles,

24   we order them once, if we're lucky,

25   twice a year. It would be very hard

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2   to know how many to order for any

3   given year with no retirement dates

4   whatsoever, which would force us to

5   either order very small amounts

6   that, you know, we pay hundreds of

7   thousands in interest per month on

8   these vehicles.

9   If something were to happen

10   where half the vehicles I ordered

11   takes two years to sell, you know,

12   it would be very hard for us to

13   survive. So, you know, that would

14   be my concern.

15   There is obviously a monetary

16   concern for us, but in all honesty,

17   as far as we sell, you know, we sell

18   in the red to keep the business

19   flowing for the times we can sell in

20   the black.

21   This would make the risk for us

22   maybe half the rate prices to

23   overcome that risk. So that's that.

24   That was my concerns. Thank

25   you.

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2   MS. ELUTO: Thank you. Our

3   next speaker is Richard Chow.

4   MR. CHOW: Hello. Can you hear

5   me?

6   MS. ELUTO: Yes.

7   MR. CHOW: Hello, Commissioner

8   and everyone. Good morning. My

9   name is Richard Chow. I'm a member.

10   I'm owner/driver.

11   Inflation is too high

12   everywhere, and the cost is

13   expensive, and I agree with my

14   friend Wain Chin. You know, the

15   cost is very expensive. It take

16   three months owner to get a car. So

17   you know, the driver, we need

18   30,000. The 3,000 grant you must

19   adjust for inflammation every year,

20   and the grant must be at least 3,000

21   per year for up to seven year adjust

22   the inflammation every year 1,500

23   for each year, adjust for

24   inflammation every year.

25   And (inaudible), and the

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2   mileage driven from the dealer

3   including out of state must be

4   inspected. For example, the car

5   cost $5,000 dollars from Indiana

6   compare to the (inaudible). It

7   takes up to 500 miles, and when the

8   driver drove 700 miles to New York

9   City with the vehicle inspected a

10   new car, and the medallion owner

11   should be assumed with the right to

12   receive the hack up plan. The

13   bottom of the proof must be on the

14   TLC.

15   The TLC should not have the

16   right to deny to grant based on the

17   criminal conviction. TLC should not

18   have right to demand payment on the

19   grant normally, and the car failed

20   to remain on the road at least five

21   years due to (inaudible) and from

22   the natural disaster, loss of

23   medallion, or retirement of the

24   medallion owner. So we need to fix

25   the problem.

1

2   Thank you for listening. Thank

3   you so much.

4   MS. ELUTO: Thank you. Our

5   next speaker this morning is Peter

6   Mazer.

7   Mr. Mazer, you can unmute your

8   mic and begin.

9   MR. MAZER: Good morning,

10   Chairperson Do and members of the

11   Commission.

12   My name is Peter Mazer, and I

13   am general counsel to the

14   Metropolitan Taxi Cab Board of

15   Trade, a 70 year old association

16   representing owners and operators of

17   licensed city medallion taxi cabs.

18   In addition to my comments this

19   morning, I submitted written

20   comments which I ask to be made part

21   of the record.

22   As we are all aware, the TLC is

23   under federal mandate to have at

24   least 55 percent of all taxi cabs

25   accessible for persons with

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2   disabilities. At present, only

3   about 42 percent of cabs are

4   accessible, and the prohibitive cost

5   of purchasing retro-fitted cabs is

6   unlikely that this percentage will

7   change unless something is done to

8   the existing rules.

9   To that end, we commend the

10   TLC's proposal to eliminate

11   mandatory vehicle retirement for

12   accessible vehicles as a necessary

13   first step. Nearly 700 accessible

14   vehicles would need to be taken off

15   the road in the near future, because

16   of mandatory vehicle requirement.

17   Under this proposal, these cars can

18   remain in service.

19   TLC's rigid inspection

20   requirement needs to ensure that

21   these vehicles are safe. More needs

22   to be done.

23   We are pleased the TLC is

24   considering an increase in the

25   reimbursement from 14,000 to 20,000

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2   for hack up with an accessible

3   vehicle costing between $70,000 to

4          $80,000. That's still not enough.

5   We requested that the reimbursement

6   be increased to at least $25,000.

7   We also urge you not to reduce

8   the maintenance payments as

9   proposed, because repair and

10   servicing cost have not declined.

11         $3,000 a year is simply not enough

12   to keep an accessible vehicle in

13   good condition.

14   The proposed rules open a

15   limited pathway to the conversion of

16   nonaccessible vehicles.

17   We support this concept, and

18   believe such vehicle conversions,

19   along with the rule changes, will

20   enable the TLC to achieve its

21   federal mandate.

22   However, two of the conversion

23   requirements to the proposed rules

24   would foreclose the option to

25   virtually all owners of

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2   nonaccessible vehicles, limiting the

3   conversion to vehicles that have

4   been operated for less than 50,000

5   miles and to vehicles less than

6   three years old. This conversion

7   option should be open to all owners

8   of nonaccessible vehicles

9   irrespective of the number of miles

10   that the car is in service and

11   irrespective of the model year.

12   The medallion owners would

13   still be required to have

14   retrofitting done by an approved

15   manufacturer who would certify the

16   safety of the vehicle, and pass

17   vehicle inspections in order they

18   may stay on the road.

19   There are vehicle retro-fitters

20   that are able and willing to convert

21   existing taxi cab models to

22   accessibility safely without

23   compromising the integrity of the

24   vehicle in any way, or making the

25   vehicle unsuitable for use as a taxi

1

2   cab.

3   Indeed, all vehicles that

4   continue to pass TLC inspection

5   should remain in service

6   irrespective of the vehicle's age or

7   number of miles in service.

8   Limiting conversion to only

9   nonaccessible vehicles that meet the

10   requirements is inconsistent with

11   the remaining concept.

12   I thank you for your time, and

13   I would answer any questions that

14   you may have.

15   Thank you.

16   MS. ELUTO: Thank you,

17   Mr. Mazer.

18   Our next speaker is Bhairavi

19   Desai. She'll be followed by Basia

20   Osowski, and Erhan Tuncel.

21   MS. DESAI: Thank you. Good

22   morning, Mr. Chairman, and members

23   of the Commission and TLC staff.

24   I am Bhairavi Desai. I am the

25   executive director of the New York

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2   Taxi Workers Alliance.

3   With regards to the proposed

4   rules, I really agree with many of

5   the speakers already.

6   You know, the TLC made a

7   binding settlement on this issue.

8   You know, people from -- who were at

9   TLC many years ago when this

10   settlement was reached will know

11   that the New York Taxi Workers

12   Alliance stood in full support. We

13   believe in accessibility. We

14   believe that taxis, in particular,

15   should have, you know, a pathway to

16   full accessibility even.

17   I mean, you see it in London,

18   and in order for New York to be a

19   global 24/7 city, that is just and

20   fair in service. We need full

21   accessibility for our neighbors and

22   for our visitors.

23   This has been a mandate that's

24   really been largely unfunded. Even

25   the grants that existed through the

1

2   years have come from the industry

3   itself.

4   It's drivers labor, the cost of

5   gasoline, and leases, for

6   maintenance that actually subsided

7   these grants all these years, and

8   these grant, as Wain and Richard

9   have said, never been adjusted for

10   inflammation throughout all of these

11   years. So we cannot contemplate

12   reducing these maintenance grants.

13   These grants are critical.

14   The taxi industry is still 50

15   percent less in trips compared to

16   preCOVID. You know, the economic

17   conditions remain dire.

18   Over 4,000 medallions are still

19   in storage. This is a tremendous

20   economic cost to, you know, to

21   convert, to purchase these vehicles,

22   convert them and maintain them.

23   We need the TLC to be a real

24   partner in this mandate, which the

25   TLC is the party that agreed to in

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2   court. We need to work with you, to

3   go to the state, to increase these

4   grants and actually, you know, no

5   longer be dependent on the industry,

6   the driver's labor itself even

7   producing this revenue.

8   We are glad to see that the

9   hack up grant has gone up, but it

10   does need to be higher, 25,000 even

11   30,000, given the cost itself has

12   gone up so much. The maintenance

13   grant absolutely should not be cut,

14   and in terms of mileage, as Richard

15   said, many owner/drivers in

16   particular will find a vehicle in a

17   market like Indianapolis where the

18   cost is much lower. They should be

19   able to buy the car there and drive

20   it back, and the 700 miles when

21   they're driving it back should not

22   count towards the 500 mile limit for

23   the vehicle to be considered new.

24   This would allow that vehicle

25   to not have to go through a more

1

2   burdensome used vehicle inspection,

3   and, you know, that itself would be

4   a good economic boost to

5   owner/drivers.

6   We will follow up with more

7   written comments. Thank you for

8   your time.

9   MS. ELUTO: Thank you.

10   Our next speaker is Basia

11   Osowski. You can unmute your

12   microphone and begin.

13   We can hear you. You're

14   echoing, but I hear you.

15   Hello? Are you able to give

16   your comments?

17   I think we'll go on to the next

18   speaker. Erhan Tuncel please.

19   Mr. Tuncel, go ahead.

20   MR. TUNCEL: Hi, Commissioner.

21   My name is Erhan Tuncel. I'm member

22   of New York Taxi Workers Alliance

23   and owner/driver.

24   On this issue, I have mention a

25   few times about mileage, new vehicle

1

2   mileage of 500 miles is too low, and

3   I don't see why there has to be a

4   mileage requirement as long as the

5   car is being hacked up for the first

6   time, or registered for the first

7   time in the state. That should give

8   us a better options price wise, and

9   be able to shop for lower priced

10   vehicle.

11   And also, I appreciate and we

12   all appreciate the increase in the

13   initial grant to 20,000, but we all

14   know that's not enough, and someone

15   testified earlier exactly the number

16   of how much it cost to convert a

17   vehicle, and it might be more by

18   Brown, because Brown is probably one

19   of the best wheelchair accessible

20   converters out there, and 25,000, I

21   think initial grant is more

22   appropriate.

23   There is a concern I have, a

24   big concern I have that nobody has

25   mentioned to my surprise by the way,

1

2   because we all work in yellow taxi

3   industry, and we all care for it,

4   and we wanted to remain as a viable

5   option to riding public.

6   My concern is that eliminating,

7   I'm going to be cursed at. I'm

8   going to be probably spat at when

9   people see me, but I'm going to say

10   it any way.

11   The elimination of retirements

12   for WAVE vehicles is a

13   self-inflicted wound to the taxi

14   industry.

15   Please do not allow this, and a

16   limit must be -- must be -- the

17   vehicles must have a limit. We can

18   control the conditions of the

19   vehicle even if you eliminate the

20   age on the limit that must be a

21   miles requirement or miles limit

22   otherwise the taxi fleet is going to

23   fall apart.

24   The days that we are competing

25   for every fare with app cars,

1

2   they're newer, they're better cars.

3   This is essential for taxi industry

4   survival.

5   Thank you very much.

6   MS. ELUTO: Thank you.

7   Let's try Lee Komitor. You can

8   unmute your mic and begin.

9   MR. KOMITOR: Good morning,

10   Chairman Do and distinguished

11   commissioners. My name is Lee

12   Komitor of Coppell Ford.

13   I have been a car dealer

14   supplier of New York City taxis cabs

15   for over 40 years to the New York

16   City taxi industry, and I'm here to

17   respond to the change of rules

18   regarding the process of allocation

19   funds from the TIF.

20   My questions is as follows:

21   Where in the City budget is money

22   being allocated for this program to

23   the agencies being dramatically cut?

24   What happens if there is

25   insufficient funds?

1

2   As being proposed, the TLC

3   would affect us. That would be

4   (inaudible).

5   The cash flow of any business

6   as per our obligation with dealer

7   agreement on each vehicle at the

8   time of delivery must be paid off

9   when the vehicle leaves the

10   dealership. Each vehicle is 20,000

11   in receivable.

12   How would the dealership be

13   eligible for this money if the

14   medallion owner or the leasing

15   company, if the medallion is in some

16   type of problem?

17   The vehicle should be paid by

18   the end user, and should not be the

19   responsibility of the dealership.

20   We understand that through the

21   dealership that many of our clients

22   have significant problems with

23   reimbursement.

24   Where are we guaranteed the

25   money to be had?

1

2   What would be the labor

3   reimbursement process?

4   If the medallion has any

5   outstanding issue, what would delay

6   the process of payment to us?

7   Can someone please answer these

8   questions?

9   CHAIR DO: Lee, I'll try to

10   answer some of those questions.

11   Thank you so much for your

12   comments.

13   So the money comes from the TIF

14   Fund, which is one dollar, and it

15   stands for the Taxi Improvement

16   Fund, and it's one dollar per meter

17   trip. So that is where the cash

18   flow comes in. With 3.2 million

19   trips a month, it's about 3.2

20   million dollar revenue for this fund

21   to be pushed back for accessibility

22   initiatives.

23   We'll talk more with you on

24   what the grant looks like, but we

25   are imagining it as a point of sale

1

2   grant where that can be used for the

3   driver to use as a down payment, or

4   to the wheelchair converter to

5   assist in lowering the cost upfront.

6   I've heard from many drivers

7   and many industry stakeholders that

8   there's a lack of capital. So we

9   want to leverage our TIF fund to

10   help those who don't have the

11   upfront capital for a down payment

12   or otherwise.

13   MR. KOMITOR: I understand

14   that, but we need to understand one

15   thing. When the vehicle leaves

16   here, our financial agreement with

17   that lender, once the vehicle leaves

18   here we have to pay this off,

19   whether it be paid prior to process

20   of delivery.

21   CHAIR DO: Like I said, it's a

22   point of sale, and we can talk to

23   you a little more in depth after

24   this hearing.

25   MR. KOMITOR: Well, that I

1

2   would appreciate, because I

3   understand, like I said prior, most

4   of our clients are telling me that

5   it takes four to five months to be

6   reimbursed.

7   How do we know that there's not

8   an issue on the medallion of the

9   vehicle or the medallion would be

10   eligible for payment?

11   CHAIR DO: That's why we're

12   doing it upfront at the point of

13   sale.

14   Again, we'll talk more after

15   this, Mr. Komitor. I appreciate

16   your comments today. Thank you.

17   MR. KOMITOR: Our agreement

18   with our lenders (inaudible), once

19   the vehicle leaves the curb, we have

20   to pay this vehicle off.

21   I would be in noncompliance,

22   which would be a significant issue.

23   CHAIR DO: Again, Mr. Komitor,

24   we can talk about the details, but

25   not in a public forum like this.

1

2   We'll try to assist and make

3   the transition as smooth as

4   possible.

5   I've also heard from -- and

6   we'll go on to our next speaker.

7   I've also heard from the industry

8   that they still would like an

9   opportunity for the reimbursable

10   grant portion of this. So we're

11   thinking about it. It's an either

12   or proposition, and not one or the

13   other.

14   Thank you.

15   We can go to the next speaker,

16   Sherryl.

17   MS. ELUTO: The next speaker,

18   we're going back to Vinod Malhotra.

19   MR. MALHOTRA: Hi. Thank you

20   for everything. Good morning,

21   Commission. My name is Vinod

22   Malhotra. I am owner of taxi cab.

23   First of all, thank you for the

24   first step in our industry to have

25   the owners. This rule is not only

1

2   for the owners. It's for everyone

3   especially to the wheelchair users.

4   There will be more and more

5   wheelchair in the industry.

6   I want to please already have

7   in place in several service since

8   both hack up and cost grants.

9   I know how I raise the money

10   when my car in 2021, that was a very

11   hardship time for us. I understand

12   we have hardly making a living, and

13   please do not give money to the

14   dealers directly. Bring this, the

15   vehicle price may go more up. The

16   price is very high.

17   I have experience about this.

18   I bought the car, 65 it cost me.

19   Everything bring up to the rule.

20   Some dealers sell the car at 75, and

21   I don't understand why there's so

22   much different.

23   So please, the 25 grant in two

24   months. The first six hack up cost,

25   and which please give to all

1	
2	existing new owners, and next after
3	they paid off the cost inspection.
4	So after that, every year for
5	maintenance goes four to five years.
6	Please increase the trip required
7	350, between 450, 500 trips. Most
8	times we have no (inaudible).
9	We want to go off today's
10	topic.
11	So we have some problem with
12	the insurance companies that don't
13	want to give us some -- I have some
14	problem with the insurance
15	companies. They do what they want.
16	They don't want to give us funds
17	when we take over the drivers.
18	So thanks again everyone
19	(inaudible) my humble on behalf of
20	all owners who already placed in the
21	car market, please help us and give
22	us 6,000 a hack up cost.
23	Thank you so much. Thank you
24	so much all. God bless.
25	MS. ELUTO: Thank you.

1

2   The next speaker is Basia

3   Osowski. Yes, go ahead.

4   We can't hear you.

5   Ms. Osowski, you can submit

6   written comments today, and we will

7   take a look at them. We seem to

8   have trouble hearing you.

9   That was our last speaker.

10   That concludes our public hearing.

11   Commissioner, I will turn it

12   back to you.

13   CHAIR DO: I want to first

14   thank everyone for their comments,

15   both speaking comments and written

16   comments, because that helps us.

17   Like I said, for many other

18   rule package, this helps us with a

19   better rule package at the end of

20   the day.

21   So for the next few weeks,

22   we'll engage with the stakeholders,

23   and review the written comments, and

24   make sure that the package truly

25   does help our accessibility efforts

1

2   and our yellow industry to become

3   more accessible.

4   I want to thank all of my

5   fellow commissioners who are on the

6   call today, and our general counsel

7   for leading our hearing.

8   With that, thank you everyone,

9   and we will see you soon.

10

11

12

13   (Time Ended: 10:43 a.m.)

14

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24

1

2   CERTIFICATION
       STATE OF NEW YORK)
3
       COUNTY OF NASSAU)
4

5
                    I, SUSAN FABBRICANTE, a Stenotype
6
       Reporter and Notary Public within and for the
7
       State of New York, do hereby certify:
8
                    That the witness whose deposition is
9
       herein before set forth, was duly sworn by me, and
10
       that such examination is a true and accurate
11
       record of the testimony given by such witness to
12
       the best of my ability.
13
                    I further certify that I am not
14
       related to any of the parties to this action by
15
       blood or marriage; and that I am in no way
16
       interested in the outcome of this matter.
17
                    IN WITNESS WHEREOF, I have hereunto
18
       set my hand this 29th day of November, 2023.
19

20

21

22

                                    Susan Fabbricante
                                      SUSAN FABBRICANTE
23

24

25

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$25000 26:6

$26104 15:20

$3000 26:11

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