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

December 21, 2022
10:02 a.m.

VIA VIDEOCONFERENCE

B E F O R E :
DAVID DO,
COMMISSIONER AND CHAIR

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

TLC COMMISSIONERS :

COMMISSIONER DAVID DO

COMMISSIONER BILL AGUADO

COMMISSIONER THOMAS SORRENTINO

DEPUTY GENERAL COUNSEL CAROLYN WOLPERT

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CHAIR DO: Good morning,
everyone. I'm calling this meeting to
order at 10:02 a.m. I am David Do,
the Commissioner and Chair of the Taxi
& Limousine Commission. And I'm
joined by two of our Commissioners
this morning. I want to thank them
for being here. Commissioner
Sorrentino and Commissioner Aguado.

Today, we have two public
hearings. The first hearing is on the
proposed rule that would amend
sections to the existing vehicle
specification rules governing
non-accessible medallion taxi cab
licenses. This rule package would
allow fully electric vehicles to serve
as taxis.

The second hearing is on an
update to the rules to correct typos,
fix certain cross references and to
update certain obsolete provisions of
our rule book.

And I want to thank our legal

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and policy divisions for working so hard on some of those changes.

But before we begin, I have several announcements. First is on MRP Plus. We have seen an outstanding amount of relief delivered in this program. 1,669 medallion owners have gone through this program, and we have reduced debt by 326 million dollars.

Medallion owners can still participate in this program and have until January 17th to start the process. Please visit nyc.gov/taxi for more information on this program.

The Commission will also be passing rules soon to allow owners with eligibility from five to six medallions. So if you own six or less medallions, you would qualify for the MRP Plus program.

The next item I want to talk about is the taxi fare increase and the minimum pay standards. And I want to speak directly to our 172,000

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licensees.

As you all know, at our last meeting on November 15th, we passed two new rules. The taxi meter rate of increase, which was passed unanimously, and the new minimum pay standards for high volume vehicles.

I remember distinctly the joy in that room. Our drivers who were impacted by the outside of the inflation were able to get a raise. And now, you know, on December 19th, the taxi meter fare went into effect. But the minimum pay increase did not. And that's because Uber sued the TLC to stop it.

But the fight does not end there. We will continue to fight in court and make sure that we lead that fight so that we will win in court and make sure that all of our drivers, our passengers and our city's residents will have a healthy fleet of drivers that are able to compete with rise in

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costs.

I want everyone to know, right, we are on the forefront and we will keep fighting so that our drivers deserve the raise that the Commission unanimously voted on.

And now I will hand it over to our deputy general counsel, Carolyn Wolpert to go through the speaker list today.

MS. WOLPERT, ESQ.: Thank you, Commissioner.

Good morning, everyone. When I call your name, this is for the speakers, you can unmute your microphone and begin your testimony. Each speaker will be allotted three minutes to speak. The time limit will be strictly enforced, and a 30-second warning will be provided. But at that point, you need to conclude your testimony when your time limit is up.

The video of these hearings and

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copies of all written comments will be provided to the Commissioners prior to the vote on these rules at the next Commission meeting.

With that, we'll begin our first public hearing on electric vehicles as taxis. And I will call our first speaker.

I'm getting a message -- I don't think we have someone who did ask to speak. So I think we'll start, Peter, with you. So if you are ready, Peter, I think you wanted to speak on the regulatory review; is that right?

MR. MAZER: That's correct.
Good morning.

MS. WOLPERT, ESQ.: Okay. So if we can go ahead. Thank you.

MR. MAZER: Sure. Good morning. My name is Peter Mazer. I'm general counsel to the Metropolitan Taxicab Board of Trade. We are a trade association that represents owners and operators of license medallion

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taxicabs, and we also provide a full service driver center that provides assistance in administrative and other proceedings on behalf of drivers who lease from our members.

I would like to -- I'm going to submit written comments today with respect to these rules. There are 17 proposed changes. While the statement of basis and purpose described as the proposed changes as technical and clerical in many cases, four of the changes that I would like to focus on are quite substantive.

I have written comments, and I ask that they be part of the record and that they be presented to the Commissioners before any vote is taken.

One of these proposed changes would limit the use of -- on how agents provide -- deal with credit card payments to sublease drivers. Agents generally work with one driver,

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a lease driver, and then they sub --
and then that driver subleases to
other drivers. The drivers settle up
their credit card amounts between
themselves. But because of an oath
ruling that says that sublease drivers
cannot file claims against lease
drivers, the lease driver -- the
lessee is required to make the
payments to the lease drivers. And
this rule would change that.

We are submitting written
comments and we believe that the
better approach would be to have the
lease driver responsible to his
sublease driver because the lease
driver has contact with that driver
and the lease driver is in fact the
one who retains the sublease driver
and should be responsible for dealing
with the credit card payments.

The second provision calls for a
change in lease termination
provisions, which now call for the

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right, if it provides in a contract that there be a reasonable termination fee. This fee has to be spelled out in the contract and it must be reasonable.

The one word reasonable is now replaced with a section of rules of about 175 words describing exactly what the lease termination payment --

TIMEKEEPER: Thirty seconds remaining.

MR. MAZER: Thank you.

And we believe that the better approach is also to continue to make no change to the rule.

We also are concerned about the agents and the rule that now requires that agents be jointly liable with medallion owners for certain rule violations. This could result in the suspension of agent licenses for misconduct by medallion owners because of the joint and several liability provision. And we ask that the rule

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not be changed in that regard.

As I stated earlier, my written
comments --

TIMEKEEPER: Time has expired.

MR. MAZER: -- and we ask that
they be included as part of the
record.

Thank you for your time.

MS. WOLPERT, ESQ.: Thank you
very much, Mr. Mazer.

Our next speaker is I believe
Raul Rivera. And I think he wants to
speak on the electric vehicles. So if
there's no one else seeking to speak
on the regulatory review, we'll end
this public hearing.

MR. RIVERA: Yes.

MS. WOLPERT, ESQ.: Mr. Rivera,
is that you?

MR. RIVERA: Yes. Can you hear
me? Can you see me? Can you see me?

MS. WOLPERT, ESQ.: Can't see
you. Can hear you.

MR. RIVERA: Do we have video in

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this meeting?

MS. WOLPERT, ESQ.: I believe so. I think we can take a minute to see if we can get that going.

MR. RIVERA: Okay. Okay. Hold on, hold on. Okay. Now.

MS. WOLPERT, ESQ.: Okay. Please go ahead with your comments.

MR. RIVERA: Good morning, and thank you for having this hearing. I know one of the topics is going to be EV vehicles, and I wanted to bring to the attention of the Commissioner, a concern that I have. And I don't think a lot of people are really going to touch on it, but I'm going to touch on it.

And as an advocate, I'm also going to speak out on it. It has to do with EMF. What are EMF? EMF are electric magnetic fields. I'll repeat, electric magnetic fields. So we know about wireless devices causing radiation. There's a -- I think

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there's a study that should be done by the TLC, by the City. We are also going to speak with councilmembers that are interested in looking into this.

Basically, when you get into an electric vehicle, it's almost like getting into a microwave. And it's out of sight, out of mind. A lot of people don't see it, but there's EMF ratings that are very high in the vehicle. There's a lot of information out there on this, but it's never spoken about.

So we want to encourage the Commissioner and the TLC to do a study on the effects of these EMFs on passengers and on drivers. Especially the driver who is always in the car, at least eight to 10 hours a day. I think it's very important that something gets done about this. Whether it's true or false, we know that the batteries are very big and

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they're under the vehicles.

Also, the commuter vans, they're talking about putting electric commuter vans in Brooklyn and the City. The commuter vans also going to have even bigger batteries with bigger electric magnetic fields. So that's something TLC should look into and the City.

And I thank you for your time.

MS. WOLPERT, ESQ.: Thank you very much, Mr. Rivera.

That concludes our comments for today, and concludes our second public hearing.

CHAIR DO: I first want to thank everyone for being here today and thank the TLC for -- for helping get this -- get this going and wishing not only all of our team members a happy holiday, but also thanking all those who are watching a happy holiday.

And I want to also thank again Commissioner Sorrentino and

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Commissioner Aguado for being here
today to support this public hearing.

And with that, the time is
10:13, and I'll adjourn this meeting.

Thank you.

(TIME NOTED: 10:13 a.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)

:SS

COUNTY OF NASSAU)

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

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

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

IN WITNESS WHEREOF, I have hereunto set
my hand this 28th day of December, 2022.


ELBIA BRUMIT

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