

NEW YORK CITY
TAXI AND LIMOUSINE COMMISSION

Minutes of Commission Meeting

December 18, 2008

Present:

Matthew W. Daus, *Commissioner/Chair*

Elias Aroust, *Commissioner*

Harry Giannoulis, *Commissioner*

Edward Gonzales, *Commissioner*

Jeffrey Kay, *Commissioner*

Lauvienska Polanco, *Commissioner*

Iris Weinshall, *Commissioner*

Charles Fraser, *General Counsel*

1. The Chair called the meeting order. (Tr. p. 3)
2. Item 4 on the agenda, Medallion Transfer Rules, was presented to the Commission for a vote. A motion was made by Commissioner Aroust to approve the rules. The motion was seconded by Commissioner Kay and it passed 7-0 (Commissioners Daus, Aroust, Giannoulis, Gonzales, Kay, Polanco and Weinshall). (Tr. pp. 3-7)
3. David Klahr presented to the Commission a revised proposal for the MacBox II System Pilot Program. This program would allow a small number of TLC licensed vehicles to install cameras or drivecams. A motion was made by Commissioner Weinshall to approve the pilot proposal. The motion was seconded by Commissioner Aroust and it passed 7-0 (Commissioners Daus, Aroust, Giannoulis, Gonzales, Kay, Polanco and Weinshall). (Tr. pp. 7-11)
4. Georgia Steele-Radway, Base Licensing Supervisor, presented the following base station license applications for consideration:

The TLC Licensing and Standards Division is presenting 13 livery base applications for determination.

The following bases are recommended for approval:

NEW (3):

Dollar Express Car & Limousine, Inc.	B02284
Safari Transportation, Inc.	B02288
Xpress Trans & Multi Services, Inc.	B02293

RENEWALS (7):

Easy Fast Car Service, Inc.	B01924
Heights Car & Limousine Service	B01636
Jerusalem Car.Com, Inc.	B01608
La Mexicana Express, Inc.	B01606
Lower East Side Car Service, Corp.	B01318
Olympus Transport Car Service, Inc	B00906
Skyline Car & Limousine Service, Inc.	B01270

RENEWAL & RELOCATION (1):

Duke Car & Limo. Service	B02078
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RENEWAL & OWNERSHIP CHANGE (1):

U.S. Express Car & Limousine Service, Inc.	B01724
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RELOCATION (1):

Flamingo Transportation & Limo. Services, Inc.	B01485
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(Tr. pp.11-12)

5. A motion was made by Commissioner Gonzales to approve all of the base station license applications that were recommended for approval. The motion was seconded by Commissioner Weinshall and it passed 7-0 (Commissioners Daus, Arout, Giannoulis, Gonzales, Kay, Polanco, and Weinshall). (Tr. p. 8)
6. A motion was made by Commissioner Arout to adopt the minutes of the November 20, 2008 Commission meeting. The motion was seconded by Commissioner Kay, and it passed 7-0 (Commissioners Daus, Arout, Giannoulis, Gonzales, Kay, Polanco, and Weinshall). (Tr. p. 12)
7. The Chair reported the following:
 - The Chair reminded the industry that holiday enforcement initiatives are in effect. The NYPD and the TLC Enforcement are practicing zero tolerance against safety traffic infractions, illegal street hails, blocking the traffic box, and cell phone use.
 - The Chair reported that any medallion taxicabs that were scheduled for replacement between October 1, 2008 and January 19, 2009 may remain in service until January 20, 2009. This is a result of the lawsuit regarding TLC's recently adopted rules requiring taxicabs to be vehicles that obtain 25 mpg. More information will follow in an industry notice.
 - The Chair reported that in light of the City's economic downturn, it would be prudent to defer implementation of the black car 25 mpg program until

January 1, 2010. More details will follow as the TLC continues to monitor the situation.

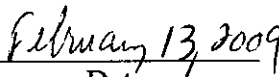
- The Chair reported on the rules review project. The public hearing process has begun; a hearing was held on December 5, 2008 regarding the Industry Representative rules and Medallion Sales. The Chair does not anticipate many comments on the upcoming rule proposals because this part of the rules revision project does not involve many substantive changes; it is really just reorganizing and renumbering. A second public hearing will be held on January 23, 2009 regarding the Taxi Business Rules.
 - The Chair reported on the accessible dispatch project. There are 236 accessible vehicle on the road, and there have been almost 800 dispatches with 74 cancellations. 308 drivers have been trained, and 143 vehicles and drivers have been equipped with BlackBerries. An average of 20 to 30 vehicles are logged on to the system at any time to receive calls from persons who use wheelchairs.
 - The Chair introduced Chief Administrative Law Judge Carmena Schwecke, who administered the oath of office and swore in 8 new Administrative Law Judges: James Drury, Roxanne Wild, Joseph Flynn, Igor Oberman, George Hindy, Naomi Scheiner, Greg Lehner and James Plotkin. (Tr. pp. 12-19)
8. David Klahr delivered a presentation on proposed Lease Cap Rule Revisions. (Tr. pp. 19-55).
9. Commissioner Arout made a motion to close the meeting and convene in executive session without the Chair present to consider the appeal of TLC v. Kwansa Jonathan/ Hack License No. 433940. Commissioner Arout seconded the motion, and it passed unanimously. (Tr. p. 55)
10. At the executive session, the appeal of Kwansa Jonathan, Hack License No. 433940 was heard. By a vote of 5-0 (Commissioners Arout, Giannoulis, Gonzales, Kay, and Polanco), the Commission affirmed the penalty of revocation but reduced the fine to \$500.

The meeting was adjourned at approximately 10:35 a.m.

Minutes as approved by the Taxi & Limousine Commission on
February 12, 2009



Deputy Commissioner for Legal Affairs / General Counsel



Date