

NEW YORK CITY
TAXI AND LIMOUSINE COMMISSION

Minutes of Commission Meeting

July 21, 2011

Present:

David Yassky, *Commissioner/Chair*
Elias Arout, *Commissioner*
Frank Carone, *Commissioner*
Mark Gjonaj, *Commissioner*
Edward Gonzales, *Commissioner*
LaShann DeArcy, *Commissioner*
Iris Weinshall, *Commissioner*
Christopher C. Wilson, *Acting General Counsel*

1. Chairman Yassky called the meeting to order and reported on the following:
 - Chairman Yassky remarked on the owner-must-drive rule. Proposed changes to the rule would exempt spouses who inherited a medallion from a deceased spouse from the owner must drive requirements were published and are not on the agenda for today's meeting. The proposed rule will be considered at the September meeting (Tr. pp. 1-2)
 - The Chair marked the 40th anniversary of the Taxi and Limousine Commission (Tr. pp. 2-5)
 - The Chair reported on the Five Borough Taxi Plan. Chairman Yassky thanked the bill's sponsors Senator Golden and Assembly Member Heastie, the Speaker and the Senate Majority Leader. The legislation has not yet been sent to the Governor. The Legislature wants to amend the bill to clarify that the 50 cent per ride MTA surcharge applies to borough taxis as well as regular yellow taxis. This amendment will be considered when the Legislature reconvenes. TLC staff, Deputy Commissioner for Licensing Gary Weiss and Chief Information Officer Jeff Grunfeld, have begun to plan for the implementation of this bill. Additional enforcement staff have already been hired. (Tr. pp. 5-6)
 - Chairman Yassky reported on accessible transportation. TLC had issued requests for proposals for dispatch services for wheelchair users, specifically for Manhattan and the outer boroughs. TLC has received a number of responses and has an evaluating committee reviewing the responses. The goal is to have a program to implement by early 2012. (Tr. pp. 6-7)

- Chairman Yassky reported on a recent industry notice regarding smart phone applications (“smart phone apps”) dispatching for-hire vehicle service. The notice explains how smart phone apps can comply with TLC rules. (Tr. pp. 7-9)
2. Item 2 on the agenda, adoption of minutes (June 16, 2011 Commission meeting), was presented to the Commission for approval. A motion was made to approve the minutes. The motion passed unanimously. (Tr. p. 9)
 3. Item 3 on the agenda, base applications for determination, was presented to the Commission by Georgia Steele, Assistant Commissioner for Licensing. The following bases were presented for consideration:

NEW (4):

B02284	Dollar Express Car & Limo., Inc.
B02488	J & B Car & Limo. Service Inc.
B02477	Mathes Service, Inc. D/b/a Nunu Rochdale Car Service
B02481	Ten One Con Corp.

RENEWALS (34):

B01016	810 Car Service Corp.
B00459	910 Car Service Inc.
B01065	Barrios Car Service
B00856	Bee-Bee Car & Limo. Corp.
B01546	Belle Rock of Beach Channel Inc.
B00369	Boulevard Trans. Inc.
B01045	Caprice Car Service No. 2 Inc.
B00233	Cobblehill Car Service Inc.
B00029	Community Car Service Corp.
B00385	Delince Car Livery Service Corp.
B00887	Dial 7 Car & Limousine Service Inc. D/b/a Tel Aviv Car & Limousine Service
B00023	F.J. A. Livery Corp. D/b/a Village Car Service
B01711	Flushing Limo. Transp. Corp.
B00378	Habirah Inc. D/b/a Elat Car & Limousine
B00095	Liberty Car Service Inc.
B00811	Llama Limo. Car Service Corp.
B00593	MAJ Management Inc. D/b/a City & Ride Car & Limo. Service
B02163	Mega Mex Inc.
B01389	Metro Luxury Inc.
B02034	Moe Limo. & Car Service Inc.
B00373	Moisha Express Inc.

B01650	N.Y. Kings Transportation Inc. D/b/a Kings Car Service
B00457	Premium Bronx Corp.
B00221	Professional Car Service Inc.
B00031	Queens Village Inc.
B00727	Rechev of Brooklyn Inc.
B02288	Safari Transportation Inc.
B01733	SHMT Inc. D/b/a Mill Basin Car Service
B00009	T-D Maintenance Corp.
B01259	The New Brooklyn Car Service Inc.
B01977	USA Car Service Inc.
B00597	Wakefield Leasing Maintenance Corp.
B01737	Washington Radio Dispatch Inc.
B01231	Williamsburg Car & Messenger Service LLC

RENEWAL & RELOCATION (1):

B02050	Mazin Car & Limo. Service
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RENEWAL & OWNERSHIP CHANGE (5):

B00990	Mirage Limousine Service, Inc. D/b/a UFO Private Car & Limousine Service
B01738	New Commando Car Service Corp. D/b/a N.Y. Saeta
B00131	New Mexicana Car Service II Inc. D/b/a Azteca Express
B00653	Royal Car & Limo Service
B01537	S.I. Speed Inc.

RELOCATION (2):

B01454	Freedom Limo & Car Service
B01300	Kennedy Radio Dispatch Inc.

OWNERSHIP CHANGE (1):

B02318	Luxury Cars Group LLC
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OWNERSHIP CHANGE & NAME CHANGE (1):

B01177	SLMK D/b/a New Richmon
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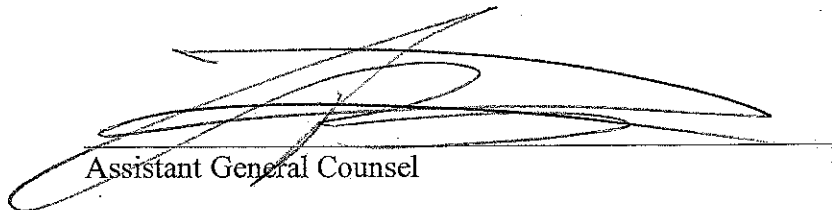
The following base is being recommended for denial if TLC requirements are not met within 30 days:

B00619	Lincoln Limo. Service Inc.
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4. A motion was made to approve all of the base station license applications that were recommended for approval. The motion passed unanimously. (Tr. p. 9)
5. A motion was made to deny the base station license application that was recommended for denial if the base does not comply with requirements within thirty days. The motion passed unanimously. (Tr. pp. 9-10)

6. Item 4 (a), Proposed Fitness Interview Rules, were presented for Commission Action. A motion was made to approve the proposed rules. The motion passed unanimously. (Tr. pp. 11-13)
7. Item 4 (b) Livery Stand Pilot Extension, was presented for Commission Action. The motion, to extend the Livery Stand Pilot Program originally approved in 2009, was approved. (Tr. pp. 13-14)
8. Item 5 (a), Proposed Rooftop Advertising Rule, was presented for public hearing and Commission action. A public hearing was held and the following people testified: Steven Newman, Astra Media Group; Bhairavi Desai, New York Taxi Workers Alliance (“NYTWA”); Javaid Tariq, NYTWA; Gary Kanterman, JTL Management; David Pollack, Committee for Taxi Safety; Mohan Singh, NYTWA; Richard Thaler, Omni Media; Ethan Gerber, Greater New York Taxi Association; Tariq Baig; Vincent Sapone, League of Mutual Taxicab Owners; Mohammad Akhtar, NYTWA; David Beier, Committee for Taxi Safety; and Osman Chowdhury. A motion was made to approve the proposed rule. Commissioners Yassky, DeArcy, Gonzales, and Weinshall voted in favor of the rule. Commissioners Arout, Carone and Gjonaj voted against the rule. The rule was not adopted. Commissioner Yassky advised that the Commission will return to this rule in September. In the interim, the TLC will not issue summonses for rooftop advertising. A formal industry notice explaining this will be issued. (Tr. pp. 14-44, 50-51)
9. Item 5 (b), Proposed Permanent Vehicle Specifications Rule, was presented to the Commission for public hearing and Commission Action. No one signed up to speak at the public hearing. A motion was made to approve the rules and the rules passed unanimously. (Tr. pp. 44-45)
10. Item 5 (c), Proposed License and Inspection Fee Rule, was presented to the Commission for public hearing and Commission Action. No one signed up to speak at the public hearing. A motion was made to approve the rules and Commissioners Yassky, Carone, DeArcy, Gjonaj, Gonzales, and Weinshall voted in favor of the rule. Commissioner Arout voted against the rule. (Tr. pp. 45-48)
11. Item 5 (d), Proposed Mandatory Penalty Rule, was presented to the Commission for public hearing and Commission Action. The following people testified at the public hearing: Osman Chowdhury and Mr. Fitzsimmons. A motion was made to approve the rules and the motion passed unanimously. (Tr. pp. 48-51)
12. The Chairman advised that in September the Commission will be considering an amendment to the Owner Must Drive Rule, Lost Property Rule, and the Rooftop Advertising Rule. (Tr. p. 51)
13. The meeting was adjourned. (Tr. p. 53)

Minutes as approved by the Taxi & Limousine Commission on
September 15, 2011



Assistant General Counsel

9/16/11
Date