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NEW YORK CITY
DEPARTMENT OF CITYWIDE
ADMINISTRATIVE SERVICES

TAXI & LIMOUSINE COMMISSION
PUBLIC HEARING ON PROPOSED RULES
GOVERNING TIPPING IN FOR-HIRE VEHICLES

33 Beaver Street
July 13, 2017

Reported By:
Kimberly LoNigro

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

3 Meera Joshi, Chair

4 Chris Wilson, General Counsel

5 Lauvienska Polanco, Commissioner

6 Bill Aguado, Commissioner

7 Jacques Jiha, Commissioner

8 Kenneth C. Mitchell, Commissioner

9

10

11 AUDIENCE PARTICIPANTS:

12 Annie Levers

13 Michele Dottin

14 Nagy Edrisse

15 Luiny Tavares

16 Ryan Price

17 Siegfried

18 Chris White

19 Pedro Acosta

20 Gulab Mudasán

21 Sohail Rana

22

23 ALSO PRESENT: Bernice Bonilla,
24 CART Reporter

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1 Proceedings

2 MS. JOSHI: The time is 10:15, and we're
3 now going to start the Taxi & Limousine's
4 public hearing. I just have a few
5 announcements.

6 We launched, last week, or on June 27th,
7 TLC Upload, TLCUp, which is an easier way for
8 drivers and vehicle owners to submit
9 documentation for their applications. The
10 benefit is they no longer have to attach an
11 e-mail, one-by-one documents, and the upload
12 feature will also let them know whether the
13 document's accepted or rejected or whether it's
14 currently being reviewed. They'll get the
15 status of each item, and they'll get
16 notification of whether there's missing items.
17 So hopefully, this will make applying for a TLC
18 license even easier than it already is, and we
19 look forward to more people taking advantage of
20 the Upload feature.

21 Next on the agenda is our base
22 applications -- oh, excuse me. The minutes.

23 So all in favor of adopting the minutes
24 from the June 8, 2017, meeting?

25 (Whereupon, a vote was taken.)

1 Proceedings

2 With that, the minutes are adopted.

3 And base applications for determination.

4 Good morning.

5 MS. NEIL: Good morning. My name is
6 Angelique Neil, the director of the business
7 unit.

8 Today we have 30 applications for your
9 approval; 2 new applications, 19 renewals, and
10 9 various changes.

11 MS. JOSHI: All in favor of accepting the
12 base report?

13 (Whereupon, a vote was taken.)

14 They are accepted.

15 Next on the agenda is a hearing on a
16 proposed rule that would mandate tipping
17 options for all FHV bases.

18 Chris Wilson will give an outline of the
19 rule, and then we will move to the hearing.

20 MR. WILSON: Yes. On the commission
21 agenda this morning is a public hearing and
22 proposed rules providing options for passenger
23 tipping of FHV's.

24 These rules resolve from a petition for
25 rule making which were granted in part on

1 Proceedings

2 April 7, '17. The rules provide that an FHV
3 base must offer passengers the option to tip
4 the driver using the same payment method used
5 to pay the fare. So if accepting payment by
6 credit card, the passenger must be permitted to
7 pay a tip by credit card. In addition, the
8 rule requires that any tips a passenger opts to
9 pay must be paid in full to the driver.

10 These rules were published in the city
11 record on June 13, 2017 with a comment day of
12 July 13, 2017. A public hearing is being held
13 today.

14 Do I have the speaker list?

15 (Hanging.)

16 MR. WILSON: It's empty.

17 MS. JOSHI: Are there any speakers for
18 today's hearing?

19 (Hands are raised in the audience.)

20 MS. JOSHI: Why don't we take five
21 minutes? People who want to speak, come up and
22 sign this. And once it's signed, we will call
23 the names off of the list.

24 (Whereupon, a recess was taken.)

25 MR. WILSON: The first speaker is Annie

1 Proceedings

2 Levers.

3 MS. LEVERS: Good morning. My name is
4 Annie Levers, and I am a council member of Brad
5 Lander's policy director.

6 I am here to express strong support on
7 behalf of Councilman Lander of the New York
8 City Taxi & Limousine Commission's proposed
9 rule to require for-hire vehicle bases to allow
10 passengers to tip drivers using the same method
11 of payment they used to pay for the fare.

12 As independent contractors, for-hire
13 drivers are denied many of the rights,
14 protections, and benefits of traditional
15 employees, making it difficult to piece
16 together a decent standard of living. As a
17 result, over 200,400 vehicles' drivers rely on
18 tips and gratuities to make ends meet.

19 Under current rules, taxis must offer
20 passengers the ability to pay. The proposed
21 rule would simply require FHV bases, including
22 those operated by app-based companies like
23 Uber, to adhere to the same standard.

24 We commend Commissioner Meera Joshi and
25 the Taxi & Limousine Commission in helping

Proceedings

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2 drivers to propose this new rule, which offers
3 one opportunity for drivers to improve their
4 standard of living in an expensive city as new
5 technology continues to transform industry in
6 the face of accessing rapid transit in the
7 city.

8 In the face of rapid change and new
9 technology, New York City will be challenged to
10 ensure that our city's drivers are treated
11 fairly. As a regulating agency for private
12 transportation in New York City, the TLC has
13 demonstrated a commitment to ensuring an
14 equitable, fair market for drivers and
15 consumers alike.

16 I appreciate the work the TLC has done to
17 survey drivers and owners as part of an ongoing
18 commitment to a regulatory structure that makes
19 it possible for drivers to earn a decent
20 living, and I am proud to support the TLC in
21 this effort and look forward to working closely
22 with the agency to identify new, innovative
23 tools to raise the forum for these great
24 workers in New York City.

25 Thank you for the opportunity to testify

1 Proceedings

2 on this proposed rule.

3 MR. WILSON: Thank you.

4 The next speaker is Michele Dottin.

5 MS. DOTTIN: Good morning. My name is
6 Michele Dottin. I've been a TLC licensed
7 driver for about 17 months and an IDG member.

8 It's a pleasure to be before you folks
9 today and ask that we continue to improve the
10 rules to ensure the tip option so we can count
11 on the values of New York City. We also know
12 these companies have continually refused to do
13 the right thing on their own. We need to bring
14 attention, along with a strong tipping option,
15 so workers can provide for our families and
16 children within an eight-hour day.

17 To help the commission understand how much
18 we actually take home as drivers, on public
19 record, I want you to know what my expenses
20 with this industry right now is. I work about
21 10 to 12 hours per day. I work six to seven
22 days per week. My work expenses are about \$450
23 per week without an incidental, meaning blown
24 tire, you know, brakes may go out. I don't --
25 I have a loan. My vehicle costs me \$1400 a

1 Proceedings

2 month, including --

3 MS. JOSHI: The 450, does that include
4 your vehicle loan?

5 MS. DOTTIN: No.

6 MS. JOSHI: No. So that's --

7 MS. DOTTIN: That's gas. There's food,
8 because I don't get to go home, so I eat
9 outside. That's also if I have tire -- you
10 know. Tires, brakes. It's not even in that.11 MS. JOSHI: Does it include commercial
12 insurance?13 MS. DOTTIN: No. The insurance is in
14 my --

15 MS. JOSHI: I'm sorry. I interrupted you.

16 MS. DOTTIN: No. That's fine.

17 MS. JOSHI: You were talking about your
18 loan. So you can pick up from there.19 MS. DOTTIN: Okay. So my loan, including
20 insurance, is 1,400 a month. Right? I don't
21 have health insurance. Today my financial
22 well-being is worse than previously in the
23 industry. I have one dependent. I work this
24 many hours in order to pay my expenses, so it's
25 just me alone, a single parent, covering

1 Proceedings

2 everything at home. So in order to do this,
3 with all of the things that happen and the
4 rates keep going down, I have to be out there
5 at least 10 hours to take home about 250 a day.
6 If I don't do those hours, I don't -- you know,
7 I don't get to meet my goals set per week.

8 MS. JOSHI: Your loan, is that deducted
9 from your pay from Uber, or do you pay that
10 separately?

11 MS. DOTTIN: No. I pay it separately,
12 yes.

13 MS. JOSHI: Your deductions from your Uber
14 pay, could you itemize them for us?

15 MS. DOTTIN: Yes. So the Uber pay -- it
16 deducts the black car fund, it deducts their
17 fee, and it also deducts a sales tax, and you
18 don't see on there, but it totals about
19 37 percent of what we make is taken before we
20 see the actually money.

21 The one thing I ask you to review before
22 we finish is that it be put on like a taxi so
23 the customer sees it. Right now, it's -- if
24 the customer doesn't rate us, they don't see
25 the tipping option. So like I say, if

Proceedings

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2 possible, please have an amendment that they
3 see it like they do with the taxis.

4 MS. JOSHI: Thank you very much.

5 MS. DOTIN: You're welcome.

6 MR. WILSON: The next speaker is Nagy
7 Edrisse.

8 MR. EDRISSSE: Good morning. I wasn't
9 prepared to put any words -- to say any words,
10 but I will speak what experience I have been
11 having while I work for Uber.

12 And Uber don't seem like tipping fair.
13 The -- I concentrate on the tipping policy.
14 Tipping policy, they always work against the
15 drivers. Always. They don't consider the
16 expenses, as the young lady just said before
17 me. They consider of their hidden policies.
18 They -- they're not clear in delivering the
19 policies, therefore, I don't have a trust
20 whether the -- the -- rider put a tip, I will
21 have the full tipping, the full tip that the
22 customer puts in.

23 We have an experience with them that they
24 miscalculated something about taxes like a
25 month or few -- six, seven weeks ago, and it

1 Proceedings

2 has been going for five years or so. And from
3 this point on, I don't trust how they calculate
4 things. I don't trust how they calculate
5 things.

6 MS. JOSHI: Can I ask you, you mentioned,
7 you said you don't know -- if Uber has rolled
8 out a tipping feature recently, and your
9 comment, if I understood it correctly, is -- or
10 let me ask you, do you know what part of your
11 pay is coming from passenger tips?

12 MR. EDRISSE: No.

13 MS. JOSHI: No. And why is that?

14 MR. EDRISSE: They're not clear in
15 putting -- they used to be very clear before,
16 and they used to put the price of the -- of the
17 trip and then the deductions after that. Now
18 they deduct everything. They give us the final
19 number according to their calculation, which I
20 don't trust their calculations. And I don't
21 think anyone should trust their calculations,
22 based on the fact that they calculate --
23 miscalculated the taxes previously.

24 MS. JOSHI: Okay.

25 MR. EDRISSE: Okay? When they came up

1 Proceedings

2 with the correction, they didn't even explain
3 how they determined the numbers that they paid
4 us. They could misallow [sic] it easy.

5 MS. JOSHI: There's people in the back.
6 It would be interesting if you have an example
7 of how you get paid out, if you can't see
8 certain itemizations, if you are comfortable
9 sharing something like that with us.

10 MR. EDRISSE: I would, but my phone is in
11 the car.

12 MS. JOSHI: Okay. We can also contact you
13 later.

14 MR. EDRISSE: Please. Please. And I have
15 a lot of examples to support my complaint.

16 For example, in the past they used to --
17 if you're a rider, you call up, you say, well,
18 I don't like the driver's face. Oh, we're
19 sorry. Here's a free ride. And they take it
20 out of my pay without even informing us. I
21 didn't work for over three weeks because I was
22 not agreeing with them to give them the right
23 to -- to give the credit to the customers
24 without even consulting us. You know what I
25 mean?

1 Proceedings

2 MR. JIHA: Are you saying, if they give a
3 credit to the customer, they make you pay for
4 it?

5 MR. EDRISSE: Of course. Of course.
6 They're really obnoxious.

7 MS. JOSHI: That would be something, I
8 think, if you have examples of that, that would
9 be of interest to us.

10 MR. EDRISSE: I look. I have -- I have it
11 copied.

12 MS. JOSHI: Thank you. We appreciate your
13 time and sharing with us.

14 MR. EDRISSE: Thank you. Thank you.

15 MR. WILSON: Thank you.

16 And the next speaker is Luiny Tavares.

17 MR. TAVARES: Good morning to the
18 Commission, to everybody here present. My name
19 is Luiny Tavares, and I've been a veteran of
20 this industry for about ten years; driving,
21 dispatcher. And I seen -- I was with Uber
22 since -- you know, one of the first -- I want
23 to say one of the first 500 drivers.

24 You know, when they -- when they brought
25 me in, you know, they treated me awesome. You

Proceedings

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2 know, they were paying 4 -- \$4.10 a mile, \$0.75
3 a minute, black car. I had a luxury car. You
4 know, prices have gone down a lot since then.
5 At this point, I still drive a luxury car. You
6 know, they had 3 -- 3,000 visits a month. But
7 people don't choose that option because they
8 undercut us so much with the Uber X where
9 they -- you know, passengers are paying a
10 dollar -- \$1.41 a mile and like 30 -- \$0.31 a
11 minute -- \$0.27 a minute.

12 So what's happened is my -- my take home
13 has decreased in the past four years by
14 50 percent. My first year when I started with
15 them, I had a 1099 of \$130,000. You know,
16 that's -- and those are a lot of expenses
17 because, as I said, I drive a luxury car. So,
18 you know, you figure half of that goes to
19 expenses in this industry. Right now, my -- my
20 1099 in the last year was under \$40,000. You
21 know, which -- which you can see what that
22 would do to any family.

23 MS. JOSHI: I'm sorry. You said the first
24 year you drove, your 1099 was around 130,000,
25 and that's what, 2012, 2013?

Proceedings

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2 MR. TAVARES: 2012, yeah.

3 MS. JOSHI: And last year your 1099 was
4 40,000?

5 MR. TAVARES: \$40,000. So you can see
6 what kind of impact that would have on a
7 standard of living, you know. Cause I don't --
8 I don't just drive. I drive because I like it
9 and I like to meet people. But, you know, and
10 I like to talk to people. But I drive because
11 I want to support my family. I have to make
12 enough money. And tipping, -- this meeting was
13 all about tipping -- was a big part of it.

14 Initially, we didn't need tips. Right?
15 And also, Uber told everybody the tip is
16 included. And I said, you know, It's not
17 included, but it's okay, cause I'm making
18 enough money. By this point, I'm not making
19 enough money. And Uber has -- they did not use
20 the same marketing tools that they use when
21 they told people that the tip was included to
22 tell people now that it's really not included.
23 And that's really been unfair. Everything --
24 I'm not, you know, just talking about Uber,
25 because the other companies do the same things.

1 Proceedings

2 It's just that Uber is the bigger player in
3 the market now, about 70, 75 percent of the
4 bulk.

5 So at this point, I'm struggling to
6 support my family. And -- and I have a huge
7 bill, a huge car bill. Because what they did,
8 they encouraged us to borrow. To borrow to get
9 newer cars and now everybody has to keep
10 driving just to pay those bills. Because I
11 can't -- I can't -- at this point be
12 irresponsible or return my car because I have I
13 have 60,000 loan. And they decreased my income
14 by decreasing the prices, and now I'm forced to
15 drive just to be able to keep my fair credit
16 out of disarray.

17 MS. JOSHI: What is your monthly car loan,
18 amount, if you don't mind sharing it?

19 MR. TAVARES: I have a Lexus RX 450. I
20 pay \$1,200 a month just in car payments. And
21 the insurance is -- is almost \$500.

22 MS. JOSHI: So that's 1,700 with the car
23 and insurance.

24 MR. TAVARES: Yeah. Luckily, it's a
25 hybrid, so I save on gas.

1 Proceedings

2 MS. JOSHI: Do you get your loan
3 agreements deducted from your Uber pay, or do
4 you pay a separate --

5 A. Yeah. No. I pay bigger -- through my
6 bank. I pay for my bank.

7 MS. JOSHI: All right. Thank you.

8 MR. TAVARES: Thank you.

9 MR. WILSON: Thank you.

10 The next speaker is Ryan Price.

11 MR. PRICE: So first, on behalf of our
12 members, thank you. Thank you for helping our
13 members provide for their families. Thank you
14 for helping our members' efforts to win this
15 tipping option. Because of our members'
16 efforts and the Commission's willingness to
17 regulate this issue, our workers across the
18 United States got a raise.

19 That being said, these companies seem to
20 be solely motivated by a bloodlust for market
21 share. That bloodlust means that if companies
22 have their way, they'll pay as little as
23 possible to keep them on the road for
24 unfathomably long shifts and do as much labor
25 capable within that time period, which is

1 Proceedings

2 obviously dangerous. And it's not a new
3 problem. It's about 100 years old.

4 Generations before us fixed the problem by
5 defining and regulating pay, and workers
6 organized to ensure that we had a future. They
7 defined our values, and we've let the Ubers and
8 Trumps of the world turn our backs on them.

9 It's rare to find a company motivated to
10 pay workers a living wage, and one simply
11 doesn't exist in this industry. So regulators
12 stepping in alongside organized workers is
13 essential.

14 Again, we support these rules today. But
15 these companies will continue to get around
16 anything that enforces equity and fairness,
17 like this tipping option. So it's important we
18 continue improving the tipping rules after
19 today, along with other pay protections to
20 ensure the industry reflects the values.

21 All I can say is thank you for your
22 support with this rule. Thank you for
23 supporting the workers.

24 MS. JOSHI: Thank you.

25 MR. WILSON: Thank you. And I can't read

1 Proceedings

2 this next name. It looks like it's --

3 AUDIENCE MEMBER: Siegfried?

4 MR. WILSON: Yes. Siegfried. Thank you.

5 MR. SIEGFRIED: Good morning. I echo
6 everybody's words over here because they're all
7 valid. But I'm going to sidetrack a little
8 bit. Okay?

9 Drivers out there driving, work from 10 to
10 12 hours a day not having any rest spots, okay,
11 to relieve themselves. Now, there was a survey
12 about a year ago that drivers have kidney
13 problems and bladder problems, and that's
14 because they can't find a location to go to the
15 bathroom and relieve themselves.

16 Now, I found -- I had to go to a couple of
17 places twice. Twice I receive a summons, okay,
18 even though I'm under the -- even though we are
19 under the Taxi & Limousine jurisdiction, I
20 received summonses twice. I wrote them a
21 letter, okay, stating why I had to stop. And
22 they sent it back to me saying, Guess what?
23 Pay. All right? Now, the thing is this: The
24 New York City -- the Taxi & Limousine
25 Commission, I spoke with an inspector. And I

1 Proceedings

2 asked him if I'm under the Taxi & Limousine
3 jurisdiction, am I supposed to get a summons if
4 I'm parked at a taxi stand? And they said,
5 "No, you shouldn't have gotten it." Well,
6 twice I got it. Maybe because this is not the
7 proper agency, but I think that the DOT and
8 this agency here should get together say, okay,
9 guys. Listen. These drivers need relief
10 locations. Okay.

11 MS. JOSHI: What I'd also like to do is
12 point out, there are members of our enforcement
13 team in the back, and we're happy to talk with
14 you one-on-one about your summons and what your
15 options are with regard -- that came from PD,
16 I'm assuming, the summons you held up?

17 MR. SIEGFRIED: It came from traffic.

18 MS. JOSHI: Traffic enforcement.

19 MR. SIEGFRIED: Yeah. From traffic, yeah.

20 MS. JOSHI: Okay. We do speak with NYPD.
21 So if there are practices that are not
22 conducive to drivers being able to discharge
23 passengers or have rest stops, we like to try
24 to work with them to see if they can, you know,
25 use discretion when they do those summonses.

1 Proceedings

2 So it would be helpful if you could share that
3 with a member of enforcement in the back.

4 Do you have any comments for today's
5 tipping rule?

6 MR. SIEGFRIED: No, I don't. Because the
7 comment that I have, everybody took it away
8 from me.

9 MS. JOSHI: You're got to come up with
10 something else then.

11 MR. SIEGFRIED: What they said, it's good.

12 MS. JOSHI: Okay.

13 MR. SIEGFRIED: But the other thing is
14 that --

15 MS. JOSHI: I just want to make sure,
16 because we have a few speakers, that we focus
17 on the tipping rule.

18 MR. SIEGFRIED: Okay.

19 MS. JOSHI: But as far as rest stops and
20 bathrooms, -- and I am aware of the study that
21 you cited about the importance of having a
22 bathroom available for drivers -- we definitely
23 have members of the enforcement team in the
24 back that can speak to you about that those.

25 MR. SIEGFRIED: Okay. I'd just thought I'd

1 Proceedings

2 sidetrack a little bit --

3 MS. JOSHI: Thank you.

4 MR. SIEGFRIED: -- to make sure it comes
5 up.

6 MS. JOSHI: Okay. Thank you.

7 MR. SIEGFRIED: Thank you.

8 MR. WILSON: Thank you.

9 The next speaker is Chris White.

10 MR. WHITE: Good morning. My name is
11 Chris White. I've been a TLC driver for about
12 a year and a half, and I'm a IDG member.

13 I support the tipping rule proposed today,
14 and I ask that we continue to improve the rules
15 to ensure the tipping options remain on the
16 platform to reflect the values of New York City
17 drivers.

18 We also know these companies have
19 continually refused to do the right thing on
20 their own. We need to win pay protections,
21 along with a strong tipping option so workers
22 can provide for our families and children
23 within an eight-hour day.

24 To help the commission understand how much
25 we actually take home as drivers, on public

1 Proceedings

2 record, I want you to know what my experience
3 in this industry is right now.

4 I work about anywhere between 8 to 12
5 hours a day. I work six -- five to six,
6 sometimes seven days a week. My work expenses
7 can be 5, 6, \$700 a week. That's from car
8 washing two, three times a week. Some --
9 some -- some weeks are bad weather. Could be
10 more. Gas expenses can be 200, 250. Food,
11 approximately, \$100 for the week. Maintenance.
12 Maintenance varies. I can go and get repairs
13 done that can cost up to \$1,500 for one month
14 and put it on a card and break it down weekly,
15 monthly to pay it off in three months. Another
16 issue comes up and, you know, it can -- it can
17 be continuous. And, of course, insurance. TLC
18 insurance. Break that down, the TLC insurance
19 along with the full coverage for the vehicle
20 can be 200 a week.

21 MS. JOSHI: Do you own your own car?

22 A. I own it. I have a -- my personal loan.
23 Not through Uber.

24 And my car -- my car payment is \$1,000 a
25 month. I don't have healthcare. Which I do want to

1 Proceedings

2 include in configuring -- figuring out. The cost of
3 that is -- is not -- you know, not doable right now,
4 you know.

5 And basically, you know, just -- just one
6 quick story. When I came in JFK, took an Uber cab
7 home, talked to driver, didn't let him know I was a
8 driver. We were talking good and, you know, it got
9 to how many hours he drive a day. And he says he
10 drives 15 hours a day, sometimes 18, to make his
11 standard of living, to survive, you know. And I
12 just found that so interesting because he's, you
13 know, almost doubling what I'm doing, you know.

14 Thank you and I hope that we can --

15 MS. JOSHI: I was going to say thank you.

16 MR. WHITE: Have a good day.

17 MR. WILSON: Thank you.

18 And the next speaker is Pedro Acosta.

19 MR. ACOSTA: Good morning, everyone. My
20 name is Pedro Acosta, and I have been in this
21 industry for 25 years.

22 I work about 14 hours every day, six or
23 seven days a week. My work expenses, personal,
24 is around 250, personal. But when I took the
25 business with my car, it goes to around

1 Proceedings

2 \$1,000. 9 -- 9 --

3 MS. JOSHI: Are you talking about per week
4 or per month?

5 MR. ACOSTA: Per week.

6 MS. JOSHI: So 250 personal expenses, and
7 with your car, the total is around 900 or
8 \$1,000 a week?9 MR. ACOSTA: Yes. I'm talking about my
10 personal; my food, car wash. I mean it always
11 should be clean, the car. I'm talking about
12 the insurance that I break into -- into week.
13 The insurance, the loan, the car wash. That's
14 still so much we don't even mention. The
15 inspection our license, which is every two
16 year. The inspection of the car, which is
17 every four months. The registration of the car
18 which is \$500 a year too. It's not even
19 mentioned on that. I have my \$785 monthly.
20 Monthly.21 I don't know, but I think years ago, the
22 prices of this industry just to be regulated by
23 the TLC department. Apparently today it's not.
24 I just -- to work for a car service, they used
25 to give me a book and follow the book to ensure

1 Proceedings

2 the prices to the passengers. Apparently, not
3 anymore. I think you should regulate that
4 because this industry has changed too much. We
5 have too much expenses.

6 One more thing that I should let you know
7 should be changed. When you get any
8 violations, summonses, because of any equipment
9 problem in the car accident, we should be able
10 to have a period of time, period of grace for
11 at least 24 hour, like the NYPD does with us,
12 so we can fix it. Because it happened to me a
13 couple years ago. They gave me \$200 because it
14 was -- one of the headlight not working.

15 MS. JOSHI: I think I have good news for
16 you. We are adopting that same approach. We
17 give you time to fix it before the summons and
18 I'm sure there is someone from enforcement int
19 he back or from prosecution who can give you
20 the details of that.

21 MR. ACOSTA: Thank you. That sounds very
22 good. It's frustrating when we get pulled over
23 by the officer TLC, and they don't even -- they
24 are not even polite. They just write the
25 ticket. They write a ticket on me, and they

Proceedings

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2 tell me you would get it in the mail. You
3 don't even know nothing. It is frustrating.

4 After we spend 10, 12, 14 hours a day,
5 tired and working with so many different
6 people, we don't know who is behind you. You
7 know, just many things that you should take in
8 consideration with us. Right now, -- I
9 remember I used to work about eight to ten
10 hours when I used to work for Staten Island.
11 And I used to make good money. Now, since
12 everything -- and I also -- first time Uber, I
13 just to make good money with eight or ten
14 hours, but not anymore. I have to work over 12
15 hours or 16 hours sometimes to be able to bring
16 this amount of money I used to bring before.
17 Right now you are regulating the time that we
18 have to work per day. So the less money we
19 make, it's still longer hours we have to work
20 every day. It's every day getting harder for
21 us.

22 MS. JOSHI: Thank you for your testimony.

23 MR. ACOSTA: Thank you for giving me the
24 opportunity. Thanks so much.

25 MR. WILSON: Thank you.

1 Proceedings

2 The next speaker is Gulab Mudasan.

3 MR. MUDASAN: Hi. Good morning. My name
4 is Gulab Mudasan, and I work for Uber for eight
5 months.

6 We have other drivers who have more
7 problems, so we want to solve -- we hope that
8 when we solve and -- or -- just we know this is
9 the solution area.

10 So I -- I work per day almost ten hour and
11 also some days sometimes six days I'm working
12 there. My work expenses is almost from 1,000
13 to 1,100 per week. Like gas, oil, car wash,
14 and parking. And also we have like insurance.
15 Car insurance, not health insurance. So we
16 have almost like \$1,100 expenses, but just we
17 have from Uber company in ten hour and seven
18 days like 12 to \$1,300 per week that we can
19 get. If \$1,300, just to we have 2, \$300 for
20 ourself.

21 MS. JOSHI: You're saying in a week, --

22 MR. MUDASAN: Just 200.

23 MS. JOSHI: -- after your expenses, you're
24 taking 2, \$300?

25 MR. MUDASAN: Yes. And there is one

Proceedings

1
2 thing. The Uber company give us like a
3 promotion: You should make 35 trips or 40
4 trips in four days or in three days, so we will
5 give you \$30 or \$40. Sometimes \$60. I think
6 we don't need the promotion help the passengers
7 with the drivers. They should higher the
8 price. Now it is 1.70 -- it is 75 -- it is
9 1.67 dollar per mile. It is inside the
10 borough. If we go outside of the borough, like
11 upstate and Long Island, so when we are pick up
12 some passenger from upstate or back to here or
13 somewhere, so they have like 0.67 dollar per
14 mile. So that is not enough for us.

15 And one thing more. One problem that we
16 have, last time, I remember that one -- my
17 friend, he pick up one passenger in Long Island
18 City. So that is the new rule that we don't
19 know about that. The police is called to him,
20 and he give a ticket to that guy. The Uber
21 driver or the city driver cannot pick up the
22 passenger from Long Island City -- sorry. From
23 Long Island. So they also give the ticket
24 there. And we also have more problem because
25 we pick up passenger, for example, from city to

1 Proceedings

2 Long Island. If we come back from there, back
3 to the city or to the Queens, I think we also
4 spend our time and also spend more gas. That's
5 also one of the problems.

6 And we also have -- we have some problem
7 with the passenger. That the Uber company is
8 just focused on the passenger, not on the
9 drivers. Because almost two or three times we
10 are washing our car or -- or cleaning, and we
11 are concerned with the passenger, to pick up
12 and drop off the passenger with good condition.
13 When -- they are heavy when they go to home,
14 and they think they don't go to work or when
15 they are relaxed. They think in their mind,
16 what should I do. Then they open their app,
17 and they write down something for you, the car
18 was dirty, this was this something, this was
19 this something. They give you one star to the
20 passenger and send that message to the Uber
21 company. The Uber company don't apologize for
22 message, and they don't ask about the
23 passenger -- the drivers. That make the rating
24 is going down if we have 4.5 rating. So the
25 rating is coming like 4.4 or 3.

1 Proceedings

2 So also, sometimes, more of the drivers,
3 they buy the cars from 35,000 to 90,000
4 something. They -- some of the people take a
5 loan from other -- from bank or from other
6 where. They spend almost like \$80,000.
7 Therefore, they should take some money from
8 Uber company.

9 MS. JOSHI: Can I ask you just a quick
10 question? Do you have a car loan?

11 MR. MUDASAN: No, I don't have.

12 MS. JOSHI: Do --

13 MR. MUDASAN: I have my car. This is my
14 own car.

15 MS. JOSHI: That's your own car?

16 MR. MUDASAN: Yes.

17 MS. JOSHI: If you're making 200 to 300 a
18 week, what keeps you driving for Uber?

19 MR. MUDASAN: We are -- I am just like
20 gas, my insurance, tools, and also car washing,
21 parking, everything. This is coming almost
22 like 1,000, 900 my expenses per week. Just we
23 give -- I give \$250 for -- to the parking and
24 also \$460 for the insurance. And also we give
25 per day from 25 to \$30 to the gas, and also we

1 Proceedings

2 give to the tool, the same thing. That is why
3 I have --

4 MS. JOSHI: I think my question is more,
5 have you explored other options if the pay is
6 so low with Uber? If you take home is so low
7 with Uber, are there other options in the
8 for-hire sector for you?

9 MR. MUDASAN: I don't have another offer.
10 I just wait for when our prices go a little bit
11 high. So I think we should --

12 MS. JOSHI: So your future is one in which
13 the prices go up, and then the weekly income --

14 MR. MUDASAN: Exactly. So one thing more.
15 Sorry.

16 MS. JOSHI: Does it have to do with
17 tipping?

18 MR. MUDASAN: I'm telling about that also.
19 The tip, when the passenger is giving tipping,
20 they can't give a tip on the kind that they
21 want. When they give five star or the
22 starrng, from that time the passenger can't
23 give a tip. Before the rating, they can't see
24 the tipping. How they give the tip? So as --
25 I think before the rating, they should give us

1 Proceedings

2 a tip, then they can give us the rate.

3 And also thing more.

4 MS. JOSHI: I'm going to have to call the
5 next speaker.

6 MR. MUDASAN: Just one more.

7 MS. JOSHI: We have people in the back
8 that can -- you can right there, Kalla Wright.
9 She's raised her hand and she will be happy to
10 listen to your last point.

11 MR. MUDASAN: Thank you.

12 MS. JOSHI: Thank you.

13 MR. WILSON: Thank you.

14 The next speaker is Sohail Rana.

15 MR. RANA: Hi. Good morning. My name is
16 Sohail Rana. I've been driving for 25 years
17 and I'm a proud member of IDG.

18 I support the tipping rule proposed today,
19 and urge the Taxi & Limousine Commission to
20 vote to pass the regulation today.

21 After voting and passing the rule, I ask
22 the commission to amend them to be the same as
23 taxi rules where the tipping choices are 20
24 percent, 25 percent, 30 percent. Not like how
25 Uber put it in the app: \$1, \$2, and \$5. When

1 Proceedings

2 was the last time you saw the option -- you go
3 to restaurant, there's an option to tip your
4 waitress or waiter \$1, \$3, and \$5? This is
5 really like out of lines.

6 I want to thank you, TLC and the
7 Commission, hearing all of us drivers. And
8 thanks also, IDG, for giving us the platform.
9 They've done great work for us.

10 Also, one more question I have for the
11 companies. Why do they treat drivers unfairly
12 all the time? Why we have to fight? Is that
13 because we are immigrants or we are minorities?

14 Thank you.

15 MS. JOSHI: Thank you.

16 And I think that brings us to the end of
17 our public hearing. It sounds like there's
18 unanimous support for the rule, so we can move
19 to a vote, if everyone feels that way.

20 MS. POLANCO: Yes. But I just want to add
21 that in terms of the gentleman's suggestion to
22 amend the rules to reflect, to be the same as
23 the taxi, I think that's something we should
24 consider. And if not today, we should consider
25 it to our September or in our fall meeting.

1 Proceedings

2 Because I know there is presently legislation
3 being considered in city council that touches
4 upon the tipping rule. But if that legislation
5 doesn't -- is not similar to what is suggested
6 by the gentleman in terms of it should be the
7 same as a taxi, at least we should consider for
8 our fall meeting, because adamantly I'm for it.
9 It should be the same across the industry.

10 MS. JOSHI: Thank you. And I do think
11 that this is something we'll have to monitor
12 and practice. And we appreciate drivers'
13 feedback because it's helpful for us to
14 understand how different tipping strategies are
15 working in your daily work life.

16 So with your caveat, we'll keep a close
17 eye and make amendments, if they are necessary.

18 All in favor of the proposed rule to
19 mandate tipping for all FHV bases?

20 (Whereupon, a vote was taken.)

21 MS. JOSHI: With that, the rule passes.

22 (Applause.)

23 MS. JOSHI: And I think that actually
24 brings us to the end of our public meeting.
25 It's 11 o'clock.

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Proceedings

Thank you, everybody, for coming to the meeting.

(TIME NOTED 11:01 a.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)

:SS

COUNTY OF SUFFOLK)

I, Kimberly LoNigro, a Shorthand Reporter within and for the State of New York, do hereby certify that the within is a true and accurate transcript of the statement taken on July 13, 2017.

I further certify that I am not related to any of the parties to this action by blood or by 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 13th day of July, 2017.


Kimberly LoNigro

\$027 15:11	\$60 30:5	25:18,19,20 26:5,9 27:21 28:23 (8)	allow 6:9	anymore 27:3 28:14
\$031 15:10	\$700 24:7	across 18:17 36:9	almost 17:21 25:13 29:10,12,16 31:9 32:6,21 (8)	anyone 12:21
\$075 15:2	\$785 26:19	action 38:14	alone 9:25	anything 19:16
\$1 34:25 35:4	\$80000 32:6	actually 8:18 10:20 23:25 36:23 (4)	along 8:14 19:19 23:21 24:19 (4)	anywhere 24:4
\$100 24:11	& 1:9 3:3 6:8,25 20:19,24 21:2 34:19 (8)	adamantly 36:8	alongside 19:12	apologize 31:21
\$1000 24:24 26:2,8	'17 5:2	add 35:20	already 3:18	app 31:16 34:25
\$1100 29:16	067 30:13	addition 5:7	also 2:23 3:12 8:11 9:9 10:17 13:12 16:15 21:11 23:18 28:12 29:11,14 30:23,24 31:3,4,5,6 32:2,20,24,24,25 33:18 34:3 35:8,10 (27)	apparently 26:23 27:2
\$1200 17:20	13th 38:18	adhere 6:23	am 6:4,6 7:20 21:3 22:20 32:19 37:4 38:13,15 (9)	appbased 6:22
\$1300 29:18,19	27th 3:6	administrative 1:5	amend 34:22 35:22	applause 36:22
\$130000 15:15	[sic] 13:4	adopted 4:2	amendment 11:2	applications 3:9,22 4:3,8,9 (5)
\$1400 8:25	ability 6:20	adopting 3:23 27:16	amendments 36:17	applying 3:17
\$141 15:10	able 17:15 21:22 27:9 28:15 (4)	advantage 3:19	amount 17:18 28:16	appreciate 7:16 14:12 36:12
\$1500 24:13	about 8:7,20,22 9:17 10:5,18 11:24 14:20 16:13,24 17:3 19:3 20:12 21:14 22:21,24 23:11 24:4 25:22 26:3,9,11 28:9 30:19 31:22 33:18 (26)	after 12:17 19:18 28:4 29:23 34:21 (5)	angelique 4:6	approval 4:9
\$2 34:25	accepted 3:13 4:14	again 19:14	annie 2:12 5:25 6:4	approximately 24:11
\$200 27:13	accepting 4:11 5:5	against 11:14	announcements 3:5	april 5:2
\$250 32:23	accessing 7:6	agency 7:11,22 21:7,8 (4)	another 24:15 33:9	area 29:9
\$3 35:4	accident 27:9	agenda 3:21 4:15,21		around 15:24 19:15 25:24,25 26:7 (5)
\$30 30:5 32:25	according 12:19	ago 11:25 20:12 26:21 27:13 (4)		ask 8:9 10:21 12:6,10 23:14 31:22 32:9 34:21 (8)
\$300 29:19,24	accurate 38:11	agreeing 13:22		asked 21:2
\$40 30:5	acosta 2:19	agreements 18:3		assuming 21:16
\$40000 15:20 16:5		aguado 2:6		attach 3:10
\$410 15:2		alike 7:15		
\$450 8:22				
\$460 32:24				
\$5 34:25 35:4				
\$500 17:21 26:18				

<p>attention 8:14</p> <p>audience 2:11 5:19 20:3</p> <p>available 22:22</p> <p>aware 22:20</p> <p>away 22:7</p> <p>awesome 14:25</p> <p>back 13:5 20:22 21:13 22:3,24 27:19 30:12 31:2,2 34:7 (10)</p> <p>backs 19:8</p> <p>bad 24:9</p> <p>bank 18:6,6 32:5</p> <p>base 3:21 4:3,12 5:3 (4)</p> <p>based 12:22</p> <p>bases 4:17 6:9,21 36:19 (4)</p> <p>basically 25:5</p> <p>bathroom 20:15 22:22</p> <p>bathrooms 22:20</p> <p>beaver 1:14</p> <p>because 9:8 13:21 15:7,17 16:8,10,25 17:7,10,12 18:15 20:6,14 21:6 22:6,16 25:12 27:4,8,12,13 30:24 31:9 35:13 36:2,8,13 (27)</p> <p>before 8:8 10:19,21 11:16</p>	<p>12:15 19:4 27:17 28:16 33:23,25 (10)</p> <p>behalf 6:7 18:11</p> <p>behind 28:6</p> <p>being 3:14 5:12 18:19 21:22 36:3 (5)</p> <p>benefit 3:10</p> <p>benefits 6:14</p> <p>bernice 2:23</p> <p>between 24:4</p> <p>big 16:13</p> <p>bigger 17:2 18:5</p> <p>bill 2:6 17:7,7</p> <p>bills 17:10</p> <p>bit 20:8 23:2 33:10</p> <p>black 10:16 15:3</p> <p>bladder 20:13</p> <p>blood 38:14</p> <p>bloodlust 18:20,21</p> <p>blown 8:23</p> <p>bonilla 2:23</p> <p>book 26:25,25</p> <p>borough 30:10,10</p> <p>borrow 17:8,8</p> <p>brad 6:4</p>	<p>brakes 8:24 9:10</p> <p>break 24:14,18 26:12</p> <p>bring 8:13 28:15,16</p> <p>brings 35:16 36:24</p> <p>brought 14:24</p> <p>bulk 17:4</p> <p>business 4:6 25:25</p> <p>buy 32:3</p> <p>c 2:2,8 38:3,3 (4)</p> <p>cab 25:6</p> <p>calculate 12:3,4,22</p> <p>calculation 12:19</p> <p>calculations 12:20,21</p> <p>call 5:22 13:17 34:4</p> <p>called 30:19</p> <p>came 12:25 21:15,17 25:6 (4)</p> <p>can 8:10,15 9:18 12:6 13:12 15:21 16:5 19:21 21:24 22:24 23:22 24:7, 10,12,13,16,16,20 25:14 27:12,19 29:18 32:9 34:2,8,8 35:18 (27)</p> <p>can't 13:7 17:11,11 19:25 20:14 33:20,22,23</p>	<p>(8)</p> <p>cannot 30:21</p> <p>capable 18:25</p> <p>car 10:16 13:11 15:3,3,5,17 17:7,12,17,20,22 24:7,21,24,24 25:25 26:7,10,11,1 3,16,17,24 27:9 29:13,15 31:10,17 32:10,13,14,15,20 (33)</p> <p>card 5:6,7 24:14</p> <p>cars 17:9 32:3</p> <p>cart 2:23</p> <p>cause 16:7,17</p> <p>caveat 36:16</p> <p>certain 13:8</p> <p>certify 38:11,13</p> <p>chair 2:3</p> <p>challenged 7:9</p> <p>change 7:8</p> <p>changed 27:4,7</p> <p>changes 4:10</p> <p>children 8:16 23:22</p> <p>choices 34:23</p> <p>choose 15:7</p> <p>chris 2:4,18 4:18 23:9,11 (5)</p> <p>cited 22:21</p> <p>city 1:4 5:10 6:8</p>	<p>7:4,7,9,12,24 8:11 20:24 23:16 30:18,21,22,25 31:3 36:3 (17)</p> <p>city's 7:10</p> <p>citywide 1:4</p> <p>clean 26:11</p> <p>cleaning 31:10</p> <p>clear 11:18 12:14,15</p> <p>close 36:16</p> <p>closely 7:21</p> <p>come 5:21 22:9 31:2</p> <p>comes 23:4 24:16</p> <p>comfortable 13:8</p> <p>coming 12:11 31:25 32:21 37:2 (4)</p> <p>commend 6:24</p> <p>comment 5:11 12:9 22:7</p> <p>comments 22:4</p> <p>commercial 9:11</p> <p>commission 1:9 4:20 6:25 8:17 14:18 20:25 23:24 34:19,22 35:7 (10)</p> <p>commission's 6:8 18:16</p> <p>commissioner 2:5,6,7,8 6:24 (5)</p> <p>commitment 7:13,18</p>
---	---	--	---	--

<p>companies 6:22 8:12 16:25 18:19,21 19:15 23:18 35:11 (8)</p> <p>company 19:9 29:17 30:2 31:7,21,21 32:8 (7)</p> <p>complaint 13:15</p> <p>concentrate 11:13</p> <p>concerned 31:11</p> <p>condition 31:12</p> <p>conducive 21:22</p> <p>configuring 25:2</p> <p>consider 11:15,17 35:24,24 36:7 (5)</p> <p>consideration 28:8</p> <p>considered 36:3</p> <p>consulting 13:24</p> <p>consumers 7:15</p> <p>contact 13:12</p> <p>continually 8:12 23:19</p> <p>continue 8:9 19:15,18 23:14 (4)</p> <p>continues 7:5</p> <p>continuous 24:17</p> <p>contractors 6:12</p> <p>copied 14:11</p> <p>correction 13:2</p>	<p>correctly 12:9</p> <p>cost 24:13 25:2</p> <p>costs 8:25</p> <p>could 10:14 13:4 22:2 24:9 (4)</p> <p>council 6:4 36:3</p> <p>councilman 6:7</p> <p>counsel 2:4</p> <p>count 8:10</p> <p>county 38:7</p> <p>couple 20:16 27:13</p> <p>course 14:5,5 24:17</p> <p>coverage 24:19</p> <p>covering 9:25</p> <p>credit 5:6,7 13:23 14:3 17:15 (5)</p> <p>current 6:19</p> <p>currently 3:14</p> <p>customer 10:23,24 11:22 14:3 (4)</p> <p>customers 13:23</p> <p>daily 36:15</p> <p>dangerous 19:2</p> <p>day 5:11 8:16,21 10:5 20:10 23:23 24:5 25:9,10,16,22 28:4,18,20,20 29:10 32:25 38:18 (18)</p>	<p>days 8:22 24:6 25:23 29:11,11,18 30:4,4 (8)</p> <p>decent 6:16 7:19</p> <p>decreased 15:13 17:13</p> <p>decreasing 17:14</p> <p>deduct 12:18</p> <p>deducted 10:8 18:3</p> <p>deductions 10:13 12:17</p> <p>deducts 10:16,16,17</p> <p>defined 19:7</p> <p>defining 19:5</p> <p>definitely 22:22</p> <p>delivering 11:18</p> <p>demonstrated 7:13</p> <p>denied 6:13</p> <p>department 1:4 26:23</p> <p>dependent 9:23</p> <p>details 27:20</p> <p>determination 4:3</p> <p>determined 13:3</p> <p>didn't 13:2,21 16:14 25:7 (4)</p> <p>different 28:5 36:14</p>	<p>difficult 6:15</p> <p>director 4:6 6:5</p> <p>dirty 31:18</p> <p>disarray 17:16</p> <p>discharge 21:22</p> <p>discretion 21:25</p> <p>dispatcher 14:21</p> <p>doable 25:3</p> <p>document's 3:13</p> <p>documentation 3:9</p> <p>documents 3:11</p> <p>does 9:3,11 27:11 33:16 (4)</p> <p>doesn't 10:24 19:11 36:5</p> <p>doing 25:13</p> <p>dollar 15:10 30:9,13</p> <p>done 7:16 24:13 35:9</p> <p>dot 21:7</p> <p>dottin 2:13 8:4,5,6 9:5,7,13,16,19 10:11,15 11:5 (12)</p> <p>doubling 25:13</p> <p>down 10:4 15:4 24:14,18 31:17,24 (6)</p> <p>drive 15:5,17 16:8,8,10 17:15 25:9 (7)</p>	<p>driver 5:4,9 8:7 23:11 25:7,8 30:21,21 (8)</p> <p>driver's 13:18</p> <p>drivers 3:8 6:10,13,17 7:2,3,10,14,17,19 8:18 11:15 14:23 20:9,12 21:9,22 22:22 23:17,25 29:6 30:7 31:9,23 32:2 35:7,11 (27)</p> <p>drivers' 36:12</p> <p>drives 25:10</p> <p>driving 14:20 17:10 20:9 32:18 34:16 (5)</p> <p>drop 31:12</p> <p>drove 15:24</p> <p>each 3:15</p> <p>earn 7:19</p> <p>easier 3:7,18</p> <p>easy 13:4</p> <p>eat 9:8</p> <p>echo 20:5</p> <p>edrisse 2:14 11:7,8 12:12,14,25 13:10,14 14:5,10,14 (11)</p> <p>effort 7:21</p> <p>efforts 18:14,16</p> <p>eight 28:9,13 29:4</p> <p>eighthour 8:16 23:23</p>
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<p>else 22:10</p> <p>email 3:11</p> <p>employees 6:15</p> <p>empty 5:16</p> <p>encouraged 17:8</p> <p>end 35:16 36:24</p> <p>ends 6:18</p> <p>enforcement 21:18 22:3,23 27:18 (4)</p> <p>enforces 19:16</p> <p>enforcment 21:12</p> <p>enough 16:12,18,19 30:14 (4)</p> <p>ensure 7:10 8:10 19:6,20 23:15 26:25 (6)</p> <p>ensuring 7:13</p> <p>equipment 27:8</p> <p>equitable 7:14</p> <p>equity 19:16</p> <p>essential 19:13</p> <p>even 3:18 9:10 13:2,20,24 20:18,18 26:14,18 27:23,24 28:3 (12)</p> <p>every 25:22 26:15,17 28:20,20 (5)</p> <p>everybody 14:18 16:15 17:9 22:7 37:2 (5)</p>	<p>everybody's 20:6</p> <p>everyone 25:19 35:19</p> <p>everything 10:2 12:18 16:23 28:12 32:21 (5)</p> <p>exactly 33:14</p> <p>example 13:6,16 30:25</p> <p>examples 13:15 14:8</p> <p>excuse 3:22</p> <p>exist 19:11</p> <p>expenses 8:19,22 9:24 11:16 15:16,19 24:6,10 25:23 26:6 27:5 29:12,16,23 32:22 (15)</p> <p>expensive 7:4</p> <p>experience 11:10,23 24:2</p> <p>explain 13:2</p> <p>explored 33:5</p> <p>express 6:6</p> <p>eye 36:17</p> <p>face 7:6,8 13:18</p> <p>fact 12:22</p> <p>fair 7:14 11:12 17:15</p> <p>fairly 7:11</p> <p>fairness 19:16</p> <p>fall 35:25 36:8</p>	<p>families 8:15 18:13 23:22</p> <p>family 15:22 16:11 17:6</p> <p>far 22:19</p> <p>fare 5:5 6:11</p> <p>favor 3:23 4:11 36:18</p> <p>feature 3:12,20 12:8</p> <p>fee 10:17</p> <p>feedback 36:13</p> <p>feels 35:19</p> <p>few 3:4 11:25 22:16</p> <p>fhv 4:17 5:2 6:21 36:19 (4)</p> <p>fhvs 4:23</p> <p>fight 35:12</p> <p>figure 15:18</p> <p>figuring 25:2</p> <p>final 12:18</p> <p>financial 9:21</p> <p>find 19:9 20:14</p> <p>fine 9:16</p> <p>finish 10:22</p> <p>first 5:25 14:22,23 15:14,23 18:11 28:12 (7)</p> <p>five 5:20 12:2 24:5 33:21 (4)</p>	<p>fix 27:12,17 18:13</p> <p>fixed 19:4</p> <p>focus 22:16</p> <p>focused 31:8</p> <p>folks 8:8</p> <p>follow 26:25</p> <p>food 9:7 24:10 26:10</p> <p>forced 17:14</p> <p>forhire 1:10 6:9,12 33:8 (4)</p> <p>forum 7:23</p> <p>forward 3:19 7:21</p> <p>found 20:16 25:12</p> <p>four 15:13 26:17 30:4</p> <p>free 13:19</p> <p>friend 30:17</p> <p>frustrating 27:22 28:3</p> <p>full 5:9 11:21,21 24:19 (4)</p> <p>fund 10:16</p> <p>further 38:13</p> <p>future 19:6 33:12</p> <p>gas 9:7 17:25 24:10 29:13 31:4 32:20,25 (7)</p> <p>gave 27:13</p>	<p>general 2:4</p> <p>generations 19:4</p> <p>gentleman 36:6</p> <p>gentleman's 35:21</p> <p>get 3:14,15 9:8 10:7 13:7 17:8 18:2 19:15 21:3,8 24:12 27:7,22 28:2 29:19 (15)</p> <p>getting 28:20</p> <p>give 4:18 12:18 13:22,23 14:2 26:25 27:17,19 30:2,5,20,23 31:19 32:23,23,24 33:2,2 0,21,23,24,25 34:2 (23)</p> <p>giving 28:23 33:19 35:8</p> <p>go 8:24 9:8 20:14,16 24:12 30:10 31:13,14 33:10,13 35:2 (11)</p> <p>goals 10:7</p> <p>goes 15:18 25:25</p> <p>going 3:3 10:4 12:2 20:7 25:15 31:24 34:4 (7)</p> <p>gone 15:4</p> <p>good 4:4,5 6:3 8:5 11:8 14:17 20:5 22:11 23:10 25:8,16,19 27:15,22 28:11,13 29:3 31:12 34:15 (19)</p> <p>got 18:18 21:6 22:9 25:8 (4)</p>
--	--	---	--	---

<p>gotten 21:5</p> <p>governing 1:10</p> <p>grace 27:10</p> <p>granted 4:25</p> <p>gratuities 6:18</p> <p>great 7:23 35:9</p> <p>guess 20:22</p> <p>gulab 2:20 29:2,4</p> <p>guy 30:20</p> <p>guys 21:9</p> <p>half 15:18 23:12</p> <p>hand 34:9 38:18</p> <p>handing 5:15</p> <p>hands 5:19</p> <p>happen 10:3</p> <p>happened 15:12 27:12</p> <p>happy 21:13 34:9</p> <p>harder 28:20</p> <p>has 7:12,16 12:2,7 15:13 16:19 17:9 27:4 (8)</p> <p>having 11:11 20:10 22:21</p> <p>he's 25:12</p> <p>headlight 27:14</p> <p>health 9:21 29:15</p> <p>healthcare 24:25</p>	<p>hearing 1:9 3:4 4:15,19,21 5:12,18 35:7,17 (9)</p> <p>heavy 31:13</p> <p>held 5:12 21:16</p> <p>help 8:17 23:24 30:6</p> <p>helpful 22:2 36:13</p> <p>helping 6:25 18:12,14</p> <p>her 34:9</p> <p>here's 13:19</p> <p>hereby 38:10</p> <p>hereunto 38:17</p> <p>hi 29:3 34:15</p> <p>hidden 11:17</p> <p>high 33:11</p> <p>higher 30:7</p> <p>him 21:2 25:7 30:19</p> <p>home 8:18 9:8 10:2,5 15:12 23:25 25:7 31:13 33:6 (9)</p> <p>hope 25:14 29:7</p> <p>hopefully 3:17</p> <p>hour 27:11 29:10,17</p> <p>hours 8:21 9:24 10:5,6 20:10 24:5 25:9,10,22 28:4,10 ,14,15,15,19 (15)</p>	<p>how 8:17 12:3,4 13:3,7 23:24 25:9 33:24 34:24 36:14 (10)</p> <p>huge 17:6,7</p> <p>hybrid 17:25</p> <p>i'd 21:11 22:25,25</p> <p>i'm 9:15 15:23 16:17,18,24 17:5,14 20:7,18 21:2,4,16 23:12 25:13 26:9,11 27:18 29:11 33:18 34:4,17 36:8 (22)</p> <p>i've 8:6 14:19 23:11 34:16 (4)</p> <p>identify 7:22</p> <p>idg 8:7 23:12 34:17 35:8 (4)</p> <p>immigrants 35:13</p> <p>impact 16:6</p> <p>importance 22:21</p> <p>important 19:17</p> <p>improve 7:3 8:9 23:14</p> <p>improving 19:18</p> <p>incidental 8:23</p> <p>include 9:3,11 25:2</p> <p>included 16:16,17,21,22 (4)</p> <p>including 6:21 9:2,19</p>	<p>income 17:13 33:13</p> <p>independent 6:12</p> <p>industry 7:5 8:20 9:23 14:20 15:19 19:11,20 24:3 25:21 26:22 27:4 36:9 (12)</p> <p>informing 13:20</p> <p>initially 16:14</p> <p>innovative 7:22</p> <p>inside 30:9</p> <p>inspection 26:15,16</p> <p>inspector 20:25</p> <p>insurance 9:12,13,20,21 17:21,23 24:17,18,18 26:12,13 29:14,15,15 32:20,24 (16)</p> <p>int 27:18</p> <p>interest 14:9</p> <p>interested 38:15</p> <p>interesting 13:6 25:12</p> <p>interrupted 9:15</p> <p>into 26:12,12</p> <p>irresponsible 17:12</p> <p>island 28:10 30:11,17,22,23 31:2 (6)</p> <p>issue 18:17 24:16</p>	<p>item 3:15</p> <p>itemizations 13:8</p> <p>itemize 10:14</p> <p>items 3:16</p> <p>jacques 2:7</p> <p>jfk 25:6</p> <p>jiha 2:7 14:2</p> <p>joshi 2:3 3:2 4:11 5:17,20 6:24 9:3,6,11,15,17 10:8,13 11:4 12:6,13,24 13:5,12 14:7,12 15:23 16:3 17:17,22 18:2,7 19:24 21:11,18,20 22:9,12,15,19 23:3,6 24:21 25:15 26:3,6 27:15 28:22 29:21,23 32:9,12,15,17 33:4,12,16 34:4,7,12 35:15 36:10,21,23 (59)</p> <p>july 5:12 38:12,18</p> <p>june 3:6,24 5:11</p> <p>jurisdiction 20:19 21:3</p> <p>just 3:4 9:25 11:16 16:8,24 17:2,10,15,20 22:15,25 25:5,5,12 26:22,24 27:24 28:7,13 29:8,16,19,22 31:8 32:9,19,22 33:10 34:6 35:20 (30)</p> <p>kalla 34:8</p>
---	---	---	---	---

<p>keep 10:4 17:9,15 18:23 36:16 (5)</p> <p>keeps 32:18</p> <p>kenneth 2:8</p> <p>kidney 20:12</p> <p>kimberly 1:24 38:9</p> <p>kind 16:6 33:20</p> <p>know 3:12 8:11,19,24 9:10 10:6 12:7,10 13:24 14:22,24,25 15:2,4,6,9,15,18,2 1 16:7,9,16,24 21:24 23:18 24:2,16 25:3,4,5,7, 8,11,13,13 26:21 27:6 28:3,6,7 29:8 30:19 36:2 (43)</p> <p>labor 18:24</p> <p>lady 11:16</p> <p>lander 6:7</p> <p>lander's 6:5</p> <p>last 3:6 15:20 16:3 30:16 34:10 35:2 (6)</p> <p>later 13:13</p> <p>launched 3:6</p> <p>lauvienska 2:5</p> <p>least 10:5 27:11 36:7</p> <p>legislation 36:2,4</p> <p>less 28:18</p> <p>let 3:12 12:10 19:7 25:7 27:6 (5)</p>	<p>letter 20:21</p> <p>levers 2:12 6:2,3,4 (4)</p> <p>lexus 17:19</p> <p>license 3:18 26:15</p> <p>licensed 8:6</p> <p>life 36:15</p> <p>like 6:22 10:22,25 11:3,12,24 13:9,18 15:10 16:8,9,10 19:17 20:2 21:11,23 27:11 29:13,14,16,18 30:2,10,13 31:25 32:6,19,22 34:24 35:5,17 (31)</p> <p>limousine 1:9 6:8,25 20:19,24 21:2 34:19 (7)</p> <p>limousine's 3:3</p> <p>lines 35:5</p> <p>list 5:14,23</p> <p>listen 21:9 34:10</p> <p>little 18:22 20:7 23:2 33:10 (4)</p> <p>living 6:16 7:4,20 16:7 19:10 25:11 (6)</p> <p>loan 8:25 9:4,18,19 10:8 17:13,17 18:2 24:22 26:13 32:5,10 (12)</p> <p>location 20:14</p> <p>locations 21:10</p>	<p>long 18:24 30:11,17,22,23 31:2 (6)</p> <p>longer 3:10 28:19</p> <p>lonigro 1:24 38:9</p> <p>look 3:19 7:21 14:10</p> <p>looks 20:2</p> <p>lot 13:15 15:4,16</p> <p>low 33:6,6</p> <p>luckily 17:24</p> <p>luiny 2:15 14:16,19</p> <p>luxury 15:3,5,17</p> <p>mail 28:2</p> <p>maintenance 24:11,12</p> <p>make 3:17 6:18 10:19 14:3 16:11 22:15 23:4 25:10 28:11,13,19 30:3 31:23 36:17 (14)</p> <p>makes 7:18</p> <p>making 4:25 6:15 16:17,18 32:17 (5)</p> <p>mandate 4:16 36:19</p> <p>many 6:13 9:24 25:9 28:5,7 (5)</p> <p>market 7:14 17:3 18:20</p> <p>marketing 16:20</p> <p>marriage 38:15</p>	<p>matter 38:16</p> <p>may 8:24</p> <p>maybe 21:6</p> <p>mean 13:25 26:10</p> <p>meaning 8:23</p> <p>means 18:21</p> <p>meera 2:3 6:24</p> <p>meet 6:18 10:7 16:9</p> <p>meeting 3:24 16:12 35:25 36:8,24 37:3 (6)</p> <p>member 6:4 8:7 20:3 22:3 23:12 34:17 (6)</p> <p>members 18:12,13 21:12 22:23 (4)</p> <p>members' 18:14,15</p> <p>mention 26:14</p> <p>mentioned 12:6 26:19</p> <p>message 31:20,22</p> <p>method 5:4 6:10</p> <p>michele 2:13 8:4,6</p> <p>mile 15:2,10 30:9,14 (4)</p> <p>mind 17:18 31:15</p> <p>minorities 35:13</p> <p>minute</p>	<p>15:3,11,11</p> <p>minutes 3:22,23 4:2 5:21 (4)</p> <p>misallow 13:4</p> <p>miscalculated 11:24 12:23</p> <p>missing 3:16</p> <p>mitchell 2:8</p> <p>money 10:20 16:12,18,19 28:11,13,16,18 32:7 (9)</p> <p>monitor 36:11</p> <p>month 9:2,20 11:25 15:6 17:20 24:13,25 26:4 (8)</p> <p>monthly 17:17 24:15 26:19,20 (4)</p> <p>months 8:7 24:15 26:17 29:5 (4)</p> <p>more 3:19 24:10 27:6 29:6 30:15,24 31:4 32:2 33:4,14 34:3,6 35:10 (13)</p> <p>morning 4:4,5,21 6:3 8:5 11:8 14:17 20:5 23:10 25:19 29:3 34:15 (12)</p> <p>motivated 18:20 19:9</p> <p>move 4:19 35:18</p> <p>ms 3:2 4:5,11 5:17,20 6:3 8:5 9: 3,5,6,7,11,13,15,1 6,17,19 10:8,11,13,15 11:4,5 12:6,13,24</p>
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<p>13:5,12 14:7,12 15:23 16:3 17:17,22 18:2,7 19:24 21:11,18,20 22:9,12,15,19 23:3,6 24:21 25:15 26:3,6 27:15 28:22 29:21,23 32:9,12,15,17 33:4,12,16 34:4,7,12 35:15,20 36:10,21,23 (69)</p> <p>much 8:17 11:4 15:8 18:24 23:24 26:14 27:4,5 28:24 (9)</p> <p>mudahan 2:20 29:2,3,4,22,25 32:11,13,16,19 33:9,14,18 34:6,11 (15)</p> <p>must 5:3,6,9 6:19 (4)</p> <p>my 4:5 6:3 8:5,19,22,25 9:14,19,21,24 10:7 13:10,15,20 14:18 15:12,12,14,19,19 16:11 17:6,12,13,15 18:5,6 23:10 24:2,6,22,24,24 25:19,23,25 26:9,10,19 29:3,12 30:16 32:13,13,20,22 33:4 34:15 38:17 (49)</p> <p>nagy 2:14 11:6</p> <p>name 4:5 6:3 8:5 14:18 20:2 23:10 25:20 29:3 34:15 (9)</p> <p>names 5:23</p>	<p>necessary 36:17</p> <p>need 8:13 16:14 21:9 23:20 30:6 (5)</p> <p>neil 4:5,6</p> <p>new 1:4 4:9 6:7 7:2,4,8,9,12,22,24 8:11 19:2 20:24 23:16 30:18 38:5,10 (17)</p> <p>newer 17:9</p> <p>news 27:15</p> <p>next 3:21 4:15 8:4 11:6 14:16 18:10 20:2 23:9 25:18 29:2 34:5,14 (12)</p> <p>no 3:10 9:5,6,13,16 10:11 12:12,13 18:5 21:5 22:6 32:11 38:15 (13)</p> <p>noted 37:4</p> <p>nothing 28:3</p> <p>notification 3:16</p> <p>now 3:3 8:20 10:23 12:17 15:19 16:22 17:3,9,14 20:11,16,23 24:3 25:3 28:8,11,17 30:8 (18)</p> <p>number 12:19</p> <p>numbers 13:3</p> <p>nypd 21:20 27:11</p> <p>o'clock 36:25</p> <p>obnoxious 14:6</p>	<p>obviously 19:2</p> <p>off 5:23 24:15 31:12</p> <p>offer 5:3 6:19 33:9</p> <p>offers 7:2</p> <p>officer 27:23</p> <p>oh 3:22 13:18</p> <p>oil 29:13</p> <p>old 19:3</p> <p>once 5:22</p> <p>one 7:3 9:23 10:21 14:22,23 19:10 24:13 25:5 27:6,14 29:25 30:15,15,16,17 31:5,19 33:12,14 34:6 35:10 (21)</p> <p>onebyone 3:11</p> <p>oneonone 21:14</p> <p>ongoing 7:17</p> <p>open 31:16</p> <p>operated 6:22</p> <p>opportunity 7:3,25 28:24</p> <p>option 5:3 8:10,14 10:25 15:7 18:15 19:17 23:21 35:2,3 (10)</p> <p>options 4:17,22 21:15 23:15 33:5,7 (6)</p> <p>opts 5:8</p> <p>order 9:24 10:2</p>	<p>organized 19:6,12</p> <p>other 16:25 19:19 22:13 29:6 32:5,5 33:5,7 (8)</p> <p>ourself 29:20</p> <p>out 8:24 10:4 12:8 13:7,20 17:16 20:9 21:12 25:2 35:5 (10)</p> <p>outcome 38:16</p> <p>outline 4:18</p> <p>outside 9:9 30:10</p> <p>over 6:17 13:21 20:6 27:22 28:14 (5)</p> <p>own 8:13 23:20 24:21,21,22 32:14,15 (7)</p> <p>owners 3:8 7:17</p> <p>p 2:2,2</p> <p>paid 5:9 13:3,7</p> <p>parent 9:25</p> <p>parked 21:4</p> <p>parking 29:14 32:21,23</p> <p>part 4:25 7:17 12:10 16:13 (4)</p> <p>participants 2:11</p> <p>parties 38:14</p> <p>pass 34:20</p> <p>passenger 4:22 5:6,8 12:11 30:12,17,22,25</p>	<p>31:7,8,11,12,20,23 33:19,22 (16)</p> <p>passengers 5:3 6:10,20 15:9 21:23 27:2 30:6 (7)</p> <p>passes 36:21</p> <p>passing 34:21</p> <p>past 13:16 15:13</p> <p>pay 5:5,7,9 6:11,20 9:24 10:9,9,11,14,15 12:11 13:20 14:3 17:10,20 18:3,4,5,6,22 19:5,10,19 20:23 23:20 24:15 33:5 (28)</p> <p>paying 15:2,9</p> <p>payment 5:4,5 6:11 24:24 (4)</p> <p>payments 17:20</p> <p>pd 21:15</p> <p>pedro 2:19 25:18,20</p> <p>people 3:19 5:21 13:5 15:7 16:9,10,21,22 28:6 32:4 34:7 (11)</p> <p>per 8:21,22,23 10:7 26:3,4,5 28:18 29:10,13,18 30:9,13 32:22,25 (15)</p> <p>percent 10:19 15:14 17:3 34:24,24,24 (6)</p> <p>period 18:25 27:10,10</p>
--	---	--	--	---

<p>permitted 5:6</p> <p>personal 24:22 25:23,24 26:6,10 (5)</p> <p>petition 4:24</p> <p>phone 13:10</p> <p>pick 9:18 30:11,17,21,25 31:11 (6)</p> <p>piece 6:15</p> <p>places 20:17</p> <p>platform 23:16 35:8</p> <p>player 17:2</p> <p>please 11:2 13:14,14</p> <p>pleasure 8:8</p> <p>point 12:3 15:5 16:18 17:5,11 21:12 34:10 (7)</p> <p>polanco 2:5 35:20</p> <p>police 30:19</p> <p>policies 11:17,19</p> <p>policy 6:5 11:13,14</p> <p>polite 27:24</p> <p>possible 7:19 11:2 18:23</p> <p>practice 36:12</p> <p>practices 21:21</p> <p>prepared 11:9</p>	<p>present 2:23 14:18</p> <p>presently 36:2</p> <p>previously 9:22 12:23</p> <p>price 2:16 12:16 18:10,11 30:8 (5)</p> <p>prices 15:4 17:14 26:22 27:2 33:10,13 (6)</p> <p>private 7:11</p> <p>problem 19:3,4 27:9 30:15,24 31:6 (6)</p> <p>problems 20:13,13 29:7 31:5 (4)</p> <p>proceedings 3:1 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 (35)</p> <p>promotion 30:3,6</p> <p>proper 21:7</p> <p>propose 7:2</p> <p>proposed 1:9 4:16,22 6:8,20 8:2 23:13 34:18 36:18 (9)</p> <p>prosecution 27:19</p> <p>protections 6:14</p>	<p>19:19 23:20</p> <p>proud 7:20 34:17</p> <p>provide 5:2 8:15 18:13 23:22 (4)</p> <p>providing 4:22</p> <p>public 1:9 3:4 4:21 5:12 8:18 23:25 35:17 36:24 (8)</p> <p>published 5:10</p> <p>pulled 27:22</p> <p>put 10:22 11:9,20 12:16 24:14 34:25 (6)</p> <p>puts 11:22</p> <p>putting 12:15</p> <p>queens 31:3</p> <p>question 32:10 33:4 35:10</p> <p>quick 25:6 32:9</p> <p>raise 7:23 18:18</p> <p>raised 5:19 34:9</p> <p>rana 2:21 34:14,15,16 (4)</p> <p>rapid 7:6,8</p> <p>rare 19:9</p> <p>rate 10:24 34:2</p> <p>rates 10:4</p> <p>rating 31:23,24,25 33:23,25 (5)</p> <p>read 19:25</p>	<p>really 14:6 16:22,23 35:5 (4)</p> <p>receive 20:17</p> <p>received 20:20</p> <p>recently 12:8</p> <p>recess 5:24</p> <p>record 5:11 8:19 24:2</p> <p>reflect 23:16 35:22</p> <p>reflects 19:20</p> <p>refused 8:12 23:19</p> <p>regard 21:15</p> <p>registration 26:17</p> <p>regulate 18:17 27:3</p> <p>regulated 26:22</p> <p>regulating 7:11 19:5 28:17</p> <p>regulation 34:20</p> <p>regulators 19:11</p> <p>regulatory 7:18</p> <p>rejected 3:13</p> <p>related 38:13</p> <p>relaxed 31:15</p> <p>relief 21:9</p> <p>relieve 20:11,15</p> <p>rely 6:17</p>	<p>remain 23:15</p> <p>remember 28:9 30:16</p> <p>renewals 4:9</p> <p>repairs 24:12</p> <p>report 4:12</p> <p>reported 1:24</p> <p>reporter 2:23 38:9</p> <p>require 6:9,21</p> <p>requires 5:8</p> <p>resolve 4:24</p> <p>rest 20:10 21:23 22:19</p> <p>restaurant 35:3</p> <p>result 6:17</p> <p>return 17:12</p> <p>review 10:21</p> <p>reviewed 3:14</p> <p>ride 13:19</p> <p>rider 11:20 13:17</p> <p>right 8:13,20 9:20 10:23 13:22 15:19 16:14 18:7 20:23 23:19 24:3 25:3 28:8,17 34:8 (15)</p> <p>rights 6:13</p> <p>road 18:23</p> <p>rolled 12:7</p> <p>rule 4:16,19,25</p>
--	--	--	--	--

<p>5:8 6:9,21 7:2 8:2 19:22 22:5,17 23:13 30:18 34:18,21 35:18 36:4,18,21 (19)</p> <p>rules 1:9 4:22,24 5:2,10 6:19 8:10 19:14,18 23:14 34:23 35:22 (12)</p> <p>rx 17:19</p> <p>ryan 2:16 18:10</p> <p>said 11:16 12:7 15:17,23 16:16 18:19 21:4 22:11 (8)</p> <p>sales 10:17</p> <p>same 5:4 6:10,23 16:20,25 27:16 33:2 34:22 35:22 36:7,9 (11)</p> <p>save 17:25</p> <p>saw 35:2</p> <p>say 10:25 11:9 13:17 14:23 19:21 21:8 25:15 (7)</p> <p>saying 14:2 20:22 29:21</p> <p>says 25:9</p> <p>sector 33:8</p> <p>see 10:18,20,24 11:3 13:7 15:21 16:5 21:24 33:23 (9)</p> <p>seem 11:12 18:19</p> <p>seen 14:21</p> <p>sees 10:23</p>	<p>send 31:20</p> <p>sent 20:22</p> <p>separate 18:4</p> <p>separately 10:10,11</p> <p>september 35:25</p> <p>service 26:24</p> <p>services 1:5</p> <p>set 10:7 38:17</p> <p>seven 8:21 11:25 24:6 25:23 29:17 (5)</p> <p>share 18:21 22:2</p> <p>sharing 13:9 14:13 17:18</p> <p>she 34:9</p> <p>she's 34:9</p> <p>shifts 18:24</p> <p>shorthand 38:9</p> <p>should 12:21 21:8 26:11 27:3,6,7,9 28:7 30:3,7 31:16 32:7 33:11,25 35:23,24 36:6,7,9 (19)</p> <p>shouldn't 21:5</p> <p>sidetrack 20:7 23:2</p> <p>siegfried 2:17 20:3,4,5 21:17,19 22:6,11,13,18,25 23:4,7 (13)</p> <p>sign 5:22</p>	<p>signature 38:21</p> <p>signed 5:22</p> <p>similar 36:5</p> <p>simply 6:21 19:10</p> <p>since 14:22 15:4 28:11</p> <p>single 9:25</p> <p>six 8:21 11:25 24:5,5 25:22 29:11 (6)</p> <p>sohail 2:21 34:14,16</p> <p>solely 18:20</p> <p>solution 29:9</p> <p>solve 29:7,8</p> <p>some 24:8,9,9 29:11 30:12 31:6 32:4,7 (8)</p> <p>someone 27:18</p> <p>something 11:24 13:9 14:7 22:10 31:17,18,19 32:4 35:23 36:11 (10)</p> <p>sometimes 24:6 25:10 28:15 29:11 30:5 32:2 (6)</p> <p>somewhere 30:13</p> <p>sorry 9:15 13:19 15:23 30:22 33:15 (5)</p> <p>sounds 27:21 35:17</p> <p>speak 5:21 11:10 21:20 22:24 (4)</p>	<p>speaker 5:14,25 8:4 11:6 14:16 18:10 23:9 25:18 29:2 34:5,14 (11)</p> <p>speakers 5:17 22:16</p> <p>spend 28:4 31:4,4 32:6 (4)</p> <p>spoke 20:25</p> <p>spots 20:10</p> <p>ss 38:6</p> <p>stand 21:4</p> <p>standard 6:16,23 7:4 16:7 25:11 (5)</p> <p>star 31:19 33:21</p> <p>starring 33:22</p> <p>start 3:3</p> <p>started 15:14</p> <p>state 38:5,10</p> <p>statement 38:12</p> <p>staten 28:10</p> <p>states 18:18</p> <p>stating 20:21</p> <p>status 3:15</p> <p>stepping 19:12</p> <p>still 15:5 26:14 28:19</p> <p>stop 20:21</p> <p>stops 21:23 22:19</p> <p>story 25:6</p>	<p>strategies 36:14</p> <p>street 1:14</p> <p>strong 6:6 8:14 23:21</p> <p>structure 7:18</p> <p>struggling 17:5</p> <p>study 22:20</p> <p>submit 3:8</p> <p>suffolk 38:7</p> <p>suggested 36:5</p> <p>suggestion 35:21</p> <p>summons 20:17 21:3,14,16 27:17 (5)</p> <p>summonses 20:20 21:25 27:8</p> <p>support 6:6 7:20 13:15 16:11 17:6 19:14,22 23:13 34:18 35:18 (10)</p> <p>supporting 19:23</p> <p>supposed 21:3</p> <p>sure 22:15 23:4 27:18</p> <p>survey 7:17 20:11</p> <p>survive 25:11</p> <p>take 5:20 8:18 10:5 13:19 15:12 23:25 28:7 32:4,7 33:6 (10)</p> <p>taken 3:25 4:13 5:24 10:19 36:20 38:12 (6)</p>
---	--	--	---	---

<p>taking 3:19 29:24</p> <p>talk 16:10 21:13</p> <p>talked 25:7</p> <p>talking 9:17 16:24 25:8 26:3,9,11 (6)</p> <p>tavares 2:15 14:16,17,19 16:2,5 17:19,24 18:8 (9)</p> <p>tax 10:17</p> <p>taxes 11:24 12:23</p> <p>taxi 1:9 3:3 6:8,25 10:22 20:19,24 21:2,4 34:19,23 35:23 36:7 (13)</p> <p>taxis 6:19 11:3</p> <p>team 21:13 22:23</p> <p>technology 7:5,9</p> <p>tell 16:22 28:2</p> <p>telling 33:18</p> <p>ten 14:20 28:9,13 29:10,17 (5)</p> <p>terms 35:21 36:6</p> <p>testify 7:25</p> <p>testimony 28:22</p> <p>than 3:18 9:22</p> <p>thank 7:25 8:3 11:4 14:12,14,14,15 18:7,8,9,12,12,13 19:21,22,24,25 20:4 23:3,6,7,8 25:14,15,17 27:21 28:22,23,25</p>	<p>34:11,12,13 35:6,14,15 36:10 37:2 (37)</p> <p>thanks 28:24 35:8</p> <p>their 3:9 7:3 8:13 10:16 11:17 12:19,20,21 18:13,22 23:20 31:15,16 (13)</p> <p>them 3:12 10:14 11:23 13:22,22 15:15 18:23 19:8 20:20 21:24 34:22 (11)</p> <p>themselves 20:11,15</p> <p>there's 3:16 9:7 13:5 35:3,17 (5)</p> <p>therefore 11:19 32:7</p> <p>these 4:24 5:10 7:23 8:12 18:19 19:14,15 21:9 23:18 (9)</p> <p>they'll 3:14,15 18:22</p> <p>they're 11:18 12:14 14:6 20:6 (4)</p> <p>they've 35:9</p> <p>thing 8:13 10:21 20:23 22:13 23:19 27:6 30:2,15 33:2,14 34:3 (11)</p> <p>things 10:3 12:4,5 16:25 28:7 (5)</p> <p>think 12:21 14:8 21:7 26:21</p>	<p>27:3,15 30:5 31:3,14,15 33:4,11,25 35:16,23 36:10,23 (17)</p> <p>those 6:22 10:6 15:16 17:10 21:25 22:24 (6)</p> <p>though 20:18,18</p> <p>thought 22:25</p> <p>three 13:21 24:8,15 30:4 31:9 (5)</p> <p>through 18:5 24:23</p> <p>ticket 27:25,25 30:20,23 (4)</p> <p>time 3:2 14:13 18:25 27:10,17 28:12,17 30:16 31:4 33:22 35:2,12 37:4 (13)</p> <p>times 24:8 31:9</p> <p>tip 5:3,7 6:10 8:10 11:20,21 16:15,21 33:19,20,23,24 34:2 35:3 (14)</p> <p>tipping 1:10 4:16,23 8:14 10:25 11:12,13,14,21 12:8 16:12,13 18:15 19:17,18 22:5,17 23:13,15,21 33:17,19,24 34:18,23 36:4,14,19 (28)</p> <p>tips 5:8 6:18 12:11 16:14 (4)</p>	<p>tire 8:24 9:9</p> <p>tired 28:5</p> <p>tires 9:10</p> <p>tlc 3:7,17 7:12,16,20 8:6 23:11 24:17,18 26:23 27:23 35:6 (12)</p> <p>tlcup 3:7</p> <p>today 4:8 5:13 8:9 9:21 19:14,19 23:13 26:23 34:18,20 35:24 (11)</p> <p>today's 5:18 22:4</p> <p>together 6:16 21:8</p> <p>told 16:15,21</p> <p>took 22:7 25:6,24</p> <p>tool 33:2</p> <p>tools 7:23 16:20 32:20</p> <p>total 26:7</p> <p>totals 10:18</p> <p>touches 36:3</p> <p>traditional 6:14</p> <p>traffic 21:17,18,19</p> <p>transcript 38:12</p> <p>transform 7:5</p> <p>transit 7:6</p> <p>transportation 7:12</p>	<p>treat 35:11</p> <p>treated 7:10 14:25</p> <p>trip 12:17</p> <p>trips 30:3,4</p> <p>true 38:11</p> <p>trumps 19:8</p> <p>trust 11:19 12:3,4,20,21 (5)</p> <p>try 21:23</p> <p>turn 19:8</p> <p>twice 20:17,17,20 21:6 (4)</p> <p>two 24:8 26:15 31:9</p> <p>uber 6:23 10:9,13,15 11:11,12 12:7 14:21 15:8 16:15,19,24 17:2 18:3 24:23 25:6 28:12 29:4,17 30:2,20 31:7,20,21 32:8,18 33:6,7 34:25 (29)</p> <p>ubers 19:7</p> <p>unanimous 35:18</p> <p>under 6:19 15:20 20:18,19 21:2 (5)</p> <p>undercut 15:8</p> <p>understand 8:17 23:24 36:14</p> <p>understood 12:9</p> <p>unfair 16:23</p>
---	--	---	--	--

<p>unfairly 35:11</p> <p>unfathomably 18:24</p> <p>unit 4:7</p> <p>united 18:18</p> <p>up 5:21 9:18 12:25 13:17 21:16 22:9 23:5 24:13,16 30:11,17,21,25 31:11 33:13 (15)</p> <p>upload 3:7,11,20</p> <p>upon 36:4</p> <p>upstate 30:11,12</p> <p>urge 34:19</p> <p>us 10:14,24 12:18 13:4,9,20,24 14:9,13 15:8 17:8 19:4 27:11 28:8,21 30:2,14 33:25 34:2 35:7,8,9,16 36:13,24 (25)</p> <p>use 16:19,20 21:25</p> <p>used 5:4 6:11 12:15,16 13:16 26:24 28:9,10,11,16 (10)</p> <p>using 5:4 6:10</p> <p>valid 20:7</p> <p>values 8:11 19:7,20 23:16 (4)</p> <p>varies 24:12</p> <p>various 4:10</p> <p>vehicle 3:8 6:9</p>	<p>8:25 9:4 24:19 (5)</p> <p>vehicles 1:10</p> <p>vehicles' 6:17</p> <p>very 11:4 12:15 27:21</p> <p>veteran 14:19</p> <p>violations 27:8</p> <p>visits 15:6</p> <p>vote 3:25 4:13 34:20 35:19 36:20 (5)</p> <p>voting 34:21</p> <p>wage 19:10</p> <p>wait 33:10</p> <p>waiter 35:4</p> <p>waitress 35:4</p> <p>want 5:21 8:19 14:22 16:11 22:15 24:2,25 29:7 33:21 35:6,20 (11)</p> <p>wash 26:10,13 29:13</p> <p>washing 24:8 31:10 32:20</p> <p>wasn't 11:8</p> <p>way 3:7 18:22 35:19 38:15 (4)</p> <p>we'll 36:11,16</p> <p>we're 3:2 13:18 21:13</p> <p>we've 19:7</p> <p>weather 24:9</p>	<p>week 3:6 8:22,23 10:7 24:6,7,8,11,20 25:23 26:3,5,8,12 29:13,18,21 32:18,22 (19)</p> <p>weekly 24:14 33:13</p> <p>weeks 11:25 13:21 24:9</p> <p>welcome 11:5</p> <p>well 13:17 21:5</p> <p>wellbeing 9:22</p> <p>what 8:19 10:19 11:10 12:10 13:24 15:21,25 16:6 17:7,17 20:22 21:11,14 22:11 24:2 25:13 31:16 32:18 36:5 (19)</p> <p>what's 15:12</p> <p>when 12:25 14:24,24 15:14 16:20 21:25 25:6,24 27:7,22 28:10 29:8 30:11 31:13,13,14 33:10,19,21 34:25 (20)</p> <p>where 15:8 32:6 34:23</p> <p>whereof 38:17</p> <p>whereupon 3:25 4:13 5:24 36:20 (4)</p> <p>whether 3:12,13,16 11:20 (4)</p> <p>which 3:7 4:25 7:2 12:19</p>	<p>15:21,21 18:25 24:25 26:15,16,18 33:12 (12)</p> <p>while 11:11</p> <p>white 2:18 23:9,10,11 25:16 (5)</p> <p>who 5:21 27:19 28:6 29:6 (4)</p> <p>why 5:20 12:13 20:21 33:2 35:11,12 (6)</p> <p>will 3:12,17 4:18,19 5:22 7:9 11:10,20 19:15 30:4 34:9 (11)</p> <p>willingness 18:16</p> <p>wilson 2:4 4:18,20 5:16,25 8:3 11:6 14:15 18:9 19:25 20:4 23:8 25:17 28:25 34:13 (15)</p> <p>win 18:14 23:20</p> <p>within 8:16 18:25 23:23 38:10,11 (5)</p> <p>without 8:23 13:20,24</p> <p>witness 38:17</p> <p>words 11:9,9 20:6</p> <p>work 7:16 8:20,21,22 9:23 11:11,14 13:21 20:9 21:24 24:4,5,6 25:22,23 26:24 28:9,10,14,18,19 29:4,10,12 31:14 35:9 36:15 (27)</p>	<p>workers 7:24 8:15 18:17 19:5,10,12,23 23:21 (8)</p> <p>working 7:21 27:14 28:5 29:11 36:15 (5)</p> <p>world 19:8</p> <p>worse 9:22</p> <p>would 4:16 6:21 13:6,10 14:7,8 15:22 16:6 22:2 28:2 (10)</p> <p>wright 34:8</p> <p>write 27:24,25 31:17</p> <p>wrote 20:20</p> <p>x 15:8</p> <p>yeah 16:2 17:24 18:5 21:19,19 (5)</p> <p>year 15:14,20,24 16:3 20:12 23:12 26:16,18 (8)</p> <p>years 12:2 14:20 15:13 19:3 25:21 26:21 27:13 34:16 (8)</p> <p>yes 4:20 10:12,15 20:4 26:9 29:25 32:16 35:20 (8)</p> <p>york 1:4 6:7 7:9,12,24 8:11 20:24 23:16 38:5,10 (10)</p> <p>you're 11:5 13:17 22:9 29:21,23 32:17 (6)</p> <p>young 11:16</p>
--	---	--	---	--

<p>250 10:5 24:10 25:24 26:6 (4)</p> <p>300 32:17</p> <p>450 9:3 17:19</p> <p>500 14:23</p> <p>900 26:7 32:22</p> <p>1000 29:12 32:22</p> <p>1015 3:2</p> <p>1099 15:15,20,24 16:3 (4)</p> <p>1100 29:13</p> <p>1101 37:4</p> <p>1400 9:20</p> <p>1700 17:22</p> <p>2012 15:25 16:2</p> <p>2013 15:25</p> <p>2017 1:13 3:24 5:11,12 38:12,18 (6)</p> <p>3000 15:6</p> <p>35000 32:3</p> <p>40000 16:4</p> <p>60000 17:13</p> <p>90000 32:3</p> <p>130000 15:24</p> <p>200400 6:17</p>				
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