1   NEW YORK CITY

2   TAXI & LIMOUSINE COMMISSION

3   BOARD MEETING

4

5   September 15, 2016
                         10:25 a.m.

6

7   33 Beaver Street
                         New York, New York

8

9   B E F O R E:

10 MEERA JOSHI, Chair and Chief Executive Officer

11 CHARLES WILSON, General Counsel

12

13 Board of Commissioners:

14 BILL AGUADO
    EDWARD GONZALES
15 LAUVIENSKA POLANCO
    NORA C. MARINO
16 FRANK V. CARONE
    JACQUES JIHA

17

18

19 Reported By: Nicole Ellis

20

21

22

1   Proceedings

2   CHAIR JOSHI: Good morning. The time

3   now is 10:25, and we should have a quick

4   meeting today. We only have one vote on

5   our rules to approve a Universal License

6   Structure and our Penalty Review Package,

7   where we adjusted several of the penalties

8   for drivers.

9   A few remarks before we get started.

10   Just a moment of silence in recognition of

11   September 11th, which fell on Sunday. I

12   know that it was a day -- tragic day for

13   everyone, and as the years go by we tend

14   to forget sometimes, but it's important to

15   acknowledge it publicly and during our

16   work life.

17   (Moment of silence was held.)

18   CHAIR JOSHI: And on another sad

19   note, we lost a colleague, Lanel Sullivan

20   (phonetic), last month, who died suddenly.

21   She joined the TLC almost a year ago, and

22   quickly moved up to -- a promotion that

23   she recently received as supervisor of

24   case examiner; she worked for 311

25   previously. She's going to be very much

1   Proceedings

2   missed by her supervisors and her

3   colleagues, and I think the swiftness with

4   which she got ill and passed was a jolt

5   for all of us. But our sympathy and

6   condolences are with her and her family.

7   Yesterday we had our third honor roll

8   with more drivers than the prior two

9   years, almost 380 drivers. We had Council

10   members Vanessa Gibson, and Ydanis

11   Rodriguez, and Daniel Dromm all attended,

12   as well as our Vision Zero partners, Chief

13   Chan, Emily Gallo from DOT, and Kavita

14   Sanchez from MOIA. And all of them

15   participated and gave some really great

16   comments that I think the drivers

17   appreciated, it's all on Livestream if you

18   want to see it.

19   Here's a few numbers that I think are

20   good to know: 378 drivers in total; 188

21   drive just yellow; 46 drive just green; 88

22   drive just FHV; 2 drive yellow, green, and

23   FHV; 5 drive yellow and FHV; 5 drive

24   yellow and green; 30 drive green and FHV;

25   14 drive commuter vans; 15 were on the

```
 1                    Proceedings
 2      honor roll three years in a row; 11 were
 3      on the honor roll two years in a row --
 4      I'm sorry, 29 were on the honor roll two
 5      years in a roll.  So in total we had 44
 6      honorees.
 7           We also honored 28 accessible
 8      drivers.  They conducted about 14 trips a
 9      week in 2016, and had no major violations
10      or crashes in the past year.  And on
11      accessible dispatch, we've actually
12      reached our highest level ever, in August,
13      of 5,528 trips, which gives us a total of
14      40,000 trips completed year-to-date.  Also
15      from January to the end of July, 20 of our
16      accessible drivers that were awarded
17      conducted 3,264 accessible trips.
18           Some of our other noteworthy
19      participants were our drivers that spoke.
20      We had Mr. Elliot Clugman and his
21      father -- I'm sorry, Mr. Howard Kugelman
22      and his father, Elliot.  Both drove over
23      30 years, and they received a the lifetime
24      achievement award, as well as Howard being
25      called our singly for his safety record
```

1   Proceedings

2   and dedication to the industry, and now

3   his tip that we should all keep chocolate

4   on hand if we're feeling drowsy.

5   Joe Lerner was a base owner who came

6   and spoke as well. He owns Cautious Cars,

7   he named it well before our ceremony.

8   Nonetheless, it was the safest base in the

9   industry, and he also gave some tips on

10   what he advises his drivers to keep that

11   record.

12   We also had Ajit Bharth, who was

13   featured in the Wall Street Journal. He

14   was picked up literally in his cab to star

15   in Mens Fashion Week, and he's also an

16   honoree, so I got to take my picture with

17   the model.

18   And then a personal coincidence, that

19   I think was symbolic of our industry, one

20   of the awardees was also a driver who had,

21   over the weekend, returned keys to my

22   sister. So when he came up at the end I

23   did recognized him. He didn't believe I

24   was Commissioner then, yesterday he did.

25   We also had our IDNYC pop-up shops at

1   Proceedings

2   Staten Island, which is closed. They had

3   over 300 IDs issued, and we have one in

4   Falchi Building, which I think will close

5   tomorrow. But we'll continue to host

6   those events so that drivers can take

7   advantage of all the benefits a municipal

8   ID provides.

9   And today's hearing is really

10   about -- well, it's not a hearing, it's a

11   vote on the Universal License. I think we

12   have a picture of it. No? Some things

13   fell off, our Chief of Staff is having a

14   baby. So all right, we'll send that

15   around or we'll provide pictures later.

16   But that's the rule package -- oh,

17   the adoption of the minutes. All in favor

18   of adopting the minutes?

19   (Chorus of ayes.)

20   CHAIR JOSHI: And Base Applications.

21   MS. RICHARD: Good morning,

22   Commissioners. My name is Iesha Richard,

23   Assistant Commissioner of the Licensing

24   and Standards Division. Today I'm

25   presenting a total of 36 base applications

1   Proceedings

2   for your approval; 2 new base applications

3   and 34 renewal applications, 10 of which

4   have change of ownership and officers.

5   Thank you.

6   CHAIR JOSHI: Do we accept the

7   recommendation?

8   (Silent indication by all.)

9   CHAIR JOSHI: And with that, we'll

10   move on to the vote for the Universal

11   Licensing and Penalty Rules.

12   MR. WILSON: So as the Commissioner

13   said, on the agenda this morning are rules

14   unifying the taxi and for-hire vehicle

15   licenses, as well as the penalty review

16   revisions. These rules were published in

17   the City Record on June 17, 2016 with a

18   comment deadline of July 17, 2016. A

19   public hearing was held on these rules

20   July 18, 2016.

21   Following the public hearing, and

22   based on the Staff comment and

23   recommendation, based on the comments and

24   feedback we received from the public, we

25   made a number of changes to the rules.

1   Proceedings

2   Most notably, the definition of collision

3   was revised specifically to include

4   traffic incidents as defined in New York

5   State Law. The proposed penalties for

6   failing to inform a passenger when

7   out-of-town fare will be calculated, as

8   well as for refusing E-payment were

9   reduced.

10   The proposed rules were -- now

11   provide that for a new license applicant

12   there will be a single 15-month lookback

13   for critical driver penalty review. The

14   proposed rules clarify that FHV licensees

15   who held conditional licenses requiring

16   them to complete the education requirement

17   within a certain time period will continue

18   to be conditional licenses. Therefore,

19   the education requirement continues upon

20   the conversion of all the licenses

21   instituted in the new Universal License

22   Rules.

23   And finally the proposed rules, the

24   Sexual Harassment and Sexual Contact Rule,

25   as well as the Driver Fatigue Rule, which

1   Proceedings

2   will take effect no earlier than

3   November 1st, the proposed rules were

4   proposed before those rules were passed.

5   So they're back in.

6   So those were the significant

7   changes. As Local Law requires, the final

8   rule for Commissioner action was posted on

9   the TLC website on September 12th, and

10   sent to the Commissioners on that date.

11   Are people ready to vote?

12   CHAIR JOSHI: All in favor?

13   (Chorus of ayes.)

14   MR. WILSON: It passes unanimously.

15   CHAIR JOSHI: That ends our

16   record-fast meeting, ten minutes, at

17   10:35. Thank you.

18   (Time noted: 10:35 a.m.)

19

20

21

22

23

24

25

1   C E R T I F I C A T E

2

3   STATE OF NEW YORK   )
                              : ss.:
4   COUNTY OF QUEENS   )

5

6   I, NICOLE ELLIS, a Notary Public for and within

7   the State of New York, do hereby certify:

8   I reported the proceedings in the within-entitled

9   matter, and that the within transcript is a true

10   record of such proceedings.

11   I further certify that I am not related to any of

12   the parties to this action by blood or by marriage

13   and that I am in no way interested in the outcome of

14   this matter.

15   IN WITNESS WHEREOF, I have hereunto set my hand

16   this 23rd day of September 2016.

17

18   _____
                    NICOLE ELLIS
19

20

21

22

23

24

25

Taxi and Limousine Commission Meeting
September 15, 2016

Harassment (1) 8:24
hearing (4) 6:9,10 7:19,21
held (3) 2:17 7:19 8:15
hereunto (1) 10:15
highest (1) 4:12
honor (4) 3:7 4:2,3,4
honored (1) 4:7
honoree (1) 5:16
honorees (1) 4:6
host (1) 6:5
Howard (2) 4:21,24

I

ID (1) 6:8
IDNYC (1) 5:25
IDs (1) 6:3
Iesha (1) 6:22
ill (1) 3:4
important (1) 2:14
incidents (1) 8:4
include (1) 8:3
indication (1) 7:8
industry (3) 5:2,9,19
inform (1) 8:6
instituted (1) 8:21
interested (1) 10:13
Island (1) 6:2
issued (1) 6:3

J

JACQUES (1) 1:16
January (1) 4:15
JIHA (1) 1:16
Joe (1) 5:5
joined (1) 2:21
jolt (1) 3:4
JOSHI (8) 1:10 2:2,18 6:20 7:6,9
 9:12,15
Journal (1) 5:13
July (3) 4:15 7:18,20
June (1) 7:17

K

Kavita (1) 3:13
keep (2) 5:3,10
keys (1) 5:21
know (2) 2:12 3:20
Kugelman (1) 4:21

L

Lanel (1) 2:19
LAUVIENSKA (1) 1:15
Law (2) 8:5 9:7
Lerner (1) 5:5
level (1) 4:12
license (4) 2:5 6:11 8:11,21
licensees (1) 8:14

licenses (4) 7:15 8:15,18,20
Licensing (2) 6:23 7:11
life (1) 2:16
lifetime (1) 4:23
LIMOUSINE (1) 1:2
literally (1) 5:14
Livestream (1) 3:17
Local (1) 9:7
lookback (1) 8:12
lost (1) 2:19

M

major (1) 4:9
MAMARONECK (2) 1:23,23
MARINO (1) 1:15
marriage (1) 10:12
matter (2) 10:9,14
MEERA (1) 1:10
meeting (3) 1:3 2:4 9:16
members (1) 3:10
Mens (1) 5:15
minutes (3) 6:17,18 9:16
missed (1) 3:2
model (1) 5:17
MOIA (1) 3:14
moment (2) 2:10,17
month (1) 2:20
morning (3) 2:2 6:21 7:13
move (1) 7:10
moved (1) 2:22
municipal (1) 6:7

N

name (1) 6:22
named (1) 5:7
new (10) 1:1,7,7,23 7:2 8:4,11,21
 10:3,7
Nicole (3) 1:19 10:6,18
NORA (1) 1:15
notably (1) 8:2
Notary (1) 10:6
note (1) 2:19
noted (1) 9:18
noteworthy (1) 4:18
November (1) 9:3
number (1) 7:25
numbers (1) 3:19

O

O (1) 1:9
Officer (1) 1:10
officers (1) 7:4
oh (1) 6:16
out-of-town (1) 8:7
outcome (1) 10:13
owner (1) 5:5
ownership (1) 7:4

owns (1) 5:6

P

package (2) 2:6 6:16
participants (1) 4:19
participated (1) 3:15
parties (1) 10:12
partners (1) 3:12
passed (2) 3:4 9:4
passenger (1) 8:6
passes (1) 9:14
penalties (2) 2:7 8:5
penalty (4) 2:6 7:11,15 8:13
people (1) 9:11
period (1) 8:17
personal (1) 5:18
phonetic (1) 2:20
picked (1) 5:14
picture (2) 5:16 6:12
pictures (1) 6:15
POLANCO (1) 1:15
pop-up (1) 5:25
posted (1) 9:8
presenting (1) 6:25
previously (1) 2:25
prior (1) 3:8
proceedings (10) 2:1 3:1 4:1 5:1
 6:1 7:1 8:1 9:1 10:8,10
promotion (1) 2:22
proposed (6) 8:5,10,14,23 9:3,4
provide (2) 6:15 8:11
provides (1) 6:8
public (4) 7:19,21,24 10:6
publicly (1) 2:15
published (1) 7:16

Q

QUEENS (1) 10:4
quick (1) 2:3
quickly (1) 2:22

R

R (2) 1:9 10:1
reached (1) 4:12
ready (1) 9:11
really (2) 3:15 6:9
received (3) 2:23 4:23 7:24
recognition (1) 2:10
recognized (1) 5:23
recommendation (2) 7:7,23
record (4) 4:25 5:11 7:17 10:10
record-fast (1) 9:16
reduced (1) 8:9
refusing (1) 8:8
related (1) 10:11
remarks (1) 2:9
renewal (1) 7:3

reported (2) 1:19 10:8
REPORTING (1) 1:22
requirement (2) 8:16,19
requires (1) 9:7
requiring (1) 8:15
returned (1) 5:21
review (3) 2:6 7:15 8:13
revised (1) 8:3
revisions (1) 7:16
Richard (2) 6:21,22
right (1) 6:14
Rodriguez (1) 3:11
roll (5) 3:7 4:2,3,4,5
row (2) 4:2,3
rule (4) 6:16 8:24,25 9:8
rules (12) 2:5 7:11,13,16,19,25
  8:10,14,22,23 9:3,4

S

sad (1) 2:18
safest (1) 5:8
safety (1) 4:25
Sanchez (1) 3:14
see (1) 3:18
send (1) 6:14
sent (1) 9:10
September (4) 1:5 2:11 9:9 10:16
SERVICES (1) 1:22
set (1) 10:15
Sexual (2) 8:24,24
shops (1) 5:25
significant (1) 9:6
silence (2) 2:10,17
Silent (1) 7:8
single (1) 8:12
singly (1) 4:25
sister (1) 5:22
sorry (2) 4:4,21
specifically (1) 8:3
spoke (2) 4:19 5:6
ss (1) 10:3
Staff (2) 6:13 7:22
Standards (1) 6:24
star (1) 5:14
started (1) 2:9
State (3) 8:5 10:3,7
Staten (1) 6:2
STENO-KATH (1) 1:22
stenokath@verizon.net (1) 1:25
Street (2) 1:7 5:13
Structure (1) 2:6
suddenly (1) 2:20
Sullivan (1) 2:19
Sunday (1) 2:11
supervisor (1) 2:23
supervisors (1) 3:2
swiftness (1) 3:3

symbolic (1) 5:19
sympathy (1) 3:5

T

T (2) 10:1,1
take (3) 5:16 6:6 9:2
taxi (2) 1:2 7:14
ten (1) 9:16
tend (1) 2:13
Thank (2) 7:5 9:17
things (1) 6:12
think (6) 3:3,16,19 5:19 6:4,11
third (1) 3:7
three (1) 4:2
time (3) 2:2 8:17 9:18
tip (1) 5:3
tips (1) 5:9
TLC (2) 2:21 9:9
today (2) 2:4 6:24
today's (1) 6:9
tomorrow (1) 6:5
total (4) 3:20 4:5,13 6:25
traffic (1) 8:4
tragic (1) 2:12
transcript (1) 10:9
trips (4) 4:8,13,14,17
true (1) 10:9
two (3) 3:8 4:3,4

U

unanimously (1) 9:14
unifying (1) 7:14
Universal (4) 2:5 6:11 7:10 8:21

V

V (1) 1:16
Vanessa (1) 3:10
vans (1) 3:25
vehicle (1) 7:14
violations (1) 4:9
Vision (1) 3:12
vote (4) 2:4 6:11 7:10 9:11

W

Wall (1) 5:13
want (1) 3:18
way (1) 10:13
we'll (4) 6:5,14,15 7:9
we're (1) 5:4
we've (1) 4:11
website (1) 9:9
week (2) 4:9 5:15
weekend (1) 5:21
WHEREOF (1) 10:15
WILSON (3) 1:11 7:12 9:14
within-entitled (1) 10:8
WITNESS (1) 10:15

work (1) 2:16
worked (1) 2:24

X

Y

Ydanis (1) 3:10
year (2) 2:21 4:10
year-to-date (1) 4:14
years (6) 2:13 3:9 4:2,3,5,23
yellow (4) 3:21,22,23,24
yesterday (2) 3:7 5:24
York (7) 1:1,7,7,23 8:4 10:3,7

Z

Zero (1) 3:12

0

1

10 (1) 7:3
10:25 (2) 1:5 2:3
10:35 (2) 9:17,18
10543 (1) 1:23
11 (1) 4:2
11th (1) 2:11
12th (1) 9:9
139 (1) 1:23
14 (2) 3:25 4:8
15 (2) 1:5 3:25
15-month (1) 8:12
17 (2) 7:17,18
18 (1) 7:20
188 (1) 3:20
1st (1) 9:3

2

2 (2) 3:22 7:2
20 (1) 4:15
2016 (6) 1:5 4:9 7:17,18,20 10:16
212 (1) 1:24
23rd (1) 10:16
28 (1) 4:7
29 (1) 4:4

3

3,264 (1) 4:17
30 (2) 3:24 4:23
300 (1) 6:3
311 (1) 2:24
33 (1) 1:7
34 (1) 7:3
36 (1) 6:25
378 (1) 3:20
380 (1) 3:9
381-2061 (1) 1:24

4

40,000 (1) 4:14
44 (1) 4:5
46 (1) 3:21

5
---
5 (2) 3:23,23
5,528 (1) 4:13

6

7

722-0816 (1) 1:24

8
---
88 (1) 3:21

9
---
914 (2) 1:24,24
95-DEPOS (1) 1:24
953-3767 (1) 1:24