

New York City Taxi & Limousine Commission Public Hearing  
September 28, 2017

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NEW YORK CITY  
TAXI & LIMOUSINE COMMISSION  
PUBLIC HEARING  
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September 28, 2017  
9:38 a.m.

85 West Street  
New York, New York

B E F O R E:  
MEERA JOSHI, Chair and Chief Executive Officer  
CHRIS WILSON, General Counsel  
Board of Commissioners:  
BILL AGUADO  
JACQUES JIHA  
LAUVIENSKA POLANCO  
NORA C. MARINO  
THOMAS SORRENTINO  
VICTOR CALISE  
  
Julia M. Speros  
Court Reporter

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S P E A K E R S:

Michael Replolge, DOT

Gail Evans, DFTA

Brad Lander, City Council

Jim Sinocchi, JPMorgan Chase

John Kemp, Viscardi Center

Chris Pangilinan, Transit Center

Sara Cobb, Department of Cultural Affairs

Nicholas Katsarelis, DOB

Jennifer Shaoul, NYC Department of Social Services

FHV Industry Coalition

Jim Weisman, United Spinal

Pedro Aguiar, Coalition of Taxi Drivers

Steven Blier, Juilliard Professor

Quemuel Arroyo, DOT

Independent Drivers Guild

Veronica Wissel

Sarah Kaufman, NYU Rudin Center

Chris Rosa, CUNY Student Affairs

Bruce Schaller, Schaller Consulting

Susan Scheer, Institute for Career Development

Cecilia Arana, NYC Kids Project

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S P E A K E R S     C O N T I N U E D :  
Iris Jiminez, ICS  
Yesina Torres, BCID  
Valerie Joseph, BCID  
Joseph Rappaport, BCID  
Lori Bores, National MS Society  
Beresford Simmons, NYTWA  
Mohammad Tip Sultan, NYTWA  
Asim Akhtar, NYTWA  
Assemblyman David Weprin, NYS Assembly  
Eileen Kelly, Kelly's Car Service  
Edith Prentiss, Disabled in Action  
Jean Ryan, Disabled in Action  
Elizabeth Ramos, Disabled in Action  
John Gresham, Disabled in Action  
Yannick Benjamin  
Andrea Major, Delux Transportation  
David Pollack  
Arthur Goldstein  
Steven Shenker, New York Independent Driver  
Livery Fund  
Osman Chouhoury, United Taxi Drivers  
Association  
Gary Farberov, Abba Local Transportation

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S P E A K E R S C O N T I N U E D :

Ed Friedman

Arianny Ramirez

Shafquat Chaudhury, Elite Limousine

George Laszlo, Taxi & Limousine Research Center

Ruth Lowenkron, NYLPI

Eman Rimawi, NYLPI

Jose Hernandez, United Spinal Association

Eli Ramos, NYC Spinal

Lawrence Harding, Physical Therapist

Daniel Winchester

Rebecca Moniz, International Academy of Hope

Philip Bennett, Disabled Action of Metro  
NY/ADAPT

Carr Massi

Fernando Garcia

Yoel Sherabi

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PROCEEDINGS

CHAIR JOSHI: Good morning everybody. I'm going to make a motion to go into Executive Session. All in favor.

(Whereupon, there was a chorus of "Ayes.")

CHAIR JOSHI: And with that, we are going into Executive Session, and we'll open our public meeting at 10 a.m.

(Whereupon, the Board entered into Executive Session.)

CHAIR JOSHI: Okay. We have a slight problem with microphones, so if everyone can hear me I'm going to start without them cause there's a lot of people, and we have a lot to get through today.

So the time now is 10:07, and we're going to start our public meeting.

The first order of business is adoption of minutes from the July 13, 2017 Commission Meeting.

All in favor?

(Whereupon, there was a chorus of

1 "Ayes." )

2 CHAIR JOSHI: With that, they're  
3 passed.

4 Next, we're going to have Base  
5 Applications for determination.

6 MS. MEOLA: Good morning,  
7 Commissioners. My name is Angelique  
8 Meola, Director of Base and Business  
9 Unit.

10 Today we have 35 bases for your  
11 consideration; 22 renewals, 11 Bay  
12 Ridge, Kings, and two for denial.

13 CHAIR JOSHI: All in favor.

14 (Whereupon, there was a chorus of  
15 "Ayes." )

16 CHAIR JOSHI: And with that the Base  
17 Applications are approved.

18 Can people hear me in the back?

19 (Whereupon, the audience responded  
20 no.)

21 CHAIR JOSHI: No? Not at all. All  
22 right. I'm going to use this mic until  
23 we can get the rest of them fixed.

24 First, just a word about what has  
25 happened outside of the TLC, and that's

1 the natural disasters. Irma, Jose,  
2 Maria devastated parts of the U.S.,  
3 Caribbean, Puerto Rico, and we, as an  
4 agency and a city, share a rich and  
5 strong history with all of those areas.

6 So we stand in solidarity with all  
7 those -- especially those in Puerto Rico  
8 who have recently been hit and affected  
9 by Hurricane Maria. That's an estimated  
10 3.5 million people who are in the midst  
11 of an unfolding humanitarian crisis.

12 City employees have an opportunity  
13 to donate a portion of their paycheck  
14 for Hurricane Maria Relief Efforts  
15 through the Mayor's Fund to Advance New  
16 York City.

17 The city also has opened donation  
18 centers at firehouses across the five  
19 boroughs where people can donate  
20 specific items needed for recovery;  
21 batteries, diapers, food, and first aid.

22 There are 18 drop-off locations  
23 accepting donations across all five  
24 boroughs. Donations will be accepted  
25 during the hours of 7 a.m. through

1           9 p.m. There are too many firehouses to  
2           read off, but you can find a complete  
3           list at NYC.gov.

4           And I have some sad news to share.  
5           We do a lot of work here at the agency,  
6           and at the industry, of Vision Zero  
7           Initiatives to promote safe driving, and  
8           we often say we're all drivers and  
9           pedestrians.

10          And unfortunately, one of our  
11          licensees -- our licensed driver -- as a  
12          pedestrian was hit and killed last  
13          night. He was struck by a vehicle, and  
14          -- actually, it happened about a week  
15          ago.

16          So I just want to make note of that  
17          because it the reality we live in that  
18          we're never just one thing. We are,  
19          when it comes to safety, both the one  
20          behind the wheel and the one sharing the  
21          roads at all times.

22          And I want to welcome Tom  
23          Sorrentino, our newest Commissioner;  
24          born and raised in Brooklyn where he and  
25          wife of 20 years have raised their three

1 children.

2 He's a graduate of NYU earning a BS  
3 in accounting and is a Certified Public  
4 Accountant licensed in the State of New  
5 York and New Jersey. He's a partner in  
6 the accounting firm of PKF O'Connor  
7 Davies, and it's probably a tremendous  
8 understatement to say that Tom devotes  
9 many hours to serving his community and  
10 his faith through charitable civic  
11 community business related activities  
12 and organizations.

13 Just one example, he served as a  
14 member of the Kings County Community  
15 Board 18 for about five years where he's  
16 Chairperson of its Transportation  
17 Committee.

18 So we welcome and look forward to  
19 his accounting skills and community  
20 transportation experience. So thank  
21 you. (Applause.)

22 And so today's hearing is on rules  
23 that were published in early July about  
24 mandating accessibility in the for-hire  
25 sector.

1           With the introduction of dispatch  
2           technology by for-hire companies and the  
3           adoption of it by many of our city's  
4           long standing providers, the for-hire  
5           passenger high has grown, and the number  
6           of vehicles serving those passengers has  
7           swelled as they are performing hundreds  
8           and thousands of trips a day for all of  
9           our visitors and residents except those  
10          who use wheelchairs. They have watched  
11          from the sidelines.

12          The number of vehicles in the FHV  
13          sector that can provide service to  
14          people in wheelchairs and are on the  
15          streets is nominal. It's about 500, and  
16          that includes accessible green taxis.

17          While the overall number of for-hire  
18          vehicles has reached a historic high of  
19          over 100,000, and although the sector  
20          has the flexibility to offer a range of  
21          prices, vehicle levels, and incentives  
22          for both drivers and passengers, they  
23          have not used this ability to fill the  
24          accessibility void in a way that would  
25          work for them -- drivers -- and the

1 riding public.

2 So today we'll hear public comment  
3 on rules the Commission publicly  
4 proposed in July that would clarify more  
5 exactly how FHV bases can meet their  
6 existing requirement to provide  
7 equivalent service.

8 The commissioners proposed a trip  
9 mandate that would require, over time, a  
10 gradual incorporation of accessible  
11 vehicles into the fleet. The proposal  
12 requires every base to utilize  
13 accessible vehicles in the daily  
14 dispatches so that these vehicles, over  
15 time, become part of the fabric of the  
16 fleet and are available when a passenger  
17 in a wheelchair needs them.

18 The plan proposes a gradual increase  
19 in the number of mandated trips ending  
20 in the final years at 25 percent with  
21 regular check-in periods to determine if  
22 adjustments need to be made.

23 The plan does not require any driver  
24 to buy an accessible vehicle or retrofit  
25 an existing one, and unlike our plan for

1 yellow taxis today, it doesn't mandate  
2 the purchase of a specific type of  
3 accessible vehicle, rather it gives  
4 bases the flexibility to send trips to  
5 existing accessible vehicles or  
6 incentivize drivers to purchase or lease  
7 an accessible vehicle.

8 Today, we add about 2,000 brand new  
9 cars to the FHV fleet every month, and  
10 as a consequence of the proposed rules  
11 some of those would be substituted by  
12 accessible vehicles, and there would  
13 also likely be a higher utilization of  
14 our accessible green taxis. But best of  
15 all the passenger pie will continue to  
16 grow as tens of thousands of New Yorkers  
17 and visitors who utilize wheelchairs are  
18 able to become customers of the for-hire  
19 sector. But ours is not the only  
20 proposal.

21 At the state level there is an  
22 Assembly Bill that would require small  
23 bases to get one accessible vehicle  
24 within five years. Any base with 10 or  
25 more cars, but less than 100, will have

1 a 20 percent accessible fleet within  
2 five years, and any base with over 100  
3 cars to have a 25 percent accessible  
4 fleet in three years, and a 50 percent  
5 one in five years.

6 On the local level, there's a City  
7 Council Bill that calls for 100 percent  
8 accessible taxis and FHV fleet by the  
9 year 2020.

10 And in response to our proposed rule  
11 eight of the largest FHV companies and  
12 trade organizations have developed  
13 another proposal to centralize the  
14 dispatch of accessible vehicles to meet  
15 the demand and to provide service to  
16 passengers within, on average, 15  
17 minutes.

18 Under their proposal all requests  
19 for accessible vehicles that a base gets  
20 would then be referred to and fulfilled  
21 by a centralized dispatcher. There will  
22 be uniform fares and monetary penalties  
23 for failure to meet the 15 minute goal.

24 Centralized dispatch is not a new  
25 concept for us. We brought in one for

1 taxis in Manhattan for years and are in  
2 the process of extending this citywide.

3 Though there are financial  
4 incentives attached to these trips,  
5 because taxi drivers are prohibited for  
6 charging more than the metered fare,  
7 we've learned that incentives alone were  
8 not enough.

9 Response times improved after taxi  
10 owners were mandated to convert their  
11 vehicles, and more and more accessible  
12 vehicles hit the road. And because  
13 taxis have an underlying 50 percent  
14 mandate, the city-run dispatch system is  
15 a bridge to connect passengers and  
16 vehicles until accessible vehicles are  
17 plenty enough so that a separate system  
18 to obtain them is not necessary.

19 The for-hire sector is different; it  
20 is entirely dispatched. But what is  
21 lacking today is a mandate to ensure  
22 that there are accessible vehicles on  
23 the road ready and able to respond.

24 Our concern over dispatch-only  
25 proposals is that a separate system --

1 is one, that it's a separate system, and  
2 the danger in encouraging such solutions  
3 is that they become acceptable.

4 In some cases, where service levels  
5 are high, that may not be a concern; but  
6 where they are not -- and historically  
7 they haven't been -- it is a concern.

8 Nonetheless, we have had several  
9 very engaging and very encouraging  
10 meetings with the FHV Coalition, and we  
11 look forward to passenger feedback on  
12 their plan which they're presenting  
13 today in detail.

14 And because they represent a broad  
15 segment of the industry that will be  
16 impacted on a daily basis, we thought it  
17 would be appropriate to give them  
18 additional time to make a joint  
19 presentation.

20 And I do want to thank them for an  
21 unprecedented level of collaboration  
22 from people who are, in some cases,  
23 lifetime and fierce competitors. That  
24 takes commitment, and commitment is what  
25 we need if we're going to have real

1 access.

2 And I think I speak for my fellow  
3 commissioners, I'm glad we're here.  
4 We're forging ahead on work of getting  
5 accessible cars in circulation that can  
6 provide rides for tens of thousands of  
7 people in New York City who up until now  
8 have not had that opportunity.

9 The work is not easy. It's rife  
10 with conflict, and it's complex, and  
11 today we will hear both compliments and  
12 critiques of different approaches.

13 But at the end of this process,  
14 together, the city, the industry,  
15 passengers who use wheelchairs and their  
16 families, electives and advocates for  
17 the disabled, will have made New York  
18 City a better place for everyone.

19 Just a few housekeeping notes  
20 because we have so much a large crowd,  
21 we're going to try to stick to three  
22 minutes for each speaker; the one  
23 exception being the coalition that will  
24 be given a larger amount of time, and in  
25 exchange they will not have any

1 individual speakers come up.

2 And I also -- as commissioners,  
3 we're going to try to hold our tongues  
4 -- that's difficult -- and keep our  
5 questions to the end so that everybody  
6 can get through their three minutes, and  
7 then if we have follow-up questions,  
8 we'll give them.

9 But overall I just want to stress  
10 that we're all here today because we're  
11 committed to a solution, and in that  
12 spirit I'd like everyone to be  
13 respectful of the speaker's opinion and  
14 the strategies and proposals that their  
15 makings.

16 Because together we will get to a  
17 resolution, and the hope is that that's  
18 soon. And the hope is that there's more  
19 people in wheelchairs able to get around  
20 this city and enjoy the economic and  
21 social benefits that this city offers.

22 So with that, we can begin our  
23 public hearing, and Chris Wilson will  
24 start us off with the legal preambles  
25 and calling people from our speakers

1 list.

2 We will give preference to electives  
3 and government officials.

4 MR. WILSON: Yes. And, again, as  
5 the commissioner asked that people keep  
6 their comments limited to three minutes.

7 Also, when you come up, please tell  
8 us who you represent or what group  
9 you're here with.

10 And this is the Public Hearing on  
11 Proposed Accessibility Rules that were  
12 published on July 7th. And away we go.

13 The first speaker is Michael  
14 Replolge.

15 MR. REPLOLGE: Good morning,  
16 Chairman Joshi and members of the  
17 Commission. I'm Michael Replolge,  
18 Deputy Commissioner for Policy at the  
19 New York City Department of  
20 Transportation.

21 Thank you for the opportunity to  
22 share the city's DOT view on enhancing  
23 -- ensuring enhanced accessibility for  
24 persons with disabilities to New York  
25 City's for-hire vehicles.

1           The proposed change would require  
2           all for-hire vehicle bases to send 25  
3           percent of their dispatched trips to  
4           wheelchair accessible vehicles.

5           Several years ago, when I lived in a  
6           different jurisdiction, I had to use a  
7           wheelchair for many weeks following a  
8           series of surgeries on both of my  
9           ankles. During that time I struggled to  
10          make use of taxis that weren't  
11          wheelchair accessibility.

12          Having a system in place like TLC's  
13          proposed rule would have made my travel  
14          experiences much easier and would have  
15          enabled me to travel more during my  
16          period of recovery.

17          For many persons who use  
18          wheelchairs, non-wheelchair accessible  
19          for-hire vehicles are not an option at  
20          all, even with the struggle, and  
21          wheelchair accessible vehicles are  
22          available only with a disproportionately  
23          long wait.

24          This leads to reduced mobility for  
25          these individuals, reducing their access

1 to opportunities for employment,  
2 education, health care, housing, and  
3 recreation.

4 In 2016 I led efforts by the New  
5 York City Department of Transportation  
6 to develop a new five year vision for  
7 the agency which resulted in the New  
8 York City DOT Strategic Plan 2016; safe,  
9 green, smart, and equitable.

10 This plan, built on DOT's prior  
11 efforts -- and on the one NYC Vision of  
12 Mayor Bill de Blasio, as DOT's plan  
13 states -- "To fulfill the promise of  
14 equal opportunity, the city must  
15 continue to improve access to jobs and  
16 essential services for low and moderate  
17 income New Yorkers and people with  
18 disabilities".

19 New York City DOT supports TLC's  
20 proposed action which would be  
21 consistent with this goal. New York  
22 City DOT is investing hundreds of  
23 millions of dollars in the next several  
24 years to upgrade pedestrian ramps and to  
25 expand wayfinding systems for persons

1 with disabilities so they can more  
2 readily get to jobs, medical and other  
3 services, educational opportunities, and  
4 recreation.

5 As our strategic plan notes, we  
6 "Strive to make all sidewalks,  
7 pedestrian ramps and spaces, and bus  
8 stops accessible across the city".

9 New York City DOT does not rely on a  
10 demand based system to provide  
11 accessible ramps and intersections, but  
12 strives to boost the supply of these  
13 across the city. TLC and the for-hire  
14 vehicle service providers that regulate  
15 should similarly strive towards a goal  
16 of greater accessibility for persons who  
17 use wheelchairs consider a supply grant  
18 measure to ensure better performance.

19 In closing, enhancing equitable  
20 access for all is important to making  
21 our city prosper. Ensuring wheelchair  
22 accessible vehicles are widely  
23 distributed across the city will remove  
24 barriers that now unduly limit  
25 availability and access for residents

1 and visitors to our city who use  
2 wheelchairs. TLC's proposed rule would  
3 accomplish that.

4 Thank you for allowing me to testify  
5 today.

6 MR. WILSON: Thank you.

7 And the next speaker is Gail Evans.

8 MS. EVANS: Good morning. My name  
9 is Gail Evans, and I am here to give  
10 testimony from the New York City  
11 Department for the Aging or DFTA.

12 DFTA is a mayoral agency dedicated  
13 exclusively to serving New York City's  
14 close to one and a half million  
15 residents age 60 and over through our  
16 community based senior centers,  
17 supportive service programs,  
18 transportation services, and services  
19 for frail older people including home  
20 delivered meals, case management, and  
21 non-medicated home care.

22 DFTA is happy to support the  
23 proposed change by the TLC because of  
24 the benefit to older New Yorkers. By  
25 2030 City Planning projects that one out

1 of every five New Yorkers will be 60 or  
2 over, with the largest increase  
3 occurring in the number of the very old.

4 Already persons 60 and over make up  
5 16.8 percent of Brooklyn's population,  
6 and 27.8 percent of those 60 and over  
7 have mobility or self-care impairments.  
8 18.12 percent of Queens' population are  
9 60 and over, and 23 percent of those  
10 have mobility or self-care impairments.

11 19.5 percent of Staten Island's  
12 older persons, 20 percent of who have  
13 mobility or self-care impairments. And  
14 in Manhattan 19.6 percent of residents  
15 are over the age of 60, and almost 23  
16 percent of them have mobility  
17 impairments or other problems with  
18 self-care.

19 Rounding out the picture of need in  
20 this growing older population, Brooklyn  
21 and Queens -- the boroughs with the  
22 largest number of older residents -- are  
23 also the boroughs where seniors are  
24 geographically more descript (sic), so  
25 even Access-A-Ride encounters challenges

1 when it comes to response time.

2 DFTA and the city are preparing for  
3 the city's greying through Age-Friendly  
4 NYC, which is a major initiative  
5 involving a host of stakeholders,  
6 including city agencies, to address the  
7 needs and preferences of older New  
8 Yorkers.

9 The TLC proposal to put more  
10 wheelchair accessible for-hire vehicles  
11 on the road is indeed age-friendly.  
12 Having these vehicles in circulation  
13 will enable them to respond more quickly  
14 to trip requests from wheelchair  
15 passengers and provide a much needed  
16 option for paratransport.

17 The more we provide options for  
18 older persons and persons with  
19 disabilities, the more we empower them  
20 to live independent lives. Having  
21 transportation to a senior center or  
22 shopping mall, to a movie or cultural  
23 event helps seniors who are mobility  
24 impaired be more independent, less  
25 confined, and less socially isolated.

1           Of DFTA's case management files for  
2           older people who are generally frailer  
3           than those who attend our senior centers  
4           and who need in-home services, 14.4  
5           percent use wheelchairs according to our  
6           client data. We are concerned that  
7           their disability puts them at risk for  
8           social isolation, and social isolation's  
9           deleterious effect on physical and/or  
10          mental health.

11          A number of DFTA centers have vans  
12          or buses with wheelchair lifts that can  
13          bring seniors to their centers, and DFTA  
14          funds transportation programs in every  
15          borough equipped with wheelchair lifts  
16          that provides rides to medical or other  
17          appointments. Access-A-Ride is  
18          available for seniors who need  
19          paratransit services.

20          But despite the availability of  
21          these publicly funded services, they are  
22          limited. Not everyone is eligible.  
23          Trips must be arranged in advance or be  
24          ongoing. Some areas may be outside the  
25          providers purview. The freedom to go

1 where one wants to go when one wants to  
2 go often is not an option.

3 The city's accessible dispatch  
4 program is an important shtick for  
5 giving seniors and others with  
6 disabilities greater access to taxis and  
7 thus more options. Now, the proposed  
8 rule change will extend the Taxi &  
9 Limousine Commission's vision of a truly  
10 accessible fleet to the for-hire vehicle  
11 sector.

12 We commend TLC for their efforts to  
13 enhance the transportation assistance  
14 available to persons with disabilities  
15 and thus to enhance their quality of  
16 life.

17 When wheelchair bound individuals,  
18 including seniors, want to do an errand  
19 or go to a social event, they will be  
20 able to call a vehicle that responds  
21 quickly and accommodates their needs.

22 DFTA recommends acceptance to the  
23 proposed change to the rules. Thank  
24 you.

25 MR. WILSON: Thank you.

1                   And the next speaker is Brad Lander.

2                   MR. LANDER: Hi. Good morning Chair  
3                   Joshi and Commissioners. I'm New York  
4                   City Council Member Brad Lander, and I'm  
5                   honored to be here today to express my  
6                   strong support for the New York City  
7                   Taxi & Limousine Commission's proposed  
8                   rule to require for-hire vehicle bases  
9                   to send -- in a growing way over time --  
10                  25 percent of their dispatched trips to  
11                  wheelchair accessible vehicles.

12                  I want to give a real shout-out here  
13                  to the advocates here for pushing and  
14                  pushing and pushing to get us here  
15                  today. For too long New York City has  
16                  done too little -- far too little -- to  
17                  serve the approximately 60,000  
18                  wheelchair users in New York City and  
19                  especially those in the outer boroughs  
20                  like Brooklyn, and areas now being  
21                  served by yellow taxis with convenient  
22                  point to point options for  
23                  transportation.

24                  And, of courses, I want to share my  
25                  piece of the blame. Like, I think the

1 Commission, City Hall, the City Council,  
2 we have not done enough to move on this.  
3 It has been too long, and we've moved  
4 too slowly, and I don't feel good about  
5 that personally. That's why I am really  
6 grateful that we are here today, and why  
7 I really energetically support this  
8 rule.

9 I like that the new rule requires  
10 that wheelchair accessible vehicles  
11 would be at the ready, making sure that  
12 FHV bases have the flexibility to  
13 dispatch accessible vehicles from both  
14 livery and black car sectors, and use  
15 the existing accessible green taxis.

16 More accessible vehicles on the road  
17 is a critical way to get higher volume  
18 and a variety of wheelchair accessible  
19 cars out there reducing wait times and  
20 improving service standards  
21 significantly.

22 I like that the rule phases in over  
23 time with the intent to allow FHV bases  
24 to absorb the cost. And I'm also  
25 pleased that the proposal includes a

1           commitment from the TLC to report  
2           publicly on response times to requests  
3           for accessible vehicles.

4           I support this proposal rather than  
5           what I've heard some people offer as a  
6           potential alternative of a "centralized  
7           dispatch system", which has been  
8           proposed by Uber and some other  
9           stakeholders. There's simply no  
10          guarantee that such a system would put  
11          enough accessible vehicles on the road  
12          to meet demand.

13          Anybody who sat in council hearing  
14          after council hearing after council  
15          hearing about Access-A-Ride knows that  
16          centralized dispatch can be a recipe for  
17          a disaster for just wait times that are  
18          far too long and with really zero  
19          accountability.

20          According to the 2016 report from  
21          the Comptroller's Office, fewer than 50  
22          percent of Access-A-Ride car trips were  
23          on time with nearly 5,000 complaints  
24          from riders that the vehicles never  
25          showed up at all.

1           Now -- and it's also my  
2           understanding that some supporters of a  
3           centralized dispatch program are even  
4           proposing that such a system be funded  
5           by a rider surcharge that would be  
6           determined by the centralized  
7           dispatcher. That really seems like a  
8           recipe for disaster without the  
9           oversight transparency or accountability  
10          required, especially given the strong  
11          likelihood that the centralized  
12          dispatcher would be a large corporate  
13          operator -- or partnership of operators  
14          -- participating in the TLC system.

15          So they'd have on the one hand a  
16          strong incentive to keep the surcharge  
17          low thus impoverishing the accessible  
18          system, which really brings us to this  
19          question of accountability.

20          The rule that you are proposing has  
21          clear ways of holding people  
22          accountable. A centralized dispatch  
23          system, and especially one operated by  
24          Uber or one of the other major corporate  
25          players with a financial stake in the

1 system, would fundamentally lack  
2 accountability. The provider might  
3 promise users a reasonable wait time,  
4 but what if they don't deliver?

5 I do have a proposal here, if Uber,  
6 or one of the other providers of such a  
7 centralized dispatch would agree, that  
8 if they don't meet response time  
9 obligations they lose their license to  
10 operate in New York City entirely as  
11 London recently did. Then that would be  
12 real accountability, and I would be  
13 confident that they would meet their  
14 obligations to serve and provide the  
15 accessible service.

16 But short of that, I really have a  
17 hard time seeing how we get the level of  
18 accountability that we need and that  
19 this rule provides.

20 Two more quick points. First, one  
21 recommendation for a small adjustment.  
22 I do think that the rule would be  
23 strengthened by a slightly more specific  
24 strategy for making sure that the  
25 accessible FHV trips are matched to the

1 users who need them. You speak in the  
2 rule to requirements for reporting on  
3 requests for accessible vehicles.

4 I think that needs to be made real  
5 clear. We need to see what those  
6 requests are and what the response times  
7 are, so that we can -- over time --  
8 develop real clear targets and  
9 responsibilities so that we not only  
10 have the vehicles out on the road, but  
11 know that they're getting to the users  
12 who need them and request them in short  
13 order.

14 I finally -- one just related point.  
15 I know there's a range of stakeholders  
16 considering the possibility of surcharge  
17 here, as you did for yellows to help  
18 free the cost of the new vehicles, and,  
19 you know, that could work whether it's  
20 through this rule or in connection to a  
21 dispatch system.

22 I think a surcharge to help fund  
23 some of the costs here is not a terrible  
24 idea. But I do want to make one plea,  
25 which is if a new surcharge is added at

1           this time, some of that surcharge also  
2           needs to be dedicated to a fund for  
3           driver's health and retirement benefits.

4           This body sought to do such a thing  
5           earlier. The court struck it down, and  
6           we needed Council Authorizing  
7           Legislation to make that possible, and  
8           I'm pledging to work with you on it.

9           But I wouldn't want to wind up in a  
10          system where we move towards setting one  
11          surcharge now for accessibility and then  
12          didn't have the room to do that for  
13          drivers who -- as you know as a result  
14          of being classified largely as  
15          independent contractors -- lack the  
16          health care benefits and all the, you  
17          know, other benefits -- traditional  
18          benefits -- an employee has. So we have  
19          an opportunity here to think about that  
20          together, you know.

21          But to summarize, I really want to  
22          commend you and the advocates. The new  
23          rule proposed is a good one, and I  
24          strongly support it and look forward to  
25          working with you to make accessible

1 service happen for all those who need  
2 it, and have waited for too long to get  
3 it, in the very near future.

4 Thank you very much. (Applause.)

5 CHAIR JOSHI: Thank you very much.  
6 If anyone can see a spare seat, if they  
7 could take it. The more room that we  
8 have free in the back -- there are other  
9 people that are -- I believe -- who  
10 would like to get into the room. It's  
11 helpful to clear out the back as much as  
12 possible.

13 Perfect idea; raise a hand people if  
14 you've got an open seat next to you so  
15 people know where they can go to sit  
16 down. Thank you.

17 I also have testimony from the  
18 Manhattan Borough President, Gale  
19 Brewer. She was not able to make it  
20 this morning and asked that I read this  
21 in her place.

22 "My name is Gale Brewer, Manhattan  
23 Borough President. Thank you  
24 Commissioner Joshi for holding this  
25 hearing on the proposed rule changes

1           which would eventually require 25  
2           percent of total trips taken by for-hire  
3           vehicles to be conducted in a wheelchair  
4           accessible vehicle.

5           I commend the Taxi & Limousine  
6           Commission under Commissioner Joshi's  
7           leadership for the consideration of a  
8           rule change before the Commission today  
9           which has the potential to bring  
10          improved transportation options to  
11          thousands of New Yorkers who use it.

12          Essentially the rule change would  
13          create an accessible service requirement  
14          that would put wheelchair accessible  
15          FHV's in circulation so that they are  
16          available when passengers need them.  
17          This would mark a crucial improvement  
18          over the status quo.

19          Very few of the 400,000 trips taken  
20          each day in an FHV are wheelchair  
21          accessible. Though some FHV companies  
22          offer accessible options, through your  
23          email services the people I know who use  
24          wheelchairs have complained that these  
25          programs are completely unreliable

1           likely due to the few accessible  
2           vehicles currently in circulation today.

3           I also believe this rule change is  
4           fair to the FHV industry. First, it  
5           would be phased in over the course of  
6           four years providing plenty of time for  
7           the FHV industry to adapt. By 2018, for  
8           instance, only 10 percent of the  
9           industry's total trips of the year must  
10          be conducted in a wheelchair accessible  
11          vehicle. That percentage will  
12          eventually reach 25 percent by 2021.

13          Second, it also provides sufficient  
14          flexibility for base owners who would be  
15          able to dispatch wheelchair accessible  
16          vehicles for both livery and black car  
17          sectors regardless of the base to which  
18          they are affiliated. They would also be  
19          able to dispatch to existing wheelchair  
20          accessible green taxis in areas where  
21          green taxis are permitted to accept  
22          dispatches.

23          I'm aware of an alternate plan being  
24          proposed by some in the FHV industry  
25          involving the creation of a central

1 dispatch operation that would guarantee  
2 pick-ups for wheelchair users within 15  
3 minutes.

4 But as my friend Jim Weisman of the  
5 United Spinal Association has pointed  
6 out recently, this creates a separate  
7 but equal system comparable to the  
8 city's Access-A-Ride service which has  
9 failed to provide a comparable  
10 transportation option for wheelchair  
11 users vis a vis able-bodied commuters in  
12 New York City.

13 If the service provided by this  
14 proposed central dispatch service is  
15 substandard, similar to the  
16 Access-A-Ride program, the only people  
17 who will be inconvenienced once again  
18 are wheelchair users, and that is  
19 unacceptable.

20 While I'm fully supportive of the  
21 proposed change being discussed, I do  
22 believe that it will be important to  
23 closely monitor this program to ensure  
24 its intended intent and impact.

25 Under these rules, for instance,

1           there's nothing stopping the FHV  
2           industry from front-loading these  
3           accessible trips early in the year to  
4           meet the 25 percent threshold rather  
5           than ensuring constant circulation  
6           throughout the year.

7           I encourage the TLC to stay in close  
8           contact with wheelchair users and their  
9           advocates as this rule is implemented in  
10          order to ascertain whether or not  
11          there's an appreciable improvement in  
12          service.

13          Even with this rule fully phased in,  
14          we will still have to go a ways before  
15          wheelchair users have an equal access to  
16          services offered by the FHV industry.  
17          Ultimately, even more of the trips taken  
18          by the industry should be wheelchair  
19          accessible. In my mind, there is no  
20          reason that the FHV industry should be  
21          subjected to a different accessibility  
22          regulation than our city's taxi fleet.

23          In December 2013 the Taxi &  
24          Limousine Commission announced the  
25          landmark decision that mandated at least

1           50 percent of the city's taxis be  
2           wheelchair accessible by 2020. The same  
3           rule should apply to the FHV industry,  
4           and eventually we should ensure that  
5           every taxi and livery vehicle in our  
6           city is wheelchair accessible.

7           There's no good reason not to be  
8           working towards this goal, and it's not  
9           a simple fantasy. London now boasts a  
10          taxi fleet that is 100 percent  
11          accessible. We can and should achieve  
12          the same reality here with both our  
13          taxis and FHV's.

14          I believe the rule change being  
15          proposed marks an important and  
16          productive step in the right direction.  
17          Thank you again for the opportunity to  
18          testify." (Applause.)

19          MR. WILSON: The next speaker is Jim  
20          Sinocchi.

21          MR. SINOCCHI: Thank you everyone.  
22          I am Jim Sinocchi. I am a Senior  
23          Executive at JPMorgan Chase, and I'm  
24          going to talk about this issue from the  
25          point of view of people.

1 I agree with everything I've just  
2 heard -- everything I've read, but your  
3 clients are just not folks that are in  
4 wheelchairs.

5 I'm married for 30 years. I have  
6 two kids; one works in Washington -- my  
7 daughter is a lawyer. My son is an  
8 Intelligence Officer in Washington. I  
9 have two grandchildren.

10 I've been disabled since I was  
11 25 years old due to a surfing accident.  
12 I retired from IBM last year after  
13 39 years of working. I was called back  
14 to work by JPMorgan Chase to run the  
15 head office of Disability Inclusion  
16 worldwide. My job is to hire as many  
17 people with disabilities as I can who  
18 are qualified to work in the City of New  
19 York. One of the reasons -- and around  
20 the world.

21 One of the reasons I took the job  
22 was because there was an accessible taxi  
23 program where I knew I would travel a  
24 lot. I travel every day -- I travel by  
25 car down here again every day. And so I

1 wanted to give you an idea that there  
2 are people working, paying taxes, and  
3 thriving in New York because of the  
4 accessibility program that you started.

5 And so behind every person in a  
6 wheelchair is someone that has a life,  
7 that's taking care of people, and  
8 actually hiring other people as well in  
9 the city. So any reason you get from  
10 Uber, or the inability to make changes  
11 to any programs that we need to improve  
12 accessibility, should really be put  
13 aside when you think about us as people  
14 who contribute.

15 One of the daunting things that I  
16 just want to make you aware of is that  
17 when -- this surge pricing kills us in  
18 wheelchairs. And the surge pricing, as  
19 you know, is something that Uber has  
20 whether there's bad weather, snow, or  
21 anything else, prices go up. I can't  
22 get a ride home because of that surge  
23 pricing.

24 I either have -- I call it walking  
25 home to my apartment here in Manhattan

1 -- and walk back because cabs won't pick  
2 us up because it takes too long for  
3 them.

4 The second thing I want to point  
5 your attention to -- and I know Victor  
6 Calise and I had talked about this -- I  
7 can take cabs outside of the five  
8 boroughs -- the yellow -- but I can't  
9 get a cab back.

10 One night I was stranded at the US  
11 Open. I was there for business, and,  
12 you know, talking to clients, and I  
13 couldn't get back until after midnight  
14 because another cab driver helped my  
15 wife and I get back here.

16 So we have to equalize our  
17 transportation systems as we do for  
18 able-bodied people. That's my point. I  
19 want to keep it under your time. But  
20 think of us as people, clients. I spend  
21 money here. I hire able-bodied people  
22 as well as disabled people.

23 So look at us as a full-fledged  
24 audience and part of this city. Thank  
25 you. (Applause.)

1 MR. WILSON: Next speaker is John  
2 Kemp.

3 MR. KEMP: Good morning. My name is  
4 John Kemp. I'm President and CEO of  
5 Viscardi Center and Henry Viscardi  
6 School. We have offices on Long Island  
7 as well as New York City.

8 I was born without arms or legs. As  
9 I aged into seniorhood (sic), I started  
10 using a scooter more often. When I'm on  
11 the streets of New York City I am  
12 ignored and overlooked, and absolutely  
13 refused to be picked up. And it's very  
14 frustrating to be a business person -- a  
15 person running a disability related  
16 organization -- and have that kind of  
17 treatment happen.

18 I was very much involved in the  
19 passage of the ADA. I believe in the  
20 fundamental values and promises that the  
21 ADA made to us; quality of opportunity,  
22 independent living, full participation,  
23 and economic self-sufficiency. If we  
24 don't have those guarantees built into  
25 our fundamental rights, then we do not

1           have the right to participate fully in  
2           this society.

3                     We are taxpayers, as Jim Sinocchi  
4           said. We are tax deliverers. We assist  
5           a number of people with disabilities as  
6           an organization; we can make buildings  
7           accessible. We can prepare youth for  
8           higher education. We can increase  
9           employment opportunities; but unless  
10          individuals with disabilities can get  
11          themselves to activities in their  
12          communities, to the college campuses for  
13          their classes, or their work sites as  
14          Jim had indicated, we are still doing  
15          something wrong and haven't met the  
16          standards and the promises of living  
17          with a disability that the ADA intended.

18                    I fully support, and we fully  
19          support, the rule making that is  
20          occurring and hope that you will pass  
21          it. We'd like it as it is proposed and  
22          strongly endorse it.

23                    It is a privilege to present this  
24          testimony. Thank you very much.

25                    (Appause.)

1 MR. WILSON: Thank you.

2 And the next speaker is Chris  
3 Pangilinan.

4 MR. PANGILINAN: Good morning and  
5 thanks for having me here today. I just  
6 wanted to add more of a personal touch.  
7 I wanted to echo the testimony that has  
8 been given today, and I agree with a lot  
9 -- all that has been said already.

10 But I just wanted to say that, you  
11 know, as someone who has only been in  
12 New York for three years, I notice a lot  
13 about the city, and I think it's obvious  
14 to everyone in the room that accessing  
15 the city is difficult to say the least.

16 Apartments, bars, restaurants, and  
17 of course the subway are not exactly  
18 accessible to all of us who use  
19 wheelchairs or others who need  
20 stair-free access.

21 But, for-hire vehicles though is a  
22 relatively newer industry, and since the  
23 TNCs have broken into the city in 2011,  
24 and now here we are 2017 -- 27 years  
25 after the ADA -- thousands of new

1 vehicles have been added to the streets  
2 every month, and this shows that  
3 equivalent accessible service is a  
4 conscious choice that is being said --  
5 that the industry is saying no to right  
6 now.

7 And just as an anecdote, recently  
8 this summer I was on the Lower East Side  
9 having dinner, and there's no accessible  
10 subway there so I wanted to take a TNC  
11 back to my apartment, and the driver  
12 showed up in a sedan -- because I  
13 couldn't call a WAV because there were  
14 no WAVs available -- and refused to put  
15 my wheelchair in the truck even though I  
16 do this a lot.

17 But unfortunately, this happens once  
18 every few times. So I have a choice  
19 here, I can either call another WAV and  
20 have another risk, or find an accessible  
21 yellow cab, or, you know, walk the  
22 two miles home, and those aren't any  
23 pleasant choices; a lot harder to make  
24 by yourself, and a lot harder to make  
25 especially if you're at a business,

1 dinner, or an engagement, or anything  
2 like that.

3 You know, in short, this rule I  
4 fully support because of the potential  
5 that it could bring to put more  
6 wheelchair accessible vehicles out on  
7 the street and make these situations a  
8 lot less prevalent, and to bring down  
9 the wait times from infinite 15 minutes  
10 down to a reasonable wait time which  
11 everybody else gets to enjoy who don't  
12 need wheelchair accessible vehicles.

13 You know, in all of our industries  
14 in New York, you know, media, finance,  
15 sports, if anybody were to be  
16 discriminating against a group of  
17 individuals besides disabilities, we  
18 would have them run out of this town  
19 immediately. We don't need to tolerate  
20 that with for-hire vehicles with people  
21 with disabilities.

22 Thank you. (Applause.)

23 MR. WILSON: Thank you.

24 And the next speaker is Sara Cobb.

25 MS. COBB: Good morning Chair Joshi,

1           fellow Commissioners, members of the  
2           Board.

3           My name is Sara Cobb, and I'm the  
4           Disability Service Facilitator for the  
5           New York City Department of Cultural  
6           Affairs known as DCLA.

7           Each year DCLA funds a vast range of  
8           programming and capital projects at more  
9           than 900 cultural organizations across  
10          the five boroughs. The agency also  
11          administers a number of programs that  
12          support the work of artists and cultural  
13          organizations across the extraordinarily  
14          rich landscape of our communities. The  
15          vibrant cultural life of this city is  
16          one of the great offerings to every  
17          citizen.

18          I am here to highlight how the lack  
19          of accessible transportation and routine  
20          challenges related to the accessible  
21          transportation represent serious  
22          barriers to participating in New York's  
23          rich cultural life. The Department of  
24          Cultural Affairs strives to expand  
25          culture for all New Yorkers, so we take

1           these concerns very seriously.

2           In general, transportation for  
3           people with disabilities, as has been  
4           discussed this morning, tends to require  
5           more advanced planning, offers less  
6           choice in flexibility, and can result in  
7           unduly extended travel times. All of  
8           these factors inhibit participation in  
9           the cultural sphere.

10          Our museums and cultural  
11          organizations make great efforts to make  
12          attendance affordable to all with  
13          extraordinary free hours and  
14          memberships, and inclusive programming.

15          DCLA also invests millions of  
16          dollars in capital improvements that  
17          enhance accessibility. But if one  
18          cannot physically get to the location,  
19          or if there is great uncertainty about  
20          transportation to and from, there will  
21          remain enormous barriers to  
22          participation.

23          Earlier this year, Cultural  
24          Commissioner Tom Finkelppearl joined  
25          Mayor de Blasio to release Create NYC,

1 New York's first ever comprehensive  
2 cultural plan.

3 Create NYC was built up by over  
4 200,000 New Yorkers in public  
5 engagements. We heard time and again  
6 that inadequate transportation and  
7 transit options posed one of the  
8 greatest barriers to cultural  
9 participation for city residents. These  
10 challenges are greatly magnified for  
11 people with disabilities.

12 One of the primary objectives in  
13 Create NYC is to support people with  
14 disabilities at all levels of New York  
15 City's cultural life with the central  
16 focus on equitable arts, access, finding  
17 ways to reduce barriers such as the ones  
18 addressed by the proposed rules for FHV  
19 wheelchair accessibility is a top  
20 priority for DCLA.

21 Thank you TLC for working to  
22 increase the availability of accessible  
23 vehicles, and thank you for addressing  
24 this critical need for people with  
25 disabilities as we work toward universal

1 access. (Applause.)

2 MR. WILSON: Thank you.

3 The next speaker is Nicholas

4 Katsarelis.

5 MR. KATSARELIS: Hello. My name is

6 Nicholas Katsarelis. I represent a

7 wheelchair user who has been working in

8 the city for at least the last 10,

9 12 years.

10 I've had this wheelchair injury

11 since -- it has been 15 years now -- and

12 I've done a lot of stuff in the city,

13 and I've been fortunate to be able to be

14 driven around by my parents.

15 But as I got older, and as I've been

16 trying to pursue a career and become

17 more independent -- just like all of us

18 are trying to become -- the issues of

19 getting around the city have been tough,

20 and I've actually been driving myself

21 everywhere which is a good convenience

22 in its own right, but most of the time

23 it doesn't really work out either as

24 well.

25 So the experience I've had as much

1 as -- back to Access-A-Ride, where you  
2 were waiting almost hours outside  
3 hospitals for them to pick you up to now  
4 with these for-hire vehicles, it just  
5 seems not right.

6 And there are obviously bigger  
7 issues that are going on that we see  
8 every day on television, and something  
9 like this seems like it should be taken  
10 care of, and that it should have been  
11 done before we got to this point now.

12 So I just think as a person who  
13 represents someone who's just a  
14 wheelchair user, and for everyone that  
15 has spoken before -- said great things  
16 -- I think this should be done, and this  
17 will be something -- you know, it will  
18 help a lot of people, and it would just  
19 be a good thing for all of us to have  
20 full access just like everyone else  
21 does.

22 You can call a cab; you can go to a  
23 bar. You can go to a restaurant  
24 whenever you feel like it. You don't  
25 have to take a separate entrance, or you

1 don't have to take a different way of  
2 getting inside. So that's really all I  
3 have to say. (Applause.)

4 MR. WILSON: And the next speaker is  
5 Jennifer Shaoul.

6 MS. SHAOUL: Good morning. Thank  
7 you to the Taxi & Limousine Commission  
8 for giving me the opportunity to testify  
9 today.

10 My name is Jennifer Shaoul, and I am  
11 the Executive Director of Disability  
12 Affairs within the Office of Outreach  
13 and Advocacy of the New York City  
14 Department of Social Services which is  
15 the umbrella agency supporting both the  
16 Human Resources Administration and the  
17 Department of Homeless Services.

18 Given time constraints I will  
19 highlight a few points from my written  
20 testimony that you're getting right now.

21 HRA is focused on providing support  
22 to individuals who are most impacted by  
23 income and equality, serving three  
24 million New Yorkers in programs such as  
25 cash assistance, food stamps or SNAP,

1 employment programs, and medical  
2 insurance.

3 DHS provides shelters to close to  
4 60,000 people a day. Many of our  
5 clients live in communities and  
6 neighborhoods where there is limited  
7 access to subways, let alone accessible  
8 subways, and experience limited  
9 transportation options including limited  
10 wheelchair accessible green and yellow  
11 taxis.

12 They often rely on Access-A-Ride to  
13 get to necessary appointments or to  
14 work. While Access-A-Ride can work for  
15 planned trips of no duration, it does  
16 not allow the flexibility that most New  
17 York City residents need to be able to  
18 go where they want when they want. This  
19 rule is about their legal right to equal  
20 access and about having options.

21 Let's talk about work. Our clients  
22 who use wheelchairs already have  
23 challenges securing and maintaining jobs  
24 because, among other things,  
25 inaccessible work places.

1           If Access-A-Ride is their only  
2           option for transportation, they often  
3           don't have the flexibility to come in  
4           early or leave late if their supervisor  
5           asks them to. They sometimes have to  
6           forego overtime opportunities.

7           By the way, on a side note, I was  
8           training in Brooklyn yesterday, and one  
9           of my attendees -- and this has happened  
10          quite frequently -- had to leave an hour  
11          early because Access-A-Ride was her only  
12          option to get home. Think of the lost  
13          work hours that happen every day for New  
14          York City employees.

15          Let's talk about visiting an HRA  
16          center. Many of our clients use  
17          Access-A-Ride. It's very difficult to  
18          estimate how long an appointment will  
19          take, and they sometimes have to miss  
20          their scheduled pick-up time.

21          If they need to be home to take  
22          medication on time, to care for a loved  
23          one, to meet their child's school bus,  
24          they would have an option of using a  
25          for-hire vehicle under this rule. Right

1 now, they have no option. They would  
2 use this option even if it meant  
3 foregoing paying for meals because they  
4 need to get home.

5 Let's talk about looking for an  
6 apartment. For individuals with  
7 mobility issues who are experiencing  
8 homelessness, locating affordable  
9 wheelchair accessible units is  
10 difficult. Once an affordable unit  
11 becomes available time is of the  
12 essence, and often one has to drop  
13 everything and take the quickest  
14 available form of transportation to  
15 secure a unit.

16 For wheelchair users who were  
17 previously homeless, a key to sustaining  
18 permanent housing is reliable accessible  
19 transportation. Appropriate  
20 transportation is a bridge to  
21 self-sufficiency.

22 Will people use these vehicles?  
23 Well, according to the MTA the  
24 wheelchair lift on regional and New York  
25 City transit buses was used over three

1 million times in 2016. According to New  
2 York State Department of Health's  
3 information on Medicaid non-emergency  
4 transportation trips in 2016, there were  
5 three and a half million trips conducted  
6 with 1.6 million of them in ambulettes;  
7 non-emergency visits in ambulettes.

8 Almost none of these individuals  
9 have the option of a for-hire vehicle to  
10 take care of their business. Shouldn't  
11 they have that opportunity?

12 The proposed rule is necessary to  
13 ensure that New York City's for-hire  
14 vehicles come into compliance with the  
15 law and expand opportunities for New  
16 Yorkers in every income bracket,  
17 including the low income vulnerable  
18 adults and children served by DSS.

19 The TLC proposal will allow for-hire  
20 vehicles flexibility in achieving  
21 greater accessibility and ensure that  
22 appropriate vehicles are more likely to  
23 be in circulation especially in low  
24 income communities where yellow and  
25 green taxis are hard to locate.

1           We want to ensure that the people we  
2           serve who use wheelchairs have maximum  
3           accessibility to transportation options  
4           that are affordable and allow them  
5           flexibility to arrive on time and not  
6           jeopardize their ability to receive the  
7           type of HRA benefits and services -- DSS  
8           and HRA benefits and services -- that  
9           allows them to get on their feet, find  
10          and maintain a job, and avoid  
11          homelessness.

12           Thank you for this opportunity to  
13          testify. (Applause.)

14          MR. WILSON: Thank you.

15           Then the next group will be -- as  
16          Chair Joshi indicated -- a presentation  
17          by the FHV Industry Coalition.

18          MR. MORANO: Good morning  
19          Commissioners.

20          CHAIR JOSHI: So, as I mentioned,  
21          we'll hold all our questions till the  
22          end.

23          MR. MORANO: Thank you. I'm Jose  
24          Alza Morano (phonetic), an immigrant to  
25          this country, President of the Livery

1 Base Owners, and a second generation  
2 livery base owner. My base and valued  
3 car service is located in East Harlem,  
4 or in the project as we like to call it.

5 However, I am here before you today  
6 as a representative of the Coalition of  
7 For-Hire Vehicle Base Operators who have  
8 united in response to the question of  
9 how best for us to provide service to  
10 riders who require wheelchair accessible  
11 vehicles.

12 This coalition includes my  
13 organization, Livery Base Owners, as  
14 well as the Livery Round Table, the  
15 Black Car Assistance Corporation, Uber,  
16 Lyft, Via, the Limo Association of New  
17 York and many others.

18 Collectively we serve approximately  
19 400,000 passengers every day and enable  
20 over 100,000 drivers to earn a living.  
21 For years each of the entities in this  
22 coalition have competed against one  
23 another, but we are united together  
24 before you today because we recognize  
25 that our customers who use wheelchairs

1 require and deserve reliable and timely  
2 service.

3 Unfortunately, the TLC's proposed  
4 rule is deeply flawed, and we're united  
5 in opposition to it. We have submitted  
6 written testimony to you that outlines  
7 our concerns with the proposed rule,  
8 including the similarly arbitrary  
9 percentage of WAV vehicles that our base  
10 must dispatch, as well as the  
11 substantial penalties for noncompliance.

12 As indicated in the written  
13 testimony we have engaged an economist  
14 to evaluate the impact of the TLC's  
15 proposed rule. We believe the  
16 Commissioners would benefit from this  
17 analysis and suggest you extend the  
18 deadline for submission of written  
19 testimony to October 12th to allow us to  
20 provide you with that.

21 Today, however, we are also here to  
22 publicly present the proposal, which we  
23 have previously presented to the TLC,  
24 which is a passenger centric, common  
25 sense, and quickly adoptable solution to

1 address the challenges of providing  
2 accessible service across the City of  
3 New York.

4 In concept, we propose the creation  
5 of a central WAV service that will be  
6 funded by the for-hire vehicle industry  
7 through a for-hire vehicle improvement  
8 fund. The WAV dispatch service will  
9 provide quality and reliable service to  
10 anyone requiring a WAV vehicle during  
11 the same hours of service as all other  
12 riders using a mix of vehicle types so  
13 livery services, including street-hail  
14 liveries, green cabs, some black cars,  
15 and possibly even, as we discussed,  
16 yellow taxi WAVs.

17 Our bases will provide a conduit to  
18 the central base to our customers using  
19 the existing means that our customers  
20 contact us.

21 We fully anticipate that with this  
22 solution that we will be able to achieve  
23 a 15 minute citywide average pick-up  
24 time, which means that the vehicle is at  
25 the pick-up location in 15 minutes.

1 This average pick-up time will be in  
2 place by the end of 2018, provided that  
3 TLC supports our proposal, and we are  
4 permitted to commence building the  
5 solution by December 1, 2017.

6 We believe that this 15 minute  
7 benchmark is aggressive but is  
8 ultimately achievable given our  
9 commitment and resources.

10 We propose the creation of a fund to  
11 subsidize the WAV central dispatch  
12 system. Drivers cannot and will not be  
13 expected to shoulder the cost associated  
14 with this service. This fund will be  
15 paid into by the FHV bases at a variable  
16 rate.

17 Depending on the base's business  
18 model, for bases that dispatch using  
19 at-base technology, there will be one  
20 fee assessed, and for more traditional  
21 livery bases, there will be a different  
22 model.

23 We have taken into account that what  
24 we are -- we are defined as for-hire  
25 vehicle providers -- our business models

1 are all very different. Therefore, we  
2 do not propose a one size fits all  
3 approach for funding a dispatch system.  
4 However, we certainly wish to spread the  
5 responsibility for funding the central  
6 dispatch system among the entire  
7 industry.

8 Much time and money will be spent on  
9 integrating the various bases with the  
10 centralized dispatch system. On our  
11 side there are technical challenges that  
12 require significant investment of time  
13 and effort, but for our customer,  
14 nothing will change.

15 The central dispatch solution will  
16 directly integrate with the dispatch  
17 system of the 75 larger FHV bases, which  
18 are responsible for close to 90 percent  
19 of all FHV trips.

20 A customer who requires a WAV will  
21 be able to connect with her preferred  
22 bases by her preferred method and  
23 request a vehicle. The base will then  
24 contact a central dispatch and arrange a  
25 customer's ride. In this way, the base

1 maintains a relationship with the  
2 customer.

3 Additionally, the base is putting  
4 its reputation on the line for the  
5 quality of service that the customer  
6 experiences from the central dispatch  
7 system.

8 We will invest a significant amount  
9 annually in marketing the solution for  
10 both riders and drivers to ensure that  
11 riders know that they have this option  
12 and that drivers are aware of the  
13 subsidies we will provide them to  
14 encourage them to provide WAV services.

15 We believe that regular transparent  
16 recording of the progress of the central  
17 dispatch system is a necessary element  
18 for the public, the government, as well  
19 as the industry. We propose the  
20 creation of an advisory board to oversee  
21 the fund. This board will have a  
22 representative from the Mayor's office  
23 and City Council.

24 Additionally, the fund will hire an  
25 outside firm to produce a biannual

1 report measuring the performance of the  
2 central dispatch solution including the  
3 number of trips, amount of funds  
4 collected from the industries, fares  
5 collected from the riders, average  
6 pick-up times, customer sentiment and  
7 suggestion, and subsidy amounts paid to  
8 the vehicle owners and drivers.

9 The FHV industry has spent  
10 significant time, personnel, and cost to  
11 develop this proposal, and we will  
12 collectively earmark millions of dollars  
13 per year to ensure that the central  
14 dispatch system is properly funded so  
15 that everyone can enjoy reliable quality  
16 service.

17 However, we recognize that with all  
18 regulations that TLC may impose  
19 penalties to ensure that benchmarks are  
20 met. Therefore, we are willing to post  
21 a \$500,000 bond if we fail to meet this  
22 target by December 31, 2018, and an  
23 additional 1.5 million dollars if we  
24 fail to meet it by December 31, 2019.

25 In conclusion, we thank the TLC for

1 the time to present today. We hope that  
2 the TLC recognizes that this proposal  
3 represents a groundbreaking approach to  
4 serving a population that feels  
5 underserved. This first of its kind  
6 solution would make New York a leader in  
7 accessible transportation and a model  
8 for other cities.

9 We believe that a central dispatch  
10 solution will provide the level of  
11 service, functionality, accountability  
12 sought by the TLC, and importantly, the  
13 accessible community. Thank you.

14 (Applause.)

15 MR. KABESSA: Good morning. My name  
16 is Avik Kabessa. I'm from the Livery  
17 Round Table, and I want to offer some  
18 perspective as to the relationship  
19 between the for-hire industry and people  
20 with disability.

21 It's true that there are many people  
22 with disability in New York City. It  
23 should be pointed out that 940,000 of  
24 them are being serviced daily and get  
25 the same impeccable service we provide.

1           There are 60,000 wheelchair users in  
2           New York. Out of this is estimated that  
3           30 or 40,000 of them are in motorized  
4           powered wheelchairs, and these are the  
5           ones that we are struggling with the  
6           service because it's required -- a  
7           unique vehicle. But overall 97 percent  
8           of the people with disability are being  
9           serviced by the for-hire industry, and  
10          it should be noted.

11          Nowhere in any proposal by the TLC  
12          or by the advocates of people with  
13          wheelchairs did we get any kind of an  
14          estimated demand. So we took it upon  
15          ourselves to do a study to try to  
16          estimate the demand.

17          And what we did was we took a day of  
18          2015 and 2016 use of the bus lift from  
19          the MTA versus the total trips --  
20          ridership of the buses -- and we came up  
21          to an average 0.19, meaning 0.2 percent  
22          of bus riders have used the bus lift.  
23          So extrapolating from it -- if we  
24          perform 400,000 trips a day, we estimate  
25          at that maximum equal percentage demand,

1 we would have 764 daily trips. Now, you  
2 don't need 15,000 WAVs to cover 764.

3 So we are here to tell you that this  
4 historical coalition should not be  
5 underestimated in their commitment to  
6 bring our service level from 97 percent  
7 for people with disability to 100  
8 percent.

9 We know how to deliver 400,000 rides  
10 daily, and if we are saying to you here  
11 that we are united, and committed, and  
12 willing, and able to provide those 764  
13 -- with this kind of an average -- I  
14 think you should take our word for it.

15 And here's the beauty of it. As  
16 someone mentioned, our contribution to  
17 the cost, even if -- hopefully we're  
18 wrong, and there will be higher riders.  
19 The more rides we perform, the more  
20 revenues come in, the less contribution  
21 we have to make. Therefore, it's a  
22 win/win situation.

23 If we are right in our estimation,  
24 we know what to do. We do it every day.  
25 If we are wrong in our estimation, and

1           there is more, it's even better news for  
2           us. Thank you. (Applause.)

3           MR. RHODES: Hello. My name is Jeff  
4           Rhodes, and I'm a luxury limousine  
5           operator and President of the Limo  
6           Association of New York.

7           LANY represents the interest of  
8           small business entrepreneurs who  
9           constitute New York City luxury  
10          limousine bases. Despite the name  
11          designation, stretched limos probably  
12          constitute far fewer than five percent  
13          of our vehicles. Unlike black car and  
14          livery bases, we generally are not  
15          called upon to provide on-demand  
16          service.

17          Probably less than 10 percent of our  
18          work comes from fewer than 12 hours  
19          notice. Our clients want the private  
20          chauffeur experience without hiring a  
21          full-time chauffeur. They specify the  
22          exact kind of car they desire down to  
23          the make, model, and color, and the  
24          average job in our sector usually runs  
25          \$150 to \$250.

1           For the most part, our chauffeurs  
2           are not independent contractors; they  
3           are valued employees with employer  
4           funded Workers' Comp (sic), and  
5           unemployment insurance, and full  
6           protection under the FLSA.

7           Drivers work very hard because they  
8           can earn 50 to \$100,000 a year with  
9           benefits such as health insurance and  
10          401k plans, while the base owners  
11          shoulder the cost of car payments,  
12          insurance, gas, maintenance, and  
13          garaging the vehicles. I know of no  
14          other industry in the city that hires a  
15          greater percentage of minorities and  
16          immigrants.

17          I have no industry-wide statistics,  
18          but in my company 70 percent of the  
19          chauffeurs are people of color and about  
20          one-third are immigrants. They are  
21          middle-class aspirants seeking the  
22          American dream with few college degrees  
23          or Wall Street job offers to fall back  
24          on.

25          If the 25 percent proposal passes,

1           our clients will know that if they  
2           request a luxury sedan for that special  
3           night, that special client, that special  
4           loved one, regardless of what car they  
5           want to order, the TLC commands that  
6           they must tolerate a 25 percent chance  
7           that they will not get the car that they  
8           ordered. Demand would surely drop, and  
9           just as surely many thousands of these  
10          middle-class jobs would disappear in a  
11          heartbeat. (Applause.)

12                   UNKNOWN SPEAKER: That concludes the  
13                   coalition's testimony. If anybody has  
14                   any questions.

15                   COMMISSIONER JIHA: Just one point  
16                   on the funding income, that would be  
17                   based from the centralized dispatch  
18                   system?

19                   UNKNOWN SPEAKER: In the case of  
20                   black car and the deluxe luxury  
21                   limousine sections of the industry, it  
22                   would be a per charge -- there would be  
23                   a charge of per trip.

24                   On the livery side, seeing that they  
25                   have a different business model, there

1 would be an annual charge per driver per  
2 vehicle.

3 CHAIR JOSHI: Can I ask, in your  
4 model the customer calls the base, the  
5 base -- and requests for a wheelchair  
6 accessible vehicle -- the base then  
7 contacts the central dispatcher, and the  
8 central dispatcher sends a vehicle. The  
9 customer gets in it, takes the ride, and  
10 then they pay the driver.

11 Who ultimately -- who's taking -- so  
12 generally, in models that are common  
13 today, the base is taking a portion of  
14 that fare.

15 So does the driver keep the entire  
16 fair; does the originating base keep  
17 part of that money, or does the dispatch  
18 center keep part of that money?

19 UNKNOWN SPEAKER: We have to work  
20 out the details, but the bottom line is  
21 that it will probably be the driver  
22 keeping the fare -- the majority, not  
23 the whole thing -- and there's also  
24 going to be subsidies -- issuing  
25 subsidies and incentives for the drivers

1 to take the trips.

2 COMMISSIONER MARINO: Okay. I have  
3 a question. So as the Commissioner --  
4 as the Chair just said -- someone calls  
5 your company. You funnel the call to  
6 the centralized base, but where are  
7 those cars coming from; just whoever is  
8 available -- like everyone has theirs  
9 and it's whoever available? That  
10 centralized base, who are they sending?

11 UNKNOWN SPEAKER: We're working off  
12 -- as was stated -- the existing pool of  
13 black cars plus green -- and there's  
14 also possibly even using taxis for the  
15 dispatch.

16 COMMISSIONER MARINO: So it's  
17 just --

18 COMMISSIONER JIHA: So you don't  
19 intend to add any more cars to the  
20 fleet, or --

21 UNKNOWN SPEAKER: It depends. If we  
22 see that we need to add more cars, we'll  
23 add more cars.

24 And there's also -- there's another  
25 base that has about 80 wheelchair

1 accessible that are not really in the  
2 new citywide program.

3 COMMISSIONER MARINO: So one company  
4 -- if Carmel gets called, and then  
5 Carmel forwards the call to the  
6 centralized base, the base can then send  
7 a car from another company; am I  
8 understanding this correctly?

9 UNKNOWN SPEAKER: Yes.

10 COMMISSIONER MARINO: Just whoever  
11 is available -- like, you guys are all  
12 going to be working together on this?

13 UNKNOWN SPEAKER: Yes.

14 COMMISSIONER MARINO: You're going  
15 to pool your WAV vehicles together, so  
16 whoever's available, close, in the area  
17 -- it could be another company  
18 completely -- but they'll get the car  
19 there?

20 UNKNOWN SPEAKER: Yes, we believe  
21 that's a way to maximize the efficiency  
22 of using the entire fleet.

23 COMMISSIONER MARINO: And what about  
24 liability and things; is there going to  
25 be a joint liability, or you haven't

1 even gotten into that yet?

2 UNKNOWN SPEAKER: At this point we  
3 haven't discussed the liability issues.

4 CHAIR JOSHI: I just have a quick  
5 question. Your proposal here -- one,  
6 there's a \$500,000 payment if the  
7 service level is not met. And then here  
8 too, there's a 1.5 million dollar  
9 payment if the service level is not met.

10 What happens after that?

11 UNKNOWN SPEAKER: Well, two years  
12 out we're assuming if we're not meeting  
13 the calls at that point then the Board  
14 will take action.

15 COMMISSIONER AGUADO: Do you foresee  
16 training for the drivers of these  
17 vehicles to be more sensitive to the  
18 issues and needs of the passengers and  
19 be more supportive of their concerns?  
20 And who will provide that training, or  
21 is that up to each base to do it, or --  
22 what standards will be created?

23 UNKNOWN SPEAKER: Well, I believe  
24 currently under the TLC rules, the  
25 drivers are required to undergo

1 training.

2 If there was a situation where -- as  
3 we mentioned -- we would be looking for  
4 feedback along the way with the  
5 programming. If there was a need for  
6 more training, we would do that.

7 COMMISSIONER POLANCO: I suppose my  
8 question is, I know that all of you have  
9 been working on this for some time.

10 How much time do you anticipate --  
11 because I could see there's going to be  
12 a lot of questions -- very specific  
13 questions that you may not have the  
14 answer because you're working on it.

15 How much time do you anticipate on  
16 having a complete package so when  
17 someone asks a specific question, you  
18 can just give a specific answer?

19 Cause otherwise we could be here,  
20 and we could bombard you with questions,  
21 and you're going to -- your response  
22 will be, "Look, we're working on this.  
23 This is a working project", and so  
24 forth.

25 How much time do you anticipate for

1           having a complete project so we can ask  
2           you questions, and you could give us  
3           meaningful answers?

4                   UNKNOWN SPEAKER:   If this was  
5           something that the Board was  
6           entertaining, I think we could have a  
7           complete plan ready for -- on paper,  
8           ready to roll out in approximately one  
9           month to two months.

10                   COMMISSIONER CALISE:   Will you have  
11           a choice of vehicles; so if I decide I  
12           want a luxury black vehicle, will I be  
13           able to get that within the 15 minutes  
14           instead of getting a green or a yellow?

15                   UNKNOWN SPEAKER:   That we have to  
16           work on as was discussed -- and when  
17           Jeff Rhodes gave his testimony -- in  
18           that industry, there's really not that  
19           -- they work on more advanced requests,  
20           so that's something we would have to  
21           work on.

22                   COMMISSIONER CALISE:   Okay.   That's  
23           on the luxury side.   But what about  
24           different vehicles like I wouldn't want  
25           a yellow if I requested a black vehicle?

1 UNKNOWN SPEAKER: We'd be looking to  
2 use the existing fleet and accommodate  
3 as much as we can and more.

4 COMMISSIONER MARINO: And how will  
5 it work as far as like a small base that  
6 -- like one base only has 20 cars and  
7 another base has 100 cars. Are you all  
8 going -- I'm assuming the smaller base  
9 isn't going to be contributing the same  
10 amount of cars as the larger base. Is  
11 there going to be like a percentage  
12 within your agreement?

13 UNKNOWN SPEAKER: No -- well, first,  
14 every base is going to pay on the -- for  
15 the fund, and -- as Jose testified --  
16 due to the technical aspects of  
17 integrating systems, the top 75 bases --  
18 which represent over 90 percent of all  
19 FHV dispatchers -- would be integrated  
20 with the program when they call, so that  
21 if the person normally calls base "A",  
22 then they'll be able to continue to do  
23 that and wait for the dispatcher. If  
24 they're using apps, then there would be  
25 a connection between the base and the

1 centralized base.

2 COMMISSIONER MARINO: Now, are  
3 smaller bases on board with this plan --  
4 cause I see the larger guys here - are  
5 there any smaller bases?

6 MR. MORANO: The livery industry is  
7 the smaller bases. Typically, our base  
8 size is 100 --

9 COMMISSIONER MARINO: Speak up.

10 MR. MORANO: We represent the livery  
11 side of this -- we represent the livery  
12 side to this coalition. Typically, our  
13 base has 50 vehicles up to 300 vehicles  
14 -- medium size of 150 vehicles. So  
15 we're considered a smaller size.

16 COMMISSIONER MARINO: Okay.

17 MR. MORANO: Obviously we are for it  
18 because this way we can pull together,  
19 and it's just more efficient that way.

20 CHAIR JOSHI: We have had the  
21 opportunity to -- and I thank you for  
22 the time and effort that has gone into  
23 -- first of all -- getting together and  
24 putting together a plan.

25 COMMISSIONER MARINO: Agreed.

1 CHAIR JOSHI: When we -- you  
2 mentioned something about fares -- cause  
3 that's sort of an administrative  
4 nightmare to figure out fares among 900  
5 bases -- is that something you're still  
6 contemplating; having a uniform --  
7 proposing a uniform fare schedule?

8 MR. KABESSA: Yes, we are. And as  
9 we mentioned, in our study, in most  
10 cases, people will pay less than what  
11 they used to pay. But, yes, we are  
12 looking for an average fare otherwise  
13 that kind of a central dispatch center  
14 is impossible to operate.

15 But we will work on the rates with  
16 the TLC, and we will look for the TLC to  
17 publish those rates so that everybody  
18 will know what they are and approve  
19 them.

20 COMMISSIONER AGUADO: One issue that  
21 really concerns me is enforcement among  
22 the bases and the drivers, and the  
23 oversight that's going to be provided  
24 for self-enforcement. And historically  
25 some self-enforcement -- any -- may not

1 work. There has always been issues. So  
2 there has to be assurances that the  
3 quality of the service, and the respect  
4 of the service, is guaranteed.

5 MR. KABESSA: I think it's important  
6 to mention -- and maybe something is  
7 being lost in the translation -- the  
8 base's obligation will be to contribute  
9 into that collective fund.

10 It's the responsibility of everybody  
11 that is part of the central dispatch  
12 center to act on enforcement. So  
13 there's not a lot of opportunity for a  
14 unique base to go astray here, so -- and  
15 this is where the incentive comes in.

16 There will be an incentive for  
17 accepting the ride, and there will be,  
18 of course -- so we're on the hook of  
19 nonconformance. So I think you should  
20 understand that what we're asking is  
21 that the TLC -- the only thing we're  
22 asking for citywide cooperation is to  
23 properly implement a rule that says that  
24 every base has to be in good standing  
25 with that central dispatch, and from

1           that moment on this is a collective  
2           responsibility.

3           So me as Carmel, I will not like to  
4           have my name for a nonperforming entity.  
5           And all of us know -- through public  
6           opinion -- one million that first year  
7           will be -- one million and a half the  
8           second year.

9           So I think you need to understand,  
10          it's a collective responsibility.  
11          There's no brand preference here. We're  
12          all on the hook, and that's how -- and  
13          we report back to the TLC, and to the  
14          advocates on a regular basis.

15          So what we are hoping to convey to  
16          you is that we are as interested in as  
17          you are -- and the people in the  
18          wheelchair -- to really be part of the  
19          solution. I think it's a great thing  
20          for us.

21          I can tell you that we were  
22          discussing the solution. We're excited  
23          about being part of a legacy that will  
24          work, and that's the thing that we are  
25          trying to tell you.

1 CHAIR JOSHI: Can I just clarify one  
2 thing? You raised that the TLC -- so  
3 TLC's role in this proposal is to  
4 mandate people pay into the fund, but if  
5 bases -- a larger group of bases --  
6 decided to meet the equivalent service  
7 requirement today by voluntarily paying  
8 into the fund, it could happen, you just  
9 wouldn't have the insurance that the TLC  
10 rule would give you as a mandate; but  
11 you could do it today?

12 MR. GOLD: My name is Josh Gold.

13 CHAIR JOSHI: You're with?

14 MR. GOLD: I'm with Uber and a bunch  
15 of other bases.

16 COMMISSIONER MARINO: I'm sorry.  
17 You're with Uber --

18 MR. GOLD: Yes.

19 COMMISSIONER MARINO: And anyone  
20 else?

21 MR. GOLD: Just Uber. But on behalf  
22 of the coalition, the Commissioner  
23 pointed out a very important piece of it  
24 is there needs to be accountability, and  
25 without that rule, a voluntary system,

1           there's no one to lead them to  
2           noncompliance.

3           So we're asking for a rule so that  
4           we do have accountability amongst the  
5           industry so that everybody can -- or is  
6           always required to fund.

7           You know, I think this is modeled  
8           after the Black Car Fund, which has the  
9           same sort of requirements about Workers'  
10          Compensation Insurance, and that system  
11          works.

12          And so, you know, I think we should  
13          make note of that, that it's modeled  
14          after something that works. But, you  
15          know, there is that voluntary component,  
16          and -- you know -- the Commissioner has  
17          pointed out -- I think rightly -- that  
18          there needs to be accountability.

19          UNKNOWN SPEAKER: And just to expand  
20          on your question Commissioner Aguado --  
21          that was an excellent question -- but we  
22          also provide that there would be an  
23          independent monitor or auditor that  
24          would be issuing reports on -- we have  
25          right now on a biannual basis.

1                   COMMISSIONER MARINO:    So you're  
2                   attempting to be as transparent as  
3                   possible?

4                   UNKNOWN SPEAKER:   It's not going to  
5                   work any other way.

6                   COMMISSIONER AGUADO:   And I agree on  
7                   paper, it sounds like an excellent  
8                   process --

9                   UNKNOWN SPEAKER:    Thank you.

10                  COMMISSIONER AGUADO:   -- and an  
11                  excellent project.   It's how it's  
12                  implemented and sustained is the real  
13                  challenge, and I'm not sure if that's  
14                  the type of responsibility that you want  
15                  to undertake.   That's a type of an  
16                  unintended consequence that you have to  
17                  deal with, and are you up to that?   That  
18                  is the issue.

19                  UNKNOWN SPEAKER:    And I appreciate  
20                  your concern, but as some of my partners  
21                  in this coalition said, we have been  
22                  meeting on at least a weekly basis for  
23                  several months now.   No one has broken  
24                  off from this coalition.   Everyone  
25                  understands the basic framework, and I'm

1           certainly confident that we'll be able  
2           to live up to this with some -- as was  
3           mentioned -- provided by the TLC.

4           COMMISSIONER CALISE: And if you're  
5           not up to the task, do you believe that  
6           the rule proposed now would be the way  
7           to go?

8           UNKNOWN SPEAKER: We don't think  
9           that rule is actually workable under any  
10          circumstance, but if we don't prove  
11          ourselves, you guys have the power.

12          CHAIR JOSHI: I want to thank you,  
13          again, for the time and effort that has  
14          gone into your proposal, and to the work  
15          behind it, and to your presentation  
16          today; so thank you.

17          UNKNOWN SPEAKER: Thank you.

18          COMMISSIONER MARINO: I join in  
19          that.

20          UNKNOWN SPEAKER: And we would be  
21          available to any of the Commissioners --  
22          and you certainly Chairwoman Joshi -- we  
23          would be available any time if you have  
24          any further questions. Thank you for  
25          your time. (Applause.)

1 MR. WILSON: Thank you.

2 The next speaker is Jim Weisman.

3 MR. WEISMAN: Good morning. Thank  
4 you for the opportunity to present  
5 testimony on behalf of the United Spinal  
6 Association and the Taxis For All  
7 campaign.

8 United Spinal Association is a 70  
9 year old organization founded by World  
10 War II paralyzed veterans. And for the  
11 last 70 years in New York City we have  
12 been advocating -- I've been there 38 of  
13 them by the way, but -- we have been  
14 advocating for accessible transportation  
15 options and other accessibility options  
16 for people with disabilities.

17 The Taxis For All campaign is a  
18 proud coalition of people with  
19 disabilities who have been seeking  
20 access to taxis for 20 years. This is  
21 not a new a fight for us. It's a new  
22 fight for the FHV's and Ubers to be  
23 together in a room agreeing. It's  
24 fascinating. We'll see how long it  
25 lasts if they get their way -- their

1 coalition -- but this is not a new fight  
2 for us.

3 I want to refute directly the  
4 estimate of demand that was made by the  
5 FHV's a few minutes ago before I talk  
6 about the proposal, which we support.

7 In 1979, United Spinal -- then  
8 called Eastern Paralyzed Veterans  
9 Association -- sued New York City and  
10 MTA to make buses and subways  
11 accessible.

12 At the time, Mayor Koch told the New  
13 York Times that without making a single  
14 bus or a single subway station  
15 accessible, he could provide  
16 Access-A-Ride type services to  
17 wheelchair users and other people with  
18 disabilities for 9 million dollars a  
19 year. The Times believed it and printed  
20 it; quoted it on their editorial page.  
21 They wrote an editorial called "There's  
22 a Wheelchair on the Tracks", when we got  
23 an injunction for stopping subway  
24 construction unless they make stations  
25 accessible.

1 Times have changed. The times are  
2 certainly not that reactionary, but --  
3 on this issue -- but this industry has  
4 passed people with disabilities by --  
5 the for-hire vehicles.

6 Right now Access-A-Ride's budget is  
7 not 9 million dollars -- this is with 90  
8 something stations accessible and  
9 thousands of buses accessible, and  
10 millions of lift cycles a year --  
11 Access-A-Ride's budget is 600 million  
12 dollars; not 9 million dollars.

13 Non-emergency medical transportation  
14 in New York City is 300 million dollars;  
15 most of it spent on wheelchair users on  
16 medical trips or wheelchair users to get  
17 to the doctor.

18 Taxis and for-hire vehicles --  
19 neighborhood-based car services -- can  
20 provide both services -- Access-A-Ride  
21 and non-emergency medical transportation  
22 -- for far less than is currently being  
23 charged by the vendors, which guarantees  
24 demand for service.

25 People that regulate the agencies

1           that provide these rides, which is not  
2           just central services, but Department of  
3           Veteran Affairs, Board of Education, and  
4           we can go on and on -- who hire special  
5           transportation -- these ambulettes  
6           privately operated.

7           People that run these agencies want  
8           to take advantage of least cost  
9           alternatives that would immediately  
10          transfer the load from expensive private  
11          vendors to taxis. It's important to a  
12          get few concerns out with the rule.

13          We do support the rule. We believe  
14          you need a critical mass of vehicles to  
15          make this happen. If vehicles are in  
16          service and on the street, they'll be  
17          available to people with disabilities.  
18          And while 25 percent may sound arbitrary  
19          to the for-hire vehicle industry, it is  
20          not arbitrary; it's extremely  
21          restrictive to people with disabilities.

22          People with very few transportation  
23          alternatives will have far less access  
24          to for-hire vehicles than everyone else  
25          in the city if this proposal passes.

1           Nevertheless, we'll take it because we  
2           need to get a foot in the door; we need  
3           to start.

4           You should know that when MTA made a  
5           deal with us to make buses accessible,  
6           their lawyers told us, "Take 50 percent.  
7           We'll never do it. It will always be  
8           100 percent. We don't want to run a  
9           crazy system and try to dispatch buses.  
10          We just want to have a uniform system,  
11          but we need a victory for our Board of  
12          Directors after five years of  
13          litigation". And we agreed to 50  
14          percent, and they never did 50 percent  
15          of it. It was always 100.

16          Stations, they made a huge problem  
17          on it. They made paratransit --  
18          Access-A-Ride -- the workhorse of the  
19          system -- especially for interborough  
20          transportation -- and not buses or  
21          subways, and they're calling  
22          Access-A-Ride at great cost to taxpayers  
23          -- 60 something dollars a ride --  
24          because they don't have an alternative.

25          Demand will be reduced to taxis and

1 for-hire vehicles that are accessible.  
2 Taxis are threatened with extinction  
3 right now by the for-hire vehicle  
4 industry.

5 After this coalition is over between  
6 the for-hire vehicles and the Ubers,  
7 Uber will set its sights on the for-hire  
8 vehicle industry. Why not? In the  
9 transportation business this is money.  
10 There's also 900 million government  
11 dollars, at least, we've identified for  
12 the smaller operators that can get into  
13 this business.

14 It's important though to realize  
15 that you're asking for people to acquire  
16 a lot vehicles quickly. We have to be  
17 assured that those vehicles are  
18 available.

19 Right now we have corporations like  
20 Nissan and Braun that do business with  
21 the city that are wondering where they  
22 stand because vehicle acquisition by  
23 taxi owners -- for obvious reasons --  
24 has diminished substantially. That  
25 limits what was supposed to be 50

1           percent accessible by 2020 -- even if it  
2           gets there -- it probably can't because  
3           we've delayed vehicle replacement to  
4           accommodate the taxi industry -- it will  
5           be a much smaller fleet with much fewer  
6           transportation options for people with  
7           disabilities.

8           And I'll get out of here with two  
9           more concerns.

10           The rule permits bases to share  
11           accessible -- the demand for accessible  
12           service. We need clear lines of  
13           responsibility. The base that gets the  
14           call -- the base that receives the call  
15           -- who's responsible in the end for  
16           delivering the ride, and how will the  
17           TLC calculate the number of trips they  
18           make to -- and also, how will they count  
19           the number of trips made in accessible  
20           vehicles?

21           In closing -- I really do want to  
22           thank the Commission for doing this.  
23           It's a long time coming. It's a very  
24           difficult fight to get this done. But I  
25           do want to say that the Livery Round

1 Table has been proposing this idea -- or  
2 a version of this idea for years, and --

3 COMMISSIONER MARINO: Can I ask you  
4 a question?

5 MR. WEISMAN: Yeah.

6 COMMISSIONER MARINO: You're saying  
7 you're not crazy about the rule, but --  
8 just so I understand -- what do you have  
9 against their proposal?

10 MR. WEISMAN: Whose proposal?

11 COMMISSIONER MARINO: The  
12 coalition's -- the centralized --

13 MR. WEISMAN: The For-Hire Vehicle  
14 Coalition?

15 COMMISSIONER MARINO: Yeah; the  
16 centralized -- what --

17 MR. WEISMAN: It's a dedicated  
18 vehicle system. It's a disabled vehicle  
19 only. We don't know where those  
20 vehicles will be.

21 If you're in Staten Island and want  
22 to go to Queens Boulevard -- and he  
23 thinks there's only 700 rides a day that  
24 are going to be requested -- where are  
25 these vehicle going to be?

1           COMMISSIONER MARINO: Well, they're  
2           saying that they'll get you a car in 15  
3           minutes.

4           MR. WEISMAN: Or what; or they'll  
5           try harder? (Laughter.) (Applause.)

6           CHAIR JOSHI: I want us all to take  
7           everybody's comments in the spirit in  
8           which they're given which is to get to a  
9           solution. So if you could hold cheers  
10          and applause, that would helpful so  
11          people feel comfortable expressing what  
12          they need to express from the podium.

13          MR. WEISMAN: The problem is "Just  
14          give us more time" is what they'll say.  
15          "Just give us more time".

16          Create a critical mass of vehicles;  
17          there's instant demand, and then we'll  
18          see what happens. There will be instant  
19          demand. Talk to MTA. Talk to  
20          Department of Social Services; they will  
21          ensure the demand.

22          COMMISSIONER MARINO: I don't want  
23          to cut you off, but because of time we  
24          have to keep the ball rolling. There  
25          are a lot of people that want to speak.

1                   So there's about -- they're  
2                   anticipating 700 rides a day. How many  
3                   do you anticipate?

4                   MR. WEISMAN: Thousands. How many  
5                   Access-A-Rides are there a day?

6                   AUDIENCE MEMBER: 20,000 at least.

7                   AUDIENCE MEMBER: 2,100.

8                   AUDIENCE MEMBER: 6.4 million a  
9                   year.

10                  COMMISSIONER MARINO: 25,000 --

11                  AUDIENCE MEMBER: And how many  
12                  dispatched?

13                  COMMISSIONER CALISE: 2,100 was --

14                  MR. WEISMAN: We're talking about a  
15                  huge number of rides.

16                  COMMISSIONER MARINO: Wait. 2,100  
17                  -- 25,000 -- it's very difficult --

18                  CHAIR JOSHI: I think this is  
19                  symbolic of the issue of what is demand.  
20                  I mean, demand is difficult to gauge  
21                  when people haven't had a service  
22                  because you might find there's people  
23                  that once the service is available use  
24                  it.

25                  COMMISSIONER MARINO: Right. If you

1 build it, they will come.

2 MR. WEISMAN: Right.

3 CHAIR JOSHI: Part of the issue is  
4 people can speculate on demand based on  
5 statistics that are out there, but what  
6 is demand? When there is service, we'll  
7 know what demand is.

8 MR. WEISMAN: Our concern is the  
9 opposite of theirs. Our concern is that  
10 benefits paying agencies use these  
11 vehicles so much that they won't be  
12 available for discretionary travel for  
13 people like the people who are  
14 testifying today who have jobs, and  
15 spend money -- have discretionary  
16 capital to spend money -- travel around  
17 the city, and --

18 COMMISSIONER MARINO: Wait. I'm  
19 sorry? Say that again. Your concern  
20 is --

21 MR. WEISMAN: That benefit paying  
22 agencies, like -- sponsored travel like  
23 Access-A-Ride and Medicaid  
24 transportation -- will use them all up,  
25 and people who want to just go to a

1 movie or a dinner won't be able to get a  
2 ride.

3 COMMISSIONER MARINO: I see.

4 MR. WEISMAN: They're telling you  
5 nobody will make demands. I'm telling  
6 you if you talk to MTA, they'll say if  
7 you have the critical mass, we will be  
8 there. We can't use five vehicles. We  
9 have to provide 25,000 rides a day.  
10 We're not going to filter in 10, or 2,  
11 or 12 from a base.

12 But if we know there's a huge number  
13 of accessible vehicles, and the price is  
14 right -- which it will be -- if it's  
15 priced like taxi service, it's cheaper  
16 than their rides -- cause then they'll  
17 be there and so will Medicaid be there,  
18 and that will ensure riders.

19 Then we'll talk about discretionary  
20 travel; they'll be enough service --  
21 let's hope -- for those people plus  
22 those who want to use, you know,  
23 on-demand service.

24 COMMISSIONER MARINO: And I'd be  
25 curious to hear the coalition's response

1 -- this isn't the platform -- but I'm  
2 sure we can --

3 MR. WEISMAN: But I do want to point  
4 out that these guys could have done this  
5 all along. We've been meeting with this  
6 industry for years --

7 CHAIR JOSHI: Can I just --

8 MR. WEISMAN: They don't do it.

9 CHAIR JOSHI: Because your formal  
10 testimony is over --

11 MR. WEISMAN: I apologize for that.

12 CHAIR JOSHI: -- can I just ask you  
13 -- just to comment on converters -- we  
14 have had an opportunity to meet with  
15 several of the converters, and there's a  
16 combination of things to address -- the  
17 vehicle availability -- a more gradual  
18 roll-out gives us more time for ramp-up  
19 -- but many of the converters have  
20 expressed that readiness to provide  
21 thousands of vehicles in time -- you  
22 know, not in weeks -- but certainly able  
23 to meet some of the mandates that we've  
24 set forth, but a more gradual roll-out  
25 could certainly help to mitigate against

1 any vehicle concerns that people raise  
2 and that are real. Because at the end  
3 of the day, we need vehicles on the  
4 road. So thank you.

5 MR. WEISMAN: Thank you.

6 Commissioners. (Applause.)

7 COMMISSIONER MARINO: Thank you.

8 MR. WILSON: The next speaker is  
9 Pedro Aguiar.

10 MS. MEJIA: Good morning. My name  
11 is Jenny Mejia.

12 COMMISSIONER MARINO: Could you put  
13 the microphone -- please.

14 MS. MEJIA: Good morning. My name  
15 is Jenny Mejia. I'm Assistant to the  
16 President of the Coalition of Taxi  
17 Drivers, Pedro Joaquin Aguiar.

18 (Whereupon, Ms. Mejia translated  
19 from Spanish to English Mr. Aguiar's  
20 testimony.)

21 MS. MEJIA: We're here regarding the  
22 new regulation that will affect the taxi  
23 industry, especially taxi drivers of New  
24 York.

25 Addressed to Chair Joshi,

1 Commissioner in charge of the agency,  
2 Taxi & Limousine Commission of New York  
3 City, and other Commissioners, my name  
4 is Mr. Pedro Joaquin Aguiar; I'm  
5 President of the Coalition of Taxi  
6 Drivers in the City of New York, and on  
7 behalf of all the drivers of this  
8 working class, I would like to express  
9 our opinions on the application of a new  
10 regulation pertaining to our licensed  
11 drivers.

12 In the establishment of this  
13 regulation, you are obligating us to  
14 make an investment in the purchase of  
15 this accessible vehicle, and we do not  
16 have any guarantee upon the return of  
17 such investment.

18 In the first place, we are not  
19 opposed of (sic) such regulation as long  
20 as the Taxi & Limousine Commission  
21 guarantees us -- as we have said  
22 previously -- a return of our  
23 investment. And secondly, a control  
24 among the different bases of commitment  
25 on the distribution of costs to our taxi

1 drivers to allow them to surpass (sic)  
2 on a day to day living.

3 Besides, if the city wants to comply  
4 with the handicapped community, the city  
5 should guarantee a reasonable fare to  
6 the taxi drivers who transport these  
7 types of passengers since we have to  
8 implement more time, as well as the  
9 responsibility of the handicapped  
10 passengers.

11 At the previous Public Hearing dated  
12 June 23, 2016, we had said that when  
13 bases were not supplying sufficient  
14 amount of calls necessary in which we  
15 had to work more hours, and many times  
16 we were obligated to pick up  
17 street-hailed passengers to compensate  
18 our monetary requisition. Also, we are  
19 exposed to getting excessive fines and  
20 summonses from the TLC.

21 Now, you want to take away our calls  
22 to have them distributed among the taxi  
23 drivers that will purchase these  
24 accessible vehicles; something that will  
25 put us in a worse predicament in which

1 we are already in.

2 Predicting this extreme measure, to  
3 remove a 10 percent of costs within the  
4 first year, a great amount of drivers  
5 will disappear, and when the 25 percent  
6 is applied, the difference of our taxi  
7 drivers will be trimmed.

8 Commissioners, we want to ask you  
9 the following questions: Who will be  
10 affected with this regulation? We, the  
11 taxi drivers, will be affected because  
12 the bases are not the owners of our  
13 vehicles.

14 Question number two: What happened  
15 to the drivers who repaired their  
16 vehicles to transport the handicapped?  
17 You simply abandon us, and the taxi  
18 drivers lost their investments that was  
19 made with the green taxi that was known  
20 as the Order Taxi.

21 As previously mentioned, we are  
22 making the following recommendations.  
23 We take this regulation until we have a  
24 meeting among the interested parties --  
25 the bases for taxi drivers and the Taxi

1           & Limousine Commission -- and have them  
2           designate a responsibility to each of  
3           the interested parties.

4           Also, we should have a meeting with  
5           the elected officials so they can also  
6           assume their responsibilities and not  
7           benefit one sector mistreating another  
8           sector; in this case it would be the  
9           taxi drivers.

10           Second, speak with the taxi drivers  
11           that have these special vehicles. Give  
12           them an incentive so they can provide an  
13           efficient and successful ride.  
14           Guarantee us, the taxi drivers, a  
15           working condition in which it will help  
16           us in the return of our investments of  
17           these vehicles.

18           Thank you for your attention and  
19           cooperation. (Applause.)

20           MR. WILSON: The next speaker is  
21           Steven Blier.

22           MR. BLIER: My name is Steve Blier,  
23           and I'm not here to speak about policy  
24           -- which I don't know much about --  
25           can't offer much -- but I am here to

1 speak about the experience of living in  
2 the city as a disabled person -- which I  
3 can speak about.

4 The issue of accessible taxis for  
5 people in wheelchairs -- guys like me --  
6 is an issue that we really have to  
7 solve. I'm a pianist, professor at  
8 Juilliard, and the Artistic Director of  
9 the New York Festival of Song -- a  
10 concert series with a 30 year pedigree.

11 I recently had to move my new music  
12 series to a very fashionable chic  
13 location in Brooklyn, National Sawdust.  
14 Why? Because getting to Williamsburg  
15 took me 90 minutes from my house on  
16 public transportation on a good day, and  
17 I resorted to using a car service,  
18 Carmel, which has exactly -- as far as I  
19 know -- one accessible vehicle.

20 But that meant that each trip out  
21 there to every rehearsal and every  
22 performance cost me \$100. So that was  
23 breaking the bank.

24 As you may have heard, Meals on  
25 Wheels taxi -- which is what we have

1 right now -- is extremely problematic.  
2 While in theory you can reserve a car in  
3 advance, that usually means that they  
4 start looking for a cab at the time that  
5 you want the cab to arrive, and then it  
6 is the luck of the draw.

7 There may be someone nearby, but  
8 there may be no one available for a  
9 while. Sometimes your best option is 40  
10 minutes away.

11 Once I needed to get to the  
12 emergency room, and I called in advance,  
13 and I ended up having to take buses over  
14 to Mount Sinai. That was a great night.  
15 The car that they had promised me was  
16 65 blocks away on the other side of  
17 town. And there are other peculiarities  
18 that you find out along the way.

19 For example, if you are going to be  
20 out late, or you make a return  
21 reservation for midnight or any time  
22 after midnight, that reservation -- the  
23 return -- is rendered invalid because it  
24 is officially booked for the next day,  
25 and it disappears from the system.

1                   Unfortunately, they do not tell you  
2                   this in advance, so you find this out in  
3                   the wee hours of the night just as you  
4                   were expecting your return cab. At that  
5                   point you have to start all over again,  
6                   make a brand new reservation and wait.

7                   When the cab arrives, it may have  
8                   enough space for a motorized wheelchair,  
9                   but it seems that most of the cabs are  
10                  the kind that have a very small area  
11                  designed for manual wheelchairs, not  
12                  battery operated ones. And more often  
13                  than not, drivers do not know how to  
14                  operate the rather simple manual  
15                  equipment properly.

16                  I spent most of my time in WOW  
17                  taxis, crammed in like a sardine, trying  
18                  to keep my knees from getting bloodied  
19                  as they scrape against the metal  
20                  fronting of what is a miniscule  
21                  wheelchair barrier. And may I add that  
22                  Amtrak is not a whole lot better in this  
23                  regard.

24                  Uber and Lyft seem to be the way of  
25                  the future, and it is a future that I --

1           and many other people in this room --  
2           would like to be part of. I want the  
3           ability to find a car when I need one,  
4           seats, location, and book it in any of  
5           the five boroughs. Remember, you can  
6           only book a WOW taxi starting at a  
7           Manhattan location.

8           Since this is in the beginning  
9           stages we should try to get a few things  
10          right. All the cars should be spacious  
11          enough for motorized vehicles --  
12          motorized wheelchairs. The drivers  
13          should know how to use the equipment,  
14          and they ought to be well-versed in how  
15          to pick up passengers and drop them off  
16          without putting their lives in danger.

17          I was born in Manhattan, make my  
18          living as a pianist, writer, and  
19          teacher. Currently, I am at the mercy  
20          of the MTA, in particular its very  
21          spotty and very faulty elevators. I  
22          want my city back, and Uber needs to do  
23          its part for those of us who live our  
24          lives -- often very active ones -- on  
25          wheels.

1 Thank you very much. (Applause.)

2 MR. WILSON: Thank you.

3 CHAIR JOSHI: We have a long list of  
4 people who would like to testify so if  
5 there are people from the same group, it  
6 would be helpful to give the benefit of  
7 time to others that want to testify, if  
8 you come up together to speak. We  
9 appreciate if everybody could cooperate  
10 with that so we can get everybody's  
11 testimony in.

12 MR. WILSON: The next speaker is  
13 Quemuel Arroyo.

14 MR. ARROYO: Good morning Chairwoman  
15 Joshi, Commissioner Calise, and members  
16 of the Board of Commissioners of the  
17 TLC. I'm Quemuel Arroyo, a Policy  
18 Analyst at the ADA Coordinator at the  
19 New York City Department of  
20 Transportation. That said, I am here to  
21 testify on my own accord. Thank you all  
22 for hosting this hearing today.

23 The reason that we are all here is  
24 discussing a potential avenue to improve  
25 and increase the service we provide to

1 New Yorkers with disabilities. It's  
2 bittersweet to me.

3 On one hand, I'm saddened that  
4 today, over 27 years since the signing  
5 of the ADA, we are still discussing a  
6 method to provide equal service to our  
7 most underserved population.

8 On the other hand, I am moved by  
9 your courage to put this item on your  
10 agenda while too many other groups  
11 remain silent on improving  
12 accessibility.

13 As you can see, I am a person with a  
14 disability. I acquired my disability 10  
15 years ago. It took within a fraction of  
16 a second for me to sever my spine and  
17 become a paraplegic, and I want you to  
18 keep that in mind when you hear these  
19 testimonies today because it is true  
20 that joining the largest minority group  
21 in the world, people with disabilities,  
22 can happen in fractions of a second, or  
23 if you're lucky, it happens slowly as  
24 you age.

25 We are here to discuss a matter of

1 equity and quality of life. That is the  
2 basis of this hearing. Today we are  
3 discussing how you all can improve the  
4 quality of life for the over 125,000 New  
5 Yorkers with mobility disabilities by  
6 expanding the availability of an  
7 accessible taxi car citywide.

8 This hearing is happening at a time  
9 where in an instant, a person of  
10 mobility and personal gratification, but  
11 for a price, is a shared basic good for  
12 able-bodied pedestrians. I'm speaking  
13 about the e-hail industry.

14 Any one of you commissioners is able  
15 to right now take out your smart phones  
16 and request a car to pick you up and  
17 drive you wherever you desire. Wait  
18 time, if any, is no more than five  
19 minutes. That's narrow of what is  
20 tremendously different for me.

21 If I wanted to travel today, I am  
22 already late. I needed to have a  
23 reservation made with Access-A-Ride  
24 yesterday explaining exactly the time  
25 and place where I'd be picked up and

1 where I was headed. My alternatives are  
2 to wait for an accessible car for an  
3 estimated 30 minutes or more,  
4 potentially an hour if on a trip outside  
5 of Manhattan or downtown Brooklyn.

6 Should you all decide not to take a  
7 cab, there are over 469 subway stations  
8 at your disposal. For me, there are  
9 about 100; that's if the elevator is  
10 working.

11 So I won't bore you with the rabbit  
12 hole of our subway system and MTA.  
13 Today we are discussing your potential  
14 to dramatically alter and improve access  
15 to transportation available for others  
16 like me. Access to transportation is  
17 paramount to the discussion of the type  
18 of city we want to have here in New  
19 York.

20 Access to transportation is a  
21 conduit to receiving education,  
22 maintaining a steady job, building a  
23 career, or just grabbing a beer on a  
24 Thursday night.

25 I want to thank you for holding this

1 hearing, and I hope you pass these  
2 proposed rules. (Applause.)

3 CHAIR JOSHI: Thank you. I know  
4 there are a few drivers -- more than a  
5 few drivers from the Independent Drivers  
6 Guild. If they could come up now  
7 together, I think it would be a good  
8 forum for the Commissioners to hear your  
9 testimony.

10 And if you don't mind, what we'd  
11 like to do is so that everybody gets a  
12 chance, we'll take individuals off and  
13 allow you to present as a group. So --  
14 and we'll hold our questions till the  
15 end so you can get all your time in.

16 MR. PRICE: I would like a couple of  
17 drivers to speak to --

18 CHAIR JOSHI: Okay. Yeah.  
19 Definitely.

20 MR. PRICE: So I'm Ryan Price. I'm  
21 the Executive Director of the  
22 Independent Drivers Guild. We represent  
23 about 50,000 for-hire vehicle drivers in  
24 New York City.

25 At 4 in the morning on August 19th

1 we lost one of our fellow drivers. We  
2 don't know too many details, but what we  
3 do know is that after a long shift he  
4 collided with a tow truck with a  
5 passenger in his car, and I can't help  
6 but feel guilty.

7 I can't help but think that if maybe  
8 we had pushed a little harder, and we  
9 won pay regulations that may have been  
10 able to affect their incomes, he  
11 wouldn't have had to be on the road at  
12 that time, and like so many workers who  
13 work a 12, 16, 20 hour shift which are  
14 way too long.

15 I can't help but think that maybe if  
16 we considered the workers, those kids  
17 would still have a dad.

18 You know IDG supports and wants to  
19 give all wheelchair accessible vehicles  
20 on the road. This rule would allow  
21 bases like Uber and Lyft to pass on the  
22 cost to workers, the people who actually  
23 own the vehicles, and we know they will,  
24 but we can't support this rule, because  
25 when income is cut, our members have no

1 options but to work longer and longer  
2 shifts.

3 We ask people with disabilities --  
4 the advocates of people with  
5 disabilities -- to come and talk to our  
6 members so that we can work together and  
7 have a conversation over a rule that  
8 works for people with disabilities.

9 CHAIR JOSHI: So I do want to take  
10 you up on the suggestion that includes  
11 the Commission. The issue of who  
12 shoulders the burden of additional costs  
13 for accessible vehicles is one that the  
14 Commission, obviously, has great  
15 interest in -- you know -- making sure  
16 that it is shouldered by the responsible  
17 party. It is a corporate  
18 responsibility; it's a base level  
19 responsibility. That's where it should  
20 stay.

21 And so we are reviewing and open to  
22 your suggestions on strategies to ensure  
23 that the corporate responsibility is  
24 held at the corporate level.

25 And we do know that, you know,

1           losing trips -- competition has made it  
2           difficult for many drivers -- taxi  
3           drivers have lost trips to new app  
4           drivers. Senior app drivers lose trips  
5           to newer app drivers. Green taxi  
6           drivers lose trips to other app drivers.  
7           It is a very competitive world out  
8           there.

9           And some of the overall comments  
10          that you've made about pay are something  
11          I think -- you know, you also conveyed  
12          -- we're interested in continuing that  
13          conversation and working on diligently  
14          not -- it won't encompass this in this  
15          rule package -- but certainly, it's  
16          something on the Commission's agenda.

17          So we look forward to working with  
18          you more on those issues and appreciate  
19          your input because what you say are  
20          matters that are great interest to the  
21          Commission.

22          MS. DOTTIN: Good morning everyone.  
23          I'm Michele, and I am an independent  
24          driver and also a steward. On average,  
25          I drive about 65 miles per week and not

1 including the other things that I do  
2 too.

3 The issue I have with this rule is  
4 not that I don't care about anybody in  
5 this room -- or anybody in a wheelchair  
6 -- because at times we do transport  
7 wheelchair passengers that are --  
8 passengers that use those.

9 We are open, as drivers, to be as  
10 helpful as possible, but not one person  
11 has come to table and said, "How are  
12 they going to help the drivers convert?"  
13 What is the cost? What is cost to us as  
14 an individual?

15 I drove yesterday from 10 in the  
16 morning till 12 midnight. I took two  
17 hour breaks -- okay -- two two hour  
18 breaks to be able to make a quota for  
19 the day.

20 Every time the rate goes down it  
21 means us, as drivers, work longer hours,  
22 and now they said we got to yield  
23 60 hours per week. That means the  
24 drivers are allowed to work maybe  
25 six days a week.

1           But at the income and the rate that  
2           we're being paid, it is impossible for  
3           drivers who rent, lease, and own to meet  
4           all the requirements, not to mention the  
5           gas prices going up; not to mention the  
6           toll prices. We may get hit with  
7           partial tolls. If we want to get back a  
8           little quicker, we shoulder the burden  
9           of the return toll in order to make a  
10          faster return.

11          We're not opposed to helping anyone  
12          in this city move and get to their  
13          destination, and we understand that we  
14          can get those riders to destinations,  
15          but 15 minutes? It's not possible some  
16          days in the city at all. And every  
17          person here knows that if we hit a day  
18          with traffic, and we are jammed, we  
19          cannot meet that requirement at all.

20          So everyone needs to be clear and  
21          equitable in the consideration of the  
22          drivers. We are held to a higher  
23          standard. We are mistreated by  
24          passengers. Everybody says the  
25          passenger is correct.

1           If a passenger comes in and is  
2           belligerent to the driver, we have no  
3           recourse. Okay. So these things have  
4           to be considered also.

5           We want to help, but advocates need  
6           to come to the table with us drivers and  
7           let us do this together. We can come to  
8           a solution together, but no one has  
9           reached out to us to say, "Okay,  
10          drivers. What do you want? How can we  
11          help?" Let us work together. We can  
12          come to a solution. Absolutely.

13          COMMISSIONER MARINO: I just want to  
14          get your name again, please.

15          MS. DOTTIN: Michele Dottin,  
16          D-O-T-T-I-N.

17          COMMISSIONER MARINO: Thank you for  
18          your testimony. I didn't meant to cut  
19          you off.

20          MS. DOTTIN: No, no, no. Not at  
21          all.

22          MR. DILCOM: Good afternoon. My  
23          name is Mark Dilcom; it's spelt  
24          D-I-L-C-O-M. I am a professional  
25          for-hire driver, and like most of the

1 other for-hire drivers these days, I'm  
2 an independent owner/operator. I'm also  
3 a proud member and steward in the  
4 Drivers Guild which was created to  
5 protect for-hire drivers.

6 I agree that our neighbors, friends,  
7 family members, and visitors in New York  
8 City who need wheelchair accessible  
9 vehicles do not have fair and equal  
10 access to black car and livery car  
11 services, and this must change.  
12 However, the way that the Taxi &  
13 Limousine Commission has set out to  
14 address this is disastrous because the  
15 numbers simply don't work.

16 If implemented, it sacrifices  
17 thousands of people's livelihoods while  
18 also failing to provide the services  
19 that people with disabilities so  
20 deserve. As proposed, this will be a  
21 failure in all respects.

22 So far not one person in favor of  
23 this rule drives for a living, right?  
24 Or is looking at it from a top down  
25 level, not from a driver up level. As

1           one of the many tens of thousands of  
2           hardworking independent drivers, we're  
3           the elephant in the room in here, and  
4           it's me that if this is passed -- it's  
5           going to hurt my income. It hurts my  
6           family, and it makes it harder for me to  
7           pay my bills.

8           I made a substantial investment 10  
9           months ago to be an independent  
10          owner/operator. I bought a new SUV with  
11          a six year loan, and I paid several  
12          thousand dollars upfront to get my TLC  
13          driver's license and put my vehicle on  
14          the road.

15          Each month I have a \$657 a month car  
16          payment, plus another \$450 a month in  
17          insurance for liability and collision.  
18          Then you factor in my operating cost, my  
19          maintenance cost, plus ongoing TLC  
20          vehicle inspections; those all add up.

21          And when it's all said and done, I'm  
22          fortunate if I make \$3,000 a month net,  
23          and that's before my federal and  
24          self-employment taxes, my state and  
25          local income tax, and my health

1 insurance. And as a city resident as  
2 well, we all know it's expensive to live  
3 here, so --

4 But to add insult to injury, if I  
5 wanted to comply and serve people that  
6 are protected by the ADA, I can't  
7 retrofit my SUV and make it a wheelchair  
8 accessible vehicle. So I'd have to sell  
9 it and lose even more money.

10 The misguided attempt to address  
11 this problem fails to accomplish its  
12 basic goal; providing enough wheelchair  
13 accessible vehicles to meet the needs of  
14 the public.

15 Today there are just a few hundred  
16 wheelchair accessible green cabs in use  
17 for pre-arranged transportation. It is  
18 physically and logistically impossible  
19 to come anywhere near what the TLC is  
20 calling for on January 1st.

21 One simply does not go to an auto  
22 mall and buy a wheelchair accessible  
23 vehicle. Each is custom made, which  
24 adds 15 to \$25,000 on top of the vehicle  
25 price. We all witnessed just how long

1           it took to get current wheelchair  
2           accessible yellow cabs in service. It  
3           took years. Let's also not forget that  
4           these vehicles require special  
5           maintenance on these.

6                     This proposal does not address any  
7           of this, and so where is the money  
8           supposed to come from for those of us,  
9           like me, who would want to do this but  
10          are self-employed?

11                    So please, listen carefully to what  
12          you hear today, and stop going down this  
13          path; I beg you. And instead, develop a  
14          well thought out plan that allows all of  
15          us who have the same idea, to be equally  
16          represented. And together, we can make  
17          our stated objectives but without  
18          sacrificing individuals in the process,  
19          especially independent owner/operators  
20          like me, and most importantly, the  
21          people who need the wheelchair  
22          accessible vehicles.

23                    So -- and finally, if anything else,  
24          in today's meeting, what we've all  
25          learned here is we need a lot more

1 discussion about this. So please, I beg  
2 you, do not move on any rules until we  
3 get together. Thank you very much for  
4 allowing me to -- (Applause.)

5 CHAIR JOSHI: You have a translator  
6 now. I broke my rule, and I said  
7 questions -- I have questions for you,  
8 but I will hold them till the end. And  
9 to the extent you can compress  
10 testimony, that would be excellent.

11 So how many up here -- one other  
12 speaker -- cause I know the Commission  
13 has some questions, so that would give  
14 us an opportunity to -- if you stay  
15 available to answer those questions.  
16 Thank you.

17 MR. ACOSTA: Good morning everyone  
18 here. My name is Pedro Acosta, and I --  
19 (Whereupon, Mr. Acosta's testimony  
20 was translated from Spanish to English.)

21 MR. ACOSTA: Good afternoon. My  
22 name is Pedro Acosta. I am an FHV  
23 driver for more than 20 years, and I am  
24 an IDG steward.

25 I feel the most affected by the rule

1 -- the FHV WAV.

2 He (sic) agrees with FHV WAV rule  
3 because my family is affected because  
4 there's no good transportation for  
5 wheelchair people. I have a son, named  
6 Angel Acosta, and he has been in a  
7 wheelchair since he was born. So if the  
8 rule is passed, my son and other people  
9 will have access to more places.

10 But all of us should find a solution  
11 that works for everyone especially the  
12 people who are hearing the hearing  
13 today. We should work together because  
14 100,000 drivers will be affected by this  
15 rule and their families as well.

16 All the drivers are very willing --  
17 and willing to compromise -- for the  
18 people who are (sic) wheelchair  
19 accessible, but we need to hear a  
20 proposed rule that is responsible and  
21 serious. A rule that will satisfy the  
22 necessity for all the drivers.

23 Until now I've only heard rules that  
24 benefit the companies that modify cars;  
25 yellow taxis, and TLC, and to (sic) New

1 York. There have only been rules that  
2 benefit the driver to a little extent.

3 These are the average costs that I  
4 spend weekly: I have a Mitsubishi  
5 Outlander, 2016. I have a loan with the  
6 bank and my last payment will be  
7 February 15, 2022. I pay the bank \$752  
8 monthly, and weekly that is \$188.

9 The insurance is \$562 monthly; \$142  
10 weekly. An oil change is \$80 monthly  
11 and \$20 weekly. A car wash would be 110  
12 monthly, and 28 weekly. For gas I spend  
13 720 monthly, and 180 weekly. For a cell  
14 phone I spend \$70 monthly, and \$18  
15 weekly. The total of all the expenses  
16 is \$674. After all expenses he (sic)  
17 only has \$700 for himself after working  
18 85 hours.

19 Now, we will mention something that  
20 can happen at any time --

21 CHAIR JOSHI: So, I think we may  
22 have some questions. Is it possible to  
23 be available to answer those now? Cause  
24 I know this is an issue that we've spent  
25 some time on.

1           So one of my questions is -- you  
2           mentioned 25 percent, and that's a  
3           difficult number because it would affect  
4           a quarter of the rides right away.

5           So -- in taxis -- and the roll-out  
6           time is another issue. In taxis we  
7           started in 2016 forcing the conversion,  
8           so that you had to buy an accessible --  
9           you had to buy a specific accessible  
10          vehicle, and they end in 2020; so it's  
11          four years.

12          But granted this is a larger  
13          industry, and -- so in some ways maybe  
14          this is something we can talk about too  
15          -- is -- should the roll-out be  
16          scheduled different to take into account  
17          people that have long-term leases  
18          because at the latter end of the lease  
19          is when the larger numbers come in, and  
20          that would make the option for someone  
21          like you two -- on the next purchase --  
22          to buy an accessible vehicle that may  
23          work for you as well as for your family,  
24          but, you know, not have an economic  
25          impact while you're current lease is

1 going on.

2 So -- and there was one other --

3 MS. DOTTIN: Can I ask one question?

4 Can the wheelchairs that are foldable --

5 the seats that close -- be a

6 consideration for the current drivers?

7 CHAIR JOSHI: I think everybody that

8 is in a wheelchair --

9 MS. DOTTIN: I mean for the amount

10 of -- the percentage given out. Because

11 these require retrofitting the vehicles,

12 right; but those don't?

13 CHAIR JOSHI: On the retrofit issue,

14 we don't expect people to retrofit a

15 vehicle. What we anticipate is that

16 some portion of the 2,000 that come in

17 every month will have to be accessible.

18 So new vehicles coming in, a larger

19 percentage of those would have to be

20 accessible because we -- we didn't want

21 taxing -- we don't expect that any

22 vehicle owner today should undertake

23 that.

24 And second, it's not as road worthy

25 of a vehicle. A retrofitted vehicle is

1 not -- that's probably a substandard  
2 vehicle for transportation. A newly  
3 converted vehicle is much more durable  
4 so -- I've heard the word "retrofit";  
5 it's also much more expensive to  
6 retrofit than it is to convert. And I  
7 wanted to clear the air on that.

8 COMMISSIONER CALISE: I just want to  
9 add some data to long-term leases.  
10 According to our last -- or our recent  
11 survey, 71 percent of people that we  
12 surveyed actually owned their vehicle.  
13 66 percent of those were still in a  
14 loan; they were paying off the loan.

15 I don't have hard data. Obviously,  
16 that's pretty soft data to go -- but I  
17 don't have real data on long-term  
18 leases, but what I do know is we had  
19 meeting on this issue on Tuesday; not a  
20 single person in the room was in a  
21 weekly lease.

22 CHAIR JOSHI: Okay. So I do think  
23 there's a discussion that we can have  
24 after this about the issue of long-term  
25 leases. And I know that time is of an

1 issue, but you did say in your written  
2 comments that you have thoughts on ways  
3 to increase the number of accessible  
4 vehicles. So that would certainly be  
5 something we want to explore with you in  
6 conversations after this hearing.

7 So thank you very much for your  
8 time. We appreciate you coming up  
9 together. It's nice for the Commission  
10 to see you as a group as well.

11 (Applause.)

12 MR. WILSON: Thank you.

13 The next speaker is Veronica Wissel.

14 MS. WISSEL: Thank you. I'm  
15 Veronica Wissel, and I am -- as many  
16 people who were up here testifying  
17 earlier -- here to testify on my  
18 personal behalf as a New York City  
19 resident who uses a wheelchair and  
20 relies on a number of different  
21 transportation options here in the city.

22 And like others I don't -- I know I  
23 haven't studied the policy on this, and  
24 I know that there are a lot of  
25 considerations in the rule that you're

1 putting together here. So all I can  
2 really tell you about is my personal  
3 experience.

4 I am a partner at a top five  
5 international law firm here in the city  
6 that's based in Manhattan. I've been  
7 living here for about almost 10 years  
8 now, and I think for anybody who lives  
9 in the city, no matter what kind of job  
10 you have, or what you do from day to  
11 day, transportation is one of the most  
12 challenging issues that I've had to deal  
13 with in terms of being a resident here.

14 And I think for anybody -- whether  
15 you're in a wheelchair or not in a  
16 wheelchair -- people in New York City  
17 rely on a patchwork of transportation  
18 options just because of the nature of  
19 the city. We don't live in, you know, a  
20 small town where everybody has his or  
21 her own car and can adapt to whatever  
22 that person's needs are.

23 Here in New York we rely on public  
24 transportation, and we have people of  
25 all walks of life using the subway,

1 buses, and then to fill in the gaps  
2 people use cars. They use taxis, and  
3 all sorts of things.

4 It's not really an option to have  
5 your own car here in the city to drive  
6 on a day to day basis, and so, as a  
7 person in a wheelchair, I sort of start  
8 off missing most of the pieces of that  
9 patchwork because I can't use the subway  
10 reliably.

11 I have used the buses regularly  
12 because those are what are available to  
13 me. And up until recently, taxis were  
14 not really an option, and I think today  
15 for-hire vehicles are just not an  
16 option.

17 I think that -- you know, the reason  
18 evolution and putting new wheelchair  
19 accessible taxis on the streets has been  
20 a complete game changer for me. I can  
21 tell you that, you know, even as of  
22 three or four years ago, I would not be  
23 able to rely on getting a taxi to go  
24 from point "A" to point "B".

25 I can tell you hundreds of stories

1 of sitting in the middle of, you know,  
2 downtown, midtown, out with friends  
3 waiting over an hour for a bus at 3 in  
4 the morning; sometimes by myself.  
5 Situations where I wouldn't necessarily  
6 want to be in on a regular basis; but  
7 I've done that because that's the price  
8 I have to pay to be able to get around  
9 the city.

10 You know, the idea that a  
11 centralized dispatch system is going to  
12 provide equal or even at all comparable  
13 service to being able to use the  
14 services that are available to other New  
15 Yorkers is just -- I think that's just  
16 wrong.

17 I can tell you that in the -- I've  
18 tried to use a black car service about  
19 four times since I've moved to New York,  
20 and only four times because about more  
21 than half of those times were  
22 unsuccessful.

23 And one of the stories that I will  
24 share quickly -- I know I don't have  
25 much time -- is a few years ago I was

1 going with some people from my firm to a  
2 big firm event on Long Island, and they  
3 called -- you know, they had hired black  
4 cars to take everybody out to Long  
5 Island, and they called a black car  
6 service who was supposed to provide a  
7 wheelchair accessible car for me.

8 Everyone else went out to the event,  
9 and I waited for my car. The dispatcher  
10 had somehow sent the car to the wrong  
11 address. They sent them to Brooklyn.  
12 It took the car three additional hours  
13 to get to me. In the meantime I was  
14 outside trying to get a taxi; trying to  
15 hail a taxi.

16 It was over 100 degrees, and when  
17 the car finally showed up -- which was a  
18 black car service that my firm had  
19 ordered to, you know, give people, you  
20 know, a nice ride out to Long Island --  
21 it had no air conditioning. It only had  
22 one headlight working, and the driver  
23 took me out -- he was upset because he  
24 had been sent to the wrong address in  
25 the first place -- he took me and a

1 couple of people who were nice enough to  
2 travel with me out to Long Island --  
3 dropped us off at the wrong address and  
4 left.

5 And, you know, I had to walk on the  
6 highway with the friends down to the  
7 other correct place, and when he came  
8 back to pick me up in the -- you know,  
9 later in the evening, you know, it was  
10 the one headlight car. You know, I just  
11 think that's not equal service.

12 So for somebody to tell me that  
13 they're going to provide some kind of a  
14 car that's going to be somewhat  
15 comparable to these other cars that are  
16 being sent out to regular New Yorkers, I  
17 think that's incorrect.

18 So I strongly support this  
19 initiative, this rule, and I think it  
20 will have a huge impact on people like  
21 me. (Applause.)

22 CHAIR JOSHI: I'd just like  
23 Commissioner Calise to say a few words  
24 -- because this issue has come up a few  
25 times -- on foldable wheelchairs -- just

1 to give your perspective.

2 COMMISSIONER CALISE: So people in  
3 wheelchairs are in many types of chairs.  
4 There are motorized wheelchairs; there  
5 are non-motorized.

6 People that do use manual  
7 wheelchairs, some do transfer; but they  
8 really don't like to transfer as well.  
9 When you transfer, there are lots of  
10 different things that can happen.

11 A lot of people carry different  
12 things on their chair like backpacks --  
13 or carry things under their chairs.  
14 Wheels can get lost when you take those  
15 wheels off; or folding, lots of things  
16 can be lost.

17 When we want wheelchair accessible  
18 vehicles, the vehicles are for  
19 wheelchairs to roll into, to be able to  
20 get into, and that's equal service.  
21 (Applause.)

22 MR. WILSON: The next speaker is  
23 Sarah Kaufman.

24 MS. KAUFMAN: Good afternoon. My  
25 name is Sarah Kaufman. I'm the

1 Assistant Director of the NYU Rudin  
2 Center for Transportation.

3 I am currently conducting a major  
4 research project about paratransit use  
5 in New York City and working with  
6 several advocacy groups that are in the  
7 room today and have spoken earlier.

8 The report will include an  
9 interactive map for users to explore the  
10 paratransit use around the city, and it  
11 will be finished by the end of the year.

12 Accessible transportation is  
13 essential in New York City. More than  
14 10 percent of New Yorkers have a  
15 disability and 99,000 New Yorkers use  
16 wheelchairs. I would like to explain  
17 why the four transportation services  
18 currently offered to people with  
19 disabilities are inadequate and  
20 insufficient.

21 The MTA's Access-A-Ride system  
22 provide six and a half million rides to  
23 this population per year, which is about  
24 18,000 a day. That was a question from  
25 earlier. However, Access-A-Ride is

1 considered inefficient with poor service  
2 while also being very costly according  
3 to the city. According to the Citizens  
4 Budget Commission every Access-A-Ride  
5 trip costs \$70, the highest in the  
6 country.

7 At the NYU Rudin Center, we  
8 recommend on-demand ride hailing and  
9 ride sharing to lower costs and improve  
10 rider experiences.

11 In regard to the subway, only 110  
12 out of 472 subway stations are  
13 wheelchair accessible. In 2015 there  
14 were 40,000 subway elevator outage  
15 incidents. So if a person in a  
16 wheelchair arrives at an accessible  
17 station, they often do not know if they  
18 can exit at that station and may have to  
19 ride four additional stops before they  
20 can actually exit the subway system.  
21 People who use wheelchairs cannot depend  
22 on the subway.

23 Furthermore, according to subway  
24 passenger complaints -- according to  
25 passenger complaints -- bus drivers

1 often do not tolerate wheelchair  
2 boarding. They bypass stops where  
3 passengers in wheelchairs are waiting,  
4 or they stop too far from the curb to be  
5 accessible. 200 complaints were lodged  
6 about these issues in 2015.

7 More important, of the 1,900 green  
8 taxi medallions for wheelchair  
9 accessible vehicles, only 387 are  
10 active. People who need this service  
11 cannot get reliable service in New York  
12 City.

13 As you can see, of the four major  
14 methods of travel approved for people  
15 with disabilities, there is serious  
16 problems of cost, reliability, and  
17 efficiency.

18 The number of New Yorkers relying on  
19 accessible transportation services will  
20 only grow in the coming decades. Senior  
21 citizens are expected to reach 1.84  
22 million people in New York City by 2030.  
23 The number of residents needing  
24 accessible services will significantly  
25 increase. The MTA expects the number of

1 Access-A-Ride users to double in just  
2 five years requiring a scaling of the  
3 already overburdened system.

4 All New Yorkers, including those  
5 using wheelchairs, deserve to choose  
6 their best travel options based on  
7 timing and budget. At this time many of  
8 these individuals who would prefer  
9 for-hire vehicles are not able to make  
10 the same decisions others can. New  
11 Yorkers in wheelchairs are offered  
12 service that does not meet their needs.

13 I commend the Taxi & Limousine  
14 Commission for focusing on the public  
15 policies essential to expand for-hire  
16 vehicle service to all New Yorkers. The  
17 TLC should ensure that the city's  
18 populations of all abilities have better  
19 options than they do now.

20 Thank you for your time and  
21 attention. (Applause.)

22 MR. WILSON: Thank you.

23 The next speaker is Chris Rosa.

24 MR. ROSA: Good afternoon

25 Commissioner Joshi, Commissioner Calise,

1 distinguished members of the Board. I  
2 am pleased to be joined by my friend and  
3 colleague Leonard Blaze (phonetic).  
4 He's an outstanding student leader at  
5 CUNY School of Professional Studies, and  
6 together we'd like to present our  
7 experiences at CUNY students with  
8 disabilities.

9 CHAIR JOSHI: Sure. If you want to  
10 come up, that would be helpful for us  
11 too.

12 MR. ROSA: Sure. Thank you. And in  
13 the interest of time we're going to  
14 consolidate our testimony.

15 CHAIR JOSHI: Excellent. Thank you.

16 MR. BLAZE: Good afternoon  
17 Commissioner Joshi, Commissioner Calise,  
18 members of the Taxi & Limousine  
19 Commission. My name is Leonard Blaze,  
20 and I am the Treasurer of the CUNY  
21 Coalition of Persons with Disabilities  
22 "CCSD" the official representative of  
23 the organization for students with  
24 disabilities at the City University of  
25 New York.

1           Moreover, I am currently a graduate  
2           student at the school --

3           COMMISSIONER MARINO: You need to be  
4           -- it's just too close -- that's why --

5           MR. BLAZE: Okay.

6           COMMISSIONER MARINO: Just a little  
7           more space between you and the  
8           microphone.

9           MR. BLAZE: Hello. So as I eluded,  
10          I serve as the treasurer for the CUNY  
11          Coalition for Students with  
12          Disabilities, "CCSD", the official  
13          representative organization for students  
14          with disabilities at the City University  
15          of New York.

16          Moreover, I'm currently a graduate  
17          student at the CUNY School of  
18          Professional Studies pursuing an MS in  
19          disability services and higher  
20          education.

21          I am here today to testify on behalf  
22          of CUNY's more than 750 wheelchair users  
23          in support of the TLC proposal to  
24          require all FHV bases to send 25 percent  
25          of their dispatched trips to wheelchair

1 accessible vehicles.

2 As a Brooklyn resident I recognize  
3 the importance of having a respective  
4 car service in the TLC policy. However,  
5 like many of the students with  
6 disabilities at CUNY, I rely on  
7 Access-A-Ride for the vast majority of  
8 my travels throughout the city.

9 It's no secret to anyone in this  
10 room that Access-A-Ride is unreliable,  
11 especially when it comes to time. There  
12 isn't one user of Access-A-Ride who  
13 doesn't have a long list of nightmarish  
14 experiences with this service.  
15 Moreover, the MTA's overall track record  
16 in providing services for people with  
17 disabilities is dismal.

18 The TLC, by contract, should be  
19 proud of its efforts to make adequate  
20 transportation services more accessible  
21 to all New Yorkers.

22 Wheelchair accessible cabs have  
23 afforded me, and those like me, a viable  
24 option in times of emergency. Mandating  
25 an increase in the number of wheelchair

1 accessible vehicles on our city streets  
2 can only be a good thing. It may not be  
3 the best option in terms of  
4 affordability for everyone, but the  
5 peace of mind it provides us is  
6 invaluable. I urge the TLC to adopt the  
7 proposed rules.

8 Thank you for your time.

9 (Applause.)

10 MR. WILSON: Thank you.

11 MR. ROSA: Thank you Leonard. I'll  
12 keep myself a proper distance from the  
13 mic.

14 So as Leonard referenced, CUNY  
15 proudly enrolls more than 9,000 students  
16 with disabilities. 786 of those  
17 identify as wheelchair users. 80  
18 percent of those 786 wheelchair users  
19 are enrolled at CUNY's campuses in the  
20 outer boroughs, and 90 percent of those  
21 wheelchair users live in neighborhoods  
22 in the outer boroughs or north of 110th  
23 Street in Manhattan.

24 100 percent of them would benefit  
25 from a rule change that would require

1 all for-hire vehicle bases to send 25  
2 percent of their dispatch trips to  
3 wheelchair accessible vehicles. And  
4 given the projected demands that we  
5 heard from the coalition for for-hire  
6 vehicles earlier, CUNY could meet their  
7 demand target by itself each and every  
8 day. And certainly that's what we hear  
9 from the wheelchair users enrolled at  
10 our university.

11 Among these most critical challenges  
12 in promoting the success of student  
13 wheelchair users is ensuring that they  
14 participate richly in student life and  
15 career readiness activities.

16 In Student Affairs, we know that  
17 participation in student life is highly  
18 correlated with student success. That  
19 participating in formal and informal  
20 student gatherings, attending campus  
21 events, engaging in leadership  
22 activities improves student retention  
23 and graduation rates. This engagement  
24 is also critical to the whole  
25 development of students as full

1 citizens.

2 Unfortunately, students who use  
3 wheelchairs under-participate in  
4 co-curricular life compared to their  
5 peers, and by far the most frequently  
6 cited query to their participation is  
7 the absence of flexible, affordable  
8 transportation. Simply put, if their  
9 student engagement can't be neatly  
10 scheduled in advance through  
11 Access-A-Ride, it simply doesn't happen.

12 Similarly, the absence of demand  
13 response of affordable, accessible  
14 transportation stunts the career  
15 development of wheelchair users. The  
16 dearth of accessible transportation  
17 options is the barrier to career  
18 readiness most frequently cited by  
19 wheelchair users in our CUNY Leads  
20 program.

21 The absence of flexible, accessible,  
22 demand responsive transportation limits  
23 the parts of the city in which  
24 wheelchair users will look for work. It  
25 limits their opportunities to interview,

1 to network, to acquire the social and  
2 cultural capital needed to break into  
3 their careers of choice, succeed and  
4 then advance.

5 Simply put, CUNY students in  
6 wheelchairs, particularly those from the  
7 outer boroughs, need access to demand  
8 responsive for-hire vehicles in order to  
9 have equal opportunity to succeed in  
10 college and build careers.

11 For this reason, we're strongly in  
12 favor of the proposed rule change. We  
13 particularly value the TLC's inclusive  
14 approach to ensuring equal access to car  
15 service in New York City for those who  
16 need wheelchair accessible  
17 transportation.

18 We applaud the TLC for proposing to  
19 build a for-hire vehicle system on  
20 universal design principles, creating an  
21 intricately accessible transportation  
22 model that provides the greatest access  
23 to the greatest number of New Yorkers in  
24 the most integrated, dignified, and  
25 empowering manner. And we congratulate

1           you on your bold vision. Thank you.

2           (Applause.)

3           MR. WILSON: Thank you.

4           The next speaker is Bruce Schaller.

5           MR. SCHALLER: So good afternoon

6           Chair Joshi, and members of the

7           Commission. I'm Bruce Schaller,

8           Principle of Schaller Consulting

9           specializing in for-hire issues in New

10          York and around the country.

11          I fully support the goal of bringing

12          a long needed accessible for-hire

13          service to all five boroughs, and my

14          testimony today goes to the specifics of

15          the proposed rule.

16          I've been listening to all the

17          testimony so far. I hope this helps to

18          give you sort of a framework to look at

19          some of what you've been hearing, and in

20          going forward.

21          The rule that is currently

22          structured -- in my view -- is

23          problematic for two reasons. The first

24          is it requires a large number of

25          accessible vehicles -- I would think

1           16,000 or more -- but it doesn't address  
2           how the vehicles, the drivers, and the  
3           dispatch companies join together to  
4           provide an effective service and overall  
5           system. And I think you heard that from  
6           the drivers a few minutes ago.

7           Moreover, the rule distributes this  
8           large number of vehicles across 900 FHV  
9           bases. That means that when someone  
10          requests a trip, there's likely to be an  
11          accessible vehicle nearby, but probably  
12          not working for the base that they just  
13          called.

14          The unintended consequence of this  
15          could be having thousands of vehicles on  
16          the street with few drivers who are  
17          willing to accept an accessible trip if  
18          you have to drive that much longer for  
19          the pick-up. Few bases have trained  
20          staff and operational practices, which  
21          the rule doesn't speak to, and long  
22          waits for a ride.

23          Based on my understanding of the  
24          current state of the FHV industry, I  
25          think that these issues can be addressed

1 by revising the rule around three  
2 principles starting with the principles  
3 and then a lot of work from there.

4 The first involves focusing on  
5 service outcomes. The rules should set  
6 a service standard for wait times. The  
7 rules should ask for what you want.  
8 Something like 90 percent of pick-ups  
9 within 10 minutes or 15 minutes, and  
10 some smaller percentage of trips not  
11 served.

12 If you look around the country at  
13 contracts, that's how they provide for  
14 non-emergency medical service. Detailed  
15 trip data should be submitted to verify  
16 compliance.

17 The second principle involves  
18 aggregating trips and people so that  
19 when someone requests a ride, they will  
20 get a nearby vehicle. This could be  
21 accomplished by following trip requests  
22 through a smaller number of dispatched  
23 entities. There should be enough of  
24 these so that you have choice and  
25 competition, but not so many that you

1 fail to aggregate the trips and  
2 vehicles.

3 Third, the rule should provide for  
4 cost subsidies between accessible and  
5 non-accessible trips which would require  
6 some type of financial mechanism  
7 overseen by the city.

8 And finally, you should be prepared  
9 for higher trip volumes than what I've  
10 heard discussed today -- any of them  
11 discussed today.

12 Experience in Washington DC suggests  
13 the potential will be 6,000 to 8,000  
14 trips per day as detailed in the written  
15 testimony that I just gave you.

16 Just two quick other points; there  
17 are some that are larger that have not  
18 been touched on yet this morning.

19 As you think about accessible FHV  
20 service, you should also bear in mind  
21 the upheaval of the yellow cab industry.  
22 Right now there are many accessible  
23 yellow cabs that sit idle. From now on  
24 they will only be exacerbated as  
25 industry revenues continue to drop and

1 medallion prices slide towards zero.

2 This rule making can begin to set  
3 the stage for eventual convergence of  
4 all the FHV industry by allowing  
5 accessible yellow cabs to respond to  
6 dispatch from FHV bases bringing more  
7 trips to yellows and more vehicles into  
8 the accessible FHV fleet.

9 So thank you for your time. I'd be  
10 glad to answer any questions.

11 CHAIR JOSHI: Thank you. I had one  
12 quick question. So the scenario that  
13 you described first, there's a base who  
14 somebody calls. They need an accessible  
15 vehicle. There are accessible vehicles  
16 nearby, but the base doesn't have that  
17 relationship with that vehicle.

18 I think -- and I'm happy to discuss  
19 this further after the meeting -- is  
20 part of the purpose of having a trip  
21 mandate is that every day the base has  
22 to be working with accessible vehicles  
23 so those relationships are built up, so  
24 that they are more prepared for that  
25 call when it comes?

1           And in early years, your scenario is  
2           more likely; and in later years, as  
3           those trip lines go up and those  
4           relationships, that might help mitigate  
5           against a situation that you described.

6           MR. SCHALLER: I mean, just the  
7           simple math is you have a fraction of  
8           the vehicles that are accessible. It  
9           will be a longer trip to reach the  
10          customer most of the time. It will be  
11          easily recognized by the driver that  
12          there's a call for an accessible  
13          vehicle, and the driver will have to  
14          drive further for the pick-up.

15          They're not mandated to take trips.  
16          They're independent contractors. So it  
17          doesn't -- when you tell the story about  
18          how the service would work, you see, why  
19          would the driver take the call and drive  
20          three times as far for the pick-up than  
21          the next call which as the study shows,  
22          would be much closer. I think it's --  
23          you know, I think it's an issue that  
24          needs a serious look.

25          CHAIR JOSHI: We're looking for it,

1 and I know we had some discussion  
2 beforehand --

3 MR. SCHALLER: Right.

4 CHAIR JOSHI: -- and we look forward  
5 to continuing those --

6 COMMISSIONER JIHA: Let me ask a  
7 question. You mentioned in your  
8 testimony -- you discuss from your  
9 perspective -- what do you think --  
10 explain the over-capacity in your  
11 industry.

12 MR. SCHALLER: Well, it's very  
13 simple. Many people who formally used  
14 yellow cabs are now taking Uber, Lyft,  
15 and the other --

16 COMMISSIONER JIHA: Yeah. Okay.

17 MR. SCHALLER: So that shift in  
18 ridership that you've seen very  
19 dramatically over several years, and has  
20 actually been accelerating over the last  
21 six months.

22 COMMISSIONER JIHA: On the one hand  
23 you're saying we have increased demand  
24 for wheelchair accessible vehicles, but  
25 at the same time you're talking about

1           having -- capacity for those calls --  
2           what you're saying --

3           MR. SCHALLER: Right. So I'm saying  
4           the overall demand for the yellow cab --  
5           the overall yellow cab ridership and  
6           fare revenues have gone down steadily  
7           over the last several years as you know.

8           The number of wheelchair trips have  
9           been going up although we don't have a  
10          count of that. It's still a small  
11          fraction -- it's not offsetting the  
12          movement -- I suppose -- of able-bodied  
13          people from yellow to the outdate  
14          services.

15          Does that answer your question, sir?

16          COMMISSIONER JIHA: Not really. I'm  
17          just trying to --

18          MR. SCHALLER: I'm sorry. I'm  
19          trying to understand the question.

20          COMMISSIONER JIHA: No, on the one  
21          hand there's an excess demand -- okay --  
22          for wheelchair vehicles -- there's a  
23          demand out there -- I mean that's small  
24          -- but at the same there is more  
25          capacity -- according to your testimony

1 -- in the yellow cab for those vehicles.

2 So the question I'm asking is why is  
3 that such an imbalance?

4 MR. SCHALLER: So it's a geographic  
5 imbalance.

6 COMMISSIONER JIHA: Okay.

7 MR. SCHALLER: So according to the  
8 regional data -- the only data I can see  
9 -- it's a small sample -- but 90 percent  
10 of wheelchair users in the city live in  
11 the outer boroughs -- outside Manhattan.  
12 Treat that as an approximate number, but  
13 it gives you a sense -- you know --  
14 ultimately, I think it's a geographic  
15 problem, and that's why the FHV rule is  
16 obviously so much more important. They  
17 serve the customers -- they serve  
18 primarily where those customers are.

19 CHAIR JOSHI: Thank you.

20 MR. WILSON: Thank you.

21 The next speaker is Cecilia Arana.

22 MS. ARANA: I have a friend --  
23 somebody to join me. Can I have  
24 somebody else go ahead of me?

25 CHAIR JOSHI: Sure. We will have to

1 break at some point, and we can put you  
2 on in the afternoon.

3 MS. ARANA: I'll just be one minute.

4 CHAIR JOSHI: Okay. Great. Problem  
5 solved. I think we have one person who  
6 is ready now, Susan Scheer. She can  
7 come forward now, and then we'll do the  
8 testifier who is currently out in the  
9 hallway locating her friend right  
10 afterwards.

11 MS. SCHEER: I would like to thank  
12 the Commission for giving me the  
13 opportunity to speak. My name is Susan  
14 Scheer. I am a proud employed person  
15 with a disability here in New York City,  
16 a professional person, who relies on  
17 taxis to be able to get to and from all  
18 of the same activities that everybody  
19 else who is employed in this room uses  
20 them for; to get to meetings on time, to  
21 get to events. I have a series of  
22 remarks, and I will try to keep them  
23 brief.

24 I want to start by asking you an  
25 imaginary scenario. I come to you, and

1 I say, I have a revolutionary  
2 transportation approach that can get  
3 people where they need to go faster and  
4 cheaper than what you are using now.  
5 There's only one catch. Only white  
6 people can use that system. People of  
7 color would need to take a different  
8 system. It would get them where they  
9 need to go, probably, but it might take  
10 longer or cost more. I think most New  
11 Yorkers would recoil at such a  
12 suggestion in 2017, and indeed, most  
13 Americans.

14 We watched last week across the  
15 country as people protested racial  
16 injustice in this country. How can we  
17 be here at this moment even entertaining  
18 a discussion about creating a second  
19 class separate but unequal system? Why  
20 would it be okay to treat people with  
21 disabilities in this way?

22 Uber says that they are creating the  
23 future; that they are providing the  
24 future of transportation. But actually,  
25 what they are saying is that they're

1 creating the future for one set of  
2 people. The people they deem worthy to  
3 get a choice of cars, a choice of  
4 prices, while another set people --  
5 people who use wheelchairs -- are being  
6 consigned to the dustpan of history and  
7 told to settle for a system that Uber  
8 itself has set out to blow up for its  
9 preferred customers.

10 Guess what? I am part of that  
11 future, and there will be tens of  
12 thousands of other individuals with  
13 disabilities who will be part of that  
14 future traveling to work, to school, and  
15 to every other purpose that people use a  
16 taxi system for. And if we're worried  
17 about demand right now, no need.

18 The MTA, if it's really serious  
19 about saving money, can stop paying \$60  
20 a trip for Access-A-Ride and put the  
21 trips in accessible for-hire vehicles.  
22 I don't know of too many trips in New  
23 York City that will cost more than \$60  
24 one way, and it will be a win/win/win.  
25 The MTA, which doesn't seem able to save

1 money, will do so. Access-A-Ride  
2 passengers will be able to call for and  
3 get a trip when they need it, and  
4 no-shows will be down.

5 The TLC's proposal today is a  
6 thoughtful way to guarantee that there's  
7 a reasonable quantity of accessible  
8 vehicles on the road that I can tap into  
9 the same way as anybody else.

10 One change that I would urge the  
11 Commission to make is to ensure that the  
12 providers cannot put all their  
13 accessible vehicles out on the road  
14 during the first week or two of the  
15 month to meet the 25 percent threshold,  
16 and then garage them for the rest of the  
17 time. There needs to be consistent  
18 availability throughout the day, the  
19 week, and the month.

20 When I say "consistent", I mean  
21 consistent with the general service  
22 levels that are given a day. If people  
23 who don't use wheelchairs are getting  
24 crummy service, I'm entitled to the same  
25 crummy service. But if there's good

1 service, then I should be able to get my  
2 share.

3 This rider's perspective on  
4 essential dispatch -- 15 minutes -- is  
5 the average win. On Sundays, at 3 in  
6 the morning, how many trips will the  
7 wait be 30 minutes, or 45 minutes, or  
8 never come at all? It could be a  
9 significant percentage and still average  
10 out to 15 minutes.

11 And how does this work for an Uber  
12 driver? They're going to take a reduced  
13 rate and wait to get paid back for the  
14 difference? I don't think that's going  
15 to be very popular. And how are you  
16 going to get them to respond to a  
17 dispatch request anyway?

18 With all due respect to the  
19 economists and the others who were paid  
20 by the industry to speak here today,  
21 whatever position one wants to take, one  
22 can call the economist who will predict  
23 that outcome.

24 Indeed, the economist who is slated  
25 to testify today against the TLC rules

1           previously did a study for a disability  
2           organization toting the economic impact  
3           of increased accessible transportation  
4           items.  Where will that economist be --  
5           and all of these other experts -- when  
6           their predictions right now will be  
7           wrong?

8           Will they be with me when I'm  
9           stranded in the rain in Brooklyn with no  
10          way to get home to Manhattan because the  
11          accessible taxi never responded to the  
12          dispatch request?  It happens to me all  
13          the time.

14          If central dispatch is good enough  
15          for people with disabilities, then it's  
16          good enough for Uber, and they should  
17          move their business model to that  
18          approach tomorrow.  Surely their  
19          investors will thank them.  (Applause.)

20          MR. WILSON:  Okay.  The last speaker  
21          before our break will be Cecilia Arana.

22          MS. ARANA:  Thanks so much for  
23          seeing me before lunch.  I know everyone  
24          is starving.

25          My name is Cecilia Arana.  I am a

1 Co-Director of a small nonprofit called  
2 NYC Kids Project, and we teach kids to  
3 understand differences.

4 I'm here today to speak on behalf of  
5 the younger generation of travelers, and  
6 in fact, I was able to get a friend of  
7 mine out of school for 10 minutes to  
8 tell you his one minute story.

9 (Whereupon, Cecilia Arana used a  
10 puppet to continue her testimony.)

11 MS. ARANA: I'm coming. Hold on.  
12 I'm not used to meeting people in suits.

13 Hi. I'm a little nervous because  
14 I've never, you know, hung out with so  
15 many adults who look very official.

16 My name is Mark Reilly, and I'm in  
17 the 8th grade, and I got out of school  
18 because usually when I talk to people  
19 about, you know, stuff that affects me  
20 like inclusion, and, you know, being  
21 part of New York City -- who we all love  
22 -- I just wanted to say that I heard  
23 there's a lot of stuff happening today  
24 about, you know, getting rides, and I  
25 just wanted to give my two cents.

1 I just started to become more  
2 independent cause I like, you know,  
3 really -- you know -- the beginning of  
4 8th grade, and I've been practicing, and  
5 I know everyone is trying. I just  
6 wanted to tell you that I missed my swim  
7 class last week, and it was kind of a  
8 bummer cause I was going to meet  
9 Carolina, and she's awesome, and we were  
10 going to have an iced tea.

11 But the thing is I called, and I did  
12 all the right things, and I was waiting.  
13 And then, I mean, I'm not -- I just  
14 don't know how to say this, but the car  
15 didn't work. And then I said, "Hey  
16 buddy. Could you help me out? That's  
17 not going to work for my cruiser". And  
18 he said, "Yeah, I'll try", and then he  
19 called around. And I said, "Come on.  
20 I'm going to be late". And then it was  
21 like there was nobody else around.

22 And I don't know. I just felt like  
23 -- I just want to go places like every  
24 other New Yorker, and I'm already in the  
25 8th grade. I had a hot date. It was

1 going to be great. So I don't know.

2 I hope we can find a way that  
3 everyone can get what they need cause we  
4 all deserve the same good stuff. We  
5 just want more cars on the road so I can  
6 get where I want to go like everyone  
7 else.

8 That's it for me. Mark Reilly.  
9 Thanks a million. Have a great lunch,  
10 and enjoy your fancy suits cause you  
11 look great. I'm going back to class.  
12 Bye. (Applause.)

13 CHAIR JOSHI: So we're going to take  
14 a lunch break now and start promptly  
15 again at 2 p.m.

16 (Whereupon, a lunch recess was taken  
17 from 12:57 p.m. to 2:03 p.m.)

18 CHAIR JOSHI: So it's 2:03. We're  
19 going to start the meeting again.

20 We have this room till 4 p.m., so I  
21 would be encouraging, again, people to  
22 group together to testify and to be as  
23 concise as possible.

24 So we will start now with --

25 MR. WILSON: Iris Jiminez.

1 CHAIR JOSHI: And if you're not in  
2 the room, we'll come back to you. We'll  
3 make a note.

4 MR. WILSON: We have a number of  
5 people from DCID, and if they could come  
6 up at once --

7 CHAIR JOSHI: And they'll be after  
8 Iris.

9 MS. JIMINEZ: Once again, my name is  
10 Iris Jiminez, and I am here to discuss  
11 -- a user of Access-A-Ride and the cabs  
12 -- I have a couple of experiences with  
13 the cabs, it's rare -- I call, and they  
14 say they don't have any taxi in the area  
15 at the time that I call, and that I'll  
16 have to wait 15 minutes -- okay.

17 I'll call my local cab company up in  
18 Washington Heights, and I've been told  
19 that they don't do regular taxi rides  
20 unless I book my ride two weeks in  
21 advance. So I asked, "What's the use if  
22 you have no accessible taxis?", and they  
23 don't have an answer for me.

24 The last time that I had called them  
25 a few weeks ago, I was going to church,

1 and they said, "You see, if it's during  
2 the weekend, you can use us, but only  
3 during the day. At nighttime you  
4 can't".

5 So one Saturday they took me to  
6 church, and I got stranded because when  
7 -- going back home, they have nobody  
8 available. So when I called  
9 Access-A-Ride -- that was my only choice  
10 -- they got the same answer. They  
11 didn't have any cab in the area to bring  
12 me back home. So around 12 o'clock  
13 midnight they were able to get me an  
14 Access-A-Ride van to bring me back home.

15 And I guess that's the most  
16 experience that I've had so far with  
17 them. I don't take long. It doesn't  
18 take me too long to say that right now,  
19 but I wanted to be given a chance just  
20 to express that. Thank you.

21 CHAIR JOSHI: Thank you very much.

22 MR. WILSON: Thank you very much.

23 So next we'll have four people from  
24 BCID; Yesina Torres, Valerie Joseph,  
25 Joseph Rappaport, and Milagros Franco.

1 MR. RAPPAPORT: We're going to try  
2 to be quick.

3 CHAIR JOSHI: Okay.

4 MR. RAPPAPORT: We have a couple of  
5 people with personal stories that  
6 they'll tell quickly.

7 I'm Joe Rappaport. I'm the  
8 Executive Director of the Brooklyn  
9 Center for Independence of the Disabled.  
10 My colleagues are here.

11 We believe that these rules are an  
12 important step in the right direction; a  
13 crucial first step toward full  
14 accessibility. Uber, Lyft, Carmel, all  
15 other liveries are all long overdue, and  
16 we applaud the TLC and you, the  
17 Chairman, for moving forward.

18 One thing is -- that I just wanted  
19 to talk about briefly is some of the  
20 economic arguments that are being made  
21 or will be made by the FHV -- the  
22 for-hire vehicle industry. And one  
23 person earlier mentioned a study that  
24 was done about the economic power of  
25 people with disabilities by somebody who

1 is now working for Uber.

2 Now, people with disabilities have a  
3 lot of economic power and -- to those  
4 who are back here still -- and the  
5 person who did the economic study is a  
6 fellow named John Chapman.

7 Here's the study that he did for my  
8 group. (Indicating.) And I'll just  
9 briefly mention two or three key items  
10 in his study. It was called the 2014  
11 Disability Friendly Retail Analysis. He  
12 did this for a program we operate.

13 He said, in his study -- his  
14 executive summary -- "Businesses, the  
15 adoption of disability friendly policies  
16 can open the market up to thousands of  
17 additional potential customers. In  
18 Brooklyn there are more than 201,000  
19 individuals with ambulatory  
20 disabilities" -- meaning about eight  
21 percent of the population.

22 Later John Dunham writes, in his  
23 reports, "Brooklyn's disabled residents  
24 represent spending powers of  
25 approximately 4.7 billion dollars. Of

1           this roughly 2.4 billion dollars is  
2           spent on retail, goods, and services".

3           And lastly, there's a chart showing  
4           what those Brooklyn residents -- this is  
5           just for Brooklyn; not Manhattan,  
6           Queens, Staten Island, etcetera -- just  
7           for Brooklyn -- what people actually  
8           spend their money on, and the most --  
9           the highest expenditures are on  
10          transportation; an 817 million dollars  
11          annually on transportation only. So --  
12          out of that 2.4 billion dollars, just in  
13          Brooklyn.

14          So I'll just finish up, but, you  
15          know, there's been a lot of talk about  
16          demand, as if anyone can predict that.  
17          Remember, when Access-A-Ride started in  
18          1990, there were only 30,000 trips in  
19          the first year. Now, there are  
20          approximately 16 to 17,000 to 18,000  
21          rides every day.

22          So there's a lot of power, and Uber  
23          and the other companies should realize  
24          that they have tremendous opportunities  
25          here, and they should take them and not

1 resist this role. Thank you.

2 MS. JOSEPH: I have copies for  
3 everybody actually. (Handing.)

4 Good afternoon Chair Joshi and other  
5 members. I am an Access-A-Ride advocate  
6 living in Queens who is disabled. I  
7 live in Queens Village and work in  
8 Brooklyn and in Manhattan.

9 I generally use Access-A-Ride for my  
10 transportation. But what happens when I  
11 have to go to an off-site meeting during  
12 the day, or I need to travel  
13 unexpectedly to meet my friends in the  
14 evening after work, or want to head out  
15 to a park on the weekend? If I haven't  
16 reserved my Access-A-Ride trip a day or  
17 two in advance, it is not available to  
18 me. So how do I get to the meeting, or  
19 to my friend's house, or to anywhere  
20 else?

21 Obviously, one option might be an  
22 accessible taxi, right? But that is not  
23 always possible. As I said before, I  
24 live in Queens Village. There are no  
25 yellow or green taxis in my

1 neighborhood. There are only  
2 neighborhood taxis. So I'm out of luck.  
3 And, of course, Uber has just 61  
4 accessible vehicles out of about 60,000  
5 or so. You know they are not coming to  
6 get me.

7 The TLC accessible dispatch system  
8 isn't borough-wide yet, though I hear  
9 that it is coming soon. Not soon enough  
10 for me.

11 I'm very active in my community and  
12 around the city. I'm not a stay at home  
13 type of person, and as I said, I work  
14 five days a week. So what happens now  
15 for me?

16 CHAIR JOSHI: Thank you.

17 MS. TORRES: Good afternoon. My  
18 name is Yesina Torres. I am an  
19 Assistant Advocate at Brooklyn Center  
20 for Independence of the Disabled.

21 I live on the Upper East Side of  
22 Manhattan. My mother lives in Queens,  
23 and I volunteer in research at the  
24 Veterans Affairs in the Bronx, and go to  
25 medical appointments there. I even go

1 to Staten Island once in a while, so I'm  
2 pretty much covering the boroughs.

3 The reason I am pointing this out is  
4 because for me to go to all my day to  
5 day community events, obligations, and  
6 activities I must commute in some sort  
7 of public transportation like any other  
8 human being does in the city.

9 As such, I deserve to be treated  
10 like any other human being with the same  
11 rights as any human being and other New  
12 Yorker. So why am I not able to take a  
13 cab, a livery vehicle, or Uber to and  
14 from any borough I'm in whenever I want  
15 to without having to wait for long  
16 periods of -- for long periods or having  
17 to call a special number? Why can't I  
18 just get an accessible vehicle from my  
19 local car service, or Uber, or a 666?  
20 Is my money not good enough?

21 Well, we all live lives where time  
22 is of the essence, and riding in a cab  
23 often is the fastest way to get from "A"  
24 to "B" especially between boroughs. Why  
25 are you limiting me? Why are you

1           disregarding my rights? Isn't this the  
2           capital of the world? Well, what a  
3           shame that the capital of the world  
4           lacks accessible cabs for all.

5           Uber forgets that it's part of New  
6           York's vast transportation system  
7           regulated by the TLC and using city  
8           streets; my taxes pay for it. It has an  
9           obligation to serve everyone who wants  
10          to use them.

11          All cabs should be accessible; 100  
12          percent. If these companies oppose  
13          this, maybe it's time to go to another  
14          city where equality and fairness does  
15          not matter because you sure do not want  
16          to be a part of our transportation  
17          system.

18          I urge you to move forward with your  
19          proposed rules to make Uber, and Lyft,  
20          and all other liveries wheelchair  
21          accessible. Thank you. (Applause.)

22          MR. WILSON: Next I have two people  
23          from the National MS Society John Day  
24          and Lori Bores.

25          CHAIR JOSHI: I think you mentioned

1 your colleague is not here?

2 MS. BORES: My colleague is not  
3 here. John is not here.

4 This says good morning, but I am  
5 going to say good afternoon Commissioner  
6 -- Commission Board members, and the TLC  
7 staff, and fellow advocates. My name is  
8 Lori Bores, and I live with multiple  
9 sclerosis.

10 As a volunteer at the MS Society, I  
11 am here today to commend the TLC for  
12 taking steps to allow those who live  
13 with a disability to have the same  
14 rights when it comes to accessible rides  
15 in the for-hire vehicle industry.

16 Accessibility is important for an  
17 individual to live their best life  
18 possible. Having the option for  
19 mobility that is safe and transparent is  
20 key for better health outcomes and  
21 quality of life for patients with  
22 physical or cognitive impairments.

23 We believe that people with  
24 disabilities should have the same rights  
25 and be able to use accessible

1 transportation for no additional charge,  
2 and that service animals should be  
3 welcomed at no additional charge in the  
4 for-hire vehicle industry.

5 The MS Society supports the TLC's  
6 proposal of using percentages of  
7 accessible rides as opposed to a  
8 specific number of a fleet being  
9 accessible. We commend the TLC for this  
10 important distinction and their  
11 commitment to accessibility in New York  
12 City.

13 In order to limit fraud, cause  
14 transparency for accessible for-hire  
15 vehicles should be the same as it is for  
16 every other rider. Additionally, we  
17 support getting input from people with  
18 disabilities on a variety of aspects  
19 including non-discrimination policies  
20 and best practices.

21 In order to demonstrate the  
22 continued need for accessibility, the MS  
23 Society recommends providing annual  
24 reports of the number of requested  
25 accessible rides, number of fulfilled

1 accessible rides, wait times, and the  
2 number of accessible related complaints  
3 filed and their results.

4 Lastly, we support a nominal  
5 surcharge on all rides to help offset  
6 the cost of purchasing and retrofitting  
7 wheelchair accessible vehicles.

8 I thank you for your time and  
9 thoughtful consideration on this issue,  
10 and we look forward to being a partner  
11 on this issue while we continue to make  
12 New York City a more accessible place.  
13 Thank you. (Applause.)

14 MR. WILSON: Thank you.

15 I've now got three people from  
16 NYTWA, and I'd ask you all just to limit  
17 your total amount of testimony to three  
18 minutes. We have Beresford Simmons,  
19 Mohammad Tip Sultan, and Asim Akhtar.

20 MR. SIMMONS: Good afternoon  
21 everyone. My name is Beresford Simmons.  
22 I am from the Taxi Workers Alliance, and  
23 I have some of my friends here with me.  
24 And I am one of the first wheelchair  
25 accessible drivers in New York City, and

1           it's a necessary thing for this city,  
2           and there should be an expansion to all  
3           car services; black car services, Uber,  
4           Lyft, and everyone.

5           I -- when I first started driving a  
6           taxi -- by the way, I've been driving a  
7           taxi cab in New York City for the past  
8           50 years, and I'm now using  
9           Access-A-Ride because I have to go to  
10          dialysis three times a week -- so six  
11          times a week -- and Access-A-Ride needs  
12          a little overhauling because most of  
13          their jobs are contracted out by the  
14          industry.

15          I had people call me from England,  
16          from Canada, from France, Germany years  
17          ago when they needed a wheelchair cab  
18          because we didn't have that many. Today  
19          if I go to Kennedy Airport and I need a  
20          wheelchair accessible cab -- and a  
21          passenger needs a wheelchair accessible  
22          cab, they don't have to call me anymore  
23          because it's right there. All they have  
24          to do is ask the dispatcher if there's  
25          none -- to send me a wheelchair

1 accessible cab.

2 So all of these guys who are crying  
3 about expansion of this industry,  
4 disabled people are people too, and they  
5 deserve all access to New York City like  
6 you and I and everybody else, and that's  
7 my line. (Applause.)

8 MR. SULTAN: My name is Mohammad Tip  
9 Sultan, and I am with the New York Taxi  
10 Workers Alliance since 2005, and I'm  
11 very excited to see all of this -- some  
12 of the new Commissioners -- and I think  
13 the change needs to be done as soon as  
14 possible.

15 As yellow cab, they are paying all  
16 this money with the changing the  
17 partition, the cars -- and still they  
18 are taking this huge margin of economy,  
19 and still they're willing and already  
20 right there. 2,200 yellow cabs already  
21 there. There are 500 -- the green cab  
22 is there, and why the 60 billion dollar  
23 company come crying so much about this  
24 rule.

25 1972, there was the ADA. The bill

1 is there that says equal rights. So  
2 this wheelchair accessible people -- the  
3 people with the disability -- they all  
4 really are right to exist. The rules is  
5 there. Why this 60 billion dollar  
6 company have to cry so much about this  
7 rule and reservations. Rules is (sic)  
8 there; just implement it.

9 They knew about the ADA; not today,  
10 since 1972. Why they are coming 2017  
11 and crying we need to get delayed.  
12 Rules is there, they just need to be --  
13 they knew about it, this going to  
14 happen. The access car did not come  
15 yesterday. It come years ago. 1972  
16 rules was there. They knew them. They  
17 knew the equal rights.

18 If yellow cab knows that, if the  
19 green cab knows that, I believe that  
20 add-based companies need to be changed  
21 right now as soon as possible. We  
22 cannot separate people with the  
23 disability people that need service.

24 How many thousands of people live in  
25 the city? There is thousands of people

1 in the city. Please, make this rule  
2 happen right now, and as soon as  
3 possible, make this equal for everyone.  
4 Thank you. (Applause.)

5 MR. AKHTAR: Hi. My name is Asim.  
6 I'm also in the Taxi Workers. I just  
7 wanted to add one thing; when --  
8 wheelchair accessible taxis started in  
9 2006, and we've seen that the burden was  
10 -- at that time, the burden was on the  
11 drivers and the system didn't work.

12 Now, we were able to change that and  
13 now the burden has been divided -- I  
14 mean -- there's mileages. Drivers get  
15 incentives for doing those pick-ups.

16 The for-hire vehicle -- I know the  
17 TLC cannot set the rates. It's the  
18 industry. For-hire, it should be the  
19 corporate companies who should take that  
20 burden. It should not be transferred to  
21 the drivers. I think the TLC needs to  
22 make sure of that; that the burden of  
23 the cost or economics should not be  
24 passed on to the driver. Thank you.  
25 (Applause.)

1 MR. SIMMONS: One more thing  
2 Commissioners, at every dialysis center,  
3 there should be a taxi stand.

4 CHAIR JOSHI: Okay. Thank you.

5 MR. SIMMONS: Thank you.

6 MR. WILSON: Thank you.

7 The next speaker is Assemblyman  
8 Weprin.

9 MR. WEPRIN: Good afternoon.

10 CHAIR JOSHI: Thank you for coming.

11 MR. WEPRIN: Thank you, Commissioner  
12 Joshi, for inviting me. It's nice to  
13 see my own Queens Commissioner, Nora  
14 Marino, and my good friend, Commissioner  
15 Victor Calise. We've done so much for  
16 the disability community in this  
17 administration, and it has been a  
18 pleasure to work with you over the last  
19 number of years.

20 I'm Assemblyman David Weprin. I  
21 represent the 24th Assembly District in  
22 Queens which is comprised of the  
23 neighborhoods of Briarwood, Bellerose,  
24 Bellerose Manor, Fresh Meadows, Glen  
25 Oaks, Hillcrest, Hollis Hills, Hollis

1 Ridge, Jamaica Estates, Jamaica Hills,  
2 Oakland Gardens, Queens Village,  
3 Richmond Hill, South Richmond Hill, and  
4 Utopia.

5 In Albany, I chaired the New York  
6 State Assembly Task Force for people  
7 with disabilities from 2014 through  
8 2016. It was a position I held closely,  
9 and although I am no longer Chair of the  
10 Task Force -- I'm now Chair of the  
11 Assembly Corrections Committee -- I'm  
12 still deeply committed to supporting the  
13 disability community in New York.

14 As long as I've had the  
15 Chairmanship, ensuring accessible  
16 transportation for people with  
17 disabilities has always been a top  
18 concern for advocacy groups across the  
19 state and city, and for the assembly.

20 Transportation is an integral  
21 component in enabling people to fully  
22 participate in their communities. It  
23 enables people to work, choose where to  
24 live, pursue an education, access health  
25 care, worship, shop, and participate in

1 recreational activities.

2 For New York residents with  
3 disabilities, the right to fully  
4 participate in their communities and  
5 access services is determined by what  
6 New York's transportation network can  
7 provide.

8 In New York City, thanks to the  
9 progress made by Mayor Bill de Blasio,  
10 Commissioner Victor Calise, and TLC  
11 Commissioner, Chair Meera Joshi, by 2020  
12 one out of every two yellow and green  
13 cabs will be accessible for people who  
14 use wheelchairs and scooters. This is a  
15 hugely important step, but many New  
16 Yorkers with disabilities still face  
17 significant obstacles to finding  
18 equitable and accessible transportation.

19 One of the overarching concerns that  
20 we have heard from many advocates  
21 involve a lack of access to for-hire  
22 vehicles, or FHV's, including black cars  
23 and cars hired through ride-sharing apps  
24 like Uber and Lyft. This lack of access  
25 creates a two-tiered transportation

1 system in our city where people with  
2 disabilities lack the same on-demand  
3 access to transportation that is  
4 available to most New Yorkers.

5 The lack of accessible FHV's also  
6 creates a two-tiered system for owners  
7 of large fleets when the owners and  
8 dispatchers of FHV fleets are being  
9 allowed to operate in the face of ADA  
10 compliance.

11 After recognizing this disparity  
12 last year, I introduced legislation that  
13 would provide persons with disabilities  
14 equal access to pre-arranged for-hire  
15 vehicles under transportation network  
16 companies state-wide.

17 My bill required that TNCs start off  
18 by making five percent of the vehicles  
19 disability accessible within one year of  
20 the legislation passage; 15 percent by  
21 the end of the second year, and 25  
22 percent by the end of the fourth year.  
23 The bill would also mandate response  
24 times for disability accessibility and  
25 non-accessible vehicles.

1           As such, I am glad to support the  
2           proposed TLC rules on accessibility in  
3           the for-hire vehicle industry. By  
4           phasing in the requirements over a  
5           period of four years, starting at 10  
6           percent in 2018 -- much better than five  
7           percent -- and eventually reaching 25  
8           percent by 2021, operators will have a  
9           chance to gradually adjust to the  
10          changes as older vehicles age out of  
11          fleets.

12           Additionally, I'm also supportive of  
13          the proposal to allow bases more  
14          flexibility to dispatch to any  
15          wheelchair accessible for-hire vehicle.  
16          This adjustment allows for accessible  
17          vehicles to remain available for people  
18          with disabilities -- when they did it --  
19          by ensuring that at the ready accessible  
20          cars are able to be dispatched by  
21          different bases.

22           It's about time FHV's, taxis, and the  
23          overall transportation system be  
24          accessible to people with disabilities,  
25          and when we provide for wheelchair

1           accessibility in all forms of  
2           transportation, we guarantee the  
3           independence of people with  
4           disabilities.

5           I thank you for holding this  
6           hearing. Thank you for your leadership  
7           on this issue, and I'd be happy to  
8           answer any questions if you have any.

9           CHAIR JOSHI: Thank you.

10          COMMISSIONER MARINO: I don't have a  
11          question, but I want to say it's nice to  
12          see you too, and thank you for your  
13          leadership on this issue as well.

14          MR. WEPRIN: Thank you. (Applause.)

15          MR. WILSON: Thank you.

16          The next speaker is Eileen Kelly.

17          MS. KELLY: Chair, Commissioners. I  
18          just wanted to bring up one point, and  
19          that point being as the perspective of a  
20          base owner and all livery cars, we can  
21          buy the car, but we can't make the  
22          driver drive the car. And we all have  
23          cars sitting, and have taken off a  
24          number of cars since Uber has taken over  
25          a lot of our business. Everybody has

1 cars parked, and I think that you need  
2 to come up with a way that there's an  
3 incentive for the driver.

4 There's only so much that we can do  
5 about getting the driver into the car,  
6 and if the driver doesn't have any kind  
7 of interest in the car himself, I don't  
8 want to tell you the condition that some  
9 of my car cars come back in. And it's  
10 not even always the driver's fault.  
11 It's the street, the potholes. The  
12 repair bills are astronomical.

13 Right now I'm going to tell you we  
14 have probably spent \$10,000 on a car and  
15 have the car maybe for a year to 18  
16 months. And in that time probably spend  
17 another \$12,000 in repairs without any  
18 collision. And if the driver doesn't  
19 have any interest in ownership in the  
20 vehicle, these cars that cost -- you  
21 know how much these cars cost? You said  
22 something before about people who  
23 weren't interested in retrofitting,  
24 or --

25 CHAIR JOSHI: Retrofitting is when

1           you take an existing car and make it  
2           wheelchair accessible. But conversion  
3           is when you take a new car and put the  
4           ramp in before it's used.

5           The conversion is the more durable  
6           way to go, and that costs between 8,000  
7           and \$10,000. On the Nissan, for  
8           example, that's used in the taxis, it  
9           can cost up to 14,000. But for other  
10          brands, it's around 8 to 10.

11          MS. KELLY: So you're talking about  
12          8 to 10,000 on a new car?

13          CHAIR JOSHI: Yeah, on top of the  
14          price of the car.

15          MS. KELLY: And the price of the  
16          car?

17          CHAIR JOSHI: The price of the car  
18          is similar to like a Toyota -- a  
19          minivan.

20          MS. KELLY: So when you talk about  
21          the total cost of the car, there's a big  
22          difference between spending \$10,000  
23          and in some cases --

24          CHAIR JOSHI: -- \$14,000. Yeah, so  
25          you have to add at least 8 to \$10,000,

1 and there's only certain kinds of cars  
2 that can be converted.

3 MS. KELLY: Well, I looked before I  
4 came here today. The best deal I could  
5 find was for \$29,000 for a car. That  
6 was a Toyota, and it had 128,000 miles  
7 on it already. So, you know -- and then  
8 to invest \$14,000 for a retrofit, if  
9 you're putting it on a car that has  
10 already got that kind of mileage, what  
11 are you going to get out of the car?

12 If you're handing the keys to  
13 somebody who has no interest in the car,  
14 as a base owner -- and we can't even get  
15 the drivers in the car --

16 COMMISSIONER MARINO: Which is your  
17 base?

18 MS. KELLY: Kelly's Base. I mean,  
19 I'm sure you've seen our cars parked all  
20 over.

21 COMMISSIONER MARINO: Yes.

22 MS. KELLY: I'm sure you've been to  
23 the Little Neck Train Station. I see  
24 13, 15 cars parked there all added up.  
25 You can see that they're there. We just

1 -- we don't have drivers.

2 CHAIR JOSHI: Okay. We appreciate  
3 -- cause there's definitely a challenge  
4 that we see in taxi -- that we know  
5 about -- getting drivers into accessible  
6 cars. So it would be no different I  
7 suspect in your sector.

8 COMMISSIONER MARINO: Now, I just  
9 want to say, I know you're in my  
10 community, and you've been there a long  
11 time, and you're a small business, and I  
12 personally don't want to see any  
13 businesses like yours go down because of  
14 this or any other rule. It definitely  
15 opens up a conversation that needs to be  
16 had.

17 MS. KELLY: Oh, this could really  
18 negatively -- I mean, we've already lost  
19 25 percent of our business to Uber, so  
20 when I give another 25 away we won't be  
21 able to -- you know, I'm struggling to  
22 pay the bills now. You know, everybody  
23 is in this position. I'm not the only  
24 one.

25 COMMISSIONER MARINO: And you've

1           been in the community a very long time  
2           -- as long as I can remember.

3           MS. KELLY: Over 100 years.

4           COMMISSIONER MARINO: I'm not  
5           100 years old.

6           MS. KELLY: Neither am I.

7           (Laughter.)

8           MR. WILSON: Okay. Thank you.

9           We've next got a number of people  
10          from Disabled in Action, and I ask you  
11          -- so we can all get through -- we'll  
12          take you all at once.

13          I'll read off the names; Clarota  
14          Bailon, Edith Prentiss, David McCauley,  
15          Carr Massi, Jean Ryan, Elizabeth Ramos,  
16          Phil Beder, Trina Rose, William Smith,  
17          and John Gresham.

18          MS. PRENTISS: Jean Ryan, Elizabeth  
19          Ramos, John Gresham. The four of us  
20          will be speaking -- I've submitted  
21          testimony which I'm letting stand.

22          I submitted -- Anthony Trocchia, our  
23          President has submitted his testimony.  
24          His testimony was very sweet in a way.  
25          It talks about his excitement of his two

1 trips by -- through central dispatch of  
2 a yellow taxi.

3 He lives in Williamsburg, and every  
4 time he gets to take a taxi, I get a few  
5 phone calls or emails from him telling  
6 me how wonderful it is instead of the  
7 three buses and the 90 minutes it takes  
8 him to get to Manhattan. It's so  
9 wonderful to call, 15 minutes later  
10 you've got a vehicle, and he only spends  
11 27 minutes in it. So he was very happy.

12 We have number of people as you can  
13 see. Jean Ryan and I are the Vice  
14 Presidents, and one of my concerns is --  
15 I love the way the industry talks about  
16 "You have to talk to us".

17 I got the email asking us to talk to  
18 the Drivers Guild I think on Tuesday.  
19 They want to do this before today. So  
20 it was a no-brainer for me, personally.  
21 They didn't have the time, but we have  
22 spoken to them. We've spent years  
23 speaking to them.

24 We've spoken to owners. We've  
25 spoken to drivers. We've spoken to

1 everyone, and it's just not going  
2 anywhere which is why we pursued the  
3 lawsuit. We got our settlement, and  
4 2020 is going to be a great year,  
5 hopefully, if there are any yellows left  
6 cause half of whatever is going to be  
7 whatever.

8 I do question -- and I will say,  
9 there are lots of trips in New York  
10 City. My trips are all in Manhattan,  
11 and yes, I spend more than 60, and I  
12 would look forward to the day when  
13 Access-A-Ride works with the taxi  
14 industry to -- as many other localities  
15 have -- they use the taxi, and we're  
16 paying the Access-A-Ride rates or a  
17 slightly higher rate. Because, believe  
18 me, \$80 trips from Water Street or from  
19 2 Broadway to Washington Heights are not  
20 in my budget.

21 I'd like to have Jean Ryan.

22 MS. RYAN: I live in Brooklyn.  
23 Obviously, I use a wheelchair, and I'm a  
24 senior. I can't get around in this  
25 city. It is so hard.

1           With Access-A-Ride you know you have  
2           to call the day -- one or two days in  
3           advance before 5 o'clock, and you'd  
4           better not -- you can't change your  
5           plans. You can cancel, but you can't  
6           change them. You can't leave at a  
7           different time. If you're finished two  
8           hours early, three hours early, you're  
9           just sitting there waiting for your  
10          vehicle to show up because you can't --  
11          you're trying to fill in the time  
12          because it's not flexible like car  
13          services are.

14           I haven't always been disabled. I  
15          used to drive. I used to run. I used  
16          to walk. I took the subway for  
17          25 years. We bought our house because  
18          it's near a subway station. When I  
19          became disabled, I couldn't take the  
20          subway anymore. I couldn't drive  
21          anymore. I didn't even know about  
22          Access-A-Ride, and really, it's hardly  
23          worth knowing about except it's the only  
24          option.

25           Now, we have another option in our

1 neighborhood, an express bus that costs  
2 three times as much. But every time I'm  
3 going to take the express bus, which is  
4 12 to 16 blocks from my house, I have to  
5 train the drivers on how to use the  
6 lift. I am not kidding. This is the  
7 MTA. They are not interested in  
8 providing accessible service on their  
9 express buses. It's only Access-A-Ride,  
10 wheeling, and the express bus for me.

11 So when my husband got ill last year  
12 and got transferred suddenly from a  
13 hospital in Brooklyn to a hospital in  
14 Manhattan at night, I couldn't go  
15 because the buses don't run at night.

16 It's really hard getting from one  
17 borough to another for pretty much  
18 everybody cause the subways are like a  
19 spoke to Manhattan. But, even if they  
20 are, I can't get on the subway cause  
21 there's no elevators anywhere near me.

22 So I was like panicked. What do I  
23 do? He's really ill. He's in the  
24 hospital. I can't get to him. I can't  
25 tell them anything about him. I'm home,

1 and he's going to Manhattan by  
2 ambulance.

3 If I had a car service that I could  
4 take -- which I did take, and I even had  
5 an account with a car service because I  
6 took it so much when I was starting to  
7 become disabled before I used wheels --  
8 I'm like stuck, and I'm not the only  
9 one. Everybody is lots of times. This  
10 is what we go through.

11 It's not feasible to have us stuck  
12 in our houses, and it's workable to have  
13 car services become accessible --  
14 actually, I'm for 100 percent  
15 accessibility. Then everybody can ride  
16 in any vehicle, and we wouldn't have to  
17 worry about getting a certain one, or  
18 whether that one is close by, or  
19 whatever. (Applause.)

20 MS. RAMOS: My name is Elizabeth  
21 Ramos, and I want to tell you why I need  
22 a reliable, accessible car service.

23 I'm in a motorized wheelchair. I'm  
24 on oxygen, and I have to take  
25 Access-A-Ride and I cannot take buses or

1           inaccessible subways.

2           I lost my brother in 2013 and how I  
3           hoped to be by his side, but there was  
4           no -- I had no car service or anything  
5           accessible to pick me up. You can't  
6           imagine how frightened I was many times  
7           when my oxygen runs out, and I have to  
8           wait hours. I'm stranded, and then they  
9           pick me up in four or three hours.

10          Oxygen lasts four hours for a tank,  
11          and, of course, in Brooklyn they don't  
12          have accessible cabs. I would like to  
13          call a car service at my own leisure,  
14          and I've had the pleasure of riding in  
15          an accessible car service. I can't tell  
16          you. It was a very emotional day of  
17          joy.

18          Accessible car services are very  
19          much needed in all boroughs for people  
20          like us. Thank you. (Applause.)

21          MR. GRESHAM: Good afternoon. My  
22          name is John Gresham. I'm a member of  
23          DIA. By trade I'm a lawyer, and so I  
24          read the proposal the way a lawyer would  
25          read it, and I have some questions for

1           you.

2           I appreciate that what you're trying  
3           to do is make equivalent service a  
4           reality. That's the core principal.  
5           That's terrific. That has never been  
6           there before. We're trying a new  
7           approach to make that actually live.

8           Here are my questions. It seems to  
9           me that the metric is rides, not cars,  
10          and I suppose the reason for that is  
11          that you can't readily tell when  
12          accessible cars are actually being used,  
13          or hanging out at the garage, or at the  
14          curb, or whatever. And I appreciate  
15          that that's what you're trying to do,  
16          but here's the problem:

17          Even when we get to 25 percent of  
18          the proposal for four years, that's not  
19          going to necessarily produce anything  
20          close to 25 percent of the accessible  
21          vehicles. It will be far less because  
22          you can meet the 25 percent by  
23          transporting anybody for any distance.

24          So if I was transported for  
25          two blocks -- I don't need a wheelchair

1           yet -- that would count, and it's fairly  
2           easy to gain this metric by using the  
3           accessible -- one accessible vehicle for  
4           example -- as your workhorse for all  
5           your short trips that are in a  
6           concentrated area, and there's your 25  
7           percent. It accomplishes rather little.

8           So that's -- my question is, how do  
9           they actually prove on that metric? The  
10          other -- there's a penalty for missing  
11          the percentage of 50 bucks per 100 trips  
12          for the allowable number for a given  
13          year. That's spit. That's not much of  
14          an incentive.

15          The other provision is confusing.  
16          It is -- and I ask you, what does this  
17          actually mean? There's a potential  
18          \$1,000 fine for failing to provide  
19          equivalent service as a requirement, but  
20          I can't tell from reading it whether  
21          that's failing once, failing for a week,  
22          for a month, for a year; for what? It's  
23          unclear what that refers to. Beyond  
24          that, even if it's one, how do you prove  
25          it? It's really a comparison.

1           If it's one, this one rider didn't  
2           get service equivalent to what others  
3           got. Same time, same area, and so  
4           forth. How do you prove that?

5           You have some discovery  
6           possibilities in the oath -- rules of  
7           procedure -- but do you have the people  
8           power to bring those cases, pull out the  
9           documents, assemble the cases and  
10          prosecute them?

11          If it's for a period of time as  
12          opposed to one, that becomes an even  
13          bigger task.

14          CHAIR JOSHI: I think -- we'll take  
15          your questions into consideration --

16          MR. GRESHAM: Okay.

17          CHAIR JOSHI: -- and appreciate the  
18          feedback.

19          MR. GRESHAM: Thank you.

20          MR. WILSON: Thank you.

21          The next speaker is Yannick  
22          Benjamin.

23          UNKNOWN SPEAKER: At the present  
24          time in my life, I still wonder if  
25          reliable accessible taxis were

1 available, would these incidents in my  
2 life like going to the present time  
3 persist -- bringing sadness --

4 In 2006 I had to see my attorney  
5 regarding a legal case. His office was  
6 right in the area that at that time was  
7 known as Ground Zero. I went with my  
8 mom and my home attendant. I didn't  
9 have a motorized wheelchair at that  
10 time. I had to use a manual wheelchair.

11 Access-A-Ride took me there for my  
12 11 o'clock appointment. I was done by  
13 noon, and Access-A-Ride was scheduled to  
14 pick me up at 2 p.m. We stopped at a  
15 piece of property right next to the  
16 attorney's office for a quick lunch, and  
17 at the same time able to keep an eye on  
18 Access-A-Ride. Since it was all glass  
19 windows, we could see all the cars that  
20 stopped in front of those.

21 Mom was anxious to get home because  
22 dad had told her he was not feeling  
23 well; as was I. I was very  
24 uncomfortable; not used to sitting for  
25 over 12 hours in a wheelchair.

1           2 p.m. came; 3 p.m. I called  
2           Access-A-Ride several times and as usual  
3           was given the same old line, "The driver  
4           is on his way". This was at a time that  
5           Access-A-Ride was not equipped with GPS,  
6           and many passengers could not afford to  
7           pay a cell phone.

8           I had to keep going up and down, up  
9           and down the lawyer's office to call  
10          Access-A-Ride.

11          Well, we waited and waited. By  
12          5 p.m. Access-A-Ride was not picking us  
13          up, and the only option we had was to  
14          take a taxi.

15          My home attendant stood on the  
16          street corner trying to hail a cab. All  
17          the yellow cabs soon passed by us,  
18          ignoring our attempts to hail them, but  
19          they would stop at other corners to pick  
20          up able-bodied passengers.

21          Well, we were stuck all day in  
22          Manhattan. We finally got home around  
23          8 p.m. My dad had not been feeling  
24          well. He was alone all day, and when we  
25          arrived he just said he had a terrible

1 headache. The next day, getting ready  
2 around 9 a.m. to see the doctor for the  
3 persistent headache, my beloved dad died  
4 from a massive heart attack. That day  
5 was November 17, 2006.

6 The second incident occurred on  
7 October 23, 2009. I had to pick up my  
8 new motorized wheelchair at NYU.  
9 Excited about getting a brand new  
10 motorized wheelchair, I went to work.

11 I was looking forward in the evening  
12 to celebrating my nephew's birthday with  
13 my older sister Vickie, who was in  
14 remission from cancer, and we were all  
15 looking forward to celebrating his  
16 birthday at the restaurant in Yonkers.

17 It was a restaurant popular for  
18 celebrating birthdays. The staff and  
19 the chef usually use pots and utensils  
20 to sing happy birthday. At that time it  
21 was a lot of fun. We had a reservation  
22 for 7 p.m., but as it turned out, I did  
23 not make it to that reservation because  
24 Access-A-Ride did not want to pick me up  
25 with two wheelchairs.

1           So I had to take the bus, the M15,  
2           and it was already rush hour by then,  
3           and the bus driver also refused to take  
4           me to go back and forth. So I had to  
5           wait, and by that time TLC had the  
6           accessible -- they had installed a newly  
7           accessible dispatch system, and they  
8           were testing it. So at that time I  
9           thought it was going to work; it did not  
10          work.

11          Okay. I called the dispatch system  
12          very confidently thinking they were  
13          going to pick me. They did not. They  
14          never showed up, and when we did the  
15          test, everything went excellent.

16          I'm sorry it's taking a little  
17          longer.

18          Well, I was really thrilled that  
19          there was an accessible dispatch system,  
20          but in real life, it didn't work, and  
21          sometimes it still don't (sic) work.

22          Last week, I needed a cab. I  
23          called; nobody was answering. I was  
24          really thrilled because I thought I no  
25          longer have to stand in the street

1 corner seeing able-bodied people jumping  
2 agilely on the yellow cab while I would  
3 be feeling cold, hungry, and with the  
4 urge for me to relieve myself of my  
5 bodily functions, and most worse of all,  
6 feeling powerless.

7 Well, as it happens, I didn't make  
8 it to the birthday party, and when I  
9 finally was able to take the bus --  
10 which I got home by 9 p.m. -- I cried  
11 all the way home because I had a  
12 dreadful feeling in my heart that I  
13 would no longer have another opportunity  
14 to celebrate another birthday party with  
15 my sister, Vickie.

16 On September 23, 2010 my beloved  
17 sister, Vickie, died from multiple  
18 melanoma.

19 Thank you. I just wanted to share  
20 these because I want to humanize the  
21 disabled community. We have lives too  
22 and not having other choices to be able  
23 to travel makes a difference. I live in  
24 the Bronx. Yellow cabs don't come to  
25 the Bronx.

1 CHAIR JOSHI: Thank you.

2 UNKNOWN SPEAKER: Thank you.

3 (Applause.)

4 MR. WILSON: Thank you.

5 MR. BENJAMIN: Hi. Good afternoon.

6 Thank you very much. My name is Yannick  
7 Benjamin. I work at the University Club  
8 on 1 West 54th Street, and I just want  
9 to talk a little bit about my  
10 experiences, and I just thought -- I'll  
11 make this very quick cause I know there  
12 are a lot of other people who want to  
13 say many great things.

14 And I'm also going to say a couple  
15 of words on behalf of Chuck Close, who  
16 was a great American artist and painter,  
17 and I don't know if you've seen it -- if  
18 you go to Second Avenue, you'll see a  
19 lot of his great work there as well. So  
20 I'll just give you a brief little read  
21 -- statement from him.

22 "It has been too long that people  
23 with disabilities have been left at the  
24 curb by car services in New York City.  
25 Like the general population, we have

1 lives. We work. We have families. A  
2 solution is not impossible. Although  
3 slightly different, London has a  
4 solution with 100 percent wheelchair  
5 accessible taxis. Certainly not easy,  
6 but a solution that shows true  
7 commitment to accessibility, and that's  
8 what we need here with the FHV industry;  
9 a true commitment to accessibility that  
10 requires from all parties".

11 He also mentioned that while he was  
12 working on that, and when he does  
13 projects here in New York City, he has a  
14 very big power chair as well. He does  
15 find challenges, but when he does find  
16 an accessible taxi, it allows him to  
17 complete his task.

18 And on behalf of myself, I will just  
19 say one quick story. About five years I  
20 want to say, I had a regular cab pick me  
21 up, and I am a paraplegic, but I have  
22 the good fortune that I can actually  
23 transfer into a regular taxi, but I no  
24 longer really like to do that because  
25 Commissioner Calise made a very good

1 point. There's always something left  
2 behind.

3 Well, it happened to me. It picked  
4 me up at about 4 in the morning to drop  
5 me off at the New York Public Library  
6 cause I was doing the New York City  
7 Marathon. When I got there, we realized  
8 -- or he realized -- or both of us --  
9 the seat -- this very firm cushion which  
10 prevents me from me having any pressure  
11 sores was left up in the Bronx. That's  
12 where I currently live.

13 And fortunately, I was able to call  
14 my father who's -- now he's 77 -- he was  
15 probably 72 at the time. I said, "Papa  
16 --" -- I talk to him in French. I said,  
17 "You need to go out and hopefully my  
18 seat is in the middle of Walton Avenue".  
19 Fortunately it was. So I still ended up  
20 going to Staten Island with no seat, but  
21 I had my wheelchair.

22 But these are things that do happen,  
23 and there's this aspect of vulnerability  
24 that does happen, and I think that equal  
25 access is super important.

1           Of course, I want to really  
2           emphasize that I think it's also  
3           important that we sympathize with the  
4           drivers of these smaller mom and pop  
5           with wheelchair companies.

6           We do want them to make a very good  
7           living, and by no way do we want to  
8           interfere with that, but I think there  
9           should be a solution -- that there can  
10          be a solution. And I think we have to  
11          make New York City the greatest city,  
12          and the place where people with  
13          disabilities go out the same. That's  
14          all I have to say. Thank you so much.  
15          (Applause.)

16          MR. WILSON: The next speaker is  
17          Andrea Major.

18          MS. MAJOR: Good afternoon -- almost  
19          evening. I'm Andrea Major with Delux  
20          Transportation Services. I've been in  
21          this business since 1973. I know I  
22          don't look that old. I started when I  
23          was two.

24          As a small business owner I've  
25          already been very impacted by the TLC

1 allowing the TNCs to take over with the  
2 60,000 plus vehicles they put into the  
3 city. So our business has definitely  
4 been impacted. I can't compete with the  
5 70 billion dollars that they have behind  
6 them.

7 I do believe that the people with  
8 disabilities deserve much better service  
9 than they're getting now. I've heard  
10 all afternoon about able (sic) ride, and  
11 subways. I didn't know it was as bad as  
12 it is, but I feel that if this new  
13 proposed legislation is passed, and I'm  
14 required to purchase 25 percent more  
15 vehicles that are handicap access -- or  
16 handicapped accessible vehicles -- it  
17 will be a nail in our coffin.

18 We have about 250 people that work  
19 for us now that will be out of work.  
20 This is asking me to purchase two  
21 million dollars in vehicles in the next  
22 four years.

23 CHAIR JOSHI: Let me clarify. The  
24 rule isn't to purchase new vehicles.  
25 It's over the course of four years, and

1 something that I think we're willing to  
2 work -- especially as it affects small  
3 businesses transition -- that you slowly  
4 add more accessible vehicles into your  
5 dispatches, but those don't need to be  
6 vehicles that are affiliated with your  
7 base. They can be vehicles that are  
8 affiliated with any livery or black car  
9 base.

10 MS. MAJOR: So right now -- I  
11 contract with a company that is  
12 wheelchair accessible. So if I get a  
13 call -- and I get about two a year -- I  
14 pay him an annual fee plus the cost of  
15 the rides, and he provides that service.

16 CHAIR JOSHI: Right. So it would  
17 involve using vehicles that are  
18 accessible, maybe like he has available,  
19 or any other base in your regular  
20 dispatch routine starting at a smaller  
21 percentage and growing over time.

22 MS. MAJOR: But if I don't have any  
23 -- I'm a luxury base, so most of mine  
24 are reservations. It's not a demand.

25 CHAIR JOSHI: Okay.

1 MS. MAJOR: I certainly don't -- I  
2 don't have any 15 minute -- I can't get  
3 to anywhere in 15 minutes. So I'm out  
4 of that --

5 CHAIR JOSHI: That's what I was  
6 going to ask you. Are you part of the  
7 coalition, or have you talked to them  
8 about their proposal?

9 MS. MAJOR: No.

10 CHAIR JOSHI: Okay.

11 MS. MAJOR: But I did hear what they  
12 had to say, and this idea that I came up  
13 with on my own is I do know several  
14 people that specialize in handicapped  
15 vehicles. I also know because Uber and  
16 Lyft have come into the industry, a lot  
17 of smaller bases like myself are getting  
18 together to try to provide service like  
19 Uber.

20 So if you were to call me for a  
21 ride, and somebody of an equal luxury  
22 base -- say Jeff -- had a car closer, it  
23 would be one of his cars that would  
24 service you. So we can compete with the  
25 Uber and Lyft.

1 CHAIR JOSHI: That would be  
2 sufficient to -- that would work with  
3 the rule as well.

4 MS. MAJOR: Right. But one of us  
5 has to get these vehicles, correct?

6 CHAIR JOSHI: Yes, but it doesn't  
7 have to be one base. It can be a  
8 consortium of bases using vehicles, and  
9 if the vehicles are utilized a lot, then  
10 they will create a larger percentage of  
11 the trip.

12 MS. MAJOR: Okay. Cause if I -- you  
13 know, I'm not the government, and I'm a  
14 for-profit business. I'm not in this  
15 for fun for 40 something years.  
16 Although, it's great fun.

17 If I had -- if everybody that spoke  
18 today wanted to call me for rides, I  
19 would buy as many cars as they need, if  
20 I could service them.

21 CHAIR JOSHI: Right.

22 MS. MAJOR: But I just have never  
23 been called to do this kind of work.

24 CHAIR JOSHI: And I think that's  
25 part of -- any plan that we put forward

1 has to have a gradual roll-in period,  
2 and part of that roll-in period is  
3 outreach to communities to let people  
4 know that the service is now available  
5 cause that's where the demand comes  
6 from.

7 If people for generations feel there  
8 isn't such a thing as accessible  
9 service, they won't bother calling you.  
10 Once they know that it is available,  
11 you'll see -- we see with accessible  
12 dispatch in Manhattan, the ridership  
13 rose every month. The more people that  
14 know about accessible taxis, the more  
15 people will get.

16 MS. MAJOR: Well, I've seen that --  
17 over the time --

18 CHAIR JOSHI: Yeah. We'll continue  
19 afterwards. I'll be happy to take your  
20 card, and we can meet in the office.

21 MS. MAJOR: We were in the  
22 preliminary stages -- which has now been  
23 running for 10 years -- of a program  
24 called Project Independence -- which is  
25 -- are you familiar with it?

1 CHAIR JOSHI: No, I'm not.

2 MS. MAJOR: So it was originally  
3 state funded, and I'm thinking about  
4 that 600 million -- billion dollars --  
5 but it was originally state funded; now  
6 it's getting federally funded.

7 So what happens is seniors in seven  
8 different towns and communities get to  
9 go grocery shopping for free every month  
10 -- and disabled people -- and anybody  
11 that's over 60 or disabled, and it takes  
12 care of all the people that have  
13 Alzheimer's, and we do all the  
14 transportation for these people.

15 CHAIR JOSHI: Why don't we do this?  
16 Make sure that one of the staff members  
17 gets your contact information cause I  
18 know you said you had some thoughts --

19 MS. MAJOR: Okay.

20 CHAIR JOSHI: -- and you probably  
21 didn't get to flush them out in the  
22 three minutes that we had, and we'll be  
23 happy to talk after the hearing cause I  
24 would love to hear more from your  
25 perspective.

1 MS. MAJOR: Okay.

2 CHAIR JOSHI: Thank you very much.

3 MS. MAJOR: Can we do this at  
4 another time?

5 CHAIR JOSHI: Yeah, just not today.

6 COMMISSIONER CALISE: So I want to  
7 take this opportunity and just talk a  
8 little bit about language with people  
9 with disabilities. What's appropriate  
10 is -- I never take an opportunity to  
11 educate people, and I would like to be  
12 educated myself.

13 So when we're talking about people  
14 with disabilities, use first person  
15 language instead of wheelchair -- person  
16 in a wheelchair.

17 And when we're talking about people  
18 with disabilities, don't use the word  
19 handicapped. It's offensive to people  
20 with disabilities. The best thing to  
21 use in its place is accessible. So that  
22 really helps. Thank you.

23 AUDIENCE MEMBER: And not wheelchair  
24 bound.

25 COMMISSIONER CALISE: Yeah, not

1 wheelchair bound.

2 AUDIENCE MEMBER: We're not bound to  
3 our wheelchairs.

4 COMMISSIONER CALISE: Thank you.

5 MR. WILSON: Thank you.

6 The next speaker is Arthur  
7 Goldstein.

8 MR. POLLACK: Good afternoon  
9 Chairman Joshi and Commissioners. My  
10 name is David Pollack. I'm the  
11 President of the Taxicab Service  
12 Association, known as the TSA; that is  
13 an association of taxi credit unions.

14 We've been talking about this for a  
15 long time. In fact, 20 years ago we had  
16 a solution. We met with some advocates  
17 who are here in the room today actually,  
18 and we had a plan based on each borough.  
19 We were going to fund yellow vans with  
20 meters and roof lights.

21 It was being approved by the first  
22 female Chairman of TLC, Diane  
23 McGrath-McKechnie, and I made a  
24 statement at that meeting. And I said,  
25 "On a rainy Friday night, when I can't

1 get a yellow cab, you will be able to  
2 get a yellow cab". And Frida -- I  
3 remember Frida very well -- I forgot her  
4 last name.

5 AUDIENCE MEMBER: Zane.

6 MR. POLLACK: She said this to me,  
7 "It's not about getting timely  
8 transportation. It's about equality.  
9 This is a civil rights issue". So I  
10 learned a lot about that.

11 Today, we've heard a lot of great  
12 ideas. We have a 25 percent over four  
13 year proposal of rides from bases that  
14 have more (inaudible) -- equality of 50  
15 percent of yellow cabs should be  
16 wheelchair accessible vehicles. So  
17 should FHV's. The FHV's have their  
18 central dispatch. We've heard from  
19 multiple dispatch. We've heard a number  
20 of things.

21 It's -- and I just wanted to  
22 mention, just to go back to the MTA, the  
23 agreement was for 50 percent of the  
24 buses to be wheelchair accessible, but  
25 how do you schedule that? If someone is

1 in a wheelchair -- a person in a  
2 wheelchair -- how do you schedule that?  
3 It's just -- we still need to make it  
4 100 percent accessibility.

5 I don't think I've really realized  
6 until today, in all the years I've been  
7 talking and working on this issue, that  
8 maybe 100 percent accessibility across  
9 the board for all segments might be the  
10 way to go. (Applause.) But I have a  
11 different idea.

12 Okay. It's no secret the disruption  
13 has happened in the yellow taxi  
14 industry, and I've heard surcharges were  
15 mentioned today. Well, you know, Edith  
16 made a comment, if the yellow industry  
17 is here in four years. Ms. Kelly made a  
18 comment; she's hoping she's going to be  
19 around -- small businesses.

20 We need drivers for accessible cabs.  
21 There are over 800 medallions in  
22 storage. Most of them -- I would  
23 imagine -- are accessible medallions  
24 that aren't on the street servicing the  
25 public.

1           There are accessible yellow cabs not  
2           being driven by drivers because simply,  
3           they can go somewhere else and drive a  
4           hybrid or a non-accessible car.

5           So what about a surcharge for the  
6           out-base numbers; for the other segments  
7           of the industry; that goes into the  
8           yellow Tiff Plan.

9           Drivers will come back, and even if  
10          it's more than 50 percent for the yellow  
11          taxi -- a lot more -- to cover what's  
12          needed, to take on the Access-A-Rides,  
13          to go to the Bronx so people can get  
14          wheelchair accessible vehicles. This  
15          will provide instead of 50 cents per  
16          ride for the driver -- more for the  
17          driver and give them incentive to drive  
18          wheelchair accessible vehicles.

19          Equal and exact justice for all. I  
20          read that Monday. It's on the ceiling  
21          of the New York City Council room  
22          written by Thomas Jefferson.

23          MR. GOLDSTEIN: Just a couple of  
24          comments. Arthur Goldstein, counsel to  
25          the TNC.

1           So what David is proposing is what's  
2           being proposed here with some tweaks,  
3           particularly with one of the last  
4           speakers raising some interesting points  
5           that you'll have to address I think.

6           Your proposal plus the surcharge is  
7           probably the way to go. We actually  
8           drafted a bill that is sitting in  
9           councilmen's office now with,  
10          interestingly enough, many of the people  
11          who were standing in the industry  
12          coalition earlier. Uber wasn't there.

13          And that bill is really the answer,  
14          I think. It's calling for 50 percent of  
15          app-based companies that do at least 85  
16          percent of their business by apps --  
17          that's essentially the companies that  
18          are e-hailing today -- because a person  
19          who is in a wheelchair needs some really  
20          good odds of getting an accessible  
21          vehicle. And it's supposed to be 50  
22          percent with the yellows.

23          Right now, we're not getting there.  
24          We know we're not getting there because  
25          we don't have the drivers. So the

1 sentiment is there, but I don't know how  
2 long the sentiment will have any meaning  
3 whatsoever.

4 So the answer is, those who are  
5 doing the equivalent service of -- you  
6 know -- 7,000 vehicles, if we were  
7 lucky, out of 14,000 -- 66,000 vehicles  
8 doing the same thing, get 50 percent of  
9 those to do it.

10 And I actually leave out -- you  
11 know, the reason we had some of the car  
12 services -- you know, the bigger ones  
13 with us in our coalition -- which by the  
14 way, didn't officially break up yet --  
15 this bill that I'm talking about.

16 So on this bill, they're right  
17 because at some point they believe  
18 they're going to get there. So they're  
19 going to have to spend money on these  
20 vehicles as well. But their business is  
21 probably pre-arrangement. And so  
22 they're servicing customers through the  
23 rest of the TLC regulations providing  
24 the responsive accessible vehicles.

25 So the ones we have to worry about

1 getting the numbers dramatically up over  
2 a period of time is the e-hails. And  
3 this bill does it, and it protects the  
4 local car services -- there's a  
5 particular cutout in this bill.

6 And we met with member of the apps  
7 -- some of which are in this room today  
8 -- and could get them to jump on board  
9 with our little carve out for the local  
10 car services, but they won't survive it  
11 cause they just can't afford it.

12 But the bill I just described for  
13 you actually works politically in the  
14 City Council. If I just were to write  
15 in 50 percent across the board, I'd have  
16 no coalition, and I'd have no City  
17 Council.

18 So in asking, I'm going to send your  
19 office a copy of the bill, and that is  
20 the real answer that would get you 30  
21 somewhat thousand vehicles over a period  
22 of time. Thank you.

23 CHAIR JOSHI: Thank you.

24 COMMISSIONER MARINO: Can I just --  
25 just to clarify, you're saying instead

1 of the bill that we -- instead of the  
2 rules that we have proposed, rules that  
3 just apply to app -- that companies that  
4 have 85 percent of their business comes  
5 from apps -- like the app e-hail -- and  
6 leave the mom and pop -- so to speak --  
7 car services alone --

8 MR. GOLDSTEIN: And a little behind  
9 the scenes -- inside baseball -- that  
10 number had shifted because the smaller  
11 car services at one point were 75  
12 percent, and I had the leader saying 75  
13 percent --

14 COMMISSIONER MARINO: 75 percent of  
15 what?

16 MR. GOLDSTEIN: The 85 percent  
17 number was a little lower cause we had  
18 to define what the app companies were.

19 So when the number was lower, I kind  
20 of had the leadership's mindset that,  
21 "Yeah, we can go with this", but he to  
22 check with his membership. And he came  
23 back and said, "It has to be higher",  
24 cause they believe they're going to get  
25 there. They're going to fall under this

1 definition.

2 CHAIR JOSHI: Why don't you send us  
3 a copy of the bill, and we'll be happy  
4 to --

5 MR. GOLDSTEIN: Thank you.

6 COMMISSIONER MARINO: Thank you.

7 MR. WILSON: Thank you.

8 The next speaker is Steven Shenker.

9 MR. SHENKER: Good afternoon Madam  
10 Chair, Mr. Wilson, may it please the  
11 Commission -- my name is Steve Shenker,  
12 and I am the General Counsel for the New  
13 York Independent Livery Driver Benefit  
14 Fund.

15 I'd like to raise an issue that  
16 hasn't been spoken about today, and I'm  
17 not quite sure that the Commission has  
18 taken it into consideration.

19 The Commission's plan proposes to  
20 relax the cross-dispatch prohibition  
21 allowing livery bases to dispatch to  
22 black car wheelchair accessible vehicles  
23 and black car bases to dispatch to  
24 wheelchair accessible liveries.

25 The end that TLC seeks relies in

1 large part on permitting cross-dispatch  
2 and in fact encourages cross-dispatch.  
3 And while the TLC attempts to find a  
4 means to provide greater wheelchair  
5 accessibility, which is surely  
6 motivating a broad social concern, it  
7 doesn't take into consideration another  
8 social concern and another public policy  
9 consideration that has already been  
10 resolved by the New York State  
11 legislator.

12 Article 6G of the New York State  
13 Executive Law, a/k/a the Livery Fund  
14 Law, resolved an important social and  
15 policy consideration many years ago; the  
16 Workers' Comp coverage for livery  
17 drivers and the responsibilities under  
18 the law of the livery bases.

19 I can state that as a matter of law,  
20 the livery fund will not cover a livery  
21 driver who operates a wheelchair  
22 accessible vehicle when the dispatch  
23 comes from a black car base.

24 CHAIR JOSHI: Just to clarify, it's  
25 not Workers' Comp that the livery fund

1 provides. What are the circumstances  
2 under which you would get paid out for a  
3 claim in the livery fund?

4 MR. SHENKER: Death, dismemberment,  
5 total loss of function of body part, and  
6 injury committed during the commission  
7 of a crime, a/k/a catastrophic --

8 CHAIR JOSHI: But anything less than  
9 that, you get no coverage under the  
10 livery fund?

11 MR. SHENKER: Under -- you get  
12 coverage from No-Fault for  
13 non-catastrophic --

14 CHAIR JOSHI: But it's not regular  
15 Workers' Comp?

16 MR. SHENKER: It's regular Workers'  
17 Comp when you --

18 CHAIR JOSHI: When it's  
19 catastrophic?

20 MR. SHENKER: Or an injury committed  
21 in the commission of a crime.

22 CHAIR JOSHI: Okay.

23 MR. SHENKER: So under those  
24 circumstances there would be no coverage  
25 for the livery driver. The driver would

1 not be able to obtain compensation, and  
2 the base would be out of compliance with  
3 the law by sending a cross-dispatch.

4 Allowing cross-dispatches ignores  
5 the Workers' Comp coverage issues and  
6 exposes the livery driver to the lack of  
7 coverage, and the livery base to being  
8 out of compliance with the Executive  
9 Law.

10 This issue has not been addressed by  
11 anybody. I've not heard one person  
12 testify about it, and I have not seen  
13 one scintilla of piece of evidence to  
14 indicate that it's even been considered.  
15 But this certainly is a matter that the  
16 New York State legislator has resolved.

17 I worked very hard over a number of  
18 years to get the Livery Fund Bill  
19 passed, and I work very hard currently  
20 to ensure that livery drivers obtain  
21 compensation under the law, and that  
22 livery bases remain compliant with the  
23 law.

24 This rule, as it's currently  
25 constituted, encourages cross-dispatch.

1 In fact, I don't see how the rule could  
2 work unless cross-dispatch is actively  
3 engaged. And under those circumstances,  
4 it's encouragement for the bases to  
5 violate the law.

6 On the other hand, from what I  
7 understand about the coalition's  
8 proposed solution, it seems to address  
9 the issue of providing wheelchair  
10 accessible vehicle service while not  
11 placing the driver at the risk of not  
12 having coverage, nor the base being out  
13 of coverage, or not being in compliance  
14 with the law.

15 As counsel to the fund, I have no  
16 financial interest in this matter  
17 whatsoever. It's not a matter of the  
18 fund protesting the cost, or the fund  
19 seeking or not seeking greater  
20 wheelchair accessible vehicle service,  
21 or modifying the business model of any  
22 business or any sector of the industry.  
23 But I do have an interest in making sure  
24 that the livery bases comply with the  
25 law, and livery drivers are provided

1 with the compensation they're entitled  
2 too.

3 And I would respectfully contend  
4 that this rule encourages and in fact  
5 relies upon a violation of law, and that  
6 in and of itself, may be violative (sic)  
7 of the law.

8 CHAIR JOSHI: Thank you.

9 MR. SHENKER: Thank you.

10 MR. WILSON: Thank you.

11 The next speaker is Osman  
12 Choudhury.

13 MR. CHOUDHURY: Hello. Good  
14 afternoon. My name is Osman Choudhury.  
15 I am a taxi driver. I've been here  
16 before to testify -- (inaudible) I've  
17 been driving the last 20 years. That's  
18 going to make me kill my back because of  
19 the -- (inaudible) -- that making --  
20 (inaudible) -- my back lift fracture  
21 four month -- (inaudible) -- Commission  
22 last -- (inaudible) -- I have a lot of  
23 friends who have suffer the spine  
24 problem because the car is too low and  
25 not enough room.

1           Now, I can testify -- (inaudible)  
2           -- 25 percent -- (inaudible) -- livery  
3           cab -- (inaudible) -- but drive in cab  
4           -- (inaudible) -- figure out --  
5           (inaudible) -- make money. Probably see  
6           the garage, they're all sitting there --  
7           (inaudible) -- New York City --  
8           (inaudible) -- small retail car --  
9           (inaudible) --

10           Thank you very much. Also, another  
11           thing -- (inaudible) -- 2007 and 2008 --  
12           (inaudible) -- thank you very much.

13           CHAIR JOSHI: Thank you.

14           MR. WILSON: Thank you.

15           First, somebody lost their glasses.  
16           And the next speaker is Lucille Weiss.

17           (No response.)

18           MR. WILSON: Gary Farberov.

19           MR. FARBEROV: Good afternoon  
20           Commissioner Joshi, Commissioners, Mr.  
21           Calise, nice to see you. Thank you for  
22           letting me testify.

23           I've stood in front of you many  
24           times. My only concern is obviously the  
25           wheelchair accessible transportation for

1 the SHL.

2 Last time we were here, we were  
3 arguing about how many cars were on the  
4 road. We know now that there are almost  
5 no wheelchair accessible vehicles on the  
6 road without SHLs. That number is going  
7 to continue to drop. Eventually,  
8 there's going to be no wheelchair  
9 accessible taxis.

10 AUDIENCE MEMBER: Why?

11 MR. FABEROV: Because there are no  
12 drivers who are willing to get into that  
13 car.

14 Unfortunately, the reason for that  
15 is very evident. We have way too many  
16 vehicles in the city. We don't have any  
17 more drivers to drive all those cars.  
18 So we prefer to get into a regular car  
19 instead of a wheelchair accessible car.

20 We haven't found a way to  
21 incentivize those drivers who want to  
22 take those cars.

23 So, while this is a great  
24 proposal -- in theory it is a great plan  
25 to incentivize drivers to get into a

1 wheelchair accessible vehicle, the same  
2 thing is going to be a lot more work for  
3 them -- when in reality, it has got a  
4 lot of flaws because we haven't thought  
5 through how we're going to get those  
6 drivers. What are we going to offer the  
7 drivers?

8 People are going to think if more  
9 people drive the wheelchair cabs, it  
10 will be more work than the regular cars.  
11 And the enforcement of this rule is  
12 going to be virtually impossible because  
13 like it was said before, there's 100  
14 ways to get around this rule, and people  
15 are going to try to do everything  
16 possible to get around it.

17 On the other hand, I do want to say  
18 one more thing about it. The proposal  
19 that the coalition mentioned today, it's  
20 asinine. It is completely asinine.  
21 People want equality. How could you  
22 mention the word equality when we're  
23 trying to create a separate service for  
24 them?

25 Now, you're trying to let people who

1 have been adamantly against providing  
2 accessible transportation for many years  
3 -- and they've been adamant about it --  
4 and now you're trying to give them the  
5 key to the transportation. It's like  
6 giving the wolf the keys to the  
7 henhouse. That's exactly what they're  
8 proposing. I don't think their proposal  
9 holds any water, and I don't they're  
10 going to implement it any better than  
11 the TLC will.

12 Now, yes, 25 percent is a great  
13 start, but it can't end there, until all  
14 the cars are wheelchair accessible; 100  
15 percent of them. And we know how many  
16 cars we have in the city now thanks to  
17 Uber and Lyft. Okay. That's over  
18 50,000, 60,000, 70,000. The numbers are  
19 not going to stop. We're adding numbers  
20 at an alarming rate.

21 We're adding drivers at an alarming  
22 rate, yet we cannot find drivers for  
23 wheelchair accessible cabs. Driving  
24 around the city, especially Brooklyn,  
25 Queens, and Bronx, you see countless

1 parking lots with hundreds of wheelchair  
2 accessible vehicles staying in a parking  
3 lots. Unfortunately, we don't have  
4 self-driving cars yet.

5 And this bill will help solve some  
6 of the problems, but in no way, shape,  
7 or form is it going to come close to  
8 solving the problem. If we're going to  
9 tackle this issue, we have to use the  
10 word equality and go after what it  
11 means. That means equal service for  
12 everybody.

13 That means 100 percent of cabs,  
14 green or yellow, have to be wheelchair  
15 accessible. Whatever Uber, Lyft, and  
16 all the other e-hail companies want to  
17 do, that's their prerogative, but this  
18 city is built and founded on taxis; not  
19 e-hail companies, but New York City  
20 taxis. Okay.

21 The whole premise of the SHL when  
22 they brought in green taxis was what?  
23 20 percent of all vehicles have to be  
24 wheelchair accessible. Where are we  
25 now? At one point my company operated

1 and managed 1,100 wheelchair accessible  
2 vehicles. We're down to 40 because we  
3 cannot have drivers.

4 So, like -- I implore you, please,  
5 it's not good enough just to pass this  
6 rule -- which we must pass -- but once  
7 it's passed, you have to really look at  
8 how to make it happen. Compelling the  
9 bases to pay MTA taxes is not ethical.  
10 That's number one. Providing Workers'  
11 Compensation for drivers who are not  
12 working for them, that's not ethical  
13 also. Those things have to --

14 We talked about this many times.  
15 Unless we change those things, it's not  
16 going to be possible to fill the jobs.

17 CHAIR JOSHI: Thank you very much.  
18 We appreciate you coming today to  
19 testify.

20 MR. FARBEROV: Thank you.

21 MR. WILSON: Thank you.

22 And the next speaker is Ed Friedman.

23 MR. FRIEDMAN: I submitted written  
24 testimony, so I wanted to take this time  
25 to talk about the proposal that the

1 coalition proposed.

2 So equal service to me means that if  
3 my able-bodied peer can get an Uber in  
4 three minutes, that means I should be  
5 able to get an Uber in three minutes if  
6 I was in wheelchair. And I recognize  
7 that we're not there yet, but the only  
8 way that we can do that is by putting  
9 more cars on the road and at the ready.

10 Now, this proposal that is proposed,  
11 I commend you for doing that because  
12 it's a good first step to making that  
13 happen.

14 I want to comment on the coalition's  
15 proposal and the accessible dispatch  
16 proposal. I think Commissioner Calise  
17 makes a good point about the type of  
18 vehicles that they're offering. If I  
19 want a black car, I can call a for-hire  
20 vehicle. If I want a yellow cab, I can  
21 call accessible dispatch.

22 So what they're proposing to propose  
23 -- to group the yellow cabs together and  
24 send those cabs -- if I want a yellow  
25 cab, I'm going to call accessible

1           dispatch. The reason why I want to call  
2           Uber is because I want a black car like  
3           everyone else.

4           Imagine what would happen if Uber  
5           would start giving yellow cabs to people  
6           who are able-bodied. That's not their  
7           business model. They shouldn't be  
8           offering us a yellow cab. They should  
9           be offering us black cars like everybody  
10          else.

11          I think that's an important first  
12          step in making sure that we get  
13          accessible services by making sure that  
14          cars are on the road and at the ready  
15          for people with disabilities. Your  
16          proposal is a good first step in doing  
17          that, so I commend you for that, and I  
18          implore you pass it. Thank you.

19          (Applause.)

20          CHAIR JOSHI: Thank you.

21          MR. FRIEDMAN: One more comment --  
22          I'm sorry. I forgot. The 15 minute  
23          average that you're proposing is an  
24          average of 15 minutes, which means that  
25          the wait time can be 30 minutes for one

1 car and five minutes for the other car,  
2 as long it's an average of 15 minutes.  
3 That's not equivalent service.

4 That means that I still don't know  
5 when I'm getting my car. It's going to  
6 be an average of 15 minutes, which means  
7 one trip can be five minutes, the other  
8 trip can be 30 minutes as long as it  
9 averages out to be 15. So that's not  
10 equivalent service. And I would implore  
11 you reject the proposal and stick with  
12 yours. Thank you.

13 CHAIR JOSHI: Thank you.

14 MR. WILSON: Thank you.

15 The next speaker is (inaudible).

16 (No response.)

17 MR. WILSON: No? The next speaker  
18 is David Donner (phonetic).

19 (No response.)

20 MR. WILSON: Okay. How about  
21 Arianny Ramirez?

22 MS. RAMIREZ: Hello. My name is  
23 Arianny Ramirez, and I am a native New  
24 Yorker, and just one of the thousand  
25 people living in New York City with a

1           disability.

2           I have been disabled for more than  
3           15 years, and I can see that  
4           transportation is one of the biggest  
5           challenges that I face on a daily basis.  
6           Passing this rule will significantly  
7           change my quality of life and the life  
8           of so many people living with  
9           disabilities.

10          I live in the Bronx and commute to  
11          the financial district for work every  
12          day. If I need a taxi, or in case of an  
13          emergency -- if I need to call a taxi in  
14          case of an emergency, it is impossible  
15          to find a yellow accessible taxi in the  
16          outer boroughs.

17          Imagine having an emergency and not  
18          being able to get where you need to be  
19          just because that option is not  
20          available to you. Imagine missing out  
21          on social events and family moments  
22          because there is no way for you to get  
23          there.

24          As a young person and a contributing  
25          member of society I ask, is this fair?

1           Would you be okay with this? Why is it  
2           okay for thousands of people living with  
3           disabilities?

4           As for the previous comment about  
5           folding wheelchairs, I have had numerous  
6           occasions where my wheelchair was  
7           damaged in the trunk of a taxi, and  
8           there are so many people in manual  
9           wheelchairs that cannot transfer easily  
10          in and out of a regular taxi. This is  
11          not a reliable solution.

12          I understand the issues that the  
13          for-hire taxi employees are bringing up  
14          today, as my father is also a taxi  
15          driver, but there are solutions that can  
16          be put in place, such as not letting the  
17          cost of these new changes be put upon  
18          the drivers alone.

19          Lastly, I want to emphasize,  
20          throughout history the changes that have  
21          been implemented on civil rights have  
22          happened because the government has  
23          passed these rules and laws. Private  
24          companies won't make these changes out  
25          of the kindness of their hearts or

1           because they care about the equal rights  
2           of every person. If this was the case,  
3           they would have heard our voices and  
4           would have made these changes already.

5           So I urge the TLC to please pass  
6           these rules and to be the leaders in the  
7           change that every disabled New Yorker  
8           deserves. Thank you. (Applause.)

9           COMMISSIONER MARINO: Your dad is a  
10          driver?

11          MS. RAMIREZ: Yes.

12          COMMISSIONER MARINO: And who does  
13          he work with?

14          MS. RAMIREZ: It's for a service in  
15          the Bronx, so a local --

16          COMMISSIONER MARINO: A local car  
17          service?

18          MS. RAMIREZ: Yeah.

19          COMMISSIONER MARINO: So he has a  
20          different perspective on this?

21          MS. RAMIREZ: He does, and he  
22          understands, obviously, my point of  
23          view, and what he says is that if the  
24          costs of these new changes can be put  
25          upon the companies and not just the

1 drivers, that most of the drivers won't  
2 have an issue getting these rules  
3 implemented.

4 COMMISSIONER MARINO: Thank you very  
5 much.

6 MS. RAMIREZ: You're welcome.

7 MR. WILSON: Thank you.

8 The next speaker is Shafquat  
9 Chaudhury.

10 MR. CHAUDHURY: Good afternoon  
11 Commissioners. Shafquat Chaudhury; I'm  
12 an associate of Elite Limousine. We  
13 have about 500 cars.

14 I started in this industry a long  
15 time back -- 1973 -- when I started  
16 driving a taxi -- so I drive a taxi and  
17 I am broker -- broker for black car  
18 company.

19 I believe I understand quite a bit  
20 of the industry. I am not saying I know  
21 everything. I have not been involved in  
22 the accessibility -- that's the only  
23 lack of knowledge I have -- but I  
24 believe I would like to point out some  
25 differences people have mentioned here

1 -- (inaudible) -- with taxis --  
2 (inaudible) -- 100 percent --  
3 (inaudible) -- one kind of vehicle with  
4 their design, but it can accommodate the  
5 vehicles which is great.

6 I think we should have a solution  
7 like that, and not all different -- all  
8 different kind of vehicles, so you  
9 really can have a uniform system.

10 And also when we talk about --  
11 (inaudible) -- we -- (inaudible) -- so  
12 there's no restriction on the for-hire  
13 vehicles because -- (inaudible) -- I  
14 don't think that requirement you can do  
15 on the taxi are needed for the for-hire  
16 vehicles.

17 First of all, we have vehicles  
18 ranging from -- (inaudible) -- to  
19 Lincolns, and different kinds of  
20 vehicles to SUV to stretch limos, and  
21 people call for the car they need.  
22 There are different prices. They're not  
23 uniform prices. The kind of service you  
24 want -- (inaudible) -- hourly -- the  
25 airport -- we set the rates; the city

1 doesn't set the rates.

2 And as far as the services --  
3 (inaudible) -- I don't think I can  
4 provide to my customers now. Okay. So  
5 putting a car -- (inaudible) -- 15  
6 minutes is not possible -- (inaudible)  
7 -- 15 minutes, half hour, one hour --  
8 it's raining -- we don't have a car.

9 So, putting those requirements on  
10 the for-hire vehicles -- for the FHV  
11 industry is totally unfair. I have no  
12 issue with the requirements and needs  
13 for people that -- you know -- who need  
14 access. I understand we should provide  
15 it, but I think a solution --  
16 (inaudible) -- been provided is not  
17 right.

18 I think we need a lot more research  
19 -- (inaudible) -- we need to what  
20 (inaudible) and then come to a solution.  
21 Here we are trying to -- you know, we  
22 are spending 600 million dollars on  
23 Access-A-Ride and trying to jam a  
24 solution through the throats of the  
25 industry -- (inaudible) -- solution can

1 be provided.

2 If -- (inaudible) -- solution --  
3 (inaudible) -- not 600 million, 300  
4 million, 400 million -- I can guarantee  
5 I do not arrive in 15 minutes --  
6 (inaudible) -- analysis -- (inaudible)  
7 -- solution and not -- (inaudible) --  
8 requirement 25 percent -- (inaudible) --  
9 will not solve a solution.

10 CHAIR JOSHI: Can I ask you one  
11 question? Are you a part of the  
12 coalition that presented a proposal  
13 earlier today?

14 MR. CHAUDHURY: I really have not  
15 looked at it -- (inaudible) -- I'm part  
16 of -- (inaudible) -- (inaudible) -- I  
17 believe a different variation of their  
18 idea may work -- (inaudible) -- solution  
19 -- I have (inaudible).

20 CHAIR JOSHI: I just had that one  
21 question, and then another question.  
22 Have you been contacted by the coalition  
23 about the presentation?

24 MR. CHAUDHURY: I've been contacted,  
25 but I haven't -- you know -- (inaudible)

1 -- in bits and pieces, not fully. But I  
2 do plan to engage with them -- maybe  
3 improve their solution because there are  
4 a number of variations -- (inaudible).

5 CHAIR JOSHI: Only because we're  
6 pressed for time, and there's still lots  
7 of people to talk, but we'd love to hear  
8 the rest of the ideas that you have  
9 afterwards. You're welcome to take a  
10 card from a staff member and contact our  
11 office.

12 MR. CHAUDHURY: Sure.

13 CHAIR JOSHI: Thank you.

14 MR. CHAUDHURY: Thank you.

15 MR. WILSON: Thank you.

16 And the next speaker is George  
17 Laszlo.

18 MR. LASZLO: George Laszlo. I'm  
19 from the Taxi and Limousine Research  
20 Center. First, thank you all for doing  
21 this and for hanging in this long. I  
22 wish that a lot more people would have  
23 stayed through this whole thing.

24 I'd like to make a comment first,  
25 not just to you, but the entire audience

1 here, and I've been attending your open  
2 hearings for a long time now -- I  
3 actually haven't been here in about a  
4 year -- which I won't go into why -- but  
5 I think it's important for people to  
6 know, if you are here for the first time  
7 maybe, that there are other issues to  
8 discuss that have the same level of  
9 emotion and concerns when you get into  
10 the discussions that went on.

11 We heard lots of stories, for  
12 example, when the rate height issue came  
13 up. Should it go up; should it not go  
14 up? We heard a lot from drivers at the  
15 time about their life conditions, their  
16 ability to make a living or not as it  
17 were, which has gotten worse.

18 So I would like to ask those in the  
19 audience that if you can actually turn  
20 out for more of these meetings, you'll  
21 get a better feel for how this whole  
22 industry operates. You are all in a  
23 position to come up with better  
24 solutions, which leads to my suggestion.

25 First, I should say that I'm against

1           this particular proposal that you have  
2           on the table. I think there's a lot of  
3           reasons. I would like to go back to two  
4           people who talked earlier.

5           Bruce Schaller, who I think all of  
6           you know in the agency and independent  
7           consultant in a way for a long, long  
8           time. He made some very important  
9           points including the impact of what  
10          you're about to do on the FHV side to  
11          the yellow cabs. A lot of other people  
12          came up later and talked about that as  
13          well.

14          But the second person I'd like to  
15          mention is -- and I know you know who I  
16          mean -- I didn't catch his name -- but  
17          it was a gentleman who was speaking in  
18          Spanish representing the drivers and had  
19          a translator. So in this case, I'm  
20          happy that he was speaking Spanish and  
21          not English because otherwise I wouldn't  
22          be able to even remember who he was.

23                  CHAIR JOSHI: I know who he is.  
24          Pedro Aguiar.

25                  MR. LASZLO: I meant the audience in

1           general.

2           And I think that the concerns that  
3           he expressed are important because it  
4           shows that this is a multi-dimensional  
5           problem, and you can't just do what  
6           you're proposing to do because it will  
7           have lots of consequences on everybody  
8           else in this industry, and I don't think  
9           you've studied it closely enough to be  
10          basically making it work.

11          And I would say to the people that  
12          are here today in their wheelchairs that  
13          they're going to be back here 12 months  
14          from now -- 24 months from now -- 36  
15          months from now -- if you actually pass  
16          this the way it is.

17          You really need to go back, look at  
18          this holistically (sic) -- I hate using  
19          that word -- I've used it with you  
20          before -- but you haven't done that job.  
21          You really need to look across everyone  
22          in this industry and look at the impact  
23          it will have on them.

24          For example, you mentioned the woman  
25          who's serving the community with her car

1           company. There's a tremendous fallout  
2           from what you're about to do, and it's  
3           not enough to just come up with the idea  
4           that, yes, we need to have more  
5           accessible vehicles.

6           CHAIR JOSHI: You know that you  
7           spoke about all the ranges of issues  
8           that are brought up in our meetings, and  
9           we propose rules and have meetings for  
10          that very purpose. So that  
11          Commissioners can get the benefit of  
12          those.

13          So we're not, you know, putting  
14          rules into action today. We proposed  
15          something. We'll take it into  
16          consideration, and I'm sure there will  
17          be amendments, clarifications, and  
18          changes because we do pay attention to  
19          what is said here, and that's why we do  
20          hearings and spend a lot of time  
21          listening to the public.

22          MR. LASZLO: No, I appreciate that.  
23          But I would like to suggest that as  
24          you're doing that, that you potentially  
25          take a look at other completely

1 different proposals, not this one.

2 In other words, don't just look at  
3 it and go, well, start at 20 percent and  
4 go to 50 percent.

5 CHAIR JOSHI: So if you have some  
6 other proposals, we'd be happy to hear  
7 them. But in the interest of time,  
8 because we've got to move on to  
9 everybody, would you mind taking our  
10 information and contacting us  
11 afterwards --

12 MR. LASZLO: Absolutely.

13 CHAIR JOSHI: -- and that way you  
14 can share that with us.

15 MR. LASZLO: Very good.

16 CHAIR JOSHI: Thank you very much.  
17 We appreciate it.

18 MR. WILSON: Thank you.

19 The next speaker is Ruth Lowenkron.

20 MS. LOWENKRON: Thank you. If it's  
21 okay with you, my colleague is coming up  
22 from the New York Lawyers for the Public  
23 Interest as well to save some time, and  
24 another colleague of mine is not able to  
25 -- who signed up -- so you can cross him

1 off -- Justin Wood -- and I'll mention  
2 what he said.

3 I just want to tell you briefly, my  
4 name is Ruth Lowenkron. I'm the  
5 Director of the Disability Justice  
6 Program at New York Lawyers for the  
7 Public Interest. This is my colleague,  
8 Eman Rimawi. She is the Access-A-Ride  
9 organizer in our office.

10 My office is part of a nascent  
11 coalition called the Access-A-Ride  
12 Reform Group known as AARRG. There are  
13 some members in the audience to hit home  
14 on that one, and that coalition is made  
15 up of not only of New York lawyers, but  
16 Brooklyn Center for the Independence of  
17 the Disabled, from who you heard.

18 CIDNY, the Center for the  
19 Independence of the Disabled from New  
20 York, which unfortunately could not be  
21 here, and MFJ Legal Services,  
22 Mobilization for Justice Legal Services,  
23 who was here this morning but could not  
24 come back --

25 And we are very concerned about the

1 accessibility of all the vehicles here,  
2 and I just want to say before I let Eman  
3 Rimawi give you the testimony for the  
4 AARRG Coalition -- I just want to  
5 underscore that we are very supportive  
6 of the proposal as a starting place, but  
7 we think more needs to happen, and  
8 that's what Eman is going to tell you  
9 about.

10 And then I'll say just a few words  
11 that my other colleague was going to  
12 say, if I may, afterwards.

13 MS. RIMAWI: Thank you for sitting  
14 here all day with us. We appreciate it.

15 Like Ruth said, my name is Eman  
16 Rimawi. I work at the New York Lawyers  
17 for Public Interest.

18 AARRG, Access-A-Ride Reform Group,  
19 strongly supports the TLC's proposed  
20 rule, which is the necessary first step  
21 to protecting the civil rights of people  
22 with disabilities who reside in and  
23 visit New York City.

24 While federal, state, and local  
25 non-discrimination laws clearly mandate

1           that government services be accessible  
2           to persons with disabilities, most of  
3           New York City's mass transit is wholly  
4           inaccessible to many persons with  
5           disabilities, and to most persons with  
6           mobility impairments. This must be  
7           remedied immediately.

8           As the TLC regulations have long  
9           mandated, persons with disabilities must  
10          be afforded equivalent service to the  
11          riders have who do not have disabilities  
12          receive, including equivalent response  
13          times, equivalent rider readability, and  
14          equivalent reservation opportunities  
15          such as on-demand service.

16          In order to ensure that the civil  
17          rights of persons with disabilities are  
18          not violated, TLC should mandate 100  
19          percent ride accessibility. With any  
20          less, persons with disabilities, unlike  
21          persons who do not have disabilities,  
22          face the possibility of not receiving a  
23          for-hire vehicle service. And while  
24          working towards 100 percent rider  
25          accessibility, the TLC should start with

1 more robust mandates that are far  
2 greater than the proposed 25 percent,  
3 and achieve in far fewer than the  
4 proposed four years.

5 In addition, we urge the TLC to add  
6 a provision to the for-hire vehicle rule  
7 which would mandate a review of the  
8 mandated percentages once it is  
9 achieved, so that a determination can be  
10 made if the percentage is in fact  
11 meeting the demand, and if not, will be  
12 increased.

13 Also, we urge the TLC to increase  
14 fines for violations of the proposed  
15 regulations given past experiences with  
16 owners preferring to pay more fines than  
17 accessible vehicles.

18 AARRG is concerned that allowing the  
19 base owners to dispatch vehicles that  
20 are not affiliated with their bases will  
21 still receive credits towards mandated  
22 accessible ride percentages and will  
23 greatly reduce the number of accessible  
24 vehicles, and therefore, rider  
25 availability.

1           In addition, if base owners can pass  
2           the responsibility off to others while  
3           still receiving the credits for  
4           complying with the accessible mandate,  
5           are they also passing off their  
6           liability for such demands?

7           Most critically, the TLC must flush  
8           out the statement and the preambles to  
9           the proposed rules that the TLC will  
10          publicly report actual response times.  
11          We urge the TLC to specify in the rules  
12          themselves how it will in fact review  
13          and report on response times, number of  
14          trips, and number of trips made in an  
15          accessible vehicle.

16          The TLC must put in place a scheme  
17          similar to the one in place for the  
18          yellow taxis by incentivizing (sic) the  
19          for-hire vehicle industry, including the  
20          industry's often financial struggling  
21          drivers to provide accessible service.

22          Relatedly, AARRG proposes balancing  
23          the equities among the industries by  
24          ensuring that the for-hire vehicles pay  
25          their fair share to provide mass transit

1 and paratransit for all New Yorkers.

2 Currently, yellow and green cab  
3 fares include a 50 percent --

4 CHAIR JOSHI: I really apologize,  
5 but I still have -- we have like 20  
6 people left on the list.

7 MS. LOWENKRON: We don't want to  
8 overstay our welcome, but I think it's  
9 really important to note that this -- as  
10 the signs say out there -- that any  
11 system that doesn't incorporate the  
12 rides for people with disabilities in  
13 with all the other rides is separate and  
14 hugely unequal.

15 And I hope that you are not  
16 sympathetic to the notion -- we're very  
17 sympathetic to the drivers, but as you  
18 yourself said, the drivers should be  
19 dealt with by the base owners, and we're  
20 not sympathetic -- and I hope you are  
21 not -- to an argument about bankruptcy  
22 -- which is what we saw in their letter  
23 -- because this -- anything -- is a  
24 wonderful financial opportunity to serve  
25 the disability --

1 CHAIR JOSHI: Can I ask you, you  
2 have written comments; can you make sure  
3 we get them?

4 MS. LOWENKRON: Yes, we did.

5 CHAIR JOSHI: Okay. Thank you so  
6 much.

7 MS. LOWENKRON: Thank you.

8 MR. WILSON: Thank you.

9 The next speaker is Jose Hernandez.

10 MR. HERNANDEZ: Hello. Thank you  
11 for having me and listening to everyone  
12 that is here, and sitting with us all  
13 day.

14 So first off, hello. My name is  
15 Jose Hernandez. I'm an employee of  
16 United Spinal Association, and I'm on  
17 the board of the United Spinal  
18 Association in Manhattan.

19 I have been paralyzed for 22 years  
20 and have used all forms of public  
21 transportation including buses, subways,  
22 and taxis to get around the city.

23 For too long the for-hire vehicle  
24 industry and the transportation network  
25 companies have been able to find

1           loopholes in the laws to meet the needs  
2           for individuals with physical  
3           disabilities, especially those who use  
4           wheelchairs by not providing any  
5           wheelchair accessible vehicle  
6           transportation.

7           Companies like Uber, Lyft, and Via  
8           have also made it even more difficult  
9           for the yellow cab industry to maintain  
10          the accessible fleet.

11          Currently, the TLC has a mandate to  
12          make their fleet 50 percent accessible  
13          by 2020. With companies like Uber,  
14          Lyft, and Via dominating the  
15          transportation industry here in New York  
16          City, it has made it extremely difficult  
17          for the TLC to maintain their mandate of  
18          a 50 percent wheelchair accessible  
19          vehicle fleet by 2020.

20          There are currently 800 TLC  
21          wheelchair accessible vehicles sitting  
22          in parking lots and garages because  
23          owners can't get drivers to use them  
24          because of the ever expanding FHV  
25          vehicle and black car services.

1           So if you're going to become the  
2           largest provider of transportation  
3           throughout New York City, then you must  
4           not ignore the needs of individuals with  
5           disabilities. I feel that 25 percent of  
6           the rides being in wheelchair accessible  
7           vehicles is still not enough, but at  
8           least it's progress.

9           For 2020, a little over two years  
10          away, the TLC is not likely to fulfill  
11          their mandate for 50 percent of the  
12          for-hire fleet because of the industry  
13          and companies like Uber, Lyft, and Via;  
14          then they will have to fill the gap that  
15          they have created.

16          People with physical disabilities  
17          would like to enjoy the same  
18          transportation option as their  
19          able-bodied counterparts. Why should we  
20          be left out? We work just like everyone  
21          else. We earn money just like everyone  
22          else. We have cell phones just like  
23          everyone else. We use apps just like  
24          everyone else. However, we cannot ride  
25          in cabs just like everyone else, but we

1 should be able to.

2 Uber currently has a 54,000 square  
3 foot office in Manhattan where their  
4 employees can bring their dogs to work.  
5 They receive free -- (inaudible) --  
6 daily, and where there is even --  
7 (inaudible) -- on Saturdays, yet the  
8 company cannot provide persons with a  
9 wheelchair a ride downtown so that they  
10 can enjoy a glass of wine with their  
11 friends.

12 I urge the TLC to impose these  
13 regulations on the for-hire vehicle  
14 industry and car service transportation  
15 network companies who say they can't  
16 afford to provide 25 percent of their  
17 trips in wheelchair accessible vehicles  
18 when you see that they have millions of  
19 dollars to spend on political  
20 contributions to politicians like Ydanis  
21 Rodriguez who is the Chair of the  
22 Committee for Transportation.

23 Ydanis Rodriguez has promised the  
24 disabled community that he would help,  
25 yet when asked to help, he refuses to

1 answer our calls and even urges the TLC  
2 to postpone this very meeting.

3 TLC, please do not allow the  
4 for-hire vehicle industry, the TNCs, the  
5 black car services pressure -- or  
6 pressure from politicians -- to change  
7 this policy. People who use wheelchairs  
8 have been left out in the cold long  
9 enough.

10 I would like to thank the Taxi &  
11 Limousine Commission for allowing me to  
12 speak today. (Applause.)

13 CHAIR JOSHI: Thank you very much.

14 MR. WILSON: Thank you.

15 The next speaker is Stefan Wedway  
16 (phonetic).

17 (No response.)

18 MR. WILSON: He's not here.

19 Mr. Gumal (phonetic) from CSL  
20 Transportation.

21 (No response.)

22 MR. WILSON: Okay. Michael Harris.

23 (No response.)

24 MR. WILSON: Peter Kowalski  
25 (phonetic).

1 (No response.)

2 MR. WILSON: Amy Miser (phonetic).

3 (No response.)

4 MR. WILSON: Eli Ramos.

5 MR. RAMOS: Good afternoon

6 everybody. My name is Eli Ramos. I've  
7 had the pleasure of working with some of  
8 you in the past. Once again, it's a  
9 pleasure to be in front of you again and  
10 to give testimony on this issue.

11 I am also a board member for the New  
12 York chapter of the United Spinal  
13 Association along with Jose, who spoke  
14 before me. I also work closely as an  
15 advocate with Wheels in Progress and  
16 several other organizations in the New  
17 York, New Jersey metro area.

18 I also started a -- a start-up  
19 company making products for people with  
20 disabilities with the aforementioned  
21 savant Henry, who had to leave. And so,  
22 as you can see, I am -- I try to be as  
23 productive as possible for myself, for  
24 my community, and for others.

25 I took a cab here. I took a cab

1 last night to ensure that I was here on  
2 time for today. I took a cab to the  
3 appointment that I had earlier on that  
4 day. So as you can see, if there's any  
5 argument that service is not being used,  
6 I'm here to tell you that there are  
7 people that can use it more times in a  
8 week than they can count.

9 Aside from that, I would just add  
10 that if it wasn't for the cab service  
11 being present in New York, I would not  
12 have been able to graduate last year  
13 with a degree in International Studies  
14 from City College.

15 Two winters ago New York was hit  
16 pretty considerably hard with blizzards  
17 and inclement weather, and it cost me a  
18 great deal of effort to get to class on  
19 a daily basis. If it were not for the  
20 cab service I don't think I would have  
21 passed my classes.

22 Aside from that, there are many  
23 people with disabilities in the work  
24 force and trying to achieve similar  
25 goals of graduating college as well.

1           In my immediate friend circle there  
2           are lawyers. There are engineers.  
3           There are speech pathologists. There  
4           are guidance counselors. There are  
5           psychologists -- (inaudible) -- there  
6           are artists, and we have the disposable  
7           income to pay as customers for this  
8           service, and we implore that the  
9           Commission pass this measure.

10           The goal would ideally be for 100,  
11           but I guess we'll take 25 for now.  
12           Thank you very much for your time.

13           CHAIR JOSHI: Thank you very much.

14           MR. WILSON: Thank you very much.

15           The next speaker is Mike Favor  
16           (phonetic).

17           (No response.)

18           MR. WILSON: Not here. Mark Dilcom.

19           (No response.)

20           MR. WILSON: Paul Sherzinger  
21           (phonetic).

22           (No response.)

23           MR. WILSON: Victor Carian  
24           (phonetic).

25           (No response.)

1 MR. WILSON: Lawrence Harding.

2 MR. HARDING: Good afternoon. Thank  
3 you very much for having me here today.  
4 I'm a physical therapist working in the  
5 city for over 25 years, and I'm  
6 primarily working with people with  
7 disabilities, specifically people with  
8 spinal cord injuries, some other  
9 neurological problems.

10 I'm glad to be bringing up a topic  
11 of need which hasn't been brought up  
12 yet, accessibility to health care.

13 I see the people with disabilities  
14 using wheelchairs coming to me from vast  
15 distances and struggling through a  
16 system that's currently in place. Often  
17 they come to me -- by the time they  
18 arrive at my clinic they're exhausted  
19 from all the travels of getting to me.

20 And secondly, it is a weekly thing  
21 that people are stranded after their  
22 sessions with me, and after doing their  
23 physical therapy having to wait for  
24 hours to get their Access-A-Ride or  
25 other forms of transportation.

1 I think this is important, not only  
2 in the terms of quality of life -- I do  
3 help people after their injuries, or  
4 help them to improve their function --  
5 but also in terms of the cost.

6 Because when you take into account  
7 the need for increased medical care and  
8 attention to the people we are talking  
9 about who need medical services, it's  
10 also that money seems to be wasted in  
11 other ways that could be used for  
12 supplying people with supplies, durable  
13 medical equipment, and also helping them  
14 to get re-integrated back into society  
15 if you're thinking about community  
16 access.

17 I run several programs. I teach  
18 here in the city as well, and our goal  
19 is always to be in a better position to  
20 get people back into their former  
21 lifestyle -- at least finding new  
22 pathways for activity.

23 And the lack of access -- the fact  
24 that people cannot get to their  
25 rehabilitation services seriously has

1           them missing an opportunity.

2           I encourage the council to look at  
3           the proposal that's in place and  
4           establish working and sustaining this to  
5           enable the population that I work with  
6           -- and other conditions -- to make it  
7           the best to be able to get to our  
8           services and be able to use our  
9           knowledge and information to be able to  
10          more effectively re-integrate  
11          themselves, and with our help, get back  
12          to being productive members of society.

13          I thank you very, very much for your  
14          time.

15          CHAIR JOSHI: Thank you.

16          COMMISSIONER MARINO: What  
17          organization are you from?

18          MR. HARDING: I am with Mount Sinai,  
19          and now I work with New York Physical  
20          Therapy. It's a clinic on 23rd Street  
21          in Chelsea. And I am a teacher at  
22          Hunter College. I am very much part of  
23          United Spinal as well. So I have lot of  
24          contact with many --

25          COMMISSIONER MARINO: You have a lot

1 of experience. Thank you.

2 MR. HARDING: Thank you.

3 MR. WILSON: Thank you.

4 The next speaker is Alex Yacoby.

5 (No response.)

6 MR. WILSON: Daniel Winchester.

7 MR. WINCHESTER: Good afternoon. My

8 name is Daniel Winchester. It is a

9 pleasure to be here, and it's my very

10 first time testifying in the TLC.

11 I can give a number of reasons --  
12 number one, the main reason is that --  
13 (inaudible) -- access for wheelchairs,  
14 and I have -- (inaudible).

15 My experience using the --  
16 (inaudible) -- one time one of the --  
17 (inaudible) -- to get stuck in the cab  
18 itself -- (inaudible) -- so that's.

19 Another few days ago I was --  
20 (inaudible) -- regardless -- (inaudible)  
21 -- so what I'm saying is the guidelines  
22 for the drivers to be able to interact  
23 with the consumer and able and respond  
24 to what -- (inaudible) -- disability  
25 needs.

1 Thank you for the time.

2 CHAIR JOSHI: Thank you very much.

3 MR. WILSON: Thank you very much.

4 The next speaker is Rebecca Moniz.

5 MS. MONIZ: Good afternoon

6 Commission Board members and TLC staff  
7 members.

8 My name is Rebecca Moniz. I'm  
9 representing the International Academy  
10 of Hope in Central Harlem. Thank you  
11 Commissioner Calise for inviting us to  
12 testify today.

13 iHope is the only school in New York  
14 City specializing in treating students  
15 with brain injuries and brain based  
16 disorders. Part of the reason why we  
17 were founded was to give students with  
18 these injuries access to special  
19 education and therapy services in one  
20 location so they can make progress  
21 despite issues with transportation that  
22 their families may face.

23 We currently serve a population of  
24 about 54 students who range between the  
25 ages of 5 and 19, all of whom are not

1           ambulatory but rely on different types  
2           of wheelchairs to get around the city.

3           Our students require two-person  
4           transfers in and out of the wheelchairs  
5           to ensure their safety. Due to separate  
6           issues with the Office of Public  
7           Transportation and the lack of properly  
8           maintaining wheelchair accessible buses,  
9           our program relies on accessible cabs to  
10          get students to and from schools every  
11          day and to regular field trips.

12          Our main issue with these services  
13          are availability and training. Our  
14          typical waiting time for an accessible  
15          cab is 20 minutes or more, which makes  
16          school trips involving all of our  
17          students a nightmare.

18          iHope staff members are often  
19          ignored and passed by when attempting to  
20          hail a cab for a student or met with a  
21          series of cabs that are ill-equipped to  
22          transport children with wheelchairs.  
23          Often taxi drivers do not know how to  
24          secure wheelchair brakes safely for  
25          students.

1           Due to a lack of accessible cabs  
2           available we often have to rely on  
3           asking accessible taxi drivers to  
4           accommodate the amount of students that  
5           need to be transported back and forth.  
6           We ask them to make multiple trips and  
7           that can take hours of time depending on  
8           how many students came on the trip on  
9           any given day, and this request has been  
10          protested by many cabdrivers.

11          TLC's proposed rule will allow our  
12          students to go on more school trips and  
13          be more self-sufficient.

14          Having more accessible cabs  
15          available will be beneficial to our  
16          program and to our families from all  
17          five boroughs who constantly battle the  
18          inconsistency of transport services with  
19          OPT and the Access-A-Ride program which  
20          include constant mechanical failures,  
21          improperly trained staff, and  
22          inconsistent pick-up times.

23          We believe TLC's proposed  
24          legislation will allow us to serve our  
25          students more efficiently, allow them to

1 be more independent, and ensure taxi  
2 drivers are fully equipped, as well as  
3 trained, to serve children with  
4 disabilities.

5 Thank you for this opportunity.

6 CHAIR JOSHI: Thank you.

7 MR. WILSON: Thank you.

8 The next speaker is William Clark.

9 (No response.)

10 MR. WILSON: Okay. The next speaker  
11 is Philip Bennett.

12 MR. BENNET: Hi everybody. I'll try  
13 to keep this real quick.

14 First of all, I notice that all  
15 people in support -- or opposed to this  
16 rule -- I see them all standing up like  
17 me.

18 Now, I have a disability, and maybe  
19 a couple of them have disabilities, but  
20 I didn't see it. And so I have to  
21 believe that they have been talking  
22 about, and -- you know -- just gathering  
23 together who are opposed to this rule  
24 without talking to other people with  
25 physical disabilities. And we have an

1 old saying, "Nothing about us without  
2 us". I mean, what's going on here? You  
3 have to look under the sheets with that  
4 thinking.

5 And I'm a home care worker or  
6 personal assistant. I have ridden cabs  
7 with many people with disabilities, and  
8 I got to tell you, the drivers don't  
9 seem so unhappy about what they're  
10 doing. Some of them see it as just the  
11 culmination of their lives that they are  
12 able to serve people with disabilities.  
13 So I think it isn't so dire; the  
14 prospect of finding drivers willing to  
15 do this work.

16 And -- I had a couple of other  
17 things, but I wrote on the palm on my  
18 hand. Just -- I think that passengers  
19 should have the opportunity to complain  
20 that they have a problem to other  
21 organizations rather than the TLC.

22 I mean, that's where you start of  
23 course, but it would be nice if we had  
24 like an organization of five and four  
25 people with disabilities from the city

1           that you could turn to that would be an  
2           organization filled with people with  
3           disabilities -- with all kinds of  
4           different disabilities.

5           We have one now, and the  
6           Commissioner is right here. Hello  
7           Commissioner.

8           COMMISSIONER CALISE: How are you  
9           doing?

10          MR. BENNETT: And it would be nice  
11          -- you know, NYPD used to have some  
12          power. Mayor Rudolph took that power  
13          away. It would be nice if Mayor di  
14          Blasio gave some of that power back, and  
15          then passengers would have other  
16          alternatives.

17          And I think if the shackles were  
18          removed from a guy like Commissioner  
19          Calise, we would really have power.  
20          Thank you.

21          CHAIR JOSHI: Thank you.

22          MR. WILSON: Thank you.

23          The next speaker is Athena Solitis  
24          (phonetic).

25          (No response.)

1 MR. WILSON: Carr Massi.

2 MR. MASSI: I don't know if I really  
3 want to say something -- well, I'm going  
4 to say it anyway. (Laughter.)

5 I'm just disgusted, and I will tell  
6 you why. Why are you letting Uber get  
7 away with all of this? There's got to  
8 be rules and regulations that can  
9 prevent them from destroying the yellow  
10 taxi industry, and that really bothers  
11 me.

12 You know, many years ago -- cause  
13 I'm a dinosaur -- we had triple cabs,  
14 and that saved me because that was my  
15 way of traveling cause my wheelchair is  
16 small. You can just open the door and  
17 roll me right in.

18 Unfortunately, I was about the only  
19 one. People in motorized power  
20 wheelchairs couldn't use it; but that  
21 was a way, and it would be the same  
22 difference now if we have all the yellow  
23 cabs that are wheelchair accessible.  
24 It's the same principle.

25 And what really bothers me is I

1 don't feel that the governor or the  
2 mayor has come in support of this.  
3 Thank you. That's it.

4 CHAIR JOSHI: Thank you.

5 COMMISSIONER MARINO: We're glad you  
6 spoke. Thank you very much.

7 MS. MASSI: I'm glad too.

8 MR. WILSON: Thank you.

9 The next speaker is (inaudible).

10 (No response.)

11 MR. WILSON: Okay. Our last speaker  
12 is Fernando Garcia. He was there --

13 CHAIR JOSHI: So it is now 4:13.  
14 We're going to adjourn our hearing.

15 I really want to thank everybody  
16 that came, everybody that stayed -- from  
17 the industry -- from passengers side,  
18 and advocacy side -- the tremendous  
19 arrangements I'm sure you made to get  
20 here and sharing your personal stories  
21 with us.

22 (Whereupon, Mr. Acosta's testimony  
23 was translated from Spanish to English.)

24 MR. GARCIA: Good afternoon  
25 Commissioners and the rest here -- good

1           afternoon to the audience. Thank you  
2           for being here.

3           My name is Fernando Garcia, and I  
4           have worked in the taxi institution for  
5           more than 20 years --

6           COMMISSIONER MARINO: I'm sorry; the  
7           what?

8           MR. GARCIA: Taxi institution.

9           I didn't attend the previous  
10          hearings because I was out of the  
11          country. I came to this hearing to talk  
12          about what is right.

13          When the regulation was passed in  
14          Albany about the green cars, you only  
15          needed to have five cars administered to  
16          a base -- and he had a contract where he  
17          had to bring the cars to the -- when the  
18          contracted cars came to be, his base  
19          fell through.

20          COMMISSIONER MARINO: His meaning --  
21          just say "I"; use the first person.

22          MR. GARCIA: I don't understand what  
23          happened because the -- the regulation  
24          forgets about the drivers, and I always  
25          attend community meetings, and I support

1 the accessible -- the service to  
2 accessible people.

3 I believe that the industry should  
4 all take part in this accessible  
5 hearing. I believe that Uber should be  
6 part of this hearing as well because  
7 they -- because they're also a big part  
8 of the industry.

9 I hope you take this into  
10 consideration because the bases don't  
11 always own the car, and the drivers are  
12 always affected.

13 CHAIR JOSHI: Thank you very much.  
14 We appreciate the testimony.

15 MR. WILSON: And now we have our  
16 last -- Yoel Sherabi.

17 MR. SHERABI: Good afternoon. I am  
18 the last one, and I'll try to be very  
19 brief. I'm from Dial 7.

20 COMMISSIONER MARINO: You're from  
21 where?

22 MR. SHERABI: Dial 7. I'm not quite  
23 sure about a solution for this situation  
24 for more accessible cars. Efficiency  
25 and quality should be across the board

1 in a way to take the manufacturer --  
2 anybody who needs accessible car will  
3 need to invest twice as much as  
4 everybody else on a regular car. A new  
5 car -- used -- it doesn't matter -- cost  
6 almost twice or more sometimes.

7 As for the driver, if any driver  
8 want to drive one of those cars, he also  
9 needs to buy more expensive car than  
10 Toyota Camry like other drivers do, and  
11 then he's going to get the same money  
12 off the company. At the same time, with  
13 the same money he will put an SUV and  
14 three times the payment for each trip.

15 So we need to balance this and think  
16 about it, and maybe find incentive for  
17 the driver to be able to do it. Those  
18 who drive this car already, doing it  
19 very nice, and they love the passenger,  
20 and they have fun with them. But they  
21 come to me and say, "We don't make  
22 money". And they don't own the car.

23 We own the car, because, again, they  
24 don't have any incentive to buy the car,  
25 so we buy the car. We put the driver to

1 work. We pay the -- it costs us money  
2 that we're not in a situation to be made  
3 -- (inaudible) -- but it's fine. It's  
4 part of business, and it's acceptable  
5 even if we have to put one more. If we  
6 had the demand, we would. But the way  
7 it is now, it's not.

8 So this is not -- that's why this  
9 idea that we brought that -- (inaudible)  
10 -- as I see, it's not the perfect  
11 solution. It needs to be discussed  
12 more, and -- just to give you an idea  
13 about the incentive to the driver and to  
14 these cars, they can have maybe the  
15 right to drive in the bus lane because  
16 they have to ride and wait anyway --  
17 long enough -- two hours of life -- let  
18 them go, you know, with priority.

19 About the training for the drivers,  
20 the -- it looks like there's a one size  
21 fits all with the driver with a FHV  
22 license. Go to the training for a  
23 couple of hours and none of them is  
24 qualified -- as far as I'm concerned --  
25 to drive these cars. It's dangerous.

1 One time training is not enough; no  
2 question about it. They need to be  
3 professional drivers. This is life  
4 we're talking about here.

5 On its face the idea here when  
6 somebody sees the proposal, they see the  
7 25 percent, you know, somebody thinks  
8 every fleet should have 25 percent  
9 accessible, which is not true as you  
10 know and I know. But what is going to  
11 be it?

12 We know that the word farm -- so  
13 we're going to farm this work to the  
14 company that has these cars because we  
15 have to.

16 And if somebody wants to go with  
17 their SUV -- chief financial officer of  
18 the company with the black SUV now  
19 because of the situation, he's going to  
20 get a minivan -- an accessible car.

21 CHAIR JOSHI: May I ask you, are you  
22 part of the coalition that presented  
23 earlier today?

24 MR. SHERABI: Not that I know.

25 CHAIR JOSHI: Okay. All right. So

1           thank you very much.

2           MR. SHERABI:   So there is much more  
3           items, but I know the time is over, and  
4           I --

5           CHAIR JOSHI:   Feel free to take  
6           information from a staff member, and  
7           you're welcome to contact our office so  
8           we can go over those in more detail.

9           MR. SHERABI:   Have a good day.  
10          Thank you very much.  I appreciate it.

11          CHAIR JOSHI:   Thank you.  So that  
12          does end our meeting.  It's 4:24 p.m.,  
13          and, again, I want to thank everybody  
14          that came today.

15          As I mentioned earlier, this was our  
16          proposal, and we welcome feedback, and I  
17          think there were a couple of  
18          re-occurring themes that the  
19          Commissioners are going to be reviewing  
20          with respect to our rules, and changes  
21          that can be made, and other proposals  
22          that were presented today.

23          So thank you very much, and thank  
24          you again for making the effort and  
25          taking all of the time to come.  Thank

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you. (Applause.)

(Time noted: 4:25 p.m.)

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CERTIFICATION

I, JULIA M. SPEROS, a Notary Public  
for and within the State of New York, do  
hereby certify:

That the witness whose testimony as  
herein set forth, was duly sworn by me;  
and that the within transcript is a true  
record of the testimony given by said  
witness.

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

IN WITNESS WHEREOF, I have hereunto  
set my hand this 28th day of September,  
2017.

  
\_\_\_\_\_  
Julia M. Speros

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