

In Re Commission Hearing NYC - Taxi & Limousine Commission
March 8, 2023

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NEW YORK CITY
TAXI & LIMOUSINE COMMISSION
PUBLIC MEETING

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33 Beaver Street
New York, New York
March 8, 2023
10:06 a.m.

H E L D B E F O R E:
DAVID DO, Chair/Commissioner
SHERRYL ELUTO, General Counsel

BOARD OF COMMISSIONERS:
KENNETH MITCHELL
THOMAS SORRENTINO
JACQUES JIHA
ELISA VELAZQUEZ
BILL AGUADO (appearing remotely)

Sabrina Brown Stewart,
Court Reporter

LH Reporting Services, Inc.
Computer-Aided Transcription
(718)526-7100

1 S P E A K E R S :

2 FABIAN CANCEL

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1 CHAIR DO: Good morning. I'm calling
2 this meeting to order at 10:06. I am David
3 Do, Commissioner and Chair of the TLC. And
4 I'm joined today by our board of
5 commissioners; Commissioner Mitchell,
6 Sorrentino, Jiha, Velazquez and online,
7 Commissioner Aguado.

8 Today, we're voting on base
9 applications and a proposal for amending our
10 minimum driver payment rules for the for-hire
11 service, like Uber and Lyft.

12 (Applause).

13 CHAIR DO: I know there's a lot of
14 excitement today, and we are excited that we
15 have come to a rule that has worked for
16 everyone. The new rule will increase minimum
17 pay to account for increased driver expenses
18 and changing the way utilization rates are
19 calculated and applied.

20 We held a public hearing just last week
21 on, March 1st, and we heard your testimony
22 loud and clear, and we also read your written
23 comments. Thank you, to all of you, for
24 being in that room last week. Your voices,
25 again, were heard.

1 The rule, as proposed, sets the
2 utilization rate from 56 percent to
3 53 percent, to further reduce the incentive
4 for driver lockouts.

5 (Applause).

6 CHAIR DO: Before I hand it over to our
7 general counsel for official business, I
8 would like to recognize if any of our
9 commissioners would like to speak.

10 Commissioner Velazquez.

11 COMMISSIONER VELAZQUEZ: Hi. I just
12 want to say thank you to you, David, and to
13 your staff and to the Commission and to
14 everybody out here, for getting to a place
15 that is a much better place and that moves
16 the ball forward for everybody. So, I just
17 want to say thank you.

18 (Applause).

19 CHAIR DO: Anyone else?

20 (No response).

21 CHAIR DO: Okay. Well, hearing none, I
22 will send it over to Sherryl Eluto to do our
23 business for today.

24 Thank you, everybody.

25 (Applause).

1 MS. ELUTO: Good morning. The first
2 item before you are the minutes for the
3 January 25, 2023 Commission meeting. I will
4 now call a vote to adopt the minutes.

5 All in favor of adopting the minutes,
6 please raise you hands.

7 (Unanimous raise of hands by
8 Commissioners.)

9 MS. ELUTO: And Commissioner Aguado?

10 COMMISSIONER AGUADO: Aye.

11 MS. ELUTO: Thank you.

12 So, the vote is unanimous and they are
13 adopted.

14 I will now call on Director of Base and
15 Business Services, Fabian Cancel. He will
16 present the base license applications.

17 MR. CANCEL: Good morning,
18 Commissioners and attendees. My name is
19 Fabian Cancel. I'm the director of the TLC
20 Base and Business Unit.

21 Eighteen bases have been submitted for
22 your review, and we are awaiting your
23 approval on them.

24 MS. ELUTO: Oh. I'm sorry.

25 Commissioners, can we have a vote on

1 adopting the base license recommendations?
2 Please raise your hands if you're in favor.

3 COMMISSIONER AGUADO: Aye.

4 (Unanimous raise of hands by
5 Commissioners.)

6 MS. ELUTO: Okay. That was unanimous,
7 and the base license recommendations are
8 adopted.

9 MR. CANCEL: Thank you.

10 MS. ELUTO: Commissioners, we will now
11 turn to Item 5 on the agenda, the amendments
12 to the high-volume for-hire vehicle rules.
13 The rule was published in the City Record on
14 January 30, 2023, for public comment. A
15 public hearing was held by the TLC on
16 March 1st. On March 3rd, the final version
17 of the proposed rule was posted on our
18 website and circulated to the Commissioners,
19 along with the hearing transcript and all
20 written comments that were received.

21 We have one additional change from the
22 proposal that was posted. We are deleting a
23 sentence that was inadvertently added at the
24 end of Section 59(d), 22(b)(1). It read,
25 "When a high-volume for-hire service driver

1 is without a passenger and available for
2 dispatch on more than one high-volume
3 for-hire services application, such time will
4 be divided evenly between each high-volume
5 for-hire service which the driver was
6 available for dispatch."

7 That sentence is deleted because the
8 utilization rate will be calculated in the
9 aggregate for the two providers.

10 Commissioners, may we move forward for
11 a vote? All those in favor of adopting the
12 rules amended, please raise your hand.

13 (Unanimous raise of hands by
14 Commissioners.)

15 COMMISSIONER AGUADO: Aye.

16 (Applause).

17 MS. ELUTO: The rule is adopted
18 unanimately.

19 Commissioners, we also would like to
20 vote on the need for earlier implementation
21 of the rule.

22 Commissioners, may we move for a vote?

23 (Unanimous raise of hands by
24 Commissioners.)

25 COMMISSIONER AGUADO: Aye.

1 MS. ELUTO: And the motion is adopted.

2 (Applause).

3 CHAIR DO: Great. All right.

4 And so, the early implementation of
5 this new rule will be on March 13th instead
6 of the standard 30 days.

7 (Applause).

8 ADVOCATORS: Driver power. Union
9 power. Driver power --

10 CHAIR DO: We have one more
11 announcement before we celebrate. So, as you
12 can see, Commissioner Aguado is going to be
13 leaving us, I'm very sad to announce. After
14 eight years of dedicated public service to
15 our community, he will be retiring from the
16 Commission.

17 I've had the pleasure of working with
18 Commissioner Aguado for almost a year. I
19 wish we had more time together, but it's been
20 extremely eventful, and a time that we
21 provided a lot of results for you all, for
22 our drivers and our entire industry. I'm so
23 grateful to have served with you,
24 Commissioner Aguado. On behalf of the Mayor,
25 the deputy mayor, and the City, thank you for

1 your service.

2 Now the floor is yours, Commissioner
3 Aguado, if you have any words.

4 COMMISSIONER AGUADO: It's hard to
5 believe that I have been on the Commission
6 for seven years. And the changes I have
7 seen, the changes we have fought for, the
8 changes we have spoken out publicly about,
9 many changes have been made to the benefit of
10 the drivers, to lessen the exploitation that
11 has happened to them, and that -- and to
12 commend the staff of TLC, the Taxi &
13 Limousine Commission.

14 You see the Commission members, you see
15 the Chairman, but what you don't see is the
16 behind-the-scene staff that make it happen,
17 and who've made the changes and who've fought
18 for the changes. We can't do anything about
19 the politics. What we can do is, in all good
20 faith, do the best we can for the driver, for
21 the passenger, and for the fleet owners. We
22 want complete equity for everyone. We want
23 liveable wages for everyone, and we want
24 safety in our for-hire vehicles and taxis.

25 Seven years, but I'm probably the only

1 TLC member who never learned how to drive.
2 And I've been dependent on taxis for the
3 last, oh, I'd say, 60 years. So, it's easy
4 to say that I've been in taxis and for-hire
5 vehicles perhaps 5,000 times, probably more,
6 in that time, and I've seen the changes.
7 I've seen the safety, and I've seen the
8 hardworking drivers. And I thank you for the
9 honor of serving this wonderful industry as
10 part of the public transportation industry.

11 Thank you, all. I wish you the best.
12 Thank you, Chairman Do.

13 (Applause).

14 SPEAKER: We wish you well and
15 happiness.

16 CHAIR DO: Well, thank you so much,
17 Commissioner Aguado, for your service again.
18 And like I promised you, we're going to be
19 traveling to the Bronx to visit you and
20 celebrate with you in person very soon.

21 Is there any other comments from the
22 Commission?

23 Commissioner Sorrentino.

24 COMMISSIONER SORRENTINO: Thank you.

25 I just wanted to wish you, Bill,

1 Commission Aguado, all the best, and it's
2 been a pleasure and an honor to serve with
3 you over these past five years that I've been
4 on the Commission. So, thank you for all
5 your sincerity over the years and always
6 looking out for the entire industry,
7 including the drivers, the owners and
8 policymakers as well and giving us good
9 guidance. Thank you.

10 (Applause).

11 COMMISSIONER JIHA: Bill, I served with
12 you for all your seven years, and it was a
13 pleasure working with you. And I look
14 forward, okay, to seeing you in the future.
15 All right. Good luck.

16 (Applause).

17 COMMISSIONER AGUADO: I want to thank
18 everybody --

19 COMMISSIONER MITCHELL: Good morning,
20 Bill. It's Ken Mitchell, your friend from
21 Staten Island. You and I, we're in the outer
22 boroughs and we always were here on time and
23 made most of the meetings. It's been a
24 pleasure serving with you, and I look forward
25 to that trip to the Bronx. But it has to be

1 reciprocal, you have to come see us on Staten
2 Island.

3 Thank you, and God bless.

4 (Applause).

5 CHAIR DO: All right. Again,
6 Commissioner Aguado, thank you so much for
7 your service. I will miss you and our
8 working relationship.

9 Thank you.

10 COMMISSIONER AGUADO: Thank you.

11 CHAIR DO: And with that, I want to
12 conclude the meeting and say congratulations
13 to you all for the fight that you have led to
14 get to this point.

15 It is now 10:15. I'll adjourn this
16 meeting.

17 (TIME NOTED: 10:15 a.m.)

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C E R T I F I C A T E

STATE OF NEW YORK

:SS

COUNTY OF QUEENS)

I, Sabrina Brown Stewart, a shorthand reporter within and for the State of New York, do hereby certify that the within is a true and accurate transcript of the statement taken on March 8, 2023.

I further certify that I am not related to any of the parties to this action by blood or by marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of March 2023.

Sabrina Brown Stewart
Sabrina Brown Stewart

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