1 -----X 2 NEW YORK CITY 3 TAXI & LIMOUSINE COMMISSION 4 PUBLIC HEARING ----X 5 6 33 Beaver Street New York, New York 7 November 15, 2022 10:06 a.m. 8 9 10 HELD BEFORE: 11 12 DAVID DO, Chair/Commissioner 13 RYAN WANTTAJA, First Deputy Commissioner 14 15 BOARD OF COMMISSIONERS: 16 THOMAS SORRENTINO 17 KENNETH MITCHELL 18 JACQUES JIHA 19 ELISA VELAZQUEZ 20 STEVE KEST 21 2.2 Sabrina Brown Stewart, 23 Court Reporter 24 25 LH Reporting Services, Inc. Computer-Aided Transcription (718)526 - 7100

S P E A K E R S: ALISON HARTWELL, Assistant Commissioner, TLC's Licensing Standards Division TED METZ, TLC Policy Analyst JAMES DIGIOVANNI, Assistant Commissioner for Policy

1 CHAIR DO: All right. Good morning. 2 The time now is 10:06, and I'm calling this 3 meeting to order. I'm joined by my fellow commissioners; 4 5 Commissioner Sorrentino, Commissioner Mitchell, Commissioner Jiha, Velazquez, and 6 7 Kest. Thank you so much for being here today. 8 9 My name, again, is David Do, and I'm the Commissioner and Chair of the Taxi and 10 Limousine Commission. Again, this is our 11 12 first time since the beginning of the 13 pandemic that we have met together. And it's 14 so good to see you all in person, so thank you all for being here today. 15 16 We have a lot of important business 17 today, including for the first time in 18 ten years, increasing the meter rate of fare. 19 This is an exciting time for a lot of you, 20 and it has been a lot of work to get to this 21 stage. We had a public hearing in May, and 22 then again a couple of months ago, and then 23 to our final vote today. We will also be 24 considering the for-hire driver pay standard 25 during today's meeting.

First and foremost, I want to thank all 1 2 of my team at the TLC for their hard work in 3 getting the MRP plus program up and running. It has, right, allowed \$250 million in debt 4 reduction and almost 1,400 owner/drivers have 5 been able to go through this program and 6 7 close on their loans. We will continue the work with every owner/driver until they are 8 9 able to get through this process. 10 And so, if you have not done so, 11 please, please, please reach out to the 12 Owner/Driver Resource Center. And to find out more information on that, go to 13 14 nyc.gov/taxi. I also want to make one more 15 16 announcement and that's on our storage 17 program. The storage program for the 18 for-hire vehicle industry will be ending on 19 August 31, 2023. We have sent an industry 20 notice out to let you all know. We wanted to 21 give a very long horizon, so that everyone 22 has the opportunity to take their for-hire 23 vehicle license out of storage. 24 And finally, with that, I would like to 25 turn it over to our First Deputy Commissioner

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| 1 | Wanttaja, to take us through today's agenda. |
| 2 | MR. WANTTAJA: Commissioners, the first |
| 3 | item before you are the minutes for the |
| 4 | September 28, 2020, Commission Meeting. I |
| 5 | will call a vote now to adopt those minutes. |
| 6 | All in favor of adopting the minutes |
| 7 | from the September 28th Commission Meeting |
| 8 | please raise your hand. |
| 9 | (Hands raised in tandem by |
| 10 | Commissioners). |
| 11 | MR. WANTTAJA: And with that, the |
| 12 | minutes are adopted unanimously. |
| 13 | I will now call on Assistant |
| 14 | Commissioner, Alison Hartwell, to present the |
| 15 | base license application. |
| 16 | MS. HARTWELL: Good morning, |
| 17 | Commissioners, members of the industry and |
| 18 | members of the public. My name is Alison |
| 19 | Hartwell, and I'm an assistant commissioner |
| 20 | in TLC's Licensing Standards Division. |
| 21 | I present to you 21 base determine |
| 22 | livery base determinations for your approval. |
| 23 | We have one new license approval, 19 license |
| 24 | renewals and one renewal with relocation for |
| 25 | your approval. |
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1 Thank you for your consideration. 2 MR. WANTTAJA: Thank you, Assistant 3 Commissioner Hartwell. I will now call a vote on adopting the 4 5 base license recommendations. All in favor of adopting the base 6 7 license recommendations, please raise your hands. 8 9 (Hands raised in tandem by Commissioners). 10 MR. WANTTAJA: With that, the 11 12 recommendations are adopted unanimously. I will now call on TLC Policy Analyst 13 14 Ted Metz to present a report from battery electric vehicle pilot. 15 16 MR. METZ: Good morning, Commissioners 17 and members of the general public. Next slide, please. 18 19 Today, I'm going to be presenting on 20 the battery electric vehicle pilot, so an 21 overview of the presentation, give you some 22 background and the resolution, the 23 participants, the findings of the pilot, as 24 well as some additional observations and 25 findings on electric vehicle operations, and

1 then finally conclude with some 2 recommendations. 3 The resolution that was passed in May of 2021 allowed for additional electric 4 models for medallion to choose from. Prior 5 to that, our vehicle specifications limited 6 7 to really only one electric vehicle model. The specifications that were slightly changed 8 9 in this resolution was that the horsepower for a lot of electric vehicles did not meet 10 11 the horsepower specifications for our own 12 taxis. So, we allowed for vehicles that 13 exceed -- that did not have an acceleration 14 rate that exceeded 4.4 seconds, zero to 60, 15 16 4.4 seconds and also met our interior volume 17 requirements. The purpose and background for 18 us to doing this is to give medallions owners 19 additional electric vehicle options, which 20 really meets the City's commitment to climate change efforts. 21 22 Next slide, please. 23 So, over the last year and several 24 months, we ended up having 17 taxi 25 participants. Majority of the vehicles were

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1 the Kia Niro, but we also had participants 2 that used the Ford Mach-E and the Tesla 3 Model Y. And you can see that the range from the Kia Niro is 239 miles and had a MSRP of 4 5 around \$40,000. All of these were operated by larger fleets and medallion agents. 6 7 Next slide, please. So, the findings, the report definitely 8 9 wanted to cover closely on the vehicles' 10 specification issues. So, those are the 11 issues pertaining to horsepower and to acceleration. We found that none of the 12 vehicles had been in any collisions or any --13 14 had really had any serious infractions or some incidents. 15 16 Additionally, we spoke with drivers 17 that were actually operating the vehicles, 18 and they reported on a very -- you know, an 19 easy transition to all electric taxis, and 20 that they felt well-trained on these taxis as well. 21 22 Next slide, please. 23 So, in addition to looking at some of 24 those metrics; such as, you know, the safety 25 precautions around acceleration, we also

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wanted to know a little bit more about an operating taxis, if in the taxi's space. And so, we found that while there are a number of fast chargers available in the City, a lot of our drivers would like to see more fast chargers, especially as more all-electric vehicles take to the road.

Additionally, the drivers noted that when it comes to charging, they would prefer larger public fast charging. So, to clarify, a fast charger is the one that can fuel a vehicle in about 30 to 45 minutes. And so, they noted some popular locations; such as, Revel has a large site in Brooklyn, NYPA also operates a station at JFK, and then Tesla also has some chargers at both the Brooklyn Museum and JFK. And they noted those as popular because they are large, easily accessible and had affordable parking fees. And they also noted the passengers,

they had a lot of positive feedback from passengers over the course of the pilot as well.

Next slide. So, our recommendation would be to 9

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| 1 | propose a rule change which would address the |
| 2 | power specifications that are unique to |
| 3 | electric vehicles, so it allow for a |
| 4 | different acceleration standard that was set |
| 5 | under the pilot. The policy division will |
| б | also be releasing a detailed electrification |
| 7 | plan that outlines some of the agency's |
| 8 | policy recommendations when more all-electric |
| 9 | adoption would be happening in the future. |
| 10 | We would like to continue to engage |
| 11 | with drivers, medallion owners and |
| 12 | taxi-related businesses regarding |
| 13 | electrification barriers, improving the |
| 14 | charging infrastructure in our city, and |
| 15 | opportunities to connect with PV businesses |
| 16 | and innovators who are often reaching out to |
| 17 | us. |
| 18 | Additionally, while we are not |
| 19 | necessar you know, while we are limited in |
| 20 | some of our abilities to install chargers, we |
| 21 | can continue to collaborate with other |
| 22 | agencies; such as DOT and DCAS, who are |
| 23 | actively installing a very large charging |
| 24 | network in the City, and ways for our TLC |
| 25 | drivers to have access to these charging |
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to these new charging stations. 1 2 And with that, I welcome any questions. 3 (No questions from Commissioners.) MR. METZ: All right. Okay. 4 Thank 5 you. MR. WANTTAJA: Thank you, Ted. 6 7 Before we get to our vote on the next two items, I will call on Assistant 8 9 Commissioner for Policy, James DiGiovanni, to 10 present a report on our two rule proposals 11 concerning taxi rates and fare and the HV 12 driver pay. MR. DIGIOVANNI: Good morning, 13 14 Commissioners. My name is James DiGiovanni, and we're going to be presenting on the two 15 16 proposals related to the taxi fare increase 17 and the changes to the high-volume driver 18 pay. Next slide. 19 20 So, first, we'll go through the 21 proposed taxi fare increase, including some 22 background on previous fare increases, the 23 current fare, the analysis that TLC did of 24 our own data versus -- and some publically 25 available data, the proposal itself and what

1 we project the proposal to -- how we project 2 that the proposal will impact the taxi 3 industry, both passengers and drivers. Next slide. 4 5 So, the two previous fare increases are outlined here. The taxi fare has not been 6 7 increased in over ten years. The last taxi fare increase went into effect in 8 9 September of 2012, so it's been quite some 10 time since the last increase. You can see the current fare structure, 11 12 the basics here, there is the \$2.50 drop 13 fare, which is the charge when you initially 14 enter the vehicle. And then, the unit rate, which is charged every one-fifth miles of 15 16 50 cents, and you can see how this has 17 progressed over time. 18 These two previous fare increases were 19 an average fare increase of 28 percent. In 20 2004 and 2006, they were -- different parts of the fare were increased in those 21 22 two years. And then, in 2012 it was the 23 17 percent average fare increase. It is 24 worth noting that in the past ten years since 25 the last actual fare increase, there have

1 been, as we all know, increases to other aspects of the fares, like there's a 2 3 congestion surcharge, adding the tip, the 4 airport access fee. 5 So, the passenger fare has increased over the last ten years, but those aspects of 6 7 the fare have not gone to drivers, so this fare increase will be the first increase that 8 9 has actually gotten to drivers in the last 10 ten years. And previous analyses of fare increases 11 12 have noted a small decrease in ridership initially after the fare was increased, but 13 14 then that ridership has bounced back rather quickly as people adjust to the new fares. 15 16 Next slide. 17 So, quickly just to review some of the 18 data that we looked at. So, one thing, of 19 course, that we looked at was taxi trips by 20 month over the last ten years, so we can see that there has been quite a decline in taxi 21 22 trips over the last ten years, and the 23 industry was especially hard hit by the 24 pandemic. 25 So, the way taxi trips are currently

1 going is on a month to month basis, we're at 2 about 50 percent of the pre-pandemic level, 3 which is only about 22 percent of the level it was at 2012, so definitely a significant 4 5 decline in trips. Next slide. 6 7 Similar for drivers, not as steep of a decrease before the pandemic, but we are 8 9 seeing that only about 50 percent of drivers 10 are on the road now, as compared to before 11 the pandemic, and about 32 percent as 12 compared to 2012. Next slide. 13 And for vehicles, a little bit of a 14 different story told here. We're at about 15 16 65 percent of pre-pandemic levels and about 17 55 percent of levels in 2012. So, what this 18 shows us is that there are more vehicles on 19 the road than there are drivers, and that 20 there are trips, so there's less revenue per 21 vehicle as, you know, drivers may have left, 22 the vehicles are put on the road less often, 23 fewer days or fewer hours per day. 24 Next slide. 25 So, taxis are less active. They're on

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the road for fewer days per month, fewer hours per day and we're seeing significantly less double-shifted, which explain some of the steep declines in trips by month or active drivers. But while the taxi supply is low, what we're seeing is that passenger demand appears to be quite high.

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While there are few drivers in vehicles performing trips, we're seeing wait times in airport that are very high, short amounts of time for drivers between trips. So, a driver drops somebody off and looks for a next fare, they're able to get that next fare pretty quickly, which shows that there are a lot of people, you know, in the Central Business District looking for a cab.

17 And we've heard reports from drivers, 18 industry members and passengers, that 19 passenger demand is fairly strong and the 20 issue is more on the supply side right now. And we also see the farebox revenue --21 22 COMMISSIONER JIHA: Can I ask you a 23 question? 24 MR. DIGIOVANNI: Sure. COMMISSIONER JIHA: Do you have a sense 25

of why the supplier has not responded to the 1 2 increase demand? MR. DIGIOVANNI: Well, I think part of 3 it and part of our idea with increasing the 4 taxi fare is that the financial compensation 5 just isn't there. So, if drivers were paid 6 7 more, then there would be more of a financial incentive for drivers to get back on the 8 9 road, for medallion owners to put their 10 vehicles on the road and for garages to get 11 the vehicles back on the road. So, we're 12 hoping that the increased financial 13 incentives will allow supply to meet demand 14 better than it currently is. So, we're seeing that farebox revenue 15 16 is fairly strong on a per driver basis for 17 the drivers that are actively doing trips. 18 And we also know, of course, that driver 19 expenses over the past ten years have 20 increased significantly, whether it's because of inflation, specific issues with 21 22 transportation cost, like buying a new 23 vehicle, is a lot more expensive than it was 24 ten years ago. 25 Gas prices have been volatile and we

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1 looked at publicly available data for this, 2 as well as TLC's driver expense survey, where 3 we ask drivers to tell us about their 4 expenses and compare them to previous figures 5 that we have. Next slide. 6 7 So, we also compared different modes of transportation and taxi fares in other 8 9 jurisdictions. So, we looked at how the New 10 York City's \$2.50 drop fare and 50 cents per 11 one-fifth mile fare compares to eight major 12 cities with comparable fare structures in the 13 United States, and where we saw that every 14 other city has either a higher drop fare, a higher per unit fare or most often, these 15 16 other cities have higher both numbers. 17 And many of these jurisdictions have 18 not raised their fares in some time either, 19 so we would expect that those fares will also 20 increase fairly soon. We also looked at public transit fares 21 22 to see how changes in the taxi fare have 23 matched the price of a MetroCard swipe. And 24 since 2012, the cost of riding the subway, 25 bus, express bus on a per-ride basis and

1 30-day passes have all increased about 2 22 percent, so we considered that when we 3 were looking at how much an appropriate fare increase would be for taxis as well. 4 Next slide. 5 So, our goals and our considerations, 6 7 as I've already alluded to a little bit when we were thinking about what the taxi fare 8 9 increase should look like, where to get more taxis and drivers back on the road to serve 10 11 the passenger demand that we believe is 12 there, taxis and drivers aren't doing trips, which reduces service reliability and could 13 14 harm the industry as a whole if passengers don't believe that they are easily going to 15 16 be able to get a taxi. 17 They may choose another transportation option, so we want to make sure that there 18 19 are enough taxis on the road to serve that 20 existing passenger demand, and we know that 21 increasing the financial compensation will 22 attract drivers, get more vehicles on the 23 road and be able to ultimately improve 24 passenger service as well. 25 I do want to note, too, that I'm

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| 1 | focusing on the taxi side and our analysis on |
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| 2 | all the data focuses on the taxi side, but |
| 3 | the exchanges are also applicable to street |
| 4 | hail liveries as well for trips that are done |
| 5 | on the meter, because the meter for street |
| 6 | hail liveries is the same as for taxis. |
| 7 | Next slide. |
| 8 | So, the proposed fare increase, as in |
| 9 | here in three different buckets. So, for the |
| 10 | meter fare, we're proposing to increase the |
| 11 | drop fare from \$2.50 to \$3, so that's that |
| 12 | initial charge. And then, the unit rate, |
| 13 | one-fifth mile, would go from 50 cents to |
| 14 | 70 cents for the surcharges. |
| 15 | And these are all part of the |
| 16 | surcharges, that rush hour and overnight are |
| 17 | charges that go directly to the driver. We |
| 18 | would increase the rush hour surcharge from |
| 19 | 4 p.m. to 8 p.m. on weekdays from \$1 to 2.50, |
| 20 | and then the overnight surcharge, which is |
| 21 | 8 p.m. to 6 a.m. every day, would be |
| 22 | increased from 50 cents to a dollar. |
| 23 | We're also proposing an increase to the |
| 24 | Taxi Improvement fund and the Street Hail |
| 25 | Liver Improvements funds, which are funds |

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1 that go toward the accessibility improvements 2 from 30 cents to a dollar, just to make sure those funds remain sustainable going forward, 3 so that we can continue to improve 4 accessibility in both of those fleets. 5 And for airports, we're proposing that 6 7 the flat fare between JFK and Manhattan be increase from \$52 to \$70. For LaGuardia, 8 9 those trips are currently on the meter. They 10 would continue to be on the meter, but we 11 would add a \$5 surcharge for all pickups and 12 drop-offs at LaGuardia Airport and increase the surcharge for Newark Airport as well. 13 And the idea behind these increases is 14 that, you know, we know there are long wait 15 16 times at the airport for passengers, but we 17 also know there are very long wait times at 18 the airport for drivers. They, spend a lot 19 of time in the hold lots, that is time that 20 they are not compensated for, so by increasing those fares, we often compensate 21 22 them for that downtime that they spend at 23 airports. 24 And next slide. 25 So, just a little bit more detail on

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| 1 | the meter fare increase and what we project |
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| 2 | the results of that to be. So, for |
| 3 | passengers, that will mean an increase of the |
| 4 | average fare of about 22.9 percent gross |
| 5 | driver revenue. We're seeing an increase of |
| 6 | about 33 percent, and medallion gross |
| 7 | revenue, an increase of about 30 percent. |
| 8 | So, based on all the data that we |
| 9 | looked at, this is consistent with increases |
| 10 | in driver expenses, increase in New York City |
| 11 | public transit fares, it bring us to |
| 12 | somewhere that's comparable to the other |
| 13 | jurisdictions. |
| 14 | And there are taxi fares that I |
| 15 | mentioned, and this is also fairly comparable |
| 16 | to the increases that were done in 2004/'06 |
| 17 | and 2012, and those were increases over a |
| 18 | shorter period of time. We're looking at a |
| 19 | ten-year window since the last increase, but |
| 20 | it's still fairly consistent with those. And |
| 21 | these projections don't include tips and |
| 22 | don't include anything other than the |
| 23 | increase in meter fare. |
| 24 | Next slide. |
| 25 | So, then moving to the proposed |

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| 1 | increase to the minimum pay for high-volume |
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| 2 | for-hire vehicle drivers. And I'll similarly |
| 3 | go through a little bit of background, the |
| 4 | analysis that we did and the proposal and |
| 5 | what we expect the proposal to result in. |
| 6 | Next slide. |
| 7 | So, as a little bit of background on |
| 8 | the driver payroll, they were implemented in |
| 9 | 2009 following a TLC-Commissioned study by |
| 10 | two labor economists, the City Council |
| 11 | legislation and TLC rule-making. |
| 12 | It requires a minimum per-trip payment |
| 13 | for trips that are dispatched by the |
| 14 | high-volume companies. Currently, two |
| 15 | high-volume companies, Lyft and Uber, and |
| 16 | that minimum per-trip payment is based on |
| 17 | trip time, trip distance and the time |
| 18 | spent the time that drivers working for |
| 19 | that company spend on trips versus spend not |
| 20 | on a trip, on the utilization rate. |
| 21 | So, these rates have already been |
| 22 | increased to account for inflation in 2020 |
| 23 | and in early 2022, and we're proposing our |
| 24 | additional increase on top of that. |
| 25 | Next slide. |

1 So, our proposal to account for recent 2 inflation and increases in driver expenses 3 would increase the per-minute rate by 7.42 percent, and that's just to account for 4 general inflation since the last increase. 5 And then, on the per-mile side, increase by 6 7 23.93 percent, and that's specifically geared towards the per-mile rate, which is intended 8 9 to account for driver expenses. 10 So, this is looking at changes in 11 driver expenses since the rates were 12 initially analyzed in 2018. And it would -an additional component of the proposal would 13 14 be to require high-volume companies to stay within a utilization rate range of 52 percent 15 16 to 64 percent, to ensure that drivers receive 17 a sufficient number of trips because this is 18 only a per-trip payment. 19 So, if a company were to provide 20 drivers zero trips, they would have to pay zero dollars. So, we want to make sure that 21 22 they're actually getting drivers trips, so 23 that the trips that are actually done are 24 paid according to the standard. 25

Next slide.

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1 So, the impacts of the proposal -- just 2 using a sample trip of 30 minutes and 7.5 3 miles, the new rates would require a minimum 4 pay of \$27.15 to the driver for that trip, so this is up more than \$4 from the original 5 rates that were put into effect in 2019 and 6 up more than 2.50 from the current rates. 7 And as a reminder, this remains only a 8 9 minimum driver pay standard. The companies 10 can continue to exceed that standard if they choose to do so, and this is only relating to 11 12 driver pay, so this does not directly impact 13 passenger fares. The companies can continue 14 to decide how much to charge passengers and how much of the money charged to passengers 15 16 actually goes to drivers. 17 Next slide. 18 So, that's all I have. Happy to answer 19 any questions. 20 (No questions from commissioners.) 21 MR. DIGIOVANNI: Okay. Thank you. 22 MR. WANTTAJA: Okay. Thank you, James. 23 Commissioners, if you're ready, we'll 24 now start a series of votes on the proposed rule packages. 25

We will now vote on the meter rate of 1 2 fare rules. This rules was published in the 3 City Record on September 6, 2022, for public comments. The public hearing was held 4 5 virtually by the TLC on October 6th. On November 9th, the final version of the 6 7 proposed rule was posted on our website and circulated to the commissioners, along with 8 9 the hearing transcript and all written 10 comments that were received. 11 Commissioners, may we move forward for 12 a vote? All those in favor of adopting the 13 rule, please raise your hand. 14 (Hands raised in tandem by Commissioners). 15 16 MR. WANTTAJA: And with that, the rules 17 are adopted unanimously. 18 ADVOCATORS: Driver power. Union 19 power. Driver power. Union power. Driver 20 power. Union power. Driver power. Union 21 power --22 CHAIR DO: Thank you, everybody. Thank 23 you, everybody. 24 MR. WANTTAJA: We have one more rule we 25 have to vote on. One more rule. We have one

more rule packet.

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2 CHAIR DO: Thank you. One more second. 3 MR. WANTTAJA: So, that was the taxi meter fare rules. The next rule package up 4 5 for a vote is the for-hire vehicle driver pay rules. These rules were published in the 6 7 City Record on September 6, 2022, for public comments. A public hearing was held 8 9 virtually by the TLC on October 6th. On November 9th, the final version of the 10 11 proposed rule was posted on our website and 12 circulated to the Commissioners, along with the hearing transcript and all of the written 13 comments that were received. 14 All those in favor of adopting the 15 16 proposed rule, please raise your hand. 17 (Hands raised in tandem by 18 Commissioners). 19 MR. WANTTAJA: And with that, the rule 20 is adopted unanimously. 21 ADVOCATORS: Driver power. Union 22 power. Driver power. Union power. Driver 23 power. Union power. 24 (Applause). 25 CHAIR DO: Thank you, everybody. And

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| 1 | thank you for being here today and making |
| 2 | your voices heard. This is an important part |
| 3 | of your civic duty. I want to also thank our |
| 4 | Commissioners for being here for the first |
| 5 | time since the global pandemic has impacted |
| 6 | us all. |
| 7 | I also want to thank the TLC team who |
| 8 | continues to work day in and day out to |
| 9 | support our industry, our drivers and our |
| 10 | passengers. |
| 11 | And with that, congratulations, and I |
| 12 | will call this meeting to an end at 10:31. |
| 13 | (Applause). |
| 14 | (TIME NOTED: 10:31 a.m.) |
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28 CERTIFICATE 3 STATE OF NEW YORK) :SS 4 5 COUNTY OF QUEENS) 7 I, Sabrina Brown Stewart, a shorthand 8 reporter within and for the State of New York, do 9 hereby certify that the within is a true and accurate transcript of the statement taken on 10 11 November 15, 2022. 12 I further certify that I am not related to 13 any of the parties to this action by blood or by 14 marriage, and that I am in no way interested in the 15 outcome of this matter. 16 IN WITNESS WHEREOF, I have hereunto set my 17 hand this 26th day of November 2022. 18 19 20 Sabrina Brown-Stewart Sabrina Brown Stewart 21 22 23 24 25

| Commission | | | | | | | |
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