

NEW YORK CITY
TAXI AND LIMOUSINE COMMISSION

Minutes of Commission Meeting

October 16, 2009

Present:

Matthew W. Daus, *Commissioner/Chair*

Elias Arout, *Commissioner*

Harry Giannoulis, *Commissioner*

Edward Gonzales, *Commissioner*

Lauvienska Polanco, *Commissioner*

Charles Fraser, *General Counsel*

1. The Chair called the meeting to order and reported the following:
 - The Chair reported on a new TLC proposal to stop the use of cell phones by TLC licensed drivers while they are driving. TLC banned the use of cell phones while driving, but drivers have flouted this rule by using Bluetooth hands-free devices. This proposal includes a ban on the wearing of hands-free devices and increased passenger and driver education. The TLC plans to take action by the end of the year. Later in the meeting, TLC staff will give a presentation on the problem and TLC's proposal. (Tr. pp. 3-5)
 - Due to the Chair's laryngitis, Deputy Commissioner for Public Affairs Allan Fromberg completed the Chair's report. (Tr. p. 5)
 - Deputy Commissioner Fromberg acknowledged several TLC employees in honor of Customer Service Week, celebrated during the week of October 5-9. Mayor Bloomberg hosted an event at Gracie Mansion, where one outstanding employee from each city agency is honored. Fabian Cancel, from Counter Operations - Owner Section was honored. Also recognized for their contributions to Customer Service Week were Lisa Oliver-Grant, Dawn Sherman, Eileen Henry, Nicol Fakas, Shaniqua Payne, Carolyn Castro, Indira Strouse, Adrian Gonzales, and Colette Graham. (Tr. pp.7-8)
 - Deputy Commissioner Fromberg recognized two visitors from Ireland, Anthony Carey, the enforcement officer for the Commission for Taxi Regulations in Dublin, and Eric Bollard from the Dublin Fire Brigade. (Tr. p. 8)
 - Deputy Commissioner Fromberg recognized TLC driver Ziad Alawi. Mr. Alawi picked up an elderly woman and soon realized that she was disoriented. Mr.

Alawi drove this passenger to a police precinct and explained her situation to the police. Mr. Alawi's passenger was quickly identified and safely returned to her family. Mr. Alawi will be honored at the Alzheimer's Association Memory Walk on Sunday. (Tr. pp. 8-10)

2. Chief Administrative Law Judge Carmena Schwecke swore in newly hired Administrative Law Judges: Jeffrey Davis, Jodi Zagoory, John Philip, Karen Ortiz, Martin Kramer, Mickey Heller, Morgan Bitton, Nicholas Mahoney, Paul Vaygen, Robert Getnam, and Shirley Spira. (Tr. pp. 10-12)
3. Item 2 on the agenda, Adoption of Minutes (September 17, 2009 Commission Meeting), was presented to the Commission for approval. A motion was made by Commissioner Arout to approve the minutes. The motion was seconded by Commissioner Gonzales and it passed unanimously (Commissioners Daus, Arout, Giannoulis, Gonzales and Polanco). (Tr. p. 12)
4. Item 3 on the agenda, Base Applications for Determination was presented to the Commission. Georgia Steele-Radway, Base Licensing Supervisor, presented the following base station license applications for consideration:

NEW(2):

B02333	A Door to Door Transportation Inc.
B02344	The New Discovery Car & Limousine LLC

RENEWALS (16):

B01091	A & R Golden Express Inc.
B02006	America United Multiplex Car Service Corp.
B01972	B.A.L. Car Service
B01065	Barrios Car Service
B01553	City Line Car Service Inc.
B00887	Dial 7 Car & Limousine Service Inc. D/b/a Tel Aviv Car & Limousine Service
B00919	Harlem Transportation Corp.
B01717	High Class Bronx Limo. Car Service Corp.
B00889	Mexicana Car Service Inc.
B00941	Personal Touch Car Service
B00149	Rainbow Radio Dispatch Inc.
B00639	Rocapulco
B01731	Rosedale Base Car Service Corp. D/b/a Danny's Car Service
B01081	Spring Creek Management Inc.
B00501	Target Transportation Corp.
B01601	Yours Car Service Inc.

RENEWAL & RELOCATION (1):

B01397 U.C. Columbus Radio Dispatcher Inc.

RENEWAL & OWNERSHIP CHANGE (2):

B02168 Easy Limo. Leasing Inc.

B01960 Island-Wide Car & Limo. Service Inc.

The following bases are recommended for denial if TLC requirements are not met within 30 days:

B02189 Van Wyck Express Car Service Inc.

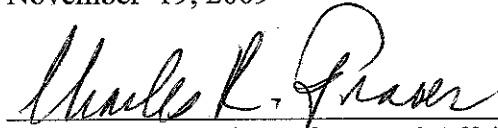
5. A motion was made by Commissioner Gonzales to approve all of the base station license applications that were recommended for approval. The motion was seconded by Commissioner Arout and it passed unanimously (Commissioners Daus, Arout, Giannoulis, Gonzales and Polanco). (Tr. p. 12)
6. A motion was made by Commissioner Gonzales to deny all of the base station license applications that were recommended for denial if they do not comply with requirements within thirty days. The motion was seconded by Commissioner Arout and it passed unanimously (Commissioners Daus, Arout, Giannoulis, Gonzales and Polanco). (Tr. pp. 12-13)
7. Item 4 on the agenda, Rules Revision Project for Commission Action, was presented to the Commission. A motion was made by Commissioner Arout to conditionally approve proposed rule chapter 4 (Taxicab Drivers), pending a future vote approving the entire rulebook and repealing the existing rulebook at the same time. The motion was seconded by Commissioner Gonzales and it passed unanimously (Commissioners Daus, Arout, Giannoulis, Gonzales and Polanco). (Tr. pp. 13-14)
8. Item 5 on the agenda, Pilot Program for Commission Action, was presented to the Commission by David Klahr, Chief of Staff to the First Deputy Commissioner. The proposal was for a device called Magno-Flo, a magnet, attached via the zip line to the fuel line of a vehicle. The device allegedly affects the flow of gasoline resulting in greater fuel efficiency and less pollution. There is no clear scientific basis for the use of this type of device, therefore, TLC staff recommend denying the proposal. Commissioner Arout made a motion to deny the pilot proposal. Commissioner Gonzales seconded the motion and it passed unanimously (Commissioners Daus, Arout, Giannoulis, Gonzales and Polanco). (Tr. pp. 14-15)
9. Item 6 on the agenda, Staff Presentation on Cell Phones and Distracted Driving was presented to the Commission. Tweeps Phillips, Director of Special Projects,

gave the presentation outlining the problem of cell phone use and distracted driving, the government response, and future steps to solve the problem. (Tr. pp. 15-32)

10. Due to a lack of quorum for the executive session, the appeals of TLC v. Mohamed Elouannas / Hack License No. 483899 and TLC v. Zolio Martinez / Hack License No. 5174681 were adjourned to the next Commission meeting.(Tr. pp. 32-33)
11. A motion was made by Commissioner Arout to close the meeting. The motion was seconded by Commissioner Gonzales and it passed unanimously. (Tr. p. 33)

The meeting was adjourned at approximately 2:33 p.m.

Minutes as approved by the Taxi & Limousine Commission on
November 19, 2009



Deputy Commissioner for Legal Affairs / General Counsel

November 25, 2009
Date