

NEW YORK CITY TAXI AND LIMOUSINE COMMISSION

TAXICAB LEASING PILOT AMENDMENT

December 3, 2015

On October 15, 2015, the New York City Taxi and Limousine Commission (“Commission” or “TLC”) approved by resolution the Taxicab Leasing Pilot Program (“Pilot Program”) to test and evaluate increased flexibility in arrangements between licensees who Lease Taxicabs and Taxicab Drivers. The Pilot Program was approved pursuant to section 2303(b)(9) of the New York City Charter and section 52-27 of the Commission’s rules.

The Commission hereby approves this amendment (“Amendment”) to the Pilot Program resolution to further test and evaluate increased flexibility in arrangements between Taxicab lessors and Taxicab Drivers. This Amendment includes an additional requirement that all participating Taxicab lessors (“Participants”) must develop and implement a plan to offer shift changes outside of the evening rush hours (“Shift Change Plan”). Additionally, this Amendment provides an alternative leasing model wherein Participants may submit a plan with shift times and caps specific to each Participant. Finally, this Amendment includes changes to bolster Driver protections and provide additional information about each Participant’s Taxicab fleet on the TLC website.

Participant Shift Change Plan

Prior to receiving approval to participate in the Pilot Program, each prospective Participant must provide TLC with a Shift Change Plan through which the prospective Participant will offer shift change times outside the 4:00 p.m. to 8:00 p.m. hours. If approved, TLC will monitor actual lease times and will ensure each Participant uses best efforts to implement his or her Shift Change Plan. Through this additional requirement, TLC will test if offering shift change times outside of the 4:00 p.m. to 8:00 p.m. hours has the following impacts: increased Taxicab availability during the evening rush hours; increased Driver earning potential resulting from the removal of lessor operational barriers preventing Drivers from working during high-demand periods; and increased Driver earning potential resulting from a decrease in time currently spent in traffic prior to and following the evening shift change.

Participant-Specific Leasing Models

Participants may submit proposed shift times and lease caps for approval by TLC (“Participant Leasing Model”). When reviewing proposed Participant Leasing Models, TLC will ensure the sum total of all proposed caps does not exceed the sum total of current applicable daily Lease Cap rates. All approved Participant Leasing Models will be posted on the Pilot Program webpage on TLC’s website as well as at the Participant’s facility at least 7 days prior to going

into effect. This additional leasing option will test whether increasing lessors' flexibility to determine shift times and rates results in an increase in Taxicab availability. This leasing option will also test whether Participants, by adjusting rates and shifts, can encourage Drivers to lease specific shifts or vehicle types that, periodically, struggle to attract Drivers.

Driver Protection and Participant Metrics

TLC will post on the Pilot Program webpage fleet metrics including, but not limited to, average vehicle age and facility location for each Participant. TLC will determine if posting this information along with any approved leasing models offered by the Participant will provide information useful to those Drivers considering a move to a different Taxicab lessor.

This Amendment amends the Taxicab Leasing Pilot Program Resolution as follow:

1. Section 1 is amended to read as follows:

The Pilot Program will commence on the date on which the first Participant leases a Taxicab under the Fare Share leasing model or under a TLC-approved Participant Leasing Model. The Pilot Program will continue for a maximum of 12 consecutive months.

2. Section 2(b) is amended to read as follows:

b. The MOU will be consistent with this resolution, as amended by the December 3, 2015 Amendment.

3. Section 2(d) is amended to read as follows:

d. The Chairperson may terminate the MOU and/or the Pilot Program because, in his or her sole discretion, Driver income or Taxicab availability is negatively impacted as a result of the Pilot.

4. Sections 6(c), 6(d) and 6(e) are re-lettered 6(d), 6(e) and 6(f), respectively, and a new 6(c) is added to read as follows:

c. Applicants must provide the following information:

- i. The Medallions they operate and the current mode of operation (i.e. daily or weekly) for each;
- ii. Current shift change times; and
- iii. A plan to offer a shift change time outside of the 4:00 p.m. to 8:00 p.m. hours.

5. Section 7 is amended to read as follows:

7. Participants will be exempt from the following TLC rules for purposes of Fare Share leases and Participant Leasing Model leases:

...

6. Section 8(a) is amended to read as follow:

a. Participants may continue offering Fare Share and Participant Leasing Model leases unless:

- i. The Chairperson terminates the MOU because, in his or her sole discretion, there is an imminent threat to the health or safety of members of the public, Drivers, or other individuals;
- ii. The Chairperson terminates the MOU because, in his or her sole discretion, Driver income is negatively impacted as a result of the Pilot Program; or
- iii. The Chairperson terminates the MOU because, in his or her sole discretion, the Participant failed to use best efforts to implement the Participant's Shift Change Plan.

7. Section 9(a)(iii) is amended to read as follows:

iii. For each shift leased out through the Fare Share leasing model or a Participant Leasing Model, the medallion number, Driver hack number and amount charged; and