



## NEW YORK CITY TAXI & LIMOUSINE COMMISSION

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### TLC NEWS | TESTIMONY

**The TLC testified on a myriad of significant transportation issues surrounding livery service and driver feedback with the Commission. Delivered February 27, 2003**

Good morning Chairman Liu and members of the Transportation Committee. My name is Matthew Daus and I am the Commissioner/Chair of the New York City Taxi and Limousine Commission (TLC). Thank you for this opportunity to testify on the revised versions of Intro. Nos. 178-A, 195-A and 267-A, and to offer the Administration's initial response to Intro. No. 359.

With respect to Intro. No. 195-A, which calls for the creation of a drivers' advisory board, similar to taxi, livery and disability advisory boards that already exist to advise the Commission and its Chair on industry matters, I refer to our prior testimony on the subject, originally delivered on June 20, 2002, with some additions. The TLC recommends that a drivers' advisory board be comprised exclusively of currently licensed drivers, since this board will provide advice and counsel to the Commission on matters that affect drivers. The existing advisory boards already include representation from industry interests other than drivers licensed by the TLC.

Inasmuch as there are many different types of drivers licensed by the TLC, including taxicab, livery, paratransit and commuter van drivers, each with their own set of concerns, any drivers' advisory board should consist of members from each of these constituencies. Appointments to the board should be made by the Mayor and the City Council, in equal numbers. To this end the administration has entered into discussions with the Council to modify this bill to meet these objectives.

The Intro now before the Council calls for a total of 15 members, 10 of who would be chosen by a delegation of council members from each borough, as well as five appointed by the mayor. According to the current bill, persons other than licensed drivers could serve on the board.

I have found the creation of informal driver focus groups, at which drivers regularly have the opportunity to share their experience and perspectives with us, to be invaluable. Ideas that originated from drivers at these meetings have been adopted and implemented by the TLC. Accordingly, we have a great appreciation for the value of driver input and welcome a balanced driver advisory board.

The TLC supports a bill creating a drivers' advisory board, provided the following modifications are made. The TLC believes that the advisory board will be more functional if membership were capped at 10, each member being a current TLC licensee in good standing. The board should be comprised of individuals representing the various licensees of the Commission, including representation from taxicab, for-hire vehicle, paratransit and commuter van drivers. Five members would be appointed by the Mayor, and the remaining five appointed by the Council. The advisory board should function to provide advice to the Commission, Chair and TLC senior staff, in the same manner as the other advisory boards provide counsel.

Regarding the Committee's proposed Intro. No. 178-A, which was also a subject of the Administration's testimony on June 20, 2002, we remain committed, first and foremost, to driver safety. Enforcement exists to protect driver safety, and the intent of enforcing rules mandating operational trouble lights is solely to protect drivers. Presently, a summons issued to a vehicle owner for a defective trouble light carries a fine of \$100 and suspension of the vehicle license until the defective condition is corrected. The TLC notes that the latest draft of this bill would increase the fine for inoperable trouble lights from \$100 to \$175; at the same time, drivers would be given the opportunity to have their summonses dismissed if the vehicle is removed from service and the defective condition is corrected within 24 hours. By both raising fines for licensees who refuse to undertake prompt repairs, while providing a financial incentive to repair the defective condition quickly, driver safety is protected by providing a real incentive to owners who correct defective trouble lights as soon as they become aware of the defect. The Administration supports Intro. No. 178-A, as redrafted.

Intro. No. 267-A, as amended, calls for the creation of a pilot program to establish for-hire vehicle stands in each borough, sited in consultation with the various local council members in accordance with specified criteria. The bill requires that each stand be staffed at all times by a TLC-assigned dispatcher, to ensure safety. The TLC is opposed to such a pilot program as it creates a mandate upon the Commission, which it cannot afford. Conservatively, the cost for staffing a single livery stand would be approximately \$600,000 per year. If only two stands were created in each borough, the TLC will be required to absorb an additional \$6 million in annual operating expenses. If additional resources could not be dedicated, TLC enforcement in other areas would be severely curtailed. This bill cannot be supported by the TLC since it simply lacks the personnel resources to fulfill its mandate. Without these resources, failure is all but ensured.

Lastly, on the matter of proposed Intro. No. 359, the TLC does favor increased penalties for violations of the laws and rules associated with illegal livery street hails. In recent years, the TLC has increased enforcement against illegal street hails. However, the present mandatory fines for these violations are to some merely a cost of doing business. Accordingly, the TLC supports the Council's intention to increase penalties for illegal street hails, especially since these penalties have not been increased since 1989.

The penalty for unlawful street hails has always been identical to that for medallion taxicab service refusals and overcharges. Street hails by livery vehicles, and refusals and overcharges by taxicab drivers, are contrary to the regulatory system established by the Council which mandates that for-hire vehicles accept passengers by pre-arrangement at fares set by the base, and that taxicabs accept hails from any passenger and travel to any destination for a fare set by law. Along this line, the TLC is working closely with the Mayor's Office of City Legislative Affairs to draft such proposed legislation, which would raise penalties for refusals, overcharges and illegal street hails, to levels that serve as a deterrent to these forms of unlawful conduct.

Again, thank you for inviting us to testify. I would now be pleased to answer any questions you may have.

