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TRANSCRIPT OF THE
NEW YORK CITY
TAXI & LIMOUSINE COMMISSION

THURSDAY, DECEMBER 13, 2012
33 BEAVER STREET
COMMISSION HEARING ROOM, 19TH FLOOR
BOROUGH OF MANHATTAN

HEARING CONVENED AT 9:24 A.M.

Reported By:

Kari L. Reed

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COMMISSIONERS PRESENT:

- David Yassky, Chairman
- Elias Arout
- Frank Carone
- LaShann DeArcy
- Mark Gjonaj
- Edward Gonzales
- Nora Constance Marino
- Lauvienska Polanco
- Iris Weinshall

ALSO PRESENT:

- Meera Joshi, General Counsel
- Staff
- The Public
- The Press

1 THE CHAIR: Good morning.

2 We'll bring the meeting today of the
3 Taxi & Limousine Commission to
4 order. It is 9:24 a.m.

5 I am joined by Commissioners
6 Gjonaj, Carone, Arout and Gonzalez,
7 and we are here just now -- and
8 Commissioner Weinshall. We are here
9 simply to vote on a motion to recess
10 for executive session I move that we
11 recess for an executive session.
12

13 All in favor say "aye."

14 (Chorus of ayes.)

15 THE CHAIR: Opposed?

16 (No response.)

17 THE CHAIR: None.

18 There are a couple of
19 commissioners who are running late.
20 I expect that we will reconvene at
21 about 10:30. So folks who are here,
22 I would ask that we start the public
23 meeting at ten o'clock as scheduled.
24 If people want to get a coffee, they
25 can feel free to do that without

1
2 fear that you will miss the
3 beginning of the meeting as long
4 you're back by 10:30.

5 Thank you. With that, we
6 will recess for Executive Session.

7 (Whereupon, an Executive
8 Session was begun at 9:25 a.m.)

9 (Recess taken)

10 (Whereupon, the
11 Commissioners return from Executive
12 Session and the following public
13 proceedings commence at 10:40 a.m.)

14 THE CHAIR: Good morning.
15 We are reconvening here at 10:40
16 a.m. Present are Commissioners
17 Arout, DeArcy, Yassky, Weinshall,
18 Gonzalez, Polanco and Marino, and
19 Commissioner Carone is in the
20 building, and Commissioner Gjonaj,
21 so I'm sure they'll be in the room
22 very shortly.

23 We have some important
24 business but first just, we have
25 some announcements. And the first

1
2 is a bit of sad news. Unfortunately
3 we have to begin the meeting with a
4 note of sadness, but I want to note
5 that we are paying our respects to
6 TLC Inspector Ruben Roman who passed
7 on after suffering a stroke last
8 week. He was a member of our
9 enforcement team in the USB, a
10 relatively new member, he joined us
11 only last December but after a
12 career in the U.S. Air force. And
13 in a short time he had been the
14 sergeant of his graduating class,
15 had earned the class leadership
16 award, and was an inspector of great
17 promise with us, and it is a loss.

18 We extend our sympathies to
19 Inspector Roman's family. And for
20 folks who might want to hear
21 information about the services, you
22 can call my office if you wish

23 So I'd like to just ask for
24 a moment of silence in honor of
25 Inspector Roman.

1
2 (Whereupon, a moment of
3 silence is held.)

4 THE CHAIR: Thank you.

5 On a note of happy news,
6 today is the -- well, happy in not
7 that he's leaving us but happy for
8 the State of New York and the People
9 of the State of New York; I do also
10 want to note that today is the last
11 Commission meeting for Commissioner
12 Mark Gjonaj, who will soon be known,
13 and I have to insist that you
14 address him as such, as Assembly
15 Member Mark Gjonaj of the 80th
16 Assembly District in the Bronx.

17 (Applause.)

18 THE CHAIR: You know, while
19 I can express both my
20 congratulations and some measure of
21 my sympathy --

22 (Laughter.)

23 THE CHAIR: -- I have
24 nothing but congratulations for the
25 people of the 80th district who I

1
2 know will be superbly represented,
3 and all of us in New York State
4 since the legislature handles so
5 much critical business for all of
6 us. I just want to take a moment to
7 say for me personally that it's been
8 a privilege to serve with you, Mark,
9 and you have contributed, as you
10 know, enormously to the Commission
11 and its work here. I am grateful
12 for the opportunity to serve with
13 you, and I hope we can continue to
14 work together in your new position.

15 COMM. GJONAJ: Thank you.

16 THE CHAIR: Congratulations
17 and thank you.

18 A couple of notes on what's
19 been going on at the TLC. First of
20 all, I am really thrilled to report
21 that culminating several years
22 really or work by many, many people
23 in the agency, our enforcement staff
24 is now fully equipped with handheld
25 summons issuing devices. I think at

1
2 our prior meeting I mentioned that
3 we are beginning to deploy them.
4 And after testing we reviewed the
5 testing, corrected the bugs, and now
6 that is in full deployment.

7 And Deputy Commissioner
8 Conan Freud, our CIO, Jeff Grunfeld,
9 the Deputy Commissioner of USB, Ray
10 Scanlon, I should mention and really
11 also our now retired Deputy
12 commissioner for Enforcement, Pansy
13 Mulling, who oversaw the inception
14 of the project. It brings us into
15 the 20th century -- well, the 21st
16 century, as we are doing in so many
17 other ways, and it's really a
18 tremendous boon for our folks who no
19 longer write summonses on summons
20 pads and then people back at the
21 office have to enter it in by hand.
22 It's an example of how technology
23 makes us more efficient. I am
24 really thrilled that we have done
25 that.

1
2 I think related to that
3 really, even before the handhelds
4 were out there, the Enforcement
5 Division has been extraordinarily
6 productive in ways that I think are
7 best suited to protect the rights of
8 our licensees and also the public to
9 have only licensed service. Just in
10 the -- I'm not sure. In truth, this
11 must be calendar year-to-date I'm
12 guessing, so -- no. It's got to be
13 fiscal year-to-date. So in the last
14 let's say five to six months our
15 inspectors have seized 2,813
16 vehicles operating illegally, taken
17 them off the street. That is up
18 from 749 in the same period last
19 year. So 749; 749 to 2,813. And
20 Ray Scanlon and his folks deserve
21 just tremendous credit for that, and
22 I hope you will all thank him
23 personally.

24 On a business note, in
25 Staten Island, as you know, our

1
2 Staten Island office was decimated
3 by Sandy, to the point where we and
4 our sister agency, DCAS, have
5 determined that it is not
6 economically feasible to do the
7 repair work. So we are looking for
8 replacement space for the Staten
9 Island office.

10 However, to ensure that our
11 service to Staten Islanders
12 continues and at the urging of
13 Commissioner Arout, we wanted to
14 make sure there was no gap in
15 service, I asked Borough President
16 Molinaro if we could borrow some of
17 his space, and he incredibly
18 graciously -- have you ever known
19 someone in government to say sure,
20 I'll lend you some space; I don't
21 think it's ever happened. I mean I
22 know we would be fast obviously, but
23 Borough President Molinaro stepped
24 right up and he's given us an office
25 at Borough Hall.

Gary Weiss and Jeff Grunfeld

did lot of very fast work to get connected there so we can have our data bases operative there. So Staten Island folks will continue the licensing transactions that they had do at our Richmond Terrace location at Staten Island Borough Hall. So for Staten Island livery folks--really that's who this affects, I guess taxi drivers as well who live there--I want to make sure you know that it's open Monday to Friday from eight a.m. to two p.m., so somewhat shortened hours, but still, Monday to Friday, eight to two.

So moving to business.

Today first we will vote on the adoption of the minutes of the November 29th Commissioner meeting.

Commissioners, are the minutes -- oh, I do want to also note our CART reporter, not our

1
2 court reporter but our CART reporter
3 for hard of hearing folks canceled
4 at the last moment and we were not
5 able to get a replacement here. So
6 if there are folks who are here
7 counting on that, I apologize to you
8 for that absence. But we will
9 investigate whether to have a backup
10 scheduled in the future so we won't
11 allow that to happen.

12 So let me just call for a
13 vote for the adoption of the minutes
14 of the November 29th Commission
15 meeting. The minutes are before
16 you. All in favor say "aye."

17 (Chorus of ayes.)

18 THE CHAIR: Opposed?

19 (No response.)

20 THE CHAIR: No. The minutes
21 are adopted.

22 We have a number of base
23 applications. Chris will present
24 them.

25 MR. TORMEY: Good morning.

1
2 My name is Chris Tormey. I'm the
3 Director of Licensing of the Taxi
4 and Limousine Commission. The
5 following bases on the agenda are
6 recommended for approval, with one
7 denial.

8 THE CHAIR: I move that the
9 recommendations of the Licensing
10 Division be adopted and that the
11 bases listed for approval and
12 renewal are approved and renewed,
13 and the application listed for
14 denial be denied. All in favor say
15 "aye."

16 (Chorus of ayes.)

17 THE CHAIR: Opposed?

18 (No response.)

19 THE CHAIR: No.

20 Chris, thank you.

21 MR. TORMEY: Thank you.

22 THE CHAIR: Your proposal is
23 fully ratified.

24 We have two items before us
25 for Commission action today.

1
2 Commissioners, these are here for a
3 vote.

4 The first item is a proposed
5 rule on TPEP. Meera will describe
6 it to you, and then I will make my
7 lengthy comments.

8 MS. JOSHI: Before the
9 Commission are the proposed rules
10 and specifications for potential
11 TPEP vendors who would like to
12 become authorized TLC TPEP providers
13 prior to the expiration of the
14 current TPEP contract. The proposed
15 rules were published in the City
16 Record on October 30th, 2012, and
17 the CAPA deadline for public comment
18 is today, November -- I'm sorry, was
19 November 29th but was extended by
20 the TLC until December 12th. The
21 CAPA public hearing was held on
22 November 29th.

23 The proposed rules before
24 the Commission reflect in sum the
25 following revisions from the version

1 that was publish in the City Record:

2 Increased maximum allowable
3 contract length was extended from
4 one year to five years;

5 An early termination fee of
6 25 percent of remaining monthly
7 fees, not to exceed 24 months, was
8 added;

9 An increased fee for
10 E-payment that the E-payment app
11 must provide a TPEP provider, it was
12 increased from two cents per trip to
13 five cents per trip, and the 97
14 percent pass-through payment model
15 was eliminated;

16 A one thousand dollar fine
17 was added against medallion owners
18 who do not timely remit a six-cent
19 health care fee per trip;

20 The time required for TLC
21 content was reduced from four
22 minutes to two minute and fifteen
23 seconds, prologue time from one
24 minute to 45 seconds, and the
25

1
2 passenger route map maximization
3 from two minutes to 30 seconds, and
4 the size and number of buttons
5 required on the home screen was also
6 reduce and an option was also
7 provided for TPEP providers to
8 propose an alternative means of
9 collecting the health care fund fees
10 as opposed to collecting them
11 directly from the medallion owners;

12 Excluded spot market
13 advertising was excluded from TLC
14 content, and restrict messaging with
15 a commercial focus was also cut down
16 to one minute of TLC's two minute
17 and 15 seconds content loop;

18 TPEP providers are allowed
19 to run content for not-for-profit
20 organizations and charitable causes;

21 The authorization for the
22 TPEP provider was increased from one
23 year to three years;

24 The number of major credit
25 cards the TPEP provider must accept

1
2 was reduced from two out of the four
3 major credit cards;

4 TPEP providers who are the
5 merchant for medallion owners are
6 allowed to pay drivers directly and
7 charge five percent for the credit
8 card processing fee and offer an
9 option for an electronic debit line;

10 The split fare requirements,
11 which were optional in the published
12 rules, were further relaxed;

13 There was a requirement
14 added that if TLC notifies a TPEP
15 provider that a payment application
16 is not approved poses a threat to
17 public health, safety or welfare,
18 the TPEP provider must make
19 reasonable efforts to block the
20 application;

21 The number of updates to TLC
22 content was reduced to 104 times a
23 year, and the amount of notice that
24 TLC is required to provide the TPEP
25 provider was increased from 12 hours

1
2 to 24 hours;

3 A requirement was added that
4 any E-Hail service fee be displayed
5 on printed receipts and PIMs;

6 A cure period for violations
7 of the TPEP authorization rules was
8 added of five to 20 business days;

9 Requirement that applicants
10 provide API design, applicant
11 meaning TPEP provider applicants,
12 provide API design in their
13 application was added;

14 The requirement that pick-up
15 and drop-off locations appear on
16 receipts was removed;

17 Tip requirement restrictions
18 were relaxed. TPEP providers are at
19 their discretion to choose preset
20 tip amounts as long as they offer a
21 20 percent preset option;

22 Store and forward
23 requirements were relaxed for credit
24 card data from ten to five
25 transactions;

1
2 A privacy requirement was
3 added for handling of electronic
4 signatures, email addresses and
5 phone numbers;

6 And the bread crumb data
7 frequency was increased to every two
8 minutes from ever 30 seconds;

9 And medallion owners are
10 required to open a service ticket in
11 order to hold TPEP providers
12 responsible for reimbursement of
13 fines.

14 And that concludes the
15 summary of revisions made to the
16 proposed TPEP rules.

17 THE CHAIR: So,
18 Commissioners, before calling for
19 vote -- and we had a public hearing
20 noted on this at a prior meeting, so
21 there's no public hearing today.

22 Before calling for a vote I
23 just want to say I think this is
24 enormously important, really. It
25 will probably receive less attention

1
2 than the other item before you
3 today, but I would say of more
4 import for the industry in that the
5 credit card program has just been
6 enormously successful. It's, I
7 think, one of the things the
8 Commission, prior of course to my
9 arrival, did that has improved
10 service dramatically for passengers.
11 Today some 50, probably running like
12 57 percent of payments are made by
13 credit card. All the evidence is
14 that it has increased taxi ridership
15 by making taxi service more
16 convenient for people. Tips appear
17 to be higher, which is good for
18 drivers. And maybe it speaks a
19 little bit to the kind of
20 rationality of the passengers, why
21 would this be true, but it appears
22 to be true, and it an enormous
23 achievement.

24 We are continuing today in
25 think a new and improved form by

1
2 having rules rather than contracts
3 with the providers. We can
4 continually be looking for ways to
5 improve it. These rules themselves
6 incorporate a host of minor
7 improvements that are all not so
8 noteworthy that they would get
9 written by the newspapers but
10 cumulatively, I think they're all
11 significant. Everything from
12 ensuring that people with visual
13 impairments get audible information
14 during the rides so that they can
15 fully be taxi passengers and know
16 what they're expected to pay,
17 frankly, at the end, to the
18 geo-fencing so that the out-of-town
19 rate can only be used in the city.

20 I also want to note that the
21 two providers we have today -- I
22 think it's appropriate at this time
23 for us to give them our public
24 thanks -- Verifone Taxicab System
25 and Greater Mobile Technologies.

1
2 They have been wonderful partners
3 for the TLC over the course of the
4 contracts we have had with them.
5 They now will go from contract
6 counterparties to authorized
7 providers under our rule. They may
8 be joined by others; they may not
9 be. But either way, I want to
10 recognize that they've been a
11 valuable part of making this program
12 work, and I recognize them.

13 The staff, also, I want to
14 say did just an astounding job,
15 Ashwini Chhabra and Meera Joshi, as
16 we know, Joe Rausen, who's fairly
17 new to our team but has taken on
18 this portfolio. Very, very
19 complicated set of rules, worked
20 through them with our industry
21 partners at really exhausting length
22 and came out with a terrific product
23 in a pretty short amount of time.
24 So I thank them.

25 I don't know if people have

1
2 a comment. Otherwise, I would call
3 for a vote.

4 Why don't we do it by a show
5 of hands. All in favor of the TPEP
6 rules, raise your hand aye.

7 (Show of hands.)

8 MS. JOSHI: By a vote of
9 one, two, three, four, five, six,
10 seven, eight, nine the TPEP rules
11 are unanimously adopted.

12 THE CHAIR: Thank you.

13 Now, the second item on the
14 agenda is a proposed pilot program
15 for the use of Smartphone apps to
16 hail a taxicab. There's been much
17 public discussion about this, as you
18 know. And what really we have here
19 is new technology that has come
20 along and provided the opportunity
21 for improved service for passengers.
22 And our challenge as regulators is
23 to figure out how to ensure that
24 this new technology is incorporated
25 in the business we regulate in a way

1
2 that will provide maximum benefit to
3 passengers with minimal disruption
4 to the existing stakeholders.

5 We have proposed a rule that
6 was published as -- Meera, I'm
7 sorry, do you have to do a formal
8 description of this? Okay.

9 We had proposed a rule back
10 in October that would have had us
11 license these apps. After
12 considerable discussion among the
13 Commissioners, I am not putting that
14 rule forward for consideration today
15 but rather putting forward a pilot
16 program, a one-year pilot that will
17 allow apps to get out there, get out
18 to the market, allow customers to
19 use them, allow drivers to use them,
20 and allow us to collect data and
21 information and feedback from all of
22 those parties, passengers, taxi
23 drivers, taxi owners and,
24 importantly, car service livery and
25 black car folks, drivers and owners

1
2 as well. Because they are affected
3 and they have a legitimate interest
4 in participating in our process.

5 So the one-year pilot will
6 allow apps. Though we've made some
7 changes from what was originally
8 proposed, apps will be limited to
9 enabling passengers to hail taxis
10 only that are within a reasonably
11 close distance from the passenger,
12 meaning a half mile in the Manhattan
13 Central Business District, 59th
14 Street and below 59th Street, and a
15 mile and a half in the rest of New
16 York City. We have made some
17 changes to enable drivers to accept
18 trips with a single touch so that it
19 will be workable for folks. And we
20 have required that payment be
21 processed through the existing TPEP
22 system.

23 Those are the three major
24 changes, substantive changes to the
25 rules of the pilot. We have also

1
2 required that the staff prepare
3 quarterly reports on the impact of
4 apps, both the benefits to
5 passengers and costs to passengers,
6 and the impact on the other
7 TLC-regulated sectors. So that as
8 the year proceeds, we can make a
9 decision whether to continue the
10 authorization for apps and make it
11 permanent, or to let it lapse or to
12 make changes. And I think, like
13 with other pilot programs, I'm sure
14 we'll produce a wealth of
15 information and enable better
16 decision-making months down the road
17 when we revisit this than we can
18 today.

19 I'm thinking of the
20 accessible dispatch program. That
21 pilot, I think showed both that
22 accessible dispatch was doable and
23 has value but also showed that the
24 original method of providing that
25 service had a lot of flaws, and we

1
2 corrected it, and today's program,
3 permanent program works much better
4 as a result.

5 You know, I don't think --
6 we, I'll end my remarks so we can
7 discuss it if necessary and then
8 vote.

9 But, you know, the short of
10 it is we should not ignore
11 technology that's out there. There
12 are providers who are providing the
13 service elsewhere in the country,
14 elsewhere in the world. Companies
15 like Uber, like Hailo, like iTaxi
16 that are out there.

17 In other words, this is not
18 speculative, this is real today. We
19 could look at other cities and see
20 that passengers are using these
21 products and benefiting from them.
22 And when you have new technology
23 that's available and can benefit
24 passengers, regulations shouldn't
25 stand in the way of allowing that

1
2 for passengers to benefit.

3 So today we are clearing the
4 path, letting us move forward with
5 putting apps out in the hands of
6 passengers, letting technological
7 progress move forward, and doing it
8 in a measured way that allows us as
9 regulators to keep a close eye, to
10 adjust our policy as necessary to
11 move forward. The pilot forces us
12 to revisit the issue within a year
13 if we're not going to see it lapse.

14 So Commissioners, I am going
15 to put this pilot resolution
16 forward.

17 Before I do, are there
18 questions or a discussion that
19 people wish to have amongst? If
20 not, I will call for a vote.

21 I'm sorry, Commissioner?

22 COMM. CARONE: Thank you,
23 Mr. Chairman.

24 I just think it's important
25 to, from my own perspective, to

1
2 share with my fellow Commissioners
3 how I'm arriving at my own vote.
4 This was one of the more
5 intellectually challenging decisions
6 that I've had to face on the
7 Commission. And because I think
8 it's controversial I'd like to
9 explain how the vote is important to
10 me and I'd like to do so.

11 First I'd also like to say
12 that, as always, working with the
13 staff at TLC has been an incredibly
14 rewarding experience. Deputy
15 Commissioner Chhabra and his team
16 are probably the most finest or one
17 of the most finest staff I have ever
18 worked with in my involvement in
19 government. So it's been especially
20 rewarding working with them and
21 intellectually rewarding hearing
22 their presentation and the colloquy
23 back and forth.

24 But over a month ago we had
25 a hearing on the permanent rule.

1
2 And it's no secret that I did not
3 support that rule. It wasn't an
4 easy decision to arrive at that and
5 how I arrived at my decision to not
6 support the rule as it was presented
7 was as follows:

8 As I have done in the past,
9 I look at the criteria that I'm
10 supposed to look at as a
11 Commissioner in determining my
12 decision, and there I looked at
13 Section 5204 of our rules. And I
14 think it's important to highlight
15 Section A4, which requires us to
16 establish and enforce standards to
17 ensure all licensees remain
18 financially stable. Looking at that
19 section and how this particular
20 rule, when it was a rule, affects
21 our licensees, particularly the
22 black car and liveries, gave me
23 cause to pause. We've heard a lot
24 of tales from the industry about how
25 their sector would be affected.

1
2 Following from that I looked
3 at the history, and I have come to
4 learn that under the great Mayor
5 Koch there were the instances where
6 radios were in yellows and how
7 passengers were having difficulty
8 procuring a cab.

9 So although the burden is
10 very high for me personally to vote
11 against the proposition from the
12 staff, I thought the burden was met
13 in looking at our history, together
14 with the possible troubling issues
15 with Section 5204.

16 However, the pilot program
17 is very different. The mandates of
18 our pilot program scope under 5221
19 essentially states that the
20 commission should encourage and
21 provide innovation and
22 experimentation in relation to type
23 of design of matters of service, and
24 such experimentation for limited
25 purposes may depart from our

1
2 established rules.

3 It is exactly for that
4 reason, together with the
5 requirement of reporting that will
6 give us some empirical data which we
7 can look at, and you'll hear from
8 the International Association of
9 Transportation Regulators and hear
10 their data. That will give us real
11 live empirical data to make a
12 decision whether or not to make this
13 rule permanent. So because we will
14 have that in front of us a year from
15 now, I believe this is the absolute
16 appropriate, correct course of
17 action, and I will be voting yes for
18 the pilot program.

19 THE CHAIR: Thank you.

20 Commissioner?

21 COMM. DeARCY: I just wanted
22 to say that I am excited about the
23 opportunity to vote my support for
24 the pilot program to evaluate
25 Smartphone applications. If passed

1
2 this program will allow New York to
3 take its first step to assuming its
4 rightful position amongst the other
5 great cities that already allow
6 electronic on-demand taxi service
7 hailing.

8 Now, I am ever mindful that
9 the introduction of this new
10 technology has raised some concerns
11 within the industry. That said, I
12 believe that an outright rejection
13 of the technology is premature.
14 Equally, I believe that an outright
15 acceptance of the technology at this
16 time is also premature

17 With that said, I believe
18 that a pilot program designed as it
19 has been designed by the staff, and
20 considered and deliberated on by
21 this Commission, is the best and
22 right way to proceed. It will allow
23 us to be able to determine whether
24 or not the effects of this program
25 are beneficial to the taxi riders

1
2 and to the industry at large. And
3 for that reason, I am voting in
4 favor of the pilot program.

5 THE CHAIR: Okay. Well,
6 with that, then, I call for a vote
7 on the proposed pilot program that
8 is before us.

9 Why don't we do again a show
10 of hands. All in favor say aye.

11 (Chorus of ayes with a show
12 of hands.)

13 MS. JOSHI: We have
14 Commissioner Carone in favor;
15 commissioner Gjonaj in favor;
16 commissioner DeArcy; in favor
17 Commissioner Yassky in favor;
18 Commissioner Weinshall in favor;
19 Commissioner Gonzalez in favor; and
20 Commissioner Polanco in favor

21 THE CHAIR: All opposed,
22 please raise your hands, and then
23 I'll call for abstentions.

24 COMM. AROUT: Me.

25 (Applause.)

1
2 THE CHAIR: I don't know if
3 that was for the delivery or the --

4 (Laughter.)

5 THE CHAIR: But either way,
6 I appreciate it. Thank you.

7 COMM. AROUT: It seems that
8 this particular Commissioner is
9 against it. No, I'm not against it.
10 But unfortunately in the last couple
11 of days I have received more phone
12 calls, and it's amazing my wife is
13 still talking to me. And I was a
14 little annoyed. I got most of this
15 material just about this morning.
16 And I feel, in good conscience, I
17 cannot vote on something I haven't
18 received within two or three days so
19 I can look at it and read it. And I
20 must abstain on this one. It's just
21 my own personal feelings and nothing
22 to do with the Commissioners. It's
23 just good conscience.

24 Thank you.

25 THE CHAIR: Thank you.

1
2 COMM. MARINO: I would also
3 like to abstain on this vote for the
4 same reason that my colleague has
5 stated. I do want to just say that,
6 and also I agree with all these
7 statements here today; technology is
8 what it is and we have to keep up
9 with it. I have three gadgets in
10 front me. I'm all for technology.
11 But I just think New York is a very
12 unique city and we have a unique
13 transportation structure that is not
14 like other cities. And as far as us
15 being a leader, which there was some
16 discussion about at the last
17 hearing, I think part of being a
18 leader is to find what works for us
19 and works with our structure and all
20 of the different facets of our taxi
21 and livery structure in New York.

22 So that said, I will say one
23 other thing. The pilot program
24 sounds great. We can just change
25 our minds if it doesn't work, but

1
2 like a marriage, a lot of things are
3 a lot easier to get into than out
4 of.

5 (Laughter and applause.)

6 THE CHAIR: One of the
7 virtues of marriage.

8 (Laughter.)

9 THE CHAIR: So, well then,
10 Meera, the motion is adopted?

11 MS. JOSHI: So the vote
12 tally is with seven in favor, the
13 resolution to commence a pilot
14 program for E-hail apps is adopted.

15 (Applause.)

16 THE CHAIR: Very good. Just
17 make sure we have no further
18 business.

19 So this being our last
20 meeting for the calendar year I just
21 want to wish all of our licensees
22 and friends a wonderful holiday
23 season. I wish all taxicab
24 passengers a Happy New Year. That
25 is my comment for the day.

1
2 And so with that, the
3 meeting is adjourned.

4 (Time noted: 11:15 a.m.)
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C E R T I F I C A T E

STATE OF NEW YORK)
) SS:
COUNTY OF ORANGE)

I, KARI L. REED, a Registered professional Reporter (Stenotype) and Notary Public with and for the State of New York hereby certify:

I reported the proceedings in the within-entitled matter and that the within transcript is a true record of such proceedings to the best of my ability.

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

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of december, 2012.

KARI L. REED, RPR

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