

NEW YORK CITY
TAXI AND LIMOUSINE COMMISSION

Minutes of Commission Meeting

October 17, 2013

Present:

David Yassky, *Commissioner/Chair*

Nora Marino, *Commissioner*

Lauvienska Polanco, *Commissioner*

Edward Gonzalez, *Commissioner*

LaShann DeArcy, *Commissioner*

Meera Joshi, *General Counsel*

1. Chairman Yassky called the meeting to order at 10:45 a.m.

2. Item 3 on the Agenda, Chairman's Report; Chairman Yassky provided an update on the Street Hail Livery program. The Chairman announced that approximately 4,000 SHL permits had been issued, 500 of which were fully equipped and operating as properly licensed Street Hail Livery vehicles. Chairman Yassky highlighted the fact that twenty percent (20%) of all licenses issued to date were for wheel chair accessible vehicles. The Chairman then provided an update on the Taxi of Tomorrow ("ToT") initiative. The NV200 was also discussed by the Chairman. Chairman Yassky praised TLC's enforcement division for its strong performance and welcomed the recent graduating class of enforcement inspectors. The Chairman noted that over the last eighteen months, more than 100 people had been hired to support enforcement operations. In addition, during last month alone, over 700 illegal taxis were identified and taken off the street. Chairman Yassky emphasized that all stakeholders benefit from the strong performance of TLC's enforcement division and stressed the overall importance of such operations to TLC's licensees and passengers. Chairman Yassky moved on to remind licensees to utilize TLC's online services, and noted the continued increase in the number of online transactions. The Chairman also announced that effective the evening of October 17, 2013, licensees would be able pay summonses online. Next, Chairman Yassky spoke briefly regarding the public's opportunity to bid on 200 new medallions being put up for auction in November, 2013. The Commissioner then shifted to the topic of drivers overcharging passengers, as well as medallion owners overcharging their drivers. Chairman Yassky highlighted the \$150,000 in restitution granted to drivers that had been overcharged by medallion owners, in addition to \$100,000 in related fines. Lastly, the

Chairman announced that TLC is considering the discontinuance of its current policy of accepting named driver designations. Chairman Yassky then invited the public to provide comments in advance of an industry notice to implement the discontinuance of accepting such named driver designations.

3. Item 4 on the Agenda, Adoption of Minutes (September 12, 2013, Commission meeting). The minutes were not presented for approval. No motion was made to adopt the minutes.
4. Item 5 on the agenda, Base Applications for Determination, was presented to the Commission by Chris Tormey, Director of Applicant Licensing. The following bases were presented for consideration:

NEW (6):

B02677	A.T.B. Car & Limousine Service Inc.
B02659	Caprice 3 Car Service
B02681	Direct Car & Limo. Service Inc.
B02660	Exit Car Service Inc.
B02675	Frielech Car & Limo Service Inc.
B02661MIC-	LOU Car Services L.L.C. D/b/a Lulu Car Services

RENEWALS (15):

B01653	Art's Place Inc. D/b/a On Time Car Service
B02265	County Car Service Inc. D/b/a County Car Service Inc.
B01424	Eagle Car & Limo. Ltd.
B01485	Flamingo Transp. & Limo. Services Inc.
B01318	Lower East Side Car Service Corp.
B01730	Lucky Express Corporation D/b/a Good Luck Car Service
B01244	Masada II Car & Limousine Service Inc.
B01100	Melmac Service Group Corp. D/b/a Econo Express Car Service
B01288	New Elegante Car Service Inc.
B01282	New Lots Car Service Inc.
B01674	New Puebla Car & Limousine Service Inc.
B01568	N.Y. Mexicana Car & Limo. Service Corp. D/b/a Mexicana Car Service
B01292	Shepreid Car Service & Limousine Corp. D/b/a Delta Car Service
B01432	Tovar Transportation Inc.
B01721	W.K. Car & Limo. Service Inc. D/b/a W. K. Car & Limo. Service Inc.

RENEWAL & OWNERSHIP CHANGE (2):

B02245 Oceana Car & Limo.
B01056 Unity Car Service Inc.

OWNERSHIP CHANGE (4):

B00983 1431 Car Service Inc. D/b/a Guy's Car Service
B02486 4th Avenue Express Car & Limo Service Corp.
B02415 Fairway Car Service Inc.
B02293 Xpress Transport & Multi Service Inc.

The following bases are recommended for denial:

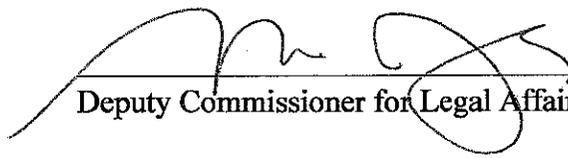
B01833 T.J.'s Car Service Inc.
B02603 Passenger One L.L.C.

5. The vote on base applications was postponed due to lack of a quorum. A motion was made once a quorum was present (during the hearing on proposed SHL Green Rules) to approve the base station license applications that were previously recommended for approval. The motion passed unanimously.
6. Item 6, Street Hail Livery (SHL) Green Rules, was presented for public hearing and Commission action. Taxi and Limousine Commission General Counsel, Meera Joshi, introduced the proposed rule. The rule prohibits FHV's from being painted any shade of green. Following publication, the rule was amended by deleting the prohibition on any shade of green, and replacing it with a prohibition on any shade of apple green, a defined term. A public hearing was held on the rule and the following people testified: Erhan Tuncel, managing director of the League of Mutual Taxi Owners; Gary Farber of Ocean Ambulette, and Abba Local Transportation; and Bill Lindauer of the New York Taxi Workers Association. The Commissioner moved for a roll call vote on the proposed SHL Green Rules. The rule was adopted by a unanimous vote.
7. Item 7, SHL Grant Rules, was presented for public hearing and commission action. TLC General Counsel, Meera Joshi introduced the rules. The proposed rules codify the process for awarding grants to owners of wheelchair accessible Street Hail Liveries, as authorized by the state's Street Hail Livery Law. Following publication the proposed rules were amended to: (1) Remove the requirement that payments be made in three equal installments; (2) The definition of "accessible vehicle" was aligned with the Street Hail Livery state law; (3) The requirement of participation with National Mobility Equipment Dealers Association Quality Assurance Program was removed, and; (5) Sections on

transferability of subsequent grant payments were removed as unnecessary. A public hearing was held on the proposed rules and the following people testified: Erhan Tuncel, managing director of the League of Mutual Taxi Owners; Gary Farber of Ocean Ambulette, and Abba Local Transportation; Scott Yoars of Freedom Motors; Jesse Lore of Ride-Away; Jenny Ahmed of Pia Car; and Ronnie Ellen (testified after vote, during hearing on LPEP Clean Up rules). After hearing testimony, Chairman Yassky moved for a roll call vote on the proposed rules. The rules were adopted by unanimous vote.

8. Item 8 on the agenda, LPEP Clean up Rules, was presented for public hearing.. . TLC General Counsel Meera Joshi introduced the rules. The rules, which align the LPEP rules with the more recently passed TPEP rules, provide for technical amendments including: (1) A requirement that the LPEP be capable of dimming the roof light when a Street Hail Livery Vehicle is in the hail exclusionary zone and the meter is disabled; (2) Require TPEPs to offer passengers with visual disabilities the ability to pay their fares unassisted; (3) Require distinctions within LPEP between whether a trip is street hailed or dispatched. Following publication, the rules were amended to further clarify which rate codes should automatically prompt the inclusion of an MTA tax, and renaming Borough Taxi Information as Street Hail Information. Testimony was provided by the following speakers: Erhan Tuncel, managing director of the League of Mutual Taxi Owners; Ethan Gerber of the Greater New York Taxi Association; Luis Ramos; Carolyn Castro of the Livery Roundtable, and Tarek Mallan of Dial 7.
9. The meeting was adjourned at approximately 12:03 p.m.

Minutes as approved by the Taxi and Limousine Commission on November 21, 2013



Deputy Commissioner for Legal Affairs/General Counsel

12/11/2013
Date