

NEW YORK CITY
TAXI AND LIMOUSINE COMMISSION

Minutes of Commission Meeting

December 13, 2012

Present:

David Yassky, *Commissioner/Chair*
Edward Gonzales, *Commissioner*
Iris Weinshall, *Commissioner*
Mark Gjonaj, *Commissioner*
Nora Marino, *Commissioner*
Lauvienska Polanco, *Commissioner*
Frank Carone, *Commissioner*
Elias Arout, *Commissioner*
LaShann DeArcy, *Commissioner*
Meera Joshi, *General Counsel*

1. A motion was made at 9:24 a.m. to enter into executive session with Chairman Yassky and Commissioners Carone, Gonzalez, Arout, and Gjonaj present for the vote. The motion passed unanimously and the Commission entered into executive session.
2. The Commission returned from executive session at 10:40 a.m., joined by Commissioners DeArcy, Marino, Weinshall, and Polanco. Chairman Yassky called the meeting to order and reported on the following:
 - The Chair paid his respects to TLC Inspector Ruben Roman who recently passed after suffering a stroke. Inspector Roman, who earned the class leadership award when he joined the TLC in December of 2011, served in the Air Force prior to joining the TLC. The Commission Meeting held a moment of silence in Inspector Roman's honor.
 - The Chair noted that the Commission Meeting would be Commissioner Gjonaj's last meeting, as Commissioner Gjonaj was elected to represent the 80th Assembly District in the Bronx. The Chair congratulated Commissioner Gjonaj on his election and thanked him for his service to the TLC.
 - The Chair announced that TLC's enforcement staff is now fully equipped with handheld summons issuing devices. The Chair thanked TLC Deputy Commissioners Conan Freud and Ray Scanlon, TLC CIO Jeff Grunfeld, and retired Deputy Commissioner for Enforcement Pansy Mullings for their work on the project.

- The Chair noted that in the past six months, TLC inspectors seized 2,813 illegally operating vehicles. During the same time period last year, inspectors seized 749 vehicles. The Chair thanked Deputy Commissioner Ray Scanlon for his tremendous work in increasing TLC's enforcement efforts.
 - The Chair announced that due to the damage caused by Super Storm Sandy, TLC's Staten Island facility will not be reopening and TLC is looking for a replacement Staten Island facility. In the interim, Staten Island Borough President James Molinaro has lent TLC office space in the Staten Island Borough Hall. The Chair thanked Borough President Molinaro for his generosity. The temporary facility at Borough Hall will be open Monday through Friday, 8 a.m. to 2 p.m.
3. Item 4 on the agenda, Adoption of Minutes (November 29, 2012, Commission meeting), was presented to the Commission for approval. A motion was made to adopt the minutes. The motion passed unanimously.
 4. Item 5 on the agenda, Base Applications for Determination, was presented to the Commission by Christopher Tormey, Director of Applicant Licensing. The following bases were presented for consideration:

NEW (2):

- | | |
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| B02463 | Morenita Express Car Service Inc. |
| B02593 | Northeast Queens Car Service |

RENEWALS (13):

- | | |
|--------|--|
| B02103 | A & S Limousine Service Corp. |
| B01629 | BBA Management Inc. |
| B01083 | Broad Dyckman Car Service Inc. |
| B01433 | Fanny radio Dispatcher Service Inc. |
| B01435 | Keykab Service Inc. |
| B01451 | Lindenbaum Supply Co. Inc. D/b/a Court Express Car & Limousine Service |
| B02004 | Metropolitan Multiplex Car Service Corp. |
| B01667 | New Golden Horse Car & Limousine Service Inc. |
| B01984 | NY 88 Express Corp. |
| B00833 | Omega Car Service Inc. |

B01777 Premium Radio Dispatcher & Multi Service

B01397 U.C. Columbus Radio Dispatch Inc.

B00911 Webster Car Service Inc.

RENEWAL & OWNERSHIP CHANGE (1):

B01741 Monaco Limo. & Car Services Inc.

RELOCATION (5):

B02531 Clean Air Car Service & Parking Corp.

B02301 Double A Car Service Inc.

B01924 Easy Fast Car Service Inc.

B00222 Reyno Car Service Inc.

B01737 Washington Radio Dispatch Inc.

RELOCATION & OWNERSHIP CHANGE (1):

B01739 The Central Radio Dispatch Inc.

RECOMMENDED FOR DENIAL (1):

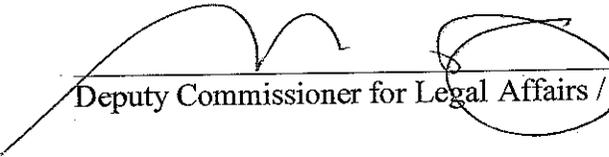
B02318 Samford Corporate Car Service L.L.C.

5. A motion was made to approve the base station license applications that were recommended for approval and deny the base station license recommended for denial. The motion passed unanimously.
6. Item 6(a), TPEP Rules, was presented for Commission action. TLC General Counsel Meera Joshi introduced the rule and noted revisions to the proposed rule that had been made since the public hearing on November 29, 2012, including increasing the maximum allowable customer contract length from one year to five years, adding an early termination fee of 25% of remaining monthly fees not to exceed 24 months, eliminating the 97% pass through model for E-payment and increasing the E-payment app fee from 2 to 5 cents per trip, adding a \$1,000 fine against owners who do not timely remit the 6 cent healthcare fee, reducing the required time for TLC content, prologue, epilogue, and passenger map maximization, reducing the size of buttons on the home screen, allowing TPEP Providers to propose alternate means of collecting the healthcare fee, excluding spot market advertising from TLC Content, allowing TPEP Providers to run content for non-profit organizations and charities, increasing the length of authorization from one year to three years, reducing the number of credit cards TPEP Providers must accept from 4 to 2, allowing TPEP Providers that act as the merchant for medallion owners to pay drivers directly and charge 5% for the credit processing fees, relaxing split fare requirements, requiring TPEP Providers to make reasonable efforts to block payment

apps that are not approved by the Commission, reducing the number of annual updates to TLC Content, increasing the notification time for TLC Content from 12 hours to 24 hours, requiring E-Hail service fees to be displayed on the PIM, adding a cure period for violations of the TPEP rules, requiring TPEP Provider applicants to provide API designs, removing requirement to print pick-up/drop-off location on receipts, relaxing tip option requirements, reducing store and forward requirement from 10 transactions to 5 transactions, adding privacy requirements for electronic signatures, increasing breadcrumb data frequency from two minutes to 30 seconds, and requiring medallion owners to open a service ticket in order to hold TPEP providers responsible for reimbursement of fines. Chairman Yassky called for a show-of-hands vote on the proposed rules. By a show of hands, the Rules were adopted unanimously by all nine commissioners.

7. Item 6(b) E-Hail Rules, was withdrawn from Commission action by the Chair. The Chair, instead, put forward a one year E-Hail App Pilot Program. The one year pilot program would allow the Commission to approve apps that enable passengers to electronically hail taxicabs that are within a half-mile from the passenger in the Manhattan Central Business District and that are within a mile and half of the passenger in the rest of New York City. Drivers would be allowed to accept E-Hails with a single touch on a mounted device in their taxicabs. Apps that enable passengers to pay the fare with their smartphones must process the payments through the existing TPEP system. TLC staff would be required to prepare quarterly reports on the impact of the apps as they affect passengers and other TLC-regulated sectors. The Chair opened the floor to Commissioner comments and questions. Commissioners Carone and DeArcy spoke in favor of the Pilot. Chairman Yassky called for a show-of-hands vote. Commissioners Carone, Gjonaj, DeArcy, Weinshall, Gonzalez, Polanco, and Chairman Yassky voted yes. Commissioners Arout and Marino abstained. The resolution to commence a pilot program for E-Hail apps was adopted by a vote of 7 to 0 with 2 abstentions.
8. The meeting was adjourned at approximately 11:15 a.m.

Minutes as approved by the Taxi & Limousine Commission on February 21, 2013


Deputy Commissioner for Legal Affairs / General Counsel

3/18/2013

Date