

NEW YORK CITY
TAXI AND LIMOUSINE COMMISSION

Minutes of Commission Meeting

November 21, 2013

Present:

David Yassky, *Commissioner/Chair*

Iris Weinshall, *Commissioner*

Lauvienska Polanco, *Commissioner*

Edward Gonzalez, *Commissioner*

Elias Arout, *Commissioner*

Meera Joshi, *General Counsel*

1. Chairman Yassky called the meeting to order at 9:55 a.m. A motion was made and the Commission entered into executive session.
2. The meeting reconvened at 10:25 a.m.
3. Item 3 on the Agenda, Chairman's Report; Chairman Yassky confirmed that TLC's revocation of the license of Tasheen Awan, hack license number 5057251, is affirmed. The Chairman announced that all 6,000 Street Hail Livery (SHL) permits made available for the first year of the program have been issued, including 1,200 permits for wheelchair-accessible vehicles. The chairman estimated that 1,500 SHL vehicles were currently in operation, averaging approximately 7 trips daily per vehicle, in line with projections. Chairman Yassky then moved on to provide information on the recent medallion auction held on November 14, 2013. The Chairman highlighted the strong demand for medallions, with 200 medallions auctioned for an average price of \$1.1 million, totaling an aggregate bid amount of just under \$227 million. The Chairman noted that all 200 medallions are restricted for use only with wheelchair accessible vehicles. The Chairman also noted the increase in the bid amount since the last auction; from an average bid of approximately \$600k in 2008, to \$1.1 million in 2013. Lastly, the Chairman reminded the audience that the strength of the November auction is a reflection of the strength of New York City's economy. Chairman Yassky then announced that the Commission will deny a rule making petition brought by Christina Wong, which sought to require each TLC for hire base station to provide canine transportation services upon request. The Commissioners opening remarks were concluded with a brief ceremony in which directors in TLC's Licensing Standards Division were formally sworn in and given

badges. Commissioner Gonzalez then inquired about the date that the Chairman expects the new 200 medallions bid on at the recent auction would be on the road. Chairman Yassky responded that he is unable to provide a date with any certainty, due to the backlog at the 2 main companies providing vehicle upfitting services. The Chairman attributed the backlog, in part, to the Street Hail Livery effort.

4. Item 4 on the Agenda, Adoption of Minutes (October 17, 2013, Commission meeting and September 12, 2013, Commission meeting). The minutes were presented for approval, and separate motions were made to adopt the minutes of each meeting. The minutes were approved by separate unanimous votes.
5. Item 5 on the agenda, Base Applications for Determination, was presented to the Commission by Assistant Commissioner, Allison Siegel. The following bases were presented for consideration:

NEW (4):

B02671	Community Car Service D/b/a Priscilla Corp.
B02674	Elal Car Limo Service L.L.C. D/b/a Fifth Avenue Car Limo. Service
B02688	KJ Transportation
B02647	QV Queens Inc.

RENEWALS (7):

B01452	Area's Two Transportation Inc.
B01636	Heights Car & Limo. Inc.
B00021	Mexicana High Class Inc. D/b/a Capital Car Service
B01608	Jerusalem Car Com.Inc.
B01406	Gotham Car Service Inc. D/b/a Legend Car Service
B00256	Fast Operating Corp. D/b/a Carmel Car & Limousine Service
B01466	Five Star

RENEWAL & OWNERSHIP CHANGE (1):

B00112	Harbor View Trans of Staten Island
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OWNERSHIP CHANGE & NAME CHANGE (1):

B00373	Lance Limousine Corp. D/b/a Haimish Car Service
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OWNERSHIP CHANGE (1):

B01353 Dyker Express Inc.

6. A motion was made to approve the base station license applications recommended for approval. The motion passed unanimously.
7. Item 6, LPEP Clean Up Rules, was presented for Commission action. A public hearing was held on the rule at the October 17, 2013 Commission Meeting. The Commissioner moved for a roll call vote on the proposed LPEP Clean Up Rules. The rule was adopted by a unanimous vote.
8. Item 7, Summary Suspension Update Package, was presented for public hearing and commission action. TLC General Counsel, Meera Joshi introduced the rules. The proposed rules amend existing TLC rules for the purpose of clarifying when summary suspension of a TLC license can occur prior to a hearing, and to amend and clarify the penalties for certain violations, including when a suspension can be imposed by an ALJ after a hearing. TLC General Counsel, Meera Joshi emphasized that the amendments do not change any of the existing TLC practices and procedures. The General Counsel added that the amendments merely clarify and distinguish the instances in which the TLC may impose a summary suspension versus instances when an OATH TLC ALJ imposes a suspension upon a finding that a licensee has violated a rule. The amendments were made necessary as a result of the transfer of the tribunal function of the TLC to OATH. The rules were published in the City Record on October 22, 2013. TLC General Counsel, Meera Joshi noted that no written comments were received. Testimony was provided by the following speakers: Bill Lindauer of New York Taxi Workers Alliance, and Warmann Dipoumbi. After hearing testimony, Chairman Yassky moved for a roll call vote on the proposed rules. The rules were adopted by unanimous vote.
9. Item 8 on the agenda, resolution authorizing temporary Super Bowl markings, was presented for Commission action. Adam Wolske, Contractor hired by the National Football League (NFL) to provide décor related services for the 2014 Super Bowl, gave a brief presentation. Mr. Wolske's presentation described the NFL's plan to wrap NYC Yellow Cabs in NFL themed graphic wraps (the "Décor Program"). According to Mr. Wolske, Installations would begin on or around December 15, 2013, and removal would begin on February 3, 2014. The NFL's goal is to have 1,000 graphic wraps completed prior to the upcoming Super Bowl, scheduled for February 2, 2014. Mr. Wolske estimated that his firm's expenditures associated with the Décor Program will total approximately \$175,000. Chairman Yassky expressed his support for the Décor Program. Commissioner Polanco suggested that the invitation to participate in the Décor

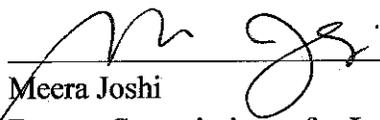
Program be extended to Street Hail Liveries as well. A vote on the resolution was deferred in order to provide TLC General Counsel, Meera Joshi, an opportunity to amend to allow Street Hail Livery Vehicles, who choose to participate in the Décor Program.

10. Item 9 on the agenda, E-Hail Pilot Status Report, was presented by Taryn Yaeger, TLC Analyst – Policy and Planning Department. Ms. Yaeger provided a brief overview of the E-Hail pilot program (the “Pilot”) and TLC’s findings since the Pilot’s inception, in June, 2013. Ms. Yaeger explained that the purpose of the Pilot was to monitor the effects of e-hailing on (1) passenger and driver behavior, (2) services at e-levels, and (3) the financial health of the For-Hire-Vehicle (FHV) and Medallion industries. Ms. Yaeger highlighted the following findings: E-hail app membership has grown steadily since the Pilot’s inception; during the 85-day period, from June 6th, 2013 – August 29th, 2013, nearly 55,000 unique users requested a taxi using e-hail apps for a total of over 233,000 requests, with over 4,000 drivers participated in the program; approximately twenty-five percent (25%) of all requested e-hails resulted in successful trips; the total number of e-hail requests have been steadily declining since spiking shortly after the Pilot’s launch, while the e-hail’s success rate has increased; 1 out of every 700 taxi trips are e-hails; non-airport outer-borough locations accounted for thirty-five percent (35%) of all e-hail taxi trips; the highest success rates were in Astoria, Harlem, and the area of Brooklyn located north of Prospect Park; Sunday-Wednesday e-hail requests peaked at 8:00 p.m.; Thursday-Saturday e-hail requests peaked at 12:00 a.m.; two-thirds of drivers surveyed by TLC reported that they have earned more money as a result of e-hail, averaging 10.6 trips per day, compared with 8.8 trips per day for drivers who did not use e-hail, and FHV bases that used e-hail apps reported a one percent (1%) increase in trip volumes versus a thirteen percent (13%) decrease in ones that did not use e-hail apps. Deputy Commissioner, Ashwini Chhabra, pointed out that the FHV base data was gathered through responses to voluntary surveys, constituting only a sample of FHV bases which may not be representative of the industry as a whole. Ms. Yaeger continued her presentation by highlighting the following: thirty-seven percent (37%) of all respondents to TLC’s survey reported that, had they not e-hailed, they would have instead utilized other forms of transportation; only thirteen percent (13%) of respondents stated that they would have called a car-service if e-hail had not been available to them, and twenty-five percent (25%) of all passengers who reported having e-hailed their ride were over 65 years old. Ms. Yaeger then concluded her presentation by providing the following summary of the Pilot’s findings: e-hail apps are improving the efficiency by which drivers and passengers are connected, there has been no noticeable financial impact on the FHV industry, drivers who use e-hail are making more money, and e-hail apps, in essence, provide New Yorkers and visitors to the city with an additional option for accessing New York City’s world class taxi system. Chairman Yassky reiterated his

support for the e-hail program, and his intention to put permanent rules to a vote at the December, 2013 Commission meeting.

11. TLC General Counsel, Meera Joshi, then introduced an amended Super Bowl markings resolution, incorporating new language which would also allow Street Hail Liveries to participate in the NFL's Décor Program. Chairman Yassky moved for a roll call vote on the proposed rules. The rules were adopted by unanimous vote.
12. The meeting was adjourned at approximately 11:20 a.m.

Minutes as approved by the Taxi and Limousine Commission on December 19, 2013



Meera Joshi

Deputy Commissioner for Legal Affairs/General Counsel

1.13.2013

Date