NYC Taxi and Limousine Commission Meeting

Monday, June 20, 2005
9:45 a.m.
40 Rector Street, 5th Floor, New York, NY

PRESENT:
Matthew W. Daus, Commissioner/Chair
Elias Arout, Commissioner
Noach Dear, Commissioner
Harry Rubinstein, Commissioner
Elliot Sander, Commissioner
Iris Weinshall, Commissioner
Harry Giannoulis, Commissioner
Charles Fraser, General Counsel
CHAIRMAN DAUS: Good morning, everyone. Let's go right to the agenda. The Chair's report. First I have to unfortunately start this meeting with some bad news. There were three people who passed away recently who were part of or had things to do with the industry who we will certainly miss. The first was Arthur Levine, Michael Levine's father, an industry pioneer without question, somebody whose set actually was modeled after the sitcom Taxi in his fleet garage. While I didn't know Mr. Levine very, very well and a lot of the Commissioners didn't have much interaction with him, we certainly know his son very well. If any of his good will and success rubbed off on his son, which I am sure it certainly did, I think we know the father through the son. At this sad time we express our condolences to Michael Levine and his family. Also we lost a member of our Taxi Advisory Board, Mr. Jimmy Beatrice, a very well known individual owner/operator of taxicabs. Mr. Beatrice, Jimmy as we referred to him, was one of these guys who was always there when
you needed something done. He was a pioneer when it came to minivans. He was one of the first people who helped to put minivans on the road to test them as cabs.

We know his family is hurting right now and his drivers as well who were very close to him so we would like to express our condolences to him as well, to his family as well.

Also, we over the last few days lost a trail blazer in the disability community, somebody that we sometimes agreed with and sometimes disagreed with, but without question was somebody who was very influential in the disability rights movement.

Her name was Dr. Frieda Zames. Frieda was somebody who was very much involved with the disability in action campaign. She had contracted polio at age two and was disabled for almost her entire life, and she actually wrote a very, very good book which I have read and many people that have worked on the project have read which chronicals the whole history of the disability rights movement; a beautiful person.

She was very, very well loved by everyone who had to deal with her, and we certainly, certainly are going to miss her, and I know the
disability community is going to miss her so for
those three unexpected tragedies I would like to take
a moment of silence to remember them.

(Pause in the proceedings.)

CHAIRMAN DAUS: Before we go on to my
report, first on the Service Improvements project,
June 6 was the deadline for bids to come in. We
received several bids, and they are being reviewed by
our proposal committee, and they are still under
review. We put out an industry notice describing the
status. There should be copies in the back.

Also, I would like to talk very
briefly about a project which has received a lot of
attention in the media recently called the Design
Trust for Public Space. I would first like to
commend and thank First Deputy Andy Salkin for his
leadership in the area in terms of convincing us to
participate.

The Design Trust approached us. The
Design Trust is a group of people who are working
with architects, designers and creative people;
approached us to assist them in their endeavors to
basically come up with a new design for the taxicab
of the future; actually go out to the riding public
and get people who aren't involved in the day-to-day
industry or business of taxicabs to give their thoughts on what they would like to see in a cab. This is an intellectual exercise. At this point it is just that, an exercise, and we are sharing ideas.

We had two forums so far. Andy was representing us at both of them. Some very interesting ideas were coming out including not only functional things we would like to see in cabs or people are suggesting we put in cabs, not only functional things but aesthetics: What the cab should look like, what the back seat should look like.

How can you make the taxicab an even better place where people spend a lot of their time? Not only inside but outside which is part of the public space.

It is a great endeavor. No idea is a bad idea. We are looking at all the ideas in tandem, and at the end of the year we are hoping to get a report from them which I assured them we would share with the Commissioners.

If there are any good ideas that come out of them, we will take a look at them and see if there is anything we can do to make the riding experience even better.
I want to thank Andy for taking the lead on that.

COMMISSIONER SANDER: Yellow is not negotiable?

CHAIRMAN DAUS: That is my opinion. The partition RFI is coming out today. There is a request for information that we are putting out consistent with what we discussed last year when we passed the rules to get information about how we can redesign the partitions. That will obviously bear some type of relationship to what happens with the service improvement project.

The partitions will certainly have to be reconfigured to deal with the screens that will be put in, and we don't know how big the screens are going to be yet.

I believe the responses will be due around July 11. It is being released today so it should be on our website.

If any of you are interested in participating, there is also the potential for us to form an advisory committee. If you are interested in serving on that committee, I believe there is a process for you putting in your name and your
credentials and what you would like to bring to the
table so that process is underway.

I testified before the City Council
twice since we last met, on May 19 for the executive
budget, and most recently on June 16 regarding intro
642-A, which was proposed legislation regarding
hybrid electric vehicles.

Without going into too much detail,
because we have a big agenda, I have made copies
available in the back. You should have them, and
also it is on our website.

The new inspector class will be
starting, or we plan to start, on July 18. We will
be adding more inspectors to the streets.

Last but not least, we have canceled
our public hearing that we had originally scheduled
today to talk about the proposal to put -- to mandate
a requirement that our vehicle operators licenses be
posted in the back of limousine, black car and livery
vehicles.

The reason we canceled that hearing
at the request of the petitioner. The New York State
Federation of Taxi Drivers, they had put in a
petition requesting the hearing and the rule change.
They have since withdrawn it and they are going to
resubmit it at a later date. They need to do some
more work on it so we are going to give them the
opportunity to do that, and then we will reschedule
that public hearing.

Next I would like to talk about
somebody who is a friend, a colleague, somebody who
worked many, many years at the Commission who we are
going to recognize upon his retirement today,
actually two weeks ago, but he is back here to say
good-bye officially to people he has dealt with in
the industry and to our Board of Commissioners.

His name is Joseph R. Midolo, also
known as The General.

Welcome back, Joe. How many years is
it?

MR. MIDOLO: 28.6.

CHAIRMAN DAUS: 28.6 years at the
career has been in law
enforcement. He worked for the Department of
Treasury, the Sky Marshals, and then he came to City
government after serving briefly as a mechanic, but
those skills --

MR. MIDOLO: I was the owner of two
gas stations.

CHAIRMAN DAUS: And the owner of two
gas stations.

He certainly doesn't look like he is
old enough to retire, but, Joe, you are a friend.
You have done a tremendous amount for this agency and
this Commission over the years, and we are sad to see
you go but we hope you will come back and visit us as
much as possible.

You have a great tan, you are looking
good, and we wish you a successful start of a new
career in retirement or whatever you want to do, and
we wish you the best.

In memory of all of your
accomplishments so you can remember us as well, we
have put together a plaque for you which I would like
to present to you.

Joseph R. Midolo, The General, Honor,
Integrity and Distinction Personified, New York City
Taxi and Limousine Commission, January 2nd, 1979
through June 1st, 2005, with all of your medals and
badges and your four star badge. Congratulations.

MR. MIDOLO: Commissioner, this is
very touching. I appreciate it, and it is very -- I
met some good people along the way in my career, and
it has been an honor to be a public servant for so
many years, and to leave with a good name is very
important to me.

The Commission has grown since I got
here. Many years ago when we didn't have a car to
drive and they used to just drop us in the street, we
didn't have a radio to call and we used to use a
phone so everything has evolved into a positive,
which is very good, and I am glad I was part of it.

I want to thank everybody for their
support in my journey and as I navigated this career
of mine. It was turbulent at times, but it was an
honorable career, and public service is what I chose
so thank you, and good night.

I also just want to mention the
people we regulated, although I wasn't their friend,
I was always very appreciative of the work they did
for the City, which was important, and I believe I
treated them with dignity and honor and fairness, and
that is how I leave my mark on the industry. Thank
CHAIRMAN DAUS: You certainly have, Joe. Thank you.

That concludes the awards and presentations.

Item 2 is the adoption of the minutes from the May 4, 2005 meeting. Has everybody had a chance to review the minutes?

COMMISSIONER AROUT: Make a motion to adopt.

COMMISSIONER WEINSHALL: Second.

CHAIRMAN DAUS: We have a motion and a second.

All in favor?

Any opposed?

(Motion carried)

CHAIRMAN DAUS: Passage unanimously, approved.

We may come back to item 3 because we may be joined by another person who we have an award for, but we will deal with that as the person comes here.

Next I would like to go to on item 3, there has been some discussion -- I reserved my comments on an intro that was put before the City
Council a few weeks ago to explain that we certainly
as a Commission, I believe, speaking for everyone,
support the concept of clean air and doing whatever
we can to make the air cleaner and utilizing
technology as available and appropriate to make sure
that that happens.

One of the things we discussed with
Councilmember David Yassky, who is joining us today,
is how we can accomplish that.

I think that everyone in this room as
well as the council are all on the same page when it
comes to the goal.

We want cleaner air. Even though we
have, I believe, the cleanest taxicabs anywhere in
terms of gas fueled vehicles, we still need to do
more.

The only question is how we get there
and what vehicles we use, what technology is
available to make sure we meet the dual goals of
providing for cleaner air and at the same time making
sure we have vehicles that are large enough to carry
people so that we don't get the complaints that we
had, if you remember, my colleagues, years ago that
they were just too small.

We have these interests we would like
to balance, and I think the important thing is
Councilmember Yassky agreed to come here today and
discuss with the Commission the opportunity for us to
pass regulations as opposed to putting a lot of
details in the local law. We certainly appreciate
his efforts.
I think Councilmember Yassky has done
a tremendous amount of research and is tremendously
dedicated and devoted to this cause. Certainly we
have learned a lot from him as well, and we want to
continue working with him, and that's why he is here
today.
Without further ado, I would ask
Councilmember Yassky to join us and talk about his
thoughts on the hybrid electric vehicles and
alternative fuel in general.
COUNCILMAN YASSKY: Thank you,
Commissioner, Commissioner Weinshall and other
members of this Commission. Thank you very much.
I just want to tell you first of all
I really appreciate your invitation to join with you,
and I hope to participate in a discussion with you
about how to move the fleet toward alternative fuel
clean burning vehicles.
First of all, I commend and I credit
the work of the Commission, not just in ensuring comfort as you have done, but on the issue of clean air with the thoroughness of the inspections you do.

I recognize how much effort and care the Commission and the agency, I guess, puts into trying to make sure the taxis are running as well as they can given their conventional fuel engines.

Nonetheless, there are enormous gains to be made in moving toward an alternative fuel fleet, whether it is compressed natural gas or -- I won't take the Commission's time today to go into all the history of your efforts here, and I know that at least some of you believe that compressed engine gas was an experiment that didn't pan out and really therefore shouldn't go any further.

I believe there would still be opportunities there, but certainly in looking toward the use of hybrid technology there is no question, I think, there are enormous gains to be made there, and gains really in the millions of tons of carbon dioxide, greenhouse gas, carbon dioxide in the millions of tons of particulate matter that could be saved by switching the fleet over to alternative fuel.

Even under conservative assumptions
if you just use hybrids and hybrids for big cars that
are not nearly so fuel efficient as the smaller car,
even if technology stays where it is today, we are
talking about millions of tons of both particulate
matter and carbon dioxide.

To me that's the gain -- and again,
the context under which we operate, as I know you
know, the City's Health Department, Commissioner
Frieden, came out about 18 months ago with his
findings that one out of eight New Yorkers has asthma
or comparable respiratory illness and so in that
environment I believe that we in the government, you
and us and the rest of the government, should be
really leaders in trying to do what we can for clean
air, and these 13,000 cabs are a terrific opportunity
to do that.

I think there are two immediate
questions. One is how do you get some clean air cabs
on the road right away so that you can begin as a
pilot program, as a test, however you want to think
of it, begin to see how they function, and I am sure
that just as with the existing cars, there will be
modifications you want to make and communication with
manufacturers and tell them this works, this doesn't
work, here is something we need; how do we get that
done as soon as possible so we can begin that work.

And also how do we keep our eye on
the ball of the entire fleet? I just want to put
both those things before you for discussion.

This is a meeting, not a hearing, so
I appreciate your inviting me to join you at this
meeting, and I hope this is something we can continue
to discuss, whether it is in this forum or elsewhere.

In terms of right away, there are
today available for sale as you know in New York City
both Ford Escape hybrids and Toyota Highlander
hybrids, either of which in my view would be a
terrific vehicle to try as a clean air cab. I
acknowledge right up front neither of these cars
provides the amount of leg room for a passenger as a
Crown Victoria does.

They both fall about 3 inches short
of the standard Crown Victoria in terms of leg room,
and then shorter again when you are talking about the
stretch Crown Vic. Many cabs are just the standard.

Certainly 3 inches of leg room, I
think, is not a lot to sacrifice for clean air,
particularly when you are talking about a pilot
program.

In terms of the Highlander, which
seats, you know, five not counting the front row
seats, not counting the driver and the passenger, I
think a lot of passengers actually prefer that. I
know when I on the rare occasions get into a taxicab
with my wife and two daughters and I sit in the front
or my wife sits in the front, I think we would much
rather be in the two rows in the back car so I think
that is at least a wash in terms of passenger appeal.
Even let's concede that there is a
sacrifice in comfort on the 3 inches. Again, I think
that is plainly made up for in the environmental
gain.
There is survey data now available to
support that just today, I guess, was released, a
survey conducted by Global Strategy Group, a
telephone survey, 500 interviews conducted between
June 11th and June 14, 2005, and just to share with
you a few of the findings: 83 percent of New Yorkers
would support a law to promote the use of hybrid cars
as taxis, 83 percent.
Seven in ten New Yorkers say, "it is
important that a majority of all cabs be hybrid cars
in the next five years," 70 percent.
New Yorkers rank pollution and air
qualities as our number one environmental problem.
A majority of riders when asked would you sacrifice a few inches of comfort in return for a hybrid cab on the street, a majority of riders, taxicab riders, say yes, they would.

This question I know was raised by you, Chair, a very legitimate question, and very valid question, of what do we owe the riding public.

I think the riding public, as my boss, your bosses, say quite clearly, they would like to see movement on the environmental front.

I would encourage you really today, or as soon as you can under your own rules and process, to authorize the use of the Escape and the Highlander at a minimum as cars for folks to try and use.

As you know, there are medallions out there. I think frankly if you make it available you may see drivers and owners really choose because of the fuel savings even for the non-clean air medallions to try these cars, but certainly let's get those clean air medallions, some of which were auctioned off, some remaining to be auctioned off, let's get those in use right away so we see how they go.

Lastly, I would ask you to think, and
I hope together with us in the rest of the government who are interested in this, about how we are going to move toward the entire fleet, and I have no doubt, having now spent -- I think we introduced this bill three years ago, really, so having spent now quite a bit of time talking to both folks in the industry here and the manufacturers, that if manufacturers know that there is a 13,000 car market out there, they will respond to it so, for example, if we were to pass a bill that said as soon as a hybrid car is available that meets X inches -- meets all the specifications, whatever you think is necessary for comfort, that cab, the medallion owners have got to convert to that, phase it in as they replace their cars, of course, but if you were to pass something like that, or if we in the government were to adopt a rule like that, I have no doubt that the manufacturers would respond right away.

I would like to work with you, Mr. Chair, and with the Commission on fashioning a rule like that. I think done legislatively would give it the force it needs and I would like to work with you.

It is my intention over the next several months to be continuing to be pushing that
idea in the City counsel.

I thank you so much for the

opportunity you have given me to join with you today.

I don't know if you are envisioning questions. I am

happy to do that.

CHAIRMAN DAUS: I think Commissioner

Dear and Commissioner Sander had questions or

comments.

COMMISSIONER DEAR: Thank you for

your thoughts, Councilmember, and I know this

Commission has dealt with this issue, not only to

deal with you but I think as a general statement.

I am frustrated because we in the

last auction, we did auction off alternative fuel,

and for whatever reasons, the Commission decided --

staff, not the Commission, because I don't know why

it did not come to the Commission, decides not to

accept it.

It is something I would like to work

with you if that is the vehicle. I think we should

do it here, but maybe you can answer -- somebody

should answer me -- why we did not move with those,

and now we have a lawsuit pending, which I frankly

think they are going to win so we will look like egg

all over our face.
Why have we not moved in that
direction and not moved forward even more with regard
to those vehicles?

And with regard to your statement
that you did reach out to the manufacturers, did you
speak to them directly? I don't know -- you did
speak to them directly? They would accommodate like
they did with other vehicles?

COUNCILMAN YASSKY: Let me be clear.
I don't want to come here and make a claim that X
year, X model is going to be available. When we
first started talking about this, I have spoken with
folks from Ford, from Honda, from Toyota.

I think their projections for what,
when, a certain car was going to be on the road,
already is back from when -- what they were two years
ago so what do I know?

COMMISSIONER DEAR: But the cost, the
cost outweighed in many cases even someone who is on
the road 24/7, still outweighed the cost of savings
on the gasoline, which that is one thought for a
driver and for an owner, because he wants to make
sure he wants money. He can't lose money on this.

That is one of the issues I have in
general, that right now I don't understand why
hybrid, not only do you have to force people, why
does anyone want to get a hybrid? I have been
looking at it myself but it is prohibitive. It is
ridiculous.

I am concerned about the cost. This
Commission has already put enough burdens on the taxi
owner and taxi driver we don't have to give them more
costs and expenses if the average citizen still has
not yet in their mind changed over to hybrid.

I don't mind alternative fuels. I
would be the first one to say let Saudi Arabia soak
in its oil and drown in its oil. I am waiting for
that, but the bottom line is it is not realistic yet.

Then I want to go back to it
afterward.

Let him finish and then I will come
back to your issue, and I don't want to hear about --

CHAIRMAN DAUS: That is the answer.

COMMISSIONER DEAR: Tell me -- we are
in litigation. Why do you want to talk?

CHAIRMAN DAUS: On advice of counsel,
he has advised we not talk about it publicly. It
involves litigation strategy. I would be happy to
talk to you --

COMMISSIONER DEAR: There is the
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typical attorney, and that is nonsense. I am an
2 attorney myself. When --
3                      CHAIRMAN DAUS: I think he is
4 exemplary.
5                      COMMISSIONER DEAR: It is not a
criminal case. No one is going to jail. In criminal
7 you don't talk, you are going to implicate yourself.
8 What is the implication if you talk publicly? Why
9 are we hiding from the public? This is a public
10 auction. Everything is going to be public when you
11 get to court. You are going to argue. Everybody is
12 going to hear.
13                      CHAIRMAN DAUS: I will make a general
14 statement and turn it over to counsel. The ground
15 rules were set. Everybody knew what they were after
16 the fact. The people involved with the auction
17 sought for us to change the ground rules afterwards.
18                      In fairness to the people to protect
19 the integrity of the process, we made sure we adhered
20 to the ground rules and ensured that people wouldn't
21 get a windfall and have unfair competitive bidding.
22 That is why we did it.
23                      I am not going to say anything other
24 than that. The integrity of the process is the
25 overriding interest, and let's let the court decide
what -- who was right and who was wrong, and we will
be guided by that decision.

Is there anything else to add?

MR. FRASER: Really not. Corporation Counsel you saw in Friday's Times declined to comment
on it, and I think their choice is wise when
litigation is pending.

Notwithstanding the fact that it is
not a criminal case, we don't comment on pending
litigation.

COMMISSIONER DEAR: I don't want to
be embarrassed afterwards when they are going to win
this lawsuit, because that is my gut feeling from
what I read and what I understand, and from what I
understand of this issue -- I am not the judge in
this case -- what is going to happen then? Is this
going to be another blow to us because we have had
this in this situation where we propose things, staff
does one thing, Commission does another?

We want -- there is a way the
Commission wants to move. There is ideas we have.

Sometimes we feel that we are just --

CHAIRMAN DAUS: With all due respect,
Commissioner Dear, the Commissioners were advised at
every step of this process, number one.
Number two --

COMMISSIONER DEAR: But that was before the Commission --

CHAIRMAN DAUS: Let me finish.

COMMISSIONER GIANNOULIS: Are we all involved in this lawsuit, where the Commission is involved?

CHAIRMAN DAUS: The agency is being sued.

COMMISSIONER GIANNOULIS: I don't want to be talking about the lawsuit, that is it. If I am being sued I don't want to talk about it. If he wants to talk about it, he could go outside and talk about it, end of story.

CHAIRMAN DAUS: I am glad to hear that.

COMMISSIONER SANDER: I agree.

CHAIRMAN DAUS: We are moving forward, and this is a public matter with the sale of that same lot involved in the lawsuit. It is going to be resold and reoffered for sale. They are not lost, along with the additional medallions for the next group, so there is a total of 81 for sale.

We would be happy if any
Commissioners like Commissioner Dear are interested
in learning more about our position in the lawsuit,
you can talk to our general counsel; would be happy
to share with you, and Corp. Counsel as well. They
are your attorneys, they are our attorneys; they
would be happy to share with you the legal briefs and
our position on it.
I understand your concern,
Commissioner Dear.

COMMISSIONER DEAR: We are being
individually sued?
CHAIRMAN DAUS: No, you are not being
individually sued.

COMMISSIONER DEAR: We are not being
sued. Let's clarify it. Is the City being sued
or --
CHAIRMAN DAUS: You are not being
individually sued.

COMMISSIONER DEAR: Are we named in
the lawsuit?
CHAIRMAN DAUS: Yes.

COMMISSIONER DEAR: Me personally?

CHAIRMAN DAUS: You are not being
individually sued according to counsel.
That's correct?
MR. FRASER: That is correct.

COMMISSIONER DEAR: There are times we get papers we are individually named in the suit.

CHAIRMAN DAUS: I know your heart is in the right place.

COMMISSIONER DEAR: I would like to know myself. Are we named in this lawsuit?

CHAIRMAN DAUS: No, you are not.

COMMISSIONER DEAR: So we are not being individually sued. Thank you.

COMMISSIONER GIANNOLIS: We may be tomorrow.

CHAIRMAN DAUS: They can always amend their complaint.

Certainly, Commissioner, I am glad.

COMMISSIONER DEAR: Let's not hide --

CHAIRMAN DAUS: I am glad you are taking an interest in this and we will talk to you afterwards, counsel with chat with you.

COUNCILMAN YASSKY: Commissioner Dear did raise some questions about cost and burden, and I don't know if he wanted me to address this.

CHAIRMAN DAUS: And then Commissioner Sander has a question.

COUNCILMAN YASSKY: Commissioner
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Dear, those were issues you wanted me to address?

COMMISSIONER DEAR: Yes, absolutely.

COUNCILMAN YASSKY: I absolutely

share those concerns. In terms of making cabs

available, just altering your list of approved

vehicles so that owners can use them, that obviously

doesn't involve any burden whatsoever. That says

individual owner, they can calculate loss and

benefits both in terms of fuel savings and in terms

of appeal to the public for their decision, and let

them do it.

I don't think the concerns you raised

would argue in any way against immediately approving

hybrid vehicles for use as cabs if that is what the

owners choose to do.

On the long term goal, I agree with

you that the idea is to ensure that the fleet does

convert in a way that doesn't pose an unfair burden,

and I think there are a couple of ways to think about

that. One is, if I understand your rules, owners are

required to turn over their vehicle or replace their

vehicle after three years of use for the fleets, if I

understand that.

Now, I think your rules also already

provide that they can keep the vehicle for longer if
it is alternative fuel. That actually makes an
investment in alternative fuel break even and
probably even beneficial to the owner, because over
the life of the medallion or over a fifteen, twenty
year period, the extra cost for each vehicle is more
than made up by the fact they have fewer replacements
so that I think is one way to think about it.

Just in terms of the issues of
getting the medallions out immediately, I have no
idea what happened, what the facts were of this
auction, whether somebody is entitled to medallions
or not from some previous auction. Certainly I have
no idea about those facts.

I would just say to you, I urge you
as a policy matter, I think we have a policy interest
in getting the vehicles on the street as soon as
possible so if resolving a lawsuit that lets somebody
who is already interested in putting those cabs on
the street go to it tomorrow, I think there is a
policy objective there. I think there is a plus
there on the policy side.

COMMISSIONER DEAR: I have to agree
with you on the issue we should move. That is an
interesting idea, give the opportunity for the other
cabs, those that want to go to alternative fuel.
CHAIRMAN DAUS: Commissioner Sander?

COMMISSIONER SANDER: I would also concur with looking at extending the life for the environmental benefit.

First, I appreciate your taking the time to be here and pursuing this issue. Hopefully we can work something out both that is environmentally smart as well as for the issues of our customers in terms of usage.

Two follow up points. If you have copies of the polls you referred to, that would be interesting to look at, number one.

The second question I have for you, you were referring to, and I think the Chairman has referred to, a pilot. I am just curious in terms of what number of vehicles you have in your mind or has been discussed in terms of a pilot?

COUNCILMAN YASSKY: Well, as you know, the Council and the Commission and the administration agreed on 81 vehicles that would have a clean air -- 81 medallions that could only be used for clean air.

Certainly at least that I think is what you want to start with, but, again, I see no reason if you make them available to taxi owners and
medallion owners why not let those who choose to try
the vehicle do so and see how that goes.
I don't know -- I don't think that
puts a fixed number on it. I am certain it would be
a minority of owners who would choose to do it within
the next year. First of all, it is a minority that
are replacing their vehicle, and within that, inertia
being what it is, hopefully they will continue to do
what they have done in the past.

Thank you.

CHAIRMAN DAUS: Commissioner Giannoulis?

COMMISSIONER GIANNOULIS: Three
questions. Number one, can you tell us what actually
your legislation is? Because nobody has explained it
to us. So I have no idea what anybody is talking
about. That would be number one, or at least the
latest version of it.

Number two, you talked about size,
3 inches. That was in reference to the passenger
side? Can you tell us what the driver's side,
whether there is a smaller amount of space there? I
don't know if you know that information.

COUNCILMAN YASSKY: I would invite my
friends from the Smart Transportation Coalition to
come join me and tell me. The second one I can't

Let me tell you about the bill while

we are thinking about that driver question, and the

poll, in terms of Commissioner Sander, this poll was

conducted for the Smart Transportation Coalition, and

I will ask them if they have copies available. I

only have the summary right here in front of me.

COMMISISONER GIANNELIS: That would

be great.

COUNCILMAN YASSKY: There are two

pieces of legislation I have introduced and are

pending before the Council. One provides that

starting some point after enactment, it speaks of a

year from a fixed date so really what it should be is

a year from enactment or some point in the future, it

says when owners will replace their vehicles under

existing replacement rules, they will be required to

do so with an alternative fuel car. I put out that

bill, proposed that, as I say, some three years ago.

I recognize that there are concerns

with doing that about requiring people to buy cars

that may not be quite right yet, about whether it is

more costly, and I am open -- not just open -- eager

to be working with you folks on crafting a bill to
address those concerns while still ensuring the
conversion of the fleet.

We have had, I believe, two or three
hearings over the past three years on this bill on
the Council. The Commissioner, the Chair has
participated in those hearings. That is the big
bill.

The immediate bill, intro 642, simply
as introduced, it would have made some of the
existing hybrids, the Escape and the Highlander,
authorized taxicabs.

After conversations with you,
although, again, the administration has opposed so --
I am not trying to say you agree with anything we
have done -- after conversations with the Commission
staff and with other Council members who are
interested in this, we have amended the bill, and
there was a hearing on an amended version of the bill
on Friday to simply direct the Commission to approve
a hybrid vehicle for use as a taxicab.

That bill, there was a hearing on
that on Friday. It gives the Commission, I believe,

The Chair in his testimony noted that
that was really too short for you to put out a
proposed rule, get comment on it and then issue a
final rule; that thirty days was not sufficient time
to do that.

Again, I don't think that is a legal
bar, because I think this bill would override the
administrative rules that call for that, but I think
that was a legitimate point that was raised.

I will tell you that there is
substantial interest in moving this very rapidly
among some of my colleagues in the Council and so it
may or may not come up for vote on Thursday at the
full Council.

There was some discussion between me
and my colleagues about whether it should be brought
up this Thursday, which there is a Council meeting
today but the next one is Thursday.

If not, I expect it will be brought
up quite soon, and my hope is we can address the
thirty day issue, but if we do it this Thursday there
wouldn't be time to do that.

COMMISSIONER GIANNOLIS: I think in
terms of us approving any -- putting aside any
legislation -- in terms of approving a pilot, it
would be pretty helpful, even prior to approving a
pilot, to understand the safety of these vehicles.
I know you may not have the answer, but what is the space for the driver? I think one of our bigger issues is space when these folks have to sit in these cars for ten hours. Passengers sit in there for three minutes. Are they getting shortchanged? How much are they getting shortchanged? So that is an issue.

Then the issue obviously is safety. I mean, these cars are getting banged up a lot. They are working 24 hours a day. Do they compare in terms of crash tests and that kind of thing? I have no idea about cars relative to crash test kind of things.

I assume all automobiles are tested and there is some kind of standards. How can we compare the standard of that with the Crown Vic? I would be interested in that. I have been in one of those cars. They seem like fine cars.

COUNCILMAN YASSKY: I join you in being reluctant to trust my own sense of safety from having ridden in a car.

CHAIRMAN DAUS: If you like, actually, Commissioner, Peter Shankman, I would like
to introduce him. He is our new Assistant Commissioner for Safety and Omissions. He could talk a little bit about some of the crash testing and some of the vehicles we have looked at. Peter, would you join us for a second?

MR. SHANKMAN: All of the vehicles to be put on the road have to be crash tested. The current Crown Victoria is a five-star rated vehicle. The Highlander is a four or a five and so is the Escape so I don't really see safety being necessarily an issue with this.

We did prepare some comparison of currently approved vehicles compared with hybrid vehicles that we can pass out. There is a considerable difference in the rear leg room for the current Crown Vic, the stretch, and the standard Crown Vic and the Highlander and Escape. If you compare the stretch Crown Victoria, which is currently the majority of vehicles, approximately 11,000 of the taxis are that, you are talking almost 10 inches difference between that and the Highlander, and then if you put a partition in the rear you are talking probably another 3 to 4 inches.
The Escape is 36.3 inches as measured by the Society of Automotive Engineers, and the current Crown Victoria is 45.6.

Having ten Escapes in our parking lot we have sat in the back, and if you did put a partition in it unfortunately it would compromise approximately another 4 to 5 inches.

COMMISSIONER GIANNOULIS: Maybe this is a simple question, maybe it is a judgemental question, but at the end of the day -- when I have something like a sports car, you can't get in the back of my car because it is four doors, but it is not really designed to be a family vehicle; it is designed for what it is, which is myself driving it.

Are these other cars really designed for energy efficiency and they really don't care about the back and that is why they are so small?

MR. SHANKMAN: No. The Highlander is a family vehicle. The Escape, one of the issues we did find is is almost 12 inches step-up into the vehicle so it is a little uncomfortable, and the doors are considerably narrower than a large sedan, but we are talking apples and oranges, a small SUV compared to a large sedan.

COMMISSIONER DEAR: What did it cost
for those cars --

MR. SHANKMAN: The costs are on the bottom of the comparison.

CHAIRMAN DAUS: What I would recommend, Commissioners, that staff come up with recommendations working with the councilmember and his office for the possibilities of pilot vehicles and what number.

COMMISSIONER AROUT: Mr. Chairman, is there any chance of having a vehicle up here so we can look at it, drive it around? I have never been in one. I think it would be a good idea if the Commissioners at least could sit in it, go around the block.

COMMISSIONER WEINSHALL: The Department of Citywide Administrative Services has purchased a number of hybrid cars for City use. I am sure if Mr. Daus here got in touch with Commissioner Hirst we can get all samples. I know the City has bought -- I don't know if we bought the Highlander.

Do you know, Andy?

I don't think so, but we bought all the others so we bought the Civic, we bought the Prius, we bought the Escape.

I know this agency has Escapes.
CHAIRMAN DAUS: It is a great idea, and we will make arrangements to do that and try to work out the schedule so everybody can take a look at them. Unless anybody disagrees, that is how I feel we should proceed at this point, and as quickly as possible as the councilmember suggests.

COUNCILMAN YASSKY: Thank you.

COMMISSIONER DEAR: How are we proceeding here? Are we going to move next step to talk about what kind of vehicles?

CHAIRMAN DAUS: First we will need a staff recommendation as to what to do, and then I believe we need some rule making.

COMMISSIONER DEAR: What kind of time frame are we talking about?

MR. FRASER: I think the idea is a proposal will be made by staff at the next meeting. The rule making, once we draft rules, they must be proposed for thirty days followed by a public hearing. Once they are adopted, they must be published for a further thirty day waiting period before they become effective.

COMMISSIONER WEINSHALL: Could we
adopt the rule today?

MR. FRASER: No, really not.

COMMISSIONER DEAR: We can propose, not adopt.

COMMISSIONER RUBINSTEIN: I wanted to briefly make a comment, if I may. The issue that I see -- I think we are all with the councilman, I think we are all in the same position when it comes to wanting to better our service without going into details; however, I think what the councilman said was a bit misleading in that he initially said there is only a 3-inch difference in terms of the leg room. I am not bringing this up to really hold you to fire here, Councilman, but it is just that the Toyota Highlander has 34.6-inch leg room, and the Ford Crown Victoria stretch has 45.6. That is 11 inches.

The problem I have, I am not a giant.

I am 5-foot 10. I get in back of a cab, and the old ones, I have had my knee in my mouth, and it is an issue.

I am not saying we shouldn't investigate this, but I have been on the Commission a while, and some have been here before me, some after.

The point is when you look at the
cost of a Highlander for 33,000, and you look at a
Crown Vic at 24, through the years we have gone
through this, a lot of the owners and fleet people
know, and, quite frankly, from my viewpoint,
realistically, unless the costs come down, I think we
are spinning wheels.

I don't think it is fair to burden
our industry with more cost here, and I understand
the legislation is pending and all this and all that.
As I said, I think it is all coming
from a good place, but in the end I think the
manufacturers is really where the issue has to be.
The costs have to come down.
My point is, leg room and cost and
where do we go from there?

COUNCILMAN YASSKY: I would like to
address a couple of things.
First of all, in terms of what I said
before, I said that there is a 3-inch difference
between the Escape and the Highlander and then the
regular Crown Victoria, and it is a greater
difference with the stretch. I tried to be clear
about that.

COMMISSIONER RUBINSTEIN: I
understand, but in a short time there will be no more
of the old Crown Vics.

CHAIRMAN DAUS: I think there was a

miscommunication. It is about 8.5 inches less.

COUNCILMAN YASSKY: Compared to the

stretch.

On the Highlander there is a small

point, but just for your information, what this chart

here shows as -- under rear leg room for Highlander

they have 34.6 inches on this chart. That is, I am

told, the leg room for the middle seat. The leg room

for the rear seat, because this is a three-row

vehicle, it is a minivan like you see around a lot

these days -- it has three rows -- the leg room is 36

and something inches so it is comparable to the

Escape.

No question between these vehicles

and the stretch there is a material difference in leg

room there.

I would just go back to I don't want

to deny it is a trade-off. I think the trade-off is

worth making, and I would ask you to at least think

about that and make your own judgment as to where the

trade-off is.

On cost let me say a couple of

things. This chart doesn't give -- this gives the
manufacturers suggested retail price, suggested

There are currently tax credits that
are at the federal level. They were at the state,
and they may again be for alternative fuel vehicles
that drive the cost down. They take some work to do.
They are subject to legislation. I believe the state
one is expired and needs to be renewed.
If both the state and federal are in
place then the costs are about the same. That is an
if.

Let me say this. I think that
everyone that studies this industry say these costs
are coming down in a way that I paid four times as
much for a computer ten years ago as I do today.
Everyone says the hybrid costs are coming down. What
we want to do in New York is get ahead of this curve
and be a leader here.

The truth is it is not what is at
stake. It isn't just here. If New York takes action
on hybrids you can be sure San Francisco which has
done it already on a limited basis, Chicago, other
cities will follow like this.
I think in my mind there is no doubt
that this is the future of taxicabs. The question is
whether we want to be ahead of it or fighting the
rear guard. I think we have an opportunity.

CHAIRMAN DAUS: Commissioner

Weinshall has a comment.

COMMISSIONER WEINSHALL: I appreciate
what Commissioner Rubinstein is saying about leg
room. I often think back to times I have gone to
Europe, and clearly their cabs are by no stretch of
the imagination as large or luxurious as the cabs we
have here.

I think the councilman makes a very
good point, which is at some point with gas prices
teetering on $2.50 a gallon, I think that we need to
make room for other types of vehicles in fleets.

I guess my concern is sort of
mandating these types of vehicles on the industry as
a whole.

It is one thing if drivers or fleets
opt in or decide they want to take advantage of other
benefits or incentives that we offer. I guess my big
concern is mandating it, because the drivers are
under such tremendous strain, economic strain
already, that to mandate this type of vehicle I think
would only add to that economic strain.

I guess my view is that, you know, it
would be great to have larger vehicles for everybody.

I mean, I am 5-foot 3. Quite frankly, I don't need all that leg room, but on the other hand I do believe this is something we need to try out.

I think the councilman is right. New York has always been the leader, and in City government we are trying it out.

Huge numbers of hybrid vehicles are being purchased by City fleets to qualify for the alternative fuel regulation which the City Council passed a number of years ago.

So from my perspective, I think we need to pass a rule and we need to pass it quickly so we are able to either have a pilot or to qualify for these eighty odd vehicles, to get these vehicles into the fleets, and then from there I think if individuals -- you know, I see many more minivans on the road where individual owners have opted to purchase them.

Likewise, I think if we have a rule and allow people to purchase these hybrid vehicles, I think many more drivers will purchase them as well.

I guess that is where I am coming out on the issue.

CHAIRMAN DAUS: I would tend to agree
with you 100 percent on this one. I think the best way to do this is a pilot. Unless I hear some strong opposition from people, I would like to go forward with that.

COMMISSIONER GIANNOU LIS: What is it we are trying to find out in this pilot exactly?

CHAIRMAN DAUS: Number one, how the vehicles will hold out up on the streets 24/7; number two, customer and passenger response to the vehicles in terms of whether they like them, don't like them, are they too big, too small. Those are some of the things we need to look at.

COMMISSIONER RUBINSTEIN: I concur with Commissioner Weinshall, and that was sort of what I was hinting at in terms of I would really not want to mandate the drivers having to purchase any sort of vehicle. Obviously I would agree with that, and I don't want anyone here to misunderstand on the record -- I am not against the future, I am not against hybrid vehicles; however, I think the proper procedure would be rather than a lot of legislation to try to see if these vehicles will work, and that is what I think the Chair has suggested so I would defer to that.

CHAIRMAN DAUS: I think at this point
we are pretty much all on the same page and we need
to move quickly, and by the next meeting we will have
a recommendation.

COMMISIONER GIANNOTIS: There is no
issue here affecting the legal issues we talked about
earlier?
CHAIRMAN DAUS: We have been advised
that that is not an issue.
MR. FRASER: You mean the litigation
pending? No.

COMMISSIONER DEAR: Why do I have to
try a pilot, or we just add it to the list and allow
for vehicles if they are going to become popular,
everybody else will get them?

In addition to that, it will send a
strong message to the manufacturers that maybe they
will start getting serious. If they are talking
about potentially 13,000 cars, that is a lot of
vehicles that will spur the other agencies to start
doing it, and before you know it New Yorkers are
doing it.

You know, we are going through a
whole process here with the smart vehicles and
putting in these television cameras and all the
computers and everything else. We didn't do any
pilot. We are doing it, we want to be the first in
the City, first in the country. Why can't we do
this? I think it is far more important than some of
the other things happening.

This is huge on an economic side and
an environmental side.

CHAIRMAN DAUS: I agree with you, but
as we have with every other vehicle that is new, we
need to go through the same process to make sure
people don't start putting thousands of vehicles on
the road which are later recalled. Quite frankly,
having thousands of these vehicles which are too
small will have a major problem for us.

I think the best way to proceed is to
do a pilot, and that I think will make enough of a
dent for the manufacturers to take us seriously and
say there is a market here, and let's try to redesign
these vehicles to make them a little bit bigger as we
have demonstrated in the past we have done with the
Crown Victoria.

Thanks to Ron Sherman and TBOT, the
Commission, we went back to Ford and said "We like
these vehicles, passengers like them, they are good,
but they are too small; otherwise they are operating
well."
We asked Ford. They spread out the chassis another 7 inches giving 6 inches of additional leg room for the back compartment, and it made a tremendous difference, as we all know, for those who were serving on the Commission when we passed those rules.

We made a commitment to the public at that time that there will never, ever be a smaller vehicle on the road, and we passed rules to mandate that.

If we can accomplish both the role of having a bigger vehicle and also getting hybrid electric vehicles, let's do it, and I think, in my opinion, your suggestion is right on point,

Commissioner Dear, we want to get to approval, but in terms of the technical distinctions under our rules and what that means, approval means anyone can go out and buy the vehicle.

A pilot needs to be short, it needs to be now, as soon as possible, and right after the pilot we should evaluate it and recommend to the Commission approval or disapproval.

If it is approved, then it is out there for the world. That is my thought on it.

COMMISIONER GIANNOLIS: With all
due respect to Commissioner Dear and Commissioner Weinshall in terms of talking about moving this quickly, I think we all need to take a bit of a deep breath for a second. CNG did not work out and it was passed before I got here, and then it was changed when we voted on changing it. I am all for taking City Council's lead probably more than anybody here --

COUNCILMAN YASSKY: Not everybody here.

COMMISSIONER GIANNOLIS: Every other meeting we have ever had has always been about forcing the industry to increase the size of the vehicles, and all of a sudden we are all saying let's rush to get this moving forward, which is dramatically smaller. That just is a little strange to me so I think that we need -- I think we all want to do the right thing. I think we need to balance that.

That is all I always hear about whenever we have these discussions. We have the big vehicles. They are great for passengers, great for drivers. They should be bigger, they should be bigger, they should be bigger. Apparently they shouldn't be bigger.
COMMISSIONER WEINSHALL: I wasn't on the Commission then, and I didn't quite understand this love affair with the larger vehicles.

COMMISIONER GIANNOULIS: It has always been there, and if there is a reason for it not to be there, that is fine.

COMMISSIONER WEINSHALL: I have always had enough room in whatever car I go into.

COMMISIONER GIANNOULIS: I took it as bible.

COMMISSIONER WEINSHALL: Let me just say, I think the world has changed since we had this bigger is better attitude, and I think the fact that gas prices are what they are, and that we are imposing so many new procedures and rules and standards on the industry, and the fact that there is this technology out there, where I believe a hybrid vehicle you can get 600 miles to a tank of gas -- am I correct? That's correct?

COUNCILMAN YASSKY: For the smaller ones. It wouldn't be that much for the big one we are talking about here.

COMMISSIONER WEINSHALL: Even 400 miles on a tank of gas, just do the math in terms of calculating it.
I just think that, you know, what was
good then was good then, and the world is different
now, and not one size fits all so I think this
Commission has to be a little bit more forward
thinking and keep in mind both maybe the public would
like to see it, because I think the public would like
to see we are being environmentally correct as well
as what is good for the industry.

COMMISSIONER RUBINSTEIN: I just
wanted to say something. I think there has been some
sort of misleading or certainly not on purpose -- I
don't agree with the Commissioners there has been a
big push to make the cabs bigger. I felt all along
it was to make the cabs safer, because when you got
in and still -- you know, in the old Crown Vics your
feet were literally up against you, and your face was
against the rear of the cab.

I understand that certainly there was
a push for larger rear seating, but the main thrust
in my mind had always been safety so I want to
address that, and I think with these hybrids, I think
Commissioner Giannoulis is correct that we don't want
to rush toward something and find out it doesn't
work.

Whatever it takes to find out before
it goes on the road en masse we should go through a
normal testing period, and I don't think that that is
all that --

CHAIRMAN DAUS: That is a fair point,
and that is part of it also, there is no question. I
mean, those are both considerations.

It sounds to me the more we discuss
this, the more I think we agree. We don't want to
repeat -- the CNG program was a failure, complete and
utter failure because of the reasons why Commissioner
Giannoulis pointed out, but I still think that we can
and should rush toward a pilot, because the pilot
will show whether is going to happen and whether it
is going to work, and we will ensure that we don't
have a failure like we did with CNG.

Commissioner Sander?

COMMISSIONER SANDER: I was around,
and I think there was a reaction to the size of the
vehicle, and I think that is a legitimate point.

At the same time I completely concur
with Commissioner Weinshall's point that there is
another value here, which is environmentalism and
conservation, and we have to work both of those
values where before we just considered one.

The only additional point I would
make is in that discussion we have to deal with the fact we are dealing with something of a free market. Let's say we move toward hybrid vehicles, and we want the market, people to have a choice whether it is Black cars, whether it is other alternatives they have; we need to recognize that and work with that dynamic, whether it will be education or what have you.

It is very interesting to see how this free market feels about it.

In terms of my own personal choice I agree with Commissioner Weinshall which is the other values we have been talking about so bottom line is the pilot.

CHAIRMAN DAUS: Thank you.

I think Commissioner Weinshall has a great point. I mean, the times, they are a changing. There is no question about it, and we need to be there.

Commissioner Dear?

COMMISSIONER DEAR: While these discussions are taking place we don't have to wait until we pass a pilot program where we can reach out to the manufacturers again and say listen, there is an opportunity for you. The Toyota company and
others, the Japanese companies, have gone to second
generation hybrid. I think it is the way to go. It
is not like CNG because they are moving that way.
I think we should start taking an
aggressive look and going to the manufacturers
because potentially you could have a tremendous
market for your industry if you would like to take an
interest.
Secondly, I concur with Commissioner
Weinshall about the size of the vehicles. I know
where it came from because I was part of it on the
City Council side where we wanted to go to other
vehicles, and at that time it was the previous mayor
who had a determination that this is the way he
wanted to go, and that was his issue, but it was not
like the -- the Commission was not, it was not
written in stone that that was the way to go.
I think we should look at all kinds
of vehicles. That is the fact of life today, we have
to look.
Again, without burdening the industry
we have to make it available that it is cost
effective for everybody.
CHAIRMAN DAUS: That is a good
suggestion. In fact, prior to us coming up with the
staff recommendations at the next meeting we will try to reach out and have a meeting with the manufacturers.

I want to thank you, councilman.

This is unprecedented with the exception of Commissioner Dear who once tried to come here.

You know, usually we don't get Council members coming to testify and to share their thoughts with us.

I am over there quite enough as is Commissioner Weinshall, and actually almost everybody on this board has been there quite enough to talk about this. It is great to see you come here, and we thank you for your leadership on this issue.

COUNCILMAN YASSKY: Thank you. First of all, it was a lovely walk so please invite me any time.

One last point?

CHAIRMAN DAUS: Sure.

COUNCILMAN YASSKY: I think Commissioner Dear hit on something I wish I had pointed out to you that is absolutely true. Hybrids are just so much more established now in the marketplace than CNG was. I would discourage you from taking that precedent too strongly because the
fact is that was an attempt to insert something that
wasn't there. These cars are out there. My
neighbors drive them.

Just on the way the market operates,

maybe you would want to let the folks who do buy the
hybrids put some kind of big decal on their side and
see whether customers, in fact, prefer that because
there are enough environmentally -- people who take
environmental issues seriously in New York.

COMMISSIONER WEINSHALL: I know the
point you are saying they are better than the CNG
cars were. By the way, I am getting a hybrid car as
an official car, because I think that for a
Transportation Commissioner who spends all the time
riding around I should have a hybrid car.

I guess I would want the staff
here -- Andy has hired some people who are pretty
knowledgeable. I know there have been some --
actually, there are some mechanical problems with the
vehicles, and I think also the City fleet as a whole
has some data for us. That is not to say other cars
don't have mechanical problems. You could buy a Ford
Taurus and have a problem with it.

I think that it is at the beginning
of its generation, and I think it is not as all
perfect as you are saying it is.

Having said that, I don't think we should let the moment pass and not be part of whatever is out there.

COMMISSIONER SANDER: Just following on the point that the Commissioner just made, this Commission did set a leadership position when we banned the use of cell phones, and I think you made the point, Councilman, about it would be nice for us to be on the front and back end. I think we do have an opportunity in general.

This is New York City, and where we can make a positive contribution from a policy standpoint, that would be a nice example for us to set on more than one item.

COMMISSIONER GIANNOLUMIS: If we are going to try to put something on in thirty days, quite honestly, we haven't had any kind of presentation in terms of what these vehicles even are. I mean, I actually have no basic knowledge of what a hybrid vehicle is.

CHAIRMAN DAUS: We could educate you --

COMMISSIONER WEINSHALL: I think it would be useful to get somebody here.
COMMISIONER GIANNOULIS: That is my point.

COMMISSIONER AROUT: I have never been in one. I don't even know what it looks like. It probably looks like a regular vehicle so we have to have one here. Put me behind the wheel, put the Commissioners behind the wheel. Let's try it out. I would like to see one and try one. Mechanical problems, we have to have some background.

CHAIRMAN DAUS: That is a great point. Seeing is believing. You know, we could educate -- Commissioners have been involved pretty quickly because the staff and Andy and people at S and E have been working very hard over the last year, and we have a lot of the research done. We have been in touch with the manufacturers so it would be pretty quick and easy for us to throw together a briefing and presentation for you including some show and tell with the vehicles, which I think is important. Seeing is believing.

When I got behind some of these vehicles and other types of vehicles, it really made a difference. It was night and day. Your perspective totally changes.

We will schedule that either before
the next Commission meeting or at the next Commission
meeting so we can take a look at these vehicles.

The two final points, I don't want us
to be misunderstood on the CNG program.

Councillor Yassky brought up a good point. I
don't believe we should necessarily say that the
vehicles and the technology was a failure unto
itself. It was the logistical issue. It was the way
the Commission did it that was the problem.

There was an expectation that was
adopted from the utility companies that we would come
up with X number of stations by X amount of time, and
it didn't happen, and that caused the whole program
to fail.

I don't want anyone to think that it
was a safety issue, it had anything to do with the
technology being bad. It was logistical.

Hybrid electrics don't pose that
logistical problem.

I think Commissioner Giannoulis's
point, we should take a lesson from the past. Don't
do it for the sake of doing it and do anything, but
do it right. We have a plan. The pilot is a plan.

We can do it quickly. We can educate the
Commissioners.
I am very optimistic that Andy, Chuck and the staff will have some final recommendations for a pilot, time frame, number of vehicles, types of vehicles for you to make a decision on at the next meeting for discussion.

COMMISISONER GIANNOLIS: Councilman, obviously you and your colleagues are going to have to make decisions as to where you want to go with the legislation. You have heard what seems like a pretty positive response to your ideas on this matter so I don't know what you continue to propose to do.

The reason I bring this up is you referenced that we all agreed on the 81 vehicles. That is actually not true. Counsel did. We did not.

I think one of the reasons --

COUNCILMAN YASSKY: The mayor signed it. That was all I meant.

COMMISISONER GIANNOLIS: One of the reasons that to some degree didn't work out was because counsel was out front. I think that the agency -- I don't know we were all on the same page on that.

I think maybe in terms of this issue, you know, working with us I think would be pretty productive.
COUNCILMAN YASSKY: In my very, very limited experience, working with an agency always gets best results so I agree with that, Commissioner.

CHAIRMAN DAUS: Thank you for coming and for your time. We appreciate it.

COUNCILMAN YASSKY: Thank you, Mr. Chairman. I have a special presentation I would like to make on behalf of the Commissioners and the Agency. We have joining us here a former Commissioner, Stanley Michaels, and his wife Molly. I want to thank you for coming. I am sorry you had to wait, but I knew you would enjoy the discussion so we kept it going a little bit longer.

Everybody knows Stanley. Stanley, I can't tell you how much we miss you. You were only on here for a short while. We are very upset you left, but we wish you the best in what you are doing. As you can see, I am hoping you miss us as much as we miss you.

It is very apropos that we are talking about environmental issues because Stanley was truly one of the greatest leaders on environmental issues in this City. Two decades on the Council, even though he doesn't look a day of it. He has passed tremendously helpful laws in the area.
that have made our lives better in the City and made
the air cleaner and made everything we do safe,
especially in housing and lead.

We are just really, really, really
pleased you are here to join us today. We know your
schedule is busy.

The Commissioners I am sure would
like to say a few words, but this is in honor of your
term of office. You had seven years, but you left

For your distinguished service to the
New York City Taxi and Limousine Commission, we
enjoyed every moment of it and we look forward to
your friendship in the future.

MR. MICHAELS: Thank you very much.
As a matter of fact, I am very much appreciative of
being here today because I really much enjoyed this
conversation, and I look at my former colleagues and
one of them who was a colleague of mine in the City
Council as well, Noach, and I want to tell you how
much I enjoyed listening to Councilman Yassky and the
conversation that went back and forth, and it brought
me back a couple of years when I was doing this in
the Council and sitting here with you as colleagues.

I think the issue is a very good
issue. We always will and always have been
interested in the environmental aspects. We have had
some of these discussions before.
I am really appreciative of this
honor. I do miss you. I wish I could have sat here
at the same time as what I am doing now, which is
running for borough president, but I really
appreciate it, and I appreciate some of the people
who are here today from the industry, which I think
is a magnificent industry, who really care for the
City of New York as well as the people they employ.
When I am borough president, I will
look upon this agency very favorably and work with
you, and of course work with the industry who has
been a fabulous industry for the City of New York so
I thank you.
My wife and I are very proud to be
citizens of the City of New York and work with all of
you.
Thank you very much.
CHAIRMAN DAUS: Thank you, Stanley.
Commissioner Dear?
COMMISSIONER DEAR: I wish you well,
Stanley. I am sorry that you did have to leave.
That is the laws of the City of New York, and I am
looking forward that you should be back in office,

because you have always served the citizens of the City of New York very well, and we will miss you.

I know every time I think of the environment, it is always Stanley Michaels, environmentalist/Stanley Michaels, before it was politically popular, before it was politically expedient, you were there on this issue.

I remember the City Council, and I look forward to seeing you further in City government.

CHAIRMAN DAUS: Thank you, Stanley. Good luck and god speed.

We are going to proceed now to item 4, Base Licensing Application Review.

Bill, Barbara? Let's proceed to the calendar call, please.

MR. CARTER: Bill Carter. I am the Executive Director of the Licensing Division. This morning we are going to recommend before the Commission the 33 bases that were left on the calendar from the base that we called back from the City Council so that we could review them. This is the last of the group.

We have broken these down to two
groups. We have broken them down to a group of bases that would be done under the normal procedure we have done under the last few months, and also group of bases that are missing items required for licensure, but we feel those items are small items that can be taken care of in the next few days so we would like to conditionally approve those bases predicated on their providing us with those documents.

We have two other bases. One is up for a move, relocation, and the other base is a reapplication.

CHAIRMAN DAUS: I would take it that it might be just as efficient to proceed as we have in the past. We will read the bases. If any Commissioners have any questions, comments or issues with any of them, just speak up and we will put it to the side, and then we will vote on the others we have no issues with.

MR. CARTER: 440 Car Service.

Absolute Car & Limo Service.

Alex II.

Americana Transportation, LLC.

CHAIRMAN DAUS: I would like to ask that be put aside.

MR. CARTER: Amsterdam Radio
Dispatcher.

Champion Car & Limo Service.

Delta Cars Incorporated.

Ecuador Corp.

Ex-L Car Limo Service.

L&Y Car & Limo Service doing business as Anytime Car Service.

Monopoly Inc. doing business as Bnei Joseph Car Service.

National Car Service.

New Bennet Radio Dispatcher doing business as Bennett Express.

New York 7 Car Limo Inc.

New York Mexicana Car & Limo.

Pacific Express Car Service.

CHAIRMAN DAUS: Pacific I have an issue with.

MR. CARTER: PD Transporter Express.

Princess Limo.

Reyno Car Service.

Seaman Radio Dispatchers.

Simcha Global Inc. doing business as Simcha Car Service.

Tremont Dispatching Corp.

Watson Car Service.
CHAIRMAN DAUS: Can I ask you a question? You didn't read all of the bases. These are the ones that have no conditional?

MR. CARTER: These are the bases that were under the normal situation where they were pulled back, we reviewed them, and their violation histories were reviewed, and we bring them before the Commission in case someone decides we should give them a conditional.

The remainder of the bases are the ones we have conditions we would like to have them meet because they are missing some items.

CHAIRMAN DAUS: I only had asked on two bases, they fall into the same category I think as other bases that we require business plans of. It is Americana Transportation and Pacific Express Car Service.

I would recommend a move for approval of all those bases that Bill just mentioned with the exception of those two.

COMMISSIONER GIANNOULIS: Motion.

COMMISSIONER AROUT: Second.

CHAIRMAN DAUS: All in favor?

Approved.

We are going to the conditional
MR. CARTER: Yes. The following bases have outstanding items that we have asked them to provide, and they should be providing them shortly, but they were not ready at the time of submission to the Commission.

- A New Day Radio Dispatch Inc.
- Central Rockaway Car Service Corp.
- doing business as Shore Car Service.
- Davydoff's Transportation doing business as Special Car & Limo.
- Good Morning Car Service.
- Har-Sinay Car & Limo Service Inc.
- High Bridge Car Service doing business as Do Max Corp.
- N.Y. Ride Inc.

CHAIRMAN DAUS: I would like to just put that aside for a minute for discussion, N.Y. Ride Inc.

MR. CARTER: Preferred Car Service.

That ends that calendar.

COMMISSIONER RUBINSTEIN: Could I ask a brief question?

CHAIRMAN DAUS: Sure.

COMMISSIONER RUBINSTEIN: Typically
what would be one of the issues that would take a few
days to resolve?

MR. CARTER: Some of the bases had
bonds that expired that are required by the
Commission, but they expired during the time we were
reviewing them so they have to go back to the bonding
company.

Some of the bases had agreement with
off street parking locations. The agreements had
expired, and they need to renew their leases.

CHAIRMAN DAUS: Any comments or
questions about the process or the bases?

Actually, I have a pre-written motion
from counsel to deal with the conditional motion
which I would like to deal with now.

I would like to move that each of the
aforementioned base license applications that Bill
just read be approved subject to the condition that
the application must be satisfactorily completed
within ninety days from today, and upon failure of
that condition, that the application be denied.

In addition to that, that N.Y. Ride,
which I think falls into the category of having
problems with the record, would also be required to
submit a business plan in addition to the other
things that are required of it.

I would like to make a motion.

COMMISSIONER GIANNOURIS: Second.

CHAIRMAN DAUS: All in favor?

Any opposed?

(Motion carried)

MR. CARTER: Commissioner, we do have two other items. One is a base that requested a relocation, and we reviewed the entire process including them submitting an EAS, which is part of the CEQR proceedings.

They have submitted them, and that is Montague Car Service so we are recommending that the base be approved to relocate.

CHAIRMAN DAUS: Do we have a motion or discussion?

COMMISSIONER GIANNOURIS: Motion.

COMMISSIONER SANDER: Seconded.

CHAIRMAN DAUS: Seconded by Commissioner Sander.

All in favor?

(Motion carried)

MR. CARTER: The last application is a new base application, which is B&R. They were required to place a new application with the
Commission and they have, and they have met all the requirements, and we are recommending approval of their new location.

COMMISSIONER GIANNOULIS: That was the one that some people raised some issues, correct?

CHAIRMAN DAUS: Yes. Councilmember Fiddler, the community. I believe, if I am not mistaken, it has been resolved and there was an agreement between the Councilmember and the community and the base on this new location; is that correct?

MR. CARTER: Yes, there has. We received letters of support from all three bodies: The police department, the community board and the councilman's office.

CHAIRMAN DAUS: Good work for working that out.

Do we have a motion on the floor?

COMMISSIONER AROUT: Motion to adjourn.

COMMISSIONER RUBINSTEIN: Second.

CHAIRMAN DAUS: All in favor?

(Motion carried)

COMMISSIONER WEINSHALL: Do we have a date for the next meeting?

CHAIRMAN DAUS: We don't have a date.
yet. I think in light of the discussions today, we
should try to meet in July. My office will be in
touch with all of you, and we will try to pick a date
around this time in July.

(Time noted: 11:10 a.m.)
CERTIFICATION

I, HELENE GRUBER, a Notary Public within and for the State of New York, do hereby certify:

THAT the foregoing is a true and accurate transcript of my stenographic notes.

IN WITNESS WHEREOF, I have hereunto set my hand this ___ day of __________, 20 .

________________________
Helene Gruber, CSR