NEW YORK CITY
TAXI & LIMOUSINE COMMISSION
PUBLIC MEETING

November 28, 2018
9:45 a.m.
33 Beaver Street
New York, New York

BEFORE:
MEERA JOSHI, Chair and Chief Executive Officer
CHRIS WILSON, General Counsel
Board of Commissioners:
BILL AGUADO
JACQUES JIHA
THOMAS SORRENTINO
STEVEN KEST

Julia M. Speros
Court Reporter
SPEAKERS:

Raul Rivera, TLC Driver Licensee
Nicolae Hent
Peter Mazer, MTBOT
Michael Keogh
Milenka Berengolc
Michele Dottin
Aziz Bah
Carolyn Protz
Richard Lipsky
Nancy Reynoso
Charles Komanoff
Augustine
Bhairavi Desai
Francisco Mendez
Edith Prentiss
Seydou Bah
Victor Salazar
Bill Landaven
Lalji Singh
Jose Altamirano, Livery Base Owners
Michael Wong
Speakers Continued:

Saibou Sidibe
Mohammad Ali Awan
Elieser Colon
Roberto Rodriguez
Bridget Felix
Osman Chowdhury
Mario Pena
Mohamed Hasan
Malhotra
Robert Espriel
Richard Chow
Wain Chin
Edward Costellanos
Bernardo Celerino
Reuben Finkel
Prodi Kundu
Galina Kaminkar
Spryos Messados
CHAIR JOSHI: Good morning. The time now is 9:45, and we are -- a motion to go into executive session to discuss legal matters.

All in favor?

(Raised hands.)

CHAIR JOSHI: With that, we unanimously vote to go into executive session, and I anticipate we'll return to open the public meeting at 10 a.m.

Thank you.

(Recess taken.)

CHAIR JOSHI: Good morning. The time now is 10:10, and we're going to begin our public meeting.

First, I'd like to thank everybody for coming today. You can also join us via live stream. Two of our Commissioners who expected to be here today were unfortunately unable to make it; Nora Marino and Ken Mitchell, but they wanted me to convey their regret for not being able to be here today, and assure everyone that they will be
watching via live stream. So they are
going to hear what everybody has to say
even though they're not here with us
today.

I want to start, first, with some
very sad news. We learned of the
passing of driver and medallion owner,
Roy Kim. He took his life on
November 5th; he was age 58, and we
mourned his passing, along with his
friends and his colleagues.

And we, again, want to take this
time to remind people that if you're
depressed or feel isolated, please reach
out to a friend or family member, or
call any of the City's resources,
1-888-NYC-WELL, or you can text WELL,
W-E-L-L. It's a free confidential
mental health support system, and, you
know, it can be the matter of life or
death.

So I urge you to use those numbers
if you need them. Please share them
with friends and family, and encourage
others to use them as well.
We also had another passing here at TLC; a very untimely passing on November 20th. A former TLC Assistant General Counsel, Mark Hartikof (phonetic). He had been with the TLC for about a decade before he retired in 2010 at the age of 36.

He worked very hard to retire very early, and moved to Florida with his wife and two daughters, and I know he will be missed by many of the long-term TLC employees who grew to know him and loved to work with him.

We also want to congratulate a TLC driver, who on November 13th was on the FDR and -- Kasin Adeleni (phonetic) -- he saw a hawk that looked like it was injured and he stopped. He scooped that bird up; he took it to the Wild Bird Fund. The hawk is in good health now and was released back to the wild.

So the hawk was named, aptly, Taxi, and we can thank Mr. Adeleni for his now really wild life in a wildlife rescue reserve. So thank you very much.
This morning we have two proposed rules. They are scheduled for hearing, and what I'd like to do, which I think will make the meeting go more smoothly, is we'll take testimony on both rules at the same time.

So when you come up to give testimony, you can give testimony on either the congestion fee rules or the for-hire service rules, and you can intersperse your testimony flipping back from one to the other.

We have also the adoption of minutes from our October 3rd public meeting.

All in favor of the adoption of the minutes from the October 3rd hearing?

(Hands raised.)

CHAIR JOSHI: With that, they're unanimously adopted.

I want to introduce our newest Commission member, Steven Kest, who is a mayoral appointee. He's a longstanding community and youth organizer; works at the Center for Popular Democracy. He previously helped lead the fight in
Fight for $15 campaign that won pay raises for fast food workers, and lives in Flatbush, Brooklyn.

And we're really grateful to have him join our Commission and add to the skill set of an already amazingly varied and skilled Commission.

So thank you Steve, and we look forward to working with you.

COMMISSIONER KEST: Thank you.

CHAIR JOSHI: We have some base applications for determination.

Good morning.

MS. MEOLA: Good morning, Commissioners.

My name is Angelique Meola, and I'm the Director of the Base and Business Services.

Today we have 12 applications for your approval; eight renewals, three with various changes, and one denial.

CHAIR JOSHI: All in favor of approving the base recommendations from licensing?

(Chorus of "Ayes").
CHAIR JOSHI: And with that, they're unanimously approved.

MS. MEOLA: Thank you.

CHAIR JOSHI: We're going to start today -- like I said, we have two hearings, which we'll combine the testimony for.

One is proposed implementation rules from a State Law that was passed in April that puts a congestion surcharge on TLC licensed vehicles that pick up/drop off, or travel below 96th Street in Manhattan.

And the second is implementation rules for a Local Law that was signed into law August 14th. That creates a new class of for-hire service -- High-Volume For-Hire service vehicles, new licensing class, and -- for services that provide more than 10,000 or more trips on a daily basis.

So we're going to start with a presentation on the high-volume rules from Maddie Labadie of the Commissioner's Office. And the State
congestion surcharge, Chris Wilson can give a brief outline of the State Law and the implementation rules which pretty much mirror the State Law, after the high-volume presentation.

So thank you, Maddie.

MS. LABADIE: All right. Good morning, Commissioners, Chair Joshi.

My name is Madeline Labadie, Senior Advisor for Strategic Initiatives, and I'm going to present on the proposed High-Volume For-Hire service rules that we're considering today.

Since large out-base for-hire services entered the New York City market, the TLC has worked to ensure these companies provide safe operation, transparency in data and information to customers, and that they're held accountable to the public interest.

New York City is unlike any other U.S. cities in this regard. New York is the only American city in which out-base services are subject to further driver vetting, training, and monitoring for
safety -- like preventing fatigued
driving -- regular vehicle inspections,
commercial insurance, trip data
requirements, consumer security and
transparency protections, and a
requirement to provide wheelchair
accessible service.

Since 2015 the TLC has advocated for
road control mechanisms in the for-hire
vehicle sector, especially among the
sources of that growth -- what we'll
call High-Volume For-Hire services.
Since then daily trips dispatched by
High-Volume For-Hire services have grown
exponentially, as shown here broken out
by the white line on the graph.

At the time of the City Council
hearing on the initial FHV Pause Bill in
June 2015, High-Volume For-Hire services
were dispatching 100,000 daily trips
combined. Today these companies
dispatch more than six times that
amount.

Until City Council passed
legislation this past summer, TLC was
unable to manage this growth or its impact. In recent years High-Volume For-Hire services have become increasingly distinct from traditional car services, particularly in their scale of operation and their use of technology. Given the size of their operation and online corporate black cars -- which are -- they're direct to consumer operation -- their impact on the City is widely felt.

Their advanced technology creates new policy questions, such as those about how passengers are protected while using their apps, and provides opportunities for answers given the significant amount of data that they collect.

These distinctions require additional accountability in the form of future growth management, a power recently delegated to the TLC after a congestion study is complete, and monitoring the impact of this massive number of trips on the City streets, a
It also means that new technology must be monitored to ensure 21st century consumer and driver protections, as well as requiring additional data stats for the City and the public to use and to inform public policy, and for TLC to use to enforce safety and consumer and driver protection rules.

In August of this year City Council passed a new law creating a new license category for these businesses. It requires all companies operating under a single branch that dispatch over 10,000 for-hire trips per day to obtain this new High-Volume For-Hire service license. The new law requires their applicants to undergo additional review in the form of application requirements and monitoring to operate in New York City. TLC's proposed High-Volume For-Hire service rules outline the new license requirements in more detail.

The new HVFHS license will be an umbrella license for companies using a
single brand or system. The rules do not eliminate the need to dispatch trips via a base. When TLS posts the application and instructions to our website, affected companies will have three months to submit their materials and the application fee. The application will be available soon after the rules go into effect.

After companies submit the application, TLC and related experts will review and either approve or reject applicants. During this time, TLC may also ask for additional information. The penalties for unlicensed operation, outlined in the Local Law, will go into effect after the application review process is complete.

There are four main sections of the initial High-Volume For-Hire service license application. It will include general business information as we require for all business licensees, as well as a business plan outlining past and future operation metrics, impact
analysis focused on the applicant's transportation impacts, a mitigation plan addressing the negative impacts of operation, and finally businesses will also be required to regularly submit additional data.

The business plan requires companies to submit detailed information on their operations, both passed and projected, for the two-year period of licensure. For example, information required by TLC will include trip and vehicle counts, areas of service throughout the City, average driver earnings including incentives and deductions from driver pay, and details on how companies will comply with the new wheelchair accessible service requirements.

This information will hold businesses accountable during application, and if approved, licensure, while providing new and enhanced data for the City to study and the public to review.

The next additional level of
scrutiny in the application is the impact analysis, which requires companies to study their operations of facts on traffic congestion, local transportation and noise, among other issues. Some of the details TLC will require include vehicle miles traveled, and how many trips are paid through a per-tax commuter benefits program; information as of yet unknown by the City or the public.

This is a not a comprehensive list, but it provides a few examples on the slide.

We'll also ask more in depth questions on locations of interest to the City where for-hire transportation is implicated, such as airports and areas affected by the L train shutdown.

Companies will also be required to submit a mitigation plan outlining how they will reduce harmful impacts of their operation, such as reducing congestion, reducing crashes, and increasing driver pay. By requiring
this information, TLC is setting a high standard to hold companies to account through ongoing monitoring for compliance during licensure, setting up clear metrics for improvement.

Finally, the High-Volume For-Hire service license requires companies to regularly submit significant new data to the TLC, including more minute data on trips. These include trip mileage, driver availability -- or on-app time -- and passenger counts, as well as cruising time. New data requirements for these companies also come from other proposed rules, including information required to enforce a congestion surcharge rule, which is also being heard today.

We'll receive additional financial data related to driver incomes such as driver payments and passenger fares. These data will provide new avenues for analysis and enforcement of the new HVFHS license and related rules.

The creation of the High-Volume
For-Hire service license is part of a broader shift that has been ongoing over the past few years at TLC; a new age of accountability. The enhanced framework includes the recently heard driver income protection rules, the FHV License Pause passed by City Council and the related ongoing congestion study, wheelchair accessible service requirements, and many ideas still to come, to protect drivers in this changing industry.

The largest companies in our for-hire vehicle market have been able to flourish, expanding access and transportation around the City. These proposed rules respond to the way they change the industry and ensure the public interest is paramount in their operation going forward.

Thank you. I'll take any questions if you have any.

CHAIR JOSHI: Thank you.

(No response.)

MS. LABADIE: Great.
MR. WILSON: Okay. Thank you.

And these rules, as well as the congestion rules, which we're also hearing today, were both published in the City Record for a hearing today. The comment period on those closed a couple of days ago.

We received numerous comments; we also have numerous speakers this morning.

The other package of rules that are before the Commission today for a public hearing are rules which implement State Law enacted in the spring and signed by the Governor in the fall, which would impose a congestion tax on for-hire vehicles and taxicabs which conduct trips which touch Manhattan south of 96th Street.

The tax will basically be $2.50 for taxis; 2.75 for FHVs -- certain provisions for shared rides. And the rules simply provide a mechanism so that TLC licensees can have some understanding of how they must collect
the tax and pay it to the State.

Shall we begin the -- okay. So we'll begin the hearing, and the first speaker is Raul Rivera.

CHAIR JOSHI: Can I just remind you, this is a hearing on -- right now -- for both sets of rules. So the subject can be either.

MR. RIVERA: I might be off-topic -- I might be off-topic.

CHAIR JOSHI: Because we have so many people, we have to stick to the topic. The point of the hearing is to talk about the proposed rules. We have two sets of rules; high-volume and congestion. So please limit your comments to -- as they relate to the proposed rules.

The rules that implement a State Law saying that there's a congestion fee going into effect on January 1st --

MR. RIVERA: I know this --

CHAIR JOSHI: -- and the implementation of --

MR. RIVERA: I want to speak about
something else.

CHAIR JOSHI: Then we're happy to speak to you --

MR. RIVERA: It's pertaining to drivers -- it's pertaining to drivers, and you, and this Commission.

CHAIR JOSHI: We'll make sure --

I'll have somebody from the outreach unit speak to you in the back.

MR. RIVERA: I want to speak --

CHAIR JOSHI: Comments today --

right now -- Kala Wright has just put up her hand.

You're here today to share testimony on the proposed rules. If you don't have testimony on the proposed rules, you're welcome to speak to one of our outreach members in the back who can talk to you personally.

MR. RIVERA: I want to speak in front of the drivers. Why can't I speak in front of the drivers?

CHAIR JOSHI: Because this is a public hearing on the two sets of proposed rules. If you have testimony,
please provide it to us.

MR. RIVERA: I want the drivers to hear what I have to say.

CHAIR JOSHI: If it's on the proposed rules --

MR. RIVERA: It's not.

CHAIR JOSHI: -- you're welcome -- then this is not the forum for that.

MR. RIVERA: Step back -- step back -- relax. That's censorship -- that's censorship. When somebody comes to speak, they should be able to say what's on their mind. That's censorship.

MR. WILSON: Nicolae Hent is the next speaker.

MR. HENT: Thank you, Commissioner; thank you, Chairman for letting me speak. I will start with the congestion price.

Do you have control over the 120,000 app cars, like you have on the yellow drivers -- the (inaudible) medallion?

Second; car pool. What's in car pool; 1 passenger, 2, 3, 4, 5, 10, 15? That second question is (inaudible). I
don't think you have anyone -- I don't think you know what's in car pool. It would be 75 cents for one passenger in the car pool or for four or for five?

What's going to stop the app cars from changing their minds saying, "We don't have individual; we have car pool"?

In the spring, the City Hall Chairman, you testified we have to have control over the app cars; same said Governor Cuomo before when he passed the -- when he passed the 2.50.

Until August, you said, the Chairman, we don't have any authority to stop the mess. Now, from (inaudible) to now, did you do anything to correct this; to get control over the app cars? I don't think you did.

But you did send out the email, July 4th, that contain those rules. I think it's something you have to think about.

Second; how many Evgeny Friedman you will create with this (inaudible) of the
app cars and the congestion price? You had the chance to stop Evgeny Friedman in the first month. You could lock up his company's meters to every car. You didn't because you didn't care about the 50 cents because that's State. But you're supposed to care about the (inaudible) cents, which started (inaudible).

So I think that's your problem and your guilt. Hopefully, you're not going to let this happen again with the 2.50. And I will say this to any garages -- yellow taxi garages -- don't pay the 2.50 until you're going to have 100 percent control for all 120,000 app cars. That should be equal for everybody; not somebody give him a chance to steal and somebody rip him off; suck my blood.

I don't know how long I'm going to be alive, but I've had enough of this Taxi & Limousine Commission. Once you had control of the yellow taxi you're supposed to get control for other cars
too, but you didn't. Good luck.

(Applause.)

MR. WILSON: The next speaker is Peter Mazer.

MR. MAZER: Good morning. I have written testimony on both rules which I will submit and ask that it be incorporated into the record. But I'm going to speak on both of them, and I'll speak -- I'll start off primarily with respect to the proposed congestion surcharges.

Good morning. My name is Peter Mazer and I'm General Counsel to the Metropolitan Taxicab Board of Trade. We represent the owners and operators of about 5,000 licensed medallion taxicabs; we also operate a full-service driver center which provides free legal and other services to thousands of drivers of our members of taxicabs.

I am before you today to comment on these proposed rules, but also to urge this Commission to consider taking emergency action to address a crisis
every licensed taxicab and driver will face on January 1st of 2019 when the new congestion surcharge goes into effect.

On January 1st the State imposed congestion surcharge will make every trip that is in whole or in part below 96th Street at least $2.50 more expensive. A passenger entering a cab anywhere below 96th Street will see at least $5.80 on a meter even before the cab moves.

State Law mandates that this surcharge be collected from passengers and separately reported on any receipt.

In taxicabs, the surcharge will be placed on the meter and added to the TLC regulated rate of fare, State Law and these proposed rules requiring. But action is urgently needed to counteract the most significant flaw in the imposition of this surcharge.

In theory, a passenger in a livery or black car should also see an additional surcharge of 2.75 as the law requires, but in reality nothing
prevents the large black car companies and other liveries from simply lowering their fares by an equivalent amount of the surcharge so that passengers end up paying the same; after all their fares are not regulated. This will place the burden of the surcharge squarely on the backs of the drivers who will earn tens of millions of dollars less, as their money gets redirected to the MTA.

Taxicabs will become proportionally more expensive since the surcharge must be added to the metered rate of fare. Other services can lower their fares so the passenger pays the same. Drivers will be the big losers, irrespective of the type of service they provide.

Yellow cabs will be more expensive, as drivers lose rides; black car drivers will lose revenue. This is an emergency situation that every segment of your regulated industries will face on January 1st, but fortunately, the Commission has the power to address this problem.
Since 1971, the Commission has had the power in the City Charter to regulate fares, not only in taxicabs, but also in liveries and black cars. The TLC can now enact rulemaking to ensure that black cars cannot lower their fares below what is set by the Commission for a taxicab or a street hail livery and equivalent ride.

Such a mandatory minimum fare for for-hire vehicles will protect drivers from income erosion which would occur if predatory pricing is allowed to continue. The race to the bottom must stop.

I, therefore, urge this Commission to introduce rulemaking effective as of January 1st to ensure that at least High-Volume For-Hire service does not charge less than taxicabs or SHLs for a trip of equivalent time or distance. This will preserve all drivers' incomes, whether they drive yellow, black, green, or liveries, and will make certain that all segments of the industry are in
compliance with the intent of the State Law. It will make sure that all segments are treated in an equivalent manner.

The City Council recently passed legislation requesting that the TLC consider minimum fares in High-Volume For-Hire services after the completion of a study on vehicle utilization. But the law does not limit the City Charter's authority that TLC already has to regulate fares at any time that need exists.

If I could have just 30 seconds.

This need will never be greater than on January 1st when price reductions by some livery and black car services will offset the surcharge and become a reality. While the surcharge is not within your control, you can take action to limit the damage this surcharge will cause for all drivers through emergency rulemaking.

I have other specific comments on the rules, specifically addressing the
problem with pool rides, and the problem with self-reporting by black cars and the high-volume services. They are in my written testimony.

I have also written testimony addressing the issue on the proposed High-Volume For-Hire service rules, primarily stating that it's great that we have all off of these requirements; we have to look at the requirements. We have to make sure that bases comply with their written business plans and do what they say they're going to do.

And with that, I will accept any questions that you may have. Thank you for the opportunity to testify this morning.

And as just as a note of personal privilege, as somebody who worked with -- had Mark Hartikof directly working for me for a number of years -- I, of course, know that he will be sorely missed. Thank you.

COMMISSIONER JIHA: Question for you.
MR. MAZER: Yeah.

COMMISSIONER JIHA: On what basis do you believe that the FHV industry will absorb this surcharge instead of passing it on to the passengers?

MR. MAZER: Because their rates of fare are not regulated. They will have the opportunity, if they so choose, to have a competitive advantage against every other licensed vehicle by simply lowering the fares.

It will not hurt them revenue-wise because the High-Volume For-Hire services in general lose money, and they're able to subsidize the cost of the fare.

For example, right now, let's say a taxicab ride is $10 from point "A" to point "B", and let's say one of the high-volume services also charges $10.

After the surcharge goes into effect, the taxicab will be 12.50 because it will be on the meter, but the for-hire service will lower their fare to $7 and then charge a separate
surcharge, as required by the State Law -- 2.75 will be on the receipt and the passenger will pay 9.75.

If they do that, for the most part the high-volume services take about 30 percent of the money from the driver and the driver gets about 70 percent, give or take. So on a $10 fare right now, a driver gets 7; the high-volume service gets 3.

If they lower the fare to 7, the driver will see 4.90; that's why his money will go down. The service will see 2.10, so they'll absorb a little bit of it; they're only absorbing a small piece of the surcharge. They're going to get 2.10 instead of 3; so they're absorbing 90 cents. The driver ends up absorbing $2.10 out of this; the passenger is paying the same. Albany will get its money.

The other thing, which will be in my written testimony, a lot of the high-volume services will simply have the opportunity to declare a lot of
their trips to be pool trips, which will only be 75 cents a passenger. And there's no requirement under either the State Law or under these rules that a pool ride have more than one passenger.

So all -- I get into a cab -- into one of these high-volume services -- all I have to say is, "I'm willing at some point" -- "I'm willing at some point --" -- if I want -- "if somebody else wants to share part of the ride, they can", and the surcharge will one be 75 cents.

We don't have that opportunity in the yellow cab industry. That's why it's --

CHAIR JOSHI: Just on the comment on pool rides -- and you're right -- the State Law says a request for a pool ride is the same as a pool ride -- and I know you're probably aware on 11/16/2018 they put out additional guidance with several examples, which illustrates that yes, if you request a ride, whether or not it's pooled, you're going to get the benefit of the 75 cents.

We can't do regulations that are
different than that because that is the State Law, but we recognize the problem, which is it may not actually in all cases be incentivizing car-sharing. It's incentivizing the request for car-sharing.

MR. MAZER: I'm fully aware of that; I saw the emergency rulemaking that was promulgated by Albany, and I think we all in this room recognize that that's a very significant problem. Thank you.

MR. WILSON: Thank you. The next speaker is Edith Prentiss.

(No response.)

MR. WILSON: I don't know that she's in this room. The next -- we'll skip and come back.

The next speaker is Mike Keogh.

MR. KEOGH: Good morning. My name is Michael Keogh. I'm testifying on behalf of David Beier; he's the President of the Committee for Taxi Safety. Thank you for this opportunity to comment on the rules today.

We're just going to focus on the
congestion pricing rules because, first off, we'd like to thank the Chair for pointing out publically that this is an impending crisis in yellow taxis. You've heard some of the speakers already talk about the obvious flaws in what the State has done.

But we do think at the Committee for Taxi Safety that requiring some type of portal into the dispatching of the other for-hire services would go a long way to keep some of the things that you just asked about, Commissioner, in terms of having people manipulate the system so that they are encouraging people to say that they are in a pool ride when there is no real intention to have other passengers in the car with them.

This 75 cent loophole is something that these companies lobby for very successfully. It will result in some money going to the State -- and the State might be happy with that because they have no plan to get any other money going into the subway system.
The State does not seem to comprehend yet -- although the outgoing Chair of the MTA, Joe Lota (phonetic) did raise a number of concerns that they would not see the money that they had anticipated from the congestion pricing plan of the State -- that they will wind up with less money, but they seem to be okay with taking less money.

The only way that taxis will be able to get through this crisis is if the other services have to have a portal mandated so that everybody will know what is actually being dispatched and who is actually being dispatched on the streets of New York.

Currently, the Commission has been not able to do anything about non-TLC registered vehicles that happen to be being dispatched by Uber and Lyft. Everyone sees the Connecticut license plates -- the New Jersey license plates -- being dispatched, picking up people. Uber and Lyft does not send them back to New Jersey right away.
They have high-volume; they will continue to dispatch them. Your own enforcement agents have seen those and have ceased some of those. There is certainly many more of that that's going on, none of which will do anything other than dilute the individual medallion owners' ability to compete fairly.

And there is no way that we will be able to compete with us having to have over $3 in the MTA surcharge and another 30 cents with the TIF -- none of which the other services are paying anywhere near that -- and they have this loophole.

You need to give us -- you need to give yourself rather this enforcement tool of having a portal into their operations so that the monies owed can be fairly collected. Thank you.

CHAIR JOSHI: Thank you.

MR. WILSON: Thank you.

The next speaker is Milenka Berengolc.

MS. BERENGOLC: Good morning,
Commissioners. Thank you for the opportunity --

MR. WILSON: I've been told we're moving the translators. I'll just ask you to wait for 30 seconds while -- so they can position. We'll be right with you.

(Brief recess taken.)

MR. WILSON: Okay. Thank you; we're ready.

MS. BERENGOLC: Okay. Thank you.

Again, good morning, Commissioners and thank you for this opportunity to express our views.

My name is Milenka Berengolc, and I'm Director of Special Projects at the Brooklyn Center for Independence of the Disabled, or BCID. I have a written statement.

Our organization does not have a position on congestion pricing, especially if it is imposed on private vehicles, other than those operated by people with disabilities.

We do, of course, support a fully
funded transit system. However, we want to make it clear that the Taxi and Limousine Commission should do whatever it can to relieve financial pressure on drivers; particularly those who operate accessible vehicles.

Last March we joined several other disability groups in a letter about transit pricing to Governor Cuomo, which stated, "Discounted congestion fees and other bridge and tunnel tolls should be used as an incentive to increase the supply of for-hire wheelchair accessible vehicles or WAVs".

We noted that companies such as Uber and Lyft offer virtually no accessible service while adding to the City's congestion dramatically. Meanwhile, hundreds of WAVs in the yellow taxi fleet sit unused in parking lots. Unfortunately, the situation has not changed dramatically since then.

Waiving congestion fees for yellow taxi WAVs would encourage medallion owners to put these vehicles in service
and help offset the cost associated with operating them. In addition, waiving congestion fees for accessible for-hire vehicles, for FHVs, would do the same.

The TLC should do everything in its power to get more accessible taxis and FHVs on the road. An onerous fee will add to the difficulty of meeting the settlement in Taxis For All versus TLC, which mandates, as you know, that 50 percent of all yellow taxis be accessible.

It would also make it harder for the MTA to expand its on-demand and e-hail and Access-A-Ride programs, which have vastly improved Access-A-Ride service over the past year. If it is possible to change the fee here at the TLC, we urge you to do so.

If a change in the law in Albany is needed, then we pledge to join you and our allies here in advocating for that change. Thank you.

CHAIR JOSHI: Can I ask you, has your group talked to anybody in Albany
about getting a waiver for accessible FHVs and taxis? Because it is an Albany change that would need to be made, so I was just curious if you have those conversations.

MS. BERENGOLC: I believe we have. Joe Rappaport, our Executive Director, has been up in Albany with our System's Advocate and others, and we will be going up again in January.

CHAIR JOSHI: Thank you; thank you for coming to today.

MS. BERENGOLC: Thank you. I would like to have these distributed.

(Handing.)

MR. WILSON: Thank you.

And the next speaker is Tina Raveneau.

(No response.)


MS. DOTTIN: Good morning, Commissioners. How are you today; nice and cold?

I'm here because we're sort of neutral on this congestion pricing. We
know that we have no option to change it, but we would suggest that there are some things that can be done for the drivers -- given the fact that this fee is for MTA -- than us drivers.

Everyone who drives for a living should be able to use the bus lanes. Reason being, give us something for what we're paying -- the passengers are paying.

The congestion is not caused by us; it's caused by lanes taken out -- two lanes on 5th Avenue -- where it's just two lanes for us to operate. Then you have bike lanes that have been put in place of people being able to park, and then we have numerous constructions (sic), and then we have delivery trucks. And all of the congestion is being blamed on us, which is really unfair.

If you take away all those changes that have been done -- streets that have been closed, access -- no left turn; no right turn -- of course, it's going to cause congestion, because the flow has
been stopped by a process that's -- that said -- cause congestion; not us. Why can't we have something for it?

If passengers know that they have to pay an extra fee to get to their location a little bit faster by using the lanes that's meant for MTA; we're MTA now. We're paying their processes; we're paying their fees. So let's get something for it. (Applause.)

I mean, I don't think there's any driver who would disagree, and I think that if you send it out to passengers, they're going to say, "You know what, if I can get to where I'm going a little faster using the bus lane" -- and of course, it would have to follow the rule: Below 96th Street, we're able to get on the bus lanes; anything past that, hey, you know, we just got to do what we got to do.

But at the same time, let us be fair. You shouldn't blame drivers for congestion. Why is it that all the others get benefits? We get tickets; we
have to pay full price. Companies with buses, deliveries, and deliveries to stores, they get discounted ticket prices.

So then can we make this an even playing field for everyone? Everyone deserves fair treatment and fair consideration.

And, yes, I agree with the WAV vehicles, because as it is, they do need help, and if you can help them to make it exempt, I agree with that.

CHAIR JOSHI: Thank you.

(Applause.)

MS. DOTTIN: You're welcome.

MR. WILSON: Thank you.

The next speaker is Aziz Bah.

MR. AZIZ BAH: Hello. Good morning, everyone. Good morning, Commissioners. My name is Aziz, and I want to speak today as far as the congestion pricing is concerned.

They're going to take a big toll actually on ridership because they're going to make ridership like very high,
and those will result in both yellows and FHVs (inaudible). And the high-volume dispatchers are not regulated at all, and those will result -- they can easily pass that cost on down to the drivers because they can easily reduce their prices just to make sure it's at the same level that it was before.

So, therefore, this rule right here should come with some kind of fare protection to make sure at least the fare is kept at a level where it will never be passed onto the drivers.

And if riders are being forced pretty much to pay for a congestion fee, they should get at least something for it in return, meaning -- one example I have in mind; let us use the bus lane because both us and the bus drivers, we're in the business of moving riders up and down.

So if a rider is paying more money to fix congestion, then it just makes sense to allow that rider to get from
"A" to "B" much faster. You know, so anyone with a passenger can easily use the bus lane, and to get to where they get to much faster.

Otherwise, if they pay the same price, congestion, and the same status quo is still going on, then that means we're not fixing congestion; we're just making them pay for no reason.

So I just want you guys to take a little consideration and actually figure out how to make those high-volume dispatchers give -- I mean, regulate them in order to keep the price -- to give us some price protection. Thank you so much.

CHAIR JOSHI: What do you drive?

MR. AZIZ BAH: I drive a base.

CHAIR JOSHI: Okay. And how long have you been driving?

MR. AZIZ BAH: About four years.

CHAIR JOSHI: Okay. Thank you.

MR. AZIZ BAH: Welcome. (Applause.)

MR. WILSON: Thank you.

The next speaker -- and I apologize
if I butcher the name -- Larbi Aitenbou.

(No response.)

MR. WILSON: No. Okay. The next speaker is Carolyn Protz.

MS. PROTZ: Good morning, Commissioners; good morning to the newest Commissioner, Steve Kest, welcome. My name is Carolyn Protz; I'm a medallion owner.

I second everything my colleagues in the medallion segment have endorsed. A few points; sometimes when I come here I feel like I'm standing in front of the enemy castle, and I'm throwing facts at you, but somebody keeps swatting them away. But it doesn't discourage me; I keep coming back. Maybe somebody will hear me.

In the opinion of most medallion owners, New York City has been destroying the medallion business for the last six or seven years, and now our carcass is going to be thrown to New York State -- to the MTA -- to take the final bite.
What is a medallion taxi? It's a New York City and New York State created franchise. As a matter of fact, Governor Cuomo referred to it as a franchise, and it's mandated to be on the street. And that's a big difference between the yellow part and green part and the rest of the industry. We have to be on the street.

Why are we all in Manhattan?
Because of government policies we've been ghettoized to Manhattan. In the 1980s we were out on the boroughs working; now we're in Manhattan. It's not really by choice; it's just the way that it has to be.

The other segments are elective; they don't have to be on the street. Yellow cabs don't cause congestion. I don't think there's any traffic experts left who are blaming us for the congestion, and I don't think 133,000 vehicles are going to fit into the bus lanes.

I think the essential problem is you
have enough business and room maybe for about 50,000 vehicles on the road -- 60,000 -- not 130,000.

As far as the app companies self-reporting to the TLC so that the congestion surcharge can be properly assessed; in light of the past performance where, let's face it, they often balked at producing information that they did not want to produce.

And I also draw your attention to the New York Taxi Workers Alliance versus Uber lawsuit in Federal Court, which is still ongoing, which required Uber to produce pay records. It should be noted that the records they produced did not match those of the drivers. These events cast doubt on the voracity of any self-reporting by Uber and the like.

Spokespeople from the livery base community have testified that livery bases are not equipped with the capability to track the number of trips undertaken by the driver, and have no
way of knowing if the fare was even paid, and if paid, whether the surcharge was collected.

I refer to the FHV Committee hearing at the City Council on September 17th.

And I want also wonder if with over 800 bases, 190,000 drivers, and 130,000 vehicles to keep track of, if the TLC is even capable of such a task. I know that your resources are limited.

As an example, today, you approved four livery bases that have no trips at all according to TLC records. It's on your website. I don't understand that.

There are also countless examples of black cars on the road that are affiliated with black car bases that also have no reported trips on your website.

So we can't rely on self-reporting information from app companies. Livery bases say they can't do it. The only cohort that will be accurately accessed for congestion surcharges are the yellow and green taxis, who aren't even causing
the problem with congestion.

I believe it should be rescinded. I wish the TLC would advocate with New York State for that, or that at least yellow and green should be exempt.

Thank you. (Applause.)

CHAIR JOSHI: Thank you.

MR. WILSON: Thank you.

The next speaker is Richard Lipsky.

MR. LIPSKY: Good morning, Commissioners. Mr. Kest, I worked closely with your dad and appreciate your presence on the Commission.

I used this line before. I think it's appropriate here for Carolyn; I feel like Zsa Zsa Gabor's seventh husband. I know what to do, but how do you make it interesting?

I think that what's interesting to me is the testimony, or the overview given by the Commission's spokesperson on the rules themselves. I was kind of amused by it because the Chair opened up the hearing discussing the suicide of Mr. Roy Kim and expressed sorrow for his
death, but yet nowhere in the overview on the FHV rules --

There's a disconnect here between what's happening on the street; the human tragedy of what's going on and these denatured rules that are supposed to be applicable to ameliorating the problems that drivers and medallion owners are facing.

There was no mention in the overview -- not one mention of the importance of these rules to address the problems that led to the adoption of the legislation that was signed by the Mayor in August. They were designed to make sure that medallion owners and drivers of all kinds would have an adequate living; that medallion values would be preserved. I didn't see anything in the overview that spoke to that at all.

You talk about a business plan; you talk about an impact analysis. You talk about mitigation. And what Carolyn was pointing out, and I would agree, how are you going to know what they present to
you -- how are you going to evaluate it when you have no data connection to their operation?

You have a technology system under the surcharge rules that are mandated for all taxis; green and yellow. You're going to watch the math -- (inaudible) -- system.

I think Borough President Adams had a nice op-ed. This is like air traffic controllers that are looking at the planes, but two-thirds of the planes are invisible. And as Carolyn points out, the voracity of the submissions -- as you say on your website -- you don't vouch for them.

Well, you could. And even in your rules, you talk about the fact that app-based services must have a reporting procedure that is mandated by the TLC. Well, why not mandate the same procedures that you have for taxis for the FHV vehicles? You don't do that.

So, another point, the Commissioner very boldly stated her -- agreed with --
Chair, I'm sorry -- that Uber and Lyft, etcetera, could gain the system by absorbing the cost of the fee. Well, as Mr. Mazer pointed out, you had the ability since 1991 and have never taken it up, but could, to set fares that would prevent that; predatory surcharging -- whatever it is -- they're running amok without any oversight whatsoever.

One last point: What metrics are you going to be using to judge what is submitted to you by these FHV companies? Shouldn't you have an optimal level of service benchmark? Because cut through the chase -- all the BS. The solution to the problem is less cars.

How are you going to get to that point? Nothing in that overview spoke to that, but you should. Because without that, we'll be here next year with more deaths on your hands.

(Applause.)

MR. WILSON: Thank you.

The next speaker is Nancy Reynoso.
MS. REYNOSO: Good morning. My name is Nancy Reynoso. I've been here numerous times on behalf of the green taxis in New York. I'm a driver, advocate, owner for the past five years. The past five years have been immensely hard for the green taxi community, and with this congestion pricing that it seems Albany has decided -- the Governor -- it will be totally a disaster for what we already are enduring.

And with our yellow fellow drivers and owners, we stand and demand to see if at least TLC -- if this is a ruling already -- is it already a ruling; it's going to happen?

CHAIR JOSHI: It was a law that was passed in April. For the green taxis it is 50 cents, that you already pay, plus 2.75; so it's 3.25 in total when you go to a congestion zone.

MS. REYNOSO: Okay. So, yeah, this will be totally destructive. I hope that maybe you guys -- we can try to get
an emergency meeting or something with Albany -- or something with the officials, and see how this doesn't happen.

I mean, it's already -- it's so hurtful. It has been -- we've had suicides in the medallion industry, a lot of depression. People losing homes and everything.

And the green cabs, they've been a little quiet and a little better. They've been going through their own stuff, as you can tell. They're numbers went down. I think we have under 4,000 green cabs left, and this will just make the worst of the worst for them. And we're begging not to put any more hardship.

And if anything, I would go -- like what Ms. Carolyn Protz said -- if we can be exempt and look at the fact that we've already been contributing to MTA for a while, that can be a fact to see if we can be exempt or maybe even a lower pricing on it. I would appreciate
that.  (Applause.)

CHAIR JOSHI:  Thank you.

MS. REYNOSO:  Thanks.

MR. WILSON:  Thank you.

The next speaker is Charles Komanoff.

MR. KOMANOFF:  Good morning, Commissioners.  Good morning, Steve; I also knew your dad.

My name is Charles Komanoff; I'm an economist, mathematician, and a long time student of New York City traffic, transit, and transportation.  I've been retained by taxi medallion interests to evaluate the proposed TLC regulations to monitor, account for, and implement the congestion pricing surcharge.

I have some detailed comments; I'm just going to briefly excerpt them here. May I hand this over now or when I'm done?  (Handing.)

My primary recommendation is that this committee do -- is that the -- sorry -- is that the TLC mandate at the earliest possible date universal digital
connectivity for all for-hire vehicles using the kind of continuous data link that yellow taxis are already required and do deploy.

This will ensure that the FHV surcharges -- and by "FHV", I mean --

CHAIR JOSHI: Can I just ask one question, is that -- when you talk about universal connectivity, is that similar to what Mr. Keogh was talking about; a portal?

MR. KOMANOFF: I'm not sure --

CHAIR JOSHI: Okay.

MR. KOMANOFF: -- but it would be -- a performance standard -- and I think that Spyros is going to be talking about this in his remarks -- that will enable the Commission to know, not just the pick up and drop off locations of every trip, but the route that is taken, the amount of time that is taken. This -- I'll explain it -- this is going to be vital to dis-incentivize the app-based companies from just hanging out in the congestion zone waiting to be pinged,
slowing everybody else down, for no discernable public benefit.

So we know that on January 1st all of the for-hire vehicles are going to be subject to some form of surcharge. I want to say to my friends here, this is not congestion pricing.

This is a surcharge on yellows and on app-based vehicles. It has a certain public purpose, but it is badly incomplete; it is unfair. It is unjust, and it's unbalanced because private cars and trucks are not being surcharged. They are not being congestion priced, and maybe Albany will deliver that to us in the next session. But even if it does, it's going to take some time to implement that, and I don't know what, short of deferring those surcharges, can be done --

MR. RIVERA: Extortion.

MR. KOMANOFF: -- to ameliorate the impact. But be that as it may, the FHV or -- sorry -- the app-based vehicle owners must understand, as the yellow
owners do, that their surcharge deposits into the State account are being monitored closely. That's why we have to have this connectivity.

Now, this concern is not hypothetical, and as I detail, Uber has a history of gaining rules and regulations, and there is nothing to stop Uber, or Lyft, or their drivers from bending the surcharge requirements to their own purposes.

And especially problematical, as we know, is this 75 cent -- or is it 37-and-a-half cents -- pool ride exemption to the $2.75 supposed congestion surcharge. A surcharge that knocks off $2 or more and is delivered via an opaque and confusing formula is rife for abuse and calls out for rigorous independent monitoring.

There are presently a third of a million daily zone trips using the app-based vehicles. No one knows how many of them will devolve into surcharge shortcuts or phantom pool rides that
will not only rob the MTA of money that it needs to fix the subways, but will also further the competitive imbalance between the app-based vehicles and the yellows.

So why leave it to chance? Please mandate universal connectivity for all for-hire vehicles as soon as possible.

Now, in the rest of my remarks, I explain how with this kind of connectivity -- and if the legislator can be roused and if the Governor can be roused -- this one size fits all 2.50/2.75 surcharge could be phased out and replaced by a time in the zone based charge, so that somebody getting into a yellow wouldn't face the $5.80 hit all of a sudden.

They would still face the 3.30, but they would face a permanent charge that would be proportional to congestion and would be proportional to the lengths of the trip. That would be a form of congestion pricing. But it's not going to be truly fair unless and until the
private vehicles and the trucks are charged along with all the for-hire vehicles. (Applause.)

CHAIR JOSHI: Thank you.

MR. WILSON: Thank you.

The next speaker is Augustine.

MR. AUGUSTINE: Hi. Good morning, Commissioner. I'm here -- my name is Augustine. I'm here to give my time over to Bhairavi Desai. (Applause.)


MS. DESAI: Thank you, Augustine.

Before I start, may I just say -- I know you named -- you know, Commissioner Joshi, I know you named, I believe, both Fausto Luna and Roy Kim, and, you know, I also wanted to just express our condolences again to both of those families.

I also, on behalf of Taxi Workers Alliance wanted to express our condolences to the family of Mark Hartikof. I remember him well from when we first started organizing in this industry, and he was always -- you know,
always a real gentlemen, and was one of the -- you know, one of the people that really listened fairly to drivers and we were saddened by his loss.

So good morning, everybody. My name is Bhairavi Desai; I'm the Executive Director of the New York Taxi Workers Alliance. You know, I know that, you know, it's going to seem like we're asking you to basically do the impossible. Like everybody in this room -- in this industry understands that the State passed a law and the Taxi & Limousine Commission, as the regulatory agency, has to take guidance from that State Law.

But what really -- what we want to say to all of you is that on the day that the State passed the law, like a lot us in this room, we were on the steps of City Hall literally the same day. We were on the steps of City Hall with four coffins laid out in front of us.

Nicanor Ochisor had just died and we
were out there, you know, mourning our
brother and raising a spotlight on the
devastation that has impacted this
workforce across this industry. On the
day they passed it, four suicides;
today, there have been eight suicides.

I know, Commissioner Joshi, you know
this well. I know you've already
testified that the implementation of
congestion pricing as it stands, it is
going to absolutely devastate the yellow
cab industry. There is just -- there's
no doubt about it; there's no doubt
about it.

And I don't think it's enough to
even say that the 75 cents and the 2.50
need to be equalized. It's not even
enough to say that the rate of fares
need to be equalized. The bottom line
is the yellow cab sector has to be
exempt from this surcharge, and we're
not going to give up on that fight.

We believe that Albany, you know,
can -- their eyes and their hearts can
be open to the plight that had unfolded
for this workforce since the day that they passed this rule up to today.

When we ask you, as our regulator -- as an entire -- you know, not just to -- our Chairwoman -- but to the entire Board of Commissioners -- is take an -- you know, act with your conscience and like stand with us. Don't have a quorum at your meeting when you have to pass this regulation.

When we're out there in front of the Governor's Office, stand with us. Ask our Governor to show us mercy. Ask him to show mercy for our elderly driver brothers and sisters who in their 70s are out of retirement and back to work. I can't tell you, like, the shame that I feel when I see somebody who's 75 --

At the vigil for Roy Kim in Flushing, we had a Korean driver brother who said to me, "I'm 72. I had been retired. I'm an owner/driver". He came out of retirement and is now back to work. The number of our brothers and sisters in their 60s who think they will
never see retirement in their days. I mean, it is such a devastating, you know, crisis in this industry.

In 2009 when the MTA 50 cent surcharge was passed and it was on yellow cabs alone -- the livery sector was exempt -- and it was exempt because Albany, at the time, said, one, they did not have a proper means of regulating the collection, and number two, that the bases were small businesses, and they wouldn't be able to take the hit.

Well, since then to now, the yellow cab sector has contributed a billion dollars to bail out the MTA. Even if this, you know, devastating fine -- really, it's a punishment. They're punishing the victims of congestion and they're giving a loophole to the perpetrators.

And by the way, for anybody who has an ounce of doubt that this would be devastating to the yellow cab sector, there's only one company you need to ask, and that's Uber Technologies.
Because on the eve, right before this agreement was made as to amounts --

I believe Augustine yielded his time.

-- you know, on the eve when this vote was -- when it was taking place, Uber and company -- Uber alone, as reported in court, lobbied spending $100,000 for this version that passed.

Okay. They know this will be devastating.

AUDIENCE MEMBER: I will give you my time too. (Applause.)

MS. DESAI: 90 percent of yellow cab trips -- 90 percent of yellow cab trips -- over 90 percent -- are going to be in the affected zone, number one. Number two, you're going to be losing ridership. Forget it.

Whatever tips somehow manage to miraculously survive after Uber and Lyft have destroyed the tipping culture, with congestion pricing, it's going to be completely destroyed in the yellow cab sector altogether. They know that.
They know that they got themselves a loophole of 75 cents while their biggest competitor is going to have to charge 2.50. They also know that since 2017, they no longer charge the passenger with transparency of distance and time on the receipt.

We have submitted to the TLC 1,000 Uber X trips which detail for you how much the passenger was charged under upfront pricing, how much the driver was paid -- which, of course, is at a much lower rate -- and how much that same trip would have been under a yellow cab/green cab meter rate.

On average, per trip, Uber X trips today under upfront pricing are 8.9 percent higher than a yellow cab meter, but nobody would know it because they -- because it's a Wall Street financed 100 billion dollar operation.

You know, to misguide the public into still believing that somehow they're cheaper, and they get to get away with it because of that money and
because they're not under regulation, and because there's no transparency required of them as to what they're actually charging.

So, you know, within loopholes they've managed to get additional loopholes as far as congestion pricing is concerned. And deep in that abyss is where a workforce of 100,000 people are falling into.

There have been thousands of bankruptcies and foreclosures already. By February -- by February there are going to be thousands more -- thousands more. People are going to lose their entire savings. And so we say to you, stand with us. Be our voice. Nobody has the first-hand witness testimony that you as the Taxi & Limousine Commission has.

Nobody knows more -- the billion dollars these men and woman have contributed with their sweat and labor more than you. Nobody knows more how devastating this is going to be. Nobody
knows more, the phone calls you're going
to have to face from drivers who say,
"I'm about to be homeless". You know.
"I'm feeling desperate; what do I do?"

The Governor is not going to answer
that call, but you will. Tell them that
and tell them you don't have an answer
because when this happens, you won't
have an answer. We haven't had an
answer up to now; there is no way we're
going to have an answer for something
this devastating.

This isn't about bike lanes; this
isn't about neutrality. This is about
people literally living. Reaching a
point where they can literally live;
where they can survive. I have gone
from being a labor union activist who is
talking about livable incomes to living
workers.

This is so shameful and you can be
our voice of conscience. You are our
witness. If you are on that front line
with us, you can help us tell that story
to Albany. It is not too late; we can
still fix this. We can fix this.

(Applause.)

CHAIR JOSHI: Thank you.

MS. DESAI: But we can't fix it without you.

CHAIR JOSHI: Thank you.

MS. DESAI: I also have written testimony. (Handing.)

MR. WILSON: Thank you.

And the next speaker is Francisco Mendez.

(Translator used.)

MR. MENDEZ: Good morning dear Commission members; good morning to the press and public.

Today, here, I'm going to speak about how we are to implement the surcharge of 2.50 or 2.25. I see that very few people have spoken about that.

I would suggest to the Commission to look for a better way to charge those 2.50; I couldn't recommend them to leave it up to the bases. Companies such as Uber, Lyft, and all those are not going to have any issues collecting the money
and paying it to the Finance Department.

Forgive me, please, I didn't introduce myself and the company I'm representing. I am Francisco Mendez, and I'm on behalf of GTY Car Services, a small company representing green taxicabs.

Those high value companies wouldn't have a problem collecting the money because they pay their drivers; we don't pay the drivers. The drivers charge the riders and -- for instance, very (inaudible) wouldn't have any problem collecting that money. And it would be really difficult for us to pay that money to the Finance Department.

I have testimony, in fact, here about payment plans that we have to (inaudible) the Finance Department because sometimes the drivers, when they collect that money, they collect that amount and then they change their base because the City, the State, and even the Commission, they don't do anything against this kind of drivers that do not
pay this charge.

When this law was approved there was no consequence implemented for drivers who do not carry this payment. I would suggest the Commissioner to implement the (inaudible).

I myself am a driver. I think that if you remain this system of payment, the TLC is going to save a lot of problems, otherwise we're going to create a lot of trouble for small bases or in -- or any way, if you can create a set of rules for those drivers that change from one base to another one, that punishment to be implemented for those drivers that switch bases when they're stealing away the money from the surcharge.

Imagine if this is already happening with 50 cents, what is going to happen when this increases by the time by 5 to 25 (sic) or 2.50 when the drivers already collect money and they many times spend it already. Believe me, it's going to be really difficult to
collect this money.

I hear how the examples of rulings of the court of people that we have taken for trying, and even when the court rules against them, there is no really way to collect the money or it's really difficult for us to do so.

So last night I was having -- I was doing a lot thinking about companies and small bases that's not like ours, that we have 53 drivers. I would just think that if this continues, we're just going to disappear.

Ultimately, what I'm seeing is that the State is looking to collect money because it's a law that was approved just to -- as a portion -- (inaudible) -- so I don't see congestion decreasing.

It should be -- a device should be placed in cars like the tolls -- like the E-ZPass device is placed, so that the law covers everybody, not just one sector.

CHAIR JOSHI: Okay. Let me just say, we do have to move on. I just want
to note that we do --

I think we're going to hear additional testimony from other livery base owners associations on this same point, which is the difficulty of collection with the livery model where the drivers keep the fares and pay an affiliation fee, and we welcome your comments.

We do have a section of the rule that's -- you're right, the State Law does not penalize drivers that don't pay the bases. We added a rule that says that the driver is liable for monetary penalties if they don't pay the base or they don't pay the medallion owner, and we welcome your comments on how we can make that rule more affective.

Ultimately, it's not going to solve your problem, but it is another tool that you can use to try to help increase collection.

But I acknowledge that it is a difficult problem for you.

COMMISSIONER AGUADO: If I may, I am
pained by the testimony by the drivers.
I see the issues, the problems, the challenges. You are the members of our community. You are supporting the next generation of people, youth, children coming in.

And on our end, I see what the laws are; what the challenges are for us, and TLC is very well meaning. But it doesn't address the pain that I'm hearing here today. So I don't know what we can do or what we should do, but I do know that we're not serving the driver in general.

AUDIENCE MEMBER: Reform the TLC; reform the TLC. We're going to start a petition December 4th; reform the TLC. Shame on you; shame on you.

COMMISSIONER AGUADO: Shame on me, you're absolutely right, shame on me.

AUDIENCE MEMBER: This is a Trump-like commission; Trump-like commission.

COMMISSIONER AGUADO: Well, there I will disagree with you.
AUDIENCE MEMBER: Blood on your hands. You're not going to sensor me. I'm going to keep speaking. Petition is coming December 4th; December 4th, petition is coming.

MR. WILSON: Okay. Thank you.

The next speaker, I believe, is Edith Prentiss.

MS. PRENTISS: Hi. I'm sorry, but it is not a good transit morning.

I am the -- first off, I would like to thank the Chair and the Commissioner for allowing us to speak at this very important issue; that of congested surcharge.

I believe the City and State need to ensure drivers with disabilities who will -- ensure drivers with disabilities are not faced with prohibitive costs. I realize this is not your issue particularly, but I would hope you would carry it forward to Albany along with the other discussions that you'll be having.

In the same light, TLC needs to work
together to alleviate the financial ruin confronting many owners and drivers, including the congestion surcharge. We believe WAVs, like drivers with disabilities, should be exempt from congestion surcharges, including tolls and parking fees.

New York City has a far from stellar record in dealing with passengers and drivers with disabilities. Before the early 1980s, when a settlement brought accessible buses, door-to-door para-transit, and they promised 100 accessible key stations by 2020, people with disabilities had to drive, be driven, or pay exuberant costs for accessible transportation.

At that time Medicaid covered transportation for medical importance and appointments. We believe the City, the MTA, New York City Transit need to ensure that people with disabilities have access to much more equitable accessible transportation.

Despite the recent flurry of
articles claiming that Uber offers WAV in New York City -- I believe we're one of the three cities they point out and say, "Look, we do this". I recently heard of a wheelchair user who had an Uber trip in a non-accessible vehicle -- he transfers and his chair comes apart -- recently received a quote corrective bill charging him a higher fee. So there's a lot of Uber issues beyond whether or not they serve people with disabilities.

Exempting yellow and green WAVs hopefully will move the mothball WAVs from parking lots onto the streets. I would hope the State would also consider eliminating the south of 96th or 110th Street ban on green vehicles; the WAVs. It's really frustrating to stand there at Essex Street and watch the parade of WAVs -- green WAVs coming over from Brooklyn and knowing they're not going to pick up for at least 100 blocks.

This would be helpful for the TLC as they strive to reach the 50 percent
accessible taxis by the end of 2020. Unless we have a miracle, I do not see how we are going to attain the 50 percent as is required by our settlement for our major suit.

Hopefully the WAV surcharge exemption is within the TLC's power, which I don't believe it is, but I can hope. We will have to go back to the Governor and legislator for drivers with disabilities exemption.

But we would hope, again, that the TLC would carry these issues along with the other ones. Thank you very much.

CHAIR JOSHI: Thank you.

MR. WILSON: Thank you.

The next speaker is Seydou Bah.

MR. SEYDOU BAH: Good morning Madam Chair. My name is Seydou Bah. I am a member of New York City Taxi Workers Alliance. My comment today will focus on the pricing -- surcharge prices.

Driver taxi in New York today has become one of the most difficult work to do this day, and it is costly to driver
and the passengers. It costs time and
money to both of us.

Now, when stripped down to one lane
traffic, I don't think is consistent
with reducing the traffic or the
congestion in the City. It is almost
impossible now to drive on 14th Street
or 25th Street because all the streets
are being narrowed down. That's not a
big problem; the biggest problem is that
there's no right or left turn on neither
of those.

If a driver got on this street you
have only two options. If a passenger
hails you, you either refuse or you take
the passenger who is going east to go
all the way to 10th Avenue in order to
be able -- if you're going -- in order
to be able to go east, which are both
illegal according to TLC rules.

If you take a passenger on 14th
Street, you have to go south first which
is also going out of your way, which is
by the way also illegal by TLC rules.
You go south going out of your way, take
a narrow street, one lane.

If a driver is dropping somebody, everyone has to wait. If a garbage truck is picking up trash, everyone has to wait. If a car has to make a turn, everyone has to wait, and the passenger is losing time and money. The driver is doing -- is going through the same at the same time.

Are we really asking that passenger to pay another 2.50 in addition to his time and his money lost already? Going out of your way -- for example, from 14th Street to 12th Street, you're going out of your way trying to cross. That will cause the passenger $5 already -- not going to rush where he or she is going -- but out of your way; which is illegal.

I believe you should join us on this; join drivers on this. I believe you should do that. Thank you.

(Applause.)

CHAIR JOSHI: Thank you.

MR. WILSON: Thank you.
The next speaker is Victor Salazar.

MR. SALAZAR: Good morning, everybody. How are you? It's a pleasure to be back here in Taxi & Limousine Commission in front of you all guys.

Unfortunately, in this crisis, I must say it's not that great, you know, and briefly explain to you -- I bought a medallion 14 years ago. Before buying a medallion it took me about 11 years to actually achieve the purchase of medallion, and that is commitment.

And many, many of our brothers and sisters who have purchased medallions are not even (inaudible) driving a DOV vehicle or just simple driving in New York City, and New York City yellow taxi medallion is a full commitment -- is a life commitment for us.

Especially, you know, we take it very seriously to serve the City of New York and I personally believe that the City of New York always, you know, that they have the (inaudible) obligation to
protect us, to protect our commitment
that we've been serving the City of New
York. This is very important for us.

We have so many testimonies today
that should move our conscience, you
know, to guide us in the right
direction. And I personally think that
congestion pricing is going to bring
misery and, you know, instability to all
drivers in general; especially to the
yellow taxi industry.

And it's no surprise that for the
last five years we've been going into
this crisis and began -- everything
began in Albany. Albany is the cause
that we are in this particular
circumstances. Right.

It surprises me that Andrew Cuomo
has stated so many times in his
campaign, recently, that he's going to
fight Trump; that he's going to decimate
-- have the solution to fight Trump, and
but -- he's no different. To us cab
drivers, he's the Trump of New York
State.
He is literally making laws to drive us to debt. Most likely will happen if this implementation comes through -- I think it is not rational, the decisions up there in Albany is completely distort (sic), and we believe that, like (inaudible) said before, you have the moral obligation to protect the City of New York; those drivers who have that commitment, who continue to do so.

And that's pretty much what I want to say, but I will definitely hope that you pursue this -- you know, this with conscience (sic) heart, and that's pretty much it, what I want to say.

(Applause.)

CHAIR JOSHI: Thank you.

MR. WILSON: Thank you.

The next speaker doesn't give a last name, but I think I know who it is; Bill.

MR. LINDAVEN: Somebody put my name down; they probably couldn't spell my last name.

I think an appropriate soundtrack
for this meeting might be Adagio by
Albinoni or Samuel Barber, or perhaps
even Verdi's Requiem, because I think
this ill-conceived congestion pricing
plan will destroy the industry; destroy
the industry.

And, of course, if the industry is
destroyed, it might destroy Cuomo's
presidential ambitions, among other
things, which might be a good thing. I
don't know.

So I urge you -- mentioning
classical pieces, I urge you to think of
Tchaikovsky's War of 1812 Overture, you
know, or Prokofiev's Alexander Nevsky.
Be aroused; you know, it's time for war.
You have to -- I don't know care what
the law says your powers are, you have
to come up and scream in the Governor's
face.

You have to scream if necessary
because this will destroy people, and
it's not fair to New York City residents
even some of them are mega -- live on
Park Avenue or Tribeca and make a lot
money. But the average cab -- the
average passenger who regularly uses
cabs will have to pay like $100 more a
month. That's ridiculous.

And how is the cab driver ever going
to get a raise? Our last raise was six
years ago. There has been inflation
since then boys and girls. Right? How
are we are going to get a raise, cause
we're a cash cow for the City. Poor
driver, they don't get any money.

This is absurd, ludicrous,
horrendous. Thank you. (Applause.)

MR. WILSON: Thank you.

The next speaker also has no last
name, but the name here is Lalji.

MR. SINGH: Hello. My name is Lalji
Singh. Good morning, everyone, Taxi &
Limousine Commission and all the
audience. I will finish quick.

Not only Uber, not City, Taxi &
Limousine Commission is responsible for
all eight driver's suicides. City as
well responsible for the eight driver's
suicide. One is responsible as well.
And what does 2.50 -- I told everybody there -- speakers -- but I have a different idea. This is the big plan put us out of business; send to their death and maybe they have a Commission to be there sealing the box to the coffins they put us in to taking the Commission. Okay.

I have no money to buy the car. Okay. I wish not to be keep driving the old car. Thank you very much (inaudible) and I have no money to pay my property tax. I would lose my house. Okay. And we have no place to go. Okay.

You guys are responsible; all the bankruptcies, all the suicides. Okay. Please, if you guys stop beating a dead horse. We have no more energy. We cannot -- I'm 62 years old. I don't mind -- 10 years we're working everyday 12 more hours. Please.

Okay. Don't bring this 2.50 and -- many people will lose their apartment; many women, they will lose their
husband, and you guys, at least, lose honest driver. Okay. Thank you.

(Applause.)

MR. WILSON: Thank you. The next speaker is Mohammad Tipie Sultan.

AUDIENCE MEMBER: He had to leave.

MR. WILSON: He had to leave. Thank you.

The next speaker is Jose Altamirano.

MR. ALTAMIRANO: Is it still morning? Good morning, Commissioner Joshi, member of the Board of Commission. My name is Jose Altamirano; I'm the President of Livery Base Owners, which represents over 150 livery bases.

Many of us immigrants came to this country in search of a better tomorrow. We empower approximately 10,000 drivers who are hardworking immigrants themselves. We help move 150,000 New Yorkers every day, whether it's a doctor's visit, birthday party, to shopping trips.

I'm here to discuss the congestion trip -- congestion pricing that was
installed this past April by the New York State Governor's Office, which basically charges 2.75 per trip.

I wanted to give a little background cause I think it's important. I think the State of New York is expecting more than 400 million dollars in fees each year as a result of this surcharge. I'm not sure how it helps congestion, but I know it helps the deficit.

Those fees are assessed directly to passengers. Every day New Yorkers and visitors will be taxed simply because they need a ride into and through certain parts of Manhattan.

As originally conceived, the surcharge will be collected through E-ZPass, however the State failed to appropriate the funds necessary to implement the system. As a result, TLC has been delegated the responsibility.

As the rule stands now, unfortunately, the TLC proposed rules do not provide adequate protection to the livery bases. Our segment of the
for-hire vehicle industry transact the majority -- and by majority, about 90 percent of its business -- in cash, where the passenger pays the drivers directly. That driver keeps the money for him or herself.

Typically, the only money that the base receives from the driver is a weekly affiliation fee. Therefore, this law and related regulations will force each base to collect a surcharge from every affiliated driver on a regular basis. In practice, the driver would have to collect and segregate that cash payment, then dutifully submit it to the base in a timely manner.

Unlike the green car surcharge, which is 50 cents, the congestion surcharge is significantly higher at 2.75 per trip. For small bases which have 100 affiliated vehicles, the 2.75 surcharge would amount to several thousands of dollars each day.

We believe that each segment of the FHV industry is different and blanket
legislation should not and do not apply. Each base is required to report trips, collect payments from the driver, aggregate and hold those payments, then regularly submit these payments to the State.

It is the base that will be responsible for submitting the proper amount in a timely manner, and it is the base who will be fined or otherwise penalized regardless of whether or not a driver has remitted the passenger surcharge to the base.

Essentially, under the proposed rule, the base is incurring all liability for the surcharge, including bearing an unfounded cost associated with potential software and staffing increases, despite the fact that it is the driver who collects the money directly from the passenger.

Currently, the TLC proposes a fine of $50 per occurrence for a driver failing to remit the fee to the base. However, LBO believes that the amount to
be an adequate deterrent given the scope of the funds projected to be collected by the bases.

To correct the imbalance and inequity of the proposed rule, LBO recommends that the TLC also allow for suspension of drivers who improperly withhold these cash payments from the bases. Bases would be required to provide receipts of all surcharges paid by the drivers and the possession of receipt would create a rebuttal presumption that the surcharge had in fact paid by the driver. The bases would also submit to the TLC a monthly report of drivers who fail to remit the payment.

This common sense rule amendment will ensure that the drivers comply with the proposed surcharge, and that these changes will protect the bases from exposure and potential insolvency that may result from those who don't follow the rules.

LBO members and bases understand
that we are given the responsibility of paying this surcharge. However, we are asking for protection because the bases themselves have no protection currently. Without these protections, bases may be stuck with thousands of dollars in tax liability without a means of collecting the revenue from the drivers.

Thank you for your time.

(Appause.)

CHAIR JOSHI: Thank you. And you've given us your written comments with suggestions of the change?

MR. ALTAMIRANO: Yes. (Handing.)

CHAIR JOSHI: Thank you.

MR. WILSON: Thank you.

The next speaker is Michael Wong.

MR. WONG: Yes. My name is Michael Wong. Okay. I got only a few things to say. Okay.

One, as a concession (sic), we are paying 80 cents for every trip. Now, Governor Cuomo want to add on $2.50 on top; it will be 3.80 total. Now, the fare passenger don't want to jump into
the fare for $5.80. Okay. Additional, on top of it, when we pay the $3.30 at the end of the income tax, we'll be paying total at least $12,000 a year.

CHAIR JOSHI: Are you saying that your income tax includes the surcharge?

MR. WONG: Yes.

CHAIR JOSHI: Your 1099 form will include the surcharge?

MR. WONG: Right.

CHAIR JOSHI: Okay. I believe -- I know Commissioner Sorrentino is very familiar with tax law, and we would certainly be interested in looking into that.

MR. WONG: Right. Also, I understand that when we give you question, okay, you get the question and then you try and answer it, but there's a bunch of (inaudible) between the City Council and between the TLC, and also Governor Cuomo. They're all pointing their fingers on each other about the congestion.

Now, the congestion is not the
driver only. Our thinking was 100 percent Uber because of the traffic, but it's not really causing 100 percent of traffic. It's maybe 50 percent. But it's the City causing all the traffic because you got the bus lane -- there are two bus lanes now, and then you got the bicycle lane; you got the island lane, and then you got the construction and the cars parked on the sides.

And Governor Cuomo just wants to come and blame it on the driving. Governor Cuomo don't drive because -- say it another way -- he has got clown driving him around the City to see what's going on. But Governor Cuomo is not driving the car.

He don't see what's going on in the City, especially the bus lane on yellow that we're allowed to pick up a passenger and get off the bus lane. Now, it's no longer that -- we cannot pick up passenger on the bus lane because the police are right there waiting for you to jump in the red lane
and they're writing all the drivers up.

You know, especially -- like I say, Roy Kim, I was the one that reported what was happening to him. Nobody didn't know he suicide himself.

You know, especially -- I know one there's (inaudible), but there's one thing I want to say is FBI will jump into this matter about those eight drivers. They're coming in, and especially, I know there's a lot of cover-up. I'm working on that case myself too, but the FBI will step in this case. Okay. Thank you.

(Applause.)

CHAIR JOSHI: Thank you.

MR. WILSON: Thank you. The next speaker is Saibou Sidibe.

MR. SIDIBE: Hi everyone. My name is Saibou. I'm an Uber driver. I used to drive yellow from 2002 to 2014 when I switched to Uber, and I'm a proud member of New York Taxi Worker Alliance who have been fighting for all drivers.

So I'm here today to just say one
thing. You know, we know Governor passed the bill, but we want TLC to give (inaudible) to the Governor, but since the law passed, four more drivers kill themselves.

And maybe the Governor don't have the facts, and also TLC has to show Governor how many drivers filed bankruptcy; how many drivers lost their homes. How many drivers even been evicted from their house. You know, they don't know this, so you have to tell them.

But additional tax will bring them to death. You know, a yellow cab driver will have like $5.80 once somebody gets inside his car. Just -- who's going to believe it. Like, just get into the cab and you see $5.80. You didn't go nowhere because they have $3.30 in taxis.

So let them know, we don't really need that. Please, tell the Governor to help the New Yorkers. These drivers, we are drivers; we serve New York.
serve the world, because comes here from everywhere. Everyone who wakes up from 5 to 6; we don't even see our families.

So we thinking about, you know, bringing our dream here. So tell him to do something. It's the Governor (inaudible). New York -- all these drivers, most of them vote for him. So he has to understand what -- making this -- applying this tax in January will make more drivers to suicide.

It's only the yellow cab that they're the ones that are going to suffer because when you get inside you see the meter. But for the other companies, there's no meter. So right now, it's okay. Maybe (inaudible) pay for this tax, but what about the yellow cab drivers? These are the ones.

Because I'm seeing as I'm driving home today, but who knows, tomorrow I can go back to yellow. This is how it is. How many here sneak from Uber to yellow or from yellow or Uber or green? So we are all the same.
So do something; tell the Governor. I know (inaudible), and if you give him a strong statement about how New York drivers are suffering, I think instead of bringing more tax, he should do something like to help this medallion owner or the drivers.

That's what I wanted to say. Thank you. (Applause.)

MR. WILSON: Thank you. The next speaker is Mohammad Ali Awan.

MR. AWAN: Good morning to all Commissioners and all the people who came here today for this hearing.

I want to say like this is not a congestion pricing. What is the congestion? First of all, you have to explain why the congestion in Manhattan. It's not only because of like the volume of the car, it's also because of the dumbest traffic lane ever imposed on New York City, and also it's never ending construction in Manhattan. That's the reason of congestion.

In the name of congestion they're
extorting this money. It's just pure extortion. It's not a surcharge; it's just pure robbery to the drivers, to the public, and the yellow cab.

I'm driving for yellow cab for 21 years. I never see anything like that. Last night, two-and-a-half hour ride and I have fare.

And I was like keep watching like the black cars are coming -- like the Uber and Lyft -- and they keep picking up because they're on the click of the button. They just appear over there, and they keep going around all five boroughs. They just come back to Manhattan below 96th Street, and that's the only area left for yellow cab.

You know, because the (inaudible) line was drawn by TLC -- or whatever the government was -- below the 96th Street. It's not enough are for thousands of yellow cabs. That's not enough business for us, and now with the congestion price, I don't think anybody will be taking the yellow cab anymore.
So at least just be -- we have a moral, like, you know, clarity. Don't call it surcharge; just call it extortion. That's it. (Applause.)

And just like -- you know, I want to ask the question, like, did TLC or the government or like, you know, the New York City ever did anything good for -- any beneficial programs for drivers?

AUDIENCE MEMBER: Never.

MR. AWAN: We don't have medical benefits. Like, most of us, we don't have any medical insurance because like we are above the bum level, but below the poverty level. So we cannot just apply for like, you know, insurance.

When you go to apply for insurance, they say, like, you have to pay thousands of dollars, you know, for this medical insurance. So instead of the telephone number you give, like, for, you know -- you should just like -- we should make a sticker for, like, you know, the suicide prevention hotline for the cab drivers because that's what I
CHAIR JOSHI: We did in 2012 try to stand up a health benefits -- welfare benefits fund for drivers. It was 6 cents added to every trip that went into a fund. A State Court judge ruled that the agency didn't have the jurisdiction to create a healthcare benefits fund.

My understanding is City Council is very poised to pass a bill that would require -- give us that authority and then we would have the ability to create a health and welfare fund for all drivers.

MR. AWAN: We are thankful for that, Commissioner, and all the people who just work for us. You know, so that would be very beneficial for drivers.

So, please, like bring back that 6 cents and like help our union to do something about it, and like all -- some other benefit programs.

And this just like, it's making no sense. We are -- the yellow cabs are there to just refuse (sic) the
congestion so people don't have to
driver the cars into Manhattan.

And if we start charging this,
nobody is going to take the yellow cabs
because they're going to go simply to
the app companies because it's cheaper
and convenient for the public. So
there's nothing left for us anymore.

You know, so please just like don't
impose this taxation or false surcharges
on the yellow cabs at least because we
are already like -- you know, straight
to below the 96th area, it's less than
10 square miles area of the working left
for us, for thousands of yellow cabs.

You know, so please do something
about it. Thank you. (Applause.)

CHAIR JOSHI: Thank you.

MR. WILSON: Thank you.

The next speaker is if Elieser
Colon.

(Translator used.)

MR. COLON: Good afternoon,
Commissioner. The point that I'm here
to bring -- I know that it's very soon.
If after the Commissioner finishes, what she will do for us, the taxi drivers in regards to the traffic that we're experiencing at this moment, and if you will be in favor of all of us. Thanks very much.

(Translator used.)

MR. RODRIGUEZ: Good morning, Commissioner and --

CHAIR JOSHI: I'm just going to pause you one moment because we have to go in order of the people that we're calling. So I think Mr. Wilson just called -- who was the gentleman that just spoke?

MR. WILSON: Elieser Colon.

CHAIR JOSHI: Has his name been called?

MR. RODRIGUEZ: The person that was just here said that he will give the rest of his time to him (sic).

CHAIR JOSHI: So he has yielded his time -- okay. So we'll give you the balance of his time.

Can we get your name then for the
record?

MR. RODRIGUEZ: Roberto Rodriguez.

CHAIR JOSHI: Thank you very much.

MR. RODRIGUEZ: I'm a taxi driver for the City of New York and I have two children, and I would like to continue to guide my children taking them to school and things like that.

If the City continues to add on surcharges after surcharges it will be impossible for me to do these things for my children.

I advocate for this law -- these surcharges to be delayed till at least 2020 because imposing that law as of now would be catastrophic. I would like for you as a public speaker for us to really have an affect on this. Since the phenomena of Uber drivers, we have all -- all taxi drivers -- we all have been affected by this, and we would like your assistance for this -- for these surcharges not to go in affect.

I would like to give an example of the recent snowstorm -- the first snow
storm of season. When a passenger picked up -- when a taxi driver picked up a passenger for $27, $30 on 42nd Street, Uber had a surcharge of $100.

Then we had to like, for example, send my grandmother in an Uber. My car was not functioning at the time, and we had to send my grandmother to the airport using an Uber, and at that moment Uber was charging was $275, which is an abuse.

Thank you, Commissioners and everybody present. We rely on your good faith that you will help us with this trouble. Thank you very much.

(Applause.)

CHAIR JOSHI: Thank you.

MR. WILSON: Thank you.

The next speaker is Bridget Felix.

MS. FELIX: Good morning. I'm here to speak about -- my name is Bridget Felix. I'm here to speak about the congestion pricing.

I feel that the congestion pricing should not be considered at all for this
City. What should be considered is retraining MTA bus operators to stay in their own lanes, reconstructing maybe the timing of the delivery trucks.

Less bike lanes; that would be nice because the cyclists do not even abide by the rules and regulations of the road. They're without a license, no insurance, license plate -- we don't even know who they are. They have no ID and they don't even carry a helmet. But they're carrying a bike on our roads, still taking up that space.

There are more fines that are imposed; more fees that are imposed against us. The rent goes up; utilities go up, but the minimum fare does not go up.

CHAIR JOSHI: Excuse me, which sector do you drive in?

MS. FELIX: I'm an FHV driver.

CHAIR JOSHI: And do you drive for -- what -- do you drive for a traditional base or an app base?

MS. FELIX: Both.
CHAIR JOSHI: For both.

MS. FELIX: I've had to do that because we have to do 10, 12 hours because there are too many cars out here in the street.

CHAIR JOSHI: What you're asking -- what you're talking about is that the fare that the passenger pays has not gone up?

MS. FELIX: Correct.

CHAIR JOSHI: Okay. I just wanted to verify.

MS. FELIX: That's the minimum fare -- yeah, the minimum fare.

CHAIR JOSHI: Okay.

MS. FELIX: Yeah, that doesn't go up at all, but, yes, you want give us now a congestion price of $2.75.

If you -- if a driver goes and brings a passenger into the City, 10 rides, daily that's $27.50. Since we have been forced to work seven days a week, because there is no regulations of anything, we have to pay weekly $192.50.

There are months that have four
weeks; that's $770. Five weeks is $962.50. For one year, $9,240 is taken out of the plates of these children, of the people that pay their taxes. People that just want to breathe, live.

Oh, yeah, suicides. Do you think that at the five week mark, $11,550 is not going to cause somebody to want to kill themselves?

That's another thing, pre-tax. Is that going to be pre-taxed, or do you want to put -- just like Uber -- over-tax everything at the end of the year? This needs to stop.

I mean, we're just getting attacked by every way, shape, or form -- every way, shape, or form. Suicide; it's inducing suicide. You want more drivers to kill themselves? This needs to stop. That's a lot of money. (Applause.)

Look at these drivers. They're here because they would like to survive and their families. Something needs to be done. Thank you. (Applause.)

CHAIR JOSHI: Thank you.
MR. WILSON: Thank you.

The next speaker is Osman Chowdhury.

MR. CHOWDHURY: Hi; good morning everybody. My name is Osman Chowdhury. I am a member of United Taxi Drivers Association; I have been driving the last 20 years, but today discussion is congestion price and saying completely destroy the yellow industry. The yellow industry goes to (inaudible) because no one taking (inaudible) because of the Ubers -- (inaudible) -- that's why everyone goes to the Uber; that's what happened in the States.

Also, the congestion price (inaudible) need to get driver some in the pocket. (Inaudible.) Drivers -- what reason -- the mental health -- financial problem. If it's all a financial problem, no one would be suicide because they have a happy life; no one would die their life. That's what happening.

(Inaudible) -- congestion price -- and another thing, congestion price, why
should pay the congestion price?

Probably because Uber -- there are unlimited Uber on the City -- the traffic condition has risen. The Governor not think that's the way because the Uber -- the multi-million dollar profit. The profit goes to congestion price -- not allowed -- (inaudible) profit money congestion take them.

Also, their City government and our -- (inaudible) -- New York City and they give tax breaks to a billion dollars and giving the poor people (inaudible) suicide. Why? What needed? Mental health; look that term -- mental health. The people dying; there's no money and they're getting (inaudible) and they're making like $3 billion -- things -- no one looked (inaudible).

And also now Trump in the last midterm election, the democratic have record because (inaudible) look all that's victory, but this time doing things, come to power -- they're going
to donate -- the democratic people all
the New York City (inaudible) democratic
(inaudible). Thank you very much.

CHAIR JOSHI: Thank you.

MR. WILSON: Thank you.

The next speaker is Luis Reynoso.

AUDIENCE MEMBER: He had to leave.

MR. WILSON: Okay. The speaker
after that is Mario Pena.

(Translator used.)

MR. PENA: Good afternoon,
Commissioner and the rest of the members
of the panel.

I am here because it is a privilege
to be in front of you, Commissioner,
because I would like to ask you if why
under your administration that you have
permitted for the number of the vehicles
outside on the street to bend, and today
the State is blaming the drivers,
penalizing the drivers with a fee when
it was you that allowed this to happen.

Also, I would like to remind you
that under your administration eight
drivers have committed suicide, and I
ask if this surcharge is permitted, how many more drivers will commit suicide?

Mayor (sic) Joshi, the least that you can do is unite with us drivers and go to Albany and not allow this to happen, because otherwise all the suicides will fall under your administration. And just one of those suicides, Douglas Schifter, he blamed the act that he committed in front of City Hall -- he blamed the Governor, he blamed the Mayor, and he blamed the Commission.

Mayor (sic) Joshi, one last thing is if you unite with us and fight with us, we have more of a voice. If not, all those suicides will fall under your administration. Have a good afternoon.

(Applause.)

CHAIR JOSHI: I just want to note for the record there was a point you made. Hopefully you're able to use the translation services that we provided; the headset.

MR. PENNA: (In English.) I
understand English also.

CHAIR JOSHI: Oh, okay.

MR. PENA: But I want to be more clear in my language.

CHAIR JOSHI: I'm glad that you felt more comfortable speaking Spanish, and we were able to all understand that.

There is a rule -- a law that was passed by City Council that has stopped the issuance of for-hire vehicle licenses, and that was signed into law on August 14th.

So I just wanted to make sure you are aware of that since one of the points you raised was the endless influx of additional cars.

MR. PENA: I know about the rule, but I ask you, why you never stop those cars, giving license to Uber and the bases for new cars? Like, we out of control.

You guys, as a Commission, supposed to know better that this mess in the City is going to come giving those license free, just like that. I think
it’s too late to stop the license, and
now you come to the driver to give us
like a tax; just to drive from the
street.

Mayor (sic) Joshi, the driver has
enough problems already to deal with
this. If you have some other questions,
go ahead.

CHAIR JOSHI: No; no I don't. Thank
you.

MR. PENA: Thank you. (Applause.)

MR. WILSON: Thank you.

The next speaker is Mohamed Hasan.

MR. HASAN: Good morning

Mr. Commissioner and everybody.

All I'd like to say, we are here
more than 50 years, the yellow cab
industry. We are not making the
congestion. All the other cars like
Uber, Lyft, and all other app bases,
they're making the congestion. We are
not the congestion.

And this like -- seems like to me --
I am livery owner. I am (inaudible) --
lots (inaudible) and when I am getting
inside 2.50. It's a big hole, so I can
drown, sink right away. Rescue us. You
are more weight on us just to kill.

If you too -- I mean, I'm asking to
the -- Mr. Mayor and the Governor that
if he want to kill us, that's okay, then
he should explain to everyone that we
want to kill the yellow cab drivers.
That's okay. Now, we can -- we know
what he's doing. That's my question,
and thank you very much. (Applause.)

CHAIR JOSHI: Thank you.

MR. WILSON: Thank you.

The next speaker is Malhotra.

MR. MALHOTRA: Hello. Good
afternoon TLC. We love you; you are
totally taxi industry, but these days
we're even stepbrothers with us. So I'm
sorry, I'm speaking first time.

I have been driving a taxi since
1993; I bought a New York City medallion
in 2010 for $650,000. I spent $135,000
as a down payment for the medallion for
a better future; not for the bankruptcy.

Please say no to congestion pricing
on taxis. We already dying --
(inaudible) situation. We have hardly
making money for a living our previous
(inaudible) did not yield -- given -- by
letting Mayor (inaudible) vehicles
two years ago that (inaudible) --
flatter New York City. They belong.
This is why they in (inaudible).

Even their own drivers are
struggling to make living. Our small
drivers are four, five household
members. To raise them we --
(inaudible) -- 150 to $200. We already
going below 150 (inaudible) imagine if I
congestion pricing 2.50 charge by the
taxi when our meters start from 5.80, I
don't think most meters like the taxi.

If this happen, there must need more
(inaudible) -- not only bankruptcy --
also Mayor (sic) Joshi, more and more
suicides. (Inaudible) you can charge
the ride-sharing company congestion
price. They did -- they are dying
(inaudible) to do New York City. They
have too many (inaudible) congestion
price from 2.70 to 70 cents.

So please TLC to find out why driver
suicides -- how their family doing after
that. So not an easy for a family to --
excuse me -- survive after when men had
died. You need to know how much taxi
drivers income after (inaudible) New
York City. Please -- (inaudible) --
please you must help the situation
struggling taxi drivers.

Please talk with them who you can
help us to give us lifesaving
(inaudible) then maybe continuous
support our families. This will help us
to (inaudible) bankrupts. There are too
many events already did bankruptcies. I
want to tell you one thing, when one
medallion bankrupt, between (inaudible)
our family life (inaudible) go.

So please think again to help us to
keep us to provide our families. We are
living world's best city, best country
-- New York City, who is known to help
us.

So we are here now getting help in
New York City here even. So can I explain one thing? This situations break our soul -- (inaudible) -- my mother died two years ago. I couldn't -- (inaudible) -- funeral; same situation with my friend. So his mother and sisters (inaudible). Mother's brain hemorrhage, he have the money to go to India to visit them.

So this -- please, please help us (inaudible). We thank you so much for giving us time. So even this new 2.50 surcharge, my friend (inaudible) medallion, he did have to find (inaudible) start, there's no way we can survive; no way we can survive. Thank you so much; thank you. (Applause.)

CHAIR JOSHI: Thank you.

MR. WILSON: Thank you.

The next speaker is Richard Chow.

AUDIENCE MEMBER: He just stepped out to take a phone call. I'll get him.

MR. WILSON: We'll go to the next speaker, Robert Espriel.

MR. ESPRIEL: Good morning,
I'm going to start off saying, if you charge a 2.50 surcharge on the yellow cabs, and they get 26 fares a day, that's $65 a week -- $65 a day, $390 a week times 52 weeks is $20,000 coming out of their pocket, which is a lot of money.

It's just an injustice. I mean, if you want to make this whole for the yellow cab, make everything right, you take off the surcharge, and you charge the Uber cars 6 or $7 each ride. That's how you make it fair; that's how you make the medallion go up in value again, and everybody will be on a level playing field. That's the only way it can happen.

Putting a 2.50 surcharge on the yellow cab is an injustice, and the drivers are killing themselves left and right, and if you do it, next year, there will be mass killings. Each one is going to kill each other for fares and they're going to commit suicide
cause they owe out so much money.

Another thing, okay, the banks were bailed out; General Motors was bailed out. Everybody was bailed out. How come nobody goes and helps the cab driver to give them a couple hundred thousand dollars to pay off this medallion and make him whole? That would be the right thing to do. Have a good day everybody. (Applause.)

MR. WILSON: Thank you.

And I'll go back and recall Mr. Chow.

MR. CHOW: Hello. My name is Richard Chow. I'm driving -- thank you for giving me the opportunity to speak today. Thanks for Mayor (sic) Joshi, Commissioners, and all the audience.

So I driving for a cab for (inaudible), and now we facing a lot of congestion problems; not only the yellow cab. The yellow cabs not increasing in about 12 years before I driving. So all the increasing the congestion, the traffic, like Uber, Lyft, the traffic --
construction container, parking,
double-parking, the delivery trucks, UPS
-- all these things are making traffic;
not only the yellow cabs.

Yellow cabs are all moving; they
cannot stop on the street. They got to
move around. After drop off, you've got
to move. It's not congestion
(inaudible). So now Governor, you know,
tried yellow -- the congestion prices is
totally unfair I think.

So, you know, we are working hard
for our family. I raising the two kids,
and then now we have to collect
congestion prices like $2.50 so all we
lose a lot of short trip. And then we
lose -- next year, we lose more from my
pocket; like 15 percent from my pocket
to them.

So this means we lose more business.
So this means that nobody taking the
yellow cab; too expensive. So we are
not -- we collect from yellow cab. In
London, the taxi yellow cab, they are
not paying congestion price for yellow
cab. So New York City (inaudible) be also.

So my point is if you collect congestion from us so we already have -- we -- I bought a medallion in 2012. I pay $400,000. So I pay a lot of payment to the bank for the mortgage. So far we have -- the interests are raising -- so we have a lot of like -- payments are more higher. So we facing -- more from my income to pay back the loan and interest.

We have lose more business because of the former Mayor Bloomberg left behind a problem. So we keep the Uber and Lyft, you know, collect a City. They give them to the free medallion (inaudible) totally unfair to us.

So now they sold the medallion. I buy the medallion and made a profit. Now, we are medallion price under (inaudible) so the City -- this should be responsible for the, you know, laws. Like we suffer and everything; loss of medallion price. We cannot pay back the
loan in on time; a lot of problems.

So now they collect a congestion price, it's totally worse. And then -- so if they collect from me, when we have problem paying back the loans. Already, the loans are not approving -- the banks are not approving to me so we -- I cannot pay back the loan. They asked, (inaudible) you got -- give me unless -- more higher.

I cannot pay because we already working hard. Business is less and less and less. We take a little money take away home. So I think if ever collect congestion price, we are suffering and very, very, very depressed already. So maybe the next -- I'm the number nine suicide. I want to tell you.

So this is my -- today is -- my brother Kenny Chow -- so we suffering. We are already -- I'm already very depressed and then (inaudible) brother-in-laws. Now, I have to take care of myself. The government is going to collect the money, maybe I cannot pay
back. A lot of pressure already. So, you know, maybe I'm the next one.

Nobody knows, you know.

So after me, maybe a lot of people are lining up. So, you know, I want to -- before the government -- Albany collect the congestion price, I have -- (inaudible) -- the plans or -- please Commissioner, send my message to the Albany. So I'm very already disappointed to collect from us the congestion price.

So thank you very much. (Applause.)

CHAIR JOSHI: Thank you for coming here today. I know it's a difficult time to share and it's a difficult topic for you to share on.

But your advocacy is important and I appreciate you speaking publicly. Thank you very much.

MR. CHOW: You're welcome. Thank you. (Applause.)

MR. WILSON: Thank you.

The next speaker is Andrew Chen.

AUDIENCE MEMBER: He had to leave.
MR. WILSON: Okay. The next speaker is Wain Chin.

MR. CHIN: Good afternoon, everyone. Thank you for allowing me to speak in front of the Commission.

I'm a member of the Taxi Worker Alliance, also happen to be a friend of Kenny Chow, and before I start I want to start and pray for all the brothers we lost.

(Moment of silence.)

MR. CHIN: I'm especially very sad because Kenny 57 (inaudible), and this plan, you know, what they're trying, the yellow cab industry, and also all the other drivers everywhere have lost income because the app company, they were surely manipulate the price to pass on the driver. So they were make less income.

And also for yellow, we had a set price. We're going to lose some business with the Governor's plans. So I am totally against this. So I hope they exempt the taxi from the surcharge
with the congestion price, unless they change -- if Commission change the rule so the minimum fare like yellow. So it will even fair competition and fair competition for the City, or the public, or the driver -- all the drivers.

I hope, you know, the Governor will, you know, listen to us. You know, change the law, exempt for us, you know, because our -- most of the yellow cab work in the City area so it will affect a lot of us, and I know we don't want to see any more drivers suffering or dying.

So I hope the Commission, you know, comes to a fair solution for all the drivers. At least make all the minimum fares the same so regulate the app companies so they cannot (inaudible) assist or -- the law. Right now they are manipulating all the system. So they had to regulate that so they cannot be taking advantage or, you know, of the system.

Right now their fare is not regulated. So they can lower; they can
higher -- they can charge $10. They can charge $100. And then, you know, the congestion pricing, they will pass the cost to their driver because I have friends driving for Uber too. I know how they work.

Their system is not transparent; they charge the customer higher price. They compensate them for lower price, and then on top of that, they take a commission from them and then the driver has to pay for all the expenses; insurance, gas, and vehicle repair. So they are taking less money home for sure.

So I hope you regulate the app company to be fair and square for everybody. Thank you very much.

(Applause.)

CHAIR JOSHI: Thank you for coming.

MR. WILSON: Thank you.

The next speaker is MD Islam.

(No response.)

MR. WILSON: Okay. Next on the list would be Edward Costellanos.
MR. COSTELLANOS: Good afternoon.

I'm going to talk (inaudible) my father that we buy the medallion in 2006, and we're seeing the property decline. There's so much competition in the street. I'm trying to survive with me, my father, my sister; all of us, we are working together to try to survive and pay for these expenses that are coming out. And so far, we are finding that it's difficult -- so difficult that there's no surcharge (inaudible) on the taxi industry, we take (inaudible) because we cannot take it anymore.

A lot of places I used to stop by and wait for passengers; I see them jumping in the black cars. So I don't understand why if there's only 13,000 taxis and there's over 100,000 black cars, why this surcharge has to be on the yellow cabs? The ones charged -- making the congestion are black cars.

So there's also no place to find -- no place to do -- to go use the bathroom. Sometimes you have to use the
car -- inside the car. The people in
the back smell that, so think you are a
pig, but they don't see that is the
circumstances in which all of you have
put us. That's what we have to do it,
because there's no other place to do it.

So, please, I beg you. I'm doing
this for my father because I see how
he's suffering -- my sister and I, we
are trying to fight to survive to get
this thing (inaudible). I see this deep
(inaudible). So I don't know what else
to say.

So anything you can do, maybe if the
bank -- and there's a problem with the
bank and the owner, if you can split
that property and keep this license
plate for this (inaudible) and the
license plate to the bank, that would
really help. That would be really
helpful for me and my father. Other
than that, I don't know. I really don't
know what to do at this point. This is
breaking point for me and my family.

So I please beg you, please do
something to help me and my family. This situation -- and all the drivers that buy that property that you sold us at one price, and now it's worthless, you go take it someplace so they can take care of that property. Worthless; nobody wants.

So we are like this with that property. We cannot do anything. Okay. So please, I encourage you to help on this matter for these guys. Thank you. (Applause.)

MR. WILSON: Thank you. The next speaker is Bernardo Celerino.

MR. CELERINO: Good afternoon. I'm a taxi medallion owner since 1989 and we are facing the worst -- the worst time ever. At the point that when they pay for my medallion in 1989, $135,000, it's more or less the market price today.

It's a shame. None of your houses, Commissioners, is worth the price of 1989. Most of you, like everybody else, can enjoy a booming economy in New York City. The Dow Jones is 20 times --
excuse me -- 10 times more today -- 12
times more than it used to be when I
purchased my medallion. This is
terrible.

Seven people commit suicide in the
industry and one more is eight. How
many suicides you guys want to see?
It's too much.

Commissioner, I have a personal
feeling, and I want to make it public;
cause really, you don't love my
industry. I feel that for some reason
you don't do anything to help my
industry; just sitting there, getting
$200,000 a year and that's it.

You have, under the Bloomberg
administration and perfectly remember
under David Yokski (phonetic), when he
was a Commissioner, and this (inaudible)
attack systematically to my industry.
Mayor Bloomberg said very clear -- I
don't want to repeat the word because
everybody knows -- but I will destroy
your "F" (sic) industry.

Those were his words, and you were
under his administration, Commissioner.

But you didn't raise your voice to say, "Come on, you shouldn't say that". No.

Like everybody's working together to destroy my industry, but the only reason that my industry was not destroyed yet is because still in August of 2018 almost 300,000 New Yorkers went to the street to say "Taxi". That's why. Not for you guys, no. Because 300,000 people say that.

But now they found a way to tell maybe 50 percent of the New Yorkers, "Hey, don't take taxi anymore". So we're going to raise $2.50; now we're going to make sure they don't say "Taxi" anymore. Okay. That is exactly what's going to happen.

The Taxi & Limousine Commission does not give accurate information also on the website. According to Carolyn, how many people took yellow cab in the month of August?

MS. PROTZ: 253,000 trips.

MR. CELERINO: How about the month
of September; do you have the number already?

MS. PROTZ: It's the same.

MR. CELERINO: It's published already?

MS. PROTZ: No, actually September is not -- it's the same as July.

MR. CELERINO: So I understand September was not published yet?

MS. PROTZ: Right.

MR. CELERINO: October also; November is going to finish within a few more days, we're going to know.

On January 1st, maybe 75 to 90,000 people don't want to take taxi anymore, but the Taxi & Limousine Commission reports is going to be in June of 2019 when it's going to be too late. Credit unions and banks are not going to wait six months to send letters of foreclosure or things like that.

So guys, I beg you; send a letter to Albany. That issue is so he can (inaudible) at this point. You have to leave office one day saying, "Hey, at
least we did something". Show a letter saying, "Albany, stop this for two years to see what's going to happen here"; at least for two years.

And then if in two years the price of the medallion goes higher, and we can raise maybe 350,000 trips a day, maybe we can talk about getting some surcharge. But today, it's very important not to approve that and request to Albany because, at this point -- the meeting today has any point since you cannot request Albany to stop this.

Because if you cannot send any letter, what are we doing here? The letter is going to be -- the law is going to be affective January 1st, and we need the letter to Albany saying, "Stop, don't do that". You're going to have thousands of bankruptcies.

If you (inaudible) from the TLC website, how many medallions are in foreclosure, it's going to be shocking. You have two pages of transactions, and maybe 95 percent of the transactions are
foreclosures, and only five percent have been sold by market price that was in 1989. I don't think that it's acceptable.

And by the way, may I have your name Commissioner? I cannot see from here; sorry.

COMMISSIONER AGUADO: Bill Aguado.

MR. CELERINO: Bill, congratulations. I saw the way that you reacted when somebody was talking, and it seems to me that you have a piece of heart. I saw the way you reacted.

COMMISSIONER AGUADO: It's no different than anyone else here.

MR. CELERINO: I'm not that sure about that. However, I see what you did; that's why I direct it to you.

So if you have a chance to talk to your peers later, urge them, especially the Commissioner, to write the letter to Albany saying, "We do not approve this". Eventually, if that still passes that, you guys are going to come to (inaudible) and say, "Hey guys, we tried
to stop them, but they didn't listen to us". At least something is better than nothing. Thank you guys. (Applause.)

MR. WILSON: Thank you.

The next speaker is Robert Ferreryra.

(No response.)

MR. WILSON: Okay. The speaker after that would be Reuben Finkel.

MR. FINKEL: Hello. My name is Reuben; I am an owner/operator of a yellow taxi medallion in New York City, and I have a statement and a couple of questions.

My statement is that I've been driving since 2001, and my belief -- my understanding -- was that a yellow cab industry was part of the critical infrastructure of the transportation and the function of New York because of its shape, and size, and population.

That we contributed to the daily function; we were essential to that daily function of bringing people back and forth here and there.
And it seems that this congestion charging is declaring that we are now a burden on the City, and if that's the case, and if the 2.50 surcharge is a declaration of that, then the Commission, the City, and the Mayor should come out and declare such things; that we are essentially a burden on the infrastructure of this City. And that's my statement.

My question is -- the congestion charging, would that involve the FDR and the West Side Highway?

CHAIR JOSHI: My understanding is nothing was excluded under 96th Street, so it would involve both of them.

MR. FINKEL: Okay.

CHAIR JOSHI: And it's every trip that touches. So it's pick up, drop off, and touches; so if it passes through, it also triggers the congestion surcharge.

MR. FINKEL: Passing through -- so once we cross over the bridge or before we cross the bridge, we'll be charged a
congestion charge regardless of a customer?

    CHAIR JOSHI: No, during a trip --
    MR. FINKEL: Only on the trip.
    CHAIR JOSHI: Yeah, only on the trip.
    MR. FINKEL: So we can come into the City and not be charged, but during trips we will be charged.
    CHAIR JOSHI: Exactly.
    MR. FINKEL: Okay. And my second question is, is the end game of this continuing suppression and destruction of my industry and my livelihood -- my business -- to get to a point where the Commission recalls all the medallions -- be direct managers over the medallion yellow cab industry?
    Since you are the -- somebody mentioned what it was that you are in terms of -- we are just under agreement to use your property as our yellow medallions, but in the end, ultimately it belongs to you.
    Is it your end game to acquire all
the medallions -- recall all the medallions under your direct management?

CHAIR JOSHI: No.

MR. FINKEL: No. If Albany decides that they want to do that, especially in an automated society, and that's when it would be best managed under one leadership or one control -- one group -- if they decide that they want to do that, do you have any opportunity to stop that?

CHAIR JOSHI: We can voice an opinion, but the Albany lawmakers draft and pass those laws. The City doesn't -- and the TLC does not have a seat at that table.

MR. FINKEL: Okay. One more question, has the infrastructure been discussed, decided on, or considered publically or even privately amongst you; what we are going to do in an automated taxi industry?

CHAIR JOSHI: I think that there -- you know, there is generally across the world a notion that there -- as cars get
more and more automated, and people test drive automated vehicles, that there will be automated vehicles -- automated vehicles on the street for hire.

In New York State, there's a law on the books that says one hand must be on the steering wheel.

MR. FINKEL: For now.

CHAIR JOSHI: The State has authorized the experiments where GM is testing now automated vehicles in the State.

So I don't know what the State's plans are passed the testing, but I know as a City, we're anxious to find out as much as we can about the testing because there are a lot of dangers with automated vehicles.

MR. FINKEL: At the moment.

CHAIR JOSHI: At the moment. I mean, ultimately they may end being a huge safety boom for all of us, but the transition period is very scary for cities.

MR. FINKEL: But actually real, and
predictably to happen sometime in the future near or far.

CHAIR JOSHI: I couldn't speculate because I don't know how quickly that transition happens. I don't how quickly manufacturers are doing it or what the federal government is doing because there's pending legislation now at the federal level that would allow automated vehicles on the road with less testing, I think, than you have for standard vehicles today.

So if there are liberal policies on how you regulate automated vehicles, that allows those automated vehicle companies to produce and put those cars on the road a lot faster.

MR. FINKE: Okay. I'd just like to make another statement that I oppose the congestion charging and -- that's it.

CHAIR JOSHI: Thank you for coming out today.

Yes, so we are going to need a 15 minute break. The time is 10 of 1; so we will come back at 10 after 1. Thank
you very much.

(Recess taken.)

CHAIR JOSHI: The time now is quarter after 1, and we're going to resume our public hearing.

MR. WILSON: Okay. And the next speaker is Jenny Mejia; is she here?

AUDIENCE MEMBER: She left.

MR. WILSON: Is she coming back? I can move on and we can call her again. The next speaker is Prodi Kundu.

MR. KUNDU: Hello everyone; good afternoon. I'm very pleased to be here to raise -- speak to you.

So I came in America with my American dreams. My dear friends, everyone has this dream that means better life, better education, better housing.

But today I see -- I am in -- we are in -- you're taking down our dream. I bought my medallion in 2006 and also I'm operator. Today we are in crisis. Today we are talking about the congestion fee of 2.50. Already we are
in congestion. When I came, Uber, Lyft, something like car in the City already.

We are stuck -- we are stuck, our business. We are stuck, our family. We are stuck everything.

And then, again, new stuck in congestion fail. It is going to be new and it is going to be new to our debt. So please help us; help our family -- help my family. Thank you so much.

CHAIR JOSHI: Thank you for coming today.

MR. WILSON: Thank you.

The next listed speaker is Galina Kaminkar.

MS. KAMINKAR: Hi Commissioners. My name is Galina Kaminkar; I'm the wife of a taxi owner and a daughter of a taxi medallion owner, and most of the person who helps to keep up with expenses because I am working person.

I do not drive. My husband owns; my mother owns. She's 81 and she -- both of them actually surviving because of me, because I'm a full-time employee who
happens to be off because of this here.

I think we all understand this hearing is not to help to stop something, but basically probably to hear our opinions and maybe, Commissioner, you will voice our opinion to Albany, which personally, I doubt, because personally I saw people -- we saw people dying.

We know of eight numbers, but how many we don't know because they just died. Not because they killed themselves, but just died because of their heart condition, diabetes -- my husband is a diabetic driver, but he has to drive. And like it was mentioned, he has no place to empty himself because there is no such thing unless he goes to the restaurant he used to -- you know, he eats at or other places.

Thank God I'm working. I support my family. Thank God you probably working so you can support your families. But in the taxi -- yellow industry is dead, probably you're going to be out of your
jobs. I hope you can somehow have another person like I who can support you because if something happens to me, you have two families besides thousands of families probably begging on the street for food, place to live, and so forth.

And besides the point, nobody has mentioned that 2.50 is actually not 2.50 on top of 80 cents; it's more because the majority of my husband's trip -- and I think people's trip -- are done via credit cards. Credit cards are charging additional percentile. So we're not getting 2.50 clean money; we're getting 2.50 minus, and that minus comes out of our pockets.

When business was good -- when medallion worth money, it was not as painful as it is today. Today the 2 cents, or 5 cents, or 35 cents that we're losing on a trip is really very painful; painful to my mother, painful to my husband, painful to my kids.

CHAIR JOSHI: Can I ask you -- one
quick question --

MS. KAMINKAR: Yes.

CHAIR JOSHI: While you're on the topic of credit card charges, what -- if you don't mind sharing -- what is the percentage that --

MS. KAMINKAR: Four percent.

CHAIR JOSHI: Four percent?

MS. KAMINKAR: Yes.

CHAIR JOSHI: And what provider do you use?

MS. KAMINKAR: My husband uses (inaudible).

CHAIR JOSHI: Okay. Thank you.

MS. KAMINKAR: I don't know how about -- (audible) -- but I think it's four percent, and that's something that comes out of our pocket.

There are loopholes. Like, we were talking about how will we pay -- how Uber will pay. So my mother -- she's 81 -- you know, she doesn't drive, so she rents her medallion to what used to be the Taxi King. She end paying so much thousand of dollars because Taxi King
did not replenish the money that he collected from passengers -- from public people -- taxpayers -- to the State. And who was responsible to do that? My mother.

I emailed so many -- there were so many calls and emails to the TLC -- to you, Commissioner, to your advocates -- telling them -- talking to them, explaining to them that my mother doesn't have the money. It's by Taxi King; he has the money. How will those -- I feel bad for the drivers.

I had to go out and take a loan to cover her otherwise her business would be stopped by the TLC because there was no rules in TLC, and the State didn't give a damn how. Because she's an owner, she's responsible.

The drivers who collect the money, it's not going to be Uber -- sorry -- it's not going to be Uber who's going to be paying for them; it's going to be drivers. Because if Uber cannot somehow report how much trips they make and
collect it, who is going to pay for it?
Somebody has to pay for it.

Because State will not waive, I will not allow them to waive those charges that were collected from the passengers, not to replenish them to the State. I will be the one send -- I was actually behind the TLC walls last year protesting against what was done by Eugene -- and I'm going to be protesting what Uber going to do if you're not going to replenish the money to the State.

So, Commissioner, I know people are pledging here with you, and I'm actually telling you -- I'm not asking you, I'm telling you to go speak up on our behalf. You're going to speak up, not just on our behalf, but on your behalf as well because as a person who sits behind that desk, that's your responsibility. Thank you.

CHAIR JOSHI: Thank you.

MR. WILSON: Thank you.

The next speaker listed is Spyros
MR. MESSADOS: Hi. We all know each other for the most part. My name is Spyros Messados, and I am the founder of (inaudible) Technologies.

Our company was essentially born out of this; we were born out of a response at the driver level for what technology companies historically, not only Uber and Lyft, but also those in the industry, have done, which has not been very much for them.

On top of that, I'm here to talk pretty much directly to you about what we can do to hopefully prevent this in the future and adapt it on the other side of what seems to be an inevitable change that we're going to have to deal with, but it essentially ties into what we do every day, which is --

We do see ourselves, yes, as a technology provider to transport industry, but we largely see ourselves as a data company focused on what's actually happening on our streets.
That today is very obvious, but we don't think that it needs to get to this point to understand what is happening at every point. What we do for taxi today is an example of that. We take in the data on our driver's earnings. We analyze where in the City there are the most, basically, opportunities for fares, where there is the most congestion, and how we can rearrange vehicles to do a better job.

This is a service we don't only want to do for taxi. My co-founder and I, we started this with a very optimistic -- some would say a very millennial approach to -- that we can inform and gear ourselves towards a society that knows what's actually happening on the streets and can do it better.

We would like to be a partner, not to anyone -- Uber, Lyft -- we want to be a partner for our drivers and for the TLC itself, so that we can implement what Charlie was talking about -- a data connection that's purely digital, so
that we can understand each data point
on every trip from where they are
happening to what the amount of fare is
to whether a licensed TLC driver logged
in or not, and we would like to work
with the Commission on a monthly,
quarterly, real time -- we'd be here
every day if we could help inform the
decisions that the City, the TLC, and
the State are making.

On the other side of this congestion
surcharge, it's even more important that
we have this. We need to study how this
affects driver incomes on both sides of
the ball. Today, we know that yellow
taxi drivers are struggling because we
have that data connection, but on the
app base side, we basically have a PR
reality driven by a lot of venture
capital, which is, "Our drivers are
great. This is a great opportunity for
New York"; and then an internal reality
which is the vitriol that is happening
in this room and the struggle of
driver's and eight suicides.
So we simply are offering to help in that respect, and we know that there is a lot that goes into this at several levels of government. We are happy, just as with TPEP, to go through every single one of those regulations line by line together with you. We're simply asking for a dialogue in that respect.

CHAIR JOSHI: Thank you very much. I appreciate you also waiting for a long time.

MR. WILSON: Thank you.

And that's all the speakers we have listed, so that concludes the public hearing.

CHAIR JOSHI: Okay. Thank you everybody for your patience and your participation.

It's now 1:25 and this ends our public meeting. Thank you very much.

(Time noted: 1:25 p.m.)
CERTIFICATION

I, JULIA M. SPEROS, a Notary Public for and within the State of New York, do hereby certify:

That the witness whose testimony as herein set forth, was duly sworn by me; and that the within transcript is a true record of the testimony given by said witness.

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

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of November, 2018.

[Signature]  
Julia M. Speros
NYC - Taxi & Limousine Commission Meeting
November 28, 2018

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