2005 Annual Report to the New York City Council
New York City Taxi & Limousine Commission

Michael R. Bloomberg, Mayor

Matthew W. Daus Commissioner/Chair
January 9, 2006

Hon. Christine Quinn  
*Speaker*  
New York City Council  
City Hall  
New York, NY 10007

Dear Speaker Quinn:

I am pleased to submit the New York City Taxi and Limousine Commission’s Annual Report to the City Council, as required by the New York City Charter.

The annexed report details the TLC’s activities and achievements from January through December 2005.

It continues to be a privilege to collaborate with our governmental partners to benefit our licensees and the riding public by ensuring safe, efficient and reliable for-hire ground transportation for the City of New York.

We look forward to working with you, your staff and all the Members of the City Council and its Transportation Committee to further our progress during the coming year.

Sincerely,

Matthew W. Daus  
*Commissioner/Chair*
# New York City Taxi & Limousine Commission

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New York City Charter Mandate

The New York City Taxi and Limousine Commission (TLC) was created by Local Law No. 12 of 1971, and is charged with “furthering the development and improvement of taxi and livery service in New York City, establishing an overall public transportation policy governing taxi, coach and car services and wheelchair-accessible vans, and to establish certain rates and standards.”

Commission Structure

The Board of the Taxi and Limousine Commission is comprised of nine (9) members, eight (8) of whom are unsalaried Commissioners. Each member of the Commission is appointed by the Mayor of the City of New York, with the advice and consent of the City Council. Five (5) of the Commission’s members, one (1) resident from each of the City’s boroughs, are recommended for appointment by a majority vote of the Council Members of their respective boroughs. The jurisdiction, powers and duties of the Commission include the regulation and supervision of the business and industry of transportation of persons by licensed vehicles for-hire in the City. Currently, four Mayoral and four City Council seats are filled. The Manhattan seat is currently vacant.

Changes on the Commission in 2005

In 2005, the TLC saw the departure of three members from its Board of Commissioners; Stanley Michels, Alberto Torres and Harry Rubinstein. The TLC is grateful to them for their dedication to public service, and for their distinguished tenures. We are also pleased to have two new appointees to the Commission in 2005: Edward Gonzales and Howard Vargas.
Current Board Members

Matthew W. Daus, Chairman

The TLC’s salaried Commissioner/Chairman, Matthew W. Daus, was appointed in 2001 to fulfill the remainder of a term concluding January 31, 2003. In 2003, Commissioner Daus was re-appointed by Mayor Michael R. Bloomberg to serve a full term expiring January 31, 2010, and unanimously approved by the City Council’s Committee on Rules, Privileges and Elections. The TLC Commissioner/Chairman presides over public meetings of the Commission, and serves as the Chief Executive Officer of the agency. Prior to his appointment, he served as General Counsel since 1998, and as Special Counsel from 1996 to 1998.

Elias Arout

Re-appointed by the Mayor on the recommendation of the Staten Island delegation to the New York City Council, Commissioner Elias Arout has served on the TLC since 1988.

Noach Dear

Appointed by the Mayor on the recommendation of the Brooklyn delegation to the New York City Council, Commissioner Noach Dear is serving a seven-year term on the Board of Commissioners that commenced in late 2001. Commissioner Dear was a member of the New York City Council for nearly 20 years, which included a significant tenure as Chair of the Transportation Committee.

Harry Giannoulis

Appointed by the Mayor on the recommendation of the Queens delegation to the New York City Council in 1998. Commissioner Harry Giannoulis is a founding member of the Parkside Group, a governmental relations and public affairs consulting firm.
Edward Gonzales
New Appointee

Appointed in September 2005 by Mayor Michael R. Bloomberg to a seven-year term on the TLC, Commissioner Edward Gonzales is a mortgage specialist with Citigroup. Commissioner Gonzales was appointed to replace Commission member Harry Rubinstein.

Howard Vargas
New Appointee

Serving the remaining term of former Commissioner Alberto Torres, Commissioner Howard Vargas was appointed by the Mayor on the recommendation of the Bronx delegation to the New York City Council in September 2005. Commissioner Vargas served as a court attorney for two judges of the Civil Court of New York City before moving on to private practice. Currently, he is an associate at Bartlett, McDonough, Bastone & Monaghan, LLP, a prestigious law firm specializing in the field of medical malpractice defense.

Iris Weinshall

Commissioner of the New York City Department of Transportation (DOT), Commissioner Iris Weinshall was appointed by the Mayor in 2003 to serve a seven-year term. Prior to her appointment as DOT Commissioner, she served as the First Deputy Commissioner of the Department of Citywide Administrative Services from 1988 to 1996.
Agency Budget and Headcount

The TLC operated with a Fiscal 2005 budget of $23,492,355 ($17,923,470 for personal services and $5,568,885 for other than personal services). The agency’s Fiscal Year 2006 budget is $25,989,397 ($20,431,470 for personal services and $5,557,927 for other than personal services). The TLC had an authorized headcount of 418 for the year.

INDUSTRY OVERVIEW

The TLC is responsible for licensing and regulating the 12,779 medallion taxicabs currently authorized to accept hails from passengers within the five (5) boroughs of the City of New York, as well as over 40,000 other vehicles, which service the public via pre-arrangement and radio dispatch. For-hire vehicles (FHVs) include community car service (or livery) vehicles, black cars (which primarily serve a corporate clientele) and luxury limousines with a seating capacity of up to 20 passengers. TLC also licenses and regulates paratransit vehicles (also known as ambulettes) and commuter vans, which are vehicles with a seating capacity of between nine (9) and 20 passengers authorized to transport passengers within authorized geographic areas via pre-arrangement.

Finally, the TLC also licenses and regulates the businesses that manufacture, install and repair the meters used in New York City taxicabs, brokers that assist buyers and sellers of taxicab medallions, and agents that operate taxicab medallions on behalf of owners. The following chart depicts the number of current licenses issued by the TLC as of December 31, 2005.

Table 1: Comparison of TLC License Types

<table>
<thead>
<tr>
<th>LICENSE TYPE</th>
<th>ACTIVE LICENSES (December 31, 2005)</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL Business Licenses</td>
<td>1,144</td>
</tr>
<tr>
<td>Taxicabs</td>
<td>12,779</td>
</tr>
<tr>
<td>FHVs, Paratransit &amp; Commuter Vans</td>
<td>40,449</td>
</tr>
<tr>
<td>TOTAL Vehicles</td>
<td>53,228</td>
</tr>
<tr>
<td>Taxicab Drivers</td>
<td>42,512</td>
</tr>
<tr>
<td>For-Hire Vehicle Drivers</td>
<td>51,060</td>
</tr>
<tr>
<td>TOTAL Drivers</td>
<td>93,572</td>
</tr>
<tr>
<td>TOTAL LICENSES</td>
<td>147,944</td>
</tr>
</tbody>
</table>
The number of medallions, and therefore taxicabs, is fixed by both City and State law; new laws passed by the State Legislature and City Council in 2003 authorized the TLC to sell up to 900 additional medallion licenses. 592 of these were sold via sealed bid auctions in Fiscal Years 2004 and 2005. It is anticipated that the sale of the final block of 308 will take place sometime in 2006. Unlike other licenses issued by the TLC, medallion licenses are tangible assets that are transferable, and may be pledged as security for loans. Since this license provides the holder with the exclusive right to accept street hails in the City of New York, it has a significant market value. While licenses are purchased and sold in private sales as well as the aforementioned auctions, the TLC reviews and approves each transaction to ensure that the purchaser meets the agency’s standards for licensure, and that the seller’s creditors and claimants, if any, have been paid from the proceeds of the sale. While maintaining the value of medallions is not a regulatory purpose of the TLC, strong medallion sale prices have historically been used to judge the overall health and viability of the industry.

In November 2004, the average sales price for a corporate (or Mini-Fleet) medallion was $333,000, an increase of 24% from the prior year. In December 2004, the average price of an individual medallion was $320,000, an increase of 35% from the prior year. In 2005, medallion sales unexpectedly broke records on the open market, with the year closing at an average price of $350,000 for Individual Medallions and $391,000 for Corporate Medallions.
City Council Hearings:

On March 18, 2005, Commissioner Daus testified before the City Council joint Transportation and Finance Committees pursuant to the agency’s Fiscal 2006 Preliminary Budget. The testimony also described the agency’s role in several citywide issues, such as the taxicab fare increase, prior medallion sales (relating to the outreach and bidding processes), the availability of accessible medallion taxicabs, as well as details of the planned customer service improvements for medallion taxicabs.

On May 19, 2005, Commissioner Daus testified before the City Council joint Transportation and Finance Committees regarding the TLC’s Fiscal 2006 Executive Budget. Among other things, the Commissioner’s testimony detailed events relating to future medallion sales and the process of implementing the planned medallion taxicab customer service improvements.

On June 16, 2005, Commissioner Daus offered testimony before the City Council Transportation Committee on Intro. No. 642-A, which would have required an aggressive timetable for the introduction of then-unavailable hybrid-electric vehicles into the taxicab fleet. This bill was a precursor to Intro. No. 664.

On June 27, 2005, Commissioner Daus testified before the City Council Transportation Committee on the revised version of the prior bill, Intro. No. 664, which called for the TLC to approve one or more models of hybrid-electric vehicles for use as medallion taxicabs within a certain period of time. This bill ultimately passed the full Council and was signed into law by Mayor Michael R. Bloomberg following several favorable modifications of its language providing for a more practical timetable, accomplished in consultation with the TLC and the Administration.

On November 14, 2005, testimony was heard on Intro. Nos. 734 and 735, which would provide both incentives for the use of certain alternative fuel vehicle models as taxicabs and disincentives for the use of gasoline-only powered vehicles. TLC Commissioner Matthew Daus testified against this bill as being premature considering the recent introduction of hybrid-electric vehicles into the taxicab fleet, instead encouraging evaluation of the vehicles’ performance on the roads of New York City prior to any additional legislative initiatives.

On December 19, 2005, Commissioner Daus testified before the City Council Transportation Committee on this year’s modifications to the process by which initial or renewal applications for community car service bases are considered, approved or denied.

The TLC’s testimony for all of the aforementioned hearings may be viewed on the agency’s website at http://www.nyc.gov/html/tlc/html/news/testimony_main.shtml.
**Commission Meetings:**

On March 30, 2004, the TLC promulgated rules amending the Taxicab Specifications to require that each taxicab be provided with equipment: (1) enabling the TLC to receive and collect trip data electronically; (2) requiring that drivers accept major credit and debit cards from customers as a means of payment; (3) enabling drivers to receive text messages; and (4) equipping each taxicab with a monitor capable of displaying a map providing route and trip location information to passengers.

In furtherance of the goals listed above, in May 2005, the TLC promulgated rules further amending the Taxicab Specifications to: (1) require that each taxicab be provided with equipment enabling drivers to receive as well as send text messages, provided that the text messaging not be used in contravention of TLC rules or for dispatch purposes; (2) make conforming changes to TLC rules to reflect electronic trip sheet data collection in lieu of written record keeping; (3) replacing the original November 1, 2005 deadline with a date to be fixed by the Commission; (4) authorize the display of TLC Public Service Announcements and limited commercial advertising and commercial sponsorships on the Passenger Information Monitor to offset costs and/or provide additional sources of revenue; and (5) clarifying that it would be at the medallion owner’s discretion to run advertising or media content.

In July 2005, the TLC promulgated rules, approved by the Board of Commissioners in September and effective October 16, 2005, amending the Taxicab Specifications to authorize the use of hybrid electric vehicles as medallion taxicabs. Amendments included changes to passenger and driver legroom specifications; modifications to safety specifications, such as window tinting, partitions and maximum horsepower; an exception to the durability specification of heavy-duty construction; and separate vehicle retirement rules. Hybrid-electric vehicles currently authorized for use as medallion taxicabs include the 2006 Ford Escape hybrid, the 2006 Mercury Mariner hybrid, the 2006 Toyota Highlander and Prius hybrids, the 2006 Honda Civic and Accord model hybrids, and the 2006 Lexus RX 400H.

In November 2005, the TLC discussed the industry’s concerns with regard to increasing fuel costs. The meeting provided a forum for petitioners and TLC staff to present findings on the impact of fuel costs on driver earnings. The Commission ultimately determined that fuel cost concerns are better handled through the fare adjustment process and did not require immediate action.
A. Licensing Division

The TLC announced several changes to its base licensing application and review processes in 2005, with the primary difference being that all new and renewal base applications will be reviewed by TLC staff, which would make recommendations to the TLC Board of Commissioners for determination. The TLC Board of Commissioners considers each application in an open meeting, and votes on whether to approve the base application. A request for a location change or a change of ownership by an existing base is likewise voted upon by the TLC Board of Commissioners.

The TLC also continued its commitment to maintaining high standards of customer service for the applicants and licensees who visit the agency’s facilities. Building upon the reductions in waiting time achieved through previous streamlining efforts, several modifications to the way applicants are served have resulted in additional reductions in waiting time at the agency’s Licensing Division. In one successful example, the TLC now allows applicants to make appointments at the Licensing Division, thereby reducing the amount of time that applicants need to spend there.

To further assist applicants with the licensing process, the Staten Island Facility introduced the LiveScan Fingerprint system in 2005, which generates forensic-quality fingerprints that are instantly transmitted to the New York State Division of Criminal Justice Services for analysis. Prior to the LiveScan system, fingerprint impressions were recorded manually with ink on a card, mailed and then manually reviewed; a process which often took several weeks.
B. Adjudication Division

The TLC Adjudication Division focused on a number of customer-service initiatives in 2005. These included the computerization of judges’ decisions, the simplification of hearing schedules, improved communications with licensees with regard to outstanding judgments and missed hearings, and making the tribunal’s environment more user-friendly.

C. Enforcement Division

The TLC Uniformed Services Bureau (USB) is primarily responsible for enforcing Administrative Code provisions prohibiting for-hire activity without a TLC license, as well as all rules and regulations specific to the for-hire industry. USB Officers also conduct safety and emissions inspections for medallion taxicabs, and participate in special enforcement operations affecting all TLC regulated industries. In 2004, TLC enforcement officers conducted a total of 59,074 vehicle stops (consisting of 38,226 FHVs and 20,848 medallion taxicabs), resulting in the issuance of 47,972 summonses (32,683 for FHVs and 15,289 for medallion taxicabs). In 2005, officers made 42,070 car stops, of which 26,387 were FHVs and 15,683 were medallion taxicabs, which yielded the issuance of 42,838 summonses (26,848 to FHVs and 15,990 to medallion taxicabs). The number of vehicles seized for unlicensed activity remained fairly consistent in the past year, with 2,128 in 2004 and 2,073 in 2005.

In 2005, TLC Officers maintained the agency’s vigilance against service refusals through the undercover initiative known as “Operation Refusal” whereby undercover officers posing as prospective passengers hail taxicabs. Operation Refusal conducted 3,207 tests in 2005, up 18% from the 2,709 tests conducted in 2004. The driver compliance rate grew to 97% in 2005, up from 95% the prior year.

"Operation Street Hail" is another undercover initiative designed to enforce against both licensed and unlicensed for-hire vehicle drivers and owners who illegally accept passengers by means other than pre-arrangement. TLC Officers issued 5,654 summonses for illegal street hails in 2005, as compared to 10,166 summonses in 2004. In 2005, 218 vehicles were seized for unlicensed activity through Operation Street Hail, as compared to 437 in 2004.
The TLC also continued its progress in ensuring the compliance of the For-Hire Vehicle industry with rules requiring wheelchair accessible service on request. Uniformed Services Bureau personnel visited 159 bases in 2005, issuing 110 notices to comply, and 23 summonses for non-compliance. Twenty-one providers have been identified as having the ability to offer wheelchair accessible service on behalf of contracting bases.

On January 30, 2005, the TLC’s Safety and Emissions Division implemented On-Board Diagnostic (OBD) II testing for all medallion taxicabs, serving as the first large scale inspection facility in the State. OBD II, which tests engine performance by connecting directly to the vehicle’s on-board computers, is in addition to the TLC’s state-of-the-art 264-point safety and emissions mechanical and visual inspection process.

The TLC conducted a total of 59,492 taxicab inspections in 2005, as compared to 61,856 in 2004. The initial failure rate for 2005 was 51.32%, a decrease of almost 5% from the 2004 initial failure rate of 55.9%. The Safety and Emissions Division also “hacked-up,” or certified for service, 3,309 medallion taxicabs in 2005. There were 3,680 medallion taxicabs “hacked-up” in 2004.

D. Technology Enhancements

As in prior years, the TLC website serves as an effective means of sharing important information with regulated industries and the riding public. The number of successful "hits" for the website increased from 13.9 million to 17.9 million in 2005, an increase of 28.64%. Part of this increase is attributed to a spike in usage during the December Transit Strike. During the week of December 19, 2005, “web hits” were up over 143%, with more than one million views catalogued.
In the course of the year, the TLC continued its work in enhancing its website’s ability to serve its growing number of customers. These improvements include:

- The systematic update of all agency rules and regulations, now more prominently available through the primary navigation menu;
- The posting of current licensees in all categories. This enhancement makes it easier for Base operators to be sure of a driver or vehicle’s licensing status prior to dispatch.
- The construction of a “Commission Meetings” section accessible through the primary navigation menu that allows visitors to peruse public notices, as well as meeting minutes and transcripts.
- Medallion owners may now access and download an Initial Inspection Schedule to supplement the listings available through the Vehicle Inspection Report (VIR) they receive at the time of their inspections, or on the back of each Rate Card.
- The TLC’s website now includes a detailed list of criteria for wheelchair accessible vehicles brought into service in satisfaction of regulatory requirements of wheelchair accessible service in the For-Hire Vehicle industry.
E. Taxicab Service Improvements

The Taxicab Service Enhancements Team was very active in 2005. After completing an exhaustive evaluation process, the TLC entered into negotiations with several highly qualified vendors that will result in a number of contracts being submitted to the Comptroller’s Office for registration.

Upon registration of the contracts, the vendors will undergo a rigorous acceptance phase that will test the equipment in field conditions for functionality, security and passenger acceptance, which will be measured through surveys. After passing the acceptance test phase, vendors will be authorized to compete for the business of medallion taxicab owners. The TLC anticipates significant or complete implementation during 2006.

TLC’s goals and objectives for its taxicab service enhancements project are:

- To improve customer service for the riding public by implementing the electronic collection of trip data, providing universal credit/debit card payment capability, installing an interactive passenger information monitor, and requiring the transmission of two-way text messaging in all New York City taxicabs.

- To develop and maintain the agency infrastructure required to efficiently store and access all information generated as a result of these technological enhancements.

- To ensure that solutions are practicable for all segments of the taxicab industry including fleets, individually-owned medallions, and leased medallion operators.

The installation of the technological enhancements will assist the TLC in communicating with taxi drivers and offering payment options to the riding public.
F. Taxicab Vehicle Enhancements – Accessible and Clean-Air Taxicabs

Complying with Local Law No. 51 of 2003, the TLC worked with the Taxicab industry to place on the road 27 vehicles with medallions dedicated for use on wheelchair accessible vehicles. Further, the TLC also placed into service 19 vehicles with medallions dedicated for use on clean-air vehicles.

To facilitate the use of vehicles utilizing hybrid technology, the TLC, on September 8, 2005, approved rules to allow hybrid-electric vehicles to operate as taxicabs. These rules set minimum specifications to allow for currently available hybrid vehicles to be used as taxicabs, voluntarily, at the option of the taxicab owner. The passage of these rules was in accordance with the Local Law that required the TLC to approve one or more models of hybrid electric vehicles for use as taxicabs. The TLC approved the following hybrid-electric vehicles: the 2006 Ford Escape, 2006 Mercury Mariner, 2006 Toyota Highlander, 2006 Toyota Prius, 2006 Honda Civic, 2006 Honda Accord and the 2006 Lexus RX400H.

G. Decrease in Consumer Complaints

As reported in the Fiscal Year 2005 Mayor’s Management Report, violations generated from consumer complaints decreased. Specifically, for Fiscal Year 2005, the TLC logged 3,814 violations generated by “Driver Rudeness” complaints, down from the prior year’s 5,189 – a decrease of 26%. Likewise, service refusal violations generated from consumer complaints were down 23%, from 5,068 in Fiscal Year 2004 to 3,814 in Fiscal Year 2005. Abusive behavior was down 22%, from 1,314 complaint-generated violations in Fiscal 2004 to 1,025 the following year.

Total violations in selected categories fell from 20,710 in Fiscal Year 2004 to 20,269 in 2005 – a decrease of two percent, while actual complaints received declined by eight percent, from 18,860 in Fiscal Year 2004 to 17,350 in Fiscal Year 2005.
**H. Transit Strike**

Following the expiration on December 15, 2005 of the MTA NYC Transit’s contract with Transport Worker’s Union, Local 100, the union commenced a labor action on December 20, 2005 that resulted in a complete shutdown of New York City’s subways and buses for a period of three days. The City’s Office of Emergency Management (OEM) coordinated the City’s official Transit Strike Contingency Plan. The TLC developed a portion of the plan meant to offer enhanced services for the public.

Key elements of the TLC portion of the plan included the setting of special temporary zone-based group-riding fare structures for medallion taxicabs, for-hire vehicles (FHV s) and commuter vans; and the authorization of FHV s and commuter vans to pick-up passengers at bus stops, park and ride and car-pooling facilities.

The goal of the TLC’s plan was to maximize the use of every seat available in the approximately 50,000 taxicab and for-hire vehicles licensed in New York City.

**I. International Transportation Regulators’ Conference**

The New York City TLC was a primary participant in the most recent annual conference of the International Association of Transportation Regulators (IATR). The 18th annual event was attended by representatives from more than 40 leading regulatory agencies from around the world.

Presenters’ topics included such key issues as vehicle inspections and adjudications, technology, enforcement and customer service, with many participants attending breakout sessions to discuss progress and problems with experts in their various fields. Other presentations delved into wheelchair access and emergency preparedness. Roundtable discussions addressed such key areas as paratransit licensing, drug testing, taxicab leasing, and the question of whether to limit the number of driver licensees.

New York City TLC Commissioner/Chairman Matthew Daus and Chief of Staff Ira Goldstein were invited to deliver a presentation on its Customer Service Enhancements project. While other cities have various aspects of the new technology, New York City is developing a comprehensive approach to the enhancements. Many of the TLC’s fellow regulators were very interested in these technology-based improvements.
As always, this year the TLC was pleased to receive visits from taxi regulation representatives from outside New York City for the purpose of sharing and exchanging ideas. Some highlights of these visits include:

A visit from Mr. Toshio Fukita, Director of Japan’s Passenger Transport Division, and members of his staff, who headed a delegation that included the Japanese Consul General, Mr. Masanori Yoshida. The delegation consulted with the TLC on regulation issues, driver training, and the modification of Japanese taxi fares, among other topics.

Ireland’s newly chosen National Taxi Regulator, Mr. Ger Deering, visited recently to discuss varying approaches to illegal livery activity, the regulation of taxi fares, and the standardization of taxi services.

Je-Ryong Song, a research fellow from the Gyeonggi Research Institute in Korea, spent several days studying the TLC’s regulatory challenges and successes, bringing volumes of information back on his return to study which programs may be replicated there, and which could not.
NEW YORK CITY TAXI AND LIMOUSINE COMMISSION

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