

NEW YORK CITY
TAXI AND LIMOUSINE COMMISSION

Minutes of Commission Meeting

November 19, 2009

Present:

Matthew W. Daus, *Commissioner/Chair*
Harry Giannoulis, *Commissioner*
Edward Gonzales, *Commissioner*
Lauvienska Polanco, *Commissioner*
Iris Weinshall, *Commissioner*
Charles Fraser, *General Counsel*

1. The Chair called the meeting to order and reported the following:
 - The Chair reported on the Accessible Dispatch Program. There have been 4,277 dispatches as of November 15. There were 3,832 completed trips as of November 13 and 455 cancellations. The average wait time is 36.5 minutes. On average the number of daily dispatches is 8.5. (Tr. p. 4)
 - The Chair reported on proposed distracted driving and cell phone rules. The Chair thanked Commissioner Giannoulis for the points he raised at the last meeting on the business needs of the limousine, black car and livery industries. TLC has met with stakeholders and will continue to meet with anyone who requests a meeting between now and the December public hearing. Draft rules are available in the back of the room, on the website, and in the City Record. These draft rules were distributed to the Commissioners and the industry. The Chair asked that comments be submitted early. The public hearing on these rules will be at the next Commission Meeting scheduled for December 17 at 1:30 p.m. (Tr. pp. 4-5)
 - The Chair reported on the Rules Revision Project. The next public hearing on revised rules chapters will be on Chapter 8, Medallion Owners. A date for this hearing has not yet been scheduled. (Tr. p. 5)
 - The Chair reported on the FHV Accountability Rules. TLC is currently seeing a 53 percent failure rate on initial vehicle inspections and a 21 percent failure rate on re-inspections. TLC is working on a training component and should have results soon. TLC has also continued its outreach, and has been very reasonable in its enforcement efforts, including efforts to enforce the Bill of Rights and license and vehicle decal posting requirements. In the next week or two, TLC will announce a firm enforcement date. (Tr. pp. 6-7)

- The Chair reported progress on the Group Rides Proposal. This proposal was made by the Mayor during the State of the City Address. TLC has come up with some pilots, with three of them and the Satellite Base Project almost ready to go. Within the next week or two, TLC will be announcing a request for participation in the program and hopes to have at least three group ride stands up and running before the end of the year. Assistant Commissioner Epstein will be giving a more detailed presentation on this later in the meeting. The Chair thanked and commended DOT, the Port Authority, and the Business Improvement Districts for their work. (Tr. pp. 7-8)
 - The Chair made a major personnel announcement. First Deputy Commissioner Andrew Salkin will be leaving the TLC to go to the Department of Finance. The Chair thanked and commended Deputy Commissioner Salkin for his work. Commissioners Weinshall, Gonzales, Polanco, and Giannoulis also thanked Deputy Commissioner Salkin. (Tr. pp. 8-17)
2. Item 2 on the agenda, Adoption of Minutes (October 16, 2009 Commission Meeting), was presented to the Commission for approval. A motion was made by Commissioner Polanco to approve the minutes. The motion was seconded by Commissioner Gonzales and it passed unanimously (Commissioners Daus, Giannoulis, Gonzales, Polanco and Weinshall). (Tr. pp. 16-17)
 3. Item 3 on the agenda, Base Applications for Determination, was presented to the Commission. Georgia Steele-Radway, Base Licensing Supervisor, presented the following base station license applications for consideration:

NEW(2):

B02347 Pace Car Service
 B02346 Pia Car Limo. Inc.

RENEWALS (16):

B02071 Advantedge Car & Limo. Service
 B01313 Brook Car & Limo. Service Inc.
 B01979 Dreamland Car & Limo. Service
 B01593 Evergreen Trans. Inc. D/b/a Skyway
 B01433 Fanny Radio Dispatcher Service Inc.
 B00378 Habirah Inc. D/b/a Elat Car & Limousine
 B01435 Keykab Service Inc.
 B01451 Lindenbaum Supply Co. Inc.
 D/b/a Court Express Car & Limo. Service
 B02178 NewWay Car Service Inc.
 B01777 Premium Radio Dispatcher & Multi Service
 B00743 Supreme Edenwald Car Service Inc.
 B01743 Two Way Black Cars & Radio Group
 B01109 United Express Car & Limo. Service

B01651 U.P.S. Radio Dispatcher Corp.
B02189 Van Wyck Express Car Service Inc.
B00911 Webster Car Service Inc.

RENEWAL & RELOCATION (2):

B02121 Kings Plaza Car & Limo. Inc.
B01991 N.Y. C. Star Limousine & Car Service Corp.

RENEWAL & OWNERSHIP CHANGE (3):

B00625 Central Car Services, Inc.
B01739 The Central Radio Dispatch Inc.
B01675 Towncar Transportation, Inc. D/b/a New Topacio Car Service

RENEWAL, OWNERSHIP CHANGE & NAME CHANGE (1):

B02050 Mazin Car & Limo. Service

RELOCATION (1):

B01721 W.K. Car & Limo. Service Inc.

RELOCATION, OWNERSHIP CHANGE & NAME CHANGE (1):

B02308 Red Hook Car & Limo. Service, Inc.
(to be changed to Norwood Car & Limo. Inc.)

The following base is recommended for denial if TLC requirements are not met within 30 days:

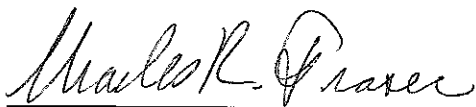
B02312 JLJ Car Service Corp.

4. A motion was made by Commissioner Gonzales to approve all of the base station license applications that were recommended for approval. The motion was seconded by Commissioner Polanco and it passed unanimously (Commissioners Daus, Giannoulis, Gonzales, Polanco and Weinshall). (Tr. p. 18)
5. A motion was made by Commissioner Gonzales to deny all of the base station license applications that were recommended for denial if they do not comply with requirements within thirty days. The motion was seconded by Commissioner Weinshall and it passed unanimously (Commissioners Daus, Giannoulis, Gonzales, Polanco and Weinshall). (Tr. pp. 18-19)

6. Item 4 on the agenda, Rules Revision Project for Commission Action, was presented to the Commission. A vote on proposed rule chapter 18 (Adjudications) was tabled to the next Commission meeting. (Tr. pp. 19-25)
7. Item 5 on the agenda, Pilot Program for Commission Action, was presented to the Commission by David Klahr, Chief of Staff to the First Deputy Commissioner. The proposal was for a device called the Blade, which when attached to the tailpipe is intended to capture pollutants and improve gasoline mileage. No evidence was presented that this product works, therefore, TLC staff recommend denying the proposal. Commissioner Giannoulis made a motion to deny the pilot proposal. Commissioner Weinshall seconded the motion and it passed unanimously (Commissioners Daus, Giannoulis, Gonzales, Polanco and Weinshall). (Tr. pp. 25-27)
8. Item 6 (a) on the agenda, NYC Media Sticker was presented to the Commission. The sticker, created by the Mayor's Office of Film, Theatre and Broadcasting, raises awareness of the NYC Media stations. Commissioner Daus made a motion to approve the voluntary placement of the sticker in the rear quarter panel window. The motion was seconded and it passed unanimously (Commissioners Daus, Giannoulis, Gonzales, Polanco and Weinshall). (Tr. pp. 27-35)
9. Item 6 (b) on the agenda, Taxicab Stand Pilot Program Update, was presented to the Commission. Samara Epstein, Assistant Commissioner for Constituent Affairs, gave a presentation outlining progress on this pilot, which permits passengers to share a taxicab leaving from designated taxicab stands, to locations along a prescribed route. (Tr. pp. 35-43)
10. Due to a lack of quorum for the executive session, the appeals of TLC v. Mohamed Elouannas / Hack License No. 483899 and TLC v. Zolio Martinez / Hack License No. 5174681 were adjourned to the next Commission meeting. (Tr. p. 43)
11. A motion was made by Commissioner Weinshall to close the meeting. The motion was seconded and it passed unanimously. (Tr. p. 43)

The meeting was adjourned at approximately 2:04 p.m.

Minutes as approved by the Taxi & Limousine Commission on
December 17, 2009



Deputy Commissioner for Legal Affairs / General Counsel

December 23, 2009
Date