NYC TAXI AND LIMOUSINE COMMISSION

PUBLIC MEETING

held on Thursday, May 10, 2007

40 Rector Street

5th Floor

New York, New York
Public Meeting convened at 9:35 a.m:

PRESENT:

MATTHEW W. DAUS, COMMISSIONER/CHAIR
ELIAS AROUT, COMMISSIONER
NOACH DEAR, COMMISSIONER
HARRY GIANNoulIS, COMMISSIONER
IRIS WEINSHALL, COMMISSIONER
HOWARD R. VARGAS, COMMISSIONER
EDWARD GONZALES, COMMISSIONER
LAUVIENSKA POLANCO, COMMISSIONER
CHARLES FRASER, GENERAL COUNSEL
CHAIRMAN DAUS: Could everybody please take their seat. We are going to get started.

We have a new agenda that was revised this morning. This is the second revision. The few things that were changed, number one, there was a request for an adjournment from the Commission appeal respondent's attorney, which was granted. As a result, we are putting that matter which was scheduled for executive session over to the June meeting.

Number two, our designers who are working on the clean air and accessible taxicab stickers want a little bit more time to perfect it and tweak it. We will try to bring that back for the June meeting for consideration by the Commissioners.

The first item on the revised agenda is the Chairman's report, which I will go to now. First and foremost, all around the city a lot of people have been hearing about what called Plan YC. This is a very comprehensive, strategic plan for sustainability and for a better New York that Mayor Bloomberg, under his leadership and vision, has put out there
over the last couple of weeks. And the TLC, of course, has a role in that.

First, I would like thank and congratulate Mayor Bloomberg, and also Deputy Mayor Doctoroff and his team and everyone. And some people here, including Commissioner Weinshall, my staff, and people at various other agencies that worked on the plan.

There is, as part of the clean air portion of the plan, a role that the TLC has. The overall goals regarding air quality in the city under Plan YC are for New York City to have the cleanest air quality of any U.S. city overall. That's the goal. Also, to get to that goal, the plan is to reduce overall citywide emissions by 9 percent by 2017.

In terms of the transportation component, transportation, according to the plan and the studies and the research, amounts to about 50 percent of all pollutants. Taxis account for 4 percent of all ground transportation carbon dioxide emissions, or CO-2 emissions, and one percent of all CO-2 emissions in the city. The TLC has about three or four items that pertain to it under
the plan in terms of whether it is action that
the TLC will be required to take or matters
that are outside the jurisdiction of the
agency that are going to affect our
industries.

First, there is a sales take waiver.
If you buy a more fuel-efficient, cleaner
vehicle, which would include hybrids, the
sales tax will be waived.

Number two, anti-idling technology.
During 2007, New York City is going to select
the best device or technology for the taxicab
and the black car industries to keep cars
heated without idling. There is not
necessarily technology out there now that
allows the cars to not idle with the air
conditioning running, but certainly with the
heating, there is technology.

Now, the good news is that this is
something that will be government funded.
There are plans in place to use government
funding, including $6 million and a CMAQ
Grant, Congestion Mitigation Air Quality, of
4.8 million. So, really, that's the plan, to
use the government founding to pay for these
devices. We will making a more formal
presentation to the Commissioners as we get
more information working with the Mayor's
office.

Also, there is another item which has
a very direct impact on our work, and that is
the plan to double the fuel efficiency of all
taxicabs and all for-hire vehicles that we
license and regulate. The overall goal is by
2010 new cars must double their fuel
efficiency of today's nonhybrid vehicles that
are on the road. There is a plan to convert
our entire licensed fleet to more fuel
efficient vehicles in between eight to ten
years, and to convert the entire black car
fleet to cleaner vehicles in about five years,
which would basically decrease CO-2 emissions
by 50 percent and 0.8 percent overall for city
harmful emissions.

So these are overall goals. How we
get there and how we do it is something that
staff will be working on with myself and with
the Mayor's office. So while these are the
goals, there are probably a variety of ways to
get there. I have asked the staff to
basically present to the Commission at an upcoming meeting a comprehensive implementation plan to put into place some of the goals that the Mayor has set for us. Also, we are going to immediately engage in what is going to be known as an outreach and awareness campaign. We have done a lot of awareness already, but we need to do more about the benefits of cleaner, more fuel-efficient vehicles in the city. We are going to work with the livery industry, the community car services, and also the lending industry, to further increase public benefits and cost savings as a result of voluntarily buying cleaner vehicles right now, immediately.

And I am sure you probably heard a lot of about congestion pricing, which is one of the most prominent proposals in the Plan YC, that the Mayor put out there. In terms of the impact on our industries, the bottom line is there is no impact in terms of you being part of that pricing structure. Taxicabs, all yellow cabs and all for-hire vehicles, black cars, limos, everybody that we license, from
what I understand, are currently exempt from the plan. I mean, if there is going to be an impact on our license industries, it will probably be positive. As less and less congestion from other vehicular traffic in the central business district occurs, this should free up the roads for the black cars and liveries and the limos and the taxicabs to get people where they need to go more quickly.

So that is good news for our industry, and also good news for the city overall with this congestion pricing structure, which it seems to be working in every other city that it has been implemented, and I am sure we will be as supportive as we can of some of these concepts. Because at the end of the day, it's the goals that I think we can all agree on. There may be certain fine points that we may disagree on in terms of how to best do it, but with respect to the TLC, we are very, very pleased and flattered to be able to play a role, because at the end of the day, this is something that will make lives better and healthier for people in the city, whether it is reducing asthma rates or just
having a better overall effect. Not just on our local health, but also on the global climate.

We will play our part and we stand ready to do that. So thank you, Mayor Bloomberg, and thank you Deputy Mayor Doctoroff. And we will present our more detailed plan in the next month or two.

Item 2, as you know, last month was the 100th year anniversary of the taxicab. Taxi '07, which there are many people in this room that were at the Javits Center event where we celebrated the 100 years and also had prototypes and new designs for the, quote-unquote, cab of the future. Some ideas that were interesting, some that were a little bit out there. But at the end of the day it was a great exercise. It was very, very well attended. We will international visitors from all over the world visiting us to see the exhibits.

I am very thankful, and I would like to express Commission's appreciation to the Design Trust and Taxi '07 for their hard work. In terms of the next steps on this project, it
just wasn't an art exhibit. It wasn't an exhibit of just concepts and ideas that are going to hang out there. This is going to be an exercise where we take some of the best ideas that the Commission, my colleagues and I, will agree on, and try to implement them.

The next step is for the TLC to review the final draft of this master plan, which I understand has undergone extensive revision since my colleagues have seen it, in light of some of the concerns we have had. And they will share that final report with that Commission at a future meeting, and they will be presenting their ideas to us in a more formal way.

All the manufacturers and people that they have been working with, what are they recommending that we do in terms of future plans for the design of the taxicab of the future.

Item 3, the taxicab technology customer service enhancements. We are going to hear a lot about that today. I just want to note for the record that we have continued our extensive outreach. From day one, over
the last three years, we have been out there.

I don't think there is a soul in this
industry, driver, owner, or now since it has
been reported so many times in the media, I
don't think there is New Yorker who is unaware
of this project at this point. Certainly we
have communicated the details and information
at every level, on a grassroots level, we have
been out to the airports a number of times,
including over the last week or two handing
out fliers. Numerous staff talking to the
drivers directly, dispelling myths and urban
legends that have come out of the
disinformation that is floating around there.

We have had the vendors demonstrating
their wares at the Woodside facility. We have
been handing out fliers at our inspection
facility as well. Thanks to the fleets. I
would like to thank the MTBOT for opening
their doors to us. The fleet owners got the
drivers to basically go around the table, and
we explained it to them, and I think they were
very excited to hear that a lot of the things
they have been hearing are based on
disinformation, and now they have enough
information to basically make a final decision on which vendor they are going to choose.

We have a mass mailing that's going out to every single Medallion owner with all the details they need to make a final decision and we have received tremendously positive feedback on the demonstration project, the 200 cabs that are out there. We have actually met with the drivers that are driving the 200 cabs that are out being piloted and tested, and overwhelmingly, the news is good.

So I want to thank the staff for doing -- can we have some quiet, please. I can't even hear myself.

We still are going to continue to outreach over the next couple of months, and if anybody has any suggestions on areas that we could further explore to make sure we reach everybody, we would love to do that. I know we made several efforts to get the Committee for Taxi Safety and the lease managers to open their doors. We hope we can work with you, like the fleets, so that we can talk to your drivers as well. And also LOMTO and the Taxi Workers Alliance, I know we have had
discussions with you. But we are there to
visit any and all groups, whether you like the
system or not. It's our job to convey the
information to all you.

Item 4, there is some City Council
testimony that we put on the website. It is
distributed in the back. On April 26th I
tested against a mandate that all commuter
vans be painted orange. It is not that we
don't like the color, we don't believe it
would be an effective way to help people
identify them, and we think there might be
better ways to mark the vehicles. So I am
working very closely with the City Council,
the Mayor's office, Chairman Lu. We are going
to have a meeting to discuss other
alternatives. But certainly that testimony is
there in case you would like to read it and
you have any questions about it.

As promised, based on past votes at
prior Commission meetings, we have three
Requests for Information that were officially
released and are available in the back as
well, and have been disseminated since the
last Commission meeting.
The first is the mobility seat RFI. This is a Request for Information for those who might be interested in participating in a pilot that we authorize as a Commission for mobility seats for accessible taxicabs. Also we approved a Toyota Sienna accessible vehicle being retrofitted for a pilot program.

And if there is any other manufacturer out there, or any other retrofitter that would like to participate in that program, there is an RFI that we have distributed to give you the means to do that.

Also, very quickly, and I want to thank the staff for doing this, we distributed an RFI for hearing enhancement technology. We heard a little bit about that at the last meeting. To gather information and advice from folks that are interested in this concept of putting hearing enhancement technology in our yellow cabs. So it is just an information gathering and seeking exercise, and we are hoping that we are going to get some important information at our fingertips.

In terms upcoming Commission meetings, the next scheduled public Commission
meeting is Thursday June 14th. At the present time, we have two sets of rules that will most likely be on for public meeting. Those are revisions to our Medallion auction rules, and also new taxicab markings and designs that we spoke about and was at the Taxi '07 exhibit, and we are going to have a presentation from New York City & Company about that at the request of the Commissioners.

We are also hoping to get on hopefully in June, if not July, revisions and modifications to the paratransit or ambulette rules to enhance customer service. And we are going to talk about that with the Commissioners today.

The next meeting after that is tentatively scheduled is for Thursday, July 12th, and it's our hope that we will have changes to the Medallion transfer and escrow procedures on for public hearing. And certainly, last but not least, on a personal note, I'd would like to congratulate our First Deputy Andrew Salkin, in government terms his nuclear family head count has increased by one. Congratulations on the birth of Levi
Joseph.

He's been a little tired, running back and forth, but he has really been, for the last week or two, still very much involved in everything that is going on.

Congratulations, Andy, to you your family.

That's it. Any questions?

(No response.)

CHAIRMAN DAUS: Okay, no questions.

We will go to item 2, adoption of the minutes of the April 12, 2007 Commission meeting.

Any questions, comments, changes, modifications to the minutes?

(No response.)

CHAIRMAN DAUS: Okay, can I have a motion to approve, please?

COMM. WEINSHALL: So moved.

CHAIRMAN DAUS: A second?

COMM. DEAR: Second.

CHAIRMAN DAUS: All in favor?

(Chorus of "Ayes.")

CHAIRMAN DAUS: Okay, thank you.

Item 3, base license application review. Do we have a representative from
licensing?

VOICE: Chairman, Commissioners, I would like to introduce Ms. Georgia Steele-Radway, the supervisor of the base licensing.

CHAIRMAN DAUS: She newly joined our team. Welcome aboard.

MS. STEELE-RADWAY: Good morning. Licensing would like to present before the Commission 26 bases with a recommendation for approval.

Would you like for me to read them out individually?

CHAIRMAN DAUS: Everything that is noted on the agenda for approval, not the denials, correct?

MS. STEELE-RADWAY: Not the denials, correct.

CHAIRMAN DAUS: No, we don't have read them.

Does anybody have any questions or concerns or comments about them?

COMM. GONZALEZ: I just have one general comment. I would like to say I am very encouraged by this particular set of
bases, where I noticed that in the year and a half that I have been here, this looks like the least number of violations that I have seen in the 612-2, which is the base owner shall not dispatch unlicensed drivers.

And I would like to say thank you to your group in enforcement, and the industry as well, for making this happen. And I hope it's a continuing trend.

CHAIRMAN DAUS: Congratulations.

Do I have a motion to approve the bases on the agenda?

COMM. WEINSHALL: So moved.

CHAIRMAN DAUS: A second?

COMM. AROUT: Second.

CHAIRMAN DAUS: All in favor?

(Chorus of "Ayes.")

CHAIRMAN DAUS: We have a few denials.

MS. STEELE-RADWAY: There are three bases that licensing is recommending for denial with a request that the Commission grants an additional 30 days so that they present the outstanding items.

CHAIRMAN DAUS: Okay, I would like to
move to deny those bases on the terms stated.

Is there a second?

COMM. POLANCO: Second.

CHAIRMAN DAUS: All in favor?

(Chorus of "Ayes.")

CHAIRMAN DAUS: Great, thank you.

Welcome aboard again. And thank you, licensing, great work.

Item 4, proposed rules for public hearing and Commission action. We have item 4A is the taxi technology system implementation rules. I would like to call chief of staff Ira Goldstein up. He is going to give a very brief preview and overview of what these rules state and then we will go right to the public hearing.

MR. GOLDSTEIN: Good morning, Commissioners. What these new rules put in place is essentially a time line to begin the implementation of the service enhancements project. The main dates in there is that there is an August 1st date which is when owners will be required to sign a contract with an approved vendor of their choice. Before that, the TLC will issue an industry
notice to the industry. We refer to it as a
sign-up deadline notice, advising them that
they have until August 1st. That notice will
go out shortly after this meeting if these
rules are passed and will give approximately a
two and a half month period for owners to shop
around and to give the vendors a chance to
market their materials.

They have been out there and doing
outreach and marketing but they are not
allowed to sign any contracts yet, because
none of them have been approved yet.
Officially, they are still finishing up some
testing.

The second key date is October 1th.
And that is the compliance deadline that,
starting on October 1st, when a car is a
scheduled to appear at our Woodside facility
for their inspection, that would be their
compliance date. So essentially that rollout
would take place through the inspection cycle
from October 1st to January 31st, '08.

And the other piece that is new on
the proposed rules is the licensing of meter
manufacturers. And we are putting that in
place. We have the authority under the Charter and it's been in our rules but it was just never done before. We are doing that to make sure that we are able to enforce and keep the interface between the meters and the systems in an orderly fashion, because there is some computer work that has to be done between the two and we just want to make sure that we have rules in place that if someone doesn't comply and cooperate with the rollout with the service providers, that we have a means of being able to remove that manufacturer from the market.

Essentially that's it on the new rules. Commissioners, are there any questions?

CHAIRMAN DAUS: Any questions for Ira?

COMM. WEINSHALL: Ira, I know we have had a number of pilots in the cars, how have they been working out?

MR. GOLDSTEIN: They have been going, I would say, very well. We have currently each of the vendors, there are four, are required to have 50 cabs each on the road
for at least 45 days. And during that time, we have doing additional testing, checking their back end, doing certain security testing, checking out certain functionality. And, overall, I would say it went well.

There have been some little problems with the systems, and as the Commissioner mentioned during his report, we didn't get some good feedback from some of the drivers that we met with on Monday as far as problems that are occurring that we couldn't necessarily find during the first stage of the testing because of the nature of the cars being on the road. And that's why we came up with the plan of having a beta phase in place before we went to the full implementation.

COMM. WEINSHALL: I know a concern a number of years ago was that some customers wanted to be able to turn off the screen, and all of these products that you are testing allow customer to turn off the screen if they don't want to be bothered?

MR. GOLDSTEIN: Yes, that's correct.

And to elaborate on that a little bit more, when we did the passenger acceptance
surveys, we even got into the detail where
some of the vendors had used that universal
symbol that you would see on a computer for
on/off screen. The passengers actually
preferred to see an off button, so we even
made them change things like that as well.

COMM. WEINSHALL: One more question.

On the credit card side, you are comfortable
that all the security measures that need to be
in place are in place so that if a customer
chooses to use a credit card, they don't have
to live in fear that their number is being
taken or that their security is being taken in
some way?

MR. GOLDSTEIN: That is correct.

First, the vendors had to comply with
the credit card industry standards that in
place that are fairly stringent. And we went
beyond that and did additional security tests,
and they refer to that blacking. And we have
closed up or are in the process of closing up
any possible small openings that there were in
the system.

COMM. WEINSHALL: Thank you.

COMM. GONZALEZ: Ira, about how many
transactions have we processed so far in the test program, a rough approximation?

MR. GOLDSTEIN: Each vendor is running around 1,500 a month. So it has been going on. Some vendors have been since January. Oh, it's a little less -- it's a little over 14,000 through April.

COMM. WEINSHALL: I might point out that the staff gave me, I was able to see a demonstration of this, and as we expected, really, what the credit cards are being used for are the big dollar items. So you see a lot of credit card use to and from the airports.

There are some people who will put it on the credit card for three or four dollars, but I would say -- would you agree, Ira -- overall what I saw showed that it was the bigger items, not the smaller items.

MR. GOLDSTEIN: Yes, that's correct.

And Gary from my staff will be elaborating on that a little bit later in the presentation. But the average fare that we have seen it being used for so far is around $23.50.
CHAIRMAN DAUS: Are they getting bigger tips?

MR. GOLDSTEIN: Yes. We have been told anecdotally that drivers tend to receive tips in cash in between the 10 and 15 percent range. And right now, last time we checked, the tips are running more close to 19 to 20 percent on the credit card transactions.

COMM. DEAR: Talking about the GPS and putting it to a test, for whatever reason, every time it comes before a meeting there is an issue someone lost a religious item. Last night again this happens. And what's interesting is the passenger recognized the name but knew there was a GPS system. That's why I figured I would get all excited. And I know that you are working on it, and I hope we come to a happy conclusion by end of the meeting and find these articles.

In a sense, this will be another reason, and a good story of why GPS is so important. And we probably retrieve lost items and articles that people have sometimes given up, or whatever it is that they can't find it and it means something to them, and we
will be able to get it back to them.

And I know there is a fear out there that this government intruding and knowing where the drivers are. If they are worried about that, then they should stop driving, because you go through a bridge or tunnel today, you are photographed. There is not a place in the country that they don't have now more security and more photographs taking place.

So this idea that the GPS is something that is going to track somebody and know what they are doing, and it just Big Brother watching over them is nonsense. And I think it's something that we should recognize. It's a good thing for us and if we could retrieved more articles and if we could get back things to people who have lost things. And for us, it is a security issue as well, and I think it's a great idea.

CHAIRMAN DAUS: I think as we proceed to the public hearing, and I agree with my colleagues on these points, it's important to note, I think there is a lot of misinformation, even in the media about what
we are doing here today.

This is something that kind of like old news. This was voted on by this Commission three years ago. A fare increase, the largest fare increase in the history of New York City was given with the deal, with the drivers and everybody at the table, that they basically are going to give something back to the customers. It took some time and it was necessary for us to do security testing and pilots so that the systems work well, as Ira described. But at the end of the day, we want to make sure that these systems work well.

It took some time to get here but we need to remember that there have been two, a fare increase and a fare adjustment over the last couple of years, and the industry has earned additional revenue of close to $1 billion since then. And part of the deal, which, unfortunately, some people when they are talking to media and so forth are basically trying to go back on that deal. That's wrong.

Customers and passengers deserve the
credit cards, they deserve better systems. We are basically here -- these rules, though, I would ask the public in terms of the testimony that will be given today, they are technical. It is setting a couple of dates. But this is really something that has been a done deal for years, and it keeps getting reported every time we have a hearing.

The good news is that we are finally here for the passengers. And I would ask that the public basically limit their comments, as per the law, and their testimony to the specific items of the dates, compliance issues and the technical definitions. Because this is really just a technical rule-making today. It is not whether the program is happening.

There are four contracts in place and the city has legal obligations with four companies. This is something that is in place and is happening. It is just a matter of the exact dates and some little nuances. So I think it's important to clear that up for the public. And we are not going to go back on the deal that the industry and us made with the riding public. They are going to get
those systems and they will get them before
the end of the year.

So without any further adieu, I would
like to bring the first preregistered speaker
up. His name is Vinny Sappone.

Oh, I think he got ill today. We
wish him the best.

Oscar Luzzi, a taxi driver, is our
first speaker.

MR. LUZZI: Good morning, Mr.
Chairman. I am going to ask you to be a
little patient with me because this is my last
time that I am going to be here and probably
in New York. I have been a taxicab driver for
34 years. And as you know, and I can see here
not too many people drove a car. I have been
doing this on and off for 34 years. I drove
an 18-wheel truck. I love to drive. I love
my job. It was not one day in my life that I
regret to go out on the street. So please
bear with me because this is very important.

Since I bought the Medallion many
years ago, my only view was that's going to be
my retirement as an income, leasing the
Medallion to some driver or whatever. Through
the years, TLC, especially you, Mr. Matthew, I
heard something -- I read something in the
papers and it really bothers me, because the
way it sounds, it said somebody was
complaining about this technology thing and
you said, in these words, "Stop the talking
and keep driving." Which for me and a taxi
driver's vocabulary -- it was in the Daily
News, you said, "Stop the talking and keep
driving." They were talking about the people
opposed to this new technology.

CHAIRMAN DAUS: I don't remember ever
saying it that way.

MR. LUZZI: It was in the Daily
News.

For me it was same thing as if we say
every time TLC comes to us, "Shut up and bend
over."

CHAIRMAN DAUS: That's really
offensive. And, first of all, you are not
even talking on the topic of the dates set.

MR. LUZZI: I am going to talk about
the technology thing that you say the people
are so crazy about it. Out of 13,000 cabs on
the street, you put 200 to try the system.
It's about four guys her that are going to make $80 million on us with this stupid computer. We have already since many years implemented a system in a simple way with a cellular phone which they call me right away if the passenger took the time to ask for the receipt, they will have my number, they can call me right away to my phone and say, "I forgot something in the car."

Of course, by the time we have three or four more passengers after that, whatever he left there is gone. And the few that I got, fortunately I was able to give it back.

Now, the system according to you, I was reading on the black news, is going to be good for the weather report -- yes, weather report. We have that on the radio, AM radio. We are going to have traffic report. We have that on the radio.

CHAIRMAN DAUS: Could you sum up, your time has expired.

MR. LUZZI: Jesus, I know that.

The thing is and my point, whatever this is going to cost, at my age, 66, I am retiring in 30 days, I cannot afford this
computer. What is going to happen to me?

I want that answer. You answer me

that publicly, because, like me, there's a lot

of guys out there, that, unfortunately, they
don't come here to fight for their rights.

And they get screwed every time. So what is

my position if I cannot afford this computer

for whatever remains of my life as an owner or
driver? Can you answer that for me?

CHAIRMAN DAUS: It was part of the

last fare increase.

MR. LUZZI: Excuse me?

CHAIRMAN DAUS: The billion dollars

that this industry pocketed, in addition was
designed to pay for this, and that's something

that has been said publicly, if you read the

articles that you have been citing, over the

last couple of years. This was part of the

fare increase. And this is not a debate, it's

a public hearing.

You have not spoken on any of the

items that are on issue.

MR. LUZZI: How much is it going to
cost me?

CHAIRMAN DAUS: It's been gone over
many times. And this is not a debate.

MR. LUZZI: My life and my
livelihood is depends on this. My wife and
whoever lives after my work. This my life and
my work and it depends on me and I am going to
fight it in court. If I cannot afford, and
the TLC is going to tell me: You out of
business -- listen to me, please.

CHAIRMAN DAUS: With all due respect,
there are a lot of other people that want to
be heard.

MR. LUZZI: You never respect me,
sir, as a taxi driver. Not even when I met
you at the elevator. You told me you are
going to do a thing, nothing was done. You
don't have memory. I have the view. Not the
Rosie view, but the windshield.

CHAIRMAN DAUS: Thank you.
Next speaker is Mr. Dave Pollack.

MR. LUZZI: I'm sorry, my last few
words. I know you have to send the Mayor
because you have the job because of him. But
I give two Fs to the Mayor, failure and force.
And TLC, which is The Liar Commission.

CHAIRMAN DAUS: Mr. Dave Pollack?
MR. POLLACK: Good morning, Mr. Chairman, Commissioners. My name is David Pollack, I am the executive director of the Committee for Taxi Safety. The committee is an association consisting of licensed leasing agents representing over 2,200 Medallion owners and the 5,000 drivers of these Medallions.

The Committee for Taxi Safety does not want to delay the implementation date of this program, and we are not against the program in any manner. I am going to speak about two points.

Section 2G located in page 1 of the proposed rules gives the owners of taxi vehicles or agents of the owners until August 1st to have their vehicles equipped with the technology system. And I think that was just amended to October. But, anyway, the proposed rule further sets forth that if any service provider contracts to install the technology system in more than 3,000 taxicabs, upon written approval of the TLC, the installation date for the technology system may be extended until the vehicle's first inspection on or
after February 1, 2008.

However, if there is an installation delay due exclusively because of the vendor, there is nothing in the rule to protect the Medallion owner or Medallion owner agent from the imposition of a penalty in the event the technology system is not installed by the required date. Accordingly, the Committee for Taxi Safety requests a change in the proposed rule that would protect Medallion owners or their agents if this were to occur.

With respect to new stated policy, the city policy, which I've heard here today --

COMM. DEAR: Before you go on; is that accurate?

CHAIRMAN DAUS: Chuck?

MR. FRASER: I am not sure I understand the point. The rules provide for a presumptive deadline of the inspector to install the equipment for the inspection on or after October 1st. The inspection cycle runs four months, so that the presumptive deadline would run from October 1st through the end of January.
There are two types of extensions provided for in the rules. If your vehicle is about to be retired within six months of your otherwise applicable deadline, you don't have to install the system in your retiring vehicle, only in the replacement vehicle thereafter.

And the second type of extension is for any vendor who sells more than 3,000 systems. The idea is that they have such a volume that they would not necessarily be able to do them in the same time period, so they can get an extension for their vehicles to the next inspection cycle, which is on or after February 1, 2008.

In other words, when you count up all the extensions, you are basically talking about a phase-in period that begins October 1st, but wouldn't end until something like July.

MR. POLLACK: And if the vendor, for reasons that we don't know, cannot provide installation in a timely fashion for our vehicles?

MR. FRASER: You mean by the extended
deadlines?

MR. POLLACK: Yes.

MR. FRASER: Well, if there is a breach of contract by the vendor, then, obviously, we would be taking action against the vendor. We wouldn't be taking action against the Medallion owner.

MR. POLLACK: I am just asking for something that say we are protected in the event that happens.

COMM. DEAR: It's an interesting question, because it is nice that you are saying this publicly now, but in the rules --

MR. FRASER: That's true. I have to admit, we did not write into the rule an anticipation of a breach of contract. I think I have acknowledge that.

COMM. DEAR: Okay, so we may have to, or --

MR. FRASER: That's up to the Commission, of course. You vote on the rules. But as I say, I think that if there were a breach of contract by a vendor, we would be going after the vendor, not the --

COMM. DEAR: That's all very nice,
but verbal rather than written. And I just
don't want the drivers or the owners to get
penalized on this.

COMM. WEINSHALL: I think it's a
valid point and I think counsel is going to
deal with.

CHAIRMAN DAUS: We can do that via
subsequent rule making if we needed to, right?

COMM. DEAR: Why can't you amend it
today?

CHAIRMAN DAUS: Can you?

MR. FRASER: It would be a little bit
tough to do that on the fly. Remember, the
first deadline doesn't happen to until October
1st, so we have time.

CHAIRMAN DAUS: So we have until
October 1st to do that?

MR. FRASER: Certainly.

CHAIRMAN DAUS: Good, and we will
consult with the Law Department.

MR. FRASER: I would point out, we do
consider comments. We got no written comments
on this rule.

When you see our rules and you see
problems with our rules, the reason for the
written comment period is to tell us that so
that we can anticipate that and revise the
appropriately.

MR. POLLACK: In all due respect, I
agree with you, but things change. Today the
agenda changed this morning. People didn't
know about it in advance.

MR. FRASER: Okay, the rule did not
change, though.

MR. POLLACK: All I am saying is
some people didn't think about it until after
the deadline, so I am sorry we didn't get our
comments in in a timely fashion.

COMM. DEAR: In defense of David and
others, the last month we had someone came in
at the last minute with something that no one
thought of, and we realized that he was right,
Ethan Gerber.

So we have to understand. I respect,
even if it is the last minute, if they come
and bring something up, I think it's a good
idea.

CHAIRMAN DAUS: Yes, I do understand
what you are saying. I do have to agree with
Chuck, thought, that to the extent that it
makes it easier for us, and actually the
industry has been very good. There have been
very few exceptions. We actually closed the
comment period for written comments a few days
before, so that expeditiously we can make the
changes ahead of time. And we always, as part
of our transparency practices, we make copies
of the final rules we are going to vote on
available to the public. I don't think there
is an issue there.

I know you have been in touch with
our office. I am sure you might have woken up
this morning and had a new idea, and that's
great. But as a general practice, I have to
agree with Chuck, I think we should, moving
forward, industry should try to get these
things to us in advance so that things don't
get delayed and delayed and delayed.

And it may have been an idea that you
had when you woke up, which is great. But,
certainly, there have been no comments on
this. And I do agree with Chuck, please, if
you can get your comments in in advance, it
only help us.

MR. POLLACK: With respect to the
new stated city policy for higher mileage and
cleaner vehicle goals that the TLC will have
for efficient vehicles as opposed to the Crown
Victoria, if the industry plans to phase out
the Crown Victoria, and we have to utilize a
hybrid vehicle or vehicles that achieve better
gas mileage, based on current available
vehicles, the industry will need to use a
smaller one that is approved by the
Commission. But if owners are compelled to
purchase a large personal information monitor
or PIM at this time, and then have to change
to a smaller vehicle in the immediate future,
then owners would be forced to buy replacement
equipment within just two or three years.

And the Committee believes that
owners should have a choice to purchase large
screen or small screen PIMs at this time.
Clearly, the smaller screen PIMs have the same
functionality and provide the same information
to the passengers as they have been approved
by the Commission. And, accordingly, the
Committee requests the Commission be cognizant
of its own intended plan so as not to cause
the owners to have this added expenditure.
CHAIRMAN DAUS: All right, your time has expired. On that issue, we will get clarity to you and to the public. Because I think the contract deals with that. That's not really a rule making issue, the size of the screen.

MR. POLLACK: I do have comments here if somebody wants them.

CHAIRMAN DAUS: There are smaller screens that can be used but that's not part of the rules today. But we will get clarity from the staff.

The next speaker is Mr. Bill Lindauer.

MR. LINDAUER: You heard the song and dance of Matthew Daus. Now for the real truth. I have been a cab driver for 30 years so I know the real truth. He hasn't driven one day, so he is rather clueless, right? Right.

Incidentally, I applaud the cabs being green, but it is rather ironic that you are taking green out of the pockets of drivers. Remember, drivers ultimately pay for any system, any technology. Don't let them
say the owners will pay. The drivers will pay.

Good morning, Commissioners, and Dr. Strangelove or how I learned to stop worrying and learned to love the GPS bomb. And a bomb it certainly is. Despite the hype and outright lies of this agency run amuck, don't be bamboozled, Commissioners. Delay this. It needs a serious consideration. There are moral and financial issues, not just pay issues. There is no need to rush this foolishness, this folly.

Don't be brainwashed like the Manchurian Candidate, dead set on killing the hopes and dreams of drivers, or simply even their ability to earn a subsistent living. Incidentally, do you really want flout with impurity the city's own living wage law? Are you law breakers or men and women of decency and morals as my feigning trust thinks you are?

Firstly, this worthless technology driven by delusional, nonthinking is totally abhorrent to the American way. This is a grandiose totalitarian technology trampling on
drivers' and passengers' privacy rights.

Treasure our Constitution. Give obeisance to morality and let's look at the true financial facts. Not the TLC's Enron-inspired financial fantasy land. First, inflation, higher apartment rents and sky high gas prices have more than long ago wiped out our hard-earned once in a decade fare hike. Now, like a monstrous giant leach, you want to suck out more of our hard-earned earnings.

This is useless snake oil masquerading as a miracle. Talk about misrepresentation, the Bush Administration would be proud. This multimillionaire controlled industry has already seen divers forced to pay for owner expenses such as the $1,000-plus vehicle tax stamp. What does the TLC do about it?

Absolutely nothing. Absolutely nothing.

Worst of all, the public is being hoodwinked by this boondoggle. We want to protect the public. Don't perpetrate yet another TLC consumer fraud like a talking taxi and the vehicle monitor.
CHAIRMAN DAUS: Can you sum up, please, your time has expired.

MR. LINDAUER: Okay. I call on the Commissioners to show some backbone, weight the true facts and not the TLC propaganda. And I call on everybody in the industry who is against this to not be silent. As they say, "Evil triumphs when good men do nothing."

Let us reason together and make our case to the Mayor. The Mayor is a man of intelligence, common sense and vision. Remember, New Yorkers are smart and filled, with common sense. They will see through this costly charade. Drivers deserve no less, the public deserves no less.

Thank you.

CHAIRMAN DAUS: Thank you. The next speaker is Beresford Simmons.

MR. SIMMONS: Good morning, Commissioners, ladies and gentlemen. I am an immediate cab driver who is in the streets every day. The message that I hear today about the drivers are satisfied is a lie, absolutely a lie. The gas prices alone has taken away the so-called raise that you have
given to us. We are suffering.

The streets of New York City is terrible. Get those streets fixed with the Commissioner. Your design of no left and no right turn is a disaster for the traffic, I can tell you that right now.

COMM. DEAR: Hold on. I do not appreciate, and I don't know about my colleagues here, personal attacks.

MR. SIMMONS: It is not a personal attack. I am telling you about my daily living, sir.

COMM. DEAR: No, no, no, sir. Stop, stop. You made a personal attack on the integrity of one of the best Transportation Commissioners that we have had in the City of New York.

MR. SIMMONS: So be it, sir. I am telling you what I suffer on a daily basis.

COMM. DEAR: She has done a fantastic job and the city is better off today and traffic is moving.

MR. SIMMONS: The traffic is backing up in the blocks in between. I am a driver, I have been driving a cab for 35 years.
COMM. DEAR: Sir, continue on the issue.

MR. SIMMONS: I do not appreciate your insult, Mr. Noach Dear.

On the technology, sir, it's going to be an economic burden onto the cab drivers and it's going to be a disaster for the people in the city because the cab drivers that are there today are going to have to be hustling like dogs and you will have more people killed in the street.

And I won't be holding up your time and taking anymore insults from Mr. Noach Dear. Thank you very much.

CHAIRMAN DAUS: Next speaker is Osman Choudhury. Good to see you again.

MR. CHOUDHURY: Thank you. Good morning, everybody. I came to say something about the GPS. I am on the street, I am driving a cab for ten years. I go anywhere, never don't like the GPS, because by the program they put the hack license number, sometime they took a long time, malfunction, they are waiting time, five minutes, ten minutes they are driving. Sometime the meter
shut off automatically.

Also people in New York City, if you give the credit card, they sometimes put it in the shirt and put a second credit card. Who is liable for that?

This system will not get any benefit.

Also, you I hear that there is a lot of fare increase, we are making billion dollars for drivers. How much do we pay extra gas money? And another thing, how much did we pay last year, 67 weekly. I pay now $750. Why?

This is money for driver pocket? You give the increase. Well I just spent the increase. Thank you very much.

CHAIRMAN DAUS: Thank you, Mr. Choudhury. While I don't agree with you, we love you anyway. You are a fantastic driver, and he is one of the honorees at our Driver Recognition Ceremony. Congratulations.

Biju Mathew is our next speaker.

MR. MATHEW: Members of the press, members of the ordinary public, New Yorkers, the Commissioners and the Chairman. I choose that order of address because the last time I stood up here, I used the words, we beseech
you, we urge you. And at the end of it,
various Commissioners, including the Chair,
said that we are ungrateful. I refuse to get
on my knees.

The last time one of the most
property things I said up here was to do with
how this technology will not deliver some of
the functionality it claims it will deliver.
The other thing that I said was about the data
capture that this technology will produce, and
that there is absolutely no provision in the
more than thousand pages of RFP all the way to
the contracts that protects it.

The Chairman at the end of my speech,
immediately responded with a one-liner saying
that there is protection in the contracts. I
have been through contracts since with a
fine-tooth comb. In this day of information
and network technologies, various governments
across the world are going through extremely
detailed processes of protecting what is
broadly called the protection of the subject
of information.

In the case of the deployment of this
technology, the subject of information, that
is, the subject about whom information is constantly being captured at the rate of around 4 to 8 seconds, is the driver.

I went through, for instance, the entire director principles of the union and its information data protection policy last night to see how detailed they are in trying to protect every small piece of regulation, a banking regulation that tries to change something on a credit card produces 50 pages of documentation on how to protect the subject of information. The more than thousand pages of documentation that this Commission has produced, the bureaucracy of this Commission has produced, does absolutely nothing.

If you look through that, there is no clear provisions for any kind of protection and that is one of the fundamental flaws of how this has been gone about. There are all sorts of bread and butter kinds of things thrown in there about protection of privacy. I grant you that. But there is no clear provision as to where the ownership lies, at what rate, who has the right to capture data. What are the conditions under which they will
be allowed to reveal the data, what are the
conditions under which they will be able to
share the data -- not reveal -- share the
data, which is a different category.

If you know anything about juris
prudence around information, you should know
that each and every one of these categories
need to be considered.

CHAIRMAN DAUS: Could you sum up,
please?

MR. MATHEW: Sure.

The second thing is the lost and
found. I challenge anybody in this
Commission, including the Chair, including Mr.
Salkin, including anybody who is responsible
for technology, to prove that the solution
outlined last time is not 100 percent better
than what you have outlined. It is the most
ineffective lost and found. Take any and
every one of the claim functionalities that
you claim you deliver, and I will show that
there are better technologies. That this is
nothing but a money-making racket for a bunch
of businessmen and that's all there is to it.

CHAIRMAN DAUS: Okay, thank you.
MR. MATHEW: Five seconds I have left. Mr. Fitch, who is the Village Voice reporter, in the '90s wrote a book called, "The Assassination of New York City," in which he said the TLC, or the cleptocracy -- today we are back to that situation. Thank you very much.

CHAIRMAN DAUS: Thank you.

I just want to ask counsel to address a clarification of a contractual matter. Apparently, believe it or not, the New York Civil Liberties Union has actually worked with us and agreed on language that makes some clarity to this.

Could you just talk about that for a second, Chuck?

MR. FRASER: When we were finalizing the negotiations on the four contracts, the standard portion that applies to all four vendors, we engaged in discussions with the New York Civil Liberties Unions about appropriate language for privacy protections for the information that will be available on the technology systems.

We did not sign off on those
contracts until the New York Civil Liberties
Union indicated to us that they were fully
satisfied with the privacy protections we
incorporated.

CHAIRMAN DAUS: Thank you, Chuck.

The next speaker is Ron Blount.

He is not here.

Bhairavi Desai.

MS. DESAI: Good morning. You
know, I have been thinking for several days
now as to what to say to all of you. For
three years we have been having the same
conversation. I have seen so many public
hearings where so many drivers -- some of the
people that you have already heard worked last
night, worked until 3:00, 4:00 in the morning,
went home, maybe slept for an hour and then
came back out here.

The last public hearing we had on
March 8th, this entire room was full of
taxicab drivers who had given up their
valuable shift time, which means their lease
money as well as their income, in order to
testify at this hearing, with the hopes that
they would be heard. And, yet, all of you,
every single one of you was completely silent after every taxi driver spoke.

   Today drivers have been interrupted. When we critique policy, that is not a personal attack. When you critique us, we don't take it personally. We understand that it is a political fight that we are engaged in between our two organizations. And for you to silence any kind of debate on this issue is complete unconscionable.

   You have seen massive demonstrations outside of this building by hundreds upon hundreds of taxicab drivers. There have been two demonstrations where the entire block was closed down by the NYPD because of the number of demonstrators that were out there. And, yet, again you have been completely silent.

   There have been men and women who have been working on the streets every single date for 30 to 40 years who have said to you, with all of their hearts, that this is one of the most important issues they have ever faced as a taxicab driver. Yet, you have been completely silent. That's immoral. You have an obligation to listen to the value of what
we are saying.

You know, you may value the Medallion and the vehicles, and so nice of you to thank the MTOBT and the Safety Committee and LOMTO, but without the taxicab drivers, you don't have an industry.

Commissioners and Chairman, I understand you don't agree what I have to say, but it would kind of nice if you did listen. You are getting paid for your day for today and I do have a constitutional right to be heard today. And I understand that in this day and age that the Constitution seems to have very little value, right. But Commissioner Dear, it would also be nice if you also listened.

You had said earlier in the hearing that we should basically get used to the fact that we live in times of surveillance, but I really want to remind all of you that New York City was one of the first City Councils throughout the country to pass a resolution against the Patriot Act. GPS is simply about tracking. There is no navigation, there is no mapping. It's only about tracking the
whereabouts of the vehicle and the money that each individual driver is making. You don't pay taxicab drivers. They are not city employees, thanks to all of you.

CHAIRMAN DAUS: Could you sum up, please, your time has expired.

MS. DESAI: Well, for the amount of time you didn't listen to me, I have decided to add on a few minutes.

CHAIRMAN DAUS: I don't think so, ma'am.

MS. DESAI: The side talking is not appreciated

CHAIRMAN DAUS: We have been listening to the same thing for three years.

MS. DESAI: Exactly, and you have yet to hear us. You have yet to hear us.

CHAIRMAN DAUS: We don't agree with you.

MS. DESAI: What does that mean? What is your personal investment in this technology that you refuse to hear us?

CHAIRMAN DAUS: Let me tell you something. That is a very inappropriate and loaded statement, and there are laws on the
books against defamation. So you better watch
what you say. When you make an accusation
that anyone here has any type of interest,
that's pretty outrageous.

MS. DESAI: I was actually asking
you --

CHAIRMAN DAUS: Your time has expired
and we are going to move to the next speaker.

MS. DESAI: You still haven't
answered my question.

COMM. DEAR: I have a question.

CHAIRMAN DAUS: Commissioner Dear and
then we have Ed Ott.

COMM. DEAR: To what time did you
drive this morning?

MS. DESAI: I don't drive. But
there is a difference.

COMM. DEAR: No, no. You know what,
you are here when the media is here. You are
never here when the media is not here. You
have not been here in the last few --

MS. DESAI: Really?

COMM. DEAR: When the media is here,
you are here.

MS. DESAI: Really.
COMM. DEAR: You disparage the other people. LOMTO represents more than you do. They represent owner and drivers.

MS. DESAI: They represent money in your eyes.

COMM. DEAR: And don't start with who you represent.

MS. DESAI: We represent the drivers. You listen to the people that represent the money.

COMM. DEAR: We listen to people.

MS. DESAI: We represent the workers.

COMM. DEAR: And you get paid for being here. I don't get paid to be here.

MS. DESAI: You made an accusation. The Chairman got to answer. I am going to answer my accusations. I have been working in this industry for 11 years.

COMM. DEAR: All you care is about the cameras.

MS. DESAI: I care about the drivers. I have been working in this industry for 11 years, Commissioner.

COMM. DEAR: I know how. When I was
at City Council I watched you. What industry
and who is paying you and how much are you
getting paid?

I don't get paid for this.

MS. DESAI: We also know who paid
for half of your election.

CHAIRMAN DAUS: All right, please.

COMM. DEAR: First talk about your
organization. I am public. You are not.

CHAIRMAN DAUS: Let's tone it down.

Let's have a little decorum and
professionalism and a little quiet.

MS. DESAI: Let's have a little bit
of respect for the truth in this room. Let's
have a little bit of respect for the dignity.

CHAIRMAN DAUS: I wish you would.

COMM. DEAR: You have been to make
some very disparaging and really demeaning
remarks about people and about groups of
people.

MS. DESAI: Your policies are
disparaging.

CHAIRMAN DAUS: The next speaker is
Mr. Ed Ott. If you come up now and speak, you
will be heard. Otherwise, we will move on.
MR. OTT: Good morning, Chairman and all the TLC Commissioners. My name is Ed Ott, I am the executive director of the New York City Central Labor Council, AFL-CIO. We are federation of 400 affiliated local unions representing 1.3 million working people in this city.

Last year we were pleased and honored to welcome the New York Taxi Workers Alliance with its 7,500 proud members to the Central Labor Council as an affiliated member. As country's largest municipal labor federation, the Central Labor Council has always worked to support and advance New York City's workforce, as well as technological advancements that offer working people greater opportunities and more efficient workplace benefits.

However, I strongly believe the TLC's plan to install taxi technology systems in Medallion taxicabs and other such high tech monitoring devices are a back door form of surveillance and send the wrong message to our hard working drivers. The fact of the matter is the technology constitutes an invasive, unnecessary intrusion into the privacy of taxi
workforce, as well as an unwelcome and unfair pay cut in the form banking processing fees for credit cards, credit card acceptance capability. In several massive demonstrations, the New York workers have raised serious concerns over the past few months about the cost of the technology, implementation of the onerous credit card acceptance fees, as well as the potential working time lost for drivers if the systems do not properly work and need repair.

The Taxi Workers Alliance has also voiced serious concerns about how the Global Positioning System will be used to track drivers' privacy and freedoms. Any intrusive burdensome use of technology needs to conform to the standards and expectations of a privacy minded workforce and society.

And just a point to Mr. Fraser, while I have tremendous respect for the Civil Liberties Union, worker issues have never been their forte. Frankly, there is a growing acceptance in this country that the Constitution stops at the workplace. So we are kind of in a bit of an ideological
struggle with them about worker issues, as an
aside.

Our taxi drivers deserve to be heard
and deserve a chance to be heard and to
discuss this with the TLC before rules are
imposed that can be damaging to work and
livelihoods. They deserve better for the hard
and dangerous work that they do every day for
this city. And the labor movement is here to
support them every step of the way.

In the spirit of civil liberties and
worker protection, the New York City Central
Labor Council calls for a moratorium on the
proposed taxi technology rules, and asks the
TLC to work with the Taxi Workers Alliance to
reach a consensus on a more agreeable solution
to future technological advances.

I want to thank the TLC for allowing
me this opportunity to speak today on this
important matter of worker rights. And it is
a matter of worker rights for us.

CHAIRMAN DAUS: Commissioner
Weinshall has a question.

COMM. WEINSHALL: Good morning, Mr.
Ott, welcome to the TLC. I know you are new
to this. I guess, when did the taxi union join up with the Central Labor Council?

MR. OTT: They began the process at our executive board in October and we completed it in December.

COMM. WEINSHALL: What I would ask, Mr. Ott, is that maybe the union would like to share with you the analysis that we presented back in 2004 when we did the fare increase and we talked about the technology and the costs associated with that.

So I don't know if you got that information, but Andrew Salkin, who is the First Deputy, he is standing behind you, would be very happy to share that with you and to give you the analysis that we presented in 2004.

MR. OTT: Being a reasonable person, Commissioner, I will meet with anybody, any time, anywhere. I have worked with some of you on different issues over the years and I have tremendous respect for you.

I am not completely unfamiliar with some of the issues of the taxi drivers and we have had about a six-year relationship with
the Taxi Workers Alliance before they affiliated.

COMM. WEINSHALL: But that's not my point.

MR. OTT: Like I said, I will take a look at anything you have for me to look at.

COMM. WEINSHALL: You talked about the cost of the system. And I just want you to know that this Commission has done a lot of work on that, and we did a lot of work in 2004 and we have done a lot of work up until 2007. And I know that you are somebody who likes a lot of information, in particular, when you come and talk publicly.

MR. OTT: I think she called me a geek. All right.

COMM. WEINSHALL: I say it endearingly, Mr. Ott.

MR. OTT: I know that.

Let me say this to you, we have a saying that crap rolls downhill. I agree with the drivers that some of the impacts of this will negatively impact on them. This use of the credit card, if anything goes wrong, there is no indemnification for the drivers. They
are going to absorb these costs. And the banking fees. It's a legitimate discussion, and I don't see why that is so controversial. But I will take look at anything you have.

COMM. WEINSHALL: Can I make one other point?

MR. OTT: I am not going away.

COMM. WEINSHALL: I just want to make one other point about discussing it with the drivers. I would also encourage you to sit down with Andrew Salkin, who is the First Deputy, and to go over the number of times that he has sat down with the union. And he will be happy to go down and point out the basis of those discussions and what was shared with them. Because I think that you should understand that this has been a long process and not one that we are just coming to today.

MR. OTT: I will sit down with the Taxi Workers Alliance at my side. Thank you.

CHAIRMAN DAUS: Thank you, we look forward to that meeting.

Joseph Odiberg, last speaker.

Joseph Odiberg is not here. Okay, that concludes the public hearing. I would
like to just basically say that we have heard
a lot about this over the years. It's about
time that we give the passengers what they are
looking for, what they deserve. And I would
like to make a motion to adopt these rules
that were just part of this public hearing.

Do I have a second?

COMM. AROUT: Second.

CHAIRMAN DAUS: All in favor.

(Chorus of "Ayes.")

CHAIRMAN DAUS: It is unanimous.

Starting October 1st, the passengers will get
what they deserve, which is technology
starting to go into every cab.

Congratulations to the riding public and to
the members of the industry that appreciate
it. Thank you.

The next item is item 5A for
Commission A. Final rules regarding clean air
and accessible taxicab stickers. I will turn
it over to our general counsel, Chuck Fraser.

MR. FRASER: This is a rule that was
on for public hearing last month at the April
Commission meeting and the Commissioners and
members of the public may recall that an issue
was raised in the public testimony about
whether we could validly require a blue roof
light on accessible Medallions.

We have done further research into
that, concluded that we cannot. So,
therefore, the staff is recommending deletion
of that portion of the rule and copies of the
revised rule --

CHAIRMAN DAUS: As people are
exiting, could you please be quiet. We can't
hear.

MR. FRASER: Copies of the revised
proposed rule have been distributed to
Commissioners and I understand they are
available to the public in the back of the
room.

CHAIRMAN DAUS: Any questions or
issues regarding the revised rules?

CHAIRMAN DAUS: Okay, do we have a
motion to adopt?

COMM. AROUT: So moved.

CHAIRMAN DAUS: Do we have a second?

COMM. WEINSHALL: Second.

CHAIRMAN DAUS: All in favor?

(Chorus of "Ayes.")
CHAIRMAN DAUS: Thanks and for the
record, at the next meeting we will have some
designs for you to look at in terms of what
those stickers should look like.

Item 5B, taxi technology matters
tabled from the March 8th meeting. I would
like to ask Gary Roth from our staff to join
us. He will give a presentation on some
research that he has performed as a result of
some questions that Commissioners had at the
March meeting.

Good morning, Gary.

MR. ROTH: Good morning,
Commissioners. My name is Gary Roth, I am the
systems implementation manager here at the TLC
and I am here to talk about the credit card
fees. Just to recap, there is one slide that
will be coming up shortly, but just to recap
from the March meeting, the credit card fees
are made up of three components. There's the
bank fees which is made up of interchange and
issuer fees. There is processors costs, which
is made up of vendor and access costs. And
there's administrative costs, which are
Medallion owners' accounting and handling
In March when I came before you, and we recommended a 3.75 percent fee, and that was based on a $25 average fare and a 17 cent administrative cost. We said we would look, see what the actual fares are, and we found that over the past several months the average fare was $23.50. So we used that as a base for our fee.

And during the testimony in the March meeting, we were told our administrative costs, they felt our estimates were low, so we increased them from 17 cents to 21 cents. And based on those fees, it would average out to a 4 percent credit card fee would be appropriate.

We expect the average fare to decrease to 15 percent fairly rapidly, and with a 15 percent fee -- $15, sorry -- $15 fee, a 5 percent credit card charge would be appropriate. And so, this 5 percent charge is based on the expected decrease in the average fare down to $15. It is also based on the testimony we received in March when we heard from many speakers that the 3.75 was too low.
And it is also knowledge from other cities that have implemented mandatory credit cards, such as Philadelphia and Chicago, where the average fares have decreased. And, finally, we have a commitment to review this every six months.

Thank you.

CHAIRMAN DAUS: Any questions?

COMM. DEAR: So instead of having one -- you had 3.75 percent before, right?

MR. ROTH: We recommended 3.75 percent.

COMM. DEAR: Overall, not according to what the fare was, right?

MR. ROTH: We are having a standard fare, because it's very complex calculating the exact amount, so we wanted a cap and a standard fare for all fare ranges.

COMM. DEAR: Help me understand.

3.75 percent the Last time we recommended was for all amounts, that was the cap?

MR. ROTH: That was the cap.

Today we propose a 5 percent cap.

COMM. DEAR: But now you are
breaking down according to the amount of money
being charged?

MR. ROTH: It is the same thing as
last time.

MR. FRASER: If I can sort of
interpret, I think what he showed you was the
analysis of how they arrived at the 5 percent,
a 5 percent that would then be applied across
the board, regardless of the fare amount.

MR. SALKIN: And the only reason that
Gary is suggesting different fare rates is
because what comes up on the meter, fixed cost
are a greater percentage of the fare.

COMM. DEAR: So it is a 5 percent
amount?

MR. SALKIN: Well, the
recommendation. So we show actual costs as of
today, we put the costs at 3.94 percent.
Based on experiences that we have seen in
other cities, we expect that number from $23
to go down to $15. And that reflects
testimony that we have gotten and
conversations that we have had.

Again, the number is up to the
Commission to decide.
COMM. DEAR: So it is 5 percent.

CHAIRMAN DAUS: Any other questions?

(No response.)

CHAIRMAN DAUS: I think we had distributed final proposed rules to implement this that the Commissioners received and have been distributed to the public. Any questions on those?

(No response.)

CHAIRMAN DAUS: Okay, vote to adopt those matters that were tabled at the March 8th meeting.

COMM. AROUT: Motion to adopt.

CHAIRMAN DAUS: Do we have a second?

COMM. DEAR: Just the percentage or the other issue?

CHAIRMAN DAUS: There was a second issue, correct, Chuck?

MR. FRASER: There were two issues that were tabled after the public hearing. The rest of the proposed rule was adopted, approved by the Commission at that time. The two tabled items, one was the percentage cap and the other was the provision Section 1544 on the interaction of the system
with the meter. We've added a sentence, which is the last sentence of that section, to make that clear and tighter. And with those two changes, we are recommending adoption of the two tabled items.

COMM. DEAR: I know they have to start working together because we are mandating it. Did we hear anything about any of the companies not giving out information or anything?

MR. SALKIN: Basically the companies all came together and they all agreed to share the information. The information was shared, basically the way it was shared and how it rolled out took some time for the full information to be known what was being shared back and forth. But at this time it has all been shared, people are working on programming and we anticipate all the companies being compliant and having access to the particular meter shortage.

COMM. DEAR: So all the meter companies and all the providers are all talking to each other?

MR. SALKIN: Yes.
COMM. DEAR: Are we monitoring it?

MR. SALKIN: Yes, we have a subject matter expert who reviewed the code that was shared, the follow-up code, and conversations, and we feel very confident that the information that is available is enough if somebody wants to do the work, that they could succeed in doing it quite easily. It's complicated, but they could to it.

COMM. DEAR: And you are overseeing it, because this is very important?

MR. SALKIN: Yes, we agree that this is very important.

CHAIRMAN DAUS: And the second issue, I am glad you brought it up, this is a concern that you had and we looked into it and we kept it as it is.

I think we had a motion on the floor by Commissioner Arout. Do we have a second?

COMM. DEAR: Second.

CHAIRMAN DAUS: All in favor?

(Chorus of "Ayes.")

COMM: GIANNOULIS: I abstain.

CHAIRMAN DAUS: Commissioner Giannoulis has joined us, but he has abstained
from this vote.

Also I just want to very briefly
thank the technology providers. I know we had
a bit of a contentious meeting back in March,
a lot of misunderstanding, misinformation. I
had asked that the companies, who are, quite
frankly, city contractors that we are working
with, outside of the context of the public
hearing, to sit down and work closely with our
staff to try to resolve the issues. And I
just want to thank each and every one of the
companies, because, as a result of their
cooperative efforts, we have been able to
amicably resolve these issues for now.

I notify there are some tight
deadlines and some tight time lines to get
things done. We are going to be stepping up
our involvement and making sure that we prod
everybody along. As issues of concern arise
from one vendor to another, we will be having
enhanced fora for you to communicate your
concerns more quickly and will try to resolve
them in a way that is appropriate.

So I know there are a couple of
pieces of correspondence that are out there
that we will be addressing in the next day or two. We just want to make sure everybody has an equal and level playing field with one another, that everybody gets out of the starting gate and rolls it out as quickly as possible and at the same time, and that that program is an overwhelming success. We all have same the intentions, the same overall goals.

I want to personally thank all the companies listening to me and doing what myself and my colleagues asked you to do. Congratulations, we all appreciate it.

Item 5B is concluded. Item 6A is new taxicab markings and designs. I would like to welcome Willy Wong from New York City & Company, as well as Peter Schenkman, our Assistant Commissioner for safety and Emissions, who are going to explain their thoughts and the designs that they came up with for the new taxicab logos and markings.

MR. WONG: Good morning, Commissioners.

CHAIRMAN DAUS: Good morning, Willy.

Thanks for your patience.
MR. WONG: My role as creative director at NYC & Co. is to look at the overall design and the creative style of the city. And one of the areas that we are targeted to review is the taxi brands markings with the TLC, and coming out of the Design Trust exercise. Our main focus also is to look at the constituents of the residents and visitors that come to New York. We are looking at the role that the visual presence of New York City has in improving the style and tone of the city.

So one of the exercises that we began when we looked at renewing the markings on the taxicabs is the history and the traditions that the taxis have. For example, in popular culture, the taxi milieu has the checker cab designs on the side of it. It is something that does not exist on current taxicabs right now. We are looking at airport designs and the clarity that airports around the world have, and also the urban language, the visual language that exists in the subways. And also looking at the ways users actually hail cabs in the city, which is very different than most
other cities.

Taking all of these elements into consideration, we started looking at, and came to the conclusion of a new brand for New York City taxis. This would be the logo that would go across all New York City taxis as a way to unify and allow taxi drivers and the public to share in a cohesive and uniform look.

Again, you notice that the symbol in the middle, the circle around the T, is something that will speak to other visual elements across the city like the subways.

In next slide you will see the additional markings that we are proposing. On the bottom is the cab number, and, again, bringing back this checker pattern. But instead of just the traditional square checkers, we have something that represents the dynamic aspect of the city and the way that the city is always fluid and changing.

For the fare panel, one of the things that we propose is actually having this ipod which clearly shows how to actually use the scab system in New York. You literally stand on the corner and you raise your hand. And it
is a very clear marking for domestic and international tourists.

One of the other changes we are proposing is actually to clarify, make it simpler for residents and visitors, about the pricing structure for the cabs. So the first two lines, it's $2.50 initial fare, plus time and distance 40 cents per unit, and additional surcharges, tolls may apply, $45 flat fare between JFK and Manhattan.

These are renderings of what the taxicabs in the city will look like with the consistent graphic look. Again, the goal is to allow all cabs to share and participate in this unified graphic system and language. You will notice that the NYC taxi mark is prominently displayed on the front doctor and then the fare panel in the passengers seat and then the checker pattern extends to the rear of the cab.

I think part of the goal of this exercise is to look at the iconic nature of the taxicab. It's something that is recognized around the world and when tourists and visitors come to New York, they talk about
going to the Statute of Liberty, they talk
about going to the Empire State Building, and
from an experiential standpoint, they want to
ride in a New York City cab. And I think this
will definitely elevate that experience.

In the next slide you will see the
comparison between what the markings look like
right now and what that proposed marking
standard will be. Again, our goal is to bring
that graphic language into the 21st Century
and make it a lot more modern and a lot more
representative of the place that New York City
has in the world of design.

In the next slide, the implementation
for the new markings. Rules will be presented
to the Commission for a vote in June. If
rules are approved, they will go into effect
in the middle of July. All vehicles will need
to install new stickers by the last inspection
2007, and the cycle starts in September.

Stickers will be printed by the meter
shops and fleets and other organizations. TLC
will provide the designs to each of these
printers, and the estimated cost for these
revised markings will be between $15 and $20.
Again, these designs came out of an exercise with the Design Trust at the Taxi '07 exhibition at Javits Center, and it was revealed at the event. TLC's constituent affairs has already begun outreach on this topic, and in general, it has been embraced by a lot of different design groups and a lot of constituents across the city.

CHAIRMAN DAUS: Okay, great. Any questions or feedback on some of the designs or the idea?

COMM. GONZALEZ: I have a quick question. With the new design, the current decal has an explicit set numbers with respect to surcharges. Is there a difference with -- what is the public's opinion, I guess, in general, on new versus old designs?

MR. WONG: Our goal was to simplify the process for everyone. Within the world of tourism and looking at the end experience of people coming to the city, one of the biggest challenges is to deal with the manageability of the city. They think that it is really complicated and there is so much going on. And it is encapsulated even in the fare panel
were few people are actually going to stand there and do the calculations before entering the cab. Our goal was to make the initial fare really explicit and easy and to allow people to understand that there is additional cost based on the time and the distance. And that the additional surcharges would be available inside the cab.

COMM. WEINSHALL: So will there be another sticker in the cab which will talk about the surcharges, Andy?

MR. SALKIN: No. The monitors will do that.

COMM. WEINSHALL: But what if I choose to turn the monitor off. What if I am annoyed by it?

MR. SALKIN: Again, the way the monitor works, there is a part that you can't turn off, which is at the very beginning it says, "Welcome to New York City taxicab, here is what your fare is. For more information," and you can click and get that information.

COMM. WEINSHALL: So that will be on the monitor and it won't be able to be turned off and so I, as a consumer, will be able to
see it?

MR. SALKIN: Yes.

COMM. AROUT: I have a question, if I may. If I was a person coming into New York City and looked at this decal, to me, it is very, very small. I would say how much is it for first the mile, how much is it for the drop?

I personally think we should get back to the old thing where it says taxi fare plus the drop, make it a little larger. You are saying .40 per unit. It's so small. I would like to know how much it will cost me to get into the cab. We won't know until we get into the cab. I think it should be changed.

MR. WONG: From the airport standpoint, for that last line it does say the $45 flat fare.

COMM. AROUT: But it is so small. I am talking about initial fare.

MR. SALKIN: This is one of the things I listened to the designers have a debate on. And the question they were really talking about that ultimately was decided was from a user's perspective, how are you
actually using the cab and how does someone actually get into the cab.

So one of the things they did was moving the sticker that has the price from the front door to the back door, because that is where the person uses it, and the idea being that the front panel now distinguishes that this is a New York City taxicab. And then the back panel is for someone who actually wants to use the cab. So when you want to figure out what the fare is, you are actually going to be very close.

I don't think there is going to be scenarios where you are far away from a cab wondering how much a cab is. When you are actually at the cab is when you need to know what the rate is. So I think what they tried to do, and I am just telling you what they were trying to do, was they tried to make the graphic that's displaying the fare something that someone who is about to use the cab would see, would be in the line of sight and would be something they could understand before they got in the cab.

Where now it is kind of like when you
get in the cab, the fare is actually six feet away from you. You don't even see it. So that's what they were trying to do. It sounds like you might think what they did isn't exactly correct.

COMM. AROUT: Well, my personal opinion, on the old one you see on the door exactly what it says, the taxi fare, plus mileage, plus waiting time, et cetera. Now you are not telling the public that until you get into the cab.

CHAIRMAN DAUS: He has a good point, but I think some of these things are drawn to scale on a screen. Seeing is believing. I saw it and when I had a life-size cab in front of me, it was a little bit different, I didn't have an issue. But maybe what we can do, I think we have a cab that was outfitted with it, maybe we can have that here before the next Commission meeting in the morning so that everybody can look at it.

COMM. AROUT: Okay.

COMM. POLANCO: As a user myself, I don't want to get in a cab and wait until the screen comes up to find out what is the
surcharge. I want to know right away.

MR. SALKIN: Right. Ian, can you
put on the slide that shows the rear panel.
Slide 4.

Basically it sounds like the feedback
we are getting is the language that is
contained in this slide, you would like to see
it changed to reflect the language that is
similar what is currently --

COMM. AROUT: That's the
recommendation.

CHAIRMAN DAUS: Also the size was an
issue too.

COMM: GIANNOLIS: So it should
outline the actual surcharges; is that what
the point is here?

COMM. WEINSHALL: I think, as a
consumer, when it just says "additional
surcharges and tolls may apply," you don't
know what you are getting yourself into. Most
New Yorkers know, but tourists don't know.
And I agree with you, some people wouldn't
take a cab, but, you know.

COMM: GIANNOLIS: What are we
talking about?
MR. SALKIN: There is rush hour surcharge and the nighttime. So it would say something like, instead of additional surcharges, it would say between 4:00 and 8:00, $1, between 8:00 and 12:00, 50 cents.

COMM. WEINSHALL: Can I make a suggestion? I think you heard our concerns. I think you need to come back in June and I think you have to show a few more mock-ups and maybe work with the staff and then we will have a further discussion.

VOICE: And the industry?

COMM. WEINSHALL: Well, that's Andy's job to meet with you guys.

CHAIRMAN DAUS: I think we did have some meetings, but we have time to meet with everybody if we haven't met with all.

CHAIRMAN DAUS: I think also it is a good point, and that is the point of doing this presentation, to get some feedback. I think the concerns regarding tourism are noted, but the flip side is that if everything is not clear and up front, what could happen is, as passengers are coming into the city that don't know and understand the system that
we have, it could raise eyebrows and
questions. People might have questions about
whether they are being overcharged.

I think what would be helpful, too,
Willy, is if we could also work with the
technology companies and Ira's staff to get
actual printouts for the Commissioners about
what the screen will say about the fare
information on the inside before we do that.
But, obviously, I think it is a great idea. I
think it was certainly the most quick and most
effective thing so far that's come out of Taxi
'07.

We unveiled this with the
Administration and we have done a lot of work
on it, but that's why we have a Board, to get
the input. I would like to thank you for your
hard work. Smart Design worked on this as
well. And also, George Fatita, the CEO of New
York City & Company, who I speak with on
almost a daily basis, has really dedicated the
resources of this entity, including you and
your staff, Willy, to basically commit to this
endeavor, and we thank you.

And you are also working on the
stockers. Willy is the one who is working on
the stickers for the accessible and clean air
stickers that we are going to, hopefully, get
some more mock-ups on, so we look forward to
working with you closely.

Harry?

COMM: GIANNOULIS: What do the
four-digit numbers represent?

MR. WONG: Those are the cab
numbers.

COMM. GIANNOULIS: But what is that?
I don't know what that is.

MR. SALKIN: That is the Medallion
number.

COMM: GIANNOULIS: This is a silly
question, don't Medallions switch on cabs?

MR. SALKIN: They can, but not
frequently.

CHAIRMAN DAUS: You are stuck with
the same number for life, except if you change
hands, it has a little A, B or C on the bottom
of it.

MR. SALKIN: No, that the license
plate.

COMM: GIANNOULIS: That is not my
question. My question is: If somebody has a
vehicle and they take it off the street, do
they --

MR. SALKIN: Technically there is a
way for a vehicle to change Medallions. So if
I own a car like a DOV, and I buy a Medallion,
I can switch my Medallion on the car. It does
not happen that frequently.

COMM: GIANNOLIS: I assumed it
happened on a regular basis.

MR. SALKIN: No. What you typically
have is you have a vehicle that has a fleet
life and it ends its life as a fleet, it
typically has the Medallion on it. The
Medallion might go on a stand-by vehicle.

COMM: GIANNOLIS: Okay, my second
thing is, I don't know who put the
presentation together, but just from
experience, I have two creative people who
work for me, we do a lot of branding, and
sometimes they come up with ideas and it is
good that I vet them. Putting an image of a
homicidal maniac representing a taxi driver,
quite honestly, is offensive to me.

MR. SALKIN: I think he is referring
to the picture of Robert De Niro.

COMM: GIANNOULIS: Sometimes people don't vet. I certainly wouldn't make that emblematic of New York City taxi drivers.

CHAIRMAN DAUS: Maybe he was trying to show where we were and where we are.

COMM: GIANNOULIS: Like I said, sometimes marketing ideas need to be vetted a little bit and somebody needs to say, "Not a good one."

CHAIRMAN DAUS: Thanks, Willy.

COMM. WEINSHALL: Willy, we are very opinionated. Don't take it the wrong way.

MR. WONG: We will revisit the fare panel.

CHAIRMAN DAUS: Thank you.

The next item 6B, Medallion auction procedures. I would like to ask Jen Palmer to join us with a presentation on changes. And before we start, I would like to personally thank Commissioner Gilheron (ph) and our Inspector General Julie Block, who is with us today. They gave us some really excellent recommendations as a result of a report and an investigation that they have conducted, which
I have shared with all the Commissioners and
they shared with the public.

Part of these recommendations are to
tighten up, close loopholes and make for
better procedures for the lending industry and
our upcoming auction, of which there is 150
more accessible cabs. So thank you, Julie and
Commissioner Gilheron. We appreciate your
efforts. Jen?

MS. PALMER: Good morning,
Commissioners. I guess we will get started,
you have the presentation before you in hard
format.

I am here today to talk to you about
the proposed Medallion auction rules. The
rules that you have before you reflect several
changes in procedures that illustrate the
experience gained in the auction held in 2006,
as well as the valuable feedback that we
received from Department of Investigations,
and are being proposed to ensure that future
auctions provide full and fair bidding
competition amongst all bidders.

I would like to start with a brief
overview of the next auction that is slated
for FY 2008. As authorized by Chapter 535 of the Laws of 2006 and in Section 19-532 of the New York City Ad Code, the TLC has been authorized to auction an additional 150 Medallions that are to be placed on accessible vehicles. We also have an two independent alternative fuel Medallions that were unsold in the 2006 auction.

In sale of the 150 new accessible Medallions, we will be required to maintain the ration of 42.21 percent for individuals, which is 64 Medallions, and 57.9 percent for corporate, which is 86. As with previous sales, independent Medallion owners are subject to the Owner Must Drive Rule.

Now I would quickly like to turn to the specific procedures of the Medallion auction, where I will highlight both existing and new procedures. Starting with the bid process, existing rules include that a bidder must include a deposit $2,0000 with the bid and a commitment letter for 80 percent of the total bid. A new component is that the individual must place a bid, which can still be assignable to a partnership, corporation or
LLC in which the winner is a partner,
shareholder or a member of.

Experience showed us that bids were
placed by individuals, but that winning bids
were often closed upon by corporations, LLCs
or partnerships. That bidders don't typically
organize these entities unless they know they
are the winning bidder. And this practice
just reflects those experiences.

Moving now to the auction procedures,
as in the past, the Chair will determine
whether to set an upset price and how much
that will be. A new addition is that the rule
changes will provide for ties, both winning
bids and reserve status, to be determined by a
drawing at the public bid opening. And this
was established to eliminate unnecessary delay
in the auction.

Moving to the closing procedures,
winning bidders that fail to close within 30
days of notification of the winning bid, will
be required to deposit an additional $25,000.
Failure to close the bid within 60 days of a
bid opening will result in the
disqualification of the winning bidder and
forfeiture of his initial deposit.

We also stipulate that a hack-up must happen within five days of closing, and these provisions were intended to ensure that winning bidders close the bid and put the Medallions on the road properly.

Now looking at the reserve class, a new provision permits that the Chairperson will determine a separate reserve class of at least ten percent of the number of Medallions being sold in class for each type of Medallion being sold. And this change was done to permit the TLC to set a reserve class that will help guarantee all Medallions are sold in future auctions.

COMM: GIANNOUSIS: What is a reserve class?

MS. PALMER: The set aside people who are not the winning bidders but have the next highest bids, so if somebody should default or not close on their Medallion.

MR. SALKIN: One of the things we are trying correct is the previous rule stated a set number, I believe it was like five, and one of the problems is if we had more than
five people default -- if you remember, Jen
mentioned there are two random Medallions that
we didn't sell, this would prevent that from
happening.

COMM: GIANNOLIS: Thank you.
MS. PALMER: Reserve bidders are
converted to winning bidders on the date they
were notified. And that will then start the
clock on the closing deadlines as well.

There are a couple of additional
features that I will quickly run over with
you. The rules prohibit collusion by
potential bidders. These changes are made to
align practices more closely with those in
place for procurement process and will help
assure that the auctions are open, fair and
competitive.

The rules also as proposed would
eliminate the ability of licensed taxicab
brokers and their principals and employees to
place their own bids if they are advising
potential purchasers at the auction. It also
provides that winning bidders would not be
allowed to default to their own reserve status
bids, and that winning bidders of multiple
bids who default must first default on their lowest bids.

Lastly, these rules were designed to be used in any future auctions, so it contains similar provisions for auctions of future sales. But it should be noted that there is no current legislation authority to auction additional Medallions other than the remaining hundred 150 plus the two left over from the 2006 auction.

COMM: GIANNOULIS: So, number two, preventing broker's employees, et cetera, what does it mean to be representing a bidder?

And currently, in theory, do people -- I don't know, but do people charges fees? Do they charge significantly fees or is it mostly people advising people hoping to get the back end of the business?

MR. SALKIN: I think it could be both of those things. Again, we don't regulate fees that are charged. The concern about this particular rules is that there is someone, an individual that perhaps could be advising you, you, you, all these different people, and then do their own bids. So that
they have inside information to what other
people are bidding.

COMM: GIANNOULIS: I understand
that. My question is: What does representing
mean?

MR. SALKIN: Representing means when
you submit your bid, you have to indicate if
someone helped you prepare the bid. And that
would be a broker.

COMM: GIANNOULIS: So, in theory, if
a broker speaks to somebody and says "I think
$500,000 sounds good," while grabbing cup of
coffee --

MR. SALKIN: That would fall under
the other rules that say I didn't collude with
anybody. And if the person feels that is
conclusion, they shouldn't do that bid. If
they feel it is not collusion, then I think
that would be okay. I don't know exactly the
nature of the conversation.

The key here is if I am being
indicated on the bid as someone helping you
prepare your bid, helping you pick your
number, and then I am also somebody bidding on
multiple Medallions, and I actually know what
you are bidding, the idea is --

COMM. GIANNOLIS: I understand

that.

MR. SALKIN: That is all this rule is
geared towards doing.

COMM: GIANNOLIS: I am just asking
questions because I am concerned if we are
going to enforce this and make sure that we
don't have that situation happening, I don't
want to create enforcement but not have much
clarity for people knowing what they can't do.

MR. SALKIN: That is a key point.

Right now the way it works, there is
documentation that each individual bidder has
to sign, it notarized. It basically indicates
that they did do the bidding in the
appropriate way. So at least that's kind of
our enforcement. And if turns out that they
didn't, then they are able to lose their
Medallion or they can be brought up on other
charges of conclusion. But that's kind of how
the process works.

I don't know if you want to get into
more detail, but that's basically how we do
it. This just clarifies what's allowed and
not allowed in a more specific place, in a
place that wasn't -- on the broker side, that
wasn't defined clearly.

COMM. DEAR: If an attorney
represents somebody and he represents many
owners, and they are all bidders and they are
all bidding on this, and he himself wants to
bid, so he can't.

MR. SALKIN: That's basically the
way this read.

COMM. DEAR: What happens if they are
all bidding, they are talking to each other
but they are not using each other to be
helpful?

MR. SALKIN: That falls under the
definition where we ask if you colluded with
anyone.

COMM. DEAR: They talked to others
in the industry. I have to tell you
something, this is a very serious matter. You
have the Inspector General and everybody
working together, and this is a very important
issue. Now I am thinking attorney-wise that
we have to make sure that we are clear with
everything. And that's what they chided us
for, for not being clear.

What happens if someone talks -- you have to understand, you have organizations, you have people, they are all together, "How did you bid," and that kind of thing.

MR. SALKIN: It's a closed bid auction and ultimately the individual who is making the bid has to come up with the number they are choosing on their own. When you work with a broker, you are usually doing a little bit more engaged, and the broker is helping you so there is a more formal process.

COMM. DEAR: I understand that.

MR. SALKIN: If it is informal and people are having conversations, I don't know what crosses that line. The individual, it is their responsibility to indicate.

COMM. POLANCO: I would imagine with a broker, their would be a fee involved.

There has to be a relationship established.

MR. SALKIN: There is an indication that a broker was involved in filling out the application. I do not know the fees. I imagine there are fees, whether it is on the front end, the back end, or both. There is a
reason they get very excited about auctions, I assume it's because they make money.

COMM. GONZALEZ: Another question regarding the auction and the bidding process. Are the brokers acting as agent or are they acting as principal, meaning if they are acting as principal, they are actually going to take ownership?

MR. SALKIN: The concern is if a broker helps people, is assisting others in coming up with their bid package, and then in addition to that, acts as their own broker, helping themselves come up with their own package, so they were part of assisting people and then also bidding themselves. So the idea is they are kind of playing two rolls because they actually help people pick numbers and then they know what other people picked, so then as a bidder has more information than the regular bidder has.

COMM. GONZALEZ: In the securities industry we have a serious situation with something like this when bidding on government bonds where there was an individual who was bidding on behalf of customers and with the
award process, so that you get allocated bonds
based on if you are delivering to a real
customer versus delivering to the brokerage
house. In essence, there were bids being
submitted on behalf of customers, but
unbeknownst to them. So this particular
individual wound up getting awarded an unfair
allocation. And then the other houses wound
up having to pay up, to go to him and pay up
for that.

And the big distinction is, I think,
with respect to whether we are acting as agent
-- whoever is submitting the bid, if they are
acting as agent or acting as a principal.

MR. SALKIN: I think in your case,
as long as they are making clear what they are
doing, it's okay. That's what we are trying
to accomplish here. You can be a broker, you
just can't be a broker and a bidder. It's
your choice.

COMM: GIANNOULIS: Is it possible --
it's probably difficult, but is it possible to
have some kind of best practices, standard
memo guideline to give people something that
-- I know you get into funny legal areas. The
broker thing is specific. I am sure you
thought about it a hundred times, I think what
you are hearing here is that the broker thing
is fine, we understand is that.

MR. SALKIN: Best practices on what
is collusion and what isn't? I think that's
a fair point.

COMM: GIANNOLIS: Actually, I don't
know what collusion is.

One last question, I hope this isn't
a silly question: Is conclusion prohibited
because we are saying it is prohibited or are
there some other laws that prohibit it?

MR. SALKIN: I think the nature of a
closed bid auction is that everyone is bidding
what they think is the best price. It is not
that people are getting together to determine
what the value of a Medallion is. And there
is that sense of competition that comes with
the way that is done..

CHAIRMAN DAUS: I think that from a
legal perspective, that is a very fair point.

COMM: GIANNOLIS: If two people
colluded, they would be in violation of what
and the aggrieved party is the city basically?
CHAIRMAN DAUS: It is not that clear and I think from the very outset when this started, it was very unclear legally what state and other laws say you can and cannot do. I am sure before we actually propose these rules publicly, and that's why we are doing this presentation, for that very reason, we should probably get a Memorandum of Law from Corporation Counsel's office and the Department of Investigation so that the authorities and lawyers at all levels can give us a firm legal opinion that says this is collusion, this is illegal, this is not. Because it is only fair to the industry as well that they know what is illegal and what's not illegal.

COMM: GIANNOULIS: And I don't know if it's a clear kind of thing that you could explain it. I think the concern would be that we don't want it to occur because we don't the city to get ripped off and we want to get top dollar, but the flip side of it is, people can make accusations about people, this is a competitive business. And Department of Investigation will do their due diligence,
they will start an investigation, people will have to hire attorneys. Everybody gets lawyered up and it gets complicated. I just think if maybe there is a best practice --

MR. SALKIN: One of the things we do do is, everyone who bids has to fill out a bid package and with that bid package comes language about how to fill out the bid. What we can do is include language if we are able to get something that meets what you are saying. I think it is a reasonable thing to say here is what your responsibility is as a bidder. Whether it is clarified in our rules or if it is clarified in best practices, just so people know.

CHAIRMAN DAUS: Right. We may have draw from, like Ed suggested, some other industries. In terms of best practices for taxi auctions, New York City is the best practice. Every city around the world that sells Medallions replicates and looks to what we do and they ask for copies of our auction rules. So it is really up to us to set the standard.

But Commissioner Giannoulis is 100
percent right, we need to get clarity from the New York City Law Department. The office of the Corporation Counsel was very much involved with not only the prior rules that are here that are dealing with some of these issues, but also some of the events that led to the investigation going over to the Department of Investigation. So they are very much well versed in I think with what state law has said.

But clarification for the public and for the industry and for the Commissioners, we should have the legal counsel division or official opinion of law for the Commissioners to see before we vote on these rules because the last thing we want is to think we are closing a loophole and then to be back here in another couple of months, well, the industry thought they were doing the right thing and then they got handcuffs on them. Nobody wants that.

COMM: GIANNOULIS: I don't think anybody is opposed to doing these rules, and appreciates DOI's work. They have done a great job on this work.
CHAIRMAN DAUS: Right, it's fantastic.

COMM. DEAR: Going back to the attorneys representing clients. It will bar an attorney --

MR. SALKIN: The rules speak specifically to brokers who are licensed by the TLC. I think what you have just raised is another issue that will probably go back to people that have offered opinions here and ask them if an attorney is engaged. But I think attorneys are covered by their own ethical practices that might bar them from knowing certain kind of information. But I am not exactly sure.

This is a good question and we will ask it. You are asking, a person who is non-licensed by the TLC but a licensed attorney who is advising clients on how to bid, can they also bid in the Medallion auction? And we will find out the answer.

COMM: GIANNOULIS: The real issue, and this is my question: Nobody is allowed, according to our rule or according to some law, to engage in collusion.
Whether you are an attorney or not, if it's illegal, attorneys don't have a loophole. I know you would like to, but you don't. So I think it would be helpful to understand a little bit.

CHAIRMAN DAUS: That's a good point.

Mike Cordoza, the Corp. Counsel, he is by the book and he is very much aware of the situation. I have had personal conversations with him. And we will communicate the Commission's desire to try to get some clarity in writing on what the ground rules are moving forward in terms of outside of our rules what are the criminal and civil laws that prevent collusion in bidding and stuff like that.

In terms of best practices, I think it would be great if the staff could look at other industries to see how other similar type of auctions work and how those things run.

COMM. DEAR: Look how we do bids, same idea.

CHAIRMAN DAUS: I have the utmost confidence in the Law Department and DOI, and we appreciate their efforts on this. That's why we wanted to hash this out before we
actually take the rules and make modifications
to them or vote on them.

Any more questions?
(No response.)

CHAIRMAN DAUS: Okay, thank you.

MR. SALKIN: Just generally, the
feedback was everybody is okay with the
changes we are proposing to the rules. We are
looking for better clarity of some of the
terms. Collusion is collusion, let's
understand what it is.

COMM: GIANNOLIS: We are looking
for better clarify of the rules and we are
looking to explore the notion of putting
together some kind of best practices or
something memo that would help people to know
what not do to do, if possible.

COMM. GONZALEZ: Andy, I will try to
give you some information, too, on the
securities industry, how they dealt with
That.

CHAIRMAN DAUS: Thanks everybody.

I would like to now move to item 6C
on the agenda, paratransit rule revisions. I
will introduce Ariel Dannis who has been doing
a lot of hard work on this project.

MS. DANNIS: Just to give some background on the paratransit industry,
currently there are approximately 2,300 paratransit licensed vehicles. The average of an ambulette is seven and a half years.
Approximately 53 percent of the fleet is older than seven years of age, with 18 percent older than ten years of age.

New York State Department of Health sets revenues collected by ambulettes for Medicaid reimbursed trips. The rates are set with close consultation from City Department of Health and Mental Hygiene. In October 2006, a coalition of ambulette groups requested New York City increase ambulette rates in conjunction with increased regulation of the industry.

TLC worked closely with OMB and the Department of Health and Mental Hygiene staff to come up with the approved fare change, which included several improvements that link customer service and overall value to the city to higher reimbursement.

Firstly, we are proposing today an
upgrade of the ambulette fleet. Vehicles will have a life of seven years. We felt seven years was appropriate because this is the retirement age of Medallion accessible vehicles. This will be phased into effect over a three-year period. Beginning January 1, 2008, all vehicles ten years and older will retire in 2008. 2009, vehicles nine years of age and older will retire. In 2010, vehicles eight years of age or older will retire. And by 2011, all vehicles older than seven years of age will retire.

In return, only new vehicles will be placed on the road. New vehicles because they are cleaner, safer and more economical to run.

Secondly, beginning July 1, 2008, we will be requiring ambulette vehicles to utilize an electronic trip tracking system in order to better track services and prevent fraudulent claims. The data which will be tracked includes date, time of pick up, pick up location, drop off location, driver's TLC license number and vehicle license plate number.

Lastly, based on numbers that we
received from OMB and the ambulette industry,
the old fare for ambulettes was $50 for a
round trip less than five miles, and $62 for a
round trip greater than five miles. The new
fare, which is retroactive beginning January
2007, is now $60 round trip up to five miles,
and $74.40 for a round trip greater than five
miles. The chart below explains how much net
revenue the industry will be receiving while
incurring the cost of purchasing new vehicles
and the electronic tacking system.

Again, based on numbers from the
industry and OMB, ambulettes do about five and
a half trips per day. With the increased
fare, they make $9.60 cents per trip, $52 per
day, and $12,500 a year.

As you can see, the industry will
still have a net gain of almost $10,000 a
year. And that concludes the presentation.

COMM. GIANNOLIS: So who is an
ambulette exactly?

MR. SALKIN: Again, this is --

COMM: GIANNOLIS: I generally know,
but why don't you explain it to me.

MR. SALKIN: The state Medicare
reimbursement program defines three different ways that someone can get transported and get reimbursed. One is if you are in an ambulance. Two is if you are in an ambulette. And three is if you are in a livery. And there are rates that they set for all of these, a reimbursement rate specifically.

So an ambulette in our case, in 1991 --

COMM: GIANNOLIS: I'm sorry, Andy, do we license ambulances as well?

MR. SALKIN: No, we do not.

In 1991, my understanding is that the Commission passed rules that brought this industry under its umbrella, or it was under an umbrella and we revised it.

What we call paratransits are basically what the state defines as ambulette, and that's kind of how that all fits together. And our rules speak about vehicles that are used to transport people that have a physical or mental issue that requires them to be in a vehicle that has devices that help them to be in a vehicle. So it is someone who really can't be in a livery vehicle but doesn't need
to be in an ambulance.

COMM: GIANNOULIS: We set those rates?

MR. SALKIN: No. The fees that they get are set by the state in consultation with the local partner. In this case, the local partner to the State Department of Health is the City's Department of Health.

COMM: GIANNOULIS: So then what is this?

MR. SALKIN: What happened is when the Department of Health and OMB were negotiating with the industry, because basically the state said if the locality wants it, because we do, I think, 25 percent of the reimbursement is city funds, 75 percent is state via federal funds. The idea here is the state said to the city: Are you interested in giving them a change?

So OMB, I think are the ones who ultimately ran the numbers, sat down with the industry and worked out this 20 percent change. But OMB wanted some improvements done. They asked us what our concerns were, and we had some dialogue back and forth and
the two thing that came up, and the one mostly
driven by OMB was the notion that they want to
have better data so that they can track the
claims that are being made to make sure that
the claims reflect the services that are
legally allowed to be provided. And I guess
there's always audits going on in the
ambulette industry and the way that it works,
so they wanted that.

And then we pointed out that the
fleet was rather old and seems to be getting
older over the years. And industry claims
that the reason it is getting older is because
they haven't been able to afford new vehicles.
And we asked if you got this change, would
that help assist you in affording new
vehicles.

COMM: GIANNOLIS: So we do not
establish the rates?

MR. SALKIN: You, as the Commission,
do not.

COMM. GIANNOLIS: We can vote on the
standards of the vehicles?

MR. SALKIN: You can vote on the
standards of the vehicles, although there are
a number of standards that are set by the
state, whether it is the Department of Health
or State DOT, who have a lot of oversight over
these vehicles. So we do secondary regulatory
standards.

COMM: GIANNOULIS: And we are not
voting today on this?

MR. SALKIN: This is just to
introduce you to the rules. It is something
we are interested in pursuing. I think Ariel
pointed out correctly that the fare increase
that they go, the city said that they would
maybe retroactive from the time that it was
negotiated.

We suggested that we have a rule
making process to go through, and we have
gotten letters of support from the industry
indicating that they are in support of what we
are trying to do as we set out.

COMM: GIANNOULIS: Do we currently
inspect those vehicles?

MR. SALKIN: No. The state DOT
inspects the vehicles. One of the things we
are working on with state DOT is to
consolidate that inspection activity and kind
of have it fall more into line with what we envision is bare minimum for our side, which is we would look to see the vehicles once in a while. And state DOT sees them, I think, every six months and gives them a very intricate test --

COMM: GIANNOULIS: But if we don't inspect them and we don't set rates, why do we --

MR. SALKIN: I don't know the answer to that.

CHAIRMAN DAUS: This industry is a very small industry compared to the other industries and they are very much off the radar screen for two reasons.

COMM: GIANNOULIS: And they have do very well.

CHAIRMAN DAUS: Yes. I don't think we have had a discussion about that in years.

COMM: GIANNOULIS: I am sure they are very happy about that.

CHAIRMAN DAUS: Until recently.

Basically they operate well outside of our authority. There are many different agency players outside of our responsibility,
so, unlike yellow cabs, we have exclusive
jurisdiction over everything that they do,
there is a split in jurisdiction between
various components of regulations with the
State Department of Transportation, the
funding streams and sources have involvement
of HRA and the Department of Health. So there
are a lot of things that go on there outside
of our control. But I think the things that
are within our control, even though the fare
increases aren't and the regulation of fares
and the reimbursement of government funds,
what is within our control are the vehicles,
the insurance, the standards of the vehicles,
the drivers getting their state license.

They have to get Article 19A status
under the VTL which is like a bus drivers
license. So I think it would be a good idea
as we actually bring these rules to fruition,
that we have maybe an even more in-depth
historical explanation.

COMM. GIANNOLIS: So we do control
the vehicle?

CHAIRMAN DAUS: To a certain extent.

COMM: GIANNOLIS: It's our plate,
is it our plate?

MR. SALKIN: Some have TC plates, some have LA plates, but it is a regulated livery type vehicle, yes.

COMM: GIANNOULIS: So who made the determination that seven years is a good number?

MR. SALKIN: This is something we did in consultation with Peter.

COMM: GIANNOULIS: I understand this is complicated and there are different agencies involved. I am just trying to --

MR. SALKIN: This is something that came down to us as the experts of the vehicles. And one of the concerns we had is it is one thing to have the van, it is another thing to have an old van, it is another thing to have a really, really old van. And when you see some of these vans on the road, you start thinking what is the quality of service that the individual is getting.

You have to remember, no matter where you live in New York City, the state is reimbursing you for the same amount of money. The quality of service you are getting should
be similar. And what we believe is that by
requiring people to own a vehicle, own it for
seven years, they will do one of two things.

One, they will take care of the car
because they own it. And then, two, if they
don't like the way it is performing, they will
sell it and buy a new one. And what we are
doing is mimicking the success we had in the
yellow industry of really cleaning up the
fleet, bringing the average age down to it is
actually under three years now. Where the
average age here is over seven years. These
are the kind of cars that pollute, fall apart,
they are big.

COMM: GIANNOURIS: Is there any way
we can info from DMV as to what the average
lifespan of some of these vehicles are?

MR. SALKIN: We know the age, but we
don't have the mileage.

CHAIRMAN DAUS: It is between seven
and ten years.

COMM: GIANNOURIS: I am going to get
a sense of some kind of impact.

MR. SALKIN: It depends on who you
talk to. If you talk to larger operators,
they say they operate on a three to four-year cycle of their vehicles, much like the fleets do. They turn them over rather quickly. If you talk to other people, they seem to buy used vehicles, although we are not sure where. They buy them because it is unclear that you can really get a vehicle that meets ambulette standards. But some people claim they do that.

When we do the financing, if you do a vehicle over seven years and you finance it and it is new, we talked to all the providers, it comes out to be about the similar cost to what you are paying now whether you are buying used or new.

COMM: GIANNOLUS: Is Access-A-Ride considered?


CHAIRMAN DAUS: I think this is a good start, and I guess, in effect, what we are doing legally is there are tough standards at the state level, but we are setting even higher standards. State DOT inspections are very rigorous if you talk to these ambulette
operators. And the Access-A-Ride thing is whole other issue. They are similar vehicles in Access-A-Ride, but they have separate contracts with the Metropolitan Transit Authority and New York City Transit, where some of our vehicles are used as part of a contracted for service and they oversee them. With all these people having different hands in the pot, it makes our job a little more difficult, but, yet, we are going to see if we can raise the bar. The City of New York and the passengers and the government, in exchange for the additional money, should get some enhancement and customer service for the people that use these vehicles.

COMM: GIANNOLIS: One quick final question: What would electronic trip tracking be; do you know?

MR. SALKIN: We are not defining that it has to be one thing or another. We are defining that data has to be transmitted to the state actually in electronic format. There are all different kinds of ways to do that. I have talked some vendors that provide
this, it is the kind that all the four vendors
that we have can easily do this because it is
much less sophisticated. Nextel is a company
that specializes in doing things like this.
There's all kinds of different companies.
The data they need to collect is very
small, and in talking to some people, they
are, like, "How sophisticated do you want us
to get? We can track the number of times the
door is opened. We can track the number of
times the seat belts are used." They can do
all kinds of fun things. Again, it is going
to be up to the carries to decide what they
want.

COMM. GIANNOULIS: Will it have
advertising on it?

MR. SALKIN: We have not discussed
allowing advertising on this at all.

CHAIRMAN DAUS: The great part of
this, too, Harry, is that this will give
further teeth and further ability to the law
enforcement community to prevent fraud, which
we know occurs in the Medicaid and Medicare
funding.

COMM. DEAR: Excuse me, Medicaid and
Medicare have very tough regulators and enforcement, and I am not sure we should start stepping over --

MR. SALKIN: No, this is done at their request.

COMM. DEAR: Okay.

CHAIRMAN DAUS: They are looking for this.

COMM. DEAR: Are we going the GPS route again?

CHAIRMAN DAUS: There is a new Attorney General, we have DOI, we have the police department. Anyone who gets involved in this, the last thing that we want to be is asleep at the switch when we could have done something to prevent people from stealing government money. And you know what, it has happened. There have been investigations and people have been in trouble in this industry. So I would respectfully disagree with you.

COMM. DEAR: No, no. We have a lot on our plate. We are not an enforcement agency, except what enforce internally of our service. And it is not about stealing, it is more about providing service, am I correct?
So here we are going a step further.

MR. SALKIN: I hear where you are going. I want to clarify, the data that would be collected that we would look at would be more to look at what type of trips are the vehicles doing, how long are the trips, where are the trips consolidated. That is what we are interested in.

We are not interested in whether the trip is legal or not. That's a whole other boy of enforcement.

CHAIRMAN DAUS: I think it is fair to say, Andy and Chuck, that within the New York City Charter, I think the prevention of fraud is certainly within our mission. We have done it in our rules, and they are requesting it and I am going to cooperate with the law enforcement.

COMM. DEAR: I understand that.

COMM. GONZALEZ: Also, my opinion in general, too, the way I look at it, they are looking to the TLC to take a leadership role on this issue and we have the reputation to get this thing done.

MR. SALKIN: One thing that is
consistent with that is, all these other entities that oversee are much larger organizations that have a much greater mandate. And even though this is not our largest piece that we regulate, it is still, in terms of enforcement, in terms of relationship to the industry, we have one of the strongest relationships and enforcement relations to anywhere in the state. So a lot of times they do look to us as, you can help us, that will be great.

CHAIRMAN DAUS: Okay, we have our work cut out for us on this. Thank you, you have done a great job.

COMM: GIANNOUlis: Sorry, Matt, just one final thing.

I know most of these things are out of business now, but you read a lot about these kind of neighborhood ambulette companies, and those generally are ambulances. Just for my own purposes, I think it would be good to just kind of take a look at that. We want those safe as well.

MR. SALKIN: Ambulances that run in neighborhoods?
COMM. GIANNOULIS: Yes, the volunteer ambulance corps.

MR. SALKIN: I don't know anything about them. We will look to see who regulates that. I don't think they have anything to do with these rules.

COMM. GIANNOULIS: We should look into that. I don't think we have anything to do with that either, but just in case, they probably take a bigger hit trying to buy a new vehicle than somebody who is doing it and aggressively charging insurance companies.

CHAIRMAN DAUS: Chuck will look into that. They might be the Department of Health.

MR. SALKIN: Or FDNY maybe?

CHAIRMAN DAUS: That's possible.

We will check into it. I think it's important. When you asked the question, it wasn't out of ignorance, it is what is an ambulette? It is not very clear. You have these Access-A-Rides, you have ambulances, you have these other vehicles. They are the ambulettes, the ones that in between.

But I think we need to define our terms, I agree, and we will have another
briefing on this. Maybe in writing we can do it and we can send it between Commission meetings. We will try to learn some more information.

Item 6D, accessible vehicle central dispatch system update, which Andy will provide. And I want to thank also Liz Weinstein from the Mayor's Office who is here. Welcome back, Liz. I know you have been working very, very hard. Thanks for joining us.

MR. SALKIN: Also Jason Michelle from the Mayor's Office of People with Disabilities is also here, who has also been partnering with us, as well as DoITT, specifically the 311 part of DoITT. Samara Epstein at TLC has also taken the lead on this. She can't be here today, so I am pinch hitting, so bear with me as I kind of weed through this proposal.

We are here to report back and follow-up on a presentation we gave to the Commissioners earlier this year. The idea of how do we provide accessible service within the regulated industries so that folks in New
York City who are in wheelchairs and need these services can utilize them.

There has been a lot of debate and talk about there not being enough vehicles, not being the right vehicle. I think this Commission has gone a long way to understanding the issue and probably knows as much or more than anyone in the country about how this issue works.

One of the challenges that we face is we don't have a large number of vehicles. Right now there are 81 accessible vehicles that were done from the previous auction, and as you heard today, we are going to go through the process of having an additional auction to have another 150 Medallions added, which will bring the yellow fleet up to 231 total accessible Medallions.

Obviously, in our conversations with the accessible community and our conversations with the providers who run those vehicles, the ability for the person who needs that specifically vehicle, to actually see one on the street, has been quite difficult. So we know 231 vehicles is not quite enough. As you
heard from Commissioner Schenkman, the idea of putting the vehicles on the road and the vehicles that we do have, we haven't found the right vehicle yet. So we are kind of like in this beginning stage, but, yet, we really think it is a service that needs to happen. What we have been thinking about is what can we do to enhance the vehicles that are already on the road so that they can provide service to people that need them.

In addition, the Commissioner passed several years ago, 607-F rules, which is for the livery industry and black car industry to be able to provide equivalent service for people that are in wheelchairs. And this, while it has led to a lot of conversation and a lot of debate, it's clear that the service being provided is not something that the industry interested in providing because there is not enough demand, although it is expensive; nor is it something that the users are interested in taking, because they have pointed out to us over and over that they are not interested in using it.

So we have a system that was created
by the Commission but is not really being
utilized the way it was envisioned, so it is
also time to revisit that and think about
that. And we are faced with a situation where
there is not a large number of vehicles on the
road, but there are some. Again, how can we
partner in using those vehicles to assist with
things.

So the final point on the slide is we
are faced with a situation where we know there
is a demand or we assume there is a demand
because we know there are people who use
wheelchairs who would likely like to use
unsubsidized service to get from point A to
point B. But we need to work out a situation
to make sure that the service they would want
at a minimum level is available. And this a
way for us to get there.

And what we are proposing, next
slide, is to do what we are calling a
demonstration project, which is basically a
pilot program to see a couple of things. What
we are proposing is that we centralize the
demand into one phone number, ideally using
311, so that anyone who would like this
service knows that they can call one place and
they will be guaranteed to at least get a
response and be hooked up to appropriate
service that will hopefully be able to provide
them a service that they find adequate.

So 311 would take the call and then
it would be transferred to a dispatcher. The
dispatcher would then find the closest vehicle
and assign that vehicle to go pick up the
person and ensure that the pick-up happened
and that the ride was completed. That is the
basic model. It varies quite significantly
from what we currently have. We have the
yellow cabs just driving around doing right
now doing random pick-ups as needed as the
yellow cab industry. And then we have the
livery model, which is basically the vehicles
sit idle until someone calls them into
service.

What we are trying to think about is
how can we create a system that we at least
get a sense of what the demand is to see if we
even have enough vehicle or we don't have
enough vehicles or we have too many vehicles.
I won't get into how we envision that working,
but the basic premise is there would be one number, you call the number, it would dispatch a vehicle to you. Ideally it would be the vehicle closest to you, whether it is yellow or livery, fares would be set and standardized, and you would get picked up and taken to where you want to get to. In the meantime, we don't have any details on what the vehicles would be doing. Meaning a yellow cab, if no one ever calls it all day long, just drives around doing yellow cab business as part of the system. A livery would be part of a base and they would have to have business all day long doing regular livery service, potentially airport runs or other things, unless they are predetermined that they have these types of service.

This is the concept, if you want to ask questions on that now?

COMM: GIANNOULIS: What if nobody would take the ride?

MR. SALKIN: One of the things we are looking to do is partner very specifically with people in the black car industry or livery industry in this case who would be
focusing on providing services. And one of our partners here is Easter Seals who has a grant from the U.S. Department of Transportation to put livery accessible vehicles on the road. What they are going to do is make their vehicles available, plus we envision making anyone else who has an accessible vehicle available to this program for the initial dispatch.

The system we envision, this is based on feedback from both the providers and the users, they want the ability to do reservations. So the idea is they could call the service the night before or two days before, they could go on-line, register on-line, and then the service would be collected. The idea is you would have a route schedule set up for a number of vehicles. So the first thing in the morning, they set out on a specific route, picking up the vehicles based on the times and the schedule.

If service demand gets beyond that, then we would be looking to utilize the yellow industry to help support that. What we have envisioned is support from the yellow industry
but not solely providing the service. So, for example, there is 231 vehicles and we anticipate if there is an additional demand above 200 that can't be met throughout the day, the idea is the service will call upon each yellow cab once to help provide a ride. The notion being that we are not the owners to these vehicles, and the drivers, but we do want them to do that.

Which gets us to the next slide which is concerns that we have, and these are the things we have to balance. We are trying to figure out how to provide service, so we have to provide service that the advocates will use, that they think is satisfactory and will work. But we are trying to leverage the industry and the strength of the industry. When we really thought about it, we felt that the industry is really strong. We have a strong taxi service, we have a strong livery service. There are drivers out there providing service all day long, very professional.

But they all make money, and if there is a way for them to make money and provide
these services, everybody said sure they would
be willing to do it, but we don't know if
there is way for them to make money in
providing accessible rides because we don't
have a system in place. So one of the
questions for us is: Is there a way for
drivers to still make money and provide rides
to people in wheelchairs.

Obviously, if they are not making
money, we will hear back very quickly that
every ride I do takes three hours, this is not
worth it, I am losing tons and tons of
business, and we will have to reevaluate what
we are doing. Again, the idea of a pilot.

And then the idea is it has to
accepted by the general public. It really
can't be abused by the general public. We are
envisioning something where, even take anyone
on the Commission, if you go away on vacation
and you break your leg, and you come back to
the city and you are in need of vehicle that
can take you in a wheelchair now, the idea is
that you could call for this service and get
this. This is not an Access-A-Ride kind of
that where you have to be prequalified.
So do we know if it's going to work?

No. Do we think it is going to work? Based on our conversations with advocates, based on our conversations with providers, they feel that this is the best way to utilize the limited number of vehicles that we have to match up them up with the limited number of riders that will be there.

COMM: GIANNOLUS: So you are saying initially you are not going to include the yellow disabled vehicles?

MR. SALKIN: No. What I am suggesting is, what we want to do is make any vehicle that is licensed by the TLC in the livery and the yellow fleet, part of this pot of vehicles that are available to pick someone up. But the first level of assignment goes to the people who are specifically doing that.

COMM: GIANNOLUS: So you want some locked vehicles?

MR. SALKIN: Exactly.

COMM. GIANNOLUS: Who are they?

MR. SALKIN: Easter Seals, they have eight vehicles on the road, and the idea is --
vehicles?

MR. SALKIN: They are going to be vehicles that meet the Commission's specs to take people in wheelchairs.

COMM. GIANNULIS: And they have the funding to provide those vehicles?

MR. SALKIN: I believe they have the funding to buy the vehicles and they are going to lease them out, which is a similar model to how the livery industry works. Then each vehicle has to be affiliated with a base, and they are working with bases throughout the city so that the driver would have a really regular business if its something other than accessible service. That is something they are working out.

So, hopefully, they will break even or make a little money on providing the vehicles and then they will be able to purchase more vehicles. But, again, they are going to start with eight.

COMM. GIANNULIS: So there will be eight livery disabled vehicles?

MR. SALKIN: Eight vehicles capable of taking people with disabilities.
COMM. GIANNOLIS: And they are going to be assigned to a base?

MR. SALKIN: In our system, it will look just like a livery vehicle. It is not, but the dispatcher will be able to assign them a route. Let's say the dispatcher has ten reserved rides for the morning, they will have to figure out how to use those eight cars best to fulfill the needs of the passengers.

COMM. GIANNOLIS: And why would a livery base take them?

MR. SALKIN: Again, a livery base would take this vehicle because it is a bigger vehicle, it is going to be a new vehicle, it something that might be good for airports, and the driver might have a long-standing relationship with the base. Why do they take anybody, as long as they pay the money to be affiliated.

So it is going to be up to Easter Seals and the drivers to make sure the vehicles are in good standing with a base, but we are not saying that that person is going to get tons of rides that aren't accessible, so they have to find the base that they work best
with, like a regular car does.

Does that make sense?

COMM: GIANNOLIS: Yes. Don't we already have this? There's that rule out there that we always talk about.

MR. SALKIN: 607-F.

COMM: GIANNOLIS: Which, it seems to me, we should either eliminate. Because it kind of annoys me, it's always out there but we believe it is not there.

MR. SALKIN: What we are proposing to do is when we enforced 607-F, and I think we put a lot of time and effort into it, and I think you are right, it is not providing the service that it was intended to do. We are looking to do is do this demonstration project over a certain amount of time, keeping the Commission involved, and keeping the Commission informed. And at the end of the process, we want to have a couple of things know.

Right now, we don't know a couple of things. We don't know what a reasonable level of rides are that are needed by the New York City population and where those rides are.
Through this system, we will know that. We will know how many rides are needed in the morning, how many rides are needed in Staten Island, the Bronx, Manhattan or Brooklyn. We will know that.

Then you, as the Commission, can start to make determinations about what's the right way to provide that service. Do we reenact 607-F? Do we do it by borough? Do we do it some other way? Do we require every base to have a car of its own?

This is a way to do a demonstration project utilizing funds that are available before we make mandates onto the industry.

COMM: GIANNOULIS: I am not trying to discourage you, but I certainly don't -- maybe this works and maybe it keeps people happy. But I don't particularly know why somebody wouldn't make some of these call to get a roomier vehicle. I don't know why my mother, who is convinced she has a bad hip, won't call 311 up so she can get bigger car.

MR. SALKIN: That's exactly one of the concerns we have. Let me go through the last slide and then we can talk about this. I
think it's in the last slide.

Part of this is going to be a pilot program. So it is a demonstration project procurement plan. And then we will come back to the Commission and talk about the way that the pilot would work. Obviously, you want to make the yellow cabs available to this program to help support it for any ad hoc services that need it, but we also want to give the driver some rights, so that the drivers are not in a position where they have to drive out of their way to go pick up someone, perhaps your mother --

COMM: GIANNOLIS: They better go pick my mother up.

MR. SALKIN: If she is in a wheelchair. So, for example, the drivers will have the right refuse someone who is not in a wheelchair. One of the ideas we had is the driver has the right to double charge someone who is not in a wheelchair, so even if your mother does want to take the service. But the point is, your mother who has a bad hip, can call her local car service and get a van anyway.
So why a demonstration project? It gives us a bunch of opportunities. And as we said this is basically a pilot. We really want to know what is the demand out there for accessible service? It is really hard to set standards from a regulatory perspective if you don’t know how many rides are going to be needed. And there has been a big debate among the advocates and the providers and us, and we just don’t know.

This will help provide a sense of what is known. One of the concerns is, what we are trying to figure out is, not what subsidized ridership is, this is not subsidized. This is unsubsidized service. If you are going from here to JFK, it is a $45 ride whether you are in a wheelchair or not.

COMM: GIANNOLIS: It's a lot more than 45.

MR. SALKIN: Plus tolls and other things. If you are taking a black car, a special service reserved for people who like that, that could be more.

Once there is that service provided, we want to how it all works. We want to see
what type of training the drivers really need. Easter Seals is going to work with us on that.
Do we have the right level of training? What are the rules of engagements? One of the rules are the driver is not supposed to get out of the car, get into your house and pull you down the stairs. You have to be able to get to the car yourself. And what are the right type of tie-downs that we should have in the vehicles, and to begin to set standards.
Because right now, we don't. We have a bunch of cars that meet a standard but they are not necessarily providing service associated with that standard.
COMM: GIANNOULIS: Let me ask you a question. Let's say, day one, totally overwhelmed, which is, you know --
MR. SALKIN: Potentially possible.
COMM. GIANNOULIS: Right, and then you have these yellow Medallions out there.
In theory now you have put in a two-way radio.
MR. SALKIN: No. The dispatching company we are going to work with, they will be kind of the keeper of this. They will put out technology into all the vehicles,
including all the eligible liveries and all
the eligible yellows. It will probably likely
be a Blackberry that is in the vehicle that is
used for dispatching, and it is used for
two-way communication. The idea is that we
would come to the Commission and you would
allow that to pilot so that these vehicles are
able to participate in picking somebody up.

And that we would monitor how often a
yellow cab gets involved in that activity,
what time of day it was, and keep track of it,
if it is a real drain on their ability to do
regular business or not. We might have to
make amendments to how we are doing this if
everyone is losing money and the service is
being overwhelmed. Potentially one of the
things we might have to work with is putting
in more liveries and more reserve type
vehicles on the road.

One thing we do know is that if
everyone is making money, no one will complain
about what they are doing. The key is to
figure out a way to utilize a smart dispatch
system, an intelligent dispatch system to
insure that the vehicles are out there making
as much money as they can.

And then, again, with the dispatch system, this is what we would be procuring, keeping track of when people get picked up, when they get dropped off, and all the things in between. They would have the capability of handling calls, "No one came to pick me up. What's the deal?" And this is the kind of information we would report back to the Commission.

And we would keep track of basically measuring levels of service being provided to the passengers, levels of service being provided to the drivers, and an overall level of service that we are actually achieving. We don't really know what the answer is going to be, but we feel like this is a service that needs to be provided. It is absolutely not successful right now. We know that the yellow cabs at this point are not really helping that system. We think putting it all together, having a pot of vehicles that are capable of providing service on notice, on demand, ad hoc, could go a long way towards providing the service.
The idea for this project is to procure a dispatcher, get the technology out there, reach out to the advocate communities, working with the Mayor's Office of People with Disabilities to help prevent people who maybe shouldn't be using the service from even knowing that it exists, but, nevertheless, reaching out to the people who are in wheelchairs and letting them know that the service exists. Ramp up, run the service for about a year, analyze that service openly, publicly, and then make a determination on what comes next.

And there are a lot of things that could come next. It could be a strengthening of 607-F rules, it could be abolishing 607-F rules. It could be that the service isn't really being used.

COMM: GIANNOULIS: Before you proceed with this, I just think you need to be very careful. Because if you publicize, I think this is going to be significant when people with disabilities are told that they can dial 311 and have access to a vehicle, and then they don't.
Look, if I had my way, if we had the
ability and the vehicles, I would make every
single car able to transport people with
disabilities. But we don't have the cars.
That's like a nasty shell game to play on
somebody. That is not the intention,
obviously, but if that happens, that is bad.

MR. SALKIN: I think that is one of
our major concerns here. That is why we want
to kind ease into this in an appropriate way.
We want to make sure that we have the right
technologies so that at least we can keep
track of what is going on. We want to work
with the Mayor's Office for People with
Disabilities to make sure that as we do the
outreach, we are managing expectations so that
people know what is coming.

COMM: GIANNOULIS: Right. I don't
know if it is from the City Hall side, but
anything involved with 311, it is like Mike
Bloomberg has said "I am doing this," and they
will also expect it to be at a certain level.
And I don't know if this is going to be able
to do that. And I think it is good that you
are trying to get information and statistics.
CHAIRMAN DAUS: Harry, we need to put this into context. I have been dealing with this issue now for like 12 years almost, and I have many discussions with TLCs around the country. They all have the same challenges, the advocates never always agree. They always, if you do X, they always want Y and Z. Until you get full accessibility, you are never going to make them satisfied. So I think it comes down to doing the right thing.

There are some effective programs in place in other cities, but they are not like New York City. We have been down that road. There are a lot of challenges and this is an area where I feel that we have not produced and we haven't come up with a solution. And I think this is the best hops and I think this is the right thing to do.

I believe that I agree with you, that if we had a vehicle that works and we could work it out, it would be great if that could be the only vehicle on the road and get them all to become accessible. But that's not the reality. And while the Commission had the best of intentions many years ago, before my
time, in passing these rules, we gave it ever
effort to try to make it work. The question
of the demand being there, the public
awareness being there and the expenses
involved being offset by the demand for the
service, I think that those are concerns, even
though the ADA doesn't apply to us and mandate
that we do things like make cabs accessible,
they are exempt, I think that in the spirit of
the ADA, when you look at the way disability
laws have kind of played out over the years,
there are all sorts of exemptions to
reasonable accommodations. And that takes
into fact cost, and cost and practicality and
safety are issues.

And I think this is our best chance,
having a dispatch system, with using the
accessible yellow cabs and some livery
vehicles on the road to make this a success.
I think this could become a model and I think
we can catch up for a lot of lost time that
had been bogged down by very contentious
discussions with the advocacy community, the
Council, and a desire for everybody to do the
right thing, but time and time again, because
the vehicles aren't there and because each
project has not done what we needed it to do,
we are back to the drawing board.

But I think we have it right this
time, and I want to commend Andy, his staff,
and also the Mayor's Office has been
tremendously supportive. The reason why we
are here right now is because of the Mayor and
the Council setting aside these accessible
cars, but also because -- and Jason is here
from the Mayor's Office of People with
Disabilities. And the Mayor's Office of
Operations over the last two years has taken
on a great responsibility. Jeff Kay, Carol
Post, Liz Weinstein used to work with us.
TWEEPS, all the people that work on this
project. You have a lot of minds looking at
this from a lot of different perspectives,
and my personal opinion is that this is the
only chance we have that this will ever work.

But I caution by saying it will not
make everybody in the accessible advocacy
community happy. It is not going to happen
and we just have to do the right things. And
I think this is, with some tweaking, the right
thing.

COMM: GIANNOLIS: I appreciate that. And all the names that you mentioned, those are all very smart and serious people and it is good that they working on this project.

My point is not about the advocacy community, because advocates are fine but they certainly don't drive what I have to say. I am talking about the people with disabilities who are going to be using these services, including obviously the advocates who will be advocating. But the I am just very concerned that we go out there and we say, "We now have this service for you. Call 311," which a lot of people do, and they don't get what we promised them. And then the Mayor and everybody else looks bad, and we look bad, and the people with disabilities don't get a service. And then we come back and say, "Oh, my God, we have a problem. How are we going to fix it?"

MR. SALKIN: I agree with your point 100 percent. We need to work on that.

COMM: GIANNOLIS: I am totally with
you trying this. When we put it out there, whether it is down playing it or kind of describing it as an experimental program, I just think we need to be careful not to give people a belief that eight vehicles are going to guarantee their ability to get around the city.

CHAIRMAN DAUS: I think we agree with you on that. That's why they are recommending a demonstration project.

MR. SALKIN: We are also recommending, clearly, that the 231 yellow cabs also be partner in this program. That they have the capability of being directed, which would be a variance of the current --

COMM: GIANNOLIS: That's where I do get into a question, because the people who bought -- I don't know this, but if somebody who purchased that Medallion under what they believed the rules to be when purchased it, if they now have a Blackberry in their car and they reject that call, are they discriminating against somebody?

MR. SALKIN: Again, that's what we are going to work on, and fortunately for us,
most of the vehicles are owned and run by a
particular group, and they have been working
with us on this program. The moral that we
keep getting back is the same, as long as
people are making money, there is not going to
be a lot of backlash.

And I can envision a scenario where
the dispatch system would be preferred -- late
at night, you are driving around looking for
rides and you get a dispatch, that might be
better than just driving around. During rush
hour, it might a real drag. That is what we
need to learn.

CHAIRMAN DAUS: Andy, we also have to
acknowledge the intention of the industry.
Sometimes the advocacy community tends to say
that the TLC doesn't want to do this and the
industry doesn't care. And it is just not
true.

We had various amounts of money put
on the table to try to make the systems that
didn't work work, including John Asserno (ph),
Vic Dizengarff (ph) from the Black Car Systems
Corporation, Neil Greenbaum with a Ride For
All. A lot of people really tried, put their
hearts and soul into making it happen. This goes back to the days when Joe Giannetto was working for the TLC and we were looking at solutions to this stuff. I feel like we've tried everything, and we are probably more well-versed in a lot of things that we have done that didn't work, but also things that have not worked outside the City of New York. So I think we are kind of in a good spot right now. Because of the technology project that we voted on earlier today, we now have the capability to actually solve this problem.

I just want to make sure you understand, as was this morning's public hearing as a good point, we have to do the right thing. Just because somebody has a voice and they keep saying the same thing over and over again that we don't think is right and that we don't agree with, while we may sympathize with them, we may sympathize with some of the advocates that want full accessibility, I just think right now it is the wrong thing.

I just bring it up, Harry, only because I know when we start having public
hearings, there will be a whole bunch of
people from the accessibility community
objecting very strongly about this, and we
should be ready for that and be well -- versed

COMM: GIANNOLIS: Objecting
possibly to a pilot program?

CHAIRMAN DAUS: Yes. They have
already done that at a forum I spoke at.

MR. SALKIN: I want to raise a
point. One of the things we have been
striving for is if there is a vehicle that is
appropriate for use in New York City as a
taxicab that is also accessible, I think
everyone has expressed the desire to have that
vehicle be a vehicles that is used more widely
and potentially mandated.

But right now, you have heard our
trials and tribulations of trying to get even
the limited number of vehicles on the road
that we do have that can actually hold up and
survive. And I think we have a really good
model now. I don't know, did you mention that
another vehicle was approved?

CHAIRMAN DAUS: No.

MR. SALKIN: Grand Caravan is also I
believe now approved. It is slowly getting
bigger. We have the pilot with the Sienna. I
think we are doing really good work. The
pilot you guys approved last month on the
Braun fold-out seat is really cutting edge.
So this is exciting, I think we are doing a
lot.

COMM: GIANNOULIS: I don't know for
the life of me why - you are not going to
answer this now, but why a not-for-profit
hasn't partnered somehow with the government
to get the capital. We are talking to put 100
vehicles on the street or 50 vehicles on the
street, a significant amount of vehicles on
the street, the capital dollars that the city
would have to spend are --

MR. SALKIN: Compared to other
capital dollars.

COMM: GIANNOULIS: If Iris was here,
she could tell us in her new job, a room at
CUNY or anywhere else. And I don't know why
it hasn't happened.

MR. SALKIN: One outcome could be
that, which is where a government commission
decides this is a service that works well but
it does need some government support.

COMM: GIANNOLIS: I know years back

with Gifford --

MR. SALKIN: There was a million

dollars put in.

CHAIRMAN DAUS: Yes, Peter Vellone,

Sr., and Speaker Miller.

COMM. DEAR: I just want to jump in.

First of all, the advocates, when they come

here, they always advocate -- same with the

Council -- they are not looking for a service
to call. What they really want is get down

from their office meeting and be able to hail

and all of a sudden there is something

accessible. So I don't know if they will be

satisfied.

And the other on my mind, there is a

service called now Access-A-Ride technically

that they could use.

MR. SALKIN: I think it is important

that you hear what our point is to that.

One is, when you look around at the

TLC regulated industries and you see --

really, when I look at it, I go what's the

best industry for us to replicate?
The yellow is the most attractive, the most well-known, kind of sexiest industry that we have out there. But it really doesn't serve the entire city. It can, but predominantly it is serving airports and Manhattan. So the livery industry has over 20,000 vehicles already working throughout the entire city. It also is the model, the part of the call for ride that is replicated in other cities that have done this very successfully. The most notable and most lauded is Chicago, which we have worked closely to mimic what they are doing.

So that is part one, let's use the system that is citywide and let's piggyback on the success that the industry has already proven a success.

Part two is Access-A-Ride is a subsidized service, and everyone doesn't want us to offer a subsidized service. They have made that clear until they are blue in the face. And they want a special vehicle. They don't want a van that says ambulette on it. They want a sedan that can take a wheelchair, and there just isn't that vehicle -- right now
we are using minivans -- and they want to pay
a premium. They have made that very clear,
they want to play normal rates.

COMM. DEAR: Commissioner Giannoulis
is right, if he had his dream, we would have
all the cars accessible. I think it will come
to a point when we have finally a vehicle that
will pass the test.

It is just a matter of time now that
we, as a Commission, are allowing more and
more vehicles and retrofitting some of them.
And maybe one industry finally will come out
with something.

MR. SALKIN: London solved it in an
interesting way.

COMM. DEAR: Right, so I see the
next few years as a crucial time where we will
see all of a sudden everything will turn
around.

And looking at David Pollack, he made
a very interesting comment. Last time we
talked he made a point about one of the
vehicles we were going to get rid of because
of the rules that we changed, and he said, "I
like bigger vehicles." What happened was,
once upon a time, we never had vans. Now that we have vans, everybody gets into them and enjoys them.

So I think that there will be a vehicle eventually, it is just a matter of time. And I think eventually it will work itself out. The issues that are raised, that Commissioner Giannoulis raised and everybody else, we will put money into that, all kinds of efforts, and before we turn around, it is probably not going to work the way we want it to work.

What we should focus on, and whatever resources we have, is to encourage as much as we can, everybody having these accessible vehicles.

MR. SALKIN: Again, I would point out that the step you took today, clearing the way for the auction for the 150 vehicles. All of this has set a standard. And New York really is the standard for accessible for-hire vehicles. Whether you realize it or not, Commissioner Schenckman has spoken at national conferences. He and Samara Epstein have gone to national conferences.
There was a conference here where the Chair spoke and represented a lot. And Taxi '07 was also an interesting take on it. It is exciting but it is challenging. They also have to be clean. We need clean accessible vehicles.

COMM. DEAR: It's interesting, this another meeting where I have good news again at the end. But, again, due to good diligent staff, as you know, I got a call late last night about a lost religious article.

I called Commissioner Mullens, Pansy, right away. She had Ira Goldstein staying up all night, as opposed to some other people who claim that they were working all night -- and I want to tell you something, we have good news. I am supposed to wait for it here. It was found.

And I don't know if GPS was the reason. Ira, it is the GPS that did it, right. So it is a success story. Thank you very much.

CHAIRMAN DAUS: Congratulations.

Thank you very much.

Do I have a motion to close the
meeting?

COMM. AROUT: Make a motion to close the meeting.

All in favor?

(Chorus of "Ayes."")

CHAIRMAN DAUS: Thank you, everybody.

(Time noted: 12:20 p.m.)
CERTIFICATION

I, MARGARET EUSTACE, a Shorthand Reporter and a Notary Public, do hereby certify that the foregoing is a true and accurate transcription of my stenographic notes.

I further certify that I am not employed by nor related to any party to this action.

MARGARET EUSTACE,
Shorthand Reporter