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NYC TAXI AND LIMOUSINE COMMISSION
Public Meeting
Held on Friday, June 19, 2009
40 Rector Street
5th Floor
New York, New York
9:30 a.m.

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A P P E A R A N C E S:

- 4 MATTHEW W. DAUS, CHAIRMAN/COMMISSIONER
- 5 ELIAS AROUT, COMMISSIONER
- 6 IRIS WEINSHALL, COMMISSIONER
- 7 EDWARD GONZALES, COMMISSIONER
- 8 LAUVI ENSKA POLANCO, COMMISSIONER
- 9 JEFFREY KAY, COMMISSIONER
- 10 CHARLES FRASER, GENERAL COUNSEL

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MR. DAUS: Good morning, everyone.
Sorry to keep you waiting. This is probably
going to be a very brief meeting.

First I'd like to go to item 1 on the
revised agenda. Chair's report first the
accessible dispatch system. We're up to a
total of 2,671 dispatchers. The available

9 daily dispatch rating is up for the month of
10 May to 17.68 which is 11 on average per day in
11 April and well before that it was on average
12 four to five dispatchers per day so it looks
13 as if the public service announcement that
14 Commissioner Tramberg and Matt Saplin and all
15 the folks at the various stations that have
16 been running them have had an impact. Nothing
17 else has changed except for the public service
18 announcement so it's contributed to the
19 increase in users.

20 Number 2 the role revision project.
21 We're going to be voting on more rules today
22 and we'll have another public hearing on
23 chapter 17 hack up rules on June 30, Tuesday
24 in this room at 2:30 p.m. Also I want to
25 speak a little bit about the four-hour vehicle

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2 livery forms that we passed. We have various
3 implementation dates and effective dates that
4 I want to share with you. On July 2 a number
5 of the reforms will be going into effect
6 legally. That would include the beginning of
7 all base renewals at that point go to a
8 three-year as opposed to a two-year license
9 term. Also the internal and exterior markings
10 will be going into effect as well as the
11 license posting requirements for the driver.
12 Also the livery bill of rights I think is
13 already in effect or about to go in effect

14 June 26 but we're going to be lumping
15 everything together for practical purposes for
16 July 2.

17 On September 1 the decals on the
18 windshield will be required as well as new
19 vehicles will start to be inspected as of that
20 date at Woodside. On February 10, 2010 we
21 will then begin inspecting vehicles that are
22 being renewed at Woodside. Only other thing I
23 want to say about it is that as we've said to
24 the industry before we're going to be very
25 reasonable in our approach to implementing the

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2 rules. I don't believe that you can say that
3 on July 2 we will be visiting bases and
4 writing numerous summonses. There will come a
5 point that will happen of course but at the
6 beginning we're looking to get cooperation and
7 compliance voluntarily. We've had some good
8 meetings with some base owners. I was in
9 Harlem the other day talking to a bunch of
10 base owners and drivers and there seems to be
11 a shift in opposition and complaints about the
12 rules towards now at this point what do we
13 have to do to comply and just asking questions
14 about what we need to do so there seems to be
15 a shift in I guess the way these rules are
16 being perceived by the industry and the
17 message that we're sending is one of
18 compliance, let's work together cooperatively

19 to comply and then I believe that the vast
20 majority of bases and drivers will voluntarily
21 comply and do the right thing and work with us
22 and there will come a point when there will be
23 a few that don't get it and we will be of
24 course enforcing the law vigorously.

25 We also will have a new section of our

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2 website devoted to the four-hour vehicle
3 rules. Alla and Tamara are working on that
4 with staff. Whether you're a licensee or
5 passenger there would be all the information
6 you need to comply and where you can get a
7 copy of the bill of rights sticker we've been
8 working on.

9 As of June 15 there are a total of 2,435
10 hybrids on the road. Overall that's 18
11 percent of our total fleet. We also had 18
12 clean diesels or VW Jettas and six GNC, a
13 total of 2,298 vehicles on the road and they
14 grow by the day. That concludes my report.

15 Any questions or comments?

16 (No response.)

17 MR. DAUS: Item 2 is the adoption of the
18 minutes of May 28. Do we have any comments,
19 questions?

20 MR. AROUT: I move to adopt.

21 MR. DAUS: All in favor.

22 IN UNISON: Aye.

23 MR. DAUS: Next up is base applications

24 for termination. Do we have a rep from
25 licensing?

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MS. STEELE-RADWAY: Licensing would like
3 to present before the commission 31 bases with
4 a recommendation for approval. There are 22
5 bases that licensing is recommending for
6 denial with a request that the commission
7 grants an additional 30 days so that they may
8 present the outstanding terms.

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MR. DAUS: Any comments, questions? Do
10 I have a motion to approve?

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MR. AROUT: Motion to approve.

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MR. DAUS: Second?

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MS. POLANCO: Second.

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MS. STEELE-RADWAY: There are two bases
15 that licensing recommends for denial with a
16 request that the commission grants an
17 additional 30 days so that they may present
18 the outstanding items.

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MR. DAUS: Motion.

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MR. AROUT: Second the motion.

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MR. DAUS: Motion to deny. All in
22 favor. Thank you.

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Item 4 Chuck for paratransit vehicles
24 and bases.

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MR. FRASER: This is the chapter, the

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proposed chapter that will cover paratransit
Page 6

3 and bases. Last month we did it for drivers.
4 There were no comments received on this but in
5 response to a comment we had received on the
6 driver's rules last month we are recommending
7 one change, technical change in the driver's
8 obligation to on the electronic trip sheet we
9 had provided that the driver has to enter the
10 pick up and drop off locations into the system
11 and in fact the system, some of the systems
12 that automated that so we've removed that.
13 We're recommending removing that from the
14 rules as we did from the paratransit driver's
15 rules last month. Staff is recommending that
16 this chapter be approved conditionally subject
17 to a further vote when all of the draft
18 chapters have been reviewed.

19 MR. GONZALES: One quick comment in
20 general terms. Given that the FHV livery
21 reforms as we look at the other sectors that
22 TLC regulates that we keep it eye on
23 consistency say for paratransit if there's a
24 need for a bill of rights and also vehicle
25 display of driver's licenses.

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2 MR. FRASER: Interesting you make that
3 comment. Just yesterday we went to TATC and
4 talked to them about what will be coming up
5 after we complete this review and one of the
6 first items is uniformity among the license
7 types where there's a lack of uniform that's

8 not essential for some reason. One of the
9 things about the benefits of organizing the
10 chapters, revising the chapters how we are is
11 each chapter will have a uniform numbering
12 system so if one driver application requires
13 something but another driver application
14 doesn't require it that would be obvious by
15 the fact it will be blank in the numbering so
16 we can make the comparisons very readily and
17 determine where there's a lack of uniformity
18 and that will help with the process so the
19 bill of rights is one that we'd considered
20 specifically but that's an example of the
21 idea.

22 MR. DAUS: That's something that we'll
23 look into. I think it's a good suggestion.
24 We want to make sure there's equal protection
25 of the law and fairness to the extent that the

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2 Iivery base and vehicle rules serve as a
3 model. I don't see any reason why we
4 shouldn't be taking a look at the paratransit
5 to look at the van industry to follow similar
6 protocols if it's legally required.

7 Any other questions or comments?

8 MS. POLANCO: I have one question. When
9 it says new materials underline what is new
10 materials? We're now making changes on the
11 substance of the rules.

12 MR. FRASER: What you'll notice, I'm not
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13 sure where it says new materials underlined
14 but the whole thing should be underlined. It
15 is because this is a proposed repromulgation
16 of the entire rule set so every chapter we're
17 looking at should have been underlined I hope.

18 MR. DAUS: It's all new material because
19 it's being reorganized.

20 MR. FRASER: Reworded, renumbered.

21 MR. DAUS: Does that clarify things,
22 Commissioner?

23 Any other questions?

24 (No response.)

25 MR. DAUS: We have a motion to approve

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2 the rules.

3 MR. AROUT: Motion approved.

4 MR. DAUS: Second?

5 MR. GONZALES: Second.

6 MR. DAUS: All in favor. We have
7 several appeals the last item on the agenda
8 for an executive session so I'd like to now at
9 the time consider the appeals that are on the
10 agenda and close the meeting.

11 Second?

12 MS. WEINSHALL: So moved.

13 MR. DAUS: Thank you. Everybody have a
14 good weekend. We don't have a July meeting
15 date yet but we probably will be holding a
16 meeting and noticing that accordingly. Thank
17 you. I think this may be the record fastest

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commissi on meeting ever.
(Whereupon, at 9:45 a.m., the board
meeting was concluded.)

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C E R T I F I C A T E .

STATE OF NEW YORK)
 : SS.:
COUNTY OF NEW YORK)

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

That the witness whose examination is
hereinbefore set forth was duly sworn and that
such examination is a true record of the testimony
given by that witness.

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

IN WITNESS WHEREOF, I have hereunto set
my hand this 24th day of June, 2009.

SHAVON KOLB

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