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.

A P P E A R A N C E S:
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
daily dispatch rating is up for the month of May to 17.68 which is 11 on average per day in April and well before that it was on average four to five dispatchers per day so it looks as if the public service announcement that Commissioner Tramberg and Matt Saplin and all the folks at the various stations that have been running them have had an impact. Nothing else has changed except for the public service announcement so it's contributed to the increase in users.

Number 2 the role revision project. We're going to be voting on more rules today and we'll have another public hearing on chapter 17 hack up rules on June 30, Tuesday in this room at 2:30 p.m. Also I want to speak a little bit about the four-hour vehicle livery forms that we passed. We have various implementation dates and effective dates that I want to share with you. On July 2 a number of the reforms will be going into effect legally. That would include the beginning of all base renewals at that point go to a three-year as opposed to a two-year license term. Also the internal and exterior markings will be going into effect as well as the license posting requirements for the driver. Also the livery bill of rights I think is already in effect or about to go in effect
June 26 but we're going to be lumping everything together for practical purposes for July 2.

On September 1 the decals on the windshield will be required as well as new vehicles will start to be inspected as of that date at Woodside. On February 10, 2010 we will then begin inspecting vehicles that are being renewed at Woodside. Only other thing I want to say about it is that as we've said to the industry before we're going to be very reasonable in our approach to implementing the rules. I don't believe that you can say that on July 2 we will be visiting bases and writing numerous summonses. There will come a point that will happen of course but at the beginning we're looking to get cooperation and compliance voluntarily. We've had some good meetings with some base owners. I was in Harlem the other day talking to a bunch of base owners and drivers and there seems to be a shift in opposition and complaints about the rules towards now at this point what do we have to do to comply and just asking questions about what we need to do so there seems to be a shift in I guess the way these rules are being perceived by the industry and the message that we're sending is one of compliance, let's work together cooperatively.
to comply and then I believe that the vast majority of bases and drivers will voluntarily comply and do the right thing and work with us and there will come a point when there will be a few that don't get it and we will be of course enforcing the law vigorously.

We also will have a new section of our website devoted to the four-hour vehicle rules. Alla and Tamara are working on that with staff. Whether you're a licensee or passenger there would be all the information you need to comply and where you can get a copy of the bill of rights sticker we've been working on.

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

Any questions or comments?

(No response.)

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

MR. AROUT: I move to adopt.

MR. DAUS: All in favor.

IN UNISON: Aye.

MR. DAUS: Next up is base applications
for termination. Do we have a rep from licensing?

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

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

MR. AROUT: Motion to approve.

MR. DAUS: Second?

MS. POLANCO: Second.

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

MR. DAUS: Motion.

MR. AROUT: Second the motion.

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

Item 4 Chuck for paratransit vehicles and bases.

MR. FRASER: This is the chapter, the proposed chapter that will cover paratransit vehicles.
and bases. Last month we did it for drivers. There were no comments received on this but in response to a comment we had received on the driver's rules last month we are recommending one change, technical change in the driver's obligation to on the electronic trip sheet we had provided that the driver has to enter the pick up and drop off locations into the system and in fact the system, some of the systems that automated that so we've removed that. We're recommending removing that from the rules as we did from the paratransit driver's rules last month. Staff is recommending that this chapter be approved conditionally subject to a further vote when all of the draft chapters have been reviewed.

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

MR. FRASER: Interesting you make that comment. Just yesterday we went to TATC and talked to them about what will be coming up after we complete this review and one of the first items is uniformity among the license types where there's a lack of uniform that's...
not essential for some reason. One of the things about the benefits of organizing the chapters, revising the chapters how we are is each chapter will have a uniform numbering system so if one driver application requires something but another driver application doesn't require it that would be obvious by the fact it will be blank in the numbering so we can make the comparisons very readily and determine where there's a lack of uniformity and that will help with the process so the bill of rights is one that we'd considered specifically but that's an example of the idea.

MR. DAUS: That's something that we'll look into. I think it's a good suggestion. We want to make sure there's equal protection of the law and fairness to the extent that the livery base and vehicle rules serve as a model. I don't see any reason why we shouldn't be taking a look at the paratransit to look at the van industry to follow similar protocols if it's legally required.

Any other questions or comments?

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

MR. FRASER: What you'll notice, I'm not
MR. DAUS: It's all new material because it's being reorganized.

MR. FRASER: Reworded, renumbered.

MR. DAUS: Does that clarify things, Commissioner?

Any other questions?

(No response.

MR. DAUS: We have a motion to approve the rules.

MR. AROUT: Motion approved.

MR. DAUS: Second?

MR. GONZALES: Second.

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

Second?

MS. WEINSHALL: So moved.

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

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

CERTIFICATE.

STATE OF NEW YORK )
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

Page 10