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TAXI AND LIMOUSINE COMMISSION
JULY 9, 2012

FARE AND LEASE CAP PUBLIC HEARING
AND
OPPORTUNITY TO COMMENT ON PROPOSED RULES

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DAVID POLLACK, Executive Director of the Committee for Taxi Safety
VINCENT SAPONE, Managing Director LOMTO
IGOR BORKO, DOV
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ALEXANDER MOSHEYEV
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OSMAN GHOWDHURY
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RICHARD THALER, Omni Media Network, OMN Gateway
VICTOR SALAZAR
SPEAKERS: (Continued)

Mohan Singh

Mohammed Cheema, DOV

Elvis De La Cruz

Mohammed Patwary
Welcome to the TLC Fare and Lease Cap Hearing.

I just want to start with a quick announcement. Our court reporter today cannot project, as she usually does, a line-by-line transcript. So for anybody who that will be present a hardship, please let us know so we can make arrangements.

Is that a hardship for anybody?

O.K. We're just going to proceed as is.

This morning the Commission is considering an issue that's probably as hot as last week, increase in fares and an increase in fleet lease caps to offset cost shifts and an increase in DOV lease caps to better reflect costs of
different industry segments.

We're going to begin with a presentation today from Deputy Commissioner Ashwini Chhabra, who will explain the proposed rules, as well as the basis for the proposals.

MR. CHHABRA: Good morning all. I'm Ashwini Chhabra, the Deputy Commissioner for Policy at the TLC.

Before we hear the comment on the proposed fare and lease cap rules which are the subject of today's hearing, I'd like to provide a brief summary and explanation of the basis of these rules.

There are two sets of rules, one affecting the fare and another affecting lease caps. The proposed fare rules would raise the unit charge from 40 cents to 50 cents. This will
result in an average fare increase of 17 percent, more for longer trips and less for shorter trips.

Airport fares would also be increased in comparable amounts. The JFK-Manhattan flat fare will be increased from $45 to $52 and the Newark surcharge from $15 to $17.50. There's no proposed change in the flag drop and no proposed adjustments to current surcharges.

These rules also provide for a portion of the fare increases to go into a future fund for driver healthcare services. With the impending changes to healthcare requirements affected by the federal Affordable Care Act there will be a need for an entity to assist drivers in finding the right health
insurance and in navigating the state healthcare exchange.

There's also a need to provide drivers with a minimal level of disability insurance. This fund would be created pursuant to an RFP which will be forthcoming.

Secondly, the proposed lease cap rules would increase the fleet lease cap by $9 each shift, reflecting a change in the way the fleet collects credit card processing fees from drivers. Fleets would also have the option of providing drivers with gas in exchange for a 21 dollar gas surcharge. This amount would be reviewed every six months and adjusted based on prevailing gas prices.

And the lease cap rules would also change the DOV lease cap to better reflect current
practice. Our analysis projects that the current DOV lease cap is insufficient to permit the DOV market to continue. As such, we propose to raise DOV lease caps 7 to 13 percent for medallion-only leases and to create a new DOV medallion-and-vehicle lease.

The Charter and the TLC rules provide the Commission with the authority to set fares based on all facts which in its judgment have a bearing on a proper determination and will list some of the factors that may be considered. The charter also clearly places the burden of proof on the petitioning party to show that existing rates are not reasonable.

Criteria for the review of lease caps are also detailed in TLC rules, and these rules
provide that the Commission can change lease caps if it believes that policy considerations require changes to be made. In its review the Commission may consider any matters relevant to the setting of lease caps.

I'd like to now describe the rationale behind the proposed 17 percent fare increase. Based on our review of driver income data announced from the electronic fare data we collect on each taxi trip and our review of changes to driver expenses since the last fare increase in 2006, we prepared the typical driver income statement. What this review demonstrates is that as a result of increased gas prices of 45 percent since 2006, the 5 percent credit card processing fees which was instituted in
2008 and other cost increases, driving are making approximately 15 percent less today than made in 2006 with non-inflation adjustments.

As you can see here historically, the taxi fares have very closely tracked the consumer price index. However, since the last fare increase in 2006, CPI has outpaced taxi fares by approximately 12 percent. So after counting for inflation driver income has actually decreased 24 percent in real dollars.

For these reasons, we believe the 17 percent fare increase is warranted and will return drivers to their 2006 level of earnings.

In considering a fare increase, we also examined the potential impact on taxi fares.
Historically, and per charter requirements, the Commission has compared taxi fares with MTA fares. Based on this review, taxi fares currently lag behind the MTA fare and the MTA fare is scheduled to rise again in January 2013. As such, a taxi fare increase would not be unreasonable.

The cost of other staple goods have also increased over the past eight years. We've experienced that rise. In this context a proposed 17 percent fare increase is not unreasonable. Please note the 21 percent figure there represents the proposed 17 percent fare increase and also the MTA tax that was implemented in 2009 but which does not go to these drivers.
this proposed fare increase is reasonable from a passenger perspective when considered in the context of taxi fares in other markets. New York City's current taxi fare is near the bottom of fares in comparable large American cities. For those increases would move the New York City taxi fare up comparatively, but it would be still competitive with other metropolitan areas. It would continue to be lower than either L.A. or San Francisco and would be much lower than either London or Tokyo.

Again, given the needs to address the decline in driver income since the last fare increase and in light of the this passenger impact analysis, we believe the 17 percent fare increase is warranted to ensure
drivers return to 2006 level of income.

In addition to this 17 percent percent fare increase to compensate drivers, the Commission also has before it a petition from the Metropolitan Taxicab Board of Trade to further raise fares and lease caps to compensate fleet owners. At the May 31st Commission hearing the MTBOT provided the Commission with some revenue and cost estimates which suggest that on average the medallion generates approximately $38,000 profit annually. For the smallest fleets it means a profit of $925,000 a year; for the larger fleets of approximately 200 cars, this is an annual profit of $7.4 million. The TLC staff and several commissioners at the May
31st hearing requested
additional financial disclosure
from fleet representatives which
they have not provided.

In the absence of any
additional disclosure, TLC has
also prepared its own estimate
of fleet profits using figures
provided by MTBOT and other data
on revenue and cost items
previously provided by industry
representatives. Based on these
calculations, we estimate fleet
profits even higher:
1.2 million for the smallest
fleets and 9.6 million for a
200-car fleet.

Staff also compared the
rate of return from medallion
operation with other investment
opportunities, and the analysis
to that of medallion rates of
return were more than
competitive. For example, we
looked at an investor who bought
a medallion at the time of the
last lease cap increase in 2004,
and using the income figures
provided by MTBOT, we calculated
a rate of return on that
investment, both with medallion
appreciation and without. And
we compared that with the
returns on the S&P 500 or a
corporate bond fund. The
investor who purchased a
medallion in 2004 has seen an
over 300 percent return on
investment since that time,
while than an investor who
invested the same amount in the
S&P 500 at the same time has
reaped a 54 percent return and
an investor in a blue chip bond
fund earned only 11 percent.
Even if we were to exclude any
appreciation in medallion value
from this calculus, that's the
second column there, the medallion purchaser would still have earned a 94 percent return for operating profit alone, almost twice as much a S&P 500.

Based on the foregoing, staff concluded that an increased fleet lease cap in and of itself is not warranted based on the evidence provided by the petitioners.

However, the proposed rules would raise the fleet lease caps so that drivers will pay credit card processing fees in the form of a $9 lease cap increase instead of a 5 percent charge on credit card transactions. This is economically advantageous for fleets who receive more than they currently collect with credit card processing and may be able to capture for
themselves any gains from negotiating lower processing fees going forward. It will reduce and hopefully eliminate any lingering driver reluctance to accepting credit cards.

These rules also provide for an optional gas surcharge to lease caps. This is a means of allowing fleets to share in the gains from the increased fuel efficiency of newer vehicles and the upcoming taxi of tomorrow. It also serves as a means of insulating drivers from fuel price fluctuations. The rules provide for an optional 21 dollar fuel surcharge to be adjusted as fuel prices move up or down, as shown in the chart, to be charged by fleets who provide a full tank of gas to their drivers alone. Again, this would be at the option of
The increase in lease caps, $9 for credit card processing and an operational $21 for fuel will result in the following changes to the fleet lease cap surcharges. In addition we will enforce the weekly lease cap rate of the cap on what a fleet can charge an individual driver over any consecutive seven-day period. This will assure that drivers who are driving on a weekly basis get the reduced rate for the weekly leases.

Finally, these rules would also change the lease cap affected the DOV sector. There is a gap today between what fleets and DOV agents can collect per medallion. Today a fleet can collect a maximum of $1,587 per week for each
medallion vehicle. DOVs can collect only $800 or $842 for a hybrid per week per medallion. That there is a difference makes sense, given the different services provide in exchange for these lease payments. However, this gap of $790 is greater than the additional costs due to the ownership, maintenance, insurance that are faced by fleets. The size of this gap means that it is not economical for medallion owners to lease to DOV agents.

TLC believes there is an urgent policy reason to address this gap and maintain the DOV sector. The DOV sector attracts experienced drivers and provides a pathway to entrepreneurship for drivers. Long-term drivers, many of whom are DOV drivers have been shown to be safer
drivers and provide better
customer service. As such, we
propose to raise DOV lease caps
to address cost pressures on the
DOV sector. The way we do this
is to compare the difference in
the operating costs between the
fleet model and the DOV model,
backing out from the maximum
allowable fleet lease charge
costs those costs which are
unique to fleets, including
dispatch operation, daily
vehicle maintenance, and the
risk of non-lease, yields a DOV
medallion vehicle lease amount
of $1,375. Further backing out
vehicle costs from this amount
yields a DOV-medallion-only
lease of 1,025. Both of these
amounts included credit card
processing value at 125 a week.

The result would be to
raise DOV lease caps between 7
and 13 percent for medallion-only leases and create a new medallion-and-vehicle lease priced at 50 percent higher than the current medallion lease cap.

That's the summary of our proposed rules. In short, in addition to raising fares 17 percent, the proposed rules would increase the fleet and DOV lease caps to change the way credit card processing fees are collected, would permit fleets an optional fuel surcharge in exchange for providing a full tank of gas, and would raise the DOV lease caps to permit that segment to compete more effectively. Thank you very much.

CHAIRMAN YASSKY: Are we going to begin with testimony?

MS. JOSHI: Today we're going to hear testimony on two
proposed rules both of which appear in the record on June 8th, a rule to increase fares and a rule to adjust lease caps. Public comment on those rules is accepted today until midnight, and today we'll hear public testimony.

CHAIRMAN YASSKY: I didn't mean that as a question. If we're about to begin, I would just like to make a quick statement.

MS. YOSHI: I just have a few ground rules before we start.

CHAIRMAN YASSKY: All right I'll start. And I understand that today is for public testimony. This is not -- we're not voting today. This is not a debate. We are not here to debate, for the Commission to debate but to get
feedback. I just did want to frame for the public at least my thoughts so that it can shape people's feedback or shape their public comments.

I believe, you know, we say this all the time, I don't think we can say it enough, that the taxi system is one of the jewels of New York City. The yellow cab is a symbol of New York City that is understood around the world to mean excellent service and good value, and we are charged, the TLC Commission is charged with responsibility of regulating that system so that it maintains its standard of excellence.

Part of that responsibility is raising the fare from time to time. One of the ground rules of the taxi system is that the fare is set
by rule. It's not negotiated, you know, trip by trip between the driver and the passenger. That's part of what makes the system work, is the people know they can raise their hand, flag down a taxi who will take them whenever they want to go for a reasonable price, and they know what that price is.

So what flows from that is that we have the responsibility of setting the fare, and I think everyone understands you can't just leave it where it is for, you know, years and years and years at a time. If the system is going to continue, it needs revenue to sustain it.

There have been new sources of revenue over the past few years. There's revenue from advertising on the taxi screens,
of the taxis for that matter, but there has not been any new source of revenue for drivers, the people whose work and labor ultimately drives the entire system. And as a result, as Commissioner Chhabra said, a driver is actually earning less today than six years ago when the current fare levels were set. I don't think anybody would think that a system is sustainable on that basis.

Now, we have to take into account everyone's set of perspectives and interests in this system without question, and passengers are being asked to pay more, and I think we should acknowledge that. I think that taxi passengers do understand that a driver needs to be able to earn a decent living, a driver needs to be
able put food on the table for
his or her family and pay the
rent each month and that $130
for a twelve-hour shift, which
is the take-home pay of a taxi
driver today, is not enough to
do that. And if we're going to
have the system continue and the
standard of service remain at
its high level, then drivers
have to be able to earn a decent
living.

I think that the fact that
passengers in the main recognize
that is reflected in the fact
that all three daily newspapers
in the city, The New York Times,
Post, all three have
editorialized in favor of the
increase. In other words, all
three have said that a fare
increase is necessary and
appropriate to assure that
drivers can earn a decent living, and while they don't, I'm sure there is not unanimity of opinion among taxi passengers. I think the fact that all three daily newspapers which do represent the public in some sense, that all three have editorialized that way does tell us something about what taxi passengers think and how they would respond, will respond to this increase.

All three have also said quite clearly that from the passenger perspective, they think passengers will be willing to pay and should be willing to pay more for the drivers but should not be asked to pay more for the benefit of medallion owners, and I do want to be clear that that's what this proposal does. What this
proposal does is say that the increase and the extra amount that drivers -- that passengers are being asked to pay will go to the drivers who make the system work.

Now, we are also seeking to do three additional things, and I hope people are clear about what exactly they are. One is on credit cards. I think one of the most important and valuable changes in the taxi system over the last several years is the introduction of credit cards, and I see the signs being raised. Taxi passengers now have come to expect they can pay by credit card. I don't think there can be any real dispute that that has brought more business into the system, that that has helped insure that despite the
recession, taxi passengers continue to come and use the system.

But the fact that a taxi driver earns less from a credit card trip than from a cash trip does continue to be a minor, you know, a wrinkle in the system. It does result in all too often drivers seeking to discourage passengers from paying by credit card, seeking to have passengers pay by cash instead.

So what we are proposing is to eliminate that 5 percent difference, but to compensate the fleets who then would have, the medallion owners who would then would bear the responsibility for credit card processing costs with a flat fee of $9 per shift. So I want to be clear about that, that is a wash; we see that as a wash. In
other words, that's economically neutral as between drivers and passengers, but it is to the benefit -- I mean to drivers and owners, but it is to the benefit of passengers who will no longer face that resistance to credit cards. That's one.

The second is the gas proposal, and the goal there is very simple; it is to enable the corporate entities that -- to bear the risk of fluctuation in gas prices, something that -- really for an individual driver, a difference of $50 a week in take-home pay is an enormous difference. Whereas the fleet entity can account for that over time and build it into their cost structure. So that's what the purpose is of the gas proposal.

And finally on the driver
owned vehicles, as Commissioner Chhabra says, I do think that the leased -- the medallion-only lease cap amount that is currently in the rules does pose a risk to the survival of the DOV model, and if we don't provide greater parity between the DOV -- the medallion-only weekly lease cap that DOVs -- that prevails in the DOV sector and the per shift lease cap that prevails in the fleet sector, I think that we will see the gradual or maybe not so gradual disappearance of the DOV sector and all that goes with it: The safer driving, the better customer service and the career ladder for the drivers.

So those are the three proposals in addition to the fare, and I would ask people's comments to as best as possible
address the rationales that
we've put forward. That would
be the most useful for me at
least.

Thank you, Meera.

MS. YOSHI: We're going to
begin the public testimony.

Each speaker will have three
minutes, and we're going to
begin first with Bhairavi Desai
from NYTWA.

(Appause.)

MS. DESAI: Good morning.

I was actually in the overflow
room where there are more
drivers that are listening
intently to this hearing.

Good morning. We're
really happy to see these rules
finally being proposed. It's
been a long time in coming. The
idea that hard working, working
class people, working families
are earning less than 25 percent
today than what they earned six years ago is absolutely unacceptable, and even when you look at what they earned six years ago, you know, it's still not acceptable. What we need is a livable income for drivers.

After twelve long hours behind the wheel, collectively serving over half a million people, there's no question that taxi drivers deserve a decent living, a livable income, and health and benefits for the first time. Imagine going to your job day in and day out, whether you're working 5 years, 10 years, 15 years or 30 years at the end of that tenure, you don't have any benefits to call your own. You know, you serve this industry day in and day out. You make sure it remains thriving. You make sure that
the fleets and the agents make
the profits that were described
earlier. You make sure that the
public doesn't suffer any sort
of a shortage. Then at the end
of that when you face your own
personal crisis, either due to
illness or injury on the job or
injury that keeps you from
working whether it's on the job
or not, the idea that you have
nothing to fall back on is
absolutely unconscionable.

The workers' compensation
exists for only one segment of
drivers, owner-operators are not
covered by that, and it's a very
dismal amount. And again, if
you fall sick or injured outside
of the job that coverage does
not insure you. We desperately
need this health and disability
fund and we desperately need the
fare raise, and we thank you,
Commissioner, for putting this proposal forward.

In terms of the lease caps, you know, there's no question that you don't pay $9 every single day, especially the majority of drivers in this industry are weekly drivers. You have several shifts where you may not be able to work because it's humanly impossible to put in that 10- or 12-hour shift seven days of the week. And so on those days, in particular, you're not going to be spending a credit card transaction fee but the fleet or the agent is still collecting $9 flat from you.

On top of that, you know, we've already seen with Square that's now charging 2.75 percent, I'm sure any fleet owner or agent that wants to
switch to them could, and given they're an outsider and the other two current vendors are actually insiders, my guess is they could do that processing at even lower rates. I mean, I know there are alternatives like online media that could certainly do it at a lower rate than what's been charged right now, and that lower rate, it's not -- it's just going to be additional profit to the fleet. It's not going to go to the drivers.

And so I would say for any fleet owner that has the gall to come up and say that the $9 is not sufficient or any agent who comes up and says that, you know, the increase in the DOV rate, which is, I believe you said, 17 to 13 percent is still not sufficient and could perhaps
bring them to the brink of
bankruptcy, I mean, is not only
laughable, it's absolutely
offensive when when you think
about how much drivers have been
suffering.

(Applause.)

MS. DESAI: In short, in
summary, I'd like to say,
while -- we will be submitting
written comments on specific
things we'd like to see changed.
For example, under the DOV rules
it should be -- the standard
medallion lease cap should only
be for the conditional purchase,
not for a long-term vehicle.
And so that way you specify that
it should be a DOV, and
secondly, it should be limited
to 130 weeks or 2.5 years from
time of hack-up, which is the
standard today. The title
should be required to be given
to the driver upon completion of
the vehicle payments, and once
those payments are completed,
the standard lease cap, the
medallion-only rate should
apply. And it must specify that
these rates include three
drivers at a time on the rate
card. Otherwise we will
be seen --

(Applause.)

MALE VOICE: Yeah.

FEMALE VOICE: Thank you.

MS. DESAI: Lastly, I'd
like to say that there should be
wording that the agent cannot
remove the medallion from a car
not yet retired and leased to
another driver.

(Applause.)

MS. DESAI: There are
other things that we would have
preferred to see with this fare,
like particularly a rush hour, a
morning rush hour surcharge and
an increase in the night
surcharge, but I do want to say
overall, that we call upon all
of the TLC Commissioners to vote
yes on both of the proposals
that are before them.

MALE VOICE: Yeah.

FEMALE VOICE: That's right.

(Applause.)

MS. YOSHI: Next we will
hear from David Pollack from the
Committee for Taxi Safety.

MR. POLLACK: Good
morning, Commissioners. The
proposed rules on the lease cap
increases -- I'm David Pollack.
I'm the Executive Director of
the Committee for Taxi Safety,
and we represent mostly DOV
agents, long-term drivers and
the owners of those medallions.

And the proposed rules
basically, if passed as they
are, will turn the DOV operations into fleet operations, with a much smaller lease cap than the fleets are allowed. And it will probably hasten the transfer of DOV agents becoming fleets maybe. I have members willing and ready, if these rules are passed as is, to turn to the fleet model on August 1st.

And in the rules you want the DOV agents to have the same responsibilities as daily shift agents known as fleets, and if that's the case, then weekly agents should receive the same lease cap as the fleets.

By disallowing credit card income and mandating vehicle repairs paid by the DOV agents, weekly DOV agents will be earning less than before and increasing the disparity between
the weekly lease and the DOV
agents -- between the DOV agents
and the fleets.

It should be noted there's
a certain amount of risk
involved when you are
responsible for someone else's
medallion, you are the agent for
the medallion owner, so we do
represent the owners, and we
assist drivers in leasing those
medallions long term.

I'm sure you will hear
from some drivers today who have
been through the -- who had
started the stepping stone,
working for a fleet, then
leasing the medallion, and
hopefully saving enough money to
purchase a medallion.

FEMALE VOICE:  Right.
FEMALE VOICE:  Yeah.
MR. POLLACK:  These rules
certainly will take away and end
the DOV segment.

CHAIRMAN YASSKY: I'm sorry, I am just going to ask, we really cannot have any outbursts. We will ask people to leave if they cannot respect the speaker.

MR. POLLACK: Well, we believe there should be a rate of fare increase, but it should be shared by offsettings to the industry. You know, we can't eliminate one segment on something that's worked so well for decades and gotten to this point where the public is served properly, the drivers are small businessmen and ultimately earning enough money, I will say this once again, to purchase their own medallions. I mean it's real, it happens all the time, and we ask you not to pass the rule on the lease cap to the the DOVs the way it's written.
CHAIRMAN YASSKY: Mr. Pollack, may I ask a question? I know we have a long list of speakers and I don't want to -- and you represent an important segment of the industry here. I just want to make sure I understand you.

The proposal here, the current lease cap for a medallion-only lease is either $800 or $842 per week, depending on whether the car is highly fuel efficient or not.

Is that right?

MR. POLLACK: That's what the rules state.

CHAIRMAN YASSKY: That's what the rule is.

But one of the proposals here is to increase that number to $1,025 from 800 or 842, depending on what the car is, to 1025, 1,025. How is that --
you've said that the agents or
the owners that they represent
would be earning less if this
passed.

How is that possible?

MR. POLLACK: Well, the
medallion-only lease is a
fallacy, it really is, because
on a medallion you -- when a
medallion is on a taxicab, you
must have liability insurance.
DOV drivers or long-term drivers
are covered by workers'
compensation and that there's a
cost to workers' compensation.
There is a medallion renewal fee
every year, that's a TLC charge.
There's a road use tax every
year, which is a charge. There
are inspections, registrations,
and mandated -- and mandated
expenses and costs in doing
business.

For example, I know you
want to take away the 5 percent
that the DOV agents make and the
fleets make or whoever, but
there's still going to be a fee
to the processors. They're
still going to need someone to
handle any charge-backs which
occur daily. There's the MTA --

CHAIRMAN YASSKY: Let me
put that one to one side.
I mean, do you think, is
$9 per shift not sufficient for
that?

MR. POLLACK: I really
can't speak on behalf of the
fleets.

CHAIRMAN YASSKY: No, but
I'm saying from the agent's
perspective.

MR. POLLACK: I haven't
looked at the fleet number to
know whether $9 dollars is
enough or not.

CHAIRMAN YASSKY: So
you're saying part of that 1025
is eaten up by those processing
costs, O.K., fair enough, but
certainly not all of them.

   So why -- I guess I still
don't un-- -- when you say it's a
fallacy, are you saying -- I
don't understand what you mean
by that.

   We have, you know, some
5,000 taxi that are leased on a
weekly rate using that, paying
that 800 or 842 weekly rate.
What we are proposing here is to
show people to charge 1025
instead of 800 or 842. How is
that possibly a cut?

   MR. POLLACK: It's a cut
because we have to compete with
others who are paying the
medallion owners. DOV agents
traditionally don't own the
medallions they lease,
Mr. Chairman. They get them
from a medallion owner, and they
have to pay the medallion owner
a monthly amount.

If another segment of the
industry, like a fleet, is
earning more money per week,
then they can offer that
medallion owner more money per
week and that's what's
happening, and we need the
ability to be able to compete
with that.

CHAIRMAN YASSKY: Thank
you.

MS. YOSHI: Next up is
Vincent Sapone, and if I forgot
to mention this earlier, please
state your name and what entity
you represent. Thank you.

MR. SAPONE: Good morning,
Mr. Chairman and Commissioners.

How can I start this?
First of all, in 2006, it really
wasn't a fare increase; it was a
fare adjustment for the waiting
time because the waiting time
came to $12 an hour for 19
years. The last fare increase
was eight years ago, maybe
longer.

I think that the problem
here is cab drivers have to wait
8, 9 years to get any kind of
increase. So there's a battle
between fleets, leasing
companies, cab drivers --

nobody's happy. But if the city
would have given the drivers
more money and not waiting
8 years or 20 years for an
increase, maybe all this
wouldn't happen.

You know, cab drivers work
very hard. I drove myself. I
know it's hard, but when you own
a business, you got expenses,
too. So what I'm trying to say
is, you know, there's a thick
cloud in this room and it's not healthy.

CHAIRMAN YASSKY: Yes.

I'm counting on you to cut through that because I think it really is a pretty simple issue.

In the time I've been here, I don't think I've dealt with anybody who has more interests of the actual taxi driver at heart than you do, Mr. Sapone.

MR. SAPONE: I thank you for that, Mr. Chairman.

CHAIRMAN YASSKY: So I am kind of counting on you to cut through all the fog.

MR. SAPONE: All right.

CHAIRMAN YASSKY: What is at issue today is pretty simple. What we would like to do is raise the fare so that the driver can take home more money.

MR. SAPONE: Very good.
Excellent.

CHAIRMAN YASSKY: Are you a supporter of that?

MR. SAPONE: May I make a suggestion? I don't think 17 percent is enough. I think there should be a dollar surcharge from 7 to 11 or 7 to 10 in the morning. I think that even the start of the trip should be increased 50 cents more. You know, it's always a struggle.

CHAIRMAN YASSKY: If I can just ask.

MR. SAPONE: Excuse me?

CHAIRMAN YASSKY: I understand you're saying it should be a bigger increase.

MR. SAPONE: Yes, absolutely.

CHAIRMAN YASSKY: But are you here -- do you support the increase that's proposed today?
Do you recommend a yes vote or a no vote?

MR. SAPONE: Yes, sir. I'm going to say yes, because I ain't gonna turn down a tip. When somebody's offering me a tip, I ain't gonna say no. What I'm saying is, I don't think 17 -- now, you guys are all gonna be gone soon, O.K.? What is the next chairman going to do, wait another nine years? I appreciate what you're doing, don't get me wrong, but it's all a political nonsense game.

These guys are going to have to wait another 9 years, 17 percent is not enough, and everybody should get a little piece of the action.

Thank you.

CHAIRMAN YASSKY: Thank you.

(Applause.)
MS. JOSHI: Next is Ashraf Eshra.
Is Ashraf Eshra here?
I'm going to move on to Igor Borko.
If you can state who you represent.
MR. BORKO: I represent DOV, DOV section. I'm the medallion owner and I basically represent myself.
MALE VOICE: We can't hear you.
MS. JOSHI: Speak into the microphone please. Thank you.
MR. BORKO: Is this good enough?
MS. JOSHI: Yes.
MR. BORKO: I've been driving (inaudible) DOV leasing for over 20 years, and I am financially legally good. I've had my share of (inaudible).
But an advertisement like this
came to my attention. It's basically on a phone booth in various areas of Brooklyn and others. They offering $3400 a month for the lease of medallion. Currently I'm getting $2600 a month for lease of medallion, and I came back to my agent and said how can it be over $9600 a year difference? And the same medallion that works in New York City, same people, everything the same.

So he said he's got some kind of a gap that only for me as a medallion owner, I mean I'm trying to understand this gap, which is kind of tough because I'm part of New York City and I'm not part of New York City; right hand can do this and left hand can do that, and it's a little bit complicated, but I'm asking you guys.
I don't want to leave the company I'm working with for 20 years. I just want to be able to get the same money as everybody else getting. That's all. Thank you.

MS. JOSHI: Thank you.

Next is Berpsford Simmons.

MS. SIMMONS: Good morning. First I want to thank the Commissioners for opening the doors to us from the Taxi Workers Alliance. It's been years, I've been driving a taxi in New York City for over 40 years, and you are the only Commissioners that open your doors to us as drivers and hear our problems.

I'm a good example of how a DOV driver can advance into an owner, back into a DOV driver, back into having nothing because of the things that I'm -- the
activities that we've been doing for the cab drivers here. There have been retaliatory behavior to me. I don't have a cab. My lease has been cancelled because of my past activity working for the cab driver.

Today I'm home with my grandchildren, which is all right, because of my activities I have many offers to work with other people.

But this raise is deservedly so. We've tried for over 8 years, and basically I'm embarrassed to say but I'm into bankruptcy; I do not have a cab today because of maintenance of my personal car and owing my broker, and I hope the people who carry the news back to my broker tell them today what I said today again, over $13,000 just in repairs, and if you
think I'm lying, you can contact
my broker and ask him how much
money I owe him and why I'm not
driving for him today.

The drivers, we're hard
working people, we are the eyes
of the city and the ambassadors
for New York City. We help
people to move around the city.

Mr. Chairman, I want to
thank you for even suggesting
this raise here. We are pleased
with it, the drivers are pleased
with it, and I hope that the
Commissioners vote yes on this
fare increase.

Thank you very much.

MALE VOICE: Thank you.

(Applause.)

MS. JOSHI: Next is
Alexander Mosheyev.

MR. MOSHEYEV: Good
morning. My name is Alexander
Mosheyev. I've been a
I'm a technician in this country and I used to be an engineer in my country, in Russia. So I came and I used to work in different companies as a technician and then finally I didn't get paid very well, so it was $8, $9 an hour even working for management.

So finally I decided to drive a taxi and become a driver and become owner. In 2010, I purchase medallion with help of Queens Medallion Leasing. So I save money, around 50,000 and use the rest, the company provide me and I put down payment and purchase that medallion.

So basically from the step down to today's date, I've three children to support, and I hope you will understand how DOV is very important for us and I
believe we are more responsible
drivers and caring about the
cars because it's our cars. I
came from the country. It's
really -- like it's not really,
anybody's particular, it was
ours, so that's what means. In
garage I, they don't care about
the cars, they don't really wash
it.

So DOV is the only model
which really trying to care
about the future car because
it's yours. It's not
somebody's. And I hope you will
understand how it's important
and you will do our services for
us. Thank you.

MS. JOSHI: Ratan Khan?
Is Ratan Khan here?
Could you state who you
are here on behalf of today?
MR. KAHN: I'm here on
behalf of Queens Medallion.
MS. JOSHI: You can proceed with your testimony. There's a microphone right on the podium that you can speak into.

MR. KAHN: O.K. I'm here to say couple of things. Number one is like we are the DOV drivers and those brokers, they improve the quality of cars. And we can rely on that we have a job, we can keep it, and they help us so many ways. And if you talked with all the drivers who are in this business, they can explain you better. And so I want to see this institution can be spared on this business. That's all I want to say.

MS. JOSHI: Thank you very much.

MR. KAHN: Thank you.

CHAIRMAN YASSKY: Sir, I'm sorry, I just want to, I guess I
I want to thank you for your testimony.

I gather you are here at the request of Queens Medallion, is that what you said?

MR. KAHN: Yes, because like in our President Obama bailed out the auto industry, the GM and the Chrysler, and we can see those company are making better quality car and it doesn't destroy.

So we just want that the brokers who are offering DOV driving systems, they should have to stop this business too, they should, because it's easy to destroy something, but it's very hard to hold something.

CHAIRMAN YASSKY: Thank you.

MR. KAHN: Thank you, sir.

MS. JOSHI: Ethan Gerber is next.
MR. GERBER:  Good morning,
Mr. Chairman.  Good morning,
Commissioner Arout.  My name is
Ethan Gerber on behalf of the
Greater New York Taxi
Association, a progressive group
of owners. We took the city at
its word and put cleaner hybrids
on the road. First your rules
once again break a promise and
commitment to those owners to
put the hybrids on the road.
We'll now lose $3 a shift for
the hybrids according to Rule
58-21 which removes the $3
incentive, a decrease to the
owners and a betrayal not only
to the owners but to
environmentally concerned New
Yorkers.

These rules and the
rationale issued by the TLC
could only be promulgated by
government. Of course our
expenses have gone up, whose hasn't? The TLC rationale doesn't even address basic costs like garage rents, garage staff, utilities, et cetera. In its analysis the TLC talks correctly of cost changes in real dollars counting inflation. If that analysis works for drivers, it must work for owners. Where was analysis in real dollars for the owners?

Actually amazingly while discounting our own increases, the TLC's budget has more than tripled. Next year's budget is triple what it was at the time of the last increase.

On credit cards, what you're doing now is to create a system that will actually cost the owners more money every time a credit card is used. What you are doing right now is a bizarre
world that are only a government
could have postured.

What you are going to do
now is if you have more
efficient drivers, working
harder, making are money, they
will actually have more
processing charges which will
cost the owners on each and
every transaction. You're
actually creating an incentive
program to give out taxicabs to
the least productive of the
drivers.

Again, in what world do
the owners actually lose income
from providing a service to
those who use the service more?

The $21 gas charge is also
not a serious proposal. It
gives an option of getting $21
for supplying a full tank of
gas. Commissioners, I ask you,
have you filled a tank lately?
Have you tried to fill up a tank for $21? That $21 is supposed to be an offset. Do you actually see anyone taking up the TLC on that charge? It's not a serious proposal.

There has never been a time when Taxi Workers Alliance has favored an increase for any portion for the owners. Long before what the percentage was announced, the Taxi Workers Alliance came out and said we should not get any percentage.

I'm begging this Commission, I'm suggesting to this Commission, go back, draw up rules; it is time that there's a fare, rate fare increase, but that rate fare increase should be equitable, it should be across the board, and the industries and the men and women who work in those
industries should get the
benefit.

Thank you.

CHAIRMAN YASSKY:

Mr. Gerber, again I'm sorry,
just so I understand -- I think
I understand your testimony
about the lease caps. On the
fare increase, are you
testifying in support or in
opposition to the fare increase
proposal?

MR. GERBER: With all due
respect, Commissioner, I think
what you did is you created a
poison pill. I think what you
did is you created a rate of
fare increase and a lease cap
proposal that you knew would
actually cost the owners money.

So what we would want is,
we would like, just as this
proposal was originally done as
a rate of fare increase with a
lease cap increase, that you go
back to the drawing board and do
it again.

What you've done, I think
is what Congress does when they
create a poison pill; you create
a portion that you know the
industry would not support
because you know it's actually a
decrease. I don't want to play
that game.

CHAIRMAN YASSKY: So you
are testifying in opposition to
the fare increase generally,
the --

MR. GERBER: I think the
men and women sitting in the
back here deserve a rate of fare
increase, the men and women who
own the medallions and own the
businesses deserve a raise in
the lease cap increase as well.

It should be one proposal.
The way it came out, it should
be one general proposal. Do it correctly. That's what I'm in favor of.

    Thank you.

    CHAIRMAN YASSKY: Thank you.

    MS. JOSHI: Osman Chowdhury.

    MR. CHOWDHURY: Good afternoon, everybody. My name is Osman Chowdhury. I'm the United Taxi Drivers Association, NYC, Inc. I'm from Burma.

    I'm covering the TLC, and before never ever have I seen the right direction to support the driver income. And the more times I think they know our account, our health plan because they already making much money than ever, because $2 more we get a fare increase, the same thing with the lease cap, with the 666 [sic] still they're
charging nowadays and the 886
[sic], the (inaudible)
25 percent extra income they
have. There's an increase they
have. They have an increase and
with lease cap up, they'll not
be making money.

Another thing I gonna say
when our income is at 30, the
lease cap is a good change.
Like lot of people have said
that one ride to get a four stop
they are not make any money.
The boost our income, it's clear
reason there is. (Inaudible)
meant for the four different
times, so the medallion will
make make money, medallion
company going to lose. Should
vote for this law. Thank you.

MS. JOSHI: Richard
Thaler.

MR. THALER: Could you
circulate these. Thank you.
Chairman Yassky, Commissioner, until these lease cap rules were published, it was hard to imagine that any changes in credit card rules could be worse for drivers compared to all previous lease cap rules, but as lease drivers will be charged for transactions that may not have taken place, lease drivers will face even greater economic hardship.

Attempts to regulate card payment processing services requires an understanding of established payment card industry rules and practices. In the case of the proposed lease cap rules because fare payment card processing is linked to the lease cap rules,
payment card industry practices must be followed.

Card fare payment transaction processing must be recognized as separate from T-PEP software and hardware functions and placed under the operation of a separate contract between the driver and a certified payment gateway chosen by the driver for the lowest competitive cost and a record for highest level of cardholder security.

The Commission's disregard of payment card industry practices since the beginning of T-PEP, resulting in driver overcharges estimated at over $190 million continues under these proposed lease caps. The revenue requires that T-PEP vendors and DOS software and hardware applications to route
payment transactions to the
certified payment gateway and
merchant acquirer of the
driver's choice whether or not
the driver is the tax owner. In
this case the seller of taxi
transportation services is the
independent contractor driver
present at the point of
presentment of the card and
therefore should be the merchant
of record. While the cost of
the T-PEP vendor software and
hardware is the responsibility
of the taxi owner, the cost of
transaction processing,
including the wireless data
charges which just add a
fraction of a penny is a
separate matter to be charged to
the merchant driver.
Not only do these proposed
lease cap rules totally
disregard payment card industry
practice but a leased driver is charged for fantasy card payment processing whether or not the transactions were performed.

If this was a way to drive increases in net revenue for taxi owners or agents, it should be so stated explicitly, and what is the justification for allocating $9 a shift for fleet card processing compared to $15 a shift for processing activity under the medallion-only lease?

If you take the 225 and divide it by 14 you get 16 bucks.

The the remedies proposed are:

(1) a DOV lessee should have the right to have opt out of the lease cap increase, select their own payment gateway and pay the transaction processing cost, probably about half of what they're paying now.
(2) A fleet lessee should have the right to opt out of the lease cap increase, select their payment gateway, and pay the transaction processing costs. The T-PEP vendor would be required to install payment gateway application programming interface, an API, on the taxi owner's T-PEP system, maintain the payment gateway routing information and route the transactions based on the drivers's I.D. according to standard payment card industry practice.

The fleet driver would only be responsible for paying their payment gateway and merchant required transaction charges and the wireless data communications charges, which I said would be less than a penny.

(3) If the lease cap rules
are passed as proposed, a driver should be at least able to deduct any charges for a passenger payment app processed independently of T-PEP from the lease payment.

In the case of the medallion-only lease cap of a thousand and twenty-five bucks, as the vehicle registrant, the DOV lessee must be an insured policyholder, according to state law, and be allowed to purchase their liability insurance policies and deduct the cost from lease cap.

Now in Washington D.C., recently their 50 cent taxi trip surcharge is equivalent to the New York's 50 cent MTA surcharge, but in D.C., the 50 cents pays for the entire system and all of the processing costs at no cost to the drivers.
Now apparently Mayor Gray was unaware of payment card industry rules prohibiting cardholder surcharges. But if Mayor Gray establishes a new surcharge precedent and allows it, the lease cap increases would no longer be necessary if New York followed the D.C. Taxi Commission's example.

The D.C. Program and the MTA taxi tax also suggest that the proposed 6 cents allocated for a health and disability fund should not be collected from drivers, but either collected as an add-on charge to the MTA taxi tax for a total surcharge of 56 cents or added to the initial fare drop for a total of $2.56.

Thank you.

MS. JOSHI: Thank you.

Next Bill Lindauer.

MR. LINDAUER: First I
want to thank the TLC for their wonderful presentation. It showed that they did due diligence in this matter, and I only wish more Commissioners were here aside from Mr. Arout from Staten Island.

I think this study of the TLC shows the contentions of the fleet owners as a complete fraud, that they’re not making any money. The only bankruptcy is moral bankruptcy.

(Applause.)

MR. LINDAUER: In A League of Their Own movie baseball manager Tom Hanks tells a weeping female players, "There's no crying in baseball," and there should be no crying among multimillionaires like Ron Sherman, with his 1.5 million dollar mansion and world class yacht. Making say $8 million a
year profit instead of $6 million is not a cause for taking an even greater bite out of the marginal income of hard-working drivers who need to room with three or four other drivers to share even the most modest of apartments.

How many marriages are torn apart simply because there's not enough money to live on? How many children must suffer? Do we really want to be complicit in their suffering.

As I figure it, these merciless moguls have spent close to a million dollars in the past 18 months, with lawsuits, lobbying, political contributions, public relations and full-page ads promoting their own very selfish interest against the interest of drivers and that of 8 million New
Yorkers, for instance they oppose the five borough plan. Despite their lavish lifestyle, perhaps these tycoons would have you believe they're simple mom-and-pop operations. Balderdash! Nonsense! If you swallow that fiction, then you believe that ObamaCare is nothing like Romney's Massachusetts health plan.

Commissioners, don't be gullible. Don't let this league of greedy gentlemen make fools of you. Fairness and goodness are completely alien to this cabal. Drivers make a poverty-level income. Can you really in good conscious deny them a livable income?

Moral and religious justice cries out on behalf of drivers. Vote yes on this plan.

Thank you.
(Applause.)

MS. JOSHI: Next is Victor Salazar.

MR. SALAZAR: Good afternoon, Commissioners. Good afternoon, everybody. Hello, brothers back there. I'm Victor Salazar. I stand firmly in solidarity with every single driver in New York City. I've been a cab driver for so many years, close to 20 years. I've driven in so many fleets. I've driven in (inaudible). I've been driven in checkers. I've been driven in 49 Management, Omega. I went through DOV system.

Back in those years when I was driving many, many of those garages, they used to charge me a weekly lease. Drivers today, they don't even know what a weekly lease is. I believe that
the taxi driver deserves the
ingcrease, completely, totally,
and there should not be one
single cent of lease increases
in New York City that --

(Applause.)

We taxi drivers we drive
with our books open under the
GPS system. Every single day,
the city knows exactly how much
money we make, and my question
is, why cannot fleets owners,
brokers open their books.

(Chorus of yeahs.).

(Applause.)

MR. SALAZAR: After 15
years of working very hard,
living in the basement, I was
able to buy a medallion. Now I
drive a medallion still. To my
other two drivers who help me
drive the same medallion, I
charge them the old weekly lease
and they manage to maintain the
vehicle and manage to keep the mortgage on time. I never been late on one mortgage. I manage to pay the insurance.

I don't own a mechanic shop. I pay big bucks to maintain the car. All the fleets they have their own mechanic shops, and I don't understand why they complaining that they're going to lose money in this particular proposal.

I hope and I believe strongly that the TLC will pass this proposal completely and thoroughly. As a cab driver from New York City, as a DOV operator in the past and an owner-operator, I support this particular proposal and definitely for (inaudible) that we are in desperate need for every single cab driver here in New York City.
We are a 24-hours industry, we'll continue to serve New York City proudly and we deserve recognition.

Thank you very much.

(Applause.)

MS. JOSHI: Mohan Singh.

MR. SINGH: I'm Mohan Singh and DOV, and I am in New York and drive the cab, and the thing is that I have seen the people saying that we are not earning, but I'm driving DOV and I'm paying my leases and they are earning, that's why they're living. But we cannot afford healthcare also.

Now I'm 56 and 57, so I want healthcare. Where should I go? So we need health care also and we want that this bill should go through and we are the people who work hard and we spend 12 hours of life every day
to risk our life. We go some areas, somebody can kill us, somebody can do everything. We risk our life. They don't risk anything. Wherever we go we have problems.

If we are not able to make the date, we have to pay the police. They don't worry about that. They get the lease from us. What else they want here. So we are the drivers, we want the raise.

(Applause.)

MR. SINGH: I ask you please, I need to take care of my family also. I'm also a New Yorker, and I want you to help me out.

Thank you very much.

(Applause.)

MS. JOSHI: Next is Sookie (phonetically) Singh and after that Mohammed Cheema.
MR. CHEEMA: Hi. Good afternoon, everybody. I am Mohammed Cheema, and I am driving what you call DOV. I have driven a cab in New York City for over ten years. Driving a cab in the New York has been an increasingly harder and more stressful job.

About 20 to 25 years ago, New York City cab drivers were earning more than what we are making today. Comparing the dollars of profit today to back then, we could pay our apartment rent from one -- from just one week of our income. Now, however, it has become very difficult to even pay the rent from two weeks of income. Now, if you look at the lease we are paying, they're among the highest in the nation.

Despite this fact, garage
owners and brokers are driven by greed to charge us more and more. When you look at New York City taxi fare rates, they are much cheaper compared to the rates of international cities equal to New York City.

Mr. Chairman, our situation hasn't improved since you lifted Laguardia tax law a year ago. And these taxi drivers all they complain to you that they were getting overcharged by the garages and brokers.

Sir, in the TLC public hearing last November, you passed a taxicab fleet driver bill of rights, but this legislation has failed to address our complaints because we are still getting overcharged. For example, my broker still charges 14 percent
interest rate on my car loan,
plus $50 loan guaranty the
weekly lease, 14 percent
interest rate on car loan, plus
$50 loan guaranty each week, $26
weekly expense, while I'm paying
for all of the repair of my car.
Hundred dollar additional driver
fee weekly for one driver. So
if I have two drivers, I have to
pay another hundred dollars.
Add these profits from
roof top advertisement on my
car, so these people are already
making too much money to justify
a hike in lease price. I would
instead ask you to please
consider raising the fare rate
for a cab drivers who are
basically struggling to just
maintain our livelihoods at the
moment.
And I want to tell another
thing is, just a few minutes ago
there was a driver, he was talking about the Queens Medallion. I used to drive their cab. I had an accident. I fixed their car. My friend owned that car, even though he was also DOV, DOV cab driver. So I pay for all -- you know, for the fixing the car and the Queens Medallion, they are known for that, they took all that, you know, insurance claim money.

They did not give me, I think if you investigate them, they never give any cab driver. It's not only Queens Medallion, other garages and, too; they take all those claim monies and never paid to the cab drivers.

(Appause.)

MR. CHEEMA: You know, drivers own the cab because they own the medallion, insurance talk to them for claim, and they
negotiate -- no, not driver,
they negotiate with them and
they get that money.

MALE VOICE: More.

MALE VOICE: More money.

MR. CHEEMA: And they should be
investigated for that.

MALE VOICE: Yes.

FEMALE VOICE: Yeah.

MR. CHEEMA: You know, I
never got that money from Queens
Medallion.

And the person over here
was talking about the gas, who
pay the gas? Cab driver pay
gas, whatever this is, it if
it's $21 or $52 or $60. Not
them. Cab driver pay for the
gas. They just try to mislead
the facts. They are making
already too much money and the
cab drivers are the ones they
are suffering.

And thank you very much.
And this was, you know, this posted there, in their offices but it's meaningless. This. It's posted in their offices, but they keep overcharging us.

And if cab driver charge $10 more to customer, he could lose his license, but if we get overcharged, nothing happens.

(Chorus of yeahs.)

(Applause.)

MR. CHEEMA: And another thing is, you know, if cab driver involved in a minor offense, you know, your department charge cab driver hefty fines. And how about the garage owner, you know, these millionaires? They should be charged. I mean, if you charge me like, you know, a fine for $200, they should be charged 10, 20 thousand dollars.
(Chorus of yeahs.)

(Applause.)

MR. CHEEMA: And thank you very much.

(Applause.)

MS. JOSHI: Elvis De La Cruz followed by Mohammed Patwary.

MR. DE LA CRUZ: My name is Elvis. I'm a taxi driver for about 12 years, and I have to say to the Commission that I believe that 17 percent is not enough. At least it should be 25 percent, but that's not what I'm here for.

I'm here to ask the commissioner if we have the fleet inspector, we should have these inspector checking the garages and the brokers, because they commit all kinds of abuse to the driver, and they get away, you know they get away
with murder. I have been
humiliated and all kinds of
treatment and, you know, nobody
do anything about that. That's
what I have to say. And thank
you very much.

(Applause.)

MS. JOSHI: Mohammed Patwary.

MR. PATWARY: I am
Mohammed Patwary. I'm driving
cab for 17 years. I know
everything that the drivers
saying here, that garages almost
robbing drivers these days
because there is too many
driver. They say if you don't
like it, just leave the car here
and go.

And the drivers' bill of
rights, those rights, they don't
follow. I know some of the
drivers called to TLC, make
complaint, I don't know what
happened, but I didn't do it.
We need to verify those things.

And sometimes in the taxicab we lose a lot of money, if it's 10 dollar or 15 dollar the customer don't pay; we don't make complaint, we don't call police. But if it's 50 dollar, hundred fifty dollar -- I went to Stamford last month, hundred fifty dollar, I didn't get my money. I call the police. The Connecticut Police Department come and finally they tried to catch him but they didn't do it. They say the person is sleeping and blah-blah, and finally they say next time you pick up a customer for Connecticut, you take the money in advance. That's all you can do.

And the tax garages, you know how they are taking money from the drivers these days. They say you have to pay in
advance, otherwise you pay 10 dollar if it's the Crown Victoria. If it's the hybrid car you pay 15 dollar extra, so you don't have to pay. All right, when they give us the car, they don't even say whether it's a hybrid car, the meter and the key. They don't even say if it's a hybrid car or a Crown Victoria car. When they give us the key, to find the car, it takes five to ten minutes, where is the car, and then we know it's a Crown Victoria, he will charge me 10 dollar or I have to go to the cashier and pay the money in advance, that way he will not charge me. But this is all busy, during the rush hour, so we don't get time to pay. So they charge us 10 dollar.

And if I'm 15 minutes late at the end of the shift, then I
pay some more dollar, 5 dollar, 10 dollar. So every day 20 dollar, they try to take money like that. And if I have a flat tire and I don't have the jacks to whatever, to change the tire, they say you have to have the jack, but if I work on a daily basis, I cannot check it every day.

We get -- we go to the criminal court because the police, they stop us for insurance paper and the garage do not keep the paper, and then we go to the criminal court. This is really bad.

And I want to say sometimes the customers vomit in the car Friday, Saturday. So these things, we call the police, sometimes the police even behave like it's not my business, I don't know. I think
if I have to clean the car, it's
gonna cost me 40 to 50 dollar,
at least 35 dollar, plus the
time. It takes one or two hour
to go find someplace where they
can do this. But there should
be a law from taxi commission
that if the customer vomits, the
police will help us to collect
money, whatever the tax
commission think is legal.

And what I want to say
last, 12, 14 years ago, whatever
money I made, I make less money
after all my expenses these
days, because even on a Friday,
Saturday night, we pay 50 to
even 60 dollar for the gas after
the shift.

So I want to say that we
need an increase. And the
garages, one more thing I want
to say, that there is a taxi
cab, called Woodside Management:
They cheat with a lot of drivers. The dispatchers there because they only speak Bengali there; they don't speak English there. Most of the drivers from Bangladesh, and they speak Bengali. So I tried to capture what they say to me about my money. I gave them deposit, 700 dollar plus for two weeks, I get; I'm supposed to get another 300 dollar from my credit card transaction, it's about 1,000 dollar but he give me $637 check. I say, What about my rest of the money. You are giving me another 350 or 400 dollars. He says take from the other driver who is working with me during the daytime, which is very illegal because they cannot rob money like this. He doesn't want to give me the money, so I want to file a complaint with
the taxi commission.

So that they do not give receipt for the payment sometime. They give the receipt for one driver only. I cannot prove that it was my money. If two or three drivers working in the same cab, they give receipt to one driver only, and that way sometimes driver don't even claim because they don't have time to claim to TLC or whatever.

Thank you very much for giving me a chance.

CHAIRMAN YASSKY: Thank you.

MR. PATWARY: And we need healthcare --

CHAIRMAN YASSKY: I'm sorry, thank you. Will you just stay until the end of the hearing so that someone can talk with you about the specific
complaint that you mentioned?

MR. PATWARY: Yes.

CHAIRMAN YASSKY: O.K.

Thank you.

MR. PATWARY: Thank you.

(Applause.)

MS. JOSHI: That concludes our hearing for today.

Thank you for participating. The time now is 12:40.

(At 12:40 p.m. the hearing concludes.)