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NYC TAXI AND LIMOUSINE COMMISSION
Public Meeting
Held on Thursday, July 16th, 2009
40 Rector Street
5th floor
New York, New York 10006
9:30 a.m.
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APPEARANCES:

MATTHEW W. DAUS, Chairman/Commissioner
HARRY GIANNOULIS, Commissioner
ED GONZALES, Commissioner
IRIS WEINSHALL, Commissioner
JEFFREY KAY, Commissioner
CHARLES FRASER, General Counsel

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COMMISSIONER DAUS: Good morning, everyone. Let's go to Item 1 on the agenda, the Chair's report.

On the Accessible Dispatch System. We have a grand total of 2,979 dispatchers to date. The daily dispatch for July has gone down a little bit to 11.07 per day. I see on the bottom of that, at some point in the future we'll be reporting to the commission on the status of this pilot in general.

Item 2, Rules Division Project, there are no hearings scheduled for August and -- how many chapters do we have left, Chuck?

COMMISSIONER FRASER: I don't have an exact count, but it's about half.

COMMISSIONER DAUS: And we are expected to finish by the fall?

COMMISSIONER FRASER: The fall, right.

COMMISSIONER DAUS: At some point the commissioners will be voting on all the chapters at once. After we go chapter by chapter, then we will be proceeding to Phase 3, which, just to remained everybody, Phase 3 will be substantive in nature.
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Even though substantive comments are being made along the way and substantive changes are being made, which are obvious and necessary in the nature of that it would be ridiculous not to make some changes that are apparent and glaring, real substantive changes will be coming in the next and last phase.

On the for-hire vehicle rules, there is a lot of activity. We're doing a lot of outreach through Commissioner Epstein's office. In particular, there are a couple of dates I want to remind everybody about. July 2nd, the three-year base license renewal rules went into effect. So all base licenses that are renewed as of July 2nd on all for-hire vehicles will be a three-year term.

Also, the base markings on the outside and inside of the livery vehicles also went into effect.

On August 1st a point system will be going into effect. Obviously, we will not be seeing any real impact immediately
because it takes a while for people to accrue points, but we'll be monitoring that considering some of the concerns of our commissioners and the industry.

On September 1st vehicles will need to have two new TLC decals on the rear quarter windows. That's black cars and liveries.

And new vehicles will start on September 1st to go to TLC's Woodside Inspection Facility for their DMV inspection. That would be all for-hire vehicles, limousines, black cars and liveries.

February 10th, 2010 all renewals for for-hire vehicles will go to the Woodside Inspection Facility for their DMV inspection, at least once during their license term.

The Passenger Bill of Rights is also in effect. And I'll reiterate that we are looking to work with the industry, not summons them excessively at the beginning of this project because we want to make sure they comply voluntarily.

So far the signs are that bases have been
very cooperative. They've come up with some
very good ideas on how to place the holders
and help us implement the law. So we are
very grateful for that and we will continue
to report to the commissioners on how that
proceeds.

On the hybrid front. We have, as of the
15th of this month, a total of 2,549 hybrids
and over 18 percent of the fleet at this
point is hybrid. We have 18 clean diesel VW
Jettas on the road and a total of 5 CNGs.
So if you add together all of the clean
vehicles, we have 2,572.

Also, we are not going to be having a
commission meeting in August. We are going
to give our commissioners a break. They
have been working very, very hard, they
don't get paid and they have been here every
month and they have been doing a lot of
work.

As you know, we have a lot of regulations
that we have been through and they have done
a great job. I'd just like to thank all of
our commissioners. This has been a very,
very active year and I want thank you for
reading everything you read and commenting
and being so helpful to us.

In September we'll probably reconvene
with a public hearing to potentially
implement a taxicab surcharge. Albany
passed a state law, I think we reported on
that before. We do need to pass some
regulations to implement it because it
involves some changes to the meter and so
forth.

So, even though we don't have any
discretion to change much of anything, we
still have to make sure our rules reflect
compliance with that state law.

And certainly last, but not least, I have
some personnel announcements I'd like to get
to.

Unfortunately, for us, but fortunately
for him because he's going to "greener
pastures". Peter Schenkman, our Assistant
Commissioner for Safety Emissions will be
leaving the TLC shortly, he has given his
notice. He's going to the private sector,
actually into the taxi industry. He assures us he is not dealing with us directly but he's going to be an Operations and Compliance Consultant for All Taxi Management.

He is here with us today for his last commission meeting. He has been a regular fixture here, in terms of being an automotive expert and somebody who was really given us a lot of guidance. He has a lot of accomplishments in terms of how he and Deputy Commissioner Mullins together have turned S&P around in a lot of ways, and I think some of the biggest accomplishments are the incredible reductions of waiting time.

It used to take over two hours for people to get their cabs in and out of the S&P inspection facility. And he got that down to less than 20 minutes on average. We want to keep that low turnaround time in place, and maybe even improve on it.

He has also been working very closely and did a lot of the groundwork on the Taxi
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Tomorrow Project, which is still moving forward at this point. And if you remember Taxi '07, the 100th anniversary of the cab, he helped that come into fruition.

But most of all, Peter, you'll probably be remembered most for your efforts to help us and Mayor Bloomberg "green" the New York City taxi fleet. As you know, we are involved in some litigation, we are appealing the MTBOT's victory in the lawsuit, but certainly in terms of voluntary efforts and just spearheading this effort from the start, you deserve a lot of credit for that Peter, so I want to thank you and wish you the best. Would you like to say a few words?

MR. SCHENKMAN: Thank you to everybody.

COMMISSIONER DAUS: Thanks and good luck, Peter. Thanks for a job well done. To make sure we have a smooth transition, we have Pansy Mullins, who oversees Safety Emissions as well as Enforcement. I and Andy Sawkin have asked Mark Ridley to continue to serve in his role as directing operations for
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Safety and Emissions, and he will insure that we have a seamless transition into the PHV rule reform implementation.

In particular, starting to inspect all of these livery cars at the Woodside facility, which will involve a lot of logistics and planning.

You've been doing a great job, Martin. He is the Chief of Operations for Safety and Emissions. Do you want to stand up so everybody can get to know you. Martin will probably be attending our commission meetings a little more frequently now, and trying to assist where Peter has left off.

I'm also pleased to announce that Martin has completed the Management Academy. For those of you in the New York City government, that's an elite program where not everyone is necessarily accepted.

I believe through DCAS and the mayor's office, they work together to train managers in an intensive program which runs for about ten weeks, and we submitted his application, he was accepted and it's a very, very
well-known and well respected program in the City. So, congratulations on graduating.

Also, in 2006, Martin received the Mayor's Office Award for outstanding Civil Service and on March 28th of this year this is his 20th anniversary at the TLC. Congratulations, Martin. We look forward to working with you in your new capacity.

That concludes my report. Do we have any questions?

COMMISSIONER WEINSHALL: I also want to congratulate Peter. We worked together at DCAS where Peter did all of that work and I just wish you all of the best in the private sector.

COMMISSIONER GIANNOLIS: I agree with that. Do you have to wear a tie at your new job, Peter?

MR. SCHENKMAN: (Inaudible).

COMMISSIONER GIANNOLIS: Excellent.

Can you get me a job there too, please?

COMMISSIONER DAUS: Not that he ever wore a tie when he was at TLC.

COMMISSIONER GIANNOLIS: He is a
fashionable man.

COMMISSIONER DAUS: Item 2, adoption of the minutes from the June 19th, 2009 Commission meeting. We lost Iris -- she'll be back. We lost our quorum, as soon as Iris gets back in the room we'll vote on that.

Why don't we jump out of order and go to Item 4. Taxicab Specs.

COMMISSIONER FRASER: Proposed Chapter 17 would replace existing Chapter 3 in the current rules. The proposed rules were published for the required 30-day public comment period followed by a public hearing on June 30th.

Copies of the written comments and the hearing transcript have been supplied to the commissioners. The proposed rules include 5 substantive changes from the existing rules. All of those changes being to update provisions that have become either technologically or operationally obsolete.

Those changes are itemized in the statement of basis and purpose of the
proposed rules.

Also, the staff is recommending nine changes to the proposed rules based on the public comments we have received. Those changes are itemized in my memorandum to the commissioners.

Copies of the proposed rules, including the staff's recommended revisions and are giving the commissioners are available to the public in the back of the room.

The staff is recommending that the commission approve these proposed rules subject to a further vote, giving final approval to the entire rule book and reviewing the existing rule book at the completion of this phase of the project.

COMMISSIONER DAUS: Anybody have any comments on the proposed Chapter 17? No. Okay, I'd like to make a motion to approve the rules.

All there, we'll hold it open for Iris to return.

Let's go back to Item 2 the adoption of the minutes. Any change to the minutes?
Motion to approve. Second? All favor?
Okay, four votes, we'll hold it open for Commissioner Weinshall.

Item 3, Base Applications for determination.

MS. STEELE-RADWAY: Good morning. Licensing would like to present before the Commission 42 bases with a recommendation for approval.

COMMISSIONER DAUS: Any issue with the bases?

COMMISSIONER GONZALES: No issues.

COMMISSIONER DAUS: Any issues with a motion to approve?

COMMISSIONER GONZALES: Motion to approve.

COMMISSIONER DAUS: Second? All in favor? We have a motion to approve. Second, all in favor?

MS. STEELE-RADWAY: Licensing would also like to present four bases with a recommendation for denial with a request that the commission grant an additional 30 days so that the bases may submit the
COMMISSIONER DAUS: Okay. Any issues?

Motion to deny on the floor. Second? All in favor? Okay. Jeff, you're good?

COMMISSIONER KAY: Yes.

MS. STEELE-RADWAY: Thank you.

COMMISSIONER DAUS: We are just waiting for Commissioner Weinshall to return and we'll ask her to vote on the remaining four, then we'll close the meeting and go to Executive Session to consider one appeal, TLC versus Virtual Cab Corp., Medallion License No. 8V10 and also 8V11.

I would just ask the commissioners to remain so we can maintain a quorum when she comes in.

We voted on everything, I don't know if you had any comments or issues.

COMMISSIONER WEINSHALL: No.

COMMISSIONER DAUS: So, we voted on the minutes. To adopt the base applications that were recommended for adoption to when we go one by one. Minutes, you vote to approve or deny?
COMMISSIONER WEINSHALL: Approve.

COMMISSIONER DAUS: On the base applications for the recommended approvals?

COMMISSIONER WEINSHALL: Approve.

COMMISSIONER DAUS: The four recommended denials, we recommended to deny.

COMMISSIONER WEINSHALL: Okay.

COMMISSIONER DAUS: And finally, we all voted in your absence on the Item 4, Chapter 17. You vote to approve?

COMMISSIONER WEINSHALL: Yes.

COMMISSIONER DAUS: If you like, you can make the motion to close the meeting.

COMMISSIONER WEINSHALL: Let's adjourn the meeting.

COMMISSIONER DAUS: Do we have a second?

All in favor. Have a great summer everybody. We will be in touch and we'll see you in the fall. Thank you.
STATE OF NEW YORK
COUNTY OF NEW YORK

I, MELISSA JIMENEZ-DE ARMAS, a Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify:

That the foregoing record of proceedings is a full and correct transcript of the stenographic notes taken by me therein.

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

MELISSA JIMENEZ-DE ARMAS