PUBLIC HEARING ON TAXI OF TOMORROW RULES

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33 Beaver Street
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Reported by:
Joseph Danyo V
MS. JOSHI: Good morning, everybody. We're going to start today's meeting, so take a seat, please.

Good morning. The TLC is considering proposed rules which would establish an official taxicab vehicle and will require most medallion owners to hack up with this vehicle after the official taxicab activation date.

The proposed rules appeared in the city record on August 6th, and the CAPA deadline is today, September 6th. As a courtesy, the TLC will accept comments up until September 17th.

Today, we're holding our CAPA public hearing which will begin in a few minutes, but first, David Clar, executive director of financial planning and analysis, will give a presentation of the process that led up to the selection of the NV200 and
the features of the NV200.

MR. CLAR: Good morning everyone. Everyone good? Please be patient with me as I kind of walk through this. For many of you, this is information already, but I do see some new faces today.

So I just want to kind of go over how we got to where we are. This has been a project going on for a long time. It's exciting to see it come to fruition.

I think the first question that a lot of people have asked is, why even bother doing this? Why should we have Taxi of Tomorrow? The simple reason is that for the first time we'll have a taxi vehicle built specifically for New York City. So our roads, for how a taxi operates in our city, for our owners, our drivers and our passengers. And it's not something that we've had for a very long time.
Current taxi vehicles have some issues. One of the major problems is that they're not actually designed to be taxis. The last vehicle that was really designed to be a taxi that was in common use in New York was the Checker, and that left over 25 years ago.

Most of the taxis on the road today are really police cars or regular passenger cars. They're not designed for 24/7 service.

There's no amenities for passengers in the current cars. Passengers are kind of an afterthought in a lot of different ways. And I know we spend a lot of time in this room kind of arguing about how much drivers should get and how much owners should get and how we're working out those details, but something we don't talk about that much is the people who pay for everything, the passengers.
If there's no passengers, there's no industry, so considering passenger needs was an important part of this project.

There's a lot of modifications done to current vehicles, like adding a partition, drilling holes to add root caps and other things. You're altering a car, and you're not testing what happens to that car.

Let's say it's in an accident. What happens to that equipment. There are no amenities for people with disabilities in current taxicabs. And I'm speaking also beyond wheelchair accessibilities. If you have vision impairment, if you have hearing impairment, if you travel with a service animal, if you have mobility impairment but don't require a wheelchair there's nothing to provide service to you right now.

And the taxicab I think
everyone will acknowledge is a symbol of the city, but there's so many different kinds of cabs and there's so many ways to deliver service that it lacks a coherent design. It's very confusing to people that every cab is a little bit different. (Inaudible).

So one of the main questions that I got as I worked on this project over the last couple of years is, well, why don't you just let the market decide? That kind of serves -- the opinion there, it's kind of served us well in the past, but there are some issues with that as well. And first and foremost is that, although owners have very specific interest in terms of purchasing vehicles, initial diversity in the owner community about what they prefer, their interest is not always aligned with the interest of everybody else
participating in the industry.

If you're a passenger, you're not thinking the same way as the owner. Certainly if you're a driver your interest is not the same necessarily as the owners.

We've heard from many, many automobile manufacturers since 2007, both large and small, and they've all told us the same thing, which is that it takes a lot of money to develop a customized taxi vehicle for one municipal market. It's a very small volume in terms of the grand scheme of things for them. And unless they're able to sell to pretty much everybody in the New York market, they're not going to make their money back. So an exclusive deal is an important part of the arrangement we have with a company.

Also looking at taxi history, there's always been over the last
couple of decades kind of one big car that everybody gravitates to. At one time it was the Checker. Then it was the Chevy. Now it's Ford.

If you look at kind of a typical vehicle census right now, an overwhelming majority of vehicles on the road are Ford. So one general provider has kind of been the history of the industry. It's something that no one has ever done before that's unique about this project is that using the city's ability to regulate to kind of negotiate on behalf of the industry with an automobile manufacturer to make sure that all the stakeholders in the industry get something out of it.

So we're really going from something that's off the rack to something where we have a lot of input on the design. So today's
taxi, it's a regular passenger car. Someone else adds the taxi elements later. It's not really designed specifically for that car. Passengers and especially the industry really have no say if they're coming and saying, oh, okay, this is what we're selling this year as a taxi. You could either buy it or not. And then (inaudible) and nobody does any safety testing to see what happens to passengers in case there's an accident. And the Taxi of Tomorrow Project really redefines how we do this. It's going to be a commercial vehicle, so it's already extra durable, designed specifically for the realties of a New York City taxi. This is a vehicle that's going to be designed to go 24/7. And Nissan is here today to talk a little bit more about that and show what they're doing to get that car
- PROCEEDINGS -

ready.

All of the taxi elements will be engineered by manufacturers and installed at the factory. So number one, no more billing for aftermarket hack-up and the additional hack-up cost. Hack-up is included in the vehicle purchase price. And also the design to nest very careful within the car.

Nissan, as the manufacturer, and I've seen this over and over again, is taking into account what owners, drivers and passengers want to have in a taxicab into the design. There's been focus groups. There's been meetings with industry representatives. There's been just talking to ordinary people on the street. There's been design men to kind of find out what would you like to see in the cab and what can we incorporate.

And then finally, they made a
full commitment to safety test with all the taxi elements installed, and that's something that has never been done for a taxicab before. Certainly not in New York. Probably not anywhere in the world. This is going to be the most famous cab ever put into service.

Just a little background on the project timeline. I mentioned before we started it in 2007. Really the idea of a customized taxicab has been floating around the city for decades. Certainly as far back as the late '50s, early '60s. But for this particular iteration of it, the stakeholder committee and Project Kickoff started in 2007, and that was about the same time the city hired an engineering consultant, Ricardo, to kind of advise us on how to look at this question.

I'm not a car guy, I'll be
honest about that. So they provide engineering advice and kind of let us speak to the industry in a way that Detroit can understand.

We also released a request for information on that hearing, and got feedback from people in the industry now and a variety of manufacturers who seem likely to contribute to this project.

In late 2009 we released a request for proposals. By early 2010 we received seven responses, and out of the seven responses there were three finalist candidates that seemed the most promising.

In 2011 we received best and final offers from those candidates. We conducted interviews and saw sample vehicles, and Nissan was the highest scoring proposal, and we selected Nissan as our partner.

Later that year, kind of the first reveal of the vehicle elements
at the design expo in Madison Square Park. A full show car vehicle was revealed this April at the New York Auto Show. And we expect this vehicle to be on the road by November of next year, so about a year from now.

There are many features in this taxicab, the NV200 that we've selected, that are not found in any other taxi on the road today, and I have several slides here and I'm just going to go really quickly, because Nissan is here again to kind of talk about their car and I'll let them talk about their car, but again the first and most important element is that this will be safety tested to federal standards with the partition and all the taxi elements installed. Again, completely unprecedented.

The passenger airbags are designed around the partition. You
may be aware that we have a rule right now, there are vehicles that have rear airbags, and only some of the vehicles we have on the road now have rear airbags, that the partition has to be altered to accommodate them. We don't have to do that with this car, because the design of the partition is the same as the design of the airbags.

Passengers and drivers will have fully separate climate control systems, so no more kind of waiting for the breeze to come from the front of the car to cool you off on a hot summer day. Everyone gets their own climate control. There will be a transparent sky roof to observe the skyline.

Something that we hear about a lot from people who commented on our taxi selection process and kind of comment on vehicles in general, is it's kind of difficult for people to
get into some of the cabs on the road today. Especially senior citizens. So this car will have a deployable step and grab handles to assist entry and exit.

Actually, (inaudible) some of the 311 calls that people made about taxis and some of their complaints about it, and I just -- I don't want to say any names because they haven't given consent, but I just want to read a couple of comments about what people say about getting in and out of current cars.

Here's one. "My husband is 75 and I'm 65, and the cabs with the sliding doors are very hard or impossible to open, impossible to jump up that high."

There's a comment about the babble from the rear screen, kind of skip that for the moment. "And we couldn't open the door to exit. Taxi should be reasonable size and
feel elegant and inviting. This style cab is unwarranted."

One comment we got (inaudible) additional legroom. "I'm over 6 feet tall. It would be great to not have my knees jammed up against the partition with all the screws sticking out that cause bruises and ripped clothing. Thank you."

In one letter that was handwritten to Mayor Bloomberg that I just want to take a moment to read.

"I ride taxis very often. I'm an 84-year-old woman who walks with a cane and has had a knee replacement a short while ago. It is impossible for me to go into those taxi vans in the city. They are too high. The elderly find it very difficult to use those taxis."

And this is something that Nissan discovered as well when they talk to passengers in the city.
So the NV200 taxi is designed specifically to help accommodate these people. That will have a deployable step, a wide flat floor, easy entry and exit. Very easy to open sliding door. And then once you're in the cab, very comfortable seating materials that are as durable as vinyl but feel a lot nicer and a lot less kind of sticky and icky.

There will be passenger reading lights. For owners, there will be unprecedented warranty coverage, 150,000 mile power train warranty. That's at no cost to the owner. It will also come with a 30,000 mile bumper to bumper warranty. And if you purchase the accessible version, there will be also a 100,000 mile warranty on all the modified parts that go to make it and test the vehicle.

Again, as I mentioned before,
the hack-up is included in the purchase price. There will be floor lighting, people looking for dropped objects, charging stations for both the driver and the passengers so you can charge your tablets, your phones and what have you.

(Inaudible) trade (inaudible) currency. No more kind of bending over awkwardly to the driver to kind of hand people their change, their receipt.

The passenger doors in this vehicle use half as much energy to open sliding doors you see today, so we get a lot of complaints about sliding doors, we'll tell the company about that.

Built-in driver navigation system on the GPS. So in case you want to go to the Bronx, shouldn't be a problem. There will be a GPS. No more excuses of I don't know how to get there.
(Inaudible) and a horn light to help enforce in the quality of life issues. We actually have a surprisingly number of complaints here about drivers honking.

One moment I just want to take to talk about accessibility features in this vehicle. I know there's been a lot of discussion in the media about this. We've heard certainly from advocates. We've heard from people who are passengers who have a lot of difficulty with current vehicles. And I just want to make sure that the facts are out there about what we're doing on this front.

Every single one of these cars, every single one will have features for people with disabilities. And the specifics are every single one will have a hearing mode and intercom so people with hearing impairments and hearing aids, with a
deployable step and entryway handles
I mentioned earlier. There is
definitely space for service animals
with a wide entryway and a
completely flat floor, and for
people who have vision impairments
with high contrast margins
throughout the car, but specifically
on the entry step and seats to
assist people in kind of finding
their way into the vehicle.

Again, this is on every single
one of these cars. And these are
features that no other taxi on the
road today in New York have.

Nissan has also partnered with
(inaudible). You'll hear from both
of these firms later today to
produce and sell as many wheelchair
accessible vehicles as desired. Up
to 100 percent of the fleet. And I
want to be perfectly clear about
this, if the City Council, for
example, were to pass the bill
mandating that every single taxicab in New York City must be wheelchair accessible, Nissan and (inaudible) will deliver that. They can do 100 percent of the fleet.

Current rules are different. They can go over as many as required today or as many which is desired by people who wish to purchase these vehicles. But let me stress again, up to 100 percent of these can be converted to be wheelchair accessible.

There will also be a fixed cap on the price to convert these vehicles. Each cab is $14,000. We expect the price to be a little less. We're still doing the engineering work, so we don't have a final price for people yet but we should have that shortly. And this is something that we feel strongly about here, is that the wheelchair accessible version of the vehicle is
the same quality and has the same amenities as the non-wheelchair accessible version of the vehicle. Everybody rides in the same quality car with the same amenities. That is an important principle for this vehicle, that everyone gets to enjoy the benefits of the amenities of the Taxi of Tomorrow. Another question that we've gotten a lot over the past couple of years is, hybrids are working pretty well right now. They're very fuel efficient. They're good for the environment. It's good for the city. The Mayor has been pushing for higher mileage. Why don't we just let people choose and continue with that. There are some reasons to kind of discuss that further, and one is that that Ricardo advised us that the technology is always changing on this, and that hybrids will be part
of a toolbox that auto companies
will use in the future to deliver
high mileage cars for the new EPA
requirements that have just come
out. But it's one solution of many,
and we need other ways to get to
that solution.

They aren't necessarily hybrids, and there should be some
flexibility in how we approach that problem. But alternatives are
coming very, very soon, we should allow space for that, and a couple
of those alternatives are used in the Taxi of Tomorrow.

Hybrids do help in solving environmental problems, and they do
a great job with it, but they don't address some of the other issues I
brought up earlier. They don't address safety, service, comfort or all the accessibility issues, and we need to make sure that the car services everyone who needs it and
all the stakeholders in the industry.

Unfortunately, federal law also prevents TLC from strictly just mandating hybrids. We attempted to do that. There are many challenges of that. We can't set minimum fuel economy. We can't tell people you have to buy a hybrid. We have to rely on voluntary efforts in that regard.

We also did a (inaudible) to kind of see how prevalent are hybrids. And one thing that we were able to determine was, hybrids were first allowed as an option for owners in 2005, so it's been seven years, which means that the vehicle fleet has completely turned over at least once, so every single owner has had an opportunity to buy hybrids.

Unfortunately, it's about less than 50 percent right now. I
believe it's about high 40s. So what they tells us is, and we've heard this directly from people as well, there are a large number of owners who won't buy them. There's no way for us to compel them to buy them, and they just won't voluntarily do it, so we have to consider that as well in determining solutions.

But we do have some good news on this front, in that partnership with Nissan gets us a direct pathway to a fully electric vehicle. Nissan is a leading provider of fully electric vehicles. They have a car on the road right now, the Nissan Leaf, which will be (inaudible) later this year as a taxicab.

So we know the Leaf is not an ideal taxicab. It's more of a proven concept and infrastructure test, as it were, to kind of make sure that the industry can get ready
for full electric cars.

   Electric cars give way, way
better mileage than a hybrid would.
They use an EPA fuel economy
equivalent because you're not
actually buying any gas.

   Most electric cars get greater
than 90 miles per gallon, compared
to the best hybrid out there right
now, it's probably the Prius, it
gets about 60, 65, so it's a pretty
gigantic leap, and that's something
that we're very interested in
exploring and we're glad we have a
partner who can help us with that.

   Speaking of vehicle testing,
again, just something we'll go into
in a little more detail, but we want
to make sure that this car is ready
for service as a 24/7 taxicab.

Nissan is very strange in this
regard. We're one of the leading
taxi brands in Latin America, where
sometimes roads can get kind of
rough. This is a commercial grade vehicle designed to last longer than the allowable (inaudible) set by TLC. Those in the industry know (inaudible).

TLC sets a maximum retirement age for each taxicab depending on what kind of owner you are. It ranges from three to seven years. These cars will be designed to last longer than that, greater mileage than any (inaudible) taxi service.

Nissan has done pretty substantial research on the industry here in New York and also on New York street conditions.

They've met with DOT. They've done field testing with their own vehicles that they own. They bought cars from current vehicle owners, both brand new ones and ones that are ready for retirement, to see what kind of wear and tear to put in cars.
They borrowed our data from our safety and emission inspection facility to see what the most common problems, what kind of things break, what kind of things need a lot of replacement.

And they are conducting automobile testing in New York now, and there will also be more product testing in early 2013. They're going to release a cargo van version of the same vehicle probably later this year, early next year. So they're going to bring that around, kind of put it out on real New York streets and make sure that they're ready for service.

Here are some pictures for folks who haven't seen it before. In the upper left is the custom designed partition. You can see that the air conditioning is there. The screen is integrated. There's a lighted area for the driver's
license right above the intercom
button.

On the right you can see the
seating area. You can seat three
adults (inaudible). You can sit
side by side. There's a sliding
window there, and there's plenty of
legroom. This has the most legroom
of any vehicle that will be on the
road as a taxicab. It's gigantic.
I'm 5 foot 10. I can sit in this
car with my legs crossed and not
touch the partition.

On the lower left you could see
it on the road in New York. This is
the show car that was at New York
Auto Show, so this is a real car,
really driving around (inaudible).

And on the right you can see
that it has very generous cargo area
for luggage. This actually has more
luggage space than the (inaudible),
which has a pretty big trunk.

I just want to talk a minute
about the rules that are being proposed before the commission and also the features of the contract that we've negotiated with Nissan. In addition to the rules, we will have a contract. The contract will govern the terms of the relationship with Nissan as a provider.

There's been, as I've heard from the industry, a little bit of confusion about who has to buy what car, so I just want to take a minute and kind of carefully go through this and explain how this is going to work for people once we fully adopt this vehicle.

12,237 of our taxi medallions (inaudible) are exclusively with the NV200. These owners will have free choice to either buy the plain vanilla NV200 or, if they want, they could buy the wheelchair accessible version of this car.

In addition to that, there are
a number of exemptions of people who will not have to buy this car unless they want to, so let's go through who they are.

There are 231 restricted medallions that require the use of a wheelchair accessible vehicle. Those people will always have the complete choice to buy any wheelchair accessible vehicle they want that is approved by the commission.

If they want to buy the Nissan, they're free to do that. If they don't like the Nissan for whatever reason, they never have to buy it. So if they want to buy a Sienna, an NV1, a Transit Connect and convert it for use, no problem. Those people will never have to buy the Nissan.

In addition, we have negotiated that the commission will have the ability to issue up to 496 waivers
to people who have unrestricted medallions that want to provide wheelchair accessible vehicles. So this is an incentive for them to do so, because, let's say if you don't like the Nissan for whatever reason, you're just not crazy about it but you like to provide wheelchair accessible service because that's something that you believe in or there's other incentives who induce you to do so, you'll have free choice to buy any approved commission vehicle. Again, the NV1, the Transit Connect or the Sienna. But again, you don't need the waiver if (inaudible) Nissan, because you're covered under the other group.

You also have the 273 restricted alternate fuel medallions. Those people will continue to use approved hybrids. There is no change for those
purchases at all from what they're doing right now. We'll still have a wide range of hybrid and alternate fuel vehicles for them to choose from. Not a problem. They can pick whatever they like. Just like they do today. They want to use the Escape, the Camry, the other popular vehicles, feel free.

There's also an exemption for any medallions sold after January 1st, 2012. Currently there's some pending medallions where there's some back and forth on that. I won't get into too much detail on that, but let's say a future council, a future legislator, a future commission has an additional medallion sale, those medallions will always be exempt from a Nissan requirement.

So what we see again is unrestricted medallions, everybody will be driving a Nissan for the
most part, but there's a very large number of exemptions for people for a variety of reasons. One of which is we want to continue to test new technologies in new vehicles, and this gives us a forum to do that.

There's also some key contract items that we believe are beneficial to the industry, and we want to make sure that people are aware of them.

The first one is the concept of liquidated damages. So one concern that I've heard a lot from people in the industry is, well, what happens if the car is a lemon? I'm not saying it is. We don't expect it to be, but just in case, it's nice to have some insurance.

And so what we negotiated is that there's a widespread inability for people in the industry to obtain parts or service for the car. Nissan will give you the ability to correct that, and if they can't
within a reasonable amount of time, Nissan will directly compensate vehicle owners at the rate of $100 per day.

So we acknowledge it's not maybe as much money as they would make leasing it out for two shifts during the day, but it beats the zero they currently get from current manufacturers.

Free owners will also be able to be certified to do warranty work on their own cars. Another concern we heard is, well, what if I don't want to deal with a dealer. They take too long. I have to get the car out on the road right away.

We heard that. We understand it. Nissan heard it. Nissan understands it. Fleets can certainly get certified to do that, but we have an approval process of course that that's a guarantee in the contract.
People have also asked a lot of questions about how much does this car cost. Nissan had a fixed manufacturer's suggested retail price. So that will be $29,700 at launch. There were predictable set increases for the life of the contract, that deal we share with the industry today.

We can tell you what the car will cost in 2018 now. So no surprises. And because that's a suggested retail price, people will go to their local car dealers and negotiate from that number.

We're not saying that they have to charge that amount, we're saying that's the price that they're suggesting, and you'll be able to negotiate lower than that. Certainly for a large scale purchaser you'll be able to get a much better deal than that.

We also negotiated that Nissan
is committed to always keep a 30-day supply of these taxis available in the New York City area. We've seen in the past sometimes cars get very popular and there's maybe a shortage. And people maybe have to wait a little longer than they should for their purchase of cars.

We don't think that's any good, and we want the cars on the road providing service right away. That's a concern we've heard from a lot of different owners. And so that's the guarantee, that they'll always be a month's supply of cars. There should not be any shortages.

And finally, there's a requirement for a minimum number of dealers. (Inaudible) if I can only get this from one dealer. (Inaudible) intended to lower the price number. We've heard that. There will always be at least three Nissan dealers in the five boroughs
selling this car and at least five additional dealers within 25 miles. We expect most dealers to be on Long Island and New Jersey. So a minimum of eight dealers in the region. That's the minimum, but we know there's many more than that who have signed up already, but that's a guarantee minimum from Nissan.

A little bit about contract (inaudible) notice from the city record in June that the taxi (inaudible) contract was available for public viewing. And it was for two weeks, June 1st through 15th. We also had a public hearing via the Mayor's Office of contracting services on June 15th of this year. No comments were received from the public, and therefore passengers proposed rules. As presented to the commission are that beginning next October 31st, 2013, all new hacked-up taxicab
vehicles will be Nissan NV200 taxis, except for vehicles that have the exception as I mentioned earlier, and that the rules will also be modified to acknowledge that a lot of things that people purchase after market today will be included in this vehicle. For example trouble lights, partitions and so forth. Roof lights.

That our rules right now don't anticipate a manufacturer providing them, so it just kind of cleans up the rules a little bit to make sure that you're in compliance with our hack-up rules if you show up with a car that is fully integrated.

It also includes some lease cap changes to account for the fact that we acknowledge that vehicle owners will have some transition cost change into the title.

The price of the vehicle is actually lower than many of the cars
used commonly today, but we acknowledge that it is a change for the industry. And so there are some lease cap changes included in the package. Including that fleets will be able to charge a higher gas surcharge rate for the Taxi of Tomorrow.

And then driver-owner vehicle agents will be able to charge a higher rate for the NV200 or wheelchair accessible vehicles to provide some additional incentives on that end as well.

What this all adds up to is that we're the leader in taxicab development right now. And our partnership with Nissan lets us make all the improvements, as I mentioned before, that we've never been able to do before. Again this is something that's been talked about for decades, but it hasn't been achievable until now.
I'm very happy to announce that London announced that they're going to approve a modified version of our car. Imitation is definitely the sincerest form of flattery. We're very excited to receive that news.

The NV200 is also expected to be released in Tokyo. Nissan has a large part of that market as you would expect. So really it's a project that's setting a global standard for major cities around the world. And it's very gratifying to be a part of it.

Like the song says, if I can make it there, I'll make it anywhere. It's nice to see people acknowledging that we're doing something substantial. And so thank you very much for your attention. I realize I was going on for a while. If there's any questions, I'll be happy to answer them now.

MR. YASSKY: Thank you. In the
interest of hearing from everyone, I won't ask any questions.

MS. JOSHI: And actually today, just for clarification, we won't be taking questions from the public. It was just for people on the dais.

Next will be here appearing is Peter Bedrosian from Nissan North America.

MR. BEDROSIAN: Thank you.

MR. YASSKY: I'll note this of course is our public hearing on the rules as provided under CAPA. Whether commissioners are here in person or not, they will all get a detailed summary of the proceedings today. So the commission will be fully informed.

MR. BEDROSIAN: Good morning. My name is Peter Bedrosian. I'm representing Nissan today at the commissioner's meeting. And I'm here to detail the product and the project for everybody.
First I want to touch a little bit on the Nissan in the Americas. I want to give you an overview of the company. Our headquarters is in Franklin, Tennessee, which is where I'm located. We have a total of 23,000 workforce in the Americas. 15,500 of those are in the U.S. We have a total of 1911 dealerships, over 1200 are in the U.S. And last year, calendar year, we sold 1.56 million vehicles. Again, a majority of those vehicles are in the U.S. We have six total manufacturing plants, and three of those are in the United States.

I want to talk about our experience. This is not the first taxi project that we've had. We've been a leader in providing taxis around the globe. (Inaudible) Mexico and (inaudible) in Tokyo are just two examples of a market dominating taxis in those regions.
And they're purchased for a couple of reasons. One, low cost of ownership, running costs, and also more importantly, the durability of those products. Those are trusted taxis in those markets.

In New York City we have Altimas running in the city. (Inaudible) was adopted by the drivers and the owners. That was not specifically designed to be a taxi, but it's actually doing quite well in the marketplace.

The Taxi of Tomorrow is our most ambitious project, taxi project. And we believe it is the most ambitious taxi project around the globe. And again, as Mr. Clar mentioned, the other cities around the globe are taking note of what is happening in New York City and how the industry can be improved with the OAM partnership.

A little background on the
In particular is made more specifically for New York City. It is not an off-the-rack solution.

We are making custom taxi, taking the consideration of a lot of key stakeholders in the city. From owners, the drivers, to the residents. So we're trying to provide a balanced proposal to the city.

We've conducted focus groups with taxi fleet owners, drivers and residents trying to understand their needs from their future taxi.

We are also involved in a collaborative matter, TLC, Ricardo and New York-based independent design firms to participate in the design reviews of the vehicle at our studios in La Joya, California. Everything from materials to colors, to features and how the taxi will be used.
We've had local expert opinions. Taxi operators have helped Nissan instrument current Altima taxis to take actual engineering data on New York City driving patterns and road conditions. And we're actually using that data to establish standards for the Taxi of Tomorrow.

As we get closer to launch we will of course provide a prototype of the Taxi of Tomorrow preview to the industry, show them the next taxi and show them what's coming.

What I'm going to provide next is a quick video. This is very short, and it kind of gives you a glimpse of the rigorous testing and development that we perform on every Nissan product, and also the same level of rigorous development will be performed on the Taxi of Tomorrow.

So you will just see short
clips of vehicles driving. Some of these again in the real world, we drive these vehicles 24/7 at our facilities to accelerate wear and tear, to put years of use on these vehicles in a matter of minutes.

So I'm going to play a quick three-minute video for you. This is (inaudible).

This is called a four poster shake cell. You can simulate any road in the world, and we're using the data we collect in New York City to simulate New York City roads, and these run 24/7.

We have environmental chambers where we can simulate extreme and freezing conditions. Water leak test, we can simulate hurricanes in this chamber.

In our electronic test facility we test all the electronic components, make sure everything works. No interferences.
We build these test units with all the electronic components installed.

This test is showing a seatbelt safety test. We're actually applying a considerable amount of force to the seatbelts to make sure that the seat does not come off from the floor.

And (inaudible) the vehicle from the doors over and over again 24/7.

For taxis in particular we're paying attention to the passenger doors. They will get the most use.

This is our testing facility in Stanfield, Arizona. Our proven grounds. This is where we're conducting durability testing. And as David mentioned, we have purchased current New York City taxis to establish the durability benchmark.

Again, these vehicles run 24/7.
You can see current (inaudible) that was purchased from the city.

Again, we have multiple shifts of drivers, and these vehicles run 24/7 at our test facility.

And this is our test from Manhattan to La Guardia.

This past spring we actually had a prototype of the NV200 driving in the city, doing some initial evaluation of the road conditions with the vehicle that we'll experience.

And we'll be back in the city once we get additional prototypes to conduct for our tests.

Next, I'll just describe a little bit about the NV200 solution, why it is the best solution, the balance solution to you, to me, to all the key stakeholders.

First of all, the NV200 is a commercial developed product from the onset. It is not a passenger
retail vehicle converted for commercial duty. It is built for commercial duty. The product has a very small footprint.

At the last snapshot a year ago of the (inaudible) proposition we calculated something like five acres of real estate saved by (inaudible) the NV200 Taxi Tomorrow.

Despite the small footprint the product has a very large interior space as you saw from the pictures. What we call a limousine-like seating leg room position. So the product is ready to provide great service to revelers.

The product is also very fuel efficient. We're using 2 liter proven and very durable four-cylinder engine in this product. It has high fuel efficiency, and it has very smooth (inaudible) transmission that adds to its efficiency.
We focused on low operating costs for the operators. The product is very durable. And it has the efficient engine with low fuel consumption. Product is durable. As I mentioned it is designed as a commercial vehicle from inception. And the platform is proven. The NV200 basic platform has been operating in over 40 countries, launched just a couple years ago. And we'll have two versions of this taxi available as David Clar mentioned. We'll have the standard taxi, and also the accessible taxi.

I'm going to touch on the design features. David touched on some of these, so I'm going to go quickly.

The vehicle you see here was shown at the New York International Auto Show, and it represents very closely the final taxi form.

Again, the taxi will come
complete with all the hack-up from the factory, and it is included in the price of the vehicle.

This is an image-rendered image of the passenger room. You can see the leg room that's provided by the outline here. It has enough room for service animals. You can stretch your legs out.

And one of the things we wanted to do with the NV200 taxi is provide better service to taxi patrons, and we have the space. This vehicle is not about the exterior. It's all about the interior, the experience, the comfort and the amenities.

But we didn't forget about our drivers. We've paid a lot of attention to drivers. We've spoken to a lot of the drivers in the city.

The front compartment is very important. They spend a lot of time in that area, so we provided a six-way adjustable driver seat.
And with our partition design, the seat maintains its full adjustability in recline with the partition installed, so they're not restricted in movement. We have also a special seat for the driver. It has a very special material. It's more breathable, and we have some patterns on the seat as well.

We also provide USB at 12 (inaudible) for the driver for their devices. And we have independent driver and passenger climate control, so the driver can set his or her climate system separate from the passenger. But the system also can be reset. Passengers can be reset by the driver from the driver's seat.

Speaking of the partition, it will be the industry's first integrated partition safety tested by us. It includes multiple features, driver/passenger intercom
system, the hearing loop, the charge force that will cause the information display. We will provide the prewiring and mounting points for the display.

It has HVAC controls. It's elegantly integrated into the vehicle. It is part of the vehicle, part of the vehicle's structure. It is not an add-on piece. Some of the exterior visual design elements, we're going to provide a lot of illumination.

We have a LED taxi roof light. It's a simplified light. And we're using LED to improve visibility of the taxi light. But also, LEDs provide a higher durability than standard bulbs.

We're using reflective taxi graphics on the outside. So at nighttime those streetlights, the graphics will be reflective and easy to see.
We even consulted with the braille institute for the height of the text that will be used on the grab handle of the partition. It will be used by the taxi fleet, and all of these controls in the taxi become very familiar to patrons. Additional features, getting in and out of the vehicle is very important. The product has a very lightweight and easy to operate sliding doors on both sides. The effort to open these doors are roughly half of the current Sienna minivans that are out there.

We talked about the steps. We also provide a high contrast order to see the outline of the step. And the flat passenger floor with lots of room, no pump and room for service animals.

On the inside, the seating, we spent a lot of time on seating material. We're using very advanced
material. It is a vinyl material, but it is breathable and it has antimicrobial properties for cleanliness.

We're using high contrast stitching and also silver accents to show seating positions for the vision-impaired patron.

And again, you can see on the right an independent climate control system for the rear passenger.

We're also using active carbon material of the headliner to minimize interior odors, so we're providing a clean cabin.

So one of the things that initially our concept was to provide like a limousine service and luxury platform.

We started talking to residents. The idea of luxury changed very quickly. The idea of luxury is a very clean cab. That's what we focused on, trying to
provide a clean cab where the driver can provide better service with his product than any other cab in the city.

What we have here is a rendering of a proposal. (Inaudible) is here today to speak about this proposal. And again, we will offer two versions of the taxi available to the drivers in any quantity that is required by the industry.

Next, moving to the future. One of the things that the partnership provides to the city is exploring other alternative technologies.

So we are going to conduct the pilot program with the city, and we're going to use our Leaf 100 percent electric vehicle for this pilot program.

We'll have six Leaf taxis that are actually ready to go. We have
selected the subscribers through a lottery system. And we're just waiting for the infrastructure to kick the project off.

This is a pilot that will jointly explore viability of the taxis in the future and support Mayor Bloomberg's plan, NYC Sustainability Initiative.

That's all I have. Thank you very much.

MR. YASSKY: Well, thank you. I don't have any questions. Before you sit down, I just wanted to say thank you. Really.

When we selected Nissan and the NV200 we had high hopes, but I just want to say publicly, I've said it privately, but I have to acknowledge it here as well that Nissan has been as good a partner as you could possibly hope for. And when we've asked for extra work and extra creativity and ingenuity thinking
back to the beginning when we asked
for a better mobility design for
wheelchair use, and you came right
back with that. I want to thank you
again for that.

The quality of the team and the
willingness to be upfront with us
about what you can do and what you
can't do, I appreciate greatly. So
thank you.

MS. JOSHI: Thank you, Peter.

We're now moving to the public
coment session of our meeting.
Each speaker will be allotted three
minutes. Please state your full
name and who you represent. And if
you have any written materials
please just bring it to one of the
people upfront, so we can distribute
the copies to the commissioners.

The first speaker will be
counsel member Oliver Koppell.

MR. KOPPELL: Thank you. I
have some copies of my statement.
Good morning, chairmen. I'm sorry to see that there are no other members of the commission here, but I take it they will be getting copies of the testimony and the report on the proceedings here.

As you know, Mr. Chairman, because you've served with me on the counsel. I'm a member of the New York City Council. I represent the 11th Council District. And I'm chair of the Committee on Mental Health, Mental Retardation, Alcoholism and Drug Abuse, and finally Disability Services. Which makes this particularly important, given my responsibilities.

I also might mention I'm member of the City's Council transportation committee.

I oppose the proposed rules particularly for one reason, and that is that they do not require a 100 percent wheelchair accessible
fleet. And note this morning, it's fascinating to hear the commentaries made by the proponent here or the representative who is offering these rules, and every which way they're trying to talk about how it's going to be good for accessibility. Except it doesn't say they all have to be accessible. There are eighteen different ways he mentioned this morning -- I'm being a little facetious -- in which the wheelchair population could be accommodated. But the easiest way to accommodate the wheelchair population, and others by the way who have limited mobility, would be to make all the cabs accessible.

It's a very simple thing to do. I'm pleased to hear the spokesperson say that the City Council could require it. I have a bill that would require it. I'm hoping to move it in the City Council. There
are some political obstacles. Notably, the opposition of the Mayor and this commission. If the Mayor and this commission came out in favor of 100 percent accessibility, I can assure you that if it required legislation the council would pass it. I have 37 sponsors, but as you know, the fact that you have more than enough sponsors doesn't necessarily mean passage.

We won't go into all that, but the fact is that the reason that this vehicle is not accessible is the decision of the Mayor and the decision of this commission not to make it accessible.

Now I mentioned in my statement, I'm paraphrasing a bit, so I get through it quickly, the fact that in London, not only are all the vehicles presently wheelchair accessible, but
ironically I guess, they have picked the Nissan, and you're spokesperson mentioned this, they've picked Nissan and not only have they Nissan to build the new cab that they're creating, but the very same model but it's modified so that all of the London cabs will be accessible.

And an important point, a distinction, it was interesting to see the pictures of the proposed wheelchair accessible vehicle for New York, and it has a back entry whereas the London cab has a side entry. It's the same model but with a side entry. And the analogy to sitting in the back of the bus does not escape me, and I am sure does not escape you.

It will certainly make a wheelchair-bound person feel like a second class citizen. So it seems to me that it is just simply outrageous, really outrageous that
we haven't required accessibility.

As you know, Mr. Chairman, I was a member of the state legislature for many years. And I was present about 30 years ago when we required that every bus, every bus be accessible.

And I was in a new bus the other day on Fifth Avenue. I don't ride the buses very often, because I take the subway and I take the Metro-North. So I want to indicate I don't drive in the city most of the time, that I take mass transit. But I don't take the bus as often.

I was in a new bus the other day, and it's an interesting design, and it has a lot of structures that I didn't even understand what they're there for, but I didn't see, I did not see the accommodation of the disabled.

And I said to the driver, do you accommodate wheelchairs because
I didn't see a space for that. And he pointed out in the front, an area that can easily be converted. He said not only do we accommodate wheelchairs, but we take two on each bus.

Now, you know how many, probably hundreds of millions of dollars it has cost to make every bus accessible. And here we hear this morning it takes $14,000 per cab to make it accessible. And that is an industry where a medallion cost close to $1 million, and $14,000 every two or three or four years, whatever it is, is just a drop in the bucket.

There is absolutely no reason whatsoever that we do not require 100 percent accessibility. And the need for that is indicated by the presentation this morning because in so many different ways we're talking about how it could be accessible.
Except the easiest way, which is to just to require everyone to be accessible.

I furthermore suggest that the ADA requires this. I know that's before the court, but I think the ADA, which says that vans have to be accessible, I think the ADA requires it and I think you'll be in court for a lengthy period of time on that issue, which has already been raised but not directly raised by the litigation, which I know has held everything up.

So I want to urge very, very strongly that you amend these regulations and require 100 percent accessibility to those who use wheelchairs. It's a simple solution. It's an easy solution. It avoids all of these other possibilities and waivers and all of that. And for goodness sake, we've done it with every bus. Why can't
we do it with every taxi?

There is no excuse. And it's not only inexcusable. It is in a society where we pride ourselves about providing equal access. We have a Paralympics to allow disabled people to participate in sports. We stride every which way to say that they should be treated equally.

This is a civil rights issue. It's long past time to make sure that those who have mobility impairments can participate in the society with everybody else.

MR. YASSKY: Thank you, Mr. Chairman.

I don't want to hold you or delay the proceedings. And I just want to say a couple of things in response to that, but you should have the last word. So after I said what I said you should have the last word.
I would not at all claim that the policy of the TLC is identical to what you have proposed or if any in the audience are seeking. It is not identical, but by the same token I insist that our fundamental objective I believe is the same, to ensure that people in wheelchairs have access to the New York City taxi fleet.

We do not -- the TLC does not agree with your position that that requires every single taxicab. But I must insist, and you can acknowledge or not, that that is the policy that we have been pursuing and that we have taken great strides toward it.

Now I happen to think that this Taxi of Tomorrow project is another such stride. You are right that we have not chosen to address the wheelchair issue in the Taxi of Tomorrow rule in terms of saying how
much of the fleet must be accessible. But what we have done is work with Nissan to assure that as the accessibility policy develops, should the choice of the city, the City Council, the Mayor, the city government, be to have more vehicles accessible, 20 percent, 80, 100, whatever that choice is down the road, we now will have a vehicle that can do that job.

One of the most kind of compelling arguments and concerns on the other side of you on the accessibility issues has been the unavailability of a vehicle that is both an excellent quality and manufactured by a top tier automaker that the industry knows it can rely on. That has not been available until today, or until a year from today, when the Nissan hits the streets. Then it will for the -- we will have a vehicle like that for
the first time.

That will make it possible, if the city so chooses, to expand the number of vehicles in the street without having all the attendant problems that we would have had had we had been forced to rely on the substandard vehicles.

Now, I'm not even saying -- what I'm saying is that I think that the position of the (inaudible) feels we should do that. But I do think that is -- that we designed this agreement with Nissan specifically to allow for that possibility. I think that's valuable.

Moreover, as you know, the TLC does not believe that someone -- that today the taxi industry is accessible for people in wheelchairs. It is not.

That's why we are moving to enable 311. And it is ready to go.
I think we'll be ready to launch it shortly to enable people to call 311, have one of the existing cars sent to get them. That's not enough, because 231 cars is not enough to provide first rate service.

That's why we worked with Albany to get authority for 2,000 more wheelchair accessible cars. That is, as you alluded to, currently being blocked by the courts. Because not everybody in this industry agrees that that's how we should do it and that we should move forward. But we are fighting that. We will prevail.

And as soon as those do hit the streets, I think you will see a huge improvement in service. Whether at that point you're prepared to say the service is excellent and is of the quality that people in wheelchairs deserve, I don't know
whether you will or not. But my hope is that you will. So I just wanted to put that on the record.

VOICE: I just want to apologize for arriving here late today. And I may have to leave early actually (inaudible) and I'd just like to get the name and title of the speaker.

MR. KOPPELL: I'm City Council member, Oliver Koppell.

VOICE: Thank you.

MR. KOPPELL: Let me just briefly respond, Mr. Chairman. And let me respond.

You know, when you've been in government as I have for 40 years, you have some historical knowledge. And the same discussions took place 30 years ago with respect to the bus fleet. And there were many who argued, you know, we can provide even better service for the disabled if we put the money into some sort
of accessorized-type service where we have cars available all the time and whenever anyone wants to take a bus or would take the bus, they can get a car.

Well, first of all, I don't think that would have happened, or that could happen. But second of all, we rejected it. Thirty years ago, we said no. This alternate service is not providing the disabled equality.

That's one thing. Secondly, I'm not sure that it was you or -- to tell you the truth, not you, but the Mayor, who got the 2,000 accessible cabs in Albany. I'm glad we got them, but I think it comes a little bit difficult to accept that it was you who pushed for them.

The last thing that I would say is, in my comments I pointed out, the rear entry is really offensive. And one could say, well, you have to
have the rear entry. But we have an answer to that in London. They have a side entry that's acceptable to the disabled community. And if we're going to have accessible vehicles as part of the Nissan fleet, they should be side entry vehicles. And I would urge you to take a close look at that. Even if you don't do the other thing that I'm asking you to do, that you look at that model, because I don't think -- I think it's -- it really is the back of the bus.

It's also more difficult. In order to get into that vehicle, if it's on the street you have to have space behind the vehicle to put the ramp out to have someone go up the ramp in the street. Whereas if you have a side entry vehicle they get in right from the sidewalk.

So this rear entry vehicle is going to be very, very difficult to
accommodate, because you're going to have to have space behind the vehicle. The individual is going to have to get off the curb, and there may not be a curb cut.

The taxi may be stopping in the middle of the block, so that the wheelchair has to get off the curb, go down to the street and then go up the ramp. Whereas, if they go from the side on the sidewalk, they don't need to do that.

So I think that the accessible model here is flawed. And that's all I want to say. We can easily solve it. If they can solve it in London, for God's sake, we can solve it in the US.

MR. YASSKY: Thank you. I'm not going to ask Mary to change the order of the people here, but I will just assure you when Braun speaks later we'll ask them to address specifically the side versus rear
issue.

MR. KOPPELL: On that issue, Jane and Sulu's book, my counsel are very much involved in this issue and will remain. I have a meeting of the Transportation Commuter Council that I'm going to try to get to, but I'll get a report on that issue. Thank you.

MS. JOSHI: Thank you, and for the record we were joined by Commissioner Norma Reno at 10:45. Next we'll hear from Paul Herzan of Design Trust.

MR. HERZAN: I am Paul Herzan, but not of the Design Trust.

MS. JOSHI: I apologize.

MR. HERZAN: That's all right. I'm actually here today as a passenger and a user of taxis and someone who has cared passionately about this project from at least eight years ago when I first approached the TLC with it.
Firstly, I just want to thank the TLC and their team for innovating a really amazing RFP process to get us to a stage where we can have a solution like the one you proposed. It's an extraordinary accomplishment and one that should not be taken lightly in terms of the kind of leadership that it shows for our city.

Just one quick question. Maybe I'm not the appropriate person, but I'll mention it anyway. I think the problem with the London cab and the accessibility issue on the side is that there is a lack of ADA compliancy for side entry with the current product proposed, but just a few points that I wanted to make.

One is regarding why Nissan, why exclusivity. I think the biggest reason that this project works so successfully is the investment of R&D dollars and commitment to almost
at least or up to $70 million. I don't know the exact number, but at least that amount that has been put into this project to make a vehicle with exclusive and specifically tested safety-tested features unlike has happened ever before.

Things like the vehicle being engineered to be accessible. That's a first. Things like the vehicle being engineered for passenger use and ride in the rear seat. Most cars today are designed to be for the people in the front seat. This vehicle is designed for the rear seat passenger seat. The ride capabilities are engineered that way. The safety issue that was paramount to me was to have a partition, even though the most important thing for people to do is to wear their seatbelt in the rear seat.

For some reason, people think
that they're safe when they don't
have a seatbelt on in the rear seat.
However, this product and the
vehicle I think will have a lot more
room back there, so even if you're
not wearing a seatbelt, you've got a
better shot I think at less injury.

The other thing I wanted to
mention as well is certainly the
whole issue of sustainability, and
we talk about hybrids and we talked
about electrification.

I think the partnership and the
exclusivity gives us a path to
electrification, a path to
sustainability, and I bring it right
back to the fleet owners to demand
of Nissan to produce a mild hybrid.
Not a complicated hybrid like the
Ford Escapes and the full hybrids
that are existing in the Toyota
products. Why not a simple system
that can be serviced effectively
that saves gas and if we commit and
if the fleet commits to buying a certain number of those, I'm quite certain that Nissan will produce them. So it's a little bit of a chicken and egg situation here. TLC can't mandate it, but Nissan's willing to produce it.

More importantly, I think, too, London is ahead of us on its path to electrification. Come on. We started this project. We led in the development of this project in terms of the innovation of it. We need also to come up with over the next ten years in the duration of this partnership a reliable clear pathway for us to get us to electric taxis. Nissan more than any other manufacturer is committed to electrification, and I think we can work collaboratively over the next ten years to get there as well. Thank you again, and I really look forward to this vehicle coming to
the market.

One last thought is that the commission might consider extending retirement ages for the owners of vehicles that are coming out sort of close to the deadline of the new vehicle, so that, if their vehicle is about to retire a month before the NV200 is available, I think the commission should consider extending that so that all potential buyers can access the new vehicle.

Thank you very much.

MR. YASSKY: Thank you very much.

I'll just -- a couple of the other commissioners have made the point at some of the other hearings that we so rarely hear from passengers, and so to have somebody represent the passengers' perspective and to have taken upon themselves to do so as you've done eight years ago as you point out, I
just want to thank you for doing that.

We can often forget for understandable reasons the people who come to speak at TLC hearings are generally part of the taxi industry because we have disability advocates as well, but it only makes sense that that is who generally will show up here, but of course our mandate is to represent the 600,000 people a day who ride in taxis, but who aren't going to come to speak at our hearings, so I really appreciate your doing that, Paul. Thank you very much for that.

Your final suggestion about allowing people who would be scheduled to retire right before the taxi becomes available to extend their retirement by a little bit so that they don't have to junk their car right before the new car is available I think is a really
important one, and we have already
begun to consider that idea, and we
will take a hard look at that.
Thank you.

MS. JOSHI: Next we hear from
Jim Wiseman.

MR. WISEMAN: Good morning. My
name is James Wiseman and I'm senior
vice president and general counsel
of United Spinal Association.

We have been transportation
advocates for people with
disabilities since the 1940s as the
Eastern Allied Veterans Association
and we were the people that sued New
York City to make buses and subways
accessible and made the deal with
Councilman Koppell to make buses and
subways accessible and create
(inaudible) which is what Mayor Koch
thought was a cheap alternative to
making mass transit accessible. He
wanted a special system just for
people with disabilities because the
MTA convinced him it was cheaper than making buses and subways accessible.

Currently MTA is spending $500 million a year on Access-A-Ride, and those people are only eligible if they can't use mass transit that's accessible for those trips. MTA's cost per ride are in excess of $60. 20 percent of those rides on Access-A-Ride are wheelchair users. 100 percent of those trips or at least $100 million worth, it's actually more because people in wheelchairs use Access-A-Ride for inter-borough transportation, because MTA has eliminated some of the inter-borough bus service, so the longest trips of Access-A-Ride are people who use wheelchairs, and they go back in most of the time, so at least $100 million worth of that travel could be transferred to taxis who would swipe cards from MTA if
taxis were readily available and usable by people with disabilities.

At best the dispatch program which TLC is wedded to would be called a Jim Crow proposal if it was for any other minority group. If black people had to take just some cabs, it would be absurd. No one would tolerate it. If a taxi owner told you they would not go to a certain neighborhood because of any protected classes, Hasidic Jews, women, Italians, we would be outraged, but no one has a problem with saying we're going to limit access to cabs for people with mobility impairment.

In addition to that, your own boss said retrofitting cabs to make them accessible is a bad idea and that is why he was opposed to making taxis accessible. Yet that's what you chose to do in taking the Taxi of Tomorrow. I gave you a report
done in 2010 for New York State which shows that $200 million a year is spent on ambulettes by Medicaid in New York City driving people on medical appointments, poor people on medical appointments at well over $60 a ride. All of those could be done in accessible taxis as could Department of Veteran Affairs-sponsored trips and State Ed-sponsored trips through the Department of Vocational Rehabilitation, but we keep limiting access to accessible cabs.

Moreover, you picked a first-rate converter. Braun is a great company. They're the best in the world. They are the smartest in the world and the most experienced about how to make vehicles accessible, but, because of the nature of the cab, you're only going to get two passengers, one with a wheelchair and one able-bodied
person. There's a better design that could have been used to make it accessible, but accessibility was an afterthought when you picked the NV200.

The last thing I want to point out, my testimony I submitted, and I made a lot of points. I know we've been talking to each other about this for years. I wish the other commissioners were here to hear it, because they make decisions based on what you tell them, but you should tell them that there's a real issue with the NV200. Is it a van or not, and, if it is, US DOT Americans with Disabilities regulations will require it to be accessible just like it requires about a thousand (inaudible) that are on the street now inaccessibly to have been accessible and the Ford Transit which you approved which was a van also would have to be accessible as
well, so I think there's a mess on
the horizon with that which I hope
doesn't have to be litigated, but it
seems like we're litigating
everything on it.

I implore you to reconsider
this, because you understand now
creating a dispatch program to
comply with the ADA means it's all
on you.

If you just said we're not
going to get in the dispatch
business. We're not going to have
contracts with dispatchers. We're
going to pay no attention to this.
We're just going to require new
taxi to be accessible as the fleet
gets replaced. We're not going to
be dispatchers. We're not going to
worry about providing any full
service to people with disabilities,
if you just washed your hands of it,
treated everyone the same way and
everyone can use the same vehicle,
we could all go home on this fight,
but instead you're saying let's keep
20 percent accessible or let's keep
50 percent or 28 percent or whatever
it becomes, and we'll make sure that
that provides meaningful service,
but if I can go out in the street
and raise my hand up and flag a cab
in two or three or five minutes, and
it takes somebody else 20 minutes
because of the dispatch program,
it's you guys doing that.

They could have been out on the
street now, but you said no. The
Mayor actually thinks it's
dangerous, according to him, to hail
cabs, but it's the law that they
have to stop now. The Mayor I guess
didn't know that, but right now if
you're in a wheelchair, it's illegal
to be passed, but right now it's all
on you. You have a dispatch program
which if it doesn't work with the
ADA solution, if it doesn't work,
you're violating the ADA.

So I implore you to reconsider this program and make all taxis accessible and get out of the dispatch business.

Thank you.

MS. JOSHI: Thank you, Mr. Wiseman.

Next is Janice Schacter Lintz.

MS. SCHACTER LINTZ: Hello. My name is Janice Schacter Lintz. I am the chair of the hearing access program. I'm also the mother of an 18-year-old daughter with hearing loss.

We applaud the TLC for including captioning in the Taxi of Tomorrow. Communication with a driver is difficult when a person has a hearing loss. There is a plexiglass divider that limits the sound, and the passenger cannot see the driver's face to read lips since the driver is facing forward while
driving.

Induction and pullout.

My daughter and others who are hard of hearing to effectively communicate with the driver by switching their hearing aid to the T setting the passenger can hear the driver directly in his or her hearing aid. No longer does the passenger have to worry that he or she will end up in SoHo when headed to Noho.

Induction allows drivers with hearing loss to hear the passenger so they can continue working. No one should ever have to stop working because of a hearing loss when the technology to remedy the situation is easily available.

Induction provides excellent customer service for people who are hard of hearing. This is universally used technology that has been available for many years as has ...
been mentioned about the London taxis and has been mandated in every taxi in London since 1998.

The New York City Transit has introduced induction to all subways. Museums across the city are adding induction in addition to companies like Apple, Shake Shack, Yankee Stadium and Citi Field. Induction is also used throughout the world in numerous countries such as Australia, Denmark, England, France, Hong Kong, Israel, Japan, New Zealand, Norway, Poland, Spain and Sweden.

New York City will be a model and leader by adding induction technology to its taxis. This is very, very exciting, and I want to thank the TLC for supporting the inclusion of induction technology.

Thank you for your time.

MS. JOSHI: Thank you very much.
Next we'll hear from Ronnie Raymond.

MS. RAYMOND: My name is Ronnie Ellen Raymond. I'm a resident of Manhattan and obviously a wheelchair user. Taxis will appreciably change my life circumstances. Like other residents of New York City, I will be able to make spontaneous decisions about going somewhere or doing something in the city.

Today I have to carefully plan my days in advance. It requires a minimum of 24 hour advance reservations with no changes to the time or destination. They are notoriously unreliable. Taking a New York City bus, while, even takes a great deal of time and bad weather rain, snow, et cetera, the existing transportation challenges for people with disabilities. It is my hope to be able to do things together with friend, family and business
associates. I look forward to the development of the city's plan to have more wheelchair accessible.

Thus far, I have experience using a (inaudible) and an NV1 as a taxi. I have yet to see a converted for the record transit connect or a converted NV200 or have the opportunity to get into one.

The wheelchair accessible taxis that I've been inside have been reasonably and comfortable for me. I have some concerns about the two actual approved models until I can see and experience them.

From what I have been told, I am particularly concerned about the Nissan NV200. I have been told that the concerted version will accommodate a wheelchair person and only one able-bodied passenger sitting next to the driver on the other side of the partition. I'm afraid that that configuration times
that I'd like to use a taxi I envision significant problems.

For example, if I were to go with family members we have to take a second taxi to our destination. When I want to take Horton and my eight-year old niece to a museum, which one will ride with me and which one will stay home.

If I'm attending a meeting with two colleagues alone in a second taxi or will I travel alone for the meeting in another taxi both accommodate at least three passengers and one wheelchair passenger at the same time. That suits me much more than the one passenger and one NV200 and possibly Ford Transit connect, which I don't know. By forcing owners to choose only one wheelchair accessible model that can only accommodate two passengers instead of four or five will choose that model unless they
are forced to.

If that happens, I am sure that the result will be fewer wheelchair accessible taxis on the road. Even if there are NV200s on the road I cannot use them numbers I'm willing to pay for two taxis. That is simply not in my personal budget. This really defeats the purpose of encouraging the owners to accommodate the disabled by choice.

I urge you to reconsider this rule change, at least until the individuals who will be using the new Nissan model have an opportunity to see and experience it. And before it is approved for the use as the Taxi of Tomorrow and required of taxi owners. Thank you.

MR. YASSKY: Thank you, Ronnie. Just one small point I want to make. The Nissan accessible version will seat the same four passengers when not being used with a wheelchair.
passenger. In other words, we'll have a back bench seat and one seat in the front.

MS. RAYMOND: But for me it will be just me and one person on the other side of the partition.

MR. YASSKY: I understand. The reason I said it's a small point is your point about whether owners will choose it or not. In use when there is not a wheelchair it will have the same number of passengers.

MS. RAYMOND: Absolutely, but I'm simply talking about accessibility.

MR. YASSKY: Yes. I got it.

MS. RAYMOND: My eight-year-old niece to sit on the other side next to the driver and not even be able to talk to me.

MR. YASSKY: I know. I do understand the point you're raising when it's used in that way.

MS. RAYMOND: When there isn't
- PROCEEDINGS-

a wheelchair user --

MR. YASSKY: Whether to

purchase it or not, I don't know

that it would be effective, but I

take your point.

MS. RAYMOND: Well, if they

want to provide service for the

disabled, it would make a
difference.

MR. YASSKY: I see your point.

MS. RAYMOND: Thank you.

MR. YASSKY: Thank you.

MS. JOSHI: Thank you. Next is

Edith Prentiss.

MS. PRENTISS: I also have Jean

Ryan's testimony. It was submitted
electronically, but to be on the

safe side. I had a great time

playing with the numbers.

Good morning, I'm Edith

Prentiss, the chair of the Taxis for

All Campaign, president of the 504

Democratic Club, the vice president

of Disabled in Action and a board
member of the Disabilities Network of New York City. We wear many hats.

I personally and the groups I represent all oppose the proposal to limit the wheelchair accessible options of unrestricted medallion owners to the Nissan 200 for all the reasons Ronnie said and for all the reasons Councilman Koppell said, so I will not retread those.

I think it is really interesting to say playing with the numbers and if we do get 2000 new medallions and they are all restricted accessibility taxis and every hybrid CNG medallion owner chose to go to a MV-1 CNG, et cetera, et cetera, we would get up to 34 percent. Okay.

But the reality is today we are 2.4 percent, and if we are going to be dependent upon the good will of medallion owners to choose a better
accessible taxi, and I'm sorry, Commissioner Yassky, I consider only being able to have one person with me in a taxi to be unequal. I do not consider that as having amenities, because I'm not. I'm restricted to having one person with me, and that will be a three-year-old. I'll make her parents walk.

I think it's important to be cognizant of the fact that the fact of the matter is that we are getting the short shift.

If you look through the history of accessible taxis in New York City or the lack thereof, the City Council has failed repeatedly to move upon the bills that have been presented in front of us. Margarita Lopez presented a bill that had I believe 30 signatures, and yet it never made it out of committee. That was in 2004.
In '06 we had Councilman Koppell accessible a green taxi. That had 38 sponsors. That was veto-proof. Nothing happened. It languished and died. I'm sorry. '06 was the accessible green. It had 30 sponsors.

In 2010, 433 had 38 sponsors, and it languished and died. I think it is important for us to consider what we have gotten from the TLC. We've gotten the abysmal central dispatch pilot which had many failings including the fact that they could not retrieve all the data and statistics.

While it's important that the new dispatch has been tweaked, one of the problems is that the livery dispatch will not utilize the central dispatch system based upon the premise that every base has a dispatcher, yes, but I shouldn't have to call Lord knows how many
bases for an accessible taxi.

The bottom line is with this option with this proposed rule change we will still be standing on the sidewalk either waiting for a central dispatch or just waiting for the unicorn.

Thank you very much.

MS. JOSHI: Thank you, Ms. Prentiss. Next we'll hear from Jim Probst from Braun Corporation.

MR. PROBST: Good morning. I am Jim Probst with the Braun Corporation, and as you've heard today we've been selected as a partner with Nissan to provide a mobility solution to accommodate the NV200 and make it wheelchair-accessible.

So I wanted to take a little bit of time to tell the TLC and the members of the public that are here today about Braun Corporation and who we are and really where we came
from and how cemented our roots are in this industry and our personal connection to the needs of those in wheelchairs.

Our company was founded in 1972 by a gentleman named Ralph Braun. Ralph has a condition called spinal oscular atrophy, and he lost the use of his legs at a very early age.

He needed to have independence with mobility, so he created a product called a triwheeler which is pictured here on this slide that allowed him to get from home to work and in other areas where he needed to commute in his daily life. That worked great when the weather was good, but when weather turned inclement, he realized he needed another way to transport himself as well as his mobility device, so he and his brother-in-law bought an old mail truck, and they actually adapted it with a lift to
accommodate his triwheeler as well as himself, and that allowed him to get out in the community, to work and to live a happy, enjoyable life and get out and do things he wanted to do.

So the roots of our company were really started out of Ralph's personal need for his own mobility, and as people became aware of the device that he had created for himself, they started to come to him and ask him if he would build devices for them, and, with that, as more and more people approached him, the company grew.

This year we actually celebrated our 40th anniversary. The company was founded in 1972. Mr. Braun began building products for himself as well as for other people that approached him probably 10 years prior to that. So it's been around for a long time and a
long history of mobility products.

Let me take a minute just to talk about some of the other markets that we're in and some of the products. We are a global international company, and we provide products on all sorts of vehicles. As you see here, we have paratransit vehicles with a lift in it. We have platform lifts available for buses and trains and all sorts of vehicles. We build side entry doors for minivans, rear entry doors for minivans, et cetera.

Again with Ralph Braun being the founder of our companies, he's still at the helm, and we believe that there's not a one size fits all solution. Our range of products is quite wide, and we don't see a one size fits all solution, so that's why we have a lot of different products available for the unique needs of every market.
Those products again are side entry doors for minivans, rear entry doors for minivans, wheelchair lifts, paratransit fullsize vehicles and all-purpose vehicles.

Our primary headquarters is in Winnemac, Indiana. Our campus area is 85 acres. We've got 800 employees, and we have satellites in three additional states outside of Winnemac as well. This is a shot of our assembly line. We build thousands of vehicles a year, and our plant is set up very similar to an automotive plant. Everything is done on an assembly line. We have lean manufacturing just as you would see at a standard vehicle manufacturer.

As you heard earlier, we've been chosen by Nissan to be the exclusive provider of the integrated mobility solution for the NV200. What's unique about the Nissan
relationship is it is an integrated design.

We are working with Nissan on the vehicle and on the conversion in concert to make sure that the mobility upfits that are applied to the vehicle, they don't deter from the OEM intent of the vehicle in any way and that it's a complement to it, and the NV200 lends itself very well to our mobility package. As brought up earlier, the design will be a rear entrance design.

I want to comment a little bit on some of the statements that were made about riding in the back of the vehicle and things like that. With the Nissan NV200, the middle seat will actually fold forward and store in the front of the vehicle, so the passenger in the wheelchair is actually in the middle of the vehicle, and it creates a very nice environment for the person in the
wheelchair to reach-- to be able to reach the other amenities in the vehicle. You're not riding all the way in the back, so you're more centrally located in the vehicle.

With that, we are committed to provide the absolute best wheelchair-accessible accommodation we can to the NV200. All the way back to the founder and owner of our company who uses our product on a daily basis. He's the final judge of what it is that we provide. He tests all of our products himself, and we are committed to do absolutely the best work we can with the NV200 to create an integrated solution. Any questions from the chair?

MR. YASSKY: Just one. On the question of side versus rear, it's my understanding that a side entry design would not be ADA-compliant. Am I correct in that?
MR. PROBST: That's correct.

The rear entrance design that we developed does meet the ADA standards.

MR. YASSKY: Okay. Thank you.

VOICE: Do you know what it is about the side entrance makes it not compliant?

MR. PROBST: The size of the ramp would be too narrow to accommodate the ADA requirement that says that the ramp must be at least 30 inches wide, and the side entrance doesn't lend itself very well to a ramp that wide.

VOICE: That particular vehicle?

MR. PROBST: Yes.

VOICE: There was worry that the rear entrance, that space is behind the car, and also it seems it's more dangerous in the flow of traffic. When the cabs pull over, they double-park.
There's controversy between the pros and cons of rear versus side, but a lot of the streets in New York are one lane and a lot of times it is difficult to find curb access, so oftentimes double parking is related to (inaudible). I mean the way I've been thinking about it side entry would be more convenient if the car can pull over to the curb, but if you are— if you can't pull over to the curb because there are cars parked there, it means then that the vehicle has to be not just in the lane next to the parked cars, but in the next lane beyond that, which in a side street there may not be another lane and even if there is it means now you are taking up two lanes of traffic. There are pros and cons to both sides in my view.

MR. PROBST: Right, and in that
scenario, if that vehicle is all the way over on that side of the street and the ramp is deployed and someone doesn't see it, another car may try to sneak through there, and that might be a very dangerous situation. Yes. There are pros and cons to either concept. In New York City with one-way streets, it lends itself very well to rear entry vehicles.

MS. JOSHI: Thank you very much. Next is Ethan Gerber.

MR. YASSKY: Mr. Gerber and others, I'm going to excuse myself for a bit, but we will get as always a full summary of your testimony. Thank you.

MR. GERBER: Well, then thank you, Commissioner Marino, for hearing the testimony. I appreciate it.

MS. JOSHI: You're welcome.

MR. GERBER: I'm Ethan Gerber
from the Greater New York Taxi Association. GNYTA represents owners who took Mayor Bloomberg at his word when he said in 2007 that hybrids will decrease the cost of fuel for drivers and will significantly reduce air pollution that causes childhood asthma. I'm also the father of a child with asthma. As a result, the overwhelming majority of Greater New York Taxi Association taxis are now hybrid. Today this commission is about to remove those clean air hybrids from the road.

The so-called Taxi of Tomorrow is a misnomer. There is nothing tomorrow about it. Let's call it taxi of yesterday. It is not accessible. It is not clean air. It is a non-accessible, nonhybrid, non-clean air, old-fashioned combustion engine. According to the Taxi & Limousine Commission,
are 13,237 medallion taxis. As of September, 6,296 of these cabs, 48 percent of the total fleet, are hybrid. Since 2.5 percent of taxis must be wheelchair accessible, then simple arithmetic tells you that the majority of cabs are now hybrid where the owners have a choice.

The rules published here will force the number of hybrids to be reduced to only 281. As they come up for requirement, the only hybrids allowed, yes, allowed to stay on the road would be the 2 percent of fleet medallions that are mandated to be attached to the hybrids from over six thousand and rising to less than 300.

Getting more hybrids on the road wasn't just GNYTA's vision. This was Mayor Bloomberg's stated vision and policy. Moreover, this was Chairman Yassky's vision when he
was an elected councilman.

When Chairman Yassky was an elected representative of the people of New York City, he came here to this commission, stood at this podium like me and testified that the greening of the taxi fleet was, I quote, "one of the most important environmental issues the city's government has ever undertaken."

We hear that. The most important environmental issue ever undertaken, said Councilman Yassky. New York City modern government was formed in 1898, and this was its most important initiative, and we are abandoning it today for cup holders and skylights. We, the New York City taxi fleet, said elected Councilman Yassky is "an absolute no-brainer."

The council member noted that giving up a little leg room is "a small sacrifice for clean air."
Now I know there was litigation that said you can't force the fleets to have hybrids. The fact is you never had to. We are getting there already. With significant cost savings to the drivers and small incentives to the owners, half the cabs are already green. New York already has one of, if not, the largest green taxi fleet in the world. Exactly what the Mayor said he wanted and what he and David Yassky said was crucial for the health of New Yorkers.

Now the Mayor seems to be saying that, if I can't force you to be green, I will force you not to be green.

In celebrating the Nissan, the Mayor and now Chairman Yassky have selectively compared its mileage to the Crown Victoria, a car no longer manufactured. Compared to the 6,296 hybrids on the road, it pales. It
allegedly gets 25 miles per gallon. I say allegedly because this model has not been tested on these streets in New York, but the Prius gets 44. Just this week, Ford, an American company, announced a new car called the CMAX, which will get 47, and this is part of the problem. Technology evolves, and companies compete for better and more efficient products. This project locks in a manufacturer for ten years, an entire decade. The Taxi of Tomorrow like the bus of tomorrow like the train of tomorrow like the plane of tomorrow has not been built yet. It will be built tomorrow. Why lock in cars designed yesterday? Council member Yassky stated when he was a counsel member "that 83 percent of New Yorkers favored hybrid cabs." Mayor Bloomberg's own press release back then noted that the American Lung
Association said that putting more clean air cabs on the street is an important step in our fight to improve air quality especially for the one million asthmatics like my daughter in New York City.

So, by the mayor's and the chairman's own words, this program is harmful to the health of New Yorkers by forcing clean air vehicles off this road. Better technology is already here. It is the TLC's belief that clean air, consumer choice, business needs, market forces are no longer a priority. Panoramic roofs and charging stations for iPads are.

Further it is frankly unAmerican. It locks out American companies and American jobs just at a time when we need these jobs the most. This is an exclusive contract with a Japanese company who announced that it will build the
Yesterday, President Clinton called at the DNC stated that the auto restructuring was vital not just for the auto industry, but for all the related industries. We are all in this together he said.

Now you are saying not so fast, America, not here, not in New York City. Are there any questions?

MS. JOSHI: Thank you very much.

Next we'll hear from Johanna Dyer.

MS. DYER: Good morning. My name is Johanna Dyer, and I'm an attorney with the Natural Resources Defense Council which as you know has been actively involved with New York City transportation and clean air issues for more than 35 years.

We appreciate the opportunity today for the public to comment on the proposed Taxi of Tomorrow, which
would require most New York City taxi owners to purchase the Nissan NV200.

As you know, seven years ago, with the help of the New York City Council, the first hybrid yellow taxi rolled onto the streets of New York City as part of an effort to improve the economy and reduce emissions.

Today more than six thousand of greener taxis, about 45 percent of the total fleet, are in operation with lower air pollution. The new hybrid taxi was one of the first of its kind and served as a model of capability for other countries in the world. However, these taxis will be phased out by the new Taxi of Tomorrow program, and under the program only one model, a conventional nonhybrid, will be approved to replace all of New York City's yellow taxis.
We appreciate the hard work of the TLC and other stakeholders that they devoted to this initiative. And while the new Taxi of Tomorrow does get better gas mileage than the Crown Victoria and important safety and comfort features, but nevertheless as things now stand it is not clear how moving forward the city will actually introduce electric or strong hybrid versions of the NV200 as NYC taxis. It's therefore critical as the final goal of the agreement between New York City and Nissan for the Taxi of Tomorrow that sets forth a clear and concrete path forward after the initial NV 200 rollout to end up with a fleet made up of strong hybrid taxis. Without this commitment, we will have simply lost the thousands of hybrid cabs and positive sustainability they provide. And, if there isn't a
clear plan for reintroducing cleaner vehicles into the fleet, it is a significant missed opportunity.

We understand that a series of lawsuits has slowed the TLC, but city officials still have viable legal options.

So it's not too late for New York and its officials to ensure that we continue to move forward in the sustainability effort of its taxi fleet, and we remain hopeful that under Commissioner Yassky's leadership the TLC will do everything in its power to keep a green fleet.

In sum, we urge the TLC, if it does move forward with the Taxi of Tomorrow program, to ensure that its ruling on the contract lays out a clear path for strong hybrid or electric Taxi of Tomorrow cabs on the street in the near future.

Thank you.
MS. JOSHI: Thank you. Next is Seth Weinberg.

MR. WEINBERG: Members of the commission, my name is Seth Weinberg. I serve as the general counsel of the Vehicle Production Group. VPG is a new American automobile company which has engineered and domestically produces the NV-1, a wheelchair accessible vehicle that was designed from the ground up to comply with the Americans with Disabilities Act and to withstand the rigors of the taxi duty cycle. The NV-1 taxicab application is demonstrated by its commercial driver seat, body and frame construction and OEM factory-installed ADA-compliant side entry ramp as standard equipment as well as an optional OEM native compressed natural gas CNG power train. While VPG appreciates the
efforts of all involved and the goal of continuing to improve New York's taxi system and the efforts of wheelchair accommodation and energy efficiency which have been made to date, we believe there are aspects of the proposed rules which do not adequately address key issues that must be more fully addressed before an overhaul of this magnitude can be properly implemented.

While we appreciate the goals of the taxi for tomorrow program, we believe that New York City's approach of sole sourcing an official taxi vehicle for a ten-year period will discourage innovation in the taxi industry. Although the features of the vehicle have been selected for the market as it exists today, the needs of owners, drivers and the taxi-riding community constantly evolve.

For example, gasoline engines
are likely to become increasingly inefficient for operation back for operation against CNG as the price of gasoline increases.

Ten years is an eternity in the technology-driven OEM motor vehicle industry, especially in the areas of alternative fuel efficiency and safety. Limiting purchases to a single manufacturer and model requires that New York City taxi industry will have to forgo the research and development by some of the most innovative, diligent and safety-focused companies in the country in the areas of convenience, safety, fuel economy, emissions and accessibility.

We agree with Braun that no one solution is necessarily right for every application, and that is the case with the Taxi of Tomorrow as well.

Furthermore, since the OTV is
expected to be manufactured in Mexico, in approving the OTV, the commission effectively takes away potential work from the American automobile industry, the American auto worker and every organization which supports them at a time when they are most needed.

In pursuing its goal, commission efforts have previously included approving a variety of both hybrid and alternative fuel vehicles as well as wheelchair accessible vehicles for use in New York City as taxicabs.

In fact, when it approved the NV-1 for taxicab service in October 2011, the commission stated that it favored the NV1 in part, because "vehicles manufactured by an original manufacturer specifically as wheelchair accessible vehicles will provide a better customer experience and may last longer than
converted vehicles.

Mr. Carr noted in his opening remarks today that as part of his view of the Nissan and the appeal of it is that it doesn't require modification for the hackup. Yet he seems perfectly content with modifying it for wheelchair accessibility.

The same should hold true for an OEM-installed ENG powertrain as opposed to an aftermarket conversion designed to increase efficiency.

The current proposal for the OTV, however, undermines the past actions that have been taken by limiting the pairing of alternative fuel vehicles and wheelchair accessible vehicles other than the LATV to a limited number of restricted medallions that require such pairings.

If the proposed rules passed as they exist today, the commission
will actually be halving the number of alternative fuel vehicles usable as New York City taxicabs and the alternative wheelchair accessible configurations.

Furthermore, the LATV is set up to only take one wheelchair passenger and one additional passenger, so for a family of four, as has been pointed out, a second taxicab would be required.

I can't make this point better than Ms. Raymond has already made it, although I would call out that in her example I noticed that nobody bothered to point out that when you ask, whether it's an eight-year-old or a nine-year-old, to go to the front seat, according to the New York State safety recommendation, the answer is neither, so they both have to stay home or else go in a completely separate taxicab or you can take your niece and nephew's
life in your own hands, which I know Ms. Raymond is unlikely to do.

If the owners and the operators of the standard medallions are willing to provide a vehicle with superior service such as the one that Ms. Raymond is talking about, they should be free to do so, regardless of the type of medallion they have.

In conclusion, the aesthetic purposes of a selection of a single OTV should not be allowed to outweigh the benefits to all communities, which are evident from the constant evolution of the competitive landscape of vehicles designed to serve passengers, owners and drivers alike.

For these reasons, we would urge you to reject or postpone the proposed rules or at least provide an exemption in the proposed rules so that medallions that are not
specific to wheelchair accessible
vehicles or alternative fuel
vehicles may purchase any vehicle
meeting the qualification for these
categories so that all medallion
owners are free to take advantage of
the new innovations in these areas.

Thank you again for the
opportunity to comment on the
proposed rules. We are proud that
our vehicle, the NV1, can be part of
the solution to provide safer and
more reliable and accessible
transportation for all of New York
City.

MS. JOSHI: Thank you very
much.

Next is Vincent Sapone.

MR. SAPONE: Let me ask you a
question. Whenever I get up to
speak, three minutes it beeps. No
disrespect to anybody else here, but
people have been speaking for five
and 10 minutes. Why do I get three
minutes? Rules change or something?

Alright. Anyway.

MS. JOSHI: There will be no beeping today.

MR. SAPONE: I had a bunch of these on my seat. I went to the restroom and someone swiped them. It's true. But one of you guys giving the commission, you see I wrote the commissioner one and a few of the others please?

MS. JOSHI: Yes, sir.

MR. SAPONE: I don't know what the solution is rear entry, side entry. In New York City it's a killer to have any kind of entry. You've got bike lanes, bus lanes, cars parked, trucks parked, UPS. It's a problem. It's a big problem, and I've been doing this 49 years. I'm not driving anymore. I can't.

Anyway, I'm here to make a comment on the new door designs on the taxi. I think it's terrible. I
think it's an outrage. The letter T instead of taxi is ridiculous. The rates they had before wasn't great, but it was something. When you take away the word "taxi," and from what I know and hear, if the green liveries ever come about, they are--

MS. JOSHI: I hate to interrupt you, there will be no beeps, but today we're having a hearing on testimony on the--

MR. SAPONE: Excuse me, but this is going to be on the Nissan door, so I think it's related.

MS. JOSHI: It is related. It will be on the door, but the rule that provided for the new decals was actually in the lease cap rules.

MR. SAPONE: Anyway I think it's terrible. It's mixing yellows with liveries. When that day comes, I hope it never comes, because I will fight it, and, Commissioner, you see what I'm talking about? You
have that in front of you? It's terrible, and I think it's a gimmick just to make people think the new green, apple green, whatever green that is livery cars, will be taxicabs also. It's terrible.

Thank you.

MS. JOSHI: Thank you. Next we'll hear from Richard Thaler.

MR. THALER: I'd like to comment on an item that came up in section 2 regarding the credit card transaction prices and charges. At the end of a ride, if a passenger wants to use an app purely for payment, which has nothing to do--

MS. JOSHI: I apologize. Section 2 of which rule?

MR. THALER: The rule that's up for consideration today.

MS. JOSHI: Thank you.

MR. THALER: There is a statement about credit card charges. I think it comes up twice. If a
passenger wants to use an app purely for payment of a fare using their smart phone with embedded credit and debit card tokens purely for security purposes where they use their debit and credit card they would actually transfer the electronic cash to the ATM machine network for the driver.

Passengers may want to do this in order to protect the security of their cards considering the last couple of incidents on the security breaches.

In fact, one security breach having to do with global payments where Mastercard and Visa delisted the global payments processor uses a subcontract with one of the vendors was approved by the TLC under the contract with the city, and the TLC has been silent on that.

So I can understand why passengers would be concerned about
exposing their cards to questionable security issues with these readers.

In any event, using the debit and the credit card for payment which gives a cash transfer to an ATM machine for the driver, the issue is what would the charge be to the driver?

Under the lease cap rules, the lease cap takes care of all of the charges and they can't be passed on to the driver. I suggest a modification to the rule be added where the driver can subtract that charge from his lease cap payment.

I didn't expect to talk about anything having to do with the Taxi of Tomorrow, but considering the exhilarating hope and change presentation given by David and listening to the comments made by Mr. Gerber and Mr. Weinberg, I couldn't help thinking about an issue that came up, a question that
came up at the political convention that was truly controversial and spread all over the airwaves and how that really would apply here to the Taxi of Tomorrow, the question is very simple: With the exclusive Taxi of Tomorrow, is the industry and the public better off compared to standard compliance and an open market before the Taxi of Tomorrow?

And I think that, while the question may be controversial at the political conventions, I think an objective thought given to this would have a very, very clear conclusion. I'd just like to make that comment.

Thank you.

MS. JOSHI: Thank you. Next is Osman Chowdhury.

MR. CHOWDHURY: (Inaudible).

Thank you.

MS. JOSHI: Thank you. We're going to take a brief five-minute
recess at 12:05 after which we have three additional speakers.

(Recess taken)

MS. JOSHI: Okay. We're going to begin with our hearing again. Next is Bruce Lafranchi. All right. Moving on to Joan Peters.

MS. PETERS: Good morning. My name is Joan Peters. I'm the executive director of Brooklyn Profession for Independent Disabled, BPID.

BPID is a nonprofit organization controlled and operated by people with disabilities for people with disabilities. Our mission is to provide the tools, services and necessary assistance to remove barriers within the community that prevent people with disabilities from full inclusion. One of these barriers is inaccessible taxis. BPID has advocated for accessible taxis for
many years, and we take the position as stated by council member Koppell that New York City should have a fully accessible fleet, not an optionally accessible fleet.

As others have stated this morning, the greater availability of accessible taxis to wheelchair users who live here, people who are temporarily in wheelchairs due to illness or injury and wheelchair users who visit the city, it will reduce the financial burden of the Access-A-Ride system.

In addition, any separate dispatch system will not be an equal system. BPID is committed to seeing a fully accessible taxi fleet in New York City, but specifically with respect to the Nissan NV200 my understanding is this vehicle, when used with a wheelchair, will only accommodate one other passenger. It is unlike other accessible models
that can accommodate at least three passengers and one wheelchair user at the same time.

Also, the TLC and the taxi industry have previously said that converted vehicles are too expensive and do not hold up to the roads of New York City. Assembling and disassembling a vehicle, it weakens the integrity of the vehicle as a whole.

We also have concerns about rear entry as opposed to side entry as expressed by others this morning.

Lastly, we have not had the opportunity to see, experience and provide feedback on the wheelchair accessible NV200 model, so on behalf of the BPID, I urge the TLC not to approve these rules at this time.

Thank you for your time.

MS. JOSHI: Thank you. Next is Megan Canning of Design Trust.

MS. CANNING: Hi, I'm Megan
Canning, the executive director of the Design Trust for Public Space. We're an organization and nonprofit that is dedicated to improving public space in New York City. We've been working since 2005 to facilitate innovative new taxi designs and improvements to the taxi system.

Design is often something that happens at the end of a process to make it pretty, but actually design influences every aspect of our daily lives. Good design leads to an improved quality of life, and with regard to the Taxi of Tomorrow every little detail of the design will result in a tremendous improvement to the passenger and to the driver. From all the new accessibility features like the audio loop and the grab handles and the step to the separate temperature controls and the adjustable seat for the driver.
By changing the design of the vehicle, you will be elevating the service, the quality of service for literally hundreds of thousands of New Yorkers and visitors alike.

Beginning in 2005, the Design Trust undertook three separate initiatives to reinvent a vehicle and the system for the 21st century.

Our work was participatory and collaborative. We engaged with the TLC as well as a broad range of taxi stakeholders.

Our first initiative, design a taxi from a multitude of ideas for improving the vehicle into the spotlight, everything from roof light and a panoramic sunroof to a fully electric taxi and a cell phone handling system. Then with our pivotal hackup exhibit at the New York show in 2007 we displayed eight fully functional vehicle prototypes designed by some of the nation's top
industrial designers. Free and open to the public, our exhibit drew more than 100,000 visitors in 12 days. At times as many as 1400 people in one hour alone. This is a powerful testament to the world's fascination with the New York City cab.

Finally, with our roads forward publication, the Design Trust did the first strategic plan for how to improve the New York City taxi system, and we did it in partnership with the TLC.

We're very proud of what we were able to accomplish through our efforts. Specifically by our workshops, our exhibits, research and our publication, it pioneered a bold vision for a new taxicab and help inspire Taxi of Tomorrow.

Although our partnership with the TLC officially ended in 2007, we remained involved as an advisor to Taxi of Tomorrow, and after Nissan
was selected, we were invited to continue on and advise them on the design and development of the NV200 and reviewed the vehicle on three separate occasions. We designed the taxi from the inside out. They have improved and modernized all aspects of the experience while respecting the iconic nature of the beloved New York City taxicab.

With the NV200, every driver and every passenger will experience durability, greatly enhanced comfort, superior safety and a consistent experience, a vast improvement over today's fleet of vehicles, none of which were ever designed to serve as a taxi. This truly is a historic moment for New York City, and it has been a long time coming, and it will not happen again.

On behalf of taxi passengers and the New York design community,
please do not lose this
unprecedented opportunity to make a
positive change for hundreds of
thousands of New Yorkers and
visitors.

I urge you to approve the
Nissan NV200 Taxi of Tomorrow as the
exclusive taxicab for New York City
and extend the period for retiring
vehicles, so as many drivers as
possible can take advantage of this
fantastic new taxi. Passengers have
been waiting far too along for the
industry to improve the taxi, to
make it safer, more durable,
comfortable and designed for us.
New York City is a leader in so many
ways. It's time that a global city
like ours finally has the taxicab we
deserve. Thank you.

MS. JOSHI: Thank you. Next is
Bhavara Desai.

MS. DESAI: Good afternoon.
I'm Bhavara Desai, executive
director at the New York Taxi Workers Alliance. Good afternoon, Commissioner. We thank you for staying.

We'd like to begin by saying that we've been involved in this process in the beginning and on behalf of the Taxi Workers Alliance, I do want to thank in particular the TLC staff who has been really open with us throughout this process, and we had several meetings with Nissan as well as participated in focus groups and were able to submit additional comments, and we were pleased to see that many of our issues were actually addressed in terms of the design of the vehicle itself, particularly the ergonomic seat for the driver. I know it's something that hasn't come up much, but you know the reality over time in a taxicab and the taxicab driver, so we've done studies with medical
students through the years where we have found universal rates of like over 80 percent drivers experiencing severe lower back pain, and from the medical profession levels of pain have become more and more of an indicator for other health ailments, particularly kidney problems, which we know is one of the major medical issues that drivers face.

And you know, people might be asking why bring up health issues when you're talking about the Taxi of Tomorrow.

For a working person when that vehicle is where you're spending 70 hours of your life within a week it does become a health and safety issue.

So we're glad to see those issues being addressed upfront. I want to raise the concerns we have around the economics. It's already been stated that the manufacturer's
suggested retail price of the Taxi of Tomorrow will actually be lower than many of the other taxis that are in the market today.

It's also been stated that there should be further negotiations particularly for those who may purchase it.

Our concern is that for individual taxi drivers, whether they are an owner-driver or a driver-owned vehicle operator who leased a medallion and purchased the vehicle from an agent, the DOV operator will not see the benefits of this better economy in terms of the pricing of the vehicle, because we will be paying a higher lease. The TLC is proposing that DOV operators pay the hybrid lease for a nonhybrid vehicle, and that's absolutely unfair.

Already with the fuel efficiency we will be losing out,
and we estimate that depending on
the type of hybrid that would be
available at that time in the market
our drivers would be paying on
average anywhere from eight to $10
more per shift, and that is
significant. It can be over $3,000
per year for an individual driver.

The majority of those 6,000
plus hybrids that are in the streets
today, they exist because of DOV
operators that have purchased them.
They don't primarily exist at the
fleet level, and so our concern is
that the DOV operator is going to be
paying a higher lease, but at the
same time they are going to be
paying more on fuel, and that's not
fair. The lease for the Taxi of
Tomorrow, when it is not a hybrid,
it should not be a hybrid lease. It
should be the lower standard lease.

Secondly, the TLC must make the
contracts public. Much of the
provisions in the contract can be regulated, should be regulated particularly around the economics. We're glad to see all the different service proposals and the warranties that have been addressed. They were a major concern for us. Certainly warranty on the Nissan will be much better than the other warranties that you see out there, but what happens today is that DOV operators, we don't have access to any of that information, any of those terms that currently exist between the dealer and the agent. We don't want to be shut out once again through this process when the Taxi of Tomorrow is brought in.

So, lastly, I would like to say that we need to ensure-- we are a 24-hour industry, and we know that we've heard that within the contract Nissan would be giving a 100 dollar compensation if the car is not
repaired within a reasonable time period.

First of all, we need to know what reasonable time period is defined as, and, secondly, it needs to be qualified in the TLC rules that these economic advantages that go to the vehicle purchaser will get passed down to the DOV operator when they are the purchaser in their relationship with the agent.

As of now, that is not clear, and that's completely unfair. The agent is making the purchase, but they are reselling it to the driver. It's really the driver in the long run that is paying all of these expenses for this vehicle and is investing in this vehicle both time and money generally.

So whatever economic advantages have been drawn up through this RFP process, it must be ensured that the individual vehicle owner, whether
owner-operator or DOV, benefits to
the same level that a corporate
vehicles owner does. Thank you.

MS. JOSHI: Thank you. Next is
Mohan Singh.

MR. SINGH: Good morning,
everyone. I am DoV driver. I own a
vehicle, and I take on lease.

The thing thinking that 24
hours service we need from the
Nissan. As we are serving the city
for 24 hours, so we want the
services when the car break down we
want the services from the Nissan 24
hours in the daytime and also in the
nighttime.

Another thing is that training
drivers for maintenance. They
should train the driver to take care
of the car so that we can maintain
the car for a long life.

Third thing, the fixing of the
car in the garage, so when we enter
the garage, if the car broke down,
we enter the Nissan garage, and we want some period that it will be fixed, that if we are going to the garage and if they have less technicians and they take about eight hours to take our vehicle, then we lose our time. So we want time to fix. We go to the garage, and the time should be limited. You suggest the work get done or something like that. Then the payment of the money when we go to the garage and if the vehicle take long time, they pay us. $100 as they told us.

So what we want we should know that when we get the money from the dealer as payment of the money which we spend time over there, so we want to fix standard that within 24 hours, within 48 hours, that should be there.

Then as we are fixing the posters, brokers and agents, we want
something fixed in the Nissan garages also that they should know that this thing for the taxis should be there that this time everything should be pointed out, so that we can point to that we don't want to waste the time, so there will be posters in the garage also.

Another thing, that we want the car to be good technicians that take care of it and in less time. We want something else also that we want warranty for the transmission 2,000 miles. Not 150, because we drive everyday more than 200 miles, so it won't be servicing for that time, so it should be at least 200,000. That's all I want to say.

Thank you very much. Any questions?

MS. JOSHI: Thank you very much. That concludes our hearing today. The time now is 12:25.

(Time noted: 12:25 p.m.)
CERTIFICATION.

I, JOSEPH DANYO V, a Notary Public for and within the State of New York, do hereby certify:

That the within transcript is a true and accurate record of the proceedings.

I further certify that I am not related to any of the parties to this action by blood or 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 18th day of September, 2012.

__________________________
JOSEPH DANYO V

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