PRESENT:
MATTHEW W. DAUS, Commissioner and Chairperson
ELIAS AROUT, Commissioner
NOACH DEAR, Commissioner
HARRY GIANNOULIS, Commissioner
EDWARD GONZALES, Commissioner
JEFFREY KAY, Commissioner
LAUVIENSKA POLANCO, Commissioner
HOWARD VARGAS, Commissioner
IRIS WEINSHALL, Commissioner
CHARLES FRASER, General Counsel

Also Present:
Andy
Peter Shenkman
Mike Cecere
Gabriel Ciccone
William Decandido
Joe Giannetto
Tom Hayden
Bart Jesser
Michael Levine
Mel Peffers
David Pollock
Georgia Radway
CHAIRPERSON DAUS: Good morning, everyone. I'd like to proceed to Item One on the agenda, the Chairman's report.

As many of you know, there is a work action taking place with Access-A-Ride. Three of the fourteen companies contracted with the MTA are on strike. We have been working with OEM and the MTA to lend a helping hand.

Service has been diminished, but there is capacity, from what I understand, so that regular riders with serious medical issues are taking priority and the MTA appears to be able to handle that, based on what they told us.

Affected riders can call the MTA Para-Transit Hotline at 877-337-2017 for information. People can also call 311 for information about our industries.

Also, a heads up to the vehicle for hire industry, in particular, that you may be getting increased phone calls for service for people who are disabled and for folks who usually use Access-A-Ride. My understanding is that the way the system works, they all take your license
car service or black car or limousine, for that matter. They will actually pay whatever they need to pay and will get reimbursed through the MTA. The MTA will be disseminating information about that but, some of you may be getting an influx of calls. We ask that you, of course, help out the city at this time.

The medallion sale is proceeding. We have been closing on some medallions so far. We already have two accessible taxis from the November auction that have hit the road. We have six closing scheduled for later this week. We've scheduled three so far and we're moving along.

We hope that within the next couple of months to be as expeditious as possible to get these vehicles out there.

On the taxicab technology customer service project, I'd like to give a brief update on that. We're now at 52 percent compliance. Cabs are equipped with -- 52 percent of the cabs that are out there serving the people are equipped with the technology systems. We have an issue with one of our
vendors. Taxi Technology has filed for bankruptcy. I think I mentioned this at the last Commission meeting. We have little bit of information about it. The status quo will be maintained by the Bankruptcy Court, I believe there is a stay. I can't get into too many of the legal details, as I've been advised by counsel not to. However, there are 2,245 affected medallion owners. We'll be in touch with you at some point. What I mean by "status quo" is, we will not be taking enforcement action against you. We'll be giving you enough time to comply. We have given you to the next inspection cycle, February 1, 2008, through April 30, 2008, to comply. We are not issuing summonses. If any medallion owners are interested in doing anything, I would strongly encourage them to retain and be advised by their own counsel, or call our own general counsel, Chuck Fraser, who is working closely with the Law Department on it. There are some various motions that are pending, and as we get information about this we will let you know. To respond to Commissioner Weinshall's question, we are going above and beyond
in terms of giving you some extra time to comply. We realize it's a frustrating situation. These people did the right thing by signing up on time, so we're going to do everything we can to make it easy for you.

On a more disturbing note, I have to say, I personally had a couple of bad experiences, as well as some other colleagues of mine. I've been getting letters as well with the taxi technology systems.

First of all, it's been brought to my attention that there are drivers out there saying the equipment is broken and is not working, when in fact it is working.

I had a particular disturbing experience when I tried to pay by credit card and was told by the driver that I pressed cash. I said, "No, I didn't press cash." They were able to manipulate the front by pressing the cash.

Thankfully, one of the vendors was able to correct that problem. Now, it appears that the modus operandi of the drivers is to engage in a form of objection by just not telling passengers that it is working, or refusing to accept credit
I think that's outrageous, given all this commission has done; and we are going to take strong prosecutorial action against each and every one of these drivers. People have already filed through on one complaint. We encourage any passengers with this issue to call us and to follow up, also.

We're also going to be conducting enforcement. The reason I bring it up now is, I see there are several medallion fleet owners in the audience and a lot of medallion owners. I would ask you to assist us, that whatever it takes, that you talk to your drivers, disseminate information to them and make sure that they don't do this.

It's just plain wrong; a deal is a deal. We went through this. Whether it's work actions or debates, it's just breaking the law and it's not going to be tolerated.

It's bad business, too. Think about it. You have all these people looking to use credit cards and they're being told, "No, it's not working."
Can you imagine if somebody was doing that in a store? It just doesn't happen that way or work that way. It's bad for the industry, it's bad for its image; and I can tell you it's an issue that, unless we address it, is not going to go away. It's going to give the industry and all of you a black eye.

So, I would hope that you would help us. I'm going to make sure we have our people out there in the next couple of weeks. The passengers -- the letters are pouring in. Please help us out on this.

We're going to get back on our schedule of the second Thursday of every month. We apologize for the last two months we're off kilter. Our next scheduled meeting will be Thursday, January 10, 2008.

At that time, I believe we are considering the medallion transfer rules; and also, we hope to have a prototype of our new commuter van stickers.

A quick update, because there isn't much we have to report on the accessible dispatch program; but we did promise that we'd give a
monthly update.

We have on the 311 dispatch system, we've completed our internal draft of our contract, and we're going to be getting Law Department approval and signing within the next couple of weeks.

It's very extensive, and that's the main progress that we've made, nailing down the contractual provisions. At the January meeting, we'll hopefully have a more thorough update and more to report on it.

Last, but certainly not least, a personal moment to first of all, mazel tov and congratulations to our Commissioner Noach Dear, our Brooklyn representative on his election to the Civil Court of the City of New York.

(Applause.)

I want to take a few moments to thank you for your service.

I can probably say with certainty that we probably disagree more than we agree on most things; but you brought a real balance to the Commission. You brought a lot of good ideas, made a lot of good points where, at times, if we didn't
listen to you, things would possibly have gone down the wrong road.

You brought an enthusiasm that I think we've never really seen here. You've done a tremendous job of not only taking this job seriously in bringing all of your experience and many years in the Council to transportation regulation; but we are certainly going do miss you.

I want to personally congratulate you. All my colleagues, I think, feel the same way. We didn't agree on everything. Sometimes we did, but for the most part, you've done a fantastic job here and we'll really, really miss your debate on the issues and your enthusiasm for this position, and we want to wish you the best.

I have a small token of our appreciation. I want to present you with a plaque for our appreciation of six years of dedicated service. Commissioners don't usually stay on for that long. For all you have done for our agency and we hope to honor you again in the future. For today, thank you.

(Indicating.)

(Applause.)
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Commissioner Dear has the floor.

CMSR. DEAR: Thank you, Matt. This is a difficult time in a sense, because you're going from one place to another. In this case, it is a good place for me and I hope for the City of New York, as well.

I want to thank you, first of all, personally, Matt, because I've watched you when I was in the City Council. You moved on to become the Chairman and I've watched you grow. I'm amazed at what you have accomplished over these years and what you have done and brought to this commission.

I enjoyed our relationship. I want to disagree with you in that I think we agreed more than we disagreed, because if you go back to the record and see, I probably voted 9 out of 10 times with you.

And maybe the other 9 times we disagreed at the beginning, but you came along to my way and we agreed together.

(Laughter.)

I'm grateful for that, and also to your staff and assistants who probably call me more often than do my children. That's not really true,
but they're always on top of things and there when needed. To my fellow commissioners, what can I say? Howard, you're a baby compared to my tenure here. I welcomed our relationship and enjoyed it. One thing I thought about before, what I would say about you and each individually. And I thought about you, Howard, the particulars, what can I learn from you for my next step? One thing as I'm sitting there thinking about it, I can sit on my chair as a judge and follow Howard. Listen, and when you have to say something. Say it and do it. So I appreciate that lesson that I can learn from you and the input. Also your knowledge the law and everything. It is helpful to me. Thank you very much. I'll miss you and I don't know what I'll do if you come before me. I'll have to make that decision then. I learned from judge school that it's your own personal decision if you have to recuse yourself. You're always welcome to talk to me. Ed, I know you also recently --
watched you, your knowledge of finance and everything else you've brought to this commission. You've done a tremendous job. I think it is something that was good for this commission, because it allows somebody, which I don't think we ever had, a commissioner who knew the whole world of finance.

Thank you for your advice and counsel and your input into the commission. Jeff, who's a recent member who I enjoyed -- we hooked up to each other right away. It's something I enjoy and I respect you, and I think the Mayor's very fortunate to have someone like you in your position. I watched many people prior to you in these positions who weren't as good and talented as you, so I think the Mayor is fortunate to have someone like you, and I wish you a lot of luck.

And to Elias, who I look up to and respect because he's the Commission. I remember standing here pleading my case as a Councilman to speak before this Commission prior to -- another chairperson was there.

I watched how you interacted and I
respected you. Staten Island is lucky to have someone like you who's an advocate and who really cares about the issues. Go for it on the liveries. Don't give up on anything with the liveries. Protect them, because they're a vital part of our history here and in this setting.

To Chuck, who is the second counsel we had, I admire you for your honesty. We fought with each other. I am right on my decision about our Appellate term we served, but we agree to disagree and I respect you for standing on the issues and I thank you for your counsel, for helping me out during this time.

To Iris, what can I say? Iris was put on this commission -- that's my theory -- because of me. I was here. Iris didn't want -- I respect you, Iris. I have a history with you back when I was with the City.

I had to change seats because of Iris. They kept me here and they kept -- on each side -- and it still didn't work.

Iris, thank you so much for your friendship, for everything you have done for me over the years, not only on the Commission but also
at DOT. I look forward -- I know I have a personal relationship with everybody; I know there's no business relationship we could have. I have to learn to conduct myself as a judge, but I continue because I admire you and I'm sure in a new administration I could see Iris coming back as something important for this City, because I know you're not going away from this City.

To Lubby, who's taught me a few things in the last few months she's been on the Commission, I was able to, when I got my legal counsel now, I looked and said, is she like Lubby? I respect you for your hard work and dedication and for the work you do and your legal scholarship and for everything you have contributed here and to me personally, when we talked about different issues outside the TLC.

What can I say about Harry? I know one thing, if I would have had your smarts, I probably wouldn't be here. I would be elected to another office by now.

Harry, you are unbelievable. You are respected you are the Commission, as well. You're here a while, a long time, and I wish you a long
tenure, even longer tenure. You speak out on the
issues, you're smart as a whip and you really know
the issues, you understand everything else.
I want to thank you for giving me
insight of how to conduct ourselves out there, and
be out there and what to do to make sure things
happen. Thank you Harry, and good luck.
To the people out there in the
audience, to the thousands of drivers out there,
who I admire and love and I have been always been
considered the driver's person on the TLC. I'm
proud of that and I like the hard working men and
women that are out there. To the organizations out
there, Metropolitan, from the president and down,
to the Nadow [sic], president and on. Taxi Safety
Committee; Lonto [sic]; to Lonto I can make Uncle
Vinnie, because he's become part of the family. To
the Black Car Association, to the Livery
Association, to the individuals, the vendors, to
everybody out there. You have been fantastic.
I have never seen such a group of
people that have been so good to me. I have heard
from you. We developed relationships. Many became
personal relationships with me and my family. You
came to my daughters' weddings and everything else. It makes me feel good that there are people out there that will remain friends, and I really appreciate that.

I also want to mention Deputy Commissioner Sorkin, who when we came on board here, we would learn to disagree, but we had a real professional relationship, where we were able to talk to each other, have input, and understand. You have brought lot of new things to the agency. We have changed things around and tried new things, a lot to your credit. I wish you good luck and continued luck for the agency.

I see Ira Gold here. If I start, I could name the entire agency. But the entire TLC staff has been wonderful to me; Gary and the Chief of Enforcement, who I go back to with other agencies; who's wonderful and I wish her a lot of luck.

God bless you all. You can always visit me. I hope -- if you're not lawyers, not adversaries -- and please let's stay in touch on a personal level.

Thank you very much and happy holidays.
to everybody
(Appplause.)
CHAIRPERSON DAUS: There is nothing I
can add to that. Congratulations.
Any questions on the report?
I'd like to proceed to Item Two on the
agenda, the adoption of the minutes of the
November 13, 2007 Commission meeting.
Any changes, corrections or
modifications to the minutes?
MR. AROUT: Motion to accept.
MS. POLANCO: Second.
CHAIRPERSON DAUS: All in favor say aye?
(A chorus of "ayes."
Item Three, Base licensing applications
review. We have a staff member from Licensing.
MS. RADWAY: Good morning. I'm Georgia
Steele Radway [sic].
Licensing would like to present before
the Commission 23 bases with a recommendation for
approval.
CHAIRPERSON DAUS: Do we have a motion
to accept the base applications?
CMSR. DEAR: Motion.
CMSR. KAY: Second.
CHAIRPERSON DAUS: All in favor say "Aye."

(A chorus of "Ayes.")

MS. RADWAY: There are six bases that Licensing is recommending for denial with a request that the Commission grant an additional 30 days so that they may present the outstanding items.

CHAIRPERSON DAUS: Any questions?

These are folks that have not done what they need to do with their application. If we make a motion, the motion will be that we will give an additional 30 days, and if they don't comply and do the paperwork by then, they will be denied.

Do I have a motion?

CMSR. AROUT: Motion.

CMSR. DEAR: Second.

CHAIRPERSON DAUS: All in favor say "Aye."

(A chorus of "Ayes.")

Motion passes. Thank you very much, Georgia.

FYI, Commissioner Gonzales has taken a very strong interest in helping us spend some extra
time on reforming the system. I know we had some reforms that we were going to be taking up in 2008 that have been discussed by staff. We are going to be having a meeting to discuss some of his ideas about administrative suspension, so I want to thank you for your insight; and we will be doing that in the next couple of weeks.

I'd like to now go to Item Four on the agenda, Proposed Rules for Public Hearing, and Minimum Miles Per Gallon Requirements for Taxicabs.

I'd like to say, first of all, thanks to the staff for all the work that they've done over the last year or two on hybrids. This goes back to presentations and research we have been doing since 2005.

Thanks to the Mayor and Deputy Mayor Dan Doctoroff, who unfortunately will be leaving us. He's been a fantastic person to work with and we'll miss him. For those of you who didn't know that, Dan Doctoroff has been the supervisor of our agency for the last year and a half or so.

Basically, what I told the Deputy Mayor -- he's leaving to become president of Bloomberg LP, which he is very excited about. Certainly, we
have done more in this year, thanks to Dan, quite frankly, than I think the Commission has ever done in its history. There are more things that have happened and more projects started and completed, really because of Dan and Dan's drive and vision. He's really brought great ideas and I'm going to miss him tremendously.

I know Jeff will, too. Jeff reports to Dan and is the point person on many different city agencies. So he's leaving us, but thanks to Dan and Rick and the whole team, and Jeff, who put together Plan NYC.

This hearing is an outgrowth, and these rules are an outgrowth of the Plan NYC Plan. The Mayor had announced that it was publicly out there for many, many months now. We do have a process for considering these rules as you know. Under the Administrative Procedure Act, we have to hold a public hearing and have debate, and that's what we're doing today.

I want to make it really clear because I think that maybe there's some confusion about this. We had, and I had committed a while back, and before I turn it over to Chuck I want reiterate
that commitment that, for both the fleet owners and
the environmentalists, quite frankly, that this is
a changing industry. As you can see, the
automobile manufacturing market has really gone
towards hybrids in a large way. We also realize
and recognize that cleaner fuels are a thing that's
developing as we speak.

Just as we sit here today and a year or
two years ago, who could have envisioned how things
would go with the price of gas and hybrid
development? Who knows where we're going to be in a
another year or two with years? We want to make
sure it's done right.

Whether we vote on, or what we do today,
I want to make it clear from the outset that it's
my intention; and I will ask the staff make a
presentation one way or another on everything that
been going on with the program by no later than
June of 2009, including what other technologies are
out there; whether the hybrids, if they're
performing as well as they are now, in another year
or so from now.

I want to make sure we make that
presentation in 2009 ahead of time. We're
committed to doing that one way or another. Whatever happens with these rules, to make sure that if there are problems, they're addressed. If there are vehicles that aren't available, that we make sure they are available.

Most importantly, if there are new technologies available and different paths that we want to go down, that we are ready to address them at that time. I'm talking about another project we started for the Deputy Mayor, which is the Taxi of Tomorrow. We've hired Ricardo, and we can't let that whole project get lost in the mix. Quite frankly, it's very much tied into what we are doing here today. The Taxi of Tomorrow Project is looking to develop a utopian cab of the future that's cleaner, greener, accessible, smaller on the outside, big on the inside, plenty of room, one that's affordable for the industry, one that's durable, that will hold up on that road, one that looks good, that looks iconic, that fits into the landscape of the city, the urban landscape. This is the goal.

To say that the work we're doing,
Ricardo and the Advisory Committee, made up of many industry members is not related would be ridiculous. They are related. A lot of the outgrowth of that whole project may bring to bear on these rules down the road.

I just want to put that date in stone, June of 2009, on or around that time. I and the staff will be making a presentation to the commissioners on the status of whatever program is in place and the new technologies.

Now on that's on the record, I'll turn it over to Chuck. He's going to talk about the comments we received at the public hearing.

MR. FRASER: This proposed rule would require that taxicabs under the accessible taxicabs that are put into service beginning October 1, 2008 must have a minimum rating of 25 miles per gallon in city driving; and beginning on October 1, 2009 must have a minimum rating of 30 miles per gallon in city driving.

In order to enable taxicabs to satisfy that standard, taxicabs will be permitted to meet the smaller vehicle specifications currently in place for hybrid electric vehicles.
The proposed rule also permits the use of CFG powered taxicabs, if such vehicles are originally manufactured vehicles. In light of the recent advances in the design of vehicle partitions, the new higher milage taxicabs put into service pursuant to this proposed rule would not be exempt from the partition requirements. In addition, the proposed rule would eliminate the exemption from petition requirements for hybrid electric taxicabs. The proposed rule was published for comment on October 22, 2007. The three written comments were received, copies of which have been distributed to the commissioners.

CHAIRPERSON DAUS: Thank you, Chuck. Is Council Member Yassky still here? Could you join us? You wish to speak today? We'll put you at the head of the pack because you were there with us and the Mayor, and you preregistered, I believe. I want to thank you. Even when we had some issues and concerns, you were the one who really kept the environmental train chugging along. And really, as per the Mayor, are responsible for
helping us get where we are today on this initiative. I want to thank you personally and welcome you as our first speaker on these rules.

COUNCIL MEMBER YASSKY: Thank you, Commissioner, and members of the Commission. I appreciate your saying that. I can't tell you how much I admire the leadership of this Commission on this critically important issue.

As you well know, you are now national leaders for pushing an environmental agenda forward in a smart, sensible way that I believe will work very well for the industry you regulate; and I think you should take enormous pride in what you're accomplishing, what you have and are accomplishing today.

I'm here simply to urge you to adopt the rules before you. I urge you to do that now, and as proposed, every day that goes by is a day the owners will buy the cabs under the current rules and put more gas guzzlers on the street.

As soon as you do this, you will see, when they take effect, a change immediately to taxis that are doing everything we want them to do for the passengers of New York City and the
visitors and the tourists; but also contribute --
not solve the problem then and there -- but
contribute in a meaningful way to cleaning the air
and dealing with our carbon crisis. You will have
taken that step.

While I'm here I would suggest that
once you have adopted this, I do believe in the
future there are a couple of things to look at.
One is, as I understand it, the rules that have
been proposed would not permit compressed natural
gas powered vehicles in the same way as hybrids.
I think there are logical impediments
to an owner that would choose to go the CNG route.
But if an owner wants to take those -- figure out a
way to deal with those impediments, the regulations
in my view ought to permit it. So I would urge the
Commission to go back later at some point and
revisit that issue.

Certainly, not to delay what you are
doing today. I think it is so significant.
I also want to bring to your attention
the concern that I have heard about vehicle owners
whose cars now will go past a third year having
difficulty -- the way the current rules work, if a
vehicle fails an inspection and they won't be able to cure it, the vehicle will have to go out of service.

I think that the time this issue was first discussed, the -- it seems to me what is fair is to allow, if there are going be cleaner vehicles, to allow them to stay on the road a little bit longer. That makes it work for the industry, as well.

I also recommend you go back and revisit that, as well. Again, I'm here today to commend the Commission for what it is doing, what it has done, and to urge you to adopt the regulation before you.

Thank you very much.

CHAIRPERSON DAUS: Thank you. We received your letters and will schedule a follow-up meeting to discuss those issues. There's a fair point to be made there, and we want to go over it first.

COUNCIL MEMBER YASSKY: I look forward to it.

CHAIRPERSON DAUS: Thank you.

Michael Seilback of the American Lung
The Next scheduled speaker is Kate Sinding, National Resources Defense Council.

(Indicating.)

MS. SINDING: Good morning, Commissioners. I'm Kate Sinding and I'm a senior attorney with the Natural Resources Defense Council, which is a national nonprofit organization that's worked for more than 30 years on reducing air and global warming pollution, emissions from vehicles in New York City and throughout the region, as well as on a wide variety of environment and public health matters.

Our organization has more than 1.2 million members and activists nationally, with over 30,000 supporters in New York City alone.

I'm pleased to be here today to provide our strong support for the TLC's proposed rules governing minimum miles per gallon standards for taxicabs.

By requiring that all new taxis meet minimum standards of 25 MPG starting in October 2008, and 30 MPG in 2009, with the result...
that all taxis will achieve at least 30 MPGs by October 2012, these rules will put New York State well on the road to having the cleanest fleet of any major city in the world.

The introduction of increasing numbers of high efficiency vehicles into the New York City yellow cab fleet over the next five years will reap significant environmental and other benefits for City residents and taxi drivers.

First, the new MPG standards will significantly improve New York City's air quality. Each ear, approximately 1.2 million tons of criteria pollutant are emitted from motor vehicles in New York, significantly contributing to the City's air quality, ranked as the third worse in the nation since 2004.

The high efficiency vehicles will significantly reduce those emissions. Likewise, the new mileage standards will reduce global warming emissions.

A few relevant facts. The Ford Escape hybrid emits one-third less CO2 than the Crown Victoria, and the US EPA has rated the Escape hybrid 8 out of 10 for greenhouse emissions,
compared to the Crown Victoria, 5 out of the 10. If the entire fleet was convert to hybrids today, it's estimated that New York's CO2 emissions could be reduced by more than 215,000 tons per year.

Third, the new standards will help to reduce our dependence on oil. And finally, the high fuel efficiency associated with these mileage standards will reap benefits for taxi drivers and owners. I believe TLC estimates that the average taxi drives about 40,000 miles a year.

With average gasoline prices in the City now about $3.40 a gallon, and assuming, as is the case today, that these high efficiency vehicles are about twice as fuel efficient when operated as the Crown Victoria, converting to hybrids today would save the average driver over $4,500 a year in operating costs.

In closing, I would like to strongly commend the Commission and urge it to adopt the proposed rules today, and then to move on to the next step of addressing the black car fleet.

I thank you for the opportunity to
The next speaker is Vincent Sapone, from Lomto.

MR. SAPONE: Good morning Mr. Chairman, Commissioners. Thank you for giving this opportunity to speak. I would like to wish everybody a healthy New Year and a good holiday.

You know what? After I leave here there are going to be some people who aren't going to like what I have to say. I have to say it, and I want this whole room to be aware.

My father drove in 1932 and I started in 1966 and we have -- he is deceased now -- we have 65, close to 70 years experience driving in the field; so I do know something about taxicab business.

Before I read this agenda here that I made up -- spent days working on it -- I have to say there some people here for clean air and so am I, no question about.

I think they have their heads in the sand. There are thousands upon thousands of liveries, gypsies, roaming the street with 10-year,
5-year old cars that's polluting everything. It seems like only the taxis pollute the city and only the taxi drivers will save the world. They're constantly at airports, they're at hotels, that a cab can't even get there, and very, very little is being done about it. Only the cab drivers are polluting the air, nobody else. We will save the world for everybody. But remember, I believe in going green. But give me a break. Everybody else should go green also, not just cab drivers. It's not right. Going green, let's take the Highlander. The Highlander doesn't meet your specs. But you know what? I have a few members that spent an extra $10,000 that bought it, and the customers love it. There's more leg room, more shoulder room, much more trunk room. By you guys demanding us going really small, we are going to be losing business at airports. That's 25 percent of our business. They would jump into liveries and gypsies at the first choice they get when they got three people plus luggage. Mark my words, that will happen. I'm sorry for being a little rough; but
you know what? It is not right. We should wait to 2009. Maybe by then a proper taxi will come out that meets the standards, okay, and is roomy enough for passengers.

And also, I'm on the committee for the Taxi of the Future. We are working hard with the TLC members who are on that project. I believe something will come out of that. I suggest skipping the 25 in 2008 and going right to 2009.

I don't see any problem with that. We will work with you. We want to go green. You got to give some consideration, okay?

I don't care what anybody says here. "Oh, there's plenty of room in the Prius." That's nonsense. You can't get three people in there my size. Baloney. It's very tight and very uncomfortable.

We're work on a taxi of the future. Let's give it the best shot we could and come up with the best cab possible for this industry, and let's keep it green.

You know what? Anyway, you all got this in front of you. Kindly read it. Listen, let's not always beat up on cab drivers. You guys
are commissioners. You guys are supposed to
protect the public as well as cab drivers.
I don't know what's going on here.
Everybody says, "What about people with heart
problems?"

CHAIRPERSON DAUS: Sum up, please.
MR. SAPONE: Only cab drivers. You're
going to destroy these people. Not the liveries
and nobody else. It's not fair what you are doing.
Have a nice day.
CHAIRPERSON DAUS: Thank you.
(Applause.)
The next speaker is Joe Giannetto from
MBT.

MR. GIANNETTO: Good morning.
Commissioners.
CHAIRPERSON DAUS: As a point of order
for all the speakers, there's lot people; so as the
buzzer goes off, try to sum up the best you can.
MR. GIANNETTO: Commissioner, in the
interest of time, if I could ask 60 additional
seconds I could probably incorporate two registered
speakers to save time.
For the record, I'm Joseph Giannetto,
I'd like to start by simply quoting from Mayor Bloomberg's Plan NYC which was published this April. It says, "The dominant taxi vehicle today achieves only 10 to 15 miles per gallon. More fuel efficient vehicles are used in limited numbers today, including hybrid electric vehicles. "These vehicles are in the first years of use, and questions regarding their durability as 24-hour, 7-day a week vehicles have yet to be fully answered. We will aim to double the efficiency of new taxis by 2012."

"Achieving these stated goals," the plan goes on to say will require aggressive work on the part of the TLC to push the auto industry and the TLC toward answering these questions and ensuring that vehicles used as taxicabs meet the highest safety, service and sustainability standard of New Yorkers. This plan could result in the entire fleet being converted to more fuel efficient vehicles within 8 to 10 years."
One month later, on May 22, the Mayor announced the new accelerated plan, requiring all new taxicabs to be fuel efficient, 25 miles per gallon, by October 2008, and 30 miles per gallon in 2009, five years earlier than what was stated in the original plan."

Remember what the plan said regarding hybrid vehicles. These vehicles are in the first years of use, and questions regarding their durability as taxis have yet to be fully answered. Certainly, these questions weren't answered in the four weeks between the Mayor's two announcements, and they still remain unanswered.

Before I go on, I want to make it clear that MTB fully supports the Mayor's Plan NYC goals of fuel efficiency of taxis.

And we fully support and are proud to be participants in the visionary city sponsored effort to find the taxicab of tomorrow. The Mayor and this TLC deserves a tremendous amount of credit for having done what was thought to be impossible; getting the auto industry interested in actually building a New York City taxicab.

What we can't understand, however, is
why the city will paint over every detail to create
the ideal taxicab, yet be so cavalier about what we
do between now and the arrival of the taxicab of
tomorrow.

   Again, while we support the goals of
   Plan NYC, we strongly object to this accelerated
   implementation schedule which will force us to buy
   unused vehicles as early as 10 months from now,
   which haven't been fully tested for taxi use or are
   inconsistent with safe and reliable fleet
   operations.

   In fact, significant safety questions
   have been raised about the currently configured
   hybrid taxis, based on initial experience on the
   road, accidents involving these vehicles, feedback
   from dealers, mechanics and taxicab operators.
   It should be noted that MTB operates
   well over 100 hybrids today. The truth is, we
   don't know much at all about the safety or
   durability of these hybrid taxis, and that's
   exactly the point.

   A New York taxi is on the road more
   frequently than perhaps any other vehicle in the
   world; and demands more attention to safety and
durability than simply meeting the minimum federal
requirements of a passenger car.

Let's be clear about what we are doing
here. If these rules are passed as written, we'll
be forcing the early retirement of a proven five
star crash rated, five star rollover rated, stretch
Crown Victoria, a purpose built fleet vehicle, for
a mishmash of passenger cars that include the Ford
Escape, that has a three star rollover rating, and
none of which have completed a full taxi cycle, and
none of which have been proven to withstand the
rigors of New York City taxi use.

The proposed rules ignore longstanding
TLC requirements and specifications for heavy duty
fleet vehicles; and interior cabin space
requirements which ensure comfort and ease in
ingress and egress for all passengers.

You'll be replacing a safe and
comfortable car, one which was mandated by this TLC
not more than six years ago in response to
overwhelming number passenger complaints about
inadequate leg room in the smaller vehicles, for
ones that many passengers find unbearably
constraining.
The bottom line, with these rules, I think safety concerns are being compromised. And that's not acceptable when millions of taxi riders and thousands of taxi drivers rely on the city to make these determinations for them.

In conclusion, we support Plan NYC and the goal of a more fuel efficient taxi. However, much more work needs to be done. Questions of vehicle durability, occupant safety, and passenger preferences have yet to be fully answered.

The Mayor had this right the first time. Let's answer these questions. Let's wait for Ricardo's findings which we'll start to see in April or May. Let's wait for more progress on the rapidly moving efforts by auto makers to produce a safe and comfortable green taxi, some of which may be out by 2009; and let's cut out this arbitrary October 2008 mandate.

In fact, we've gone as far to endorse the second part of these accelerated goals, which is 30 miles per gallon in October, 2009, provided that this Commission is able to assess eligible taxis prior to that time.

So we're simply asking that this
Commission get back to a thoughtful approach of reaching our environmental goals, one that plays safety above all else.

Thank you, Mr. Chairperson.

CHAIRPERSON DAUS: Thank you. In the interest of administrative efficiency for this hearing, I'll ask staff to hold all comments to the end. I'll have Mr. Shenkman come up and he's taking notes of all the concerns being raised, and he'll address them at the end of the meeting.

Thank you.

The next speaker is Gabriel Ciccone, from Fuelpup.com.

MR. CICCONE: Good morning. My name is Gabriel Ciccone, CEO of Fuelpup.com. Fuelpup.com is a clean technology company that develops and manufactures hybrid retrofit kits by integrating our patented electrical power assistance to existing motor vehicles.

An electric motor is attached to the vehicle's existing drive shaft, and a controller is installed to control the motor. The motor kit utilizes the existing vehicle battery on auxiliary battery for even greater fuel economy.
Fuelpup's unique patented design enables light truck passenger vehicles and fleet vehicles to be converted to hybrid electric gas at a realistic and affordable price. The results are greatly increased fuel economy while reducing emissions and allowing vehicles to operate at lower costs. Fuelpup's simple and economical installation on existing vehicles would not interfere with the vehicle's normal operation and warranty, while providing the vehicle with a seamless transition to electric propulsion to gas. The vehicle's computer automatically adjusts the vehicle's speed and engages the transmission accordingly. You don't have to give up the luxury and reliability of the Crown Victoria for advanced hybrid technology. Our hybrid kit is integrated into the existing car's drive shaft, transforming it into a hybrid vehicle. Why purchase a costly fleet of hybrid taxis, when you can convert the existing fleet at nominal cost, with a price of only $1300 per vehicle.
Many fear the reliability of these new hybrid cars. Fuelpup would not impede on the performance of the Crown Victoria. If there's a failure, the car can disengage the electrical assist and perform under normal operation functions until repairs can be made.

As an added bonus, if the car's gasoline engine malfunctions, Fuelpup will let the vehicle drive for several miles without the engine running in order to get to a service center and avoid traffic jams.

Fuelpup will alleviate fuel consumption by 25 percent or more, while reducing emissions into our environment, using cost effective and realistic approach.

Fuelpup.com is a practical, cost effective solution that can be implemented in months and not years.

To quote Al Gore yesterday, "We have the ability to solve this crisis and avoid the worst consequences if we act boldly, decisively and quickly."

I believe Fuelpup is a solution right now.
CHAIRPERSON DAUS: Thank you. Just to make you aware, we do have rules and a process for reviewing pilot program requests. This would be something appropriate for you to look at. If you call my office, Carolyn Rinaldi will send you a copy of the rules, the petitions, and we'll take a look at your technology.

MR. CICCONE: We just got issued a patent in September of this year. We saw the newspaper article.

CHAIRPERSON DAUS: We do have a separate petitioning procedure, so if you contact us we will basically give you the information that you need to make an application to us, for us to authorize potentially testing of your equipment in the cabs.

MR. CICCONE: Thank you.

CHAIRPERSON DAUS: You have to submit it to my office. They'll give you what you need.

The next speaker is Tom Hayden from Metro King Motors.

MR. HAYDEN: Good morning, all.

This statement by Metro King Motors will provide a brief status of the alternative vehicle choice given in today's proposed rule.
That is, an accessible taxicab, as defined in Section 3-03.2 of the TLC rules.

In 2003, the New York City Taxi and Limousine Commission and the New York State Energy Research and Development Authority signed a memorandum of understanding that a New York future taxi initiative be inaugurated to promote the development of improved taxis and for-hire vehicles that incorporate both wheelchair accessibility and advanced power trains.

Metro King Motors accepted this challenge and will shortly complete our first production run of a taxi that is wheelchair accessible and that provides improved fuel economy over the current Ford Crown Victoria.

The Metro King taxi is a purpose built vehicle that uses a full frame chassis for durability; a separate driver's compartment; and a passenger compartment that comfortably seats up to five.

We are sensitive to introducing complexities in short time frames, so our vehicle is constructed in a traditional manner and can be repaired with parts and assemblies that are
currently available from local dealers, auto parts stores or recycled parts suppliers.

The wheelchair accessibility is provided by a two car ramp that enters through a side door and is stowed under the floor when not in use. It therefore does not take up any interior volume from the passengers. The wheelchair and its passenger are secured with the restraining system.

The inline 5-cylinder engine is inherently more fuel efficient than the five liter V8. Furthermore, Metro King is commercializing an idle-stop technology that we will market as hybrid on demand.

This feature automatically stops and restarts the engine during prolonged idle periods; and in vehicle testing by the New York Department if Environmental Conservation at the request of NYSERTA [sic], it demonstrated a 20 percent decrease in fuel consumption over the New York City taxi driving cycle.

Metro King is also looking forward to incorporating an auxiliary electric starter generator that would further reduce emissions and improve fuel economy.
Metro King Motors LLC is a final stage manufacturer, registered with the National Highway Traffic and Safety Administration; and we've designed the vehicle to comply with all applicable federal motor vehicle safety standards and Environmental Protection Agency performance requirements.

We have the full support of General Motors for parts and distribution, as well as the original GM warranty. Metro King now has an assembly facility in Poughkeepsie, New York, where we can take advantage of the skills, manufacturing labor pool, the local economic development activities, and become a New York automotive manufacturer with New York employees.

We're ready to take orders and fully intend to provide New York a viable, practical durable, acceptable taxicab. Thank you.

CHAIRPERSON DAUS: Thank you. The same goes for your company. I think David Klahr is here also. He's the person you might want to see about the pilot program.

MR. HAYDEN: I have paper copy.

CHAIRPERSON DAUS: Thank you.
The next speaker is Mel Peffers from the Environmental Defense Fund. I have three speakers from Environmental Defense; Mel Peffers, Ramon Cruz, or Eddie Burgess.

MS. PEFFERS: Roman Cruz is not here; but Eddie Burgess is.

My name is Mel Peffers, from the Environmental Defense Fund. I want to thank the Commission, as well as a few other thank yous; Bloomberg and Doctoroff for being real leaders in this initiative to green our city. I'd also like to thank David Yassky, as well as the Green Cabs initiative and Taxis for Tomorrow. I want to support all the efforts of the people working on that.

A little bit about who I am. I'm Mel Peffers. I'm with the Environmental Defense Fund, a non-profit. And our tag line is finding ways that work. We have over half a million members and a little about our organization.

We really try to find solutions that make the best sense, economically, socially and for our health; not only for the earth, but for our personal public health. I'm not a lawyer, so
everybody can calm down a little. I want to say we had smart lawyers who have looked at this and it's a smart thing to do. We need to take a leadership role here in New York City.

I'm not an economist and this makes smart sense, economically. Fuel prices are going up. The way you set these standards is smart to bring up new technology and new advancements and these sorts of advances towards fuel efficiencies.

We're technology and fuel neutral. We want to make sure that the end result at the tailpipe is really what's driving our decisions.

I am, however, a health scientist. I have gotten my health degree from the Harvard School of Public Health. To speak from the heart on this, a little rebuttal is, most of us in the environmental world get this reputation as being very idealistic. Our non-profit is definitely about finding ways that work.

I don't have my head in the sand, buy I'm choking on the fumes of the tailpipes everywhere. I would agree that we need to look at all fleets, but I know the TLC Commission specifically here works on the taxi and livery
I want to show my commitment to cleaning up the fumes from all the other sectors; the airlines, the diesel trucks. I'm definitely behind cleaning up all of those. My head is, however, stuck in choking on the fumes from these tailpipes. I worked with my alma mater to show when you're this close, within 500 feet of heavy traffic, your lungs aren't developing right. You can't breathe well; you have asthma attacks; you have heart attacks; it's causing cancer.

Over 90 percent of our air cancer risk in Manhattan is driven by mobile transportation sources; and we can clean it up, and taxis can be part of the solution. It's not the full solution, but it's part of the solution.

I want to call for the Commission to adopt the rules. We need better standards. We can't wait 20 years to get new, improved fuel efficiency. We've seen the lag on the federal side.

We really need the city to be a leader; not only for health, but also for climate. Over
200,000 tons of CO2 is generated by taxis. We need a leader. We need a commitment. We can't wait. We don't want to be Beijing or New Delhi. We need to go beyond and get black cars and other livery services, and I dedicate and devote my service to cleaning up other fleets like diesel trucks, etc.

We support these efforts across the board and we need to change the garden and transit taxis to be not only beautiful on the outside. They're great works of art. I go up to Columbus Circle to see them. They're quite beautiful.

I also want that to be a symbol that they're green taxis, as well; not just beautiful taxis on the outside, but beautiful on the inside. So I urge the Commission to adopt the rules.

Thank you so much for this opportunity.

CHAIRPERSON DAUS: Thank you very much.

The next speaker is Bob Muldoon of the Sierra Club.

MR. JESSER: I'll speak on behalf of the Sierra Club. I'm Bart Jesser [sic].

Good morning. I'm Chair of the Transportation Committee for the State Chapter of
the Sierra Club, speaking on behalf of the City
Chapter of the Sierra Club.
We support the proposed rules for fuel
efficiency for taxicabs. Sierra Club is the oldest
and largest grassroots environmental organization
in the country, with over 750,000 members
nationwide, and over 50,000 members in New York
City.
We were an early advocate of hybrid
taxicabs, and for several years we have worked with
other environmental groups across the city to
advocate for clean, efficient taxicabs.
We applaud Mayor Bloomberg for showing
leadership and pursuing an aggressive policy to
implement fuel economy standards for the 13,000
yellow taxis. We urgently need this leadership,
especially in New York City, being on the front
line of the climate change issue.
We urge the Commission to adopt the
proposed regulations because of the many benefits
they offer, including reducing pollution and
greenhouse gas emissions, saving cabbies and riders
money, and helping to reduce dependence on foreign
oil.
We have met the industry and reached out to thousands of cabbies at the airports and found that hybrids have received good reception from many in the industry.

We urge the TLC to continue its efforts to address any remaining concerns cabbies have about security; and continue their efforts to educate the taxi industry on hybrid vehicles.

We have two concerns to raise with the Commission. First, we urge the Commission to allow green labels on taxicabs to return, until at least 50 percent of the fleet is converted to these fuel efficient vehicles.

Highly visible green taxi signage is an important component of this effort. They tell the public on a daily basis that the City is converting the taxi fleet to a clean and more fuel efficient fleet.

In turn, it’s an educational tool that shows the public that standard vehicles can be fuel efficient. Finally, highly visible green labels allows the public to participate in this program by providing clean alternatives in airports and on street.
We urge the TLC staff to begin planning similar programs for black car fleets. These black car fleets are equivalent in size and numbers of miles driven. They should meet similar fuel efficiency requirements.

Otherwise, we are saying that businesses and other users are given a pass on a problem we all have to be part in solving. A similar requirement needs to be considered for car service cars.

Thank you for moving forward with this program. We applaud the leadership you and the Mayor are showing with this effort, and we urgently need to address the problems associated with global warming.

Thank you.

CHAIRPERSON DAUS: Thank you.

The next speaker is Ed Burgess, Environmental Defense Fund. By the way, green stickers are happening. They're on the website already. We had a delay with the contracting process.

MR. JESSER: One thing concerning that. The stickers, as far as I understand, are small
stickers inside the vehicle.

CHAIRPERSON DAUS: Outside.

MR. JESSER: If there was something prominent, signage on the vehicles, so somebody on the street can actually see a green taxi at the airport and maybe selectively pursue those taxis, to show what you are doing being significant. My understanding is the signage proposed is not that.

CHAIRPERSON DAUS: It's a fair point.

Why don't you check out the website and we will meet afterwards and go over it.

Eddie Burgess?

MR. BURGESS: I'm Eddie Burgess. I'm a research fellow in environmental defense. I'm here to also express my support for adopting today's rules being proposed to increase the fuel efficiency of taxicabs.

I want to stress that it is critically important that we take this step now and we use the technologies that are available today. The longer we wait the harder it will be to rectify the changes that are going on in climate change, and New York City is vulnerable to things like sea level rising.
The science shows that if we wait just two years in reducing carbon emissions, we're going to have to double our efforts to decrease the emissions. The sooner we get started today the less cost in the future. That's something to keep in mind for people while we're waiting for the new technology.

It's going to be a lot easier the sooner we get started. I encourage the Taxi and Limousine Commission to continue this process, and I'm very encouraged to participate with the taxi of tomorrow. I think it's great.

Once again, just waiting to develop new technology is not enough. You have set standards now so we can bring those technologies in line to what we need to achieve in terms of emissions and reductions.

To give a little historical reference, I was only two years old the last time the federal government made changes to fuel efficiency standards. I'm not as old as many people here, but -- it's really quite atrocious how long it's taken to improve standards.

We need to set the example. New York
City has a wonderful role to take. It's very visible. People come from all over the world, government leaders; and there's a huge opportunity for us to serve as the leader, to educate people who come into the city and see what we are doing and be able to take those lessons back home.

I hope that today's rules get passed and that we don't ignore this great benefit, not only -- we can't ignore the safety and we also can't ignore the health concerns for our children and for future climate change. Those are important safety concerns, as well.

Thank you.

CHAIRPERSON DAUS: Thank you. The next speaker is Josh Nachowitz from the League of Conservation Voters.

MR. GIANNOULIS: I want to comment on one thing. The speaker before this gentleman said something silly. I'm committed to vote against green stickers on cars because of his comments.

The notion that somebody would encourage somebody to not take a vehicle that's already on the street, and some poor driver who showed up in a fleet and happened to get a
non-hybrid vehicle really does go to the point why
some people thing some folks in the environmental
movement are not exactly focussed in reality.
That's the stupidest thing I ever heard
in my life. It's outrageous that somebody would
propose that as the reason to put -- it makes no
sense. The vehicle is on the street. Not taking
it is not going to take it off the street. It's
just ridiculous and if we do stickers, I'll vote
for a very small one.

CHAIRPERSON DAUS: Duly noted.

I think we already voted on them. The
City Council passed a law.
Mr. Nachowitz? Not here?
William Decandido, Tadger
International.
MR. DECANDIDO: Good morning Mr.
Chairman, members of the Commission. Thank you for
having me today and giving me the opportunity to
speak.
I'm Bill Decandido. I'm from Tadger
International, and this morning I'll be very brief
to introduce a product that saves fuel and also
reduces emissions. It's called the Tadger and it attaches on to the fuel line.
(Indicating.)
It saves about 3 to 5 percent in fuel consumption and saves about 20 percent in emissions.

CHAIRPERSON DAUS: Mr. Decandido, do you have comments specifically about whether we should pass or not pass the MPG rules? If you are here to talk about your product it sounds great, but we have a separate process about that.

MR. DECANDIDO: I realize that. I just found out about the meeting, and since this is a solution, I thought that everybody involved should be aware of. I just found out about the pilot project that we have to go through. We will be participating.

CHAIRPERSON DAUS: Does voting for or against these rules have an impact on your product?

MR. DECANDIDO: Not necessarily. I think it gives the decision makers the option to phase into things, so that we can satisfy some of the interests that we have heard from the environmentalists, and also from the owners and
As this item costs only $200, there are no moving parts. It's easy to install. And I'm not here to tell anybody about rules. Rules are good, but you need real results. I think that this is a real result now that can be implemented.

Thank you for your time.

CHAIRPERSON DAUS: Nothing we pass here, quite frankly, impairs your ability to partake in that process. We're always looking for new technology and there's a process to deviate from our rules to test new things.

David Klahr will meet with you and get your information, in the back.

Next, Mike Cecere, Clean Energy.

MR. CECERE: I'm Mike Cecere, Clean Energy.

First, thanks to the Commission for allowing me the opportunity to speak. Clean Energy is the largest supplier of compressed and liquified natural gas in the country. We have over 180 stations across the country. In 2008, we're building another 50 stations.

We fuel 1500 taxicabs daily. With that
said, Mayor Bloomberg and the TLC's efforts to realize a green taxi fleet are critical to the quality of life for everyone that lives, works and travels in New York City.

The Mayor's 2030 sustainability plan demonstrates the City's tremendous commitment to both reducing air pollution and greenhouse gas emissions from the city's stationary and mobile sources.

We support the Mayor and TLC's policy to allow gasoline hybrid vehicles to reduce the City's carbon footprint. Natural gas taxis should also continue to play a major role in reducing the carbon footprint in New York City.

The proposed rules should include compressed natural gas vehicles, and such vehicles that are built by a car certified small volume manufacturer and meets the carb [sic] superlow emissions certification.

In addition to this change, a CMG vehicle should not be subjected to the proposed mile per gallon requirements, since natural gas vehicles use natural gas, the cleanest fuel currently available for a taxi in New York City.
While a gasoline hybrid vehicle carbon footprint is based on the vehicle's mile per gallon rating, natural gas vehicles do not use gasoline, a petroleum based fuel. It is critical for New York City to continue to support natural gas vehicles which reduce greenhouse gases 30 percent, compared to gasoline vehicles, and are comparable to gasoline hybrid technology.

Natural gas costs up to 70 cents per gallon less than a gallon of gasoline. It is a domestic fuel which reduces New York City's dependence on foreign oil 100 percent. Natural gas vehicles also provide a bridge or pathway to the hydrogen highway, which we all want to get to.

Natural gas also provides the opportunity to look at natural gas hybrids in the future. Natural gas is a renewable, sustainable domestic fuel that fits into the City's 2030 plan. The societal benefits of natural gas includes improved public health, reduce greenhouse gases, reduce criteria air pollutants and air toxins, reduce dependency on foreign oil, potential reduction in fuel costs, improve image, first
impression, improve airport community relations and
demonstrates a continued New York City leadership
on global warming, air quality and petroleum
displacement.

By adopting the changes, the Mayor and
TLC will demonstrate national leadership in
reducing greenhouse gases, toxins, air pollution
and foreign oil dependency.

With the adoption of these changes, the
Mayor's Administration and the City of New York
could potentially reduce a significant amount of
tons of greenhouse gases, smog forming, nitrogen
oxides, toxins, particulate matter, and displace a
meaningful amount of foreign oil consumption.

Clearly, with the adoption of these
changes, the Mayor will demonstrate unprecedented
national leadership in global warming and air
pollution and energy independence. All we ask for
is fuel diversity in dealing with this plan,
natural gas.

Thank you.

CHAIRPERSON DAUS: Thank you. The next
speaker is Jason Rosenzweig.

MR. ROSENZWEIG: Good morning. I'm
Jason Rosenzweig from Linden Maintenance Corp. A fleet in Flushing, Queens.

We've been operating double shift taxicabs since 1944, and we currently operate 152 cars. I'm second generation, growing up in the taxi business, and have been working in the garage for almost 20 years.

I began my career at the age of 9, changing tires on Saturdays. I remember going to work with my father at 5:00 in the morning. Now my children that I take with me at 5:00 in the morning ask, "Why do you have to go in so early?" I tell them the same thing my father taught me: "It's the taxi business."

We operate a full service fleet garage, employ 50 people, from dispatchers to gas men, mechanics and body shop workers, office personnel and management; all to provide the best service and support to our hard working drivers.

We are committed to providing them well maintained and safe vehicles and services to make their jobs as easy and efficient as possible.

We're open 24 hours day, 7 days a week, 365 days a year. We are primarily a double shift
operation and have over 400 drivers who work with us, ranging from new drivers who received their hack licenses last week, to drivers who have been with us for over 40 years. It is for these drivers and for the riding public that they serve, why I'm here today.

I applaud the Mayor's initiatives and I'm in favor of a cleaner and greener New York. In addition, I agree that we should be looking for more fuel efficient vehicles to help us accomplish this goal. However, we cannot jeopardize the drivers or the public safety in the process.

I currently operate all stretch Crown Victoria taxicabs, a proven workhorse that has served this industry for decades, as well as provided the comfort of a limousine to the riding public.

I must say, after 300,000 miles on New York City streets, it is one of the safest and reliable vehicles I have ever operated. No other vehicle comes close to this car in durability, safety and comfort. Your own Safety and Emissions can attest to the structural rigidity and integrity of the Crown Victoria.
That being said, I'm not here to save the Crown Victoria. I'm here to make sure the potential replacement to this vehicle is equally durable and safe. To that end, I have actually purchased and have been running an Escape hybrid for the last six months. I decided to test this vehicle myself to see if it meets the demands of a double shifted taxicab.

At this point in my case, as well as for all the hybrids in the city today, it's too early to tell. I'd like to see these vehicles with 200,000 miles on them, two summers, two winters. Let's see what the batteries look like after a hot summer. Let's see them after they have a couple of accidents, which unfortunately happens; and let's see how they hold up. Let's look at the chassis and the suspension and let's see what these vehicles look like.

Furthermore, the interior passenger compartment of the current hybrids is significantly smaller than the Crown Victoria. Space for the driver is a cocoon-like space. The passenger comfort level is reduced dramatically. With the
partition in the L-shape that it's currently in, the passenger compartment as well as the driver area becomes a death trap in a collision.

With all these unanswered questions, how can we put into service small, unproven passenger cars that have simply been painted yellow and retrofitted to be a taxicab? Instead, we need to wait to conduct a procedure evaluation of these vehicles. Their durability and safety cannot be fully determined until they have been through a full, 3-year taxicab cycle.

We all want a cleaner environment, but we cannot sacrifice passenger and driver safety to achieve it. We need to be patient, conduct proper testing, and then decide if these vehicles are suitable to be taxicabs.

Thank you.

(Applause.)

CHAIRPERSON DAUS: The next speaker is Michael Levine.

MR. LEVINE: I'm Michael Levine, president of Ronart Leasing Taxi Garage. We operate 330 cabs in New York City and I've got a
couple of companies in Chicago and operate another
2500 cabs out there. I probably move more people
in taxicabs than anybody in the country, right now.

We operate 17 different types of
vehicles that I've accounted for between our two
fleets, and we've probably operated 30 or more
different types of vehicles in the past 15 years,
testing vehicles, trying this and that.

My whole speech is out the window.
It's not necessary. We're all here for the same
reason. All the environmental people are here
saying breathing is good, not breathing is bad. We
get it.

We're also saying traveling, taking
people from one place to another is good; not being
able to take them is bad. You guys know that.
Here we have a room. The drivers understand that
fuel efficiency is good. We understand that fuel
efficiency is good as operators. Everybody here
understands that breathing is good, and you guys
understand it all.

This is the first time we're all on the
same page. Let's do it right. We are here, let's
get this thing passed. We know we're going forward
in the right direction.

Iris, you and I have sat down before and said it's a good idea. If we did that five years ago and we tried to put all that stuff in the back of taxicabs we came up with, it wouldn't have worked; the technology wasn't there. It may be there now, it may not be there now. Jason put it best. It's either going to perform on a specific cab or it's not.

So we have manufacturers here, we have fuel people, we have industry people, we have everybody. Let's go forward with this and say okay. We're looking for October and shooting for 25.

But you know what? If 23 or 22 is what we get to by October, that's still pretty good improvement. So, let's be flexible going forward, test our vehicles out. The City has testing equipment they are currently using. They can help us test. We'll test whatever you want to try.

There are vehicles out there now that get 25 miles per gallon right now and costs $14,000. If you don't think I would love to put them on the road, you are crazy. That's what I'm
in the business to do; move people, make money. $14,000 is better than $24,000 any day. The problem is, the car is small.

We'll help you guys. We just ask that you're flexible along the way and work with us, so that we don't say, "Okay, 25 is a goal. We didn't make 25, we'll do 25 anyway, and that's the way it is going to be." We should all work together and it will all work.

One other thing I need to say is, we've been testing a lot of vehicles and one thing that helps is the camera system. If you put a new vehicle on the road and there's only one, two, ten of them out there, you don't want to have to develop a whole new partition system for that vehicle.

Especially the smaller vehicles. You don't want to try putting people in the back with a partition in the vehicle they're not used to. If we could get cameras in some of these vehicles and change that regulation as well, that would be helpful.

CHAIRPERSON DAUS: Thank you, Mr. Levine.
The next speaker is Bill Lindauer.

MR. LINDAUER: Thank you. Of course we are for a Green New York; but I feel that we are rushing things, and rushing things may be rash.

I hate to say that I agree with many of the fleet owners, but driver safety is top priority and these vehicles are unproven, safety-wise and durability-wise.

Another thing. We all know Osmond... the diamond cabbie. Diogenes couldn't find a more honest man. He tried the hybrid and he is being charged extra money for driving a hybrid. Of course the TLC does nothing about this infraction of the rules. Drivers should not have to pay more for a hybrid.

Also, in the statement of purpose of rules, you say it will raise the value of the medallion. I'm not sure how it is supposed to do that.

I think the driver's interest must be protected; safety; they should not be charged more for driving a hybrid. They're saving money on gasoline, so they have to give it back to the owners?
We are paying enough for gas now. The GPS is stealing money from drivers' pockets. Many drivers are paying for the GPS, despite the Chairman's lie that drivers won't have to pay for it.

I'd like to correct the opening comments, "A deal is a deal." There was no deal about credit card or the GPS. This came out in September 28th, court. Richard Berman, there was no deal. The City Corporation Counsel said there was an agreement among the commissioners. That's hardly anybody in the taxi industry and certainly not the drivers. Thank you.

Chairperson Daus: Next speaker is Jeffrey Chernik.

Mr. Chernik: I don't need to speak.

Chairperson Daus: Next speaker is Victor Chufalo [sic].

Mr. Chufalo: Good morning everyone. My name is Victor Chufalo. I operate Anne Service Corporation. We're a New York City yellow cab fleet consisting of 70 vehicles. We have been at the same location and operated by the same family
since 1923. In 1990 I ran the first CFG Caprice. It was an after market adaptation that never really worked properly.

In addition, there were only two fueling sites with limited hours; and when available, the ambient temperature effect of how much fuel the tank would take—Team Systems, a fellow fleet operator, spend millions installing a CMG station on his property, only to have the TLC scrap the program.

Some time later, rear seat air conditioning was mandated, again, with no authorized vehicle coming off the assembly line that had this optional feature. The resulting jerry-rigged contraption was a PVC pipe with holes punched in it, and the cool air conduit was a corrugated vacuum cleaner hose attached to a vent in the dash.

Can anybody here every forgot the talking taxi? What all these failed projects have in common, is that we as the end users were forced to pay for an adaptor project or concept that had no infrastructure in place to support it.

I raise these issues not to be critical
of the proposal before us, but ask that we not rush
to mandate vehicles that have no proven track
record as viable New York City taxis.
Maybe one or all of them can work.
Maybe none of them. But mandating their use now is
short sighted. We have an obligation to support
the Mayor's plan. You have an obligation to
activate rules that allow us to operate vehicles
that function as safe, comfortable, economically
viable taxis. Failure here will be more resonant
than not delivering sufficient cool air to the
passenger in the rear seat.
Thank you.

CHAIRPERSON DAUS: Thank you, sir. The
last speaker is David Pollock.
MR. POLLOCK: For the record, I'm David
Pollock, Committee for Taxi Safety.
You have the committee's rules.
Although I did want to speak frankly and go off
track from the written rules, it would be nice if
the Commissioners present in the building would
listen to everybody's comment before they vote on
something.

CHAIRPERSON DAUS: We do. It's a long
meeting. Everybody, including myself are human. We have to go to the bathroom, we have things we need to do. They will be back in.

MR. POLLOCK: Is anybody against clean air? Of course not. Is anybody for global warming? Of course not. Everybody wants the utopian condition in our environment and everybody wants the utopian taxicab.

Eliminating the Crown Victoria brings up a question. Is there enough availability for the Ford Escape, which basically seems to be the only car that spent enough time on the road, that meets the 25 MPG requirements, to see exactly what makes it tick on city streets. The problem we have is -- there is really two problems.

One, in the event there aren't enough Ford Escape hybrids available, we will not have the option of the roomy Sienna or a Crown Victoria. You will say, "Pick one or the other of the six or seven cars."

Without enough time for those six or seven cars to be proven street-worthy as a taxi, the dove drivers, which we represent about 2213 members, 2200 medallion owners and 5,000 drivers.
Those drivers may be forced to buy a vehicle that may not hold up as good or better than the existing vehicles, like the Crown Victoria. Without a pilot project or enough time to test the vehicles, it doesn't seem logical or sensible to do away with the other vehicles that are required.

There is an increased cost, as I stated before; but why would we be forced to buy a vehicle we don't want? Let's say we decide we want the Ford Escape hybrid? That's the vehicle we are going to buy? But you can't get any, so you have to buy a different one. That's why it's a little premature.

I have too attended the focus groups, and the Committee for Taxi Safety is one of the members for the Taxi of Tomorrow, which is going to be the way we view the London taxi today, it'll be the New York Taxi. It'll satisfy environmentalists, it'll satisfy the disabled community, it'll satisfy the passengers, satisfy the owners, satisfy the drivers.

According to the TLC's scheduling, October, 2009, that car is supposed to come off the
line and be available to purchase. If we can purchase that utopian vehicle just a year later, why do we have to possibly have cars shoved down our throats that haven't been tested before that time? Thank you.

CHAIRPERSON DAUS: Is there anybody else who hasn't been heard and wishes to speak? That concludes our public hearing. Peter, if you could join us at the microphone?

CMSR. SHENKMAN: Good morning everyone. I think that what I've heard is really something the TLC has heard for the past two years. We put the first round of hybrids on the road two years and a month ago. We have got three or four of those vehicles with well over 200,000 miles, and over 20 of them in excess of 150,000 miles. I don't think there is any question. Yes, these were all Escapes with this kind of milage. But the one thing that all of the hybrids on the road share today is technology, and that's all Toyota's technology.
So as far as durability goes, I don't think anybody will question the durability of a Toyota. A Ford is using it. Even Nissan is using it.

The other thing I heard a lot about is safety; safety of the driver, safety of the passenger. The division I run starts with the word "safety." It's a huge concern of ours. But I don't think a vehicle with six airbags on the road -- yes, it does have a higher rollover than a sedan, but it's an inherently safer vehicle.

The drivers are reporting that they're more comfortable in almost all of the hybrids, and our initial data proves that accidents are much less likely to occur with the hybrids. Granted, the numbers are skewed by the number of vehicles on the road.

We've heard about availability. I've spent the past three months on the phone in meeting with the manufacturers that supply these vehicles. We're not a great universe in numbers. We're only about 2800 to 3,000 vehicles a year, industry-wide.

As we find out with the Taxi of Tomorrow, that doesn't ge anyone excited; and all
manufacturers have indicated a willingness to supply vehicles and the ability to do so.

For example, the Ford Escape, they're targeted to manufacture 22,000 of those for next year and they're really only being sold in New York, New Jersey, California and Vermont. So Ford Fleet has assured me that there would be enough to supply the entire industry, should that case occur.

It should also be noted that the Crown Victoria is the last car or last vehicle manufactured in this country whose gas tank is not enclosed in the crush zone. It's a 1979 designed car that is safe in the way for a tank; but we have had some issues, as anyone who reads newspaper or owns one knows.

They are subject to annual recalls, and usually they are very serious recalls. There are two out there on the Crown Victorias. It should also be noted that Arizona has banned all purchases of Crown Victorias for the safety of their police officers.

The police have launched a lawsuit, and so has Corpus Christi, Texas, over the alleged safety concerns with the Crown Victoria.
CHAIRPERSON DAUS: Any questions?

CMSR. POLANCO: I became that in San Francisco, don't they use hybrid vehicles?

CMSR. SHENKMAN: They started before we did.

CMSR. POLANCO: Do you know how they are doing out there, in terms of reliability et cetera?

CMSR. SHENKMAN: They have a factory defect, and about 45000 miles. Twelve of their water pumps failed. Ford addressed that issue immediately and it's never been an issue on any of the four or five hundred Escape hybrids in New York City. The vehicles -- there's about half a dozen of them approaching 300,000 miles in San Francisco with lower maintenance costs.

CHAIRPERSON DAUS: Any other comments or questions?

Thank you, Peter.

CMSR. SHENKMAN: You are welcome.

CMSR. POLANCO: Can I ask another question? What are the vehicles of today that meet the 25 miles per gallon, as opposed to 30 miles per gallon?

CMSR. SHENKMAN: Currently, the Escape
will meet both. The Ultima hybrid will meet both. The Highlander is on the edge. I'm not sure if it meets the 30. The Camry hybrid, the Prius, they'll all meet the 25 and the 30.

CMSR. POLANCO: For 2008, out of I think nine hybrids available out there, how many of them meet the requirement for 2008?

CMSR. SHENKMAN: For 2008, all of them. It's when you get into 30 that it becomes gray. There are a couple where there's only one of each vehicle, and those have not been sufficiently tested. Those are individually owned, lightly driven vehicles.

CMSR. POLANCO: For the 2009 requirement, in terms of the nine hybrid vehicles, how many will meet --

CMSR. SHENKMAN: As of today, you'd have the Escape, the Camry, the Ultima and the Prius and possibly the Highlander; fewer or five.

CMSR. POLANCO: Three or four of the nine?

CMSR. SHENKMAN: Definitely four.

CHAIRPERSON DAUS: Any other questions? Commissioner Dear?
CMSR. KAY: No more questions.
CHAIRPERSON DAUS: Thank you, Peter.
CMSR. KAY: This is an interesting meeting. This is an interesting topic. Give me a minute to say something about myself.
I think that over the last ten years that I've been working with a lot of you out here, that I've been nothing but fair; and when we make our decisions, we try to look at real issues. If you want to debate real issues, we should debate real issues.
I've always felt and I continue to feel that, whether we debated here in this public forum or in my office, with anything I do. I bring this up now because I think some people will appreciate what I'm about to say, and some people will be upset about what I'm about to say.
The first thing is, I listen really hard to all of you, not just today, but in the past. I think there are some very good valid points. One thing I want to point out is, I don't think that the Mayor and what we are proposing now is to pick on yellow cabs.
I think the Mayor has laid out an
agenda to address climate change and greenhouse gases, not just in the yellow taxi world and not just in liveries and black cars which we should look to improve, and I look forward to that -- but throughout, whether it be buildings, regular traffic congestion other issues. I look forwards to working with that.

The second point that I think I've heard, which I have staked my reputation on, is the Taxi of Tomorrow.

One of the things that we said we wanted to do, especially moving to the world of cleaner vehicles, accessible vehicles, comfortable vehicles, safety vehicles, was to work together to come up with what the next taxi vehicle would be. That is why I worked very hard with all of you here and out there to put together that advisory board to help TLC move that process forward.

That process, hopefully, everyone comes together and finds that right car that's right for everyone. The process is underway. I look forward to continuing to work with you. That's why Matt, at the beginning of this process, mentioned that in
May of 2009, or June of 2009, that he's asked for a status update; so before the 30 miles per gallon kicks in, we look if there's new alternative fuels or if there's a new car around the corner that we all agree we're going to do, we'll address it then.

We're also listening to some of the fleet owners here. I think there's a real reason too that we should always double and triple check things. All the information that we've been provided by the TLC, by outside resources, shows that we are doing the right and responsible thing; which is why I want to urge the rules to go forward.

That being said, I want to mandate and make sure I read it into the record, that in May of 2008, just as we're going to do in June of 2009, that TLC, beginning in May of 2008, if we need to, come and brief the commission if there are any other issues. If all of a sudden new safety information drops out of the sky about problems with the vehicles, we should know about it. If there's anything else going on, that we should know about that.
I would ask and put into the record that in May of 2008, that we revisit these conversations to make sure that nothing has changed.

With that said, I don't believe anything was provided, factual data today, to show we should not move forward.

I'm also very happy and I'm pleased to hear support for the Mayor's Plan NYC; partially because I support it, and also because I wrote some of it, with some other people here in the audience.

I was also happy to hear that we had the opportunity to hear the Mayor's announcement just four weeks later which accelerated these things.

But to say that the Mayor's announcement, and to say these proposed rules jeopardize passenger safety is not only insulting, it's irresponsible. This Commission approved these cars to be on the road, approved them to be on the road now because they are safe, because they are clean and they have comfort levels, and they work.

Is it true they've been around for decades like the Crown Victoria? No.
We're not asking this Commission to approve a new car and put something on the road that should not be on the road. We have done that already.

The fact of the matter is -- and no one has mentioned this -- Ford has announced, as far as I know, the Crown Victoria, they are no longer going to make within the next two years. This car is dead. It gets 12 miles per gallon and is based on a model from 1979.

I want to work with everyone here to get that next car. I really, really do. I urge you guys today and everyone here, this is the responsible thing to do. We're not jeopardizing anyone's safety. We're not telling anyone to put a car on the road that we've not already approved.

We're looking to take one car off the road. So be it. It's the icon car as of now and the majority this week. We're asking to take it off the road one year early. I commit that we should all work together with everyone, whether environmental groups, drivers, passengers, owners, fleets, to get that next car.

I'm not suggesting we have 15, 16 types
of hybrids here or there. We should get to one
car. This is an important and responsible step
that we need to do now. I look forward to this
vote and moving this thing forward, and continuing
to work with you with guys, and everyone here in
good faith to talk about the real issues that
concern you, the real issues that make the industry
work and to move forward and get that next car.

So I urge the Commission members to
vote for these rules. I also request and ask that
the TLC provide us updates in May of 2008, to make
sure, Number 1, that dealers can provide those
vehicles.

I've been assured by TLC -- I think
Peter just mentioned that we can do that -- but
let's double check. I want to make sure there are
no new alternative vehicles that should be added to
these rules. I don't think for now we should, but
let's double check.

CHAIRPERSON DAUS: Done.
CMSR. KAY: I want to make sure there's
no new safety information that comes out. At this
point I haven't seen anything, no data that shows
that these vehicles are unsafe. If they are
unsafe, forget these rules. If there are vehicles
on the road that are unsafe, we should have taken
them off the road six months or a year ago and
never have put them on the road at all.

CHAIRPERSON DAUS: Thank you,
commissioner Kay. Very well put. Let the record
reflect I think it's a great idea to do the
additional review in May, 2008 on the dealership
issues and the availability of the cars.

To clarify, the June 2009 review will
be more encompassing. It will look at safety
issues, it will look at performance, it will look
at durability and how beneficial it is to the
environment, as well.

CMSR. DEAR: I'm just as compassionate
as you are, Jeff. I've been six years on the
Commission and ten years in the City Council. I
have watched all kinds of arguments come forward:
Safety, compatibility, all kinds of things that
they wanted to change.

"This must happen, if it doesn't happen
now, we have to vote on it now, it's going to be
the worst thing to ever happen to the industry."

I've watched things like the talking
taxi. I've watched all kinds of things. I saw on steps of City Hall, a change, because there was the Chevy Malibu, a drop shorter than the Crown Victoria. We brought the car to City Hall. Then the previous Mayor came down the steps, looked at the car and said, "No good. I want the Crown Victoria."

We brought the Crown Victoria. That was indoctrinated because we got to give safety, we have to give comfort to the drivers. I understand now there's a memo circulating in major companies saying, "Now that we have taxi with the new technology with credit cards, we're no longer going to reimburse you for your car in cash, petty cash, go that way."
The only reason why, is that only three people can get into the back seat with their laptops and everything else now. They're going to the airport and want to put something in the trunk. Now, they're going to take three different taxis. That's never going to happen.

We have to understand something. This is an industry -- and also, like I told you in private, as well, and many commissioners know this
this is an industry, and that's why you hear the yellow is -- they always get picked on. They're an easy target, whatever you want. They only represent a small piece of the entire jurisdiction of the TLC; the liveries, the junk livery cars that are out there, the illegals that out there that look like they came from Baghdad, that's how bad these cars are. We did nothing about them, and this goes on and on and on. The compassion that I have is for people, hard working people -- the problem is, also, we look at this industry, the yellow industry, and we look at it and it's only the big fleets.

That's only representing 3,000 or 4,000 of the industry. The others are hard working. They're all hard working. Either they're drivers or hard working owners of this fleet. They go out and buy, you saw at the last auctions, these individuals are paying all kinds of money, hocking everything. It's not rich people buying it. They're doing everything they can to buy these cars.

What I'm asking you -- and I guess this
is my last speech for the TLC -- is that, have compassion, before we jump, ram down the throats, with all kinds of suggestions and things because it's whatever reasons there are for why we are doing it -- let's listen to them. They are reasonable people. They come back with suggestions.

I know the technology, when we first proposed it, they weren't for it. They are absolutely. Everybody is happy with it. You'll always find a group of people not liking everything.

Overall, there are people, it's important to be inclusive. I learned in my years as a legislator to be inclusive, and talk to people. Reasonable people can learn to agree, and if we have to disagree, we go to court.

I appreciate that we came up with some sort of compromise. I'm not going to be here to be able to enforce it. I'm sure you'll carry it on. Understanding is not only that we are talking about a new mandate to review; but also what's the past, to see what's the future.

I understand from speaking to people in
the industry and what's interesting -- the day the
Mayor announced a few months ago, this new
environmental thing in City Hall, May or June -- I
pulled him on the side and said to him, "Everybody
is talking about a new car but nobody is doing it.
Mr. Mayor besides being the mayor of the City of
New York, you have the power, because you've been
in business -- call the CEO of GM, call the CEO of
Ford and have a conversation."

It's not only that. The fleets, a few
cars are not making a difference to them in their
business. It's the whole mindset. Why aren't we
talking about a better mileage for cars? Why
aren't we talking about alternative fuels? People
are talking about these things. That sounds
interesting. You know what? That's what we should
be pushing for.

I went to a car dealer in my old
district I used to represent. Every block had at
least three SUVs and minivans and everything else.
Can you imagine, all these cars turn to green
instead of having the old gas guzzlers and
everything else?

This is what we should be encouraging,
not only picking on the yellow people. Let's look at it as a global thing for entire city. I know we can push forward, because Ford is talking about coming out with another car to replace -- something they're doing in Europe, whatever they're calling it.

If, in May, Ford is really serious about it, I can assure you that then that could be the future car that we could support.

Not only that, because I understand now, because I've been bugging a company in Chicago that's supposedly coming out with a new car, an announcement. I guarantee you, as soon as they have made that announcement, every major car dealer, every major car owner and manufacturer is going to see that this is serious.

Please, on the backs of the people hard working people, let's not do things that hurt them. We want to work together. We always talk about comfort, safety.

Even a small guy like me getting into a small cars is not going to be pleasant. We're going to get a lot of complaints over the next few months. Have an open eye, seriously take a look at
it, if there is anybody else coming out with a vehicle, let's jump at it. If we have to wait six months for that, let's wait so we have a real good transition.

Thanks for listening and thanks also for the consideration.

CHAIRPERSON DAUS: Thank you. Any comments?

CMSR. VARGAS: I certainly do applaud the Mayor's efforts in changing a lot of environmental things in this city, from clean air, from smoking in bars, a lot of things. I live in this city, I'm raising children in this city and I'm very proud of a lot of the things the Mayor is doing.

Although I have some reservations about this rule, this proposed rule, and I think we might be exceeding our authority as it relates to Local Law 53, that says we're supposed to develop a significant increase in the number of clean air and accessible vehicles in the city.

Although I think we're going above that authority from the Council, I certainly agree we have to do something. Although I think 25 miles
per gallon by next year is a little onerous on many of the individuals who own the vehicles, that have to now go and buy new ones. We heard folks from the industry indicate that they certainly want to do something.

October of next year is a little fast. One of the things I would like to see is deferring this a little bit, or, maybe lowering it to the first and not from 25 to 20.

If that's not feasible, one of the other issues I have is what happens come next year, the retirement cycle, when vehicles are either not there or can't be put on the road? Individuals are going to have to come to us as a Commission to petition that they cannot put the vehicles on the road. Is that something internal staff gets to decide?

Unlike individuals to come back to us and discuss, what have you done, and if the authority is there, we give the extension of a certain amount of time.

CHAIRPERSON DAUS: That's a fair point and we have the authority to do that and have in the past. We have review sessions scheduled for
that very purpose. Of course the Commission at any
time could make reasonable choices and vote on
things.

CMSR. DEAR: What's important to hear
was not the same people coming back from the
industry -- you saw the industry people, Jason,
others who really care and really work hard.

I'm urging you as commissioners, each
and every one. I did it with Deputy Commissioner
Sorkin.

I did my thing in the City Council. I
do it here, also. I visit garages, wherever, talk
to cab drivers and talk to them. I want to urge my
colleagues to take advantage, on your own, to go
the fleets. You'd be surprised what goes on.

I went to one place where he employees
the same drivers for 20 years. Unbelievable. They
love working for him and work hard. I urge you to
go out to really see how people working hard and
really try to make a difference and want to make a
difference for the City of New York.

Thank you.

CMSR. VARGAS: A mandated May hearing,
seven months from now --
CMSR. GIANNOULIS: A staff presentation and discussion. Are you proposing a public hearing? How long will the first significant prior round of hybrid vehicles been on the road by that day? The ones we already did. How long?

CHAIRPERSON DAUS: Some had 100,000, or 200,000 miles on them.

CMSR. GIANNOULIS: If we are looking at seven months from now, a hearing to get an update, what real difference in our own cars on the road will that make?

THE SPEAKER: The cars on the road are older cars. Right now there's 41 2006 Ford Escapes on the road. Those we'll keep the biggest eye on. Of those vehicles, about 20 of them have 100,000 miles and 14 of those have 150,000 miles; 2 of them have over 200,000 miles.

In another six months, that all goes up by -- depending on the vehicle -- between 20 and 40,000 miles. We see numbers in the 150 and 250,000 range for a significant portion of those vehicles.

For the 2007, there are 183 of those vehicles. We'll probably see that 150 will have
over 150,000 and some over 200,000 miles by May.

THE SPEAKER: On the road since 7/06.

CHAIRPERSON DAUS: Any other questions or comments or concerns?

CMSR. WEINSHALL: For the Escapes on the road, are they privately owned or owned by the fleets?

THE SPEAKER: Peter knows better. Some were set to be owned from the auction in April.

CMSR. WEINSHALL: Andy, how many Escapes are on the road?


CMSR. WEINSHALL: What's that total?

ANDY: It's got to be just over 400.

CMSR. WEINSHALL: What percentage are owned by individuals and what percentage by fleets?

ANDY: I don't know exactly, but we could find out.

CMSR. SHENKMAN: Over 200 of those are fleet owned.

CHAIRPERSON DAUS: Actually, to clarify for the record: We have some clarity on the public
hearing issue.
I think we're the most transparent
we've ever been; the Administration, as well. I
think we will have a staff presentation and public
hearing on the calendar for May of 2008; and the
same for June 2009, a presentation.

CMSR. POLANCO: I was reviewing the 2005
presentation of hybrid vehicles, and there were
some incentives provided to owners. I don't know
if there's something in the City Council and maybe
some incentives for putting it out in 2008, having
them purchase a vehicle by 2008.

CHAIRPERSON DAUS: There is an incentive
in place, a retirement extension. Council Member
Yassky brought that up earlier. He had raised an
interesting proposed tweaking to that rule, which
we voted on here. The Council passed it and we'll
take a look at that.

In my view, the best incentive is the
money you'll save drivers. It's not just the green
initiative for the environment. Green means money
in the pocket for the drivers.

If you look at the data that we've
supplied you, you can see that all of the vehicles
for the most part save drivers anywhere between 6, 7 -- with respect to the Prius, close to $10,000 in
gas each year.

Over the life of the vehicle, that's tens of thousands of dollars. Everything ends up paying for itself. This is money in the driver's pocket. I know some of the commissioners have raised concerns.

I think what's being proposed with the review processes and the public hearings and the fact that this commission hasn't hesitated to look at issues, to make sure we're on the right track over the past several years. I think those concerns, in my opinion, are being addressed.

I think some of the concerns in the public testimony fly into the fact of the actual data we have from Commissioner Shenkman.

I'm very pleased with the hybrids, personally. If you remember, when we started talking about hybrids, I said we need to make sure and are careful there's more leg room. Some people beat me up for it. Other people beat me up for it.

But I saw the green light and, quite frankly, I think when you look at the big picture
and at the data, it is 85 percent pass rate on the
first inspection. That's unheard of on the
Commission.

The performance of the Crown Victoria
on the first inspections is way below that, and the
average passenger rate for inspections has been in
the 50 to 60 percent for years.

I personally have seen enough data to
vote for this; not just because the Mayor thinks
it's a great idea, but because it's the right thing
to do.

I listen to my colleagues and I think
it's reasonable for the industry. I think we've
always been reasonable. It's a staggered approach
to implementing these rules. It's not something
you will have to take off the road immediately. We
were very careful to do that. I think it's
reasonable.

I make a motion to adopt these rules as
they are.

CMSR. AROUT: I look forward to working
with every one of you. I second that motion.

CMSR. GIANNOULIS: Is there an amendment
on the floor?
CHAIRPERSON DAUS: We have a second.
All in favor.

CMSR. VARGAS: Mr. Chairman, I'm going to explain I'm also going to be voting for this, and there will be a May public hearing dealing with this issue, and certainly we'll hear more from the industry as it relates to availability and safety factors, and if at that time we need to adjust the schedule, we'll adjust it accordingly.

CMSR. DEAR: I hope you take the lead while I'm gone.

CMSR. GIANNELIS: We will miss you, Noach.

CHAIRPERSON DAUS: One more commissioner.

CMSR. VARGAS: I'm thoroughly impressed with the level of detail that led to this vote and I had conversations with Matt in particular, and the responsiveness on issues was met extremely quickly; and the level of the detail. I'd like to reiterate this was a very impressive, well thought out initiative.

CHAIRPERSON DAUS: All thanks to the staff on that. They did a tremendous job.
Some closing comments, because this has been a very well attended spirited debate that we have had at this meeting, and this is the culmination of a very significant proposal.

When you talk about the environment and carbon footprints and some of the terminology is in that vein; I have never in my eleven years working for this agency been prouder than I am today to be a member of this Commission.

I feel that what we accomplished today is the most significant thing that we've ever done. It's not only a big for the TLC; I think it's a giant thing for the environment. Not only are drivers going to save money, but I think it's the most progressive policy we have ever done.

This has international repercussions. Right now the Mayor is in China, Indonesia. He's going all over the world. All of the cities -- someone mentioned San Francisco -- look to us for guidance and advice. As a result of this action, we are going to be the world leader in hybrids and green.

Can you imagine if every city around the world did what we did today? Global warming
Quite frankly, let's all have a happy holiday. Let's all realize that this is a process that's ongoing and fluid, and I thank you all.

Motion to adjourn?

CMSR. GIANNOLIS: Second.

CHAIRPERSON DAUS: All in favor?

(A chorus of "ayes."

(Time noted: 11:40 a.m.)
CERTIFICATION

I, Jeffrey Shapiro, a Shorthand Reporter and Notary Public, within and for the State of New York, do hereby certify that I reported the proceedings in the within-entitled matter, on Tuesday, December 11, 2007, at the offices of the NYC TAXI AND LIMOUSINE COMMISSION, 40 Rector Street, New York, New York, and that this is an accurate transcription of these proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of ____________, 2007.

JEFFREY SHAPIRO