

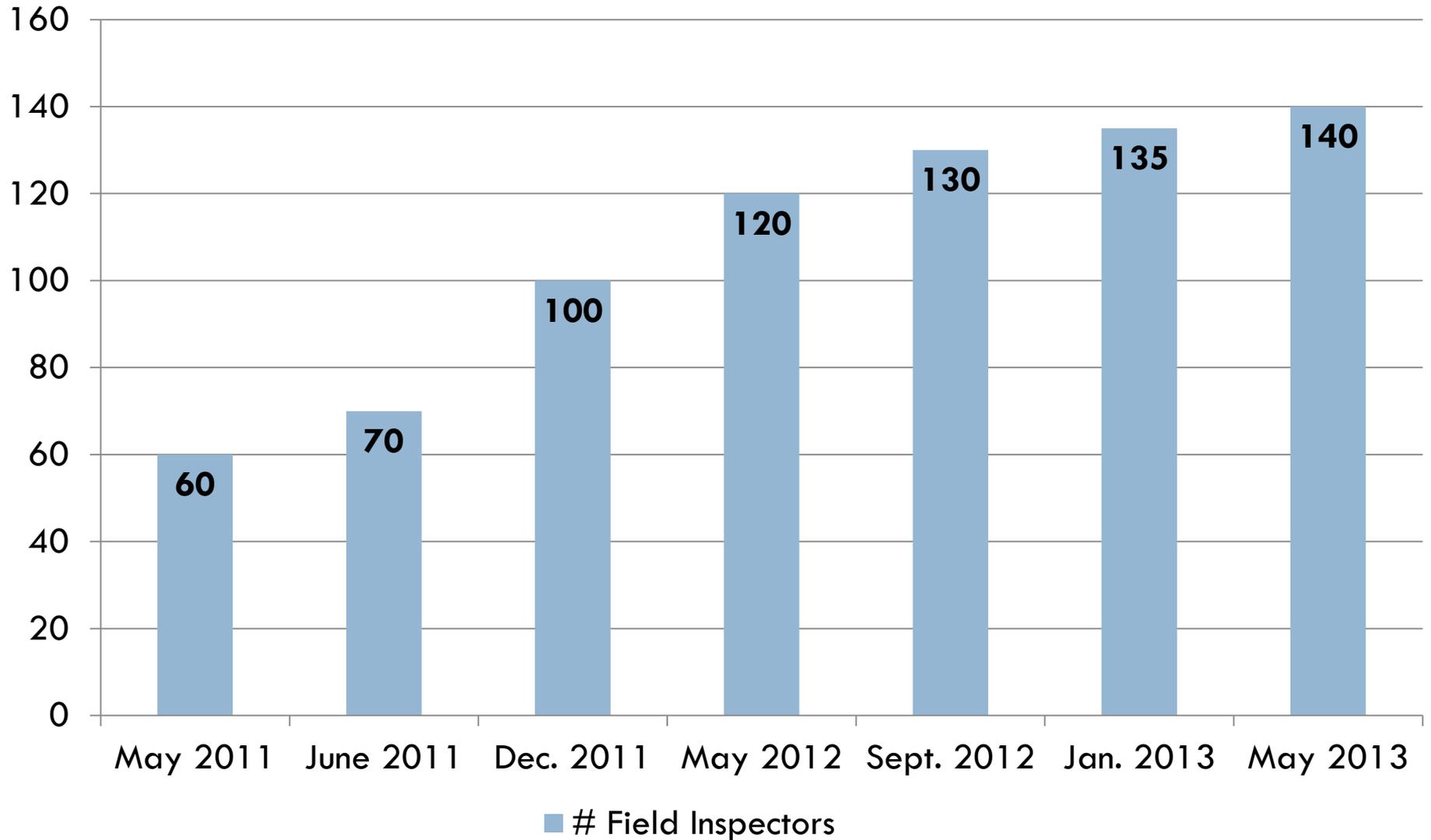
Enforcement Overview



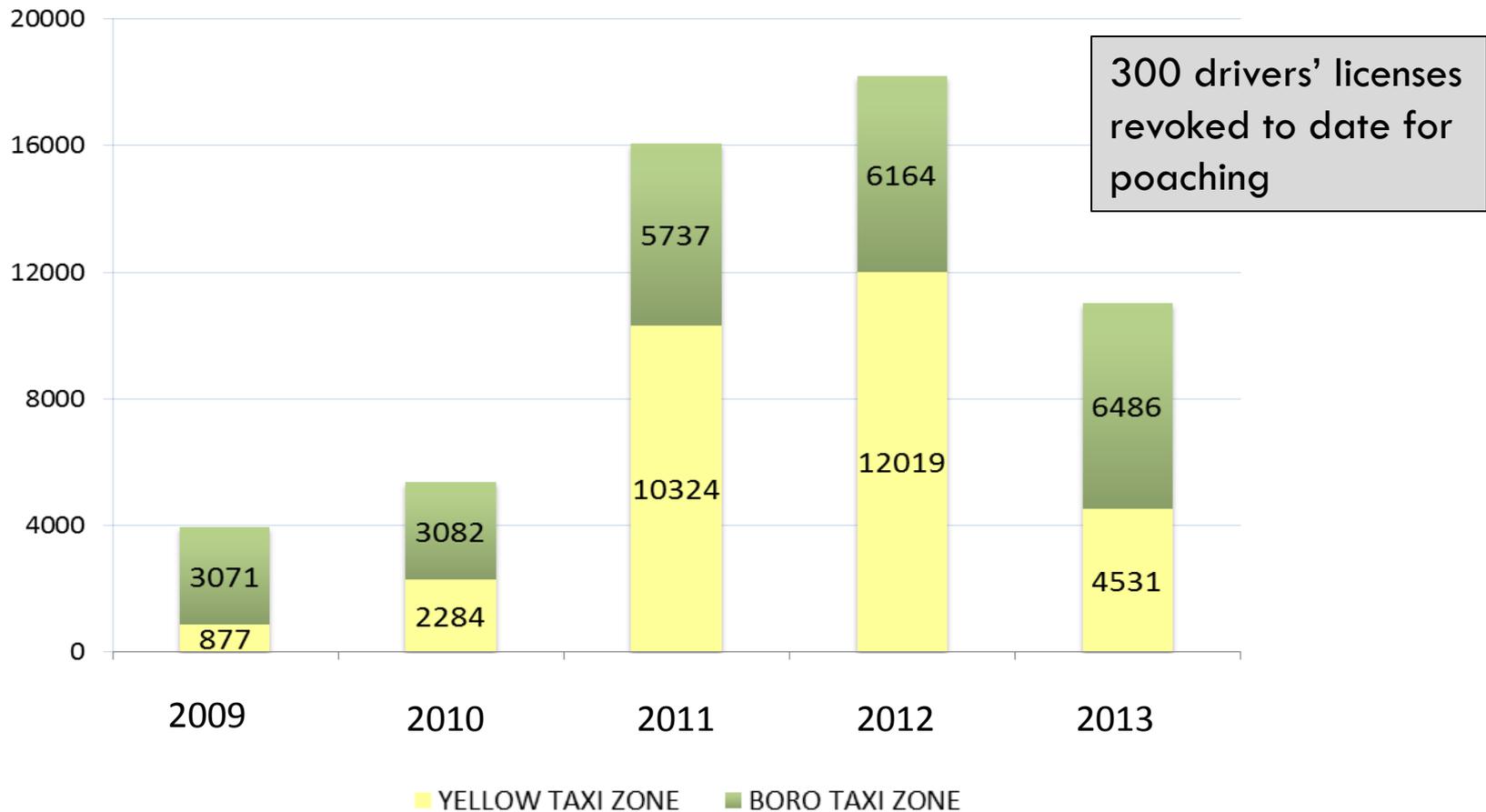
David Yassky, Commissioner

Raymond Scanlon, Deputy Commissioner, Uniformed Service Bureau

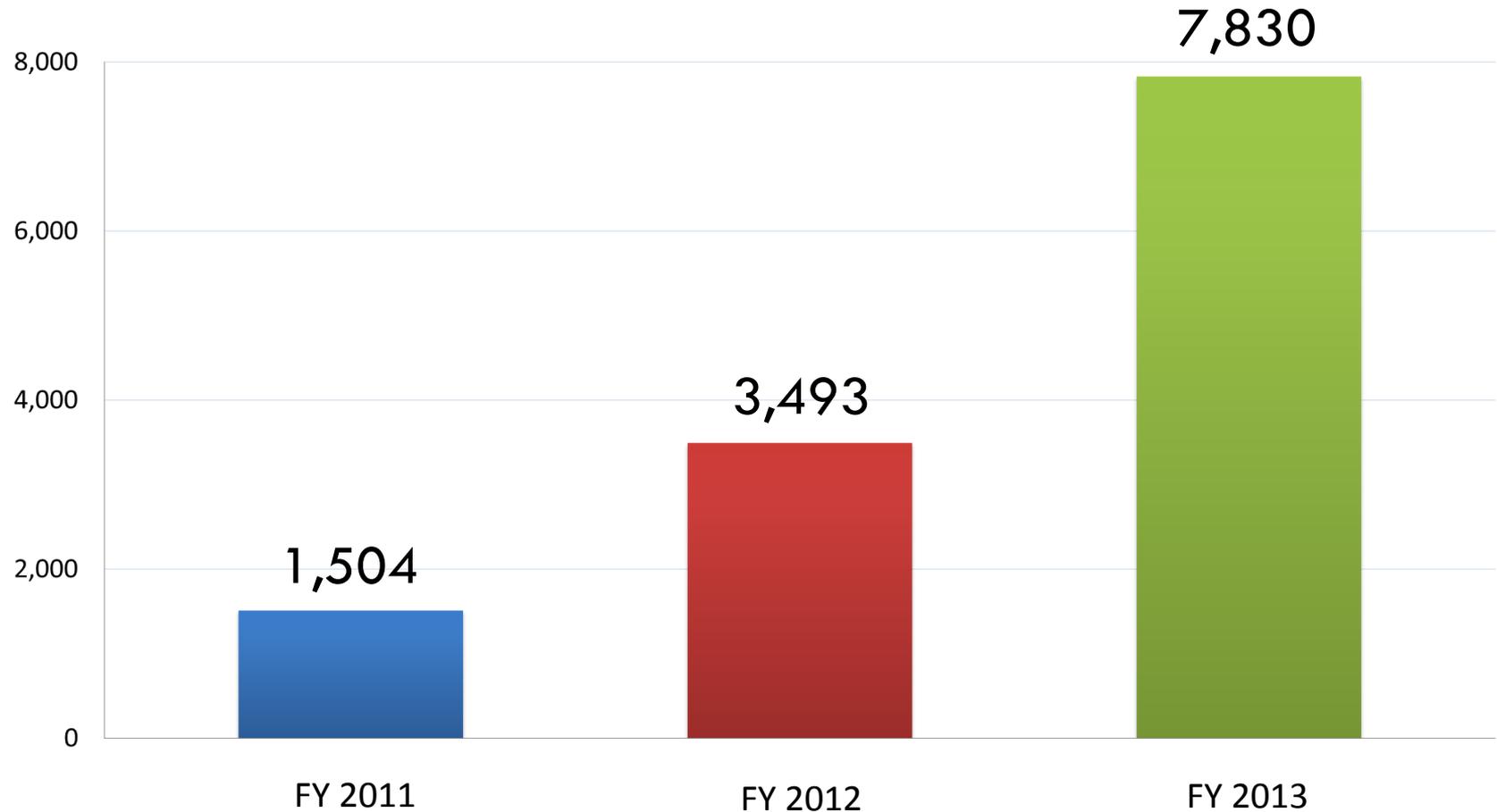
Field Enforcement: Inspectors



Field Enforcement: Poaching Summonses



Field Enforcement: Seizures



New Tools for Field Enforcement

- **Tow Pound:**

In April 2013, TLC contracted with a tow pound provider, which has vastly expanded our capacity to seize illegal vehicles.

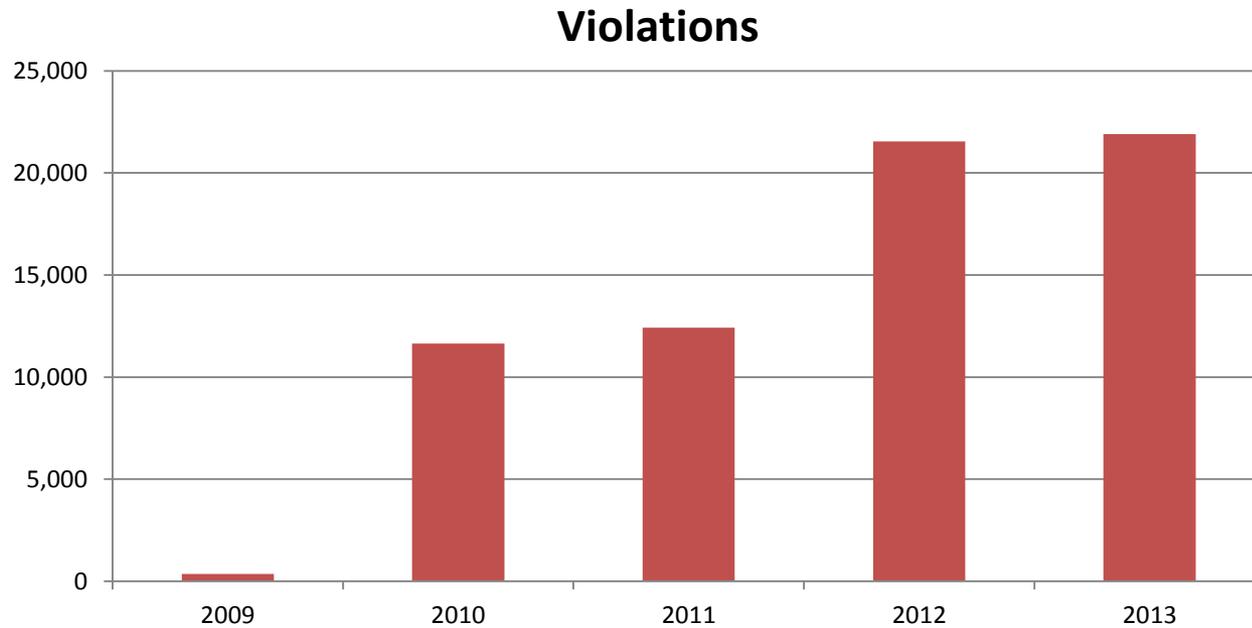
- **Handhelds:**

Beginning this year, all inspectors are equipped with handheld summons issuing devices (similar to PD). These devices reduce errors in the field and save inspectors time.

Data-Generated Summonses: Types Issued

- ❑ **DMV Critical Driver**
- ❑ **Driving with a suspended TLC license**
- ❑ **Overcharging by use of incorrect rate**
- ❑ **Overcharging by failure to use E-ZPass**
- ❑ **Driving wheelchair cabs w/o appropriate training**
- ❑ **Suspended medallions driven**
- ❑ **Uninsured vehicles**
- ❑ **Failure to inspect vehicle**
- ❑ **Wheelchair dispatch refusals**

Data-Generated Summonses



Data-Generated Summonses: E-ZPass Case Study

The deterrent effect of data-generated summonses is apparent in E-ZPass enforcement:

- ❑ **Every month TLC analyzes data from trip sheets to determine if E-ZPass rates are being charged for tolls.**
- ❑ **In each trip where the full toll is charged, the driver is prosecuted for overcharging the passenger.**
- ❑ **Since we began regular enforcement in 2010, the number of drivers who violated the E-ZPass rules has gone from 591 drivers in FY 2012 down to 242 in FY 2013; a drop of 59%.**

Passenger Complaints: 2010

- ❑ **TLC required all passengers to confirm their complaints to 311 in writing to the TLC; only 1/3 of passengers followed through and 2/3 of the complaints were disregarded.**
- ❑ **Of the cases TLC pursued, 68% were dismissed at hearing. TLC's conviction rate was only 32%.**
 - ❑ **TLC did not contact the passenger until the hearing was scheduled**
 - ❑ **No settlements offered – all summons scheduled for a hearing**
 - ❑ **TLC did not actively prosecute the cases**
 - ❑ **Three staff members investigated and processed all complaints using a manual process**
- ❑ **By March 2011 there was an 18 month backlog of complaints in need of processing.**

Passenger Complaints Today

- **Passengers no longer have to supply written confirmation of their complaint. TLC investigates all complaints in which a passenger has agreed to participate in a hearing.**
- **TLC contacts passengers within two weeks of their complaint to 311.**
- **Before issuing a summons, drivers are offered an opportunity to plead guilty by mail to an appropriate charge and pay a reduced fine. More than 50% of drivers accept the pre-summons offer.**
- **Conviction rate is up to 96%. In FY 2013, 5231 cases were settled and 1714 cases were successful at a hearing. Only 295 cases were dismissed after a hearing.**
- **Complaints are closed, on average, within 45 days of receipt of the complaint.**
- **Complaints are processed through a fully computerized and partially automated system for case-management**
- **Twenty full-time staff and on average six law school interns process complaints**

Passenger Complaints:

Student Prosecutors

The Commission, previously unrepresented or under represented at consumer hearings, since June 2011, has been represented by law students through their law schools' internship programs. The results have been extremely positive:

- The conviction rate rose from 32% to 58% during the first summer internship program.**
- Today, student prosecutors litigate the majority of consumer hearings and the conviction rate after hearing is 85%. The program was recently formalized into the Administrative Enforcement Clinic at New York Law School.**

Complaints Processed

	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Complaints Received	18,130	20,891	19,129	20,148	17,238
Total Cases Processed	1,280	2,697	3,582	4,803	7,251
Dismissed	549	1,828	2,113	739	295
Guilty / Settled	731	869	1,469	4,064	6,956

Leasecap Enforcement

- **Since March 1996, TLC rules have regulated the lease of medallions and taxicabs by owners and their agents to licensed drivers.**
- **Based on numerous driver complaints of overcharges and illegal leasing practices, in February 2012, the TLC created a Leasecap Enforcement Unit with one staff member.**
 - **Established a dedicated hotline for driver complaints**
 - **Together with the AGs office, TLC conducted 2 days of driver interviews to learn more about leasing practices**

Leasecap Enforcement Summary



- **Fines imposed for violations of lease cap rules: \$228,300**
- **Restitution ordered to drivers: \$91,600**
- **Medallions temporarily suspended for failing to produce documents: 77**

- **In July 2013, TLC added a second attorney to the Leasecap Enforcement Unit.**