

**NYC DEPARTMENT OF TRANSPORTATION TESTIMONY
HEARING BEFORE THE CITY COUNCIL
COMMITTEE ON TRANSPORTATION
June 30, 2015**

Good morning Chairman Rodriguez and members of the Transportation Committee. My name is Polly Trottenberg and I am the Commissioner of the New York City Department of Transportation (DOT). On behalf of the de Blasio Administration, I am glad to be here with Meera Joshi, Chair of the Taxi and Limousine Commission, and Nilda Mesa, Director of the Mayor's Office of Sustainability, to discuss Intro 842 and Intro 847.

Under Intro 847, DOT will assist TLC in its study of the rapidly changing taxi and for-hire vehicle industry and the implications for the City's transportation network, economy and environment. I am joining my colleagues in supporting this study and the proposed limitation on growth of new for-hire vehicle licenses during its completion.

The taxi and for-hire vehicle industry is an important part of New York City's transportation network. These vehicles provide a much needed service to New Yorkers, especially those who do not have access to an automobile or who live in neighborhoods with limited public transit. Overall, taxis and for-hire vehicles carry more passengers per day than the Long Island Railroad and Metro North combined.

However, in the last two years the for-hire vehicle industry has grown tremendously, especially within the transit-rich Manhattan Central Business District (CBD), the area of Manhattan south of 60th Street. According to trip records, most new for-hire vehicle trips—72% of pickups—are taking place in the already-congested Manhattan core. DOT has an obligation to manage our street network so as to maximize safety and mobility for the 8.5 million City residents and the millions of tourists and commuters who come to the City every day. This challenge is particularly acute in the Manhattan CBD—the economic engine of the state and region—where there is fierce competition for limited street space.

As the number of for-hire vehicle trips in Manhattan continues to rise, we must consider the implications on our street network, mobility, congestion, the City's economy, environmental sustainability and quality of life.

Taxi GPS and other recent transportation data indicate that increased for-hire vehicle activity in Manhattan may be contributing to the growing congestion on our streets. Between calendar year 2010 and 2014, average daytime Manhattan CBD traffic speeds have declined by 9 percent, from 9.35 mph to 8.51 mph. This decrease in traffic speeds is happening at the same time that overall traffic into the Manhattan CBD has

fallen. The average weekday number of vehicles entering the Manhattan CBD dropped from 778,000 in calendar year 2010 to 731,000 in calendar year 2014, a decline of 6 percent.

We have also seen drops in bus running speeds—between 2013 and 2014 the average bus running speed in Manhattan south of 96th Street declined by 5 percent during the evening rush. With the decline in bus speeds has also come a drop in Manhattan bus ridership of 6 percent, as compared to less than 1 percent drop in the rest of the City. MTA buses, which provide over 140 million trips per year in Manhattan, are the most affordable, accessible and sustainable mode of travel on the City’s streets. A standard bus can carry up to 70 passengers, while the typical taxi or for-hire vehicle trip serves only one or two. Given the capacity constraints of our streets, reversing the drop in bus speeds is vital to the continued growth, vitality and quality of life in the Manhattan CBD.

The proposed study will examine how the changing nature of the taxi and for-hire vehicle industry may impact bus service, transportation choices, and overall mobility within the Manhattan CBD. It will look at how the City can best balance the needs of street users so as to move the maximum number of people and goods through the economic heart of the City. As part of the study, TLC and DOT will draw on a wide range of data sources, including taxi GPS, MTA BusTime, and Midtown in Motion. This data will help us better understand where, when and how traffic in the CBD is changing and the role that taxis, for-hire vehicles, construction activity, economic conditions and other relevant factors are playing in these changes.

The agencies will explore a range of recommendations to improve mobility for all street users, including transit riders and taxi and for-hire vehicle customers, while maximizing the efficient use of scarce street capacity and minimizing the environmental and community impacts. These recommendations could include new types of transportation technology and innovation, and changes to the existing taxi and for-hire vehicle regulatory framework.

In conclusion, thank you for the opportunity to testify before this committee today. DOT’s looks forward to working with the TLC, DEP, and the Mayor’s Office of Sustainability on this study.

Testimony of Meera Joshi

NYC Taxi & Limousine Commission Commissioner/Chair

Testimony On:

Int. No. 842: A Local Law in relation to temporarily limiting the issuance of new for-hire vehicle licenses.

Int. No. 847: A Local Law in relation to requiring a study on the impact of growth in the taxicab and for-hire vehicle industries.

City Council Committee on Transportation

June 30, 2015

Good morning Chair Rodriguez, members of the Transportation Committee, and City Council. I am Meera Joshi, Chair of the New York City Taxi & Limousine Commission. Today with me are two individuals I'm sure you all know well: DOT Commissioner Trottenberg and Nilda Mesa, Director of the Mayor's Office of Sustainability. Thank you for the opportunity to speak today about legislation introduced by Chair Rodriguez and Council Member Levin to limit and study the growth of FHV's for one-year--or the duration of the study--whichever is earliest.

TLC supports limiting the issuance of new FHV licenses while TLC, DOT, DEP, the Mayor's Office of Sustainability and other agencies conduct a study of the impact that rapid FHV industry growth, and growth in other TLC-regulated industries, is having on NYC traffic congestion, air quality, noise, and public health. Following the completion of the study, TLC would submit recommendations to the Speaker and the Mayor for mitigating any impacts identified. These bills would not impact the issuance of green Boro Taxi permits, which is already regulated by state law.

Several emerging trends, new data obtained by the TLC, and concerns regarding the future of mobility, public health, driver welfare and accessibility in New York City have led TLC to support an impact study and a growth limitation during the pendency of the study.

First, some background on how the FHV industry works as compared to other industries under TLC's jurisdiction is helpful.

Unlike other TLC-regulated industries, there is no real growth control mechanism in the FHV industry. For yellow taxis, the number of medallions is set by state and local law. For green taxis, the number of permits that can be issued is set by state law and findings from a market analysis TLC performs between each issuance period. For commuter vans, new authorities are subject to DOT review of community needs and TLC approval. But for FHV's, TLC currently has no authority to limit the number of licenses. They stand alone in the private for-hire world as the sector without a meaningful growth oversight mechanism.

Recent trends demonstrate the potentially problematic consequences of a system without a growth control mechanism. Growth in the FHV industry in the past several years has been tremendous. Since 2011 about 25,000 new FHV's have joined the fleet. There are now nearly 63,000 FHV's, a 66% increase from just four years ago.

We have strong reason to believe that, without Council action, growth in the FHV industry is expected to continue. In *each* month of Fiscal Year 2015, TLC issued approximately 2,000 new FHV licenses. One FHV company has stated that by the end of 2015, it intends to have 10,000 additional drivers. It is estimated that this means, at a minimum, 7,500 additional cars.

Growth isn't necessarily a bad thing, particularly if it is bringing about better service in our city's most transit-starved neighborhoods. We're excited to have new entrants in New York City's FHV market, and that new and old FHV companies alike are leveraging technologies that could improve the efficiency of our transportation network. We're hopeful that true shared riding, long the dream of transportation planners specifically for that "last mile" home from the train station, could finally become a reality due to wider adoption of technology. However, new data TLC has received demonstrates that the past several years' growth in the FHV industry has not focused on transit-starved neighborhoods, but has been Manhattan-centric. New FHV trip records show that most new FHV activity—72% of pickups—is taking place in the Manhattan Core, the most congested area of the city.

The rapid, ongoing growth in the number of vehicles and their concentration in Manhattan could be causing unintended negative consequences. As Commissioner Trottenberg will explain, between 2010 and 2014, average Manhattan traffic speeds declined significantly, from 9.35 mph to 8.51 mph, a decrease of 9%. Bus speeds have also declined. During the evening rush hour¹ Manhattan bus speeds were 5% lower in November 2014 than they were a year earlier, a trend that none of us would like to see continue. Correlation does not equal causation; however, we are at the point at which there are enough data points, and a strong logical nexus between FHV industry growth and Manhattan, congestion that a closer look is necessary.

A limitation in growth while we study the issue and develop informed policy is so important because traffic congestion is no minor issue. By some estimates traffic congestion costs the New York Metropolitan Region's economy \$16 billion each year, driven by factors such as the difficulty businesses have trying to move goods around the city. A recent report issued by the Partnership for New York City cited traffic congestion on our roads as a significant factor driving up the high cost of doing business in NYC, and a threat to our continued status as the preferred headquarters for the important global financial services industry.

Beyond serious economic impacts, the negative effects of congestion are also demonstrated in our public health statistics. As Director Mesa will explain in more detail, chronic exposure to traffic-related air pollution has been linked to the risk of respiratory disorders, such as asthma, as well as premature death from heart attacks and strokes. Air pollution from traffic congestion in 83 of the nation's largest urban areas contributes to more than 2,200 premature deaths annually, costing the

¹ 4-6pm

health system at least \$18 billion. The New York Metropolitan Area is second only to Los Angeles in the United States in premature deaths and related costs due to congestion-related air pollution.²

I also have concerns about two other issues that relate to mobility. First, is driver income. Congestion itself can hurt drivers' income because it limits their ability to get to the next fare. Additionally, although I do believe that the pie of overall for-hire passengers is expanding, it may not be expanding as rapidly as the supply of vehicles. I hear concerns that drivers are cannibalizing one another's business, making it difficult for any single driver to earn a living. The ability for the people who work hard on the streets of NYC to meet expenses and earn a decent living *has* to be something we look at as a city and take into account in our policymaking.

A second concern of mine is mobility for those who need accessible service. Whereas in the yellow and green taxi industries we have clear paths—and progress already—towards accessibility, there is not yet something similar for the FHV industry. As FHVs become ever more part of the fabric of NYC, a pathway towards accessibility in this industry—which is no simple matter in an open-entry system—becomes increasingly important to the ability of people who use wheelchairs to efficiently navigate the city.

For all these reasons, and before more people invest in putting new FHVs on the road, it is time to tap the brakes while we look at the impact of rapid FHV industry growth and growth in other for-hire segments. TLC has already begun coordinating with DOT, DEP, DOHMH and the Mayor's Office of Sustainability on a study that is part of the OneNYC plan, and a limitation on growth would enable us to make better use of the study's findings—and conduct a more robust study—by preventing runaway growth while we study the issue.

While we fully support the bills, we do think there could be another way to distribute the limited growth allotments so that it is as fair as possible. Regardless of the calculation methodology that is ultimately decided on, the growth limitation proposed in Intro. No. 842 would be a significant step.

We've thought through what impacts this step would have on service availability for the public and job opportunities for New Yorkers.

We are certain that the public will not lack for-hire transportation options during the period of the pause. Between the 13,587 yellow taxis and 63,000 FHVs, including green taxis, there are plenty of vehicles available to meet demand. Many of these vehicles are not on the road full-time, and if consumer demand grows, each existing vehicle could as needed be used more intensively.

A few facts boost my confidence that, despite claims to the contrary, passengers will continue to enjoy excellent levels of service. For example, in December 2014, when NYC had nearly 7,000 fewer FHVs than it has today, Uber told *Newsweek* magazine that its median wait time was 3 minutes, 8

²² According to a study by the Harvard School of Public Health. Jonathan I. Levy, Jonathan J. Buonocore, & Katherine von Stackelberg, "The Public Health Costs of Traffic Congestion," Harvard Center for Risk Analysis and Harvard School of Public Health: 2010. <http://ibttta.org/sites/default/files/The%20Public%20Health%20Costs%20of%20Traffic%20Congestion.pdf>

seconds in the outer boroughs and 2 minutes, 25 seconds in Manhattan.³ Wait times for taxis in the areas they cruise are typically just a couple of minutes. Consumers will continue to have plenty of options for fast service during the growth limitation period regardless of whether they prefer to street-hail or e-hail a yellow or green taxi, call a local car service base, or use an app to book an FHV.

New Yorkers who already earn their living in the FHV industry would continue to be able to do so for a number of reasons.

Existing FHV licenses could still be renewed and FHV license holders would still be able to switch vehicles and bases.

Existing bases could still grow their businesses beyond the growth cap outlined in this bill by affiliating FHV drivers that were previously affiliated with other bases, or by giving each affiliated vehicle more calls. Based on the 250 to 700 FHV drivers who get summonses and sometimes even their vehicles seized for illegal street hails each month—an indication that they are not kept busy enough with dispatch work—I suspect that many drivers would welcome more legitimate dispatch work.

Even new drivers wishing to join the industry would have options. They could drive the second shift on an existing vehicle or work with a base with existing vehicles. This could be a good thing for those drivers looking to work without taking on an onerous car loan.

There are several other important questions we've gotten and that I've heard in the media since these bills were introduced, and I'd like to take this opportunity to address them.

First, some have accused the TLC of supporting these bills in an attempt to protect the existing yellow and green taxi industries or the traditional car service industry. I can assure you that is not the case. In recent years new market entrants have come to NYC and flourished. TLC demanded that these new entrants meet the same licensing standards as similar existing companies and, once they did, they enjoyed growth only capped by their potential to provide excellent service.

The numbers and TLC's actions speak for themselves. There are now 76 different FHV apps operating in NYC, and an estimated 25,000 FHV drivers getting their trips through apps.

Any review of TLC rule-making over the past year would find that our primary approach to the profound changes in the industry has been to buckle down and focus on ensuring that passengers have the safety and consumer protections they deserve regardless of whether their car of choice is yellow, green or black.

A great example of this was our most recent rulemaking surrounding dispatch service providers. Throughout the process we had fruitful discussions and received helpful feedback from Uber, Lyft, Via, the longstanding FHV industries, drivers and Council, which ultimately resulted in a set of rules that protects the public while allowing for continued innovation.

³ <http://www.newsweek.com/exclusive-heres-how-long-it-takes-get-uber-across-us-cities-289133>

However, given the trends I described earlier, we *must* recognize that unbridled growth at some point poses its own challenges and we must legislate responsibly.

A second question we've gotten is, given policy debates around the world and here in NYC, whether TLC is supporting this bill to target Uber.

Uber is one of many FHV companies legally operating under TLC licensure, and if enacted, this law would apply to *all* 893 FHV companies. Uber is not the only FHV company that has been growing recently. 654 non-Uber bases actually grew by an average of 14 cars each between last summer and this spring, and *across the board* this growth has added up.

We are even in court right now fighting lawsuits brought against the City by yellow medallion owners and lenders that think FHV companies, including Uber, should not be allowed to provide prompt service to passengers who order them by smartphone apps.

Beyond the growth allotment each base receives, during the period of the study, *any* FHV company can continue to grow further in vehicles by competing to work with vehicles already in the industry. Another great way these companies could grow would be by giving each vehicle more trips, which as I mentioned earlier would be more than welcome by most drivers.

The wealth of breadcrumb data on traffic circulation that FHV's equipped with technology now collect, if they agree to share it with the City, could even help us with the study and shorten the time it takes to complete it by enabling us to understand more about how FHV's move around the city and how this impacts congestion.

Another way in which FHV companies could help with the study pertains to car ownership trends. Census data available so far seems to refute the assertion that rapid growth in the size of the FHV industry in NYC has brought about decreases in car ownership; however, if FHV companies agree to work with the City on surveys of their customers and drivers, this could help us all understand more clearly what impacts a larger number of FHV's are having on car ownership.

There are also those who might wonder whether a better approach would be to let the market and consumer demand dictates how many FHV's are on the road.

Although in many cases I agree that allowing consumer demand to dictate supply is a solid approach, we also know that markets aren't perfect. The government needs to consider and sometimes create policies to account for externalities: that is, impacts on the rest of society that are the result of market transactions between two parties.

Anyone who rides in a vehicle in New York City, whether it's a private vehicle, a taxi, or an FHV, creates some negative externalities on the rest of the community in the form of congestion, noise, pollution and mobility challenges. By taking a hard look at the impact of large numbers of vehicles for hire on NYC streets, the City will weigh the benefits to these vehicles' passengers against any associated negative externalities in terms of congestion and air pollution. The study will try to determine what

policies need to be in place so that we take into account not only individual consumer demand, which the market captures, but also externalities faced by everyone else sharing the city.

What it boils down to is that, at some point, I strongly believe the City needs to step in and make sure that there is balance between those of us who choose the instant gratification and convenience of travel in private vehicles and the much larger group who cannot afford private car service, and for which it is literally inaccessible, and nonetheless are affected by mobility challenges the rapid expansion of this sector could present.

We are at a real crossroads. We need to provide fertile ground for new services to thrive, but not at the expense of those who do not have the privilege of using them regularly. So we will be guided by the data and the need to provide an overall efficient regulatory framework that leverages technology to improve service in all sectors as well as the overall quality of life for all New Yorkers and visitors.

I'd like to sum up by bringing us back to the numbers. As I said earlier, since 2011 we have added about 25,000 vehicles to the fleet. The fleet has grown by 16,000 vehicles since 2013, and by about 5,000 vehicles in just the first half of 2015. Yes, this is a big city. Yes, in a theoretical world without externalities the laws of supply and demand would naturally bring us to some optimal number of vehicles. But month after month we have been licensing 2,000 new vehicles without signs of slowing. This should give even the strongest proponent of an uncapped system some pause. It is time for us to moderate growth for a limited time period while we engage with researchers and other experts, stakeholders, the public and Council, to take a hard look at whether the path we're on is the right one for our economy, public health, and quality of life. We hope that Council will support bills to temporarily limit and study growth in the various for-hire sectors and would be happy to answer any questions you may have.

**TESTIMONY OF THE DIRECTOR OF THE MAYOR'S OFFICE OF SUSTAINABILITY BEFORE
THE NEW YORK CITY COUNCIL COMMITTEE ON TRANSPORTATION**

Tuesday, June 30, 2015

Introduction

Good morning Chairman Rodriguez and members of the Transportation Committee. My name is Nilda Mesa, and I am the Director of the Mayor's Office of Sustainability. It is a pleasure to appear before you today with Taxi and Limousine Commissioner Meera Joshi and Transportation Commissioner Polly Trottenberg.

The numbers of for hire vehicles on NYC streets have grown significantly in the last few years. For hire vehicles are an important part of the city's transportation mix. In adding new options for passengers like ride-sharing, they may well wind up contributing to the city's quality of life and sustainability. Or they may contribute to our already serious congestion, with its resultant air pollutants and greenhouse gas emissions. As a result, the Mayor's Office of Sustainability supports limiting the issuance of new FHV licenses while TLC, DOT, DEP, and other agencies conduct a one-year study. While we recognize that new models may provide the opportunity to decrease environmental impacts on our residents, I would like to speak in more detail about the possible air quality and greenhouse gas impacts of unmitigated, rapid growth of the FHV fleet.

Our Commitment to Making Sure NYC Has the Best Air Quality of Any Large U.S. City

For many years, New York City has had a goal to have the best air quality of any large US city. In *One New York: The Plan for a Strong and Just City*, we restated this goal, and committed to cutting emissions from mobile sources. While we have made progress over the last several years, air pollution remains a leading environmental health threat to the health of New Yorkers. Of primary concern are nitrogen dioxide, sulfur dioxide, ozone, and fine particles – all of which are emitted during fuel combustion. The NYC Department of Health estimates that fine particles alone contribute to more than 2,000 deaths and over 6,000 emergency visits and hospitalizations for cardiovascular and respiratory disease in the city each year. Our asthma rates are amongst the highest in the nation. The City's efforts to phase out the use of highly polluting no. 6 fuel oil and State reductions in the sulfur content of heating oil have led to significant reductions in PM and SO₂ emissions from buildings. The recently-passed Air Pollution Control Code will further reduce emissions by controlling previously unregulated sources, such as commercial cooking. Reducing emissions from on-road mobile sources will help us continue to realize air quality improvements.

When we try to break down the sources, we find that 17% of local particulate matter emissions come from on-road vehicles.

Increases in the number of vehicles on the road directly and indirectly increase air pollution. From a direct perspective, more FHVs on the road mean more pollutants. However, because the increase in vehicles leads to more traffic, everyone moves slower, increasing emissions for all vehicles, not just the new FHVs. Moreover, with bus speed down 5% during evening rush hour and overall daytime bus

speeds down 3% people may be choosing to take vehicles rather than the bus, thereby adding to the problem. What we do know is that recent TLC data confirms that 72% of new FHV activity is occurring in the Manhattan Core, where traffic speeds are slowest and air quality of concern.

As we hit the summer heat season, the heat cooks up the emissions. The projected increase in emissions in the central business district also has an impact on the health of downwind communities such as Queens, through increases in ozone levels. Those who would feel its effects most are those who work and live in the central business district and downwind communities, along with vulnerable populations including children, the elderly, and those with respiratory diseases.

People will be stuck in two places: midtown, because of the traffic, they'll miss their meetings or openings to the Broadway show they've been waiting to see. And downwind: the abuelita whose lungs burn and who gasps from COPD won't be able to go outside during ozone alerts, and neither will the kid with asthma. If it's a heat wave, and that abuelita doesn't have air conditioning, she'll have to choose between going outside to get to her neighborhood cooling center, or staying inside and risking the impact that heat may have on her system.

Our Commitment to Reducing New York City's Greenhouse Gas Emissions 80% by 2050

New York City has also committed to reduce its greenhouse gas emissions 80% by 2050 to help avert the most dangerous impacts of climate change. As an island and coastal city with 520 miles of shoreline, we are especially vulnerable to the threats of rising sea levels, extreme storms, and heat waves. While most of our greenhouse gas emissions are attributable to buildings, passenger vehicles contribute approximately 14% of the city's aggregate carbon emissions. To meet our goals requires facts and a strategy based on those facts.

This year, we project that under current conditions the FHV fleet of 63,000 vehicles will be responsible for approximately a million metric tons of carbon dioxide emissions. If allowed to grow unchecked at the current rate, the FHV fleet will contribute an additional 230,000 metric tons of carbon dioxide emissions next year. The proposal before you would limit emissions growth to a maximum of 50,000 metric tons of carbon dioxide, which could mean at least a short term reduction of 78% in the rate of increase. Over the long run, we would look forward to exploring strategies to keep GHG emissions down for this fleet, and are open to ideas.

Conclusion

To paraphrase from a song from the musical *Rent*: 525,600 minutes, how do you measure, measure a year – in daylights, in sunsets, in cups of coffee, in inches, in miles....Tapping the brakes to study the impact of rapid FHV growth, alongside other licensed vehicles, makes sense for us to develop a sound strategy to meet our air quality and climate goals. It makes sense for the Queens grandmother and the kid with asthma. It will allow us a baseline with facts for future planning, so we can keep things humming in midtown and elsewhere. In addition, there are real, concrete benefits to human health and the climate system of moderating FHV growth for a limited time period. We hope that Council will support these bills. I am happy to answer any questions.

The New York City Council Committee on Transportation

Tuesday, June 30, 2015

Int. No. 842: In relation to temporarily limiting the issuance of new for-hire vehicle licenses

Int. No. 847: In relation to requiring a study on the impact of growth in the taxicab and for-hire vehicle industries

Written Testimony for Abatar, LLC; Danach-NY, LLC; Dreist-NY, LLC; Drinnen-NY, LLC; Grun, LLC; Hinter, LLC; Schmecken, LLC; Unter, LLC; and Weiter, LLC

Good morning. My name is Michael Allegretti, Senior Manager for Public Policy at Uber in New York. The bills before you today will have serious and lasting consequences for riders, drivers, and the city.

Supporting these bills destroys jobs, and does so primarily among the very people that this Administration and this Council have pledged to help the most. We anticipated bringing 10,000 more men and women onto the Uber platform this year. This legislation locks these people out and literally takes jobs out of the hands of 596 people who had signed up to drive since June 15. What jobs will this Committee offer them, now that their jobs have been taken away? Their names and addresses are here.

The rationale for this study is at best questionable and at worst negligent. It prejudices the solution before examining the question, and is a complete departure from the 25 studies found on the DOT's website. For example, can we only assume that the bike study was flawed because it didn't hold constant the number of bikes in this city during the study period?

A serious policy alternative would not be accompanied by a vehicle cap, would look at **all** potential causes of congestion, and would be conducted by an independent and objective third party. The vehicle limits that accompany this study have nothing to do with congestion and air quality, but everything to do with limiting competition. The Committee for Taxi Safety offered a hauntingly similar proposal three months ago. Let's acknowledge what it really going on.

Everyone wants less congestion and cleaner air, but this process makes a mockery of these issues—manipulating them to do one thing: stifle competition.

And any argument that claims that this is not about a single company is dismantled once you learn that big bases, like those affiliated with Uber, can only grow by 1% during the study period, while smaller bases can grow by 15%. Why the distinction?

Supporters will claim it's because they don't want to cripple small business, but they conveniently forget that every man and woman using the Uber platform **is** a small business owner.

One-by-one the rationale for this legislation, and its methodology, fall like a house of cards.

- Slower average speeds in Manhattan is now apparently something we need to fix. But just this year the city lowered the speed limit from 30mph to 25mph.

- Arbitrarily singling out a mere 1% of the 2.7 million cars and trucks on NYC roads every day is stunningly incomplete and ignores 99% of the problem.

Shared rides—yellow, green or black—take personal cars off the road. Maximizing the number of people in shared rides takes even more cars off the road.

The unintended consequences of this legislation will be crippling to those who need the most support. It will lead to higher prices for those seeking a ride—and in the outer boroughs, dramatically reduce service reliability—further crowding mass transit and making Uber as unreliable as a taxi in these communities. Vote for this bill, and you're telling real people to wait another year to save for college or pay off their debts. Put your aspirations on hold for another year while we do a traffic study.

These drivers and their families deserve better. New York deserves better. Please do the right thing and vote against this proposal.



FOR THE RECORD

**Statement of the American Lung Association in New York and the
Natural Resources Defense Council
regarding New York City Council Transportation Committee Hearing
on Taxi-Cab and For-Hire-Vehicle Industries
June 30, 2015**

Our groups have a long history in New York City of working on issues related to transportation, the environment and public health. We applaud the Administration and the City Council in looking more carefully into the impacts of taxis and for-hire-vehicles on air quality, congestion, and health.

With regard to the bills before the Transportation Committee today, our organizations need more time to fully analyze these proposals and to better understand how they relate to other elements of broader taxi, for-hire vehicle and transportation regulation. Therefore, we are not in a position to take a position on the bills today.

However, we fully support a comprehensive study of these topics by the Administration, including looking at the role of all TLC-regulated industries and other key actors vis-a-vis air quality, congestion, mobility efficiency and equity concerns. More specifically, we welcome further discussions with all key stakeholders to determine how best to design a robust and broad assessment strategy for the entire TLC-regulated community – including for-hire vehicles as well as yellow taxicabs and other licensed vehicles. This review could provide TLC and the Council with the data needed to make sound policy decisions on these important issues.

We look forward to working together with the Administration and Council to advance our mutual goals of helping New Yorkers breathe easier, get to their destinations on-time and improve their access to the greater transportation network.

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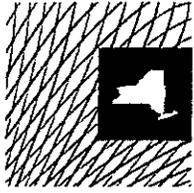
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About the American Lung Association of the Northeast

The American Lung Association of the Northeast serves CT, MA, ME, NH, NY, RI and VT. We are part of the American Lung Association, the oldest voluntary health organization in the U.S. Established in 1904 to combat tuberculosis; our mission today is to save lives by improving lung health and preventing lung disease. The focus is on air quality, asthma, tobacco control, and all lung disease. www.LungNE.org

About the Natural Resources Defense Council

The Natural Resources Defense Council (NRDC), based in New York City, is an international nonprofit environmental organization with more than two million members and online activists. Since 1970, our lawyers, scientists, and other environmental specialists have worked to protect the New York region's and the nation's natural resources, public health, and the environment. www.nrdc.org



**The
Business
Council**

Testimony to

**The New York City Council Committee on
Transportation**

***Int. 0842-2015 - A Local Law in relation to temporarily
limiting the issuance of new for-hire vehicle licenses***

and

***Int. 0847-2015A - Local Law in relation to requiring a study
on the impact of growth in the taxicab and for-hire vehicle
industries***

Presented by

**Kenneth J. Pokalsky
Vice President**

June 30, 2015



On behalf of The Business Council of New York State, Inc., I appreciate this opportunity to comment on two laws recently introduced in the New York City Council. The first would direct the city to study the impact that growth in the taxi, livery, for-hire vehicle, black car, and limousine industries is having on local traffic, air quality, noise and public health (Int. 0847-2015). The second would put a temporary growth cap on the issuance of licenses for certain for-hire vehicles (Int. 0842-2015.)

The Business Council is New York's largest statewide employer association, representing about 2,400 private sector employers in all business sectors, located across the state. Our membership includes "new economy" businesses such as Uber and Lyft, as well as many longstanding New York businesses that do, or could, benefit from the expanding array of services provided by entrepreneurial firms including those in the transportation sector.

I would like to raise several significant concerns we have regarding these proposals, and offer several recommendations.

IMPACT STUDY LEGISLATION – We have two main concerns regarding the proposed impact study.

First, it is too narrow in scope to provide adequate information for future legislative actions, because it only addresses potential adverse impacts, not benefits. The bill directs the Taxi and Limousine Commission to study "the impact of growth in [vehicle for hire] industries on traffic, air quality, noise and public health." The bill does not require the evaluation of positive impacts such as increased jobs, increased household incomes and/or improved quality of transportation services for New York City residents, businesses and visitors - particularly those in the outer boroughs. Its approach is contrary to that of New York's principal environmental impact statute. The State Environmental Quality Review Act, or SEQRA, requires that "the protection and enhancement of the environment, human and community resources [are] given appropriate weight with social and economic considerations in public policy," and requiring further that "[s]ocial, economic, and environmental factors shall be considered together in reaching decisions on proposed activities." A complete study of the FHV sector would consider its positive economic and customer impacts as well as any potential negative environmental impacts.

Second, we are very concerned these bills, if adopted together as proposed, would impose an immediate cap on the growth of one component of the FHV sector before the impact study is completed, therefore before any evidence is available suggesting the need for these regulatory restrictions. This growth cap would be in place until August 31, 2016, or until the mandated study is completed, whichever is earlier. That is simply a backward approach to policy making, and suggests that the real purpose here is to simply restrict growth in this VFH sector.

TRAFFIC GROWTH – The study legislation, and the proposed cap on new licenses, is being justified with a limited set of data. These include a reported 9 percent reduction in average Manhattan traffic speeds from 2010 through 2014, and a 5 percent decline in rush hour MTA bus speeds from 2013 to 2014.

Interestingly, these traffic flow data are prompting a study of only one potential variable impacting vehicle speeds, namely the expansion of the FHV sector.

More typically, the environmental impact of traffic is considered as “vehicle miles traveled,” rather than average speed of vehicles, and there are many factors that can and do impact VMTs. These include general economic conditions, local population growth or decline, demographics including average age of the population, the price of gasoline and other factors. None of these factors are required to be considered in the proposed study.

Importantly, according to federal data, the U.S. has seen a substantial increase in recent years.

According to the Federal Highway Administration April 2015 “Traffic Volume Trends” report, highway traffic (i.e., vehicle miles traveled) increased 3.9% from April 2014 to April 2015; and travel for the first four months of 2015 were also up by 3.9% compared to the same period in 2014. (This data is available on-line at http://www.fhwa.dot.gov/policyinformation/travel_monitoring/15aprtvt/.)

Likewise, US DOT data shows a 3.3% increase in urban traffic nationwide from 2010 to 2013. (See http://www.rita.dot.gov/bts/sites/rita.dot.gov/bts/files/publications/national_transportation_statistics/html/table_01_36.html.)

This is just a quick review of available traffic data, but it suggests that the local experience is shared by much of the U.S.

If the City Council’s true concern is an increase in vehicle use, any valid study would look at multiple factors that impact VMT (and traffic speeds), not simply the growth in one sector of the transportation industry.

INDUSTRY RESTRICTIONS – While we could support a broader, better designed study proposal, we oppose the legislation to cap growth in the FHV sector as both unjustified, and a bad precedent.

It would disrupt progress that new economy companies are making in improving our daily lives. This is a sector whose growth in New York City has provides significant benefit and convenience to businesses and residents alike, and holds similar promise for other regions of New York as these businesses expand.

While this bill would have adverse impacts on the FHV sector in New York City, we are also concerned about the precedent this type of legislation would have for the expansion of these services elsewhere in New York State.

The expansion and success of Uber and other FHV services in New York City and elsewhere has certainly garnered attention in other urban areas in New York State. In fact, there is a growing call for their expansion in other cities in New York State.

Therefore, we are opposed to adoption of Int. 0842-2015I, as we have opposed other forms of FHV sector restrictions proposed in the New York State legislature.

Again, on behalf of The Business Council, I appreciate the opportunity to provide testimony today, and look forward to any questions or comments you may have.

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Studying the Impact of Growth in the Taxicab and FHV Industry Testimony by Paul Steely White, Executive Director, Transportation Alternatives

Tuesday, June 30th, 2015

Good morning. I am Paul Steely White, Executive Director at Transportation Alternatives, New York City's advocate for safe streets, biking, walking, and public transportation. I am here today to recognize the importance of evidence-based policy and to support the study on the impact of growth in the taxicab and for-hire vehicle industries.

As advocates for safer streets, we believe that there is a definite benefit to all New Yorkers in having fewer cars on our roads. High traffic volumes contribute to noise, congestion, and air pollution, resulting in negative health outcomes, particularly for New Yorkers living in some of the poorest neighborhoods. We are particularly concerned about the rapid, uneven growth of vehicle fleets:

- Since 2011, 25,000 new for-hire vehicles have been added to New York City's streets
- FHV fleet growth is expected to continue, with 2,000 new licenses issued each month of FY 2015 so far
- Fleet growth has been concentrated in the already-congested Manhattan core, worsening traffic problems

However, we also recognize that public transit options and safe pedestrian and cycle routes are not evenly distributed across our city, and that the taxi and for-hire vehicle industries play an important role in keeping people moving and providing employment for thousands of drivers. A solution to this runaway growth of for-hire vehicle fleets must be carefully targeted, because that which effectively addresses a problem in Manhattan may not be fair to riders in other boroughs.

Therefore, we believe that in order to best formulate an equitable policy approach, we must have detailed data on the impact of growth in the number of taxicab and for-hire vehicle licenses. Any permanent measure that has the potential to impact the livelihood of drivers and the health of city residents, such as placing a hard cap on the number of new licenses, should only be taken when all evidence has been presented for proper evaluation.

In Support of a Study

T.A. supports Council Member Rodriguez's proposal for a study into the impact of growth in the taxicab and for-hire vehicle industry. We also believe that Council Members Rodriguez and Levin's proposal to temporarily constrain fleet growth until the completion of the study is a prudent approach at the present time. Once we have the details of *who* and *where* in New York City will have to bear the greatest burden from an increase in vehicle traffic, as well as a clear model of how great that burden will be, then we will be better placed to contribute to developing a

fair and meaningful solution. We believe in fewer cars on city streets, but we also believe in smart, equitable policies. The data from the proposed study will help us achieve both those goals.



Testimony of Michael O'Loughlin
on behalf of
CAB RIDERS UNITED
before the
New York City Council Committee on Transportation
Hearing on
Intros 842 and 847

June 30, 2015

Good morning. My name is Michael O'Loughlin. I speak today on behalf of Cab Riders United, a voice for the 1.2 million daily passengers who pay for transportation in New York City's taxicabs and other for-hire vehicles and for the countless other New Yorkers and New York businesses that rely on taxicab and for-hire vehicle service to keep the city moving every day.

The mission of Cab Riders United is to improve the safety, quality and environmental impact of the city's taxi and for-hire vehicle industry.

We appreciate the committee turning a spotlight on this subject today. However, we are concerned that the way the issue has been framed is unlikely to yield the best results for passengers or for the broader public interest. Why is "the problem" defined as growth of for-hire vehicles (FHVs) rather than congestion or air pollution or emergency response times more generally? What is really the problem to be solved? What is the desired outcome?

Put simply, we do not consider limiting the growth of for-hire vehicles citywide to be a credible strategy for tackling congestion in the busiest parts of Manhattan. Nor do we view it as a real strategy for preserving and managing an ecosystem of taxis and for-hire vehicles that meets the needs of New Yorkers. But even asking whether it is or not conflates two different only partially related topics and distracts from the big picture questions we should be asking:

1. What is the city's big-picture vision and strategy for how to regulate the taxi and for-hire vehicle industry in this era of rapid change, including the development and growth of popular transportation network companies like Uber and Lyft?
2. What is the city's big picture vision and strategy for improving mobility in Manhattan and addressing congestion and related issues like air pollution? That's about more than just traffic speeds and the number of for-hire vehicles. A real strategy for that probably involves looking also at how vehicles are operated and where, how effectively traffic laws are enforced, and how to improve the full range of mobility alternatives, including bike lanes, bus-only lanes, better enforcement of traffic laws, smarter goods movement planning, congestion pricing, etc – and a strategy for ensuring access to taxis and other

for-hire vehicle services so that people don't feel the need to operate personal vehicles in the busiest parts of Manhattan.

Traffic congestion and related emissions are a real problem and merit a real, comprehensive strategy. Congestion is also somewhat cyclical and correlated to the health of the economy.

The car service industry has been growing in a healthy way since before the arrival of Uber, Lyft and others beginning in 2013. It has continued to grow since then. Much of that growth appears to have been to meet the mobility needs of Upper Manhattan and the boroughs. (For example, the number of non-Uber car service bases in Upper Manhattan and the boroughs grew by 50 from 430 to 480 between 2013 and 2015. The number of car service vehicles at those livery bases grew by more than 3,300 during the same time period.)

Limiting the growth of a car service base and potentially restricting the mobility options for New Yorkers in Canarsie or Cambria Heights or Castle Hill seems a strange way to solve the congestion and air pollution problem in midtown Manhattan. A for-hire vehicle based in one part of the city can provide service for a passenger in another part of the city, but why is a citywide cap better than, for example, geo-fencing Manhattan?

Even if one were to grant the premise that limiting FHV's is the right approach to managing traffic and emissions (and we are not yet sold on that), how exactly does limiting the growth of large bases to a lower allowable growth percentage (1%) than bases with fewer vehicles (15%) reduce congestion and air pollution more effectively?

If small bases (or perhaps new bases) can add more vehicles (and proportionally more than the larger bases), one would expect those drivers may also take hails from apps and contribute to Manhattan congestion just the same.

Are new bases allowed? If so, that's potentially a huge loophole in what already seems a flawed plan. And if so, what's the growth cap for the new bases? If new bases are not allowed, that again seems to unfairly penalize passengers and entrepreneurs in neighborhoods throughout the city in order to tackle a problem focused in Manhattan below 60th Street.

We are also concerned that it is often easier to put "temporary" limitations in place than to repeal them or let them actually lapse. For example, the Haas Act that limited the number of yellow medallions beginning in the 1930's included a never-used provision for deliberately adding more medallions based on public demand - until even that provision was repealed in the 1970's. Medallion owners saw their assets grow in value; however, the demand for more taxis in a growing city was not met.

One has to note also this irony: the same TLC that today proposes radically limiting the number of for-hire vehicles in part to address air pollution emissions recently voted to allow older and more-polluting vehicles to remain in service longer.

In summary, this legislation proposes a massive and immediate change to the existing rules governing car services citywide followed by a study to be completed no later than a year from the last day of August. That seems backwards. We get the best policies when leaders clearly define the problem and the desired outcome, conduct the study, and then propose a policy based on what they discovered. We've seen no evidence to adequately justify limiting New Yorkers' car service options citywide until the study is completed. Studies of dynamic systems are conducted all the time without freezing one part of the system.

Cab Riders United would welcome and support a swift and transparent study that looks at availability and equity, quality, convenience, safety and affordability of all for-hire transportation throughout New York City, in addition to air quality, traffic congestion, jobs and the overall economy. We cannot support limiting New Yorkers' car service options without evidence that such a policy change would actually be the best way to solve a specific problem for passengers and the broader public. It is essential that the city's for-hire transportation policy prioritize and reflect the public interest of New Yorkers, not any particular industry sector.

Thank you for the opportunity to speak with you today. I'd be happy to answer any questions.



New York Taxi Workers Alliance

Union of NYC Taxi Drivers!

National TWA, AFL-CIO, Intl. Transport Workers' Federation

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June 30, 2015

Honorable Chairman Ydanis Rodriguez
City Council of City of New York
250 Broadway, Suite 1763
New York, NY 10007

SUPPORT: Int. 0847 (Rodriguez): Environmental Impact Study on Growth of FHV's

SUPPORT: Int. 0842 (Levine): Temporarily Limiting Issuance of New FHV Vehicle Licenses

Dear Honorable Chairman Rodriguez:

Greetings. We submit to you and to the honorable members of the City Council Transportation Committee, our comments on the proposed legislation, Int. 0847 and Int. 0842.

We are in strong support of a limited moratorium on the issuance of new vehicle permit licenses for FHV's – which, unlike medallion yellow taxis and street-hail-liveries are not capped. A study on the environmental impact must also include how the explosion in the number of FHV's – over 60% compared to just four years ago - has affected the drivers who now face unprecedented competition for the same number of fares, all the while working in gridlock that grows worse every month.

The New York Taxi Workers Alliance has over 18,000-registered members, working in the yellow taxi, green cab and FHV sectors. Many of our members used to drive a yellow cab and now work for Uber and Lyft. The one common concern, grievance, condition which unifies all sectors of drivers is the oversaturation of vehicles on the streets and the attack on full-time work which is at the heart of the App-based business model. To be the fastest and cheapest, these companies rely on drivers flooding the streets with vehicles. To do that, they need part-timers for whom this is supplemental income. In fact, according to Uber, 51% of Uber drivers across the country are part-timers. The part-time work comes at the expense of tens of thousands of full-time drivers for whom this is their bread-and-butter, their only source of income and the primary source of income for most drivers' families. We do not want our full-time work, the only one thing remaining of advantage for taxi workers, into gig work where workers' labor is piecemealed, incomes decimated, and futures left insecure and dismal.

In the yellow taxicab industry, over 3,000 medallions are owned and operated by individual drivers. Their monthly expenses average as much as \$5,000. It is heart-breaking when you see the wear and tear on owner-drivers during these days. As this industry transitions to gig work, for many of the families, if they lose the medallion, they will also lose their homes. Many are driving alone, cannot find a second shift driver, desperately working longer hours with greater stress and fatigue. It's hard to imagine that this is happening to a workforce whose labor brings in over \$100 million every year to the city and state, and is about to embark on a historic 50% wheel-chair accessible fleet, paying for costlier vehicles and maintenance. Unlike FHV trips which are pre-paid, yellow and green cab metered fares are costlier to the driver when traffic increases and drivers often lose fares who walk out mid-way.

We know that Uber nationwide has 250 lobbyists and 29 lobbying firms nationwide: one-third more than Walmart, the world's biggest corporation. ("This is How Uber Takes Over a City," by Karen Weise, Bloomberg Business, June 23, 2015.)¹ We ask you to uplift the lives of 100,000 men and women, working people, who drive for a living, and their families, and not be swayed by a multi-billion dollar company that will spin and lobby with no greater purpose than their profit margins.

As to Uber's claims that they are "job creators," we urge you to heed the words of UN Women's Executive Director Phumzile Mlambo-Ngcuka who rescinded an agreement with Uber where Uber claimed it would create "1 million jobs for women" when UN Women learned that the "jobs" were a road to poverty to empowerment:

I want to assure you that, not only are we listening, we are aligned. And I also want to assure you that UN Women will not accept an offer to collaborate in job creation with Uber. - **Phumzile Mlambo-Ngcuka**, Executive Director, UN Women (3/20/15)

In fact, for all the talk Uber's 250 lobbyists do, the \$50-billion evaluated company only has 3,000 actual employees around the world – compared that to \$19 billion Costco which employs 174,000 employees receiving wages and protections under the Fair Labor Standards Act and all labor laws; the very same laws which Uber spends millions of dollars in court to make sure never protect a taxi worker.

Unlimited Numbers of Black Cars Hurts Driver Income in All Sectors

We have been here before. Faced with an unregulated number of taxis cruising the streets during the Great Depression, the New York City Board of Aldermen decided that allowing an unlimited number of cars to operate would allow "undue and needless traffic congestion; long hours and inadequate income for taxicab drivers; excessive competition...[and] flooding of the streets with

¹ <http://www.bloomberg.com/news/features/2015-06-23/this-is-how-uber-takes-over-a-city>

unnecessary taxicabs.”² Several legislative studies and committee reports then led to the Haas Act, which limited the number of for-hire vehicles on the road.³

As an unlimited number of black cars operating with e-hail now cruise the streets, offering on-demand service just as taxis do, the City finds itself, nearly 80 years later, faced with the same problem. While we still have roughly 13,600 taxis (as we did in 1937), we now have an additional 60,000 vehicles in the black car, livery and limousine sectors. Of those vehicles, roughly 18,000 are affiliated with Uber and primarily operating as taxis, picking up 72% of their fares in Manhattan’s Central Business District.

Over the past two years, this oversaturation has left too many drivers cruising for not enough work. While the multi-billion dollar companies that sell their apps to drivers gain from having an unlimited number of cars on the road to bring in fares, their drivers are left competing for an ever-shrinking piece of the pie. All this occurs while drivers’ other expenses for a Towncar or SUV remain the same, and Uber is free to raise the commission whenever it likes. This oversaturation limits the ability of any driver, whether yellow, green, black or Uber to make a full-time living.

All taxi drivers in New York are considered independent contractors with no right to a minimum wage. While the TLC can set fare and lease rates to shape taxi drivers’ income, in the black car industry, the only regulation that can address whether drivers earn anywhere near the minimum wage is a fair apportionment of cars to meet the demand for FHV trips. The current model of unlimited FHV licensing simply ignores driver economics at a cost to drivers in every sector. Any Local Law exploring this issue must study how the unchecked proliferation of FHV’s has economically impacted the 100,000+ New Yorkers who make their living driving taxis and for-hire vehicles.

Such a study must address:

- Changes in the net annual earnings of taxi and FHV drivers.
- Changes in drivers’ net hourly earnings.
- Changes in the amount of hours per week drivers work.
- Changes in the number of shifts per week drivers work.
- Changes in the number of hours drivers work consecutively.
- Number of taxi trips per shift made by medallion taxis and street-hail liveries.
- Number of miles driven per shift by medallion taxis and street-hail liveries.
- The amount of fuel used by taxicabs and street-hail liveries per shift.

If economic studies show reduced taxi and FHV driver income, the City Council must pursue further study, concerning, during the past two years:

² *Rudack v. Valentine*, 163 Misc. 326, 327 (Sup. Ct. N.Y. Co. 1937), *aff’d* 274 N.Y. 615, 10 N.E.2d 577 (1937), quoting N.Y. Code of Ord. Chap. 27-a § 1.

³ *Id.*, at 329.

- The amount of debt taken on by drivers
- Whether drivers or their family members have foregone opportunities for higher education.
- Whether drivers and their families have needed to relocate for cheaper housing as a result of lowered income, including immigrant drivers sending family members back to their home country.
- Whether drivers and their families have become eligible for need-based benefits.

The proposed Local Laws must provide for further study of how the increase in vehicles has affected travel for all vehicles throughout the five boroughs, with special focus on Manhattan's Central Business District.

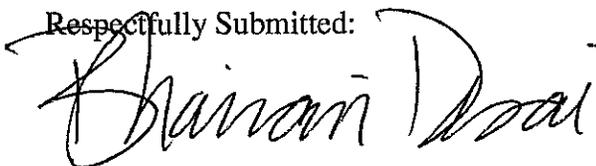
While black cars operating with e-hail flooding Central Business District streets has led to decreased e-hailing times for passengers, we are concerned that, although passengers may be seated in a car more quickly, they are just getting nowhere fast. Uber actually brags in other cities that they are quicker than an Ambulance and cheaper than a bus, ignorant of what it actually means to disrupt vital public services.

Any study concerned with the impact of the increase in for-hire vehicle licenses on City traffic flow must address:

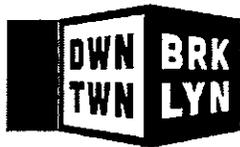
- Any change in the response time and travel times of emergency vehicles within Manhattan's Central Business District.
- Any change in the MTA bus travel time for bus routes within or passing through Manhattan's Central Business District.
- Changes in taxicab travel time.

We ask you to do the right thing and protect the workers and our city, not the interests of big business. If you should have any questions, please do not hesitate to contact us at 718-706-9892. Thank you.

Respectfully Submitted:



Bhairavi Desai, Executive Director
New York Taxi Workers Alliance



Downtown Brooklyn Partnership
100 Broadway, 14th Floor
New York, NY 10007
New York, NY 10007

June 29, 2015

City Council Member Ydanis Rodriguez
Chair, New York City Council Transportation Committee
250 Broadway, 14th Floor
New York, NY 10007

Dear Chairman Rodriguez:

I'm writing to express concern on behalf of my organization, the Downtown Brooklyn Partnership, over a new City Council bill that would cap the number of new for-hire vehicles in New York City. The bill comes with serious ramifications – especially for the outer boroughs – in terms of economic development and job growth.

As you know, Downtown Brooklyn is a key economic center for New York City. The area boasts a business district with more than 17 million square feet of office space; a historic and vibrant shopping center which attracts 150,000 visitors daily; a burgeoning residential community; 60,000 college and law students; 60 cultural organizations welcoming 4.5 million patrons a year; and 2 professional sports franchises. A key piece of maintaining this economic vitality is the neighborhood's transit accessibility. Yet as identified in our 2012 Brooklyn Tech Triangle Strategic Plan, public transit in the area is currently more oriented to facilitating connections between Manhattan and Brooklyn, rather than within the borough itself or along the Brooklyn-Queens waterfront.

In order to support Downtown Brooklyn's economic development and continued job growth in the Brooklyn Tech Triangle – which in 2012 included 10,000 direct innovation jobs with projections to double by 2015 – better intra-borough public transit accessibility is needed. Until that time comes, for-hire vehicle services provide an invaluable service for connecting Brooklyn business owners and workers to their customers, cultural patrons to performance venues, and shoppers and diners to retail establishments. According to Uber, nearly 20% of their rides occur in Brooklyn, compared to 3% of traditional taxi trips. Without the transportation services provided by companies like Uber, it is our fear that Brooklyn's thriving economy would suffer.

Additionally, it is not only the jobs of Brooklyn innovation workers at stake. Uber itself has vowed to create 10,000 jobs in the next year, which would be eliminated by the City Council bill at hand. When coupled with the growth projections for innovation jobs in the Brooklyn Tech Triangle, the cost of implementing a cap on for-hire vehicles is too great. I urge you to reconsider your support for this bill, which would negatively impact all the workers, residents, students, shoppers, and tourists who make Downtown Brooklyn the thriving business district it is today.



Downtown Brooklyn Partnership
11 Metropolitan Center North Suite 1003
Brooklyn, NY 11201
www.downtownbrooklyn.com

Sincerely,

A handwritten signature in black ink, appearing to read "Tucker Reed".

Tucker Reed
President

Cc: Transportation Committee

June 30, 2015 - City Council Hearing
Testimony by Dr. Avik Kabessa

Good morning Chairman Rodriguez and Council Members,

My name is Avik Kabessa. I am the CEO of Carmel and a board member of the Livery Roundtable.

While the recent growth in the number of black cars in NYC may, or even should, trigger the need for a temporary moratorium, I would like to caution the committee against a shotgun approach.

A moratorium on the entire For-Hire industry is a drastic move that should not take place without a careful evaluation. Collecting and analyzing available data can help the committee in coming up with a much more precise moratorium, one that will put the brakes on the unexplained growth in the number of Black Cars, but will not hinder normally needed growth of other sectors of the For-Hire industry -- a growth needed to answer the demand for their services.

In the handout provided to you, I've attached a very short table of easily obtained data that provides meaningful information. The table looks at the relationship between the growth in number of vehicles per category, which constitutes the supply, as it relates to the growth in number of tourists visiting NYC, which has constituted the demand.

	2011	2015	Growth over 4 years	Average Growth Per Year
Black Car	12,450.00	29,029.00	133.16%	33.29%
Livery	22,126.00	27,623.00	24.84%	6.21%
Luxury Limousine	5,560.00	5,936.00	6.76%	1.69%
NYC Visitors	50,000,000	57,000,000	14.00%	3.50%

For those who do not have the table in front of them, I can summarize by saying that the data shows how while the average annual growth of the numbers of Luxury Limousines and Livery Vehicles from 2011 to 2015 is between 2% - 6% per year, which is along the lines of the 4% average growth per year in people visiting NYC, the average yearly growth in the number of Black Cars is of 33% per year, which is 8 times more than the average annual growth in people visiting NYC.

Data such as this and others will help the committee shape a much more precise moratorium as far as what sectors of the for-hire industry should be allowed to grow and by how much. And this is only one example.

I would like to offer my help and the help of the LRT in gathering more relevant data and work with the transportation committee in crafting a moratorium that will not hinder the growth of sectors that have nothing to do with the new reality created by the extreme increase in the number of black cars in NYC.

Thank you.

June 30, 2015 - City Council Hearing
Testimony by Steven J. Shanker, Esq.

Good morning Council Members and Chairman Rodriguez

My name is Steven Shanker and I am the Exec. Director of the Livery Roundtable ("LRT").

I would like to start by stating that the LRT believes that the environmental study proposed by the committee is long overdue and we wholeheartedly support it. We acknowledge and understand the concerns being raised, believe that significant information will be obtained and that such may be used at a later point for the benefit of the public and the industry.

On the other hand, the LRT believes in the free market and healthy competition. The free market along with the laws of supply and demand, have obviously caused a phenomenon that this industry has never experienced. We believe that this phenomenon, in and of itself should caution the committee in moving forward. If a decision is made to impose a moratorium, then we believe a precursor to such would necessarily entail a full analysis of the growth of each sector of the For-Hire Vehicle ("FHV") industry and an open discussion on how such a moratorium would affect each sector of the FHV industry.

As you know, there are numerous sectors of the entire FHV industry and multiple nuances to each. This means there would be multiple nuisances for the committee to consider if a moratorium were imposed and how it should be properly implemented upon each sector.

As will be demonstrated by Dr. Kabessa, each sector of the FHV industry has NOT grown and changed the same over the past 3 years. In other words, this phenomenon of exponential growth has been limited to the black car industry and has not occurred in the livery industry.

Accordingly, we believe that if a moratorium were to be imposed, all sectors of the FHV's should not necessarily be treated the same way. We believe it would be inequitable and possibly dangerous to the interests of the public to place a blanket moratorium on the entire FHV industry when the growth in each sector and its affect on the environment has not been the same.

We also ask for caution because we do not want to hurt a sector of the industry that may very well not be contributing to the problem for which a solution is now sought. We would like to further work with committee to determine if and how to implement a proper moratorium so the purposes of a moratorium are served while not hurting the livery industry and consequently, the public at large.

Thank you.

Testimony Presented to the NYC Council Transportation Committee
June 30, 2015

By Diana Dellamere
Lyft, Inc.

I'm here on behalf of Lyft to strongly oppose the City Council's proposed one year moratorium on growth in the FHV industry, because it would preserve and extend one company's dominance while prohibiting others from offering a legitimately competitive service for consumers. A major consequence of this bill as currently written – though perhaps unintended – is that Uber wins, while consumers, drivers, and competitors lose.

As the Council can verify through examination of TLC records, Uber currently holds about 90% market share of the NYC FHV industry measured by the number of rides provided. According to antitrust legal precedent, that is a monopoly. And this is not by accident. Here is a quote from an article just two weeks ago by one of Uber's most outspoken investors, Chris Sacca: "This is a winner take all game. And Travis will take all." Mr. Sacca is referring to Travis Kalanick, the Uber CEO.

Here's why the Council's proposal would preserve and extend Uber's grip on the market. While Uber maintains a 90% market share, Lyft's current market share is approximately 7%. Other players in the FHV market who want to grow and provide service to NYC's residents have even lower market share. The current Council proposal limits growth for all players to such small percentages of their current size that it would prevent any material shift in the proportionate market share of each company. It freezes the market in its current place.

This not only robs NYC consumers of choice, it results in less driver freedom and poorer driver conditions. Once a company with a stated desire for a monopoly is given the ability to corner the market, that company won't have to compete to attract drivers and will be in a position to reduce driver incentives and compensation. It will also be able to raise prices on consumers.

In conclusion, while we support studying the environmental impacts of transportation options in NYC, and hope that the input of all companies in the market will be included in this effort, we strongly oppose the proposed moratorium. The goal of this committee should be to enable competitors to emerge by best serving the needs of the public and by competing for drivers, not to freeze the market and ultimately decide the winners and losers. While this may not be the intent of this proposed cap, it will certainly be the result.



June 30, 2015

Good morning Chairman Rodriguez and Members of the Committee,

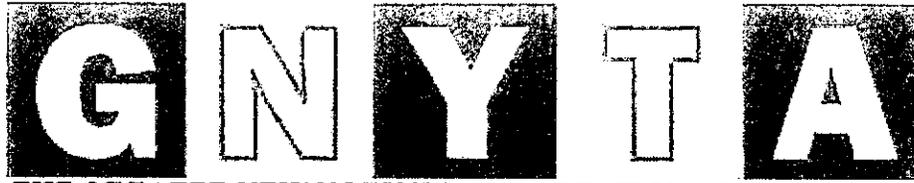
I am Ethan Gerber, From the Greater New York Transportation Association (an association of Yellow, Green and Black Car Fleets – in other words – the regulated portion of the for hire industries). Thank you, Mr. Chairman for having the courage to hold this hearing in the face of the 50 billion dollar California company organized to defeat any disruption of its disruptive business practices. It has coopted administrative agencies by giving lucrative jobs to those in policy positions the moment they step foot out of the agencies, a revolving door where one day a TLC policy director sets ehail policy and the next he works for Uber, where a chairman sets ehail policy, leaves the job and then consults for Lyft. It has used its lobbying and media empires to quash any message and fought to defeat any reform no matter how slight. I therefore greatly appreciate the fortitude it takes to hold these hearings and seek real reform.

The hearing today is about common sense. It is about fairness. It is about congestion in the 5th most congested city in America and about health in this city where more and more children, like my daughter, suffer from asthma.

Despite the Uber publicity machine two facts are self- evident and borne by all relevant data – (1) traffic congestion has increased since Uber put 18,000 vehicles on the road; and (2) Subway ridership has actually increased not decreased in the last two years.

This in turn means that the City should take a breath, while there is still air to breathe and study the effect of an unlimited number of ehail vehicles flooding the streets. In the past the City would require environmental impact studies every time it put on new medallions – they did so in 2004 and required it again in 2012. The city knew that even 300 more taxis, working 24/7 could affect congestion. The city required these studies even though the city itself sold these medallions for 1 million apiece and had real fiscal incentive to get them on the road. Now Uber says 18,000 more cars that generate no revenue for the city– no study, no problem.

The fact that public transportation ridership has not decreased also means that the ridership pie is being cut in ever thinning slices; for the regulated brick and mortar local businesses and regulated drivers like those our association represents it means ever decreasing income – this affects these local businesses and the drivers, mechanics, clerical staff and all those who depend on this income to feed their families.



THE GREATER NEW YORK TRANSPORTATION ASSOCIATION

26 Court Street, Suite 1405, Brooklyn, NY 11242 • Tel.: (718) 834-4850 Fax: (718) 488-0535 • www.GNYTA.org

But it is also bad for Uber and Lyft drivers as well – today Uber is fighting for the ability to diminish, deplete and dilute the income of its own drivers – so long as the ridership pie goes to Uber, Uber could care less how its drivers earn – if 1,000 rides go to 100 drivers or is split among 500 drivers or is split among 1,000 drivers – Uber gets the same 20 or 30 percent of the income – it is only the drivers who suffer.

Moreover, in the parts of this country where it has already destroyed the transportation industries, it takes a bigger and bigger percentage of the driver's portion. In September 2014 Forbes reported that in California, the birth place of Uber, Uber unilaterally increased its share of the fare from 20% to 25%. In 2015 Forbes reported Uber unilaterally took another 5 percent from each and every driver's fare, now going from 25% to 30%. That is why they want to keep flooding the street with more and more cars – as they destroy the local regulated industries, the drivers have nowhere else to go and they take more and more of the fares.

This is why there are riots on the streets of London and Paris. The streets are flooded and it is no longer possible to be a professional driver – careers have become part time jobs. As the career of cab driver comes to an end, as the ability to regulate comes to an end the ability to improve and control comes to an end as well.

Technology is ever improving- New Yorkers deserve a for hire transportation system that is state of the art and user friendly – the legislation today does not provide answers to all the questions that need to be asked in these exciting new times – they simply give the time to ask the questions and get real answers while there is still time to do so and industries left that can be regulated at all.



DISABLED IN ACTION OF METROPOLITAN NEW YORK
POST OFFICE BOX 30954, PORT AUTHORITY STATION
NEW YORK, NY 10011-0109 TEL/FAX 718-261-3737
www.disabledinaction.org

TESTIMONY ON PUBLIC HEARING Today's Taxi

To Whom It May Concern:

My name is Luda Demikhovskaya.

I am a board member of Disabled In Action, a member of several advisory boards for people with disabilities, disabled activist and advocate. I am writing you as a long time Board member of Disabled In Action Metropolitan area.

I use Access-A-Ride almost since AAR became officially Paratransit service available for people with disability.

I cannot come in person because I use motorized wheelchair, live in Brooklyn and the only transportation that I can use to go to another borough is Access-A-Ride.

Therefore, as you understand people as I have needs for accessible buses, trains and taxis or car services. All of us need to use any kind of transportation, not just non-disabled people.

In the begging Uber, promise us accessible vehicles. However, in reality Uber offered free Ride's to adversaries of the bill to get them here this morning, but what about people needing an accessible trip?

Uber hurt us by turn off accessibility requirements and the TLC allows them!

I am urged you to not allow Uber disregard their promises as well ask TLC not allows Uber to do it.

We are PWD need all transportation accessible no matter if it is buses, trains or taxi.

Shame of TLC to do it now when whole PWD celebrate 25 anniversary of ADA and turn us off.

Thank you for bringing the concerns of people with disability into the public square and helping us move toward the day when accommodating PWD people will be a normal and everyday aspect of planning for mobility in New York. People with disabilities should have the same access as everyone else.

Thank you in advance.

Sincerely yours,

Luda Demikhovskaya

414 Ave N, #3 F

Brooklyn NY 11230

718-376-3735

Luda@disabledinaction.org

Luda Demikhovskaya
Board Member
Disabled In Action
Luda@disabledinaction.org



Please join Disabled In Action in going green and only print if necessary



Logan Bus
COMPANY INC.

*97-14 Atlantic Avenue
Ozone Park, N.Y. 11416
Phone: 718 738 7373
Fax: 718 848 7953
www.Loganbus.com*

June 26, 2015

Hon Ydanis Rodriguez
City Council member
City Hall
NY, NY 10007

RE: Int. No. __ - By Council Member Rodriguez – A Local Law in relation to requiring a study on the impact of growth in the taxicab and for-hire vehicle industries
Int. No. __ - By Council Members Levin and Rodriguez – A Local Law in relation to temporarily limiting the issuance of new for-hire vehicle licenses

Logan Bus Co. Inc. & affiliates is the largest school bus contractor operating in the city of New York. When transporting specially educated children, we must ensure they do not spend too much time on the bus and disrupt their learning habits by arriving late to school. Traffic and congestion is already a tremendous daily obstacle to overcome, and to add an unfettered increase such as the one proposed without a study could further hinder school bus transportation, and in turn effect students learning capabilities. Under these circumstances a study and temporary freeze on additional vehicles is common sense.

Very Truly Yours,

Corey Muirhead
Director
Logan Bus Company & Affiliates



BUILDING TRADES EMPLOYERS' ASSOCIATION
INTEGRITY • VALUE • SAFETY
1430 Broadway, Suite 1106 • New York, NY 10018 • www.bteany.com
Telephone: 212.704.9745 • Facsimile: 212.704.4367

Louis J. Coletti
President & CEO

Ydanis Rodriguez
Council Member – District 10
New York City Council
250 Broadway, Suite 1763
New York, New York 10007

Memorandum of Support

Int. 0842-2015 and Int. 0847-2015

The Building Trades Employers' Association (BTEA), representing 27 trade union contractor associations, as well as 1,700 construction managers, general contractors and specialty subcontractor firms in New York City who employ 120,000 people, supports the two bills temporarily limiting the issuance of new for-hire vehicle (FHV) licenses and requiring a study on the impact of growth in the taxicab and FHV industries.

Our industry relies heavily on New York City's roadways to efficiently move materials to construction sites across the five boroughs. The economic case for traffic relief for the construction industry cannot be overstated, as well as for all the vendors, including many small- and medium-sized businesses that provide raw materials and supplies.

The Central Business Districts of Manhattan, between 60th Street and the Battery, are the engine of a \$901 billion regional economy that includes a great deal of building and construction. Congestion can, and already does, hold up work at some of the City's most significant developments.

The flood of vehicles from FHV companies onto the densest streets of New York merits far greater oversight from City and State authorities than we have seen.

Businesses and New Yorkers will benefit from a cap on FHV growth while the City is able to examine a variety of factors including air quality, traffic disruptions, pedestrian safety, parking availability, and many other important considerations. This is a common sense approach that will help businesses and industries like ours keep moving.

Therefore, BTEA urges the Council to pass Intros 0842 and 0847.

Sincerely,

Louis J. Coletti
President & CEO

Testimony City Council Proposals re Study/Potential Limit of For-Hire Vehicles

Hearing June 30, 2015/10am

The Manhattan Chamber of Commerce opposes a new City Council bill that would cap the number of new for-hire vehicles (FHVs) in New York City. This bill comes with serious negative ramifications - the loss of thousands of good paying jobs, most of which are in the outer boroughs. And this would create a loss of services for customers seeking alternative transportation solutions.

This would be the first time that City government would adopt a policy that would directly kill thousands of jobs for New Yorkers, especially in the outer borough communities where transportation alternatives are limited. And many immigrant communities would be affected not only with job loss but also with transportation alternatives in hundreds of underserved neighborhoods.

New York City currently faces a 6.1% unemployment rate which is higher than the State's current unemployment rate and the national average. We can't afford to lose more jobs at a time when our city's economy is still struggling to rebound and families in every borough are trying to make ends meet. And these are good jobs with fair pay.

In addition to the thousands of potential jobs lost, hundreds of New Yorkers who have already signed up to earn a good living through the current companies would be left without work. Since June 15, 2015, 500 new FHV licenses have been issued, and more than 900 appointments have been made for new vehicles to be registered to the bases that use the Uber app alone. This policy would call these new job opportunities into question.

These driver-partners are small businesses owners—earning a good living and supporting their families, predominantly in the outer boroughs. And consumers would lose the ability to have transportation choices in neighborhoods currently lacking in opportunities.

We urge you to take your time to think through any new policy that would put these hard working New Yorkers at risk.

Submitted by:

Nancy Ploeger
President
Manhattan Chamber of Commerce
212-473-7875
np@manhattancc.org

"2014 Chamber of Valor" Award from US Chamber of Commerce





DISABLED IN ACTION OF METROPOLITAN NEW YORK
POST OFFICE BOX 30954, PORT AUTHORITY STATION
NEW YORK, NY 10011-0109 TEL/FAX 718-261-3737
www.disabledinaction.org

June 30, 2015 Intro 842 and 847 Testimony

I'm Jean Ryan from Disabled In Action and Taxis for All Campaign. As a temporary measure, we are in favor of these two bills to temporarily limit new for-hire vehicle licenses and to study the impact of growth in the for-hire industry. But, for us, the central question remains, how are we going to get a ride and when will we have an equal chance of getting a for-hire vehicle ride with Uber or any other for-hire company? The impact on people with disabilities is huge and awful. We've made our case many times with examples of not being able to get to the hospital for births, illnesses, and deaths, of missing work and school because we need a quick ride, not able to pick our children up from school, and many other instances.

We want drivers and owners to make money and at the same time, we want a ride. Accessibility needs to be accounted for if the numbers of for-hire-vehicles are capped. The impact of very limited or no access to Uber vehicles must be studied along with other factors. As it is, we cannot ever count on getting a ride the same day we want one and even booking one a day ahead of time is impossible.

I live in car-service heaven where anyone who is ambulatory can get a car service in 5 minutes. But if you're a wheelchair user and do not have a foldable wheelchair and can transfer, fuggeddaboutit! Look! [Waving credit card and cash] – **We. Want. To. Ride!** And, if you think about it, you have at least 90,000 and rising customers that you are shutting out of your services, and that's not counting all the tourists and business people with disabilities who visit New York City! How is it that you are OK with fewer customers? What kind of a business plan is that?

Jean Ryan, VP for Public Affairs, Disabled In Action
917-658-0760
jryan@disabledinaction.org

Chairman Rodriquez and His Esteemed Colleagues:

Thank you for giving us the opportunity to speak to you today. As you know, Move NY is an initiative with the triple objective of sustainably funding New York's transportation infrastructure; establishing toll equity for the region's drivers; and slashing congestion in the city's Central Business District – i.e., Manhattan south of Central Park – and surrounding neighborhoods such as Williamsburg, Downtown Brooklyn, Astoria and LI City.

Move NY does not take a position *per se* on setting limits on any particular class of for-hire vehicles, but we applaud the committee's efforts to tackle the growing problem of traffic congestion in our already gridlocked city.

Along with groups such as Transportation Alternatives, we consider taxis to be part of the city's public transportation system, occupying a space between private vehicles and the mass transit network. Ideally, for-hire vehicles should provide a mode of transport that allows for an overall reduction in car use and car ownership. But at the same time, they constitute more than half of all vehicles traveling in the city's economic core. With the city's population projected to top 9 million before 2030, we can't all be relying on cars – either our own, or ones that we hire – to get around. Our streets are already over capacity, and our pedestrians and bicyclists are paying for it with an unacceptable number of vehicle-caused injuries and deaths.

To be sure, not every auto trip in the city causes the same amount of congestion or air pollution – for instance, for-hire vehicles traveling between outer parts of the city vs. those crossing into or circulating south of Central Park. However, there is no question that for-hire-vehicles, especially with the advent of app-based services, are contributing to our chronic traffic congestion and must be part of the solution.

As you may know, Move NY has proposed one such solution, a toll reform and rebalancing plan for the city's major and some minor crossings. A key element of that plan is adding a surcharge to yellow and green cabs, as well new app-based services equipped with GPS technology, when they're traveling in the "taxi zone" – i.e., Manhattan south of 96th Street. Those same classes of for-hire-vehicles would be exempt from the city's or MTA's tolls imposed on the East River crossings or those across 60th Street. Non-metered and non-GPS based services, like traditional livery cars and black cars, would not face a surcharge but would pay the CBD tolls like any other passenger vehicle.

Under the Move NY Fair Plan, taxi and app-based passengers will be contributing back to the city by helping sustain the mass transit system that will always be the mode used by vast majority of New Yorkers to get around the five boroughs. Paradoxically, the surcharge will be a boon to for-hire-vehicle drivers, owners and passengers alike. Because our plan will lead to 18-20% faster travel speeds within the CBD, passengers and drivers alike will benefit from faster trips and roughly 14% more fare turnover, meaning that drivers can drop off their fare and pick up the next one more quickly, thus adding about five fares to each shift.

We're pleased to have the endorsement of industry groups like the Metropolitan Taxicab Board of Trade and Black Car Fund, which appreciate the traffic busting benefits of our proposal.

We look forward to working with this committee to establish a balanced and thoughtful set of rules and regulations in which for-hire vehicles, including app-based services, remain a crucial part of a citywide system for increasing mobility and yet also contribute to a transportation network with sharply reduced traffic congestion and robust mass transit.

Thank you.

TESTIMONY OF PETER M. MAZER

General Counsel

METROPOLITAN TAXICAB BOARD OF TRADE

City Council Transportation Committee Meeting

June 30, 2015

Good morning Chairman Rodriguez and members of the Transportation Committee. My name is Peter Mazer and I am General Counsel to the Metropolitan Taxicab Board of Trade (MTBOT), a 60-year-old association representing the owners of more than 5,500 licensed medallion taxicabs, the licensed taxicab agents who operate these cabs and more recently, many of the licensed drivers who lease taxicabs from our members. MTBOT is dedicated to safer and more efficient streets for all New Yorkers and is a proud supporter of the Move NY plan to reduce congestion and fund the MTA. We are also proud to be among the earliest endorsers of the Mayor's Vision Zero plan.

MTBOT supports the intention of Intros 842 and 847, which appears to limit the explosive growth in the for-hire industry until the Taxi and Limousine Commission ("TLC") completes a study on the impact such growth has had on the environment and the worsening congestion problem in the City. Unfortunately, as written, these bills don't go nearly far enough to ensure that the multi-billion dollar global app companies, and the bases they control, will be held to the highest environmental standards.

Consider that in 2004, when the TLC proposed adding just 900 new taxi medallions to the streets of New York, it prepared a 200+ page Environmental Impact Statement filled with traffic analyses, business models, and air quality data. Again in 2013, the TLC prepared a 400+ page EIS when it received authorization to add additional taxicabs. The EIS included recommendations to mitigate the effects of congestion and pollution that would come with these new vehicles, as well as its impact upon existing businesses. The same process would be required if the City wanted to place even one single taxicab on the road.

Over the last 75 years, the City of New York carefully and thoughtfully built a very efficient yellow taxi fleet of just over 14,000 vehicles, adhering strictly to the highest environmental standards imposed by law and balancing the health and safety of New Yorkers. Now consider that in less than 2 years, one multi-billion dollar global transportation company that provides on-demand service similar or identical to yellow hail service has added 19,000 vehicles in New York City – without ANY environmental review whatsoever – and recently announced that it would look to nearly double its fleet in the year to come.

Consider that five years ago, there were 490 community car service bases, 194 luxury limousine bases and 76 black car bases licensed by the TLC. Collectively, they affiliated 37,782 vehicles. Today, there are 488 community car service bases and 182 luxury limousine bases (about same as five years ago), but the number of black cars bases has grown to 191, nearly triple in five years. The number of licensed for-hire vehicles has increased to 63,462, an increase of seventy percent. There are 26,000 more for-hire vehicles on the road than in 2010, adding to traffic congestion and pollution, and generally affecting the quality of life for all New Yorkers. And some in the for-hire industries have indicated that they would like to add 20,000 or more new cars.

All of this was done without the benefit of an environmental, traffic, business or other study. It should seem obvious to everyone that something is very, very wrong with this picture.

But while these bills would limit the issuance of new FHV licenses, it does nothing to limit the proliferation of new bases nor does it prevent larger bases from expanding by poaching drivers from the smaller, community based businesses, depriving communities of needed service.

In fact, under this legislation, existing bases would still be permitted to add about 2,400 new cars between now and August 31, 2016. That's more than the total number of new medallion licenses issued since 1996, and nearly half of the number of SHL's currently on the road.

There is a major disparity in regulation over the taxi industry versus companies like Uber - and this legislation does not level that playing field. While it is an important first step in helping the TLC meet its New York City Charter mandate of developing a broad public policy of transportation by empowering it to at least initially study and report on the overall for-hire industry, it is a small step and much more must be done.

Ironically, while Uber likes to preach to the world that it is a solution to congestion, it is fighting even the most basic environmental and congestion review of its fleet and the black car industry. Obviously Uber does not want the public to know the impact that its unsustainably large fleet actually has on traffic congestion and the environment here in New York City.

Thank you for the opportunity to testify, and I would be happy to answer any questions you may have.



**Testimony of Vincent Pellecchia
Tri-State Transportation Campaign
New York City Council
Committee on Transportation
Tuesday, June 30, 2015 10:00am**

My name is Vincent Pellecchia, and I'm the general counsel with the Tri-State Transportation Campaign, a non-profit organization working toward a more balanced, transit-friendly and equitable transportation system in New York, New Jersey and Connecticut.

We strongly support Intro 0847-2015. As an organization working for a more sustainable transportation network in the City and throughout the region, we believe it is good policy to understand the impacts of cars in our region. In New York City in particular, Uber and other e-hailing applications have been the stimulus for 25,000 more for-hire vehicles (a two-thirds increase) in the City since 2011, making these and other livery vehicles virtually omnipresent.

While for-hire vehicles help reduce the need for car ownership throughout NYC, the proliferation of these vehicles on our streets presents safety, environmental, congestion and infrastructure maintenance challenges. And, it has impacts on other more sustainable transportation modes such as bus transit. Data shows that the growth in for-hire vehicles has slowed bus speeds by 5%. Intro 0847-2015 will shed some light on these challenges.

As such, we believe Intro 0847 provides an opportunity for further insight into the livery industry's impacts on these aspects of New York City transportation.



PARTNERSHIP
for New York City

WRITTEN COMMENTS TO THE TRANSPORTATION COMMITTEE
OF THE NEW YORK CITY COUNCIL

HEARING ON THE GROWTH OF FOR-HIRE VEHICLES IN NYC

TUESDAY, JUNE 30, 2015

The Partnership for New York City is a nonprofit organization working to enhance the economy of the five boroughs of New York City and maintain the city's position as the pre-eminent global center of commerce, innovation and economic opportunity.

In 2013, we published the *NYC Jobs Blueprint*, a report which lays out what city leaders must do to accelerate job creation. A key finding is that the steady job growth we experienced over the last decade did not happen by accident; instead, there were deliberate public-private efforts to support the growth of new industries.

Cutting-edge companies often confront unique hurdles that must be overcome in order to achieve large-scale growth and create jobs here. For example, the tech industry needed access to a larger pool of skilled engineers in order to expand operations in NYC rather than Boston or Silicon Valley. New York responded by launching the Applied Sciences initiative, which established partnerships with great universities and will more than double the number of engineering graduate students and faculty in the city.

Similarly, a 2001 study by the Partnership identified the lack of commercial lab space as a major obstacle to growth of the life sciences sector in NYC. As a result, the City and State provided incentives for development of the first commercial science park, the Alexandria Center, which now houses research labs for Pfizer, Eli Lilly and Roche Pharmaceuticals. Employment in the sector reached more than 11,500 in 2010; up from about 2,000 jobs in 2001.

We urge NY City and State to formalize a process for working with the companies and industries of the future so that they may flourish in New York. Last week, the City Initiatives for Technology, Innovation and Entrepreneurship (CITIE) released a study comparing the economic development practices of 40 international cities. NYC received high marks in many areas, but its major shortcoming is its inability to adapt policies to new technology, leaving some new business models struggling to take off. Many innovative companies, including those in the for-hire vehicle industry, have new ways of doing business that don't fit (easily) into the existing landscape or regulatory framework. Instead of fostering an adversarial climate or imposing arbitrary caps, however, Boston and the UK have worked hand-in-hand with companies to figure out how to support their growth while maintaining necessary public and consumer protections.

Earlier this year, Uber struck a deal to share data with the city of Boston in order to manage growth, relieve congestion and expand public transportation. Similarly, the UK government has sponsored studies and pilots to better understand the changing needs of these businesses and the preferences of consumers which is driving demand.

To continue to benefit from the innovation economy, NYC must follow suit by welcoming these innovative, new companies who are growing because of consumer demand. The private sector looks forward to partnering with the City Council and other stakeholders to establish a formal process for doing so. Thank you.



Memorandum

To: Council Member Ydanis Rodriguez, Chair of the New York City Transportation Committee

Cc: Kelly Taylor, Counsel to the New York City Council

From: Matt Mincieli, Northeast Region Executive Director, TechNet

Date: June 30, 2015

Re: Testimony in opposition to Council bills 842 and 847

Councilor Rodrigues, and through you to the members of the transportation committee, good afternoon and thank you for the opportunity to testify in opposition to bills 842 and 847. My name is Matt Mincieli, and I am the Northeast Region executive director at TechNet. TechNet is a member association made up of CEOs and senior executives from over 70 of the nations leading tech and innovation companies.

I am here today to express my concern over this proposed legislation, which unfortunately represents yet another attack on the innovation industry in New York City. Faced with extraordinary demand for ways to move around the city, New York City's leadership should encourage options like Uber to continue providing more ride options to New Yorkers. Technology innovations like those offered by Uber are the solution to congestion, not the problem.

As one example of the benefits that innovative technologies can bring, Uber has committed to taking 1 million cars off the road through the creation of a carpooling service. But if the City passes these proposals that strike at the heart of the free market principles of supply and demand, the unintended consequences will make rides less reliable, more expensive and New Yorkers will be discouraged from using this service.

Right now, over 2.7 million cars use the toll-free bridges leading into New York every day - to say nothing of the cars that use tolled bridges and tunnels - yet this proposal from the council singles out For hire vehicles as the problem, when TechNet sees their technology as the solution. Congestion is certainly an issue that should be studied - but the city should not be targeting a small subset of the industry, much less singling out a single company and restricting its ability to respond to consumer demand. NYC has over 10k plug in electric vehicles now and the number is growing. Should the City study the environmental impact of electric vehicle use in NYC? Of

course. Should the city put a moratorium on plug in stations and discourage electric vehicles use in City while they conduct their environmental impact study? Of course not.

The total number of FHV's affiliated with bases that use Uber make up less than one percent (1%) of vehicles on the streets and those vehicles are never all on the road at the same time, yet they are being targeted as the main cause of congestion, simply due to rapid growth and popularity.

The tech community is an important sector of the NYC economy and should be leveraged to solve the problem of congestion that has plagued New York City for decades, not have their growth limited. On behalf of TechNet, I respectfully urge you to vote against a cap on vehicles and work with the tech community to come up with an innovation solution to the transportation problems NYC is facing.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: JASWINDER SINGH

Address: 91-10 112 STREET, N.Y. 11418

I represent: MYSELF YELLOWCAB OWNER

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Michael O'Loughlin

Address: _____

I represent: Cab Riders United

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Jasjeet Singh

Address: 8347 242 Street

I represent: Self - Yellow Cab Workers Alliance

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: Charles A. DeSantis (PLEASE PRINT)

Address: 1101 E 18th St. New York, NY 10032

I represent: New York State Council on the Arts

Address: NYC 1101

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: Bhauravi Desai (PLEASE PRINT)

Address: 120 E 64th St. #33A Bronx

I represent: NY Taxi Workers Alliance

Address: LIC 1101

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: Victor Salazar (PLEASE PRINT)

Address: 120 E 64th St. #33A Bronx

I represent: NY Taxi Workers Alliance

Address: LIC 1101

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ERASMO TAVERAS

Address: 1765 CALER AVE BROOKLYN

I represent: CITY LIVERY LEASING

Address: 1765 CALER AVE BROOKLYN

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 842/217 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Jonathan Matz

Address: 64 Fulton St, Ste 603 10038

I represent: Move NY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Nancy Sorria

Address: 2639 Sedgewick Ave

I represent: Green Taxis of New York

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: BILL LINDAUER

Address: _____

I represent: NY Taxi Workers Alliance

Address: 31-10 37th Ave. LIC, NY 11011

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: KEN POICALSKY

Address: 152 WASHINGTON AVE ALBANY

I represent: BUSINESS COUNCIL OF NYS INC

Address: KEN. POICALSKY @ BUSINESS COUNCIL

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Tweep Phillips

Address: 21-03 44th Avenue, LIC

I represent: Committee For Taxi Safety

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Nilda Meza

Address: _____

I represent: Mayor's Office of Sustainability

Address: 253 Broadway

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. 84217 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Laurel Brown

Address: 1 MetroTech Center North Suite 1003 BK

I represent: Downtown Brooklyn Partnership

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6-30-15

(PLEASE PRINT)

Name: COMMISSIONER CHAIR MEERA JOSHI

Address: NMC TLC

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 29 June 2015

(PLEASE PRINT)

Name: Matt Mincielli

Address: _____

I represent: TechNet

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Michael Allegretti & Nicole Bonaccorso

Address: _____

I represent: Uber

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/30/2015

(PLEASE PRINT)

Name: PETER M. MAZER

Address: 39-24 24th ST, LIC, NY 11101

I represent: METROPOLITAN TAXICAB BOARD OF

Address: (same) TRADE

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ETHAN GORBER

Address: GREATER NY TRANSPORTATION

I represent: ASSOCIATION

Address: 26 COUIT ST BKLN

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0842 Res. No. _____

in favor in opposition

Date: 6/30/15

(PLEASE PRINT)

Name: RAMI SEGAL

Address: 1165 OGDEN AVE BRONX NY

I represent: AMERICAN LEASE GROUP

Address: SAME

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 842 Res. No. _____

in favor in opposition

Date: 06/29/15

(PLEASE PRINT)

Name: RICK RUSSO

Address: 335 ADAMS STREET

I represent: BROOKLYN CHAMBER OF COMMERCE

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6-30-15

Name: DUSTIN JONES (PLEASE PRINT)

Address: _____

I represent: DISABLED IN ACTION

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: ERIC ROTHMAN (PLEASE PRINT)

Address: _____

I represent: FAST TRACK LEASING, LLC

Address: 1112 44th AVE, LONG ISLAND CITY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0842 0847 Res. No. _____

in favor in opposition

Date: 6/30/15

Name: JONATHAN GROSS (PLEASE PRINT)

Address: 3110 QUEENS BLVD.

I represent: TOWER AUTO

Address: 3110 QUEENS BLVD, L.I.C., N.Y.

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0842 + 0847 Res. No. _____

in favor in opposition

Date: 6/30

(PLEASE PRINT)

Name: Diana Dellamere

Address: 31-00 47th Ave, Long Island City, NY 11101

I represent: Lyft, Inc.

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 06/29/15

(PLEASE PRINT)

Name: Sam Jurkovicz

Address: 442 Midwood St Brooklyn NY 11213

I represent: Boggy

Address: 866 Eastern Parkway Brooklyn NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Edith Prentiss

Address: _____

I represent: Taxis for All Campaign

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6-30-15

(PLEASE PRINT)

Name: Jean Ryan

Address: _____

I represent: Disabled In Action and Tax's for

Address: _____ All

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: BHAIKRAU DESAI

Address: EXECUTIVE DR.

I represent: NY TAXI Workers Alliance

Address: 31-10 37th Ave. LIC, NY 1110

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 06/30/15

(PLEASE PRINT)

Name: MUHAMMAD RIAZ KHAN 11235

Address: 2750, HOMECREST AVE, BROOKLYN, NY.

I represent: UBER PARTNERS

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: SATWINDER SINGH

Address: 241-40, 86 RD, BELLEROSE NY 11426

I represent: DRIVERS

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: AVIK KABESSA

Address: _____

I represent: CARMEL

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. 2

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: TAREN MALLAH

Address: _____

I represent: DIAL 7

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: MOHAMMAD TIPO SULTAN

Address: 607 Rugby Road, APT #1C, BROOKLYN

I represent: NEW YORK TAXI WORKERS ALIANCE

Address: I am a yellow cab driver

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Steve Shaaker

Address: _____

I represent: LIVERY ROUNDTABLE

Address: _____

Please complete this card and return to the Sergeant-at-Arms