

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON RULES, PRIVILEGES,
AND ELECTIONS

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April 3, 2014

Start:

Recess:

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B E F O R E:
BRAD LANDER
Chairperson

COUNCIL MEMBERS:
Daniel R. Garodnick
Deborah L. Rose
Inez E. Barron
Junaane D. Williams
Margaret S. Chin
Mark Levine
Melissa Mark-Viverito
Rafael L. Espinal, Jr.
Vincent Ignizio
Ydanis A. Rodriguez

A P P E A R A N C E S (CONTINUED)

Inez Barron
Amatia Booth
Chuck Davis
Deandra Johnson
Dianna Arriaga

Meera Joshi
NYC Taxi and Limousine Commission

Cira Angeles
Spokesperson
Livery Base Owners Association

Jose Jaen
New York State Federation of Taxi Drivers

Dan Ackman
Taxi Workers Alliance

Carolyn Castro
Livery Round Table

Bhairavi Desai
Executive Director
New York Taxi Workers Alliance

Bill Lindauer
New York Taxi Workers Alliance

CHAIRPERSON LANDER: Good morning and welcome to the New York City Council on Rules, Privileges, and Elections. I'm Brad Lander, the Chair of the committee. We are joined this morning by Council Member Inez Barron from Brooklyn, Minority Leader Vinny Ignizo from Staten Island. Council Member Dan Garodnick from Manhattan; Council Member Debbie Rose from Staten Island; Council Member Ydanis Rodriguez, who is not a member of the Rules Committee, but chairs the Transportation Committee of the Council, which has oversight of the Taxi and Limousine Commission; Council Member Rafael Espinal from Brooklyn, and Council Member Margaret Chin from Manhattan. We may be joined by a few other members of the committee shortly.

Good morning. I also want to acknowledge the committee's attorney Amatia Booth, and also want to thank Chuck Davis our Chief Compliance Officer, as well as Deandra Johnson and Dianna Arriaga [phonetic] from their work in advance of the hearing.

We have a great hearing. We're pleased to have a packed room this morning, and we thank and apologize to those of you back in the overflow room. Obviously, this is a slightly more popular topic than

1 we estimated, but we're really happy to have you.
2 And we'll take testimony from members of the public
3 who have signed up later in the hearing. And we're
4 very pleased to welcome our guest Meera Joshi too,
5 this morning.
6

7 In a letter date March 7, 2014, Mayor
8 Bill de Blasio formally submitted the name of Meera
9 Joshi to the Council for its advice and consent
10 regarding her appointment as the New York City Taxi
11 and Limousine Commission Chair. Today, the Council
12 will consider whether to give its advice and consent
13 for this candidate. Let me welcome our speaker
14 Melissa Mark-Viverito and Council Member Mark Levine
15 from Manhattan.

16 Ms. Joshi is a resident of Brooklyn in
17 full disclosure, a resident of the 39th District,
18 which I'm honored to represent, but we have not met
19 before this process. If the Council gives its advice
20 and consent, she will be appointed to the Taxi and
21 Limousine Commission. And subsequently designated by
22 the Mayor as Chair of the Commission, filling a
23 vacancy and serving the remainder of a seven-year
24 term, which will expire on January 31, 2017.
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1 The New York City Taxi and Limousine
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3 Commission, also known as the TLC, was created
4 pursuant to Local Law 12 of 1971. Chapter 65 of the
5 New York City Charter provides that there shall be a
6 TLC, which shall have the purpose of further
7 developing and improving taxi and limousine service
8 in New York City. It shall also remain consistent
9 with the promotion and protection of public comfort
10 and convenience, adopting and establishing an overall
11 public transportation policy, which governs taxi,
12 coach, limousine, and wheelchair accessible van
13 services as it relates to the overall public
14 transportation network of New York City.

15 The TLC is responsible for establishing
16 rates, standards, and criteria for the licensing of
17 vehicles, drivers, chauffeurs, and owners and
18 operators engaged in those services. And the TLC
19 also provides authorization to persons to operate
20 commuter van services within the city. The TLC
21 consists of nine members appointed by the Mayor all
22 with the advice and consent of this City Council.
23 Five of those members must be a resident, one from
24 each of the five boroughs, who are recommended for
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2 appointment by a majority vote of the Council Members
3 of the respective borough.

4 TLC members are appointed for terms of
5 seven years, and can serve until the appointment and
6 qualification of a successor. Vacancies other than
7 those that occur at the expiration of a term are
8 filled for the unexpired term, and the Mayor may
9 remove any member for cause upon stated charges. The
10 Mayor then designates one member of the TLC to act as
11 the Chairperson and Chief Executive Officer, and
12 that, of course, is what we're here for today. The
13 Chairperson shall have charge of the organization of
14 his or her office, and have the authority to employ,
15 assign, and superintend the duties of the officers
16 and the employees as necessary to carry out the
17 provisions of New York City Charter Chapter 65.

18 The Charter provides that the Chair shall
19 devote her full time to this position, and as such
20 receive compensation set by the Mayor. The Chair
21 currently receives \$192,198 annually. Other members
22 of the TLC are not entitled to compensation.

23 Pursuant to the Charter, all proceedings of the TLC
24 and the documents and records in its possession are
25 public records. The TLC also makes an annual report

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2 to the City Council on or before the second Monday of
3 January of each year.

4 In just one moment, we will swear in Ms.
5 Joshi. She'll give an opening statement. I will
6 then defer to the Chair of the Transportation
7 Committee to ask the first set of questions. Members
8 will be able to ask questions, and I will have some
9 concluding questions at the end. If they are not
10 covered, then we will ask Council Member Jumaane
11 Williams from Brooklyn, the other member of the
12 Committee on Rules, Privileges, and Elections.

13 At this time again, welcome Ms. Joshi.
14 Let me ask you to raise your right hand to be sworn
15 in my Committee Counsel, and then make your opening
16 statement. And thank you again for coming out this
17 morning to appear before the Council.

18 MEERA JOSHI: You're welcome.

19 COMMITTEE COUNSEL: Good morning. Do you
20 swear to tell the truth, the whole truth, and nothing
21 but the truth so help you?

22 MEERA JOSHI: I do.

23 COMMITTEE COUNSEL: Thank you.
24
25

CHAIRPERSON LANDER: Thank you. Now you may now proceed to give your opening statement. Thank you.

MEERA JOSHI: Thank you very much, Speaker Mark-Viverito, Chair Lander, and Transportation Chair Rodriguez, and members of the Committee, and other members of the Council who have joined for this opportunity to appear before you and answer any questions you may have. I would also like to take this opportunity to thank Mayor de Blasio for the great honor and privilege of being nominated to the position of Chair and Commissioner of the New York City Taxi and Limousine Commission.

I appreciate the magnitude of the position, and I'm certain that I have the skills and experience necessary to fulfill it. The people and businesses licensed by the TLC are responsible for moving over one million passengers in New York City everyday, third only to the City's subway and bus system. I have a deep understanding of the rules and laws that govern them, and I'm well versed in the often competing concerns of these industry stakeholders.

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2 I have more than a decade of New York
3 City management and oversight experience with a focus
4 on uncovering abuses of power. And I've earned a
5 reputation for fairness, sound judgment, and fact-
6 based decision-making. Having served the public for
7 the majority of my professional life, I have an
8 appreciation for earning and keeping the public's
9 trust.

10 If I am confirmed, my priority goals are
11 to set a new bar for driver and vehicle safety, to
12 provide equal access to for-hire transportation
13 services, and ensure that drivers can earn a
14 sustainable income and provide passengers with
15 seamless service. I look forward to working with all
16 segments of the industry, and the Council on behalf
17 of its constituents to further elevate New York
18 City's world class for-hire transportation system.

19 CHAIRPERSON LANDER: Thank you very much
20 for that opening statement. Let me call Council
21 Members' attention in your book here to Ms. Joshi's
22 answers to some questions that were prepared and
23 asked subsequently, which we make a matter of the
24 public record. And also to her resume, which
25 includes her stint for three years as Deputy

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2 Commissioner for Legal Affairs and General Counsel at
3 the New York City Taxi and Limousine Commission,
4 three years as the First Deputy Executive
5 Commissioner at the New York City Civilian Complaint
6 Review Board.

7 Six years at the New York City Department
8 of Investigation as an Inspector General there, and
9 First Deputy in the Correctional Services Unit
10 overseeing and performing the Inspector General Role
11 in relationship to the Departments of Corrections
12 Probation, Juvenile Justice, and the TLC. And I
13 won't read the whole resume, but it's in your folder,
14 as well as her questions. I will have some questions
15 of my own, but I want to defer to our Transportation
16 Committee Chair.

17 My sense from the hearing, I'll just say
18 that there are a couple of set-up issues for members
19 of the public. We have people signed up to testify,
20 and we want to provide time for question and answer.
21 So, therefore, we won't be voting today on this
22 nomination. We want to make sure we have the time to
23 listen to everyone to consider the nomination. We'll
24 come back on the Voting Committee before our stated
25 meeting next week.

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2 And I'll just flag that I don't think
3 there will be that many questions, though we'll see
4 about your qualifications for the position. I think
5 from your resume, it's quite clear that you have the
6 qualifications that the charter seeks, and that we
7 would want in the position. And I'm very pleased to
8 say that for this hearing there aren't to my
9 knowledge any -- I haven't received questions about
10 your previous work or relationship fundraising for
11 the Mayor and other candidates.

12 So, my hunch is that most of the
13 questions will surround policy issues in relationship
14 to how you view leading the TLC. While this is not a
15 policy hearing, we won't be setting or making policy
16 in it, it would be those appropriate kinds of
17 questions to ask in terms of how you view the agency,
18 and your leadership role. So with that, let me turn
19 it over to Chair Rodriguez.

20 COUNCIL MEMBER RODRIGUEZ: Thank you,
21 Chairman Lander. First of all, I would like to
22 welcome Ms. Yoshi, and the family who also are here
23 with her today. And I know that it is a great day
24 when any of us has this opportunity to be ever ready
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2 to have the opportunity to have a major role
3 especially as a TLC Commissioner.

4 My first question is, How have your
5 experience at TLC prepare you to become a chair, and
6 what are the challenges that you see in this
7 industry?

8 MEERA JOSHI: My experience as the TLC's
9 General Counsel has given me a deep familiarity of
10 all of the rules, as well as the rulemaking process,
11 which is critical to setting policy. And that is the
12 process of staff developing the rule, the comment
13 process, incorporating public comment, revising the
14 rule, and working with commissioners to final
15 approval. That is the large part of the regulatory
16 agency's function. So having an extremely good
17 handle on that process is key to the role as a chair.

18 Some of the priorities for the agency I
19 think there's really three. There are many
20 priorities, but there are three that are uppermost in
21 my mind, and number one is safety. The
22 Administration has made a laudable commitment to the
23 Vision Zero Plan to improve traffic safety. The TLC
24 licenses or the hundred thousand drivers, there is a
25 significant effect the TLC can have on making that

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2 plan a reality. So, one of the first challenges is
3 for the TLC to address how to change driver conduct.

4 On the whole, licensed driver -- TLC
5 licensed drivers are historically very safe. But the
6 few outliers need to be converted, and that will be
7 the challenge for the Chair, who I hope me. And I
8 look forward to working with the Council because I
9 understand there are many pending bills addressing
10 changing driver conduct that will be having greater
11 force than a TLC rule would. And I look forward to
12 that -- working with the Council on formulating those
13 -- that local legislation.

14 [Pause]

15 COUNCIL MEMBER RODRIGUEZ: [off mic] ...
16 saying this is not a leasing tax. I'm sorry. Some
17 have argued that we've been calling this matter a
18 leasing tax. And many drivers no longer see driving
19 taxis as a long-term occupation, and that
20 professionalism has suffered because of this. What
21 are you told on that matter, and do you have any
22 ideas on how to retain drivers long term?

23 MEERA JOSHI: I agree that it is a
24 priority to retain and recruit long-term drivers.
25 Long-term drivers are historically the safest

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2 drivers, and generate the least amount of customer
3 complaints. So the Agency has a vested interest in
4 developing that market. There was a fare increase in
5 the fall of 2013 that -- about a 17% fare increase,
6 which has helped the drivers take-home pay. I think
7 it's increased about 30%. The Lease Cap system was
8 put in place to protect driver income, and I think
9 that the basic tenet of the Lease Cap structure is
10 good and should remain.

11 The real work of the TLC is to enforce
12 those rules because without strict enforcement of the
13 Lease Cap structure, any gains that drivers make
14 through a fare increase will dissipate. So we have
15 to be very vigilant that the rules that are on the
16 book that are strict about how much an owner can
17 charge leasing to a driver are adhered to.

18 COUNCIL MEMBER RODRIGUEZ: You said under
19 Chair Yassky and under Chair Yassky, the TLC was very
20 aggressive in it's changing of the taxi industry.
21 Some say too aggressive, especially sometimes the
22 action to a particular loss opposed by the industry.
23 What do you think about that statement?

24 MEERA JOSHI: As former General Counsel,
25 I can tell you that it's very accurate because the

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2 opposition came in the form of litigation. So I have
3 first-hand knowledge of just how frequently the
4 industry opposed to some of the policy decisions made
5 by the former Chair Yassky, and the Commission as a
6 whole. I think that the difference that I may bring
7 to leadership is one about process. I'm a firm
8 believer in the process, and there are many competing
9 interests in this industry, all of which need a voice
10 including those who historically don't get them.

11 And I'm thinking mostly about drivers and
12 passengers. It is the job of the regulators to make
13 sure that we're open to listening to those concerns,
14 and incorporating that input in setting policy. The
15 benefit is that becomes long lasting policy. It's
16 policy that's practical because we considered
17 industry concerns, and it's also long lasting because
18 the criticisms that could then later form litigation
19 have already been addressed.

20 [Pause]

21 MEERA JOSHI: I am committed to equal
22 access. It is one of my priorities, and I commend
23 the de Blasio Administration for making a commitment
24 to 50% accessibility. The work ahead for the TLC is
25 to develop the mechanics of how to make that

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2 commitment a reality. So I support efforts to
3 convert to 50%. I believe that the dispatch system
4 is up, running, and serving wheelchair passengers
5 very well. As we add -- as the TLC has added
6 additional wheelchair accessible vehicles to the
7 fleet, the ability of the dispatch system has grown.

8 So when it first started, there were 231
9 wheelchair accessible cars. Four hundred wheelchair
10 accessible medallions have recently been sold. As
11 those get on the road, we'll now have a pool of 631
12 wheelchair accessible cars that can be used in the
13 dispatch system. And currently the times I believe
14 are around 15 minutes. So I think it is an excellent
15 option that we can -- that the TLC can continue
16 alongside with conversion.

17 COUNCIL MEMBER RODRIGUEZ: My last
18 question is one, how do you see a black car or a
19 yellow car, a pre-arrangement car contributing to the
20 Vision Zero Plan?

21 MEERA JOSHI: That's an excellent
22 question because the for-hire industry is so much
23 bigger than just taxis. So I think it stems down to
24 one thing, learning how to -- teaching drivers to be
25 safe drivers. And I said earlier, and what I said

1 applies to the black car, livery car world, too.
2 Historically, these are safe drivers, but we must --
3 this TLC must through education, legislation,
4 financial incentives, technology break unsafe driving
5 patterns. And as with so many pattern changing
6 initiatives, they're very difficult in the beginning
7 such as bicycle helmets and seat belts. But once
8 they're done, if they're done consistently, they have
9 a tremendous long lasting impact on safety.
10

11 COUNCIL MEMBER RODRIGUEZ: This is going
12 to be, as you know, first of all, congratulations
13 again on your nomination, and we are looking to hear
14 the other questions that my colleague would have. I
15 know that if voted on by the body of the City
16 Council, definitely we'll have a number of questions.
17 Many hearings to come related to taxi and limousine
18 industry. Again, congratulations, and thank you.

19 MEERA JOSHI: Thank you very much.

20 CHAIRPERSON BOB LANDER: Thank you Council
21 Member Rodriguez. We have a couple of members signed
22 up to testify. Please let counsel know. We've also
23 been joined by Council Member Dickens from Manhattan.
24 Welcome. On the list so far are Council Members
25 Ignizio and Williams. If other Council Members have

1 questions, let me know and I'll have somebody answer.
2 Council Member Ignizio.

3 COUNCIL MEMBER IGNIZIO: Thank you very
4 much, Mr. Chairman. Welcome.

5 MEERA JOSHI: Thank you very much.

6 COUNCIL MEMBER IGNIZIO: I read through
7 your booklet and resume, and it's certainly very
8 impressive, and I'm hoping that things go well. I
9 represent Staten Island, in particular South Shore
10 Staten Island, an area that has not, and quite
11 frankly will not ever be serviced by yellow cabs or
12 green cabs, notwithstanding the visions of grandeur
13 that the previous administrations had. My belief is
14 that your predecessor, with whom I did not agree with
15 on many things both in the Council and as TLC
16 Commissioner Chair, believed or wanted the TLC to
17 transform itself almost to the mother ship of bay
18 stations.

19 And basically utilize that power to
20 spread taxis throughout the city. I believe that our
21 current system that we have primarily usage on Staten
22 Island, and in other areas of Southeast Queens and it
23 works well, the livery system. Overall, what is your
24 position on the livery side of the TLC? Question
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number one, and two, how can we help that industry flourish and be more successful?

The retention of drivers is difficult. Getting people licensed has been a problem that I'm sure in your previous employment you've worked on extensively. It's not an "us versus them" scenario, and I hope you don't approach it that way. I don't imagine you do, but I do believe the previous administration did. Is there a way that we can have a TLC, be more welcoming, and grateful to those that serve a need in the communities that taxis and Yellow cabs never have?

MEERA JOSHI: To answer your first question, I think that the type of service that flourishes in an area is passenger driven. So if passengers find that they want hail service, they will use hail service if it's there legally, or they'll -- or an illegal hail market will flourish. If passengers find that they are more comfortable with a community car model, then the community car model will flourish. But, ultimately the users are going to dictate what type of service is necessary for a community. I don't believe that the regulator, the regulator has a role in imposing a certain type

1 of service on a community. It's the community that
2 will speak to what its needs are.
3

4 So as to your first question, if the
5 community car model is working and flourishing in
6 your area, then there seems to be no reason to change
7 that. The only reason to change would come about is
8 if there was groundswell of passengers asking for
9 additional types of service. Your second question I
10 think really has to do with something I would call
11 the day-to-day operations of the TLC foster business
12 growth. And I commend the staff of the TLC.

13 I worked many years with them, and their
14 knowledge of productivity that they deal with
15 everyday like 170,000 licenses issued a year, 90,000
16 inspections a year, 200,000 cars about lost property.
17 They do an amazing job, but there's been a lot of
18 change at the agency. And it is time to look at
19 efficiencies and whether there are things that could
20 be further streamlined. So that the end-user, the
21 businesses that have to meet all of our regulations
22 can go about the business of making money instead of
23 trying to fight with us on a license here and there.

24 So I thoroughly understand what you're
25 saying, and I think that as Chair I would encourage

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2 people to come forward with practical problems
3 because that's how we flesh them out, and that's how
4 the agency makes changes for the better. And the
5 lines of communication should be open so that the
6 agency can learn how to function better based on the
7 problems that are being raised by the users.

8 COUNCIL MEMBER IGNIZIO: I appreciate
9 that, and I'm not carrying water for any segment of
10 the population, but the livery cabs are -- it's a
11 bigger industry in my district than it is in many
12 others. And it's about the grandma who's going for,
13 you know, six dollars to the mall, or to the
14 supermarket and back and she relies on that service.
15 And that service is not going to be provided by green
16 cars or yellow cars. It's going to be provided by
17 the car he owns, and I just don't want it to be --

18 You know, in your position, and I
19 understand why, they tend to focus yellow cabs or
20 green cabs, you know, the big citywide issues. But
21 in areas that are least served such as mine --
22 there's like Southeast Queens, Northern Bronx -- we
23 rely on that segment of your -- what it would be
24 under your respective agency. And I just hope that
25 you try to work with those owners to make it a better

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2 experience for them, which would ultimately make it a
3 better experience for my constituents. Thank you.
4 Thank you, Mr. Chairman.

5 CHAIRPERSON LANDER: Thank you, Council
6 Member Ignizio. Council Member Williams.

7 COUNCIL MEMBER WILLIAMS: Thank you, and
8 I was just noticed that we five minutes to, is that
9 right? [Crosstalk]

10 COUNCIL MEMBER MILLER: Thank you for
11 being here. Obviously, you have a very impressive
12 resume, and the history and experience. My question
13 is specific about a specific industry. I'm not sure
14 if that's what you were referring to as community
15 car. I'd like to know what a community car is, but
16 we often call Dial-A-Vans. Some people call them
17 commuter vans. I think they're on the livery. I'm
18 trying to find out what your position is. For the
19 last two years former Councilman Leroy Comrie
20 [phonetic] and I worked very hard to try to bring
21 them into the fold.

22 They definitely provide a service in our
23 community where it goes unfulfilled if they're there.
24 We were focusing on the vans that are licensed by
25 TLC, and have insurances. And so we were trying to

1 get stepped up enforcement particularly of those who
2 do not a TLC license, and do not have insurances.
3 I'm hoping that increases. But in general, they're
4 still technically not performing under what is
5 legally accepted, and the City has gone to them
6 during times of crisis, and then kind of just ignored
7 them after that. So I want to see what your thoughts
8 are on those.
9

10 MEERA JOSHI: When I referred to
11 community cars, I was actually referring to the
12 livery industry, but I referred to commuter vans or
13 Dial-A-Vans as a separate group. But one that I
14 think deserves or needs, and for a long time deserved
15 attention that it has not gotten. The people that
16 use commuter vans are generally people that are in
17 the areas of where mass transit is not available.
18 And it's at a price point that it can be used as an
19 everyday means of transportation, which is not an
20 option for a livery or taxi. That's not feasible.

21 So there is -- there's a strong need to
22 professionalize the commuter van industry, elevate
23 those that actually follow the TLC rules, and enforce
24 against those who don't. There's a huge safety
25 component. Those who are not following the TLC rules

1 could be unlicensed drivers, drivers that haven't
2 been drug tested, vehicles that haven't been
3 inspected maybe involving and brakes, and they're
4 moving groups of people around not just single
5 passengers.
6

7 So I think it's twofold to try to -- to
8 bring more -- bring them into the fold, as you put
9 it. One is enforcement. Enforcement is key, and
10 that has to be done in cooperation with the community
11 because the community has to know that enforcement
12 action is going to be occurring in their area. It
13 disrupts a lot of people's daily transportation when
14 you seize an illegal commuter van, as well as with
15 the local police precincts. Because it's an event to
16 seize a commuter van, and the police precincts need
17 to be involved.

18 But I would look forward to working
19 further with counsel on how to make those enforcement
20 efforts more frequent and more seamless. And then
21 second enforcement only works if there's something
22 that comes up behind it to replace that illegal
23 business. So encouraging, incentivizing, and
24 professionalizing the commuter vans, the legal
25 commuter vans so that they can take the place of the

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illegal one, and eradicating illegal commuter vans would be another priority of mine.

COUNCIL MEMBER MILLER: Thank you, and I look forward -- Everything that you said is great, and I'm looking forward to hopefully speaking with you about that soon, bringing some of our Brooklyn commuter van industries and speaking to you, and having great conversations with the former Commissioner. Hopefully, that continues. And also, this is not for you, but just for the people watching, hoping that they will be going to the fold in terms with unionization of things of that nature. But I think it's about time that the City recognizes them, and also legitimately and completely even in times of non-crisis. So thank you for that.

MEERA JOSHI: You're welcome.

COUNCIL MEMBER MILLER: Also, I want to know how do you think the green cars are working out trying to get some of the services to areas that really haven't had them?

MEERA JOSHI: I think that they're a success. They -- I see them much more frequently in Brooklyn, which is a visual sign to me that there is growth there and happy growth. They're filling a

1 service gap. They've done I think almost three
2 million trips since they started in June, and they
3 seem to create a small business opportunity, a viable
4 small business opportunity because I believe almost
5 5,000 or 4,000 people are waiting in line to buy them
6 in the second wave that they are issued.
7

8 So I think they have done two things.
9 They've brought service to areas that did not have
10 legal hail service. They've helped eradicate -- not
11 eradicate, but curb the illegal hail service. But
12 they've also given people within a community an
13 economic opportunity that just simply wasn't there
14 previously.

15 COUNCIL MEMBER MILLER: Thank you. Now,
16 we'll use mine, 1970. Now, my last point. I'm not
17 sure, I haven't kept records, but it was always
18 difficult for me to hail a cab. I'm a Black male. I
19 don't know how you have it, but my hair, and I take
20 it. I have to listen to this tough combination in
21 trying to get a cab in New York City. And I wanted
22 to know your opinion of that. Has it gotten better?
23 I've actually had my staff, who weren't Black, try to
24 hail cabs for me so I can get a cab, which is not the
25 best experience.

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2 When I was younger, I actually got a -- I
3 took a cab to Cabby Court. I don't know what it's
4 call, and he was actually suspended for six months
5 because that was about the third or fourth time he
6 had done that. So it's a very dehumanizing issue,
7 that I know many people may know about it. I just
8 want to know your feelings and thoughts on that, and
9 how that's going, and if it's still as bad as it was
10 several years ago when I was taking cabs more
11 frequently.

12 MEERA JOSHI: I think it's an extremely
13 dehumanizing situation, one that it doesn't matter
14 whether it's come down a levels, the fact that it
15 continues at all is intolerable. So the response to
16 that is that the agency has to take immediate
17 enforcement action every time it's brought to our
18 attention that a cab driver has made basically a
19 race-based refusal. And drawing on my back rub from
20 the CCRB, it is a real help to enforcement if
21 passengers are vocal about it. When they experience
22 a degrading race-based refusal, reporting it to the
23 TLC even though that doesn't seem as fulfilling in
24 the moment. You probably want to do something a
25 little more physical. But that actually is the only

1 way the agency can expand its enforcement, and send a
2 stronger message. So I would really encourage people
3 that go through that to report it, and maybe that
4 involves a little bit more public campaigning about
5 the importance of reporting these things. But I'm a
6 strong proponent of enforcement, and I really believe
7 that the agency has to have zero tolerance.
8

9 COUNCIL MEMBER MILLER: Thank you.

10 MEERA JOSHI: You're welcome.

11 CHAIRPERSON LANDER: I guess I just want
12 to -- I have a few questions for later when we get to
13 the others. But I ask you maybe to draw this one out
14 a little more whether you've thought about some of
15 the different kinds of outreach. I mean obviously
16 the -- your predecessor is more visible, and did more
17 outreach, communicated with the public in an
18 extensive way. I don't remember a communication
19 inviting people that have been, you know, victims of
20 racism, which is what we're talking about, to reach
21 out and complain. I think to your point that the
22 only way this can possibly get better is if people
23 are willing to do it. It's not easy to do, which is
24 to complain about it. So I wonder if you've given
25

1
2 any thought to how the TLC could invite the -- invite
3 people...

4 MEERA JOSHI: One venue I guess is the
5 passenger-facing monitor and the TV. The TLC has a
6 certain amount of allotted time on that monitor and
7 that monitor can be a great way to send information
8 out to people that drive -- ride in taxis. But I do
9 think that it would be -- an issue like race-based
10 refusals, you need a broader range of a public
11 campaign.

12 CHAIRPERSON LANDER: [Interposing] And if
13 they still have their feet on the ground. Maybe not
14 in the cab.

15 MEERA JOSHI: [interposing] Yeah, if you
16 couldn't get in the cab, it's going to be hard to see
17 what happens on the thing there. So I would advocate
18 for things at community board meetings, and community
19 newsletters. You know, some more grassroots methods
20 of really telling people don't be discouraged if it
21 happens to once. Complain. Let's make sure
22 something is done about it so that you actually
23 eventually do become a satisfied taxi customer.

24 COUNCIL MEMBER MILLER: I'm sorry. I
25 just wanted to add I've taken a lot of cabs, a lot of

1
2 them professionally, and a lot of great ones. So, I
3 wanted to put that out there. But I just wanted to
4 double down on that because I don't remember ever
5 hearing whether it was Commissioner Ayaski, or what
6 it was before, a campaign such as that. I think that
7 would be a key great change to say that people are
8 actually paying attention to this and have a public
9 campaign to let people know that they can complain,
10 where to complain, and it's a good thing to try to
11 make a change. Thank you.

12 CHAIRPERSON LANDER: Council Member Chin
13 and then Council Member Rose.

14 COUNCIL MEMBER CHIN: Thank you, Ms.
15 Joshi, and congratulations on your nomination. And I
16 agree with my colleague, you have a very impressive
17 resume with your experience. And I was glad to hear
18 in your opening remark you talk about setting a new
19 bar on driver and vehicle safety, and that is really
20 important, and also the other aspect, ensuring the
21 drivers have a sustainable income. I mean I do take
22 cabs besides public transportation because I don't
23 drive. A lot of times when I'm in a cab I get a
24 chance to talk to the drivers. And I think the whole
25 issue that you also mentioned early about the Lease

1 Cap System, I mean they were glad that there was
2 raise.
3

4 But I often hear stories about how they
5 were being taken advantage of, that the place where
6 they lease the cab they always manage to find
7 something to charge them more. So one of my
8 questions is that how do you plan to make it more
9 accessible for drivers first to know what their
10 rights are; what are some of the new rules? Since
11 have so many drivers, and they're not as organized as
12 they should be getting the information out them. And
13 second, is how do we make it easy for them to file a
14 complaint or to let TLC know what is happening on
15 their site, so that you can facilitate an
16 investigation and the enforcement?

17 MEERA JOSHI: Letting drivers know their
18 rights there is actually under the TLC Rules a
19 Drivers' Bill of Rights, which should be posted in
20 garages, and the TLC can definitely make sure that
21 that rules is being enforced and maybe look at other
22 ways to get the Drivers' Bill of Rights out and in
23 the hands of every driver. And in that Bill of
24 Rights there is a chart that explains to them what
25 the leasing rules are, and what they should pay, what

1
2 the owners are allowed to charge them. And gives
3 them an understanding of what would be an unallowable
4 charge.

5 In terms of enforcement, if I am
6 appointed as Chair, I would continue work that I
7 started as working with the TLC's excellent
8 enforcement staff and prosecution staff in what was a
9 newly formed Lease Cap Enforcement Unit. That was a
10 joint enforcement effort between the TLC and the
11 Attorney General's office, and that would involve
12 encouraging drivers to complain if they had been
13 overcharged, investigating those complaints, and then
14 either prosecuting them through the TLC adjudication
15 process, or some that got to great magnitude the
16 Attorney General took the prosecution lead.

17 And that did result in some tremendous,
18 and I think, landmark restitution and fine payments.
19 So that is something I feel very strongly about, and
20 would continue working with the AG to expand that
21 program. And again, I'm glad that you mentioned
22 drivers should complain. It's not easy to complain
23 because there's a fear of retaliation. And then TLC
24 has in the past, and I would encourage in the future,
25 to prosecute the owners that retaliate against

1
2 drivers who do complain, and then find themselves
3 unable to lease a vehicle.

4 COUNCIL MEMBER CHIN: I guess the point
5 about really letting people know their rights, I mean
6 I'm not sure how many of them have the time to go and
7 look at it at the garage, but I'm sure that there's a
8 way that you know who these drivers are. They have
9 to be registered, and they're licensed. Then they
10 should get a copy at least in the mail or something
11 so that they know what their rights are, and how to
12 file a complaint.

13 MEERA JOSHI: [interposing] I agree but --

14 COUNCIL MEMBER CHIN: So that we're
15 reaching out to them individually, and also because
16 they work long hours. And we talked about really
17 trying to keep people who have been in this industry
18 a long time, and a lot of them are probably the
19 safest driver. And so if you want to maintain the
20 industry, we've got to make sure that they are taken
21 care of and they are protected in a way. So I think
22 we look forward to working with you on that.

23 And just one point on the commuter vans
24 because there are a lot of commuter vans in my
25 district going to Brooklyn, to Queens, and I think

1
2 it's important also for TLC to really look at and
3 really support the ones that are licensed. And
4 they're trying to do a good job. And work with the
5 other agency like DOT to find a designated area that
6 they can pick up passengers without worrying about
7 being chased away, or getting tickets. So really get
8 a coordinated effort to really help that industry
9 become more professionalized.

10 MEERA JOSHI: Thank you.

11 COUNCIL MEMBER CHIN: Thank you, Chair.

12 CHAIRPERSON LANDER: Thank you. Yes.

13 COUNCIL MEMBER RODRIGUEZ: Yes. First of
14 all, I need to excuse myself. I'm sorry. I need to
15 excuse myself because I have to go and voted on the
16 Land Use. But before leaving there, first of all,
17 hopefully, at the end of this process, we will have
18 you, you know, as the new TLC Chairperson. One thing
19 that I would like to bring to your attention. One, I
20 will be interested in holding a town hall meeting
21 with you throughout the city.

22 MEERA JOSHI: [interposing] Sure.

23 COUNCIL MEMBER RODRIGUEZ: I believe that
24 we need to work with the drivers. The drivers are
25 the ones that report crimes. So drivers they not

1 only do a major contribution by moving our city, but
2 they also keep a dual mini role reporting crimes.
3 And they are the ones who see what's going on in our
4 street. And I think that as with the new
5 administration, the new effort on how do we improve
6 relationship between police and the community? As a
7 former livery driver that I was, I was number one tow
8 at Garvey and Bailey [phonetic] Car Service. Since I
9 was driving some cars, I think it's important also
10 that we build a better relationship. Thank you

11 MEERA JOSHI: Thank you.

12 CHAIRPERSON LANDER: Thank you, Chair
13 Rodriguez. Council Member Rose.

14 COUNCIL MEMBER ROSE: Thank you. Ms.
15 Joshi, I have to say that it is really a pleasure.
16 You're the first female nominee that's come before
17 the Rules Committee, and, you know, it's great to
18 think that a female will be driving the TLC, and I
19 know that based on your resume, it will dispel all
20 the misnomers about female drivers.

21 MEERA JOSHI: Thank you, very much.

22 COUNCIL MEMBER ROSE: I just -- I have
23 one very specific question about Staten Island, and
24 that is that the previous administration based on the
25

1
2 extensive wait times for inspections, the fact that
3 for a Staten Island driver, it became a whole day
4 experience. Where it became economically not really
5 feasible for them to do that. And the previous
6 administration cited an inspection center on Staten
7 Island. Is it your idea to maintain that inspection
8 station on Staten Island, in Staten Island?

9 MEERA JOSHI: Yes. As a regulator, we
10 did the -- the agency has to have rules, and make
11 sure people adhere to them, but the agency shouldn't
12 be an obstacle to business growth. And it's an
13 incredible burden for Staten Island licensees to be
14 inspected in Woodside. But it makes perfect sense
15 to, if it can be done, and it has been done, allow
16 them to be inspected on Staten Island. And I
17 understand that that is a pilot, which can be
18 renewed. So if I was appointed as Chair, I would
19 advocate for renewing that pilot.

20 COUNCIL MEMBER ROSE: Thank you, and have
21 you given any thought on how to sort of reduce the
22 wait times for the licensees that have to go to
23 Woodside? Because it's quite a long day, and for
24 them it's equally as unproductive for that.

1
2 MEERA JOSHI: I understand time at
3 Woodside is time that you're not out earning fares.
4 So it's understandable that the agency needs to make
5 that as short as possible. So if appointed, one of
6 the things I would do is take a look at the
7 processes, both licensing and inspection. It's been
8 a time of great change in the agency, and we don't
9 want the change to have degraded our core services,
10 or the agency's core services. I apologize if I use
11 the word "our" or "we".

12 COUNCIL MEMBER ROSE: [interposing]
13 That's great.

14 MEERA JOSHI: It's simply falling back on
15 the fact that I used to work at the TLC --

16 COUNCIL MEMBER ROSE: [interposing]
17 That's great

18 MEERA JOSHI: -- and it's a habit to
19 break, but I don't mean it presumptuously. So I
20 think that that's something that is a -- needs to
21 happen for -- not only for the businesses that we
22 regulate, that the agency regulates, but also for the
23 agency itself because every once in a while you have
24 to do a little spring cleaning. So, thank you.

2 COUNCIL MEMBER ROSE: I think your
3 affirming answer. Thank you so much.

4 CHAIRPERSON LANDER: Thank you
5 Councilwoman I think calling our attention, I assume
6 -- I assume -- are you the first -- you'll be the
7 first woman to head the TLC?

8 MEERA JOSHI: No, Diane McGrath McKinney
9 from McQuesby [phonetic].

10 COUNCIL MEMBER: What were some of them?
11 1990 -- ?

12 [Pause]

13 MEERA JOSHI: 2001, yeah, 1900.

14 CHAIRPERSON LANDER: Oh, okay. I'm glad
15 -- I mean I'm glad you're -- I still thank Council
16 Member Rose for bringing up this important fact. So
17 thank you. I have a few questions. I do want to
18 first say I want to welcome, and recognize your
19 family as well, and I appreciate Council Member
20 Rodriguez. And I know I saw Frank Carone here, who I
21 know is a member of the TLC, and if there are others
22 that are members of the Commission, I'm happy to have
23 you or I recognize them. I mean that's not an issue
24 I have with that.

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2 MEERA JOSHI: [interposing] And there's a
3 few members of the staff here.

4 CHAIRPERSON LANDER: Go ahead. Let's try
5 and recognize them.

6 MEERA JOSHI: If I missed somebody, stick
7 your head up. Conan Floyd, Chief Operating Officer;
8 Ashwini Chhabra, Deputy Commissioner of Policy;
9 Allan Fromberg, Deputy Commissioner of Press; and
10 others in the overflow room would be the Deputy
11 Commissioner of Licensing, Gary Weiss; and the Deputy
12 Commissioner of Enforcement, Ray Scanlon; and Deputy
13 Commissioner of IT, Jeff Grunfield [phonetic].

14 CHAIRPERSON LANDER: Thank you to all of
15 you for your work on behalf of the passengers and
16 drives of this city, and thanks again to Commissioner
17 Carone and the other Commissioners. I have a few
18 more questions, and then we have some members of the
19 public signed up to testify as well. The form of,
20 not quite for hire, but for order of transportation
21 that I hear the most complaints about by far is
22 Access-A-Ride. That obviously is an MTA provided
23 service and not a TLC provided service. But I know
24 that there have been some efforts to take advantage
25 of the TLC fleet and system in order to improve, both

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reduce the cost and dramatically improve wait time and customer experience. Can you -- is that something you have some familiarity with that you can ...?

MEERA JOSHI: I don't have detailed familiarity, but I do know that there are approximately three pilot programs that have started, and I think some might still be continuing in Manhattan and in the Boroughs to use sometime wheelchair accessible vehicles to replace Access-A-Ride. But for passengers that don't need a wheelchair accessible vehicle using regular sedans. On a pilot basis, there's a huge savings. I think the cost of an Access-A-Ride is about \$66 a ride, and if you compare that to the cost a taxi ride, which is about \$14, it's clear to see there's a savings.

The work ahead, which is not easy work, it's not just work that one agency can do. It would be working with the MTA, working with state and local agencies would be to figure out as the fleet converts to become more and more accessible. And 50% accessible, how to convert Access-A-Ride vans into -- Actually eliminate Access-A-Ride wheelchair passengers -- wheelchair accessible vehicles so that

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2 those passengers can simply use wheelchair accessible
3 taxis.

4 CHAIRPERSON LANDER: So that's a good
5 lead-in to my next question. Though I will note that
6 first that's music to my ears, and I think to so many
7 Access-A-Ride customers that we could be headed in
8 that direction, and we'll follow up with you, and
9 with the MTA. I'll note that the significant
10 majority of the rides, according to the MTA, is 75 or
11 even 80% of users don't require a wheelchair
12 accessible vehicle.

13 MEERA JOSHI: [interposing] Absolutely,
14 yeah.

15 CHAIRPERSON LANDER: But of the ones that
16 do, obviously you mentioned in your opening statement
17 the commitment of the de Blasio Administration to get
18 to 50% accessible taxis. As you know, in the prior
19 Council there was some feeling that there was not
20 sufficient attention put to making that happen
21 rapidly. It sounds like, and I want to make sure
22 you're committed to achieving that 50% goal of the
23 Administration?

24 MEERA JOSHI: Yes, I am.
25

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2 CHAIRPERSON LANDER: And you think that's
3 achievable and have a plan in mind to make it happen?

4 MEERA JOSHI: There are proposed rules
5 that appeared in the City record probably about a
6 week or two ago that set out the mechanism for how to
7 select which vehicles will be converted to 50%, and
8 addresses as funding. And those rules, my
9 understanding would be the subject of a Commission
10 vote at the end of this month.

11 CHAIRPERSON LANDER: Great. Thank you.
12 A couple Council Members talked about the issue of
13 driver both pay and working conditions. I just, you
14 know, how do you see the -- I guess in particular the
15 working conditions issue. How does that fit into
16 your understanding as sort of a priority for the
17 responsibility with TLC?

18 MEERA JOSHI: I started -- I start from
19 the point of view that we want -- the agency wants
20 long-term drivers. They're good for everybody, and
21 long-term drivers means that they have to have a good
22 working environment. So they want to stay, and that
23 they can make enough money so that they can sustain
24 themselves and their families. So the agency

1
2 probably knows very little about the actual working
3 conditions of drivers.

4 Because you'll get complaints here and
5 there, but you don't have -- that community doesn't
6 have the voice that some other industry segments
7 have. So their issues with working conditions just
8 simply are not brought to the attention of the TLC.
9 I would encourage that individual drivers do that,
10 and the more cohesive that group can be to present
11 issues to the agency, the better off the agency could
12 be as a regulator.

13 CHAIRPERSON LANDER: I appreciate hearing
14 that, and I know we'll hear probably from some
15 drivers, and perhaps the Taxi Workers Alliance a
16 little later. One thing that they called to my
17 attention is this Healthcare and Disability Fund that
18 was established, that the agency promulgated rules
19 for and that drivers have been paying into since
20 October 1st, but it doesn't exist yet.

21 MEERA JOSHI: Yeah.

22 CHAIRPERSON LANDER: Can you give me a
23 status up on that, and when it will and ...?

24 MEERA JOSHI: My understanding is the
25 Healthcare and Disability Fund, which I view as part

1 of an overall campaign to professionalize drivers
2 including education, and at least cap enforcement.
3 But the contract to -- between the City and the chose
4 fund administrator is with the Law Department now.
5 The next step would be sending it to the Controller's
6 Office to be registered, and then a notice to proceed
7 would issue, and the daily workings of the operation
8 would begin. My understanding is the Law Department
9 has some pending litigation concerns, which they
10 expect to be resolved in the not too distant future.
11 And when they are resolved, would go to the next
12 step, which is sending the contract to the
13 Controller's Office.
14

15 CHAIRPERSON LANDER: At least that's a
16 little more about that because with litigation
17 sometimes the not too distant future could become
18 distant future.

19 MEERA JOSHI: [interposing] Yes, it's
20 always longer than you think.

21 CHAIRPERSON LANDER: Is it your
22 understanding that that litigation if not settled in
23 the not too distant future would prevent the TLC from
24 moving forward to set up the fund?
25

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2 MEERA JOSHI: That's a decision that the
3 Law Department would have to make because the TLC
4 can't move forward until the contract is registered,
5 and the Law Department has to feel comfortable with
6 moving to the next step. So I would, you know,
7 obviously like I prefaced it, I think it's part of an
8 overall campaign to make being a driver a better
9 experience. So I would work with the Law Department,
10 and advocate for making sure that we can move the
11 process along. But that's something that has to be in
12 conjunction with counsel.

13 CHAIRPERSON LANDER: And you were General
14 Counsel then when the rules were promulgated --

15 MEERA JOSHI: [interposing] Yes.

16 CHAIRPERSON LANDER: -- and the contract
17 was drafted?

18 MEERA JOSHI: Yes.

19 CHAIRPERSON LANDER: So you were
20 comfortable in your role as General Counsel with --

21 MEERA JOSHI: [interposing] Yes.

22 CHAIRPERSON LANDER: -- how this moved
23 forward --

24 MEERA JOSHI: [interposing] Yes.

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2 CHAIRPERSON LANDER: -- and you see it
3 as a priority to get it established?

4 MEERA JOSHI: [interposing] Yes.

5 CHAIRPERSON LANDER: And in the meantime,
6 they're continuing into pay into the fund?

7 MEERA JOSHI: Yes.

8 CHAIRPERSON LANDER: And the fund is
9 continuing?

10 MEERA JOSHI: The fund is growing. We'll
11 have assets, and I mean the upside is that once there
12 is a notice to proceed, the fund will have money to
13 get started right away rather than a lag time as
14 funds build up.

15 CHAIRPERSON LANDER: Yes, that is good.
16 The downside I can see --

17 MEERA JOSHI: [interposing] Yes, people
18 are waiting. Yeah.

19 CHAIRPERSON LANDER: -- the drivers are
20 paying into the fund, but they don't have the health
21 and disability benefits. So you need to get that
22 established. I want to ask you to -- you've spoken
23 very well I think about the need to balance amongst,
24 and I guess in some ways everything in New York has
25 multiple constituencies. But certainly the field

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2 that you're taking on responsibility for has
3 constituencies with significantly different points of
4 view that have to be balanced. And I want to talk a
5 little bit -- Chair Rodriguez, and you also spoke
6 about Vision Zero, and the effort to improve street
7 safety, and reduce the number of traffic crashes.

8 And as you mentioned, there's some
9 legislation being looked at. The agency is looking
10 at education and enforcement. Obviously, there's the
11 flip side of due process for drivers. We don't want
12 in the desire to move to street safety to unfairly
13 penalize people. So I want to just ask I guess -- I
14 want to ask the questions on both sides of that. And
15 I guess the first part on the increased street safety
16 side is as you've learned about Vision Zero and seen
17 some of the aspects, are there steps that you imagine
18 the TLC taking in some concrete ways to be a part of
19 reducing crashes, and pedestrian injuries with the
20 cars?

21 MEERA JOSHI: Yes, I think the education
22 component is huge. If you give drivers the tools of
23 how to be a safer driver, and you impress upon them
24 the consequences, which I mean sometimes that's
25 either stark demonstration of the consequences of

1
2 unsafe driving, you go a long way to improving
3 traffic safety. Other techniques such as red light
4 camera ticketing that you end up ticketing the
5 driver. Also reminders, much harsher than education,
6 that unsafe driving will not be accepted.

7 CHAIRPERSON LANDER: So let me ask a
8 little more about specifically you know about how
9 various kinds of reckless driving specifically. One
10 thing that Vision Zero is helping us to see is that
11 we need more collective attention. This doesn't just
12 -- isn't just about TLC drivers. I'm a driver. This
13 is about all of us. We need more attention on
14 reckless driving. Not on the one hand to say, Oh,
15 that was just an accident.

16 You know, but not on the other hand to
17 lump everything into reckless driving. There are
18 reckless drivers, and there is reckless driving, and
19 that's a behavior we want to get at reducing. Is
20 that -- do you have when you're experiencing -- This
21 is more on the enforcement side than it is on the
22 education side. Does the TLC essentially separate
23 out and keep track of the kinds of summonses or
24 leading toward enforcement that are specifically
25 around reckless driving categories?

1
2 MEERA JOSHI: There are -- there's a
3 point system in the TLC Rules. So when a driver
4 reaches a threshold in the amount of points, they're
5 suspended. And when they reach another threshold,
6 they're revoked. Not immediately. There's process.
7 There's charges that are issued. Summonses that are
8 issued, and the driver has a hearing in front of the
9 Administrative Trial and Hearings, and a
10 determination is made.

11 The points, for the most part, generate
12 from conduct that could be categorized as reckless
13 driving. They're called Critical Driver Points, and
14 they're grouped -- conduct that the DMV has sort of
15 categorized as reckless. And then, on the TLC side
16 they're called persistent violator, which can be
17 ignoring traffic signs, speeding, and things that in
18 one-offs may not be considered reckless, but
19 obviously when grouped together do show a pattern of
20 reckless driving.

21 CHAIRPERSON LANDER: Is that something
22 that you could provide us the point system or the --

23 MEERA JOSHI: [interposing] Absolutely.
24 Yes, we can have --

1 CHAIRPERSON LANDER: -- facts that you
2
3 could spell out reckless -- reckless driving?

4 MEERA JOSHI: All this wonderful staff
5 here, I'll ask one of them to send you the TLC Rules
6 and they'll be a summary of how the point system
7 works.

8 CHAIRPERSON LANDER: And then my next
9 questions are on the other side. They are on the due
10 process making sure -- It's not a question of not
11 being overboard, and this I've actually been asking
12 this of a number of agencies, including recently the
13 Department of Education. But it's -- I have heard
14 concerns that there's a policy that the TLC is
15 suspending drivers over this existing notice to the
16 agency as well. Essentially, immediately upon notice
17 of arrest, or some other kinds of charges, even if
18 totally unrelated to driving, and not while drivers
19 are on duty, is that accurate that that happens?

20 MEERA JOSHI: There -- there is -- the
21 key inquiry is whether a continued licenser would
22 present a direct and substantial threat to public
23 safety. So the way that has played out over the
24 years is that certain arrests are considered to have
25 such a nexus with becoming -- being a substantial and

1 direct threat to public safety, the continued
2 licensor is not warranted. And in those instances,
3 the driver is summarily suspended. They are entitled
4 to a suspension hearing in front of an administrative
5 law judge I think within five days to determine
6 whether that suspension should be lifted, or it
7 should be continued.
8

9 CHAIRPERSON LANDER: Is it ever lifted?

10 MEERA JOSHI: Often it is not lifted.

11 CHAIRPERSON LANDER: I'd say from what
12 I've heard, 95 --

13 MEERA JOSHI: [interposing] Probably not.

14 CHAIRPERSON LANDER: -- 99% of them are
15 not listed. And I guess I want to push a little on
16 this question of the nexus to public safety because
17 what I have heard are some complaints of arrests that
18 I did not see the nexus to driver safety or public
19 safety. They were completely unrelated, you know,
20 off-duty and unrelated to driving in any way that I
21 could see. Have these been reviewed to make sure
22 that there really is a nexus to public safety?

23 MEERA JOSHI: They are. You know, it's a
24 case-by-case determination. So historically, the
25 OATH judge makes a fact finding determination, and

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2 decides whether to continue a suspension or not. And
3 then the agency reviews that decision. And each
4 time, each case should be really looked at
5 individually, and that balancing test needs to be
6 done to see if a nexus exists.

7 CHAIRPERSON LANDER: Aren't these in
8 cases where someone has been charged but not yet?

9 MEERA JOSHI: [interposing] Right.

10 CHAIRPERSON LANDER: There hasn't even
11 been a fact finding on the --

12 MEERA JOSHI: [interposing] The probable
13 cause --

14 CHAIRPERSON LANDER: -- criminal side.

15 MEERA JOSHI: -- has been established
16 underlying the arrest.

17 CHAIRPERSON LANDER: A charge has been
18 brought.

19 MEERA JOSHI: [interposing] Right.

20 CHAIRPERSON LANDER: We know that much,
21 whether probable cause has been established or not
22 established. An arrest has been made.

23 MEERA JOSHI: Exactly.

24 CHAIRPERSON LANDER: The officer felt
25 some reason to make an arrest. But in most -- It's

1
2 also my understanding in most of those cases that 80
3 or 90% of the charges are eventually dismissed.

4 MEERA JOSHI: If the charges are
5 dismissed, the suspension is lifted, and the agency
6 does -- is very proactive about contacting the DAs
7 and checking in. So that as soon as if the charges
8 get dismissed, the driver can begin driving again.

9 CHAIRPERSON LANDER: Well, my experience
10 here comes from a DOE situation, which was like this.
11 And there was quite an extraordinary little film made
12 where a teacher not on the time of teaching smoking a
13 cigarette threw it down a sewer. An officer issued a
14 summons for marijuana possession, which was never
15 established, and that teacher was suspended, and the
16 adjudication of that case took 14 months.

17 So that wasn't a TLC driver, but it's my
18 -- from some things I've heard, the way our criminal
19 justice system works, we are sweeping people up. And
20 really this is as a whole city. TLC has a particular
21 practice of it, but my sense is other agencies do as
22 well where we're letting an arrest with no fact
23 finding, but on the merits of the case and the arrest
24 at some meaningful distance from public safety or a
25 nexus.

1
2 Is that something that -- I mean have you
3 reviewed. I hear you that it's a case-by-case basis,
4 but I wonder if you've done any aggregate review of
5 what the charges are, whether the list is right. So
6 that you could provide to OATH judges a better sense
7 of the nexus. But if there really is, I don't want
8 somebody getting behind the wheel who is a threat to
9 pedestrians and other drivers and passengers. But I
10 also don't want people getting swept up in a system
11 for a small broken window arrest, and losing their
12 livelihood.

13 MEERA JOSHI: Yes, I understand
14 especially because the criminal process can be
15 protracted. No, I have not personally done a broad
16 based study, but that doesn't mean as chair that I
17 wouldn't turn my attention to that. And in terms of
18 informing OATH, the ALJs do not report to the Taxi
19 and Limousine Commission. They report to the head of
20 the Administrative Trials and Hearings Office.

21 And that line is very well respected to
22 the extent that the TLC cannot sort of inform an OATH
23 judge in terms of how they think on a policy matter.
24 They should rule when they have that first fact-
25 finding hearing. But at that hearing, if the driver

1
2 comes in and says, I was arrested. Here's the
3 complaint. Here's some additional information
4 because it is a hearing, then they have an
5 opportunity to present mitigating factors.

6 CHAIRPERSON LANDER: You couldn't give a
7 policy guidance as to what kinds of infractions? I
8 mean this is actually at the heart of the matter
9 because the question is what are the infractions that
10 disqualify someone for a period of time with having
11 their license, and what aren't. And I would want
12 those OATH judges to know what the TLC thinks are
13 infractions for which a suspension is -- It's a heavy
14 thing to do to suspend, to have an enforcement
15 consequence before the adjudication of a case. We
16 don't even know if they're innocent or guilty. We
17 presume they're innocent. So narrowing the field to
18 those that the TLC believes are evidence of danger to
19 be behind the wheel, that seems like it would be an
20 inappropriate and [cross-talk] thing to do.

21 MEERA JOSHI: [interposing] That actually
22 was done in the not too distant past. A new set of
23 adjudication rules was proposed, promulgated, and
24 either they've been -- I believe that the Commission
25 approved them prior to the end of 2013. And in that

1 set of rules there is the list of arrest that will
2 result in suspension. It lists certain misdemeanors,
3 and it itemizes all felonies. So that is notice to
4 not only drivers, but as well as to OATH.
5

6 CHAIRPERSON LANDER: I've now gone
7 further down this policy hole than I would have let
8 other members of the committee, but I'm not going to
9 pursue --

10 MEERA JOSHI: [interposing] Is it five
11 minutes? I don't know.

12 CHAIRPERSON LANDER: -- it further, but I
13 would like to follow up on this conversation.

14 MEERA JOSHI: [interposing] Absolutely,
15 and I'd enjoy further conversation on this.

16 CHAIRPERSON LANDER: [interposing] There
17 are some broader issues that I think -- You've been
18 very forthcoming in your dialogue with the Council,
19 and we appreciate that. I was not on either the
20 Transportation Committee or the Rules, Privileges and
21 Elections in prior Council, but it's my understanding
22 that it wasn't -- that people on the Council didn't
23 always feel that we were adequately consulted by the
24 TLC Chair on matters of policy. Are you committed to
25

1 continuing the good tone that you've set here today,
2 and communicating more proactively with the Council?

3
4 MEERA JOSHI: Yes, and maybe for selfish
5 reasons. I'd rather know what the issues are early
6 in a policy making process than later on. But for
7 broader reasons also because I think that the TLC in
8 setting policy can't do it in a vacuum. The agency
9 needs to know what constituent concerns are, and vice
10 versa. The Council in drafting legislation should be
11 briefed early and frequently and early on the
12 complexities of TLC rules and practices to inform the
13 legislative process.

14 CHAIRPERSON LANDER: Let's see. I was
15 going to -- Well, I guess on a couple of the new
16 technologies, I was just going to ask briefly your --
17 You know, we're hearing a lot about the hail apps,
18 and their future, and, of course, about the Taxi of
19 Tomorrow and its future. So we haven't asked about
20 those yet. Can you give me some sense of your view
21 on those things?

22 MEERA JOSHI: For apps, from a regulatory
23 perspective, the key question is, is somebody
24 providing for-hire transportation through a Smart
25 Phone? And if they are, then they need to adhere to

1
2 the rules of TLC. So, for example, Uber is a very
3 popular app that does provide for-hire
4 transportation. And so, therefore, they have to hold
5 a base license, which they do, Black Car and Livery,
6 and all of the vehicles that are affiliated with
7 those bases must come into compliance with the TLC
8 Rules.

9 The Taxi of Tomorrow I think from
10 everything I've heard and seen is an excellent
11 vehicle. It does provide driver and passenger
12 amenities that are not available in other fleet
13 vehicles. The overarching goal of mine as Chair
14 would be to have taxi vehicles that are as safe as
15 possible, and the most comfortable. The Taxi of
16 Tomorrow Program is one way to get there. I don't
17 think it's the only way to get there. So as Chair, I
18 would evaluate the Taxi of Tomorrow Program, as well
19 as alternatives in order of reaching the goal of
20 getting the safest, most comfortable vehicle.

21 CHAIRPERSON LANDER: Thank you. Any final
22 questions?

23 COUNCIL MEMBER RODRIGUEZ: Those are the
24 rules that I know about. We are going to be having a
25 conversation. We have started having conversation,

1
2 which is about what is required on a livery basis to
3 have a parking garage, and we are committed to a
4 chance to work with you, and see how we can have a
5 conversation. We believe today that law doesn't make
6 sense. How do you feel about it?

7 MEERA JOSHI: I mean it was an initiative
8 that I don't object to on the prior administration to
9 propose legislation to eliminate the off-street
10 parking requirement for a bases. So I look forward
11 to continuing that conversation with you.

12 COUNCIL MEMBER RODRIGUEZ: Another thing
13 is that first of all **[IN SPANISH 01:05:54]**. I said
14 thank you for the livery drivers who are here today,
15 and representative of the industry overall. So I
16 think they are part of this conversation. One
17 experience that happened in the past and of course, I
18 know that the tone of the city is established by the
19 leader, and the main leader of the city is the mayor.
20 And the mayor is committed to build a city where
21 every New Yorker has opportunities to succeed, and we
22 -- we need to bring the revenue. If I also drive
23 across a red line, I should get a ticket. If I rob
24 the box, I should get a ticket. But from there to
25 have a special thing and to like giving like 10 or 15

1 tickets to legal drivers when probably he or she only
2 should get one or two tickets. I think that this is
3 something that we hope that with the new
4 administration we are more prepared -- prepared to
5 have a way of addressing certain bad experiences that
6 we have when it was like looking at drivers as a
7 source of revenue.
8

9 I think that we can build revenue. I
10 think that especially the Taxi and Limousine industry
11 has seen this by making an important contribution.
12 But we hope that we can have this conversation with
13 all sectors of this industry so that we can bring
14 some changes going in line in a new time that our new
15 mayor has established in the city. So I also hope
16 that, you know, in the future that you become our TLC
17 Chairman person so that we can talk about how to
18 change the way, and how in the past TLC was too
19 aggressive giving too many tickets. Sometimes some
20 they were needed, but other it was an abuse.

21 MEERA JOSHI: I think balance is
22 important. So I look forward to those conversations.

23 COUNCIL MEMBER RODRIGUEZ: Thank you.

24 CHAIRPERSON LANDER: And this fits in
25 with the questions that I was asking, as well, and

1
2 there's a lot more looking to do in figuring out
3 whether we're getting the balance right or TLC and
4 citywide well. With that, we say thank you very much
5 for your time --

6 MEERA JOSHI: [interposing] Thank you.

7 CHAIRPERSON LANDER: -- and patience in
8 answer our questions. We really appreciate it. I
9 hope you'll stick around to hear. We have some folks
10 signed up to testify.

11 MEERA JOSHI: I will.

12 CHAIRPERSON LANDER: And we won't be
13 voting, as I said today. There's a lot of other
14 committee meetings, and we want to get time to listen
15 to that testimony, but our stated meeting is next
16 Thursday. And we'll probably schedule the vote on
17 the morning of the -- of this meeting of the -- of
18 the stated. So thank you very much for your --

19 MEERA JOSHI: And thank you for your
20 time.

21 CHAIRPERSON LANDER: -- for coming to
22 speak with us. All right, we have --

23 [Pause]

24 CHAIRPERSON LANDER: We have seven groups
25 signed up to testify, and I'll ask if other people

1
2 are here and have written testimony that they make it
3 available as well. And I guess we will put people in
4 some panels here. Well, I don't know. Let me just
5 grab them in the order that I think they would fit,
6 they were here brought in. So we'll first do a panel
7 of three, and then we'll do a panel of -- We have
8 seven. So let's do four and the three.

9 COUNCIL MEMBER: Do you want to have a 3
10 minute limit with those?

11 CHAIRPERSON LANDER: Yeah, and then we'll
12 -- Yeah, we'll do a three-minute one then on
13 testimony. So for the first panel we have Cira
14 Angeles from the Livery Base Owners; Jose Jaen or
15 Jane from the New York State Federation of Taxi
16 Drivers. Bill Lindauer with Taxi Workers Alliance. I
17 guess we also have -- Is the Taxi Alliance -- is
18 there a group of you together? Okay, so why don't we
19 hold the Taxi Workers Alliance for the second panel,
20 and have Cira Angeles, Jose Jane or Jaen and Carolyn
21 Castro from the Livery Roundtable.

22 [Pause]

23 CHAIRPERSON LANDER: Yeah, and then we'll
24 have the Taxi Workers Alliance as our second panel.

25 [Pause]

CHAIRPERSON LANDER: Push the button, and then please just identify yourself for the record.

CIRA ANGELES: This is Cira Angeles, Livery Base Owners Association, and here with me the Coalition of Taxi Systems [phonetic] of New York, New Independent Drivers Needito [sic], Mutual Board Taxi MBTG, County Los Ingdnados [phonetic], County for Taxi Systems [phonetic] of New York.

Good morning, Mr. Chairman, members of the Committee, of the industry and industry colleagues. My name is Cira Angeles the Spokesperson for the Livery Base Owners Association. We are an association composed of about 125 base owners that approximately affiliate around the City of New York 12,000 drivers. I want to thank the Chair Brad Lander and members of the New York City Council Committee on Rules, Privileges, and Elections for holding the hearing on the appointment of Meera Joshi, as Chair of the Taxi and Limousine Commission today, and for the opportunity to testify.

We have fought to protect the rights of livery drivers and base owners in our communities. We've been very vocal advocates for the industry that employs hundreds of immigrants in our communities for

1
2 the last 40 years. We work closely with the TLC
3 everyday to help the drivers on a range of issues,
4 including proactively working on legislations and new
5 programs.

6 In the next year the Commission will
7 preside over the realization of a cyber Taxi System,
8 the realization of the compliance system, and
9 improvements for wheelchair riders among many other
10 issues. We are looking for a commissioner who will
11 unify the industry, who truly understands each
12 component and entity who will objectively resolve
13 issues and will proactively protect and educate our
14 drivers. I cannot think of a better person than that
15 to do and to be a chair than Meer Joshi.

16 Ms. Joshi has served in the City for
17 over a decade. In that time she has spent a third of
18 it in the TLC as General Counsel, and Deputy
19 Commissioner of Legal Affairs. While at the TLC, Ms.
20 Joshi came to be known to me as a powerhouse meeting
21 many multi-party contract negotiations and settlement
22 agreements. Through it all, she has always strived
23 to protect our drivers combating for it, and
24 prosecuting responsible parties, always seeking
25

1
2 advice and consideration from all of us along the
3 ride.

4 I'm just going to summarize a little bit.
5 Over the past four years or so, we've come to know
6 Ms. Joshi as the person who has helped us, understand
7 us, and gracefully navigated negotiations to come to
8 fair and equitable solutions that grow our industry
9 as a whole while not harming any entities that come
10 in with liability, and that's very important for all
11 of us. Under Ms. Joshi's guidance I am confident
12 that the TLC will make small improvements that help
13 and protect the drivers and also the riders. Large
14 new initiatives that help our city, and seek remedy
15 for any wrongdoing on behalf of drivers or riders.

16 I know Ms. Joshi will continue to include
17 us in any changes, new initiatives, or conversations
18 about our industry. And I strongly believe that she
19 is the best choice to serve as the next TLC
20 Commissioner. Once again, I want to thank Chair
21 Lander and the Committee of Rules, Privileges, and
22 Elections for holding this hearing and Chairman of
23 the Transportation Ydanis Rodriguez. I look forward
24 to working with Ms. Joshi when she is appointed as
25 the TCL Commissioner. Thank you.

2 CHAIRPERSON LANDER: Thank you very much.

3 [Pause]

4 JOSE JAEN: Good morning everyone.

5 Hello. My name is Jose Jaen from the New York State
6 Federation of Taxi Drivers. I'm here today in
7 support of Meera Joshi. We can sit here for two days
8 and discuss what great academics. It's impressive,
9 but you never see or read in a resume anyone that
10 talks about ethics morale, and your family values.
11 So today as conduit of Albany, I believe, Ms. Joshi,
12 in that way everyone will say nice thing to you
13 today, but wait until you start making decisions at
14 TLC, Ms. Joshi.

15 So it's good to know that you will be
16 able to talk to people that they will say to you --
17 some of us are not in the business of propaganda.
18 We're education, policymakers, and we believe in what
19 we're doing. So, hopefully, when you confirm those
20 same smiles and those handshakes and hugs, they will
21 be there for you. And the fact is that your family is
22 here today. Family value. So beyond fancy value and
23 law school, beyond your positions in the city, be
24 believe -- I personally believe because I've been
25 part of many meetings where you were part of.

1
2 You always were looking for a middle
3 ground, and I believe that you have the leadership,
4 and I hope everyone here remember this day. Because
5 tomorrow when you start dictating and setting the
6 policy, I'm pretty sure all those handshakes and hugs
7 win the deal. So on behalf of the industry, I'm not
8 a driver, but I have been involved with the industry
9 since 1994. I helped them translate for my friends
10 in the livery industry when no one wanted to help
11 them back then. That's 20 years ago.

12 Of course, it's easy today to come up to
13 the table and say, Hey. But back then drivers were
14 going through a lot of problems because of the
15 language barrier. I had to go many times to funeral
16 homes for my fellow friends from the industry. So on
17 behalf of those that have left their blood and sweat
18 on the streets of New York, Ms. Joshi, we look
19 forward to your leader there, and good luck.

20 CHAIRPERSON LANDER: Just a second.
21 There's a question from Mr. Rodriguez. Let me just
22 take that.

23 COUNCIL MEMBER RODRIGUEZ: As someone
24 that has experience especially not only work in the
25 livery, I mean in the -- from insurance part of the

1 industry, I know that there is the timing when
2 drivers renew the insurance it also has an impact on
3 they're going and -- the driver doing, they're
4 renewing their license, they're doing the inspection.
5 How can you -- What are you planning should the new
6 Chairman or the Chair, if we are with a new Chairman
7 of the TLC someone that can review the waiting time
8 that drivers are dealing right now when they have to
9 do the inspection?
10

11 CIRA ANGELES: Well, one of the biggest
12 issues -- I've seen this is mentioned in a question
13 before to Ms. Joshi was the time that it takes to
14 inspect a vehicle. In terms of -- We're looking
15 forward to reduce that, and to have conversation
16 because that has been a continuing issue in the past.
17 And I think it has been worked on, but not
18 necessarily to reduce it to where a driver can go.

19 And instead of being taken away from his
20 job, and make it difficult, something easy in the
21 policies that in a day it can be done as it was done
22 previously in the TLC with some other parts of being
23 licensed. What the TLC did many years ago when we
24 started working with the insurance companies on March
25 1st, which is the critical day for the -- I would say

1
2 75%, 75 to 80% of the industry renews their insurance
3 on March 1st.

4 So what the TLC did at that was to do
5 two-year renews instead of having everybody renew at
6 the same time. But insurance has to be renewed. In
7 some of these cases it's perhaps during the year.
8 You renew your insurance and March and maybe May and
9 you have to go to the TLC and perhaps do your renewal
10 inspections, so to speak. It's taking a long time.
11 I think we can work together with the TLC to try to
12 minimize that.

13 Because by the time you get your
14 insurance, you get your paperwork if you are in a new
15 vehicle. And sometimes it takes up to three weeks,
16 if not more, depending on the time to complete the
17 whole process because you take the insurance, you go
18 to TLC. Then you go to the DMV and then you have to
19 come back in TLC for the inspection, safety
20 inspection.

21 COUNCIL MEMBER RODRIGUEZ: But TLC can
22 they -- can some changes be made that now that those
23 other dates to renew the insurance, but it's not
24 necessarily all renewals taking place on March 1st?

1
2 CIRA ANGELES: Well, of all the five New
3 York companies, though in the industry, two of them
4 are ready to press that. One is Maya Assurance and
5 Global Liberty Insurance. The other three, American
6 Transit, Fiduciary Insurance Company of America, and
7 Hereford Insurance Company they have March 1st as the
8 targeted day. I don't know. I think it's something
9 that has to be discussed I believe with the industry.
10 And maybe improvements in the time in which the
11 license expires, but it all depends when the driver
12 actually initiates the process with the TLC.

13 COUNCIL MEMBER RODRIGUEZ: Okay. Thank
14 you.

15 CHAIRPERSON LANDER: Thank you both very
16 much.

17 COUNCIL MEMBER RODRIGUEZ: Thank you.

18 CHAIRPERSON LANDER: For our next panel
19 we'll have the representatives of the Taxi Workers
20 Alliance and Bill Lindauer, Bhairavi Desai, and if
21 there are other people on the list who signed up that
22 didn't get in it by themselves. So are there here in
23 the overflow room? No. All right, we'll take their
24 written testimony. I also have Dan Ackman, Carolyn
25 Castro, and Nelson Julio Rodriguez.

[Pause]

[crosstalk]

CHAIRPERSON LANDER: All right, now I see Bhairavi, but we'll let these guys go, and we'll put you on next. I apologize for those. They were in the overflow room, and thank you for your patience. Julio.

DAN ACKMAN: I'll go first? Thank you, Commissioner and/or members of the committee. My name is Dan Ackman. I'm a lawyer in private practice, and I have litigated on behalf of taxi drivers often against the TLC. But I want to talk today about an issue that's been discussed at this meeting, which is overcharges of taxi drivers, which I've also litigated about unsuccessfully. Because of that lack of success, I think it's very important that the TLC become further involved in this issue.

We've heard that there have been some efforts made, and I congratulate the TLC in the past for doing it. And I can say that Meera Joshi, I have met with Ms. Joshi in the past about this, and actually she arranged for an affidavit to be filed by the Commissioner in a litigation, which it's fair to say it did not carry the day. But what has happened,

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2 there are cases involved or on behalf of drivers
3 who've been overcharged by their managers, managing
4 agents.

5 And if the managing agents have a role,
6 they're not the fleets. About half the industry is
7 now what we call a DOV driver, of Driver Operated
8 Vehicle, but the driver owns the vehicle and leases
9 the Medallion. And the leasing agent leases the
10 Medallion to the driver, not the car, which the
11 driver owns. But that gives the driver more of a
12 stake, and he leases it by the week rather than by
13 the day. So he tends to be a more steady driver,
14 which is as Ms. Joshi said also good for the industry
15 and for the public as a whole.

16 But what has happened is there's been
17 pervasive overcharging of drivers in the DOV System.
18 We have litigated in four -- four companies. We
19 basically lost because the court said, Court said
20 these claims could be brought by the people in the
21 TLC Court not in the general Supreme Court, and
22 that's -- we were out of court. But, of course, a
23 driver cannot bring the case in the TLC Court. A
24 driver can only complain, and the TLC can bring a
25 case. And we've heard that they're waiting for more

1 COMMITTEE ON GOVERNMENTAL OPERATIONS 73
2 complaints, and that's in a word fair enough, but I
3 don't think they need to wait.

4 Because the DOV companies are required --
5 Actually, all companies including fleets are required
6 to give drivers a written contract stating the terms
7 of the lease, whether it's by the day or, in this
8 case, by the week. Some of them don't even do that.
9 They refuse to do a contract, and that is a blatant
10 violation of the TLC Rules, which the TLC could
11 easily resolve by just demanding that each leasing
12 company -- And there's only about 25 of them, and
13 only about 10 are significant in size.

14 Simply demand, Let us see your contracts.
15 And in the contracts themselves we found that there
16 were all these added charges that were not on their
17 face overcharge. They still charged the top amount
18 for the lease itself, but they added charges such as
19 vehicle management charges, or anything they could
20 name, which would add to the charge without clearly
21 overwriting the lease cap and, in fact, that's
22 exactly what they were doing. And I would suggest
23 that the Committee ask the TLC to demand the
24 contracts.

1
2 And also actually when Chairman Yassky
3 was on the Council he advocated having a uniform
4 contract that every company had to abide by. And
5 that in reality is a great step because then we'd be
6 very clear what is charged and what is not allowed to
7 be charged. In the contract still -- the TLC would
8 actually require that each charge be authorized by a
9 particular rule, and none of the contracts do that.

10 Again, we could not successfully litigate
11 this in the Supreme Court. So it's up to the TLC,
12 and I hope they will do that, and also actually I
13 think the TLC should also encourage the allowance of
14 the private right of action so there can be private
15 litigation. Right now, the rules are silent on that,
16 and it is deemed to be implied that there is no right
17 of action in general courts. But I think that would
18 be a good reform as well.

19 CHAIRPERSON LANDER: I think most people
20 say with Chair Rodriguez, you know, that right of
21 action maybe something that would be appropriate for
22 legislation that would be established. So we can
23 follow up with you and with the TLC and explore it
24 and explain that.

25 DAN ACKMAN: Thank you.

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2 CHAIRPERSON LANDER: Thank you very much
3 for your testimony. Sir.

4 NELSON JULIO RODRIGUEZ: Good -- not good
5 morning, good afternoon. Right now, I'm the General
6 Secretary of New York Regional Underwriting.

7 CHAIRPERSON LANDER: Speak out and state
8 your name, sir.

9 NELSON JULIO RODRIGUEZ: My name is
10 Nelson Julio Rodriguez. And as you know, right now
11 we represent a popularity, a big popularity of more
12 than almost 40,000 drivers in New York City. Our
13 local agent is the higher fine the TLC have for the
14 driver. Also, the critical driver, have no vehicle
15 giving the driver four point, and you giving the
16 driver not TLC two point. And two point mean a lot
17 for the driver.

18 Two point mean they lose their license,
19 they been out of work, they been in homes seeing no
20 food for the kids. I mean, we have to do something
21 because there have been enforcement and no vehicle
22 and TLC. That mean what we want is that four points
23 given to the TLC also. The final thing is the, the
24 frequency in it, is also are not being conducted with
25 the right way. If you give the judge the opportunity

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to judge someone, me a guy who run or who bring penalty for 17 or 20 year, I believe they have to be given the opportunity to have their license again.

Also, please do something. TLC have to be modified. They send an application every month, and the base they say no, the broker he don't know nothing. That means that's the worst time for the driver. Driving is a material payment for the industry. I mean TLC have to give more facility for them, not punish the driver. I don't think that's right. Thank you.

CHAIRPERSON LANDER: Thank you very much for your testimony. We appreciate it.

NELSON JULIO RODRIGUEZ: Thank you.

CHAIRPERSON LANDER: All right, for our next panel I see Bhairavi Desai from Taxi Workers Alliance and Bill Lindauer. The other two people signed up to testify perhaps aren't here. Oh, all right. Well, we need cards from anyone who is going to be up there. So can you get those extra cards for the two of them, and have them sign them. Thank you. All right. Thank you.

[Pause]

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2 CHAIRPERSON LANDER: All right. You're
3 welcome.

4 [Crosstalk]

5 CAROLYN CASTRO: Good morning, my name is
6 Carolyn Castro, and I am going to be very quick. I
7 will give the rest of my time over to Bhairavi. I am
8 with the Livery Roundtable, and we represent the
9 industry throughout the five boroughs. And I just
10 wanted to publicly congratulate you, Meera, and say
11 welcome aboard, and we are in full support. We look
12 forward to working with you, and I won't go into too
13 many particulars, but areas have been discussed
14 already. The summons and the insurance issues, their
15 or time, and that's pretty much it. I mean, we're
16 pretty happy with the nomination, and we look forward
17 to work with you. Thank you.

18 BHAIRAVI DESAI: Good afternoon. I'm
19 Bhairavi Desai, Executive Director of the New York
20 Taxi Workers Alliance. And I would also like to say
21 on behalf of the Taxi Workers Alliance that we were
22 really thrilled when we had heard that Mayor de
23 Blasio had nominated Meera Joshi for this post. We
24 know her well from her work as General Counsel, and
25 found her to be really fair and compassionate.

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2 I really just wanted to make a few
3 comments really about the significance of this
4 position because as you know, taxi drivers are
5 classified as independent contractors. And so they're
6 not protected under any basic labor laws. And so, in
7 the absence of a Collective Bargaining Agreement for
8 Independent Contractors, in the absence of the Fair
9 Labor Standards Act, the Taxi and Limousine
10 Commission is really all that we've got to protect
11 drivers' working conditions.

12 And they have historically not only been
13 a great source of frustration particularly around
14 issues of ticketing, you know, very heavy-handed
15 enforcement against drivers to lack of due process
16 rights within the courts. To also source of
17 frustration of turning a blind eye to much of the
18 exploitation that drivers face day to day. One of
19 the reasons that we welcome Meera's nomination is
20 because we found her to be a staff person at the TLC
21 who looked at drivers with a sense of respect and
22 understood that the work that these men and women do
23 every single day is incredibly difficult.

24 And it's incredibly critical to the
25 running of the city. And so, really what we'd like

1
2 to say publicly is really call for a chairperson of
3 this agency that is going to be visionary, and not be
4 afraid of deep-pocketed interests on the other side
5 taking policies apart with litigation, and not using
6 litigation. I mean the idea of filing a lawsuit
7 where there is not even a TRO that's been issued by
8 the court, allowing that to dictate whether or not
9 you move forward with your policy, that I think is
10 incredibly problematic and troublesome. I hope that
11 will change with Meera Joshi coming on as a
12 Chairperson.

13 For us, the TLC it sets the tone. You
14 know, wealth doesn't trickle down, right, as we were
15 told. But things like bigotry and prejudice they do
16 trickle down. They come from the very top. And so,
17 through the years when we have seen drivers be
18 demonized, or the idea of people being reckless when
19 in reality they maintain the safest driving records
20 of all motorists in the City of New York.

21 The rhetoric has often not been in tune
22 with the facts of the streets. And, you know, many
23 times drivers have been singled and have been
24 scapegoated. And so, we call upon Meera to be a
25 Chairperson who would really set the record straight,

1 allow the facts and the numbers to govern the agency.
2 And to call for a truly understanding that a Tale of
3 Two Cities is embodied in few places greater than the
4 taxi industry. And we need a chairperson that's
5 going to continuously stand on the side of the
6 drivers.
7

8 BILL LINDAUER: Good afternoon. My name
9 is Bill Lindauer. I was a taxi driver for 30 years.
10 I'm a proud member of the New York Taxi Workers
11 Alliance, which is also a member of the AFL-CIO. We
12 are here in New York, and we plan to go national
13 because one thing that unites taxi drivers no matter
14 how the system works in other cities is exploitation.
15 And for too long exploitation has ruined this
16 industry. Before Yassky, driver's needs and wants
17 were -- rather ignored. All the administration
18 wouldn't listen to us when we knew of limited greed
19 of the taxi tycoons.

20 It's time for drivers to be heard and
21 their needs to be met, and taxi tycoons always cry.
22 So they should be ignored. I mean, we're all for
23 accessible cabs, and I think the quest should be
24 covered, but I don't think the plan proposed is fair
25 to the public or the taxi drivers. When they put 30

1 cents on the meter, it's five cents for the driver to
2 cover gasoline costs. That wouldn't even pay for a
3 quart of milk much less a four dollar gallon of
4 gasoline. But I heartily endorse Ms. Joshi, and I
5 recommend that the City Council unanimously vote in
6 her favor. She'll make a very fine chairperson.
7

8 MANUEL HUCK: Thank your, Mr. Chair. My
9 name is Manuel Huck [phonetic]. I am the co-founder
10 of the Taxi Workers Alliance and on the Board of
11 Directors of the Taxi Service Alliance. And on top
12 of that I was a full-time taxicab driver through New
13 York City and drove for the longest period of time.
14 I heard at the hearing this morning, and the
15 conversation with the Chair and the Council, and Ms.
16 Joshi. I personally don't know her, and I
17 understand. My understanding is she will be one of
18 the best Chairwomen of the TLC.

19 We had a bad experience because we are
20 the people who organized driver, who started to
21 organize driver, and built the Service Alliance. So
22 I want to share a couple things, which is really
23 important. I think, Mr. Chair, you know very well.
24 While I was driving taxicab I had an incident that
25 took my life almost, and the safety measures are

1 really important for this industry because -- And, of
2 course, this incident put me out of this business,
3 and, you know, about six years later we're getting
4 all this good medicine. And I get up that day, like
5 sometimes I drive Sunday. But that experience is
6 really, really dangerous. When I think, you know, of
7 the taxi drivers who are driving a 12-hour shift
8 behind the wheel and taking all this risks, it's
9 really dangerous. And I have been stabbed by a
10 passenger through the partition in Brooklyn Heights
11 in 2005, March 31st. It was a few days ago. Like
12 you know this anniversary is gone.

14 But we tried to pass a legislation in the
15 State level and the city level for the safety of the
16 taxi drivers. That's the Taxi Driver Protection Act.
17 Unfortunately, it didn't happen in this state.
18 Governor Patterson didn't sign a 141 vote out of 141
19 and and that's some leniency and 60/40 and 100, and
20 60 were in this state going to the favor of the bill,
21 but he didn't sign this bill. So now I think this
22 bill is in the City Council. So I am expecting from
23 the new Chair, and she'll come up with some sort of
24 safety measure for the taxi drivers.

1 It is one of the dangerous jobs than any
2 job in this country, even more than the policeman.
3 So that's all I want to say, and I heard the
4 conversations with Chair and Ms. Joshi about
5 suspensions of that, you know, it's big discussions,
6 which is not ethical. I mean this is not -- I mean
7 pretty nearly for the drivers. I know a lot of
8 drivers in New York City and the majority of taxi
9 drivers are from Bangladesh and I'm originally from
10 Bangladesh.

11 So I know a lot of drivers lose their,
12 you know, their license for a few days suspensions
13 because of wrongful acts. So I think the City
14 Council and the TLC will come up with some sort of
15 better solution. But those drivers hasn't any
16 guaranteed income. And if the person is wrongfully
17 ousted, and loses livelihood, it's really, really
18 pathetic. I mean, it's not hurting only the driver,
19 it's hurting the whole family. So that's all I
20 wanted to say. Thank you.

21 CHAIRPERSON LANDER: Thank you.

22 [Pause]

23 BARRY SCHWARZEMAN: Whoops. Good
24 afternoon, ladies and gentleman. My name is Barry
25

1 Schwarzeman [phonetic]. I am a cab driver, and I'm
2 also an organizer with the Taxi Workers Alliance, I'm
3 very proud to say. Madam, congratulations and by this
4 Chair it's by Mr. - -

6 CHAIRPERSON LANDER: de Blasio.

7 BARRY SCHWARZEMAN: -- Blasio -- de
8 Blasio, and today City Council Member I heard you
9 asking her some very, very important questions. And
10 I really appreciate that and she really answered you
11 quite well. Especially with the part when one gets
12 arrested and is not found guilty of any charges, his
13 license is suspended immediately. I have a son who
14 has been stuck -- he was stuck in this program, and
15 it was by a couple of plain clothes officers. And a
16 young man as usual, very energetic didn't respond
17 immediately because the officers didn't identify
18 themselves, who they were.

19 And he was arrested for disorderly
20 conduct. And he lost his license, and he never
21 really went back to get it, you know, because he was
22 so frustrated with the TLC. So I would suggest to
23 you that just look into that part of the industry.
24 Because there are many drivers out there who lost
25 their livelihood because of false arrest. And

1
2 believe me, the police officers do not deal with cab
3 drivers kindly when they're out. When there's six or
4 seven summonses at one time, I think is pretty
5 ridiculous.

6 But anyway, I've been in this industry
7 for over 40 years, and I'm seeing cabbie -- and I'm
8 still driving even though I have a very serious
9 condition because Social Security can't take care of
10 me. So I have to work at least three days a week. I
11 have a kidney problem. A lot of drivers are falling
12 out because of health problems, heart attack,
13 strokes. I know at least ten drivers within the last
14 I'd say nine months who have died or have had a heart
15 conditions.

16 So I would ask you to look clearly into
17 the health situation of the drivers. And to look
18 into the inspection sites and some of the old rules
19 that they have in inspection sites via taking t he
20 driver off the road because he might have failed the
21 little minor stuff on his inspection. But you didn't
22 need to because I think giving the driver ten days to
23 fix the car is not a serious situation. It would
24 keep the drivers on the road.

1
2 You will hear from us quite a lot, and as
3 you know, we're going to come to every meeting that
4 you keep, and we're going to keep reminding you. So,
5 again, congratulations, and to the City Council
6 members, great questioning, and I thank you very much
7 for the work that you guys are doing. Thank you.

8 CHAIRPERSON LANDER: Thank you and thank
9 you very much for the great work for the Taxi Workers
10 Alliance. It makes such a difference in the city and
11 set a model for organizing workers in independent
12 contractor industries in general.

13 MALE SPEAKER: And we're still growing.

14 CHAIRPERSON LANDER: Across the country I
15 hear. We're lucky that we still have part of you
16 here to talk about that. All right, we did have one
17 more person sign up to testify, Victor
18 Madella[phonetic].

19 [Pause]

20 VICTOR MALETTA: Hi, my name is Victor
21 Maletta. Congratulations to Joshi.

22 CHAIRPERSON LANDER: I apologize. I'm
23 going to have to ask Arthur Goldstein also to join
24 you on this panel, a late breaking entry.

1
2 VICTOR MALETTA: All right, all right.
3 My name is Victor Maletta. So I congratulate Ms.
4 Joshi. I know she is going to be a great
5 Commissioner, attaching on the scene, And I think
6 going to be the best. And I got to -- too many
7 testify. I'm taxi driver for 20 years, then I'm not
8 speaking. The taxi drivers sometimes there's too
9 many things happen on the street. The taxi drivers
10 drive a lot all the time -- some language. In 1995,
11 somebody put a nine millimeter at my head, take out
12 all of my money, and that risk my life.

13 In 1997, a figure pull down from my neck.
14 I put it on my finger. I scratch it, the scratching
15 get worse. So we are -- we are so working people.
16 We're working. We got family. We go and we're
17 driving a taxi for support of family. We got too
18 much force on the street also.

19 Also, even Sunday, this Sunday, one
20 person drunk in railroad car, and in the cellar
21 drunk. I scratch a squad car. Try to scratch all
22 people this week. I'm behind them. I'm an APF for
23 one person for fire and policeman. I should look for
24 the substance. I go to my policeman to tell him
25 what's going on. They catch him. They get to the

1
2 vehicle, and the people -- the guy driving the
3 vehicle is drunk. He running, but it make my job
4 like he was unable to leave the scene.

5 The driver sometime, they're doing like
6 police. They see something, they are telling the
7 police what's going on. Somebody get robbed. I see
8 too many people on the street when I'm driving.
9 Somebody going to get rob, I try to help them. I
10 call 9-1-1 or if I can do it myself. I never been
11 asked. I suggest that --

12 CHAIRPERSON LANDER: Sir, I apologize,
13 the clock didn't run, but I think if you can
14 certainly move on with this, that would be good.

15 VICTOR MALETTA: Okay, I suggested to
16 the Office of Taxi and Limousine Commissioner be less
17 of aggressive to the driver on the street because we
18 got too many problems. We got too many problems.
19 Like I say with life, whatever can they be, but we
20 got too many problems, and we too many bill, or we
21 got a family to support. And, sir, sometime you all
22 got to lift the light for how to attack, how to
23 attack. Because how to attack the way that possibly
24 the officer talking with you they treat you right.
25 So I hope that everything get better now, and you

1 Commissioner, I hope that we going to be fine, and
2 things are going to be great because you're a nice
3 lady. So I hope everything is going to change now.
4

5 CHAIRPERSON LANDER: Thank you very
6 much, Victor.

7 VICTOR MALETTA: Congratulations.

8 ARTHUR GOLDSTEIN: Good afternoon. You
9 won't need a clock. I'm be very brief. Arthur
10 Goldstein here representing the Taxi Cab Service
11 Association, and some of the major credit unions in
12 the taxi industry. We wholeheartedly support the
13 nomination. We believe she has acted very fairly in
14 her tenure when she was with the TLC, and has an
15 extraordinary resume. So we wholeheartedly support
16 the nomination. Good luck.

17 CHAIRPERSON LANDER: Thank you, Arthur.
18 Thanks to everyone who came out and testified. For
19 my brief dive into the world of the taxi and
20 limousine area, I have concluded that it is a field
21 of diverse actors who agree on nothing, with the sole
22 exception that they all support Meera Joshi's
23 nomination to be the TLC Chair. So congratulations
24 on your nomination, and on winning support from a
25 very broad and diverse set of actors in this field.

1
2 As I say, and as you seem to want to want
3 to provide the time to listen, and that means some of
4 the members had to go to other places. Though a
5 special praise and thanks to Council Member Chin for
6 sticking with us until the end. Thank you Chair
7 Rodriguez for being here for the vast majority of the
8 time. Obviously, he's the main person that you'll
9 see in future hearings. So we will now adjourn. We
10 close the public testimony, adjourn the hearing, and
11 we will schedule a meeting for probably next Thursday
12 to vote on the nomination. Thank you very much.

13 [gavel]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date April 20, 2014