

**Testimony of Taxi and Limousine Commission for CITY COUNCIL COMMITTEES  
ON TRANSPORTATION  
AND ON MENTAL HEALTH, MENTAL RETARDATION, ALCOHOLISM, DRUG  
ABUSE, AND DISABILITY SERVICES  
December 13, 2010**

Good morning Chairmen Vacca, Koppell and the members of your respective Committees. My name is David Yassky and I am the Commissioner of the New York City Taxi and Limousine Commission. Thank you for this opportunity to speak to you today about wheelchair accessibility in New York City's yellow taxi and for-hire vehicle industries, including our proposed accessible dispatch program and the Taxi of Tomorrow Request for Proposal process. Accessibility is an important priority for the Taxi and Limousine Commission, and we are fully committed to ensuring that wheelchair users can have access to taxis and for-hire vehicles. The taxi and for-hire vehicle industry is a key part of the City's transit network, and it must be accessible to all, just like the buses and subways. Before we discuss proposed local law Intro 433, I would like to briefly discuss the City's prior attempts at addressing accessibility in the yellow taxi and for-hire vehicle industry, and some of our plans for the future.

As you know, starting in 2004 and continuing through 2008, the TLC issued 231 taxi medallions that can only be used with wheelchair accessible vehicles. This idea originated with the City Council when this body enacted legislation in 2002 that required the first 81 such medallions. The Administration continued by adding additional medallions in subsequent years.

Of course, that number of accessible taxis is too few for wheelchair users to have a realistic expectation of hailing one. So, the next step was a pilot program to enable wheelchair users to call 311 and have one of the accessible taxis dispatched to pick them up. Again, the first concrete step here was taken by the Council, which allocated \$1 million to fund the program. The program was in operation from July 2008 through June of this year, and as to the threshold question -- can a dispatch program work with

yellow taxis? -- the pilot demonstrated that such a program can work. It delivered more than 5,800 trips to approximately 2,700 unique customers.

Even more important, our two years of experience with the pilot gave us critical information about how to design a more effective permanent program. To be clear: The TLC remains committed to enabling people who need wheelchair-accessible taxis to get them. It is a shame that we have accessible taxis on the road today, but ever since the expiration of the pilot program, the wheelchair-using community has no means to access them. We do intend to implement a permanent program, and we want to make sure we learn the lessons of the pilot so as to design the most effective program possible.

One of the deficiencies of the pilot was lack of outreach to wheelchair users. This was due, in part, to the fact that the program was not allotted any funds for outreach or advertising -- all funds were directed to its operations. Also, I think at the time there was a belief that word would spread more quickly on its own. But we now know that more outreach was necessary. We also did not know what the peak demand for this service would be. The pilot was designed to provide a minimum of 250 trips a day. However, on average, the program provided 8 trips per-day. That means that the pilot program was way overfunded -- as it turned out, the program cost about \$172 per trip. Again, I believe the actual demand is higher, and that the low usage in part reflects the lack of outreach. But, even a mammoth increase in the number of daily users -- a 1,000% increase from 8 to 88 riders a day -- would still be significantly less than the 250 daily riders the TLC had been told to anticipate and expect.

A second and related deficiency was the lack of service standards. Given that we don't really know how many rides to anticipate, we at the TLC think the best way to set up a permanent program is to establish standards for maximum response time and require the operator to figure out how to meet that. In practice, response times for the pilot were ok -- not great, but ok. Customers could call on-demand with an average wait time of about 44 minutes or in advance to receive service within 23 minutes.

I think we can do better, and part of the reason has to do with a third problem we encountered with the pilot, which was reluctance among many taxi drivers to respond to dispatch calls. This reluctance should not be surprising given the economics of the taxi industry. Drivers pay a fixed amount per shift or per week for the taxi and the medallion, and keep whatever they earn in fares. And with the medallion and vehicle leases the way they are, they need to keep the taxi filled with passengers if they are going to feed their families. So, many drivers were reluctant to respond to a dispatch call when it meant they might have to pass by a street hail passenger on the way. If we want this program to work, it has to work for drivers, and that means they should be compensated for the time from the dispatch to when they pick up the passenger. Once we do that, there's no good reason for a driver to avoid a dispatch call -- and so then we should also be unafraid to strictly enforce a failure to respond just like a street hail refusal. With a carrot and a stick, we should be able to get full participation by the drivers -- and that should drive response times down significantly -- at least for calls in Manhattan.

That brings up a fourth deficiency in the pilot program, which is that it purported to offer citywide service, but it included only yellow taxis. As we all know, yellow taxis cruise almost exclusively in Manhattan. Even if we could force a taxi to respond to a dispatch call from eastern Queens or southern Brooklyn or the northern Bronx, there's no way it would get there on a timely basis. I believe we have an obligation to provide service in all five boroughs, and that means the for-hire vehicle sector has to be part of the solution as well.

Now, as you also know, the TLC already has rules that in theory require for-hire vehicle bases to provide wheelchair-accessible service, either directly or by contracting with another provider. Our rules require "equivalent service" -- meaning equivalent response time and pricing -- but that standard is not being met. This has become very clear to the TLC after conducting enforcement operations through a secret shopper program, or "stings" as some in the industry have been calling it. We have issued 236

summonses, each carrying a \$1,000 fine, to 202 for-hire vehicle bases since October 2009.

The truth is that actually forcing for-hire vehicle bases to meet the equivalent service standard cannot be accomplished without great economic upheaval in the industry, as even the most ardent advocates on behalf of people with disabilities, such as Assembly Member Kellner, have acknowledged. Again, I think there's a better way -- we should have a central dispatch operator, with clear and enforceable service standards for response time, and allow that operator to provide service on behalf of the entire industry.

If you put these pieces together, and incorporate the lessons we've learned from the pilot program, you get a pretty clear direction for a citywide dispatch program, drawing on both the taxi and for-hire vehicle sectors, to get wheelchair users the service they need and deserve. The TLC intends to move forward with such a program. We would like to do so in partnership with advocates and with the industry, and so the first step is a Request for Information seeking guidance on how a program would be maximally effective. We intend to move quickly. Our goal is to get an RFP out in the first few months of next year and have the program up and running by this time next year.

One part of this I have not addressed is money. We intend to finance this program with a per-vehicle charge on the entire industry, including taxis, livery cars, black cars and limousines.

I would now like to address Intro. 433, which would require the Taxi and Limousine Commission to select a taxicab that is designed to be wheelchair-accessible whenever a new taxicab is approved for use in New York City. Though the goal of this bill is laudable, it raises serious issues with our Taxi of Tomorrow RFP process because it would require us to select a winner based on one criterion -- a fully wheelchair-accessible taxicab -- rather than a balance among performance, comfort, sustainability, accessibility and iconic design. Accordingly, the TLC cannot support this legislation.

The Taxi of Tomorrow RFP provides for a selection process that can help us get significantly closer to creating a vehicle fleet that is accessible, durable, made for New York City and our particular transportation needs, affordable and environmentally sustainable. The RFP process that we are engaged in allows the City, for the first time, to proactively work with automobile manufacturers to design a purpose-built taxi for New York City that can substantially achieve each of these goals. Additionally, this process gives the City leverage to negotiate with the three auto manufacturers for features that they did not include in their original proposals, including features that can make the vehicles accessible to passengers with other types of impairments and disabilities other than ones that require a wheelchair. If Intro 433 were to become law, the City could lose any leverage it had and be forced to contract with one manufacturer or none at all. We are currently in negotiations with all three manufacturers for their best-and-final offers, which we hope will address some of their proposals' shortcomings. And we believe the current process offers the best opportunity for bringing an accessible and clean vehicle to market. We therefore do not support Intro 433.

This concludes my testimony. I would like to thank you again for the opportunity to testify today on this proposed bill. At this time, I would be happy to answer any questions you may have.



## Disabled In Action of Metropolitan New York, Inc.

City Council Committees on ..... Disability Services & Transportation

Oversight Hearing: Accessible Taxis & Other For-Hire-Vehicles

FOR THE RECORD

12/13/10

My name is Edith Prentiss; I am President of the 504 Democratic Club, Vice President for Legislative Affairs of Disabled in Action of Metropolitan New York (DIA), Co-chair of the Taxis For All Campaign (TFAC), a member of the Manhattan Borough President's Disability Task Force, and the Disability Network of New York City (DNNYC). I would like to thank the Committees and especially the Chairs, Council Members G. Oliver Koppell and Jimmy Vacca for the opportunity to address you on this very important topic.

Other members of TFAC and the disability community will be testifying about other issues related to other aspects of the problems encountered by wheelchair users who attempt to utilize for hire vehicles and taxis in New York City, in all five boroughs.

TFAC was formed in 1996 by disability rights activists who were very frustrated by the inaccessibility of New York City taxis and with the inability of getting around in our city. Members had experienced accessible cabs in Boston and other cities and realized how much better New York City would be with accessible taxis. The disability community has also called for accessibility in the for hire vehicle industry. The number of accessible taxis grew from none to a few to almost 240 but aging baby boomers and the independent living movement has fueled a greater demand. While the TLC AAR pilot is good for those ambulatory AAR user who lives/travels in areas where hailing a yellow taxi is possible it does little for anyone else. But all it is doing is creating an addition separate but unequal service and when is it ever going to start?

TFAC has long struggled with the taxi versus car service issue. Several of us live in the outlier areas of Manhattan (Harlem, Washington Heights and the lower east side) another in Bay Ridge where yellow taxis are not the norm. The amorphous of the car service program as well as the scarcity of information about car services lead TFAC to focus on yellow taxis. When we had asked the TLC to annotate for hire vehicle list on their web site they refused, so we were left to collect and compile information on our own.

Before beginning to write testimony, I review my previous testimony on the topic. There are eleven previous accessible taxi/for hire vehicle testimonies in my computer since 2003; the topics include: the lack of inclusion of the Design Trust's Taxi of the Future which included a suggestion that taxis replace buses with low ridership – doesn't that showed like the TLC's shared ride inaccessible Dollar van pilot; supporting of the sale of more accessible medallions; for a gradual move to an accessible fleet by requiring vehicles a medallion is placed on must be accessible (former CM Margarita Lopez's Int 84 and CM Koppell's Int 378); for green and accessible taxis; against dollar vans; and now we are proud to support Intro 433.

It is ironic that TFAC opposed Int 356, which would have created a separate and unequal system in which only wheelchair users would call for a taxi -- a vehicle that may never show up due to getting stuck in traffic or picking up a street hail. It's a routine many of us know far too well from Access-A-Ride. Now doesn't that sound like the TLC's ill-conceived Central Dispatch Program?

Given our experience with the TLC, it is a bit surprising to hear that the TLC supports accessible taxis. The disability community often called upon the TLC to enforce the For Hire Vehicle regulation with little if any response. Several years ago, after Carmel had purchased A Ride For All, I was on 181 St when a fuse blew in my wheelchair. I realize it sounds crazy, but I needed to get to Penn Station to take the LIRR to my mechanic in Ronkonkoma. I called AFRA

and an hour later an accessible van arrived. Carmel's charge was about \$60. When I called the TLC to make a FHV complaint I was told they did not regulated the amount charge by livery vehicles. We are thrilled that the TLC is finally enforcing the regulation but frustrated it took them so long!

We are still waiting for the release of the TLC's Central Dispatch Report. We've recently read articles based on information the TLC shared with reporters but not with New Yorkers. In the absence of the report we are left reading tea leaves. "Wheelchair users took 5,800 trips during a two-year pilot. The TLC characterized "wait times and completion rates for the pilot program were quite satisfactory". We want to know how they are accounting for the numbers of request that were not filled, for request that were never acknowledged. Doesn't this remind you of AAR's refusal rate before they were forced to fill all trip requests?

The TLC is so enamored with Central Dispatch they seem to be trying it again. Wheelchair users are concerned that the TLC is making the same promises they couldn't delivery with the first Central Dispatch Program. Do we really need to not to wait longer and possibly pay more for inadequate service. I believe the death knoll for Central Dispatch was that doomed was the two refusals /day. Now that the TLC wants to add liveries to the program, I expect an even bigger failure.

I would like to thank the Council and the Committees for the opportunity to testify on this topic of great importance to NYC's disability community.

**Testimony of the  
United Spinal Association  
before the New York City Council  
Committees on Transportation and Mental Health, Mental Retardation, Alcoholism, Drug  
Abuse and Disability Services**

**“Oversight: Accessible Taxis and For-Hire Vehicles, and Intro 0433-2010”**

**December 13, 2010**

Good Morning, my name is Terence Moakley. I am on the United Spinal Association Board of Directors and I am United Spinal’s representative on the New York City Taxis for All Campaign. Thank you for this opportunity to present comments on accessible taxis and for-hire vehicles, as well as on Intro 0433.

Having been employed at Eastern Paralyzed Veterans Association/United Spinal Association for 36 years, I have testified many times before these two Committees. In fact, way back in the 1970s, Pratt Institute sponsored a competition for the “Pratt-Taxi,” and two of the design requirements were that entries had to be wheelchair-accessible, and a prototype vehicle had to be constructed. I still remember pushing up the ramp into the winning entry, which was on display at the Museum of Natural History. And here we are decades later, still talking about the accessible taxi/livery issue, instead of doing something about it.

Concerning the TLC’s new “brainstorm” to provide another Central Dispatch System for both the 231 wheelchair-accessible taxis operating today and for an unknown number of accessible for-hire vehicles in service now, allow me to summarize a few points from my October 22, 2009 testimony to the Committee on Transportation about the recent two year “accessible yellow taxi dispatch” system.

My agency was one of the two entities selected by the TLC in the spring of 2008 to train accessible taxi drivers. I was one of United Spinal Association’s trainers. At the end of this two-year “pilot” project, we were still training drivers, yet the TLC kept track of demand from Day One of this project. Moreover, except for a “user guide” posted on their website, the TLC did not market the accessible central dispatch system to disabled persons in our and other cities at all. During the training sessions, drivers complained to us about other problems with central dispatch, like garages not providing Blackberrys, making it impossible for drivers to be in contact with the central dispatch system; the absence of wheelchair securement device parts in



accessible taxis; and inoperable sliding doors at the accessible taxi entrance. The first “Accessible Central Dispatch” system, whether deliberately or by accident, was designed to fail. We urge the City Council to oppose another central dispatch system, and we vehemently oppose charging a fee to owners of inaccessible taxis and liveries to pay for it. This is the most despicable idea to come out of a city agency in a long time.

Within the For-Hire Vehicle industry, every base already has its own dispatch system. A better solution would be to require each base to have a reasonable percentage of its vehicles to be “used wheelchair-accessible vehicles.” There are readily-available sources of used accessible vehicles, such as the members of the National Mobility Equipment Dealers Association and *Disabled Driver* magazine. For starters, we would recommend at least one accessible used vehicle for bases of 10 total vehicles, and higher numbers of used accessible livery vehicles for larger bases. We are mostly advocating for this level of access in livery vehicles—the so-called “taxis of the outer boroughs”—as opposed to the more expensive black cars and limousines.

Concerning the yellow taxi system, we continue to support a new city law which would gradually convert the largely-inaccessible yellow taxi system into a fully-accessible system over a reasonable period of time through the current TLC yellow taxi replacement schedule. Apart from giving wheelchair users and other persons with disabilities the ability to move around our city more easily, just think of how much transportation dollars might be saved if the taxi and livery industries could provide more Access-A-Ride and Medicaid transportation trips—at significantly less cost.

Concerning Intro 0433, requiring wheelchair access when the TLC approves any newly-designed yellow taxicab, United Spinal Association is 100% supportive of this bill, and we urge the Council to move quickly in passing this measure.

One of our other concerns, however, is the plan of the “Taxi of Tomorrow” project to select only one newly-designed taxi and to provide its manufacturer with a 10 year exclusive sale right in New York City. We think that many of you know that a company known as the Vehicle Production Group is now beginning to manufacture a vehicle called the “MV-1” (formerly the “Standard Taxi”) in Indiana. This vehicle, which is the first factory-built, wheelchair-accessible automobile, also available with a “clean air” engine, has been displayed here several times, and has been developed with input from our city’s yellow taxi industry. We close this testimony by urging this Council to take the necessary steps to insure that fleets and owners have the opportunity to purchase the MV-1 for use as taxis and liveries in our city when it’s available.



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Center for Independence of the Disabled, NY

**December 13, 2010**

**Comments BY**

**THE CENTER FOR THE INDEPENDENCE OF THE  
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Records*

**Accessible Taxis & Other For-Hire-Vehicles**

**FOR THE RECORD**

**LOURDES I. ROSA-CARRASQUILLO, Esq.  
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**Center for Independence of the Disabled, NY**

**TESTIMONY OF LOURDES I. ROSA-CARRASQUILLO  
DIRECTOR OF ADVOCACY FOR  
THE CENTER FOR THE INDEPENDENCE OF THE DISABLED IN NY**

December 13, 2010

Good morning, my name is Lourdes Rosa-Carrasquillo. I am the Director of Advocacy for the Center for Independence of the Disabled in NY (CIDNY). I would like to thank the Committee on Transportation, Mental Health, Mental Retardation, Alcoholism, Drug Abuse and Disability Services for the opportunity to present this testimony.

These are very difficult times for all New Yorkers, and New Yorkers with disabilities have lost their hold on the economic ladder at a higher rate than people without disabilities. From the 2008 American Community Survey, we know that people with disabilities had a 31.8 percent employment rate, as compared to over 73 percent for their non-disabled peers and from our experience, this gap has widened in the last two years. New Yorkers with disabilities also have a poverty rate of over 31 percent, compared to 13 percent for their non-disabled peers, making their hold on economic stability tenuous. Cuts to affordable and accessible transportation options have made their lives even more difficult. With the cuts to Access-A-Ride, many are left without the means to get to work if they still have their jobs. Many are having difficulty making it on time medical appointments and to accomplish the tasks of daily living. It is crucial that the fleet of accessible taxis be available to all people with disabilities regardless of the borough in which they live.

Access-A-Ride may not have been the most reliable source of transportation but for many people with disabilities who cannot take other public transportation, Access-A-Ride was their only option. Instead of improving the service the MTA is cutting back Access-A-Ride, leaving people with disabilities with the problematic options of taxis or livery vehicles.

The mayor's office for people with disabilities ran a pilot program where people could call 311 to get an accessible cab if Access-A-Ride did not arrive on time. Even though the service was less than ideal since consumers would not know for a half an hour if an accessible taxi would be available, it still filled an important gap. This service no longer exists.

Other options for New Yorkers with disabilities are not filling the need. Our consumers tell us that the few accessible taxis that do exist would rather drive by and seek another passenger than slow down to pick up a passenger who uses a wheel chair. There appears to be little or no monitoring or enforcement to ensure that accessible cabs pick up riders with disabilities.

Livery companies are expected to have either accessible vehicles or a contract with a company that has accessible vehicles. But this is not often the case. In addition, although the rates are supposed to be the same as for people without disabilities, the rates are increased if an accessible vehicle is requested. For example, consumers who



use foldable wheelchairs and can use regular taxis rather than accessible taxis are charged the standard rate. Yet consumers who need accessible taxis because they are in electric wheelchairs tell us they have been charged more than double the rate.

Other forms of for-hire vehicles like the Dollar Vans, cost more than one dollar, and they are dangerous for people with disabilities because they are not required to have safety mechanisms to ensure that a wheelchair is stable and will not roll around.

Transportation issues create disincentives or make it difficult for people with disabilities to get to work. Many people with disabilities are in lower paying jobs and do not make sufficient money to afford taxis or livery services. With cuts to Access-A-Ride, limited availability and high prices of accessible taxis and livery cars, and lack of regulation for accessible liveries, people with disabilities are facing nearly insurmountable barriers to reasonable and reliable transportation – for work, for medical visits and for their everyday transportation needs.

Enforceable mandates must be put into place. Livery services must be held accountable for the prices they charge. Van services need to be regulated. And Access-A-Ride should be improved rather than cut. New Yorkers with disabilities should have access to public transportation that works for them so that they can maintain their independence, their jobs and their ability to accomplish their daily living tasks.

## FOR THE RECORD

TLC Commission Testimony  
Given by Ronnie Ellen Raymond  
Monday, December 13, 2010

I understand the TLC's desire to build a system that will work for disabled riders. This may have to be done in stages. I understand that and I appreciate the difficulty in achieving something that will satisfy all parties involved-- the taxi owners, the taxi drivers and passengers. This is no easy task.

While it seems logical to focus on the Central Dispatch System and putting specific requirements on the service provided to the disabled riders, I believe that the problem really stems from the fact that there are too few wheelchair accessible taxis available at any given time. I don't know where the number 240 came from. But, how many of those are on the road at any given time? How many of those drivers did not log into the system even if they were "on the road". When there are more customers attempting to get taxi rides, with this number of taxis, the service provided will undoubtedly suffer. How can the dispatcher provides rides within a certain acceptable period of time as the ride requests increase if the number of taxis stay the same? I really believe that this entire system is doomed to fail unless it is built on future assumptions rather than demand numbers from past attempts.

TLC is asking for proof of need before service is provided. History demonstrates that need develops after service is provided. Let us use the New York City bus system as an example. When the city installed lifts on all buses in the 1980s, there were no wheelchair users in the streets waiting for buses or demanding that service. However, after the lifts were installed, wheelchair users came out of the woodwork. Today there are many times that I have to wait for a second bus because both wheelchair locations are in use. Need for service must be determined based on facts not on demand. If New York City were to subsidize wheelchair users' use of yellow cabs, the number of rides will increase dramatically. The use of taxis would reduce use of Access a Ride and save New York City a lot of money. If a lot of money is going to be saved from Access A Ride, couldn't some of that money be diverted to maintain the Central Dispatch System and/or to purchase or subsidize the purchase of wheelchair accessible vehicles?

I understand that these different services come from different divisions of the New York City government. I believe that there must be communication and coordination between these different departments (for example TLC and MTA) if we are to accomplish an effective service for all New Yorkers.

Then there is also the fact that New York City now has the opportunity to make itself an example to the rest of the country and the world by becoming an example of inclusion.



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**Peter M. Mazer**  
General Counsel

**Testimony of Peter Mazer, General Counsel to the  
Metropolitan Taxicab Board of Trade  
Before the City Council Transportation Committee  
Regarding Intro 433**

**December 13, 2010**

Good morning Chairman Vacca, Chairman Koppell and Committee members. My name is Peter Mazer and I am General Counsel to the Metropolitan Taxicab Board of Trade, a 58-year-old trade association comprised of 31 taxi fleets. We lease more than 3,500 yellow medallion taxicabs to approximately 14,000 drivers primarily on a double-shifted basis. Our taxis serve the riding public 24 hours a day, 7 days a week, 365 days a year.

MTBOT opposes Intro 433 which would add a new subdivision to the Administrative Code to require that "all new taxicab designs" approved in New York City be wheelchair accessible.

Accessible taxicab service can be most efficiently and effectively provided through pre-arrangement, which in New York is handled in two ways: (a) by the subsidized Access-A-Ride system that is specifically designed to transport persons with disabilities; and (b) by the livery and black car industries which have long been required to directly provide or secure accessible service for its passengers who pre-arrange door-to-door service. Neighborhood car services are still the most reliable means of ground transportation in most New York City neighborhoods and, along with Access-a-Ride, can benefit the most people.

For the past year, 240 wheelchair accessible yellow medallion taxicabs - which provide demand responsive transportation on a hail basis, participated in a 311-enabled centralized dispatch program. That program was recently terminated.

While we are cognizant that disability advocates have pointed out flaws in all three of these accessible services. Instead they seek a mandate requiring all 13,237 yellow taxicabs to be wheelchair accessible, which is also not the answer.

Currently, retrofitted wheelchair accessible taxicabs cost nearly twice as much as Ford Crown Victorias which comprise the vast majority of the overall taxi fleet. These vehicles also cost more to operate. These additional costs cannot be recouped by owners since

both fares, and the maximum lease rates owners can charge taxicab drivers, are fixed by the Taxi and Limousine Commission. Few owners can take advantage of the limited tax credits that may be available in certain circumstances for the purchase of accessible vehicles. And unlike the Crown Victoria, retrofitted wheelchair accessible minivans are not designed for commercial fleet use. This is critically important, as our vehicles are on the road 24/7 and must meet the highest durability and performance standards. Some accessible minivans were so problematic that the TLC was forced in the past to take them off the approved vehicle list.

That is the current situation. As we look toward the future, there are a few purpose-built wheelchair accessible taxi designs that have been marketed to our industry. One of these designs is a finalist in the Taxi of Tomorrow contest. However, these vehicles have either not yet been built or do not have significant experience on New York City streets. Either way, we are a long way from determining whether any accessible taxicab can handle the tough streets of New York City as a 24/7 double-shifted taxicab.

The TLC wants to explore the launching of a new centralized accessible dispatch system that would include yellow taxis and livery vehicles and be funded by these industries – not the City, which was the funding source behind the last dispatch program.

As this proposal will be the subject of a TLC meeting next week and may bear some impact on the bill being discussed today, we'd like to briefly address it.

Unlike Access-a-Ride, which is subsidized to the provider and whose providers can decide not to renew contracts if their return on investment is not adequate, the yellow taxi industry is entirely unsubsidized. Furthermore, yellow taxicab operators cannot raise fares or lease rates themselves to offset increased expenses.

That said, MTBOT has always demonstrated a strong willingness to do our fair part to keep this unsubsidized industry healthy while effectively servicing the riding public, whether it has been our support of medallion sales that have yielded hundreds of millions of dollars to the City or our funding and managing of outer-borough yellow taxi stands and welfare-to-work programs.

Before we can make a reasonable assessment about such a proposal we will need many more details. However, any new tax on the yellow taxicab industry would be hard to swallow considering it has been 6 1/2 years since the last lease cap adjustment and fare increase, which is the primary way fleets are able to offset their considerable operating costs. This industry is highly regulated and already pays significant tax revenues to the City. In addition, traditional State sales taxes continue to rise and fleets are unable to recoup these costs from drivers. Compounding the difficulty this industry always faces in offsetting operating costs, our passengers are now burdened with a fifty-cent per ride surcharge that is used to subsidize the MTA's competing service.

We are making strides as an industry. Just a few years ago, there were no accessible taxis. As a result of actions taken by the City, primarily through the efforts of this

Committee, now there are 240 accessible taxicabs serving the public. Just a few years ago, no automaker seemed remotely interested in building an accessible taxicab. Now there are several designs and prototypes. Soon, there will in all likelihood be an accessible, fuel efficient, safe, comfortable, durable and economical taxicab that we can all benefit from. But we have seen no evidence that this vehicle exists today and cannot endorse an unfunded mandate for an unproven vehicle.

While Intro 433 has good intentions, if it is passed, the TLC will have no choice but to disqualify any non-accessible vehicle from being approved as a New York City taxicab which will leave a very small and entirely untested pool of design ideas and prototypes to choose from – a huge bet that this City cannot afford to make. The bill would become effective immediately; even the TLC acknowledges that the Taxi of Tomorrow will not be on the streets until 2013 at the earliest.

MTBOT believes that the Taxi of Tomorrow project should not be limited to one automaker. We believe strongly in the power of competition. Let the TLC permit multiple automakers to compete for our business and the City and the industry will have more options, including accessible vehicle options. Allow us to continue piloting new vehicles and new technology as we have done for decades. And incentivize the livery industry to provide better accessible service to fulfill the mandate that has existed in this industry for nearly ten years.

Thank you for your time. I would be happy to answer any questions you may have.



**TESTIMONY ON BEHALF OF  
THE GREATER NEW YORK TAXI ASSOCIATION  
BY ETHAN B. GERBER  
BEFORE THE NEW YORK CITY COUNCIL  
COMMITTEE ON TRANSPORTATION  
AND  
COMMITTEE ON COMMITTEE ON MENTAL HEALTH,  
MENTAL RETARDATION, ALCOHOLISM, DRUG ABUSE  
AND DISABILITY SERVICES**

**MONDAY, DECEMBER 13, 2010**

**GOOD MORNING. MY NAME IS ETHAN GERBER AND I AM THE  
EXECUTIVE DIRECTOR OF THE GREATER NEW YORK TAXI  
ASSOCIATION.**

**GNYTA IS A GROUP OF PROGRESSIVE YELLOW MEDALLION  
TAXI OPERATORS WHO SHARE A VISION OF NEW YORK'S FUTURE  
THAT INCLUDES TAXI SERVICE THAT IS SAFE AND ACCESSIBLE TO  
ALL NEW YORKERS.**

WE REPRESENT THE OPERATOR OF THE VAST MAJORITY OF CORPORATE OWNED ACCESSIBLE TAXIS. WE ARE COMMITTED TO MAKING THE CONCEPT OF ACCESSIBLE TAXIS WORK. WE HAVE VOLUNTARILY INVESTED CONSIDERABLE AMOUNTS OF MONEY INTO ACCESSIBLE TAXIS WHEN OTHERS SHIED AWAY.

OUR GOAL IS TO PROVIDE ENVIRONMENTALLY RESPONSIBLE YELLOW TAXI SERVICE TO ALL NEW GLADDENED AND VISITORS, REGARDLESS OF PHYSICAL CONSIDERATIONS. WE BELIEVE IT IS THE RIGHT THING TO DO, THE INEVITABLE THING TO DO, AND THE RESPONSIBLE THING TO DO.

WE WOULD LIKE TO THANK TLC CHAIRMAN YASSKY FOR REACHING OUT TO THE INDUSTRY AND AGREEING TO CHANGES. WE HAPPY TO BE WORKING DEPUTY COMMISSIONER CHHABRA AND ASSISTANT COMMISSIONER PHILIPS WHO HAVE INDICATED THAT THEY ARE MORE PREPARED TO WORK WITH THE INDUSTRY IN ORDER TO ACHIEVE OUR MUTUAL GOALS THAN THEPRIOR ADMINISTRATION.

WE WOULD ALSO LIKE TO THANK THE CITY COUNCIL FOR SOLICITING OUR INPUT.

BEFORE SUBMITTING OUR RECOMMENDATIONS I WOULD LIKE

TO EXPLAIN WHY OUR ATTEMPT TO SERVE THE DISABLED PORTION OF OUR COMMUNITY HAS BEEN A FAILURE, WHAT WAS LEARNED AND HOW IT CAN BE MADE TO SUCCEED.

THERE HAD BEEN IN PLACE A TLC ACCESSIBLE TAXI PILOT PROJECT. IT DEMONSTRATED HOW AN ACCESSIBLE TAXI PROGRAM SHOULD NOT BE CONDUCTED.

THE ECONOMICS AND FARE STRUCTURE OF YELLOW TAXIS AND LIVERIES ARE TAILORED VERY DIFFERENTLY FOR THE VERY DIFFERENT SERVICE EACH PROVIDES. A YELLOW TAXI'S FARE IS STRICTLY LIMITED AND SET BY THE TAXI AND LIMOUSINE COMMISSION. THE FARE OF AN FHV CAR SERVICE IS SET BY THE CAR SERVICE BASE WITH THE CAVEAT THAT IT CAN BE NO DIFFERENT FOR A DISABLED PASSENGER. YELLOW TAXI DRIVERS ARE NOT EMPLOYEES. A YELLOW TAXI DRIVER EITHER OWNS HIS OWN TAXI MEDALLION OR HE LEASES A TAXI FROM AN OWNER. AN OWNER WHO LEASES HAS NO CONTROL OVER A DRIVER.

BECAUSE OF THE FARE STRUCTURE A YELLOW TAXI MUST OPERATE WHERE THE TAXI DRIVER WILL FIND A HIGH VOLUME OF STREET HAILS. THAT IS ONLY WHERE THERE IS A HIGH DENSITY OF

PEDESTRIAN TRAFFIC. A TAXI DRIVER EARNS MONEY IN DIRECT PROPORTION TO THE NUMBER OF PASSENGER CARRYING RIDES. OTHERWISE, THE TAXI DRIVER LOSES MONEY. A TAXI DRIVER MUST PAY FOR THE LEASE AND FUEL AND EARN ENOUGH TO LIVE. IF HE OWNS THE MEDALLION HE MUST EARN ENOUGH TO PAY FOR THE LOANS ON THE MEDALLION AND THE CAR.

THE TLC MANDATES THAT LOCAL COMMUNITY CAR SERVICES (FHVs) WHICH ARE SPREAD THROUGHOUT EVERY BOROUGH AND COMMUNITY IN THE CITY HAVE ACCESSIBLE VEHICLES AVAILABLE ON DEMAND. FHVs ALREADY OPERATE ON AN FHV ECONOMIC MODEL BECAUSE THEY ARE FHVs. HOWEVER, THE TLC DID NOT REQUIRE THEIR PARTICIPATION IN THE ACCESSIBLE DISPATCH PROGRAM WHICH NEVERTHELESS SUPERIMPOSED AN FHV MODEL ON TAXIS WITH TAXI, RATHER THAN FHV, RATES. THERE ARE 457 LICENSED COMMUNITY CAR SERVICE BASES AND 75 LICENSED BLACK CAR BASES. TOGETHER THEY DISPATCH 29,894 VEHICLES TO PASSENGERS WHO CALL FOR SERVICE SPREAD THROUGHOUT THE ENTIRE CITY. ALL ARE REQUIRED BY TLC RULES TO HAVE AVAILABLE ACCESSIBLE VEHICLES. NOT A SINGLE FHV BASE HAD VOLUNTEERED TO PARTICIPATE IN THE ACCESSIBLE DISPATCH PROGRAM. BY COMPARISON, THERE ARE 13,237 TAXIS, 240 OF WHICH ARE ACCESSIBLE, THAT MUST OPERATE BY STREET HAIL AND THEREFORE MUST CONCENTRATE IN HIGH STREET POPULATION

DENSITY AREAS AND AIRPORTS IN ORDER TO SURVIVE ECONOMICALLY BECAUSE THEIR HIGHLY REGULATED RATE OF FARE IS SPECIFICALLY DESIGNED FOR HIGH PASSENGER VOLUME.

IN 2008, THE TAXI AND LIMOUSINE COMMISSION CREATED A PILOT ACCESSIBLE DISPATCH PROGRAM WHICH MANDATED THAT ALL ACCESSIBLE TAXIS PROVIDE FHV SERVICE AT TAXI RATES FOR THE DISABLED BUT PARTICIPATION BY FHV'S WAS VOLUNTARY. NOT A SINGLE FHV BASE HAS PARTICIPATED PRESUMABLY BECAUSE THE MANDATED TAXI METER RATES ARE TOO LOW FOR THEIR ECONOMICS. YELLOW TAXIS IN THAT PILOT PROGRAM DID NOT PROVIDE TAXI SERVICE TO THE DISABLED COMMUNITY. THOSE TAXIS WERE REQUIRED TO PROVIDE UNSUBSIDIZED FHV SERVICE AT TAXI RATES. THIS MEANS TAXI DRIVERS WHO DROVE ACCESSIBLE TAXIS WOULD LOSE MONEY.

THE PREVIOUS DISABLED DISPATCH PROGRAM FAILED ESSENTIALLY FOR TWO REASONS. ONE, IT PENALIZED OWNERS WHO PARTICIPATED IN THE PROGRAM. TWO, IT PENALIZED DRIVERS WHO VOLUNTEERED TO PARTICIPATE IN THE PROGRAM. IT PENALIZED OWNERS WITH AN INADEQUATE POOL OF DRIVERS QUALIFIED TO LEASE THEIR TAXIS. IT PENALIZED DRIVERS WHO WOULD LOSE MONEY EVERY TIME THEY RESPONDED TO A DISPATCH.

RATHER THAN FOCUS ON THE FAILINGS OF THE PAST, WE SHOULD MOVE FORWARD WITH WHAT WE HAVE LEARNED. WE EITHER NEED A REVISED PROGRAM OR REQUIRE ALL TAXIS TO EVENTUALLY BE FULLY ACCESSIBLE.

THE TLC MUST EXPAND THE NUMBER OF DRIVERS WHO ARE QUALIFIED TO OPERATE ACCESSIBLE TAXIS. TODAY, LESS THAN 3% OF DRIVERS ARE QUALIFIED. THE TLC MUST HAVE THE TAXI SCHOOL CURRICULUM INCLUDE ACCESSIBLE TRAINING AND CONSIDER REQUIRING IT FOR LICENSE RENEWAL. ACCESSIBLE DRIVERS SHOULD NOT BE LIMITED TO THOSE WHO CANNOT LEASE ELSEWHERE.

AN RFP OR RFI FOR A DISPATCH PROVIDER MUST BE TAILORED SO THAT THE DISPATCH SYSTEM IS DESIGNED AROUND HOW TAXIS ACTUALLY OPERATE. THE PREVIOUS PROVIDER WAS A BLACK CAR OPERATOR WHO TRIED TO OVERLAY A BLACK CAR MODEL ON TAXI DISPATCH. IT DID NOT WORK. THE VENDOR MUST ASK THE TAXI INDUSTRY WHAT IT NEEDS TO MAKE THE SYSTEM WORK AND DESIGN THE SYSTEM ACCORDINGLY.

OUR GOALS ARE THE SAME AND THEY ARE ATTAINABLE. THE MECHANISMS MUST RECOGNIZE THE OPERATIONAL ECONOMIC REALITIES OF A PRIVATE BUSINESS THAT HAS TO BE SELF

**SUSTAINING WHILE ITS REVENUE POTENTIAL IS ARTIFICIALLY CAPPED  
AND ITS CUSTOMER BASE IS RESTRICTED.**

**THANK YOU. I WILL BE HAPPY TO CLARIFY ANYTHING I HAVE SAID  
AND ANSWER ANY QUESTIONS.**

**Testimony of Marvin Wasserman, Executive Director  
Brooklyn Center for Independence of the Disabled  
City Council Hearing on "Accessible Taxis"**

**December 13, 2010**

**Good morning, Council Members. I am Marvin Wasserman, Executive Director of the Brooklyn Center for Independence of the Disabled. Thank you for considering Council Member Koppell's bill to create a 100% accessible taxi fleet.**

**This issue is of special importance to me. I met my late wife, Sandra Schnur, in 1980, when there was no accessible public transportation for people who were quadriplegics like her. At the time, people with disabilities were hidden away in their homes and institutions. The only other wheelchair users we'd see on the street were other disability-rights activists. At the time, she told me that her dream was for there to be accessible taxis so that she and others like her could go anywhere she wanted, at any time of the day or night. Some twelve years after her passing, I had the opportunity to join with others to form the "Taxis for All Campaign."**

**When we started, there were no accessible taxis or community car service vehicles. Now, sixteen years later, less than 1% of the taxi**



**fleet is accessible, and accessible community car service is even less available.**

**Mayor Bloomberg has stated that taxis are a part of our public transportation system. If so, it is the only part which is largely out of reach to those who might need it most, and have few other alternatives. According to the “official” estimates, there are 60,000 wheelchair users in the city. However, that is a snapshot of the numbers at the time of that particular survey. It does not account for tourists who would be visiting New York City. It does not account for continued aging of “baby boomers.” It does not account for the service people returning from the wars in Iraq and Afghanistan.**

**Many elected officials and bureaucrats have told us over the years that their goal is a 100% accessible taxi fleet. However, while good will on this issue is plentiful, the will to make this happen is in short supply. Others continue to cite the numbers of wheelchair users as a reason to thwart of public policy of inclusion, and to continue to deny them the opportunity to be fully independent in the community.**

**Many, in the past, have cited other impediments, including the lack of a universally-designed vehicle.**

**However, the selection of the Karsan accessible taxi as a finalist for the “Taxi of Tomorrow” and the development of the MV-1**

**accessible taxi should bring that day closer. Should the Karsan not be chosen, that day will be put off at least another 13 years.**

**I urge the Council to pass Council Member Koppel's bill for a 100% accessible fleet, and bring my late wife's dream to a reality.**



**League of Mutual Taxi Owners, Inc.**  
**LOMTO**



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Testimony of Vincent Sapone

Good Morning Council Members. My name is Vincent Sapone, Managing Director of the League of Mutual Taxi Owners and I thank you for the opportunity to speak at today's hearing.

The concept of dispatching accessible taxis has merit and LOMTO is interested in exploring ways to create a viable system that would provide on demand transportation for those requiring that type of service.

We believe that dispatching these vehicles would be more appropriate than making the entire fleet of more than 13,000 licensed taxi's accessible. No manufacturer produces a vehicle at this time that can accommodate a wheelchair without extensive alterations. These modified vehicles have not proven themselves to be as reliable as the automobiles that are now in use. These modified vehicles are also not as comfortable as conventional taxis for almost all passengers.

We also believe that that it would be very difficult and dangerous for a person in a wheelchair to hail a taxi in an environment like Midtown Manhattan. Pre-arranging a ride is much safer and more practical.

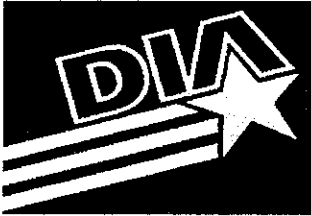
The original dispatch program was well intentioned but has been deemed ineffective. With the involvement of leaders in the Taxi Industry, I am sure that we can create a system that will work for all people involved.

LOMTO Members are not prepared to write a blank check to make the system work but we are prepared to be part of the solution---not part of the problem.

The TLC must look not only to the industry to make this new plan a success, but must look anywhere it can to find money that may be available such as Federal, State, City or Private sources.

It has been 6 ½ years since medallion taxis had a fare increase. Before we can spend or invest any money, we must be assured that the fare increase request that has already been submitted to the TLC will be approved.

Thank you for listening.



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## FOR THE RECORD

December 13, 2010

Transportation Committee Hearing on T2010-2037 Oversight - Accessible Taxis & Other For-Hire-Vehicles. A Local Law to amend the administrative code of the city of New York, in relation to requiring that any new taxicab design, approved by the taxi and limousine commission, be accessible to wheelchair users. Int 0433-2010 Jointly with the Committee on Mental Health, Mental Retardation, Alcoholism, Drug Abuse and Disability Services.

### **Testimony by Jean Ryan of Disabled In Action and Taxis For ALL Campaign**

Accessible for hire vehicle service is almost nonexistent anywhere in NYC, especially in the outer boroughs, and getting it immediately like in 10 minutes or even in 30 minutes is absolutely impossible. If each base does not have many accessible vehicles, if not all accessible vehicles, we will never be able to get a ride in a timely fashion. Just last night a friend called. She had fallen asleep yesterday and missed calling AAR a day in advance for an important appointment today. She tried to book A Ride For All, an expensive, accessible car service run through Carmel, but when she called, they told her they weren't there last night to book a ride and they doubted they would have anything for her this morning. How's that for service? If that happened with any car service in this city with an ambulatory person, the car service would never stay in business! She called me to ask if I knew of another accessible car service. I told her I'd read about Vega Transportation. On their website they say one trip anywhere is a minimum charge of 2 hours at 85 dollars an hour plus 20% tip and a charge for loading, too, and a charge for getting there and back from their base. That's outrageous! She could have just waited until she needed a ride and called her local car service for an accessible car, but we all know she would not have gotten a ride at all. I don't know if she got a ride today or not.

A few years ago, my local car service, Harborview Car Service, had an accessible car for a year, but they gave it up because the insurance was triple what they had to pay for any other car the base had. It wasn't in any accidents, the insurance was just triple. That was too expensive. Taxis For All Campaign went to the state insurance department and inquired. We got a letter from them to the effect that insurance for people with disabilities could not be more than people without disabilities. Still, the companies continued to charge more and small car service bases could not afford to have accessible vehicles in their fleets. Some bases and fleets could afford it because they self-insured.

I never tried the Central Dispatch system because it was too much like roulette. When I need a ride, I want certainty that I will get where I am going! Everyone else feels the same way, too, otherwise we wouldn't be calling and laying out the money for the ride. There is no way that I would be willing to wait an hour for a ride, and I am pretty certain that given the parameters of the old Central Dispatch as well as the new one, I would be in that category. No thank you, and that is not fair! You'd have to live in Manhattan where the majority of the cabs are or in lower Brooklyn to get a cab in a decent time.

Lastly, Intro. 433 needs to be more specific so that all wheelchair users could actually get into a cab. The way it is written, what if only people who had manual chairs could get into the cabs? It has to be inclusive of motorized wheelchair users.

Disabled In Action is a civil rights, non-profit, tax exempt organization

Testimony for TLC Hearing, December 13, 2010

FOR THE RECORD

Good Morning,

Thank you for the opportunity to present testimony at this hearing. My name is Gabriela Amari. I work as an advocate for the disabled at Brooklyn Center for Independence of the Disabled.

The Brooklyn Center for the Independence of the Disabled, Inc. (B.C.I.D.) is a not-for profit community based, consumer directed center which advocates on behalf of the disabled community and provide services to promote independence and community participation.

As a disabled person who uses a motorized wheel chair, I need to stress the hardship that inaccessible taxis create for the wheel chair community in New York City. It is often a daunting task to travel in a wheel chair if one is taking the Subways due to partially accessible subway stops (with an elevator either only from the Mezzanine to the street and/or an elevator on only the Uptown or Downtown side.) Buses are somewhat easier but now have been either reduced or cut completely. In Brooklyn, people tend to use car services more than taxis but we all know what happened this past November when Livery staged a protest over having to pick up passengers in wheel chairs and charge them the same fare as able bodied people. They were being required to get one accessible vehicle per car service and claimed that this was a hardship. They then announced that they would not be picking up any wheel chair passengers as a result.

So, what are we left with? Accessible taxis. Accessible taxis are the only way that a person in a wheel chair would be able to get to where they are going without having to make a reservation one to two days in advance. Believe it or not, people in wheel chairs have emergency situations that crop up like anybody else in life and we are left with no recourse. It is imperative that all taxis become accessible. We should be afforded the same opportunities as anyone else when it comes to hailing a cab on the street to get to where we have to go or the opportunity to be able to call an accessible taxi and be picked up within 40 minutes to an hour after calling.

Here is a good example of a situation that has and, most likely, will happen again.

Three years ago, before I was completely dependent on my wheel chair for traveling, I was awoken at 2AM by desperate meowing. My cat was suffering an acute asthma attack and was struggling for each intake of breath. I got out of bed, grabbed my cane, packed my cat into the carrying bag and called a car service to take us to the 24 hour Veterinary Clinic in downtown Brooklyn. I was able to get my cat in the carrying case (which is on wheels,) outside and into the car service. When I arrived, the car service driver and the Veterinary Tech helped me out of the car and carried my cat into the clinic. They saved his life. Upon returning home in another car service, the driver helped by carrying my cat's carrying case into my building to the elevator.

In the two years preceding this emergency, my right sided weakness worsened and I became dependent on my motorized wheel chair for mobility. If this scenario had happened two years ago or one year ago, I would not have been able to call a car service because they do not have accessible vehicles for my motorized chair and the overnight service for the bus near my house has been discontinued. There is no accessible train stop near the clinic. My only recourse would have been to try to get an accessible taxi. My cat would have died. There are many people in the disabled community who work. We pay taxes. We all go places, we all have emergencies, we are people like everybody else in that respect. We are not lesser people because we are disabled. We should be able to hail an accessible taxi on the street like able bodied people do every single day. We need to be treated equally by the TLC. We need for all taxis to be accessible in New York City.

Thank you,  
Gabriela Amari  
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**Comments Submitted To The Oversight Hearing On Accessible Taxis and Other For Hire Vehicles and Intro 0433-2010.  
The Committee On Transportation Jointly With The Committee On Mental Health, Mental Retardation, Alcoholism, Drug Abuse  
and Disability Services.**

**December 13 2010**

**Chairmen Vacca and Koppell and Committee Members:**

I would like to present a summary of the comprehensive plan developed to provide City Wide ADA Transportation compliant Wheelchair Accessible Taxi and Livery Service equivalent to Standard Taxi and Livery Service As Required Under Taxi and Limousine Commission Rules. For this purpose the central feature of the plan is the eFHV™ System, a cost efficient advanced technology Web Services Digital Voice and Data Location Based Dispatch Operations Management and Fare Payment System for On Demand Prearranged service enabling the pooling of wheelchair accessible Taxi and Livery Industry resources. eFHV™ achieves the cost benefits that only "pooled" resources of the Taxi and Livery Industry wheelchair accessible segments can provide at no incremental cost for wheelchair accessible On Demand prearranged service or the need for a new dedicated dispatch facility, as described in the eFHV™ Plan, "A Comprehensive eFHV™ Plan to Provide Adequate City Wide On Demand Prearranged and Street Hail Wheelchair Accessible Medallion Taxi and Livery Services Including a Transition to Livery Industry Access-A-Ride Services."

By pooling the availability of all wheelchair accessible medallion taxis and livery vehicles under the eFHV™ dispatch operations management system, the delivery of City Wide wheelchair accessible services is optimized. The resources of all licensed Livery Bases including their call takers, dispatchers and affiliated liveries are conveniently accessed by means of a Universal Phone Number for On Demand prearranged Service. And each wheelchair accessible medallion taxi as part of the available pool is assigned to a Livery Base solely for dispatch management from the pool. If a medallion taxi is selected by the Location Based Dispatch System, the Taximeter should not be hired and a Zone Rate of Fare system should be used for medallion taxi dispatched trips consistent with the FHV rule requiring equivalent dispatch service for wheelchair accessibility. The passenger's Pick up location is determined in the Universal Number Interactive Voice Response (IVR) Call For Service session. In seconds, after the Location Based System determines the closest vehicle in the pool to the pick up location, the Call For Service is forwarded to the vehicle's affiliated Base for call taking and dispatching in the usual fashion using the eFHV™ system. As pointed out in the plan's description, medallion taxi operators are subjected to enormous street hail work loads. Therefore the addition of medallion taxis to the dispatch pool should be temporary and limited to the time the Livery Industry needs to increase it's wheelchair accessible pool size to meet On Demand Prearranged wheelchair accessible services. At that time, the medallion taxis should return to wheelchair accessible street hail service.

To facilitate the rapid growth of wheelchair accessible medallion Taxis and Liveries, a simple modification to the Ford Panther Platform Town Car and Crown Victoria has been developed enabling wheelchair entry from either side of the vehicle. The modification does not require chassis alteration and meets all ADA Transportation Accessibility, wheelchair restraint and safety requirements and National Highway Traffic Safety Administration (NHTSA) Federal Motor Vehicle Safety Standards (FMVSS). In compliance with Taxi Commissions Rules, each Livery Base initially would need to modify only one affiliated vehicle creating an initial pool size of 700 vehicles including the wheelchair accessible medallion taxis.

The ADA wheelchair accessible modification of additional medallion taxis would overcome the delayed timing of the Taxi of Tomorrow (TOT) which is not planned to be available until 2013-2014 leaving the later half of 2011 to 2013-2014 or a delay to a future date without a suitable replacement taxi if the TOT candidate group is a likely non-starter. If the Council and the Commission embrace the opportunity to support the ADA Crown Victoria and Town Car, under current Commission retirement rule extensions for ADA compliant taxis, this void will be filled with a "clean", safe, durable, reliable and proven 50 State USEPA emissions compliant wheelchair accessible taxi until 2018. But the unexplained denial of the wheelchair retirement extension recently passed by the Taxi and Limousine Commission would need to be reconsidered.

Submitted by,

Richard Thaler, PhD.

Center For Advances In Taxi and Livery Operations.

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**Brooklyn Center for Independence of the Disabled**

**Committee on Transportation on Accessible Taxis**

**New York City Hall**

**Monday, December 13**

**At 10:00AM**

**Council Chambers**

**Thank you for the opportunity to present the opinions of the board, staff and participants of the Brooklyn Center for Independence of the Disabled (BCID). BCID is a consumer based, not for profit organization, controlled and operated by people with disabilities. Our mission is to provide the tools, services and necessary assistance to remove barriers within the community which prevent people with disabilities from fully assimilating.**

**In all honesty I'm not even sure I why I have to sit here and testify of the importance of an accessible taxi cab. I would think it is common sense that accessibility for all is an important topic. Since accessibility challenges will affect us all at one point in our lives, whether it's family or friends or the growing senior population, not to mention the disabled vets returning from war, New Year's taxicabs should be accessible.**

**Able-bodied New Yorkers take it for granted that they can just go outside their house or place of business to hail a cab. There are roughly 13,000 taxicabs willing to pick able-bodied passengers, while there are only 240 accessible taxis available to pick up disabled people. Has anyone on this committee ever try to hail cabs from a wheelchair, or call 311 to request an accessible cab under the recently discontinued program? The 311 dispatch service was almost useless because taxicab drivers could ignore the first request and are there whether no consequence if the drivers didn't show up.**

**England has 100% accessible taxi cabs. The city of Chicago also has accessible cabs. Those cities made the right decision by providing services for all their people. Why isn't New York following the same example?**

**The following reasons are why I know accessible taxicab services are important a cross-section of the population, which seem to be getting forgotten:**

- 1 Accessible taxi cabs will benefit everyone,**
- 2 Returning disabled vets, Senior Citizen's, and people with disabilities need equal transportation options,**
- 3 Accessible taxis will reduce the high demand on Access A Ride,**



**4 The elimination and reduction of the buses have made it more difficult for many people to travel,  
In summary, all new taxis should be accessible!**

**Thank you for the opportunity to present my testimony.**

**Respectfully Submitted,**

**Milagros Franco**

**Brooklyn Center for Independence of the Disabled**

**Committee on Transportation on Accessible Taxis**

**New York City Hall**

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**Respectfully Submitted,**

**Milagros Franco**

# Center for Disability Rights, Inc.

December 13, 2010

FOR THE RECORD

Good morning. I am Dennis R. Boyd, Senior Counsel to the Center for Disability Rights, which has an office at 105 East 22<sup>nd</sup> Street. I have worked on disability access and disability rights issues in New York City for almost 15 years.

I'd like to thank Chairman Vacca of the Transportation Committee and Chairman Koppel of the Committee on Mental Health etc. & Disability Services for calling this oversight hearing and hearing on Intro. 433/2010 and for the members of both committees for their time and focus on this important matter.

## I. The Survey

I understand that there is a pending report on the two year trial of accessible taxis and other "for hire" vehicles. For a variety of reasons reliance on the experiences of the usage upon which that report will be based is not at all indicative of the need for accessible cabs in New York City. Given its limitations, it is not at all a reasonable measure of the demand and the need for accessible cabs in the City.

Let us imagine a situation in which people who can walk could use only 2% of the cabs and had to reserve them in advance. The cab drivers had to respond to the non-hands free Blackberry's they were provided within a minute, (whether they have a fare in their cab or not), or face a fine of up to \$100.00. When called, they have to drive, without pay, to the location of the person who has made the reservation and then take that person anywhere in the city, even if it's just a short distance away.

If there were little utilization of such a system, what would be the logical conclusion? ...that people who can walk wouldn't use cabs if they could hail them at any street corner, without prior reservation? No. So I strongly encourage all members of City Council and these two committees to consider the limitations of the survey before drawing any conclusions from it.

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**Geneva Office** 34 Castle Street Geneva, New York 14456 (315) 789-1800 V/TTY (315) 789-2100 FAX  
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## **II. Intro. 422/2010 Requiring Accessible Cabs**

I would rather that Intro. 433 had specific and progressive standards for accessible taxi design (accessible scooters are getting bigger and heavier, so standards that would accommodate them would be helpful since we are talking about a long-term period with a single taxi design). However, I believe that, as written, it is an essential step towards equality for people with disabilities trying to get around the City. For reasons I will go into, I think it important to everyone else as well.

In a broad sense, requiring accessible cabs is necessary to the goal of maintaining New York City as the premier city that is the cultural and economic hub for the nation and, in many ways, for the rest of the world; as it were -- the "City of Tomorrow." While I believe that other mandates already require accessibility of new cab purchases, as someone who has litigated similar matters for years, I can say that the clearer and more specific the mandates are, the more likely they will be complied with up front, before any damage is done.

We've all been taught since childhood that it is better to do things right the first time, rather than having to go back, analyze our mistakes, undo them, then start again. As someone who has fought for years to ensure equality for people with mobility and other impairments, I can tell you how hard this is. It is particularly true of mandates that don't have significant enforcement measures and a high likelihood of an easy remedy against the offender if ignored. That is why I encourage the committees here and the Council broadly to adopt Intro. 433 -- so as to insist that the TLC do it right the first time and require accessibility in the original RFP.

One of the reasons that agencies don't always do things right the first time is that there may not be that much in it for them. Saving money for a state agency or another city agency may seem much less appealing than being able to announce a brand, spanking new program that is without limitations and entirely of a particular agency's own making. The TLC, for example, has little reason to think about how making the 13,000+ taxi cabs accessible and available on an as-needs basis to current and future users of Access-A-Ride will save millions of dollars for the MTA, (thereby saving both the State and the City significant expense.) (Access-a-Ride currently costs about \$60.00 a ride, and gives rides at that rate to all

who are eligible, as it must under federal law.) And, due to the aging population, the number of riders and eligible people keeps going up.

The TLC has little reason to link eliminating gridlock, which the Mayor has tried to alleviate by congestion pricing and other mechanisms to the presence of thousands of Access-A-Ride vehicles bumping up against each other trying to get across town. It may not consider that the many thousands of tourists that come to the city annually (with Euros and other currency in hand) might think the city more usable if taxis can fit wheelchairs, strollers, more tourists or more packages; or that having accessible cabs might attract even more tourists to spend more money in New York City than small, inaccessible ones would. It has never been wise to apply isolated or “penny wise/dollar foolish” approaches, but, as we all know, it is unfortunately quite commonplace. But to do so in these times of fiscal constraint is not something we, as a society, can afford.

This in not even to mention the rights of people with disabilities. It is also not to mention the fact that there are more and more elderly folk in this city who will need accessible cabs to get around during the ten years these may be the only cabs on the road. If people with disabilities and the elderly can't use cabs they will place even further burdens and costs on the Access-a-Ride system and on the City and State.

Presently, a mere 240 of the 13, 237 or so yellow taxicabs are accessible to the more than 60,000 wheelchair users who live in New York City. As a result, wheelchair-using residents and visitors are denied a basic service available to all other New Yorkers: the ability to go, reliably, door-to-door at any hour of the day or night. In a city that supposedly never sleeps and where the need to get to meetings, interstate connections, work, school, lunch, visits to friends, events: and *hearings of the City Council*, is measured in minutes, this denial places wheelchair users at a severe disadvantage across the board.

Unable to hail yellow taxicabs, wheelchair users must resort to far less flexible options such as public buses, which travel fixed routes with multiple stops; Access-a-Ride, which must be ordered a day in advance and cannot guarantee either direct or on-time service; and subways, which are, and will long be, largely inaccessible. To state the obvious: this denial of taxi on demand service serves to isolate

wheelchair users from the rest of the community, leaving them dependent in a way that no one else is.

This cannot be tolerated and must not be continued.

In conclusion, the usage rates of the two year trial of accessible cabs should be ignored and any new purchases authorized by the Taxi and Limousine Commission should, as mandated by Intro. 433, be accessible to wheelchair users so they can use cabs in equal fashion to the rest of taxi users in the city.

For a variety of reasons, New York City is recovering from the recession faster than much of the rest of the country. Ignoring the opportunity to mandate accessibility in the “taxis of tomorrow” would put a crimp in the City’s economy and continue deplorable discrimination. Not only will accessibility save money and be the right thing to do, but it can help continue the growth of the local economy and renew a time when New York City was unequivocally known as a trend-setter for inclusiveness and accessibility for all.

Thank you.

Dennis R. Boyd  
Senior Counsel  
Center for Disability Rights  
105 East 22<sup>nd</sup> Street, 6<sup>th</sup> Floor

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 933 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 12/15/10

Name: Edith Prentiss (PLEASE PRINT)

Address: 735 W 186 ST

I represent: Taxis For All Campaign

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

Name: Milagros Krowc (PLEASE PRINT)

Address: 27 SMITH ST BROOKLYN

I represent: BCID

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

Name: TEARY MOAKLEY (PLEASE PRINT)

Address: \_\_\_\_\_

I represent: UNITED SPINAL

Address: \_\_\_\_\_

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



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 433 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/13/10

(PLEASE PRINT)

Name: Marvin Wasserman

Address: \_\_\_\_\_

I represent: Brooklyn Center for Independence

Address: 27 Smith St of the Disabled

Suite 200  
Brooklyn, NY 11201

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 433 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Gov B. ALUMBO

Address: 36-31 10th St, LIC

I represent: LIVERY ROUND TABLE

Address: SAME

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Richard Thaler with Lester Shafron

Address: 799 McLean Ave, Yonkers, NY

I represent: Omnimedia Media Network

Address: Same as above

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

[ ]

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: James G Felakos

Address: 229 Chrystie St, 10002

I represent: ACLU

Address: 125 Broad St, 10004

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

[ ]

I intend to appear and speak on Int. No. 344 Res. No. \_\_\_\_\_

in favor  in opposition

AAR pick up 12:30

Date: 12-13-2010

(PLEASE PRINT)

Name: Jean Ryan

Address: 646 77th St

I represent: Disabled TN Action and Taxi's for All Campaign

Address: [ ]

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

[ ]

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: CHRIS NOEL

Address: 2034 SEVENTH AVE, 2E, 10027

I represent: 504 DEMS

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

Name: DAVID YASSKY (PLEASE PRINT) COMMISSIONER/CHAIR

Address: \_\_\_\_\_

I represent: TAXI + LIMOUSINE COMMISSION

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 433 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 12-13-2010

Name: Ronnie Raymond (PLEASE PRINT)

Address: \_\_\_\_\_

I represent: Self

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 12/13/10

Name: Michal Kellner (PLEASE PRINT) (Assembly Member)

Address: 315 E 65th Street

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 433 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Steven Bulatowicz

Address: 50-24 Queens Blvd, Woodside NY

I represent: League of Mutual Taxi Owners

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 12/13/10

(PLEASE PRINT)

Name: LESTER SHAFRAN

Address: 191-28 PALO ALTO AVE HOLLYWOOD NY

I represent: Center for Advances in medallion Taxi & For

Address: Hire Vehicle Operations

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: David Pollack, Executive Director

Address: 23-10 Jackson Ave, LIC, NY 11101

I represent: The Committee for Taxi Safety

Address: \_\_\_\_\_

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 433 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 12/13/2020

(PLEASE PRINT)

Name: PETER M. MAZER

Address: 24-16 QUEENS PLAZA S - RM 503, LIC, NY

I represent: METROPOLITAN TAXICABS BOARD OF TRADE (1101)

Address: SAME

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 12/13/10

(PLEASE PRINT)

Name: Ethan Gerber

Address: 26 Court St, Suite 1405, Brooklyn, NY

I represent: Greater New York Taxi Association

Address: 26 Court St, Suite 1405, Brooklyn, NY.

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: WILLIAM LINDAUER

Address: NYTWA 250 FIFTH AVE. NY NY 10001

I represent: NY TAXI WORKERS ALLIANCE

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 12/13/10

(PLEASE PRINT)

Name: Gabriel Aman

Address: 27 Smith St. Suite 200

I represent: Bklyn Center for Independence of the Disabled

Address: 27 Smith St., Bklyn, NY 11205

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Beresford SIMMONS

Address: 250- 5th AVE

I represent: Beresford SIMMONS

Address: 250- 5th AVE

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Thomas Small

Address: \_\_\_\_\_

I represent: Self

Address: \_\_\_\_\_

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Bhairavi Desai

Address: \_\_\_\_\_

I represent: NY Taxi Workers Alliance

Address: \_\_\_\_\_

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

Peresford  
Pollindaven