

**Testimony of the NYC Taxi and Limousine Commission
Commissioner/Chair Matthew W. Daus**

Before the NYC Council Transportation Committee

**December 14, 2009
10:00 am**

Good Morning Chairman Liu and members of the Transportation Committee. I am Matthew Daus, Commissioner and Chair of the New York City Taxi and Limousine Commission. Thank you for the opportunity to testify today about our Livery and Taxi Group Ride Stand Pilot Programs - two new and exciting transportation initiatives that the TLC has been working on this past year.

On January 15, 2009, in his State of the City address, Mayor Bloomberg asked the TLC to "experiment with a common sense idea that will help New Yorkers stretch their own dollars further: the option of taking multiple-fare taxi and livery rides from, for example, airports and other locations. Riders will save money and drivers will make money. It's a win-win – what's not to like?" I wholeheartedly agree – and so did the TLC's Board of Commissioners, who voted unanimously on May 28, 2009 to approve two distinct pilot programs to fulfill the Mayor's vision. I will now describe the details of both programs.

The Livery Stand Pilot Program will allow owners or operators of private property at locations within shopping centers, Business Improvement Districts, and other well-trafficked locations to contract with livery bases to provide transportation services on-site via a "satellite base." This pilot program will test the use of licensed livery vehicles and livery stands to enhance service to passengers, providing for more prompt, efficient, accountable and reliable dispatched service from satellite base locations.

On December 1, 2009, the TLC released a Notice of Opportunity to Participate in the Livery Stand Pilot Program. Until the deadline of January 15, 2010, the TLC will receive pilot program proposals from private property owners (or their representatives) and community car services, who will partner with one another to establish "satellite"

base stands on private property. The Commission voted to approve the pilot program without limitation on the number of participants; however, our goal is to establish at least two (2) stands in each borough. The pilot program will last for one (1) year.

Proposers must submit a business plan that includes staffing by dispatchers, courtesy phones, signage, insurance information, sufficient off-street vehicle parking spaces and/or staging areas, vehicle availability or service capacity, passenger demand or service expectations, and hours of operation. Also, applicants must address congestion mitigation, methods to curb illegal for-hire vehicle activity, demonstrate a lack of availability of alternative modes of transportation (such as subways, buses or yellow taxicabs), submit comparative passenger costs for alternative transit modes, and address the stand's impact on the quality of life of affected stakeholders (such as neighboring businesses and residents).

Once a livery stand is selected for the pilot, the licensed base and the private property owners (as well as any other interested representatives or parties – such as Business Improvement Districts – a/k/a BIDs), must establish contractual relationships with one another. In addition, these parties must also sign a Memorandum of Understanding with the TLC detailing the parameters of the pilot program, including reporting requirements, mandatory surveys and other methods to evaluate customer, community and stakeholder satisfaction.

The Group Ride Taxi Stand Pilot Program was inspired by similar measures that were included in the City's Transit Strike Contingency Plans over the years, which were actually put to the test and implemented during the 2005 Transit Strike. This program focuses on improving yellow taxicab efficiency during peak hours, when passenger demand for taxicabs is at its highest, while also saving passengers money and increasing driver earnings. The group rides will allow two (2) to four (4) passengers to share a taxi ride from one of our newly established taxi stands. The taxicab will travel along a designated corridor to a final destination for a flat fare of \$3-\$4 per passenger which is, on average, 43% lower than the standard metered fare. Thanks to our

Taxicab Passenger Enhancement Project, we were able to use GPS enabled electronic trip sheet data to analyze ridership trends, allowing us to choose locations and flat fare rates based on the concentration of pick-ups and drop-offs, as well as average taxi fares paid.

Six locations were approved by the TLC Board of Commissioners for the Taxi Group Ride Stand Pilot Program. The hours of operation for all six (6) stands are 6 am through 10 am. The first three stands, which we hope to have in operation within the next few weeks, will originate from West 57th Street & 8th Avenue, West 72nd Street & Columbus, and East 72nd Street and 3rd Avenue. Each of the rides originating from these stands will travel south on Park Avenue, allowing passengers to exit the taxi anywhere along this corridor as far south as 42nd Street. The fares will be \$4 per passenger at the 72nd Street stands, and \$3 per passenger at the 57th Street stand. The NYC Department of Transportation has assisted the TLC in developing signage at taxi group ride stands and has been very supportive by not only prioritizing their work on this project, but helping to secure the most effective and appropriate placement of these stands.

The second group of taxi stands, which are expected to be operational in early 2010, will originate from each of the major transportation hubs in midtown Manhattan. Passengers from Grand Central Terminal, Penn Station, and the Port Authority Bus Terminal will be able to travel north on 6th Avenue as far as 59th Street, and once again may exit the taxi anywhere along 6th Avenue prior to the final destination. The fares will be \$3 per passenger at the Grand Central and Port Authority Bus Terminal, and \$4 per passenger at the Penn Station stand. We are also partnering with and would like to thank the Grand Central and 34th Street Partnership BIDs and the Port Authority for their support, commitment and work on implementing these stands; as they have committed not only to staffing them with their dispatchers, but also may design and pay for the signage as well.

We are also looking to develop additional group ride stands at LaGuardia Airport and in the Theatre District, working with the Port Authority and Times Square Alliance BID, respectively. We will discuss these locations with our Board of Commissioners at our public meeting this coming Thursday, December 17th.

The timing of these pilot projects could not be better, and although the livery and taxi stands are different in how and where they will operate, they both have many common benefits. Both pilots seek to help the environment by encouraging and providing the opportunity for passengers to share one vehicle as opposed to taking several separate rides. During these challenging economic times, taxi group rides provide an opportunity for both drivers and passengers to put or keep more money in their pockets, and it is my hope that participating bases as well will set their rates lower than normal as travel times to pick-up random fares may be reduced due to the livery stands. The taxi stands provide the opportunity for passengers to hail taxis at high demand times when the ability to do so is normally limited, and livery passengers are also expected to have reduced wait times for vehicles as they will be ready and available at stands. I also believe that the presence of dispatchers at both livery and taxi group ride stands may discourage illegal for-hire activity. As Mayor Bloomberg said, the idea is a "win-win!" However, I must emphasize that with any new idea or program, the actual implementation often determines the degree of success – in terms of location, operational details and promotion – and that is why the TLC decided to conduct pilot programs, where we can test how well these stands work and retain the ability to make changes where needed.

Thank you for this opportunity to highlight these important projects today. I would now be happy to answer any questions you may have.

NEW YORK CITY TAXI AND LIMOUSINE COMMISSION

Notice of Opportunity to Participate in a Pilot Program to Test Livery Stands at Select Locations

The New York City Taxi and Limousine Commission ("TLC") invites interested parties to submit a request to participate in a pilot program to pilot livery stands at select locations throughout the five boroughs of New York.

The Livery Stands Pilot Program will designate livery stands at privately owned locations throughout the five boroughs. The pilot program, which will be one year in duration, will allow owners or operators of private property at locations within shopping centers, Business Improvement Districts, and other well-trafficked locations to contract with livery bases to provide transportation services on-site via a "satellite base." This pilot program will test the use of licensed livery vehicles and livery stands to enhance service to passengers, providing for more prompt, efficient, accountable and reliable dispatched service from satellite base locations. Please note, participation in a TLC pilot program in no way guarantees Commission approval for the proposer's livery stand after conclusion of the pilot program.

On May 28, 2009, the Commission voted to approve this pilot program without limit to the number of participants; it is anticipated that there will be multiple locations citywide, with a tentative goal of at least two stands in each borough. In order for your proposal to be considered for participation in this pilot program, your proposal should include the requirements listed in the *Business Requirements* or Section (A), *Proposal Content Requirements* or Section (B) and please carefully read the *Evaluation Guidelines* or Section (C), and MOU requirements for reporting performance and success of *Program Section (D)* of this document.

SECTION A

Business Plan Requirements for Pilot Proposal

- (1) Applicants must include a representative or be the owner(s) of private property (or must be a partner, contractor, licensee, permittee, tenant or subtenant that has the express consent, legal authority and approval of all property owners); for example, a representative of a Business Improvement District (BID) that partners with a shopping mall owner. The applicants may be in any legally recognized and authorized organizational form – e.g., not-for-profit, for-profit, publicly or privately held companies, sole proprietorships, partnerships, Limited Liability Companies, etc.
- (2) Applicants must be capable of executing a contract with a TLC-licensed FHV base that will agree to offer dispatch service at a location other than the base location on file with the TLC. Applicants must submit a base name and letter of commitment from said base signed by an officer of the base for which a partnership is desired. TLC will grant approval to one or more bases at each selected location to provide all

livery dispatch services contracted via a dispatcher program. Only vehicles affiliated with the partner base may be dispatched from the stand.

Additional required information that should be included in the Business Plan proposal:

- (1) Names of partners (if any) in the business;
- (2) Contact information of the business;
- (3) Insurance information for the business and for the location of the proposed FHV stand;
- (4) The number of base employees expected to provide dispatching service at the selected location;
- (5) The number of vehicles expected to be on-call at the selected location;
- (6) The approximate number of rides expected per hour for weekdays and weekends, separately;
- (7) Proposed hours of operation;
- (8) How the applicant intends to display fare information for common destinations from the selected location and how fees will be conveyed to the passenger as per the "FHV Passenger Bill of Rights";
- (9) How the dispatch records will be maintained and recorded.

PLEASE NOTE -- No base will be permitted to participate that does not have:

- (1) Current base markings on all licensed affiliated vehicles; and
- (2) Active, licensed status with TLC, including no active suspensions or outstanding fines at the time of selection.

SECTION B

Proposal Content Requirements

(a) Applicants should provide a brief narrative and description of the location and businesses in the area where proposed services are to be provided. The narrative should include demonstration of a need for livery services at the proposed location; for example, the lack of availability of alternative modes of transportation, such as medallion taxis and appropriate mass transit and/or the presence of significant utilization of livery vehicles.

(b) Applicants must propose a specific, fixed location for the livery stand. The location should be a well-trafficked, easily accessible spot. Please include an aerial or other appropriate map showing the exact location. TLC may accept or reject proposed locations in its sole discretion, and applications without a proposed location that is acceptable to TLC will be considered incomplete.

(c) Applicants must describe in detail how they plan to provide "dispatched" transportation services at the proposed location. This should include hours of operation, on-site dispatch staffing levels, and on-site non-staffed dispatching methods (e.g., courtesy telephones, etc.). Since all rides require dispatch, TLC will look more favorably upon programs that offer staffed dispatching during all hours of the facility's operation.

- (d) Applicants must demonstrate the capability to provide sufficient off-street vehicle space to allow for orderly dispatching.
- (e) Applicants must provide a signage plan that will direct people to the stand and clearly explain the services provided and hours of operation.
- (f) Applicants must provide a fare chart for common destinations from the dispatch location. This fare chart will remain in effect for the duration of the pilot and must be available for viewing at the stand.

SECTION C

TLC Evaluation Assessment Guidelines

TLC criteria for evaluation of proposals to determine proposal merit. Proposals should address the following items:

- (1) Estimated volume of usage:
 - (a) Number of vehicles to be dispatched;
 - (b) Number of passengers estimated to be served;
 - (c) Measures of anticipated peak usage times and dates.
- (2) Proposed location:
 - (a) Neighborhood location and communities served;
 - (b) Businesses in the area; local attractions;
 - (c) Other available forms of public transportation in the area.
- (3) Proposed property owner/operator and partnership:
 - (a) Proof of business commitment between a base and a proposer;
 - (b) Proposed benefits for passengers;
 - (c) Proposed means to curb illegal for-hire vehicle activity;
 - (d) Proposed congestion mitigation plan;
 - (e) Cost to the passenger vs. alternate methods of transportation;
 - (f) Proposed advertising of services and way-finding;
 - (g) Physical elements of livery stand proposal, including but not limited to, booth (kiosk), street sign, courtesy phone, waiting area/shelter, seating, etc.

SECTION D

MOU requirements for reporting performance and success of program.

Each pilot program participant should submit to the Chairperson a report on the first six (6) months of performance based on evaluation criteria called for in the MOU. This report must be submitted to the Chairperson no later than seven (7) months after the first dispatch. The report should include assessment of the following items:

- (1) Volume of Usage:
 - (a) Number of vehicles dispatched during pilot program;
 - (b) Number of passengers served;

- (c) Measure of peak usage times and dates.
- (2) Property owner/operator satisfaction:
 - (a) Satisfaction with relationship with base operator;
 - (b) Effectiveness of measures to prevent illegal activity;
 - (c) Effects of congestion and effectiveness of congestion mitigation measures.
- (3) Passenger and Community Satisfaction:
 - (a) Ease of passenger's usage of service;
 - (b) Reports of customer satisfaction or dissatisfaction;
 - (c) Reliability of dispatching system (include average wait times);
 - (d) Cost vs. alternate methods;
 - (e) Passenger ability to identify the vehicle as TLC licensed and associated with the location;
 - (f) Community comments, complaints or commendations.
- (4) Base owner satisfaction:
 - (a) Additional costs or earnings;
 - (b) Ease of dispatch from sub-location;
 - (c) Effect on competing illegal and legal activity;
 - (d) Ease of maintaining dispatch records.
- (5) Driver satisfaction:
 - (a) Increase or decrease in earnings;
 - (b) Ease of dispatch from satellite base;
 - (c) Reports of customer satisfaction or dissatisfaction.
- (6) Constituent satisfaction:
 - (a) Dialogue with passengers, groups, organizations, and any other interested or affected stakeholders to relay public input;
 - (b) Public feedback, including the use of surveys.

Participants and TLC licensees should also provide additional information as requested by the Chairperson. A Memorandum of Understanding ("MOU") or other binding agreement with TLC is required to initiate the pilot (but not needed for submission). TLC may terminate the pilot at any time at the discretion of the Chairperson. Requisites shall include, but will not be limited to the following provisions:

- (1) A participant is required to begin actively dispatching vehicles from the selected location within three (3) months of signing an MOU or binding agreement with the Chairperson.
- (2) If a participant has not signed an MOU with the Chairperson within six (6) months of the Commission's approval of the Pilot Program, the participant's request to participate will have been deemed to be withdrawn.

(3) Signage, courtesy telephones, and all other associated equipment related to the dispatch of vehicles may not be displayed or used for dispatch following completion of pilot program or cancellation of MOU, unless rulemaking action is taken by the Commission approving such display or use.

(4) Vehicles used in this pilot must have a current valid TLC vehicle license.

(5) All participating drivers must have a current TLC FHV operator's license that is neither suspended nor revoked.

Participation proposals will be reviewed in accordance with the standards of review and approval stated in TLC Rule 14-04. For more information see link below:

http://nyc.gov/html/tlc/downloads/pdf/rules_pilot_program_approved.pdf.

Pilot program proposals, suggestions or ideas should be submitted by January 15, 2010 to:

Tweeps Phillips
Director for Special Projects
New York City Taxi and Limousine Commission
40 Rector Street, 5th Floor
New York, NY 10006
Tweeps.Phillips@tlc.nyc.gov

TLC staff is available to meet with interested parties to further explore proposals submitted, or to discuss proposal ideas prior to submission. Please contact Tweeps Phillips at 212-676-1010 or via e-mail at Tweeps.Phillips@tlc.nyc.gov.



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**City Council Oversight Hearing
250 Broadway, New York, NY
Livery Stands and Taxi Group Ride Pilot Projects
December 14, 2009
Testimony By David Pollack, Executive Director**

Good afternoon Chairman Liu and Committee members,

My name is David Pollack, the Executive Director of the Committee for Taxi Safety, an association representing thousands of medallions managed by Licensed Leasing Agents, Fleets and the thousands of men and women driving those taxis.

Thank you for the privilege of testifying on the proposed Pilots for Livery Stands and Group Riding Stands.

The Livery Stands Pilot Project will designate Livery Stands at privately owned locations throughout the five boroughs. This Pilot Project, which will be one year in duration, will allow owners or operators of private property at locations within shopping centers, Business Improvement Districts, and other well-trafficked locations to contract with livery bases to provide transportation services on-site via a "satellite base."

On May 28, 2009, the Commission voted to approve this Pilot Project without limit to the number of participants; it is anticipated that there will be multiple locations citywide, with a tentative goal of at least two stands in each borough.

On December 1, 2009, the TLC issued a press release inviting submissions to participate in the Pilot Project

The Committee for Taxi Safety has the following question regarding the implementation of this Project:

Will Livery Stands improve service for riders?

- **Livery Stands may put the safety of the riding public in jeopardy. The yellow cab industry has used technology to enhance the safety of its riders. Currently, each day all yellow taxicabs are subject to daily screenings of drivers and vehicles. What this means is that every agent and every fleet must run a computer check to insure that there have been no suspensions or revocations of hack licenses, driver licenses or the medallion itself in the preceding 24-hour period. Although well intentioned, roughly 20% of for-hire-vehicles bases are not monitoring each driver and vehicle daily. Therefore, it is possible that there will be unlicensed, unregistered, uninsured drivers and vehicles in operation.**
- **Livery Stands are the first step leading to increased illegal hails for "For Hire Vehicles" [FHV's] because they give the impression that FHV's are indeed licensed for such street hails. Currently, yellow cabs have the exclusive right to hails.**
- **New York State has recently passed anti-hustling legislation against fare-hustlers at New York airports. Livery Stands compromise the stated public policy of having a clear line drawn between a rider's choice of having yellow cabs provide a safe and secure ride from either a taxi stand or a street hail versus a rider being able to call for transportation from a car service.**
- **This Project will further blur the distinction between FHV's and licensed yellow cabs among the riding public.**
- **In Manhattan, many dedicated yellow Taxicab Stands are now shared by FHV's. Yellow cab drivers state it is virtually impossible to park in those Taxi Stands due to their illegal use by FHV's. Additionally, there has been a dramatic reduction in the number of Taxi Stands used exclusively for the more closely monitored and regulated yellow cabs.**
- **If most Taxi Stands now include FHV's, why should Livery Stands be permitted to exclude yellow taxis. This is true especially in light of the fact that yellow cabs have**

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- **exclusive rights to street hails and until recently had exclusive use of Taxi Stands.**
- **The public would be better served with an increase in yellow Taxi Stands rather than additional Livery Stands, and allowing yellow cabs to have use EVERY stand, whether Livery or Taxi.**
- **In order to determine if this Pilot Project will improve service to riders, yellow taxis should be included in ANY Pilot Project that incorporates Stands. There are taxi fleets in four of the five boroughs. It is likely that including yellow taxicabs in these Stands will improve service to riders. In other words, the Stands should attract additional taxis as well as FHV's.**
- **Since the Pilot Project will place Livery Stands in congested areas, it is logical and good public policy to conduct a traffic study in each designated Stand location (or satellite base) to determine the effect of the Stands on traffic flow.**

Will Group Ride Stands improve service for riders?

- **Although the Committee for Taxi Safety agrees that more taxi service during rush hours would better accommodate the public and could be economically prudent for drivers, it would truly be a GROUP Pilot if each taxi at these designated Stands could carry four passengers. This is unlikely to occur given the prevalence to the new smaller hybrid vehicles, such as the Prius, Camry etc., rather than the former standard full sized Crown Victoria.**
- **When this project was first presented by the TLC, it was publicly stated that waiting time was NOT considered in the proposed Group Riding Fares. Therefore, the Group Riding Flat Rates should be re-calculated and increased for waiting time that occurs when stopped in traffic or red lights. In other words, higher flat rates are in order for the Group Riding Stand Pilot. Thank You.**

**Testimony of Joseph Giannetto, Director of Business Development for the
Metropolitan Taxicab Board of Trade Before
The New York City Council Transportation Committee
December 14, 2009**

Good morning Chairman Liu and members of the Transportation Committee. My name is Joseph Giannetto and I represent the Metropolitan Taxicab Board of Trade (MTBOT), which is comprised of 28 yellow medallion taxi fleets that operate more than 3,500 yellow medallion taxicabs throughout New York City. I am joined by Peter Mazer, MTBOT's General Counsel. Before I begin, MTBOT would like to take this opportunity to wish you - Chairman Liu - the best of luck in your new role as the City's Comptroller and to thank you for chairing this Committee with great distinction for the last 8 years.

According to the TLC's press release, the livery stand pilot program is designed to "create a new service in all the boroughs that combines the convenience of hailing a taxicab with the safety and accountability that are the TLC's primary goals." It goes on to state there is no limit placed on the number of these stands but that the TLC hopes to create at least two stands in each borough.

In a perfect world, these stands would improve service and not affect the careful balance that exists between street hail yellow taxi service and pre-arranged for-hire-vehicle service. However, in reality, livery and black cars are illegally picking up street hails all over the five boroughs - a practice that is adversely impacting the yellow taxi industry, which pays for the right to exclusively pick up street hails. Passengers are unknowingly placing themselves at risk by hitching rides with drivers that may not have insurance, may not be properly licensed, or have not undergone criminal background checks or drug testing. In fact, TLC enforcement against illegal street hails in FY-09 is down an incredible 78% since FY-04. Only 991 illegal street hail summonses were issued in FY-09, compared to 4,453 such summonses issued in FY-04. In short, the TLC is running the risk of sending a message to passengers that it is ok to hail livery cars - everywhere.

In order to prevent this, the TLC must do a number of things. It must have zero-tolerance enforcement against liveries and black cars that illegally pick up street hails in all five boroughs. It must also strictly regulate the vehicles that are allowed to make pick-ups at these proposed livery stands. As of now, little signage exists on livery vehicles to identify its base. While that may change with new TLC rules, it will still be a difficult task to ensure that only liveries affiliated with a particular stand's contract are permitted to operate at the stand. If the enforcement isn't there - these stands simply become a convenient place to pick up illegal livery street hails with impunity. We therefore caution this Committee and the TLC to send a different message to the public - that illegal livery street hails will not be tolerated in the City of New York.

Also, the TLC should be required to perform the same vigorous evaluation of proposed livery stand locations, particularly with respect to review of their impact upon traffic and the quality of life that is currently performed with base station locations.

The TLC also announced two proposals that encourage group riding in yellow taxicabs – one through group ride taxi stands and the other through ridesharing using multi-fare meters. MTBOT supports the idea of our drivers earning extra money on the fare and our passengers saving a little more in their pockets. Group ride stands – if properly managed – have the ingredients to make taxi service at key hubs more efficient for everyone.

Shared-ride taxis, on the other hand, present some significant hurdles. In a time of crisis like an MTA strike, when yellow taxicabs played a prominent role in bailing out the city's commuters through shared-riding, passengers were more than happy just to get to their destinations and didn't mind sharing a taxi. It was better than walking 30 blocks, for example.

However, in normal times, except perhaps at a group-ride taxi stand where all passengers are aware that they will be sharing a cab from the get-go, a taxi passenger is likely to be uncomfortable sharing a taxi with a stranger, especially since those passengers are paying a premium for a private taxi ride that takes them to their destination without any detours. Women may be especially uncomfortable sharing rides for fear of sexual assault or unwanted advances such as those that have occurred on crowded subways.

This program just seems to invite confusion and will likely result in disputes among passengers and between passengers and drivers. Taxi passengers will usually hail whatever is available. And when they discover it is a shared-ride taxi, they may instruct the driver not to pick up a second fare, expecting a private ride from Point A to Point B. That passenger becomes unhappy. The driver gets caught in the middle. The fear is that this can escalate into verbal – and perhaps even physical abuse – as well as unfair TLC fines for the driver.

Moreover, any kind of shared-riding is incompatible with TLC's embrace of small, hybrid taxicabs. The TLC is aiming to cram more and more passengers into smaller and smaller vehicles. That most certainly does nothing to improve taxi service for passengers.

Thank you for your time. Peter and I are available to answer any questions this Committee may have.

WRITTEN TESTIMONY SUBMITTED BY THE GNYTA TO THE TRANSPORTATION COMMITTEE OF THE CITY COUNCIL ON THE QUESTION "WILL THE TLC'S LIVERY STAND AND TAXI GROUP RIDE PILOT PROJECTS IMPROVE SERVICE FOR RIDERS"?

Will the TLC's livery stand and taxi group ride pilot projects improve service for riders? The livery stand proposal is evidence of the City's failure to enforce laws designed to protect the riding public and legitimate service providers from illegal activity.

This is a submission by Ethan B. Gerber of the Greater New York Taxi Association (GNYTA) to the New York City Council Committee on Transportation regarding whether the TLC's livery stand and taxi group ride pilot projects improve service for riders?.

GNYTA is a group of progressive 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 are looking at ^{these} ~~there~~ proposals here. Livery stands, group rides and share rides. Our concern is that whatever happens, we keep yellow, yellow. That is, keep taxis as taxis. Yellow medallion taxis have the unambiguous and exclusive right to pickup street hails. This economic model has made the medallion a valuable license which has generated millions of dollars for the City at auctions and from transfer taxes, road use taxes, surcharges, licensing and inspection fees. This economic model has also created thousands of tax paying jobs.

Unlike FHV's or liveries, medallion taxis are unambiguously identifiable to the passenger as a legitimate service provider. The medallion taxi fare is uniform and set by a sealed meter. In practice an illegal street hail fare is whatever the driver can get out of the passenger. Unlike anyone else, medallion taxis are physically inspected by the TLC at least three times a year. Only medallion taxi drivers are required to undergo hours of training and meet minimum English proficiency standards. Medallion taxi drivers who try to pick and chose who to pick-up or where to take passengers within the City or adjoining counties run the very real risk of losing their livelihoods if caught or reported. FHV's pick and chose who they take and where they take them to. All taxi drivers are subject to medical, fingerprinting and a background checks as well as regular drug testing. Unlicensed gypsies are not. Medallion taxi drivers are subject to both the TLC's Critical Driver Program and the Persistent Violator Program. Under those rules a medallion taxi drivers TLC license accumulates points for either DMV or TLC rule violations that can result in suspension or revocation of the TLC medallion drivers licence even when the DMV licence is unaffected. TLC is not enforcing such rules with respect to livery drivers. While all medallion taxi drivers must display their TLC license in the taxi, most passengers can't even tell whether a livery drier has any license. Worse yet, an unlicensed livery doesn't even have for-hire vehicle insurance. This means that a passenger has no coverage, not even no-fault coverage from the car they are riding.

All the safeguards, requirements, training and regulation that make New York's medallion taxis the finest and safest in the world are flouted and undermined by FHV's and

unlicensed gypsies picking-up street hails. Today, the TLC attempts to place a veneer of legitimacy on such actions rather than enforcing the law [NYC Admin. Code §19-516]. This white flag of surrender to illegal conduct should not stand. We believe that casting a patina of legitimacy will further embolden illegal hails ultimately to the detriment of all New Yorkers.

Will the TLC's livery stand and taxi group ride pilot projects improve service for riders?

1. The livery stand proposal.

The TLC is overwhelmed by the number of unlicensed as well as licensed FHVs, popularly called "liveries," that are illegally soliciting street hails throughout the city. As you know, the Administrative Code requires that all vehicles for hire be licensed and that FHVs may operate only by prearrangement through a licensed base. Medallion taxis are forbidden by TLC rule from having any dispatch equipment in the taxi and may only accept passengers by street hail.

What this project does is raise the white flag of surrender. The TLC lacks the resolve to adequately monitor and enforce the law so it has developed a scheme whereby current illegal activity can be given the veneer of legality with make-believe legitimacy.

Today, many facilities such as medical facilities and airport terminals have courtesy phones that allow prospective passengers to call an FHV base for service. But the legitimate base is then undermined by both unlicensed and licensed FHVs illegally soliciting passengers at the location. Adequate enforcement clearly is not a police department priority and is beyond the TLC's resolve. The TLC's solution is now to create a veneer of a satellite base at select facilities with off-street livery stands. It would be an incredible challenge for such a facility to police such a stand and assure only authorized vehicles from authorized bases use it. It would be amazing to watch bases spend money to hire added personnel they don't now need to station at "satellite" bases. The TLC Quixotically hopes that private facility operators will be successful where the TLC has failed in policing illegal activity.

The sad reality is that such stands will not be any more adequately policed than the same locations are today. Illegal behavior will continue unabated. The result will be that the veneer created by this project will confer the illusion of legitimacy on illegal behavior. The ultimate effect will be to further undermine the law and the economic viability of medallion taxis that have paid the City millions of dollars for the privilege of street hail with little protection of that privilege from the City.

Simply stated, there is no substitute for aggressive and effective enforcement. The TLC and the police have the legal tools to enforce. The only method of enforcement proven to be effective is seizure of vehicles being used illegally. In addition to seizure, forfeiture is available against chronic offenders. This is not a novel concept. It was used very effectively in the early 1990s by the TLC with the enthusiastic support of both the legitimate FHV and medallion taxi industries.

At one point in the early 1990s, the TLC was seizing nearly 1,000 illegal FHVs a month. Not a year, but a month. Since then the City's priorities have shifted elsewhere. Medallion taxis have remained closely regulated, intensely policed, restricted, fined, taxed and penalized. Taxi vehicles themselves are intensely regulated and inspected even for minor cosmetic appearances such as washing. Taxi owners have paid millions of dollars to the City at auctions, for renewals, for transfer fees and taxes, for licensing and permit fees and fines. At the same time the Black Cars and the rest of the FHV industry has been allowed to indiscriminately poach taxi business and mock the law as the TLC looks the other way.

This proposal will only further confuse the riding public as to what activity is legitimate. Many already think an FHV is a taxi. There is even one livery base that is blatantly advertising itself illegally as a "taxi" service on the outside of City buses. The City has done nothing.

It is inconceivable the riding public is well served by a scheme that perpetuates illegal activity.

2. Taxi Group Rides

Group rides as they currently exist at East 79th Street and York Avenue and at the airports make sense from points to points that have steady streams of passengers willing to share a taxi. Drivers would benefit from added income and there is the potential of a more efficient use of transportation resources.

However, so called "share rides" would be a different matter. Such a system converts taxis into jitneys like dollar vans and effectively removes taxis operating as taxis from service. People look to taxis for portal to portal non-stop service. That is what they are paying for. Otherwise they would take a bus or subway. They will be an irritant to a passengers seeking privacy, speed, or an alternate destination and then can't find a taxi. There will be an increase in complaints that there are not enough taxis from people who are looking for taxi service. We already have buses and licensed commuter vans. There is no need to convert taxis and divert them to jitney service. There is no benefit to owners, but there is an added expense to owners.

The technical question remains as to the taxi meter in jitney service. State a Federal standards require that a taxi meter constantly display each fare at all times. No such meter now exists that can simultaneously display multiple fares. Undoubtedly they can be developed. Will these new meters become an added technological expense burden of new meters on owners.



League of Mutual Taxi Owners, Inc.

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December 14, 2009

New York City Council
Transportation Committee
250 Broadway
New York, NY 10007

Dear Council Member,

Livery vehicles provide transportation to people through prearrangement with the base of their affiliation. In many cases this transportation is provided in a very short time as a livery car can be immediately dispatched to a pickup location.

Per NYC Taxi & Limousine Commission (TLC) rule 6-08(e)(1) and 6-04 (j)(6), (7) & (10) the base is required to maintain certain records including date, time, location of pick up and driver and vehicle permits; how calls are answered, rides dispatched and complaints handled. Additionally, per TLC rules 6-12.1(f) and 6-16(f) & (g) and Rules of the City of New York 19-506, 19-507 and 19-516 all For-Hire-Vehicles are required to only pickup fares dispatched from their affiliate base.

For the Livery Stand Pilot Program, the TLC press release states that livery stands would be located on private property and designated as 'satellite base locations'. We trust someone will be at these locations to transmit the TLC required information to the base and assure that the vehicles at the Livery Stand have a legitimate right to be there. This information is important for the protection of the passenger. This will prevent unlicensed vehicles from soliciting passengers at these Livery Stands. If unlicensed vehicles solicit at these locations Enforcement should seize their vehicles per Rules of the City of New York 19-506h.

It must be made clear to For-Hire-Vehicle Drivers that picking up at these stands does not give them the right to pick up on the street. Illegal pickups cost legitimate Yellow Medallion Taxi Drivers thousands of dollars in income per year. Enforcement must be increased to curb this practice, especially in New York City south of 96th Street where illegal pickups by For-Hire-Vehicles and illegal gypsies is a huge problem. Current Enforcement efforts are not adequate. In addition to increasing NYC TLC Enforcement the NYPD must take a more active role in enforcing the Rules of the City of New York and NYC TLC rules regarding For-Hire-Vehicles. If Enforcement efforts are increased the riding public will be safer, will not be overcharged and the City will generate significant income from fines and vehicle seizures.

Sincerely,

Vincent Sapone, Managing Director

Comments Presented at the City Council Transportation Committee Oversight Hearing on Livery Stands. December 14,2009.

Federation eFHV(TM) Transportation Services for Shopping Centers, Malls and Business Improvement Districts in New York City.

The Proposed Livery Stand Pilot does not make clear the reason for needing a "Satellite Base" at the Livery Stand location. On its face this Pilot appears to be unnecessary and frozen in the past. It does not recognize that more effective on demand service as may be required by passengers at Shopping Centers, Malls and Business Improvement Districts can now be provided under current TLC rules for on demand call for service prearrangement using advances in digital voice and data dispatch operations technology hosted at Livery Bases' licensed locations.

Federation eFHV(TM) dispatch operations management services may be used to provide shoppers with convenient , rapid on site Livery Stand access to Livery service with all the security and TLC Rule compliance of standard passenger call for service , prearranged dispatch. Any licensed Livery Base may use the Federation eFHV(TM) dispatch operations management for Livery Stand services without limiting the Livery Stand to selected Livery Bases.

Improved shoppers' Access to Livery Transportation Services could be defined in a standard agreement with the management of all participating New York City Shopping Centers, Malls and Business Improvement Districts for on site Livery Stand service availability. Where appropriate, the management shall agree to designated parking locations on private facility property. If no private space is available, the management may request the Local Community Planning Board to approve and request the NYCDOT to allocate on street "Livery Stand" parking for this purpose.

As part of the agreement, the facility is given a virtual Federation eFHV(TM) VoIP Call For Service telephone number for passenger calls for service. No physical telephone subscriber numbers are required at the facility. The Call For Service phone number should be posted throughout the facility. No special on site "dispatch phone" or on site "satellite dispatch base" is required.

When a shopper is ready to leave, the shopper places a call for service to the posted number using a cell phone,public payphone or any other available phone.

Dispatch Operation.

An affiliated livery driver logged in for dispatch assignments with any Federation eFHV(TM) participating Livery Base may locate at a facility's designated Livery Stand parking area where available. The livery driver must use the login function on their dispatch system to indicate their availability at the facility. The driver is then logged in at the facility location with the login time and position if other liveries are already logged in at the facility. The Federation eFHV(TM) System manages all the liveries logged in a Master File. In order to ensure adequate "covered services" for the facility shoppers, the Livery Bases may choose to organize their affiliated liveries so that liveries are always available at each facility as long as there is sufficient business.

When a shopper calls the posted number, the Federation eFHV(TM) System automatically detects if a livery is on location and transfers the call immediately to the Livery Base for which the livery is affiliated. At that point the call for service and prearranged dispatching proceeds in the normal manner. The driver must receive the dispatch assignment instructions and accept the offer before the shopper can be "Picked Up" in order to comply with TLC Rules.

If no car is available at the facility, the Federation eFHV(TM) system automatically uses the Location Based Dispatch feature to provide standard on demand call for service. Also, a specially priced "round Trip" service can be marketed with the added convenience of having the livery wait for the shopper.

Submitted by:

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