

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON TRANSPORTATION
AND INFRASTRUCTURE

----- X

September 27, 2024

Start: 10:20 a.m.

Recess: 3:45 p.m.

HELD AT: COUNCIL CHAMBERS - CITY HALL

B E F O R E: Selvena Brooks-Powers,
Chairperson

COUNCIL MEMBERS:

Public Advocate Williams
Joann Ariola
Chris Banks
Carmen N. De La Rosa
Amanda Farias
Shekar Krishnan
Farah N. Louis
Mercedes Narcisse
Carlina Rivera
Julie Won

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

Alexander Kemp
TWU Local 100

Leroy Morrison
NYC Commuter Van Assoc.

Bhairavi Desai
NYTWA

Luis Alzate
ATU Local 1056

James DiGiovanni
Deputy Commissioner for Policy and Community
Affairs

Carlos Ortiz

David Do
TLC

I.Daneek Miller
Self

Giovanny Ramos
Self

Ibrahim Zoure
NYTWA

Jeremy Moskowitz
Voyager Global Mobility

Mohamed Mohamed
Self

Bamba Diakite
Self

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

Walter Hurdle
Self

Dennis A. Addison
Self

Yoden Thoden
Self

Desmond West
Royal Rose Transportation Commuter Van

Carmen Cruz
New York Taxi Workers Alliance

Frank Haley
Self

Naveed Paracha
Self

Suresh Chand(SP?)
Self

Shamsur Rahman
Self

Wain Chin
Self

Akinwunmi Anthony Komolafe
Self

Allison Langley
New York Taxi Workers Alliance

Tenzin Dorjee "Tendor"
Self

Pradhumna Rayamajhi
Self

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

Josh Gold
Uber

Pasang N. Sherpa
Self

Hylande Pierre-Louis (SP?)
Self

Ganesh Harry
Self

Tenzin Phentok Lama
Self

Richard Chow
Self

Diallo Tizo
Self

Urgen Sherpa
Self

Kunchok Dolma
Self

Kunga Rota
Self

Malang Gassama (SP?)
Self

Alpha Barry
Self

Saif Aizah
Self

Saiful Hogue
Self

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

Barry Mohamed
Self

Mohamed Barry
Self

Norbu Choezung
Self

Tashi Choephel
Self

Tenzin Tsering
Self

Tsering Diki
Self

Raul Rivera
Self

Dolma Yangzom
Self

Sonam Sangpo
Self

Tenzin Bhuti
Self

Tsering Lhamu Serpha
Self

Zubin Soleimany
Self

Marleny Cruz
Self

Christopher Leon Johnson
Self

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

Choudary Adnan
Self

Ibrahim K. Diallo
Self

Sameena Syed(SP?)
Self

Nima Sange Sherpa
Self

Chhewang Lama
Self

Tashi Dolma
Self

Dorel Tamam
Self

Yohanes Lie
Self

Akouete Afandalo
Self

MD Karim
Self

Ugyen Pema
Self

Nicole Salk
Brooklyn Legal Services

Lhakpa Dhoundup

Charles Dorvil

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

Shahal Udolin(SP?)
Self

Anthony Aybozo
Self

Modibo Doukaru(SP?)
Self

Paul Sonn
Self

Lateef Ajala
Self

Mohammad Ali Awan
Self

Arvan Babar
Self

Dawa Yangi Sherpa
Self

Muhammad Arshad
Self

Tsering Jupa
Self

Yanming Gong
Self

Ali Akbar
Self

Kara Klita
Self

Yi Feng Chen(SP?)
Self

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

Max Cheung
Self

Raja Sohail (SP?)
Self

Bashiru Kamara
Self

Pasang Sherpa
Self

1 COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

2 SERGEANT AT ARMS: This is a microphone check for
3 the Committee on Transportation and Infrastructure.
4 Today's date is September 27, 2024 located in the
5 chambers. Recording is done by Rocco Macedi (SP?).

6 SERGEANT AT ARMS: Good morning and welcome to
7 the New York City Council hearing of the Committee on
8 Transportation and Infrastructure. At this time, I
9 need everybody to please silence your cell phones.
10 There is no eating or drinking in the Council
11 Chambers. If you wish to testify, please go up to
12 the Sergeant at Arms desk to fill out a testimony
13 slip. Written testimony can be emailed to
14 testimony@council.nyc.gov. Once again, that is
15 testimony@council.nyc.gov. If you have any questions
16 or concerns, please see one of our Sergeant at Arms
17 and at this time and going forward, nobody is to
18 approach the dais. I repeat, nobody is to approach
19 the dais.

20 Chair, we are ready to begin.

21 CHAIRPERSON BROOKS-POWERS: [GAVEL] Good morning
22 and welcome to this morning's Oversight Hearing on
23 the TLC with a focus on For-Hire Vehicles and
24 Commuter Vans. My name is Selvena Brooks-Powers and
25 I am the Chair of this Committee.

2 In addition to this oversight, we will be hearing
3 several pieces of legislation, Intro. Number 100,
4 sponsored by Council Member Won in relation to the
5 suspension of alternate side parking regulations on
6 Losar. Intro. Number 276 sponsored by Council Member
7 Krishnan in relation to the wrongful deactivation of
8 high-volume for-hire vehicle drivers. Introduction
9 Number 277 sponsored by Council Member Krishnan in
10 relation to taxicab driver pay for electronically
11 dispatched taxicab trips. Intro. Number 323,
12 sponsored by Council Member Moya.

13 [DISRUPTION FROM AUDIENCE [00:01:59]- [00:02:06]

14 [GAVEL] Serg remove him please. Let it be clear,
15 we have a lot of people that have signed up to
16 testify today. This is an official hearing. Anyone
17 that is disruptive will be asked to leave the
18 Chamber.

19 Intro. Number 323 sponsored by Council Member
20 Moya in relation to establishing maximum rates for
21 leasing, rental, least to own and conditional
22 purchase of for-hire vehicles. Intro. Number 939,
23 sponsored by myself in relation to allowing commuter
24 vans to accept hails from prospective passengers in
25 the street.

2 Intro. Number 950 sponsored by Public Advocate
3 Williams in relation to increasing the number of
4 violations required to revoke authorizations to
5 operate a commuter van service. And Intro. Number
6 1021, sponsored by Majority Leader Farias in relation
7 to the suspension of alternate side parking relations
8 on Patriots Day.

9 Since 2012 the for-hire vehicle industry has
10 experience monumental growth with the arrival of at
11 base for-hire vehicle companies like Uber and Lyft to
12 the city. The Council has always worked to ensure
13 that this industry has grown and a sustainable and
14 responsible way. In 2018, to maintain
15 competitiveness for drivers, the Council passed Local
16 Law 147, which caused the issuance of new for-hire
17 vehicle licenses with limited exceptions and tasked
18 TLC with studying the utilization rate of these for-
19 hire vehicles.

20 The Council also passed Local Law 149, which
21 created a new license category for high volume for-
22 hire services, which covers for-hire vehicle bases
23 that dispatch more than 10,000 trips per day, such as
24 Uber and Lyft. Today, the Council is ready to
25 address these issues once more. My goal is to

2 provide a form with the public, advocates and
3 relevant city agencies can speak on record about what
4 is happening, what needs to be done and how we can
5 help.

6 One of the problems I want to highlight is the
7 recent scores of driver lock outs on the at base for-
8 hire vehicle companies. Many drivers today find
9 themselves temporarily locked out of the system
10 unable to work and unsure when they'll be able to
11 drive again. This July, Commissioner David Do of the
12 Taxi and Limousine Commission and the Administration
13 announced that the city secured agreements from Uber
14 and Lyft to reduce driver lockouts with plans to
15 phase out the practice by Labor Day. That date has
16 come and gone.

17 Have all parties satisfied the terms of
18 agreement? Has the TLC been working on its promise
19 rule package to provide a long term solution? What
20 does the sustainable market look like in terms of
21 balancing new drivers, reducing empty cars on our
22 streets and maintaining driver pay? In addition to
23 lock outs, drivers and advocates have come to us with
24 complaints about account deactivations. We want to
25 better understand how deactivations are affecting

2 drivers and learn more about the process in place to
3 reinstate drivers. How many drivers are deactivated
4 in a year? How many are reinstated? How long does
5 the process take? What happens to drivers who can't
6 get reinstated? For corporate entities, drivers may
7 just be numbers deactivate one and replace them with
8 another but for the driver, it's their livelihood on
9 hold. But lockouts and wrongful deactivations
10 threaten driver income, creating instability during a
11 time where costs are rising and bills are piling up.

12 I hope this hearing will arm us with the facts
13 and clear understanding of what can be done to help
14 drivers. In addition to the pressing issues faced by
15 for-hire vehicle drivers, we are also confronted with
16 the near collapse of the commuter van industry. For
17 people in transit deserts like my district, commuter
18 vans are a lifeline, providing crucial transportation
19 to work or other essential activities.

20 These vans serve areas and routes not covered by
21 mass transit and serve populations that can't afford
22 to take a taxi or drive to work every day. Before
23 the pandemic, there were over 200 licensed commuter
24 vans and now there are fewer than 40.

2 Many parts of Southeast Queens and Brooklyn have
3 community vans woven into their fabric even as
4 residents still do rely on public transportation.

5 I want to explore what can be done. [DISRUPTION
6 FROM AUDIENCE [00:07:14]- [00:07:20]. [GAVEL] please
7 remove them. [00:07:21]- [00:07:51] [GAVEL] Can we
8 get order in the chamber? [DISRUPTION FROM AUDIENCE
9 [00:07:55]- [00:08:05]. Again, we will have decorum
10 in this Chamber or you will be removed from the room.
11 Thank you.

12 I look forward to hearing - excuse me. I look
13 forward to hearing from the TLC about the measures it
14 has taken to safeguard the health of the
15 aforementioned industries and the people who work
16 with them. I am also eager to hear from drivers and
17 advocates regarding their experiences again with the
18 at base lockouts and deactivations, their suggestions
19 for improving these process and how the Council can
20 smooth the way. I also want to bring focus to the
21 commuter van industry as I mentioned before, which is
22 a smaller market but is no less important to the
23 people who rely on them to bridge the gaps in our
24 transit systems.

2 Before we begin, I would like to thank my staff
3 and Committee staff for their hard work, Kevin
4 Kotowski, Senior Policy Analyst, John Basile, Senior
5 Policy Analyst, Mark Chen, Senior Counsel to the
6 Committee, Connor Mealey, Counsel to the Committee,
7 Adrian Drepaul, Senior Policy Analyst, Julian Martin,
8 my Policy and Budget Director and Renee Taylor, my
9 Chief of Staff.

10 As a reminder, hearings are designed for all
11 voices to be heard on a given issue. Today is your
12 opportunity to present your very best argument that
13 can enlighten and inform the public. As of now, I do
14 not have an official opinion on most of the bills
15 being heard at this hearing. I look forward to a
16 vibrant and respectful discussion today on all bills
17 at hand. Next, I would like to - first I would like
18 to acknowledge my colleagues that are here. I'm
19 joined by Majority Leader Amanda Farias, Council
20 Member Shekar Krishnan, Council Member Joann Ariola,
21 the Public Advocate Jumaane Williams, and I know we
22 will be hearing later on from former Council Member
23 I. Daneek Miller.

24 Next, I would like to invite a panel to offer
25 their firsthand experience and insight into the state

2 of these various industries. We had a pre-panel that
3 we discussed in advance with the TLC and so, with
4 that, we would like to - and before we bring them up,
5 we are going to hear from the Public Advocate
6 followed by Council Member, excuse me Majority Leader
7 Farias followed by Council Member Krishnan briefly.

8 PUBLIC ADVOCATE JUMAANE WILLIAMS: Thank you
9 Madam Chair. I'll just mention my name is Jumaane
10 Williams, Public Advocate of the City of New York.
11 I'd like to thank Chair Brooks-Powers and members of
12 the Transportation Committee for holding this
13 hearing.

14 I introduced one of the bills being heard today,
15 Intro. 950 of 2024. My intent is to address an
16 inequity created by Local Law 41 in 2019 and
17 throughout the industry standard that applies for all
18 for-hire vehicles apply to the commuter van industry.

19 For these reasons I am also a co-sponsor of
20 Intro. 913 that would allow commuter van's to accept
21 street hails and I thank the Chair for introducing
22 it.

23 Intro. 950 as written increases the number of
24 violations required to take away the authorization
25 necessary to operate a commuter van service. Here

2 the word service means the base operator and the
3 entire fleet, not just the driver who was issued
4 driving infractions.

5 Local Law 41 makes commuter van operators
6 responsible for the violation of individual drivers.
7 It's not a burden that taxi cabs or other for-hire
8 vehicles have. If an Uber driver has excess
9 violations, it is the driver's individual license
10 that gets taken away. In this scenario, Uber is
11 still able to operate and have other Uber vehicles on
12 the road.

13 Intro. 950 raises the amount of violations
14 threshold from three violations in a six month period
15 to six violations in a twelve month period. Looking
16 into the future, the ultimate goal is to stop the
17 unfair targeting of the commuter van industry.
18 Commuter vans are an important part of public
19 transportation infrastructure in New York City and
20 both the New York City Council and the Administration
21 must support commuter van networks by treating them
22 equally under the law. Commuter vans are frequently
23 the only form of transportation in public transit
24 deserts, particularly in parts of Queens and
25 Brooklyn.

2 Commuter vans provide a key public resource with
3 over 100, actually 120,000 daily riders utilizing the
4 service but still are regulated in a way that puts
5 tremendous burden on commuter van operators.

6 Commuter vans fill a gap left by the city's inability
7 to provide - to consider outer borough communities
8 and are now a necessarily part of New York City's
9 public transportation network and we must work with
10 licensed commuter van operators to make sure that
11 they are safe driver's while not holding operators to
12 unequal standards.

13 And just a reminder that the commuter vans have
14 been existing with other modes of transportation for
15 many decades. Additionally securing the future of
16 commuter vans is a social justice issues.

17 Communities of more color and immigrant communities
18 in transit deserts rely on commuter vans. Public
19 buses are often unreliable and have long wait times
20 which force residents to look for alternative
21 solutions and some of these communities don't have
22 any of those options. Many cannot afford the cost
23 that come with owning and operating car or using
24 private transportation on a daily basis and community
25 vans are lifeline of transportation.

2 Commuter van service should be supported as part
3 of long term solutions in our 21st century
4 infrastructure. Plans that must address traffic
5 congestion, high carbon emissions and decaying
6 transportation infrastructure. I also want to point
7 out that Uber and Lyft were giving ease of entrance
8 into our transportation system even at the cost of
9 people like the yellow cab industry and van drivers
10 are primarily immigrant and Black and Brown owners of
11 small businesses. We want to make sure that we have
12 pathways for folks to do this service legally and
13 licensed. And so, that's what we've been working on
14 for such a long time. I do believe they can exist.
15 I also think they can be unionized. That's another
16 conversation but we want to make sure that everybody
17 has access to be able to feed their family and
18 provide the services that all communities need.
19 Thank you so much.

20 COUNCIL MEMBER FARIAS: Thank you Majority Whip
21 and Chair Brooks Powers for allowing me time to speak
22 and for hearing my bill in this hearing. This bill
23 is a reflection of New York City's commitment to
24 honoring the diverse cultural and religious
25

2 traditions that make our city so vibrant and to honor
3 sacrifices made.

4 By suspending alternate side parking on holidays
5 such as Christmas, Yom Kippur, Diwali, Eid and so
6 many others, we are recognizing the importance of
7 these days for our communities. Today includes
8 consideration for Patriot Day, September 11th to
9 honor and remember the sacrifices made on this day by
10 essential workers, public servants, emergency
11 services personnel and New Yorkers alike from across
12 the city to honor them in their sacrifice.

13 This measure brings fairness and inclusivity to
14 our parking regulations respecting the traditions, an
15 important recognition of all New Yorkers while making
16 it easier for residents to observe these recognition
17 days without unnecessary burden. I look forward to
18 hearing feedback from the Administration on this bill
19 and I encourage my colleagues to support their co-
20 sponsorship. Thank you.

21 COUNCIL MEMBER KRISHNAN: Good morning everyone.
22 Thank you so much Majority Whip Brooks Powers for
23 holding today's hearing and good morning to everyone
24 who is here today too. Our hard working Uber Lyft
25 and taxi drivers are essential workers of our city.

2 They carry this city forward before the pandemic,
3 during the pandemic and long after. They keep our
4 city moving safely and efficiently. Many of them are
5 immigrant workers reflecting the truest embodiment of
6 the American dream and as an Indian American Council
7 Member, the first Indian American ever elected to New
8 York City government where I represent the district
9 with the highest number of drivers in New York City,
10 I am proud to represent them in city government.

11 However, the livelihoods of Uber Lyft drivers can
12 be thrown into chaos when they are deactivated from
13 Uber and Lyft with little to no advanced warning.
14 Our drivers, victims of predatory lending for
15 decades, an issue we worked hard to resolve but took
16 many years to do so. After resolving it, the
17 deactivation, the unfair deactivation of taxi drivers
18 is the single biggest issue that driver's face in the
19 city. It affects -

20 CHAIRPERSON BROOKS-POWERS: Sorry Council Member.
21 We ask that everyone please do not disrupt this
22 hearing because you will be asked to leave. If you
23 would like to acknowledge something you agree with,
24 just wave your hand. You may continue.

2 COUNCIL MEMBER KRISHNAN: It is the single
3 biggest issue that driver's face. It affects their
4 livelihood and when they lose their livelihood, they
5 lose their ability to pay their rent, to pay their
6 mortgage, to pay their childcare, to support their
7 families and simply live in this city. So, when they
8 are unfairly deactivated, drivers can be forced into
9 a company driven appeals process where the companies
10 have the upper hand and make the final decision with
11 no real meaningful process, with no notice in advance
12 and no real reasons listed are publicly available
13 standard for what constitutes a fair reason for the
14 deactivation.

15 This is particularly consequential for a
16 workforce that has to pay for the car insurance and
17 licensing fees just to go to work every day. These
18 expenses continue even when you lose your job and
19 that is why I am proud that Intro. 276 will be heard
20 today. My bill works in two ways. First, it
21 increases driver protections before deactivations
22 happens, creating a due process standard, which
23 everyone should be subject to and is a fundamental
24 principal of American law and workers' rights.

2 If Uber and Lyft believe a driver is not meeting
3 their community guidelines, this bill requires them
4 to enter into a progress discipline structure where
5 consequences will match the severity of the
6 infraction. Additionally, drivers will be required
7 to have at least two weeks' notice of an impending,
8 permanent deactivation. Notice in advance is an
9 essential part of due process and driver's don't have
10 that today before they are deactivated unfairly.

11 Second, my bill creates an independent appeals
12 process for driver's to pursue after they have been
13 deactivated. Driver's will be able to appeal the
14 deactivation through a number of means, including
15 arbitration or a complaint with DCWP. This means the
16 driver's will have an independent neutral arbiter and
17 appeals process through DCWP. App companies will be
18 required to give drivers the information necessary
19 for them to build their case and the companies will
20 bear the burden of proving that their actions were
21 justified. Driver's would be allowed a
22 representative to help them through this process. If
23 reactivated, driver's would also get back pay for the
24 time that they were not allowed to work.

2 Finally, drivers who have been unfairly
3 deactivated in the last six years would have an
4 opportunity to appeal with the city within a year of
5 my bills passage. The third point as I mentioned, is
6 that this process shifts the burden from the driver
7 having to prove why they were deactivated after the
8 fact to now requiring for-hire vehicle companies to
9 justify why the deactivation was necessary.

10 In other words, when a decision is made by an app
11 company, it shouldn't place the burden on driver's
12 after the fact to reverse that decision. The
13 decision maker must provide the justifications for
14 doing so and that is where the decision should be
15 placed. Again, a basic principle of due process in
16 American Law and for workers' rights protections.
17 This bill would provide robust protections for Uber
18 and Lyft driver's and open up an additional, not a
19 replacement, an additional pathway for driver's to
20 fight back against wrongful deactivations. And to be
21 clear, nothing in this bill stops a driver from using
22 other appeals processes if they so desire. When an
23 app company unjustly deactivates a driver, it is up
24 to city government to step in and provide basic
25 worker protections and establish necessary processes.

2 This bill by providing process, notice in
3 advance, making the burden with the companies and a
4 neutral arbiter is a fundamental part of worker
5 protections and workers' rights. And I could not
6 think of a more proworker bill than this. Thank you.

7 CHAIRPERSON BROOKS-POWERS: Thank you. Now we
8 will have a prepanel ahead of the Administration and
9 we'd like to have join us at the dais, Michele Dottin
10 from IDG, Bhairavi Desai from NYTWA, Luis Alzate from
11 ATU who is joining virtually, Alex Kemp from TWU, and
12 Leroy Morrison with the Commuter Van organization.

13 As you all are coming up to the dais, I'd like to
14 acknowledge that we've been joined by Council Member
15 Farah Louis and Council Member Chris Banks online.

16 LUIS ALZATE: Good morning.

17 SERGEANT AT ARMS: Luis, you'll be able to speak
18 after Bhairavi Desai.

19 LUIS ALZATE: Thank you, appreciate that.

20 SERGEANT AT ARMS: No problem.

21 CHAIRPERSON BROOKS-POWERS: I'll call the names
22 one last time, Michele Dottin from IDG, Bhairavi
23 Desai with NYTWA, Luis Alzate, ATU online, Alex Kemp,
24 TWU, and Leroy Morrison. I ask that you please have
25 a seat as quickly as possible. Is Michele Dottin in

2 the room at all IDG? Okay, we will proceed.

3 Bhairavi.

4 BHAIRAVI DESAI: Good morning. Thank you so
5 much. My name is Bhairavi Desai. I am the Executive
6 Director of the 28,000 member New York Taxi Workers
7 Alliance and I am speaking specifically on Intro.
8 276. This is an incredible bill. This is a bill
9 that will give first time rights to over 80,000 Uber
10 and Lyft drivers in New York City who have worked for
11 far too long without job security. A workforce that
12 goes to work every single day beginning at a
13 negative. If you've been deactivated, you still have
14 to pay for the car loan and the insurance. You're
15 living life without any income coming in but your
16 expenses remain fixed. A workforce that is dealing
17 with the public. A job where you can be the victim
18 of racially motivated, you know other biased
19 motivated complaints. And in the drop of a dime, you
20 lose your job. The loss of a job for every single
21 American worker can be catastrophic but for workers
22 who not only go without income from that loss of job
23 but also have to pay for expenses out of pocket, it's
24 absolutely devastating.

2 You wake up ready to go to work. You go on your
3 app and you've been told that you don't have a job.
4 It could be for a reason for a complaint that was
5 filed against you six months ago. Even a year ago
6 and to insult upon incredible injury, there is no
7 independent process. A process that is not
8 controlled by the companies themselves. The current
9 process, Uber will tell you on its website, Uber gets
10 to dictate which drivers can even access it.

11 At this point, if you've been a driver for ten
12 years, you've had an incredible record. None of that
13 gets used -

14 CHAIRPERSON BROOKS-POWERS: Thank you. I just
15 ask that you submit the rest of your testimony in
16 writing and I just want to remind everyone here that
17 recording is prohibited in this space. So, we ask
18 that you not record. Thank you and thank you, you
19 could submit the rest in writing.

20 BHAIRAVI DESAI: Thank you.

21 CHAIRPERSON BROOKS-POWERS: [GAVEL] Please do not
22 disrupt this hearing. There is no recording that is
23 to be done within this room. It is a recorded
24 hearing; you can get it online. Any disruption,
25 we'll have you removed.

2 LUIS ALZATE: Good morning.

3 CHAIRPERSON BROOKS-POWERS: To clarify, you could
4 record yourself. You cannot record the dais or the
5 witnesses testifying for clarity. I'll ask that you
6 be removed on the next disruption, please stop.

7 Luis, are you there online?

8 LUIS ALZATE: Yes, I am. Good morning.

9 Amalgamated Transit Union, thanks Majority Whip
10 Selvena Brooks-Power and the Council Committee on
11 Transportation and Infrastructure for this
12 opportunity to share ATU's concerns on the impact of
13 Intro. Number 939 and 950 on MTA bus service,
14 particularly for the residents of Southeast Queens.
15 My name is Luis Alzate, ATU Local 1056 President and
16 Business Agent and ATU New York State Legislative
17 Conference Board Financial Secretary.

18 I also deliver this testimony on behalf of the
19 ATU Locals 726, 1179 and 1181. All of our members
20 serve the riding public and the rider community. ATU
21 1056 members, bus operators and mechanics work for
22 the MTA New York City Transit's Queens Bus division
23 with depots in Flushing, Casey Stengel, Jamaica and
24 Queens Village. ATU Local 726 represents bus

2 operators and mechanics who work for MTA New York
3 City Transit's Staten Island bus division.

4 ATU 1179 represents bus operators, mechanics and
5 supervisors who work from Far Rockaway to JFK Depots
6 of the MTA Bus division, formerly Green Bus lines.

7 ATU Local 1181 represents bus operators and mechanics
8 who work for the MTA Bus division, formerly Command
9 Bus Service in Brooklyn's Spring Creek, and
10 paratransit operators and Yellow School Bus drivers
11 and escorts.

12 Statewide, the ATU represents more than 25,000
13 hard-working transit workers throughout ATU cities
14 including Albany, Binghamton, Buffalo, New York City,
15 Rochester, and Syracuse. If enacted these harmful
16 bills would effectively allow commuter vans to
17 replace bus public transit, especially in Southeast
18 Queens. Already, vans licensed and unlicensed
19 illegally and unsafely operate along bus routes and
20 deprive the MTA of revenue that it can be reinvested
21 in bus service.

22 This de facto privatization of public bus service
23 in Southeast Queens especially impacts students, our
24 seniors, working people and bus riders who benefit
25 from the Fair-Fares program.

2 SERGEANT AT ARMS: Your time is expired.

3 CHAIRPERSON BROOKS-POWERS: Thank you. We will
4 ask that you provide the remaining testimony in
5 writing but please don't sign off because I think
6 we'll have some questions for you shortly.

7 LUIS ALZATE: Thank you.

8 ALEXANDER KEMP: Good morning. Hi. My name is
9 Alexander Kemp. I am a representative from the TWU
10 Local 1000. I am here in regards to Intro. 939 and
11 950 and as it pertains to bus service, I am a
12 representative who represents TA Service which is the
13 Brooklyn Department of Buses. Our grave concern
14 about these Intro.'s or these bills on how they will
15 affect the safety of bus operators pulling into and
16 out of stops, the fact that the standard that we are
17 held to as bus operators in New York City Transit is
18 the highest in the country. Our medical standards,
19 our training, our responsibility and the consequences
20 of how we operate can never be matched without any
21 regulation that's being proposed for dollar van
22 drivers.

23 One of our bigger concerns also from TWU Local
24 100 is that these Intro.'s are not ultimately
25 intended to benefit the dollar van driver's or public

2 transportation but more so to supplement big business
3 with an opportunity to create a rideshare program
4 that will allow people to do what they've done in San
5 Diego with Uber Express, allowing people to use an
6 app to pick up 20 people at a time and transport them
7 in large quantities and do it for cheaper rates and
8 undermine labor. This consequence will ultimately
9 affect the people that you guys are tasked to
10 represent, protect and ultimately to benefit the
11 welfare of New York City.

12 Transit workers are also essential.
13 Unfortunately, everybody overlooks the consequences
14 that we face and look for means to undermine us,
15 surpass us and redistribute wealth away from the
16 Labor Department, the Labor Unions and transport it
17 into different aspects of big business.

18 So, I ask anybody to oppose these and to consider
19 finding new solutions to get better bus service and
20 uhm, make us a better city ultimately. Thank you.

21 CHAIRPERSON BROOKS-POWERS: Thank you. You timed
22 that well. Next, Mr. Morrison.

23 LEROY MORRISON: Anyway Chair, I want to say good
24 morning. Thanks for having this hearing on the
25 commuter vans. As you know commuter vans are a

2 lifeline transportation in New York City. Over 38
3 years now we've been filling a lot of gap that MTA
4 did not fill. When the bus strike, the city call on
5 the commuter vans. When the train strike, they call
6 on the commuter vans. When the yellow cab, they call
7 on the commuter van. Everything MTA does, they call
8 on the commuter vans and the City of New York also
9 and we - the 911 we was here, Storm Sandy we was
10 here. At a certain time of night, you got to
11 understand the ridership is out, there are people out
12 there trying to get home when MTA cut the services,
13 especially in Southeast Queens, they take an hour and
14 45 minutes. Someone working at JFK airport, they
15 want to get to work, MTA will take them an hour and
16 45 minutes to get to work.

17 If they got to get to Jamaica Avenue and then
18 they got to get back to JFK Airport. That's not
19 fair. What about the ladies who stand on the street
20 corners at night? They could get robbed and they
21 could raped on the corner, MTA cut their services and
22 people are desperate out there for transportation and
23 on a certain neighborhood. And as you know that
24 every other transportation come to New York City,
25 commuter van is always here. The lifeline, the

2 backbone for New York City and we got to understand
3 also to commuter vans, look out for the MTA drivers.
4 Most of their driver's getting to work, they still
5 ride on the commuter van. On the record, they still
6 ride commuter vans. The driver's that rush to go to
7 work to catch their MTA, the bus they drive, they
8 still do, and you got to understand a lot of people
9 in our neighborhood, they've been underserved.
10 They're treated like they're from underground with a
11 commuter van. When they need us, they pull us out on
12 the ground. When they don't need us, they put us
13 back on the ground. We want to be treated like first
14 class citizen in America. We are minority. We are
15 low income neighborhood where commuter van is always
16 operated and what this bill does ma'am is save us
17 from getting harassment and pulled over by NYPD. We
18 are paying high insurance. Thank you for having us
19 here. Thank you.

20 CHAIRPERSON BROOKS-POWERS: Thank you. I have a
21 couple of questions that I'd like to ask and then
22 I'll allow my colleagues to ask questions if they
23 have questions as well. I will start with Mr. Kemp
24 and Mr. Morrison just in terms of the two pieces of
25 legislation that's before us today. So, we

2 understand that the public bus service, the public
3 transit system is critical in New York. One of the
4 best by far I always say in the world. We also have
5 a commuter van industry, particularly in parts of
6 Southeast Queens and Brooklyn. That is a part of
7 that fabric and understanding that both entities keep
8 New Yorkers moving. You all service routes and vines
9 that are not easily satisfied one way or another
10 where it is why we need great transit equity broadly
11 speaking.

12 And so, I wanted to understand that this isn't -
13 but I understand that this is an interconnected
14 network and it has unintended consequences and so
15 that what myself and my colleagues want to get a
16 better understanding for and I'd like to understand
17 if there are additional comments on how street hails
18 for commuter vans could coexist in a world with
19 public transit. Like I know that there have been
20 conversations about the interference with the bus
21 routes for example, but we'd like to understand how
22 do we address transit deserts and also recognizing
23 that the commuter vans that we are privy to in these
24 communities that I mentioned are often people from
25 our communities as well. Not the big business Uber's

2 but I definitely appreciated getting that insight in
3 that regard. So, I'm curious to hear from you in
4 that regard but also hear from Mr. Morrison
5 recognizing how critical the public transit network
6 is to New Yorkers and not wanting to diminish or
7 reduce services. What does that - like how does that
8 work? Or how can it work rather, excuse me.

9 ALEXANDER KEMP: Thank you. So, I just want to
10 be very clear that from those same communities as the
11 gentleman next to me had spoken about, we all do -
12 are all part of a network and that network is the
13 community. We're all New Yorkers and ultimately, I
14 never want our position as labor to ever be
15 condemning any citizen of New York, any minority, any
16 culture that we would want to suppress an opportunity
17 in America, a capitalist society that any business
18 should thrive or have the opportunity to thrive. But
19 we do represent labor and we do understand the
20 nuances of reducing service and the consequences of
21 what that means to the lives of the people that we
22 represent. So, from the time after the stock market
23 crashed, transit has cut service and never put that
24 service back.

2 So, that issue, which never being addressed, by
3 adding another mechanism to reduce more service or
4 take away the means of fixing a broken system, how do
5 we ever address the system that's broken by just
6 adding band aids to it and not to suggest that the
7 dollar bands are a band aid but it's almost a
8 supplement to not actually addressing what the
9 ultimate issue is with transit.

10 So where we have one component of it where we
11 went from five minute headways or ten minute headways
12 to now 15 and 30 minutes, in the bus redesign. Are
13 they addressing where dollar vans would fit at the
14 end of the line where there was transit deserts? A
15 lot of these components are meant to actually reduce
16 service and actually cut running time which affects
17 the driver's but nobody's considering how it affects
18 the lives of the people who are trying to buy houses,
19 who can't afford to live in New York, who can't
20 afford to pay rent and we're civil servants. So,
21 that is one of the issues, not directly pertaining to
22 them but a byproduct of something that is
23 inconsequential to where we're trying to get right, a
24 better transit system. So we are interconnected but
25 sometimes these bills or these sponsored bills can

2 separate us. So, I just want to make sure that's not
3 where we're heading to.

4 CHAIRPERSON BROOKS-POWERS: No and I appreciate
5 that and after Mr. Morrison, Luis if you can also
6 respond to the question as well. I'm sorry I have to
7 keep looking at the screen to decide. Mr. Morrison.

8 LUIS ALZATE: ATU's position on this is this is
9 no different than a concept that as my colleague from
10 TWU stated, it's a concept that's nationwide
11 regarding micro-transit and the first mile, last mile
12 where it directly attacks public transportation. And
13 the answer is not to give these commuter vans or
14 these micro-transit you know the opportunity to
15 replace our ride in public, our public
16 transportation. These are services that don't have
17 the training standard or the equipment standard,
18 especially for our handicap riding public. They are
19 reckless. We've seen this many times when there
20 weren't a time when they were active in which they
21 cut off our buses, cause accidents. You know this
22 was something that at many hearings, we made an issue
23 of, especially in the southeast part of Queens.

24 There is you know, there is a sense of
25 recklessness when it comes to obeying traffic

2 regulations and this is something that our bus
3 operators with our training, you know our members are
4 held to a higher standard when they do these kind of
5 driving hazards in the community.

6 CHAIRPERSON BROOKS-POWERS: Mr. Morrison.

7 LEROY MORRISON: Yes sir. I want to answer the
8 question that you're saying sir. I didn't see one
9 commuter van -

10 CHAIRPERSON BROOKS-POWERS: No, Mr. Morrison, you
11 address it to us, not to each other.

12 LEROY MORRISON: I'm sorry about that Chair,
13 Madam Chair. In my life, running commuter van over
14 close to 40 years, I never seen a licensed commuter
15 van cut people off, cut the buses off and I want the
16 gentleman to know that we have licensed standard too,
17 we have CDL, we're Article 19A, we have medical, we
18 pay high insurance. Our insurance right now costs
19 about anywhere from \$45,000 to \$50,000 a year.

20 So, we can't afford. We cannot speak for the
21 roads that they're talking about. You cannot mix the
22 roads with the licensed commuter vans out there. I
23 want you do know that Chair, Madam Chair and I never
24 seen all these years a commuter van that's licensed
25 by the TLC cut a bus off because we have consequence.

2 If there's a problem like that, the TLC stepped in so
3 we never did anything like what the gentlemen are
4 saying and at the same time also, we also secure,
5 make sure TW union and make sure the labor, they stay
6 in business because after commuter van, if we never
7 put the cap on the commuter vans, then you would have
8 [INAUDIBLE 00:40:48] would take over MTA system. And
9 I did that to save MTA.

10 Also with Labor Union, they'd either build or
11 other big bus company couldn't come here in 2018 and
12 we saved the MTA. Myself, with the bill that I was
13 doing, so at the time we're looking to be partnership
14 with the union and the bus system to work with us
15 because everywhere we have licensed commuter vans, in
16 Jersey and everywhere. It's only in New York City
17 and we save the MTA a lot of time from their waiting
18 time and the MTA need over 40 something years, now
19 the ladies are stranded after certain hours of the
20 night, the MTA cut their service and MTA cannot say
21 because there commuter van cut their service.

22 Commuter van have the ridership and the MTA have
23 their own ridership. So, by the gentleman is saying
24 commuter van is doing this and commuter van is doing
25 that. I can speak in commuter van all these years,

2 we're not out here we are a small business and
3 America strive with small businesses and we are
4 immigrant and what we do in the Black and Brown
5 community that's underserved. It's always
6 underserved and MTA always turn their back against
7 the ridership in the low income neighborhood like our
8 neighborhood. I remember back in the days, the way
9 how we were treated. So, at the end of the day,
10 we're not here to compete with MTA because guess
11 what? MTA, when they pick you up, you get a free
12 ride at the subway but it is not everybody. When
13 they're going to work and they have to stand at the
14 bus stop for 45 minutes, an hour and the bus right
15 now is still overcrowded and people - what you have
16 to tell your driver - it's about feeding your family.
17 It's about putting food on the table. It's about
18 small business drive. So MTA have to understand that
19 we need to work with them and they need to work with
20 us and we're not out here to harm MTA and we cannot
21 speak for the road sir.

22 CHAIRPERSON BROOKS-POWERS: Can you enlighten the
23 panel in terms of what are the consequences that the
24 commuter vans are faced with when they you know
25 disobey the traffic laws?

2 LEROY MORRISON: When licensed commuter van
3 disobeyed the traffic law, if we run the speed and it
4 still goes to the TLC, they still bring the driver's
5 and still charge the driver's also. And if they run
6 the lights, you still got to go through the TLC
7 Division zero also to and if they do, what the
8 gentleman is saying, they can lose their commercial
9 driver's license and it affected Article 19A and the
10 medical also too. So, what the gentleman is saying,
11 the commuter vans are licensed in New York City and
12 across New York City and that's what we are doing
13 now.

14 CHAIRPERSON BROOKS-POWERS: Where are the
15 remaining commuter van businesses operating and are
16 there regions that have lost their last commuter van
17 route?

18 LEROY MORRISON: Yeah, there's routes here that
19 MTA doesn't service from Gateway all the way back
20 into the Junction, East Flatbush. Commuter van will
21 go all the way there and also even Fulton, over there
22 in Fulton Street and a lot of routes now currently
23 MTA is cutting their service. We are not subsidized
24 them. We are running this course out of our own
25 pocket.

2 CHAIRPERSON BROOKS-POWERS: Mr. Alzate and Mr.
3 Kemp, what are some of the challenges faced in terms
4 of the service right now that you see? I know in
5 Queens we have the bus redesign underway so there is
6 a unique opportunity to try to address some of these
7 routes but what are some of the challenges that for
8 example, the routes that Mr. Morrison just mentioned,
9 that ATU or TWU has tried to work through and how can
10 the Council be able to address that in light of that?

11 ALEXANDER KEMP: Well, that's kind of the reason
12 we're here right? That the Intro.'s kind of argue
13 against what our ultimate argument is. Is that if
14 there's going to be an effort to get better service,
15 a better transportation network, the interest should
16 lay in public transportation. That there should be
17 an influx of resources and support in trying to get
18 these deserts fixed because in the areas that he
19 specified in Brooklyn, let's just say Gateway,
20 Flatbush, the Junction, Fulton Street, all of those
21 areas have bus routes that run through them. Whether
22 the service has been either cut, modified, or
23 reduced. That in essence leads to these 45 minute
24 waits. That if you have one bus, two buses or three
25 buses with a 15 minute headway, in the event one of

2 those buses are late, you're now waiting 30 minutes.
3 When they talk about a better bus network. A better
4 bus network requires operators who are highly
5 trained, who are professionals, who meet a standard
6 that is the highest in the country and have who - as
7 the gentleman next to me has stated, where the dollar
8 vans have been available through crisis. There has
9 not been a day, a moment or a minute that New York
10 City transit bus operators have not been available to
11 provide services in emergencies for New York City and
12 actually have lost our lives. And New York City
13 transit workers have lost more lives than any other
14 agency on the planet during COVID.

15 So, our sacrifices to the communities should
16 never be overlooked or understated when it comes to
17 protecting our work as far as it pertains to TW Local
18 100 and the other locals for sure.

19 CHAIRPERSON BROOKS-POWERS: Mr. Alzate, do you
20 have anything to add to that?

21 LUIS ALZATE: ATU has had experience with what is
22 now called micro-transit and these van services.
23 When we lost our Q74 route in Queens and this route
24 service was going to be replaced with commuter vans.
25 That is being the danger of such legislation that it

2 replaces commuter van service with you know replaces
3 public transportation. There are - I'm not here to
4 say that we don't have our challenges when it comes
5 to routes and when it comes to the schedules. There
6 are challenges that as you pointed out, we are trying
7 to address in Queens and everybody understands that
8 Queens is a unique system based on the fact that
9 everybody depends on the bus service. We have a
10 system that only goes up to Flushing, trains and to
11 179 Street Corridor in the hillside. After that it
12 depends solely on bus service. And the remedy to
13 fixing the issues that we have is not to allow hail
14 service by anybody specifically in the bus stops.

15 CHAIRPERSON BROOKS-POWERS: So, is the concern
16 more so being along the bus routes in themselves?
17 And when you mention the Q74 route was lost, can you
18 explain what caused the loss of that route?

19 LUIS ALZATE: Well, ultimately it wasn't through
20 a ridership issue, ultimately this was a route that
21 addressed the needs of the community, not only
22 through Queens College and several high schools.
23 Ultimately it became evident and this was when then
24 Councilman I. Daneek Miller was the President of our
25 local. It became after that that the goal from ATU's

2 point of view was that they wanted to replace our bus
3 routes with a commuter van service.

4 CHAIRPERSON BROOKS-POWERS: But what was the
5 official reason for them getting rid of Q74?

6 LUIS ALZATE: Ultimately the transit parties
7 decision was that they didn't need the service. That
8 it was based on budgetary cuts, even though we -
9 there were hearings that were held to justify that
10 this was an intricate part of the community. But
11 once again, what became evident to us after the fact
12 was that they wanted to replace that route with a
13 micro-transit system, with a van service.

14 CHAIRPERSON BROOKS-POWERS: Mr. Morrison, what
15 are the toughest challenges facing the commuter van
16 industry? Was the decline in the commuter van market
17 due to the pandemic? And the market has simply
18 failed to bounce back? Or are there other factors
19 that have led to the industry shrinking?

20 LEROY MORRISON: Well, our main problem ma'am is
21 it's not shrinking. It's the insurance costs ran up
22 to about \$50,000. So I have a bill that I just
23 passed in Albany also to lower the cost of, it's not
24 only just commuter vans, it's for all for-hire
25 vehicle, for black cars, ambulant, commuter vans so

2 we could have a better lower cost insurance system in
3 New York City.

4 As you know Madam Chair, the black cars is one
5 incident. They're paying if they have a local car
6 service, they're paying \$10,500 a year with American
7 transit and if they're local Uber, they're paying
8 \$4,500 a year with the same American transit. So,
9 what we're trying to do is bring in more volunteer
10 insurance market to New York City, so we can have
11 affordable insurance. We could bring back commuter
12 vans.

13 So, right now we are looking to put these
14 commuter vans back out but the insurance cost was the
15 problem that we was having in New York City and
16 that's our only problem now holding back but we
17 should be out soon because we have the money that I
18 raised to pay into the insurance so these commuter
19 vans could get back on the street again.

20 So, it was very tough with commuter van. As you
21 know, the price went up from \$10,000 to \$55,000. In
22 Queens, it's \$45,000 a year. In Brooklyn, it's about
23 \$50,000 a year for a license commuter van on the
24 street. So, we've been going through insurance
25

2 crisis but we're trying to as small business, we try
3 to drive now.

4 CHAIRPERSON BROOKS-POWERS: And what alternative
5 if any is there for commuter van service? When a
6 commuter van stops operating, have customers switched
7 to mass transit, personal vehicles or something else?

8 LEROY MORRISON: Well, a lot of the customers,
9 they switched to - for now they're struggling, trying
10 to reach work. They are having a hard time now,
11 especially in Southeast Queens. They're having a
12 hard time from Rockaway to Jamaica center to come
13 back to JFK airport, an hour and 45 minutes. It took
14 them an hour and 45 minutes from Rockaway to Jamaica
15 Avenue about an hour on the bus and then they got to
16 take the bus 45 minutes back where they're coming
17 from. So, they are meeting a lot of challenge, so
18 they have to pay for other transportation but they're
19 willing to bring back the commuter vans to drop them
20 less time and people stop doing -

21 CHAIRPERSON BROOKS-POWERS: But I'm asking about
22 the passengers. What has been the trend? Has it
23 been that they've gone to mass transit? Have they
24 gone to their personal vehicles?

2 LEROY MORRISON: Some of them is on personal
3 vehicle and some of them is taking the illegal vans
4 out there too. So, some of them is taking other
5 means of transportation to get back out there on the
6 street. Some of them, they don't want to ride in
7 mass transit. They want to drive, they want to do
8 this, they want to take the bus, whoever want to take
9 the buses up to them but we'll be back soon ma'am.

10 CHAIRPERSON BROOKS-POWERS: And Ms. Desai, I know
11 that the commuter vans are largely relied in parts of
12 Queens and Brooklyn. Not necessarily a lot of I
13 think your members may be located but is there an
14 impact on your industry as well and if so, what is
15 that?

16 BHAIRAVI DESAI: Yes, absolutely. I mean in
17 terms of the outer boroughs because many of our
18 members particularly that drive for Uber and Lyft, a
19 lot of their work is in the outer boroughs. And so,
20 you know one in terms of the impact of potential
21 ridership being poached is one issue. But the second
22 is even in terms of just traffic and people having a
23 harder time moving around. I mean with the Yellow
24 Cab sector, you know 96th Street and below, I mean
25 you don't have this concept of commuter vans but I

2 can tell you overall, whether you're driving Uber,
3 Lyft or even livery or Yellow Cab or Green Cab, this
4 has been like one of the slowest summers in the last
5 30 years that drivers have had. There are already
6 too many you know taxi and FHV cars in the streets.
7 Drivers are really struggling to put trips together.
8 Most drivers are spending their time empty and there
9 just isn't enough work for you know new cars to
10 continually to be added in the same market. And so,
11 we have tremendous concern over the impact of this.

12 CHAIRPERSON BROOKS-POWERS: I'm going to yield
13 and allow my colleagues to ask any questions. We
14 will start with Council Member Krishnan.

15 COUNCIL MEMBER KRISHNAN: Thank you so much
16 Majority Brooks-Powers. I just have two questions
17 Bhairavi, thank you so much and thank you for the
18 work of the New York Taxi Workers Alliance for
19 drivers every day. I just want to - two questions
20 for you about Intro. 276. One is, can you tell me
21 how many drivers have reached out to you about their
22 deactivations and how many of them have actually been
23 able to get reactivated with the current process?

24 BHAIRAVI DESI: Sure, thank you. I mean we've
25 done thousands of intakes throughout the years. It's

2 you know, usually we average a couple of thousand
3 every year. There are two problems here. One is
4 even - there in some cases where drivers may get
5 reactivated but the reactivation will be for just a
6 couple of days and then, you know immediately,
7 they're deactivated again for a much longer time
8 period.

9 So, even in the so-called reactivation, there's
10 still tremendous insecurity because you just never
11 know you know when the company is essentially going
12 to change its mind and put the deactivation back into
13 order. So, most of the drivers that we see, I mean
14 one, there's certain issues like, for example, a lot
15 of complaints regarding like service animals where
16 it'll be marked as like a safety issue. Where the
17 passenger may not have any documentation or anything
18 and the driver legitimately feels threatened,
19 especially in Uber and Lyft vehicles, you don't have
20 a partition. You know and if a pet, if like a dog is
21 in the car and there's no leash or anything, it's
22 understandable that a person operating the vehicle
23 sitting in the front subject to bumps and you know
24 bumps on the road can legitimately feel scared, right
25 from that animal.

2 But all it takes is one complaint from that
3 passenger and you get deactivated and in some of
4 these instances, you don't even have a right to an
5 appeal. I mean Lyft, there's not even a physical
6 office that you could go to. So, you know you're
7 desperately trying to get through to customer service
8 or you might go through the Uber IDG appeals process
9 for example. If Uber allows you to, because Uber
10 still controls who has access to those appeals and
11 that's something that Uber states very clearly on its
12 website. What we find is that uhm, you know majority
13 of the cases, drivers just don't get their jobs back.
14 If it's anything that's marked as like basically more
15 than you know like paperwork, although we do have
16 instances of even drivers, even just for sheer
17 paperwork issues, we'll remain deactivated you know.
18 And so much of it is because the process is set up
19 where the driver is presumed to be guilty and so the
20 burden is on the driver and then that process is
21 controlled by the same company that has been your
22 prosecutor, now gets to act as your judge and jury.
23 And so, it's stacked against you and you know lastly
24 I would just say, I think if you asked every single
25 Uber and Lyft driver in the City of New York, I would

2 even say across this globe, they would tell you even
3 if they've never been deactivated, every single
4 driver works with fear and anxiety over the thread of
5 an unfair deactivation. And that's why we so
6 strongly support Intro. 276 because it is the first
7 time that drivers will have rights codified in law
8 where the companies must have good cause to even take
9 this very drastic measure against you and then they
10 must give you notice so it doesn't go into effect
11 immediately and there must be an appeals process that
12 they cannot control.

13 COUNCIL MEMBER KRISHNAN: Thank you and my final
14 question is just, can you describe what is unique
15 about driver deactivations compared to other workers?
16 Do you tell your members to use the IDG process?

17 BHAIRAVI DESAI: Yes, to answer your second
18 question. First, yes we do tell drivers to use the
19 you know Uber IDG process because I mean, it's
20 publicized by Uber. It exists for drivers. We want
21 to see every single driver be able to get their job
22 back and it goes to the first part of your question,
23 the consequences are enormous. If you're
24 deactivated, you still have to pay off your car note.
25 Still have to pay for insurance and because you're

2 paying for those things and there's no income coming
3 in because there's no paychecks in this industry.
4 So, you're paying for money that you're supposed to
5 be able to use for groceries and rent, is now going
6 towards your car because there's no other income
7 coming in right?

8 And then uhm, you know on top of that, you don't
9 know if you could get your job back and like you've
10 been given no notice, so immediately you spend your
11 days just trying to get your job back. I know of
12 driver's; we've seen members who come through who
13 sometimes for months are just desperately hopelessly
14 waiting to get their job back and they're stuck.
15 Their life is stuck because they've got this car that
16 they only bought because of this job so people don't
17 know what to do. Do they go and look for other job?
18 You know what other jobs are really available? This
19 is also workforce that is over 90 percent immigrants,
20 people of color. And so, I think there's - to me
21 this is also an issue, not just civil rights but also
22 racial justice that here's a workforce that's
23 predominantly people of color and what you're
24 essentially allowing at the moment is corporations
25 that control their economic life are going to take

2 their job away and presume them to be guilty. You
3 know there's in certain cases, there's no hearings,
4 no opportunity for you to defend yourself. You know
5 and so within your community all you heard is this
6 driver, there's a sexual harassment charge against
7 him. The people in the community don't know. You
8 were never given a right to defend yourself. You
9 never seen any evidence against you. Your good name
10 is just smeared. You know there's consequences to
11 this that are tremendous financially but they're also
12 tremendous you know socially and psychologically and
13 just to the mental health wellbeing of the drivers.
14 But the other, you know besides the cost I think
15 there are two other reasons why this is so unique to
16 this workforce. This is a workforce that has
17 licensed by the City of New York. The City of New
18 York has said, this is an individual that has been
19 trained past their course and believes to be capable
20 of doing this job.

21 And so, the city has a responsibility here to
22 create a layer of security for a workforce that has
23 invested thousands of dollars into this job in large
24 part because the City of New York has entrusted them
25 and encouraged them to do so. Lastly, you know

2 drivers have not been found to be employees under the
3 National Labor Relations Board and so, do not have
4 access to collective bargaining. That's one of the
5 reasons that a company union is allowed to exist in
6 this industry. Otherwise of course, you know IDG and
7 any other company union would actually be considered
8 illegal under the law.

9 And in the absence of collective bargaining and
10 in the presence of city regulation and expenses for a
11 by the drivers, there must be a basic sense of due
12 process that upholds very basic American values that
13 protect all of us as Americans. That protect us as
14 workers. We have a right to be presumed to be
15 innocent even by corporations that have a sword
16 hanging over our necks you know in the form of taking
17 our jobs away. In the labor movement, there's an old
18 saying that a loss of job is like capital punishment.
19 Because that's truly what it feels like especially
20 for a workforce with no guaranteed income and this
21 summer, with lockouts, can you imagine drivers lost
22 thousands of dollars throughout this summer and then
23 to go through a deactivation now, you've had no
24 saving, nothing to take care of your life.

2 I mean, this is an incredible crisis. I wish to
3 God every single driver that has been here in this
4 room from 10 in the morning when we started was still
5 here and I beg every driver, read this bill. Read
6 the 14 pages of this bill. This is like a holy book
7 that will give rights and protections to a workforce
8 that desperately needs it and truly deserves it.

9 [APPLAUSE]

10 CHAIRPERSON BROOKS-POWERS: [GAVEL] Again, you
11 will be asked to leave if you disrupt this hearing.
12 I believe Majority Leader Farias has a follow up
13 question.

14 COUNCIL MEMBER FARIAS: I do. I just wanted a
15 better understanding of last year's data if you have
16 it. How many people did you folks serve in terms of
17 deactivations? And then I guess the follow up I have
18 on that is what's the ratio breakdown of
19 deactivations, lockouts and folks on waitlists?

20 BHAIRAVI DESAI: Sure, so in terms of the first
21 question Council Member, the exact number I don't
22 have with me but it would have been I mean well over
23 2,000 drivers that we would have both served and
24 drivers that we've done intakes for. I know that the
25 vast majority of them, even if they were reactivated,

2 you know it was for a short period of time before
3 they were deactivated again but we're happy to follow
4 up and put that in our written comments.

5 COUNCIL MEMBER FARIAS: Yeah, I'd like to
6 definitely get the follow up data on the amount of
7 people you're serving year by year and what is the
8 ratio divided between people coming to you with
9 deactivations versus lockouts, versus the waitlist.
10 And then if you haven't already I have an expectation
11 to also know the average ratio of people letting you
12 know that they've been deactivated today but three
13 days later, a week later, however, long are
14 reactivated and then x-amount of days later
15 deactivated. That's helpful for us to get a better
16 understanding of how frequent it's happening.

17 And in that amount of time, it helps us have
18 conversations between all of you and with the agency
19 and then lastly, have you folks tried to make any
20 attempts on demystifying with drivers versus riders
21 on for the example that you gave with a service
22 animal, right? Legally, not even us in this building
23 can ask people for documentation. They have a
24 service animal for whatever the means are.

25 BHAIRAVI DESAI: Right.

2 COUNCIL MEMBER FARIAS: That service animal is
3 legally mandated to be their partner for that day and
4 that commute, that office visit. How are you folks
5 demystifying for drivers that that is legal and it is
6 illegal to ask for documentation?

7 BHAIRAVI DESAI: Yes and let me just be clear if
8 I misspoke or was misunderstood. We understand that
9 you cannot ask for a documentation. Even when
10 drivers go through the course to get their license,
11 that's actually part of the curriculum.

12 COUNCIL MEMBER FARIAS: Right.

13 BHAIRAVI DESAI: And so, we understand that but I
14 think the issue that I was trying to raise is, uhm
15 just by the sheer allegation right, a driver faces a
16 very serious consequence of losing their job and they
17 may not even be able to appeal it you know in many
18 cases. And so, you're not able to defend yourself.
19 Even the history of your driving record is not taken
20 into consideration even if you're allowed to appeal.

21 And so, the totality of your performance right,
22 should be part of your review like it is in most
23 jobs. In these cases, drivers don't have that
24 protection and that is one of the things that Intro.

25 276 would give to drivers, the right where as part of

2 making the decision on whether or not the
3 deactivation was for good cause, they would have -
4 the decision maker would have to look at the totality
5 of your record, including like you know good
6 accommodations that you have gotten. There also has
7 to be progressive discipline and so, if someone did
8 not understand and you know makes that mistake, which
9 is wrong but you know we also have the concept of
10 that you can't just you know you can't just discard
11 people from mistakes that they make, that there has
12 to be a process to allow people to learn and to show
13 their growth. And so, this bill is also important to
14 us because it would allow that.

15 COUNCIL MEMBER FARIAS: Yeah, I'd like to keep
16 talking about that after this hearing, just you know
17 as you stated, it is a part of the curriculum and so,
18 just as much as driver's do have to be protected and
19 all of the folks in this room know that I've been a
20 driver advocate for many years. People with
21 disabilities also have their rights and we have to
22 make sure that if there's anything that's unclear and
23 we know every driver has in camera facing video out
24 you know forward facing out into the streets to
25 protect their car and the way they're driving amongst

2 the defensive driving that we have to do throughout
3 New York City. We should continue talking about that
4 because that's both - it is a larger conversation
5 that has to be had on both sides to protect people.

6 BHAIRAVI DESAI: Yes, and that's definitely one
7 other reason that we really support the bill is
8 because as you said -

9 COUNCIL MEMBER FARIAS: I can totally get it. I
10 totally get it. I'd like to continue the
11 conversation offline as we have many people that need
12 to testify today. Thank you.

13 BHAIRAVI DESAI: Thank you.

14 COUNCIL MEMBER FARIAS: Thank you. Thank you to
15 this panel. You are now dismissed. I'll now ask
16 Committee Counsel to introduce our next witnesses and
17 administer the oath. Sorry, sorry that was not
18 communicated to me. Council Member Narcisse has a
19 question please.

20 COUNCIL MEMBER NARCISSE: Good afternoon and I
21 apologize because I was scheduled for two Committee
22 hearings at once, so I had to be over there and I had
23 to come here. So, thank you for being here. Thank
24 you Madam Chair. I always wonder with this bill
25 right, if street hails are allowed, will this cause a

2 rise in insurance for commuter vans? That's one. I
3 would assume so because I have been hearing a lot of
4 complaining. I see somebody here talking about
5 insurances. It's hard to get when it comes to
6 commuter vans. If they can - I mean, I'm assuming
7 they can stop anywhere and now the insurance will be
8 a problem. That's one.

9 Uhm, insurance has been an issue for them for the
10 past I don't know how long because I've been seeing
11 these young men in my office. I don't want this to
12 be an unintended consequence of passage of this
13 important bill, so I would like for you to answer
14 that before I ask my next question. A few questions.
15 Anyone? Anyone?

16 LEROY MORRISON: The most important thing is in
17 the Black and Brown community. The insurance is so
18 high for us. We are small businesses and what I did,
19 I took the fight to Albany. Just like the people
20 upstate New York, they did a risk protection group
21 last year, they haven't passed. We introduced a risk
22 protection group. Also, to lower the cost of the
23 insurance in local New York City here. So, we all in
24 the for-hire business can have affordable insurance.

2 I had that passed in the Senate but we didn't
3 push it in the assembly but hopefully next year we
4 can do it and with this bill that we have updated now
5 in Albany, it will bring down the cost of the Black
6 car insurance per transit, ambulette commuter vans.
7 So, we are calling on upstate the governor to sign
8 this one. It will lower the cost for every for-hire
9 vehicle especially commuter vans because we were
10 paying at least with the DFS, we are having a hard
11 time and we have to say thanks also to the TLC
12 Commissioner for part of this movement and it's been
13 a movement and we're not going to stop and fight it
14 until we get affordable insurance across New York
15 City for commuter van for all for-hire vehicle across
16 New York City who is going through this problem here.
17 And that is the reason we are here also to; it
18 doesn't raise the cost of the insurance because the
19 street hail. It's just that we - the street hail,
20 we've been operating for over 38 years and when we
21 pick up a passenger, we've been getting harassment
22 and treated like criminal. Some of us lose our life
23 driving vans because when the police pull us over,
24 they paralyze guys I know who died already and some
25 of us get shot, we get stabbed, we get robbed. And

2 then also, when the passengers come onboard they've
3 been harassed also by NYPD because they get in the
4 vans and we want to feel like we're first class
5 citizens in America and we came to this industry with
6 the American dreams but we're going to get the cost
7 of the insurance down and I'm fighting for all for-
8 hire vehicles, not only commuter vans to get
9 affordable insurance across New York City and New
10 York State and we're telling MTA we want to be
11 partnership with MTA, not the guys on - because we
12 fill a lot of gaps that MTA is doing and we would
13 also take in the ridership that they left behind late
14 at night especially if you're familiar with Brooklyn
15 and the library, imagine a woman standing there
16 coming from the library and turn her back to the
17 park. She can get robbed and she can get raped. MTA
18 cut their service at a certain time of night if
19 you're familiar with Brooklyn, so we're trying to get
20 the service up and running. Thank you so much Ma'am.

21 COUNCIL MEMBER NARCISSE: Thank you. Another
22 question I have, right now do Uber and Lyft have
23 representation right now if they're deactivated by
24 any chance? I don't know if that question was asked
25 before.

2 BHAIRAVI DESAI: There is no proc- I guess -

3 COUNCIL MEMBER NARCISSE: No process, okay.

4 BHAIRAVI DESAI: Well, the real issue is the
5 process that exists is uhm if it's in partnership - we
6 don't really know. It's a private partnership
7 between Uber and their company funded union called
8 the Independent Drivers Guild. What we do know if
9 you go on the website is Uber says, Uber retains
10 control over which drivers are even able to access
11 that process. So, what we really need here is a
12 process that is not controlled by the companies
13 because your prosecutor cannot be your judge and
14 jury.

15 COUNCIL MEMBER NARCISSE: I got you. I fully
16 understood. Another problem that you just mentioned,
17 which I'm with you with that because I take Uber; I'm
18 an Uber user and uhm, it's just like not having an
19 office, not having direct communication and if the
20 driver decided to do something; I understand there's
21 bad apples out there but sometimes the driver take
22 things for granted.

23 So, I'm in agreement. I would like to have
24 better access because if you're using, if you're a
25 person that's using the company, you should be able

2 to talk to someone and have communication. Because
3 when you do it online, it's not the same thing as a
4 person you can actually follow up. So, thank you for
5 your service. Thank you for answering my question
6 and thank you everyone and disclaimer, my father was
7 a driver in New York City for many, many years and
8 uhm Black car, Yellow cab and all. So, thank you for
9 your service and all that, keeping New York City
10 moving, appreciate you.

11 BHAIRAVI DESAI: Thank you.

12 CHAIRPERSON BROOKS-POWERS: Thank you. Okay, now
13 thank you this time for real to the panel.
14 Appreciate all of you coming out to - sorry we have
15 to keep order in the Chamber. We will - I'll now
16 kick it over to Counsel.

17 COMMITTEE COUNSEL: Thank you. I'm Mark Chen,
18 Counsel to the Transportation and Infrastructure
19 Committee of the New York City Council. Our next
20 panel will be from the Taxi and Limousine Commission.
21 Commissioner David Do and Deputy Commissioner for
22 Policy and Community Affairs James DiGiovanni. And
23 from the Department of Consumer and Worker
24 Protection, Assistant Commissioner for External
25 Affairs, Carlos Ortiz.

2 I will now administer the oath. Please raise
3 your right hands. Do you affirm to tell the truth,
4 the whole truth and nothing but the truth before this
5 Committee and to respond honestly to Council Member
6 questions?

7 PANEL: I do.

8 COMMITTEE COUNSEL: Thank you. You may begin
9 when ready.

10 DAVID DO: Good morning Chair Brooks-Powers and
11 other members of the Committee on Transportation and
12 Infrastructure. I'm David Do, Chair and Commissioner
13 of the New York City Taxi and Limousine Commission.
14 With me today is TLC's Deputy Commissioner for Policy
15 and Community Affairs, James DiGiovanni, and the
16 Department of Consumer and Worker Protection's
17 Assistant Commissioner, Carlos Ortiz. We thank you
18 for the invitation to provide an update on TLC's
19 regulated industries and welcome the opportunity to
20 start a dialogue on the TLC related bills on the
21 agenda.

22 As is typical when I've appeared before this
23 Committee, I'll start with a general update on the
24 TLC-regulated industries. As a whole, TLC-licensed
25 vehicles now complete between 22 and 25 million trips

2 per month, the highest level of activity since before
3 COVID. In August of 2024, the high-volume sector
4 that's Lyft and Uber completed over 18 million trips,
5 about 90 percent of 2019 levels, and yellow taxis
6 completed nearly 3 million trips, about 50 percent of
7 the August 2019 trip count. Additionally, non-high-
8 volume For-Hire vehicles completed 1.3 million trips
9 in July of 2024, 71 percent of their 2019 levels.

10 Similar recoveries can be seen through other
11 metrics including vehicle and driver counts. All the
12 data I just referenced, and much more, can be found
13 on TLC's new data dashboard called the TLC Factbook,
14 reflecting TLC's commitment to transparency. I'd
15 like to provide updates on several recent TLC
16 initiatives and developments that I know are of
17 interest to the Council, drivers, and members of the
18 public. As we wrap up Climate Week, TLC continues to
19 support the City's climate goals.

20 Earlier this week we released a new report titled
21 Electrification in Motion, which analyzes data
22 generated by the fleet of more than 10,000 EVs now
23 performing trips and documents the rapid expansion of
24 charging investments since the Green Rides Initiative
25 launched in October 2023. Green Rides requires high-

2 volume companies to dispatch exclusively to zero-
3 emission or wheelchair accessible vehicles by 2030.

4 I am pleased to report that we are already exceeding
5 our 2025 benchmarks.

6 In August, almost 20 percent of high-volume trips
7 were dispatched to EVs or Wheel Chair Accessible
8 Vehicles. This is largely thanks to the EV-only FHV
9 licenses issued in late 2023 and early 2024, over 90
10 percent of which went to individual drivers. As
11 discussed in the report, Green Rides is already
12 having its desired effect on spurring additional
13 charging infrastructure, including more than 200 new
14 fast-charger stalls from Tesla and Revel, DOT fast
15 chargers being installed in the Bronx, and an
16 upcoming dramatic expansion of DOT's curbside Level 2
17 network in neighborhoods where TLC drivers live.

18 Another important regulatory change is the
19 implementation of Local Laws 33 and 56 of 2024,
20 sponsored by Council Member Farias, which allow for
21 in-vehicle advertising in FHVs. TLC held a public
22 hearing in August and, in response to public
23 testimony and input from the Council, will soon
24 publish revised rules for an additional public
25 hearing. While the process for these complex rules

2 has taken longer than anticipated, we welcome the
3 feedback and look forward to opportunities to adopt
4 the final rules.

5 As you know, one major concern in the for-hire
6 industry is Uber and Lyft's restrictions on driver
7 access to their platforms, commonly known as
8 lockouts. As background, in 2018, TLC commissioned a
9 report by labor economists Dr. James Parrott and Dr.
10 Michael Reich on the need for a minimum driver pay
11 standard for app-based drivers. The report revealed
12 that 85 percent of drivers were earning less than
13 minimum wage; 80 percent of drivers bought their
14 vehicles to drive for those platforms, taking on
15 significant personal expense and risk; and driver
16 earnings were declining. The report recommended a
17 per-trip driver pay standard on time, distance, and a
18 utilization.

19 The Council then passed Local Law 150 of 2018,
20 directing TLC to establish such a pay standard. The
21 utilization rate, or UR, part of the formula is vital
22 but also, frankly, has proven the most challenging.
23 The UR is the percentage of time drivers spend
24 transporting passengers. If a driver works for eight
25

2 hours but only transports passengers for four of
3 those hours, their UR is 50 percent.

4 Drivers are only paid for trips, so the UR is
5 used as a multiplier to compensate them for all their
6 working time. For example, if a driver would have
7 been paid \$10 for a 30-minute trip, but the UR is 50
8 percent, that \$10 is multiplied by two and that
9 driver must be paid \$20 for that trip. The lower the
10 UR, the more the companies must pay their drivers.
11 This incentivizes the companies to adequately manage
12 their driver pool and keep drivers busy. What we
13 have seen is that instead of long-term driver supply
14 management, not onboarding new drivers, the companies
15 added new drivers to their platform, and then
16 periodically locked them out of the platform to
17 increase their UR. In other words, the companies
18 used periodic lockouts to avoid paying drivers more.
19 This is unfair to drivers and defies the intention of
20 TLC's rules and the underlying Local Law.

21 In July, we were able to get the companies to end
22 Uber's lockouts by Labor Day, increase Lyft's UR to
23 50 percent annually, and end both companies'
24 onboarding of new drivers. We viewed this agreement
25 as a short-term solution to get drivers immediate

2 relief while TLC crafted a long-term answer in the
3 form of rules. And the agreement has worked: Uber's
4 lockouts have ended and the companies are not
5 onboarding new drivers, we plan to publish new rules
6 to ensure that drivers are paid and treated fairly.
7 I am looking forward to a robust public rulemaking
8 process as we gather feedback from drivers and other
9 stakeholders. I will turn now to the commuter van
10 sector and its important role in the transportation
11 network of many of our outer borough communities.
12 There are currently 35 commuter vans, down from 215
13 in 2019. The primary issue faced by the commuter van
14 industry is the high cost of insurance that meets
15 state-standard coverage levels. As one way to
16 address the high costs of state legislature allocated
17 \$11 million to the Commuter Van Stabilization
18 Program, which is managed by the Empire State
19 Development and offers \$40,000 to commuter van
20 operators to offset insurance costs as funding to
21 reimburse safety equipment upgrades such as dashboard
22 cameras and driver assistance technology.

23 We worked with ESD on this program and on
24 industry outreach. I encourage our licensees to
25 apply to the program and former licensees to renew

2 their TLC licenses to be eligible for these funds.

3 TLC will continue to provide guidance to state

4 agencies and elected officials as ideas and

5 approaches are presented to address insurance issues

6 in the commuter van sector. Another significant

7 issue facing TLC-licensed industries is the financial

8 condition of American Transit Insurance Company,

9 which insures about two-thirds of TLC licensed taxis

10 and For Hire Vehicles.

11 Earlier this month, the New York State Department

12 of Financial Services, which regulates insurance

13 providers, released a regulatory report on American

14 Transit's financial condition, detailing their

15 insolvency. The report also explains that this is

16 not a new issue; the company's insolvency has been

17 well known by regulators, policymakers, and others

18 for over 40 years. While insurance is a significant

19 expense for TLC drivers, American Transit essentially

20 offered rates lower than their competitors by

21 operating at a loss, which stifled competition.

22 DFS is working diligently to address this issue

23 with stakeholders, but a comprehensive approach,

24 including legislative action, is likely needed to

25 ensure the long-term stability of the for-hire

2 insurance market. Most importantly, American Transit
3 is continuing to provide insurance to TLC licensees
4 during this critical period. I thank DFS for the
5 collaborative approach they have taken on this matter
6 and look forward to continuing to work with them and
7 state policymakers to secure the long-term health of
8 the taxi and for-hire insurance market.

9 Finally, you may have heard about recent
10 developments in the lawsuit related to taxi
11 accessibility. As ordered by the federal district
12 court, TLC has proposed rules requiring all new taxis
13 to be wheelchair accessible. Because this will have
14 a major impact on the finances of the taxi industry,
15 we will continue to work with stakeholders to
16 determine how we can increase accessibility while
17 ensuring continued economic viability of the
18 industry. This brings us to the bills on the agenda,
19 and I will start with the two bills relating to
20 commuter vans. Intro. 939 would authorize commuter
21 vans to accept street hails. Currently, TLC licensed
22 commuter vans are only authorized to provide pre-
23 arranged service. TLC supports this legislation as a
24 way to align local law with common industry practices
25 and increase options in communities underserved by

2 public transportation. However, it may be helpful to
3 specify within the bill the geographic areas where
4 street hails would be permitted, for example only in
5 the outer boroughs. Intro. 950 would increase the
6 number of violations required to revoke commuter van
7 licenses from three to six violations and increase
8 the timeframe from six months to 12 months.

9 Additionally, it would increase the number of
10 violations required to suspend authorization from two
11 to three in a six-month period.

12 So far in 2024, TLC has issued 47 safety-related
13 violations to commuter vans, but zero to the licensed
14 commuter vans. Because of the negligible number of
15 violations issued to licensed commuter vans, the bill
16 as drafted may not have its intended effect. We
17 welcome additional conversations with the sponsor to
18 better understand the bill's intent and history to
19 determine what actions may be appropriate to address
20 those concerns. Intro 277 would require taxi e-hail
21 trips, such as those arranged by taxi apps Curb and
22 Arro to pay drivers at least as much as they would
23 have received from a traditional street hail trip on
24 the meter. This bill would effectively reverse
25 studies and rulemaking efforts dating back to 2018,

2 when TLC first launched the Flex Fare Pilot. Under
3 this Pilot, e-hail app companies were permitted to
4 offer up-front pricing to taxi passengers, allowing
5 taxis to compete with Lyft and Uber for customers, as
6 up-front pricing is a key factor that contributed to
7 the growth of app-based FHV's. Granting the taxi
8 industry that same flexibility is vital to ensuring
9 their long-term competitiveness. Importantly, taxi
10 drivers can decline e-hail trips if they're not
11 satisfied with the up-front price; the choice to opt-
12 in is theirs.

13 E-hails now represent between 5 and 10 percent of
14 taxi trips, a small but important supplemental trip
15 source for the industry at a time when taxi trips are
16 still at about half of 2019 levels. TLC also
17 analyzed fare and driver pay data, finding that per-
18 mile take-home pay was slightly higher for Flex Fare
19 than the metered trips and that average Flex Fare
20 trips are longer than metered trips. Following our
21 public hearing in response to stakeholder feedback,
22 TLC also analyzed the driver pay data in alternative
23 ways, finding that on trips with similar origins and
24 destinations, Flex Fare trips paid slightly more than
25 metered trips.

2 Based on all this analysis, and because Flex Fare
3 is a small and optional part of the taxi sector, we
4 determined that it would not be appropriate to impose
5 additional fare or pay requirements on taxi e-hail
6 trips. Instead, we will continue to monitor Flex
7 Fare's impact on the industry and may adopt
8 additional requirements in the future as needed.
9 Requiring e-hail trips to pay at the metered rate
10 would harm taxi competitiveness and likely cause
11 customers who prefer app-based dispatch to avoid the
12 taxi industry altogether, reducing taxi trips by up
13 to 10 percent and moving millions of dollars in
14 revenue from taxis to Uber and Lyft. For these
15 reasons, TLC opposes this bill.

16 Intro. 276 would prohibit high-volume companies
17 from deactivating drivers without just cause or a
18 bona fide economic reason. The Department of
19 Consumer and Worker Protection, who would oversee
20 this process, supports Intro. 276. Arbitrary or
21 unfair deactivations are financially devastating for
22 app-based workers, as DCWP is well familiar with in
23 the food delivery worker context, where they likewise
24 support deactivation protections. Ultimately, DCWP's
25 goal is to create fair labor standards for all that

2 build upon past models of success and that have been
3 stood up by workers and their advocacy organizations.
4 The Administration looks forward to working with the
5 Council and stakeholders to create standard
6 deactivation protections for these workers.

7 Lastly, Intro. 323 would require TLC to establish
8 maximum rates for leasing, rentals, lease to own, and
9 conditional purchases of for-hire vehicles. TLC
10 recognizes the burden of high leasing costs, which is
11 one reason why we targeted the issuance of new EV
12 licenses to individual drivers, and why we have
13 adopted FHV lease transparency rules. We are also
14 currently conducting a study to ensure that our
15 driver pay rules align with current operating costs,
16 including lease costs.

17 While TLC does regulate lease rates for taxis,
18 differences between the sectors make setting FHV
19 lease rates much more challenging. Makes and models
20 in the for-hire sector are far more diverse than in
21 the taxi sector. Unlike taxis, the FHV industry
22 relies on a wide range of vehicle types to offer a
23 variety of different services to passengers, from
24 standard trips in compact sedans to premium services
25 in luxury vehicles. Depending on their target

2 market, a recent survey of drivers revealed that some
3 may spend \$40,000 on a new car while others may spend
4 well over \$100,000. Determining the appropriate
5 lease rates for such a wide range of vehicle types,
6 makes, models, and years would be incredibly
7 challenging, especially because lease prices
8 typically include insurance, maintenance, and other
9 costs that are difficult to capture.

10 There is also much more variation in leasing
11 arrangements in the FHV's sector, from lease-to-own
12 and conditional purchase arrangements to informal
13 short-term lease rentals between drivers, each of
14 which would have to be addressed with distinct
15 regulatory approaches. While we are open to
16 exploring additional ways to reduce the burden of
17 leasing costs on drivers, we do not believe that
18 establishing maximum rates is the best approach.

19 Thank you again for inviting me to provide an update
20 on TLC-regulated industries, address recent
21 developments, and offer the Administration's position
22 on the proposed bills.

23 We look forward to continuing to work with you to
24 ensure that New Yorkers can rely on the City's for-

2 hire industry. I am now happy to answer any
3 questions you may have.

4 CHAIRPERSON BROOKS-POWERS: Thank you. I'm going
5 to give an opportunity for Council Member Louis to
6 ask her questions first. Okay, so let's talk about
7 the July agreement on the lockouts. On July 31,
8 2024, the Mayor and yourself announced that the city
9 had secured agreements with Uber and Lyft to
10 drastically reduce lockouts. What specific
11 commitments were made by Uber and Lyft in regards to
12 reducing lockouts and how will these commitments be
13 tracked?

14 DAVID DO: So, it was a three-prong approach.
15 What we wanted to do Council Member was to ensure
16 that we had an effort that provided relief for
17 drivers immediately. A standard rule making process
18 could take months, often times more than several
19 months. And so, we wanted to make sure that we could
20 provide relief for those drivers who were impacted by
21 the lockouts immediately.

22 One, it would end lockouts, which it has and
23 continues to do. Require Lyft to have a minimum
24 utilization on an annualized basis of 50 percent and
25 the other part was that they would not onboard any

2 new drivers and ensure that current drivers are busy
3 before onboarding new drivers.

4 CHAIRPERSON BROOKS-POWERS: Thank you and I would
5 also like to recognize Gotham Professional Arts
6 Academy from Council Member Crystal Hudson's District
7 who has joined us today. Welcome, we hope you enjoy
8 yourself at City Hall.

9 Were any of the agreements that were made or
10 commitments memorialized in any formal documents?

11 DAVID DO: Yes, there was a formal document from
12 Lyft dated in July to provide their assurance that
13 they would reach 50 percent on an annualized basis.

14 CHAIRPERSON BROOKS-POWERS: Can you share those
15 documents with the Committee?

16 DAVID DO: We can.

17 CHAIRPERSON BROOKS-POWERS: Are there any
18 penalties or consequences if Uber or Lyft do not meet
19 their commitments?

20 DAVID DO: Yeah, so one of the ways that we're
21 looking at this is that we're working with our
22 stakeholders, including our advocates to ensure that
23 we have the correct rule making process in place and
24 we're going to take on a rule making process despite
25 this deal right. What I wanted to do was ensure that

2 we work with Uber or Lyft and many of the drivers
3 because what I heard from hundreds of drivers is that
4 they wanted immediate relief from this and what we
5 able to achieve was immediate relief for our drivers
6 but that doesn't preclude us from issuing new rules
7 and we are working on them as we speak.

8 CHAIRPERSON BROOKS-POWERS: Thank you for that.
9 Now how long has Uber and Lyft agreed to pause
10 onboarding new drivers and when would it be
11 appropriate for Uber and Lyft to begin onboarding new
12 drivers again? Is there a utilization rate
13 threshold? You have an eye on it all?

14 DAVID DO: As part of the agreement, they cannot
15 onboard but it is indefinite and we want to look at
16 memorializing some of the things within the agreement
17 permanently like, not onboarding new drivers until
18 there's a certain utilization rate. Again, this is
19 all delivered Council Member and we haven't finalized
20 where we are yet but one of the main aspects of this
21 is to resolve the lockout issue in perpetuity.

22 CHAIRPERSON BROOKS-POWERS: Now, Uber's
23 commitment to reducing lockouts is contingent on Lyft
24 reaching a 50 percent utilization rate. If Lyft does
25

2 not reach that rate is there anything preventing Uber
3 from reinstating their policy on lockouts?

4 DAVID DO: Yeah, like I said, that we're working
5 on rules to make permanent some parts of those
6 agreements but also additional rules to ensure that
7 we protect driver pay and then also ensure that
8 hopefully in the future, that loopholes like the ones
9 that they have taken advantage of are close.

10 CHAIRPERSON BROOKS-POWERS: I know you said the
11 rules are still being worked out but will there be
12 any changes to next year's utilization rate
13 calculation to offset the impact of Uber and Lyft's
14 lockout policy from the first half of this year?

15 DAVID DO: We're looking at ways where the new
16 rules may address that.

17 CHAIRPERSON BROOKS-POWERS: While the agreement
18 with Uber and Lyft is a step in the right direction,
19 it's ultimately a short-term solution to the larger
20 problem of driver lockouts. What specific long term
21 solutions is TLC and the Administration working
22 towards to eliminate driver lockouts? What specific
23 long-term solution is TLC and the administration
24 working towards to eliminate driver lockouts and when
25 the agreement was announced you stated that there was

2 a robust rule package designed to disincentivize
3 access restrictions. Can you describe what those
4 rules would do and when the rule making process will
5 actually begin?

6 DAVID DO: Yeah, I know that there have been a
7 lot of pain for drivers during the couple of months
8 that there were lockouts. And so, that is why we are
9 not only working with our advocates to looking at
10 what they have put in front of us but our own rules
11 to ensure that lockouts hopefully are a thing of the
12 past. What we're looking at is one continuing
13 onboarding restrictions, providing flexibility to
14 drivers and ending overall lockouts. This is
15 something that I know is incredibly important to many
16 of our drivers but there is a very delicate balance
17 in terms of the utilization rates that we need to be
18 aware of because that utilization rate increases
19 driver pay. And so, we're looking at that aspect as
20 part of the solution as well.

21 But our advocates have come up with a real
22 meaningful solutions that I am examining diving deep
23 and ensuring that we look at it deeply so that we can
24 have the best rule package available. We hope that

2 we can get the rule package out by the end of this
3 year.

4 CHAIRPERSON BROOKS-POWERS: Thank you. I want to
5 pivot to Green rides, EV for-hire vehicle
6 applications. How many new licenses were given out
7 last year when the EV for-hire vehicle applications
8 were open?

9 DAVID DO: There were about 9,700 applications.
10 We gave out about 8,700 and 93 percent of those went
11 to individual drivers.

12 CHAIRPERSON BROOKS-POWERS: What's the
13 percentage?

14 DAVID DO: 93 percent went to individual drivers.

15 CHAIRPERSON BROOKS-POWERS: Have all applications
16 been processed?

17 DAVID DO: We were very proud and I thank our TLC
18 licensing team for processing many of those licenses
19 within a three month period, four month period,
20 excuse me.

21 CHAIRPERSON BROOKS-POWERS: What type of outreach
22 was done to mitigate any negative impacts of the
23 opening and quick closing of the application process?

24 DAVID DO: Yeah, so as part of the litigation, we
25 were required to close it in a 96 hour period, right.

2 About four weeks before that we opened the licenses,
3 only about 2,500 applications were applied for and
4 then overnight, there was about 7,500 applications.
5 And so, we had a period where the judge recognized
6 that it was Veterans Day to ensure that not only the
7 public would know about the closure, we communicated
8 that to the communities and then the industry itself
9 communicated to itself about that closure and we saw
10 a rush of 7,500 applications in the 96 hour period
11 before we had to close it on that Monday at 9 a.m..

12 CHAIRPERSON BROOKS-POWERS: And did the influx of
13 additional EV for for-hire vehicles result in
14 pressure on the utilization rate that might have led
15 to the lockouts?

16 DAVID DO: Yeah, that's a very good question and
17 in short, no. Many of the drivers were already
18 driving. They were in leasing arrangements right?
19 And so, they moved from having to lease upwards of
20 \$425, upwards to \$900 a week to now owning their own
21 vehicle and being able to own their own business and
22 drive in New York City.

23 CHAIRPERSON BROOKS-POWERS: In going forward, how
24 do we manage the driver ecosystem to balance the
25 interest of new drivers or add EV's and wheelchair

2 accessible vehicles while also reducing empty cars on
3 our streets and supporting driver pay?

4 DAVID DO: Yeah, so one of the main issues that I
5 think we need to reflect on was that Uber and Lyft
6 were onboarding thousands of drivers as of late last
7 year and even early this year, right? Despite not
8 having enough trips out there. And so, what we're
9 doing is we're looking at ways to limit onboarding of
10 new drivers and ensuring that our existing drivers
11 have enough jobs before we allow for Uber and Lyft to
12 onboard new drivers. Again, like I said, it's a
13 deliberative process. We're looking at many ways
14 that would assist us with this but it is crucial that
15 we take a lot of time to think about how it would
16 impact the overall infrastructure of driver pay and
17 the industry.

18 CHAIRPERSON BROOKS-POWERS: And in terms of the
19 For-Hire Vehicle License Storage program, during the
20 COVID-19 pandemic, the TLC created a for-hire vehicle
21 license storage program to provide relief to license
22 holders who could not afford to maintain their
23 vehicles during the pandemic. That program ended in
24 August of last year. The TLC has now established a
25 short-term storage program that allows a licensee to

2 put their license in storage once every two year
3 renewal period for up to 90 days. Have you done a
4 retrospective on this long term storage program and
5 do you believe that it was successful? Are there any
6 lessons that we can learn from the implementation of
7 the program that we can apply going forward?
8 Particularly in respect to the new short-term storage
9 program?

10 DAVID DO: We wanted to ensure that driver's with
11 the 90 day period to have flexibility, when they
12 travel abroad, when they have medical appointments,
13 when they have long term you know other commitments
14 that they have the flexibility to put their license
15 in storage. What we did not want folks to take
16 advantage of this program, where the big leasing
17 companies putting their vehicles into storage and not
18 putting them on the road to ensure that drivers not
19 only have options for those vehicles. And so, that
20 was the intent of the overall rules to ensure that
21 drivers had access to these vehicles and not that the
22 big leasing companies would be able to take advantage
23 of that. However, we also had the flexibility built
24 in for our drivers so that they could put their
25 licenses in storage and I have not heard of many

2 cases where there have been concerns about the new
3 storage program.

4 CHAIRPERSON BROOKS-POWERS: Thank you for that
5 and why was the decision made to limit the short-term
6 storage program to only one use per two years. Like,
7 what happens if there's an emergency? Which we all
8 know happens more frequently at times more than once
9 every two years.

10 DAVID DO: Yeah, we believe that in a 90 day
11 period, over two years works for most if not all of
12 the for-hire industry. Again, while passage of this
13 rule, I heard some concerns but I haven't heard
14 additional concerns since the passage of this rule.
15 We think it strikes the right balance but we're
16 always welcoming I think feedback from the community
17 to make any program a little bit better.

18 CHAIRPERSON BROOKS-POWERS: And how many driver's
19 make use of the short-term storage program each
20 month? What's the average number of licenses in
21 storage?

22 DAVID DO: I don't have that information right in
23 front of me Council Member but we'll definitely get
24 it and hopefully we can it at this hearing so we can
25 provide it to you.

2 CHAIRPERSON BROOKS-POWERS: Thank you. And so
3 far, do you believe the short-term storage program is
4 a success? Do you have any intention to expand the
5 program or loosen its requirements?

6 DAVID DO: Like I said, we're always looking at
7 our industries feedback to make our programs, our
8 rules a lot better. I haven't heard a lot of push
9 back besides from when we passed the rule but I'm
10 focused on ensuring that drivers have options
11 especially when they're traveling abroad or you know
12 having medical appointments that take them out of
13 service or any other way to assist our drivers in
14 their time of need and provide more flexibility.

15 CHAIRPERSON BROOKS-POWERS: Thank you for that.
16 Next, I'm going to pivot to commuter vans. So,
17 commuter vans, as I have said many times are vital in
18 outer borough communities providing an affordable and
19 reliable transportation option in transit deserts.
20 However, the number of commuter van basis drivers and
21 vehicles have dramatically decreased in recent years.
22 As you mentioned during your testimony, the number of
23 licensed drivers and licenses bases have suffered a
24 similar drop. You mentioned state mandated insurance
25 coverage as the primary issue facing the industry.

2 Just for clarification, do you mean that this is
3 a current issue or did you mean that this was a
4 primary cause for the collapse of the industry?

5 DAVID DO: Like I said in my testimony, we're
6 broadly supportive of ensuring that there's a
7 continuum of different transportation options within
8 all five boroughs of New York City. Commuter vans
9 played an important role in many of our communities.
10 I know and I've heard of stories where many students
11 might be in Southeast Queens but had to take a bus so
12 that they can get to their subway station and get to
13 Manhattan for their school. These are important
14 stories that I hear about and so, the health of the
15 commuter van industry is something I'm keenly aware
16 of wanting to ensure that there are options for our
17 outer borough residents.

18 Look, it is extremely devastating right that
19 insurance has been so high for our commuter van
20 industry but what we know is that with state programs
21 like the \$11 million dedicated to commuter van
22 insurance implemented by ESD is helping commuter vans
23 get back on the road. We know that \$40,000 subsidy
24 with in vehicle telematics and in vehicle help to
25 provide some of that security so that they can get

2 cheaper insurance rates is going to help the industry
3 as a whole. And so we're here to be supportive of
4 the commuter van industry.

5 CHAIRPERSON BROOKS-POWERS: What other issues in
6 the TLCs opinion stand in the way of rebounding
7 commuter van industry and what can we do to smooth
8 the way for them?

9 DAVID DO: Yeah so like I said that we are going
10 to try to implement the \$40,000 in grants for the
11 commuter van industry and in fact, we have been
12 working ESD on a regular basis. They just released
13 the applications for commuter vans and I hope that
14 every single commuter van who was previously active
15 can reach out to the TLC so that we can get them
16 active again, so that they can participate in this
17 program. Because as you've heard from Leroy, you
18 know insurance can be anywhere from \$40,000 to
19 \$50,000. A \$40,000 grant is going to allow for a
20 meaningful impact so that commuter vans can get back
21 on the road.

22 CHAIRPERSON BROOKS-POWERS: And commuter vans are
23 not easily replaced by taxi's or for-hire vehicles
24 which are much more expensive or by buses that you
25 know may not service particular routes but what are

2 you doing to preserve this form of transportation for
3 people who need it. How do you plan to address the
4 challenges facing the commuter van industry?

5 DAVID DO: Look, I met with our commuter van
6 associations including Leroy and Hector to ensure and
7 learn about the challenges that are facing them. And
8 what we have been able to do was work with them, work
9 with the operators, learn about their challenges and
10 make flexible changes and exemptions when we could to
11 that. And so, typically if authorized commuter van
12 base might not have any vehicles, we require them to
13 put at least one vehicle right. The previous
14 restrictions were much higher than that. If they
15 have one vehicle associated with the authorization,
16 we would work with them to renew that vehicle license
17 and that base. And so, we are working internally at
18 the TLC but also externally with the state to ensure
19 that there is flexibility for our commuter van
20 industry.

21 CHAIRPERSON BROOKS-POWERS: And has the TLC
22 examined where these commuter vans are most
23 concentrated? What kind of passengers do these
24 commuter vans primarily serve and where the routes
25 actually go?

2 DAVID DO: Yeah, commuter vans play an important
3 role in transit deserts like you said. In Southeast
4 Queens, in parts of Brooklyn. And so, we want to
5 ensure right that there is a continuum of options.
6 Beit Yellow Taxi, for-hire vehicles, transit, and
7 even commuter vans to address any of the concerns
8 that our riders face in all five boroughs. And so, I
9 want to always provide more opportunities, more
10 options for our residents instead of less options,
11 right? And so, more options means residents can get
12 to where they need to go faster and that is something
13 that I think we should all be supportive of.

14 CHAIRPERSON BROOKS-POWERS: Thank you for that.
15 Equally important in communities, especially
16 Southeast Queens, is our public transit system,
17 particularly the buses because we don't have access
18 to subways. We're a two fare zone and some of the
19 issues raised earlier by the prepanel was around the
20 commuter van industry being a potential threat to the
21 bus drivers and diminishing of service within these
22 communities. Does TLC have any ideas in which they
23 can help the commuter van industry rebound while
24 still protecting the public bus network?

2 DAVID DO: Yeah, so I understand where our
3 transit workers are coming from and make no mistake,
4 I think that the industry has been impacted so hard.
5 The commuter van industry has been impacted so hard,
6 that there's only 35 licensed commuter vans in all
7 five boroughs licensed through the TLC.

8 CHAIRPERSON BROOKS-POWERS: But if this bill were
9 to pass, it would probably would you say increase
10 that number?

11 DAVID DO: Of the Street Hail Bill?

12 CHAIRPERSON BROOKS-POWERS: Yeah.

13 DAVID DO: Uh, I can't say either way right? But
14 that is something that the commuter van associations
15 are going to have to be hyper focused on to ensure
16 that not only the state help but the additional
17 flexibility provides to them makes their industry
18 grow. But there are protections right because any
19 route has to be reviewed by DOT. But more so is that
20 this common industry practice. That they pick up
21 passengers at various block to block, corner to
22 corner and so, this is just memorializing some of
23 what they're already doing into the law.

24 CHAIRPERSON BROOKS-POWERS: Uhm, okay another
25 question that came or another issue that came up in

2 the prepanel that I was hearing also. I think it was
3 from ATU's in terms of like the behavior of the
4 commuter van drivers, which Mr. Morrison had
5 indicated, that was not the case of the license
6 commuter vans. How does TLC manage what's on the
7 road in terms of licensed versus unlicensed? Because
8 as we look to explore what legalizing the street
9 hails look like, we're not trying to reward the ones
10 that are the bad actors that impact the safety and
11 access to the bus services. So, what has or can TLC
12 do to address that?

13 DAVID DO: Yeah Council Member, enforcement is a
14 key aspect of unlicensed commuter vans.

15 CHAIRPERSON BROOKS-POWERS: And enforcement is by
16 TLC right or PD?

17 DAVID DO: Both by TLC and by PD. And so, we
18 regularly work with NYPD to ensure that commuter vans
19 are operating legally so that there are the
20 protections of not only insurance but having a
21 licensed operator, having a CDL operator. Following
22 DMV state guidelines. These are all incredibly
23 important and as I look through my data, in 2023
24 about 95; there was 95 summonses in total. Only five
25 went to licensed commuter vans and so, what Leroy was

2 saying is correct, that 90 of the 95 went to non-
3 licensed commuter vans. As of this year so far, all
4 47 summonses to commuter vans went to unlicensed
5 commuter vans, right? And so, I think for the most
6 part, the licensed commuter vans are following the
7 rules, the regulations, and the state traffic laws.

8 So, is there a shortage of resources why the
9 enforcement is not able to kind of address the bad
10 actors?

11 DAVID DO: Well-

12 CHAIRPERSON BROOKS-POWERS: Because I know I have
13 some that are in Rosedale that are not licensed that
14 do all types of things to people's property and I
15 know they're not the licensed ones.

16 DAVID DO: Yeah, well thanks to Mayor Adams and
17 the Administration, we were able to get 100 new TLC
18 police officers. We're training our first class in
19 two years currently and are going to recruit more
20 officers and so, that is going to help us provide
21 more attention to areas where we can be helpful to
22 you. So, if you let us know about where they're
23 operating, we will come out there and support you and
24 your community. Yes, we're hyper focused on ensuring
25

2 that non licensed commuter vans get licensed or not
3 operate in New York City.

4 CHAIRPERSON BROOKS-POWERS: That is helpful and
5 is there coordination with TLC and PD in terms of how
6 to engage the commuter vans? What is actually legal
7 versus not legal? What they should have and
8 shouldn't have?

9 DAVID DO: Well, every unlicensed commuter van is
10 - should not be operating, should not picking up
11 trips and so, they need to go through the regulatory
12 process that assures that not only do they have the
13 proper insurance, the proper licensing but also the
14 proper education so that they can operate as a
15 commuter van. And so, as we see commuter vans with
16 non- New York State plates or Pennsylvania plates
17 etc., those are not operating legally on New York
18 City roads. And so, we are going to be focused on
19 ensuring that they do not operate.

20 CHAIRPERSON BROOKS-POWERS: Thank you for that
21 and is the current rule prohibiting street hail
22 something you enforce strictly? And if so, how many
23 violations typically occur in a month?

24 DAVID DO: Uhm, yeah so we do enforce when we see
25 it, right but again, with 100 TLC police officers

2 growing to 200 hopefully soon, we will be able to pay
3 more attention to this issue in partnership with NYPD
4 but we work with every precinct to ensure that when
5 we see that there is a higher number of certain
6 issues and cases regarding commuter vans, we will
7 address that based on constituent concerns,
8 residents' concerns to ensure that you know they
9 don't see that type of activity in their communities.

10 CHAIRPERSON BROOKS-POWERS: Thank you for that.
11 I'm going to yield to Council Member Krishnan for
12 questions.

13 COUNCIL MEMBER KRISHNAN: Thank you so much
14 Majority Leader Brooks-Powers. Thank you
15 Commissioner and I just have a few questions for you
16 on Intro. 276. My first question is, uhm will this
17 bill negatively impact any existing processes to deal
18 with deactivation?

19 DAVID DO: So, I'll have I think Carlos answer
20 that question. He's with DCWP who will be
21 implementing this new law.

22 COUNCIL MEMBER KRISHNAN: Sure, thank you.

23 CARLOS ORTIZ: Thank you Commissioner. I think
24 Council Member with respect to your question, our
25 goal with this legislation is to I think build upon

2 the successes of workers and worker advocates.
3 Support existing processes that are out there
4 certainly but ultimately create a fair standard for
5 all workers in New York City in this for-hire vehicle
6 space. I certainly was very appreciative of the
7 remarks in your opening statements. To this point
8 about other processes that are out there, I think
9 that is the same intent that we have as an
10 administration and we want to work with you on that
11 as we go into the legislative process.

12 COUNCIL MEMBER KRISHNAN: So, just to be clear,
13 would this impact any of the existing processes right
14 now?

15 CARLOS ORTIZ: I think my plan is to ensure when
16 we're drafting that we're not making any impacts
17 unnecessarily. I think again, we want to build upon
18 success, not walk back anything that workers and the
19 advocates that have won for us.

20 COUNCIL MEMBER KRISHNAN: Got it. Do you have -
21 or how many - sorry, one more question. Do you have
22 any recommendations for the legislation?

23 CARLOS ORTIZ: Yes, I think Council Member, you
24 know we've had a lot of experience now in the space
25 of just cost protections for fast food workers. A

2 lot of experience in the context of food delivery
3 workers. I think there are certainly tweaks we might
4 want to work into legislation around arbitration and
5 making it a more efficient and effective process for
6 workers who want to engage in that process. I think
7 there's components of separation pay we think might
8 be interesting that could help folks if they've been
9 deactivated, unfairly deactivated. I think these
10 would really help make sure that we are reducing the
11 financial, devastating financial impact that an
12 unfair deactivation could have. Or also we're just
13 disincentivizing companies having to deactivate
14 workers too.

15 COUNCIL MEMBER KRISHNAN: And finally, how many
16 complaints or cases do you anticipate?

17 CARLOS ORTIZ: I think Council Member, you know I
18 heard my colleagues from NYTWA mentioned something
19 around 2,000 cases that they've worked through. I've
20 heard numbers from other advocates of upwards of
21 13,000 cases a year on deactivation. So, I think
22 we're looking at that kind of ballpark and for us,
23 it's certainly helpful for that to be kind of flushed
24 out in the record because you know we work very
25 closely with OMB to identify resources that are

2 needed and this kind of a caseload is definitely
3 significant.

4 COUNCIL MEMBER KRISHNAN: So, would it require
5 perhaps funding or support resources, digital
6 resources for DCWP?

7 CARLOS ORTIZ: Think that's part of the
8 conversation we have to have particularly with this
9 amount of cases that are being spoken to on the
10 record.

11 COUNCIL MEMBER KRISHNAN: Okay, thank you. No
12 further questions. Thank you.

13 COUNCIL MEMBER FARIAS: Thank you Council Member.
14 Seeing no one else signed up, I have one question and
15 then we'll move to public testimony. The Chair had
16 asked about Green rides and the 8,500 EV licenses
17 that we've already rolled out here in the city. I
18 wanted to know if we had any data on how many of
19 those vehicles have stayed on the road currently and
20 if we have any percentage of folks that have gave up
21 those EV licenses in the time being? I know we've
22 had some difficulty with charging infrastructure
23 etc., so just wanted to ask about that.

24 DAVID DO: Yeah, if I could step back and give an
25 overall picture of where we are. We're two years

2 ahead of schedule on our Green Rides initiative. You
3 know the Administration goal was to get to 100
4 percent either wheelchair accessible or EV's by 2030
5 and we're hitting that mark. 19 percent so far are
6 now EV or wheelchair accessible in terms of the
7 number of trips.

8 Overall, we see that this has helped build
9 additional infrastructure. Just yesterday Council
10 Member, I opened up ten additional or I helped open
11 up excuse me, it wasn't my charging but opened up ten
12 additional fast charging stations in Manhattan. We -
13 this initiative has spurred more infrastructure
14 across all five boroughs and has potential to add
15 additional infrastructure in the Bronx and so, we're
16 very excited by this.

17 In terms of the EV, FHV numbers that you asked
18 for, uhm, there were 10,243 EV's as of February 2024
19 and today, right despite not issuing any additional
20 licenses, there are about 11,490. And so, what we
21 have seen based on the regulation, is that many
22 individuals are transitioning from an ICG vehicle or
23 an Internal Combustion Gas vehicle to EV because
24 possibly there is a lot more infrastructure out
25 there. We have set up a taskforce to work with NYPA,

2 to work with the New York and New Jersey Port
3 Authority to build more infrastructure at JFK and at
4 LaGuardia Airports and we're seeing that come to
5 fruition so that the pain that driver's had to wait
6 for last winter won't happen this year.

7 COUNCIL MEMBER FARIAS: Great and so do we have
8 any data of folks that were initially given their EV
9 licenses and then -

10 DAVID DO: Specifically on that, I'll get back to
11 you Council Member and see where we are at that. I
12 apologize, I don't have that number in front of me.

13 COUNCIL MEMBER FARIAS: Thank you so much. Thank
14 you Chair.

15 DAVID DO: And Chair Brooks-Powers, there are
16 currently 601 vehicles in storage, in the FHV storage
17 program.

18 CHAIRPERSON BROOKS-POWERS: 601 currently.

19 DAVID DO: Yup.

20 CHAIRPERSON BROOKS-POWERS: Thank you. Okay,
21 thank you to TLC and your testimony today and
22 participation. I now open the hearing for public
23 testimony. I remind members of the public that this
24 is a government proceeding and that decorum shall be
25

2 observed at all times. As such, members of the
3 public shall remain silent at all times.

4 The witness table is reserved for people who wish
5 to testify. No video recording or photography is
6 allowed from the witness table. Further, members of
7 the public may not present audio or video recordings
8 as testimony but may submit transcripts of such
9 recordings to the Sergeant at Arms for inclusion in
10 the record. If you wish to speak at today's hearing,
11 please fill out an appearance card with the Sergeant
12 at Arms and wait to be recognized. When recognized,
13 you will have two minutes to speak on today's hearing
14 topics. Oversight TLC for-hire vehicles, commuter
15 vans and other TLC licensees, Intro. Number 100, a
16 local law to amend the Administrative Code of the
17 City of New York in relation to the suspension of
18 alternate side parking regulations on Losar. Intro.
19 Number 276, a Local Law to amend the Administrative
20 Code of the City of New York in relation to the
21 wrongful deactivation of high-volume for-hire vehicle
22 drivers. Intro. Number 277, a Local Law to amend the
23 Administrative Code of the City of New York in
24 relation to taxi cab driver pay for electronically
25 dispatched taxi cab trips.

2 Intro. Number 323, a Local Law to amend the
3 Administrative Code of the City of New York in
4 relation to establishing maximum rates for the
5 leasing, rental, lease to own and conditional
6 purchase of for-hire vehicles. Intro. Number 939, a
7 Local Law to amend the Administrative Code of the
8 City of New York in relation to allowing commuter
9 vans to accept hails from prospective passengers in
10 the street.

11 Intro. Number 950, a Local Law to amend the
12 Administrative Code of the City of New York in
13 relation to increasing the number of violations
14 required to revoke authorization to operate a
15 commuter van service. Intro. Number 1021, a Local
16 Law to amend the Administrative Code of the City of
17 New York in relation to the suspension of alternate
18 side parking regulations on Patriot Day.

19 If you have a written statement or additional
20 testimony you wish to submit for the record, please
21 provide a copy of that testimony to the Sergeant at
22 Arms. You may also email written testimony to
23 testimony@council.nyc.gov within 72 hours of this
24 hearing. Audio and video recordings will not be
25

2 accepted. We will call the first panel which will be
3 former Council Member I.Daneek Miller.

4 I.DANEK MILLER: Good morning Madam. Good
5 afternoon Madam Chair and members of the Committee.
6 It is great to be in the peoples house again and uhm,
7 so I just after hearing TLCs testimony, I kind of
8 just wanted to divert from what we were talking about
9 because obviously they're either misguided or
10 misinformed about what the commuter van industry
11 really is at this moment and time and the services
12 that they are providing and I would love to work
13 collaboratively with them and the other agencies to
14 ensure that that's happening but for him not to
15 mention the actual mandated report that came out of
16 the legislation, that we passed back in 2018, that
17 required an annual review and reports of the industry
18 around safety. That wasn't mentioned at all and
19 quite frankly that was important as to whether or not
20 you made a determination that this should be
21 expanded. And also, I just want to mention, the
22 first name basis of the industry folks is clearly
23 where he's getting his information from.

24 And I do take offense to that something that we
25 took nearly eight years to make sure that we were

2 protecting the safety and integrity of communities
3 throughout the city to pass that legislation, to see
4 it under mined and be diminished in a way that not
5 just the street hails may happen in an arbitrary way
6 but also that the fines and penalties that were put
7 in place be diminished as well. But you know what I
8 really wanted to talk about and very briefly is that
9 public transportation and that transportation was not
10 being spoken about here today. It is a great
11 equalizer. We do talk about transportation deserts
12 are often communities of color and the impact that
13 that has on there but transportation - what we're
14 missing uhm is that there is an obligation by the
15 city and the state to ensure that they're providing
16 this public benefit equitably throughout the city.
17 In the city that we see communities that have public
18 transportation options or have new options such as
19 ferries that are being subsidized at \$12 and change
20 per trip.

21 In other communities, their options are commuter
22 vans, which are greatly underfunded that are not
23 regulated and often times not providing the safe
24 service. Clearly, it was also demonstrated that they
25 don't provide, they're not ADA accessible. They're

2 not accessible to those who would normally access
3 fair fare programs and so forth. So, that is an
4 equity that our community really is losing out on and
5 I think in order for us to have equitable growth
6 throughout the city, we have to talk about equitable
7 transportation options.

8 As we move further, I think one of the
9 testimonies whether 100 or ATU, talked about
10 transportation funding. Transportation funding by
11 the MTA, when the operation side is strictly by fare
12 box, and anything that interferes with the fare box
13 numbers that are coming in, the people that are
14 captured by the fare box, diminishes the service that
15 is provided.

16 As we talk about transportation equity and
17 transportation as a great equalizer, uhm, there's
18 been conversation about congestive pricing and as
19 this Committee knows that if and when that is
20 implemented, it is only for capital projects.
21 Meaning that the operations of bus service is not
22 going to be impacted by it. It is not going to get
23 you a contract. It is not going to provide benefits.
24 It is not going to impact the day to day operations.
25 And certainly, I don't think that in our lifetime

2 that we're going to see light rail or subways riding
3 down Merrick Boulevard, Flatbush Avenue, Northern
4 Boulevard, anywhere of these transportation deserts
5 that currently exist.

6 So we have to look at you know common sense
7 measures that really matter. One of the things is -

8 CHAIRPERSON BROOKS-POWERS: Sorry -

9 I.DANEEK MILLER: Okay, so we talked about very
10 briefly and we've been working on the bus network
11 redesign. I think those are areas that we can focus
12 on and we could - but right now, we could have a
13 conversation about what the industry, the commuter
14 van industry does but to arbitrarily integrate them
15 into bus stops and street hails, I think is a wrong
16 move.

17 CHAIRPERSON BROOKS-POWERS: And I thank you for
18 that testimony. I will say that I've heard
19 consistently similar to what you shared in terms of
20 the concerns in the bus route or below 96th Street
21 and so, considering that you have a significant
22 transportation background, I would love to hear from
23 you like what could you see as a world where these
24 two industries co-exist without diminishing? And I
25 ask you this because as someone who has and continues

2 to represent parts of Southeast Queens, you know
3 first-hand what that ridership looks like. And then
4 I do want to have a follow up question that I asked
5 earlier and I didn't really get a clear answer, but
6 when the commuter vans are not available, do you see
7 that the majority of those riders go to taking a bus
8 or do they go into their personal vehicles?

9 I.DANEEK MILLER: Well, no, I think that those
10 who travel into the city or into other boroughs for
11 work are probably using New York City or public
12 transportation just in general. Yeah, just short of
13 it yeah. I think they're taking public
14 transportation as an alternative, not necessarily an
15 alternative means but what I would envision, what I
16 think has not been captured is that uhm, there are
17 communities that are truly transportation deserts for
18 a plethora of reasons, logistics and otherwise.
19 Someone like the Rockaways and so forth, like that.
20 I think whether or not we're leveraging this
21 conversation around greater transportation, public
22 transportation options but in the meantime, could we
23 see something like that you know in there but in
24 terms of where routes already exist which I think is
25 a task of DOT, is to look at the existing routes in

2 the city, whether or not they are functioning
3 efficiently. Can it be better? Could it be assisted
4 by the vans?

5 And so, that's their job in licensing the vans is
6 assessing whether or not they are not performing or
7 providing the service in that area. So, if in terms
8 of collaboration, I think DOT and their data
9 collaboratively with the Transit Authority will
10 really sort of dictate whether or not or where you
11 know they could possibly operate.

12 CHAIRPERSON BROOKS-POWERS: And then I know like
13 for example in Queens, we have the Queens bus
14 redesign going on, which I'm hopeful that we'll still
15 see some more changes. I'm concerned about one,
16 diminishing of our bus services through it. Uhm, but
17 also too, there are still pockets of the communities
18 that still would not have a direct access readily
19 where they could walk maybe a block and a half to a
20 bus stop. And so, do you feel that in instances
21 where the - when you look at the map and the bus
22 redesign is still not capturing certain
23 neighborhoods, that there is a way in which the
24 commuter vans could be that connection to the buses?
25 Because again, I know that -

2 I.DANEEK MILLER: At that point, so we're talking
3 about creating what we got rid of 30 years ago, which
4 is a two fair zone or putting a van to a bus to a
5 train.

6 CHAIRPERSON BROOKS-POWERS: Well, some of the bus
7 redesign creates a two, three fare zone now.

8 I.DANEEK MILLER: I would suggest that you get
9 the MTA in here and have a hearing on the redesign
10 and what that looks like. Often the routes that run
11 throughout the City of New York, in particularly in
12 the outer borough, they were old trolley routes and
13 they haven't been changed in 75 years. They were
14 industrial communities that are now residential and
15 vice versa and so, you know this is really an
16 opportunity to be better and they have an impact on
17 communities, on industries in a way, I think it's
18 really important to do that. But I wouldn't you know
19 just throw out the baby with the bath water. That
20 one thing should this or the other. I think that
21 it's really important to finally have their ear and
22 the resources and revenue behind it. But again,
23 losing revenue at a time where MTA is hiring people
24 to circumvent fare dodging and the rest of that
25 stuff, but to give it away is really advocating their

2 fiduciary responsibility of all, not just agencies
3 but bodies of government, including the Council to
4 make sure that we have the operating expenses and
5 revenue that are going to allow them to serve folks
6 efficiently.

7 And we don't want to do anything that take away
8 from that. Is there a space for them to make money?
9 I think that we have absolutely done our due
10 diligence to incorporate commuter vans. Wherever we
11 can, but in the daily operations of you know we want
12 people to be safe and efficient. Mind you from an
13 ATU perspective, that industry started in Staten
14 Island brought them back and forth and they you know,
15 crossing into Manhattan. It would do potentially
16 great damage they talked about, industries nationally
17 where corporations come and use policies and
18 legislations such as this and run fleets on public
19 transportation and we don't want to diminish that and
20 see that in that way.

21 I just also want to say how much I do support
22 Intro. 276. It makes all the sense in the world that
23 you know collective bargaining, due process and
24 discipline is a basic fundamental intended of labor
25 rights and it just absolutely has to happen, so.

2 CHAIRPERSON BROOKS-POWERS: And I think you for
3 that.

4 I.DANEEK MILLER: Yup.

5 CHAIRPERSON BROOKS-POWERS: Thank you. And also,
6 I'd just like to clarify for everyone something that
7 was stated earlier, so although no video recording or
8 photography is allowed from the witness table,
9 members of the public may record these proceedings
10 from their seats but may not use tripods or obstruct
11 walk ways. We'll have our next panel. Thank you.

12 I.DANEEK MILLER: Thank you so much and you know
13 as always, I am available.

14 CHAIRPERSON BROOKS-POWERS: And we understand
15 that there are some members that are signed up that
16 will have to step away to pray. We will come back if
17 we call and you're not in the room. So, just
18 understand that too.

19 So, we'll next have Paul Sonn, Jeremy Moskowitz,
20 Giovanni Ramos (SP?), Shahal Hawk (SP?), Ibrahim Zoure.
21 Just come to the front. And please just introduce
22 yourself before you speak, so we can have it on
23 record as well. And I just want to make one more
24 attempt to see if Michele Dulton of IDG is in the
25

2 room, if so, you can come now as well. Okay, you can
3 get started just please unmute your mic.

4 GIOVANNY RAMOS: Hi, my name is Giovanni Ramos.

5 I come to plead to you to help me for my family

6 because my car is deactivated. Over come to the

7 market in New York City, I'm here to help all. Uh,

8 when I first driver started driving Uber at the

9 market. When I started Uber, I make a lot of money -

10 a little money for my family then still when I see a

11 lot of people come to the Uber driver, I know I make

12 a lot of mistakes. Uber closed my account. We still

13 have a balance - I bought my car and I have to pay

14 the bills for my family. I have to pay mortgage and

15 a lot of things in my bills for my family. Now,

16 please do me a favor, please try to go back to

17 driving Uber. Thank you very much.

18 CHAIRPERSON BROOKS-POWERS: Thank you.

19 IBRAHIM ZOURE: Thank you everyone. I just

20 wanted to say thank you for the great mind that set

21 this meeting today. For us be here to present our

22 case. My name is Ibrahim Zoure. I'm a member of

23 NYTWA and I drive for Uber and Lyft. So, I was

24 deactivated by Uber in 2019 and put a great impact on

25 me and my family because I could no longer provide

2 you know the necessary basic that my family need.
3 So, I find myself in a situation where I went to pick
4 up a stranger and at that pickup location, I was
5 blocked by another driver so I could proceed my
6 journey to drop the passenger. So, I reached out to
7 the driver of that car to find out if he was sleeping
8 in his car. That's why he couldn't respond to my
9 horn to move away. So, we engaged into a
10 conversation. My passenger out of the vehicle came
11 behind me and record the situation between me and the
12 other driver and sent it to Uber. So, I was
13 deactivated because of that. Six months after this
14 situation happened, they waited six months to
15 deactivate me. So, I reached out to Uber office to
16 see if the problem could be solved. So, at Uber
17 office, they referred me to IDG to solve the problem.
18 So, when I went to IDG, so I was told by IDG member
19 that my situation is critical and it had to be
20 reviewed by the Uber headquarter. So, ever since I
21 have never been able to have my account
22 reestablished.

23 CHAIRPERSON BROOKS-POWERS: Thank you. I just
24 ask if you could submit the rest of your testimony in
25 writing.

2 IBRAHIM ZOURE: Okay, thank you.

3 JEREMY MOSKOWITZ: Hi, my name is Jeremy, I'm
4 with Voyager Global Mobility. We run two of the
5 largest rental, TLC rental fleets in the city, Buggy
6 and Fast Track. We are weekly, no strings attached
7 rentals. We do not trap drivers in long term leasing
8 agreements. We're an important part of the industry.
9 We're here so that people can go on vacation for two
10 or three months abroad. They can save their expenses
11 if they get deactivated or find themselves in other
12 trouble. We do whatever we can to help drivers who
13 are deactivated, involving giving any documents that
14 we have, payment history, contracts, whatever we can
15 do. Sometimes we'll get calls from the IDG or from
16 Uber or Lyft. We're here today in terms of your
17 overall oversight of the TLC to request that you
18 sincerely focus on the insurance storm that is about
19 to hit. We manage our insurance responsibly. It's
20 built into our very fair rental pricing. We have a
21 large array of nice vehicles that are fully covered.
22 We manage our insurance responsibly. We've never
23 been late on a payment. We pay out claims. With
24 American transit, if one of our driver's gets in an
25 accident with them, I will fax a claim over. I will

2 wait two months. I will never get paid. It's a
3 shame that everyone has known about this forever.
4 That they have let drivers get on with low premiums
5 so people aren't managing their finances responsibly.

6 The other major players Harford and Mia are not
7 that much better and so, this is a storm that's
8 brewing. We commend what the larger Council or
9 Committee or City Council discussed on changing the
10 insurance rates. But before any conversation about
11 rental prices or the government regulating rental
12 prices, the city needs to get a real strong handle on
13 the insurance industry and its major effects on
14 drivers, as well as interest rates borrowing for
15 people who are buying their cars, etc.. Thank you.

16 CHAIRPERSON BROOKS-POWERS: Thank you. Thank you
17 to this panel. The next panel we'll have is Mohamed
18 Mohamed, Dennis Addison, Saif Aizah, Bamba Diakite,
19 Walter Hurdle. We ask that you just introduce
20 yourself at the start of your comments and uhm, we
21 ask that you hold it to the two minutes because we
22 have a lot of people signed up today to testify.

23 MOHAMMAD ALI AWAN: Hi, my name is Mohammad Ali
24 Awan and I drove Yellow cab for 26 years and then
25 switched to this promise land they call Uber and Lyft

2 because we thought the life was going to get a little
3 bit better but it's not. This company have enormous
4 kind of like control on the driver. They can
5 deactivate any time they want and we are deactivated
6 for a very long time. It's impacted our life and our
7 families life and this is just like staying on top,
8 like government of the people, by the people. So, we
9 are the people. So, we need the help from the City
10 Council and the members and the Chair to please just
11 like make the regulation to stop this deactivation
12 for like unknown time and forever. This should be
13 like that because like we are the one who are sitting
14 on this hot seat driving for hours and hours and
15 burning of our fuel. We're paying for all the
16 expense of the car.

17 This company Uber and Lyft and other app
18 companies, they have nothing. They are just, in
19 reality they are just the connecting companies. They
20 are connecting us with the passengers. That's all
21 they do but they make all the rules and they control
22 everything. It shouldn't be like that so City
23 Council and the Taxi Limousine Commission should
24 become some kind of like the regulations to stop this
25 nonsense deactivation. Thank you.

2 CHAIRPERSON BROOKS-POWERS: Next.

3 BAMBA DIAKITE: Hi, my name is Bamba Diakite. I
4 do taxi drive long time. Okay, before I talk about -
5 I got my own program that I think in my program, I
6 got a lot of drivers now in the hospital and their
7 home. If I wake up morning, because I got a lot of
8 children. I got a lot of family.

9 Uber locked up. This is not fair. If I wake up,
10 I'll go see them. Before you talking your problem,
11 okay. I started Uber 2019. Uber closed me. Uber
12 closed me. Nobody complain me, Uber closed me
13 because they say my points is low. I go once in the
14 Bronx Uber office. They tell me go take a class.
15 The teacher see me and say man, you don't have
16 problem, your points is good. I say Uber closed me
17 because of my point is low.

18 Okay, IGD, I see IGD. IGD take \$10 my bank
19 account. They say you now have big problem. Uber
20 have to open you. I say okay. Every month IGD take
21 \$10 of my money. How many times they don't do
22 nothing. Uber don't open me. You see, I got a
23 family at home. Taking my money IGD, it don't do
24 nothing. After that, [INAUDIBLE 02:31:51]. They
25 have taxi alliance office there. I go to taxi

2 alliance office there, I talk to them. I say I got a
3 problem. My friend have problem too. Uber closed
4 me. Uber closed me because of my rating is low. I
5 said, nobody complain me but Uber not open me. I got
6 a big family, a lot of family. Uber don't open me.

7 Okay, pulled up, Uber customer, they picked me.
8 Uber don't do nothing. Thank you.

9 CHAIRPERSON BROOKS-POWERS: Thank you.

10 WALTER HURDLE: Good morning. My name is Walter
11 Hurdle and uh I am in the industry for six years with
12 the New York Taxi Workers Alliance for two and half
13 years. I was unfairly deactivated by Uber and as a
14 result, I lost \$1,200 a week. They are so called
15 three strikes where in the first situation, uhm
16 during COVID, I had a mask on my mouth but not on my
17 nose. A customer complained even though I had a
18 petition in my vehicle, I got an email from Uber who
19 said, any further allegations of this nature you will
20 be removed from the Uber platform.

21 The second time was with a mounted phone, you get
22 rides when a next ride before the first ride is
23 finished. You have to interact with your phone. I
24 got an email from Uber. A customer said you was
25 using your phone. They said again, any allegations

2 of this nature can result in removal from the Uber
3 platform. The third time was a young lady. It was
4 3:00 in the morning and I said, ma'am I'm just going
5 to wait for you to get inside before I drive off. I
6 don't know why she took it the way she may have
7 because I felt like my responsibility doesn't end
8 when I close the app.

9 That humanity takes over and if something were to
10 happen to this passenger, I need to interact. The
11 \$60,000 I invested in my vehicle for my "partners"
12 Uber and Lyft, is now a burden now because even
13 though I have to make my car payment, my insurance
14 payment, my rent whatever, my bills don't stop. This
15 deactivation process with Uber, Intro-

16 CHAIRPERSON BROOKS-POWERS: Thank you. If you
17 have anything additional, you can submit it in
18 writing sir.

19 You have to turn on the mic sir. Could you just
20 let us know your name as well?

21 DENNIS ADDISON: Good morning, my name is Dennis
22 Addison. Thank you so much for making this possible
23 at the hearing. I have been in this business now for
24 six and half years and a member of the New York Taxi
25 Alliance as well for two and a half years. I've been

2 unfairly deactivated by both Uber and Lyft and
3 weekly, I make over \$1,600. And since Uber have
4 deactivated me, it was very much unfair for me and my
5 family. I have a vehicle that I invested in in over
6 \$65,000 that I had to pay for that. My insurance,
7 fees and other the different things that I have to
8 pay for maintaining my family.

9 It's been so difficult since then, losing my job
10 from Uber and Lyft because of the deactivation. Lost
11 my vehicle. Don't have any income coming in. It has
12 been so difficult for me and my family. The
13 deactivation is solely - is really unfair to drivers
14 like myself and the panel here is testifying the same
15 thing.

16 We would like to see if this independent
17 department can really step in and help us because we
18 know that it will lift the burden off of us to some
19 degree but at the same time, we can make ends meet.
20 It's not easy dealing with passengers who lie and say
21 different things about driver's like myself and
22 others who are working so hard. And all of a sudden,
23 you become deactivated. All because what? Uber
24 listens to these passengers to get free rides because
25 of what they say. They don't even take into

2 consideration us the driver's. We are completely
3 mute. We have no say. We have no comment in
4 anything whatsoever. So, please, if you can listen
5 and hear what we are saying? It is greatly
6 appreciated by all of the drivers and Uber and Lyft.

7 CHAIRPERSON BROOKS-POWERS: Thank you. I believe
8 Council Member Krishnan has a question for the panel.

9 COUNCIL MEMBER KRISHNAN: Just one question,
10 especially for the last two driver's that testified.
11 Did you, when you were deactivated, did you try the
12 IDG process? What happened in that process? Did you
13 reach out to the company?

14 DENNIS ADDISON: I'm sorry, when I go to Uber
15 office and I called them and I called them and I
16 plead with them, I called them every single day, go
17 down to the office every single day to no avail, we
18 cannot help you. Try this, try that. They didn't
19 give me no kind of warning. They didn't give any
20 kind of leeway like what they are saying.

21 CHAIRPERSON BROOKS-POWERS: Just for
22 clarification, he is asking about going to IDG
23 through their process, not Uber.

24 DENNIS ADDISON: They're no help. They just take
25 my money and just say that they will try to help me

2 and nothing. They charge my credit card every given
3 month because of fees and all that stuff and I had to
4 put a stop to it. IDG ain't helping me. They're not
5 for me.

6 COUNCIL MEMBER KRISHNAN: And so, did you hear
7 back after you tried to go through the process?

8 DENNIS ADDISON: Nothing. It's like this.
9 Knock, knock, knock, deaf ears.

10 COUNCIL MEMBER KRISHNAN: So, have you heard
11 anything from the IDG process or from the app
12 company?

13 DENNIS ADDISON: The app company, nothing. At
14 this point, I'm at the mercy right now thanking you
15 for listening to what I'm going through. Nothing. I
16 wish someone could say something to me to let me know
17 what's the way out. I have not gotten no response.

18 COUNCIL MEMBER KRISHNAN: Thank you.

19 CHAIRPERSON BROOKS-POWERS: And just for my own
20 clarification, when you say your card is getting
21 charged each month, are you talking about your union
22 dues or are you talking, what are you referring to
23 when you say that your card is being charged?

24 DENNIS ADDISON: Yeah, it's a due that day. Say
25 that in order for them to help you, you have to give

2 them your credit card information for them to charge
3 - for you to pay them every given month. I assume
4 that's what it is but they didn't make it clear.

5 After six months and I said and I can't continue
6 because every time I go to them, they're not telling
7 me anything. I go to the office when I call them or
8 they put me on hold or whatever the case may be.
9 They're not clear to me what's what and then when I
10 get irate and go down to the office and not being
11 rude to them. Irate because I'm upset that you're
12 taking my money but not helping me. You say you're
13 going to help me to reactivate my account, nothing.

14 COUNCIL MEMBER KRISHNAN: And so, you're still
15 not reactivated?

16 DENNIS ADDISON: No, no.

17 COUNCIL MEMBER KRISHNAN: Sorry, you had to say
18 what you're experience was.

19 WALTER HURDLE: Yes, I never went the IDG process
20 because it was widely known that the IDG was funded
21 by Uber. So, a lot of people you know don't trust
22 them because it's like you're knocking on deaf ears
23 and as far as the deactivations is concerned, even
24 right now, when I go on my Lyft app, I can't work
25 because I'm locked out. This is what happens every

2 single day to all of these drivers. We're locked out
3 all day long and they turn us on whenever they want
4 to even though they call us partners. Thank you.

5 COUNCIL MEMBER KRISHNAN: Thank you.

6 CHAIRPERSON BROOKS-POWERS: Thank you to this
7 panel. We'll call the next panel up. Yoden Thoden,
8 Desmond West, Lateef Ajala, Josh Gold, Alpha Barry.
9 Anthony Aybozo, Frank Haley, Shahal Udolin(SP?) and
10 Carmen Cruz. And again for those who are praying,
11 we'll just come back to those names afterwards.

12 YODEN THODEN: Thank you Chair and members of the
13 Committee. My name is Yoden Thoden and I'm here to
14 talk about Intro. 100, so thank you for allowing me
15 to jump the line a little bit. I come from the
16 Tibetan community in New York and we also have a lot
17 of for-hire drivers in our ranks but I'm here to talk
18 about Intro. 100. And thank you to Council Member
19 Julie Won for sponsoring this.

20 So, I am a lifelong New Yorker, Tibetan, born and
21 raised in Manhattan District 3. I raised my three
22 kids here. I also have this strange distinction of
23 being the first Tibetan born in New York and I also
24 serve on Manhattan Community Board 5. So, I grew up
25 in the city in the 70's and 80's at a time when the

2 entire Tibetan community in the tristate area could
3 literally fit in my parents living room. And it's
4 been amazing to see in the last decades how our
5 community has grown to now of tens and thousands.

6 So, I'm asking you to support this bill that
7 would allow us to fully celebrate the most important
8 holiday of the year for us Losar Tibetan New Year.
9 This holiday is shared by all those who follow the
10 Tibetan Lunar Buddhist calendar and we're now number
11 60,000 in New York City. We fill all professions and
12 walks of life and we are also your for-hire drivers.
13 The next time you get into a cab or an Uber or a
14 Lyft, it might be one of us. Losar is our most high
15 holy day and we request the recognition that we
16 deserve in this great molting pot and mosaic in New
17 York City.

18 CHAIRPERSON BROOKS-POWERS: Thank you. We just
19 ask that you submit the rest of testimony.

20 YODEN THODEN: Thank you very much for your time.

21 CHAIRPERSON BROOKS-POWERS: Thank you.

22 DESMOND WEST: Good afternoon. My name is
23 Desmond West, President of Royal Rose Transportation
24 Commuter Van. I've been in the business for over 30
25 years and we go through strict regulations as a bus

2 driver, medical everything. Mr. Miller was here
3 before me and I think that some of his argument was
4 very bias and uhm, I think what we are doing now,
5 we're almost doing street ends now. So, it's only -
6 we're only asking for it to be legalized so that we
7 won't get any tickets for it because sometimes a
8 person comes out. The bus just went by, the bus just
9 went by and they need to catch the bus. We
10 compliment the trains. Most of the vans, the
11 commuter vans compliment the trains because it's a
12 two fare zone. The people drive on the bus are free.
13 The bus driver don't care if they are not - they pick
14 up and they leave, so if the bus is gone, the only
15 other alternative for riders to get to their job on
16 time is to get on a commuter van and we are there for
17 them. So, the street will be approved by the Board.
18 Thank you.

19 CARMEN CRUZ: SPEAKING IN OTHER
20 LANGUAGE[02:46:10]- [02:46:17]

21 INTERPRETER: Good afternoon. My name is Carmen
22 and I'm a member of the New York Taxi Workers
23 Alliance.

24 CARMEN CRUZ: SPEAKING IN OTHER LANGUAGE
25 [02:46:21]- [02:46:35].

2 INTERPRETER: I've been working as an Uber driver
3 for over 11 years and it's very important to me to
4 have security in my work and not constantly live in
5 fear that I could be fired at any time.

6 CARMEN CRUZ: SPEAKING IN OTHER LANGUAGE
7 [02:46:47]- [02:46:55].

8 INTERPRETER: The law 276 would give us this job
9 security, give us protection. It would also mandate
10 that the companies give us 14 days' notice if they
11 are to fire us.

12 CARMEN CRUZ: SPEAKING IN OTHER LANGUAGE
13 [02:47:06] - [02:47:12].

14 INTERPRETER: We need this equitable process
15 where drivers can be heard.

16 CARMEN CRUZ: SPEAKING IN OTHER LANGUAGE
17 [02:47:18] - [02:47:25].

18 INTERPRETER: Additionally, 276 can help driver's
19 against the economic losses that we're facing due to
20 the lock outs.

21 CARMEN CRUZ: SPEAKING IN OTHER LANGUAGE
22 [02:47:33] - [02:47:46].

23 INTERPRETER: This law would mandate progressive
24 discipline and would you know force them to have a
25

2 real investigation into what actually happens and it
3 also would apply to lockouts.

4 CARMEN CRUZ: SPEAKING IN OTHER LANGUAGE

5 [02:47:57] - [02:48:07].

6 INTERPRETER: I also think it's important to say
7 in the deal between Uber and Lyft and the Mayor, this
8 deal allows Uber to cheat the pay rules.

9 CHAIRPERSON BROOKS-POWERS: Thank you and I just
10 ask that you submit the rest of the testimony in
11 writing.

12 INTERPRETER: Since she was translating, can she
13 finish her testimony? Have a little extra time.

14 CHAIRPERSON BROOKS-POWERS: Sure if we could just
15 put another like 40 seconds back up. Just you're
16 wrapping up now right?

17 INTERPRETER: Yes.

18 CHAIRPERSON BROOKS-POWERS: Okay.

19 CARMEN CRUZ: SPEAKING IN OTHER LANGUAGE

20 [02:48:33] - [02:48:45].

21 INTERPRETER: We need a solution that not only
22 ends locks outs but that raises driver pay to make up
23 for loss of trips. Cheating the payrolls is why Uber
24 started the lockouts in the first place.

2 CARMEN CRUZ: SPEAKING IN OTHER LANGUAGE

3 [02:48:56].

4 INTERPRETER: Thank you.

5 CHAIRPERSON BROOKS-POWERS: Thank you. Sir.

6 FRANK HALEY: Hello City Council. My name is
7 Frank Haley, I've been a TLC licensed driver since
8 2016. I work for Uber, Lyft, and I've worked for
9 apps that dispatch MTA, Access A Ride trips. I'm
10 here to support Intro. 276 hopefully that gets
11 passed. Drivers need something to protect them.
12 Like in unfair deactivations. We have absolutely
13 nothing. I mean, any app or any client can make a
14 story up, lie, recently I had a Lyft passenger just
15 lie because you know she was in a rush. She wanted
16 to get there quick, she wanted me to drive quicker.
17 I told her no. To be vindictive she filed a
18 complaint against me.
19 Lyft didn't even give me the date of the
20 incident, so even if I have dash cam in my car, I
21 can't even defend myself if they don't even provide
22 that information. They don't disclose the time and
23 date of the incident they're referring to and they
24 can just come against you with anything and it's very
25 hard for a driver to defend themselves. I was also

2 deactivated from the MTA because they claimed I
3 didn't take a drug test and I was never notified from
4 the app companies and it was completely unfair. It
5 was never disclosed that they would do random drug
6 tests. Drivers are also not compensated for those
7 drug tests and when they deactivate you have no
8 recourse.

9 I did try to file claims with IDG. They, you
10 know they have a website where you can submit claims.
11 They didn't even get back to me. I opened a case,
12 they gave me a case number, they assigned a steward
13 but they never got back to me. You know they claim
14 an 80 percent success rate. I doubt that's accurate.
15 I mean this is very important. Drivers, they'll lose
16 all their income right. We deactivate them. They
17 have car bills to pay. As soon as you deactivate
18 them, your right to poverty. I mean it's uhm, I'm
19 asking the City Council to seriously consider pass
20 this bill, drivers need these protections and it's
21 long overdue, so I hope you pass it.

22 CHAIRPERSON BROOKS-POWERS: Thank you. Thank you
23 to the panel. Next we will call up Naveed Paracha,
24 Shamsur Rahman, Modibo Doukaru(SP?), Arvan Barbar,
25 Mohammad Ali Awan, and Richard Ehone(SP?). And when

2 you come up, we just ask that you state your name
3 before speaking so we have it for the record and
4 adhere to the two minute rule.

5 Bashiru Kamara, Yi Feng Chen(SP?), Charles
6 Dorvil, Max Cheung, Suresh Chand(SP?), Wain Chin,
7 Kara Klita, Akinwunmi Anthony Komolafe. You may
8 begin taking the mic off mute and please state your
9 name and adhere to the two minute rule.

10 NAVEED PARACHA: Hi, my name is Naveed Paracha,
11 driving for Uber since 1990. Then I stopped and then
12 I started again. Since permanently I'm working with
13 them since 2018. Recently I was labeled with illegal
14 driving and I did read to Uber while chatting and I
15 end up artificial intelligence so then I talked to
16 the verbally. They said they were going to dig into
17 the issue within 24 hours. It never happened and I
18 just want to know the reason because what was my
19 mistake, what was the timing, what was the date but
20 they obviously ignore it.

21 Finally, I rented an Uber office, green hub, make
22 an appointment and they were surprised by themselves
23 that the rider allegation was I did the short term.
24 So, I think this should not be because of the
25 deactivation. And secondly, they labeled me with a

2 ride cancelation which is provoking a rider with
3 intent to accept the ride but not to accept it. But
4 this thing is created by Uber by itself. The reason
5 is when we get to the ride, the place to pick up the
6 ride in, the five minute time is started. After the
7 five minutes, Uber offer us either stay would make -
8 and in the meanwhile when the rider showed up, we
9 clicked to start the ride. Then Uber send this
10 message, the cancellation that you're doing
11 purposely. It's not the driver.

12 So, I mean, I never had this kind of situation
13 listening from the people of the deactivation. I
14 couldn't sleep for two days and I never wanted to
15 open the Uber app. It was very frustrating for me
16 and it shouldn't be the criteria. Thank you.

17 CHAIRPERSON BROOKS-POWERS: Thank you. I just
18 ask that you submit the rest in writing.

19 NAVEED PARACHA: Yes, that I will do.

20 SURESH CHAND: Hi, good afternoon. My name is
21 Suresh Chand and I'm 30 years driving Yellow Cab
22 since 1994. We have both in Bloomberg Administration
23 that while medallion for \$18,000 to \$65,000. Now we
24 have a lot of burden. We have not given fully given
25 the loan from the bank and lender because Signature

2 Bank is out of business, bankrupt and the land, the
3 new land that they don't give us, so I request the
4 Councilman Shekar Krishnan knows this, all the story.
5 Jack Schumer did this. MRP with the TLC but they
6 must be forced to do this loan and we'll be,
7 otherwise, we'll be out of business. We have this
8 vehicle which cost \$90,000. So, we don't want to
9 sell. We don't sell any money from the city whatever
10 but it costs too much increase now. We want the Flex
11 Fare but what appears to us, if they want to charge
12 some money, they charge the customer. We want our
13 meter fare, what we used to have regularly. Thank
14 you.

15 CHAIRPERSON BROOKS-POWERS: Thank you.

16 SHAMSUR RAHMAN: Hi, good afternoon. My name is
17 Shamsur Rahman. I've been an Uber driver for more
18 than ten years now and I never had an issue with Uber
19 but recently this month on the 24th, I received a
20 notice from Uber that my account is deactivated.
21 They claimed that I did unsafe driving. So, in the
22 last ten years, I never had any issue and right now
23 they consider me as an unsafe driver and provided me
24 with two dates, last month on the 2nd and this month
25 on the 15th, they said I did unsafe driving but

2 they're not disclosing the exact date and time
3 because I do have dashcam in my car. So, if they
4 don't give me the exact date and time, how can I
5 defend myself?

6 So, I went to Uber office twice but they couldn't
7 really help me out. They sent me to IDG. I went to
8 them and they said to submit an application for
9 appeal. But uhm, they told me that I got to wait at
10 least three months to up to a year to get a decision
11 on my appeal. And most of my riders are happy with
12 me. I get tips but sometimes I do get some riders
13 that always complain, tell me to make U-turns because
14 I'm legal, then they do make false report. Some
15 riders they ask me to cancel the trips so they could
16 pay me cash which is illegal. I don't do that. They
17 make a false report.

18 Sometimes I get so many riders. I'm allowed to
19 take on four riders, up to four riders but when I
20 don't take more than four riders, they are going to
21 pile up into my car, they make false report. So,
22 that's too many reports coming in from riders and
23 Uber must give us reasonable time so we could submit
24 the documents.

25 CHAIRPERSON BROOKS-POWERS: Thank you.

2 WAIN CHIN: Hello, my name is Wain Chin. I am a
3 New Yorker Uber driver and I support the big stupid
4 company to pay the meter fare rate. And also ask the
5 city, uh for a bigger extension because my vehicle
6 had to be wheelchair accessible and also, my loan, my
7 current medallion loan is not restricted yet. My
8 bank, I pay my bank \$2,000 a month only on the
9 interest rate and the new accessible vehicles cost
10 another \$1,400 a month. So, it would be better on me
11 until you know my loan restriction with my current
12 bank and we stay waiting for the city MIP for my bank
13 to drain or a new bank to take over a loan.

14 So, until that time, you know I ask the city and
15 TLC to extend our I mean retirement. So, I ask the
16 TLC and city to extend our retirement and pay our
17 loan restriction. So, otherwise I have to keep my
18 medallion in storage and eventually do the
19 bankruptcy. So, I ask extension for my vehicle
20 operation and take my loan restriction. Thank you so
21 much.

22 AKINWUNMI ANTHONY KOMOLAFE: Good afternoon Madam
23 Chairman. My name is Akinwunmi. I started working
24 with Uber in November 2018, almost a year after Uber
25 deactivated my account and I got in touch with the

2 support team to find out the reason why my account
3 was deactivated and I was told a passenger reported
4 out he or she felt unsafe in the car. And I asked
5 the guy, I said, I'm going to ask you three questions
6 okay and I need you to answer me. If you're in a car
7 and you feel unsafe with the driver, would you wait
8 to you get to your destination or would you tell the
9 driver to stop you want to get out or you call the
10 police, or the last option, you report to Lyft and
11 Uber immediately. But you waited till you got to
12 your destination and then make a false allegation.
13 The gal was like well, I'm sorry, your account has
14 been deactivated. There's nothing I can do blah,
15 blah, blah, so that was it. This was in 2019. Now,
16 the thing here now is this Intro. 276 is the only
17 option of the drivers in New York, to have peace of
18 mind and rest of mind. If not, we'll continue to go
19 through this unlawful, illegal and unfair
20 deactivation by Uber and Lyft. Thank you.

21 CHAIRPERSON BROOKS-POWERS: Thank you. Thank you
22 to the panel. Next, we're going to call us Allison
23 Langley, Mohamed Barry, Barry Mohamed, Tenzin Dorjee,
24 Tsering Jupa, Pradhumba Rayamaijhi, and I apologize
25 if I am not doing justice to your names, as someone

2 with a difficult first name myself. So, please just
3 say your name as you open up and forgive me.

4 ALLISON LANGLEY: Thank you. Good afternoon. My
5 name is Alli Langley. I'm a Staff Attorney at the
6 New York Taxi Workers Alliance. You've heard today
7 and will hear more from my colleagues and the members
8 of the New York Taxi Workers Alliance about the
9 importance of passing Intro. 276. So, I would like
10 to focus my testimony on two other bills before the
11 Committee today. Intro. 323 and Intro. 939. Intro.
12 323 requires the TLC to implement lease caps for for-
13 hire vehicles. Lease caps should be an
14 uncontroversial regulatory tool. They've been an
15 essential part of regulating the Yellow Cab sector
16 and protecting driver pay for years.

17 Unfortunately, the TLC has failed to take any
18 action and you heard that directly from them today.
19 Even though they themselves have identified that
20 these leasing arrangements are predatory and have a
21 significant negative impact on driver pay. They
22 alleged to be doing other things to support leasing -
23 drivers who are leasing but nothing that they said
24 held up today. They said they released the license,
25 the EV, FHV licenses in part to support those

2 drivers. They did nothing in that process to make
3 sure that it was targeted at drivers who were renting
4 so just flooded the market and actually harmed all
5 drivers and increased all drivers income, which we're
6 seeing in the lockouts.

7 Intro. 323 fixes this by mandating the TLC to set
8 lease caps and it should be passed immediately. In
9 addition, NYTWA opposes the passage of Intro. 939
10 which would give street hail rates to commuter vans.
11 This would harm other for-hire vehicles in this
12 sector including yellow and green cab drivers. The
13 Yellow Cab trips simply have not recovered after the
14 pandemic and taking more street hails away from them
15 would really only serve to push drivers further into
16 poverty. In addition, you heard from drivers about
17 how their operational costs will be almost doubling
18 because of a recent court order requiring that all
19 new Yellow Cabs be wheelchair accessible vehicles.
20 This is going to have a significant negative impact
21 on drivers -

22 CHAIRPERSON BROOKS-POWERS: Thank you. I just
23 ask that you submit the rest in writing but I
24 appreciate your testimony.

25 ALLISON LANGLEY: Thank you.

2 TENZIN DORJEE: Thank you so much. Good morning.
3 My name is Tenzin Dorjee. I work as a lecturer in
4 political science at Columbia University. I'm here
5 to support the bill to add Losar, the Tibetan New
6 Year to the alternate site parking suspension
7 calendar. Losar is celebrated by up to 100,000
8 people in the city if we include not just Tibetan's
9 Mongolians, Nepalese, [INAUDIBLE 03:05:16], Sherpas
10 etc., but also thousands of others across the city
11 who follow Tibetan Buddhism or the teachings of his
12 holiness all against the Dalai Lama.

13 Now if you've ever been to a Losar celebration,
14 you know it's like New Year's Eve, the Superbowl,
15 Thanksgiving, all enrolled into one. It's a time for
16 families to come together, honor our traditions, and
17 start the year with hope and blessings but right now,
18 when the clock hits 11:30 on Losar, instead of
19 focusing on prayers and celebrations, we have to
20 worry about where to move our cars. There's nothing
21 like a parking ticket to ruin your New Year
22 celebrations.

23 Many members of our community are essential
24 workers. They are nurses, taxi drivers, social
25 workers, small business owners who have kept this

2 city going through the toughest times. They have
3 risked their lives for all New Yorkers. They have
4 fought the pandemic on so many levels. The least we
5 can do is give them the peace of mind to celebrate
6 Losar without interrupting their prayers, without
7 having to rush out of a family gathering just to move
8 the car to the other side of the street. Without
9 having to spend a half an hour looking for a parking
10 spot.

11 The bill, this bill is a small gesture respect
12 and inclusion recognizing the rich, cultural tapestry
13 that makes New York City the greatest city in the
14 world. By declaring Losar a street cleaning holiday,
15 we are acknowledging the contributions off a diverse
16 community that has given so much to this city and
17 we're saying your celebrations matter too. Thank
18 you.

19 CHAIRPERSON BROOKS-POWERS: Thank you.

20 PRADHUMNA RAYAMAJHI: Hi, good afternoon. My
21 name is Pradhumna, I live in Queens. I'm driving in
22 New York City since 2015. First I started I drive in
23 Yellow Cab, after that I switched to Uber and Uber
24 and Lyft. And when I started in 2017 Uber, after a
25 few months in the work, you know they deactivated my

2 account because you know I had a confrontation with a
3 customer. He came with a dog and he claimed his dog
4 is a service dog but I refused because his dog was
5 big and heavy. And that was not a service dog, there
6 is no tag. A service dog has a tag and there's
7 differently build right and then after Uber the next
8 day, they deactivated my account. And I have a
9 question, do all dogs, animals, are service animal we
10 must take or just service animal? That's why they
11 deactivated my account. Since 2017 to now, still my
12 account is deactivated. That's my problem, thank
13 you.

14 TENZIN DORJEE: Good afternoon Chair. My name is
15 Tenzin Dorjee and I'm a father of two daughters and
16 I'm a full-time stay at home dad and a part time Uber
17 and Lyft driver. And since they started doing the
18 lockout, it's been impossible for me to help my
19 family and that is one of the reasons I am here and
20 to also support the Intro. 276, which is going to
21 help us drivers in the future. And also, support
22 Tibetan, support the Intro. 100 for the Losar
23 alternate. Thank you.

24 CHAIRPERSON BROOKS-POWERS: Thank you to this
25 panel. Next panel we will call Josh Gold, we will

2 call Sameena Syed(SP?), Hylande Pierre-Louis(SP?),
3 Pasang Sherpa, Tenzin Phentok Lama, and Yanming Gong.

4 Ali Akbar, Ganesh Harry, Choudary Adnan. I'm
5 sorry sir, you can't record from there. Tenzin
6 Dorjee, Chhewang Lama. If we could get started Josh,
7 just take it off of mute and say your name before you
8 start. Two minutes please.

9 JOSH GOLD: My name is Josh Gold from Uber. I
10 will focus on Intro. 276. First, let me clear, we do
11 not deactivate a user because we want to, we do it
12 because we need to and it's always a last resort. We
13 do it to help ensure everyone who uses Uber can have
14 a safe and reliable experience. This means that any
15 user, not only drivers but also consumers and
16 business partners can lose access if they violate our
17 terms or community guidelines. Except for extreme
18 situations like sexual assault, we typically provide
19 education and notifications when incidents are
20 detected and before we have to deactivate. We also
21 let drivers know when their account is at risk of
22 deactivation so they can take actions to improve and
23 avoid it. At the same time, we know that some riders
24 make false allegations and we put in place systems to
25 identify fraudulent behavior and make sure false

2 allegations are not considered when we deactivate a
3 driver. Drivers can always dispute a deactivation
4 and provide additional information and context
5 through an in app deactivation review center. When
6 drivers lose access to their accounts, it's usually
7 temporary due to expired documents, the TLC active
8 list or other TLC regulations like maximum hours.
9 Once the required document is approved or TLC
10 compliance -

11 CHAIRPERSON BROOKS-POWERS: Please talk closer to
12 the mic.

13 JOSH GOLD: Once the required document is
14 approved or TLC compliance issues are resolved,
15 account access is typically restored immediately. So
16 far this year around one percent of drivers have
17 faced a permanent deactivation. These deactivations
18 were largely due to fraudulent activity and safety
19 incidents. Drivers who are deactivated can utilize
20 our in app review center where they can dispute the
21 decision and submit any additional information and
22 have a human review it. 95 percent of these cases
23 are resolved within 72 hours of submission.

24 In New York City, drivers are also able to appeal
25 through a process set up with the IDG and overseen by

2 AAA. While we believe existing processes are fair
3 and thorough, we welcome a continued dialogue on
4 legislation. I will submit detailed written
5 testimony but wanted to share high level concerns
6 with the bill as drafted. I was pleased to see that
7 the DCWP testified that the legislation should apply
8 to all FHB bases and medallion fleet owners. All TLC
9 licensed drivers, not just high volume for our
10 service licensed drivers should have the same
11 standards and protections. The bill should focus on
12 drivers who face permanent deactivation and would
13 have otherwise been able to drive if not for the
14 deactivation.

15 CHAIRPERSON BROOKS-POWERS: I'm sorry Josh,
16 sorry, I just ask that you submit the rest in writing
17 but I do have questions for you so that will give you
18 another opportunity. The next person can please come
19 off mute.

20 PASANG N. SHERPA: Good afternoon Council
21 Members. My name is Pasang N. Sherpa. I have been
22 driving Yellow Cab since 2005. I medallion owner/
23 driver. So, my loan is \$430,000 and every week I am
24 paying \$500. My loan is owned by the OSK Bank. This
25 bank is not participating with the city plan. So, I

2 request you Council Member and TLC, to request that
3 OSK Bank to participate with the city plan so we get
4 relief from this struggling and restart the remaining
5 loan for the medallions. So, it remains medallions
6 not restricted of their loans.

7 Owners of 2000 medallion owners, they have
8 restricted their loans, their engines, their lives,
9 to be left behind. So, we request the result of
10 these problems. Thank you. On behalf of this
11 Committee, I'm talking so we are celebrating every
12 year loss of these lenders and the loss of these.
13 So, we request you to pass the bills to suspend
14 outdated site, parking sites so we can celebrate our
15 losses smoothly. Thank you.

16 CHAIRPERSON BROOKS-POWERS: Can you just repeat
17 your name please for the record.

18 PASANG N. SHERPA: Pasang N. Serpa. I'm a United
19 Serpa member.

20 CHAIRPERSON BROOKS-POWERS: Thank you.

21 PASANG N. SHERPA: Sherpa Committee.

22 CHAIRPERSON BROOKS-POWERS: Thank you.

23 PASANG N. SHERPA: Thank you.

24 HYLANDE PIERRE-LOUIS: Good morning, I mean good
25 afternoon. My name is Hylande Pierre-Louis. I'm an

2 MTA bus operator, TWU Local 100. I've been driving
3 for 21 years in Jamaica Queens and I'm here to talk
4 about the dollar van drivers.

5 Okay, the vans are not held to the same safety
6 standard of us MTA operators. They practice, they
7 drive practice on faith making them a hazard to bus
8 operators and the pedestrians. The dollar vans often
9 pull over, suddenly stop, pick up passengers and
10 create a danger and a safety to us operators that's
11 coming into a bus stop. When they pulled in in front
12 of us and just stop and pick up. The presents of
13 them in Jamica Center contribute to the congestion,
14 the frequent stop blocking traffic, the bus lane
15 while we're picking up wheelchair or dropping off
16 wheelchair or dropping people off with walkers and
17 canes. It's a problem for us when they are standing
18 in our bus stops. The bus lane also and that may
19 come - like messed up with our schedules. So, uhm,
20 the vans are now where - there not uhm what do you
21 call it? They're not worrying about the traffic.
22 They take red lights. They do everything they have
23 to do. They drive there unsafe. They pick up in any
24 unsafe location. We're forced to brake fast.
25 Sometimes people in our buses, sometimes they fall

2 down and we are the one that's facing the
3 consequences and when we're out there in the
4 nighttime, we do pick up outwards of like five to ten
5 minutes ahead. So, we do pick up - sorry.

6 CHAIRPERSON BROOKS-POWERS: Thank you. No, thank
7 you. I just ask that you submit the rest in writing.

8 GANESH HARRY: My name is Ganesh Harry and uhm
9 good afternoon. Earlier panel says that the bus
10 takes an hour and half from Rockaway to Jamaica
11 Center. I've been driving for 18 years. The same
12 route, the same line. I does that in 55 minutes.
13 That's the local one. If we do the limited, it's 45
14 minutes, so I don't know where he gets his facts from
15 but they are so dangerous out there these dollar
16 vans. To be honest with you, I wish your kids never
17 travel on them vans but they are really, really
18 ridiculous out there and I don't know if they're
19 licensed or they're not licensed but there's a whole
20 slew. Someone mentioned 35 buses or 35 licensed.
21 There's more than even that on wheel line alone, so I
22 don't know where - there's something missing
23 somewhere and they are not trained properly, maybe
24 they should get some kind of training.

2 CHAIRPERSON BROOKS-POWERS: That's it? You got
3 55 seconds left. Okay, uhm, if you could come off of
4 mute and please state your name before starting.

5 TENZIN PHENTOK: Good morning. Sorry, actually
6 good afternoon members of the Transportation
7 Committee. I'd like to start by first thanking
8 Chairwoman Brooks-Powers for cosponsoring Intro. 100.
9 Thank you for being an advocate for my community.

10 My name is Tenzin Phentok. I'm a Tibetan New
11 Yorker originally from Nepal and I'm here today to
12 testify in support of Intro. 100 from Council Member
13 Julie Won to make Losar or Tibetan New Year a holiday
14 for Alternate Side Parking, also known as ASP.

15 Like many in the city, my family and I immigrated
16 here when I was nine and my sister seven and we were
17 raised in Astoria in LIC. From spring of 2003, my
18 younger sister and I attended PS 166 in Astoria for
19 elementary school. I then went to IS 227 in Corona
20 for middle school. Being New York City public school
21 kids, we were exposed to many different holidays
22 through both school breaks and suspension of ASP once
23 my dad was able to buy a car. Even though our
24 families didn't celebrate Hanukkah, Easter,
25 Thanksgiving or Christmas, we understood even at that

2 age that those days were important to others around
3 me. People we cared about.

4 I'm now an adult living in Woodside with my Uncle
5 and their three kids. Simsung who is 10, Sala who is
6 7, and Mela 5, all born in Queens. They attended
7 Charter school in the neighborhood and spend their
8 weekends playing in the park and reading books at the
9 library. Imagining their friends at their school and
10 in their local park knowing when and what Losar is
11 and its significance in our culture is a beautiful
12 image. They're feeling seen, heard and understood by
13 their community, by their city as something they
14 deserve.

15 The city is home to roughly 20,000 Tibetans out
16 of the larger 61,000 Himalayans. So, lots more
17 families and kids like my little cousins who live in
18 all five boroughs, not just Queens and who celebrate
19 Losar each year. By suspending ASP on Losar, New
20 York City would be sending a powerful message of
21 welcoming and inclusion to all Himalayan New Yorkers
22 that our city recognizes us.

23 CHAIRPERSON BROOKS-POWERS: Thank you.

24 TENZIN PHENTOK: Thank you.

25

2 CHHEWANG LAMA: Good afternoon everyone. This is
3 Chhewang Lama. I am from Nepal. I represent the
4 Himalayan communities and I am the [INAUDIBLE
5 03:20:35] 8037 and Community Board 2 member. I am so
6 glad to read my masses like for all celebrate the
7 Losar.

8 All Himalayan communities in the diaspora like
9 you know, they stay around the block in the Queens.
10 We have a thousands of Himalayan communities that
11 read the Losar. We expect in this year to celebrate
12 the Losar. We can sleep like we can't even do it
13 properly on the street. So, that's why I thank you
14 for bringing this bill to uh Council Member Julie Won
15 and the other Councilman who supported this bill that
16 I would like to thank you all.

17 Then next topic is as a driver, I'm driving in
18 the city since 14 years, I would like to recognize
19 you guys, drivers around the city. Driver bring the
20 city, that's why I hope that Council Member has to
21 listen this time. Please, do not listen to the Uber
22 and Lyft, listen to the driver once. Thank you.

23 CHAIRPERSON BROOKS-POWERS: Thank you. So, I do
24 have some questions for this panel. I'm going to
25 start with Josh. I'm just wanting to get some

2 clarity. So, in terms of Uber, does Uber monitor or
3 review at all the complaints that come into IDG and
4 like what is that like I guess mechanism?

5 JOSH GOLD: So, we have a process that we stood
6 up with IDG.

7 CHAIRPERSON BROOKS-POWERS: I'm sorry, can you
8 pull that back? I'm not sure, you sound so low to
9 me. Okay.

10 JOSH GOLD: Sorry, is this better?

11 CHAIRPERSON BROOKS-POWERS: That's better.

12 JOSH GOLD: Okay, we have a process we stood up
13 with IDG I believe in 2016 where there are drivers
14 who were deactivated who come to them and they bring
15 those cases to us. We review those. They make cases
16 for those drivers. The next step in that process is
17 a AAA overseen hearing where a panel of driver's
18 reviews our - the information that we provide as well
19 as the information the driver provides through the
20 IDG and that panel of drivers decides whether the
21 driver who comes to the panel is reactivated or not.

22 CHAIRPERSON BROOKS-POWERS: So, the AAA panel
23 that includes drivers is who makes the decisions?

24

25

2 JOSH GOLD: The AAA panel makes the decision.
3 The AAA oversees the panel. The panel is just with
4 drivers.

5 CHAIRPERSON BROOKS-POWERS: Only the drivers?

6 JOSH GOLD: Yes.

7 CHAIRPERSON BROOKS-POWERS: Okay. Who selects
8 those drivers?

9 JOSH GOLD: The IDG selects those drivers.

10 CHAIRPERSON BROOKS-POWERS: So, those are like
11 the delegates-

12 JOSH GOLD: Well, to be fair, I think they
13 recommend drivers to us and we have an opportunity to
14 disagree with the drivers that they recommend.

15 CHAIRPERSON BROOKS-POWERS: What would be a case
16 that you would disagree with?

17 JOSH GOLD: I'm not sure we have.

18 CHAIRPERSON BROOKS-POWERS: Okay, so generally,
19 you've taken whoever they've given to be on this
20 panel, which have been of drivers?

21 JOSH GOLD: Correct.

22 CHAIRPERSON BROOKS-POWERS: Okay, uhm, could you
23 describe what it's like in terms of the process when
24 a driver is deactivated from your app?

2 JOSH GOLD: Sure, so there are multiple different
3 types of deactivations. The one that impacts 99
4 percent of deactivations is a compliance
5 deactivation. The TLC keeps a what's called a 24
6 hour list, an active list. Those are driver's that
7 are allowed to accept dispatches from bases or for-
8 hire services or use a medallion owned taxicab in New
9 York. And so, we do a sweep of that list every day.
10 If you are not on that list, you are not allowed to
11 receive a dispatch. You could fail to be on that
12 list because you failed the city required drug test,
13 you don't have the proper insurance documents. There
14 are multiple reasons why the TLC may put you on that
15 list. That is the number one reason that drivers are
16 deactivated because they have either failed to be on
17 the TLC's active list, their license or insurance
18 requirements are no longer valid, or they've hit the
19 - TLC has a maximum hours you are allowed to drive
20 threshold, so if you've hit the maximum hour
21 threshold, then you are deactivated. Those are in a
22 bucket that I call temporary deactivations because if
23 you are able to upload the proper insurance
24 documents, if you are back on the TLC active list, if
25 you no longer are stuck by the maximum hours

2 requirement, then you're automatically reactivated
3 once you submit that proper documentation. Then
4 there are the more serious deactivations and the much
5 more rare deactivations. So far this year, one
6 percent of drivers have been permanently deactivated.
7 There are some situations, I think service animals
8 came up earlier in the conversation, which I think is
9 a good one. There are TLC rules and regulations
10 about when you can or cannot deny a service animal.
11 There's also a federal decree that Uber is under from
12 a federal judge about when we can - what we have to
13 do with drivers who knowingly say no to an animal
14 that's claimed to be a service animal. Use the word
15 knowingly and claimed very specifically there and in
16 those situations, there is not much that we can do.
17 There are other situations that are grey where there
18 is a deactivation review center that we have
19 internally and then there is the IDG process.

20 CHAIRPERSON BROOKS-POWERS: No, and I appreciate
21 that and as you know the Intro. Number 276 is
22 sponsored by Council Member Krishnan and I know he'll
23 have questions to go into that but I know where my
24 concern mostly lies or has lied is with the uhm, the
25 lockouts and the reasons behind the lockouts,

2 especially in light of the fair wage that the TLC has
3 tried to put in place and then now seeing and hearing
4 from drivers about these lockouts and how it's
5 impacting them. So, can we talk a little bit about
6 the lockouts? What causes, because I know
7 deactivation lockout has two different reasons but
8 just wanting to understand more the scope of the
9 lockout dynamic with Uber.

10 JOSH GOLD: Yeah and I appreciate it because I
11 share those concerns. Since 2018, we have repeatedly
12 warned that the intended consequence of utilization
13 rule was to control access for drivers of the
14 platform. The study that the rule was based on is
15 specific that drivers made the subject to limited
16 access to the platform. We have seen five different
17 TLC commissioners since 2018. The TLC has repeatedly
18 tried to tweak the rule to try to limit the lockouts.
19 If you don't know, the rule has been paused more than
20 it's been effect. For three and a half years, the
21 rule was not enforced. The TLC stopped enforcing the
22 rules and in January of 2020, not post-pandemic but
23 before the pandemic in January of 2020 and didn't
24 start enforcing it again until last year. The rule
25 is fundamentally flawed. There needs to be a minimum

2 payroll. There are dozens of jurisdictions that have
3 implemented minimum pay rules that don't lean heavily
4 on utilization. That doesn't mean utilization
5 shouldn't be measured. That doesn't mean there can't
6 be another rule that works with utilization but the
7 rule, what a former TLC Commissioner told me is that
8 lockouts are a feature, not a bug of the rule. And
9 lockouts are horrible. Lockouts are horrible. The
10 rule is a bad rule. The TLC needs to revisit it and
11 the TLC doesn't revisit it. They implemented it
12 because the Council gave them the authority to do so
13 in 2018. The Council gave them authority to do so
14 after a report that was published by James Parrott
15 and Michael Reich and the rule that was proposed in
16 that rule looks very, very different than the rule
17 that exists today. For example, that rule is based
18 on company specific utilization. The rule that's
19 active today is industry-wide utilization.

20 So, when one companies utilization rate drops
21 below 45 percent and the other companies utilization
22 rate is above 53 or 54 percent, the company with the
23 higher rate still has to lock drivers out in order to
24 make sure that the industry-wide utilization is above
25 53 percent. That was not the rule envisioned in 2018

2 when the Council passed the law allowing the TLC to
3 create the utilization role. It's a totally
4 different rule. The TLC has stepped way out of where
5 the rule was in 2018 when this Council granted them
6 the right to create that rule.

7 CHAIRPERSON BROOKS-POWERS: Offline, I'd like to
8 understand a little bit more granularly on that
9 piece. And when I hear that many drivers are finding
10 success getting reactivated, I have to wonder why
11 they were deactivated in the first place. Going back
12 to deactivation, sorry, I'm going back and forth with
13 you. Is there a problem with like do you think that
14 sometimes maybe Uber may be too quick to deactivate
15 drivers? And should there be like a grace period in
16 a sense for like the easily fixable problems that
17 drivers can address before getting deactivated?

18 So, for example, like you said, it may be a
19 matter of the insurance or the drug test. Like
20 something that they can upload to your point to
21 remedy. Is there an opportunity to establish like a
22 grace period for those more easily fixable offenses
23 versus - because there are some drivers as you heard
24 earlier that spoken to they've been like deactivated

2 for a long period of time to be able to address those
3 challenges?

4 JOSH GOLD: I do think that's a good idea and
5 there are some steps where our processes weren't
6 great early on. One is there are drivers who you
7 know after multiple accusations of drug use were
8 deactivated but we instituted and this was due to the
9 IDG process actually. This was brought to our
10 attention there. We instituted a program where a
11 driver can go take a drug test at Uber's expense and
12 be reactivated to counter you know multiple
13 accusations.

14 CHAIRPERSON BROOKS-POWERS: I believe they're
15 able to do it at the IDG office right?

16 JOSH GOLD: I think it's Lab Corp but it's one of
17 the national -

18 CHAIRPERSON BROOKS-POWERS: Well, I know they have
19 some services because I visited their office before.

20 JOSH GOLD: But that was a positive step, so that
21 if you're falsely accused and then we can go back to
22 those riders who made those false accusations and
23 deactivate them from the platform. And so, you know
24 I do think that for some you know deactivations that
25 are more egregious in nature, uhm there may not be an

2 opportunity for a grace period but I do think for
3 others there should be.

4 CHAIRPERSON BROOKS-POWERS: It would be great
5 like to work collaboratively with the industry to see
6 how we can address the easily fixable ones especially
7 because what we don't want is drivers not being able
8 to provide for their families, especially to your
9 point, as you're saying right now, there are some
10 that are now easily visible so wanted to understand,
11 which ones would be in that category and how quickly
12 can this you know be remedied? Is it a matter of a
13 12 hour turnaround or a 24 hour turnaround versus 6
14 months and more? Which I think creates a challenge
15 for folks because a lot of these drivers have to pay
16 for their cars, their insurance, and then the bills
17 don't stop just because they're on pause with Uber.

18 So, that is important as well but I do appreciate
19 the openness about that, and in terms of the TWU
20 Members, thank you for coming out. I'm glad you come
21 from Southeast Queens, so now we can have a
22 conversation apples to apples. So, from your
23 advantage point, I know we had a whole conversation,
24 like I said earlier in terms of the Queens bus
25 redesign in particular, which I have been advocating

2 for increased bus service. I have more buses because
3 I know there's some routes that have a lot of
4 crowding for example. There are other areas that
5 need access to bus stops and then we want to kind of
6 breakdown having to transfer so many times on the
7 buses. But do you agree that there are still some
8 parts of the community that through the bus redesign
9 will still likely not be covered by a bus route in
10 itself? Just turn on the mic, I'm sorry.

11 HYLANDE PIERRE-LOUIS: So, the area where I'm at,
12 I'm at [INAUDIBLE 03:33:51] Boulevard, so we work
13 with the 113, 114, 111.

14 CHAIRPERSON BROOKS-POWERS: Oh you're on my
15 route, okay.

16 HYLANDE PIERRE-LOUIS: Okay, so yes, a lot of the
17 people, a lot of you know a lot of these buses will
18 help the community. So, we do one like I said, we're
19 one with the 114, 111, the one with 114 and the 113
20 so most the people would run to go and get - to the
21 113 and 114 because it's limited. So, I know that
22 with the redesign, it would help out because there
23 will be more buses going to Rosedale. Because
24 Rosedale, a lot of people are coming out of Rosedale

2 and that's where the dollar vans come out also. So,
3 there will be more buses going to Rosedale.

4 CHAIRPERSON BROOKS-POWERS: What about in Far
5 Rockaway?

6 HYLANDE PIERRE-LOUIS: In Far Rockaway also
7 because I know that with the redesign, they're going
8 to take out some and put more buses, so with that,
9 it's going to be more accessible to buses than you
10 know because they do have the A-train and we do come
11 out of Far Rockaway like 45 minutes in the morning.
12 Because we are limited coming out of Far Rockaway and
13 going into Far Rockaway.

14 CHAIRPERSON BROOKS-POWERS: Can you talk to me
15 about a little bit more about the limitations coming
16 out of Rockaway? Why you feel that uhm, to your
17 point, that it takes so long to come out of Rockaway?
18 Is it because it's a matter of there's just that many
19 people getting on the bus? Is it the congestion
20 because of our roads in Rockaway?

21 HYLANDE PIERRE-LOUIS: Exactly.

22 CHAIRPERSON BROOKS-POWERS: Is another
23 conversation for DOT but uhm -

24 HYLANDE PIERRE-LOUIS: True it is. Yes, it's the
25 congestion. We got a lot; we got a lot of

2 constructions going on and we do drive - like we all
3 take buses so it takes us a minute to turn in and out
4 of these roads. Especially when they've have been
5 like road blocks and people parking in our bus stop,
6 people parking in our bus lane. So, it took us more
7 time you know to come in and come out of our bus stop
8 and to service everything, all of the people that we
9 need to service but we do come and we want like 5 to
10 10 minutes. You know we have 5 to 10 minutes
11 headway. By the time we leave, there's another bus
12 behind us.

13 CHAIRPERSON BROOKS-POWERS: And I agree in terms
14 of folks in the bus lanes, which is a pet peeve but
15 it's my hope that the new automated cameras will take
16 care of that behavior in terms of the parking in the
17 bus stops. Do you think that - so earlier first of
18 all, I know that it was said by Mr. Morrison when he
19 was testifying that there is a difference in terms of
20 the commuter vans, right? There are some that are -
21 there's only about like 39, 40 that are actually like
22 with their credentials and everything like that but
23 then there's another asset that they are not licensed
24 and registered with the TLC.

2 And so, I understand anything in bus route is a
3 problem. I actually agree with that because we don't
4 - we're trying to find ways for you to speed up
5 service, however, there are areas that the buses do
6 not touch and the trains do not touch as well. So,
7 not thinking about the unregistered vans, because I
8 think that's going to come with enforcement and I'm
9 looking forward to working with TLC as an onboard
10 more TLC offices and working with NYPD in terms of
11 enforcement in that space. Because as I said, I have
12 issues in Rosedale with some of the ones that are not
13 licensed and registered. But for those that are
14 licensed, registered and following the rules, do you
15 feel that there is a potential for them to be uhm
16 helpful in terms of and not only looking through the
17 lens as a driver but as a member of the community?
18 Do you feel that there is a need in those areas where
19 there's no buses and no trains that access those
20 areas?

21 HYLANDE PIERRE-LOUIS: I would say yes, because I
22 do have some of my coworkers that walks around
23 Jamaica, Belmont going to Belmont and we do have a
24 lot of people that take the buses that goes down to
25 Belmont, which is the Q110 and we do have a lot of

2 people that do take those dollar vans because there's
3 places that they want to stop. There's no bus stop
4 there, so instead of getting on the bus, they would
5 jump on the dollar van but if they are licensed and
6 they are following the rules that we followed, you
7 know they could do their job and we do ours, but it's
8 the fact that they are taking into our job and making
9 our work hard and making it unsafe for us and for the
10 pedestrians that's on the road.

11 CHAIRPERSON BROOKS-POWERS: No, I totally agree
12 with that and I look forward to having additional
13 conversations with TWU, ATU, the commuter industry,
14 NYTWA, and the Administration to continue to have
15 these conversations. Obviously these bills, when we
16 hear them are just an opportunity for us to talk
17 about it, to hear all sides of a conversation but
18 then there's another phase of this process where
19 there's negotiations and there's give and take. So,
20 I'm looking forward to working with all stakeholders
21 in this because you know there is a need for it in
22 communities like the ones that I represent and you
23 know, you agree with also but then at the same time,
24 we want to ensure all drivers in all industries are
25

2 safe as well as the ones, the public that's utilizing
3 these services.

4 So, I thank you and I'm going to pass it to
5 Council Member Krishnan.

6 COUNCIL MEMBER KRISHNAN: Thank you so much
7 Majority Brooks-Powers. I just have some questions
8 Josh for you as well from Uber. You know and I think
9 just taking a step back for a second. I want to be
10 very clear about you know there's a lot of dialogue
11 and you know testimony and opposing viewpoints but I
12 think we all can agree that we all want to have a
13 process that is fair, that allows for drivers to have
14 a voice in that process to be able to make their case
15 and one that gives them notice and an opportunity to
16 be heard. I know that's the place that we all want
17 to come from and we all, I think, agree on these
18 fundamental principles. So, I just have a few
19 questions about the current process and also the bill
20 that we're hearing today.

21 So, firstly, you would agree right that it's
22 important for drivers to have notice before they're
23 deactivated on the fact of impending deactivation?

24 JOSH GOLD: I think for 99 percent of
25 deactivations, I think there needs to notice but

2 there are some egregious and it's egregious because
3 it's in the bill. There's some egregious situations
4 that could put a future rider in jeopardy. Where
5 there might not be an opportunity for notice but that
6 aside, notifications, warnings, opportunities for
7 education, yes agree.

8 COUNCIL MEMBER KRISHNAN: Sure and I'm putting
9 aside those egregious cases you mentioned that are in
10 the bill and focusing on the 99 percent of them.

11 So, if we can agree that you know for those 99
12 percent of cases, notice in advance is crucial, uhm,
13 what, can you point to anything in the IDG process,
14 Uber process right now that provides, that requires
15 notice to drivers before they're deactivated. Is
16 there anything currently that requires such notice?

17 JOSH GOLD: The IDG process is after the
18 deactivation takes place but we do have repeated
19 notifications and so the IDG process is separate.
20 It's after deactivation takes place. We have
21 repeated notifications and so the IDG process is
22 separate. It's after deactivation takes place. We
23 have repeated notifications and warnings prior to a
24 deactivation. In some instances, I imagine we can
25 improve those and would want to work with your office

2 and others to improve on those but we do and we have
3 improved them over the years to add more education
4 opportunities, more warnings and more notifications
5 of accounts that are in jeopardy of deactivation.

6 COUNCIL MEMBER KRISHNAN: Got it. So, I think if
7 you know and I would talk about this before as well
8 but if the process in place starts after the fact, I
9 think what we're trying to adjust to legislation is
10 to create process before the fact. Uhm and the
11 importance of notice being part of that process and I
12 know you all maybe providing notice in your own way
13 too but having a statutory process that starts before
14 and has notice as part of it, I think is really an
15 important piece of this legislation and just a part
16 of due process generally. Uhm, so I appreciate
17 hearing your feedback on that. My next question is
18 about, wouldn't you agree that if Uber or Lyft? But
19 if a for-hire vehicle company makes a decision to
20 deactivate a driver, why would the burden - could you
21 explain a bit about why the burden would then fall on
22 the driver to reverse that decision? In other words
23 if a company like Uber has made a decision, wouldn't
24 it make sense to have Uber explain its rational and

2 justify its decision rather than having a driver have
3 to reverse that after the fact?

4 JOSH GOLD: So, just to comment on the first
5 piece because I was unable to get to it in my
6 testimony. The one of the key changes that I did
7 want to you know discuss or suggest or work with you
8 on is, while we agree with notice requirements and
9 creating a process ahead of time, we would love to
10 discuss you know defining egregious and what types of
11 advance notice or when are advance notices not
12 necessary or when do advance notices possibly create,
13 jeopardize rider or drivers EMT, both on the rider
14 and the driver side. So, I just want to be clear
15 that we agree with the intent that notices and
16 warnings and opportunities for improvement and
17 education are needed but want to make sure that I'm
18 specific that there are some cases where that just
19 may not be warranted or may not be in the best
20 interest of rider and driver safety.

21 And then on the other question around I guess the
22 burden of proof, there is a separate TLC oath process
23 for your license. We are not taking away anybody's
24 license to drive and that is a very thorough process.
25 We're choosing who we believe with good reason who to

2 engage in business with and we are trying to create
3 as many opportunities for drivers to point out or
4 defend allegations that were made either by riders or
5 others. We have added video and audio recording. We
6 have added a deactivation review center so that
7 information can be provided. But there are some
8 instances again, those permanent deactivations, it's
9 less than one percent of the driver population. It's
10 in the hundreds, not in the thousands and you know
11 when we make a mistake, uh it's not a statistic.
12 It's going to be that persons livelihood and it's
13 really important that we do whatever we can not to
14 make those mistakes but we're getting a bunch of
15 information. We're having investigations. These are
16 human led processes and then we are now providing
17 opportunities for drivers to present as much
18 information as they can to review any of those
19 allegations. But what I talked about with Chair
20 Powers, Brooks-Powers is the opportunity for a driver
21 to take a drug test when there's allegations of drug
22 tests that we're happy to pay for but that is an
23 example of one where you know there are multiple
24 allegations. There is you know driver's came to me
25 and we discussed this when marijuana became legal

2 over the past few years in New York and so, if
3 someone came into the car, a rider came into the car,
4 they may have smoked beforehand. They left the car;
5 the next passenger comes in and smells that from the
6 previous passenger and then reports that. That is
7 not a good deactivation, and so, we wanted to create
8 an opportunity for a driver to have a test at that
9 and there's 3 or 4 or 5 but the burden is still on
10 the driver to go have the task, we're paying for that
11 but that's an instance where you know there were
12 things that were happening that weren't with a just
13 cause or just wanted there and that's an avenue we
14 took to try to fix that.

15 COUNCIL MEMBER KRISHNAN: I guess my question
16 more is uhm obviously you've heard testimony today
17 and that's where I, you know I know the statistics
18 that Uber cites but obviously there are so many
19 drivers here testifying to how they've been
20 deactivated can get back on the app and you've heard
21 it. So, there seems to be a disconnect there. Uhm,
22 but you know if we have - my question is essentially,
23 if we have one process, you would agree obviously
24 that uh you know everyone is in our legal system

2 innocent until proven guilty right? And right, do
3 you agree with that?

4 JOSH GOLD: Yeah.

5 COUNCIL MEMBER KRISHNAN: Right and so -

6 JOSH GOLD: And I don't want to say anything that
7 would you know another side of the hall-

8 COUNCIL MEMBER KRISHNAN: Right, we're not
9 touching that one but I think besides that, and its
10 coming up in that context too but innocent until
11 proven guilty right? You're familiar with that and
12 you go through a whole process legally where if
13 you're charged with something right, the process is
14 to prove with the right burden of proof and evidence,
15 make out why an individual is guilty of those
16 charges. We don't say to the individual, you're
17 presumed guilty, show us as the court why you were
18 actually innocent. What happens right is the basic
19 principle of proceed with due process is the
20 prosecutor's office, the agency, government, whatever
21 it is, has to make out the case to say you're
22 innocent until we can show beyond a reasonable doubt
23 or whatever it may be that you're guilty right? Can
24 you see how in this - why wouldn't that same
25 framework be applied here for a process that of

2 course impacts a driver's livelihood? Can deprive
3 them of income and support for their family. Why
4 wouldn't we have the same standard here where we have
5 a process and we require the decision maker, Uber in
6 this case for right now, why would we not require
7 them to make out their case as opposed to saying to
8 the driver prove to us why you should not be
9 deactivated?

10 JOSH GOLD: Well, I do think there's a couple
11 differences. One is it's not a criminal case.
12 There's - uh we're contracting with an individual and
13 we're making a business to contract with that
14 individual.

15 COUNCIL MEMBER KRISHNAN: But the stakes are
16 high, sorry to interrupt but the stakes are high
17 though right? So, like in this case where the stakes
18 are high for the individual that's effected by the
19 outcome, why wouldn't the process be, we give you
20 notice, we have to make out our case before the
21 ultimate decision that a very high stake is affected.
22 Because another context where the stakes are so high,
23 that's what we do. Why wouldn't the same principle
24 apply here?

2 JOSH GOLD: So, I think what we're trying to get
3 to is a place where there's a similar principle that
4 applies but uhm you know we have sexual assault cases
5 for example, where we have spent a lot of time
6 working with advocates.

7 COUNCIL MEMBER KRISHNAN: Let's put aside those
8 because those are the egregious cases that are -
9 those are exception to the bill right? I'm talking
10 about the other 99 percent we were saying where those
11 are not the egregious cases that raise serious
12 issues, sexual assault, whatever or any other of
13 those issues or the egregious circumstances. I'm
14 talking about the majority of deactivations that are
15 non-egregious.

16 JOSH GOLD: Well, the vast majority of
17 deactivations are TLC rule driven. That's 99 percent
18 of deactivations. When you're in the bucket of the
19 one percent that aren't TLC driven situations, you're
20 talking about the vast majority being egregious or
21 accusations of egregious. Not the vast majority but
22 the majority. And so, now you're narrowing it down
23 to uh you know a much smaller group. So, if you are
24 moving serious safety incidences into personal
25 conflicts, if you're removing you know we just had a

2 major fraud operation here in New York City where the
3 Southern District of New York uncovered a group of
4 about 800 drivers who were committing fraud, not only
5 against Uber but against the other 80,000 drivers by
6 cutting them in line at the airports, by taking away
7 surge trips that were due to those drivers. By
8 driving down the utilization rate so that companies
9 like Uber and Lyft had to institute the lockouts.
10 And so, those are the types of serious allegations
11 that are in the deactivation piece. That broad case
12 could take years to play out and so, you know in a
13 court of law. And so, there are some instances where
14 we want to provide drivers with as much opportunity
15 as possible to refute any allegations and they should
16 be given as much opportunity as possible to refute
17 allegations and as much warning as possible to not
18 have to be deactivated in the first place.

19 But there are cases where we don't believe we
20 should wait for a court case to play out and have
21 that criminal burden of proof.

22 COUNCIL MEMBER KRISHNAN: And I think if you can
23 just send the data. I know you know I think what
24 we're talking about you mentioned these cases outside
25 of the egregious instances let's say are the

2 exceptions in the bill too, that the vast majority
3 are TLC driven document cases. What's not clicking
4 with me is because I've heard a lot of testimony
5 today, we all did, from drivers who didn't have just
6 document issues. That they had - some of them didn't
7 even know the reasons why they were deactivated and
8 they continue to be deactivated. So, the testimony
9 we are hearing doesn't match with data, so would you
10 all be able to provide data showing that the vast
11 majority of these cases are actually routine document
12 TLC initiated issues?

13 JOSH GOLD: Yeah, I'm happy to provide that data
14 and also if there are other, if there are folks who
15 testified who want to go through your office, right
16 rather than direct to me or to the IDG or to anybody
17 else, I'm happy to work with you, your office,
18 somebody in your office on those individual cases to
19 walk through someone that's deactivated. I will say
20 I did hear some testimony from individuals in 2018,
21 2019 and I do think the processes were not great and
22 we've worked hard to improve those processes
23 including the drug test issue that I brought up,
24 including a lot of education around service animal
25 denial. So, if there are old cases if someone feels

2 comfortable talking to me, they may not. They may
3 feel more comfortable going to your office or the
4 Chairs office. I would love to you know look into
5 those cases and figure out what was the reason behind
6 it and if that cases deserves to have another
7 hearing.

8 COUNCIL MEMBER KRISHNAN: And my final question
9 is just given the process the way that it's set up, a
10 driver is deactivated from Uber but ultimately it has
11 to go through an Uber informed process with IDG. It
12 sounds like from the questions that Majority Whip
13 Brooks-Powers had asked to that the AAA panel that
14 comes later, Uber has the final say on the drivers on
15 that panel. They can object to them, veto them or
16 they can be okay with them. What safeguards does
17 Uber have in place where Uber is essentially acting
18 as the decision maker upfront, the judge and jury?
19 What safeguards does Uber have in such as process to
20 make sure that it's a neutral process as compared to
21 a third party agency for example?

22 JOSH GOLD: Sorry, the process?

23 COUNCIL MEMBER KRISHNAN: The process is, Uber
24 makes the initial decision of the deactivation right?

25 JOSH GOLD: Yeah.

2 COUNCIL MEMBER KRISHNAN: And it's an Uber
3 informed process with IDG after the fact to contest
4 that deactivation.

5 JOSH GOLD: Yeah.

6 COUNCIL MEMBER KRISHNAN: Including going over to
7 the driver panel, the AAA panel in the end where Uber
8 also gets to have the final say or have the final say
9 on the drivers that are part of that panel that IDG
10 submits. It seems a process where you know for
11 characterizing that Uber is the decision maker
12 upfront, the judge the jury throughout the
13 proceeding. So, given that set up, what safeguards
14 are in place? What safeguards does Uber put in place
15 to make sure it's a neutral and fair process as
16 compared to having an outside third party from a
17 process like that.

18 JOSH GOLD: Yeah, so first let me just expand on
19 the process. The process, there's a deactivation
20 that's human reviewed. There is an internal
21 deactivation review process that's human reviewed.
22 Then there is the IDG process and the panel of
23 drivers that the process is run by AAA, which is a
24 neutral third party, the panel of drivers makes that
25

2 final decision. We don't review the final decision
3 of the panel of drivers.

4 COUNCIL MEMBER KRISHNAN: But I guess that whole
5 process, I'm wondering what's the - what are the
6 safeguards that Uber puts in place to ensure it's a
7 neutral and fair process?

8 JOSH GOLD: We have a panel of third party
9 drivers that are reviewing those pieces but look, I
10 think we've worked in other jurisdictions to figure
11 out better deactivation policies and I know we've
12 been in touch with your office. This hearing was
13 scheduled. This bill was put on the schedule at the
14 last minute, so my colleague who had talked to your
15 office recently is in Minnesota and dealing with a
16 similar issue but we're happy to continue to work on
17 legislation. We're not opposed to legislation
18 outright. I think there are some issues we'd like to
19 address, but I will say that we are the contracting
20 entity with individuals and we are making a choice
21 the same way a taxi medallion owner is renting a taxi
22 medallion to someone the same way a black car or
23 livery base is choosing to work with someone. We are
24 making a choice to work with someone and we sometimes
25 choose not work with individuals. You know we now

2 play into the unemployment insurance fund when that
3 happens through no fault of their own. Unlike you
4 know taxi medallion owners, unlike Lyft, unlike black
5 car basis, livery car basis. That unemployment
6 insurance is available to drivers where they lose
7 work through no fault of their own but you know if
8 there are other steps to take to improve the warning
9 process, to improve the notification process, to
10 improve the education process and then on the back
11 end, improve the process to make sure that the
12 deactivations were reviewed properly against our
13 policies and our community guidelines. That's
14 something we'd like to work with your office on.

15 CHAIRPERSON BROOKS-POWERS: Thank you.

16 JOSH GOLD: Thank you.

17 CHAIRPERSON BROOKS-POWERS: Thank you to the
18 panel. Next, we will call up Chhewang Lama, Richard
19 Chow, Kunchok Dolma, Kunga Rota, Urgen Sherpa, Diallo
20 Tizo. We ask that you just say your name prior to
21 starting your testimony and please adhere to the two
22 minute rule.

23 RICHARD CHOW: Okay, I'm going to start.

24

25

2 CHAIRPERSON BROOKS-POWERS: One moment. Raja
3 Sohail(SP?), Raja Sohail, okay, Malang Gassama(SP?).
4 Okay, you could get started sir.

5 RICHARD CHOW: Okay. Hello, good afternoon
6 Committee Madam Chair. My name is Richard Chow.
7 I've been driving taxi for 18 years. I'm a New York
8 Taxi Worker Alliance Union Member. All e-hail
9 companies charge a lot of money to the rider, pay too
10 cheap to the driver. E-hail up from pricing from
11 equal to the meter fare plus all the airports are
12 charged. E-hail company, how much they charge the
13 passenger, how much they pay to the driver, must
14 transparency show on the receipt.

15 About a month ago, I accepted Uber fare, \$31
16 minus \$4 congestion fee. I got \$27. I pick the
17 lower east side to upper east side, upper west side
18 63rd and Central point west. Four passenger,
19 passenger request two stop, east side 73rd Street and
20 1st Avenue. Uber charged each stop \$6 to the rider
21 and the total they charged \$76 to the rider. And my
22 tablet show only one stop. One passenger sit in
23 front of the seat, I told him first stop pay the \$31,
24 I can't stop pay by the regular meter. Passenger
25 said no because already I paid \$76 to the Uber and

2 then he took a screenshot at the fares of \$31. He
3 sent it to the Uber. The fares fee pending in the
4 night, the whole night and the next day I got a fare
5 amount \$53 because the passenger complained to the
6 Uber, pay too low to me.

7 City Council should rule and regulate pay fairly
8 amount to the driver we are waiting, the debtor to
9 see the awful transaction. And thank you for
10 listening. God Bless you everyone. Thank you.

11 DIALLO TIZO: Thank you. My name is Diallo Tizo
12 and I'm going to talk about the 276 bill for ending
13 Uber and Lyft deactivation. This time, I'm not going
14 to talk about my deactivation but I'm going to tell
15 you some situation where they deactivate us unfairly.
16 Example, sometimes its happened to us people like the
17 night and when you take the customer, he going to go
18 home. When he was driving and one moment he going to
19 tell you he's going to like he want to go to the
20 restaurant like Wendy's or McDonald's. He is going
21 to ask you; can you please go there? I'm going to
22 just get quickly my food. And you know this is not
23 what we have on the deal because I'm going to take
24 you from destination from the pick up to destination.
25 I don't have to go to the restaurant.

2 For this kind of situation, if you ask the
3 driver, you say, I cannot do that because I cannot go
4 wait there. And when you drop that customer, if they
5 report you, they can say anything. Whatever they
6 say, Uber, Lyft, they won't check exactly what is
7 happening and they will deactivate you. Its
8 happened. I see a lot of time its happening. Not
9 all the time but I saw it. And the second time, so
10 many people say that know Uber and Lyft give them
11 refund sometime if they make complaint. They don't
12 get excited. I saw it. I'm not going on your time
13 because I don't have enough time and the way its
14 happened when they ask you to make U-turns somewhere
15 where you shouldn't. You know, you should not make
16 U-turn in this area and they don't care. If you
17 don't do it, they get mad. You drop them before
18 knowing anything they can send Uber or Lyft a
19 notification. This driver was like under - that's
20 it. Those guys in that situation have been multiple
21 times. I'm not the only one because I have been
22 deactivated and I know what is happening. And I saw
23 so many people have the same situation. That's why
24 we plead you what this bill we needed for
25 protections. Thank you.

2 CHAIRPERSON BROOKS-POWERS: Thank you.

3 URGEN SHERPA: Hi. Good afternoon Chairwoman
4 Selvena Brooks-Powers and members of the
5 Transportation Committee. My name is Urgen Sherpa.
6 I'm an Organizer at Chhaya Community Development
7 Corporation. Today, I urge City Council to pass
8 Intro. 100 introduced by Council Member Julie Won.
9 This bill would designate Losar festival as an
10 alternate side parking hub parking holiday. This
11 bill is crucial for our committee. Before moving
12 through our country, I would like to signal my
13 support for Intro. 276, the bill to end unfair
14 deactivations and cap the FH bill. Please, please
15 listen to the drivers. Drivers are the one who
16 drive, who pay the insurance, who maintain the car,
17 and who pays the high gasoline. It is not Uber and
18 Lyft.

19 And now, back to the Losar. Recognizing Losar
20 would allow us to celebrate without the stress of
21 parking regulations. By making Losar an alternate
22 site parking holiday, you would ease logical concerns
23 and confirm that our traditions and values are
24 respected in our great city. This recommendation
25

2 would foster understanding and encourage broader
3 participation in our festivities.

4 Your Committee has previously organized similar
5 cultural holidays, establishing a precedent for
6 inclusivity. I commend you for your ongoing efforts
7 to champion equity within our transportation system.
8 Passing Intro. 100 would demonstrate respect for the
9 traditions of over 60,000 Himalayan people living in
10 New York City and reflect the will of the 78 percent
11 of New Yorkers who believe cultural celebrations
12 should be recognized in public policy.

13 Losar is our -

14 CHAIRPERSON BROOKS-POWERS: Thank you.

15 URGEN SHERPA: Christmas, Thanksgiving, New Year

16 -

17 CHAIRPERSON BROOKS-POWERS: Sorry sir, I just ask
18 you to submit the rest in writing please.

19 URGEN SHERPA: Thank you so much.

20 CHAIRPERSON BROOKS-POWERS: Thank you.

21 KUNCHOK DOLMA: My name is Kunchok Dolma. I am a
22 Tibetan New Yorker and I'm here to testify in support
23 of Intro. 100 to make Losar a holiday for alternate
24 side parking. As Urgen just said and someone
25 testified earlier, Losar is a New York, Thanksgiving,

2 Christmas, Superbowl, all bundled into one. As
3 minorities, we are often used to our holidays being
4 sidelined. So, it makes our community very happy to
5 be finally seen and heard in the city we call home.

6 To the 25 Council Members who signed on to this
7 bill, specially to Council Member Julie Won and her
8 office, my Council Member Shekar Krishnan and to you
9 Chairwoman Brooks-Powers, we are forever grateful.

10 In New York City alone, Losar is celebrated by
11 over 60,000 New Yorkers of Tibetan and Humala
12 heritage. This number, however, does not account for
13 the many more tens of thousands of Tibetan Buddhist
14 who celebrate this holiday alongside us.

15 I ask and hope that each of you vote in favor of
16 Intro. 100 for three important reasons. First, this
17 would be the first and only ACB holiday that is
18 specific to Buddhist and people from across the
19 Himalayan region, one of the fastest growing
20 communities in the city.

21 Second, like other communities, a community
22 should also have the opportunity to celebrate a main
23 religious holiday with the families without having to
24 worry about getting a parking ticket or leaving our
25 celebrations to move our cars. And lastly, it allows

2 us as one of the fastest growing New Yorkers to see
3 ourselves represented in a civic fabric and laws of
4 our city.

5 So, thank you. I hope you quickly vote Intro.
6 100 out of Committee and come to celebrate Losar with
7 us at one of our many community halls and temples
8 across the city. Thank you.

9 CHAIRPERSON BROOKS-POWERS: Can I get your name
10 again just for the record?

11 KUNCHOK DOLMA: Kunchok Dolma.

12 CHAIRPERSON BROOKS-POWERS: Thank you.

13 KUNGA ROTA: Thank you. Thank you Madam Chair.
14 My name is Kunga Rota and I'm a Tibetan. I'm
15 Himalayan. I'm a member of the Himalayan community.
16 Approximately there are around 61,000 Himalayan
17 people living in the five boroughs. They're spanning
18 from all walks of life and on this particular Losar
19 day, we all gather together. We all marry, we all
20 have festive times, the adults. We all put on
21 traditional clothes. The kids put on a - they have
22 new clothes on and we visit their parents. We visit
23 relatives, friends and once we go out, we're in a
24 very festive mood and you don't want to be worrying
25 about whether you got to take a parking ticket and it

2 will be such as bummer if you're in a festive mood,
3 right?

4 And I want to just briefly say about how the
5 Himalayan community is structured. Under the
6 Himalayan community, there are many several smaller
7 communities like Wallan Community, the one I come
8 from. This Wallan community is in Nepal. It's in
9 the right at the border of Nepal and Tibet and back
10 in '94 I came to states for further studies and since
11 then I've been a New Yorker for the past 25 years.
12 And we all have our own stories; you know unique
13 journeys but we all come in one shared ambition
14 shared notion that we wanted to really make this
15 bill. This is a very meaningful bill for us. Once
16 this bill is passed, it's something the city would -
17 we feel like it's meaningful and a good reason for
18 our community. Thank you.

19 CHAIRPERSON BROOKS-POWERS: Thank you.

20 MALANG GASSAMA: Hello, my name is Malang
21 Gassama. I'm a member of NYTWA. I'm here in support
22 of the Uber and Lyft deactivation bill. I think
23 Madam Chairman can probably remember me. I just want
24 to start by saying that as of right now, I feel like
25 I am a slave in my own car because Uber and Lyft are

2 the prosecutor, the judge and the jury in any case
3 that is brought to them by any customer. So, I'm
4 scared of anybody that come in my car because any
5 customer can turn out to be my life killer. So, I
6 think as I was saying, Madam Chairman I was
7 physically and verbally assaulted in my car. People
8 sprayed and I had all the evidence that I provided to
9 Uber. Uber still - even Uber send me \$20 to go clean
10 myself up and after that a customer called him, I
11 mean send him an email and lie about me and Uber went
12 ahead and deactivated me for eight months. Thanks to
13 your help and the help of the WNYC radio, Uber
14 deactivated me after eight months. After I got in
15 serious trouble, they deactivated me and after they
16 realized I was very active with the NYC NYTWA, three
17 months after that, they deactivated me again claiming
18 that somebody had forwarded my account in 2021 and
19 this was in 2024.

20 So, from 2021, somebody stole my identity. Uber
21 new it and they didn't say anything about it until
22 2024 when they realized I was very active on the
23 NYTWA platform, they deactivated me again. And I
24 stayed for the second day of doing three months. I
25 did everything until they activated me again. They

2 saw me back after the big rally we did. The very
3 next day I started getting all kinds of emails from
4 Uber saying oh, some such and such say that they
5 didn't like you coming. So, they're sending me
6 emails that I don't know what customers said, "what
7 about me?" What time? And what did they exactly
8 say? And I told them that I am being targeted
9 because of my implication with NYTWA. So, please
10 help us out and pass the bill please.

11 CHAIRPERSON BROOKS-POWERS: Thank you. Thank
12 you. Thank you to the panel. Next we'll hear from
13 Kara Klita, Max Cheung, Charles Dorvil, YI Feng Chen,
14 Bashiru Kamara, Alpha Barry, Lateef Ajala, Saif
15 Aizah, Saiful Hoque, Paul Sonn, Shahal Udolin(SP?),
16 Anthony Aybozo, Mohammad Ali Awan, Arvan Babar,
17 Modibo Doukaru(SP?), Mohamed Barry, and Barry
18 Mohamed. Yeah, we have Mohamed Barry and Barry
19 Mohamed. Okay.

20 Please state your name before you start your
21 testimony and adhere to the two minute rule. You may
22 start. Turn on your mic please.

23 ALPHA BARRY: First, I want to thank Council
24 Member for having us here. My name is Alpha Barry.
25 I'm a member of NYTWA. I used to drive for Lyft and

2 Uber but I now I only drive for Lyft because Uber
3 deactivated my account.

4 I've been a TLC driver for over 20 years. What
5 I'm going through right now is a disgrace. Not only
6 Uber deactivate my account, Lyft also is locking me
7 out. For awhile now, I was not able to go online to
8 make a living. I have family to feed and bills to
9 pay for my house bill and car insurance and other
10 expenses. How am I going to survive like this?

11 Uber deactivated my account and Lyft is locking
12 me out. Up to today, I don't know why Uber
13 deactivated my account. When you call, they say it
14 is a safety reason. I went to the office. They told
15 me they cannot do anything about it. I went to IDG.
16 One of them looked into my account and uh file an
17 appeal. They sent me a text saying that my
18 reactivation was denied.

19 After that IDG was created by Uber and Lyft.
20 This is like coming from an enemy and go to another
21 enemy, which was created by the same enemy.

22 CHAIRPERSON BROOKS-POWERS: Thank you sir. I'm
23 just going to ask that you submit the rest of your
24 testimony in writing please.

25 ALPHA BARRY: Okay.

2 CHAIRPERSON BROOKS-POWERS: Sir.

3 SAIF AIZAH: My name is Saif Aizah. Thank you
4 and I really appreciate you giving me the change to
5 stand and testify in support of the bill Intro. 276
6 with unfair deactivation. Aside from what you heard
7 from other testimonies, my story is very unique and
8 very tragic. After COVID, I decided to go and work
9 in Baltimore Maryland. I signed up for Uber and Uber
10 took 30 days to investigate me and do a background
11 check and they found a speeding ticket. Finally,
12 they opened an account for me in Baltimore Maryland
13 which I have to use my private car.

14 Then I uploaded my insurance card, which have my
15 wife middle name the same as my last name. Then they
16 said I was trying to make fraud. I went to Uber and
17 I provided from the broker the correct and I
18 corrected everything on my insurance card. Then
19 after going through so much, Uber finally said, well,
20 you have double accounts. One in New York and one in
21 Maryland. After the fact that they investigated me
22 and did a background check for 30 days, then they
23 said, this is their final decision. They don't make
24 it here; it comes from California. So, I said give
25 me one account at least so I can survive or try to at

2 least work with one account. They said, after I went
3 to them again, they said no. Mind you that Lyft
4 follows and Lyft did the same thing and I was out of
5 work. I have to pay my car payments, my insurance,
6 all my bills, struggling for almost one year. Then I
7 tried to go back with Lyft and Uber again, Lyft then
8 finally decided to open my account again. This is
9 what happens and this is the misery I have to go
10 through. Besides all of this financial stress, I get
11 stress, I get mental stress, I get my health
12 problems, I got high blood pressure just because of
13 what Uber is doing to us drivers. Thank you.

14 CHAIRPERSON BROOKS-POWERS: Thank you.

15 SAIFUL HOGUE: Yes, good afternoon. My name is -
16 good afternoon, my name is Saiful Hoque. I am an
17 Uber Lyft- I was an Uber Lyft driver for the last one
18 and a half year. They deactivated my account and the
19 reason is that I was substance use. I used a
20 substance and I have proof from the doctors for my
21 TLC and from my private doctor but they don't trust
22 anything else. I went to the office a lot of times
23 and sent them emails. They don't listen to anything
24 else. That's the problem, you know, when the
25 passenger complain, this happens to come with proof

2 and without any reason they stop my account. I am
3 paying my car \$1,000 a month. I have insurance. I
4 have five family members. It has been hard for me to
5 survive right now.

6 So, I hope the justice we'll be getting and we
7 get justice to activate my account. I am suffering
8 with my financial trouble. So, I hope your decision
9 will be right and the passenger that complain, this
10 happens to come with the testimony because what
11 reason are they going to complain. Just happens to
12 know what is the reason and the driver don't know
13 nothing else. And I have a question regarding this.
14 They use a lot of excuses. Sometimes the driver will
15 be on the street, they say oh, you're going to drive
16 fast. You're not a good driver. They complain and
17 they stop my account. This is happening a lot of
18 times. You know so I hope in the future, bring the
19 passenger, the person that makes the complaint, face
20 to face. If not, it's a lame excuse and some of the
21 passengers are drunk and they complain, they say,
22 okay you want to stop the account. And Uber start to
23 justify the reality of it and the right - and they're
24 going to complain against this and they're going to
25 close the account. It's not right.

2 We have a right, a human right as the law in the
3 America, they have no right for us. We work like
4 slaves. Thank you.

5 CHAIRPERSON BROOKS-POWERS: Thank you, next.

6 ARVAN BABAR: Good evening ma'am. My name is
7 Arvan Babar. So, when I start work with Uber -

8 CHAIRPERSON BROOKS-POWERS: Is you mic on? If
9 so, move it closer to you please.

10 ARVAN BABAR: Alright, when I start work with
11 Uber, I was pretty new to this app system. I was not
12 aware that Uber policy that if customer complained
13 about driver, Uber turn his money. Unfortunately,
14 within first week, I got two back to back complaints
15 in which one customer said that I hit another car. I
16 mean, I got in accident.

17 Then Uber contacted me. I showed them all around
18 picture of my car and it was false allegation but I
19 do not know Uber policy after reviewing, they still
20 put me on risk and later deactivated my account.

21 Since then, I'm working with Lyft. I've done almost
22 15 plus rides, not a single safety complaint about
23 me. You can see my app. I'm done, thank you so
24 much.

2 MOHAMED BARRY: Good afternoon. My name is
3 Mohamed Barry or Barry Mohamed. So, I was working
4 for Uber for five years. I have been deactivated
5 three times. The first time when I went to their
6 office, they told me someone drove my car. I said,
7 now who drove my car? Because even my wife never
8 drove my car.

9 They said, okay, so now we're going to
10 reactivate. I started again, second time they told
11 me they deactivated me and they told me for my rating
12 is low. Okay, I go take a class. They reactivate
13 and third time they deactivated me again; they say my
14 rating is low. All that they're telling me and also
15 Lyft, I work for them three years. And I ask them,
16 they're telling me the rating is low so since that
17 time now, I'm working car service. My life is at
18 risk because some passengers didn't pay, some
19 harassed me and my bills now, I pay very hardly
20 because I have bills to pay. I have a family, so
21 that's why I need help and I thank you very much.

22 CHAIRPERSON BROOKS-POWERS: Thank you.

23 MOHAMED BARRY: Hi, my name is Mohamed Barry.
24 I've been driving Yellow Cab before I become an Uber
25 driver and Lyft for a while, maybe four years and

2 then I joined Uber and Lyft and Uber deactivate me
3 while I was in my country in Africa and then I came
4 back, I find out my app is done.

5 When I went to the office, they say somebody put
6 a picture into my account. That person tried to
7 reactivate the account again and I went to the
8 office, I explained to them everything but they told
9 me, listen, somebody already did it and they tried to
10 deactivate your account. If you come over here,
11 we're going to take you to the courts. I was like,
12 "what did I do, to take me to court?" They said, no,
13 now you tried to reactivate your account like two or
14 three times. That's illegal. And I never have
15 complaints with my customers. My rate was 4.8 and
16 then also Lyft deactivated me because I got into
17 accident. I have not - I don't have customer in
18 Jamaica. I don't hit anybody. I was by myself and
19 due to the collision, they deactivated me. I went to
20 the office, they said they cannot do anything. I
21 have to call. I called, nobody answer but this is I
22 think is unfair like he said, we driving like
23 sometimes - it's not easy to get the bills. That's
24 why we are here today to justify it and we hope this
25 is going to end. We're going to get back our

2 account. We'll be able to do our living because we
3 have a lot of bills. We have wives and kids. We do
4 everything possible to feed them properly. Thank you
5 so much.

6 CHAIRPERSON BROOKS-POWERS: Thank you. Thank you
7 to the panel. Next panel, Norbu Choezung, Urgen
8 Sherpa, Tashi Choephel, Tsering Diki, Tenzin Tsering,
9 Dolma Yangzom, Raul Rivera. Again, please say your
10 name before starting your testimony and please adhere
11 to the two minute rule.

12 NORBU CHOESZUNG: Hi, good afternoon and thank
13 you Chairwoman Selvena Brooks-Powers and members of
14 the Transportation Committee. My name is Norbu
15 Choeszung and I am Tibetan who live in New York. I
16 live in Queens. I am the two time former President
17 of the Community of [INAUDIBLE 04:26:21] and served
18 the community for three terms as board member. I am
19 here to testify in support of Introduction 100 from
20 Council Member Julie Won to make Losar, the Tibetan
21 New Year a holiday for alternate side parking.

22 This bill is important to me for the following
23 reasons: New York is home to over 6,000 Buddhists
24 from Tibet and Nepal, India, Bhutan, and other
25 countries. In addition to the practical benefit of

2 not requiring asked to move our cars on this
3 important Buddhist holiday, all New Yorkers need to
4 see themselves represented in the civic public and
5 laws of our city. This would be the first and only
6 alternate side parking holiday that is specific to
7 Buddhists and the people from across the Himalayan
8 regions. In addition to those 60,000 Himalayan
9 Buddhist Americans, the City of New York also welcome
10 many Buddhist communities from the different states
11 of America and Canada by driving to celebrate the New
12 Year Losar with the families and friends of New York.

13 Compared with the other immigrants, the immigrant
14 from Himalayan communities from Tibet, India and
15 Nepal are quite new and are growing rapidly every
16 year. Since the time of the Uber, Lyft services in
17 the city, we have many community members who own and
18 drive cars in their every day lives.

19 Just like the communities that celebrate
20 Christmas, Hanukkah, and other holidays, my community
21 should have the privilege to celebrate our religious
22 holiday with their families and friends. By
23 suspending the side parking on the Losar, New York
24 City sends this powerful message to -

2 CHAIRPERSON BROOKS-POWERS: Thank you sir. We
3 just ask that you submit the rest in writing.

4 NORBU CHOESZUNG: Thank you very much.

5 CHAIRPERSON BROOKS-POWERS: Next.

6 Good afternoon and thank you Chairwoman Brooks-
7 Powers and Council Member Shekar and everyone. My
8 name is Tashi Choephel and I am a Tibetan Refugee and
9 a New Yorker. I'm here to testify in support of
10 Intro. 100 from Council Member Julie Won to make
11 Losar or Tibetan New Year a holiday for alternate
12 side parking.

13 As an Uber driver and a community member, this
14 bill is important to me. New York City has over
15 61,000 Tibetan Buddhists from Bhutan, India, Nepal,
16 Tibet and other countries. In my home country Tibet,
17 our religion and culture are under threat of
18 annihilation due to China's ongoing occupation.

19 In New York City we have had the opportunity to
20 practice and preserve our traditions freely. By
21 suspending alternate side parking on Losar, New York
22 City sends a powerful message to all Tibetans and
23 Himalayans that our city sees us. Our city
24 recognizes us and our culture traditions. New York
25 City is our home too. In addition to practical

2 benefit of not requiring us to move our cars on this
3 important Buddhist holiday, it is important for my
4 community to see them selves represented in the loss
5 of our city. Just like communities who celebrate
6 Christmas, Diwali and other holidays, my community
7 should have the opportunity to celebrate Losar with
8 our families and not having to worry about getting a
9 parking violation.

10 I hope you can join us at one of our communities
11 Losar celebrations this year and celebrate the
12 passage of this law with us. I ask that you please
13 vote in favor of Intro. 100 to make Losar an ASP
14 holiday. Thank you Council Member Julie Won and
15 Chairman Brooks-Powers for being a champion for our
16 community. We will always remember you. Thank you.

17 CHAIRPERSON BROOKS-POWERS: Thank you. Thank you
18 so much.

19 TSERING DIKI: Good afternoon Chairwoman Brooks-
20 Powers and members of the Transportation Committee
21 and our very own Council Member Krishnan. And my
22 name is Tsering Diki. I am the Tibetan New Yorker.
23 I came from Tibet and I live in Queens New York. I
24 am a business owner and I'm also the Executive
25 Director of Neo-Tibetan Service Center. A non-profit

2 organization that looks after the social needs of
3 Himalayan communities and New Yorkers. And I'm here
4 to testify to support the Introduction of 100 from
5 Council Member Julie Won to make the Losar or Tibetan
6 Lunar New Year a holiday for alternate side parking.
7 This bill is important to me because the Losar is the
8 most important festival of the year in the Tibetan
9 diaspora and here in New York City, the Tibetan
10 Himalayan community celebrates the first day of New
11 Year with the family enjoying festive meals, dressing
12 in the best traditional clothing, making offerings,
13 drinking homemade rice wine and playing games at
14 home. It is considered bad luck for people to have
15 to worry about anything on the first day of our new
16 year.

17 Losar is the happiest day of the year for all of
18 our community members and imagine having to interrupt
19 the precious moments like that with your children and
20 elders to have to sit in your car and wait for the
21 DSNY to clean the streets.

22 New York is home to over 60,000 Tibetan Buddhisms
23 from Himalayan regions and in addition to the
24 practical benefit of not requiring us to move our
25 cars on this important Buddhist holiday, it is

2 important for all New Yorkers to see themselves
3 represented in the civic fabric of the loss of our
4 city. By suspending the ASP on Losar, New York City
5 sends a powerful message to all Himalayan New Yorkers
6 that our city sees us and we will -

7 CHAIRPERSON BROOKS-POWERS: Thank you.

8 TSERING DIKI: Thank you.

9 CHAIRPERSON BROOKS-POWERS: Thank you so much.

10 TENZIN TSERING: Good afternoon Chairwoman
11 Brooks-Powers and members of the Council. My name is
12 Tenzin Tsering and I am a Tibetan American,
13 originally from India and living in Elmhurst Queens
14 for over 15 years. I am also the program director of
15 the New York Tibetan Service Center, a nonprofit
16 organization providing adult social services and a
17 city funded program for afterschool kids.

18 Today, I am here to testify and reason my support
19 of Intro. 100 for Council Member Julie Won to make
20 Losar Tibetan Lunar New Year a holiday for alternate
21 side parking. This bill is important to me because
22 it is the only cultural and religious holiday that I
23 personally celebrate that keeps me connected to my
24 roots and gives meaning to my Tibetan heritage, which
25 I am sure many others here and in our community can

2 relate to. Losar is our single most important
3 cultural, religious and tradition that has followed
4 through generations, regardless of the religious
5 sect, country or the part of the world we live in.

6 As you've been hearing, New York is home to over
7 60,000 Tibetan Buddhists from different Himalayan
8 countries. On an important day with our own
9 religious customs, parking should be the last thing
10 we should worry about. What is important to know is
11 that our family members sometimes have no choice but
12 to neglect or abandon important customs and
13 traditions due to those minute stresses.

14 Just like other communities who celebrate their
15 holiday, the Himalayan community, my community should
16 have the opportunity to celebrate one of our main
17 holidays with our family with ease as we have the
18 right to and like others have mentioned before, not
19 have to worry about parking spaces, tickets, fines,
20 meter issues, etc..

21 If this law passes, again it would be the first
22 and only alternate side parking holiday that is
23 specific to Tibetan Buddhists and people from across
24 the Himalayan region. By suspending alternate side
25 parking on Losar, it tells the Himalayan New Yorkers

2 that our city sees us, acknowledges us, and our
3 traditions. Because in the end, New York City is our
4 city too. Thank you.

5 CHAIRPERSON BROOKS-POWERS: Thank you. Thank
6 you.

7 DAWA YANGI SHERPA: Hello, I am Dawa Yangi
8 Sherpa, good afternoon to everyone here. Thank you
9 Chairwoman Brooks-Powers and members of the
10 Transportation Committee. I am a Sherpa Nepali woman
11 and I live in Sunnyside Queens. I'm the Board Member
12 and the spokesperson for the United Sherpa
13 Association Inc., more commonly known as Sherpa -. I
14 also serve as an advisor to the network of Sherpa
15 students and professionals NNSP, an organization
16 dedicated to strengthening the Sherpa youth and
17 professional network.

18 We're also dedicated to Sherpa Cultural
19 Preservation and bolstering intergenerational
20 relationships between Sherpa elders and youth.
21 Today, I am here to testify in support of
22 Introduction 100 from Council Member Julie Won to
23 meet Losar or Tibetan Sherpa and many Himalayan
24 ethnicities New Year holiday for alternate side
25 parking. Before we dive into the testimony, I would

2 like to share that Losar is a Tibetan word that
3 translates to New Year. Lo, means year and sar means
4 new. A festival celebrated by Buddhist communities
5 around the world. This bill is important to me and
6 my Sherpa community because more than 80 percent of
7 the families that I know of own a car in New York
8 City. As the majority of them work as independent
9 contractors under Uber or Lyft. So, I will support
10 Intro. 276 to end unfair Uber and Lyft deactivation
11 as well. I do not own a car but I have had my share
12 of stories on how many Sherpa people and people from
13 my community have had to move their seats during
14 family get togethers or community celebrations to
15 keep up with alternate side parking rules. By
16 suspending ASP on Losar, New York City sends a
17 powerful message to all Himalayan New Yorkers that
18 New York City sees us all.

19 Our city recognizes us and our cultural
20 traditions. That New York City is also our city. I
21 hope you can join us at one of our community Losar
22 celebrations. Thank you.

23 CHAIRPERSON BROOKS-POWERS: Thank you. Perfect
24 timing.

2 RAUL RIVERA: Good afternoon my name is Raul
3 Rivera. I'm a TLC driver and a TLC driver advocate.
4 I'm the founder of NYC Drivers Unite. I have over
5 23,000 trips with Uber and Lyft. We do support the
6 commuter vans. We want to see them on the road. I
7 support Leroy Morrison and his efforts to get them on
8 the road. We want lower insurance. I just spoke
9 with the Commissioner before he left. Excuse me, I
10 have trouble with my voice today. I spoke with the
11 Commissioner today before he left, David Do and there
12 is a solution. We support the bill. I think
13 anything that helps the drivers from being
14 deactivated is excellent but there's something
15 bigger. You heard the expression, go hard or go
16 home. There is something bigger. We spoke to the
17 Commissioner and just for the record, my Uber account
18 is not deactivated. I have over 11,000 trips with
19 Uber and I personally ask the Commissioner to revoke
20 Uber's license, deactivate Uber from New York City.
21 That's what we ask for. We want Uber removed.
22 They're exploiting people of color. They are
23 exploiting worker rights and many other things that
24 they're doing.

2 We also ask and we want this message to get to
3 apple. Apple can do something. Apple could step in
4 and remove Uber from the app store. That will work.
5 Remove Uber from the app store. And finally,
6 finally, we want this message to get to our new
7 president that's going to come in 40 days, Donald J.
8 Trump. We ask you Mr. Trump to stop the abuse of
9 Uber. Remove Uber from New York City. We know you
10 care about the New York taxi driver. We are not Uber
11 drivers. We are not Lyft drivers. We are New York
12 City Taxi and Limousine Commission drivers and we're
13 being exploited, and we ask you Mr. Trump, remove
14 Uber.

15 CHAIRPERSON BROOKS-POWERS: Thank you. Thank you
16 to the panel. Next we will call up Tenzin Bhuti,
17 Sonam Sangpo, Tsering Lhamu Serpha, Zubin Soleimany
18 Pasang Sherpa and Muhammad Arshad. We ask that you
19 give your name before speaking and adhere to the two
20 minute rule. Marleny Cruz. You may begin just make
21 sure you turn on the mic.

22 SONAM SANGPO: Good afternoon Chairwomen Brooks-
23 Powers and member of the Transportation Committee,
24 and also good afternoon Council Member of Jackson
25 Heights Mr. Shekar. My name is Sonam Sangpo. I'm a

2 Tibetan New Yorker from Nepal, now residing in New
3 York. I'm the Management Director of Lo-Nyamship
4 Association USA Inc., which is a nonprofit
5 organization and we recently established in Woodside
6 New York.

7 I'm here today supporting Introduction 100,
8 introduced by Council Member Julie Won to recognize
9 Losar, Tibetan Lunar New Year as an alternate side
10 parking. Losar sacred for Tibetan Buddhist involving
11 ritual and the family gathering and this bill would
12 allow us to celebrate without parking concern.

13 New Yorkers are home to over 60,000 Tibetan
14 Buddhists and this bill would be first ASP holiday
15 specifically for Buddhists and Himalayan communities.
16 It were from that New York City respect and our
17 traditions. I warmly invite you to join us one of
18 our celebrations next year and celebrate the passage
19 of this important legislation with our community. I
20 urge you to vote in favor of Intro. 100. Thank you.

21 CHAIRPERSON BROOKS-POWERS: Thank you.

22 TENZIN BHUTI: Good afternoon Chairwoman Brooks-
23 Powers, Council Member and member of the
24 Transportation Committee. My name is Tenzin Bhuti
25 and I am a Tibetan New Yorker living in Queens. I'm

2 here to support Intro. 100, proposed by Council
3 Member Julie Won which designates Losar, the Tibetan
4 New Year as a holiday for Alternate Side Parking, ASP
5 regulations. This bill is crucial for my community
6 allowing us to celebrate this significant cultural
7 and religious event without the stress of parking
8 restrictions. By lifting ASP regulations on Losar,
9 families like mine can fully participate in this
10 meaningful Buddhist festival, free from the worry of
11 parking tickets. Just as other communities celebrate
12 Christmas and Hanukkah and Eid. We deserve the same
13 opportunity to honor our traditions.

14 Recognizing Losar promotes inclusivity and
15 respect fostering a sense of belonging for many
16 Tibetan and Himalayan region communities. I urge you
17 to vote in favor of Intro. 100 so we can celebrate
18 our heritage without barriers. Thank you for your
19 time and we hope you will join us in our Losar
20 celebration to witness the spirit of our community
21 firsthand. Thank you.

22 TSERING SERPHA: Good afternoon and [SPEAKING IN
23 OTHER LANGUAGE 04:43:23]. Before I begin as a
24 daughter of a driver, I want to signal my support for
25 Intro. 276. My name is Tsering Serpha and I'm a born

2 and raised New Yorker and part of over 60,000
3 Himalayans in New York City who celebrate Losar. I
4 urge City Council to follow Chairwoman Brooks-Powers
5 and Council Member Julie Won's example and support
6 Intro. 100, which would designate the Losar festival
7 as an alternate side parking holiday, ensuring
8 religious equality alongside Hanukkah, Christmas and
9 Eid.

10 Growing up, I went to New York City public
11 schools, Anderson Elementary and middle and
12 Stuyvesant High School. There I learned about
13 various cultural holidays alongside my friends, which
14 enriched us all. Through it all, my parents worked
15 hard to make sure every Losar was special, earnestly
16 believing that how we celebrated impacted our luck
17 for the year. They prepared for weeks to give us the
18 finest clothes, foods, and so they could avoid
19 spending money on Losar, as that's inauspicious.
20 Spending money on Losar means a whole year of
21 financial losses, yet they still had to feed the
22 meter because a parking ticket would be inauspicious
23 as well. It's frustrating that despite their
24 efforts, city regulations force us into a lose-lose
25 situation every year. This lack of recognition feels

2 like a dismissal of my identity and of my community.
3 I believe in the city's potential and your
4 leadership. This Committee has recognized other
5 cultural holidays, setting a precedence for
6 inclusivity. I hope you continue that tradition.
7 Please support Intro. 100. Recognizing Losar would
8 allow us to celebrate freely, affirming that our
9 traditions matter, that we matter. Thank you for
10 your time and [SPEAKING IN OTHER LANGUAGE 04:45:05].

11 ZUBIN SOLEIMANY: Good afternoon. My name is
12 Zubin Soleimany. I'm a staff attorney with the New
13 York Taxi Workers Alliance, also testifying in
14 support of Intro. 276, which our members and my
15 colleagues have already testified so eloquently on.
16 I just want to follow up on a couple of points. I
17 think the question was asked earlier, how is
18 deactivation distinct for for-hire drivers? Why is
19 this bill so necessary for them? And the point was
20 raised once about the expenses and the debts that
21 drivers incur and I think that is huge and it's also
22 connected to another point that makes these drivers
23 unique, which is that when you get fired from a high
24 volume for-hire vehicle company, you are being
25 effectively put in the same position as when you're

2 losing your license. I think the gentleman from Uber
3 testified earlier. Oh, well, they still have their
4 license, you know they can still work. Currently,
5 you know everybody has seen the monopolization of
6 these companies unfold as they assume dominant market
7 share. The two for-hire companies make up 80, 85
8 percent of the entire for-hire and taxi service in
9 the city. So, when you lose your ability to work for
10 them, you are largely losing your ability to work
11 with the license that you invested in with the car
12 that you invested in. And in that 85 percent, the
13 two companies, they do notify each other and
14 sometimes drivers will be deactivated from one
15 company solely on the referral of a deactivation from
16 the other company.

17 Quick point, just also to say that you know
18 nothing in this law preempt any other process, just
19 like the same way that the fast food deactivation
20 bill, which we were so proud to testify in support
21 of, did not effect any other process that folks could
22 work through.

23 So, I'm sorry that the folks from IDG weren't
24 able to stay and explain their position. I would
25 have liked to have heard it. I will note that the

2 last time when they did offer testimony to city
3 government, they did testify to the Chair of the TLC
4 at the time -

5 CHAIRPERSON BROOKS-POWERS: Thank you.

6 ZUBIN SOLEIMANY: The process was not working.

7 CHAIRPERSON BROOKS-POWERS: Sir if you could
8 submit the rest of your testimony in writing. Thank
9 you. Next.

10 ZUBIN SOLEIMANY: Thank you Chair.

11 UNIDENTIFIED: Good afternoon Council Members.

12 CHAIRPERSON BROOKS-POWERS: Is your mic on?
13 There we go, yeah, got it.

14 UNIDENTIFIED: Good afternoon Council Members,
15 duly respectful people. I joined like Uber in 2017.
16 I was not aware about the laws of Uber at the time.
17 Within two months, they deactivated me and after
18 that, I joined Lyft and I have like more than 17,000
19 rides and five star rating and I'm still waiting for
20 the Uber to activate me but nothing is going on. I'm
21 just replying them emails and on the phone then I
22 went to the IDG, they did not do anything. Then I
23 talked to my friends for the New York Taxi Worker
24 Alliance. They are trying to help me out but they
25 are saying that this bill is for six years. In other

2 cases, more like seven years and I don't know but I
3 have to much bills. If I work with Lyft, Lyft make
4 us lock out and we can't pay the bills and we are
5 driving rental cars that we're paying \$400 a week
6 approximately.

7 How can we survive? Please help us. For that,
8 we can work on two apps like Uber and Lyft. Thank
9 you very much.

10 MARLENY CRUZ: Hi, my name is Marleny Cruz. I'm
11 a mother of two that I have to support myself. I
12 work for Uber and Lyft since 2017 and the reason why
13 I'm here for is because of the lockout. It's not
14 fair for us to go out to work and go around the city
15 for over an hour and the app are off.

16 We have to be moving around to see if it is open
17 at one time, you know? Sometimes we just have to go
18 home. Sometimes we make like \$80 or \$100 and we have
19 to go back home. How can we pay the bills? Being an
20 Uber, uh I mean a TLC driver mean a lot of money
21 because we have to pay like \$700 insurance for the
22 car, plus the license, plus a lot of things. So, we
23 need to lock up stuff please. Thank you.

24 CHAIRPERSON BROOKS-POWERS: Thank you. Council
25 Member Krishnan has a quick follow up question.

2 COUNCIL MEMBER KRISHNAN: Quick indeed. Thank
3 you all for your testimony. Zubin, I just had a
4 question for you, how do lockouts actually relate to
5 the pay rule and what does the pay rule require?

6 ZUBIN SOLEIMANY: Yeah, so yeah, thank you
7 Council Member. So, the point of the pay rule is
8 like to approximate what any other minimum wage law
9 does. The point of it is to compensate drivers for
10 all time that they are at work and the rule does not
11 contemplate lockouts. They were not contemplated
12 when TLC passed the rule. They were not contemplated
13 when professors Parrott and Reich put their report
14 together.

15 The language of the rule says that you should be
16 paid for all drivers - that utilization accounts for
17 all time, the drivers make themselves available to
18 receive dispatches. It doesn't say that they're only
19 paid for time logged on. So, you take an example of
20 a driver who works in the - they live in the Bronx.
21 They go to Manhattan; they pick somebody up. They
22 say come to the eastern Queens and they're locked out
23 when they do the drop off. They're still available
24 at that point. They are trying to work but they've
25 been locked out for now, their hour or two or so. At

2 that point, they are still available to receive
3 dispatches. That time should be counted under the
4 text of the rule but it's not. So, when Uber fails
5 to provide the data that shows that time in which
6 under the rules of plain language they are available
7 to work, they are subverting the purpose of the rule.

8 I know the gentleman from Uber had testified
9 earlier that the initial report by Professors Parrott
10 and Reich contemplated that companies could use
11 lockouts and that's just not true. I was actually
12 speaking to Professor Parrott about this two weeks
13 ago and he said no, it did not contemplate that. The
14 report discussed the notion that companies more
15 broadly would have to - they would have to limit
16 supply but the idea of that would be to incentivize
17 getting away from the over saturation that had really
18 wrecked the industry. That would be a question of
19 hiring an attrition, not of randomly locking out
20 drivers in the middle of their shifts and creating
21 chaos for individual drivers and for the whole
22 workforce.

23 COUNCIL MEMBER KRISHNAN: Thank you.

24 ZUBIN SOLEIMANY: Thank you.

2 CHAIRPERSON BROOKS-POWERS: Okay, thank you to
3 this panel. Next, we're going to call up Christopher
4 Leon Johnson, Choudary Adnan, Tsering Jupa, Yanming
5 Gong, Sameena Syed(SP?), Ali Akbar, Ibrahim K. Diallo
6 and we ask that you state your name prior to starting
7 your testimony and to adhere to the two minute rule.
8 You can start whenever you're ready.

9 CHRISTOPHER LEON JOHNSON: Alright, good
10 afternoon Chair Brooks-Powers. My name is
11 Christopher Leon Johnson on the record and I'm here
12 to support both sides of the spectrum IDG and the
13 TWA. I said this morning before the press conference
14 about congestive pricing, I'm against CP, I'm a no
15 congestion pricing 2024 uhm that these guys, IDG and
16 IEG and TWA need to stop beefing because you guys are
17 all cab drivers. You guys are all Lyft drivers and
18 Uber drivers and I think all you guys can agree that
19 look, there's a problem with Uber and Lyft that they
20 deactivate you guys and deactivate you guys and uhm,
21 deactivate you guys because of unwarranted reasons
22 because they don't care. The apps don't give a crap
23 because they know that for how many people banging on
24 the gate, if they have at least four guys, these
25 three men and this one female right here, there's

2 thousands of other people banging at the gate, so
3 they don't care if they're deactivated for some BS.
4 So, they need to stop beefing and the thing is that
5 IEG need to be transparent and TWE be transparent
6 about State Senator Jessica Ramos and she's a big
7 issue with this because Ramos is the uhm is the State
8 Senator and her former husband -

9 CHAIRPERSON BROOKS-POWERS: Keep it on the
10 legislation please.

11 CHRISTOPHER LEON JOHNSON: Yeah, I know I am, I'm
12 stating that legislation that he's the Chair. He's
13 the lead for IDG so of course there's going to be
14 real disconnect with elected officials and I'm not
15 saying that you Selvena but she's the Chair of the
16 Labor and the State Senate and I know a lot of you
17 guys want to get bills passed in the State Senate so
18 you don't want to shake the apple cart with Jessica
19 Ramos and so, she's going to block IEG's movement.
20 So, that needs to be set clear and these guys, I
21 think that the members, the members need to stick
22 together because you're all in this same crap
23 together and there should be no more suicides outside
24 City Hall.

2 So, let me make this clear. I'm done. I respect
3 you so I'm going to cut it right here at three
4 seconds, so thank you. Thank you so much. Thank
5 you.

6 CHAIRPERSON BROOKS-POWERS: Thank you.

7 CHRISTOPHER LEON JOHNSON: Thank you. I'm
8 leaving, I got to go. You not taking no hands
9 Shekar? You're not asking no questions right?
10 Alright, I'm out of here. I got to go.

11 CHAIRPERSON BROOKS-POWERS: Sir.

12 CHOUDARY ADNAN: Good afternoon. My name is
13 Choudary Adnan and my Uber account is deactivated.
14 I've worked with the Uber like 10, 14 years. I have
15 a ride with Uber so my rating is 4.97. So, I just uh
16 upload my document. They say that it expired wrongly
17 uploaded two times and they deactivated my account.
18 So, I go to the office two or three times but they
19 don't do nothing on that so it is my - two days to
20 help me reactivate my please. So, thank you for your
21 time. Thank you.

22 UNIDENTIFIED: Thank you again. This is my
23 friend. He told me what he wanted to say because he
24 believe when he speak you might not understand
25 exactly what he wanted to say.

2 CHAIRPERSON BROOKS-POWERS: Well can you give his
3 name though?

4 UNIDENTIFIED: Yeah, I'm going to tell- but I
5 just want to make sure it's possible for me to talk
6 on that?

7 CHAIRPERSON BROOKS-POWERS: Yes.

8 UNIDENTIFIED: Okay. Okay, uhm my name is
9 Ibrahim K. Diallo. That's his name. He say Uber and
10 Lyft deactivated him because like the other guys
11 said, low rating and he said he's not the one who can
12 write himself. He don't know who customer is going
13 to write him. He never had problem with the
14 customers. They just like maybe when they drop him
15 off or drop her off, they're going to just notify
16 Uber and Lyft. He don't know what they're going to
17 say. He never had a problem with a passenger but
18 they just say his rating is very low. They all -
19 Uber and Lyft deactivated him because of very low
20 rating.

21 So, he's like just telling me, I have like wife
22 and seven kids to feed. He pay the bills. There's
23 mom and grandma back home. All these people waiting
24 for me. Now, I don't know what to do. The bills is
25 so high right now. Like me to drive customers right

2 now is very hard. He just said he's just proud to be
3 here in front of you and you can hear him you might
4 be able to help us to get our account back to be able
5 to work for the city because we are here helping
6 people going around. Be happy about that, so we just
7 appreciate you. That's what he wanted me to say.
8 Thank you.

9 CHAIRPERSON BROOKS-POWERS: Thank you.

10 NIMA SANGE: My name is Nima Sange. Just a few
11 days ago I drive at Lyft. I used to drive Yellow
12 Cab, now I'm driving with Lyft. Two days ago, the
13 Lyft deactivated my account just because I had a
14 conversation with my - with one of the passengers.
15 I'm a woman, when I get into car, people see I can
16 speak English, they start talking to me. You know
17 they feel comfortable. They feel relaxed, especially
18 work at night time so they feel very comfortable.

19 So, I make them comfortable. So, I was talking
20 to just general information, information with one of
21 these customers. She was misunderstood. Whatever I
22 said and they deactivated my account. I mean this is
23 ridiculous. I have five star rating with them. I
24 have 100 percent acceptance. I have the best driver
25 I am. I only work with Lyft. Just because of

2 misunderstanding of a passenger and they have the
3 right to say whatever they want to say and it's
4 accepted but they don't want to listen to us. We
5 don't have the freedom of speech. We have a freedom
6 of nothing. We are slave to these Uber companies.
7 We are slave to them. We have clean the shit. We
8 have to keep everything what they want us to say.
9 Our documents in time, everything is perfect. We
10 have to watch what we say. We have to watch what we
11 do. Who are we? Are we human being or are we a
12 machine like a car? I just bought a car for them
13 because my car is old and I just bought it in
14 January. I have to make a payment on it. Uber
15 didn't open my account but the Lyft they deactivated.

16 CHAIRPERSON BROOKS-POWERS: Thank you. I'd like
17 to thank this panel. Next, we will hear from Tashi
18 Dolma. We ask that you adhere to the two minute
19 rule.

20 TASHI DOLMA: Yes.

21 SERGEANT AT ARMS: You may begin.

22 TASHI DOLMA: Hi, my name is Tashi Dolma and I am
23 a Tibetan Member of Queens New York. I live in Wood
24 Haven Jamaica and I'm also a member of the Tibetan

2 People's Movement approach in New York and New Jersey
3 representing 60,000 Tibetans living in New York City.

4 I'm here to testify in support of Introduction
5 100 from Council Member Julie Won to make Losar or
6 Tibetan Lunar New Year a holiday for alternate side
7 parking.

8 This bill is important to me because the bill is
9 crucial for our community as it enables us to
10 celebrate this important cultural event without the
11 hassle of parking regulations. By alleviating these
12 restrictions, we can create the welcoming atmosphere
13 where families and friends come together to support
14 local businesses and immerse themselves in the
15 vibrant traditions of Losar. Recognizing this
16 holiday not only honors our city's diversity but also
17 strengthens the local economy by encouraging
18 community involvement and connection. I ask that you
19 please vote in favor for Intro. 100 to make Losar an
20 ASP holiday. Thank you so much.

21 COUNCIL MEMBER KRISHNAN: Thank you for your
22 testimony. Now we have Dorel Tamam.

23 SERGEANT AT ARMS: You may begin.

24 DOREL TAMAM: Hello, can you hear me?

25 COUNCIL MEMBER KRISHNAN: Yes.

2 DOREL TAMAM: Thank you for the opportunity to
3 address Intro. 277. My name is Dorel Tamam, and I am
4 Head of Mobile Operations at Curb Mobility where I
5 oversee RVAL services. We do not support Intro. 277
6 in fail to keep taxis competitive. If a minimum pay
7 is put upon the taxi industry for e-hail jobs, then
8 that same standard should be put throughout the
9 industry so taxis don't lose competitiveness within
10 the market and existing earnings opportunity.

11 Between 2017 and 2022, taxis have lost 50 percent
12 of their rides from TNC's and have not recovered. In
13 2017, the Flex Fare Pilot was started, which saw
14 immediate impacts for the taxi industry. New
15 business was able to be attracted to taxis such as
16 the Access A Ride program, corporate travel accounts
17 and non-emergency medical transportation. Markets
18 that have previously stayed away from taxis due to
19 the inability of competitive prearranged pricing.

20 Curb has also helped bring consumer rides through
21 our Curb app and partnerships and notable TNC's and
22 other partners through the integration into our
23 network. From March of this year, about 10 to 15
24 percent of rides were e-hail, which are rides the
25 industry would have not captured without its

2 flexibility in pricing and could have been
3 distributed to other service classes.

4 The reason why the Council should avoid setting
5 higher pay rates for taxis are routed in fairness,
6 market competition and the impact of drivers. To
7 reiterate some key points, street hail volume is down
8 50 percent and e-hail has accounted for 10 to 15
9 percent of trips, which could have gone to other
10 service classes, providing more earnings
11 opportunities for taxi drivers. Taxis were able to
12 get e-hail rides from rates being flexible. Without
13 the flexibility of rates and uncompetitive
14 environment is created, pricing taxis out of their
15 opportunity of e-hail rides through the choice of
16 consumers, programs and rides from partners.

17 Lastly, drivers have a freedom of choice when
18 deciding -

19 SERGEANT AT ARMS: Your time has expired.

20 CHAIRPERSON BROOKS-POWERS: Thank you. We ask
21 that you submit your remaining testimony in writing.
22 Thank you for your time.

23 DOREL TAMAM: Thank you.

24 CHAIRPERSON BROOKS-POWERS: Next we will hear
25 from Lhakpa Dhondup.

2 SERGEANT AT ARMS: You may begin.

3 SERGEANT AT ARMS: I believe they left the Zoom.

4 CHAIRPERSON BROOKS-POWERS: Next, we will call up
5 Yohanes Lie.

6 SERGEANT AT ARMS: You may begin.

7 YOHANES LIE: Yeah, my name is Yohanes Lie in
8 opposition Intro. 277. I am dedicated Yellow Cab
9 driver and appreciate Curb for keeping me busy with
10 rides day and night. The street hail business has
11 been slow lately, so I'm glad I can keep working
12 through Curb during the slow times. I'm excited to
13 see how Curb will innovate and keep with other ride
14 share apps. Curb is already showing they care about
15 driver by offering good support, engagement and
16 business consistently. Thank you.

17 CHAIRPERSON BROOKS-POWERS: Uhm, next we will
18 hear from Akouete Afandalo.

19 SERGEANT AT ARMS: You may begin.

20 AKOUE TE AFANDALO: My name is Akouete Afandalo in
21 opposition of Intro. 277. I've been a taxi driver
22 for about 20 years of experience. I strongly support
23 Curb and it's positive impact on our industry. The
24 tradition of E-hail office true curb as improved our
25 1480 by reducing [INAUDIBLE 05:06:12] and the need to

2 sit for street hails. The ability to accept or
3 decline e hail office is valuable giving us the
4 possibility to manage our term effectively.

5 During challenging times, Curb fare have been a
6 lifeline for drivers like myself, providing adequate
7 income when traditional business was scarce. Curb is
8 fair and trustworthy. With all necessary information
9 such as pick up times, ETA's, fares and addresses
10 clearly displayed. This transparency enhances trust
11 and ensure a smooth experience for both drivers and
12 passengers. From my experience, I can confidently
13 say that curb is highly beneficial for the taxi
14 industry. New Yorkers benefit from having Curb as a
15 deliver e-hail option ensuring service and taxi
16 drivers. Thank you.

17 CHAIRPERSON BROOKS-POWERS: Thank you. Next
18 we'll hear from MD Karim.

19 SERGEANT AT ARMS: You may begin.

20 MD KARIM: Good afternoon. My name is MD Karim
21 in opposition of Intro. 277. As a veterans NOAC taxi
22 driver since 2014, I have extreme significant
23 business growth since Curb introduced e-hail. Curb
24 has been positive for the industry, allowing me to
25 earn over 400 [INAUDIBLE 05:07:59]. Providing with

2 the option to e-hail taxi rides. It has been
3 invaluable, especially in light of competition from
4 Uber and Lyft, Curb fare and provide additional
5 earning opportunities alongside traditional e-hails.

6 Offering NYC businesses choice between Uber and
7 Lyft and Curb has been beneficial for both drivers
8 and riders alike. Thank you.

9 CHAIRPERSON BROOKS-POWERS: Thank you. Next we
10 will hear from Ugyen Pema.

11 SERGEANT AT ARMS: You may begin.

12 SERGEANT AT ARMS: He has left the Zoom.

13 CHAIRPERSON BROOKS-POWERS: Next, we'll hear from
14 Setan Deki.

15 SERGEANT AT ARMS: You may begin.

16 SERGEANT AT ARMS: They left the Zoom as well,
17 oh, actually sorry.

18 SETAN DEKI: Good afternoon and thank you
19 Chairwoman Brooks-Powers and members of the
20 Transportation Committee. My name is Setan Deki and
21 I am a Tibetan New Yorker living in Queens New York
22 City. I also work at a company capital, a nonprofit
23 city of five that serves many New York City small
24 businesses from the Himalayan region.

2 Today, I am here to testify in support of Intro.
3 100 from Council Member Julie Won to make Losar a
4 holiday for alternate side parking. Losar marks the
5 beginning of the Lunar New Year, a time of renewal
6 reflection and connection with family and community.
7 As a Tibetan, this holiday is not just a day of
8 celebration. It represents our heritage and the
9 values we hold dear. Additionally, many of the small
10 businesses I work with are owned by individuals who
11 celebrate Losar. These entrepreneurs bring unique
12 products, services, and cultural experiences to our
13 neighborhoods. However, during this festive time,
14 they often face a challenge of managing parking
15 regulations. By designating Losar as an ASP holiday,
16 we can alleviate some of the stresses associated with
17 parking, allowing families and community members to
18 celebrate without the added concern of moving their
19 vehicles. I would also like to take a moment to
20 thank Chairwoman Brooks-Powers for co-sponsoring this
21 bill. Your support demonstrates your commitment to
22 our community and our cultural diversity and we are
23 grateful to have you as a champion for our voices.

24 In conclusion, I urge you to support this bill
25 and help ensure that Losar is officially recognized

2 by our city. By doing so, you not only honor our
3 traditions but also strengthen the fabric of our
4 diverse community. Again, thank you for your time.

5 CHAIRPERSON BROOKS-POWERS: Thank you. Next, we
6 will hear from Nicole Salk.

7 SERGEANT AT ARMS: You may begin.

8 NICOLE SALK: Okay, thank you so much. I am
9 testifying regarding Intro. Number 276. I am a staff
10 attorney at Brooklyn Legal Services, which is part of
11 Legal Services NYC. As part of my work, I regularly
12 represent Uber and Lyft drivers in obtaining
13 unemployment benefits and during the pandemic, our
14 office and the New York Taxi Workers Alliance, many
15 whose members testified today, brought litigation
16 which resulted in approximately 68,000 Uber and Lyft
17 drivers receiving state unemployment insurance at the
18 full rate of payment for employees. Many of the
19 drivers we represent have been unfairly deactivated
20 from their companies platforms without notice,
21 without any effective means to challenge the
22 deactivation, as has also been testified to by
23 numerous drivers.

24 Painfully so, really sad to hear these incredibly
25 horrendous stories where drivers are losing their

2 livelihoods. They often do not know exactly why they
3 are deactivated. They have told me about drunk and
4 unruly passengers who they believe may have made
5 complaints about them to the company. Sometimes
6 drivers may be deactivated when a customer complains
7 about a driver refusing to violate a traffic rule,
8 such as an illegal U-turn. I had one female driver
9 who believes she was deactivated after a customer
10 complained to the company when she refused a sexual
11 advance.

12 Our driver clients assume that there must be
13 something they can do to challenge these unfair
14 deactivations. Unfortunately, they have few rights
15 to challenge, as you've heard. They are devastated
16 when I inform that there really is nothing we can do
17 since the company has the deactivate them for almost
18 any reason. Yes there is an arbitration process.
19 That was a process developed by Uber and a drivers
20 union, which was and may still be funded by Uber.

21 However, Uber ultimately controls who is eligible
22 to go to arbitration on a case by case basis. This
23 Uber controlled process resembles the grievance
24 process provided by many other companies where the
25 corporation ultimately -

2 SERGEANT AT ARMS: Your time has expired.

3 CHAIRPERSON BROOKS-POWERS: Thank you. We ask
4 that you submit the rest of your testimony written.
5 Thank you.

6 NICOLE SALK: Thank you.

7 CHAIRPERSON BROOKS-POWERS: Next, we'll call up
8 Israel Asavato (SP?).

9 SERGEANT AT ARMS: You may begin.

10 ISRAEL ASAVATO: Good morning, uh good afternoon.

11 CHAIRPERSON BROOKS-POWERS: Israel, you went out
12 for a second. Go ahead, I'll give you your three
13 seconds back.

14 ISRAEL ASAVATO: Can you hear me.

15 CHAIRPERSON BROOKS-POWERS: Yes.

16 ISRAEL ASAVATO: Okay, I've been driving in the
17 For-Hire Center for nine years and four months and
18 even though I have never been deactivated, I support
19 Intro. 276 because it provides a transparent process
20 for drivers such as myself. In our current state, we
21 are all one ride away from deactivation. From the
22 wealthiest to the poorest riders rely on drivers all
23 the time to reach certain perks and benefits from the
24 companies. After six years of being on the Uber
25 platform, in February of this year, my account was

2 blocked for 48 hours preventing me from earning
3 because a rider accused me of being under the
4 influence. I don't drink alcohol or use drugs and
5 thank God I have an interior dash cam to prove that.
6 I encourage all drivers to get a dual dash cam. We
7 the drivers are the ones that bail all the
8 operational expenses to work in this industry and
9 these companies should not be able to block or
10 deactivate any driver without proof.

11 Off the topic, I just want to mention these
12 things. These companies classify us as independent
13 contractors. If we are truly independent
14 contractors, then why aren't we provided with the
15 pick up and drop off details before accepting the
16 trip. Why are we penalized through an acceptance
17 rate when we don't accept a trip? Shouldn't we be
18 able to accept trips we want and refuse trips we
19 don't want? Why is our acceptance and capsulation
20 rate monitored? Thank you for having me and have a
21 great day.

22 CHAIRPERSON BROOKS-POWERS: Thank you. Next we
23 will call up Glenn Velafsky(SP?).

24 SERGEANT AT ARMS: You may begin.

25 CHAIRPERSON BROOKS-POWERS: Glenn Velafsky?

2 SERGEANT AT ARMS: You are unmuted Glenn. Glenn,
3 we can't hear you.

4 CHAIRPERSON BROOKS-POWERS: We'll come back to
5 Glenn. We have in the room Mohamed Mohamed.

6 MOHAMED MOHAMED: Hi, my name is Mohamed Mohamed.
7 I am an Uber and Lyft driver for ten years and also,
8 I am a member in NYTWE.

9 Dear Council Member, by passing bill number 276,
10 justice will be achieved for the driver as a result
11 of malicious or false report. Passing Intro. 276
12 will achieve psychological and mental safety for the
13 driver. Making his performance on the road more
14 safer. It is not fair to the driver to spend money
15 to obtain TLC license and go to school and be a
16 professional driver for many years. And when he
17 think to have TLC cars for more than 50,000 or 60,000
18 and make the payment in five years and Uber accept to
19 affiliate it, then Uber deactivated him without
20 notification by a false report from one of those
21 passengers.

22 I have here many, many sad stories through many
23 drivers at LaGuardia Airport. They've been
24 deactivated, unfairly deactivated. Thousands of
25 drivers have been deactivated. I have also - I came

2 today to explain the importance of bill 276 for the
3 driver, even though I am not deactivated. I want to
4 update my car and I worry about to update my car
5 because of the unfair deactivation or the lockout.
6 We have temporary lockout. I can say it's not
7 lockout, it's a temporary deactivation. The lockout
8 now its temporary deactivation.

9 So, if we open now, like I'm working for Lyft, a
10 driver working for Lyft and you can see he cannot go
11 online because he got a temporary deactivation which
12 is lockout. So, please, I'm coming here to confirm
13 and support 276. Thanks so much.

14 CHAIRPERSON BROOKS-POWERS: Thank you. We'll try
15 to get Glenn Velofsky again.

16 SERGEANT AT ARMS: Glenn, you're unmuted. Can't
17 hear you Glenn.

18 CHAIRPERSON BROOKS-POWERS: Is he on?

19 SERGEANT AT ARMS: Yes, he's on. Glenn, you're
20 unmuted.

21 CHAIRPERSON BROOKS-POWERS: Alright, we'll give
22 it a minute, we have another member of the public in
23 person that we'll call up shortly. We are now
24 calling up Nima Sange Sherpa.

2 UNIDENTIFIED: I'm talking on behalf of him. My
3 name is Nima Sange Sherpa. His story is that he was
4 driving with Uber a long time ago. In 2020, he was
5 driving on a highway. He has a [INAUDIBLE 05:19:15]
6 in his eyes and he has to brake it because traffic
7 was very bad. So, passenger filed a complaint that
8 driver is sleepy. So, they deactivated him. After
9 that, he talked to them, he explained them. Next
10 day, they opened his app and he started working
11 again. After a couple of months, he was taking a
12 passenger to JFK Airport. The girl was sitting
13 behind the seat, she moved to the front and she
14 started playing with the radio and she distracted him
15 and they passed the yellow light and then they filed
16 a complaint and since 2020, they permanently got
17 deactivated. That's basically the story. So, he's
18 been waiting the last 40 years to be activated, to
19 reactivate and they're saying it is very unfair.
20 They should be such an independent, the judge should
21 decide, call both party and they should decide if
22 he's guilty or not guilty and they should not have to
23 deactivate driver like this. That's it. Okay, thank
24 you.

2 CHAIRPERSON BROOKS-POWERS: Thank you. Can we
3 see if Glenn Velafsky is available again?

4 SERGEANT AT ARMS: Glenn if you're on, you may
5 begin.

6 SERGEANT AT ARMS: Glenn, we can't hear you.

7 CHAIRPERSON BROOKS-POWERS: If we have
8 inadvertently missed anyone that has registered to
9 testify today and has yet to have been called, please
10 use the Zoom hand function if you are testifying
11 remotely and you will be called in order that your
12 hand has been raised. If you are testifying in
13 person, please come to the dais.

14 SERGEANT AT ARMS: Glenn, you're unmuted.
15 Unfortunately, we can't hear you.

16 CHAIRPERSON BROOKS-POWERS: If there's technical
17 difficulties with Glenn, we ask that you submit your
18 testimony in writing for the record.

19 With that, we thank everyone who took part in
20 today's hearing and we look forward to continue
21 discussions around these very important topics.

22 SERGEANT AT ARMS: Oh Chair?

23 CHAIRPERSON BROOKS-POWERS: Yes.

24 SERGEANT AT ARMS: Someone has their hand up.
25 Uhm, Ugyen Pema.

2 CHAIRPERSON BROOKS-POWERS: Can you repeat the
3 name?

4 SERGEANT AT ARMS: Ugyen Pema.

5 CHAIRPERSON BROOKS-POWERS: Ugyen Pema, okay.

6 SERGEANT AT ARMS: Yeah, I'll unmute you now.

7 UGYEN PEMA: Hello.

8 SERGEANT AT ARMS: Hello, you are unmuted.

9 UGYEN PEMA: Okay, hi, good afternoon. Thank you
10 Chairwoman Brooks-Powers and members of the
11 Transportation. My name is Ugyen and I'm a Tibetan
12 New Yorker. I live in New York more than 26 years
13 and I live in Jackson Heights Queens. I'm a taxi
14 owner driver. I drive more than 20 years and I'm
15 here to support the Introduction under Council Member
16 Julie Won to make Losar a Tibetan New Year holiday
17 for alternate side suspended. So, I would like to
18 thank Julie Won. And then Tibetan New Year is
19 actually very important for Tibetan and Sherpas from
20 Nepal. And then I'm also part of the India. We have
21 a lot of people in New York City. So, we would like
22 to celebrate with the families and especially the
23 first day we build monastery, temple, do the prayers
24 and just like other communities who celebrate Eid,
25 Christmas, or other holidays. So, we want not to

2 worry about getting a parking ticket or move the car
3 to the other side, so we could have piece of mind.
4 So, I would like to I mean, I would very appreciate
5 that you pass this bill.

6 And another thing is I'm a taxi driver is though
7 I have the city and TLC, I want to request that in
8 New York City there's disruption with the doorman and
9 the drivers. Some of the drivers, they made a group
10 app so they could have a connection with a lot of
11 doormen, especially in Manhattan midtown hotels. So,
12 to get a job, to have a job like LaGuardia, we have
13 to pay \$6.00 to doorman. \$10, \$12 at JFK and then -

14 SERGEANT AT ARMS: Your time has expired. Thank
15 you.

16 CHAIRPERSON BROOKS-POWERS: Thank you. We ask if
17 you would like, you can submit written testimony for
18 the remainder of your statement. Again, if we have
19 inadvertently missed anyone that has been registered
20 to testify today and has yet to have been called,
21 please use the Zoom hand function if you are
22 testifying remotely and you will be called in the
23 order that your hand has been raised.

24 If you are testifying in person, please come to
25 the dais.

2 Hearing none, we will now adjourn this hearing.

3 We will close out this hearing. Thank you and have a

4 great day. [GAVEL]

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

C E R T I F I C A T E

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



Date October 20, 2024