

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON TRANSPORTATION

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April 06, 2016
Start: 10:30 a.m.
Recess: 10:55 a.m.

HELD AT: 250 Broadway - Committee Rm, 14th Fl.

B E F O R E:

COUNCIL MEMBERS:

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

[sound check, pause]

[gavel]

CHAIRPERSON RODRIGUEZ: Good morning

everyone, especially my good friend Eric from my district that I have the honor to have as one of the strong(?) boys always advocating for New Yorker's with disabilities. Good morning and welcome to today's hearing of the New York City Council Transportation Committee. My name is Daniel Rodriguez, chair of the transportation committee and I am joined by my colleague's council member Richard Menchaca, Koraney Baca-Miller, Jean VanBramer, Constantine Yetes, and Bob Reaney.

Today we will vote on six bills including a package aimed at improving efficiency while bringing poverty(?) and transparency so that taxes aimed for higher vehicle industries. Additionally, we will vote on a bill that has received a great deal of attention over the past two weeks related to pedestrian plaza's.

The first bill Intro 1095-A, introduced by myself, will create a universal driver's license. The universal license will combine the two separate taxes and for higher vehicle licenses into one

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2 allowing driver's to easily switch classes without
3 the burden of receiving two separate licenses.

4 The second bill, Intro 1096-A, which I
5 also introduced, will raise fines on all known Yellow
6 Taxi driver's who illegally pick up passengers in the
7 designated area down 96 and 110 Street in Manhattan,
8 La Guardia, and JFK.

9 The third bill, Intro 1092-A, introduced
10 by council member Lance Merimoo(?) will ease
11 requirements for vehicle retirement for black cars
12 allowing them to remain on the road so long as they
13 pass vehicle inspection.

14 Next, we will vote on Intro 685-A,
15 introduced by council member Garani(?) and myself,
16 which will require livery basis, black car basis, and
17 luxury limosine basis to ensure sensitive information
18 collected from passengers such as addresses or credit
19 card information is fully secure. They will also be
20 required to report any security breaches to inform
21 consumers that their information may be in jeopardy.
22 As more of this industry turns to technology to
23 streamline operations, consumers must be assured that
24 their sensitive information is in no way vulnerable.

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2 We will also vote on Intro 1080-A,
3 sponsored by speaker Melissa Margrevirito(?), council
4 member DAngarani(?), and myself which will require
5 all black car and limousine companies to provide a
6 fair "estimate" to a trip with a resulting fair
7 required to be no more than 20% of the stated price.
8 This transparency in pricing is important in an area
9 where many riders have issued concerns over surge(?)
10 in dynamic pricing that makes it difficult to pin
11 down the final price of a ride.

12 Lastly, we will vote on Intro 1009-B,
13 introduced by council member John Songarani(?),
14 Lander, Torres, and myself that will grant
15 jurisdiction of a public pedestrian plaza's so that
16 the Department of Transportation in order to ensure
17 that they are regulated. This bill has stirred some
18 controversy over the proposed plans for Times Square
19 which I visited yesterday to hear concerns put
20 forward by many of the people who work to make a
21 living there. I want to be clear that this bill and
22 the steps the DOT have presented are not in any way
23 targeting a particular group or groups of individuals
24 as we understand and respect the right of those known
25 as custom characters(?) in this (inaudible) to earn a

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2 living. The bill we will vote on today seek to
3 better solidify the place plaza's in our city making
4 them an official public space similar to our parks
5 and beaches and hopefully at the end of this process
6 the DOT and their many plaza's partners(?) will be
7 collaborative, innovative, and successful in crafting
8 a Times Square that we can all enjoy. We must
9 remember that before there was ever a Times Square
10 Plaza, there was a busy intersection always filled
11 with cars as pedestrians spilled into the street
12 creating a very dangerous situation. Since that
13 time, our problems have changed. We now love and
14 appreciate this plaza and we are instead discussing
15 how to best manage it so that all users can benefit.
16 Before we vote, I would like to make this proposal,
17 this bill is not about Times Square, it is about the
18 over 60 plaza's built on the way and many more we
19 hope to have in the future. As the DOT draws up
20 rules for Times Square, I want to propose that a
21 substantial amount of space is allocated to the
22 custom characters(?) with clear signage to encourage
23 New Yorker's and tourists to offer tips for any
24 photos taken. Second, at least 20% of Times Square
25 and other plaza's across the city should be

1 specifically designated for cultural and educational
2 activities. Third, the business community that have
3 benefited tremendously from this plaza, should work
4 with smaller plaza's in the outer boroughs to provide
5 for programming and upkeep to ensure we do not
6 fail(?) a tale of two cities when it comes to our
7 plaza's. I am encouraged by the plaza bill and
8 believe it will be a great benefit to our city. For
9 this reason, I encourage my colleagues to vote aye on
10 1009-B as well as the rest of the bills under
11 consideration today. Before we will take a vote, I
12 would like to ask my colleague, council member
13 Dangarani(?) to say also a few words.

14 COUNCIL MEMBER DANGARANI(?): Thank you
15 Mr. Chairman. I will be very brief. We certainly
16 have covered this territory in great depth over the
17 past number of weeks and even months. First, on
18 1109, on the plaza's, I want to thank you for your
19 support and encouragement and the depth with which we
20 went into this issue at the hearing as well as
21 council member Cory Johnson who is the lead sponsor
22 of this bill. We all have enjoyed the results of the
23 pedestrian plaza's since they were first proposed.
24 They provide more open space for the city. They
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2 limit interactions between pedestrians and cars and
3 the number of crashes is down. But these positive
4 changes have brought new challenges for us; a growing
5 number of bad actors have taken advantage of the new
6 spaces to harass tourists and New Yorker's alike and
7 one of the goals of the legislation is to bring an
8 end to this kind of harassment and to bring some
9 order out of the chaos. Each of the 53 pedestrian
10 plaza's currently in the city and the 20 that are in
11 the pipeline, is unique and they are each going to
12 require their own set of rules for their site
13 specific conditions and that is why Intro 1109 lays
14 out what DOT should take into account when
15 determining how to regulate each plaza. These
16 plaza's are not streets, they are now public spaces
17 and they need to be regulated as such. This bill
18 would give us the ability to devise such site
19 specific rules and to make sure that plaza's are
20 respectful of the communities in which they sit.
21 Now, as the chairman pointed out, this bill is not
22 about Times Square specifically. Times Square
23 happens to have one very significant plaza of the 53
24 in the mix and after we pass this bill, we will be
25 looking to the Department of Transportation to move

1 quickly and thoughtfully to make rules specific for
2 Times Square. We know that Times Square has special
3 qualities, that it is quirky, and that it is weird,
4 and it is eccentric and all of those things and we
5 want to preserve that. But we also need to find a
6 way to protect people who are simply there to observe
7 or pass through or want a clear passageway to get
8 from one block to the next. If you are going to
9 Times Square and you want to take a picture with an
10 Elmo or a Spider Man or Naked Cowboy or whoever,
11 that's great. Go for it. More power to you. But is
12 you want to avoid it, we are going to create some
13 space for you too and we are going to encourage the
14 Department of Transportation to do that. So I
15 appreciate where we are with this bill. We have
16 worked very hard to get it into a good place and now
17 we will move onto the next step which is the DOT rule
18 making process.

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20 As for the for hire vehicle bills, this
21 is 1080 and 658, as the taxi and for hire vehicle
22 industry evolves, consumers are too frequently left
23 playing catch up. They wonder how and why they are
24 being charged certain rates for for hire vehicles
25 than for yellow cabs. They giver personal

1 information without being certain how much access
2 drivers or the companies behind them have to the
3 data. These two bills would ensure that our consumer
4 protections are keeping pace with our technology so
5 that people are free to take advantage of the apps
6 without worrying that they don't know what it will
7 cost them both in terms of price and security of
8 their personal information. So Intro 1080 is going
9 to greatly increase price transparency and provide
10 more certainty to passengers. No surprises here. If
11 you get into a Uber or a Lift or any car of it's
12 type, and you want an estimate, you are going to get
13 one and you will be bound, the company will be bound
14 by that estimate. This is an important consumer
15 protection and one that we think will help many, many
16 New Yorker's. The changes here would apply to all
17 black car and luxury limousine services including e-
18 hail apps like Uber, Lift, and Via. Intro 658 will
19 ensure that customers will be secured against having
20 their personal information violated by a cab company.
21 A lot of information is being collected. We give it
22 willingly, in many cases, we deserve to know, as New
23 Yorker's that it is not being abused, that these
24 companies have privacy protections in place, and that
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1 if they violate their own privacy protections that
2 they will suffer a significant penalty for doing so.
3 New Yorker's deserve to have security in their
4 personal information and that is what this bill is
5 about. These bills together look to bring parody to
6 the industry and ensure that every passenger,
7 regardless of the company that they patronize, will
8 be provided with a fair and secure experience.
9 Eliminating the price uncertainty for users of taxi
10 apps and protecting their personal information will
11 greatly benefit the growing numbers of New Yorker's
12 who use these services everyday. So again, Mr.
13 Chairman I thank you. Kelly thank you so much for
14 your support and thoughtfulness on this and obviously
15 I encourage my colleagues to vote aye on all of them.
16 So thank you.

18 CHAIRPERSON RODRIGUEZ: Thank you council
19 member. And before we take the vote, I would like to
20 thank you council Kelly Taylor for all of her hard
21 work. She is like one of those 24/7 persons here
22 that is working you know for evenings and late
23 nights. So it is your hard work also. Your hard
24 work is really very appreciated by all of us. So
25 thank you Kelly. Thank to the lady director Mod(?),

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2 to special assistant to the speaker Rob Newman and
3 Deputy Chief of Staff Rolace(?) Lachen(?), Laura
4 Papa(?). I would also like to thank policy analyst
5 Johnathan Mazaranu(?), Gafar Salovas, my chief of
6 staff Carmen DeLaRosa, my deputy chief of staff Rosa
7 Murphy for their hard work on this and also
8 especially for Rosa and Carmen for their upcoming
9 coffee date that we are planning together with all my
10 colleagues on Earth Day April 22 of this year. With
11 that I would like to encourage all of my colleagues
12 to vote aye and I now ask the clerk to call the roll.

13 CLERK WILLIAM MARTIN: Roll call vote
14 Committee on Transportation. Chair Rodriguez.

15 CHAIRMAN RODRIGUEZ: Aye.

16 CLERK WILLIAM MARTIN: Garadnik(?).

17 GARADNIK(?): Thank you, aye.

18 CLERK WILLIAM MARTIN: Vecca(?).

19 VECCA: I'll explain my vote. I am going
20 to vote aye on all but I want to point out something
21 about 1096 and that is that we have problems with
22 hailing throughout the City of New York, not just
23 North of 96th Street, or South of 96th Street.

24 Although I do understand that this bill focuses on
25 that and that is a specific concern as it relates to

1 jurisdiction when we discussed the yellows versus the
2 liveries for years now on end. But you can come to
3 my borough, the Bronx, and you can see hailing taking
4 place constantly, all day every day and hailing is
5 not legal in the City of New York and when green cabs
6 and out of borough cabs were implemented by the
7 previous administration, something was supposed to be
8 done with hailing via an enforcement mechanism that
9 would be increased and meaningful and have an impact.
10 I don't see that happening. We have green cabs that
11 are disabled accessible in the city sitting in
12 garages for months on end. No one using all these
13 disabled, accessible cabs in the City of New York yet
14 we continue to have hailing. How do I know? Well I
15 see it every day in the Bronx but I have to tell you,
16 I have been hailed myself constantly. I drive a
17 Toyota. My car is a Toyota Camry. It is four door
18 black. I am hailed every week constantly. People
19 think I am a cab. Term limits, it's my next job
20 maybe. I am all set, I have the car but I want you
21 to know further that I'm all set because I am a
22 dually licensed driver and I have insurance. The
23 reason we don't have hailing in the City as a legal
24 activity is because people, when they get into a
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2 hailed vehicle, they have no idea what they are
3 getting into. We did that for the protection of the
4 customer, for the protection of the people. Yet,
5 leaving it up to the taxi and limousine commission
6 which the last sentence of this bill does,
7 authorizing them to do something by rule, they are
8 authorized to do things by rule. Leaving it up to
9 them doesn't mean that they are going to do anything
10 at all. So I'll vote for it because this bill is
11 something that I support in the. . . based on what it
12 undertakes to do but it does not undertake to do what
13 we have to do in the outer boroughs. We implemented
14 outer borough cabs. We did fantastic history making
15 legislation yet the purpose for the outer borough
16 cabs is negated when we continue to have the same
17 problems we have had all these years and enforcement
18 is not meaningful at all. So it is on that basis
19 that I will vote yes with that explanation.

20 CLERK WILLIAM MARTIN: Chen(?).

21 CHEN(?): Aye on all.

22 CLERK WILLIAM MARTIN: Van Bramer(?).

23 VAN BRAMER(?): Aye on all.

24 CLERK WILLIAM MARTIN: Richards.

25 RICHARDS: Aye on all.

1 CLERK WILLIAM MARTIN: Constantinides(?).

2 CONSTANTINIDICE(?): Aye on all.

3 CLERK WILLIAM MARTIN: Manchukka(?).

4 MANCHUKKA: Permission to explain my
5 vote.

6 UNKNOWN RESPONDENT: Yes.

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8 MANCHUKKA: So I have a couple of
9 comments specifically relating to 1109 and 1095. So
10 I will start with 10, or sorry 1109 and just you know
11 applaud the work that so much effort has gone into
12 it. The one thing that I'll say is that this next
13 step in the rules making is where I think the rubber
14 will hit the road in terms of the actual final
15 formulation of what we are going to see. I really do
16 hope, as we spoke about in the hearing, that all
17 parties are invited to the table, can continue to be
18 invited to the table, and that we really hold
19 ourselves accountable, especially when we are
20 thinking about and working with our immigrant
21 communities who are in our pauses(?) right now that
22 are engaging in entrepreneurial work and these many
23 of these are emerging economies that we need to
24 support and think and help evolve and invite them
25 into the fabric of the city. And so I hope we can

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2 bring that, continue too. And I think that both
3 council members Garadnik(?) and Johnson and the
4 agencies have done that and we can continue to do
5 that moving forward. I will vote aye on 1109. I
6 have many concerns that were expressed in the
7 previous hearing on 1095 that would require a
8 universal license. I think that the concept is a
9 good concept. Unfortunately, I'm going to vote no on
10 1095-A because I think it needs more work and I'm
11 hoping that if anyone is compelled by what I'm about
12 to say we can hold the bill just for a moment and
13 continue to work on it because I think there is a lot
14 to be said about changing the requirements and
15 forcing new courses in this industry with a lot of
16 immigrant community members and not providing the
17 adequate, which is a big issue right now with this
18 administration, the adequate adult education for
19 English speaking classes and increasing literacy in
20 all our neighborhoods. We are not there yet at all.
21 And I think that this is going to be a detriment to
22 our immigrant community within the folks of the taxi
23 and limousine commission.

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2 CHAIRPERSON RODRIGUEZ: Sorry council
3 member. For your clarification, there is not a
4 requirement within the new classes.

5 MANCHUKKA(?): Okay, so then help me
6 understand that in the section, if you could, what's
7 important is that we all are clear as we move forward
8 but there is, in paragraph 3.1, upon presentation to
9 the commission of proof of satisfactory completion of
10 a commission approved course, so there's courses here
11 that are outlined that are required and will be newly
12 required. Please, and that was discussed at the
13 hearing before.

14 CHAIRPERSON RODRIGUEZ: But those are
15 still at the present time, those are requirements and
16 the other thing is that before a DOC driver's get a
17 license, not only the yellow but the for hire one,
18 they are required to have a motorcycle license, a
19 Department of Motor Vehicle license and in order to
20 pass that exam, people take the written exam in
21 English.

22 MACHUKKA(?): I understand. So that's
23 not changing, what is changing though is that this
24 new universal license will require a new education
25 component. Okay, so I am still going to vote no.

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2 There is a lot of issues here and I am hoping that we
3 get, before we get this stated, we can get a better
4 sense about what's happening through the new
5 universal license and the course requirements that
6 were presented at the previous hearing. So I am
7 feeling a little bit rushed on this bill and I am
8 hoping we can get more clarity before we get to the
9 stated. So I vote no on 1095 and yes on the rest of
10 them. Thank you.

11 CLERK WILLIAM MARTIN: Miller.

12 MILLER: Permission to explain.

13 CHAIRPERSON RODRIGUEZ: Yes.

14 MILLER: I'm going to actually vote aye
15 on all but as it pertains to 1109, there is some
16 concern certainly about the equity of pedestrian
17 plaza's throughout the city. Particularly in the
18 outer boroughs that we have not seen the amount of
19 investment and interest from DOT. I am disappointed
20 that my pedestrian plaza has been put on the back
21 burner for reasons unknown. I think that it is a
22 great idea that this greatly enhances public safety
23 and public space within the city of New York and look
24 forward to working with DOT in the future but I vote
25 aye on all. Thank you.

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CHAIRPERSON RODRIGUEZ: Thank you.

CLERK WILLIAM MARTIN: Greenfield.

GREENFIELD: Aye on all.

CLERK WILLIAM MARTIN: We have voted ten in the affirmative, zero in the negative, and no extensions. All items have been adopted with the exception of Introduction 1095-A which has been adopted by a vote of nine in the affirmative, one in the negative, and no extensions. All items are passed.

CHAIRPERSON RODRIGUEZ: Before in closing, I would like to thank Mr. Deblasio(?) and speaker Melissa Marbarito(?) also for all their support that they have provided especially on the Times Square plaza task force. The produced great contributions. Thanks also to Tim Tomkins(?) who has also has been a great (inaudible) on his leadership not only because he has been taking care of what is important for the business community and the cultural community but also looking at his eyes when he speaks to the Disney characters. I know that he is committed to doing the best we can as a coalition to be sure that none of those men and women who work very hard to support their families, will be making

1 less than what they are making today. So we chose(?)
2 on his leadership at the most important leaders
3 together with the bid in that particular area but
4 again Mr. Deblasio(?) and Melissa, speaker Berrito(?)
5 they have also been very helpful with their staffs
6 in this approach. So with that this hearing is
7 adjourned.
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9 [gavel].
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C E R T I F I C A T E

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



Date April 20, 2016