

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FOR-HIRE VEHICLES

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March 8, 2018
Start: 1:33 p.m.
Recess: 3:44 p.m.

HELD AT: Committee Room - City Hall

B E F O R E: RUBEN DIAZ, SR.
Chairperson

COUNCIL MEMBERS: Joseph C. Borelli
Costa G. Constantines
Francisco P. Moya
Ydanis A. Rodriguez
Deborah L. Rose
Paul A. Vallone

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

Meera Joshi, Commissioner
Taxi and Limousine Commission

Vincent Chin, Assistant Commissioner
Budget and Finance
Taxi and Limousine Commission

Stephanie Toro, Outreach Coordinator
Taxi and Limousine Commission

Cassandra Sandra Perez Appearing for:
David Byer, President Committee for Taxi Safety

Nicole Epstein, Gotham Government Relations

Silvestri, Cab Driver

Nelson Vegas, Cab Driver

Lorenzo Cabrera, Cab Driver

Bridget Felix, Cab Driver

2 [sound check, pause] [gavel]

3 CHAIRPERSON DIAZ: Good afternoon ladies
4 and gentlemen. Welcome to the hearing for the Fiscal
5 Year 2019 Preliminary Budget on the Fiscal Year 2018
6 Preliminary Mayor's Management Report. I'm
7 Councilman Ruben Diaz [coughs] and I am the Chair of
8 this new committee. Before we begin, I would like to
9 acknowledge my colleagues here today, Council Member
10 Ydanis Rodriguez. Today, we will hear testimony from
11 the Taxi and Limousine Commission on its expenses on
12 Capital Budget for Fiscal Year 2019 and the Fiscal
13 Year 2018 Preliminary Mayor's Management Report. The
14 TLC propose 2019 Fiscal Expense Budget totaling \$61
15 million including \$40 million in personnel services
16 cuts and \$21 million in other than personnel service
17 costs. These represent a 27% increase since Fiscal
18 Year 2016. The personnel costs will provide for 690
19 full-time positions up from the current 520 personnel
20 positions. This is an increase in personnel of 33%.
21 The Preliminary Budget for the Taxi and Limousine
22 Commission projects [coughs] \$107 million in revenue
23 from the sale of taxi medallions even though TLC has
24 not sold a single yellow medallion since March, 20-
25 2014. The TLC will tell us today the source—the

2 source of these medallions, how many will be sold, at
3 what price they will be sold, and most importantly
4 who will finance this acquisition. Since the league
5 of new taxi owners and many other such lenders are
6 gone, currently there are no commercial lenders who
7 are loaning money for the purchase of yellow
8 medallions. It is not enough for the TLC to tell us
9 that they expect X amount or X number of medallions
10 to be sold in the private market without telling us
11 who will finance them. Without source for borrowing
12 there will not be one medallion sold. This committee
13 expects to hear from the Commission on how it
14 anticipates to fulfill its commitment to generate new
15 revenue, and what is the TLC's outlook for the value
16 of the yellow medallion. This committee also looks
17 forward to hearing about which are actually (sic) for
18 both medallion and for-hire vehicles. We wish to
19 know the Taxi and Limousine's position on a bill that
20 I introduced yesterday here, which was passed by the
21 Council yesterday. (sic) [coughs] Finally, since
22 the TLC issued its first for-hire vehicle base
23 license to Uber in 2011, app-based companies have
24 dramatic-dramatically increased in popularity
25 compared to the yellow, green and black livery app-

2 based Uber has become the single largest-largest for-
3 hire vehicles. The committee is interested in
4 hearing about the TLC's outlook on the future of this
5 private industry and its impact on medallion taxis
6 and the rest of the for-hire vehicle industry. I
7 have introduced the legislation that will create a
8 new separate capacity (sic) for this app-based
9 vehicle. I will expect to hear the TLC's views on
10 the legislation. Let me say this in Spanish.

11 [Speaking Spanish] I am saying that thank you for
12 being-for--for being here today. We--the room has
13 been close today. This room has been occupied since
14 this morning, and have been sitting there since 9:30
15 this morning, and different committees, and that's
16 why we're here today. So, I don't if my Council, my
17 colleagues if they want to say. I have to say,
18 ladies and gentlemen and Commissioner thank you for
19 being here today. I will--we had a budget committee--
20 hearing before on enforcement today. It's in budget.
21 So, I will have them (sic) defer to you, but thank
22 you for coming. [background comments] Before that,
23 you have to be-- [laughter] I do. What you got to
24 say. (sic)

2 LEGAL COUNSEL: Good afternoon. Please
3 raise your right hand. Do you affirm to tell the
4 truth, the whole truth and nothing but the truth in
5 your testimony before this committee, and to respond
6 honestly to council member questions?

7 COMMISSIONER JOSHI: I do.

8 ASSISTANT COMMISSIONER CHIN: I do.

9 LEGAL COUNSEL: Thank you. [pause]

10 COMMISSIONER JOSHI: Good afternoon. I
11 want to start out by introducing two of my colleagues
12 that are here with me today. Assistant Commissioner
13 of Budget and Finance Vincent Chin, and our Outreach
14 Coordinator Stephanie Toro, who will be providing
15 Spanish translation for the benefit of those people
16 that have come to listen to this testimony today.

17 TRANSLATOR: [Speaking Spanish]

18 [background comments]

19 CHAIRPERSON DIAZ: Commissioner, you can
20 use that—the other microphone, and keep that there.
21 This one.

22 COMMISSIONER JOSHI: Thank you for that
23 suggestion. [background comments] Good afternoon,
24 Chair Diaz, and members of the Finance and For-Hire
25 Vehicles Committees. I am Meera Joshi, Commissioner

2 and Chair of the New York City Taxi and Limousine
3 Commission. Thank you for inviting me here today to
4 present TLC's Preliminary Budget for 2019. We are a
5 small agency with a big mission, to ensure that every
6 day approximately one million passengers receive
7 safe, reliable for-hire transportation and to set and
8 enforce the ground rules for the over 180,000
9 licensed drivers and 130,000 licensed vehicles,
10 vehicle owners and thousands of business owners that
11 provide this transportation. In the face of rapid
12 industry growth, I continue to seek a constructive
13 relationship with the Council so that together we can
14 work to ensure that this vital transportation
15 section-sector thrives.

16 TRANSLATOR: [Speaking Spanish]

17 COMMISSIONER JOSHI: I would first like
18 to discuss improvements the TLC has made and our
19 continuing work to strengthen performance of our core
20 functions including licensing, and enforcement of
21 Local Law and TLC rules. Under Local Law all drivers
22 and vehicles that operate for for-hire in New York
23 City must be vetted and licensed by the TLC. This
24 means they've passed a review of their driving
25 record, criminal record and have been fingerprinted

2 and drug tested. These are fundamental public safety
3 standards that cannot be sacrificed. With the
4 increasing volume of applicants, we've focused on
5 identifying efficiencies in license—in the licensing
6 process to decrease the time to review applications
7 while also improving customer service. Many
8 licensing—licensing processes have been moved online
9 so that drivers do not have to make in-person visits
10 as they did in the past. In 2017, we unveiled TLC
11 UP, a platform for both driver and vehicle license
12 applicants that allows them to complete almost all
13 application requirements from their Smart Phone.

14 TRANSLATOR: [Speaking Spanish]

15 COMMISSIONER JOSHI: We also now allow
16 vehicle owners to schedule their own appointments at
17 times and on dates that work best for them rather
18 than having to work around a pre-determined date and
19 time. We hope to expand the system this year so that
20 applicants can self-schedule vehicle inspections at
21 our Woodside facility. Additionally, licensing staff
22 visit drivers while they're completing their training
23 to answer questions in person about the licensing
24 process. TLC drivers make roughly one million trips
25 every day, and our goal is to ensure consumer

2 protection and safety standards for every passenger.
3 To that end, the TLC regularly visits bases, taxi
4 stands and the airport holding lots and other
5 locations to update drivers on important initiatives
6 and traffic safety strategies. To recognize and
7 encourage safe driving, the TLC honors the safest
8 drivers at its Annual Safety Honor Roll. In 2017, we
9 honored a record number of 420 drivers who had no
10 crashes involving a fatality or injury, no traffic
11 violations, and no violations of the TLC's safety
12 related rule for four years or more. We thank
13 Council Members who have attended over the years
14 including Council Members Gibson, Council Member
15 Rodriguez, and Council Member Rodriguez, thank you
16 for the proclamation you've provided one year.
17 Council Member Dromm, Council Member Chin, and
18 Council Members Rosenthal and Chair Diaz, we welcome
19 your participation and the other members of the For-
20 Hire Vehicles Committee in this important Vision Zero
21 event.

22 TRANSLATOR: [Speaking Spanish]

23 COMMISSIONER JOSHI: Consumer protection
24 and safety standards cannot be effective unless
25 they're paired with enforcement. So, I want to

2 reiterate a few points from my Jan—from my February
3 12th testimony at your hearing. The goal of our
4 enforcement action is to stop unsafe and dangerous
5 behavior. As you heard from a member of the Families
6 for Safe Streets on February 12, safe driving can
7 literally be the difference between life and death.
8 I urge you to view our video *Drive Like Your Family*
9 *Lives Here*, which is now shown to all MTA bus drivers
10 and city drivers as it graphically brings home the
11 value of enforcing against unsafe drivers. For this
12 reason, we prioritize our enforcement efforts on
13 violations relating to traffic safety such as
14 speeding and distracted driving and unlicensed
15 activity. An example of this is our operations
16 combatting unlicensed van activity particularly in
17 Brooklyn and Queens and Lower Manhattan. In total
18 the TLC completed nearly 300 van enforcement
19 operations in 2017, which resulted in more than 1,300
20 summonses to unlicensed drivers and vehicles.

21 TRANSLATOR: [Speaking Spanish]

22 COMMISSIONER JOSHI: At the same time,
23 we've taken several significant steps to ensure TLC
24 regulations and penalties set by TLC rules match our
25 safety goals, and we've done this without reducing

2 the high safety and consumer protection standards
3 that set New York City apart. For example, Local Law
4 set by City Council requires us to suspend TLC
5 licenses when a driver gets too many DMV points.
6 Since 2015, TLC has allowed many drivers to take safe
7 driving courses that reinforce the rules of the road
8 prior to the hearing and avoid penalties that would
9 put them out of work for extended periods of time.
10 This reinforces safe conduct and allows them to
11 continue making money safely and legally. Since
12 2015, following a meeting including stakeholders, TLC
13 does not pursue TLC red light camera summonses if a
14 driver paid the underlying Department of Finance
15 summons. In 2017, we amended our rules to allow
16 drivers who—whose TLC license expired to renew and
17 reopen them within six months and get back on the
18 road without having to apply for a new license. In
19 2016, the Commissioners adopted a penalty review
20 package that reduced over 30 penalties. Starting in
21 2017 rather than issuing summonses for minor
22 equipment violations such as a burnt out lightbulb,
23 officers generally issue a notice of violation that
24 allows drivers to fix the problem rather than issue a
25 summons. Further, we've heard your concerns from—

2 we've heard concerns from drivers about receiving
3 field summonses in the mail instead of during a car
4 stop, and I'm pleased to say that since January 2017,
5 we've reduced the percentage of mailed summons from
6 60% to 15%. I'm proud of the work that we've done to
7 reduce regulatory burdens and fines, and encourage
8 the Council to work with us in reviewing those
9 penalties are set by this Council, and can only be
10 changed through Council action.

11 TRANSLATOR: [Speaking Spanish]

12 COMMISSIONER JOSHI: Finally, as part of
13 our outreach initiatives, we've begun to hold open
14 houses for drivers throughout the city. The drivers
15 can ask TLC enforcement and prosecution staff
16 specific questions about open summonses and their
17 rights at a hearing. We held one session in Jamaica,
18 Queens last week, and set two sessions in the Bronx
19 in late 2017. These are in addition to our regular
20 driver outreach at events across the city including
21 last Saturday's Lunar New Year celebration in
22 Elmhurst where we met with drivers in Chair Dromm's
23 district. We invite Council Members to contact us if
24 they believe their constituents would benefit from
25 these events.

2 TRANSLATOR: [Speaking Spanish]

3 COMMISSIONER JOSHI: I am happy to report
4 that the TLC has made major gains this past year to
5 make for-hire transportation in New York City truly
6 accessible, a priority for this administration. In
7 January, we officially launched the citywide
8 expansion of our accessible dispatch program. It
9 began in 2012 and was limited to pickups in
10 Manhattan, but now New Yorkers in all five boroughs
11 can request accessible taxi service at the metered
12 rate of fare by calling the Dispatch Center directly
13 or booking a trip online or through an app. The
14 program also provides drivers eco-greater economic
15 opportunities as they're paid an amount over and
16 above the metered rate of fare based on the distance
17 they travel to the pickup location. In the beta
18 launch period roughly 2,300 drivers received dispatch
19 payments of at least \$10 per trip above the metered
20 rate of fare.

21 TRANSLATOR: [Speaking Spanish]

22 COMMISSIONER JOSHI: We have also been
23 working closely with the MTA to improve Access-A-Ride
24 service. Since the beginning our collaboration in
25 2016, Access-A-Ride, customers have pre-arranged more

2 than 122,000 taxi trips by phone or online, and in
3 November 2017, the MTA launched a program to test the
4 use of a Smart Phone app to help customers access
5 real time on-demand service in TLC licensed vehicles.
6 Moving forward, we hope that TLC licensed vehicles
7 will continue to accommodate a greater volume of
8 Access-A-Ride trips.

9 TRANSLATOR: [Speaking Spanish]

10 COMMISSIONER JOSHI: Now, I'd like to
11 preview the TLC's Preliminary Budget for Fiscal Year
12 2019, which is \$60.9 million broken into \$39.8
13 million in personnel services, and \$21 million other
14 than personnel services. Our Preliminary Budget for
15 Fiscal Year 2019 represents a \$3.5 million increase
16 from Fiscal Year 2018. The budget increase is due
17 primarily to a reinstatement of funds from a hiring
18 freeze and delays this past year as well as funding
19 for accessible street hail liveries. In Fiscal Year
20 2018, we experienced delays recruiting staff to
21 perform safety and emissions inspections at our
22 facility in Woodside, Queens. As we head into the
23 new fiscal year, we will continue to work to recruit
24 staff and believe that through close coordination
25 with the DCAS we will make progress to meet our

2 needs. Technology has greatly changed the industries
3 we regulate and we need to continue investing in
4 technology to ensure we can meet our strategic goals
5 with the best analytic tools. Outreach and
6 engagement are also priorities as the numbers of
7 drivers and business entities we regulate increases.
8 We'll continue to work to improve our ability to
9 communicate with licensees about new rules or
10 programs and update our communication systems to
11 reflect today's reality that drivers are most
12 accessible through their Smart phones.

13 TRANSLATOR: [Speaking Spanish]

14 COMMISSIONER JOSHI: Overall, TLC's
15 projected Fiscal Year 2019 Revenue Budget is \$57.3
16 million not including \$107 million of projected
17 revenue from medallion sales. We are in discussion
18 with OMB about the medallion revenue, and it will be
19 re-evaluated for the Executive Budget. TLC's
20 projected revenue excluding medallions reflects the
21 fact that in January 2016, we extended the license
22 cycle from two years to three. So, we do not expect
23 to receive revenue from license renewals under the
24 new-new time table until January 2019 and, therefore,
25 revenue from license renewals will be down the first

2 half of Fiscal Year 2019. We will monitor licensing
3 revenue during the year, and work with OMB on any
4 adjustments to the projection. In the midst of a
5 greatly transformed industry, the TLC continues to
6 advance our key goals: Safety, consumer protection,
7 driver welfare and accessibility. Thank you for the
8 opportunity to speak today, and I'd be happy to
9 answer any questions you have.

10 CHAIRPERSON DIAZ: Thank you
11 Commissioner. Before we go into questions, I have to
12 recognize some of my colleagues who are here today,
13 Council Member Rodriguez already in this room, Ydanis
14 Rodriguez, Vallone--Council Member Vallone, Council
15 Member Constantinides, Council Member Cabrera,
16 Council Member Rose, Council Member Moya, and Council
17 Member Lander. Also, I would like to recognize some
18 of the--some of them in the--in the floor. We have
19 former Council Member and your City Comptroller John
20 Liu. He's visiting us with some of his students from
21 the--from the New York City University. Thank you for
22 being with us, Mr. Comptroller and also we'd like
23 recognize the leader of the taxi industry there, John
24 Martin; Lorenzo Cabrera, Donovan (sic) Rodriguez,
25 Ethel Herman, better know as 1-2-2 and there's Samuel

2 (sic) Rodriguez among many others. Commissioner, you
3 see—you see how many people we and probably you any
4 time that you speak, you see they are—they are—

5 COMMISSIONER JOSHI: They follow you.

6 CHAIRPERSON DIAZ: They follow you. How
7 many people follow you? That means that they're
8 interested in what you're saying. They are very
9 interested in what you're saying, but let me read
10 something that you said in your statement talking
11 about the-- You said—you said here—where was it?
12 Okay, I got it here. You said the goal—the goal
13 [Speaking Spanish] the goal of our enforcement action
14 is to stop dangerous and unsafe behavior. Then, can
15 you tell me what is the dangerous behavior and unsafe
16 behavior for the Taxi and Limousine Commission?

17 COMMISSIONER JOSHI: Sure. I'd be happy
18 to explain. I do feel--

19 CHAIRPERSON DIAZ: [interposing]
20 Commissioner and because in the honor of time let's
21 go concise in the—in the answers. Okay, just to
22 answer.

23 COMMISSIONER JOSHI: I'll be concise in
24 the answer. I have to proceed with three corrections
25 for the record because it's important that the record

2 is clear. The first correction: 27% increase in our
3 budget that you said at the outset was a comparison
4 between our actual budget to our projected budget.
5 That's comparing apples and oranges. The actual
6 budge is \$47 million and you compared it to a
7 proposed—a projected budget of \$60 million. If you
8 compare projections year over year, you will see that
9 our projected budget--

10 CHAIRPERSON DIAZ: [interposing] Let's
11 stop you here. We're going to go—we're going to go
12 into that. We want to go into that--

13 COMMISSIONER JOSHI: --has gone down.

14 CHAIRPERSON DIAZ: We're going to go into
15 that later. Just answer the question I asked you
16 before. We're going to go into that. I mean-[pause]

17 TRANSLATOR: [Speaking Spanish]

18 COMMISSIONER JOSHI: To answer the
19 question on what does it mean to ensure that drivers
20 are safe and to enforce against dangerous behavior,
21 we prioritize illegal activity, unlicensed activity
22 and dangerous activity on our streets. That means
23 people that are speeding 10 miles over the speeding
24 limit, running stop signs--

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20

2 CHAIRPERSON DIAZ: [interposing] Let-let
3 me-one by one: Speeding-

4 COMMISSIONER JOSHI: Running red lights.
5 Let's hold on for translation so everybody gets the
6 benefit of what you say and what I say.

7 CHAIRPERSON DIAZ: Okay. Anything else?
8 Illegal-illegal hail, that's a dangerous and an
9 unsafe behavior.

10 COMMISSIONER JOSHI: Yes. Illegal street
11 hails involve drivers that are unlicensed even if
12 they TLC car is licensed. For example, on January
13 24th our officers were attacked after they summonsed
14 a driver who was driving-

15 CHAIRPERSON DIAZ: [interposing] But I--

16 COMMISSIONER JOSHI: --a licensed
17 vehicle.

18 CHAIRPERSON DIAZ: [interposing] Ay-ay-
19 ay-ay-ay.

20 COMMISSIONER JOSHI: That individual had
21 open criminal cases for reckless driving and leaving
22 the scene of a crash and a suspended DMV license.
23 That is a dangerous condition that I don't think any
24 of us here would support our New York City passengers
25 being subjected to.

2 CHAIRPERSON DIAZ: This--[background
3 comments]

4 TRANSLATOR: [Speaking Spanish]

5 CHAIRPERSON DIAZ: So illegal hail is so
6 dangerous and so unsafe behavior that--that--that you
7 have to put a fine of \$1,500 per driver for that.

8 COMMISSIONER JOSHI: This City Council
9 over the years has looked again and again at the
10 dangerousness of unlicensed and illegal street hails,
11 and again and again and more recently last year,
12 they've continuously raised the fines for that kind
13 of activity determining rightly so that it is
14 dangerous. The drivers may not be vetted, the
15 vehicles may not be inspected, and there certainly
16 isn't the right insurance should anything go wrong on
17 that trip. So, your colleagues and now your
18 committee are the ones that have repeatedly over the
19 years and reinforced that that kind of behavior is
20 deserving of fines up to \$10,000, and I think this is
21 the point that's very important that it must be
22 translated so the entire audience hears it.

23 [background comments]

24 CHAIRPERSON DIAZ: Before you--

25

2 COMMISSIONER JOSHI: We need to translate
3 in order for this to be a real hearing--

4 CHAIRPERSON DIAZ: [interposing] I think
5 that-okay.

6 COMMISSIONER JOSHI: --where both what
7 you say and I say is understood by all.

8 CHAIRPERSON DIAZ: Alright, we're going to
9 be here—I got time. Don't worry about it. You don't
10 want them to say I got to go, because we're going to
11 be here until we finish. Thank you very much.

12 TRANSLATOR: [Speaking Spanish] [pause]

13 CHAIRPERSON DIAZ: You said that the City
14 Council was the—is the one who put—is the one that is
15 authorizing you to put a fine of—of \$10,000 for
16 illegal hail?

17 COMMISSIONER JOSHI: Yes.

18 CHAIRPERSON DIAZ: For illegal hail?

19 COMMISSIONER JOSHI: Yes.

20 CHAIRPERSON DIAZ: For—I'm going to
21 repeat myself again. For illegal hail?

22 COMMISSIONER JOSHI: For licensed drivers
23 conducting illegal hails in the Central Business
24 District or at the airports, the maximum fine is
25 \$10,000 per City Council Law.

2 CHAIRPERSON DIAZ: And when did--when did
3 they do that?

4 COMMISSIONER JOSHI: It was done last
5 year.

6 CHAIRPERSON DIAZ: I wasn't here last
7 year.

8 COMMISSIONER JOSHI: But you are now in
9 charge of the FHV Committee. So, there is a--

10 CHAIRPERSON DIAZ: [interposing] That's
11 why I want to--

12 COMMISSIONER JOSHI: --decision to
13 reassess those fines, it is within the jurisdiction
14 of your committee to do just that.

15 CHAIRPERSON DIAZ: Okay, we are working
16 on it. We will be working on it. Now, let me go to
17 the question of financial--the questions of financial.
18 Why does the agency need so many more employees?

19 COMMISSIONER JOSHI: That, I'm glad you
20 raised because that's another correction that needs
21 to be made. In the introduction you said that our
22 agency staffing has grown from 520 to 690 in the
23 fiscal year projection. Again, comparing apples to
24 oranges. 520 or actually 536 is the actual employees
25 that work for TLC. 690 is what's called our

2 authorized headcount. We are authorized to hire up
3 to 690 people. That authorized headcount has
4 remained exactly the same for the last four years.
5 Absolutely no increase in our employee capacity, and
6 our—the delta between what we actually employee and
7 are authorized has remained around 60 people. So,
8 there is no expansion of the TLC staffing whatsoever.

9 CHAIRPERSON DIAZ: I—I'm going to ask my
10 question, and maybe I should actually explain so you
11 can understand. How many employees did you have in
12 2016? Don't tell me how you was authorized to. How
13 many you have?

14 COMMISSIONER JOSHI: Around 530.

15 CHAIRPERSON DIAZ: So, now are you asking
16 to—to increase it to what?

17 COMMISSIONER JOSHI: We're not asking to
18 increase.

19 CHAIRPERSON DIAZ: Don't—don't—no like
20 don't play semantics with me please. Don't play
21 semantics with me.

22 COMMISSIONER JOSHI: No, I'm playing
23 truth with you. We are not asking for an increase.
24 We have the exact same authorized headcount that we
25 have had for four years, and the truth is important.

2 CHAIRPERSON DIAZ: Okay. What are—what
3 commercial lenders are in the system? Because
4 you're—you're planning to sell more medallions, and—
5 and you have—you have not sold one single medallion,
6 the yellow medallions in 2000—from 2014. Now you are
7 planning to sell more. So, you got 16—1,700 left out
8 of the 2,000 that they authorized you in 20—in 2012.
9 You got 16, 1,700 left. So, now you want to sell,
10 you're going to start selling those medallions. So,
11 my question is, you know, I want to know what lender
12 company are you planning to use to sell these
13 medallions?

14 COMMISSIONER JOSHI: As I said in my
15 testimony, the \$107 million that's in our budget for
16 medallion sales is being re-evaluated, and there will
17 be modifications I'm sure in the upcoming Executive
18 Budget—

19 CHAIRPERSON DIAZ: [interposing] That is
20 not my question. That is not my question.

21 COMMISSIONER JOSHI: [interposing] As to
22 your second question, as to the second part, what
23 lender will you use to—

24 CHAIRPERSON DIAZ: [interposing] Yes.

2 COMMISSIONER JOSHI: --finance? We do
3 not arrange for financing at any auction, but as you
4 know, the medallion market is without financing
5 today. Four of the lenders are under federal
6 monitoring for unsound banking practices. That means
7 they had a history of lending money without making
8 sure that the person that they were lending it to had
9 the ability to pay it back, and that's why they are
10 no longer able to operate as free-standing lending
11 institutions. There are sales today. They are
12 generally all cash sales.

13 CHAIRPERSON DIAZ: That is exactly what
14 I'm trying to get clear because if you are planning
15 to sell medallions, I wanted to know. There's no--
16 there is no--companies out there now they will be
17 investigated. They will be indicted or whatever.
18 So, there is no company that's--so are you planning to
19 sell medallions? I just want to know. This
20 committee wants to know. Who--who are you planning to
21 use if there's no--if they are not there.

22 COMMISSIONER JOSHI: [interposing] That
23 question would be relevant if (a) there was a
24 definite plan to sell medallions, and as I have
25 reiterated, the budget is constantly subject to

2 constant modification, and we're looking into it with
3 OMB for the Executive Plan that comes out in April.
4 So, that's not a reality today, and the second part
5 is we do not arrange for the financing. It is a very
6 unfortunate and disastrous that so many lending
7 institutions lent out so much money without concern
8 for how the people that they lent to would pay it
9 back. And that lack of concern on the banks has put
10 them in federal monitor--federal monitoring. We saw
11 this in the housing market. The people that lost
12 were the borrowers and the banks were okay.

13 CHAIRPERSON DIAZ: Could you--could you
14 give more or less how much a medallion costs now?

15 COMMISSIONER JOSHI: Medallion sales that
16 are on the second market now sell between \$120,000
17 and \$400,000. The reason being some are
18 foreclosures, some are bankruptcies, some have
19 financing, most do not and some are all-cash deals.
20 When they're all-cash deals the price tends to be on
21 the very low end.

22 CHAIRPERSON DIAZ: So, we--we agree that
23 the medallions has come down from \$1,500--I mean 15--
24 \$1.5 million to \$150,000 to \$125,000. So, the

2 medallion, the yellow medallion have come that-that
3 low?

4 COMMISSIONER JOSHI: On the secondary
5 market yes. Now, the \$1.3 million could be very much
6 artificially high based on the lending practices that
7 were in place then, and \$120,000 as a cash deal might
8 be artificially low, but there is no debate. There
9 has been a decline in medallion values of a
10 significant nature.

11 CHAIRPERSON DIAZ: From-from \$1.5 million
12 to \$125,000, that's a lot of drop. Do you want to
13 tell me why you think that happened?

14 COMMISSIONER JOSHI: There's been changes
15 in the way passengers are choosing to get around New
16 York City, and there's been changes in the way
17 drivers choose to work for companies that provide
18 rides. It's pretty clear that over the last four
19 years many passengers have decided to use their Smart
20 Phone to get service, and many drivers have decided
21 to work for app companies, and I'm sure many drivers
22 in you district are working for app companies as
23 well. And that popularity of service has taken away
24 trips from the medallion industry and has a-had a
25 declining effect on the values of the medallions.

2 CHAIRPERSON DIAZ: I would say—I would
3 say that true. Would you agree or do you think that
4 we need the Ubers and all those for-hire apps-based
5 culturally (sic) there should be a special
6 designation together with the rest that they should
7 be also regulated, and—and to put them to be
8 accountable like the other—the black, the yellow, the
9 livery and everything else? Because if you have a
10 company here like Uber and Lyft and are not just
11 running wild without no one to control them, and no
12 one to regulate them. Do you think that that's a
13 category? (sic)

14 COMMISSIONER JOSHI: I do agree, which is
15 why we regulate Uber and the black car sector as a
16 black care base. That's being done today. There are
17 two places in the world that do that, London and New
18 York, and there's no other place in this country that
19 regulates Uber and Lyft under the same regulatory
20 system as the rest of their for-hire vehicles, and
21 I'm proud to say New York is the place where it
22 happens.

23 CHAIRPERSON DIAZ: I have no more
24 questions. I'm going to allow my colleagues to ask
25 you questions, but before I allow them to do, do you

2 want to tell me that Uber falls into the black car
3 category?

4 COMMISSIONER JOSHI: Uber like many other
5 apps and black car bases use apps to get customers
6 and connect drivers to those customers. They're 90%
7 non-cash, which many other black car bases are, and
8 they meet the other requirements. So, they fall
9 under the rubric of black car based regulatory
10 system, and they have the same rules with respect to
11 sales tax and Workers Comp and commercial insurance
12 that the other black car bases have.

13 CHAIRPERSON DIAZ: The black has--has--they
14 have some requirements that Uber doesn't--will not.
15 How many black cars do we have?

16 COMMISSIONER JOSHI: Uber cars are black
17 cars.

18 CHAIRPERSON DIAZ: Yeah, they're black--
19 black cars.

20 COMMISSIONER JOSHI: There's no
21 distinction.

22 CHAIRPERSON DIAZ: Yes, you do.

23 COMMISSIONER JOSHI: There's no
24 distinction. They're all black cars.

2 CHAIRPERSON DIAZ: [interposing] When it
3 comes-when it-Commissioner, when it comes to
4 regulation, you-I disagree with you.

5 COMMISSIONER JOSHI: [interposing] Please
6 tell me what you think the distinction is between a
7 black car and an Uber car in regulation.

8 CHAIRPERSON DIAZ: I'm going to hold my--

9 COMMISSIONER JOSHI: [interposing] Please
10 tell me because you said there is a distinction.
11 It's important that we know what it is.

12 CHAIRPERSON DIAZ: I will go back to you.

13 COMMISSIONER JOSHI: Okay.

14 CHAIRPERSON DIAZ: I have some of my
15 colleagues Rodriguez, who used to be the Chairman of
16 this committee and--

17 COMMISSIONER JOSHI: [interposing] I
18 worked with Chair Rodriguez very well especially on
19 some of the items that affected the yellow taxi
20 industry, and gave them some more freedom of sales
21 and ability to access more drivers.

22 CHAIRPERSON DIAZ: You're working very
23 well with me, too. [laughs]

24

25

2 COMMISSIONER JOSHI: I wish you would
3 work well with me, but you like to fight. So, we
4 can't get anything done.

5 CHAIRPERSON DIAZ: Oh, yeah, we will.
6 Believe me. [laughter] Councilman Rodriguez.

7 COUNCIL MEMBER RODRIGUEZ: Thank—thank
8 you Chair. So, following the question, how many app
9 Uber cars do we have today in New York City?

10 COMMISSIONER JOSHI: Cars affiliated with
11 an Uber base is about 65,000.

12 COUNCIL MEMBER RODRIGUEZ: And—and most
13 of them they are registered as a black car, right?

14 COMMISSIONER JOSHI: Yes.

15 COUNCIL MEMBER RODRIGUEZ: Most of them.
16 I think that, you know, we are in the middle of a
17 crisis, and so I have to say in a sense that, you
18 know, there's a new company that they come will all
19 those billions of dollars. So, when we try to
20 regulate, here they go putting millions of dollars
21 and they got the apps because this is about
22 destroying the small one in order to create that
23 monopoly. That's where we are today in 2018. I
24 believe that New York City is a place where we have
25 8.5 million New Yorkers and more that 50 million

2 tourists. This is a place for everyone to do great
3 for the black car, the tradition of black car that
4 they used to have a bank account. They used to be
5 subscribed with a Goldman Sachs, and also Lehman and
6 all those companies for them to continue operating
7 providing them services, and there for the livery to
8 continue providing their services in the outer
9 borough community. You know, bases, and I know from
10 the Seaman, Riverside, Bailey. I drove Bailey when
11 it used to be a—a university in Cambridge and I used
12 to be a cabby car. I used to be one of the students
13 going to school at night and during the day time and
14 having my car at night. So, last year, as you said,
15 and I'm going to say if you're listening in Spanish:
16 [Speaking Spanish] So, what I said that when we were
17 discussing to include the penalty, the fine one of
18 the things was about on the table increasing the fine
19 to the whole city to the five boroughs. Then we came
20 out with the conclusion to increase it up to the
21 \$10,000 only to the Midtown area, JFK and La Guardia.
22 I think that we need to put everything back on the
23 table. Should we put a cap? Because I agree with—
24 with the Chairman here. You know, Uber is not black.

2 Uber is livery, but they don't have to follow the
3 same rules and regulations. [Speaking Spanish]

4 CHAIRPERSON DIAZ: [interposing] Isn't
5 that an industry?

6 COUNCIL MEMBER RODRIGUEZ: No, that's
7 what I said that Uber is--no that--that I think that we
8 should [applause] that we should put everything on
9 the table, and I think that, you know, the--the
10 chairman--

11 CHAIRPERSON DIAZ: [interposing]
12 Councilman, Councilman, the Commissioner asked me
13 before to show the difference between Uber and black
14 cars and whatever. I'm saying that Uber is getting
15 away with murder, but she doesn't agree. I mean you
16 agree with me.

17 COUNCIL MEMBER RODRIGUEZ: I--with the--

18 COMMISSIONER JOSHI: [interposing] I--I
19 have to just say I asked you a specific question:
20 Please tell me the regulation that's not applicable
21 to Uber that's applicable to the black cars. I
22 didn't talk about murder. [pause]

23 CHAIRPERSON DIAZ: When we went to make a
24 point and I know--I know you know that, but let me
25 refresh my memory just in case because I know where

2 you're going. When we went to make a point of
3 somebody doing things that other people cannot do, we
4 say getting away with murder. It doesn't mean
5 they're murdering people. So, want to make that
6 clear when I say Uber is getting away with murder,
7 I'm saying it's getting away with a lot of things.
8 How are people going to do now? You know what you
9 did last year with the City Council you killed all
10 those green cars. Could you—giving away 10,000—I
11 mean who can sit—who-which—which human being
12 [applause] which human being?

13 COMMISSIONER JOSHI: I think you need to
14 look--

15 SERGEANT-AT-ARMS: [interposing] Quiet
16 down, quiet down, please.

17 COMMISSIONER JOSHI: [interposing] I
18 think you need to take--

19 CHAIRPERSON DIAZ: [interposing] I think
20 that maybe we could work together.

21 COMMISSIONER JOSHI: I think you need to
22 take a look at the law when it was enacted. I think
23 Council Member Rodriguez can then—can give you all of
24 the details about how that law came to be last year,
25 and how the \$10,000 fine applies to Manhattan Central

2 Business District and the airports. So, there's more
3 information about how that law came to be on the
4 table around you than on the table around me.

5 COUNCIL MEMBER RODRIGUEZ: Again, going
6 back to the same suggestion. One is I believe that
7 Uber and Lyft they should be in discussion and they
8 should be rated yes as a livery because if they want
9 to take advantage of the opportunity that New York
10 City provides to everyone, if they want to go be a
11 black car, go back to the 1990s on what the black car
12 used to be, and while still today some black company
13 continue providing these services. But they cannot
14 pretend that they can continue as being registered as
15 a black car and serving as livery. I also believe,
16 and this is something that I started discussing with
17 the commissioner, I hope that with the chairman also
18 we continue making progress. We should not give
19 those fines to the motor-through the Motor Vehicle-to
20 the drivers and also give this-maintain another fine
21 for the same amount of money that drivers are being
22 paid already. I think that we made progress, but I
23 believe that there's a space where we still can make
24 more progress. [Speaking Spanish] [applause]
25 [Speaking Spanish] There's a reality. There's like

2 whatever method we've been used with the fine giving
3 and then to the Motor Vehicle, but also to the TLC, I
4 think that we should revise those numbers. [Speaking
5 Spanish] Thank you.

6 COMMISSIONER JOSHI: As a—as a leader in
7 the Vision Zero initiative, which I know you are—
8 we've—we've discussed frequently the importance of
9 maintaining street safety and while I certainly agree
10 that any law that is confusing needs to be re-
11 evaluated, and I believe the Critical Driver Program
12 is very confusing, and it doesn't do what it's
13 intended to do. We must be careful to make sure we
14 preserve sanctions against people who are reckless on
15 the road.

16 COUNCIL MEMBER RODRIGUEZ: Agree a 100%.
17 [pause]

18 CHAIRPERSON DIAZ: Also, we got Council
19 Member Borelli, and now Council Member
20 Constantinides, do you have questions?

21 COUNCIL MEMBER CONSTANTINIDES: Thank
22 you, Mr. Chair. So, you talked about 65,000 Ubers on
23 the road currently. How many are being added by
24 week?

2 COMMISSIONER JOSHI: Could you say that
3 again.

4 COUNCIL MEMBER CONSTANTINIDES: How many—
5 how many Ubers? We have 65,000 now

6 COMMISSIONER JOSHI: [interposing] By
7 week. Yes.

8 COUNCIL MEMBER CONSTANTINIDES: How many
9 are we adding per week, per month?

10 COMMISSIONER JOSHI: So, I—in 2015, I
11 testified at the hearing on the cap.

12 COUNCIL MEMBER CONSTANTINIDES: I
13 remember. [laughs]

14 COMMISSIONER JOSHI: At that time, it was
15 about 2,000 vehicles coming in every month. That
16 hasn't changed. It's still 2,000 vehicles coming in
17 every month. They don't all stay, but the growth
18 over time is significant.

19 COUNCIL MEMBER CONSTANTINIDES: So, we're
20 talking about 65,000 today, but by the end of this
21 year, we're talking about somewhere in the
22 neighborhood of what? Another 24,000 give or take?
23 So, we're talking about close to 100,000 cars on the
24 road?

2 COMMISSIONER JOSHI: We currently have
3 over 120, 130,000 cars that are licensed by us, and
4 if the pace continues, yes that number will continue
5 go up.

6 COUNCIL MEMBER CONSTANTINIDES: I mean
7 as—as far as Uber, I chair the Environmental
8 Protection Committee, and as a member of this
9 committee I share our chairman's deep concern about
10 us not doing enough when it comes to E-hail. We need
11 to come up with some sort of rational policy here,
12 one that, you know, gets to them. We're trying to
13 encourage people not to be on the road, but we have,
14 you know, 2,000 Uber cars coming onto the road every
15 single month. We, you know, as far as traffic safety
16 and Vision Zero that's not good for traffic safety.
17 It's not good for the medallion owners that are
18 seeing their life savings, their entire net worth go
19 down every single day, and it's surely not helping
20 the drivers who are having to share a, you know,
21 smaller part of the pie every day. Those 2,000
22 drivers I'm sure are not making the money to keep
23 food on the table, and to take care of their
24 families. So, what can we do to level the playing
25 field here?

2 COMMISSIONER JOSHI: I would certainly
3 welcome working with the Council. As you're well
4 aware, this is within Council's jurisdiction, but
5 there are, you know, lots of opportunities to find
6 growth control mechanisms, which is an important
7 aspect of the taxi industry, the livery industry, the
8 commuter van industry, but not in the black car
9 industry, and I look forward to having discussions
10 with the Council about ways to approach that.

11 COUNCIL MEMBER CONSTANTINIDES: I-I-I
12 would echo the chair and the former chair and Chair
13 of our Transportation Committee in saying that, you
14 know, I-I would have a hard time characterizing Uber
15 as a black car. I think that's a wolf in sheep's
16 clothing. We're allowing them to run the streets
17 and-and in a way that is detrimental to our
18 environmental health, to the economic health of those
19 drivers that are both driving for them, and driving
20 in the TLC. I would strongly urges to-to sort of
21 come together here to find a way forward, and then my
22 last question, the Chair, you'll give me the
23 opportunity.

24 CHAIRPERSON DIAZ: Who is this?
25

2 COUNCIL MEMBER CONSTANTINIDES: [laughs]

3 I'm going to ask something a little bit less
4 controversial. There was a program, a trial program
5 a couple of years back. I know you talked about
6 this, a Taxi Smart Card that allowed seniors to
7 bypass Access-A-Ride by being given debit cards in
8 order to take those rides. I know that was
9 discontinued because of funding constraints. What
10 would it take to bring that back? What are we doing?
11 You talked a little bit about it in your testimony
12 what we're doing instead. How do we transition our
13 seniors to, you know, those safe rides and-and
14 getting them when they need to go to a doctor
15 appointments and so on more effectively?

16 COMMISSIONER JOSHI: So, the-you're
17 right. The-the debit card program was discontinued
18 because of banking issues with using the debit cards,
19 but we are, and I believe Assistant Commissioner Chin
20 can provide more details in discussions with the
21 Department for the Aging about how we can coordinate
22 so that seniors can take advantage of programs using
23 taxis and have more efficient and streamlined
24 service.

2 COUNCIL MEMBER CONSTANTINIDES: Are we
3 going to senior centers? Are we working with DFTA to
4 get the word out on how to better do this?

5 COMMISSIONER JOSHI: DFTA is doing that,
6 and we'll be happy to get an update from DFTA and
7 provide that to you.

8 COUNCIL MEMBER CONSTANTINIDES: I'd love
9 also if you could just come to our senior centers as
10 well, and coordinate with me to make sure that we're
11 getting that because that's the program that my
12 seniors-

13 COMMISSIONER JOSHI: [interposing]
14 Excellent.

15 COUNCIL MEMBER CONSTANTINIDES: --talk to
16 me everyday about is that when is the Taxi Smart Card
17 coming back?

18 COMMISSIONER JOSHI: [interposing] We'll
19 certainly work on that because that is the purpose is
20 providing transportation for those who need it.

21 COUNCIL MEMBER CONSTANTINIDES: Alright,
22 thank you very much. Thank you, Mr. Chair. Thank
23 you, Commissioner. [pause]

24

25

2 CHAIRPERSON DIAZ: And now we—I'm going
3 to allow—I am going to give the floor to Council
4 Member Lander.

5 COUNCIL MEMBER LANDER: Thank you very
6 much, Mr. Chair. Thank you, Chair Joshi for being
7 here. I will start by associating myself with the
8 concerns expressed by all of the three of the folks
9 that have spoken before me, by the Chair, by Council
10 Member Rodriguez, and by Council Member
11 Constantinides about the chaos and harm caused by the
12 explosion of Uber and Lyft cars, and I'll just, you
13 know, flag I supported that was proposed by the
14 administration last term, and that his Council
15 unfortunately in my opinion rejected, and I would
16 still support. So, another possibility to look at is
17 to consider going back to some sort of cap, which we
18 looked at before, and—and I think we should consider
19 again. I also support establishing FHV driver pay
20 regulations to make it more possible for those FHV
21 drivers to earn a living on the model of the kinds of
22 regulations that are in place for—for yellows. I
23 know that's something that the—the TLC is taking a
24 look at. Can you give us a little update on that
25 process and—and where it is?

2 COMMISSIONER JOSHI: Yes, we—we do
3 regulate for taxi drivers. We provide income
4 protection for them through our lease caps. We had a
5 very long hearing with lots of FHV drivers talking
6 about how their income was going down due to the
7 increased competition and them getting less work.
8 So, we are actively looking into how we can provide
9 the same level of income protection for licensed for-
10 hire drivers.

11 CHAIRPERSON DIAZ: [off mic] You said
12 you had a lease—a lease cap removal.

13 COMMISSIONER JOSHI: We have the lease
14 cap rules for medallion taxi leasing and medallions.

15 CHAIRPERSON DIAZ: Are you for Uber.
16 (sic)

17 COMMISSIONER JOSHI: What I said to
18 Council Member—

19 CHAIRPERSON DIAZ: But no.

20 COUNCIL MEMBER LANDER: This was the
21 question that I asked, and she just answered that
22 they are looking at this very thing. What we could
23 be doing to be honest, Chair--

24 COMMISSIONER JOSHI: [interposing] Again,
25 if we continue to compare things--

2 COUNCIL MEMBER LANDER: [interposing]

3 And—and I'll be honest, Chair--

4 COMMISSIONER JOSHI: [interposing] --

5 without a real association, I don't know if this is a

6 productive conversation. I would like to work

7 productively with you. I think there's opportunities

8 for that, but let's get down to work.

9 CHAIRPERSON DIAZ: Let me—let me just--

10 COUNCIL MEMBER LANDER: [interposing] Mr.

11 Chair, I'll just point out we could do that by

12 legislation in the City Council--

13 CHAIRPERSON DIAZ: Yeah. We just need

14 one.

15 COUNCIL MEMBER LANDER: --and we have

16 not, and they went ahead and had a hearing, and had

17 hundreds of people come out, and explore the

18 possibility of—of doing it. So, I do think it's

19 important to give the props and the credit where it's

20 due—

21 CHAIRPERSON DIAZ: [interposing] We do.

22 COUNCIL MEMBER LANDER: --advance of the

23 City Council. Unfortunately, in my opinion, the Taxi

24 and Limousine Commission is out in front of us and

25 trying to figure out driver pay regulations for Uber

2 and Lyft drivers. Of course, it would be wonderful
3 to do by Local Law. Another example of that is that,
4 you know, it's many years ago that the TLC looked to
5 establish some form of driver benefits program. It's
6 something the chair and I have talked about on a lot
7 of occasions, but this Council still has not given
8 them the authorization to do it. A court found that
9 they don't have—they lack the authorization to
10 establish drivers. Am I—am I correct in this that
11 the court found that TLC lacks the authorization to
12 establish driver benefits, but that you would be open
13 to exploring it if we worked together, Mr. Chair and
14 this Council on establishing the—the regulatory, you
15 know, the framework that would enable you to do it.

16 COMMISSIONER JOSHI: Yes, it's—I mean
17 it's important. There's more and more 1099 workers
18 that don't have the protections of wage protections
19 or benefits protections. We did in 2012-2013 try to
20 provide that for drivers but the court decided that
21 we didn't have the jurisdiction.

22 COUNCIL MEMBER LANDER: So, I—I hope, Mr.
23 Chair, we can work together with—with the TLC on
24 these driver regulations and identification. (sic)

2 CHAIRPERSON DIAZ: [interposing] But let
3 me—let me—let me say for the record that you
4 contemplate, you see they have used this committee to
5 people like you. Did anyone defend theirs, their own?
6 So, when you see how your community is being abused
7 here how men and women mostly immigrants, mostly
8 Hispanics most—most of them being abused with tickets
9 of \$10,000, \$1,500, \$3,000, and you continue seeing
10 those abuses day after day and then you continue
11 seeing that the majority of summons and money coming
12 to the TLC is in—in summonses such as illegal hail,
13 then you say, but why? Then you say is—is
14 frustrating. So I decided that I wanted to run for
15 City—for the City Council to see if I could help. I
16 want—I'm here to thank you, to—to help, but—but no.
17 For how long these abuses going to go? \$10,000 when
18 you say for illegal hail, what—what are we doing?
19 What—what are we doing, and then say, oh, this is—
20 this is not a—a good conversation. This is the only
21 that we have to make—to make people listen. Now,
22 you're saying that last year the City Council decided
23 to punish the—the—the—this ride with \$10,000 for
24 illegal hail to protect—to protect the yellow, but
25 then after you do that, then you allow one way to

2 come to destroy the yellow. So, this is something
3 that we have to end, and-and-and ladies and
4 gentlemen, I'm sorry to--this has got to be changed.
5 Something got to be done.

6 COUNCIL MEMBER LANDER: And that--and Mr.
7 Chair, I, you know, again I--I agree there's real--this
8 is a system that is in dramatic change, and that we
9 haven't done enough. You know, I just feel like a
10 few cases like with the cap like with driver benefits
11 and like with pay regulations there's more, you know,
12 that the--the--the TLC has been out in front of us. I
13 have a couple of other questions I just want to ask.
14 First, you're engaged in a lot of initiatives right
15 now, the FHV Pay Regulation, the Expanding FHV
16 Accessible Dispatch to the five boroughs, which we
17 did at Borough Hall, and you had some numbers about,
18 the expansion of Access-A-Ride that you discussed,
19 the establishment of the trip tracking so that we
20 could do the accessible dispatch and the--some of the
21 safety regulations. So, all of that is in this
22 budget, and it's a relatively modest increase?

23 COMMISSIONER JOSHI: Yes. Another thing
24 that's in this budget, which is important I think
25 for--to point out is there's \$9 million of money that

2 we can give out to people that purchase—that purchase
3 green taxi permits for accessible vehicles. In
4 addition to that, we established a grant program so
5 we can help you finance the vehicle, and we can pay
6 you every year for the maintenance cost of that
7 vehicle four years in a row, and I'm going to refer
8 to Vincent? What is the yearly?

9 ASSISTANT COMMISSIONER CHIN: \$4,000.

10 COMMISSIONER JOSHI: So, it's \$4,000 a
11 year and \$15,000 towards the purchase.

12 ASSISTANT COMMISSIONER CHIN: \$14,000.

13 COMMISSIONER JOSHI: \$14,000—so \$9
14 million of the dollars that are in our budget is
15 money that we want to give to people to buy
16 accessible green taxis. They'll get \$14,000 when
17 they purchase the taxi, and they'll get \$4,000 each
18 year afterwards towards the maintenance. Then the
19 drivers can get additional money by using—being part
20 of accessible dispatch about \$10 extra for every
21 ride. ASSISTANT COMMISSIONER RAND: Access-A-Ride is
22 using green taxis. The majority of their trips that
23 they're doing through taxis, and if it's an
24 accessible green taxi, there is also a \$10 bump up
25 for the driver for each of those rides. So, there is

2 a lot of potential for drivers to make additional
3 income, and I think more exciting there's a lot of
4 potential for people that haven't been able to get
5 around the city in mainstream ways to finally be able
6 to get that service.

7 COUNCIL MEMBER LANDER: Amen, and I'll
8 just say I mean if we could essentially move every
9 accessible Access-A-Ride ride to a green Accessible
10 Taxi if someone needs it or otherwise, we would just
11 be making enormous improvements to the service that
12 people have. They are not waiting for hours and save
13 money at the same time. So, I'm glad to know some of
14 that's in your budget. Alright, my last couple of
15 questions are around safety and—and Vision Zero. And
16 Mr. Chair, I—I appreciate your concern of not wanting
17 to see people taxed or fined beyond their means, but
18 I'll tell you this week especially in my, you know in
19 my neighborhood we had these two beautiful little
20 children killed by a dangerous driver who was not a
21 taxi or an FHV driver by any means, by any means, but
22 we all have work to do here. Most taxi and FHV
23 driver are good drivers just like most New Yorkers
24 are good drivers. Some small percentage of us are
25 dangerous and reckless drives and some small

2 percentage of FHV and taxi drivers are reckless
3 drivers and I—I want to see us doing more to make
4 sure we're focusing on those who are the most
5 dangerous and doing something about it. So, I'm glad
6 to see that you also do some focusing on the ones
7 that who are the best and reward and honor them, and
8 I hope you'll invite me next year. I would like to
9 come, and honor people who have that record, but I
10 guess especially, you know, I guess Cooper Stock's
11 mom was at the prior hearing, and she's got testimony
12 in front of us today, and just given where I am at
13 the moment, I want to ask one or two questions. I
14 noticed in your testimony that if people pay their
15 red light camera summonses you just let them pay the
16 Department of Finance charge. The—the woman, again,
17 she was not a taxi or-or FHV driver, but the—the
18 woman who killed these two kids in my neighborhood I
19 don't know if you got a chance to look at her driving
20 record, but she had run four red lights. The car we
21 don't know if it was her because they're caught by
22 the camera. That car—maybe she's from a whole family
23 of dangerous drivers, but the—the car had run four
24 red light cameras, and been speeding in four school
25 zone cameras in the last two years. So, we have the

2 data to know that car and its drivers should not have
3 been on the streets of our city before they killed
4 these kids, but because those summonses go against
5 the car, and not against the license, it's—we're not
6 doing anything about it. So, I'm going to be looking
7 at that for all of us, but I guess I do want to ask,
8 you know, how is the— In addition to the programs
9 you mentioned, is there—and in addition to the way
10 that you see who your safest drivers are to reward
11 them is something that you're doing to look at if
12 there are some reckless drivers who are driving
13 around with TLC licenses by looking at the data that
14 would tell us and making sure we take actions to
15 either make them better drivers or if they won't
16 become better drivers to take their license before
17 they do harm?

18 COMMISSIONER JOSHI: We have a program
19 where if you get, and this is also City Council law,
20 and so we enforce it, where if you get six points for
21 hazardous moving violations on your DMV license,
22 you're suspended. If you get 10 or more, you're
23 revoked. So, we do track out drivers' DMV records.
24 We also have the ability to discretionarily revoke a
25 license if someone has a bad pattern. So, the

2 example that you raised without know every detail my
3 initial reaction is that woman would not have
4 retained her TLC license because she would have gone
5 past the point threshold.

6 COUNCIL MEMBER LANDER: But that's the
7 thing and this is--again, this is not about TLC
8 specifically. They were all camera violations. So,
9 none of them went against hear license. They all went
10 against the car.

11 COMMISSIONER JOSHI: [interposing] Our
12 speeding violations when we issue them are point
13 violations. I mean they're--they're actual summonses
14 because there are speed--there are speed lidar
15 equipment and our red light ones are against the
16 driver. So, the record of the red light ticket being
17 against the driver is there. If we settle it because
18 you've paid the fine then it's okay, but that record
19 of you getting that is still there. If you run more
20 than one red light, then that's different story, and
21 the--the penalties are much higher, and we do track
22 all of that, and we put it into consideration when we
23 decide settlements, when we decide hearings, but also
24 people coming in to become licensed drivers if they
25 have a history that looks like they're unable to

2 drive safely on the road, they're not going to
3 qualify to become a driver in the first place, but,
4 you know, we've worked closely with Chair Rodriguez
5 and you no a lot of the Vision Zero initiatives, and
6 there's just no amount of, you know, there's not
7 amount of compensation for what happens when people
8 are reckless on the road, and I do have to say it's
9 also our drivers that suffer. Last year, a TLC
10 driver was killed when a reckless driver hit them as
11 they were right outside of their vehicle. So, this
12 touches all of us. None of us are immune from it,
13 and it really is about teaching people to drive more
14 safely. Those are the fines we don't want to give
15 out because that means somebody is posing a danger to
16 others around them, and it will be a good day when
17 we're not fining people for reckless behavior.

18 COUNCIL MEMBER LANDER: So, I'd like to
19 follow up with you, and think a little more about
20 what those algorithms you use are so that if we're
21 going to apply them more broadly in the general
22 population, we're learning from some of what you've
23 seen, and I—you know, I—I—I share the goal of making
24 sure our regulations are smart, and we ought to be
25 looking at the laws and finding ones that if we don't

2 think they're aligned perfectly, then we can look at
3 changing them, but I do just want to reinforce how
4 important I think it is that we keep the Vision Zero
5 work going and that the work to target people and
6 make sure everyone drives safely, and that those
7 people who don't--don't have a TLC license is
8 critically--is critically important. So, thank you
9 for that one. Thank you, Mr. Chair.

10 CHAIRPERSON DIAZ: Thank you, Council
11 Member Lander. Cabrera.

12 COUNCIL MEMBER CABRERA: Thank you, Mr.
13 Chair.

14 CHAIRPERSON DIAZ: Council member
15 Cabrera.

16 COUNCIL MEMBER CABRERA: Thank you so
17 much, Mr. Chair. Commissioner, thank you. I want to
18 thank you first of all, and we recently had a meeting
19 with--with yourself and this--and your staff, and I
20 thought that was a very forward moving meeting that
21 had. I just wanted to ask you a couple of questions,
22 and one of them is for clarification or for public
23 knowledge. If--if someone is caught with a ticket
24 with given a ticket because there was a missing
25

2 light, and they come with the correction there within
3 24 hours I believe?

4 COMMISSIONER JOSHI: We give them three
5 days.

6 COUNCIL MEMBER CABRERA: Three days.
7 Then they don't have to pay for the \$50, is that
8 correct?

9 COMMISSIONER JOSHI: Right. Actually,
10 they're never given the ticket. If you have one
11 headlight burnt out, you're given what's called a
12 notice of violation, which allows you to come to our
13 inspection facility within three days and show us
14 that it's been replaced, and if it's replaced, no
15 summons is issued.

16 COUNCIL MEMBER CABRERA: But that sounds
17 very fair. Commissioner I hope that we can continue
18 that policy.

19 COMMISSIONER JOSHI: Absolutely. I think
20 the point there is to get people to have two working
21 headlights, and if that's the way that it best serves
22 the purpose, then that's absolutely the way we want
23 to go.

24 COUNCIL MEMBER CABRERA: In the—in the—in
25 the issue of double summonses, double tickets, you

2 know, I have reintroduce—or I had submitted LS,
3 Legislative Request, and the Council staff today
4 actually came back with a surprising response. To be
5 honest with you, I was shocked that we actually
6 already have a law on this issue. So, it basically
7 is Section 19-507.1(e). Let me just say it again.
8 It's Section 19-507.1—is that an e? E, yes E. Are
9 you familiar with that?

10 COMMISSIONER JOSHI: I have the Ad Code
11 with me. So, I'll take a look at it, but right now--

12 COUNCIL MEMBER CABRERA: I—I could read
13 it to you.

14 COMMISSIONER JOSHI: Sure.

15 COUNCIL MEMBER CABRERA: This is not
16 long. A taxicab or a for-hire vehicle shall not be
17 subject to an assessment of points against his or her
18 commission issued driver's license or the imposition
19 of duplicate penalties where the same act is a
20 violation of the provision of law under the
21 commission rules, and where such violations duplicate
22 each other or are substantively the same and such
23 driver may not be issued—may be issued only one
24 summons or notice of violation for such violation.

25 COMMISSIONER JOSHI: That is correct.

2 COUNCIL MEMBER CABRERA: Okay.

3 COMMISSIONER JOSHI: I-I do and I think
4 we had a productive discussion yesterday. I-I
5 honestly believe that the way our Critical Driver
6 Program works, people feel like they're getting two
7 tickets for the same act. What's happening is
8 they're getting a ticket from us because they've
9 accrued a certain number of DMV points. They're also
10 getting it at a time that doesn't make sense because
11 it's too far away from when the act happened, the
12 running a red light, the speeding. So, yes, you
13 cannot ticket anybody, and I think this is a rule of
14 law that extends beyond TLC. Nobody should be
15 ticketed or arrested or charged twice for the same
16 exact act, and we absolutely would avoid that
17 happening, prohibit that from happening, but we do
18 need to look productively at how to address the
19 Critical Driver Program so it does what Council
20 Member Lander was emphasizing. It protects us
21 against unsafe drivers, but it does more than that.
22 It teaches drivers the-the penalties of being unsafe
23 in a way that's productive, and today I believe it
24 does not achieve that goal, and I would look forward

2 to working with you on solutions for how we could get
3 there.

4 COUNCIL MEMBER CABRERA: Commissioner, I
5 welcome that. I'm looking forward to some good
6 discussions, and to a great outcome to achieve that
7 goal. I'm happy to hear, if I understand this right,
8 that we are adhering to this piece of the law, and
9 that what we have is a delay. There's a delay that's
10 taking place that, and accumulation of points that it
11 seems to be one is causing the other, but it's not.
12 Right? Is that what I--?

13 COMMISSIONER JOSHI: Yes. It's--it's a--
14 it's a very confusing section of law, and the effect
15 is I think people get tickets related to incidents in
16 the past, and they don't understand why, and that's
17 not productive for anybody. Our goal is to change
18 behavior, and if you're just confused, we're not
19 meeting our goal.

20 COUNCIL MEMBER CABRERA: I would love to
21 see some language from your legislative team that
22 would accomplish the goal that I think we all want,
23 and at the same time, we could have safety standards,
24 and--and guides, and at the same time we are able to
25 make sure that our--that--that if somebody gets a

2 ticket, it's just for that one thing, and that thing
3 alone.

4 COMMISSIONER JOSHI: And OATH is well
5 aware of that. So, they would not allow anything to
6 go forward if there was two tickets for the same
7 offense.

8 COUNCIL MEMBER CABRERA: Okay, alright.
9 The other piece that might be here then it seems to
10 me that maybe this is an educational piece that needs
11 to take place.

12 COMMISSIONER JOSHI: Certainly. We do
13 about—I mean I think we've done almost 300 base
14 visits to—to talk to drivers about Vision Zero, but
15 we've also started another educational initiative
16 where we're going to do driver open houses in
17 different areas. I implore people to let me know if
18 they want one in their area, and we will speak to
19 drivers about individual summonses that they have,
20 and questions that they have, and the feedback so far
21 has been positive because they feel more comfortable
22 asking us questions, and we're able to get to
23 resolutions. I think I have to come back to what I
24 think is a basic principle. If we're not
25 communicating, it's going to be difficult for us to

2 understand the driver's predicament and the drivers
3 to understand where we're coming from. So, we look
4 forward to additional open houses and more
5 opportunities for outreach.

6 COUNCIL MEMBER CABRERA: Is there any way
7 that we could do a mass mailing to all the livery,
8 the individuals with this information and others that
9 might seem a bit confusing and bring clarity?

10 COMMISSIONER JOSHI: So, we have—I think
11 there's a few opportunities for us to decide what are
12 the main issues we want to clarify. What we do now is
13 mass emails because nobody looks at their mail any
14 more.

15 COUNCIL MEMBER CABRERA: True. That's
16 true.

17 COMMISSIONER JOSHI: So, we have to send
18 them by email, but we—we send out newsletters
19 regularly, and it's a great medium for sending these
20 kinds of messages. So, be happy to work with you on
21 some of the issues that need clarification you think
22 we could achieve through an email.

23 COUNCIL MEMBER CABRERA: I'm sorry. Do
24 you do video outreach like in the emails? Do you

2 have a video, and does it go into different languages
3 as well?

4 COMMISSIONER JOSHI: We do—we haven't
5 done a video attached to our email in different
6 languages. We do have videos in different languages
7 on our website, but combining the two we haven't done
8 yet. That's not difficult to do, but it's certainly
9 an excellent way to communicate because videos tend
10 to be more engaging than words on a page.

11 COUNCIL MEMBER CABRERA: Indeed and to
12 make them short and with an—even with an iPhone you
13 could do those. So, and my last question is and I'll
14 ask you because I really don't know the answer to
15 this question. Why do more people tend to go towards
16 Uber than the green cabs? If—if you have such a
17 great deal I'm a little confused why not and the
18 green cabs as I remember you could pick people up in
19 the street outside of their restricted zone so--

20 COMMISSIONER JOSHI: [interposing] So, I
21 think everybody makes a personal financial decision.
22 Timing has a little bit to do with it. Green cabs
23 came on the scene at the same time Uber was growing,
24 and there was a lot of incentives that are offered by
25 companies like Lyft and Uber to join to help them

2 lease a car, to help with bonuses, and I think that
3 is—is understandably a reason that attracts people
4 there. The green cabs I—I think have—I know have a
5 lot of opportunity, but under—getting people to
6 understand what that opportunity is, is work we have
7 ahead of us because they can pick up off the street,
8 and they pick—can pick up calls from the base, and
9 now they can pick up accessible dispatch calls, and
10 they can pick up Access-A-Ride calls. So, there
11 opportunities to earn for the individual driver are
12 just expanding, and so I'd like to see also with our
13 new for-hire accessibility mandate that we can
14 incorporate more accessible green cabs into the fleet
15 because they're an important asset for neighborhoods
16 that want hail service.

17 COUNCIL MEMBER CABRERA: Thank you so
18 much, Commissioner and Mr. Chair. I would love to
19 work with you. I know we've been working a lot
20 closely on this issue. I would love to work since
21 we—we have the law that we cannot—we cannot be double
22 ticketed, and there seems to be a gap in time, and
23 where they're getting the—the first ticket and then
24 accumulation how we could remedy through policy or
25 legislation, and also how we could explore this

2 possibility of putting a cab, but I think a lot of
3 the Council members and maybe now is the time to talk
4 to the Council of livery of baseline.

5 CHAIRPERSON DIAZ: Thank you, Council
6 Member Cabrera. I have been praying since I got
7 here, and I was appointed the chair of this
8 committee. I've been praying, begging for you to
9 become a member of this committee. So, you know, I
10 want to work with you.

11 COUNCIL MEMBER CABRERA: I'm-I'm trying
12 to trade with somebody the committee.

13 CHAIRPERSON DIAZ: You are-I want-I want--

14 COUNCIL MEMBER CABRERA: [interposing] I
15 haven't been successful.

16 CHAIRPERSON DIAZ: You and Salamanca I
17 believe a member of this committee.

18 COUNCIL MEMBER CABRERA: And thank you,
19 Mr. Chair, and I'm looking forward for us to getting
20 together. I'm hearing the Commissioner that she
21 wants to move forward on these things, and I hear
22 that-I think that we-we might have a blueprint that
23 we could work on, and that will be an awesome thing
24 for all of our people. Muchas gracias.

2 CHAIRPERSON DIAZ: [Speaking Spanish]

3 Now, we have Council Member Jumaane Williams, and
4 with this, we are going to finish our--so, you--you
5 really--

6 COUNCIL MEMBER WILLIAMS: Thank you, Mr.
7 Chair. Thank you, Mr. Chair for being here. First,
8 obviously there's a lot of issues going with
9 transportation and fire vehicles and everything. I
10 think there were issues before every-Uber that I had,
11 even with the existing FAGs (sic). I do believe
12 Uber. I do believe Uber is not regulated enough. I
13 did support the cap. I can see why people are
14 frustrated particularly green cabs. I mean I want to
15 honor the experience. They were told something, and
16 it's not true, and a lot of them are--are losing
17 money, and so we--we have to find a way to address
18 that. I think we've got to move a little faster with
19 the way we exist to incorporate the Ubers and the
20 Lyfts that do I think have an unfair advantage. So,
21 I'm hoping we can work that out. My--my--the focus of
22 question is about commuter vans and what are common
23 called dollar vans, but I just want to thank you
24 personally and TLC in general. We have worked a lot
25 to try to bring them out from the shadows, and we

2 passed some bills and a shout out to Council Member
3 Daneek Miller, and former Council Member Conde (sp?)
4 for the work that they did, and the chair of the
5 larger committee Council Member Rodriguez for the
6 work and making sure we can bring some of them out of
7 the shadows. I know there's a lot of work still left
8 to be done. The city often goes to them in times of
9 emergencies and then kind of ignores them during
10 those times. I know you had some—some issues with
11 enforcement. So, thank you. I know there's been
12 stepped up some enforcement. I think we have to do
13 some more, and we have to get the NYPD to work more
14 in consort. There was an incident where I had to
15 jump in to help at TLC agent that was having a tough
16 time with a bunch of drivers that had—that were
17 around him, and we have made it so that we can
18 hopefully get the illegal van drivers, the ones who
19 don't have insurance, who don't have licenses to come
20 into the fold to get those licenses. I never want to
21 stop him from making a dollar, and I hate that we're—
22 we seem to be picking people for pennies when
23 there's—there's funding out there. So, I want to
24 make sure everybody has access but, of course, we
25 can't have people in cars and the vans with no

2 insurances and no license. It's a problem, but I
3 know that enforcement has been an issue, and we're
4 working on the bill to try deal with that issue. I
5 just want to know if you can speak about that for a
6 little while.

7 COMMISSIONER JOSHI: So, the issue with
8 enforcement is we can't stop a van that seats more
9 than 20 people, and more and more we're seeing
10 illegal operators using larger and larger vehicles,
11 and really they cause an even worse safety issue
12 because more people are in there, more people are at
13 risk. So, what—we've had great conversations as well
14 as with Council Member Miller on expanding our
15 authority on enforcement to vehicles that are above
16 20 seats, and that way we can pull over these illegal
17 operators. Combine that with our ability to seize
18 and forfeit these vehicles, which we've had success
19 seizing and forfeiting commuter vans that are
20 operating illegally. I think it would be a benefit
21 to the communities that rely on commuter vans to help
22 ensure that they—what they have is actually safe and
23 legal service.

24 COUNCIL MEMBER WILLIAMS: Thank you and,
25 of course, for me the bigger a thing is, the more I

2 think we have to pay attention to it. So, these vans
3 are getting bigger and bigger. They could endanger
4 more and more people. So, we do have a bill that
5 we're putting forward to try to deal with that. I
6 thank the chair as of now is supportive of that, and
7 hopefully, we can get it passed through as soon as
8 [coughing] there is come to fruition, and so I
9 appreciate that, and—and I do want to NYPD to know
10 that we do need some additional assistance in that so
11 folks aren't endangered. And so, people who are
12 listening there are dollar vans, commuter vans have
13 TLC licenses. I think there's a global (sic) arrest
14 on them. They have insurance. We want to make sure
15 that the public is aware of that, and those are the
16 ones that we seek out. For the folks that are not
17 out there, I—I understand everybody needs to make
18 money, but we have to protect our community. So,
19 please there are a lot of available legal ways to do
20 this. So, please come into the fold so we can assist
21 in doing that. Lastly, I know particularly with the
22 L-Train shutdown, folks are figuring out what to do.
23 Has MTA (sic) spoken with you at all about trying to
24 see if we can use some of the commuter vans to be a

2 part of the discussion, and how we fill the
3 transportation gap?

4 COMMISSIONER JOSHI: So, I—I don't at
5 this juncture know in detail what the MTA's plans
6 are, but I do know that the commuter van industry is
7 interested in providing transportation when there's
8 going to be this big transportation gap, and we are
9 as always engaged with the commuter van industry as
10 well as with DOT. So, if there's a connection there
11 that we can make work during the L-Train shutdown, I
12 think it would be advantageous for the businesses
13 that run legal commuter vans as well as for
14 passengers.

15 COUNCIL MEMBER WILLIAMS: And I'll just
16 point out these are also immigrants and immigrant
17 families. The ones I work with primarily are
18 Caribbean. I do want to shout out also to Council
19 Member Margaret Chin and Peter Koo who are supporting
20 this as well. There's a large population of commuter
21 vans that are Chinese as well. I just want to—I know
22 there's a new industry coming in that looks like a
23 commuter van and operates similarly. They have a
24 different platform. I just want to put out there
25 again I want to make sure that immigrants and black

2 and brown people who have built something that people
3 are now trying to emulate are not left out in the
4 cold as new-new people come in, and so that's a big
5 thing that I'm watching for and we'll continue to
6 keep eyes on it, but I just want to thank you so far
7 for the partnership we had dealing with this, and
8 thank you, Mr. Chair.

9 CHAIRPERSON DIAZ: Before I say good-bye
10 to you, Commissioner, I would like to express my
11 appreciation to Council Member—to all the Council
12 members that attended this meeting. I would like to
13 express my appreciation to [coughs] Council Speaker
14 Corey Johnson, Mr. Corey Johnson for assigning this—
15 assigning this committee to me and to my staff, to my
16 staff and the City Council—the Council. Christopher
17 Lin, Mr. Christopher Lin, Malat, all the members of
18 the For-Hire Committee and to all the—the members of
19 the community concerned with the taxi issues. Thank
20 you to all of you. Commissioner, you've been here
21 four hours. That's amazing. I have to congratulate
22 you on that, and this committee is here to work to
23 find solutions, but together. I—I tried that and
24 that's when I—when I was a State Senator meeting with
25 you, and now I sit here with the committee and so

2 other members of the City Council that came and
3 spread that support for—for what we're doing, we will
4 continue doing and we will continue. We will get
5 together. You have the last word. [coughs]

6 COMMISSIONER JOSHI: Thank you for the
7 time and thank you for your interest in the important
8 issues and look forward to a productive working
9 relationship.

10 CHAIRPERSON DIAZ: Thank you. Thank you,
11 Commissioner. Thank you. Now, we have some members
12 of the public that would like to testify if they
13 still want to. [laughter] [background comments,
14 pause] Let me see who we have. [coughs] Nicole
15 Epstein, Cassandra Perez.

16 SERGEANT-AT-ARMS: [interposing] No cell
17 phones. Please turn them off.

18 CHAIRPERSON DIAZ: Sylvestri Confersi
19 (sic) and Deborah, Deborah. [background comments]
20 Devore, Casandra Perez and Nicole Epstein. Whoever—
21 if they're here, please have a seat. [background
22 comments, pause] Three more after that. Yeah, hold
23 this one until they finish. Okay, we're going to
24 give you—now we're calling the time. [background
25 comments] Nicole Epstein. [background comments]

2 Okay. Cassandra Perez—Cassandra Perez, and Sylvestri
3 Cofredibol (sp?) Those three. We're going to give
4 you two minutes each. [background comments] Two
5 minutes each. This is—this is now on two minutes.
6 Sir, you could go. Alright, this who, the testimony
7 of the Committee with Taxi Safety. Are the—the three
8 of the same? Different—different group. So, who is
9 this one? [background comments] Okay. Are you—are
10 you on?

11 CASSANDRA PEREZ: Yes. I'm ready.

12 CHAIRPERSON DIAZ: Cassandra Perez. Okay
13 Cassandra go ahead.

14 CASSANDRA PEREZ: I'm speaking on behalf
15 of David Byer. He is the President of the Committee
16 for Taxi Safety, which is comprised of licensed lease
17 agents which manage approximately 20% of the New York
18 City taxi medallions. Together they work to provide
19 transportation to 400,000 people everyday. We thank
20 you for this opportunity to testify concerning the
21 proposed budget and the fiscal impacts on the Yellow
22 Taxi industry. First, yellow cabs have the highest
23 accessibility requirement for any for-hire service in
24 New York City.. The TLC when implement its 50%
25 accessibility requirement, which was prior to the

2 advent of ride hailing companies such as Uber and
3 Lyft, did not plan for the consequences of imposing
4 deregulation on just one segment. The result has
5 been that the Yellow Taxi drivers have left our
6 segment in staggering numbers. This has resulted in
7 over 800 valuable medallions being kept off the road
8 and put in storage due to lack of drivers who prefer
9 driving non-acceptable vehicles plus dozens of
10 accessible vehicle sitting idle at garages on any
11 given day. The city has not come up with any
12 coherent program or policy to get these vehicles out
13 of storage and onto the streets. This continues to
14 jeopardize the success of the city's 50% taxi
15 accessibility settlement. Instead, the city has
16 mandated a lesser accessibility requirement for the
17 transportation network companies, which has received
18 lukewarm support at best from disability advocates.
19 This nebulous plan requires all for-hire companies to
20 provide 25% of their rides not vehicles in accessible
21 vehicles starting with just 5% of rides for 12 months
22 commencing July 1st and an increase of 5% each year
23 following. This plan does nothing to help to get the
24 existing accessible medallions out of storage, nor
25 does it help fulfill the 50% mandate. Next, tickets

2 as revenue. The Mayor's 2018 Fiscal Year Executive
3 Budget projection indicates that the city expects
4 \$11.6 million in revenue for the for-hire industry in
5 summonses and fines, which is an increase of \$1.1
6 million from Fiscal Year 2017. This significant
7 increase in revenue has hurt drivers and added to
8 deep distrust between drivers in the city, and raise
9 questions concerning the city's motives. Are these
10 summonses issued for public safety concerns or is the
11 city looking rather to maximize revenue by raising as
12 many tickets as-by issuing as many tickets as
13 possible. Instead, the punitive approach that the
14 city has invoked the city and the TLC need a more
15 sustainable model of generating revenue and to
16 produce measures that support the industry fairly to
17 put medallion owners and drives back on the road.
18 Additionally, without dispute or doubt everyone is
19 aware that cars for hire illegally cruise the
20 exclusionary zone in Manhattan to obtain passengers.

21 [bell]

22 CHAIRPERSON DIAZ: You know what that
23 means, right?

24 CASSANDRA PEREZ: [laughs] Time's up.

25

2 CHAIRPERSON DIAZ: That means that two
3 minutes are up.

4 CASSANDRA PEREZ: Time's up. I got a
5 little bit more. Just a little more. I'll skip
6 forward to Taxi of Tomorrow. When the Uber app
7 initially launched in New York City, drivers did not
8 leave the taxi industry to drive for Uber. Rather,
9 the industry's loss of drives coincided with the
10 accessible vehicle mandate imposed only on the taxi
11 industry and the Taxi of Tomorrow Program, which
12 removed the Camry hybrid as an option for drivers.
13 In contrast, 65% of Uber vehicles are Camry Hybrids.
14 Both the Accessible Taxi and the Taxi of Tomorrow
15 vehicles proved to be widely unpopular with drivers
16 because neither was fuel efficient or economical
17 resulting in less driver income. Fortunately, the
18 state last year, and thank you Chairman. When you
19 were senator, the Senate unanimously passed the Clean
20 Air Taxi Bill. This will result in creating driver's
21 choice and more fuel efficient vehicles. The State
22 is acting, but there are things that the city can do.
23 Finally, credit unions. Due to loss in value of
24 medallions, most owners are facing financial ruin and
25 in many cases bankruptcy because of their inability

2 to make loan payments due to greatly reduced [coughs]
3 medallion income or to collateralizing-collateralized
4 existing medallion loans. The vast majority of
5 owners do not want to walk away from their loans, but
6 need help in dealing with the NCUA, which has placed
7 several credit unions in receivership. In conclusion,
8 if the Council is serious about allowing the industry
9 to remain viable, it needs to change the regulatory
10 practices that prevents it from competing. We need
11 to discuss and address the barriers to true
12 competition. We cannot compete unless we have an
13 even regulatory playing field, which would also
14 benefit the city by providing additional revenue.
15 Than you.

16 CHAIRPERSON DIAZ: I need to—I need for
17 you to try to meet with me and Chris, okay?

18 CASSANDRA PEREZ: Okay.

19 CHAIRPERSON DIAZ: So, you have something
20 here that I would go into. Thank you very much.
21 Chris, you got to meet with that lady. Okay.

22 NICHOLE EPSTEIN: Hi. I'm Nicole
23 Epstein. I'm with Gotham Government Relations. We
24 represent New Yorkers for Equal Transportation
25 Access. So, we represent disability rights advocates

2 along with about 6,000 independent immigrant
3 medallion owners, and I don't have anything really
4 prepared, but first and I think I speak on behalf of
5 everyone here. So, I say thank you, Chairman Diaz,
6 and this is the first time everyone here is honestly
7 seeing the light at the end of the tunnel for too
8 long we--

9 CHAIRPERSON DIAZ: [interposing] Now,
10 that's--that's--that's heavy.

11 NICHOLE EPSTEIN: I'm telling you right
12 now because I know. I've been involved with this. I
13 mean everyone here has become like family to me
14 really, and it's been horrible, you know, back and
15 forth with the Commissioner Joshi. I have to, you
16 know, re-evaluate this or that, and nothing ever
17 happens. I mean I could tell you right now when you
18 need to re-evaluate where am I going to get \$90
19 million or whatever amount, a million dollars in
20 medallion sales, I could tell you the number will be
21 zero. So, like we don't have to re-evaluate
22 anything. What we need now is action. So, thank you
23 so much for being here and taking, you know, I've
24 actually been saying it that you're like the cowboy
25 who has come in, you know, to put an end to the wild,

2 wild west out here because everyone's 401k or life
3 investments are going down the drain. For example,
4 one thing in particular I want to point out that the
5 commissioner touched upon was the TLC going to bases
6 to give safety and talk to, you know, these. What
7 Uber bases are they going to because Uber bases don't
8 exist. They're fake. Actually, we go to them and
9 it's like an empty church with a sign on the door.
10 There's no one on there. So, I would love to know, and
11 at the same time that they go to the bases for
12 safety, from July these are some very interesting
13 statistics. July 2014 to August 2017, there was a
14 500% increase in the number of crashes by black cars.
15 So, it jumped from 534 crashes to 2,644, but then the
16 Commissioner is standing here saying how they go to
17 the bases, and the bases don't exist, and then, you
18 know, also [bell] one quick thing. Very important.
19 With the classification of Uber as a black car versus
20 a livery, first of all right now Uber operates as
21 both. They could dispatch the livery cars, they
22 could dispatch the black cars. Whoever they want to
23 they do. There's no distinction. Liveries don't pay
24 the sales tax, and Uber gets to do that when they
25 want on the black cars. So, right now there needs to

2 be a separate category for the E-hails. They need
3 their own thing. There has to be a totally new way
4 to regulate. They can't sit in one of these
5 categories. Otherwise the industry is going to
6 crumble.

7 CHAIRPERSON DIAZ: Thank you. I think
8 that you should read the bill that we—that you submit
9 because we--

10 NICHOLE EPSTEIN: Yep. Exactly, it's--
11 thank you.

12 SILVESTRI: Hi. My name is Silvestri.
13 You know, I'm driving right now for Juno. This app
14 before when I was driving, I used—we started driving
15 Yellow Cab and Green cab, too and Yellow Cab, too,
16 and I used to really like it, but I think is the
17 first person, you know, that I think is the
18 responsible for kill this business, kill this
19 business, it is TLC, Uber and Lyft. Why? I'm going
20 to say this: Because for example, how do you think
21 is, for example on the your Lyft, Uber like showed
22 down the price. For example the people normally they
23 take the green taxi, the Yellow Cab and for go to the
24 airport, you know, we got like flat fare. But when
25 the Uber started charging like 40 something dollars

2 and the Yellow Cab charging like \$60, who you think
3 is the car, the person is going asking? They're
4 going to call Uber. Another thing is like TLC left,
5 they do like the pool thing like you can share the
6 ride, but that's another crazy like, you know, this
7 kill the business. This—that's the reason right
8 nobody want to drive a Yellow Taxi, nobody want to
9 buy medallion because you don't want to invest your
10 money and then you don't got, you know, like security
11 like how you going to, you know, working so you can
12 pay. You know this money like you have to pay for
13 that. So, I think you guys had to, you know, like
14 just start this Council because I think Uber is a
15 Council, you know. So, if there is nobody to stop it
16 like they keep doing whatever they want, and so
17 always, you know, she talk about all the city, that
18 benefit people. When is going to be the benefit for
19 the driver, for the people, you know, wake up every
20 morning like 3:00, 4:00, 5:00 a.m. The people, you
21 know are moving in the city. Okay.

22 CHAIRPERSON DIAZ: [off mic] Alright.
23 Thank you, thank you, everyone. Now, we're calling
24 now Earlene Seravides (sp?) and Corina Rivera (sic)

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2 Manny Grace (sic) and Desiree. Okay. Nobody there.

3 Desiree is there. Desiree.

4 DESIREE: Yes.

5 CHAIRPERSON DIAZ: [off mic] Desiree
6 from-from CTAP (sic). Desiree.

7 DESIREE: Si, presente.

8 CHAIRPERSON DIAZ: [off mic] Lorenzo
9 Cabrera, and Nelson Vegas. You take a seat.

10 NELSON VEGAS: Si.

11 CHAIRPERSON DIAZ: You need to sit.

12 NELSON VEGAS: I'm going to sit.

13 CHAIRPERSON DIAZ: [off mic] [background
14 comments, pause]

15 NELSON VEGAS: [Speaking Spanish]

16 TRANSLATOR: My name is Nelson Vegas, and
17 I have a big concern that it worries me.

18 NELSON VEGAS: [Speaking Spanish]

19 TRANSLATOR: Well, my principals that can
20 refer-comfort me do not allow me to commit suicide.

21 NELSON VEGAS: [Speaking Spanish]

22 TRANSLATOR: I just went to a public
23 hearing at 28th of February.

24 NELSON VEGAS: [Speaking Spanish]

25

2 TRANSLATOR: Accused of an injustice of
3 taking parking spot that it was—that I was allowed to
4 take that parking spot.

5 NELSON VEGAS: [Speaking Spanish]

6 TRANSLATOR: The outcome--

7 NELSON VEGAS: [Speaking Spanish]

8 TRANSLATOR: The outcome of taking that
9 parking spot the complainant took a picture and
10 complained to TLC.

11 NELSON VEGAS: [Speaking Spanish]

12 TRANSLATOR: So, at the hearing
13 misinterpreted.

14 NELSON VEGAS: [Speaking Spanish]

15 TRANSLATOR: Which I was found guilty
16 without convincing me to pay X amount of money.

17 NELSON VEGAS: [Speaking Spanish] [bell]
18 [Speaking Spanish]

19 CHAIRPERSON DIAZ: [Speaking Spanish]

20 NELSON VEGAS: [Speaking Spanish]

21 TRANSLATOR: He was--

22 CHAIRPERSON DIAZ: [Speaking Spanish]

23 NELSON VEGAS: [Speaking Spanish]

24 CHAIRPERSON DIAZ: [Speaking Spanish]

25 TRANSLATOR: [Speaking Spanish]

2 TRANSLATOR: I was found guilty.

3 NELSON VEGAS: [Speaking Spanish]

4 CHAIRPERSON DIAZ: [Speaking Spanish]

5 NELSON VEGAS: [Speaking Spanish]

6 TRANSLATOR: The fine was a thousand
7 dollars and one month of suspension.

8 NELSON VEGAS: [Speaking Spanish]

9 CHAIRPERSON DIAZ: Jenny, can we do
10 something about that? I-I want-listen. You got to
11 go to my office and see Jenny [Speaking Spanish]
12 Okay.

13 NELSON VEGAS: [Speaking Spanish]

14 TRANSLATOR: [Speaking Spanish]

15 CHAIRPERSON DIAZ: [Speaking Spanish]

16 TRANSLATOR: [Speaking Spanish]

17 CHAIRPERSON DIAZ: What we're talking
18 about is the-the gentleman say-he claimed that he got
19 a fine of \$1,000 from TLC because someone claimed
20 that he used the word-that word, and TLC caught him.
21 Did they-did they call the-the person who knows you?

22 NELSON VEGAS: I don't understand.

23 CHAIRPERSON DIAZ: [Speaking Spanish]

24 NELSON VEGAS: [Speaking Spanish]

25 CHAIRPERSON DIAZ: [Speaking Spanish]

2 NELSON VEGAS: [Speaking Spanish]

3 CHAIRPERSON DIAZ: [Speaking Spanish]

4 NELSON VEGAS: Okay.

5 CHAIRPERSON DIAZ: [Speaking Spanish]

6 NELSON VEGAS: [Speaking Spanish]

7 CHAIRPERSON DIAZ: [Speaking Spanish]

8 Okay, Jenny. [Speaking Spanish]

9 LORENZO CABRERA: [Speaking Spanish]

10 Lorenzo Cabrera.

11 TRANSLATOR: Good afternoon. My name is

12 Lorenzo Cabrera.

13 LORENZO CABRERA: [Speaking Spanish]

14 TRANSLATOR: I had something similar t

15 what happened to the gentleman.

16 LORENZO CABRERA: [Speaking Spanish]

17 TRANSLATOR: In which someone also took a

18 picture of my license plate and reported to TLC.

19 LORENZO CABRERA: [Speaking Spanish]

20 TRANSLATOR: I was accused and I was

21 being charged \$300.

22 LORENZO CABRERA: [Speaking Spanish]

23 TRANSLATOR: Plus three points on the

24 license.

25 CHAIRPERSON DIAZ: [Speaking Spanish]

2 LORENZO CABRERA: [Speaking Spanish]

3 CHAIRPERSON DIAZ: [Speaking Spanish]

4 LORENZO CABRERA: [Speaking Spanish]

5 TRANSLATOR: Then they send me another

6 letter.

7 LORENZO CABRERA: [Speaking Spanish]

8 CHAIRPERSON DIAZ: [Speaking Spanish]

9 LORENZO CABRERA: [Speaking Spanish]

10 TRANSLATOR: I went to the court.

11 LORENZO CABRERA: [Speaking Spanish]

12 TRANSLATOR: The person didn't go.

13 LORENZO CABRERA: [Speaking Spanish]

14 CHAIRPERSON DIAZ: [Speaking Spanish]

15 LORENZO CABRERA: No, no.

16 CHAIRPERSON DIAZ: [Speaking Spanish]

17 LORENZO CABRERA: No.

18 CHAIRPERSON DIAZ: [Speaking Spanish]

19 LORENZO CABRERA: [Speaking Spanish]

20 CHAIRPERSON DIAZ: [Speaking Spanish]

21 LORENZO CABRERA: [Speaking Spanish]

22 TRANSLATOR: Motor Vehicle has the

23 capacity to do that, and because you have come here,

24 you're here to help us.

25 CHAIRPERSON DIAZ: [Speaking Spanish]

2 TRANSLATOR: I'm sorry.

3 CHAIRPERSON DIAZ: [off mic]

4 TRANSLATOR: Okay.

5 BRIDGET FELIX: Hey, good afternoon. My
6 name is Bridgett Felix. Would you like me to speak
7 in English or in Spanish?

8 MALE SPEAKER: Ms. Felix, just press the
9 button.

10 BRIDGET FELIX: While I'm speaking?

11 MALE SPEAKER: Yes. No, just leave it.

12 BRIDGET FELIX: Okay.

13 MALE SPEAKER: Alright.

14 BRIDGET FELIX: Good afternoon. My name
15 is Bridget Felix. I don't know if you would like me
16 to speak in English or in Spanish.

17 CHAIRPERSON DIAZ: [off mic] In English.

18 BRIDGET FELIX: Okay, I am a CLDB and TLC
19 license holder. I started driving ride share and
20 also car service two years ago to now. The reason
21 why I'm crutches is because I stopped on the Major
22 Deegan to help a fellow taxi driver that was stuck on
23 the road, and I got hit by an actual car. I'm here
24 to help all of these drivers. I can't fathom how
25 they've been doing this for more than two years with

2 the abuse that TLC has had against them. Listen
3 this, he's even—he was even thinking about another
4 suicide. Something has to be done here. I don't
5 understand why NYPD, which does have the ability to
6 stop you if you cross a red light or if you didn't
7 stop at a—at a stop sign. TLC is not officers. Why
8 are they charging double for points on your DMV
9 license and then charging you double, and also
10 revoke—revoking licenses. There are a lot of people
11 here that they are family. They support their
12 families. They're here—taxpayers, okay. They're not
13 out there illegally driving like they want to say.
14 The ones that are illegally driving there was a bozo,
15 there was a guy that was on a radio station the other
16 day that he claims to be a TLC inspector. He was
17 saying we don't even go after the gypsy cabs because
18 since they don't have a license, they need to pay no
19 fines. So, then they go after taxpayers that are
20 actually going by the—what they have to do. TLC
21 needs to leave the state and planet. Okay.

22 [applause]

23 SERGEANT-AT-ARMS: [interposing] Keep it
24 down please.

2 BRIDGET FELIX: Out of the planet, and
3 then they have the audacity to come here and ask for
4 a budget on top of all of these fines that they're
5 putting. I don't pick up in the street. I do
6 everything the way a safety driver, but I feel for
7 these drivers. I—that saddens my heart that a person
8 gets a license revoked over—[bell] Ooh. [growling
9 sound]

10 CHAIRPERSON DIAZ: [laughs] Okay.

11 BRIDGET FELIX: What can we do? Can we
12 get them out of here and let-- I trust NYPD, okay.
13 NYPD is not going to be so abusive like TLC is.

14 CHAIRPERSON DIAZ: [interposing] Let me—
15 let me, so let me—so let me ask—let me ask you a
16 question. Would you like to see the enforcement from
17 TLC be done by the police and take it entirely?

18 BRIDGET FELIX: Absolute. [applause]
19 Absolutely, absolutely, absolutely.

20 SERGEANT-AT-ARMS: Keep it down.

21 CHAIRPERSON DIAZ: Okay, gracias. Thank
22 you to all of you.

23 BRIDGET FELIX: [Speaking Spanish]

24 CHAIRPERSON DIAZ: [Speaking Spanish]

25 [gavel] [applause] Gracias. [background comments]

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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 March 28, 2018