

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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April 30, 2018  
Start: 9:47 a.m.  
Recess: 2:08 p.m.

HELD AT: Council Chambers- City Hall

B E F O R E: Ruben Diaz, Sr.  
Chairperson

COUNCIL MEMBERS: Rory Lancman  
Ydanis A. Rodriguez  
Paul A. Vallone  
Stephen T. Levin  
Brad S. Lander  
Joseph C. Borelli  
Francisco P. Moya  
Deborah L. Rose  
Andrew Cohen

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

Meera Joshi, Commissioner, NYC Taxi and  
Limousine Commission

Bill Heinzen, Deputy Commissioner, NYC Taxi and  
Limousine Commission

Mr. Lipski

Gloria Guerra, Medallion Owner

Carolyn Pratz, Medallion Owner

David Pollack, Representative, Credit Unions

Edith Prentice, Chair, Taxis for All Campaign

Jean Ryan, Vice President, Public Affairs of  
Disabled in Action

Joe Rappaport, Executive Director,  
Brooklyn Center for Independence of the Disabled

Valerie Joseph, Advocate, Access-A-Ride

James Comigliano Jr., President, Independent  
Drivers Guild

Ryan Price, Executive Director, Independent Drivers Guild

Bhairavi Desai, Executive Director, New York Taxi Workers Alliance

John Marero, base owner

Zubin Soleimani, taxicab driver

Abraham Loeb, driver, member NY Taxi Workers Alliance

Sibu, driver, member NY Taxi Workers Alliance

Mari Rosario, member SEIU 32-BJ

Wsim, FHV driver

Peter Mazur, General Counsel, Metropolitan Taxicab Board of Trade

Francois Jean-Paul, driver

Bernardo Sellerino, medallion owner

Michael Simon, medallion owner

Cliff Adler, former medallion owner

Cassandra Perez-Desir, on behalf of David Beyer

Nina Godashi, driver

Jose Altamirano, President, Livery Base Owners

Eric Gogas, FHV driver

Marlene Pinedo, driver

Deborah Monte, FHV driver

Michelle Dotin, FHV driver

Inder Parmar, driver

Lucia Rojas, driver

Carlos Perez-Pena

Jose Rodriguez, President of the Taxi Drivers in  
Defense of the Injustice

Tina Sills

Tina Raveno, driver

Johan, driver, IDG member

Priscilla Montero, FHV driver

Sohal Rana, driver, IDG member

2 MOHAMED ARSHAD: Test, test, test. This a  
3 committee hearing on For Hire Vehicles. Today's date  
4 is April 30, 2018. Being recorded by Mohamed Arshad  
5 (sp?)

6 CHAIRPERSON DIAZ: Good morning, Ladies  
7 and Gentlemen. Welcome to the New York City Council  
8 For-Hire Vehicle Committee public hearing. My name is  
9 Council Member Ruben Diaz, Sr. I have the honor of  
10 serving as the chair of this committee. I would like  
11 to recognize all of you and thank you for being here  
12 today. And I hope that we could have a very decent  
13 and very coordinated meeting today. Today we will  
14 solicit your views on a number of bills which have  
15 been introduced by the Council. And let me tell you  
16 that this committee, we started on January 1st, and  
17 this committee has done such a good job. They are  
18 member of our committee that have bills for three  
19 years, three years that will support drivers and the  
20 industry and they could never make the bill to this  
21 floor. Because of this committee, because of the work  
22 that we have been doing, today, today they are  
23 bringing those bills to the floor. Councilman Ydanis  
24 Rodriguez is bringing three that he had for three  
25 years. Council member Landers is bringing one.

2 Council member Levin is bringing one and Council  
3 member Cabrera, yesterday I believe brought two. So  
4 this committee is now easing the burden so this  
5 committee is responsible now for bringing to the  
6 floor, to date, 7 pieces of legislation to the floor  
7 that benefit the industry. And I'm going to repeat  
8 again, part of those bills, for three years they've  
9 had them here. But today this committee has been able  
10 to bring them to the floor. We are starting early and  
11 we continue until we are done, so everyone that would  
12 like to say something, I will be here to listen to  
13 what you have to say. Let me say briefly, the two  
14 bills I am introducing today are Intro 634, which  
15 will waive all tier C licensing fees for any for-hire  
16 vehicle or taxi or other should make their care wheel  
17 chair accessible. Meaning if they are imposing you to  
18 have wheelchair so I'm putting a bill today that will  
19 mandate a tier C not to charge any fee and to release  
20 you from paying any fee for making your car wheel  
21 chair accessible. My second bill Intro 838 is  
22 comprehensive and seeks to achieve what Speaker Jones  
23 spoke of recently to make the app-based for hire  
24 vehicles in the City as regulated as the Yellow and  
25 as the Green. This seeks accountability, fairness and

2 equity. It levels the playing field by requiring the  
3 following; 1, they must have markings in their cars  
4 just as the livery do which ID to identify them. We  
5 learned from our hearing in February that they are  
6 (inaudible...) enforcement on Yellows and Livery,  
7 Uber. Uber driver car escape these enforcements  
8 because the police have no definite way of  
9 identifying them so every other car has to be  
10 identified. The Livery's, the Yellow, the Green, but  
11 Uber driver whose cars are private, they don't...  
12 nobody knows, so when they stop to pick up somebody  
13 the police don't even know who they are. It empowers  
14 the TLC to negotiate with Uber on behalf of their  
15 drivers in terms of lease changes, three, these  
16 identify app-based vehicle as separate category. So,  
17 Uber, this bill is trying to make Uber identified as  
18 a category. Uber right now, we don't know what Uber  
19 is. We don't know if black, yellow, brown, Uber has  
20 no category so we are going to identify Uber as a  
21 Taxi category too. My original bill was nearly 8  
22 pages, the original bill, long, and has been shorted  
23 to six. In addition, Council Member Levin and Landers  
24 have bills limiting for-hire licenses and ensuring  
25 that drivers (inaudible...) so, today you're going to

2 hear all kinds of different bills and different  
3 proposals to benefit the drivers, to benefit you.  
4 This committee will work alongside with the Speaker  
5 to consider and incorporate today's proposals, draft  
6 and final bill. This is not a final bill. Today we  
7 are introducing the bill, after today we will start  
8 negotiating. One of the things that we are focusing  
9 and that I could assure you will be changed at the  
10 end is a \$2,000.00 per driver. That at the end we  
11 will change that. So today, don't applause, do not  
12 applause... do not applause, just listen and you will  
13 have a change to vent. For now, let me vent. So, at  
14 the end we will work to change, but we are  
15 introducing this legislation, this is not final, this  
16 is not a vote. This is just introduced to start  
17 negotiating and at the end we will have a bill that  
18 will benefit everyone. Let me say something in  
19 Spanish... [Speaking Spanish 00:08:26-00:12:26] Okay,  
20 before we introduce the Commissioner, Council Member  
21 Ydanis Rodriguez used to be the Chair before, around  
22 this committee now is the Chair of Transportation and  
23 today he has three bills that he used to have for  
24 three years. Today he is bringing them to the floor

2 so he is here with us today and I would like have him  
3 say a few words.

4 COUNCIL MEMBER RODRIGUEZ: Thank you,  
5 Chair Diaz. And thank you everyone. I have said  
6 before, New York City has failed to our taxi  
7 industry, especially to the men and women that work  
8 so hard, the build a dream (sic) that once if they  
9 could build, create a livery taxi base. That if they  
10 could create a tradition black car (sic), that they  
11 will be able to buy a medallion. That they will be  
12 able to work with dignity ad a part of the working  
13 class, and having a dream to join the middle class  
14 community. The three bills that I have today, have  
15 been heard before. Today is not the first time that  
16 we have this discussion. We discussed it before and  
17 as we were ready, you remember that day, we were  
18 supposed to pass a packet of bills, but Uber and Lyft  
19 invested millions of dollars and they went around  
20 building a coalition to stop the Council to level the  
21 playing field. So, here we are today, a few years  
22 after calling everyone to understand that New York  
23 City is a place of opportunity. A place where  
24 everyone is supposed to be able to do fine. That last  
25 year we had more than 55 million tourist that came

2 here. Now here we have 8.5 million New Yorkers, the  
3 market is there. There is opportunity for anyone in  
4 this industry to do fine. However, we cannot destroy  
5 the tradition livery taxi industry, the Yellow Taxi  
6 industry in order for the new one to do well. And we  
7 know what it is we need to do, we've been working  
8 hard to do it and we want to call the attention by  
9 everyone to being open and transparent when it comes  
10 to this conversation. The TLC Commissioner has been  
11 trying to do the best job in a difficult moment. We  
12 are in the center of the earthquake going at this  
13 moment right now. And it's difficult, because when  
14 those of us who want save the industry, try to do the  
15 best we can when we have been ready to pass a packet  
16 (sic) of bills. They have been going out to have  
17 meetings and be able to build support from others to  
18 stop those bills to move on. And here we are today  
19 expecting that we can be able to speak in one voice  
20 loud and clear, we need to level the playing field.  
21 That is our responsibility. I am Council Member  
22 Rodriguez, Chair on the Council Committee on  
23 Transportation. Today we will be hearing Introduction  
24 854, 855, 856, which aim to level the playing field  
25 for Yellow Taxicabs and for-hire vehicles. Today is

2 not the first time when we discuss this bill. We had  
3 discussed it a few years ago. They intended to hold  
4 for-hire vehicles to some of the same rules as the  
5 Yellow Taxis. One, create a cap or 1,000 license for-  
6 hire vehicles that maybe affiliated with each base in  
7 the City. Two, require half of the all black cars  
8 license by the Taxi and Limousine Commission  
9 including those using app-based companies to be  
10 accessible to persons with disabilities by 2025. And  
11 three, require the Taxi and Limousine Commission to  
12 consider among other things, the possible adverse  
13 effects on the quality of life, traffic congestion,  
14 sidewalk congestion, parking availability, noise, and  
15 the environment whenever a new or relocating black  
16 car base or luxury limousine base applies for a  
17 license to operate. Over the next few years, FHV  
18 companies are predicted to put 10s of thousands of  
19 vehicles on the road. The current situation where  
20 FHVs can grow without limitations, environmental  
21 impact studies or accessibility requirements makes no  
22 sense. The recent strategies of medallion owners  
23 committing suicide out of the sense of total despair  
24 have served as a shocking wake up call for the dire  
25 state of the medallion. My bills that we will hear

2 today are not about saving an industry, they are  
3 about doing justice by the many medallion owners who  
4 put their trust into the market. We create and now  
5 they are left to fend for themselves. These  
6 medallions represent college tuitions, buying homes  
7 and securing their retirement. For many, the  
8 medallion represents the American dream and we have  
9 failed today. But today I also raise my voice in  
10 support of our livery taxi drivers and all the small  
11 livery base owners that have been hurt and need  
12 tremendous support from all of us too. I'm open to  
13 discuss my bills with any stake holders of the  
14 industry. I will take their feedback very seriously.  
15 It has long been my position that there can be a  
16 place for everyone in our City and for-hire vehicle  
17 industry. New York is a City of opportunity and  
18 innovation, yet they current situation of unfair  
19 (sic) rules is unfair. I look forward to todays'  
20 discussion hearing from the TLC and from the public  
21 who are testifying. [Speaking Spanish 00:19:18-  
22 00:19:46] yes we can.

23 CHAIRPERSON DIAZ: [Speaking Spanish  
24 00:19:50-00:20:05] Now, ladies and gentleman I would

2 like to recognize Council Member Lancman that join  
3 us, would you like to...

4 UNIDENTIFIED: Good morning. Please raise  
5 your right hand. Do you affirm to tell the truth, the  
6 whole truth and nothing but the truth in your  
7 testimony before this committee and to respond  
8 honestly to Council member questions?

9 COMMISSIONER JOSHI: I do.

10 DEPUTY COMMISSIONER HEINZEN: I do.

11 UNIDENTIFIED: Thank you.

12 COMMISSIONER JOSHI: Good morning, Chair  
13 Diaz. Chair of the for-hire Vehicle Committee and  
14 Chair Rodriguez, chair of the Transportation  
15 Committee and Council Member Lancman. I am Meera  
16 Joshi, Chair of the New York City Taxi and Limousine  
17 Commission and with me today is Bill Heinzen our  
18 Deputy Commissioner for policy. Thank you very much  
19 for the opportunity to share the TLCs views today on  
20 Intros 144, 634, 838, 854,855, 856 and pre-considered  
21 Intro T-2018-1808. At their core, each of today's  
22 proposals represents Councils dedication to improving  
23 the current regulatory system that governs for-hire  
24 vehicles ranging from your local car service to high  
25 volume app-based dispatch services. These are the

2 laws that govern many of the standard for entry and  
3 they control the size of the market. As you know, the  
4 TLC encountered considerable resistance, should I  
5 wait until the Chair is able to join us? Are you  
6 sure? Okay. Okay, Chair Rodriguez of the  
7 Transportation Committee and Council Member Lancman,  
8 thank you for continued attention. As you know, the  
9 TLC encountered considerable resistance when app-  
10 based companies first came to the City including  
11 fierce lobbying, traditional and social media  
12 campaigns and even litigation, but we ultimately  
13 prevailed and the City has licensed and regulated  
14 these companies since their appearance in 2011.  
15 Something that sets New York apart from every other  
16 city in the country. By holding these companies to  
17 the standards applied to other for-hire vehicles and  
18 drivers, the City was able to ensure that these new  
19 business operated through a base system making them  
20 accountable for following TLC regulations concerning  
21 consumer protections, driver protection and street  
22 safety. So unlike anywhere else in the country, all  
23 app-based drivers in New York City must undergo  
24 finger printing, a background check and must complete  
25 driver education. And the vehicles must undergo a 200

2 point TLC safety and admission inspection. Since  
3 then, the TLC has continuously fought for and  
4 achieved important regulatory reforms in the for-hire  
5 sector and passengers, drivers and the public have  
6 benefited. Strong results include, for the first time  
7 in history of the for-hire regulation the agency  
8 mandated trip by trip accountability for over 600,000  
9 trips completed every day. These trip records are  
10 vital well beyond the agency. For example, they are  
11 the foundation of recent congestion studies that  
12 illuminate the source of declining traffic speeds.  
13 Without them, we would be in the dark and unable to  
14 understand what's happening on our streets. Likewise  
15 the TLC is leading the way in accessibility in the  
16 for-hire sector. Last year we passed the first of its  
17 kind mandate which will mean that passengers who use  
18 wheelchairs will in the not too distant future, be  
19 able to consistently get for-hire service. Something  
20 they have been deprived of for decades. We are not in  
21 the midst of a regulatory initiative to protect for-  
22 hire driver income in the same way the TLC of the 90s  
23 enact regulation to protect taxi driver income. These  
24 changes could not, and cannot happen without agency  
25 resilience to overcome considerable pushback and

2 sophisticated data analysis which results in fact  
3 based solutions. So we know firsthand the challenges  
4 that lay before you. Those challenges all require you  
5 to address the enormous and unchecked growth in the  
6 number of driver and vehicles in the for-hire sector.  
7 There are multitude of ways to do this and only on  
8 immutable truth, only this City Council and this  
9 Committee have the jurisdiction and the authority to  
10 make this change. Since 2011 the number of licensed  
11 drivers has grown from about 90,000 to 180,000 and we  
12 know that drivers who receive trips from app-based  
13 dispatches account for the overwhelming majority of  
14 the growth. Similarly the number of TLC license  
15 vehicles has grown from around 50,000 to 130,000.  
16 Each month for the last four years, we've licensed  
17 and continue to license about 3,000 new drivers and  
18 2,000 new vehicles who join the 10s of thousands  
19 already on our crowded streets. Under local law, we  
20 must give a license to everyone who meets the  
21 standards without limits from this Council, we have  
22 every reason to believe this steady growth will  
23 continue and the challenges associated with this  
24 growth will likewise get larger and more  
25 consequential. All of the bills I will testify about

2 today recognized the need for drastic change in local  
3 law that governs the for-hire sector for the good of  
4 drivers, passengers, and our City as a whole. I  
5 applaud the Councils tenacity in taking up this  
6 difficult, complex, and controversial topic. Intro  
7 838, proposes a frame work that would reshape  
8 existing industry conditions by establishing a new  
9 regulatory category for the app-based for-hire  
10 industry. As part of that framework Intro 838 would  
11 create new license category of app-based for-hire  
12 services, bases and vehicles. Creating new licensing  
13 requirements for app-based for-hire services and it  
14 would impose an annual licensing fee of \$20,000.00  
15 for each separate service. Licenses would expire  
16 annually and every license renewal would require the  
17 TLC to determine that a business need exists for the  
18 service and conduct and environmental review. The  
19 applicant would also be required to provide a detail  
20 description of all commissions and fees it would  
21 charge drivers and an estimate of drivers hourly  
22 earnings. TLC would review and approve these as well.  
23 Intro 838 would also establish a \$2,000.00 annual  
24 license fee on vehicles affiliated with the app-based  
25 services such vehicles would only be allowed to

2 affiliated with one app-based service at a time which  
3 would not be allowed to dispatch trips to other app-  
4 based services. Again, drivers would be limited to  
5 only accepting trips from one services and bases not  
6 falling under this category would be unable to  
7 dispatch trips to those drivers. Generally we agree  
8 that there needs to be a separate framework that  
9 would allow for different regulations of app-based  
10 services that operate in New York City today  
11 providing over 600,000 trips daily. Like the Yellow  
12 Cab industry, the ability to transport so many people  
13 comes with additional responsibility and Intro 838  
14 recognizes this. There are however, a multitude of  
15 significant operational considerations with this  
16 level of overhaul that cannot be overlooked. For  
17 example, annual renewals are an extreme  
18 administrative burden and the definition of the class  
19 as written may unintentionally include very small  
20 bases and some green car operators. One substantive  
21 concern that I do want to address is much more than  
22 an operation matter. There are two provisions in the  
23 proposed bill that would be very detrimental to  
24 drivers. First, as drafted, the bill proposes that  
25 each driver who wants to work with one of the apps

2 and who owns a vehicle will have to pay \$2,000.00  
3 annually for a vehicle license. This would place  
4 another financial burden on drivers who are already  
5 shouldering almost each and every cost of the car  
6 service business. The car, the maintenance,  
7 commercial insurance, gas, car washes and more. And  
8 many of those who cannot afford the upfront costs are  
9 entering into onerous agreements to pay these  
10 expenses off over time including vehicle lease and  
11 loan payments often at subprime rates. The  
12 requirement that vehicles only be affiliated with one  
13 service, and that services may only dispatch to  
14 affiliated vehicles could also cause economic harm to  
15 drivers in smaller bases by limiting the driver's  
16 flexibility that the current overcrowded market has  
17 rendered necessary. For example, today over 50  
18 percent of for-hire drivers receive trips from more  
19 than one base. Similarly, many smaller bases,  
20 especially in Northern Manhattan and The Bronx, pool  
21 resources and dispatch each other's cars to better  
22 serve their community. So we oppose these  
23 restrictions in Into 838 as companies and drivers  
24 should not be allowed to follow market incentives as  
25 to whether to work for one app or several, rather

1 than be subject to strict law, taking flexibility  
2 away. Additionally, it is unclear whether app-based  
3 for-hire drivers would continue to enjoy the  
4 protections of the workers compensation funds in the  
5 black car and livery sectors. In sum, we generally  
6 support the spirit of 838 to revise the current  
7 regulatory system that governs the large app-based  
8 market that currently operates in the City. And we  
9 commend the Council for reviewing the current local  
10 law to evaluate how to better address the needs of  
11 our City, but we ask you to consider the negative  
12 impacts that a \$2,000.00 annual fee and a limitation  
13 on sources of work will have on drivers. Turning now  
14 to intro 634 which would waive licensing fees for  
15 accessible taxicabs and for-hire vehicles. Over the  
16 last five years the City has made great strides in  
17 bringing accessible service to the people who need  
18 it. Five years ago there were about 200 accessible  
19 taxis and today there are over 2,000. We also have  
20 City wide system to connect passengers with  
21 accessible taxi service, but significant work remains  
22 in the FHV sector which for decades has failed to  
23 meet its mandate of providing equivalent service. The  
24 disparity has become more apparent as app-based  
25

2 services have increased in popularity and the number  
3 of black cars has increased by 10s of thousands with  
4 no commensurate increase in wheelchair accessible  
5 service. For this reason, the TLC recently passed  
6 rules that will require for-hire vehicles to dispatch  
7 an increasing percentage of trips to wheelchair  
8 accessible vehicles. The FHV accessibility mandate  
9 takes effect July 1st and despite litigation,  
10 initiated by Uber, Lyft, Via and joined by many of  
11 the livery and black car bases and trade  
12 organizations and that litigation seeks to annul the  
13 accessibility mandate and further delay and  
14 effectively deny service for people with  
15 disabilities. Once the TLC mandate is implemented it  
16 will greatly increase the number of wheelchair  
17 accessible vehicles in circulation so that all New  
18 Yorkers can have a safe and reliable transportation  
19 with an equitable time frame. Intro 634 would waive  
20 the current vehicle license fee for any for-hire  
21 vehicle that shall be used with wheelchair accessible  
22 vehicle or a taxicab license used with an accessible  
23 vehicle. TLC of course supports this measure which  
24 would help vehicle owners reduce costs that might  
25 stand in the way of providing accessible service to

2 passengers in wheelchairs. Additionally, we assume  
3 the amount saved here, \$550.00 and \$275.00 are  
4 intended to help individual owners reduce expenses.  
5 However, the largest group to benefit from this  
6 legislation may not be individuals but rather large  
7 corporations as the waiver could have the unintended  
8 effect of a tax payer funded vehicle subsidy for the  
9 largest app-based market participants. We do also  
10 feel compelled to note from experience that while  
11 waiving licensing fees may provide immediate relief  
12 it is not a long term solution. Instead with think  
13 that continuing to work to improve income  
14 opportunities for drivers and to develop new ones.  
15 Such as increasing the partnership with MTAs Access-  
16 A-Ride are the best approaches to improving  
17 accessible for-hire vehicle transportation in the  
18 City and protecting driver income. Turning to the  
19 other five proposals which were not added to this  
20 hearing agenda until Thursday afternoon allowing  
21 minimal time for review, again, I want to reiterate  
22 our support for the Council taking up the challenge  
23 of evaluating what changes to local law are necessary  
24 for the betterment of our City. I know the Council  
25 started this work several years ago, but the industry

2 and our City streets have only gotten more crowded.  
3 So it is time to finish it. The TLC stands ready to  
4 assist. Three of the bills, Intros 144, 854 and 856  
5 create much needed growth control mechanisms through  
6 different formulations and as such are at time  
7 conflicting. Since the intention of Council is  
8 unified we suggest working to establish one uniform  
9 approach. Another bill, 855 would increase  
10 accessibility requirements for the black car sector  
11 by 2025. We of course do not object to increased  
12 access, but we would like to discuss mechanics  
13 further with the Council as the accessibility  
14 requirement, the cap requirements and the creation of  
15 a new category, as written, cannot coexist. Pre-  
16 considered Intro 2018-1808-T demonstrates Councils  
17 Support for initiative as I mentioned earlier, we are  
18 already undertaking. Establishing income protection  
19 for drivers, we fully support the spirit and mission  
20 of this proposal as well. Thank you very much for  
21 giving me the opportunity to speak this morning and  
22 we are willing to further discuss these bills with  
23 Council following additional review. We are at a very  
24 important juncture, the City can now make needed  
25 change most of which can only be made at the City

2 Council level and there is a historic level of unit  
3 among drivers from all sectors in support of real  
4 action. And they cannot, and must not be ignored.  
5 Thank you.

6 CHAIRPERSON DIAZ: Thank you,  
7 Commissioner. You know, reading and listening to your  
8 statement gave me satisfaction to see that you're  
9 changing your position. And the TLC, talking about  
10 the \$2,000.00 per driver that I said at the  
11 beginning, we would change that. But you're saying  
12 this will place another financial burden on drivers  
13 who are already shouldering almost each and every  
14 cost of car service business. The car, maintenance,  
15 commercial insurance, gas, car wash, I'm glad to hear  
16 this. And I'm glad that my bill is changing you  
17 because for years the TLC and you as a Commissioner  
18 has been the one killing the drivers. Has been the  
19 one putting so much pressure and putting all of these  
20 inspectors in The Bronx and they are giving summons  
21 and killing them with summons, but now today you say  
22 that the drivers are shouldering almost each and  
23 every cost of the car services business. The car,  
24 maintenance, commercial insurance, gas, car washes,  
25 et cetera, et cetera. So I am glad to see,

2 Commissioner Joshi that you see the burden that the  
3 drivers are going through. And maybe from now on you  
4 will stop sending so many inspectors to The Bronx and  
5 to kill them, and send them to other areas. And by  
6 the way, I will submit a bill now that you that I see  
7 that you are seeing the problems that the drivers are  
8 facing. I am submitting a bill to repeal the summons  
9 that are given to the drivers since 1911. So, in 1911  
10 the City Council and the Chairman or whatever, they  
11 pass a bill to increase, they doubled the fines. So  
12 I'm presenting a bill to repeal those and bring it  
13 back. Seeing your feeling now, will you support that  
14 bill now?

15 COMMISSIONER JOSHI: I need start out by  
16 saying there has been no change in my position. When  
17 your bill, before it was a bill, was a draft memo  
18 that you circulated too many in the industry and gave  
19 me a copy. As well as to the press, my first public  
20 statement on that bill was exactly what my statement  
21 here is. That I support the intention of it, but I  
22 think the \$2,000.00 licensing fee for vehicle owners  
23 will be a financial burden and may end up putting  
24 them in a situation where they're financing the  
25 costs, and it costs them much more than \$2,000.00.

2 Additionally, the TLC has consistently supported  
3 freedom for drivers to work for multiple bases since  
4 2014 going forward. So I'd hardly call that changing  
5 position. In fact, I'd say that's an example of pure  
6 consistency. On the second matter, there are many  
7 people in this audience today that are license FHV  
8 and taxi drivers and owners. For them, unlicensed  
9 activity is unfair competition and we surely will  
10 continue to enforce against that in The Bronx, in  
11 Manhattan, and in every other borough because the  
12 licensing standards that each and every person who  
13 works in this industry meets, need to be upheld and  
14 should not be undermined by illegal activity.

15 CHAIRPERSON DIAZ: We are not talking  
16 about illegal activities. I'm talking about your  
17 statement. The statement says, which I know, which  
18 all of them know, which we know for years that the  
19 burden, that the drivers are shouldering almost each  
20 and every cost of the car service business. The car,  
21 the maintenance, commercial insurance, gas, car  
22 washes, et cetera, tires. So they have pressure there  
23 (sic). And but the summonses are heavy. So because  
24 now you are seeing all of the pressure that they're  
25 going through. I am submitting a bill to repeal those

2 summonses, to bring (sic) it back to them so because  
3 all of these things that you know they are going  
4 through, will you support that bill? That's my  
5 question. I'm not talking about illegal...

6 COMMISSIONER JOSHI: [interposes] I will  
7 wait to see what it is...

8 CHAIRPERSON DIAZ: [interposes]  
9 Commissioner, Commissioner, excuse me.

10 COMMISSIONER JOSHI: [interposes] Words  
11 are different than words on paper.

12 CHAIRPERSON DIAZ: Excuse me. I'm not  
13 talking about illegal activities, I'm talking about  
14 repealing those high fines that in 2011 this City  
15 Council gave to the drivers. So I'm trying to repeal  
16 those high summonses. I'm asking you, knowing now  
17 that you know that they are the burden of  
18 maintenance, commercial insurance, gas, car wash,  
19 they're killing them. Will you support something like  
20 that?

21 COMMISSIONER JOSHI: I'm going to continue  
22 to disagree with your characterization of, now that  
23 you see. I wish that you paid more attention to what  
24 I said as the years go by, but I have been immensely  
25 consistent. If you want to send us information about

2 which provisions of the ad code you'd like to repeal,  
3 I'm happy to review it. many of the ad code fines  
4 come from unlicensed and illegal activity and for  
5 those people that are licensed and operate legally in  
6 this City, I fully support enforcement of those laws.  
7 And in fact, as Council has repeatedly over years  
8 increased those fines. So, I'd be happy to review  
9 whatever you're suggestions are, but to say generally  
10 what you're going to repeal, I have very little  
11 information from which to form an opinion.

12 CHAIRPERSON DIAZ: Thank you,  
13 Commissioner. I have joined with us Council Member  
14 Lander and Council Member Levin. They both have bills  
15 today to be introduced and I am glad that they are  
16 here today joining us and now Councilman Lander will  
17 you please say something about your bill and  
18 (inaudible...)

19 COUNCIL MEMBER LANDER: Thank you very  
20 much Chair Diaz for convening this important hearing.  
21 It's wonderful to see so many people out making sure  
22 that we attend to this set of issues in a thoughtful  
23 way. Thank you to Chair Joshi for your leadership as  
24 well. We were here a term ago also in a packed room,  
25 and at that time I was pleased to support Council

2 Member Levin's bill to establish a cap or some  
3 limitations on FHV growth. I wish we had done it then  
4 and I continue to support it now. Obviously the level  
5 of growth that we are seeing has both caused severe  
6 congestion and made it just impossible for driver to  
7 earn a living. So, I'm glad we're back here looking  
8 not only at that, but the broader set of issues for  
9 how we will thoughtfully regulate FHV's. I am  
10 particularly proud to be introducing today a pre-  
11 considered Intro 1808 which would authorize and  
12 direct the Taxi and Limousine Commission to move  
13 forward with a set of regulations ensuring that  
14 drivers can earn a living wage. It's as simple as  
15 that. People ought to be able to make sure that after  
16 all the expenses are deducted, that they are earning  
17 at least the minimum wage of \$15.00 an hour and  
18 preferable more. And that there is parity between  
19 what taxi drivers can earn and what FHV drivers can  
20 earn and that the TLC moves forward to establish by  
21 rule, a set of rules that will make sure that  
22 happens. And the bill says that you would have the  
23 authority to regulate fares as necessary, as well as  
24 driver pay. What is paid to drivers to make sure that  
25 what people are taking home enables them to earn a

2 living, and feed their families just like everybody  
3 else in New York wants. I appreciate the testimony  
4 that you offered about the research project that you  
5 have underway to figure out how to do that. And in my  
6 opportunity to ask questions I will ask some  
7 additional questions about that work. But I am really  
8 enthusiastic to be able to introduce the bill. I'm  
9 not aware of any other city in the country where  
10 people are working hard to establish laws and  
11 regulations that make sure that for-hire drivers can  
12 earn a living wage. And I'm proud that we're doing  
13 that here in this City. Thank you, Mr. Chairman. Do  
14 you want me to keep going?

15 CHAIRPERSON DIAZ: No. Thank you.

16 COUNCIL MEMBER LANDER: Thank you.

17 CHAIRPERSON DIAZ: Thank you, Council  
18 Member Lander. You see, this is a Committee that is  
19 bringing seven bills to the floor today favoring the  
20 drivers and the industry. Never before. This is what  
21 this Committee is doing and all of these Council  
22 Members, all of these beautiful bills and beautiful  
23 support for the drivers. We are now joining together  
24 what the drivers deserve and what the industry  
25 deserves. Council Member Levin. I'm also being joined

2 by Council Member Vallone and Council Member Cabrera.  
3 Council Member Levin has a bill too, today and I  
4 would like him to tell us about his bill.

5 COUNCIL MEMBER LEVIN: Thank you very  
6 much, Chair Diaz for the opportunity. I want to thank  
7 you very much for hearing these important set of  
8 bills today. And thank you Commissioner for being  
9 here as well. New York has long regulated the for-  
10 hire vehicle industry dating back to 1937 when the  
11 Haas Act capped the taxicab industry at 13,595  
12 vehicles. While regulations have evolved over the  
13 last 90 years we've failed to keep up with times and  
14 now we're facing a crisis. App-based for-hire  
15 vehicles are minimally regulated with an average of  
16 2,000 new vehicles added to the streets every month.  
17 There is clear congestion concerns around the rapid  
18 increase of for hire vehicles. Not only are there  
19 more cars on the road, but also more than 70 percent  
20 of for-hire vehicles pickups are in congested  
21 Manhattan areas. It's no coincidence that the rate of  
22 traffic has slowed to an average vehicle speed in  
23 Manhattans Midtown core a mere 5.21 miles an hour.  
24 This keeps New Yorkers from getting to work or  
25 spending time with their families, and it's a

question of public safety. Broader than the issue of congestion, however, is the urgent need as Council Member Lander just spoke about for greater employee equity. Driving a cab has long been a means of getting into the middle class in our City, but the dramatic increases in the number of drivers and vehicles is making that unrealistic. The number of TLC licensed drivers has ballooned from about 130,000 drivers and 74,000 vehicles in 2014. To a current total of about 180,000 drivers and 130,000 vehicles. That's a 38 percent driver increase in the past few years alone. Being forced to compete with hundreds of thousands of other drivers has heightened employee stress and anxiety and is having a serious impact on our economy and immigrant communities who have long seen this career as a way to better their lives and care for their loved ones. The fact is, it's becoming much harder to make a living driving a cab. I first introduced this bill and I worked with Commissioner Joshi back then in 2015 and since that time the need for this legislation has only become more apparent. We've seen tragic deaths of four New York City cab drivers take place within the last four months after facing mounting debts and struggling to make ends

2 meet. Medallion dollars have plummeted, selling at  
3 recent auction for around \$130,000.00 when they were  
4 placed at over \$1 million in 2013. We, as the City's  
5 elected officials have a responsibility and elected  
6 and appointed officials, commissioners, to do more  
7 when it comes to regulating this industry. The  
8 creation of the newly established committee on for-  
9 hire vehicles is an important step and I want to  
10 thank Chair Diaz for all for the work that he's been  
11 doing. And it's a clear recognition that the issue  
12 has reached a boiling point. We've ignored the  
13 changing landscape for the taxi industry for too long  
14 and it's time to act. Intro 144 is a common sense  
15 legislation that would set reasonable requirements on  
16 the number of for-hire vehicle licenses TLC can issue  
17 and until the Commissioner completes a study on  
18 growth in the taxicab and for-hire vehicle industries  
19 on or until August 31st, 2019 whichever comes first.  
20 And I urge my colleagues to support this legislation.  
21 I'm also more than willing to work with my colleagues  
22 and the Administration on working through this  
23 legislation because it might not be the best  
24 configuration at this point. It was originally  
25 drafted in 2015 when the landscape was different, but

2 I'm certainly eager to update it where necessary,  
3 amend it where necessary to make it the most  
4 effective legislation it can be. Thank you very much,  
5 Mr. Chair.

6 CHAIRPERSON DIAZ: Thank you Council  
7 Member Levin. Before I continue with a question I  
8 would like to say that sometimes I was feeling lonely  
9 because I was the only one wearing cowboy hats. So I  
10 see a lot of people wearing cowboy hats today, thank  
11 you. Before I dismiss the Commissioner I don't know  
12 if anyone of the Council Members have questions for  
13 the Commissioner. Council Member Rodriguez?

14 COUNCIL MEMBER RODRIGUEZ: Yes, Chairman.  
15 Commissioner, I know that, again as I said before,  
16 you've been working very hard to level the playing  
17 field on this challenging industry. Can we be open  
18 and this is a suggestion that I have made before, to  
19 give amnesty forgiveness to drivers that have a  
20 ticket right now. At least those tickets that are  
21 accumulating for the last five years. If those  
22 tickets are not related to safety?

23 COMMISSIONER JOSHI: We have actually in  
24 the last probably eight or so months reassessed how  
25 we approach drivers who owe money and offering

2 payment plans on much more lenient and longer terms  
3 than we have in the past. But for drivers who want to  
4 get back into the business of driving, especially  
5 those that were operating illegally, we want to try  
6 to make that a possibility. So, we have a unit that  
7 you can speak to, the Driver Protection Unit and I'll  
8 make sure we leave outreach cards here for people  
9 that are interested and you can contact them to work  
10 on a payment plan and figure out the easiest path to  
11 get you back on the road.

12 COUNCIL MEMBER RODRIGUEZ: I also, and  
13 again, I'm just reinforcing what I have suggested  
14 before. I am suggesting the City to sit down and try  
15 to look at providing an amnesty to driver that they  
16 have summons pending in the TLC for the last five  
17 years. We can talk about the category, nothing that  
18 is related to illegal, nothing that is related to  
19 safety should be part of (sic) but I know that  
20 sometimes driving is being stopped because he or she  
21 did a violation, but then they also add up all the  
22 tickets. So can we be open to look at the  
23 possibility? Because I think that where we are today  
24 is about drivers that they owe thousands and  
25 thousands of tickets. I get the legal piece one or

2 something that really is related to safety, but if we  
3 can look at the whole universe. I would just like to  
4 know if you are open to looking at that.

5           COMMISSIONER JOSHI: Yes, we are open to  
6 looking at it and we've also started a program that I  
7 think starts even before the ticket is issued. A  
8 robust warning program. So for new initiatives coming  
9 out like our fatigued driving initiative. We'll do a  
10 series of warnings before we get to summoning so  
11 people are aware of the rules. And for, as you  
12 mentioned, that category that are not safety related,  
13 not consumer protection related, but things like  
14 minor equipment violations we issue just a notice.  
15 It's not a summons and give people the opportunity to  
16 fix it before any summons is generated. So I'd be  
17 happy to further discuss that with you as well.

18           COUNCIL MEMBER RODRIGUEZ: Okay. How  
19 many...

20           CHAIRPERSON DIAZ: Do you want me to,  
21 Council Member, how many drivers and the people here  
22 to listen and to see how things are doing now.  
23 Council Member Ydanis Rodriguez is asking for pardon,  
24 for leniency, for dismissal. This is a committee, it  
25 works now, listen carefully what's going on today.

2 And listen, and see all the support never before,  
3 never before this committee working, Council Member  
4 Rodriguez used to be the Chairman here. He's asking  
5 the Commissioner now for leniency. So listen  
6 carefully ladies and gentlemen. Council Member, go  
7 ahead.

8 COUNCIL MEMBER RODRIGUEZ: [Speaking  
9 Spanish 00:54:09-00:54:14] One thing is to be inside,  
10 other things should be outside. No husband (sic) no  
11 one at this Council has been more pro our livery  
12 taxi, yellow taxi, medallion owners than myself. When  
13 we increase the penalty to 10,000 for drivers who  
14 come and pick up in the Midtown area, in the airport  
15 and the sports (sic) institution, we were discussing  
16 about the possibility that a fine would be increased  
17 citywide. And in order to be helpful to those who  
18 work in the outer borough we compromise. [Speaking  
19 Spanish 00:55:00-00:55:11] What I'm bringing right  
20 now, Chairman, it's not new. When we've been  
21 discussing leveling the playing field is not new.  
22 Remember that day when we were ready to vote and pass  
23 legislation and Uber and Lyft made a new office and  
24 they build a support. And they were able to stop for  
25 us to vote that package of bills. [Speaking Spanish

2 00:55:40-00:55:44] You know, this crisis didn't  
3 happen overnight. This crisis happened because again,  
4 Uber and Lyft input millions of dollars going after  
5 the Mayor and elected officials who wanted to level  
6 the playing field. And they went out to build support  
7 including new offices and other. And that's why we  
8 are here today. We hope again that we will continue  
9 this conversation. That we will be able to level the  
10 playing field. We care as a former driver (sic) that  
11 I want thing (sic) one to (inaudible...) car service.  
12 No one has been advocating more than me for that  
13 particular group. And I hope again, as I have asked  
14 before in the past in my role as chairman that we can  
15 continue looking at that possibility. And also can we  
16 also look to expand the number of areas where we were  
17 giving tickets to the drivers that I know that you  
18 revised. And you were able to take out 25 or 30 of  
19 those that were used to give tickets to the drivers  
20 and be able to look at all this area that TLC  
21 officers they use to give tickets. If those are not  
22 related to illegal or safety, is there still any room  
23 to expand areas where we should take out from the  
24 booklist? Excuses or reasons that we've been using to  
25 give tickets to the drivers?

2           COMMISSIONER JOSHI: So, we did a review a  
3 few years ago, probably 2014 where we took persistent  
4 violator points off if many violations when they  
5 weren't related to safety. And then we did another  
6 review a few years later where we reduced penalties  
7 and the bar that we use to determine what the  
8 reduction should be was looking at what drivers make  
9 in a day, in a week. So that the penalties could be  
10 right sized. But reviews are limited to one point in  
11 time so we're always open to constantly taking a look  
12 and reassessing at whether the penalties make sense.  
13 So we're happy to, especially if you have specific  
14 violations you're concerned about, please bring them  
15 to my attention and we can take a look at them.

16           COUNCIL MEMBER RODRIGUEZ: My last  
17 question is how can we, as we are, and again I'm  
18 anti-Uber, I'm not anti-Lyft. We are open to work  
19 with everyone. All sector, we live in an open market  
20 society, we should be able to do fine. It's about  
21 leveling the playing field. How can we, as we are  
22 discussing ways of how to level the playing field,  
23 think and look or necessary next step without hurting  
24 the small livery bases. And also hurting the  
25 traditional black car industry?

2           COMMISSIONER JOSHI: One thing that occurs  
3 to me as I read through the bills is many of the  
4 bills are variations on existing frameworks in the ad  
5 code that rely on bases as the definition for how to  
6 determine what laws to apply to who. We are in a very  
7 different world than we were in when the ad code was  
8 drafted. And we also have the benefit of trip  
9 accountability because we now require all bases to  
10 give us those trip records. And we know trip volume.  
11 And one suggestion might be to take a look at trip  
12 volume as a way to determine whether different  
13 regulations need to apply to one group or another.  
14 And I think that might address the concern that you  
15 just raised about small livery bases.

16           CHAIRPERSON DIAZ: Thank you, Council  
17 Member Rodriguez. Now it's Council Member Lancman.

18           COUNCIL MEMBER LANCMAN: Thank you Mr.  
19 Chair. Good morning. So I'm not a member of this  
20 committee and I only kind of find myself drawn into  
21 these issues when we periodically try to address some  
22 fundamental problem. So, forgive me if I'm just going  
23 to ask you some basic questions because I do want to  
24 understand where the administration is on some of the  
25 big pictures issues that matter to me in this debate.

2 And there are a whole bunch of bills here and some of  
3 them are very good. I understand we're going to go  
4 through a process and have back and forth, and  
5 hopefully all of the stakeholders will have an  
6 opportunity to have their voices heard. That's why  
7 we're having the hearing today. But let me just  
8 understand where we're starting from. And then there  
9 was the kind of zig and zag of last cycle where we  
10 thought we were on the precipice of doing something  
11 significant and then for whatever reason it didn't  
12 happen. Did the Administration understand that very  
13 serious negative aspects of the explosion of the app  
14 industry, the Ubers and the Lyft's, et cetera. I get  
15 that sense that was where you were at a few years  
16 ago. And particularly in three areas I want to know  
17 the extent to which these aspects are important to  
18 you. I'll do them one at a time so you don't need to  
19 make a list. From my perspective it's a very, very  
20 serious problem that workers in the taxi industry,  
21 who previously could eke out a living and maybe even  
22 a middle class living now find it increasingly  
23 difficult to do so because you have all of these kind  
24 of part time I want to say almost Uber hobbyists. Is  
25 that a problem that the TLC and the Administration

2 thinks is worth, and important to address in how we  
3 figure out to reshape this industry? Or is your  
4 attitude or posture, well the market will take care  
5 of itself?

6 COMMISSIONER JOSHI: I think we are living  
7 through a time where we can see where the market is  
8 not taking care of many people. There are more  
9 drivers than there are trips and every individual  
10 driver, both anecdotally and what we know from trip  
11 records, has less work this year probably than they  
12 had last year. So, their work is being diluted. We  
13 are in the midst of looking at doing research on how  
14 to put together a regulatory framework that not only  
15 protects driver income, but it addresses the  
16 utilization aspect. Which is unless you get a certain  
17 amount of trips every hour it's difficult to justify  
18 that hour as work, but even if you're not taking a  
19 trip every minute of that hour you're still working  
20 because you're on duty waiting for a trip. So it's  
21 not as though you're at you're leisure, but you're  
22 not getting paid very much for that. So, it  
23 absolutely is a function of oversaturation. It's a  
24 big concern of ours and as Council Member Lander  
25 referred to, we are deep in the process of looking at

2 what's going with the market now. How many drivers  
3 there are, how many trips they do, what kind of  
4 income possibilities there are. And figuring out how  
5 we come up with a structure like we did back in the  
6 90s for taxi drivers when we capped the amount that  
7 any garage owner could charge them for a car. To  
8 protect some portion of their trip income. And it's  
9 almost the reverse that you have to do in the FHV  
10 market which is almost like guaranteeing a minimum  
11 trip payment.

12 COUNCIL MEMBER LANCMAN: And I know the  
13 Administration cares about congestion. You  
14 understand, right, that something has got to be done  
15 to limit the number of Ubers out there and I know  
16 it's just Uber, but that's become short hand. You add  
17 50, 60, 70,000 new for-hire vehicles out on the  
18 streets, at some point if those numbers are not even  
19 too conservative, it has to have a significant impact  
20 on congestion. I see it driving in Manhattan all of  
21 the time.

22 COMMISSIONER JOSHI: Not to belabor the  
23 consistency point, but I was almost tempted to bring  
24 my testimony from 2015, change a few numbers and read  
25 it verbatim because it's as applicable then as it is

2 today if not more. Yes, congestion is a problem that  
3 effects all of us. Traffic speeds have gotten worse  
4 since then, its bus transportation, its emergency  
5 vehicle transportation. It's just getting around the  
6 City, but for drivers it's also particularly  
7 difficult because it makes it harder for them to earn  
8 a living.

9 COUNCIL MEMBER LANCMAN: And does the  
10 Administration think that it has an obligation to  
11 craft reforms that preserve, protect the value of the  
12 medallions that were sold with the expectation of the  
13 industry being a certain way. I know we couldn't  
14 debate whether the Yellow Taxi industry itself  
15 adjusted quickly enough to the marketplace, but do  
16 you consider that an objective of the Administration?  
17 I want to say prop up, but that sounds like we're  
18 doing something artificial, but to protect the  
19 investment that the medallion owners have made. I'm  
20 talking really about the guy, man or woman who owns  
21 one or a couple, is that a core administration  
22 priority or that is also... or that is in the  
23 category of the market will dictate.

24 COMMISSIONER JOSHI: The Administration  
25 has a goal and is very supportive of making sure that

2 there is publicly accessible, hail able service,  
3 because unlike other services anybody can stick their  
4 hand out and pick up a taxi. They don't need to have  
5 a smart phone, they don't need to have a credit card  
6 they have cash. And right now today, if you use a  
7 wheelchair you're not going to get service unless  
8 you're using the Yellow Taxi system or the Green Taxi  
9 system. And that's an important asset for the City.  
10 It's an important mode of transportation, so we fully  
11 support making sure that that remains available and  
12 continues to remain available. Value follows income  
13 and as that system is available, and it's used,  
14 that's how value is determined. But for us, it's  
15 really making sure that the service is out there and  
16 available for the public. And it is a concern of ours  
17 if it looks like it's not.

18 COUNCIL MEMBER LANCMAN: And my last  
19 question is I always thought it odd that the Ubers  
20 were lumped in with the black cars. Do I understand  
21 correctly that the plan now, the goal, is to create a  
22 separate category for the app services and not lump,  
23 and impact the black cars in particular or the other  
24 services that might currently be part of the Uber

2 category. Is that what we're trying to do? Is that  
3 one of the things we're trying to do?

4 COMMISSIONER JOSHI: That's my  
5 understanding of the bill. And I think one way to  
6 look at where we are now is the taxi industry has  
7 historical transported hundreds of thousands of  
8 people every day. That makes them akin to a public  
9 transportation system in other cities. Likewise the  
10 app-based services today, transport hundreds of  
11 thousands of people a day which also makes them like  
12 a public transportation system in other cities and  
13 with that volume comes more responsibility. And so I  
14 think the goal of the bills today is to address how  
15 to make sure that the appropriate regulation is on  
16 that group that's providing transportation for so  
17 many.

18 COUNCIL MEMBER LANCMAN: [interposes] And  
19 my, my angle on that and I fully support that is I  
20 just don't want other services, other categories  
21 lumped in.

22 COMMISSIONER JOSHI: Yes.

23 COUNCIL MEMBER LANCMAN: And I want us to  
24 avoid that. And I just want to know if you have that  
25 same understanding or awareness?

2                   COMMISSIONER JOSHI: Yeah, I do have that  
3 same understanding and I think it's one of the  
4 reasons why I suggest looking at it maybe not from  
5 the base perspective, but the trip volume perspective  
6 because that market share represents a larger group  
7 of passengers, a larger group of drivers. And some  
8 attendant responsibility comes with that. And with  
9 the benefit of the trip records that we mandated  
10 collection of and have been collecting since 2015, we  
11 now that kind of granular insight that we can make  
12 these kinds of splits that will give use exactitude  
13 on which entities are being effected and which ones  
14 aren't.

15                   COUNCIL MEMBER LANCMAN: Good. Well, thank  
16 you very much.

17                   COMMISSIONER JOSHI: Thank you.

18                   COUNCIL MEMBER LANCMAN: Thank you, Mr.  
19 Chair.

20                   CHAIRPERSON DIAZ: Thank you, Council  
21 Member Lancman. We have been joined by Council Member  
22 Borelli and Council Member Moya. Now my friend and  
23 Council Member Lander has a question.

24                   COUNCIL MEMBER LANDER: Thank you very  
25 much, Mr. Chairman and thank you again for convening

2 this hearing on a good set of bills. And one that I  
3 think are really worth diving deeply into and  
4 figuring out together. Toward that end you mentioned  
5 in your testimony, Commissioner, the fact, there's a  
6 lot of reasons why it might have been great if we  
7 have been able to place some regulations in place  
8 four years ago. Or you know, last term when we were  
9 looking at this. One thing we didn't have then was  
10 really good data. So at least we are now moving  
11 forward to do this with better data than we had  
12 before. And I wonder if you could just, so that we  
13 understand what's there as we are working hard to  
14 make these policies. If you could just remind us what  
15 data you're now collecting that weren't before and  
16 how we can use that to make sure we're getting this  
17 regulation right as we move forward.

18 COMMISSIONER JOSHI: Sure. So,  
19 historically the way we've understood how the for-  
20 hire industry is working, has been sort of crude. We  
21 knew how many bases existed and we knew how many cars  
22 were affiliated with each base. But in terms of how  
23 many trips each was doing, it was more of a  
24 guesstimate. Since 2014-2015, when we first passed  
25 rules mandating that all for-hire bases provide us

2 with trip records and we amplified that in 2017. We  
3 now know the pickup and drop off, date time and  
4 location of every trip that happens in the for-hire  
5 sector. And that's information the City has never had  
6 before. And it's integral to understanding things  
7 like today's proposals, how do you differentiate  
8 between different market participants. It's integral  
9 to things like understanding congestion in the City.  
10 The Fix New York Panel looked at it, state and City  
11 DOTs look at it. And it's the only way we really  
12 understand what traffic speeds are in Midtown. But  
13 it's really fundamental for every policy that we do  
14 including limiting driver hours to deter fatigued  
15 driving. Understanding driver income issues, and  
16 we're fortunate in this City to have that kind of  
17 insight and I think it's beneficial for all of us  
18 policy makers to make use of it so that the policies  
19 we come up with are informed and fact based.

20 COUNCIL MEMBER LANDER: Thank you for  
21 that. And thank you for issuing that rule to begin  
22 with which we wouldn't have if you hadn't done that.  
23 And I was pleased to testify on behalf of that rule  
24 and appreciate on accessibility and on driver  
25 fatigue. The leadership that you've taken. So you

2 mentioned in your testimony also that you have  
3 already begun doing research toward establishing  
4 income protections for drivers and thinking about how  
5 we make sure folks earn a living wage. If you could  
6 just talk a little bit about that research. What's  
7 going into it, when you think you'll have it. I  
8 appreciate your broad support obviously since you've  
9 already started doing the research of the concept of  
10 establishing these regulations. But if you could just  
11 give us a little more flavor of that research that  
12 would be great.

13                   COMMISSIONER JOSHI: Sure. So, generally  
14 that involves understanding how many trips each  
15 driver makes every day, what kind of vehicle  
16 utilization is happening every day. The money that  
17 people are making on each trip, and also, and I think  
18 this is the much over looked, maybe not so much  
19 anymore part, the actual expenses that go into  
20 driving for-hire. The dispatching service provides  
21 the trip, but the driver is the one who pays for the  
22 car, the commercial insurance, the maintenance, and  
23 these are things that I have reiterated year after  
24 year. And those are expenses borne by the driver and  
25 so it's important when you establish what kinds of,

2 what the minimum income requirement is, that you take  
3 into account these expenses which often may appear  
4 hidden to drivers. So, we're looking at how the  
5 earnings and the income balance out to provide a  
6 floor for what drivers must make. Certainly not a  
7 ceiling, it will be a floor and as well as a separate  
8 floor for those that are going to be driving  
9 accessible vehicles in recognition of the fact that  
10 driving an accessible vehicles costs more on  
11 maintenance and gas, and original vehicle purchase.

12 COUNCIL MEMBER LANDER: So, that's great.  
13 I wanted to make sure, and I appreciate you looking  
14 at those expenses issues because obviously we have to  
15 know what it is after expenses and make sure people  
16 are still earning what they need to live. You  
17 mentioned this but I just want to draw it out a  
18 little more. Another challenge here is the number of  
19 trips people get. Obviously you can regulate as you  
20 do in the Yellow industry, what the fare is, you can  
21 regulate what percentage or minimum level of that  
22 comes to the driver, but we have so many more cars on  
23 the street that if people can't get enough trips  
24 knowing that...

2 COMMISSIONER JOSHI: [interposes]

3 (inaudible...) yeah.

4 COUNCIL MEMBER LANDER: They're going to  
5 get a minimum amount per ride doesn't necessarily  
6 take them in the direction of an income that supports  
7 a family. So, are you thinking about how to deal with  
8 that challenge as well?

9 COMMISSIONER JOSHI: Yes. I think there  
10 has to be a vehicle utilization requirement that  
11 accompanies minimum pay requirement so that companies  
12 that are dispatching are required to utilize vehicles  
13 efficiently so drivers get enough trips every hour.  
14 And those that fail to will have to have higher costs  
15 for doing business.

16 COUNCIL MEMBER LANDER: So I think that's  
17 very important and I'm glad to hear, that's obviously  
18 both critical to drivers earning a livable income not  
19 just making a certain amount per fare. But is also  
20 really speaks to the congestion issues. I know Bruce  
21 Schaller's report, and I thought this was maybe the  
22 most important part and it did not get much attention  
23 in the broader congestion pricing debate if we're not  
24 looking at how much time car are out there without a  
25 fare and obviously we've had such big growth then we

2 really can't evaluate either of those things so I  
3 appreciate that you are looking at that. One proposal  
4 I know we're going to hear later today from New York  
5 Taxi Workers Alliance is about the idea of in some  
6 way pegging fare and income percentage between FHV's  
7 and Yellow's, is that something that you are taking a  
8 look at in the course of this research as you  
9 consider what the best form of regulation would be to  
10 protect driver income?

11                   COMMISSIONER JOSHI: We are certainly  
12 looking at that proposal as well as what taxi fares  
13 are and what taxi driver earnings have been  
14 historically. We have another proposal from the  
15 Independent Driver Guild and we're looking at the  
16 suggestions of how to get to an appropriate driver  
17 income regulation that are presented there. So,  
18 between our own research and the two proposals we've  
19 gotten, as well as some general industry information  
20 about labor regulation, all of those are going to be  
21 part of our consideration.

22                   COUNCIL MEMBER LANDER: That's great. And  
23 I'll just, I drafted the legislation to authorize and  
24 direct you to do this work, but did not think it was  
25 the best use of the law to try to figure out what

2 precisely the regulation would be. I'm glad you're  
3 looking at both the Taxi Workers Alliance and the IDG  
4 proposals as well as the independent economic  
5 research and I just ask that you would stay in touch  
6 with the Council as you are engaged in the research  
7 and the rule making. So we can find a way through  
8 this together. Obviously the issues in this hearing  
9 all intersect with each other because if we don't  
10 limit growth of the vehicles then it's harder to hit  
11 a moving target. So, my last question shifts from  
12 driver income to this issue of accessibility and its  
13 relationship to number of vehicle because I'll  
14 confess here, I feel torn. On the one hand I support  
15 Council Member Levin's cap bill. I feel like there is  
16 already too many vehicles out there from a congestion  
17 point of view and a driver income point of view. On  
18 the other hand I really want to see accessibly FHV's  
19 out there and I support the regulation that you  
20 established to require 25 percent of trips in FHV's be  
21 provided in accessible vehicles. But now I feel  
22 somewhat conflicted. So, how are you thinking about  
23 on the one hand, getting more accessible FHV's on the  
24 road while being mindful of the fact which, I mean

2 you haven't said this but I'm going to say it, that  
3 we already have too many FHVs on the road.

4           COMMISSIONER JOSHI: Yeah, so it's a  
5 difficult situation, but I don't think it's  
6 impossible to align the two. One is vehicles go out  
7 of service all of the time. There is only so long you  
8 can keep a vehicle in for-hire service, so people who  
9 have a for-hire vehicle license may over the life of  
10 that license have several different vehicles on it.  
11 So there is some work and we'd be happy to discuss  
12 this with Council around something that's similar to  
13 what we do in the taxi industry which is as your  
14 vehicle retires, the next vehicle you put on is  
15 accessible. And also certain number of vehicles that  
16 come in must be accessible because of the existing  
17 rules. So, it's not within aim towards turning over  
18 more vehicles rather than adding, but the bills as  
19 written now, I think separately address different  
20 problems. We have to figure out how to bring them  
21 together to resolve the growing number of vehicles  
22 and ensuring that the vehicles that are on the road,  
23 a significant percentage of them are accessible.

24           COUNCIL MEMBER LANDER: Okay. And I know I  
25 said that was my last question, Mr. Chair, but if I

2 could just ask one last, last question. I want to ask  
3 to what extent you're also looking at the impact of  
4 the new congestion pricing surcharge here. I  
5 supported a broader congestion pricing proposal that  
6 would also have covered individual vehicles which  
7 obviously outweigh taxis and FHV's substantially. And  
8 while I don't oppose, of course we want the money for  
9 the subways and buses, we need it. And I don't oppose  
10 it, I'm just nervous that adding that, like asking  
11 the FHV industry to bear the cost of fixing the  
12 subways while also wanting to make sure we don't have  
13 more than we need out there, that we have accessible  
14 vehicles, and that drivers can earn a living wage.  
15 That's a lot to make sure that we're doing. So, how  
16 are you, I assume that's going into your calculus and  
17 that you're factoring that in as well. But I wonder  
18 how you're looking at that.

19 COMMISSIONER JOSHI: Yeah, I think the  
20 congestion fee, obviously everyone who lives in New  
21 York wants any measure that can decrease congestion  
22 and make movement around the City easier. And it is a  
23 little difficult if only one industry is the one  
24 providing that. I think it's particularly difficult  
25 for taxis that will end up with a \$3.00 fee and all

2 of their work is primarily in Manhattan because of  
3 the nature of the hail business. You are not likely  
4 to pick up hails in less dense areas of the City. The  
5 hail works in New York City, in Manhattan because  
6 there are so many people on the street. When you go  
7 to other cities, taxis generally are commonly dual  
8 because they don't have the passenger density. So,  
9 taxis are only going get hail customers in Manhattan  
10 and they're now going to have to add \$3.00 onto every  
11 trip. Well, starting January with no ability to sort  
12 of offset that. Whereas the FHV sector can subsidize  
13 or find other ways so that the passenger doesn't pay  
14 or doesn't feel the payment of the extra money. So, I  
15 think it is a source of revenue, surely, and surely  
16 one that the MTA needs. I am not sure that it will  
17 effect congestion or make a change in the passenger  
18 decisions to use or not use a for-hire vehicle and I  
19 think that going forward it would be really  
20 beneficial if we could also take a look at what times  
21 of day, what days of the week there are particular  
22 problems and have surcharges that respond to those  
23 highs and lows.

24 COUNCIL MEMBER LANDER: And I would just,  
25 I'll end by asking my colleagues to keep this in mind

2 as well. I don't want, it would be easy for us to  
3 just pretend that's a different conversation, but if  
4 we want all drivers, for-hire drivers, taxi and FHV  
5 to earn a living wage. And we want accessible  
6 service, and we want less congestion then we can't  
7 pretend like what the governor did is just some  
8 separate issue. It is going to make it more difficult  
9 for us to achieve this set of goals if we don't see  
10 them in the same context. Thank you, Mr. Chair for  
11 indulging my questions and for convening this hearing  
12 today.

13 CHAIRPERSON DIAZ: Thank you, Council  
14 Member Lander. I have been joined by Council Member  
15 Constantinides. We have a few other Council Members  
16 that have questions. I just want to remind them we  
17 have about 100 drivers and members of the industry  
18 that would like to ask questions and be heard today.  
19 And please let's see if we can cut short so I can  
20 hear them and their questions. Council Member Levin  
21 has a question for the Commissioner.

22 COUNCIL MEMBER LEVIN: Thank you very  
23 much, Mr. Chair. Commissioner, hi. Thank you very  
24 much for being here. I wanted to ask, kind of in  
25 general terms. Since we've had this discussion in

2 2015, generally speaking how have you seen the  
3 industry, the broader aspects of the industry change  
4 since that time? And was it consistent with our  
5 conversations that we were having and you said that  
6 you were ready to deliver your 2015 testimony again  
7 today with some minor modifications. Have things  
8 changed fundamentally or are they kind of gone in  
9 that similar direction but only further?

10 COMMISSIONER JOSHI: I think the numbers  
11 have all gotten larger. So the number of vehicles has  
12 grown, the number of drivers have grown. What's gone  
13 down is driver income and what we've also seen is, I  
14 think there was some thought years ago that there  
15 would be this sort of leveling off, sort of an  
16 organic end to the increase of drivers and vehicles.  
17 We, at the frontlines, licensing didn't see that  
18 because we just saw consistently the numbers  
19 increasing, but never dipping. But still bringing on  
20 2,000-3,000 every month is an incredible volume. I  
21 think now, people may feel less confident that there  
22 will be this organic leveling off. That maybe people  
23 in 2015 felt there would be and that without any kind  
24 of governmental, City Council intervention, I see the  
25 problems that are attendant to the unchecked growth

2 only becoming more challenging. And that is  
3 congestion, poor driver income, and a lot more people  
4 buying cars that maybe wouldn't have been buying  
5 those cars in the beginning. And they're doing it to  
6 get into the for-hire services.

7 COUNCIL MEMBER LEVIN: Have you been able  
8 to determine or as you're studying it now, what an  
9 appropriate level would be when it comes to the  
10 number of cars, the number of licenses in the system.  
11 And if that number is lower than the current number,  
12 how would we, through regulation get down to a more  
13 appropriate number.

14 COMMISSIONER JOSHI: That's a good  
15 question. And to be honest, we have thought in  
16 general about this. The bill that we got that came in  
17 on Thursday was the first sort of concrete example of  
18 an indication that Council was interested in  
19 particular in this subject. So we're happy to use the  
20 information we have to take a closer look at it. And  
21 share information about trip volumes and vehicles and  
22 driver with the Council so that you can also get the  
23 benefit of that information and then I think with the  
24 benefit of that information, a determination on what,

2 if limitations are going to be put in place, what the  
3 best form of those should be.

4 COUNCIL MEMBER LEVIN: The study that  
5 you're working on now, that is examining the  
6 economics of driver situations as they exist today?

7 COMMISSIONER JOSHI: Yes.

8 COUNCIL MEMBER LEVIN: Is there any kind  
9 of general findings that you're able to share with us  
10 right now? Are you seeing, and I realize it's a very  
11 diverse industry in terms of how many hours people  
12 are working, but say for somebody that's putting in a  
13 full time number of hours. So, 40 hours a week, are  
14 you able to figure out what their income, how their  
15 income is tracked over time?

16 COMMISSIONER JOSHI: So, I can tell you  
17 certainly from not (sic) our study, our hearings as  
18 well as surveys that we've put out to thousands of  
19 drivers. It is the majority that are reporting they  
20 make less now than they did last year. And that they  
21 work either the same amount of hours or they work  
22 more hours. So the sort of in general finding is that  
23 income has come down.

24

25

2 COUNCIL MEMBER LEVIN: Is it coming down  
3 precipitously and are you able to track that even  
4 back to 2015?

5 COMMISSIONER JOSHI: So that level of  
6 detail, we're happy to provide in the near future I  
7 just don't, I'm not at a point today where I can  
8 provide it to you.

9 COUNCIL MEMBER LEVIN: Okay. I mean  
10 obviously I'm disappointed, I remain disappointed  
11 that we were not able to act in 2015 to head off some  
12 of these concerns that we're talking today. And there  
13 is the issue of congestion, that's an issue that  
14 really effects every New Yorker. That's a very  
15 important aspect of this to keep in mind. I'm  
16 increasingly concerned about what is happening to the  
17 workers in this industry. Whether they're Yellow  
18 drivers or livery drivers, or for-hire vehicle  
19 drivers or all of the above. I think some of things  
20 that we were talking about in 2015 have now come to  
21 pass and obviously these recent instances of driver  
22 taking their own lives is tragic and very distressing  
23 and I think warrants us taking it very seriously  
24 what's happening here. Because people are losing  
25 their livelihoods and its perhaps easy for us to say

2 oh well people shouldn't despair, but when your  
3 entire life savings has evaporated or it's becoming  
4 increasingly difficult to pay your mortgage or pay  
5 your debts, or pay the loans for student loans or  
6 your children's education. Those are very real, very  
7 real concerns that drivers are facing every day and  
8 as I said in my opening statement, we have a  
9 collective responsibility. This is regulated  
10 industry. If this was an unregulated industry we  
11 could perhaps make a claim that we bear no  
12 responsibility, but the fact is that this is a  
13 regulated industry and has been a regulated industry  
14 for the entire time that it's been an industry. And  
15 so I think we have a responsibility, as you said, as  
16 a City, so legislative body and TLC as rule making  
17 governing body, to ensure that those that are working  
18 in this industry are able to, as Council Member  
19 Lander said, make a living wage. Be able to send  
20 their children to school, be able to afford  
21 groceries, be able to pay a mortgage. To be able to  
22 live in this City and support a family. And that's  
23 just a reflection of the dreams and aspirations of  
24 every day new Yorkers and is really part of the  
25 American dream and I think that we have to

2 acknowledge that we have a responsibility as a City  
3 government to regulate this industry in a way that  
4 ensures the viability of these jobs and these  
5 careers. Thank you.

6 COMMISSIONER JOSHI: Thank you.

7 COUNCIL MEMBER LEVIN: Thank you, Chair.

8 CHAIRPERSON DIAZ: Thank you Council  
9 Member. Again, I would like Council Members to bear  
10 with me with the public. We have many, many people  
11 with the public that would like to testify and to be  
12 heard. Council Member Vallone.

13 COUNCIL MEMBER VALLONE: Thank you, Chair.  
14 Thank you Commissioner for your updates. Just  
15 quickly, one of the intros today and following up on  
16 a meeting that we had on trying to create some parity  
17 and some reduced fees and waivers that the Yellow  
18 Cabs are often hit with. Chair Diaz, Intro 634 has a  
19 bill to waive the current \$255.00 license fee for the  
20 wheelchair accessible for-hire vehicles of any  
21 taxicab license. Does the Administration have a  
22 position on that?

23 COMMISSIONER JOSHI: We support making the  
24 financial burdens for bringing accessible taxis and  
25 FHV's on the road easier. So we support that. I only

2 just want to add that the licensing fees are a small  
3 part of the expenses associated with accessible  
4 service. The two key parts, well the one key part I  
5 think is income. So once on the road there needs to  
6 be consistent streams of income and that's an area  
7 where any attention focused there is very productive.  
8 So we run a dispatch program that allows people to  
9 call a service and an accessible Yellow Taxi is  
10 brought to them and the driver is compensated  
11 anywhere between \$10 and \$20 per trip. We worked with  
12 the MTA so that green and yellow taxis, and  
13 accessible green and yellow taxis can provide Access-  
14 A-Ride service. And now that's happening over 3,000  
15 times a day. And we also are using money that we  
16 collect through a passenger surcharge to help taxis  
17 owners, green taxi owners, and yellow taxis owners  
18 defray the costs of owning and operating a yellow  
19 taxi as well as giving the drivers a per trip payment  
20 so that they earn a few hundred dollars extra ever  
21 week or so. So the licensing fee is certainly an  
22 expense, but it is small compared to the other  
23 challenges. And the other challenges are making sure  
24 that once on the road that there is income. And part  
25 of it comes from the fact that drivers, if given a

2 choice of what vehicle to drive would drive a Toyota  
3 Camry rather than an accessible vehicle. But the more  
4 that the accessible vehicles are part of the fleet,  
5 the more that becomes the norm. And we all get used  
6 to traveling in accessible vehicles whether we need  
7 them or not because they're just part of how our City  
8 wants to represent transportation. As well as the  
9 more there's more public/private partnerships on how  
10 to use the accessible taxis and FHV's that are out  
11 there to provide transportation beyond for-hire are  
12 all good and productive ways to encourage the service  
13 and protect income.

14 COUNCIL MEMBER VALLONE: So, it's always  
15 good when we hear that they approved...

16 CHAIRPERSON DIAZ: [interposes] let me,  
17 Council member, let me tell you that the fees to  
18 convert the vehicle into handicap accessible, for  
19 Yellow, is about \$1,000.00 the whole fee. For livery  
20 it's about \$600.00 and for Uber it's nothing. So  
21 there is disparity here. And I'm glad to hear the  
22 Commissioner saying that she supports my bill...

23 COUNCIL MEMBER VALLONE: [interposes] I  
24 thought that'd make you happy so that's why we asked  
25 that question.

2           COMMISSIONER JOSHI: I'm just curious. You  
3 said for the taxis, the cost is \$1,000.00, for the  
4 liveries it's \$600.00 and the Ubers it's nothing.  
5 Would mind just giving me the site for that, because  
6 that's not my understanding of the law.

7           CHAIRPERSON DIAZ: All of the fees, at the  
8 end that's what it comes to.

9           COMMISSIONER JOSHI: Okay. So we can  
10 follow up with you on where... Thank you.

11           CHAIRPERSON DIAZ: [interposes] no, I'm  
12 glad to hear you say that you support that because  
13 that's key. That's key.

14           COUNCIL MEMBER VALLONE: Chair Diaz, just  
15 a quick follow up one. So, Commissioner it sounded  
16 like maybe you were addressing maybe a package for  
17 relief for accessibility vehicles because I know that  
18 was one, and you keep saying it's a minor charge so  
19 is there...

20           COMMISSIONER JOSHI: [interposes] yeah, so  
21 I think it's...

22           COUNCIL MEMBER VALLONE: [interposes]  
23 other relief down the road coming?

24           COMMISSINER JOSHI: Yeah, what I outlined  
25 to you is some programs that we run now, and I think

2 expanding those programs, and I think Council I know  
3 has been a strong supporter of especially the MTA  
4 partnership on Access-A-Ride, but the more people  
5 that are taking advantage of the accessible taxis  
6 that are on the road, to use in services like Access-  
7 A-Ride, the more streams of income there are for  
8 those drivers. So we'd be happy to talk to you more  
9 about those programs and maybe the possibility of how  
10 council can help us in expanding them.

11 COUNCIL MEMBER VALLONE: Bringing relief  
12 to the drivers is what this Committee is about, so  
13 thank you. And I feel just as someone from the outer  
14 boroughs and North East Queens that drives on a daily  
15 basis, I will always fight for my drivers and be  
16 opposed to the commuter tax on drivers since that was  
17 mentioned here today. And I think we should bring  
18 back the commuter tax on our non-city residents that  
19 was taken away from us from Albany over 15 years ago.  
20 And that would save the City from having to keep  
21 bailing out Albany, but thank you, Commissioner.  
22 Thank you, Chair Diaz.

23 CHAIRPERSON DIAZ: Thank you, Council  
24 Member Vallone. Council member Moya.

2 COUNCIL MEMBER MOYA: Thank you, Chair  
3 Diaz for bringing this important issue to the floor  
4 today. And thank you, Commissioner for your time and  
5 your testimony. I just have two quick questions. One  
6 I'll follow up on Council Member Vallone's question  
7 on the disability issue, but since we're not  
8 regulating the lease programs that companies like  
9 Uber have with car dealerships, is there any concern  
10 for the essentially subprime purchases that are  
11 happening? While medallions are losing value and  
12 we're seeing app drivers enter into programs where  
13 they end up paying more in the long run. Are we  
14 concerned about this race to the bottom for drivers  
15 across the board?

16 COMMISSIONER JOSHI: Yes. You're right, we  
17 don't actually license the entities that lease those  
18 vehicles to for-hire drivers. Occasionally we do  
19 because they'll purchase and then end up having to  
20 become a vehicle owner as well, but there is no  
21 uniform licensing of them as we have in the taxi  
22 industry. So our ability to regulate is somewhat more  
23 limited. But what we can do and what we've done in  
24 the taxi industry which I think is instructive is,  
25 one, make sure that drivers and vehicle owners know

2 exactly what the costs are going to be. So there has  
3 to be a level of transparency. In the taxi industry  
4 that's a lease agreement that tells them exactly what  
5 every payment is, what the totals are and they have  
6 an understanding of what the costs of the vehicle are  
7 over time which are important to know upfront. And so  
8 I think that's an important part of our driver income  
9 regulation that we're working on. And then the second  
10 part is something that we look into, but I think this  
11 issue of us not being able to license the correct  
12 parties may interfere with it. But understanding if  
13 there should be a way to cap or limit the effect of  
14 the amount of the lease payment on the driver. One  
15 way to get at it is what we've done in taxi industry  
16 which is cap the amount that a driver has to pay for  
17 a long term lease. And the other way is to make sure  
18 that what a driver is paid covers the expenses so  
19 that even if there is no cap, they are compensated in  
20 a way that their pay would adequately cover the cost  
21 of the vehicle.

22 COUNCIL MEMBER MOYA: Great. And are there  
23 requirements for off street parking? And the reason  
24 why I ask this is because in communities like mine  
25 where there is limited street parking we're facing an

2 influx where residents are struggling to find  
3 parking. And with bases, they must have off street,  
4 but for the apps we don't know the impact that that  
5 has on our community. And I'm just wondering if there  
6 is any regulation there that you guys have been  
7 thinking about.

8           COMMISSIONER JOSHI: So, I am aware of the  
9 problem in your community with the off street  
10 parking. And we've done enforcement there to help  
11 keep those cars moving. It's a perennial problem so  
12 I'm sure we'll consistently be there to make sure  
13 that people know we're there. The off street parking  
14 requirement attaches to livery bases and the black  
15 car bases don't have the off street parking  
16 requirement. So if any of the app companies, and I  
17 believe Uber has one livery base, they will have an  
18 off street parking requirement just for that one  
19 livery base. But everybody who is licensed as a black  
20 car base will not have an off street parking under  
21 the ad code as written today.

22           COUNCIL MEMBER MOYA: Okay. Thank you very  
23 much Commissioner.

24           COMMISSIONER JOSHI: You're welcome.

25           COUNCIL MEMBER MOYA: Thank you Chairman.

2 CHAIRPERSON DIAZ: Thank you, Council  
3 Member Moya. And Council Member Constantinides.

4 COUNCIL MEMBER CONSTANTINIDES: Thank you,  
5 Chair Diaz. And I definitely appreciate you bringing  
6 this important issue before us today. I remember in  
7 2015 talking with the drivers on the steps of City  
8 Hall and them telling me that the app-based companies  
9 were turning their full time job, into a part time  
10 job. And seeing how things have deteriorated from  
11 that time, I know we have to take action on behalf of  
12 the drivers and behalf of all of those that are  
13 involved in this industry. As Francisco Moya, my  
14 colleague, Council Member called it, a race to the  
15 bottom. So I have some really deep concerns and glad  
16 that we're addressing these important issues today. I  
17 can just tell you from my own experiences in Western  
18 Queens, representing a community where the 59th  
19 Street Bridge, folks get off the Grand Central  
20 Parkway and then want to take the free fare into  
21 Manhattan so they line up on 21st Street. We have  
22 over 2,000 cars an hour on 21st Street, in Astoria  
23 during rush hour. At two o'clock in the morning, when  
24 it's not rush hour, we still have over 1,000 cars on  
25 the road, every single day. So that is congestion,

2 that's an environmental impact. We see asthma rates  
3 in Western Queens in 1101, 1102, 106, higher than the  
4 borough average. The closure you get to the water  
5 which happens to be right near 21st Street as well.  
6 So, when it comes to congestion, and to environmental  
7 impact, the work that we're doing today, how will  
8 that help us?

9 COMMISSIONER JOSHI: The congestion is due  
10 to vehicles on the road. So any measure that requires  
11 vehicles that are on the road to be highly utilized  
12 and reduces the overall number of vehicles on the  
13 road I think will go a long way towards congestion.  
14 When you have underutilized vehicles you have things  
15 like idling which is another environmental hazard.  
16 Taking up parking space, taking up lane space, so I  
17 think we have to be very judicious about how we use  
18 cars on our City streets. Make sure when they are  
19 used that they are utilized, that they're not one  
20 driver and nobody else. And all of that is a larger  
21 problem the FHV industry, and the taxi industry. But  
22 especially in certain parts of the City, for-hire  
23 vehicles are basically all you see. So any measures  
24 you take that require them to be utilized more  
25 efficiently and reduce the number that are on the

2 road, will certainly be an aid in reducing  
3 congestion.

4 COUNCIL MEMBER COSTANTINIDES: When you  
5 look at we're put 70,000 new for-hire vehicles on the  
6 road since the intake of these new app-based...

7 COMMISSIONER JOSHI: [interposes] 80,000

8 COUNCIL MEMEBR CONSTANTINIDES: 80,000. So  
9 80,000 new cars on the road without any checks,  
10 without any balances, without any way of making sure  
11 that, one, this is good for our community. I know  
12 when there's Yellow Car base or a livery base put in  
13 our community there is input, they talk to the  
14 Council Member. They have to sort of demonstrate  
15 there's a need. This doesn't seem to be the case for  
16 the app-based companies. And also for the drivers,  
17 this used to be something that as a driver you could  
18 have a future, you could have put your kids through  
19 college. You could retire, you would know there is a  
20 basis, and it was a career. It wasn't something where  
21 you did it part time and you made way less than you  
22 needed. It was a living wage as my colleagues talked  
23 about. So, from an environmental standpoint, from a  
24 social justice standpoint I look forward to working  
25 with you and the Commissioner to get things done, to

2 make this industry more fair, And level the playing  
3 field for all.

4 COMMISSIONER JOSHI: Likewise, thank you.

5 CHAIRPERSON DIAZ: Thank you, Council  
6 Member Constantinides. Commissioner, thank you very  
7 much for your participation. And your input in what  
8 we are trying to do, thank you very much and we will  
9 be seeing you in the future. Thank you very much.

10 COMMISSIONER JOSHI: Okay. Thank you very  
11 much.

12 CHAIRPERSON DIAZ: Thank you. Now, let me  
13 tell the public some rules. Let's wait for the  
14 Commissioners entourage to leave. Okay, now listen  
15 carefully ladies and gentleman. I'm going to call you  
16 in bundles of five. One, two, three, put me five  
17 chairs there please. Officer, can I get five chairs  
18 there? Thank you, thank you. You're each going to  
19 have two minutes and listen carefully. You can't talk  
20 about the \$2,000.00 Forget it, we already heard you,  
21 and we're going to be done with that so I don't want  
22 to hear you talking about the \$2,000.00 it's over.  
23 Okay? [Speaking Spanish 01:46:43-01:47:06] Lucius  
24 Riccio, is he here?

25 UNIDENTIFIED: Riccio.

2 CHAIRPERSON DIAZ: [01:47:17-01:49:37]

3 Riccio, is he here? One, two, three. No, no you are  
4 not Lucio. No, I wanted Lucio. Okay, Lucio, Davie  
5 Pollack, one, two, three, are you Davie Pollack. Joe  
6 Rappaport, all together the five of you, okay you're  
7 next then. Okay. In this part... Okay, Lipski (sp?),  
8 you've got two minutes, let's go. Okay, let's go.

9 MR LIPSKI: Thank you, Mr. Chairman. A two  
10 minute egg here, I'll be done. I have a statement  
11 from former Commissioner Riccio to read into the  
12 record. He is teaching his class to he was unable to  
13 attend, but I will read it for you. Mr. Chairman,  
14 thank you for the opportunity to testify in support  
15 of this critically important bill. This is arguable  
16 the most important transportation related bill to  
17 come before the council in years. The very survival  
18 of our essential transportation institutions is at  
19 stake, and this bill addresses that concern with  
20 diligence and wisdom. First, let me congratulate  
21 Council Member Diaz for sponsoring this bill and for  
22 former DOT Commissioner and TLC Commissioner Chris  
23 Lynn who helped repair it. I support this bill  
24 because New York City's essential transportation  
25 systems are facing an existential threat. Which

2 unless controlled, could significantly weaken our  
3 position as the premier city in this world. I do not  
4 exaggerate. We need smart transportation policy  
5 allowing the infusion of 100,000 FHVs to clog our  
6 streets, to take jobs away, and to steal ridership  
7 from the subways and buses without paying a penny for  
8 that ride is not smart policy. It is bad policy. New  
9 York City has been invaded by an army of occupation  
10 which has created the greatest congestion in our  
11 history, and weakened our vital bus, subway and cab  
12 systems. The brilliance of this bill is in its  
13 recognition that the unlimited invasion of the FHVs,  
14 without paying for the privilege, does not help our  
15 transportation advantages, it threatens them.

16 Subways, busses and cans enable the City of great  
17 density to be great. These vehicles make it harder to  
18 get around town, weakening our economic  
19 possibilities. There is nothing special about them.  
20 They are a car and a driver. If the City needed or  
21 wanted more cars, the City should have sold more  
22 medallions and used the money to fund more mass  
23 transit. That would have been good policy. I'll shift  
24 to the end here. Every one of New York's great growth  
25 periods can be linked to advances in its

2 transportation systems. From having the worlds  
3 greatest protect harbor, to the building of the Erie  
4 Canal which made New York the gateway to the worlds  
5 markets. To the building of the great bridges and  
6 highways, in the creation of the subways below and  
7 the elevators above, transportation has provided the  
8 leverage to grow. Neglecting our transportation  
9 future jeopardizes our potential and limits our...

10 CHAIRPERSON DIAZ: [interposes] Mr.  
11 Lipski, you have to summarize.

12 MR LIPSKI: I heartily endorse this bill.

13 CHAIRPERSON DIAZ: Thank you very much.

14 MR LIPSKI: [interposes] Commissioner  
15 Riccio...

16 CHAIRPERSON DIAZ: [interposes] Thank you  
17 very much, Mr. Lipski. Okay. Next?

18 GLORIA GUERRA: Hello. And thank you for  
19 letting me speak. I am one of medallion owners.

20 CHAIRPERSON DIAZ: Your name?

21 GLORIA GUERRA: Gloria Guerra. As I sit  
22 here listening to everything that's going on, I can't  
23 feel more betrayed by the City of New York on the  
24 base of feeling sorry for \$2,000.00 for drivers to  
25 pay while me, as a medallion owner, not only did I

2 have to buy that medallion and pay for it with my  
3 hard working earnings. But I also have to pay fees.  
4 Who feels sorry for me that I have to give the TLC  
5 \$1,700.00 after paying a million dollars for a  
6 medallion. No one feels nothing for me. Meanwhile, I  
7 have to pay the fees, if I don't pay those thousand  
8 dollar city stamp (sic) guess what, the TLC is  
9 sending me a letter and they want to summons me just  
10 to run my wheels on the City of New York. Why is Uber  
11 going to be above the law? We pay money. So if they  
12 want, they could come drive for Yellow is that's what  
13 they want to do. If they want to be a driver.  
14 Meanwhile, if you're not willing to pay to run your  
15 wheels on the City of New York, then you're not  
16 allowed to be in it. And that's all I have to say.

17 CHAIRPERSON DIAZ: Thank you. I hear you  
18 loud and clear.

19 CAROLYN PRATZ: Good morning, Chairman  
20 Diaz, Mr. Lynn, Council Members. My name is Carolyn  
21 Pratz (sp?) I'm an individual medallion owner. And I  
22 strongly support these bills being presented today.  
23 Sometimes it is said that it takes a village to  
24 address a problem, but sometimes one man in a cowboy  
25

2 hat with his able Council sidekick, can address that  
3 head on.

4 CHAIRPERSON DIAZ: Are you talk about me?  
5 Are you talking about me?

6 CAROLYN PRATZ: There used to only be one  
7 man in a cowboy hat in this room. Now there is a lot  
8 of us. For three years I've been going to meetings,  
9 I've been going to hearings, I've been interviewed on  
10 radio and television. I've been to the court. And  
11 basically, this problem has not been addressed. Its  
12 been nibbled around the edges, but nobody has wanted  
13 to take it full on as you are. And I thank you from  
14 the bottom of my heart. I'm almost agnostic as to  
15 what the solution is, but we know we have to get many  
16 of these 130,000 cars off of the road because that  
17 only benefits a giant, multinational, multibillion  
18 dollar corporation who is running its money through  
19 the Netherland, allegedly. It doesn't help the  
20 drivers. Let's face it. And something has to be done.  
21 If we go back to before 2012, everybody was making a  
22 living. Livery drivers, black car drivers, Yellow Cab  
23 drivers, there was no problem. The problem is the  
24 increase from 40,000 vehicles to 120,000 vehicles.  
25 There has been no such increase in demand. We can't

2 deny the laws of supply and demand, the pie is just  
3 being cut in more pieces. And the decline in driver  
4 earning was inevitable. There are additional  
5 consequences, take your pick. All bad. Congestion,  
6 620 percent increase in crashes within the black car  
7 segment. Nobody likes to talk about that, but it's  
8 right there on the TLC website. Comparing 2014  
9 monthly numbers to 2018 monthly numbers, 620 percent.  
10 The losses to New York City taxpayers, discouragement  
11 of the use of public transportation. I would just  
12 like to point out a couple of things that Meera Joshi  
13 was referencing about the bases. This legislation  
14 would have to work through the bases. There's 850  
15 bases by my count, only 600 report trips. So I think  
16 they're missing a lot of information or they're not  
17 revealing it on the website. Or I'm just missing it.  
18 So, that's something that should be looked into  
19 because your accessibility requirement is...

20 CHAIRPERSON DIAZ: [interposes] thank you.

21 CAROLYN PRATZ: to go according to bases.

22 So I'd just like to say we're at a point that like in  
23 1937, action by City government is absolutely called  
24 upon.

25 CHAIRPERSON DIAZ: Thank you.

2 CAROLYN PRATZ: Thank you.

3 CHAIRPERSON DIAZ: And I can assure you  
4 that nobody know what the end is going to be, but  
5 we're going to fight.

6 CAROLYN PRATZ: We thank you.

7 CHAIRPERSON DIAZ: I'm not here to go  
8 away. I'm here for four years I'm going to be here  
9 unless the Speaker takes away the Committee from me.  
10 The Speaker has been very nice. He's been supporting  
11 me, he's been supporting the Committee and as long as  
12 I have the Committee, I'm going to be here for four  
13 years, so those that know me know that when I believe  
14 in something, when I believe in doing something I  
15 don't go back. I don't bend under pressure. I do what  
16 I think is right and at the end everybody is going to  
17 be happy. Thank you very much.

18 CAROLYN PRATZ: Thank you.

19 UNIDENTIFIED: Chairman Diaz, honored  
20 Council Members, thank you so much for letting me  
21 speak up here and speak my mind. Two minutes, okay so  
22 I'm just going to do my best. More than three years  
23 ago, we felt abandoned, betrayed by this institution  
24 along with Taxi Limousine Commission. We weren't  
25 ready back then because we trusted you. It never

2 crossed our minds that you willingly or unwittingly  
3 would allow those unscrupulous predators using their  
4 app corporation to destroy our industry. I support  
5 this bill because I see a new beginning, a step into  
6 the right direction. That at least one day we will  
7 see the light at the end of the tunnel. In fact, let  
8 me say something about New York City. New York City  
9 has a moral duty to bring fairness to the taxi  
10 industry. And at the same time you have stop those  
11 app corporations treating our disabled as second  
12 class citizens. We know that many Council Members  
13 were deceived back then. Now you have the opportunity  
14 to vindicate yourself by supporting the Diaz bill.  
15 Under our new and great leadership justice will  
16 prevail, be part of it. We all have a great  
17 opportunity here to bring fairness. Yes, fairness to  
18 the taxi industry. Thank you so much, God bless you  
19 all.

20 CHAIRPERSON DIAZ: Thank you. Sir?

21 DAVID POLLACK: Good morning, Chairman  
22 Diaz and Council Members. My name is David Pollack  
23 representing credit unions and we have all but been  
24 forgotten in these trying times and believe the  
25 proposed legislation shows a strong positive message.

2 The New York City Taxi and Limousine Commission has  
3 done their job, but they take direction from the City  
4 Council. On behalf of taxi credit unions we thank  
5 you, Council Member Diaz and Mr. Lynn for  
6 demonstrating the leadership needed to reinforce  
7 confidence in the New York City medallion market. The  
8 financial partnership between thousands of immigrant  
9 medallion owners and New York City has been  
10 disregarded by a lack of effective legislation by  
11 City government until today. Taxi credit unions  
12 believe in New York City and have always supported  
13 each medallion auction which allowed an immigrant  
14 driver to become a medallion owner and attain part of  
15 the American dream. That said, the Council let a new  
16 industry run amok without legislation to protect  
17 credit union members who are also New York City's  
18 financial partners, the medallion owners. Today, that  
19 all ends as the government finally has positive  
20 direction for the Yellow Taxi industry. Today taxis  
21 drivers are earning less, today we have clogged  
22 streets. Today poisons fill the air, all stemming  
23 from the thousands of uncapped for-hire vehicles  
24 being registered monthly in New York City. When an  
25 app company reduces fares below the regulated Yellow

2 Taxi of fare, as they probably will when the new  
3 congestion pricing surcharge is applied, drivers in  
4 all segments will earn less. Therefore, the TSA, the  
5 Taxicab Service Association supports setting a  
6 minimum rate of fare that cannot be reduced when the  
7 new surcharge begins. The TSA also supports your  
8 mandate for only legitimate fares from bases for each  
9 vehicle. We applaud the waiver of fees for accessible  
10 taxis and FHV vehicles, and most certainly support a  
11 moratorium on issuing new FHV licenses. Finally, we  
12 support all of the proposed legislation before you  
13 today because each intro is for the people, by the  
14 people and written in the same light as credit  
15 unions. Credit unions started by the people and are  
16 for the people. Council Members and Council staff, we  
17 urge you to do the right thing and support the  
18 proposed legislation for the people who have  
19 partnered with New York City government, the small  
20 business medallion owners, the drivers, the taxi  
21 credit unions, all of whom are your partners.

22 CHAIRPERSON DIAZ: Thank you to the five  
23 of you. Thank you very much.

24

25

2 MR LIPSKI: Chair, may I speak in my own  
3 voice for two minutes? Just quickly. Very quickly.  
4 Very quickly, I'll be brief

5 CHAIRPERSON DIAZ: Reach a... no, I  
6 understand.

7 MR LIPSKI: [interposes] Watching the  
8 chair of the TLC was such a disappointment to me and  
9 to all of my friends here. What you have to be  
10 careful about, Council Members, is that this bill is  
11 finely tuned that's going to come out of here, but  
12 it's going to be pursuant to regulations that are  
13 made up by the Taxi and Limousine Commission. The  
14 question you're going to have to face is this  
15 commissioner and this Commissioner, are they able,  
16 and willing, and up to the task of doing this. Her  
17 testimony today seems to indicate...

18 CHAIRPERSON DIAZ: [interposes] Mr.  
19 Lipski, Mr. Lipski, yeah, I understand what you're  
20 saying any my commitment to the drivers, to the  
21 industry that everybody is going to have the same  
22 way. No one is going to be above others. The livery,  
23 the livery pays to the City, the Yellow has to pay  
24 the same thing, the black, and everybody is going to  
25 pay the same thing. No one will pay different than

2 the others. They're all going to be, because  
3 injustice is injustice. And justice for all, is  
4 justice for all and that's what I'm trying to be. I  
5 want to go to bed at night with my mind clear that I  
6 am not supporting any group above the others that I'm  
7 going to balance, I'm going to try to fix the  
8 industry. The industry has many things to be fixed.  
9 The Yellow and the livery have been abused, the  
10 Yellow have been losing money. Uber is taking control  
11 of everything. We are going to do our best. That's my  
12 commitment. And in that process, ladies and  
13 gentleman, somebody is going to be happy, somebody is  
14 going to get angry. No one could every make everyone  
15 happy. But we're going to do our best. So thank you.

16 MR LIPSKI: Thank you very much.

17 CHAIRPERSON DIAZ: Thank you. Jean Ryan  
18 and his group. All of them, bring all of them.  
19 [02:04:43-] Okay, two minutes each and say the names  
20 please.

21 EDITH PRENTICE: Okay. We're off to the  
22 races. My name is Edith Prentice and I am testifying  
23 on behalf of the Taxis for All campaign before the  
24 for-hire vehicle, et cetera. I am chair of the taxis  
25 for all campaign, thank you for the opportunity to

2 testify today. We are representing the Taxis for All  
3 campaign, a coalition of the City's leading  
4 disability groups with the explicit goal of getting  
5 all taxi vehicles, Yellow, car service, black cars,  
6 accessible to all New Yorkers whether or not they use  
7 wheelchairs. We welcome the Council's new interest in  
8 accessibility. For two decades car services, black  
9 cars and most recently services like Uber and Lyft  
10 have done everything in their power to avoid  
11 including people like me. Testifying against  
12 standards at hearings like this, sued (sic) as Uber,  
13 Lyft and Via are doing right now and Carmel and other  
14 companies were doing until a week or two ago.  
15 Lobbying and bullying elected officials to prevent us  
16 from getting rides. They've done everything but  
17 actually get people like me to where we want to go.  
18 Perhaps, like the president said last week about  
19 Paralympian athletes, we make them uncomfortable. I  
20 myself would benefit greatly from additional access  
21 to for-hire vehicles. I live in Council Member  
22 Rodriguez's district, Washington Heights is in its  
23 own way, a transportation desert. The only 24/7  
24 transit option are inaccessible subways, inaccessible  
25 car services, or just plain wheeling. The only East-

2 West transportation is wheeling up and down the hills  
3 until you get to The Bronx, and then you cross a  
4 river. When the buses are heading (sic), over the  
5 years I have wheeled a mile plus from my apartment to  
6 the hospital way too often in the early morning  
7 medical emergencies when neither the M-100 nor the  
8 BX7 buses are running. So we welcome the proposals  
9 put forward by the Council. Our view is that all that  
10 is every single for-hire vehicle should be accessible  
11 to the standards required by the Americans with  
12 Disabilities Act. These proposals, if polished, would  
13 get us to that point.

14 CHAIRPERSON DIAZ: Thank you.

15 JEAN RYAN: Hi. I'm Jean Ryan, I'm vice  
16 president for Public Affairs of Disabled in Action.  
17 (coughs) excuse me. We are core member of the Taxis  
18 for All Campaign. I live in Bayridge Brooklyn which  
19 is car service heaven (sic), but I cannot get a ride.  
20 My guests and children can call or use an app for  
21 prompt vehicle, but I can't get a wheelchair  
22 accessible ride and that's what I need for family  
23 emergencies, unplanned errands, fun or going anywhere  
24 on short notice. I've had to wheel two miles back and  
25 forth each way to get to the hospital to visit my

2 husband. Or go myself to the emergency room. Before I  
3 started using a wheelchair in 2006 and before that  
4 when I used a scooter, I had an account at a car  
5 service company. I used it often and I would today if  
6 I could. It makes no business sense that an industry  
7 would shun passengers, and then complain about how  
8 bad business is. I'm hardly the only one who benefit  
9 from more accessibility. We have a member who wasn't  
10 able to get to the hospital to see her dying mother.  
11 Members who couldn't get home when their wheelchairs  
12 broke, and even a member who couldn't get to her  
13 husband's funeral. All for the lack of accessible  
14 for-hire vehicles. It's wrong, and it's time the  
15 Council changes it. Thank you.

16           JOE RAPPAPORT: I am Joe Rappaport. I'm  
17 the Executive Director of the Brooklyn Center for  
18 Independence of the Disabled which is a core member  
19 of the Taxis for All Campaign. And we are the lead  
20 plaintiff actually in a suit against Uber for its  
21 lack of accessibility. We support the call, first of  
22 all I want to say we support the call by the Taxi  
23 Workers Alliance and many others for a living wage.  
24 That has been discussed here and other improvement to  
25 protect the livelihoods of drivers and others in the

1 industry. The Taxi Workers alliance particularly has  
2 supported the right of all New Yorkers to get a ride  
3 when they need one. And we support their right for  
4 the rights of all of the workers in the industry to  
5 survive and thrive. We have several specific points  
6 and questions about the legislation. The current  
7 draft of the bill requires 50 percent of all black  
8 cars to be accessible by 2025. We support that  
9 concept, we believe that all FHV categories must  
10 provide accessible service so as is already done in  
11 the more limited TLC rules. An earlier Council draft  
12 covered all FHV vehicles so the question is, whether  
13 it's the Councils intention to let some carriers  
14 evade accessibility responsibilities or will all FHV  
15 categories be covered. We also support other ways of  
16 measuring accessibility. You do it by the percentage  
17 of vehicles, the TLC has a different formula about  
18 the number of rides in accessible vehicles and we're  
19 wondering if you've consulted with the TLC about how  
20 best to make Intro 855 work. We are concerned about  
21 the timeframe, will the Council amend Intro 855 to  
22 reflect the TLCs rule and require at least 25 percent  
23 accessibility in FHV's by 2022. So those are questions  
24

2 you can respond to, I had, and we have comments in  
3 our notes about a couple of other bills.

4 CHAIRPERSON DIAZ: Thank you.

5 JOE RAPPAPORT: And then Valerie will  
6 speak now or if you want to...

7 CHAIRPERSON DIAZ: No, no go ahead.

8 VALERIE JOSEPH: My name is Valeri Joseph.  
9 I'm an Access-A-Ride advocate at Brooklyn Center for  
10 the Independence of the Disabled. I wanted to mention  
11 another reason why Intro 855 must be revised. Right  
12 now the legislation does not call for an immediate  
13 increase in the number of accessible FHV vehicles, or  
14 even one within a few years. But accessible vehicles  
15 in my neighborhood, which is Queens Village, and  
16 around the City are desperately needed. One reason is  
17 New York City's transit Access-A-Ride on demand pilot  
18 program which allows me and other Access-A-Ride users  
19 to call for a ride and get one right away instead of  
20 calling in a day advance. This has the potential to  
21 truly change my life and other lives of Access-A-Ride  
22 users who now must deal with horrendous service. On  
23 demand service also could provide a regular stream of  
24 revenue for FHV drivers since there are 6.4 million  
25 Access-A-Ride rides annually, but right now we have

2 little chance of getting an accessible ride. More  
3 accessible FHV's on the road are essential in this  
4 program to succeed. Thank you very much.

5 CHAIRPERSON DIAZ: Thank you.

6 UNIDENTIFIED: I just want to say that we  
7 really appreciate that the Council, and you, and your  
8 colleagues are focusing on accessibility. We've  
9 wanted the Council to do this for many years. It has  
10 been very tough so we really appreciate the chance,  
11 that legislation has been introduced. The Speaker had  
12 actually introduced good legislation previously so  
13 hope to work with you to make sure that the best  
14 possible legislation moves forward. Thank you.

15 CHAIRPERSON DIAZ: That is exactly my  
16 purpose. To work with every group and to be sure that  
17 every single group is heard, and trying to be fair to  
18 all of the groups. So thank you for your  
19 participation. Put the mic.

20 UNIDENTIFIED: Sorry. For over 20 years,  
21 so we're not a flash in the pan. We're not three  
22 years. This has been a long driver fight. We go  
23 back...

24 CHAIRPERSON DIAZ: [interposes] well now  
25 you have a Committee with seven members that are

2 willing to work, and to help you and to be sure. Okay  
3 don't worry about it.

4 UNIDENTIFIED: Thank you.

5 CHAIRPERSON DIAZ: Thank you. We have now  
6 Council Member Rose here and Council Member Cohen.  
7 And we have James Comiglianno (sp?) President of the  
8 Independent Drivers Guild. We have Sigfield (sic)  
9 Independent Drivers Union. We have (inaudible...)  
10 independent Drivers Guild. Ryan Price, Independent  
11 Drivers guild, Joe Morega, driver, LBO (sic).

12 JAMES COMIGLIANO: Good morning, Chairman  
13 Diaz and members of the Committee on for-hire  
14 vehicles. My name is James Comigliano, Jr. I am the  
15 President of the Independent Drivers Guild. I'm also  
16 joined here by Ryan Price, the IDGs Executive  
17 Director and Mohamed Barless (sp?), a driver and IDG  
18 board member. The Independent Drivers Guild is a non-  
19 profit affiliate of the Machinist union that  
20 represent app-based workers driving throughout the  
21 provider vehicle industry. While we obviously cannot  
22 address every bill in the allotted time, we have  
23 submitted written testimony detailing our positions.  
24 In the interest of time, I am going to focus the  
25 majority of my testimony on Intro 838 and we look

1 forward to working with Council Members on their very  
2 important proposals. I shouldn't have to state once  
3 again that 100,000 drivers are struggling to make a  
4 living in this City. All drivers, from all sectors.  
5 They are driving longer hours for less pay that was  
6 promised to them, dealing with rising expenses and  
7 being forced deeper and deeper into poverty.

8 Therefore, the top priority for this Committee and  
9 every one of us should be how do we make the lives of  
10 working drivers in this City better. How do we  
11 provide a living wage for workers in this industry?

12 The answer that was proposed in Intro 838 is to  
13 charge drivers \$2,000.00 a year. Let me summarize. We  
14 are not going to make the lives better for working  
15 families across the City by making them forfeit a  
16 months' worth of income. A common thread that keeps  
17 coming up is that we have to level the playing field.

18 We cannot fix the broken system by pitting drivers  
19 against each other. If there is a fee or expense that  
20 exists with another sector, then get rid of the fee.

21 The premise that we have to make one group worse off  
22 than the other group is a failing proposition and is  
23 deeply flawed.  
24

2 CHAIRPERSON DIAZ: [interposes] you're  
3 talking about \$2,000.00, don't, please don't. I  
4 already said no.

5 JAMES COMIGLIANO: I was curious as to  
6 whether it was done out of the bill...

7 CHAIRPERSON DIAZ: [interposes] don't.

8 JAMES COMIGLIANO: Or done hearing it.

9 CHAIRPERSON DIAZ: Thank you.

10 JAMES COMIGLIANO: Okay. All drivers  
11 across the industry are hurting. We should be working  
12 together on fair proposals not seeking parity, but  
13 that help drivers, all immigrants, and all working  
14 people. Another issue involves requiring drivers to  
15 choose one app to work for. As many of you know,  
16 drivers utilize multiple apps in order to earn enough  
17 wages in the industry. This measure obviously  
18 restricts driver's earnings, but equally important,  
19 we fear that this in a demand industry, if drivers  
20 are forced to make a choice they will chose the  
21 platform with the most rides unintentionally creating  
22 a monopoly for Uber in New York City. Which none of  
23 us want. We look forward to working with the  
24 Committee.

2 RYAN PRICE: I just wanted to comment on  
3 the three other bills real quick. So, on payout (sic)  
4 per diem protections, oh, sorry, I'm Ryan Price the  
5 Executive Director of the Independent Drivers Guild.  
6 I'm sorry my voice is a little raspy, I've been  
7 yelling all day. Payout per diem protections, we look  
8 forward to working with Council Member Lander on his  
9 legislation and appreciate his efforts on this front.  
10 On March 30th, 2018 with the support of almost 16,000  
11 workers we signed a petition, the Independent Driver  
12 Guild submitted a formal rule making petition to the  
13 Taxi and Limousine Commission to regulate driver pay  
14 in an effort to enable our members to make a living  
15 wage in an 8 hour day. The proposed rules would  
16 reduce time on the road and ensure that government  
17 taxes and company fees would not be allowed to be  
18 taken from the drivers pay. Increased pay for workers  
19 who choose to operate a wheelchair accessible vehicle  
20 does (sic) incentivize price gouging and give workers  
21 more basic workplace right. We feel that before any  
22 other regulations, the basic protection of minimum  
23 pay is essential. The TLC has until May 21, 2018 to  
24 respond. On the vehicle cap, we support a cap on  
25 drivers licenses and not vehicles. The most

2 overwhelmingly supported action by our members that  
3 the City Council has the authority to accomplish it  
4 to limit the number of workers entering the industry  
5 as opposed to placing a cap on vehicles. A cap on  
6 vehicles provides more power to owners and companies  
7 while limiting the workforce provides power and value  
8 to drivers. We support a limit to the number of newly  
9 issued universal drivers licenses based in the total  
10 and expected number of for-hire and taxi trips.  
11 Limiting the labor pool will require all companies to  
12 compete to keep drivers working for them. Meaning the  
13 competition shifts away from a race to the bottom of  
14 driver pay and shift the providing benefits. I have  
15 five seconds, I'll just stop there.

16 MOHAMED BARLESS: My name is Mohamed  
17 Barless. I'm a driver and also IDG organizer and  
18 board member. I just want to talk about the same as  
19 Ryan said that why we are giving more priority to  
20 vehicles than to the people. The people are going to  
21 drive the vehicles, so we need to give a priority to  
22 vehicles if there are less vehicles, more drivers  
23 that will give opportunity to those people who cannot  
24 raise the lease and everything. So we have to limit  
25 the number of licensees entering in this industry

2 rather than limiting the vehicles. I just want to say  
3 that.

4           JOHN MARERO: I would like to introduce  
5 myself, my name John Marero. I come from Bushwick  
6 Brooklyn at one time considered the poorest part of  
7 New York City. No problem, we're related if you  
8 didn't know. But anyway, like I said I come from one  
9 of the poorest neighborhoods at one time. Now that  
10 gentrification of our borough, it's exploding. But  
11 I'm here to talk about my drivers. My drivers are  
12 barely making any money and by putting stress on this  
13 bill, this bill is going to hurt us even more. I  
14 don't have the time right now. Our drivers right now  
15 barely make it, Brooklyn is the borough that has most  
16 of the smallest bases and we've been doing it for  
17 more than 40 years some of these bases. And right now  
18 your bill is going to hurt our bases. The small,  
19 little bases that are still community bases that were  
20 doing this for 40 years when nobody dared go into  
21 Brooklyn. So we still need our bases because we're  
22 still surviving, and yes, our drivers that most are  
23 Latino's, send their kids to college working as  
24 drivers, but now they can't barely, and by putting  
25 more stress on them it's going to hurt them. And you

2 think what happened before with other drivers  
3 committing suicide, more is going to happen with the  
4 stress that we're getting. Hold on...

5 CHAIRPERSON DIAZ: [interposes] Do you  
6 know that my bill accepts (sic) bases that have been  
7 there for 20 years...

8 JOHN MARERO: [interposes] yeah I know  
9 that but this...

10 CHAIRPERSON DIAZ: [interposes] and that's  
11 okay... okay.

12 JOHN MARERO: [interposes] there is also,  
13 I think, if it hasn't been in suspension, if you were  
14 on suspension then that's it, you're categorized as a  
15 new based...

16 CHAIRPERSON DIAZ: [interposes] All right,  
17 okay...

18 JOHN MARERO: But anyway, I'm also wearing  
19 a hat, it's a New York hat. I'm here for my drivers,  
20 it's a New York hat I'm here to represent my drivers  
21 and the drivers that are here. All right, I'm lucky,  
22 I got educated, I'm a graduate of Syracuse  
23 University. But my drivers are trying to send their  
24 kids to colleges and this thing is going to put  
25 stress on them. So we've got to go back to the table

2 and we'll work with you, Don Ruben Diaz. I would also  
3 like to say, somebody is sending you hello, Luis Diaz  
4 one of your cousins from years ago, el gato, from  
5 Puerto Rico, he sends you hello.

6 CHAIRPERSON DIAZ: Thank you. Tell him I  
7 said hello too. Sir?

8 UNIDENTIFIED: is this on, it's on I heard  
9 it. Okay, I'm not going to mention the \$2,000.00 but  
10 I will mention the bill, but not the \$2,000.00. Okay,  
11 let's see, men and women driving six days a week,  
12 nine to 12 hours a day. Some drivers start their day  
13 at 4 a.m. most of the vehicles are renting from  
14 \$375.00 to \$475.00 weekly plus insurance depending on  
15 size or type of vehicle. Gasoline is on the rise  
16 every week and we're, excuse me? Okay, so I'm sure  
17 you heard what I had to say so far. Okay, spending  
18 anywhere from \$35 to \$65.00 per day on gas depending  
19 on the type of vehicle that you have. Abuse from the  
20 TLC and entrapment (sic) fines that range from  
21 \$1,000.00 to \$10,000.00 and license suspensions.  
22 \$460.00 for car registration yearly, \$255.00 for TLC  
23 license. \$35.00 four times a year for safety  
24 inspection, expensive maintenance, oil change \$45.00  
25 to \$100.00. Tires, car washes, weekly from \$15 to

2 \$25.00 and some vehicles more. Lets not leave out the  
3 potholes in the streets that contributes to extensive  
4 damage and expensive repairs. Sometimes the vehicles  
5 are beyond repair and we must make loans for another  
6 vehicle to continue supporting our families and allow  
7 me to mention the taxes we pay. Councilman Diaz, you  
8 made a statement, you said let them get another job.  
9 Many drivers can't get another job because of the  
10 language barrier. Some because of lack of education  
11 like myself. Many of the drivers, men and women, have  
12 families, children and they are the only ones putting  
13 food on the tables. This is their only source of  
14 income which is not sufficient due to high commission  
15 companies take at very low rates. I just... oh I'm  
16 sorry, okay so stop the clock. Go ahead.

17 CHAIRPERSON DIAZ: No you're already done.  
18 I just wanted to ask you a question. You said that  
19 Council Member Diaz said, let them find another job?

20 UNIDENTIFIED: Yes.

21 CHAIRPERSON DIAZ: When did I say that?  
22 It's fake news.

23 UNIDENTIFIED: No, well if its fake news I  
24 have...

25 CHAIRPERSON DIAZ: When did I say that?

2 UNIDENTIFIED: I gave that, you said that  
3 when the Yellow Cab industry contributed money to  
4 your organization.

5 CHAIRPERSON DIAZ: What?

6 UNIDENTIFIED: Okay. Two months later...

7 CHAIRPERSON DIAZ: Come on...

8 UNIDENTIFIED: Is that fake news too?

9 CHAIRPERSON DIAZ: Anyway, thank you very  
10 much.

11 UNIDENTIFIED: Councilman can you clarify  
12 whether the \$2,000.00 is out of the bill or you just  
13 don't want to hear about it anymore?

14 CHAIRPERSON DIAZ: We'll fight it (sic).

15 UNIDENTIFIED: I didn't finish.

16 UNIDENTIFIED: If you're not going to let  
17 people speak on it we need to know whether...

18 CHAIRPERSON DIAZ: (inaudible...)

19 UNIDENTIFIED: On \$2,000.00?

20 CHAIRPERSON DIAZ: I am letting people  
21 speak but they have two minutes, but they have to  
22 speak truthfully. He's saying something that's out of  
23 left field.

24 UNIDENTIFIED: I just want to know if the  
25 \$2,000.00 is out, if they can't speak...

2 CHAIRPERSON DIAZ: [interposes] every  
3 driver is going to pay the same thing.

4 UNIDENTIFIED: So continue to speak on the  
5 \$2,000.00 thank you.

6 CHAIRPERSON DIAZ: you do that.

7 (CROSS-TALK)

8 UNIDENTIFIED: Councilman Diaz, if I find  
9 the print can I email it to you?

10 CHAIRPERSON DIAZ: You are done. Thank you  
11 very much.

12 UNIDENTIFIED: But I asked you a question,  
13 if I find it can I mail it to you?

14 CHAIRPERSON DIAZ: What was that?

15 UNIDENTIFIED: If I find the print on  
16 where you said that, can I mail it to you? I'll  
17 email.

18 CHAIRPERSON DIAZ: Go ahead.

19 UNIDENTIFIED: Okay, thank you.

20 CHAIRPERSON DIAZ: Bhairavi Desai, Zubin  
21 (sp?) Soleimani (sp?), Abraham Loeb. New York Taxi  
22 worker Alliance. Siby (sp?) Taxi worker alliance and  
23 Mari Rosario 32BJ. Lets start with you.

24 BHAIRAVI DESAI: Okay. Good afternoon  
25 Chairman Diaz and members of the City Council. My

2 name is Bhairavi Desai I'm the Executive Director of  
3 the New York Taxi workers alliance. We have been  
4 organizing drivers since 1996 and we independently  
5 formed our organization in 1998. Since over the past  
6 five years, as drivers have gone from sector to  
7 sector, our organization of over 20,000 registered  
8 members has drivers who drive every single vehicle in  
9 this industry. Yellow, green, black, livery. Three  
10 years ago when the state was looking at creating the  
11 green cab sector, I'd like to say for the record that  
12 while the medallion industry was against that  
13 creation in that sector, the Taxi Workers Alliance  
14 stood alone in defense of the drivers. They are the  
15 only people that we answer to unlike others in this  
16 room who are paid by Uber and other companies  
17 directly. We are here today because four men have  
18 killed themselves. There is a crushing poverty across  
19 this industry. It is a vicious race to the bottom. We  
20 proudly stood with Councilman Levin two and half  
21 years ago calling for a cap on the number of  
22 vehicles. We were the only workers organization in  
23 this City that took that position and behind us were  
24 drivers who drove yellow, green, as well as Uber  
25 because every driver knows that the race to the

2 bottom effects all of us. We hope, Councilman, when  
3 you say that the \$2,000.00 is off, we hope what that  
4 means is that it's the companies that would be paying  
5 that fee because no driver can afford to pay anything  
6 else or anything more. Do not just lower that amount,  
7 put it on the culprits who are responsible for  
8 flooding our streets. Put it on the culprits that are  
9 responsible for the impoverishment that is sadly  
10 crushing a workforce of 100,000 people. And it's not  
11 enough to remove that fee, it's not enough to remove  
12 that fee. We need real change. We need a cap on the  
13 vehicles, do not replace diamonds when they are  
14 replaced, when they expire part timers. We need the  
15 taxi meter as the minimum so no company can go lower  
16 and all drivers can benefit from a raise...

17 CHAIRPERSON DIAZ: [interposes] Okay.

18 BHAIRAVI DESAI: Do not leave that up to  
19 the TLC...

20 CHAIRPERSON DIAZ: Thank you.

21 BHAIRAVI DESAI: We need to cap the  
22 financing that FHV drivers pay on the leases. We need  
23 to ensure that FHV drivers get 80 percent of the  
24 higher fare so they are the ones that earn from their  
25 labor and it's not going up to Uber and Lyft...

2 CHAIRPERSON DIAZ: Thank you.

3 BHAIRAVI DESAI: We need you to cap the  
4 TLC fines, we need you to do this for the drivers.

5 CHAIRPERSON DIAZ: Thank you.

6 BHAIRAVI DESAI: For the drivers.

7 CHAIRPERSON DIAZ: What is your name  
8 again?

9 BHAIRAVI DESAI: I want you to remember my  
10 organizations name, the Taxi Workers Alliance bceuse  
11 that's what...

12 CHAIRPERSON DIAZ: [interposes] no, no, no  
13 your name, your name.

14 BHAIRAVI DESAI: Bhairavi Desai, Taxi  
15 Workers Alliance.

16 CHAIRPERSON DIAZ: Okay. Listen to me  
17 carefully.

18 BHAIRAVI DESAI: Yes sir.

19 CHAIRPERSON DIAZ: I like to work with you.  
20 I want to hear more from you.

21 BHAIRAVI DESAI: Okay.

22 CHAIRPERSON DIAZ: And I need you, and I  
23 want you. I need you, I want you to contact my  
24 attorney and to make an appointment and we're going

25

2 to sit down, we're going to talk. I want to talk to  
3 you.

4 BHAIRAVI DESAI: [interposes] take off the  
5 fee and take away the restrictions...

6 CHAIRPERSON DIAZ: [interposes] I want to  
7 talk to you.

8 BHAIRAVI DESAI: that they could only work  
9 with one company at a time. And then we can talk and  
10 we can make this done.

11 CHAIRPERSON DIAZ: [interposes] Don't  
12 press it, don't press it, don't blow it. Thank you.

13 BHAIRAVI DESAI: That's what I do for a  
14 living. Thank you.

15 ZUBIN SOLEIMANI: Good afternoon, Chair  
16 Diaz, members of the Committee. My name is Zubin  
17 Soleimani I'm also with the Taxi Workers Alliance.  
18 I'm here to say that for the last five years, FHV  
19 drivers for app-based companies have been in a  
20 regulatory vacuum. There has been zero regulation  
21 over what those drivers can be paid and the fares  
22 that can be charged for them. Drivers have seen their  
23 commission rates they pay to Uber go from 10 percent  
24 in 2013 up to 25 percent and that's before the  
25 company removed the sales tax and the black car fund

2 (sic) from driver pay instead of adding it to the  
3 fare like everybody who has worked in this industry  
4 before, in black car sectors know was never taken  
5 from the drivers pay. And had to be added to the  
6 drivers pay by state law. Now, drivers are up to 25  
7 percent and if that weren't enough, overnight Uber  
8 started taking more than 25 percent by charging more  
9 to the passenger and telling the drivers we're going  
10 to pay you the same peanuts on every trip. So we need  
11 regulation over all parts that go into what could be  
12 driver income now. That means a cap on the number of  
13 vehicles you're competing with for the far that means  
14 regulation over the fare that passengers are going to  
15 pay. And regulation over how drivers are paid. No 10  
16 percent on one trip, 60 percent on the other trip.  
17 Flat across the board. And I want to speak to this  
18 distraction of a proposal that it's not the number of  
19 cars out there, but the number of drivers. That is a  
20 proposal that would still allow Uber nearly unlimited  
21 expansion in the years to come. We heard testimony  
22 here earlier today that we've had 80,000 new black  
23 car vehicles in the last 4 or 5 years. We have also  
24 heard testimony that there are 180,000 licensed  
25 drivers out there. So they are now working under a

2 universal license. So with 80,000 cars and 100,000  
3 more drivers who aren't currently in the cars you are  
4 leaving room, with these universal licensees for  
5 100,000 more driver to enter the app-based FHV sector  
6 and I don't think any Uber, Lyft driver in this room  
7 really wants to support a proposal that leaves room  
8 for 100,000 more drivers to be competing with them.  
9 In addition to that we need to ensure that any  
10 regulation over economic fees creates a meaningful,  
11 built in enforcement mechanism. When taxi garages and  
12 taxi fleets steal from their drivers, the TLC can get  
13 that money back and they've gotten millions back over  
14 the previous years. Now the sales tax that I  
15 mentioned, our members have been litigating this with  
16 Uber, but only 2 percent of Uber drivers right now  
17 have the right to actually take them to court. The  
18 regulations over financial regulations...

19 CHAIRPERSON DIAZ: [interposes] Great,  
20 thank you.

21 ZUBIN SOLEIMANI: [interposes] need to  
22 include parity with TLC enforcement so that anytime  
23 the TLC finds evidence of five or more drivers have  
24 been cheated, that there is class wide restitution  
25 pursued by the TLC.

2 CHAIRPERSON DIAZ: Thank you. Next.

3 ABRAHAM LOEB: My name is Mr. Abraham

4 Loeb. I work with the New York Taxi Alliance. This

5 lady, she has been fighting for years for driver's

6 safety and opportunity. Councilman Diaz, we thank you

7 for this bill and also Councilman Levin, Councilman

8 Robert Cornegy is also working for another bill.

9 There is one thing here in this room, every driver is

10 feeling the pain. The major pain is that you have

11 this app-based license and financing company that are

12 taking money from drivers to lease cars with the

13 option to buy. We're talking about predatory lending

14 and the Commissioner said that that sector is not

15 regulated. So that means that anybody could come to

16 the market and give anybody a car, put a license

17 plate and charge them \$1,000.00 and kick them out of

18 the vehicles and take back the car. Right now I'm a

19 victim of a company called American Lease. I'm also a

20 driver, an owner and I'm also a broken (sic)

21 ambassador. We are here to tell the Council we need

22 to put a stop in predatory lending so that companies

23 like America Lease, that take money from drivers

24 after GES (sic). I worked hard day and night, I still

25 haven't got the title of the car that I paid

2 \$78,153.06. They told me to go to court because there  
3 is no regulations. Zubin has been helping me as an  
4 attorney and Sister (sic), she has been helping me,  
5 until today we have no result. So, Councilman Diaz, I  
6 have to pray for you because you are our champion for  
7 the drivers. And God bless you, Council Members.

8 CHAIRPERSON DIAZ: Thank you, sir. Thank  
9 you. We will be talking to you too.

10 SIBU: Hi. My name is Sibü. I will say  
11 about today, I didn't want to go to The Bronx where  
12 they send me there to live, but I'm proud to be from  
13 The Bronx because of the Councilor. I'm really proud  
14 today, yes. And the same way I'm proud of Taxi Worker  
15 Alliance for more than 10 years. I've been driving  
16 since 2002 and the way they have been fighting, today  
17 with all of the Councilman, with the proposal we  
18 heard it before and since 2007 only Taxi Worker  
19 Alliance was there to fight for drivers. We don't  
20 know how we would go, other times I was driving  
21 Yellow car and we know how arduous 2012 we get money  
22 because of Taxi Worker Alliance. All drivers were  
23 happy here, we were remaking money. And then Uber  
24 came. We start with 10 percent, we were all making  
25 money. Then they raise up, today they have 25 percent

2 and sometimes when you have fare for Uber we charge  
3 the driver 200, you, they charge the customer 200.  
4 Uber driver sometimes you don't even get \$60.00. So  
5 because you don't reveal it up front, the upfront  
6 price they somehow (sic) have the right to do but  
7 that's why we need a change. We are asking the City  
8 Councilman to keep the fight. It's not easy. Uber is  
9 going to go after them. We know, but when the law, we  
10 have the people, we need to stay there and fight for  
11 us. We are drivers, we don't have nothing. We don't  
12 have power. Only our power since now was Taxi Worker  
13 alliance. We are counting on them to join us to fight  
14 for all drivers can have the same better living, they  
15 can be with their family. Working 16 hours you don't  
16 see your kids. It happens to all drivers here. I  
17 don't know any driver that doesn't work 16 hours. We  
18 have Lyft, we have Uber, so many apps because we  
19 can't make money working with only one app. So, thank  
20 you again. We are counting on you to help us.

21 MARI ROSARIO: Good morning. I mean good  
22 afternoon. My name is Mari Rosario and I am a member  
23 of the SEIU 32-BJ and I would like to the Committee  
24 Chair Diaz, members of the Committee, the Speaker and  
25 the other members of the Council who are taking

2 action to address the economic distress faced by my  
3 brothers and sisters who are working as drivers. 32-  
4 BJ urges you to pass legislation that will ensure  
5 that all drivers, whether they are driving a  
6 tradition taxi or picking up rides through apps, have  
7 access to full time work and are able to make a  
8 livable income. As a union we are 163,000 strong.  
9 Here in New York City we present 85,000 building  
10 services workers; security guards, airport workers  
11 that keep our City's residential buildings clean and  
12 safe. We proudly stand up for the rights of all of  
13 our members, many of whom are immigrants and people  
14 of color. To live a safe and healthy life with  
15 dignity and respect. We are proud to stand with  
16 drivers as they fight for good jobs. As app-based  
17 companies like Uber, Lyft, Juno and Via have entered  
18 the scene, regulation has not kept up with the  
19 industries changes. As the recent driver suicides has  
20 made clear, this has made it harder and harder for  
21 drivers to make a living. There is no regulation in  
22 place to protect old drivers. With some changes, this  
23 bill could improve the lives of thousands of drivers.  
24 Here is what needs to happen, the app-based sector  
25 should be regulation, but regulation should not cost

2 drivers more than \$2,000.00 annual fee. To drivers,  
3 it's unacceptable. And drivers should not be bound to  
4 work for only one app especially since they can't  
5 earn enough from one company along. All fares in all  
6 sectors should have the same minimum fare so there is  
7 a real wage floor and companies can't keep lowering  
8 rates. And all drivers in all sectors should get a  
9 raise.

10 CHAIRPERSON DIAZ: Before you get up.

11 First I want to say, to me especially to come here to  
12 this public hearing and hear unions, a respected  
13 (sic) union 32-BJ, endorsing our plan is something I  
14 was not expecting, but thank you very much. [Speaking  
15 Spanish 02:43:34-02:44:05] I want to sit down with  
16 you guys. Okay?

17 MARI ROSARIO: Thank you.

18 CHAIRPERSON DIAZ: Council Member Levin  
19 has a question for you guys.

20 COUNCIL MEMBER LEVIN: Thank you, very  
21 much, Mr. Chair. I want to thank this panel for your  
22 participation. I also want to thank the previous  
23 panel for your testimony as well. Can you just share  
24 with us a little bit about what has happened to  
25 driver's economic conditions since we last considered

2 the bill three years ago? Because I imagine things  
3 have changed.

4           BHAIRAVI DESAI: It's a nightmare. And  
5 it's a nightmare across the sectors. Five years ago  
6 many drivers left Yellow and maybe livery and green,  
7 went to Uber and Lyft thinking maybe this is going to  
8 dawn a new day. And what they're not finding is they  
9 can't sustain themselves in that sector either. So  
10 it's a revolving door made of utter desperation, not  
11 made of opportunity. Most people are working longer  
12 and longer hours, after 10-12 hour days, some shifts  
13 you're not, and I'm not just talking about Yellow,  
14 I'm talking about across the board. Some shifts  
15 you're not even going home with \$50-60 in your pocket  
16 to provide for your families. And you're getting more  
17 and more tired, we're also seeing many, as in the  
18 Yellow cab industry, as owners, as the medallions,  
19 its' been more difficult to get them leased out.  
20 We're seeing older and older drivers, men and women  
21 in their late 60s, early 70s that are coming out of  
22 retirement to go back into working because their  
23 retirement which was the medallion has now collapsed.  
24 There is a massive human crisis here. And let's not  
25 forget a really important thing here that the

2 destruction of full time work is an intended  
3 causality of the gig economy. Uber and Lyft, and  
4 these Wall Street finance companies, they don't lie,  
5 they tell you they are the gig economy. They're not  
6 promising you full time work. MIT has found across  
7 the country, more than half of Uber drivers earn  
8 below the minimum wage. Across the country, Uber  
9 itself has acknowledged that 50 percent of the  
10 drivers turn over after a year. Nobody is able to  
11 make ends meet and that's why the unity, what we  
12 presented to you is a unity platform. That's why we  
13 need the cap at the same time that we need the taxi  
14 meter fare to be established as the minimum fare  
15 across the board. So then when one sector of drivers  
16 get a raise, all sectors of drivers get a raise.  
17 That's why we want a cap on the vehicle financing. We  
18 want all of these things, 80 percent of the fare  
19 guaranteed to the driver. At this point in time, if  
20 two and a half years ago we followed through with the  
21 cap, I don't think we would have seen four suicides.  
22 We were at those funerals. We met those families.  
23 I've been organizing for 22 years in this industry,  
24 next year it will be literally half my life. These  
25 are men and women I love deeply from my heart. I have

2 never seen them in a deeper crisis and more crushing  
3 poverty than today.

4 COUNCIL MEMBER LEVIN: So you said \$60.00  
5 a shift for 10 hours. So if you were to do that five  
6 days a week, that's 50 hours a work week, that comes  
7 to \$1,200.00 a week times 12, \$14,000.00. Sorry,  
8 times 4, times 12, that's \$14,400.00 annually. If  
9 you're making \$60.00 a day working full time,  
10 \$14,400.00 annually. Federal poverty for a family of  
11 four is \$25,100.00 a year. So that's \$11,000.00  
12 almost less than federal policy.

13 BHAIRAVI DESAI: Of a workforce of 100,000  
14 people, families.

15 COUNCIL MEMBER LEVIN: So even if you were  
16 making \$100.00 a day, that's about federal poverty.

17 BHAIRAVI DESAI: Exactly. It's not enough  
18 in 2018. Meanwhile, Uber, Lyft are together evaluated  
19 at over \$100 billion. The Uber CEO compared to an  
20 Uber driver, if they are lucky enough to average  
21 \$35,000.00 a year, right, and I'm talking about the  
22 high end. That driver is still making \$5,700.00 times  
23 less than the Uber CEO. There is massive income  
24 inequality in this industry and it is spreading.

2 COUNCIL MEMBER LEVIN: so, even if you  
3 were to make \$100.00 a day, five days a week. That's  
4 50 hours a work week, more than a lot of us work,  
5 \$24,000.00 a year, still less than the federal  
6 poverty line.

7 BHAIVARI DESAI: Yes. In New York City.

8 COUNCIL MEMBER LEVIN: In New York City.

9 BHAIVARI DESAI: Well in a global capital

10 COUNCIL MEMBER LEVIN: Before taxes.

11 BHAIVARI DESAI: Before taxes, high cost  
12 of living, while the companies, they are the  
13 wealthiest companies in today's global economy. It's  
14 unconscionable. It's unconscionable. And it's  
15 unsustainable that's why people have begun to kill  
16 themselves. And it would be absolutely morally  
17 bankrupt of the City Council and the Mayor to not  
18 intervene immediately and stop this crisis.

19 COUNCIL MEMBER LEVIN: Thank you.

20 CHAIRPERSON DIAZ: Thank you, thank you.

21 BHAIVARI DESAI: Thank you.

22 CHAIRPERSON DIAZ: Nicole Epstein, Nicole  
23 Epstein from New Yorker for Equal Transportation  
24 Access. Valerie Joseph, BCID. Okay. Wassim (sp?)  
25 Nasir (sp?), Peter Mazur from Metropolitan Taxicab

2 Board of Trade. Mr. Gene Poll Queens Medallion, Long  
3 Island. Bernardo Sellerino (sp?), independent  
4 medallion owner. Nicole is not here. Mohamed Shahim,  
5 give me one more. Hasiful Islam medallion owner,  
6 Michael Simon. Sir?

7 WASSIM: I just wanted to thank you for  
8 allowing me to testify today. My name is Wassim. I am  
9 a for hire vehicle driver. As you may have heard,  
10 recently several drivers committed suicide due to the  
11 stresses of financial hard ships that they incur  
12 (sic). Ride share companies such as Uber, Lyft have  
13 been gradually reducing prices to such an extent that  
14 the TLC has to implement a ruling limiting drivers on  
15 how many hours they could drive per shift. Today more  
16 and more drivers are working longer hours to make a  
17 living. Drivers such as myself are the ones who  
18 provide the service, yet Uber and Lyft take 100  
19 percent of the profit without providing any service.  
20 I believe if anyone should be charged for fees, it  
21 should be these ride share companies. These companies  
22 have to loyalties to anyone and have flooded the taxi  
23 industry, which has caused all of the congestion and  
24 chaos. Like the medallions which were limited in  
25 numbers, there should be a bill limiting for-hire

2 vehicle drivers. In the amended bill I would like to  
3 see a universally recognized standard fare rate that  
4 would be fair for both drivers as well as passengers.  
5 This standard would allow drivers to earn a living  
6 and have times to spend with their families. This  
7 modern form of slavery needs to stop. I would like to  
8 take this opportunity to say that drivers should not  
9 be compelled to work for only app. This is because,  
10 as I stated before, these ride share companies have  
11 no loyalties to their drivers and passengers.  
12 Passengers are being charged in excess of what they  
13 should be charged. Ending the bill would be in the  
14 interest of these ride share companies. The ruling  
15 the TLC made with regard to limiting the hours  
16 drivers could work per shift, although a good  
17 legislation, only emphasizes legislation targeted and  
18 effecting drivers. No legislation was made to  
19 Uber/Lyft. These companies continue to accumulate  
20 millions of dollars stealing from drivers and  
21 passengers. Thank you.

22 CHAIRPERSON DIAZ: Thank you.

23 PETER MAZUR: Good afternoon, Chairman  
24 Diaz and members of the Committee. My name is Peter  
25 Mazur and I'm general counsel to the Metropolitan

2 Taxicab Board of Trade. An association representing  
3 the owners of about 5,500 medallion taxicabs. We also  
4 operate a driver center that has providing licensing  
5 assistance to 2,000 drivers, helped 5,000 drivers  
6 with hearings and provided more than \$750,000.00 in  
7 free legal services to our drivers. I've submitted  
8 written comments that is supplementing my testimony  
9 today and it will discuss the individual bills in my  
10 written testimony. But today I would like to cover  
11 some general matters. First and foremost, I want to  
12 thank this Committee and the Chair and Members for  
13 considering this important issue. During the last  
14 five years we've seen an explosion of app-based  
15 transportation businesses on the street causing  
16 congestion and adversely affecting the quality of  
17 life in all areas. Every other element of the  
18 industry is regulated, taxicabs, street hail  
19 liveries, bases are eliminated (sic), but there is no  
20 cap or limit on the number of app-based cars. There  
21 are now more than 110,000 for-hire vehicles in the  
22 City, supplementing 14,000 and 5,000 green cars. The  
23 largest app-base is Uber and LLC has 5,456 affiliated  
24 vehicles. By way of comparison, the largest non-app-  
25 based car service has 594 cars. During the last week

2 of February, Uber Zen (sic) reported to the TLC that  
3 the base did 191,000 trips. That's an average of five  
4 trips, per vehicle, per day. Taxicabs to 26, green  
5 cars about 10. The owners of the 5,456 cars  
6 affiliated with Uber and each obtain TLC licenses pay  
7 thousands of dollars in insurance on their vehicles,  
8 all to do five trips a day. And if the base wanted to  
9 add another 5,000 or another 50,000 cars there is  
10 nothing to stop them. No need to demonstrate that  
11 there is a need for public service, no accountability  
12 to drivers to make sure of sufficient business. No  
13 considerations to whether these additional cars will  
14 clog the streets. We'd like to see, one if I can just  
15 summarize. We'd like to see one consolidated bill  
16 incorporating many of the ideas of these various  
17 bills, most of which we support. Four important  
18 things, we must recognize that app-based services are  
19 not taxicabs or greens, or liveries, or black cars  
20 and they need their own set of regulations. Second,  
21 bigger is not always better and a business should not  
22 be too big to become accountable. Limitations on base  
23 size will enable the TLC to do its regulation. Third,  
24 we must have expanded transportation services coupled  
25 with the idea that there is a demonstrated need for a

2 service and that expanded service will not adversely  
3 affect the riding public. This is already done in  
4 other industries. And finally we must make sure that  
5 everything assure passenger safety and most  
6 importantly, that there is adequate protection for  
7 our drivers to ensure that they benefit from any  
8 regulatory system. We cannot have a system, going  
9 forward, where our drivers are not protected. And we  
10 thank you for the opportunity to speak.

11           FRANCOIS JEANPAUL: Is it on. My name is  
12 Mr. Francois Jean-Paul and I am a taxi driver. I  
13 operate with Queens medallion in Long Island City. My  
14 concern here is the fact that from the time in 2011  
15 when they had increased the Yellow Taxi medallion by  
16 an extra 2000 and then they had brought in an extra  
17 18,000 green cars. I thought it was a very bad thing  
18 because I started not to be getting the fares that I  
19 used to be getting. But by the time for us to recover  
20 from that, we had all of the Uber taxis coming into  
21 the City, over 100,000 of them. So the drivers, some  
22 of them don't have experience, they just get the  
23 license and they just to go Uber. Sometimes I fear  
24 very bad for my life because you can see them coming  
25 at such speed at you when they have to go pick up

2 their fares. They're making U-turns, they do  
3 everything sometimes too when they're relaxing  
4 because they have no operating cost. So that issue,  
5 blocking the traffic and then you're behind them with  
6 a passenger who cannot get anywhere. Okay. It has  
7 become very outrageous. So the way that I look at it  
8 is that for those people to operate properly and to  
9 do business inside of the City of New York, okay,  
10 they need to have some spending cost and my  
11 suggestion to the City Council which Mr. Diaz is to  
12 be thankful of because he is persistent in getting  
13 this bill, is to just make them pay for a permit that  
14 costs as much as a New York City Yellow Taxi  
15 medallion. Otherwise if they don't want to operate  
16 inside of the City then take them to the outer  
17 boroughs and still make them pay and operate to the  
18 cost of a green car. Simple as that, I'm finished.

19 BERNARDO SELLERINO: My name is Bernardo  
20 Sellerino. I started as a Yellow Cab driver in March  
21 of 1988, 30 years ago. In November of 1999, 1989 I  
22 paid a market price for my medallion of \$134,000.00  
23 through a total legal process approved by the Taxi  
24 and Limousine Commission, the City of New York and  
25 the State of New York furthermore, my loan was

2 obtained through credit unions approved by the  
3 federal government. I'm here today to support 100  
4 percent of Council Diaz' bill, long time overdue.  
5 Uber and other apps are more than welcome in New York  
6 City, but they have to pay for their right to pick up  
7 in the City of New York as my colleague says here and  
8 as I do. Taxi and Limousine Commission, the City of  
9 New York and the State of New York, all of them  
10 together made the terrible job in regulating app-  
11 based companies from 2013 until today. For example,  
12 Taxi and Limousine Commission totally failed to  
13 comply with Rule 52-04A4 in order to protect the  
14 financial interest of the Yellow cab industry. The  
15 City of New York raised \$1 million per medallion in  
16 the 2013 auctions in exchange for allowing taxi  
17 drivers to pick up street hails. But that day,  
18 neither the state of New York or the City of New  
19 York, let alone the Taxi and Limousine Commission,  
20 told their people that they will allow competitors to  
21 pick up e-hails for free. App-based drivers, I  
22 understand they don't want to pay \$2,000.00 a year,  
23 but I have to pay more than \$5,000.00 a year in  
24 interest rates to Merrill's (sic) credit union and  
25 nobody is helping me but myself. Basically i also

2 want to say when you pay a loan to a credit union  
3 that your principle goes nowhere. Thank you.

4           MICHAEL SIMON: Hello. My name is Michael  
5 Simon I'm a medallion owner and one of the things  
6 that made me really sad about this meeting, and I'm  
7 just going off what I'm writing is that nobody is  
8 talking about our exclusive. Taxi owners bought an  
9 exclusive to do something. We paid money for it and  
10 yet it's like being given away to anybody who wants  
11 it. And that really hurts me. That really hurts  
12 because it's just like I've had a medallion most of  
13 my life, since I was 23 and it's just like everybody  
14 is doing what it is I had to pay for and frankly it  
15 breaks my heart. And so let me read what I wrote.  
16 Taking an exclusive away from a business based on  
17 that exclusive, destroys that business. The street  
18 hail is basis of exclusive. If I owned a piece of  
19 land and the government permitted anybody to be on  
20 that land, would that land still be considered mine?  
21 The government didn't take it away, just let others  
22 on it, but isn't that the same thing as being taken  
23 away? The monthly transfer report by the TLC tells a  
24 story. There are numerous foreclosures every month  
25 and that's just the tip of the iceberg. Taxis are

2 falling right now, we cannot wait anymore. Our cabs  
3 are falling off a cliff as we speak. If you do not  
4 act, more and more will tumble. Something must be  
5 done right now without delay and it must be  
6 substantial to stop the carnage. The term  
7 prearrangement always meant, as long as I've been in  
8 business, that you wanted something different than  
9 the standard taxi and that you were willing to wait a  
10 few minutes for it by making a prearrangement. That's  
11 the big different between a taxi and any other kind  
12 of FHV vehicle. A wait time for a unique criteria.  
13 The e-hail used by black car apps are street hails.  
14 Passengers look at their phone, press a button and  
15 along comes a car. That's a street hail. Any other  
16 way of thinking about it is just to allow the use of  
17 our exclusive by others. Uber flooded the market with  
18 cars. Why wouldn't they pay what taxis have had to  
19 pay? They are basically doing the same thing. If they  
20 didn't pay then don't give them anything. If you make  
21 them buy medallions they won't, they know that their  
22 e-hail technology won't give them any edge. That's  
23 why this is not about technology, but about the  
24 separation of the different sectors with different  
25 rules preserving each. Why...

2 CHAIRPERSON DIAZ: [interposes] Thank you.  
3 Thank you. Cliff Adler (sp?), Nicolai Hent (sp?),  
4 Davie Bear (sp?), Tamada Vishnakova, Maggie Edricy,  
5 Nina Golashi. Sir?

6 CLIFF ADLER: Good afternoon,  
7 Commissioner. Thank you for letting me speak today.  
8 My name is Cliff Adler. Until last summer I was a  
9 taxi medallion owner. Since Ed Koch was Mayor, they  
10 had to go through some stringent tests, environmental  
11 tests to be allowed to put on 400 extra taxi  
12 medallions so they could sell them in the 70s.  
13 Nothing was done until Giuliani came, they got that  
14 permission, nothing was done until Giuliani became  
15 Mayor and then they started the auctions. So the  
16 medallion price gradually went up and up from \$40-  
17 50,000.00 to its height about four years ago, \$1.3  
18 million. I would like to know, where did the  
19 environmental tests go for the extra 4,000 medallions  
20 that they've put on the road? None of that has  
21 happened. Apart from the yellow cabs, you have from  
22 the get go, from the last six years something like  
23 over 50,000 Uber cars total. You have 100,000 car  
24 services extra on the road. Has there been any  
25 environmental test? Forget the traffic congestion,

2 done on these cars. As far as I'm concerned,  
3 absolutely nothing. And for the price congestion,  
4 instead of playing around itsy bitsy here and there  
5 about where we should put a little bit of a charge  
6 for the price congestion, yellow taxis to me, we have  
7 from the 1930s the sole right that is the sole right  
8 to put the taxis on the road anywhere for a street  
9 hail. That should be their prerogative and there  
10 should be no reduction whatsoever, no charges to have  
11 to pay like the car services. There shouldn't be a  
12 congestion charge for yellow cabs. And as far as  
13 these people that committed suicide last summer I  
14 almost became one of them. And now I'm driving for a  
15 fleet, and I'm doing 11 hours a day. I'm 69 years  
16 old. Thank you.

17                   NICOLAI HENT: Thank you, Mr. Chairman  
18 Diaz. My name is Nicolai Hent. I'm an immigrant from  
19 Romania, which I came in this country on August 8th,  
20 1985. I'm sorry to say the last guy which committed  
21 suicide he was a best friend of mine. Not only my  
22 best friend, but family friend. I couldn't believe  
23 that, I'm not going to do that, I don't need a doctor  
24 to help me because I'm not doing that. His financial  
25 problem was less than mine. In 1990 everything I had,

2 I paid for the medallion. With a wife and two  
3 infants, but I made it. Now it looks like I'm going  
4 to retire homeless. Everybody is talking here about  
5 the cap, why not a moratorium if TLC stopped tomorrow  
6 morning, no more issuing of license TLC plates.  
7 Governor Cuomo, the biggest supporter of app cars, he  
8 just gave an executive order for the (inaudible...)  
9 to vote. Why cannot give an executive order to stop  
10 the bleeding. Other problems with what we face here,  
11 not only no regulation but a lot of cars on the  
12 streets with the plates, cover the TLC plates and  
13 says sole pilot, (inaudible...) what kind of cars are  
14 that? What is the sign for Uber, Lyft or what about  
15 theirs? We cannot go on like this, I hope, I hope and  
16 I pray maybe you can do something and stop this giant  
17 corporation robbing not only the taxi medallion  
18 owners, but the drivers. It has to be four points  
19 (sic) very important. Stop the bleeding, protect the  
20 yellow taxi medallions, protect the drivers and the  
21 first should be public safety. Customers and  
22 passengers, pedestrians have to be protected.

23 CASSANDRA PEREZDESIR: Hi Chairman Diaz.

24 My name is Cassandra Perez-Desir. I am testifying on  
25 behalf of David Beyer. David Beyer is the president

2 of the Committee for Taxi Safety. That's a trade  
3 organization that represents licensed agents managing  
4 more than 2,500 taxi medallions and vehicles. We  
5 thank you Chairman Diaz and the for-hire Committee  
6 for holding this hearing and for recognizing and  
7 attempting to deal with the consequences of this  
8 City's prior inaction to have all parts of the for-  
9 hire industry operate by the same regulations. We are  
10 at a natural inflection point to have real working  
11 rule that will help the public drivers as well as the  
12 City to have control of its streets, rides, and a  
13 fair economic shot to compete. The current  
14 circumstance where there is now extra congestion from  
15 a limitless growth of apps, otherwise known as TNCs  
16 was foreseen. There was also a foreseen consequence  
17 where wheelchairs users were not going to be served  
18 by TNCs. It was also foreseen that the disruption  
19 being characterized as competing, was not competition  
20 when one segment of the industry had an accessibility  
21 was requirement and was restricted to one type of  
22 vehicle. We now see the circumstances changing with  
23 the passage of the Clean Air Taxi bill which will  
24 allow for more environmentally friendly choices than  
25 currently available. Now, the City has an opportunity

2 to act. With the hindsight of the last three and a  
3 half years to actually regulate all of the foreseen  
4 problems the last time the city considered these  
5 regulations. In regards to pending legislation, Intro  
6 144 as well as other introductions need to be the  
7 avoidance of unintended consequences for regulation  
8 that can be used to hamper fair competition with  
9 neighborhood based transportation business. Many of  
10 the neighborhood bases would needlessly be caught up  
11 in regulation of app services potentially by an  
12 unfair reading for some the language in the current  
13 bill. We would respectfully suggest eliminating the  
14 word continuous from Intro 838, as well as adding a  
15 small neighborhood exception to allow for  
16 entrepreneurs economic opportunities, as well as for  
17 the community and drivers. I have just one more to  
18 go.

19 UNIDENTIFIED: Good afternoon everybody.  
20 Good afternoon Mr. Diaz. My husband was taxi driver  
21 for more than 20 years. At this time he was full time  
22 driver. At this time I had full time job, we had two  
23 daughters who were going to college, but we made this  
24 very important decision in our life. We invested in  
25 the business, we trusted New York. We trusted the

2 old, well established with exclusive rights well  
3 known, well run, well-regulated Yellow Taxi business.  
4 And now, at this time, we feel the City, the  
5 government betrayed us. Look what happened to our  
6 business. They let those wild, not regulated app  
7 companies to come to the City and to take away from  
8 us our business. They are doing exactly the same what  
9 we are doing, but no regulations, no rules for them.  
10 And we paid hundreds, millions of dollars for our  
11 business. Hundreds of thousands of dollars, we paid  
12 for it and we were happy and proud to have this  
13 business. So, now our business is down, our dreams  
14 are ruined. So it's about time to do something. Thank  
15 you, Mr. Diaz for helping and doing something to help  
16 the poor taxi owners.

17 CHAIRPERSON DIAZ: Thank you.

18 UNIDENTITIED: Thank you. All of our  
19 family votes for your bill with two hands. Thank you.

20 NINA GODASHI: Hi, Mr. Diaz. My name is  
21 Nina Godashi. I'm a yellow cab driver, I'm working  
22 more than 10 years driving a yellow cab which is very  
23 hard job. Today you see in this room, it's some  
24 people on this side, some people on the other side.  
25 But everybody, we are slaves of the Uber. Everybody

2 in this place. The Uber is not going to support us.  
3 They're going to step on us and get everything from  
4 us so that is why I support your bill. They should  
5 go, with your bill, they're talking about the  
6 \$2,000.00, they don't want to pay the fee. The yellow  
7 cabs, we're paying a lot of fees so nobody is talking  
8 about our fees and our money we pay. All right? So  
9 one more thing, they don't see, they focus on  
10 \$2,000.00, but they don't focus in the money they're  
11 losing every day from Uber because they're losing  
12 every single day from Uber. They're lowering the  
13 fares, and lower and lower. So they think about the  
14 2,000 but they don't see they're losing 10 and  
15 \$20,000.00 a year. So, I support your bill and  
16 everybody should go on the same fees like the Yellow  
17 cabs. It has not to be excuse about nobody, no  
18 yellow, green, black or gray, or red. Everybody has  
19 to go under the fees. It doesn't matter if it's  
20 2,000, and if you want to make playing field for  
21 everybody, you have to bail out the yellow cabs. Give  
22 this money, the people back, give your medallions and  
23 let us go to do something else. I'm very young lady,  
24 I can do something else. But I'm like prisoner  
25 because I got stuck with this medallion and I cannot

2 do nothing else because if I give to them the  
3 medallion back I'm going to lose my house. My kids is  
4 going to be on the street. So that's why I got stuck  
5 with this medallion. And the city of New York has to  
6 do something about this. Get us medallions back, give  
7 us the money and let us to go to do something else.  
8 Thank you.

9 CHAIRPERSON DIAZ: Thank you. Very  
10 emotional, very exciting, very...

11 NINA GODASHI: Yes. Its very hard job.

12 CHAIRPERSON DIAZ: All right. What is your  
13 name again? Nina. You won the room. You won (sic).  
14 Jose Altamirano, Alicia Pagero (sp?), Marlana Pinedo,  
15 Eric G. from IDG. David Amonte, Michelle Dotin (sp?).  
16 Sir, go ahead.

17 Dear Committee Chair Diaz Sr. and the  
18 members of City Council. Good morning. My name is  
19 Jose Altamirano. I'm the President of Livery Base  
20 Owners which represents over 150 livery bases in New  
21 York City. Our member base serves approximately  
22 150,000 New Yorkers every day in every borough except  
23 for Staten Island. Our members are striving, working  
24 class immigrants for whom English is a second  
25 language. Our bases empower approximately 12,000

2 drivers throughout the City who are hardworking  
3 immigrants themselves. Many of our base owners are  
4 also drivers who have scrimped and saved to invest  
5 with friends and family to open a small business and  
6 serve their community. We serve a population that  
7 does not have other reliable transportation options.  
8 We help abuelas get to their doctors' appointments,  
9 security guard get home safe from his late night  
10 shift and transport countless families. We are an  
11 essential component of many New York City  
12 neighborhood especially outside the commercial  
13 quarters of Manhattan. We are here to express our  
14 concerns with Intro 838 which promulgates a  
15 regulatory scheme for app-based vehicles services and  
16 drivers. The LBO recognizes that this City's latest  
17 attempt to grapple with the proliferation of vehicles  
18 by tech companies who operate national ride share or  
19 international ride sharing platforms, many of whom  
20 are based in California. For the past several years  
21 our bases and affiliated drivers have been working  
22 tirelessly to sustain themselves in the face of these  
23 deep pocketed services. However, Intro 838 in it's  
24 current form is not the answer. While Intro 838  
25 attempts to regulate the nation ride sharing platform

2 to operate in the City, the bill also captures our  
3 bases as well. The bill defines an app-base for-hire  
4 service as an entity that offers transportation for-  
5 hire to passengers by prearrangement and using  
6 software. While it's true that our bases began with  
7 radio dispatch service who interacted with over  
8 drivers over two way radios, we have evolved over the  
9 years. Now we are proud to day that our bases are  
10 partnered with a software provider, Limosys, to offer  
11 app-based communication for our customers. Therefore,  
12 under the bill, our small bases are lumped in with  
13 the ride sharing platforms as an app-based for-hire  
14 service. This is unacceptable. The bill attempts to  
15 create a grandfather clause, however, due to the work  
16 continuously in operation due to overregulation by  
17 the TLC, a number of our member bases have been  
18 suspended or revoked at some point. Although their  
19 status has been restored, they are in full  
20 compliance, these bases cannot claim to have been in  
21 continuous existence in the year 2000. Approximately  
22 58 percent of our bases fall in this category.  
23 Additionally, throughout the City, approximately 165  
24 community car service with 3,700 affiliate bases have  
25 been licensed since the year 2000. These bases cannot

2 afford a \$20,000.00 per year registration fee as they  
3 are small community bases. And these affiliated  
4 vehicles cannot afford the annual \$2,000.00  
5 registration fee. We thank you for your time.

6 ERIC GOGAS: Hi. My name is Eric Gogas  
7 (sp?) I'm an FHV driver. I want to start by saying  
8 that Uber is not above the law just like every other  
9 business and company they have to follow certain  
10 rules and regulations in order to operate legally and  
11 they did just that. So, by going to the congestion  
12 area, FHV drivers don't congest the area. This world  
13 is getting over populated as well, by default it's  
14 going to be congested. If you want to situate (sic)  
15 the congestion start with the traffic laws and  
16 reevaluate that. On Madison Avenue with four lanes,  
17 two being the bus lane and two being where every  
18 other can drive, but apparently the construction is  
19 blocking half our view and then we have stupidity at  
20 its fullest where we have people face timing on their  
21 red light, which is our green light coming in and  
22 interfering with traffic. So, congestion right there,  
23 right now, has to be altered with the traffic laws  
24 that being held right now. That has to be  
25 reevaluated. Another thing that I wanted to say, and

2 I'm saying this from the heart, as a medallion, well  
3 not owner, but hearing from the medallions it's like  
4 having a house, a 30 year mortgage. Everything goes  
5 up but the paycheck unfortunately. Property taxes,  
6 utilities, everything goes up. You don't see house  
7 owners coming to City Hall for emergency meetings to  
8 take all the landlords of building that rent out to  
9 renters and say jack up the rent and whatever is left  
10 over, give it to the home owners for the balance of  
11 their property taxes to be lowered. So, you went into  
12 that, you knew what you were going to, not everything  
13 goes according to plan. So unfortunately we have to  
14 work a little bit harder. I still don't agree with  
15 the one app-base, the \$2,000.00 that you still  
16 haven't mentioned if it's taken off the bill or if  
17 we're going to prolong that situation as well because  
18 you still haven't mentioned anything about that. And  
19 at the end of it, I definitely do agree that  
20 everybody has to have a fair base where everybody can  
21 make a living. At the end of the day we all want to  
22 eat, we all want to go home, we all want to be happy.  
23 We're not here just to pay bills and die. We're here  
24 to live life before our times expires just like  
25 everything else. And with artificial intelligence

2 kicking in within five to seven years, all of these  
3 people won't have jobs autonomous driving will take  
4 that over. So then we're going to have another bill,  
5 and another situation going on. So if you want to fix  
6 the congestion, start with traffic laws. FHV hires  
7 killing the environment, half of the cars are hybrid.  
8 It runs on battery when it's at the stop light or  
9 idling so I don't know what environment you guys are  
10 talking about that's being hazard. If anything it's  
11 the chemtrails on top that's giving everybody an  
12 issue. So if you want to start adjusting, traffic  
13 laws is your best yet and then afterwards we can  
14 continue.

15 MARLENA PINEDO: [Speaking Spanish  
16 03:25:27-03:26:14]

17 CHAIRPERSON DIAZ: [interposes] [Speaking  
18 Spanish 03:26:14-03:26:17]

19 INTERPRETER: Oh okay, thank you. Sorry.  
20 I'm referring to the 2000 fee, we work many hours a  
21 day and we don't have the capacity to face these  
22 fees.

23 MARLENA PINEDO: [Speaking Spanish  
24 03:26:37-03:26:46]

2 INTERPRETER: We are already paying a lot  
3 of money to TLC.

4 MARLENA PINEDO: [Speaking Spanish  
5 03:26:46-03:26:54]

6 INTERPRETER: Those tickets are very high.  
7 They are from five to \$10,000.00.

8 MARLENA PINEDO: [Speaking Spanish  
9 03:26:59-03:27:09]

10 INTERPRETER: We have to increase the fare  
11 for 35-40 percent. We have been having the same fare  
12 price for over 15 years now.

13 MARLENA PINEDO: [Speaking Spanish  
14 03:27:18-03:27:39]

15 INTERPRETER: Uber is already charging a  
16 higher fare fee like 40 or 50 percent more in order  
17 for us to make a profit or at least \$1,000.00 a week,  
18 to make a profit we have to make \$1,000.00 a week.

19 MARLENA PINEDO: We have to make more than  
20 \$3,000.00 if we want to take \$1,000.00 because the  
21 Uber charge too much and in the fees. The TLC kill  
22 us, charge too much in the tickets. Can you help us,  
23 because we stay here. We are immigrants, everyone, we  
24 are immigrants. We make money. We try to make money  
25 but the TLC kill us now. Other bill \$2,000.00 is

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2 going to shut down the drivers. Please help us about  
3 the drivers. [Speaking Spanish 03:28:32-03:28:40]

4 CHAIRPERSON DIAZ: [Speaking Spanish  
5 03:28:41-03:28:43]

6 MARLENA PINEDO: [Speaking Spanish  
7 03:28:44-03:28:52]

8 CHAIRPERSON DIAZ: Let me stop, let me ask  
9 Mr. Altamirano a question. How much a driver pays a  
10 week, one driver, every week to a base?

11 JOSE ALTAMIRANO: Each base is a little  
12 different. It will range anywhere from \$55.00 to  
13 \$80.00 more.

14 CHAIRPERSON DIAZ: \$80.00?

15 JOSE ALTAMIRANO: Yeah, from \$55.00 to  
16 \$80. It ranges. Everywhere in between

17 CHAIRPERSON DIAZ: So each driver, in  
18 order for them to...

19 JOSE ALTAMIRANO: [interposes] Yeah,  
20 because livery bases don't do percent's.

21 CHAIRPERSON DIAZ: Let me, listen. Each  
22 driver, you're telling me each driver pays \$80.00?

23 JOSE ALTAMIRANO: A range from \$80 to 55.

24 CHAIRPERSON DIAZ: To the base?

25 JOSE ALTAMIRANO: To the base.

2 CHAIRPERSON DIAZ: In order for them to  
3 roam the street.

4 JOSE ALTAMIRANO: In order for them to get  
5 calls from the base.

6 CHAIRPERSON DIAZ: So it's \$80.00 per  
7 week, if you multiply that by four, it's \$320.00 a  
8 month. If you multiply that by 12 months, it's  
9 \$3,840.00 each driver pays to a base.

10 JOSE ALTAMIRANO: Right.

11 CHAIRPERSON DIAZ: \$3,840.00 if a base has  
12 500 cars, 500 drivers, the base is making \$2 million  
13 a year. So...

14 JOSE ALTAMIRANO: [interposes] if you... I  
15 see where you're going, but if you look at it in  
16 percentages...

17 CHAIRPERSON DIAZ: [interposes] I'm, this  
18 is facts.

19 JOSE ALTAMIRANO: [interposes] no, no I  
20 know but percentages...

21 CHAIRPERSON DIAZ: [interposes] this is  
22 facts.

23 JOSE ALTAMIRANO: If you do percentage  
24 base which is what she's speaking about, it's  
25 significantly more money than the \$3,400.00.

2 CHAIRPERSON DIAZ: [interposes] the bases  
3 are making a lot of money.

4 JOSE ALTAMIRANO: [interposes] livery  
5 bases are making a lot of money? I think you should  
6 check...

7 CHAIRPERSON DIAZ: you're telling me,  
8 right now, sir, sir, right now, if a driver pays  
9 \$80.00 every week to a base and they have to pay  
10 that. That's not counting the other \$80.00, you  
11 multiply that by four weeks...

12 JOSE ALTAMIRANO: [interposes] no I  
13 know...

14 CHAIRPERSON DIAZ: [interposes] it's  
15 \$320.00 a month...

16 JOSE ALTAMIRANO: [interposes] I heard  
17 your math reverend (sic) the problem is that there  
18 are very few bases that have 500 vehicles...

19 CHAIRPERSON DIAZ: [interposes] If you  
20 multiply that by 12 months it's \$3,840.00. if a  
21 base...

22 JOSE ALTAMIRANO: [interposes] the  
23 majority of bases are between...

24 CHAIRPERSON DIAZ: [interposes] if a base  
25 has 500 cars, they make about two millions dollars.

2 JOSE ALTAMIRANO: [interposes] I  
3 understand but there is not a lot of bases that have  
4 500 cars. They range between 80 vehicles to 200  
5 vehicles.

6 CHAIRPERSON DIAZ: Thank you. Next please.

7 DEBORAH MONTE: Hi. Good morning. My name  
8 is Deborah Monte. I'm an FHV driver, I'm an IDG  
9 member and I was born in New York, I reside here.  
10 I've worked here all of my life. New York is a tough  
11 an very expensive place to live in. I retired from  
12 the City, I was a paramedic and at the time I was  
13 driving ambulances. I've driven through this City and  
14 I decided to become an independent driver two years  
15 ago. I started working for Uber and for Juno, two  
16 different apps. I need to do two different apps in  
17 order to make ends meet. You can't just drive for one  
18 app. If you are limited to one app you just will not  
19 make enough money. I went through the application  
20 process, the background checks, the mandatory TLC  
21 training, the exams, I paid all of the required fees.  
22 I do so on a regular basis. The cost of owning a car,  
23 purchasing a car, \$31,000.00, of having it registered  
24 with TLC plates as mandated. Repairs, tires, car  
25 washing, all of the expenses and the ever rising cost

2 of gas, at least \$12,000.00 a year, at least  
3 \$7,000.00 in commercial car insurance. I am not the  
4 enemy of the Yellow Taxis. Today, Uber and Juno, and  
5 all of those app-base are here, they're not going  
6 away. They have been accepted, and I'm sorry about  
7 the people who have spent a significant amount of  
8 money on their medallions and because of the bubble  
9 that rose just like the housing market. And it's very  
10 sad, but we need to get together. We're all drivers,  
11 we are pulled together in this. But charging  
12 \$2,000.00 and I'm going to mention it again because  
13 it's not taken off of the table. Charging \$2,000.00  
14 exclusively to the FHV drivers is not fair. We  
15 already pay enough and you do too Yellow taxi  
16 drivers, but we need to get together. And we need to  
17 come with a strategy that is going to not cost us  
18 more because we make pittance, and it's sad. We all  
19 have to work very hard just to make ends meet. So we  
20 need to get these app-based companies to take on the  
21 burden and make less money, and give us more. And  
22 hopefully you guys will also not have to suffer...

23 CHAIRPERSON DIAZ: [interposes] Drivers  
24 are going to make a lot more money, don't about the  
25 end. Thank you.

2 DEBORAH MONTE: So we need to change this  
3 and we need solidarity...

4 CHAIRPERSON DIAZ: [interposes] don't  
5 worry about, drivers are going to make, drivers are  
6 going to be treated (inaudible...) and with respect.

7 DEBORAH MONTE: [interposes] I just want  
8 to say one more thing.

9 CHAIRPERSON DIAZ: No, no, no you're  
10 finished.

11 DEBORAH MONTE: No, but sir, other people  
12 went over.

13 CHAIRPERSON DIAZ: I'm sorry, the next...

14 DEBORAH MONTE: [interposes] We pay \$84.00  
15 a year, okay, every driver. There's 180,000 drivers  
16 and \$84.00 a year for every driver that's  
17 \$15,000,120.00 million.

18 CHAIRPERSON DIAZ: [interposes] Thank you  
19 very much.

20 DEBORAH MONTE: [interposes] what is TLC  
21 and the City doing with that money.

22 CHAIRPERSON DIAZ: No it's not TLC, it's  
23 the bases. Thank you.

24 MICHELLE DOTIN: Hi. My name is Michelle  
25 Dotin. I am a driver, I've been so for about two

2 years and four months. I oppose portions of your  
3 bill. The reason I oppose portions of your bill is  
4 because I speak with drivers on a whole. I look at  
5 everybody here who is trying to earn a living. We all  
6 are working for the same cause, to protect, to feed  
7 our families and earn a decent honest living. And if  
8 we do so, and we work together, listen, it's the  
9 Yellows, or the medallion owner of the livery. It's  
10 the City of New York that charges all of these,  
11 different entities, these high fees. Who cause them  
12 to have this bubble. And in that, doing so they  
13 caused the crash of the yellows, medallions and  
14 greens, and livery bases. But the solution is not to  
15 pin one against the other, the solution is to make  
16 sure the companies that are making the money, pay the  
17 money. Not the backs of the drivers. Drivers now are  
18 working too many hours for unsafe commission, unsafe  
19 environments. We only get paid per mile, per minute.  
20 So all of you who think that because we drive for the  
21 app-based companies we are making a tremendous amount  
22 of money that is not true. We pay our fair share and  
23 we would like to be one unit. Commissioner, you took  
24 this job to represent all FHV drivers. We all share  
25 the same license. We want you to treat us the same.

2 Not singled out, but treat us like you would treat  
3 the yellow, the green, the livery. Please consider  
4 the fact that we cannot spend another dollar on  
5 another fee. Thank you.

6 CHAIRPERSON DIAZ: Louis Rojas, Inder  
7 (sp?) shahazad (sp?) malik (sp?). Hector Herman  
8 (sp?). Carlos Perez. Let's go, sir.

9 INDER PARMAR: Hi, sir. My name is Inder  
10 Parmar (sp?) I've been driving with Uber since 2013.  
11 In 2013 I used to work 60-70 hours. I used to put  
12 good food in my family. Now I work almost 80 to 90  
13 hours. My income has been reduced by 50 percent. I  
14 cannot put enough food on my family. And even working  
15 80-90 hours, Uber treats me like I'm a part time  
16 driver. And we need your help in this. Please help  
17 Uber drivers and help everybody else. And I gave you  
18 the speech, I would like you to read that. Thank you,  
19 sir.

20 UNIDENTIFIED: Hi. Good afternoon, sir. I  
21 have concern about the fees as introduced are going  
22 to be made to pay the FHV drivers. Which is going to,  
23 effect the drivers going to be paid. I believe the  
24 Uber or the Lyft, the Juno, they should pay this fee  
25 because there is no checks and balances. They are

2 stealing money from the driver. It's on the record  
3 that the charge the different amount to the rider and  
4 the driver is being paid the different amount. So the  
5 driver should not be paying this extra fee which is  
6 introducing in this bill. Besides that we are having  
7 other issues, the TLC stuff, like even let's say I  
8 will say I'm driving and my headlight bulb got turned  
9 off and I'm being pulled over by the TLC and I'm  
10 being summoned. This is unfair, we are being as legal  
11 slave being a driver. So there should be done  
12 something to protect us, all our families, to make  
13 them living respectfully. That's all I want to say.  
14 Thank you.

15 LUCIA ROJAS: Good afternoon. My name is  
16 Lucia Rojas. I have been driving for app company  
17 almost five years now. And sadly when I started in  
18 this business it was a little bit more fair and I get  
19 on the industry because I was feeling enslaved, I  
20 wasn't making enough money to survive and pay my  
21 bills like everyone else just doing legal work. And  
22 sadly because of that reason I even went to welfare.  
23 And because of the app company I make myself out of  
24 welfare. I don't want to go back. And if this bill  
25 passes that's going to happen because putting

2 \$2,000.00 more on people like me that work over 12  
3 hour shifts daily, and I works seven days a week now  
4 and days because I can't pay my bills just by doing  
5 six days or eight hours which I used to be able to do  
6 it. Because Uber, Lyft, Juno, all these companies, I  
7 have to work for four companies because one is not  
8 enough and when come summer forget it. Not even four  
9 are enough. I can't make enough money just by working  
10 with one. And if you harming (sic) forcing me to  
11 choose one, I will choose the one that steals from my  
12 pocket every day, but sadly is the one that has more  
13 passengers on the street. So you are helping them to  
14 make us become slaves of this system. When on the  
15 other hand, yellow taxi keeps complaining that we are  
16 taking the business from their hands, which is not  
17 true because there was a market out there that was  
18 unsatisfied by their service. Because they weren't  
19 providing the service that was asking, they was  
20 providing quality, they was having shitty cars. They  
21 was driving crazy on the street, you could see them  
22 every day crossing four lanes even without putting  
23 anything sign. And I have been victim of accidents  
24 caused by yellow taxi that crossed lines without  
25 putting any signs. So, with that in mind why they

2 should be privileges with this bill and we be  
3 penalized when even we are more careful than them on  
4 the street. Because we don't kill each other to cross  
5 lines to help someone from the opposite corner where  
6 they are standing. We follow a GPS all the time and  
7 we try to (inaudible...), but they have to be fair  
8 with us too. Now just think in a yellow taxi you also  
9 have to stop an Uber or Lyft, Juno, Via, Get, all  
10 those app companies that are making us slaves by  
11 making a ton of money from us.

12 CHAIRPERSON DIAZ: Thank you. She's going  
13 to translate.

14 UNIDENTIFIED: [Speaking Spanish 03:42:42-  
15 03:48:48]

16 INTERPRETER: Good afternoon, Reverend  
17 Ruben Diaz. Good afternoon all of the members and the  
18 Committee. The new Committee that's here to defend  
19 this corp. I remember one day and a rainy night on  
20 grand concourse. We the drivers of the City of New  
21 York, especially the livery, we ask the Reverend  
22 Ruben Diaz as the father of the taxi drivers. Today  
23 we are still holding onto that expectation of help in  
24 all the scenarios. Ruben Diaz promised us that as  
25 soon as he got to the Council, we did all our

2 efforts. So our father could get to this point. And  
3 be our voice of the drivers. Today, April 30, we are  
4 discussing one of the projects of legislation that we  
5 have understood very aggressive to the economy (sic)  
6 and the life of each and every one of us. We have  
7 heard that the \$2,000.00 in reference to the fine  
8 (sic) we are happy for this. But still within the  
9 project, we have something that would help us to work  
10 and have different options for us to be able to take  
11 our fays off to the home. Today more than 90 percent  
12 of bases has to be recognized as the apps. And even  
13 that way it's difficult. That's why we are soliciting  
14 the (inaudible...) Ruben Diaz, to take this under  
15 consideration so that that part will be without  
16 effect. Another thing very important, that the  
17 community liveries, that today the industry livery,  
18 we do not have passengers, we barely receive five to  
19 six calls a day. And that's become very difficult to  
20 survive. Like we have said prior in a public hearing  
21 in the last months, the City of New York and the  
22 world (sic) will witness of the suicide of the last  
23 four drivers in which the drivers (inaudible) left us  
24 a letter where it was said that he hoped that his  
25 suicide was not in vain. Reverend Ruben Diaz, we

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2 still are joined to you as (inaudible...) but  
3 everything that has to do with the economic state, we  
4 want you to put a lot of attention, those \$20,000.00  
5 that the bases have to pay, those they will impose it  
6 upon us...

7 CHAIRPERSON DIAZ: [interposes] [Speaking  
8 Spanish]

9 INTERPRETER: Those surcharges and we ask  
10 you, to the New York Mayor and you, Ruben Diaz, and  
11 the...

12 CHAIRPERSON DIAZ: [interposes] [Speaking  
13 Spanish 03:47:52-03:47:53]

14 INTERPOSES: We join a group of 25...

15 CHAIRPERSON DIAZ: [interposes] [Speaking  
16 Spanish 03:48:07-03:48:23] Okay.

17 CARLOS PEREZPENA: [Speaking Spanish  
18 03:48:54-03:48:57]

19 INTERPRETER: Good afternoon. My name is  
20 Carlos Perez-Pena.

21 CARLOS PEREZPENA: I can speak English,  
22 but I prefer Spanish.

23 CHAIRPERSON DIAZ: Okay.

24 CARLOS PEREZPENA: [Speaking Spanish  
25 03:49:05-03:51:56]

2 INTERPRETER: I'm going to speak about the  
3 problems that exist amongst us, the cab drivers of  
4 the City of New York because we all are very clear  
5 and all of those that are here (inaudible...) all the  
6 cab drivers in the community, all the Councilmen and  
7 the politicians they know all the problems of the  
8 taxi drivers and now I'm not going to speak about  
9 that problem. I am going to say to you, the directors  
10 and the councilmen, and the politicians including the  
11 president, what is going on with humanity. Where is  
12 the (inaudible...) want to leave to the family and  
13 the community. What is the policy that's existing now  
14 going on towards taking the empowerment of the money.  
15 All the love of money is the root of all evil and  
16 it's a sin against God. I ask you the Councilman, all  
17 the ones that are an official to please come and do  
18 what you were brought here to do in this world. Be  
19 human, have love, apply the love, we are still going  
20 to die regardless and we are going to leave  
21 everything behind (inaudible...) powerful people,  
22 rich people with so much love to the money and they  
23 still die (inaudible...) they weren't able to take  
24 that money. They couldn't take the power of whatever

2 their function was. Please, I ask for mercy in gods  
3 name...

4 CHAIRPERSON DIAZ: [interposes] [Speaking  
5 Spanish 03:51:54-03:51:58] Tina Sills (sp?), Lee  
6 Shepard, Mark Lopez, Ansar (sp?) Ali, Tina Ravinu  
7 (sp?), Asiz (sp?) Bah (sp?), Laura Niemen, David  
8 Walker, Mario Stoi (sp?), Alex Tocasio (sp?), Alex  
9 Jacobi, William Robis (sp?), Priscilla Montero. Sir?

10 JOSE RODRIGUEZ: [Speaking Spanish  
11 03:54:21-03:58:31

12 INTERPRETER: Good afternoon, Chairman  
13 Diaz. My name is Jose Rodriguez. I am the President  
14 of the Taxi Drivers in Defense of the Injustice and  
15 Abuse of the Power. My motive to be present this  
16 afternoon is as follows. To approve the project that  
17 you are presenting today, by the regulations for the  
18 following companies, Uber, Via and Lyft, in which it  
19 was a petition that I had made February 12th. Also,  
20 on that day February 12th I made a petition for you  
21 to make us stop of the abuse and the entrapment they  
22 are committing against the drivers. After that public  
23 hearing, they moved to Manhattan and The Bronx seven  
24 days out of the week. You have noticed because day  
25 after day you have received a lot of drivers in which

2 we are telling them to go to your office so you could  
3 see that we are not talking a lie. That organization  
4 should tell your officials to go so they can stop  
5 entrapping our drivers. And another order, we had  
6 made another petition, to put a cap on the new  
7 license plates and licenses. For nobody it's a secret  
8 that on February 12th, there was 61,000 drivers  
9 affiliated and in two months and 18 days it has  
10 incremented to 75,000. The increase of the  
11 increment...

12 CHAIRPERSON DIAZ: [interposes] [Speaking  
13 Spanish 03:57:20-05:57:28]

14 INTERPRETER: Their increase day by day  
15 effects our drivers, because they stop taking the  
16 daily need of our families to their homes. In this  
17 moment the industry is just for us to pay bills. Just  
18 like the streets are also deteriorating, I can give  
19 an example, I put a set of brand new tires and before  
20 three months I had to change the two front tires  
21 because there is too many pot holes on the streets.  
22 Department of Transportation doesn't do nothing  
23 regarding that. We would like to ask you to please  
24 put your hand and help us resolve this issue so this  
25 industry will not disappear. Thank you.

2 CHAIRPERSON DIAZ: [Speaking Spanish  
3 03:58:31-03:58:37]

4 TINA SILLS: Good afternoon ladies and  
5 gentleman. My name is Tina Sills and I'm going to  
6 make this swift because I would like to address you.  
7 I'm grateful for the opportunity to be in council  
8 with you today. The last time I was here I was  
9 invited by the Latino and Black Caucus to the  
10 inauguration of Mr. Barack Obama and I was certainly  
11 grateful to be here. Since that time I was evicted  
12 from 58th East 190th Street, so I do understand the  
13 disparity of not having a living wage. And so I am  
14 here today to say that I do support a living wage, or  
15 a working wage for the taxi drivers. I am for  
16 anything that brings penalty and unjust fines and  
17 fees as we all would be. Every system has a process,  
18 for example if I were to testify today under oath, I  
19 would have needed to be subpoenaed. Just like if I  
20 were call here to be an employee, I would expect to  
21 get some kind of conditional notice that says Miss  
22 Tina Sills will you report to Congress, will you  
23 report to City Hall. But I'm here today on behalf of  
24 the great people of New York City. And I would love  
25 to work with the great people of New York City. I

2 believe that they are worth every dime that they  
3 invest into their public officials, or, I hope I'm  
4 saying this right I've never been here before, but we  
5 have some issues, we have integrity issues. We have  
6 issues of identity theft of course, common sense says  
7 if you go work for the White House you're going to be  
8 finger printed, you're going to have an optic scan. I  
9 worked at 165 Broadway under the great Joe Berkery  
10 (sic) John Shay, Berkery Noyes, and I logged in with  
11 my retina, and I logged in with my fingerprints and  
12 Mary Joe Zandie (sp?) sat behind me and she was able  
13 to see what I was able to do in the computer system.  
14 I said all that to say today, I am for regulation. I  
15 am for the law, I'm pro-big-government. My  
16 affiliation is not important, but I am here to say we  
17 need justice. Just like when you go to court you get  
18 a subpoena. If someone is doing something wrong, can  
19 I continue sir? I'm very respectful, you need to  
20 advise individuals on how to regulate. If you would  
21 like to incarcerate someone for a lack of service or  
22 not upholding the constitution you have a civil,  
23 legal or criminal responsibility, a burden to, you  
24 have an obligation to notify the individual and say  
25 this is, because what you find is a mens rea. There

2 has to be a present knowledge of the system in order  
3 to violate the system. I've seen it. I am proof that  
4 it exists because ignorance is not bliss when you're  
5 spending three years at stadium, or four years from  
6 March '14 to March '17 for not upholding the  
7 constitution. And you've been damaged and there is no  
8 punitive, monetary amount and you're a beggar and  
9 you've been homeless for six years and you're trying  
10 to recover your life.

11 CHAIRPERSON DIAZ: I think that's enough.  
12 That's good enough.

13 TINA SILLS: So I support fair and honest  
14 legislation. Thank you so much for having me, sir,  
15 thanks.

16 CHAIRPERSON DIAZ: Thank you, thank you  
17 very much.

18 TINA RAVENO: Good afternoon. My name is  
19 Tina Raveno. I am an IDG member and I have been  
20 driving professionally for Uber...

21 CHAIRPERSON DIAZ: [interposes] I can't  
22 hear you.

23 TINA RAVENO: For Uber and Lyft for over a  
24 year. I work 10 hours a day, 7 days a week. I chose  
25 this job because of its flexibility and a promise to

2 make a better living which is not the case now. I  
3 struggle to make ends meet, Mr. Diaz.

4 CHAIRPERSON DIAZ: Oh boy.

5 TINA RAVENO: Your bill will make my life  
6 harder. I support my son with no co-parenting. I'm  
7 crushed by monthly insurance rates, gas rates,  
8 maintenance, and a weekly payment on my car which is  
9 \$426.00 a week. It's getting harder and harder, I  
10 just filed my taxes and after the expenses for the  
11 last year, minus my expenses, I took home \$24,000.00  
12 that's almost less than the minimum wage. I can't  
13 afford your new tax regulations and the inability to  
14 work one app, I work for two apps and I'm struggling.  
15 One app, I will not make it. If you take this option  
16 away from me my family, my fellow colleagues, you  
17 will send us into poverty, the shelter system and the  
18 welfare system. We as drivers, we need a raise, we  
19 need benefits, an ability to provide for our family  
20 just like anyone else in this great City. Mr. Diaz,  
21 you need to save us because we are drowning. Thank  
22 you.

23 JOHAN: Good afternoon, Council. Thank you  
24 for giving me the opportunity...

25 CHAIRPERSON DIAZ: [interposes] your name?

2 JOHAN: My name is Johan and I am with  
3 IDG. Thank you for giving me this opportunity to  
4 speak. I cannot speak Spanish and my English is very  
5 thick so please bear with me. I started driving a  
6 yellow cab in 1991. And I first I rent my cab, I rent  
7 the medallion, six months later I buy my car, I rent  
8 the medallion. Then a year later I buy my medallion.  
9 Today, with app-based company I lost everything.

10 CHAIRPERSON DIAZ: Can you please a little  
11 bit louder?

12 JOHAN: Yes. After 10 years driving the  
13 yellow cab I was not able to drive no more because my  
14 back gave away. I try the limousine industry and even  
15 there I was shackled because I couldn't grow no  
16 matter how good I was. And in corporate America if  
17 you're good, and you're doing great work you're going  
18 to be rewarded. But I couldn't get rewarded because I  
19 was shackled by the rules and regulations of the Taxi  
20 and Limousine Commission. The Taxi and Limousine  
21 Commission, they have more rule and regulations than  
22 the old and the New Testament together. And all these  
23 regulations, Mr. Diaz, they come with serious  
24 penalties. I don't know where they find these zeros,  
25 but we need your help to help us get through this as

2 well. The NYPD, the DOT, none of these industries are  
3 fair to us. They're proposing regulations like  
4 official zero (sic) and they have never helped  
5 pedestrian to cross the street. But if you look at  
6 their record, all the violations are from FHV  
7 drivers. Mr. Diaz, I'm asking you, I have seen, and  
8 now I'm with Uber and Lyft, the work that I have  
9 done, the yellow cab, my own limo company, I'm now  
10 with Uber and Lyft. And I'm not there because I want  
11 to. I'm here because if I'm on the outside I cannot  
12 help. Only when I'm on the inside and understand what  
13 they are doing to us. Please don't let them set you  
14 up among yellow cab drivers, again we're all drivers.  
15 Mr. Diaz, it's important that you take on the app-  
16 based company because they are the ones that are  
17 hurting us the most. The last, I drove a yellow cab  
18 and if I drove for yellow can I could make \$59.00 to  
19 go to JFK. And I'm driving a luxury car and I'm  
20 making a \$35.00 to go to JFK.

21 CHAIRPERSON DIAZ: [interposes] Okay. All  
22 right.

23 JOHAN: So, I'm asking you, Mr. Diaz, not  
24 to fight, we don't need to fight among each other. We

2 need your help to fight these app-based companies.  
3 Thank you.

4 PRISCILLA MONTERO: Good afternoon,  
5 Council. My name is Priscilla Montero. I am FHV  
6 driver, 9/11 survivor and I represent district 27,  
7 Daneek Miller of Jamaica Queens. I'm here today to  
8 speak on behalf of the drivers and the people of New  
9 York. I get feedback from my passengers, and I've  
10 been driving for three years. It is a hard time  
11 living in New York alone, however, Mr. Diaz, you have  
12 a responsibility to know that we risk our lives on  
13 the road to get the people of New York to work. We  
14 are also the people of New York paying New York City  
15 rent. I am not on welfare, I am a single mother of  
16 two and I own two businesses. My adjusted gross  
17 income is 75 percent less than what I actually make.  
18 My combined is over \$90,000.00 I bring home  
19 \$25,000.00 and I cannot write off nearly as many DMV  
20 parking violations and so on and so forth. The  
21 taxation that you want to impose is not effective for  
22 the drivers, Mr. Diaz. It is something that the  
23 companies should pay to play. If you want to play in  
24 a big city, you need to pay as these New York City  
25 real estate developers pay. So I would ask that you

2 reconsider these fees that you want to charge us. We  
3 are drivers, we are in this together. I take yellow  
4 cab drivers as passengers, and I get the feedback.  
5 Our pain is the same. We have all struggled, but we  
6 have a responsibility to feed our families the right  
7 way. This opportunity for ride share apps, it's a  
8 great opportunity for everyone globally. However, the  
9 fees should not be passed along to the less  
10 fortunate. The companies should pay to play. Thank  
11 you.

12 CHAIRPERSON DIAZ: Thank you. And thank  
13 you by the way. I'm going to thank you for the  
14 respect to this table. You've been wonderful, and  
15 everybody, respect. Mutual respect. If the room says  
16 you're finished, you're finished out of respect. You  
17 also let me tell you about what we're trying to do.  
18 Once you regulate something and you put a law, you  
19 tell, the law says the bases cannot do this and  
20 cannot do that, they cannot do that. If the law says  
21 that the base has to charge a certain amount, no  
22 matter what they have to pay, if the law says that's  
23 what you've got to pay they cannot put that into the  
24 drivers. They have to submit to the law. They have  
25 been regulated and that's what we're trying to do,

2 regulate all of it, even Uber. To regulate, this is  
3 what you're going to do, and you cannot do this and  
4 this is what you're going to... but people seem like  
5 there are people that never want the problem to be  
6 solved. There are people, here and there, they never  
7 want it to be, and they're always finding something  
8 to defy and to contradict. At the end, I promise, at  
9 the end I promise you, you are going to be happy and  
10 people are going to be happy. And the drivers of the  
11 industry are going to be happy. But there are people  
12 that would like to do this, I will continue doing  
13 what I plan to do and promise you I'm going to work  
14 for the drivers. And not only for the drivers, for  
15 the industry. The bases have to do what they've got  
16 to do, the Uber has to do what they've got to do, and  
17 everybody have to do what they got to do. Regulation,  
18 we're going to regulate them, and that's the purpose  
19 of this (inaudible). So thank you very much. And  
20 again thank you for your respect for this table.  
21 Thank you.

22 SOHAL RANA: My name is Sohal (sp?) Rana.  
23 I am an Independent Drivers Guild proud member and a  
24 steward. My question to you is, look at in the room,  
25 it's the same people. People who are yellow cab

2 drivers, or FHV drivers, I'm sorry. I'm talking about  
3 the bill five years ago or seven years ago, the  
4 people sitting there. They passed a bill and they let  
5 the yellow cab drivers down and now you are sitting  
6 there, you're going to do the FHV drivers down. You  
7 were appointed to protect the FHV drivers, not  
8 charging them \$2,000.00 every year. If you want to  
9 find a solution, that's cool, I mean we will work  
10 with you, but not on the back of the FHV drivers or  
11 the yellow cab drivers. I always think why you don't  
12 go chase the companies. Why are you charging us  
13 \$2,000.00

14 CHAIRPERSON DIAZ: [interposes] stop. We  
15 already (inaudible...) to back to the \$2,000.00 we  
16 already said, you've been here listening. So don't go  
17 back to \$2,000.00 I told you we're going to deal with  
18 that at the beginning.

19 SOHAL RANA: [interposes] yeah, Mr. Ruben,  
20 yeah \$2,000.00 for me is a lot of money.

21 CHAIRPERSON DIAZ: [interposes] Forget  
22 about that. I keep tell you (inaudible...) \$2,000.00

23 SOHAL RANA: [interposes] that's my point  
24 is, I mean people sitting there, they let destroy the  
25 yellow cab industry and now you're sitting there and

2 now you're going to do to the FHV industry. So this  
3 is not right. And...

4 CHAIRPERSON DIAZ: Don't pay \$2,000.00  
5 then what's the problem.

6 SOHAL RANA: I don't have \$2,000.00

7 CHAIRPERSON DIAZ: If you don't have to  
8 pay that then what's the problem.

9 SOHAL RANA: The problem, like also we  
10 don't want to be limit to one company.

11 CHAIRPERSON DIAZ: [interposes] if you  
12 don't have to pay \$2,000.00 what's the problem.

13 SOHAL RANA: The problem is you let the  
14 yellow cab, the yellow industry get down if I don't  
15 have, you're not going to charge \$2,000.00?

16 CHAIRPERSON DIAZ: I don't know.

17 SOHAL RANA: So why are you asking me  
18 then?

19 CHAIRPERSON DIAZ: Because you're not  
20 listening. I keep telling you what I'm going to do  
21 but you're not listening so maybe I'll go back and  
22 then put it in. thank you.

23 SOHAL RANA: Okay. So if don't pay  
24 \$2,000.00 and then you don't limit the drivers to  
25 work for one app-company, because you are the guys.

2 You let these companies grow that big. They're eating  
3 up all of these drivers. Look at all these drivers,  
4 they're just all like me. They are immigrants, they  
5 are minorities. Drivers first, yeah.

6 UNIDENTIFIED: Good afternoon, Chairman  
7 Diaz and the other dignitaries. My concern with this  
8 bill is whose not here. And I know that we're going  
9 to have discussions, but I feel that the people who  
10 are actually the most affected by this, the ones who  
11 are trying to make ends meet are the ones that are  
12 going to ultimately get stiffed unless the regulation  
13 will include making the owners of these companies pay  
14 their fair share. I believe that that burden should  
15 be on them because they're the ones who profit the  
16 most. I don't believe that pitting the yellows and  
17 the Uber drivers is going to, and it works to their  
18 advantage, but the thing is, is that this is not  
19 something that's going to be taken care of right  
20 away. I also am shocked that the Mayor of New York  
21 City didn't address this when he knew it was a  
22 problem. So we can't blame you for that, and I can't  
23 blame you, Mr. Chair because you just got into the  
24 City Council. You were not in the City Council so it  
25 would be unfair to say that. What I would ask is that

2 if there would be more discussions going forward with  
3 this committee so that we can include everyone from  
4 the outer boroughs. As anybody knows, the yellow cab  
5 industry rarely will pick up hails in the outer  
6 boroughs. So we have to look at everything from all  
7 sides. But my biggest concern is the profiting off  
8 the backs of people who are very hard working New  
9 Yorkers, probably needs to be exposed more. And I  
10 would like to see this Council step up and do that  
11 because we are a progressive City. So we'd like to  
12 see that in action. But, Mr. Chair, you're not the  
13 only one that makes those decisions. It's a council  
14 and everybody talks so thank you very much.

15 CHAIRPERSON DIAZ: Thank you, ladies and  
16 gentleman. We started at 9:30, we have listened to  
17 everyone. We have written statements and positions  
18 from different groups. These, today we have  
19 introduced seven different bills. Never before, this  
20 committee has been working very diligently and we  
21 have done a great job in bringing to the floor bills  
22 that for three years have been somewhere here, some  
23 other Council Members have written them, but as of  
24 today, we brought them today. We are opening the door  
25 for bills. So this is the first time that the

2 industry got seven bills on this day, plus two more  
3 from Council Member Cabrera. That will be 11 bills  
4 that are being introduced and dealing with the taxi  
5 industry. At the end the taxi industry is going to  
6 look so good. So I thank all of you, especially those  
7 of you that have been here since the morning and we  
8 will continue dealing. Today we are just introducing,  
9 this is not the final product. This is just being  
10 introduced now the negotiations come. Some of the  
11 people who have testified today have impressed me.  
12 All of you, but some of them have been invited to  
13 meet with me and discuss some issues to see how we  
14 could work together. And I'm going to be working  
15 together. I am very honored that union 32-BJ took  
16 upon themselves to send people here today and to  
17 testify in favor of my bill. And when a union that  
18 fights and protects works comes here and supports my  
19 bill, believe me, they know what they're doing and  
20 they are doing for the better of the drivers and  
21 everybody that works in the industry. So, thank you  
22 to 32-BJ for supporting this bill. And thank you for  
23 all of you, the ones that support the bill. And the  
24 ones that don't support the bill, I will at the end,  
25 the bill has to come to a vote, but it's not ready

2 yet. We will continue negotiating and (cut dictation

3 04:19:45)

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1 COMMITTEE ON FOR-HIRE VEHICLES

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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 \_\_\_\_\_ June 1, 2018 \_\_\_\_\_