

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON RULES,
PRIVILEGES, ELECTIONS,
STANDARDS AND ETHICS

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March 12, 2026
Start: 1:04 p.m.
Recess: 4:02 p.m.

HELD AT: 250 Broadway - 8th Floor - Hearing
Room 1

B E F O R E: Sandra Ung,
Chairperson

COUNCIL MEMBERS:
Shaun Abreu
Chris Banks
David M. Carr
Elsie Encarnación
Shekar Krishnan
Linda Lee
Kevin C. Riley
Nantasha M. Williams

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

Wayne Hawley
Conflict of Interest Board Nominee

Midori Valdivia
Chair of the Taxi and Limousine Commission
Appointee

Justin Wood
New York Lawyers for the Public Interest

Carmen Cruz
Workers Alliance- Taxi Workers Alliance Member

Edwin Archbold
Translator for Carmen Cruz

Veronica Martinez
New York Taxi Workers Alliance

Richard Chow
New York Taxi Workers Alliance

Michael Simon
Self

Wayne Chen
New Taxi Workers Alliance

Bhairavi Desai
New York Taxi Workers Alliance

Joe Rappaport
Self

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

Jean Ryan
Disabled in Action

Adriano Averzano
Taxi Workers Alliance

Allie Lanley
New York Taxi Workers Alliance

Augustine Tang(SP?)
New York Taxi Workers Alliance

Ira Goldstein
Black Car Fund

Sancho Prasad(SP?)
Self

Lamond Jata(SP?)
New York Taxi Workers Alliance

Muhammed Aliyu(SP?)
New York Taxi Workers Alliance

Joshua Sear
Speaking for Mr. Marway

Zubin Soleimany
New York Taxi Workers Alliance

Christopher Leon Johnson
Self

Matt Doss
Self

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2 SERGEANT AT ARMS: Mic check, mic check, mic
3 check. It's a mic check for the Committee on Rules,
4 Privileges, Rules, Privileges, Elections, Standards,
5 and Ethics. Today's date is March 12th, 2026,
6 recorded by Walter Alexander Edward Lewis Jr. and
7 HR1.

8 SERGEANT AT ARMS: Good afternoon and welcome to
9 today's New York City Council hearing for the
10 Committee on Rules, Privileges, Elections, and
11 Standards and Ethics. At this time, I would like to
12 everyone to remind everyone to silence all electronic
13 devices. Also, at this point going forward, no one's
14 to approach the dais, no one.

15 Chair, ready to begin.

16 CHAIRPERSON NURSE: Good afternoon and welcome to
17 this meeting on the Committee on Rules, Privileges,
18 Elections, Standards, and Ethics. I'm Council Member
19 Sandra Ung, Chair of the Committee.

20 Before we begin, I would like to recognize other
21 members of this Committee who are present: Council
Members Riley, Encarnación, Minority Leader David
Carr.

I would also like to acknowledge the Counsel to
the Committee, Jeff Campanga, and the Committee Staff

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2 that worked on the matters before the Committee
3 today. Director of Public Integrity Francesca Della
4 Vacchia, Deputy Director of Public Integrity Alycia
5 Vassell, and Chief Ethics Counsel Pearl Moore.

6 Today the Committee will consider the
7 Comptroller's nomination of Wayne Hawley for the
8 reappointment to the Conflict of Interest Board and
9 the Mayor's nomination of Midori Valdivia for the
10 appointment to the position of the Chair of the Taxi
11 and Limousine Commission.

12 We'll begin the nomination of Wayne Hawley for
13 the Conflict of Interest Board, and we will then hear
14 from Midori Valdavia, and then we will then conclude
15 the public testimony on both candidates.

16 By the letter dated on February 25th, 2026,
17 Comptroller Mark Levine requested advice and consent
18 of the Council regarding the reappointment of Gwen
19 Hawley to the New York City Conflict of Interest
20 Board.

21 The Conflict of Interest Board is the entity that
serves to provide clear guidance to public employees
regarding the conflict of interest laws codified in
Chapter 68 of the New York City Charter. The board
is tasked with achieving this goal through training,

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2 education, and the issuance of publications of
3 advisory opinions relating to conduct that may
4 violate the City's Conflict of Interest Law. The
5 board also adopts rules to implement and interpret
6 the provisions of the Conflict of Interest Laws, who
7 reviews and adjudicates alleged conflict violations,
8 and has the power to impose penalties, including
9 fines of up to \$25,000.

10 Per violation, and suspension or dismissal of the
11 city employees when deemed appropriate. The board
12 also collects and reviews financial disclosure
13 reports. The board consists of 5 members, 3 of whom
14 are appointed by the Mayor, 1 appointed by the Public
15 Advocate, and 1 appointed by the Comptroller, all
16 subject to the advice and consent of the City
17 Council.

18 The Mayor must designate one of these members as
19 the Chair of the Board. The Charter states that all
20 members should be chosen for their independence,
21 integrity, Civic commitment and high ethical
standards. Board members who serve for staggered
6-year terms are prohibited from serving more than 2
consecutive 6-year terms. Board members are required
to meet at least once a month and are prohibited from

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2 holding public office, seeking election to any public
3 office, being a public employee in any jurisdiction,
4 holding political party office, or appearing as a
5 lobbyist before the city.

6 Board members are entitled to receive
7 compensation in the amount of \$250 for each calendar
8 day they perform work for the board. The Chair is
9 entitled to \$275 per day of service. We are joined
10 today by Wayne Hawley. Mr. Hawley was first
11 appointed to the Conflict of Interest Board by Mayor
12 Bill de Blasio to serve a 6-year term that began on
13 April 1st, 2020, and that will expire on March 31st,
14 2026.

15 From 1999 to 2017, Mr. Hawley worked at the
16 Conflict of Interest Board initially as a Deputy
17 Counsel and later as the Deputy Executive Director
18 and General Counsel. From 1983 to 1987, he worked at
19 the MFY Legal Services, rising to the level of
20 Executive Director. He also worked at the Queens
21 Legal Services, the American Civil Liberties Union,
and in private practice. He received his bachelor's
degree from Claremont McKenna College and his law
degree from Yale Law School.

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2 If appointed to the Conflict of Interest Board by
3 the Comptroller, Mr. Hawley, a resident of Manhattan,
4 will serve a new 6-year term that will begin on April
5 1, 2026, and end on March 31, 2032. I now recognize
6 the Committee Counsel to administer the affirmation.

7 COMMITTEE COUNSEL: Please raise your right hand.
8 Do you affirm to tell the truth, the whole truth, and
9 nothing but the truth in your statements before this
10 Committee and in answer to all Council Member
11 questions?

12 WAYNE HAWLEY: I do.

13 COMMITTEE COUNSEL: Thank you.

14 CHAIRPERSON UNG: Good afternoon, Mr. Hawley. I
15 recognize you to make an opening statement.

16 WAYNE HAWLEY: Again, uh, good afternoon, Chair
17 Ung, Minority Leader Carr, fellow members of the
18 Committee. I, I am Wayne Hawley. Um, I, I wanna
19 begin by possibly making a correction or clearing up
20 a misunderstanding I had. I bel- I believe, I
21 believe- I've been nominated to fill the remaining 2
years of an existing term that expire on March 31st,
uh, 2028.

So, um, I, I've, I've, I'm ending an initial 6
years as the Chair pointed out, uh, hmm, from a

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2 nomination 6 years ago by Mayor de Blasio. This
3 nomination by, um, uh, Comptroller Levine is to fill
4 a currently vacant term that is set to expire 2 years
5 from now.

6 So I'm, I'm gonna come in as a, as a pinch
7 hitter, as it were. A late-inning substitute, a
8 late-game substitute, and fill out that, uh, that,
9 uh, that 2 years, which I'm honored to, to do if, uh,
10 if confirmed.

11 Um, uh, with that background, I'll make a, a, a
12 very short statement and, and then of course be happy
13 to answer any questions. Um, by way of personal
14 background, uh, my wife and I moved to New York City
15 47 years ago, and we have lived here since. Our
16 children— our two children were born and raised here.
17 Our first grandchild was born here and lives here
18 with her parents.

19 Our second grandchild, due in May, will be moving
20 back to the city with- with his parents, uh, by the
21 end of the year if all goes as planned. So New York
City is our home. I care about this city and I care
about its people. I also care about the city's
government and the public servants who serve it.

I've seen during my time, uh, on the board as both

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2 board member and staff, the important services that
3 these people provide and have gained an appreciation
4 and respect for the hard work that so many of them
5 do.

6 At the same time, I've also come to appreciate
7 what an outsized role this tiny city agency, the
8 COIB, with 5 board members and fewer than 2 dozen
9 staff can and indeed do have, uh, in a city of half
10 a- 8.5 million people and around 300,000 city
11 employees.

12 The COIB is both a symbol of and one of the
13 drivers of the commitment of city government to put
14 public service first. That is, to the principle that
15 the public service is a public trust. If I'm again
16 confirmed by the Council, I will have the opportunity
17 to, to continue to serve the board as a member, as I
18 said, for the next 2 years.

19 I'll be mindful of the mission of the board to
20 promote the public's trust in city government and
21 also mindful of my own obligation in interpreting and
enforcing the laws that the board is charged to
oversee, to put the public's interest first. Uh, I
look forward to that continued responsibility. Thank
you.

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2 CHAIRPERSON UNG: Thank you. I would also like
3 to recognize Deputy Speaker Williams and Council
4 Member Banks. I will start with a question. How
5 does the ability of elected officials control the
6 COIB's budget affect its mission independence?

7 WAYNE HAWLEY: Well, it, it, what in fact does,
8 I, I, I can say that it's not been that experience
9 that anything of, of the sort happens, but It's true
10 that, that the public could be led to believe, or
11 there is at least a potential of perception, that
12 because the Board has before it the, um, ah, m-
13 often, often matters involving the very branches of
14 government that set, set its budget, that the Board
15 will be influenced by that. Um, ah, er, ah, ah,
16 perhaps an understandable, understandable if slightly
17 cynical perception.

18 Uh, so for that reason, the Board for over the
19 years not because of the fact of, uh, of undue
20 influence, but the perception that that might be
21 there, has sought an independent budget. Um, that's
not been successful. The matter has been before a
few Charter Revision Commissions. Um, the, the
Campaign Finance Board, the Independent Budget Office
have some sort of budget protection, uh, uh, er, ah,

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2 hmm, mhm, like, you know, I mean, in their government
3 papers.

4 The, uh, the board does not as yet.

5 CHAIRPERSON UNG: Thank you. In your pre-hearing
6 questions, you opined on critical staffing shortages
7 at the COIB. For the benefit of everyone here, could
8 you describe those staffing needs?

9 WAYNE HAWLEY: Yes, the, the board, um, the
10 board, um, as my questions and answers to the
11 Council's questions, um, uh, indicated, the board had
12 26, uh, staff at the beginning of the administration.
13 I'm sorry, the Adams administration, so 4 years ago,
14 '26. The board's down to 20 employees now. Um, 2
15 positions are particularly critical, and I'm happy to
16 report that one of those has been resolved, uh, since
17 it- since my writing. Um, uh, that was for an
18 attorney position in the, um, uh, in the enforcement
19 unit. Um, uh, the other position in the, uh, uh,
20 annual disclosure, um, uh, unit has not been filled.
21 Um, uh, and, and, and the problem there had been, and
22 this is a, this is a problem as I pointed out also in
23 my answer, that, um, that, that suggests that, uh,
24 that budget protection is not a perfect, uh, answer
25 to all problems. You could have a, you could have a

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2 budget but not have the ability to hire people if
3 only because, um, uh, the personnel actions hadn't
4 been acted on in time. And that unfortunately had
5 been the experience with these two positions. There
6 have been offers made, offers accepted, good
7 candidates, but they couldn't wait for the paperwork
8 to be approved in the, in the process, and they had
9 to take other jobs.

10 Uh, happily, uh, we, we got the, uh, approval for
11 one of them, had, had a, had a candidate, another
12 candidate in mind, and knock wood, that person will
13 start in the next couple weeks.

14 CHAIRPERSON UNG: Well, that's great to hear.
15 Um, so what else will you ask the Council to do with
16 respect to the COIB budget? This year?

17 WAYNE HAWLEY: Um, I'm not aware of any, uh, any
18 items, um, at, at the moment. I'll say historically,
19 um, and this goes back to when, when there were
20 significant cuts in the wake of the, the, uh,
21 September 11th and the budget crisis that came in
with a new Mayor. And many will recall that on the
one hand, property taxes went up, uh, on the other
hand, um, there were cuts across city agencies.

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2 Um, the Council stepped up then, um, and helped
3 staff positions. Those of course were not baselined.
4 Um, uh, and so they were year-to-year positions. Um,
5 I don't think we're in that crisis period now. Uh,
6 but, um, that would be, that would be a, um, a, a
7 possible avenue for the board to consider if things
8 got that dire. Um, it's tough to hire people for a
9 year. Um, uh, and, and what I, as I recall happened,
10 the Council was good enough in, in a second year and
11 possibly even a third year to give another year.
12 And, and then ultimately the city's budget position
13 approved and those- at least some of those positions
14 got baselined. But that's another, that's another
15 example, uh, for which even 25 years later, uh,
16 we're, we're, we remain grateful.

14 CHAIRPERSON UNG: Would you agree with the
15 general statement that whether a public servant
16 qualifies for legal representation by the Law
17 Department is dependent on whether they're accused of
18 doing something that is consistent with their duties
19 as a public servant?

19 WAYNE HAWLEY: Th-that seems to be the standard,
20 although, um, uh, er, hmm, the Board has no
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2 involvement in those determinations. That's a,
3 that's a Law Department, City Hall determination.

4 CHAIRPERSON UNG: In your opinion as a lawyer who
5 has served as General Counsel of COIB, is a violation
6 of Chapter 68 and act as consistent with any public
7 servant's duties?

8 WAYNE HAWLEY: Well, an allegation that they did
9 it, uh, is only that. Um, uh, but if, if, if, um,
10 there was consideration given to the possibility the
11 city might decide to, to represent somebody charged
12 by the board with a violation, um, and that is the
13 law department itself was going to do that, that I
14 think would run into, in effect, uh, legal conflicts
15 of interest, uh, professional responsibility
16 conflicts of interest kind of issues because the law
17 department's also our lawyer, that is the board's
18 lawyer, so that if, for example, um, we've
19 successfully prosecuted a, a, uh, enforcement
20 proceeding through the Office of Hearings and
21 Appeals, we've imposed a public, uh, disposition, uh,
the respondent, losing public servant can run an
Article 78.

The law department represents us in the Article
78, so it can't very well be the board's lawyer and

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2 the respondent's lawyer whether the— the law
3 department could choose to provide paid private
4 counsel under that standard for, uh, for somebody
5 accused of violation is something beyond certainly my
6 level of expertise. I will point out that many, many
7 respondents, that is, people who are charged with
8 violations by the board, are represented by their
9 union counsel.

10 Um, sometimes even former, uh, city employees are
11 represented by their union counsel, and some, albeit
12 not a majority of, uh, of, uh, respondents choose to
13 hire their own private counsel. So there's- there's
14 considerable representation, but not complete
15 representation.

16 CHAIRPERSON UNG: Thank you and lastly on this
17 topic, in your pre-hearing questions, you wrote that
18 the notions of fairness suggest that people appearing
19 before the COIB should be provided with counsel. Do
20 you believe this is true in all cases, or are there
21 times where individuals should be responsible for
their own representation?

WAYNE HAWLEY: I, I, I think, uh, I think we in
this country understand the value— I mean, lawyers
don't always get the greatest name in the world

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2 except when you need one badly. Uh, and, and I
3 think, um, uh, I think there, there's certain
4 fairness to that, um, uh, there's certainly that in
5 the criminal law proceeding. The, the city has
6 extended right to counsel in a variety of areas. Um,
7 I'm not sure this would be on the top of the list,
8 but, but, but fairness is fairness. Um, some of this
9 is, some of this though is, uh, is budget and, uh,
10 labor and employment matters that are really beyond
11 my level of expertise, particularly the budget
12 matter.

13 CHAIRPERSON UNG: Um, I do have, um, more
14 questions, but I'm going to pass it on to other
15 Council Members. Um, Council Member Banks.

16 COUNCIL MEMBER BANKS: Well, thank you, Madam
17 Chair, and congratulations on your nomination, um,
18 Mr. Howley. Uh, New York City has several oversight
19 entities, including the Department of Investigations,
20 the Inspector General, uh, the Council's Committee on
21 Oversight, uh, and Investigations and along with
other watchdog, uh, bodies. How do you believe, uh,
the, uh, Conflict of- Conflict of Interest Board
should coordinate, uh, with these entities while
still maintaining a, uh, level of independence?

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2 WAYNE HAWLEY: Uh, it's a good question. Thank
3 you. The- the part of that is written into the
4 Charter, and it's, it's actually worked quite well.
5 Um, the- the board does not conduct its own
6 investigations. Our- our staff is not budgeted for
7 um, uh, er, ah, hmm, and, and, and hasn't
8 historically had them because the Charter charges the
9 Department of Investigation to conduct
10 investigations, uh, on our behalf. Um, and I think
11 the notion behind that is because many of these
12 investigations begin one way and, and maybe end up
13 going another way, um, a, a lot of things come out
14 and then-

15 COUNCIL MEMBER BANKS: Right.

16 WAYNE HAWLEY: And things may come out that are
17 simply disciplinary and get referred back to the,
18 the, um, employee in question's, uh, superiors. Some
19 of them, uh, may have a criminal law implication that
20 those get referred to prosecutors. Some of them,
21 maybe the ones that didn't even begin that way, have
a conflict of interest thing. DOI is thought to be
the appropriate place to handle them all so that you
don't have, um, uh, investigators from 3 or 4
different places bumping into each other, um, and,

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2 uh, and potentially interfering with, um, more
3 important investigations.

4 So, uh, the, the board regularly refers, uh, uh,
5 complaints that it receives-

6 COUNCIL MEMBER BANKS: Right.

7 WAYNE HAWLEY: To the DOI. The DOI reports back.
8 Department of Investigation gets complaints that
9 we've never heard of, and when they reveal a conflict
10 of interest issue, reports back to us about those.
11 And that's, that's worked well.

12 COUNCIL MEMBER BANKS: Alright, thank you. Uh,
13 you've spent many of your years working on at the,
14 uh, Conflict of Interest Board, including serving as
15 a Deputy Counsel, uh, later on as the Deputy
16 Executive Director, um, um, and, uh, and General
17 Counsel. Uh, from your perspective, uh, how has the
18 board evolved, um, over the years? And, uh, what
19 lessons, uh, from, uh, that experience, uh, will
20 guide your approach, uh, if you are privileged to be
21 appointed again?

22 WAYNE HAWLEY: Thank you.

23 COUNCIL MEMBER BANKS: Or confirmed?

24 WAYNE HAWLEY: Thank you. Um, I think the, um, I
25 think a lot of the, um, uh, the growing pains- and

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2 this, this entity was created in 1990, um, as a
3 result of the big charter review process in, in the
4 late '80s, um, that made the Council the body that is
today-

5 COUNCIL MEMBER BANKS: Right.

6 WAYNE HAWLEY: And did away with the Board of
7 Estimate. Um, um, uh, er, a lot of growing pains
8 took place then, the board had not had enforcement
9 authority prior to that. And I think, I think
10 particularly in the, um, uh, enforcement area, the
11 board had to learn, uh, that new process, that new
12 responsibility, and, and develop, develop patterns,
13 habits, um, uh, and sort of rules of the road. And
14 that took, probably it was still growing on when I
15 came onto the board, um, uh, 8 or 9 years later. It
16 had matured considerably since then. It had been
17 staffed up since then. But I think that, that need
18 to blend really two roles about, uh, - I'm not
19 talking about annual disclosure so much, but about
20 the conflict, Conflict of Interest Law itself,
21 Chapter 68 of the Charter.

COUNCIL MEMBER BANKS: Yeah.

WAYNE HAWLEY: On the one hand, we're the place
to go where, uh, if you want some advice, we're also

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2 the place to go if you— either because you didn't
3 listen to our advice or you just didn't think about
4 it and you do appear to violate the law, we're gonna
5 punish you. And to make those two things fit
6 together well is a challenge. And I think— I think
7 the board has done a good job with that. Um, but
8 it's, it's always evolving. And, um, part of the
9 evolution is the fact that you've got these staggered
10 terms and board members come and go, and that's
11 worked well too. You've seen, you've seen a variety
12 of perspectives, a variety of different kinds of
13 people.

11 COUNCIL MEMBER BANKS: Thank you for your
12 response and, um, my last question, uh, serving, uh,
13 on the, uh, Conflict of Interest Board requires a
14 strong, uh, commitment to impartiality and
15 maintaining public trust, which is so important.

16 Uh, what motivates you personally, uh, to
17 continue serving, uh, in this role and how do you
18 approach, uh, that responsibility?

18 WAYNE HAWLEY: Well, uh, uh, to be candid, I, I,
19 I, I, I do enjoy the work. Um, uh, and, um, I find
20 it interesting. I find city government interesting.
21 Uh, and, um, and I, I have a lot of respect for the

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2 people who work there and the people who are on the
3 board. Um, and, um, uh, let me, let me put it this
4 way. I- I don't have any trouble being a straight
5 shooter. I call them like I see them. I'm honored
6 to have been, uh, nominated by, uh, Mayor de Blasio.
7 I'm honored to be nominated now by, uh, Comptroller
8 Levine. But, um, uh, everybody that comes before me
9 is gonna be the same whoever appointed me.

10 COUNCIL MEMBER BANKS: Alright, thank you. Thank
11 you, Madam Chair.

12 CHAIRPERSON UNG: Thank you. We also have been
13 joined by Majority Leader Abreu, and now I'd like to
14 turn it over to, um, Minority Leader Carr for his
15 questions.

16 COUNCIL MEMBER CARR: Thank you, Chair. Mr.
17 Hawley, good to see you. Thank you for coming before
18 us today. Um, I want to just, uh, double down on the
19 question my, my colleague just asked you about
20 impartiality. Um, you know, obviously, uh, everybody
21 comes to their role in government with a lifetime of
views and well-developed and passionately believed
in. Um, I'm sure you're no exception to that. Um,
and so, you know, but there's a diversity of opinion
in this city, you know, from left to right. And I

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2 just want you to expound a little bit about, you
3 know, how you feel, uh, you would be able to sort of
4 check your own well-developed views at the door when
5 folks come before you um, who may come from a, a
6 different perspective?

6 WAYNE HAWLEY: Let me offer my experience, and,
7 and I, um, um, and, and this is, um, this is perhaps
8 even more the case over the last, uh, 5, 6 years now
9 that we've had, uh, the board has had appointees both
10 from the, uh, uh, Comptroller and the Public Advocate
11 as well as only the Mayor. The notion of who, uh,
12 appointed somebody has, has never been reflected in
13 any way, in any kind of favor, any kind of flavor.
14 Um, um, the notion of who appointed somebody,
15 frankly, never really crosses anybody's mind.

14 The, the board and the people on - that work at
15 the board and the people who serve, uh, the board,
16 serve as members of the board, I think owe their
17 loyalty to that institution and to the city, to all
18 the people of the city, and to treat everybody alike.

18 Now, do some people vote for somebody and some
19 people vote for somebody else? I have no idea who
20 people voted for, or really even- I, I don't wanna be
21 naive, could I guess some, some people's political

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2 party, but I don't know that for a fact about many of
3 the people who've been on that board over the years.
4 Um, um, we certainly respect the diversity of the
5 city and people will have different views, but
6 really, um, um, it's a, it's an apolitical body is I
7 think the best way I can put it. It's, it's meant to
8 be, you know, in something that some people suggest
9 not all, uh, courts can always do. Not all, um,
10 adjudicated bodies can do, but I, I think the board
11 has done a pretty good job about that. Um, uh, I was
12 appointed by, um, Mayor de Blasio. Um, I was on the
13 board during the period of time when we ended up with
14 a disposition that, uh, is causing now the former
15 Mayor to make quarterly payments of about \$15,000 on
16 a very significant amount that he owes the city. Um,
17 um, I didn't have any trouble, um, uh, exercising my
18 responsibility in that regard.

15 COUNCIL MEMBER CARR: Appreciate your answer.
16 Apolitical, that's the- the magic word, uh, I think
17 we were all looking for. So, well- well said. Um,
18 so the, uh, with respect to, um, some other
19 questions, uh, you know, I, I had asked your now new
20 colleague, uh, Mr. Lofredo, uh, this question as
21 well.

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2 You know, COIB operated what I thought was one of
3 the most engaging social media presences, um, er, on,
4 on what was then known as Twitter and, and now X.
5 Um, and then, you know, for whatever reason that
6 social media account ceased to be active or
7 disappeared. Um, obviously education about the
8 conflicts of interest law is one of COIB's core
9 responsibilities, and it's one that it's done very
10 well over the years. Um, it's something I think we
11 should see return, um, because X is a well-trafficked
12 platform. Um, is that something you'd agree with,
13 something you'd look into, and could you shed any
14 light onto why that changed given your long history
15 at COIB?

13 WAYNE HAWLEY: Yeah, I, I, I, I happened to see
14 that, that exchange with Mr. Lofredo. Um, and, and
15 I, I won't, I, I, I, I'll, I'll plead as, as, uh, he
16 did, but I will not, I, I will also answer the
17 question. Um, but I'll, I'll preface it, uh, as he
18 did by, um, um, uh, expressing a lack of complete
19 familiarity with Twitter and its current incarnation.
20 Um, um, I, I think that may have happened when I was
21 not on the board. Um, in any case, um, there was a
22 little bit of a flight from Twitter at that time.

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2 Um, and, uh, and we valued- I'm talking about in the,
3 in the aughts, uh, certainly in, into the, uh, in,
4 into the second decade of the century, not everything
5 about that, uh, training education unit, stellar.
6 And I think reaches people in a lot of ways. Um, uh,
7 and, and that's important.

8 So whether that's a, that's a decision that needs
9 to be, uh, reversed, I'd at the very least, um,
10 commit to, uh, urging my fellow board members to, uh,
11 go back to staff and say, think about this one.
12 Think about this one. And is it maybe time to go
13 back to, uh, to the, uh, the former Twitter, now, now
14 back to X?

15 COUNCIL MEMBER CARR: Yeah, I think the- the
16 point you made about the training unit kind of going
17 where they need to go- you meet people where they
18 are.

19 WAYNE HAWLEY: Yep.

20 COUNCIL MEMBER CARR: And social media is no
21 different. So I think that that's, uh, a decision
worth revisiting, and I appreciate your commitment to
having that discussion.

Um, and my last question is with respect to
establishing a schedule of fines and penalties. I

1
2 know this is a much talked about topic, and there's
3 some, you know, discussion about whether or not, you
4 know, over the course of time, uh, over a great
5 different matters that share some, uh,
6 characteristics but are different in other ways,
7 right? No case is ever the same per se, but there
8 are strong similarities that I think should breed
9 some level of consistency.

10 Um, do you think that we should st- that there
11 should be such an establishment of schedules and
12 fines to ensure that consi- consistency? And if not,
13 why not? Um, and would you commit to some sort of an
14 inventory of the board's decisions over the years to
15 ensure that there is some level of consistency over
16 like cases?

17 Uh, uh, um, I, I'm reluctant to commit to, uh,
18 er, er, er, anything terribly exhaustive, but I, but
19 I will say this. Um, first of all, let me be candid.
20 I don't think a schedule is a particularly good idea.
21 Um, uh, I, I think the federal sentencing guidelines
have proven not to be successful, and, and they're
probably- the need for consistency there is perhaps
much more understandable where you've got, I don't
know the number of, uh, federal district judges that

1
2 are in the country, or, or even federal districts are
3 in the country, but dozens and dozens of different
4 geographic locations all that. You're talking about
5 one body here that doesn't hear that many cases a
6 year. And in every case, in every case where a fine
7 is being set, there's discussion about what the
8 appropriate fine ought to be. Uh, and those— these
9 are mostly settlements, and staff will come back with
10 a settlement number, but that's only after the case
11 has been first before the board, and the board will
12 say, okay, we've seen the— the cases you've cited, we
13 get a sense of that. What are the comparable cases?
14 What's the number? And if the number doesn't seem
15 right within those cases, we're gonna say that's a
16 little bit too high or a little bit too low,
17 considering an awful lot of circumstances. And I
18 think that's really the problem, is, is, is, I think,
19 assuring people that we've thought about— we've
20 thought about a variety of factors, not just cases
21 that look kind of on— um, on the threshold, on first
appearances somewhat similar but you've got
aggravating circumstances, you've got mitigating
circumstances, and the board— and I have committed to
this that I will strongly recommend to the fellow

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2 board members and through them to staff that they put
3 out a list of those mitigating and aggregating
4 factors um, which, which will cause two cases.

5 And you're correct that otherwise, you know,
6 somebody, somebody, uh, uh, er, ah, hmm, no, I don't
7 wanna give an example, but, um, conduct that looks
8 similar, but the fines were different. But as, as,
9 as in fact reflected in, in 80 or 90% of those
10 settlements that we publish, there'll be a list of
11 what caused the board to make it higher or lower,
12 and, uh, a list of those can and should be, uh, made
13 public.

14 COUNCIL MEMBER CARR: Yeah, I, I, I think that's
15 a wise step because I, I think sometimes, uh, and,
16 and I read those settlements when, when they come
17 out, you know, like, you, it, it pings a memory of
18 something you read in the past and you're sort of at
19 a loss as to why this could have been treated
20 differently. And I think having, having a sense of
21 what happens in the black box of the decision-making
process and then gets put out there I think would,
would give folks a better understanding of why there
might be these differences.

1
2 WAYNE HAWLEY: It is, it is a black box, but we
3 try, and, and, uh, we could possibly try better to,
4 to open it up to the degree we're permitted by law to
do. Thank you. Thank you, Chair.

5 CHAIRPERSON UNG: Um, thank you. Um, so in
6 December, uh, in December, DOI published a report
7 titled Report on the New York City Conflict of
8 Interest Board's Advisory Opinion and Moonlighting
9 Waivers Practices. Um, you're- you recognize this
report?

10 WAYNE HAWLEY: I, I think so, yes. It's the one
11 that, um, yes.

12 CHAIRPERSON UNG: Okay, so according to DOI, COIB
13 has created an exception to Chapter 68's moonlight
14 provisions, allowing city attorneys to represent
15 organizations that do business with the city as long
16 as no actual conflict of interest exists in the
17 representation. What is the rationale for this
attorney exception to the anti-moonlight provisions
of Chapter 68?

18 WAYNE HAWLEY: Uh, um, that's a, that's a, that
19 assumes a collusion I think is not quite either what
20 that opinion said, and if it, that report said, if it
21 did, it's not quite fair. Um, the - the matter in

1
2 question, and I, and I don't feel comfortable going
3 too much into the specifics about that matter. There
4 might have been a little bit of disagreement between,
5 um, uh, the Department of Investigation, who are our
6 friends and, and colleagues in city government, and
7 us about, about, ah, an application of a particularly
8 narrow piece of the law. But there's no, ah,
9 attorney exception, um, to get really wonky about it.
Um, um, the definition of position is a little, uh,
opaque.

10 Um, in part because it begins with a position is
11 a position, and then it goes on from there. Um, um,
12 you might say it's not the, the, uh, the most
13 felicitous of draftsmanship. Uh, but, um, uh, from
14 there, um, Uh-hmm and this is- um, let me just say
this.

15 The, the- we respect and appreciate DOI. We
16 respect what DOE's thoughts were when it issued that
17 particular part of the report, and it caused us to
18 reflect on whether uh, they have a point. Um, that
19 said- the issue of to suggest there's been a change
20 would, would suggest that a lot of these matters come
21 before the board. They don't.

1
2 So the next time one does, and that may not be
3 for 1 year or 2 or 3 years, um, eh, but- we'll
4 certainly have to think carefully about this when and
5 if that comes up again.

6 CHAIRPERSON UNG: Okay, um, appreciate that
7 answer. What is, um, your position on DI's
8 recommendation that COIB formalizes via rulemaking
9 its position that outside attorneys are not subject
10 to Chapter 68 moonlighting restrictions?

11 WAYNE HAWLEY: I, I, well, people with all city
12 employees, uh, are, are governed by the Conflicts of
13 Interest Law, and you're no less, uh, subject to it
14 because you have an outside practice of law.

15 So, um, uh, there's no need, there's no need to-
16 if the suggestion is we, we, we should publish your
17 opinion to- that they're not subject, we wouldn't, we
18 would never publish such an opinion because they are
19 subject to the Conflict of Interest Law.

20 So it's a- the question is, in what way are they
21 a subject? And then we've, we've, um, uh, yeah, I
22 think, I think, I think that's enough said.

23 CHAIRPERSON UNG: Okay, uh, different, uh,
24 different line of questioning. According to DOI,
25 COIB has taken the position that advisory opinions

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2 are entirely protected from disclosure, even though
3 Chapter 68 explicitly provides that the board is
4 required to publish its advisory opinions with
5 personally identifying information redacted. What's
6 the legal basis for COIB's position?

7 WAYNE HAWLEY: Well, um, what the Charter calls
8 for is for uhm, board decisions to be published but
9 with identifying- all identifying characteristics
10 redacted, um, and, and, and the board, um, uh,
11 respects that. What that means though is that there
12 may be an underlying, uh, letter which is private,
13 um, to, to a public servant in question, but, uh,
14 the, um, but that a public opinion should be issued
15 to alert the public to what that, uh, what that
16 decision was, to do it in a way that, that does not
17 identify, uh, the public servant involved.

18 And because of that, the board has already issued
19 two advisory opinions this year, uh, in response to
20 that recommendation from DOI. So we're, we're taking
21 it seriously and we'll continue to do so.

Okay. So some will argue that bad actors can
exploit the confidentiality advisory guidance by
mischaracterizing the guidance they receive when
questioned by the press. Would you agree with that?

1
2 WAYNE HAWLEY: Um, yeah, bad actors can do a lot
3 of things. Um, um, it's, it's, um, it's, um, it's,
4 it's possible, it's, it's regrettable, uh, but, uh,
5 um, you, I for one always wonder if something that
6 occurs, um, why the person in question isn't called
7 out if, if that's, uh, if that's suspected by, um,
8 uh, by, uh, by the press, by the public.

9 Let us see the letter. Why not? Let's see the
10 letter. But that's a, that's an editorial on my
11 part.

12 CHAIRPERSON UNG: Okay. The State Commission on
13 Ethics in Lobbying and Government has the power to
14 release unredacted information about guidance
15 requested and the advice given when the recipient of
16 such advice engages in misleading, inaccurate, or
17 incomplete public disclosure of such information. Do
18 you think the COIB should have this power?

19 WAYNE HAWLEY: Um, it's, it's a, it's a, it's a
20 good question because it's, um, it suggests that in
21 my mind it's almost a waiver, uh, situation, that a
waiver of the right of confidentiality. Is there a—
have you waived your right of confidentiality if you
go talking about the opinion, um, whether it's,
whether it's mischaracterized or not? Um, um, good

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2 question. Um, uh, I, I suppose if it's only if it's
3 mischaracterized, this, this gets tough because
4 what's, what's a mischaracterization and which is
5 just a slightly more favorable reading than not?

6 Um, you, you, you'd, you'd be surprised if
7 somebody who had the, uh, a, a letter that was
8 generally favorable went out of their way though to,
9 to emphasize maybe anything negative in it as opposed
10 to, uh, the, the generally positive outcome.

11 So anybody who gets a letter that's generally
12 favorable is going to talk about the favorable stuff.
13 I don't know, these are tough and I really haven't
14 thought about it.

15 CHAIRPERSON UNG: Last, last question, uh, on
16 this topic. Mayor Adams reversed a de Blasio-era
17 policy that encouraged City Hall officials to
18 publicly disclose their COIB guidance, claiming that
19 public servants are not allowed to release the
20 guidance they receive because it's protected under
21 the lawyer-client privilege. Based on your
understanding of the City Charter, can public
servants voluntarily disclose the guidance they
receive from the COIB?

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2 Uh, it's, uh, I know of no obstacle in doing
3 that. The, uh, I've always been of the view that if
4 you get a- if you get what is otherwise a private
5 communication from us, that would include private
6 advice to members of the Council or any other public
7 servant of the city, that the recipient is free to
8 disclose those as he or she wishes.

9 CHAIRPERSON UNG: Thank you, and thank you for,
10 um, the answers to the questions. Um, we also have
11 been joined by Council Member Lee, and, um, any other
12 members, any questions? Okay, thank you. I
13 appreciate you coming here today.

14 WAYNE HAWLEY: Thank you so much.

15 CHAIRPERSON UNG: Seeing no other members who
16 have questions, Mr. Hawley, you're excused. And Miss
17 Valdivia, I invite you to join us at the witness
18 table. Yes, sorry. Yes.

19 The New York City Taxi and Limousine Commission,
20 known as the TLC, was created pursuant to Local Law
21 12 of 1971 with the goal of developing and improving
taxi and limousine service in New York City. The TLC
is responsible for the overall transportation policy
with respect to for-hire vehicles. The commission
establishes certain rates, standards, and criteria

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2 for the licensing of vehicles, drivers, chauffeurs,
3 owners, and operators. The commission includes 9
4 members appointed by the Mayor with the advice and
5 consent of the Council. The TLC must include at
6 least one member from each borough. TLC members are
7 appointed for a term of 7 years and can serve until
8 the appointment and qualification of a successor.

9 The Mayor designates one TLC member to act as the
10 Chair and the Chief Executive Officer. The Chair has
11 the power to employ, assign, and oversee the officers
12 and employees of the organization.

13 Pursuant to the Charter, the Chair's position is
14 full-time, and the Mayor sets compensation. The
15 Chair currently receives \$243,171 annually. No other
16 TLC member receives compensation. By the letter
17 dated February 13th, and pursuant to Sections 31 and
18 2301 of the Charter, Mayor Mamdani submitted the name
19 of Midori Valdivia for the Council's Advice and
20 Consent to appoint her as a member of the New York
21 City Taxi and Limousine Commission and to serve as
the Chair and CEO of the Commission.

Since 2022, Ms. Valdivia has been a member of the
Board of the Metropolitan Transportation Authority,
and from 2018 to 2020, she served as the Chief of

1
2 Staff to the Chair and CEO of the MTA. In those
3 roles, she has orchestrated MTA's roles in passing
4 congestion pricing, championed the free bus pilot
5 project, oversaw the MTA's \$20 billion annual budget.

6 At the same time, she has also operated her own
7 consulting firm, which provides transportation
8 advisory and not-for-profit management services.
9 From 2015 to 2018, Ms. Valdivia has served as a
10 Deputy Commissioner for Finance and Administration,
11 as Assistant Commissioner for Finance Operations of
12 the Taxi and Limousine Commission.

13 From 2008 to 2015, she worked in various roles at
14 the Port Authority in New York and New Jersey. She
15 has been on the board of the Regional Planning
16 Association. She received her bachelor's degrees
17 from Penn State University and master's in public
18 affairs in urban and regional planning from Princeton
19 University.

20 If appointed by the Mayor, she will serve the
21 remainder of the 7-year term that will expire on
January 31, 2031. I now recognize the Committee
Counsel to administer the affirmation.

COMMITTEE COUNSEL: Please raise your right hand.
Do you affirm to tell the truth, the whole truth, and

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2 nothing but the truth in all your statements before
3 this Committee and in answer to all Council Member
4 questions?

5 MIDORI VALDIVIA: I do.

6 COMMITTEE COUNSEL: Thank you.

7 CHAIRPERSON UNG: Good afternoon. Miss Valdelvia,
8 I now recognize you to make an opening statement.

9 MIDORI VALDIVIA: Thank you. Good afternoon, uh,
10 Madam Ung and members of the Rules, Privileges,
11 Elections, Standards, and Ethics Committee. Thank
12 you for this opportunity.

13 My name is Midori Valdivia, and I'm honored that
14 Mayor Mamdani has nominated me to serve as Chair and
15 Commissioner of the Taxi and Limousine Commission,
16 the TLC. Let me start by acknowledging why I'm here.
17 Transportation is opportunity.

18 For nearly 180,000 drivers, it's how they learn-
19 earn a living and support their families. For
20 millions of New Yorkers, it's access to jobs,
21 healthcare, and education. For passengers with
disabilities, it can be true independence. But
here's what I've learned: opportunity doesn't just
happen. We have to define what kind of system

1
2 creates it and for whom and build the infrastructure
3 to make that real.

4 As an immigrant, as a Latina, I've lived this
5 truth with my family across 3 countries. My family
6 immigrated from Peru to Japan, where I grew up in
7 Osaka. I watched little kids run errands because the
8 streets were designed to be safe. Public transit was
9 designed with a vision that everyone participates in
10 society.

11 Then we immigrated to Pittsburgh, Pennsylvania,
12 and I saw what happens when you don't have that
13 vision every day, when transportation can reflect
14 inequality instead of opportunity. And that taught
15 me the systems we build are choices we make. Not the
16 inevitabilities we accept. I spent over 15 years at
17 that intersection of transportation and opportunity.
18 At the Port Authority of New York and New Jersey.

19 More than a decade ago, I saw TLC drivers waiting
20 all day for just one or two fares. There, I had the
21 opportunity to partner with labor leaders who led the
fight for the first wage standards for airport
service workers. As Chief of Staff for the
Metropolitan Transportation Authority, a
70,000-strong agency, I aligned the right people on

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2 major infrastructure initiatives such as improving
3 subway countdown clocks and the launch of OMNY, MTA's
4 contactless payment system. And I worked with a
5 large team to shepherd congestion pricing on behalf
6 of the MTA through state legislation, understanding
7 that dependable transit requires sustainable transit.
8 Like TLC drivers, I don't like traffic. No one does.
9 And it was a meaningful way to better our streets.

10 At TLC, I was Deputy Commissioner of Finance and
11 Administration. I helped build the first-of-its-kind
12 accessible wheelchair program using driver incentives
13 that worked. I contributed to the first driver pay
14 study for for-hire vehicles. And I led TLC's first
15 engagement with national regulators on predatory
16 lending practices targeting small medallion owners.
17 Back then, I was reacting to tech companies, to debt,
18 to complaints, instead of asking, what kind of system
19 do we want?

20 One where drivers can work with dignity, economic
21 sustainability, or one where they're trapped? So I'm
answering that question now. Today, TLC regulates
nearly— a little under 1 million trips a day. That's
comparable to an entire transit system of a major
American city. The agency is key to how New Yorkers

1
2 get to work, healthcare, and opportunity. That's our
3 current role, and it builds on our founding mission
4 of 1971: protect passengers and drivers by setting
5 safety standards and taxi rates.

6 Today, the threat looks a little different:
7 algorithmic platforms that control workers without
8 transparency, extracting value without
9 accountability, and stifling competition. The
10 mission hasn't changed: protect people from
11 exploitation. But who needs protection and from
12 what? That's evolving, and so must we.

13 In the next few years, TLC will answer questions
14 that shape transportation for a generation. How do
15 we protect hundreds of thousands of workers when the
16 market is disrupted or changed? How do we ensure
17 that platforms that use our public streets serve the
18 public good? Those answers won't just determine New
19 York's future. They'll set standards for cities
20 across this country. And that's the opportunity and
21 the responsibility in front of us.

I want a transportation system where professional
drivers have professional working conditions and
economic security, not just to survive, but an
ability to build wealth and thrive, and trips that

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2 are affordable and truly accessible for the
3 passengers who rely on them. That every New Yorker
4 can access our services regardless of ability or zip
5 code, and that technology that serves the public good
6 with transparent rules, fair competition,
7 accountability to passengers, drivers, and ultimately
8 our great city.

9 That's Mayor Mamdani's vision, and it's my
10 vision. We came to this through our own experiences—
11 he through organizing with drivers, me through over
12 15 years of building transportation teams, policies
13 and systems, and now we get to build it together.
14 Here are my 3 priorities and the ways I'll address
15 them.

16 First, pa- uh, driver dignity and passenger
17 dignity. Economic infrastructure and support
18 resources for drivers. Here's what I mean: expanding
19 the Medallion Debt Relief program, catching
20 violations before workers have to file complaints, a
21 comprehensive penalty review, since- the first since
2016, because workers, many of them immigrants like
my family, deserve economic security and not outdated
practices.

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2 Second, clear standards for corporate
3 accountability and enforcement. TLC should enforce
4 the rules on the books to protect both passengers and
5 drivers, and TLC should set standards before
6 deploying new technology with verified safety data,
7 driver support, and accessibility on day one.

8 Third, a transportation system that works
9 together. TLC regulates a quarter of all public
10 transportation trips in the city, so we must work
11 together as part of this larger transportation
12 system. That means bringing in a taxi driver's
13 perspective on bus lanes, penalties, training them on
14 the rules, for example.

15 Riders don't just experience taxis or buses as
16 separate systems. They just need to get somewhere.
17 And our riders deserve that. One city, one
18 transportation system. I bring both professional
19 expertise and an understanding to this role. My
20 expertise spans bus, subway, aviation, shared
21 mobility. I've served on various boards. And as an
immigrant, as a Latina, as a mom, as a transit wife,
I understand what's at stake when transportation
determines opportunity. Not just as policy, but as
lived experience.

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2 My husband worked every single day during COVID
3 as an essential MTA worker, all while I was pregnant.
4 I've watched him over the years navigate workers'
5 compensation issues, struggle to get bathroom breaks
6 because the system was delayed, even with crew rooms
7 and lockers. Taxi drivers and for-hire vehicle
8 drivers, they have nowhere to go. That's what drives
9 me. I work to build a yellow taxi
10 wheelchair-accessible fleet alongside a formidable
11 disability advocacy coalition to reach 50%
12 accessibility, and the TLC has done it.

13 So I know what that change means for my neighbors
14 who rely on these taxis to move freely. I know many
15 of you have fought and continue to fight for the
16 vision of accessibility and driver dignity that I
17 shared. For debt relief, for transparent wages, for
18 resources, for better conditions. Thank you. I want
19 to be a partner in this work.

20 I'm grateful to the TLC team who have maintained
21 this agency's commitment to serving New Yorkers. Our
mission has always been clear: set standards for this
industry, and the team has done that. So we're not
changing TLC's core mission, but we are doubling down
on who we protect and what we protect them from. And

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2 together we'll build on the foundation the TLC has
3 maintained, evolving it for the transportation
4 landscape we face today.

5 The choice isn't between innovation and
6 regulation. It's between letting others define our
7 future or defining it ourselves as a government.
8 Transportation determines who has opportunity. TLC
9 can ensure everyone does. And that's my vision. I'm
10 asking for your partnership to make it real. Thank
11 you so much. The City Council has always been a
12 major partner to TLC in appointing commissioners and
13 collaborating on legislation. I'm ready for your
14 questions, um, to answer, uh, about my vision for TLC
15 and the work we can accomplish together.

16 CHAIRPERSON UNG: Thank you for your testimony.
17 We are also now joined by Council Member Krishnan.
18 Um, you just testified that 50% of all yellow caps
19 are now wheelchair accessible. So based on
20 experience, what challenges does TLC face in the
21 effort to make more taxis more accessible for all?

MIDORI VALDIVIA: Thank you so much. So, as you
may know, there was a settlement, uh, reached with
the City of New York around 50% yellow, uh, taxi
wheelchair accessibility. Um, I believe it's really

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2 about service. So, the fleet is out there. It is
3 working. But we have to make sure that we're putting
4 the right incentives to make sure that our taxi
5 drivers are fully compensated for the time, effort,
6 but also we need to do further training to ensure and
7 really build bridges among these communities because
8 every d- person deserves transportation and every
9 person deserves to be seen.

10 I think there's a little bit of work to go, um, a
11 little bit of work uh, to do there. I'm excited to
12 dive in. I know one of the concerns that the
13 disability advocates do have is around accessible
14 dispatch. There was an end of an accessible dispatch
15 program that TLC, um, you know, helped to- helped to
16 finalize.

17 Um, so that's something I'm gonna be looking into
18 because service really matters. It's not just about
19 whether the cars are on the road.

20 CHAIRPERSON UNG: Thank you. Do you- Disability
21 advocates argue that the entire Yellow Cab fleet
should be wheelchair accessible so that drivers can't
ignore anyone hailing a cab. Do you support this
mandate?

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2 MIDORI VALDIVIA: I think that's something I'm
3 excited to dive into. As you may know, when I was
4 Deputy Commissioner of the TLC, I actually led the
5 accessible program. And so I understand where
6 disability advocates and people with disabilities are
7 coming from. At the same time, time, um, I, I
8 learned, uh, about the high prices of
9 wheelchair-accessible vehicles. So I know how that
10 can be a burden to our small businesses, to drivers.
11 And so maybe this is something where we really have
12 to start thinking about what does the public, what
13 does government need to do, um, to think about
14 closing this gap?

15 Um, so that's something I'm excited to dive into
16 and learn more about.

17 CHAIRPERSON UNG: Do you support mandating that
18 all yellow cabs be electric?

19 MIDORI VALDIVIA: Ah, well, I think in theory,
20 yes, right? I mean, we love electric vehicles, we
21 should have electric vehicles on the road. I also
want to be cognizant of where we are in our charging
infrastructure journey in the City of New York. Um,
the last thing I would want is a customer going into
a taxi and because there might have not been charging

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2 vehicle- charging infrastructure available, maybe the
3 person doesn't get to the end of their trip. That
4 really matters. So I really care about kind of
5 transportation operations.

6 So I'm excited to dive into that. Um, I believe
7 that there's also been thinking about universal
8 design as it relates to electric vehicles in the long
9 term. So of course these products are changing. At
10 the same time, I wanna ensure part of the cost model
11 of being a taxi driver and a for-hire vehicle driver.
12 These costs are high. I don't think anyone's
13 surprised that gas prices are going up. I believe,
14 um, this week or last week, there were, um, prominent
15 articles about the cost of vehicles.

16 So I want to take that into account to understand
17 what kind of model would actually work and serve
18 passengers. Disability advocates urge that you not
19 mandate electric vehicles unless you simultaneously
20 mandate wheelchair accessibility. What is your
21 position on these goals? I think, again, it's been a
while since I've been at the TLC, so I'm really
excited to dive into these issues. Um, I believe
they do have a point, right? Um, when I talked about
standards for deploying new technology in my

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2 testimony, I talked about how accessibility should be
3 center, um, but again, an EV vehicle that's a
4 wheelchair accessible vehicle in today's market is
5 very expensive.

6 So that's gonna be top of mind for me. What is
7 that cost model that would actually make, um, the
8 economics work if you're a driver? Why is the burden
9 on the driver or a small business? How do we think
10 about, who has the resources in the ecosystem so this
11 can actually be affordable.

12 When Mayor Mamdani talks about affordability, I
13 also think he talks about the affordability for
14 people who are working— working people every single
15 day who are just trying to make a living. So I also—
16 that's just top of mind for me as well. But as a
17 person who's worked on accessibility issues and have
18 learned so much from the disability community. Um,
19 there is something about— to do the work we do in
20 policy, and I'm sure you all think this way too,
21 values really matter, right? What do we value? And
so I do value the disability community.

I mean it when I say I want everybody to be able
to access our trips regardless of ability or zip
code.

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2 CHAIRPERSON UNG: According to the disability
3 advocates, vendors claim that past efforts to approve
4 accessible vehicles seem designed to prevent
5 competition. Are you aware of these complaints and
6 do they have any merit? And so how would you modify
7 the approval process?

8 MIDORI VALDIVIA: Uh, this is a really great
9 question and it's something I've actually been really
10 interested in improving vendor pools for
11 transportation agencies in particular, the MTA. That
12 is something I worked on because it made, um, the
13 cost of the thing cheaper, right? When you have more
14 competition.

15 So I'm excited to dive in. I don't know the
16 particularities around this complaint, but I do think
17 competition is a part of how we get there.

18 CHAIRPERSON UNG: The MT Access-A-Ride program
19 only allows 1% of its users to have access on demand,
20 requiring most users to call a day in advance and to
21 know exactly when they will need to be picked up from
and where they're going. What will you do at TLC to
provide on-demand access to wheelchair accessible for
hire vehicles to all New Yorkers who qualify for
Access-A-Ride?

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2 MIDORI VALDIVIA: Um, I love this question
3 because when I was both at the TLC and at the MTA,
4 I'm proud to have been a leader in, um, developing
5 and supporting and championing what we're calling
6 this on-demand program where you can get within, ah,
7 on-demand Access-A-Ride trips in the form of for-hire
8 vehicles and taxis.

9 So I'm really proud of the work I did there.
10 And, uh, I would be interested in expansion of the
11 program.

12 CHAIRPERSON UNG: That's great. Um, I do have
13 more questions, but I'm gonna pass it on to my fellow
14 Council Members. Um, Council Member Banks.

15 COUNCIL MEMBER BANKS: Thank you, Madam Chair.
16 And, uh, congratulations on your nomination. Um, you
17 know, when it comes to— when we talk about
18 affordability, we can't leave out a taxi pay and
19 benefits. And, uh, with the high volume for, uh,
20 higher services, uh, like Uber and Lyft, uh, you
21 know, they tend to get most of the attention these
22 days.

23 I wanted to focus on the, uh, taxi drivers for a
24 minute. Uh, the city and state have worked very hard
25 over the past decade to make sure that the, uh, H-

1
2 the FHV drivers are treated fairly. And that they
3 have, uh, free healthcare, uh, vision through the,
4 uh, Black Car Fund. Um, they have paid time off
5 through a settlement reached with the AG's office.
6 And they have, uh, they also, um, are paid a fair
7 wage that frequently- frequently is adjusted and
8 accounts for expenses.

9 But taxi drivers have not seen a lot of these
10 improvements. Um, the only raises they've gotten
11 was, was in the past 10 years, was back in 2022, um,
12 when fares were bumped to about 23%. Uh, but
13 inflation went up, uh, almost double. Uh, I want to
14 know, and listen, I know the Mayor cares a lot about
15 taxi drivers. Have you spoken, uh, to the Mayor
16 about this?

17 MIDORI VALDIVIA: I've had broad conversations
18 about what is possible and what is exciting in terms
19 of what we can deliver for New Yorkers in this
20 industry, both passengers and drivers. Um, in
21 particular with the yellow taxi industry and the
22 drivers. Um, I am, you know, proud to have met, um,
23 with taxi drivers in preparation for this Council
24 hearing. I think it's so important not just to
25 listen but then to follow through. And so I have

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2 heard, uh, the variety of concerns around livable
3 wages. I think there's an opportunity here around
4 livable wages. I think there is an opportunity
5 around, um, reducing burdens for drivers within our
6 TLC rulebook. Um, but I am excited to work on these
7 issues and yes, when I talk about TLC drivers, I mean
8 yellow taxi drivers, for-hire vehicle drivers,
9 commuter vans, commuter van drivers, and paratransit
10 drivers.

11 So this is something I'm really excited to work
12 on.

13 COUNCIL MEMBER BANKS: Thank you. Um, 10 years
14 ago, the TLC undertook an initiative to ensure
15 healthcare access, uh, for taxi drivers. Uh, do you
16 know why the TLC, uh, has not pursued similar
17 efforts, uh, for the years since?

18 MIDORI VALDIVIA: Um, so I'm happy to be
19 corrected. I remember I was at the TLC when I
20 believe the court system struck it down and said the
21 TLC was not allowed to move forward on it. And I had
to work on the- the refunds for, um, the healthcare.
I believe it was 6 or 9 cents. Um, but this is
exactly what I'm talking about when I think about
what drivers need. When we support the people that

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2 power transportation systems, and I have learned this
3 time and time again in subways, bus, rail, aviation,
4 when we power- support the system- sorry, support the
5 people that power the system, the whole system gets
6 better.

7 So I do think drivers, all drivers should get
8 benefits. I think they should be able to access
9 healthcare. I should be- I think they should be able
10 to access retirement benefits.

11 COUNCIL MEMBER BANKS: Right.

12 MIDORI VALDIVIA: So this- these are issues I'm
13 really excited to work on.

14 COUNCIL MEMBER BANKS: So- so we have your
15 commitment to work on those issues?

16 MIDORI VALDIVIA: Yes, as long as- and I would
17 love to work with you all on how to navigate as it
18 relates to the court system, because I believe that
19 there was, um, it was struck down. Um, but I'm happy
20 to come back to you on that.

21 COUNCIL MEMBER BANKS: All right, thank you for
your response. Um, when it comes to, uh, financial
security and, uh, going back to healthcare, for
drivers, uh, what additional policies would the, uh,
city and state, or should consider improve- sorry,

1
2 should the city and state, uh, consider improving
3 long-term financial stability for drivers across the
4 industry?

5 MIDORI VALDIVIA: Um, I'm sorry, can you repeat
6 that question again?

7 COUNCIL MEMBER BANKS: What additional policies,
8 uh, should the city and state consider improving
9 long-term financial stability for the, uh, drivers
10 across the industry?

11 MIDORI VALDIVIA: Great. I think one thing that
12 we should start putting on the table and thinking
13 about is really looking at— we've set minimum driver
14 pay rules in the for-hire vehicle industry. We do
15 have a metered fare in the yellow taxi industry, but
16 what does it really take to live in New York and be a
17 taxi driver and be a for-hire vehicle driver? I
18 think that, that merits analysis and discussion, a
19 robust discussion.

20 Um, like I said before, um, to me it's the fact
21 that these drivers have spent— and, you know, when
22 you go to other cities, somebody will, um, maybe take
23 up, uh, a company, you know, a for-hire vehicle,
24 like, you know, uh, trip, and maybe be on these app
25 companies. Um, you know, for, let's see, for like a

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2 summer gig or something to do on the side to
3 supplement their income.

4 In New York City, these drivers, this is what
5 they do. They've been doing it for 20 years, 30
6 years, some thankfully 6 years, 7 years. I met a
7 taxi driver the other day who's on the job for 2
8 years.

9 It is difficult to hear stories when people have
10 been doing this for 25 years and they're like, the
11 day I quit my job, is the day I have, I have nothing.

12 COUNCIL MEMBER BANKS: I have nothing.

13 MIDORI VALDIVIA: And so I think retirement
14 benefits is definitely something long-term that the
15 city and state could collaborate on.

16 COUNCIL MEMBER BANKS: Thank you. Uh, and as New
17 York City integrates, uh, the, uh, Google's
18 autonomous Waymo, uh, vehicles currently as a pilot
19 program into our transit ecosystem, uh, how can the
20 city prevent a repeat of the, uh, Uber effect, uh, on
21 existing driver wages?

MIDORI VALDIVIA: Thank you for this question.
It's a really important one. So I just want to be
clear, any basis operating, um, AVs, robo-taxis in a

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2 for-hire capacity, they will have to be licensed by
3 TLC.

4 Right now, as it relates to the testing program,
5 the state law only allows testing for driverless
6 vehicles. Um, and, and that's it, right? I think
7 what I want to really pivot TLC to is an agency that
8 is much more proactive than perhaps in the past. So
9 proactively setting standards for an autonomous
10 vehicle network will be key. There will be some
11 questions and, um, policy areas that I really care
12 about, and I will work closely with the Department of
13 Transportation because they, they are the holder of
14 the pilot program for New York City. But people,
15 drivers and passengers, will always be at the center
16 of this framework. It has to be. New York City is
17 for people. It's not for machines. It's not for,
18 um, just things on the road to be on the road, right?
19 And so New York City is for people. And so some
20 things I will care about is worker protection, impact
21 on transportation system, the whole system.

18 COUNCIL MEMBER BANKS: Mhm.

19 MIDORI VALDIVIA: Pedestrians, buses, making sure
20 ambulances, um, still have, uh, free passage, um, and
21 easy passage on our streets. I will care about

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2 congestion, um, and I believe the commission will
3 too. Anything that exacerbates traffic is probably
4 not something, uh, we all want to embrace so quickly.

5 And this might sound a little wonky, but I'm
6 really gonna care about data transparency. I think
7 that's really important. But people and the
8 workforce of this industry— like I said, when you
9 support the workforce that powers the system, the
10 transportation system, the system gets better. And
11 so drivers and passengers will always be at the heart
12 of this.

13 COUNCIL MEMBER BANKS: Thank you for your
14 responses. Thank you, Madam Chair.

15 CHAIRPERSON UNG: Thank you. I now like to pass
16 it to Council Member Encarnación.

17 COUNCIL MEMBER ENCARNACIÓN: Thank you. Good
18 afternoon.

19 MIDORI VALDIVIA: Good afternoon.

20 COUNCIL MEMBER ENCARNACIÓN: And welcome and
21 congratulations. Um, I actually— my, my dad drove,
uh, yellow cabs, uh, when I was a little girl. I had
no idea that there were people in rooms like this
talking about his profession, but here we are. Um,
and so I, I wanted to touch on a few things, and I,

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2 I'm thankful to Council Member Banks for touching on
3 Waymo. It was one of my questions. And I know that
4 you mentioned being data-driven about those
5 conversations. Can you expand a little bit on
6 exactly what kind of data points you -would you be
7 looking at when you're thinking about that program
8 specifically?

9 MIDORI VALDIVIA: Yeah. F-first, I would want to
10 understand more deeply what data the Department of
11 Transportation is collecting because they are the
12 holder of the pilot program and to assess if that
13 data meaningfully tells us things about the, um, its
14 impact on the TLC economy.

15 We're, we're kind of our own economy, right?
16 We're talking about almost a million trips a day.
17 It's a multi-billion dollar industry. And so I think
18 beyond just the technical, how does the vehicle work?
19 Um, in terms of that, I will really care about
20 safety.

21 Um, I am thankful that I've worked in the
transportation industry for close to 20 years. And
so I've been able to have conversations informally
and formally with California regulators to understand

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2 kind of their lessons learned around the introduction
3 of AVs.

4 Another thing I'm really interested is it's
5 relates to the impact on the economy is how does it—
6 how would the model work as it relates to impact
7 potentially on wages, uh, traffic speeds, um, how do
8 they maneuver in potential emergency situations.

9 As you can imagine, and maybe— and, and I'm sure
10 your father knows better than both of us how complex
11 the New York City streetscape is, right? So many
12 people are using the street at the same time. And so
13 I do wanna honor that complexity when we dive into
14 the data.

15 COUNCIL MEMBER ENCARNACIÓN: Thank you. Um, I
16 also serve as the Chair of Immigration. So, um, my
17 question to you, and, and thank you for sharing about
18 your background and your— your upbringing. Um, many
19 of the drivers and the immigrant drivers in this
20 industry, um, my concern with them is understanding
21 what kind of specific, uh, policies you would pursue
to support those drivers moving forward.

Um, especially with, uh, what they're facing, um,
on a day-to-day basis and, um, um, now under the
federal government, right? And so I really am

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2 interested in seeing how you look to expand the
3 support there and what are some of the ideas that you
4 have, if any.

5 MIDORI VALDIVIA Yeah, thank you so much, Council
6 Member. This is an issue that's really close to my
7 heart, um, because of, of course, you know, I, I, um,
8 immigrated to the United States and I know what, um,
9 communities that I'm close to are going through in
10 communities that I'm a part of are going through.

11 I am so incredibly proud that I believe over 90%
12 of our drivers and our licensees are from immigrant
13 communities. I think that is just as New York as it
14 gets. I am committed to protecting the safety of TLC
15 licensed drivers, and I think this administration
16 really cares about collaboration.

17 So I'm already thinking about how do we
18 collaborate them with the Mayor's Office of Immigrant
19 Affairs. I know there's already been some kind of
20 collaboration, but I wanna, um, be able to bring
21 resources to where the drivers are. I think about
that with the Mayor's Office of People with
Disabilities as well. Um, immigrants do not live
one-issue lives, and so there's a lot of
intersectionality here.

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2 I also, um, think in particular, the approach I
3 want to bring is a listening approach. So much of
4 the- the privilege I feel about being in this space
5 is that every day I hope to hear the stories of
6 drivers and passengers experiencing our system. And
7 I want the TLC staff to hear that as well, and I know
8 many of them do. And so that's really gonna be
9 important to me. I'm interested in enhancing these
10 collaborations amongst, um, the other departments and
11 offices.

12 But moreover, I really want to listen. I do not
13 pretend that I know all the answers. There's a
14 complex, diverse, incredible community of people, um,
15 that we have the honor to regulate and engage and so
16 I'm looking forward to that.

17 COUNCIL MEMBER ENCARNACIÓN: Great. And my last
18 question is a two-part question. The first part is a
19 yes or no, and then I'll expand a little bit with a
20 follow-up.

21 Um, are you familiar with the findings of the New
York City Livery Task Force report?

MIDORI VALDIVIA: I am familiar with the task
force, and I think I recently got a copy of that
report, yes.

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2 COUNCIL MEMBER ENCARNACIÓN: Okay. Um, so it
3 outlines several challenges obviously facing our
4 livery and black car sector, um, including the
5 long-term impacts of the 2018 vehicle cap, the loss
6 of both vehicles and drivers, um, from everything
7 from small immigrant-owned businesses that serve
8 transportation deserts in particular. It also
9 includes recommendations for that sector. What
10 thoughts do you have on addressing some of those
11 issues, and are there any of those recommendations
12 that particularly speak to you?

11 MIDORI VALDIVIA: So I'm excited to dive in on
12 this issue. I believe strongly that they're in the
13 livery business, which are such incredible pillars of
14 their own community and provide such critical access
15 to healthcare, education, um, transportation hubs
16 that might not be easy to get to.

17 Uh, so I understand how critical they are to our
18 communities. Uh, and, you know, the feedback I've
19 been hearing is that we are regulating, you know,
20 multibillion-dollar corporations similar to the way
21 we might be regulating liveries because they are in
the black car industry. Um, I don't think that
should be the case. I think there should be

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2 differentiation, and I'm excited to dive into that.
3 And I know about the livery task force, and this is
4 something that I have had the privilege of talking to
5 the Livery Base Owners Association about.

6 COUNCIL MEMBER ENCARNACIÓN: I appreciate that.
7 I mean, you know, obviously, you know, in
8 transportation deserts, this is, this is how people
9 get around. They really strongly depend on that.
10 But even in communities that are very dense in
11 transportation alternatives, this is important as
12 well. I thank you. Thank you for your time.

13 CHAIRPERSON UNG: Thank you. Council Member Lee.

14 COUNCIL MEMBER LEE: Hello, how are you?

15 MIDORI VALDIVIA: Good, thank you.

16 COUNCIL MEMBER LEE: Um, okay, so first I wanted
17 to start off, and it seems like this is a popular
18 topic because Deputy Speaker was here, um, and she
19 had just wanted me to ask about, which I think she
20 has spoken to you about, about the autonomous
21 vehicles and just your thoughts on that. Because I
know that when you talk about the ecosystem, this is
something that could or may potentially be coming in.
And so she just wanted to— so I'm just asking for the

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2 record, she just wanted to hear your thoughts on
3 that.

4 Um, and I just want to say, um, as someone who
5 comes from a transit desert, because I think I'm one
6 of the only, maybe one of two Council Districts where
7 I have no subway, I have no railroads, and so we rely
8 very heavily on the buses and the cars and taxis.

9 Um, and I also say this as someone who has a lot of
10 the, um, drivers who live in my district, uh, whether
11 it's the medallion, um, drivers as well as the Uber
12 Lyft drivers.

13 And so has— it was, it was just a question I had
14 just out of curiosity. Has there been any, um,
15 studies, because I love data as well, um, or is
16 there— or could there be a study to look into perhaps
17 how, um, congestion pricing is also impacting the
18 outer boroughs as well?

19 Because I think that one of the things we tried
20 to advocate for, um, was having some of those
21 resources come to the outer boroughs because we do
also have a lot of infrastructure issues, um, and,
you know, just sharing the roads, right?

And so, um, just wanted to get your thoughts on
that, or if that's something that has been done or

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2 you'd be willing to try to look into, um, just on
3 behalf of the folks in Eastern Queens as well.

4 MIDORI VALDIVIA: Yeah, thank you so much. And,
5 and that, that's common, right? You have a district
6 with drivers and then a district where transit is
7 difficult. And that's why I tend to think of this
8 TLC vehicle network as public transportation. It's
9 not necessarily public transit, and I understand why,
10 but we're talking about the amount of trips for like
11 a medium-sized American city. It's pretty
12 impressive.

13 In terms of congestion pricing, I do think that
14 there are opportunities. We've— the MTA, um, you
15 know, as you know, is a state legislation that was
16 passed in 2019, and the MTA did an environmental
17 assessment where they, um, looked to model what the
18 impact would be on the outer boroughs. Maybe from an
19 accountability angle, there is a way to say, hey,
20 what's the impact in terms of potential truck
21 diversions, in terms of potential, um, transit trip
increases?

Um, what I will say is the port— there is a
portion of congestion pricing, I believe it's 80%,
gets reinvested in the New York City public transit

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2 network, of which I know you might not benefit from
3 the subway, um, investments, but from the bus
4 investments as it relates to electric vehicles, bus
5 redesigns, um, there are improvements happening in
6 the public transit system, but we always want more,
7 right? And I think that's- that's why I'm also
8 excited to work at the TLC, because I do know how
9 much of a lifeline it is for people in the outer
10 boroughs.

11 COUNCIL MEMBER LEE: Oh yeah, definitely. Um,
12 and yeah, because I don't know if it's just
13 anecdotally or just because I have to- I drive all
14 the time, but, um, you know, even, even just the
15 traffic congestion that's happening now outside of
16 Manhattan, because I'm like, okay, it seems like
17 these folks are now driving to, um, a subway or a
18 train and then from there. So I, I don't know what
19 it is, but all I'm saying is it took me an hour and a
20 half to get from Eastern Queens to Long Island City
21 this morning and it was torture.

18 MIDORI VALDIVIA: Wow.

19 COUNCIL MEMBER LEE: Um, so, so things like that
20 where I'm just trying to figure out better ways to
21 improve like transportation overall, which, um, the

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2 last point I just wanted to make is, um, you know,
3 not really a question but comment, but I just really
4 wanted to say I appreciate your approach and your
5 lens to which you're approaching TLC because I think
6 you're absolutely right. The ecosystem of transit in
7 the city is complicated sometimes. And how do you
8 figure all of the things out? And I think obviously
9 your experience with MTA as well as TLC and other
10 spaces, um, in addition to that, um, have sort of
11 lended your— you know, lended to your perspective and
12 approach to TLC.

13 So I just wanted to say thank you for that and
14 also for being mindful that drivers, um, some, you
15 know, oftentimes bear the costs. And so as an
16 example, for congestion pricing, you were able to
17 carve that out, which I think is to be commended
18 because I don't think that was any small feat by any
19 means. I'm sure that took a lot of advocacy.

20 So, um, we appreciate that, or I appreciate that,
21 as a lot of, you know, drivers live in my district.
22 And so that was a big concern that we had, so I just
23 wanted to say thank you for that.

MIDORI VALDIVIA: Thank you.

CHAIRPERSON UNG: Minority Leader Carr.

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2 COUNCIL MEMBER CARR: Thank you, Chair. It's
3 good to see you again. Thank you for being here
4 today and for making yourself available generally to
5 talk about the issues, uh, facing the TLC and, and,
6 you know, transit users everywhere in the 5 boroughs.
7 Um, I, I actually took almost 2 hours to get here
8 today, so I share Council Member Lee's pain, um,
9 coming from Staten Island. And, but I guess we
10 should start with congestion pricing. Would you,
11 would you talk a little bit about— and you touched on
12 it in your testimony and earlier, uh, about your role
13 in terms of your support for the congestion pricing
14 plan and, and your work specifically as it relates
15 to, to TLC drivers and the TLC industry?

13 MIDORI VALDIVIA: Yeah, thank you, Council
14 Member. And, um, so the Goethals didn't work out,
15 right? Because you, you're not gonna—

16 COUNCIL MEMBER CARR: This was Verrazano.

17 MIDORI VALDIVIA: Yeah, I know. Uh, so uh, I,
18 when I was at the MTA, uh, as Chief of Staff, uh, I
19 did work with, um, uh, the legislative body in
20 Albany, uh, to support congestion pricing. As you
21 know, congestion pricing was a 2019, uh, piece of
legislation that was passed, uh, and so, and it's

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2 been a now 7-year process, a 6-year process. I
3 support congestion pricing because I believe traffic
4 costs New Yorkers every day, uh, the 2 hours, the 1.5
5 hours. That's unacceptable. And I care about
6 children getting to school on time. I know people
7 who haven't been able to show up to job interviews on
8 time and they didn't get the job. And so I really
9 care about reducing traffic.

10 I do think congestion pricing is a meaningful
11 step towards that, uh, it is working, um, and the
12 funds from congestion pricing go into public transit.
13 Uh, as an outer borough resident myself, um, I live
14 in Flatbush, um, you know, is public transit perfect?
15 No. And I spent— I've spent a lot of my time on the
16 MTA board advocating for city riders and saying, why
17 don't we do X? What's going on with this bus here?

18 And so I have been at multiple sides of this
19 issue, and I have sat in public hearings where people
20 were really concerned. It's always tough, um, to put
21 a fee on. Drivers are saving, it's reported, as much
as 15 minutes a day. Uh, that's an extra hour more
with your family a week. Um, as a working mom, that
really matters to me.

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2 So this was a regional approach. Uh, I do
3 remember when I was on the board of the MTA, um, part
4 of the proposal was the idea if, if there was a \$9
5 charge for for passenger vehicles. Um, you know, the
6 MTA and others were saying maybe there should just be
7 a \$9 charge on the yellow taxi, uh, for each driver
8 coming into Manhattan and for for-hire vehicles.

9 And I worked a lot with, um, the MTA team to
10 educate them on how, uh, how disastrous I thought
11 that was for a vehicle that is actually one of the
12 most efficient vehicles in Manhattan. A yellow taxi
13 trip, you know, 8 or 9 trips a day. A passenger
14 vehicle maybe does 1 or 2 trips a day.

15 So, uh, and I also recognize, fought, fight-
16 trying to fight for an exemption for the yellow taxis
17 and for the for-hire vehicles because I recognize
18 that in 2018, the state had already passed a
19 surcharge. So although the exemption was not
20 granted. We were able to reduce the fee from \$9 to,
21 I think it's 50 or 75 cents in yellow, and I think
it's \$1.50 in- for-hire vehicles. And I'm proud of
that because that should be associated with each
fare. That shouldn't be a cost to the driver because
the passenger decides where they want to go.

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2 So that was my role. Um, I did support, um,
3 congestion pricing. I'm proud of that. Uh, but I do
4 think there's always more work to do. This is the
5 first in the nation policy. It's a success in year
6 1, but, you know, we may have to tweak it to Council
7 Member Lee's perspective. You know, let's look at
8 the impact in outer boroughs. What are potential
9 traffic diversions that are not helpful? How do we
10 facilitate more people getting to transit hubs now
11 that they're not gonna take their vehicle in?

12 So those are some of the things that we can work
13 on.

14 COUNCIL MEMBER CARR: Yeah, I think, uh, a lot of
15 folks where I come from would dispute that the
16 program is a first-year success. I think that, you
17 know, uh, the-the snapshot, you know, commute I had
18 today is not, you know, a standalone example of
19 folks, you know, taking as long, if not longer in
20 some instances, to get to their Manhattan jobs. And
21 that's where a lot of my constituents and other outer
borough residents commute to to get to work each and
every day. Uh, I think that there have been, um, I
think there's been a re- a shuffling of the traffic
patterns. I don't know that there's really been an

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2 improvement of them. And I think one of the reasons,
3 um, you know, why many of us, myself included, are
4 suing is because— and you referred to it correctly as
5 an environmental assessment— it wasn't the full
6 impact statement that could have been done. Didn't
7 really do a deep enough dive. But even then, it
8 showed that there was gonna be a deleterious effect
9 on outer borough neighborhoods and a reshuffling of
10 existing traffic patterns that didn't necessarily
11 have an overall benefit.

12 And I think that's what we're seeing. And then
13 we're, we're paying for the privilege of more traffic
14 and more congestion at home. And so I think that
15 it's just a, it's a difficult situation that my
16 constituents have been put in. And we talked about
17 this part is that they never really see any benefit
18 on the, on the back end, uh, through the capital plan
19 that this program was intended to finance.

20 MIDORI VALDIBIA: Mhm.

21 COUNCIL MEMBER CARR: So I think that we have,
um, some serious issues to contend with, both in
terms of the charge as it impacts everyday lives, and
then ultimately the equity of what those collections

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2 mean for outer borough communities like mine, um, in
3 terms of the MTA pie.

4 Uh, but with respect to another issue related to
5 the TLC is- we talked about this- is livery services.
6 And Staten Island had a very vibrant, uh, independent
7 livery scene for many years, um, and even before, you
8 know, Uber and others started, uh, competing for the,
9 you know, the customer share out of Staten Island,
10 um, they were already competing for an existing labor
11 pool that was limited. And so that was the first hit
12 to our independent liveries is they lost drivers, um,
13 and then the second one was when finally they started
14 operating in Staten Island, um, and I think that, you
15 know, I'm a, I'm a free market guy, you know, people
16 should be able to choose which, uh, which services
17 they wish to hire.

18 But I think in some degree, the TLC's past
19 behavior, uh, put them at a disadvantage in competing
20 against big companies like Uber and Lyft. And I'm
21 wondering if you could share your thoughts on that,
uh, as a historical perspective, and then what we
could do moving forward to, to give them, uh, a
fairer, a fairer, uh, landscape to compete in.

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2 MIDORI VALDIVIA: Thank you. And it was great to
3 learn about kind of the history, um, with you,
4 Council Member Carr, on, um, how important these are.
5 Like I said, livery base owners and these livery
6 companies, I do believe they are pillars in the
7 communities that they serve. And so, like Council
8 Member Encarnación, um, mentioned, um, or I mentioned
9 in my answer, uh, this is something I'm really
10 interested in, right? Because they are small
11 business owners and they are - they are the trusted
12 folks because they really know their community and
13 the anchors of their community.

14 So this is something I'm interested in diving
15 into. I had the pleasure of meeting with the Livery
16 Base Owners Association in preparation, uh, for this
17 Council hearing, and I heard how they felt like they
18 were being treated as if they were a
19 multibillion-dollar corporation, and, and they
20 aren't, right?

21 And so I do think some, um, differentiation or
some acknowledgement of that is something that, um,
is deserved and is needed. And I look forward- I
would really actually like to meet, uh, the, you
know, the remaining livery services, um, in Staten

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2 Island because as you and I have talked about, public
3 transit is continually a challenge in Staten Island.
4 And I really think of these TLC vehicles as
5 potentially, you know, supporting through private
6 means, supporting public transportation.

7 And so I- I welcome that and hope to coordinate
8 with you on that.

9 COUNCIL MEMBER CARR: You talked about some of
10 the policy barriers that might be entailed with that
11 in your earlier answers to colleagues. Um, what do
12 you think the TLC could potentially do on its own
13 authority as is? What do you think generally might
14 involve Council, local lawmaking, and then to what
15 extent is there going to be some, some partnership
16 with Albany required?

17 MIDORI VALDIVIA: Um, I, to be honest, I do have
18 to dig into this more, and like I said, one of the
19 things I really want to do is listen. I've only had
20 one meeting or two meetings with LBOA. I, I, um, I
21 want to kind of dig in on where are the issues,
22 what's the potential, you know, regulatory bound, um,
23 regulatory constraints that we might have that we
24 might need to work with Council on. So I look
25 forward to that.

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2 COUNCIL MEMBER CARR: Okay, thank you. Thank
3 you, Chair.

4 CHAIRPERSON UNG: Council Member Krishnan.

5 COUNCIL MEMBER KRISHNAN: Thank you so much,
6 Chair. Uh, thank you so much for joining us today in
7 your testimony, and I appreciate hearing, uh, your
8 perspective. I just have a few questions, some of
9 them which kind of may be a little bit repetitive of
10 what you've already heard, but, you know, I wanted
11 to, um, just share my thoughts too.

12 So, you know, one is, uh, as you know,
13 representing, uh, Jackson Heights, where I have the
14 largest taxi driver resident community in all of New
15 York City, um, they're my constituents, my neighbors,
16 their kids go to kid- school with my kids.

17 Um, it's important for- for me to really have
18 someone who's going to be a staunch, um, voice, um,
19 and champion for drivers in TLC. Too often, uh, as
20 I'm sure you've heard too, drivers have felt like,
21 um, TLC has not been really someone that has heard
their concerns too, um, whether it's with punitive
actions taken by the agency, um, or not really
understanding the issues that they face. And I think

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2 right now with this administration, there's really a
3 chance to change that.

4 And so you've addressed this in different ways,
5 but I would love to hear a bit about, you know, how
6 you have— how you, um, have seen, uh, TLC respond or
7 not respond to drivers, and then what your vision
8 would be to make sure it's an agency that's truly
9 hearing the concerns that drivers are facing in this
10 city?

11 MIDORI VALDIVIA: My mission at the MTA— uh,
12 sorry, at the TLC over the next, um, in this
13 administration is really about championing drivers.
14 Because time and time again, and I apologize if this
15 is repetitive, but time and time again in my career,
16 I have seen that when you support those that actually
17 power the transportation system, the whole system
18 gets better.

19 And I do know that there's been, um, over the
20 years, decades, right, since 1971, um, tensions
21 between drivers and TLC. They've gone up and down,
right? Um, I think what I— part of being a champion
for drivers is listening and following through on
that listening.

1
2 So one of the things that I have started to talk
3 to TLC about was, can we do a driver survey? That
4 right now, the- the only way we know what drivers are
5 going through in terms of relationship with their
6 company, a relationship, you know, difficulty with a
7 passenger is through a complaint system, but not from
8 a trends analysis, proactive analysis.

9 And so my hope is that a driver survey, we can
10 get a sense of like, what are the trends and things
11 that we might not hear about, um, that we need to
12 hear about because then is this a TLC issue? Is it
13 an ad code issue? Is it a collaboration operational
14 issue? Things that we can be proactive on.

15 So I am really excited about that. Uh, but it
16 does take a little bit of a rebuilding or a reset,
17 and that's okay. And I also think that doesn't
18 necessarily mean that TLC staff are, are wrong, you
19 know, like they are public servants. They are doing
20 the best they can. It's leadership that has to show
21 what we're gonna value, what we're gonna care about,
and how- and what is our approach in terms of
listening.

So that'll be really important to me but if
after, um, my term, if someone were to say, oh, you

1
2 know what, this Commissioner championed drivers, that
3 would be the greatest honor of my life.

4 COUNCIL MEMBER KRISHNAN: And I appreciate that
5 perspective, and I do think you're right, it would be
6 a - see change in the approach of TLC to drivers.
7 It's just- it's been too adversarial for too long,
8 and unnecessarily so, given how important drivers are
9 in the city.

10 Uh, another question I had was, um, you know, we
11 recently passed, as you might know, um, my
12 legislation with the New York Taxi Workers Alliance
13 to, uh, stop the unfair deactivations of Uber and
14 Lyft drivers, which are a huge part of the driver
15 workforce. Um, this is something that I know DCWP
16 friendly supports. Um, would you be committed to
17 working with DCWP to make sure this program is
18 implemented, um, as soon as possible, um, so we can
19 get it off the ground, and stop these deactivations
20 unfairly?

21 MIDORI VALDIVIA: Absolutely.

22 COUNCIL MEMBER KRISHNAN: Thank you. Um, and
23 finally, my last question was, um, you know, in the
24 pre-hearing questions you submitted, um, when you
25 were asked about, um, whether TLC should regulate the

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2 ability of platforms like Uber and Lyft, um, to ban
3 drivers, and if so, what types of restrictions should
4 be imposed? You answered, TLC should hold companies
5 with questionable business practices accountable by
6 examining if and how passenger bans are being used.
7 I agree that there are, uh, the, the questionable
8 business practices of Uber and Lyft. It's something
9 that we've illustrated very clearly in the Council
10 with the passage of, of, of, of our legislation to
11 stop unfair deactivations.

12 So can you expand upon that answer a bit. Um,
13 how would you, um, hold those kinds of companies
14 accountable with, with very questionable business
15 practices that, uh, uh, you know, uh, take part in
16 things like this?

17 MIDORI VALDIVIA: Uh, that's really important.
18 You know, in my discussions, um, in preparation for
19 this confirmation hearing, I heard a driver tell me
20 he wants to be seen as human and not disposable.
21 That really stayed with me. I believe that TLC- I
need to do a review of the investigative and
enforcement capacity at TLC.

Um, there are certain priorities that TLC has
traditionally, um, pushed forward. Uh, but like I

1
2 said in my testimony, corporate accountability and
3 transparency will be key, and that will require
4 proactive engagement, proactive trying to get a sense
5 of what's actually happening in our market and in our
6 small ecosystem. Uh, and- and I look forward to
7 doing kind of that capacity analysis. Do we have
8 people that can today go out, start doing that
9 investigation even without a complaint coming to us?
10 You know, and how do we set up that infrastructure to
11 do that?

12 So, I think my tenure at the TLC, I really want
13 it to be a proactive approach.

14 COUNCIL MEMBER KRISHNAN: And I appreciate you
15 saying that and highlighting the importance. I think
16 I would say, you know, for, for, for me as well, um,
17 having someone, you know, leading TLC who- they're
18 two sides of the same coin. One understands how to
19 be a voice for drivers and change this punitive and,
20 uh, uh, setup that's created unnecessarily so between
21 the agency and drivers. But the other side of that
22 coin, and more and more so, is, uh, corporate
23 accountability. Because these billion-dollar
24 corporations are so quick to make their bottom lines

1
2 on the backs of the drivers that are generating the
3 revenue in the first place.

4 But too often TLC, I have found, um, has been far
5 too willing to, uh, hear, uh, and accommodate, uh,
6 the views of these big corporations at the expense of
7 drivers. And so having someone who understands both
8 of those perspectives of hearing drivers better, but
9 also holding accountable, uh, these corporations and
10 their questionable business practices, I think it's
11 something critical for this position, so I do
12 appreciate your perspective and input.

13 MIDORI VALDIVIA: Thank you.

14 COUNCIL MEMBER KRISHNAN: Thank you, Chair.

15 CHAIRPERSON UNG: Thank you. And I just have a
16 few more questions before I know there's gonna be
17 round 2.

18 So Uber requires drivers to rate passengers.
19 Feedback about passengers can result in accounts
20 being terminated. Are you aware of this pot- uh,
21 potential for this process to result in
discrimination against accounts that request rides to
the parts of the city where drivers do not want to
go?

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2 MIDORI VALDIVIA: So I understand that refu- so I
3 want to be really clear. Every TLC driver,
4 regardless of industry- yellow, for-hire, vehicle-
5 they have to transport passengers to any destination
6 within the City of New York, Westchester, Nassau,
7 Newark Airport. They cannot tell you no. Um, but
8 when it comes to cancellations and things, I've
9 definitely heard anecdotes and have heard, um, from
10 passengers who say something fishy seems going, you
11 know, seems to be going on and that, you know, maybe
12 the, there's a passenger ban happening.

13 So, so I have heard that. Um, anything the TLC
14 should do should be based on data. So of course,
15 like, my heart is, you know, my heartstrings are
16 pulled when I hear these stories. But at the same
17 time, I know TLC staff will tell me, well, we have to
18 collect data and we have to base it on real-world
19 experiences, and then we have to investigate what's
20 happening to really understand how to best do this.
21 But, um, on both sides, right? You have lockouts on
the driver's side. You might have, um, you know, ah,
account cancellation on the, on the passenger side.

For either of these sides, they're either not
making a fare or not not being able to go where they

1
2 need to go. And so that's something that TLC would
3 be happy to dive into.

4 CHAIRPERSON UNG: Well, currently, what, what is
5 the process for that? If there was a complaint that
6 comes in, what is the current process?

7 MIDORI VALDIVIA: So my understanding— and again,
8 like, I, I have to start at the TLC and get
9 reacquainted— but my understanding is that when a
10 complaint is filed through 311, now there is some
11 kind of investigation that happens in which the
12 passenger may be reached out to.

13 If a passenger takes screenshots or, you know, in
14 terms of evidence, like, that can be really helpful.
15 And then, um, and then usually there, there's some
16 kind of, um, oath process, the Office of
17 Administrative Trials and Hearings.

18 CHAIRPERSON UNG: Yes.

19 MIDORI VALDIVIA: Uh, yes. Um, but much more
20 than that, you know, I need to dig into more, but one
21 of the things I am interested in - to, um, my point
to the Council Member Krishnan about investigations
is if we want to be more proactive, that means we
can't just rely on a complaint process. And so how

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2 do we find out this trend, um, if this is something
3 that a company is doing?

4 CHAIRPERSON UNG: Thank you. Especially with
5 someone who lives in the outer boroughs, sometimes
6 it's hard, uh, to get a service.

7 MIDORI VALDIVIA: Mhm.

8 CHAIRPERSON UNG: So TLC recently replaced its
9 accessible dispatch contracted with 3 vendors, Miles,
10 Arrow, and Curb, which, like other apps, require
11 users to pay with credit cards and debit cards. What
12 will you say to advocates who complain that many
13 people have or wanna use cash?

14 MIDORI VALDIVIA: So this issue was just recently
15 raised to me. I- I was not necessarily aware of it.
16 Um, I'm proud to have, uh, renewed the accessible
17 dispatch program contract, uh, which was, I believe,
18 \$6 million a year. Uh, to- at the TLC, uh, when I
19 was there. Uh, I know that contract has ended and
20 now we have these new vendors. And so I'm excited to
21 dig in on the service and, uh, the- the cash point is
a good one and I, I want to learn more.

CHAIRPERSON UNG: That, that'd be great because I
was- I represent a community who also seniors and
seniors do not at all times love to use credit card

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2 or debit card. They feel better using cash. So
3 it'll be great, uh, to look into that.

4 MIDORI VALDIVIA: Thank you. Yeah, we'll do-

5 CHAIRPERSON UNG: When demand pricing is in
6 effect, a trip that might cost \$50 at one time might
7 cost \$100 another time. In your pre-hearing
8 questions, you were asked whether the city's public
9 transportation system includes the for-hire vehicle
10 industry that TLC regulates, and if it does, whether
11 a public transportation system should engage in
12 demand pricing.

13 You responded that you look forward to working on
14 this issue. Do you want to expand on that?

15 MIDORI VALDIVIA: I think only to say that I
16 think price transparency really matters, and I've
17 been thinking about price- price transparency in
18 moments of emergency. Um, for some, uh, you know, I-
19 a friend recently told me that, you know, she had a
20 complication with her pregnancy and she did not use
21 an ambulance. She took a company, um, an app, um,
ride.

And so when you're subject to a- a significant
price for something where you don't think that's a
discretionary trip, uh, that's really hard. And so

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2 I'm interested in digging into it. I know that TLC
3 has data, um, every single fare data and the split,
4 and maybe that's something that um, we want to
5 understand more with take rate, with, um,
6 affordability, all of that.

7 CHAIRPERSON UNG: Can you discuss the effect of a
8 company like Uber and Lyft have had on the yellow cab
9 industry?

10 MIDORI VALDIVIA: I'm sorry, can you repeat that
11 again?

12 CHAIRPERSON UNG: Could you discuss the effect of
13 companies like Uber and Lyft have had on the yellow
14 cab industry?

15 MIDORI VALDIVIA: Sure. So, um, the history is
16 long, but, uh, the you know, when Uber and Lyft and
17 these other app companies came into town, uh, there
18 was, uh, a decrease in the number of trips, um, for
19 yellow cabs specifically in Manhattan. Um,
20 definitely an impact on medallion prices, um, which
21 was partially how we're in this situation now. Um,
at the same time, you know, for many, like, we
discussed in the outer boroughs where if, you know,
many- we, we discussed in the outer boroughs some of

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2 these, um, companies did present, um, more option and
3 more choice.

4 And so while, you know, transportation choices
5 increased, it did have this really big impact on the
6 market. And I think, you know, we have been— the
7 City of New York has been working towards stability
8 in the yellow market.

9 CHAIRPERSON UNG: Okay, so given the effect that
10 the Uber and Lyft have had on the Yellow Cab
11 industry, do you consider all of them, like Uber and
12 Lyft, um, to be public transportation?

13 MIDORI VALDIVIA: I consider any trip that is
14 regulated and licensed in New York City part of our
15 public transportation system. Um, you know, when we
16 traditionally think about public transportation, we
17 think about obviously like public transit with big
18 subsidies. This is a different market. This is a
19 market that is private transportation, but is
20 facilitated, and it does have a public role to play.
21 I've, I've seen passengers who deeply have benefited
22 from some of these companies.

23 At the same time, you know, as with the vehicle
24 cap, we know that there was a point in time when so
25 many vehicles, uh, flooded the streets of Manhattan

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2 that it actually exacerbated congestion, and that's
3 not a good place to be either. That doesn't really
4 serve the public good.

5 So I think of it in that way. We regulate these
6 trips so they do have a public transportation
7 element. And one area where that might— that lens
8 might be really useful is a complaint I've heard time
9 and time again from drivers is— and— and actually the
10 disability community is that we give a lot of
11 different messages on the use of our streets. And so
12 a passenger can say, please drop me off, you know, in
13 this middle of this block. And if it happens to be
14 in a bus lane, that's a conflict, right?

15 And there are penalties associated if you're in
16 the bus lane for a long time. And yet, you know,
17 customers want to be dropped off where they want to
18 be dropped off.

19 Specifically, a person with a disability, it
20 might be really important that they get dropped off
21 at that specific address. And, um, and a driver, you
know, that's a very difficult position to put a
driver in to say, hey, I can't go there because it's
a bus lane. But then TLC says, well, we wanna be
customer focused.

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2 So that's where I feel like the public
3 transportation system needs to work together. And
4 it's my job, hopefully as Chair, um, to, and CEO to
5 faci- facilitate those conversations so we can have,
6 like, a rational transportation system.

7 CHAIRPERSON UNG: Thank you. I do have one more
8 line of questioning, but before I do that, I'm going
9 to, um, give it over to Council Member Encarnación.

10 COUNCIL MEMBER ENCARNACIÓN: Hello again.

11 MIDORI VALDIVIA: Hi.

12 COUNCIL MEMBER ENCARNACIÓN: I do not have
13 additional questions for you, but the Majority Leader
14 did. Um, he was called away to a meeting, and so I
15 wanted to ask his question on his behalf.

16 So please do not credit me for this question.
17 Um, the Majority Leader would like to ask you about a
18 company called Empower that has been illegally
19 operating in the city for years.

20 Empowering- Empower is offering cheap rides to
21 entice customers. They are only able to do that
because they're operating completely outside of the
legal structure. Um, they aren't paying mandatory
charges, congestion pricing, or into the workers'
compensation funds.

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2 As I understand it, or as the Majority Leader
3 understands it, TLC is simply warning drivers to stay
4 away but hasn't taken any real enforcement action to
5 protect consumers, unlike other jurisdictions.

6 So what kind of message, uh, is the city sending
7 by letting this kind of go unchecked? And what's the
8 range of options you see that are appropriate here to
9 take?

10 MIDORI VALDIVIA: Thank you for this question. I
11 have to thank Council Member Abreu for this question
12 because, um, we have discussed this in the past. You
13 know, I'm aghast that this is happening. Um, it's
14 not okay, and Empower lures drivers with these
15 claims, but yet it— if or when a driver is in a
16 crash, a passenger gets injured, leaves them high and
17 dry. Uh, so as you've mentioned, Empower is not a
18 registered base in TLC. They were thrown out of the
19 Washington, DC area. Their decision to operate
20 unlicensed, and I believe TLC has approached them to
21 become licensed and they refuse, is a huge risk to
drivers and passengers.

I, you know, you all spend a lot of time and
effort developing laws. Well, this company is just
running afoul of all of them. So, uh, I will use

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2 every power in the TLC's authority and as much as I
3 can in the City of New York's authority to stop
4 Empower, um, and to stop this illegal operation.

5 COUNCIL MEMBER ENCARNACIÓN: So similar to what
6 DC has done, hopefully?

7 MIDORI VALDIVIA: Yes, and I'm excited to work
8 with, um, my, my colleagues across the city to make
9 this happen.

10 COUNCIL MEMBER ENCARNACIÓN: And would you seek
11 to recover all the taxes and fees that they've never
12 paid over all these years?

13 MIDORI VALDIVIA: I can't really comment on,
14 like, investigative strategy right now, but what I
15 will say is this is something that's top of mind to
16 me, and I am aghast that it's happened so for so
17 long. And so I just need to dig into it to
18 understand. But I- I do think TLC is working on this
19 issue.

20 COUNCIL MEMBER ENCARNACIÓN: Okay, I thank you
21 for him, and I thank you, Chair, for allowing me to
ask the question.

CHAIRPERSON UNG: Of course. Um, so my last line
of questioning. You have told this Committee that if
appointed to serve as the Chair of the TLC, you will

1
2 not resign your position on the board of the MTA
3 unless Mayor Mamdani names replacement. Is that
4 still your position?

5 MIDORI VALDIVIA: Unless— I'm sorry, can you
6 repeat the last part?

7 CHAIRPERSON UNG: Sure. Unless the Mayor has
8 named a replacement.

9 MIDORI VALDIVIA: Okay, yes, uh, that is still my
10 position. Uh, I wanna be really clear. I do— I do
11 serve on the MTA board. I have not been nominated by
12 Mayor Mamdani to serve on the board for this term.
13 And so the previous Mayor nominated me and I, I'm
14 gonna just stay in the position until the Mayor names
15 his nominees. But, you know, for the MTA, I am only
16 one of three appointed, uh, nominated city members.
17 And so we are already kind of a small voice on the
18 MTA board.

19 So I do think it is necessary, and I should do my
20 fiduciary duty. Um, I just want to note I'm not
21 compensated for board service on the MTA, and I think
I can, you know, fully serve as TLC Chair, as other
agencies' heads have, um, done in the past. For
example, in the last Administration, uh, the City
Planning Commissioner served on the MTA board.

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2 CHAIRPERSON UNG: Okay, so Section 1100 of the
3 Charter provides that every head of the department
4 shall give his or her whole time to the duties of the
5 office and shall not engage in any other occupation,
6 profession, or employment. How do you reconcile this
7 position you just said with the law?

8 MIDORI VALDIVIA: So, wanna be really clear, the
9 hours that I spend, which is probably 5 to 10 hours a
10 month, is on volunteer time. It is not during my,
11 um, TLC duties.

12 CHAIRPERSON UNG: Section 11(1)(5) of the Charter
13 provides that any person holding any office, whether
14 by election or appointment, who, while during their
15 term of office, accepts any other civil office
16 connected with the government of the city, shall be
17 deemed to have vacated the office.

18 So by what authority do you claim you could
19 remain in the office if you're appointed to the Chair
20 of the TLC?

21 MIDORI VALDIVIA: So I will say I sought advice
from the Conflicts of Interest Board related to this,
and they mentioned I did not need any waiver. I
believe it may fall under the

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2 government-to-government exception, um, and my
3 understanding is that it did- it was cleared by COIB.

4 CHAIRPERSON UNG: How long is your term, uh, for
5 the- the MTA Board?

6 MIDORI VALDIVIA: So it, um, technically ended
7 December 31st, and I'm a holdover for the city.

8 CHAIRPERSON UNG: Okay, um, do you have any
9 indication, Administration, whether they will find a
10 replacement?

11 MIDORI VALDIVIA: I have not spoken to the Mayor
12 about this.

13 CHAIRPERSON UNG: Okay, just- just to clarify,
14 this current- what COIB, uh, covers Chapter 68,
15 right. And this is- this is not the same, uh, the
16 Chapter or the Charter that we are talking about,
17 just to clarify that on the record.

18 MIDORI VALDIVIA: Okay, I'm happy to come back
19 and discuss this with you to make sure.

20 CHAIRPERSON UNG: It is, um, just to clear, it's
21 chapter 49.

22 MIDORI VALDIVIA: Okay, thank you. Yeah, I'm
23 happy to come back, um, and we can, we can further
24 discuss.

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2 CHAIRPERSON UNG: Thank you. So in addition to
3 distinctions I just talked about, um, back to the
4 issue of the, you know, remaining on the board and
5 also be, uh, representing, um, being the CEO of TLC,
6 just because these are two different positions. Um,
7 can you explain why that this- it won't come up as a
8 conflict if you stay on both?

9 MIDORI VALDIVIA: So in terms of conflict of
10 time, you know, I- I can do the MTA work on-on my
11 volunteer time. In terms of potential conflicts, um,
12 in terms of subject matter and issue, um, depending
13 on the issue, you know, I'm happy to recuse on
14 certain matters.

15 I will say MTA and TLC are both entities that
16 have similar missions, the safe and efficient
17 transportation of passengers, and there are actually
18 a lot of points of clarify- uh, points of
19 collaboration that would support the public good.

20 And so I do not believe it's a conflict, and I
21 believe that actually, um, I have a track record of
championing TLC and driver issues on the board, and I
believe it is actually helpful that, um, I understand
public transit issues as it relates to the TLC.

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2 CHAIRPERSON UNG: Okay, thank you. Um, seeing no
3 other members have any more questions Ms. Valdivia,
4 you are now excused.

5 MIDORI VALDIVIA: Thank you so much.

6 CHAIRPERSON UNG: Thank you for your time today.

7 MIDORI VALDIVIA: Thank you.

8 CHAIRPERSON UNG: I now open up the floor for the
9 public for comments. We ask that you please limit
10 your comments to 2 minutes. If you wish to speak,
11 please fill out an appearance card with the Sergeant
12 at Arms and you will be given an opportunity to make
13 your comments.

14 Also, if you have a written statement, please
15 provide a copy of that statement to the Sergeant at
16 Arms. We're gonna do the people— we're gonna do, uh,
17 the public testimony of people that's in the room,
18 um, first, and then we'll move on to Zoom.

19 For the first panel, I have just- just- Justin
20 Wu. Am I not pronouncing this correctly? Wood.
21 Justin Wood. Great. Carmen Cruz and Veronica
Martinez.

This is, this is row 3. Okay, alright.

JUSTIN WOOD: Okay.

CHAIRPERSON UNG: Okay, you can begin.

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2 JUSTIN WOOD: Thank you. Uh, thank you, Chair and
3 Members of the Committee. Uh, I'm Justin Wood,
4 Director of Policy at New York Lawyers for the Public
5 Interest. We are— thank you for this opportunity to
6 comment on the nomination of Midori Valdivia to serve
7 as the Chair.

8 Um, for well over a decade, New York Lawyers has
9 worked in close partnerships with the Access-A-Ride
10 Reform Group and the Taxis for All Coalition and
11 other disability justice organizations to reform, uh,
12 accessibility in both the public transit and the
13 for-hire vehicle and taxi sectors. We're happy to
14 support Mayor Mamdani's nomination of Midori Valdivia
15 as Chair of the TLC.

16 In addition to her extensive background as a
17 public transit planner, uh, Ms. Valdivia has specific
18 experience in bringing urgently needed accessible
19 taxis and for-hire vehicles to New York City streets.
20 And as an MTA board member, she has consistently
21 championed accessibility and listened thoughtfully to
transit and paratransit riders with disabilities.
We'll submit a detailed, uh, set of policy recomm-
recommendations into the record. We're really
excited to work with the Council, with the

1
2 Administration, and with the TLC on ways to promote
3 accessibility, reduce the climate impacts of this
4 enormous vehicle fleet, and to promote justice for
5 drivers in this huge industry.

6 Um, I'll just highlight a few that came up in the
7 hearing. Um, we are excited about the future of
8 vehicles that are simultaneously wheelchair
9 accessible and zero emissions and we want to continue
10 working with the Council. We're really appreciative
11 of a Resolution from the Council in favor of state
12 legislation that, through a modest \$1 surcharge on
13 Uber and Lyft trips, uh, would create a large
14 substantial \$250 or more million a year fund
15 statewide to promote accessibility, on-demand
16 paratransit, driver justice, and electrification in
17 the industry.

18 So, um, we'd love to continue working with you
19 and the TLC on that. I'll also just say, you know,
20 our studies have consistently found that while there
21 is progress in New York City in closing the
22 accessibility gap with Uber and Lyft, um, it's not
23 enough. And we'd like to see the TLC and Council
24 disaggregate some of the data on response times for
25 wheelchair-accessible vehicles by neighborhood.

1
2 We're excited to work on that. Um, and then
3 finally, we'd really like to see the TLC become a
4 leader in the region and the state, because once you
5 cross the border from New York City to surrounding
6 counties, there simply are no accessible vehicles.
7 Thank you.

8 CHAIRPERSON UNG: Thank you, Ms. Cruz.

9 CARMEN CRUZ: Um, yeah.

10 CHAIRPERSON UNG: Is there a translator in the
11 room?

12 UNIDENTIFIED: Yeah.

13 VERONICA MARTINEZ: Hello, thank you. My name is
14 Veronica Martinez. Am I able to—

15 CHAIRPERSON UNG: Yes, you can. Yes, you could
16 start, yes.

17 VERONICA MARTINEZ: Thank you. Thank you for
18 having me here today. Um, uh, I am an Uber driver,
19 member of the New York Taxi Workers Alliance. My
20 union supports, uh, Midori Valdivia for the next TLC
21 Chair. I have been a TLC licensed driver since 2007.
The issue I want the next TLC Commissioner to focus
is on regulating the FHV rental market.

I own my own vehicle through a lease-to-own
program and rent the— and rent the plate. FHV

1
2 drivers like me need protections against unfair
3 business practices that leaves us at the mercy of
4 these rental companies, just like American Lease,
5 Tower, Buggy, and Fast track.

6 We need the new TLC Chairperson to regulate the
7 FHV leasing market like the TLC had regulated the
8 yellow cab leasing in the past for many years. We,
9 the FHV lease drivers, are subject to high rental
10 fees, required to take the car for repairs at the
11 company shop even when they don't have qualified
12 mechanics.

13 Our car is rigged so that they can turn off the
14 controls from afar, and it happened to me in the
15 middle of a ride dropping off a child. They turned
16 off the car without reason or warning, making it
17 unsafe for my passenger.

18 All the foot and car traffic around me, and
19 ultimately for myself, was dangerous and unsafe.
20 They ring a loud piercing sound that can cause heart
21 and hearing problems. And it could lead to vertigo
and hearing loss.

These are the scenes from a horror movie, not
legitimate FHV business practices in 2026. TLC has
neglected us and thrown us to the wolves. They

1
2 allowed us F, FHV drivers to be singled out and
3 exploited. Under the Chairwoman Valdivia, we need
4 regulating the FHV market and as top- and as
5 immediately as possible. Please help us. Thank you.

6 CHAIRPERSON UNG: Thank you. Um, so Miss Cruz
7 and Miss Wood, you are excused. I'm gonna bring on
8 the translator, Mr. Michael Simon, up.

9 TRANSLATOR: ¿Podemos hablar por unos minutos?
10 Okay, okay. Sergeant, she- she speak for herself.
11 Mm-hm. Okay, con confianza, no tengas miedo. Okay.

12 CARMEN CRUZ: Buenas tardes, mi nombre es Carmen,
13 soy miembro de la Alianza de Trabajadores de Taxi de
14 Nueva York.

15 TRANSLATOR: Okay, um, good afternoon. My name
16 is Carmen. I'm a member of the Workers Alliance-
17 Taxi Workers Alliance members of the City of New
18 York. -Okay, I have been working for 25 years as a
19 taxi driver.

20 In October 2003, I obtained my first driver, a
21 TLC driver license, and I've been working as a Uber
and Lyft driver for 11 years. Oh, sorry, she- she
skipped one part. Okay.

My, uh, labor union- I think this is the correct
word, right? Is supporting, uh, Midori Valdivia for

1
2 her to be the next pres- the next TLC president. In
3 these 25 years that I've been working as a taxi
4 driver and have been working as an Uber or Lyft
5 driver, I have not seen any progress and I have not
6 seen any benefits.

6 CARMEN CRUZ: Y ni trabajando 14 o 17 horas nos
7 alcanza para cubrir el mantenimiento del carro,
8 empezando con la licencia de TLC. Okay, un segundo.

8 TRANSLATOR: We don't have any benefits because
9 all- everything is going up. We have so many
10 expenses and we have been working even 14 to 17 hours
11 per day. And the money that we're earning is not
12 enough to cover these expenses. We have high
13 expenses like gas, right? Car expenses, and this
14 money that we're earning is not enough money to
15 maintain our cars, starting for obtaining the TCL
16 license.

15 Okay, just one second. I just want to clarify
16 something. When you have the car washes, when you
17 pay for your car wash in these centers where they
18 wash cars. Okay, okay.

19 Everything is so expensive and everything is
20 going up. Starting by the car insurance is very
21 expensive. We also had to spend a lot of money in

1
2 car washes, like washing our car all the time. We
3 had to, uh, pay money to the mechanic. Also, we had
4 to pay money for car reparations, and everything went
up and is very expensive.

5 And the salary of a car driver is every day less,
6 and this is very bad. We need an increase in the
7 driver's salary right away, as soon as they can,
8 because it's not only our salary, but also the
9 increase in the car insurance. The car insurance is
becoming very expensive, and the gasoline as well.

10 CARMEN CRUZ: Por ejemplo, TLC podría aumentar la
11 tarifa por milla para los viajes de Uber y Lyft, y
12 por esta razón estamos apoyando a Midori Valdivia
para poner estos cambios.

13 TRANSLATOR: For example, what TLC can do, they
14 can increase the, um, the tariff or the mileage fee,
15 right, for the, for the, for the— so Uber and Lyft,
16 when we are driving Uber and Lyft, they can increase
17 that payment of that mileage fees. And this is the
18 reason why we are supporting Midori Valdivia so they
can do the changes.

19 Okay, to do the changes and to improve the
20 condition of all the car drivers who are working in
the City of New York.

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CARMEN CRUZ: Muchas gracias por su atención.

TRANSLATOR: Okay, thank you very much to all of you for your attention to this serious matter.

CHAIRPERSON UNG: Thank you for your testimony. I'm gonna ask, um, for you to print as an interpreter to print your name um, on the record.

TRANSLATOR: Yes, I will do it, Councilwoman. It's no problem. Mhm. Okay, that's all, Council.

CHAIRPERSON UNG: Great.

TRANSLATOR: Oh, where can I write my name? Where?

CHAIRPERSON UNG: Say it. Just say it. Just say it for the record.

TRANSLATOR: My name is Edwin Archbold. This is my name, Edwin Archbold.

CHAIRPERSON UNG: Thank you.

TRANSLATOR: You can call me just Edwin. Edwin. Edwin for short.

CHAIRPERSON UNG: Thank you. So I'm actually— I have one more person online that's going to be a translation. I believe it's Ms. Taranis, is she on? In the meantime, I'm gonna call up M— Mr. Simon. You could just stay there. I'm gonna call up Mr. Richard Chow. Okay, you know what, while we are working, um,

1
2 on finding Mr. Vernis, I'm gonna ask Mr., uh, Simon
3 to go ahead, give your testimony.

4 MICHAEL SIMON: Thank you very much. I wasn't
5 expecting to speak. Um, I'm very disappointed. I've
6 been a medallion owner since 1976. I was around when
7 the Hack Bureau was in the police precincts. I was
8 an owner-driver for about 15 years, then I bought a
9 few more medallions, and I'm an active manager till
10 this day.

11 Um, I don't know how to say it, but it's all
12 wrong. The- the point of view is all wrong. The
13 problem is the medallion owner, the medallion driver
14 who doesn't wanna be an Uber driver, who doesn't
15 wanna be a Lyft driver, who wants to be a medallion
16 taxi driver, and he wants to make enough money being
17 a medallion taxi driver to support himself and a
18 family.

19 That- that way cannot exist when high-volume
20 for-hire services exist alongside that medallion
21 industry. The medallion industry was created after
the Depression for one purpose: to decrease the
amount of vehicles that were being taxis because
everybody who had a car made their car a taxi because
nobody was employed.

1
2 So the, the left-leaning Mayor at that time,
3 Fiorello LaGuardia, decided to put out the medallion.
4 So if you wanted to be a taxi driver, you now had to
5 buy a medallion, and the number of taxis went down
6 dramatically from about 30,000 or 40,000 vehicles to
7 about 11,000 vehicles. What was the purpose of that?

8 The purpose of that was to increase drivers'
9 income, medallion driver income, be it an owner or a
10 driver. It wasn't- it was to eliminate the
11 competition so that those drivers could earn a
12 living. The high volume for-hire services
13 deregulated the industry. Deregulated the industry.
14 It caused- the holy grail of the TLC used to be
15 driver income, increased driver income.

16 CHAIRPERSON UNG: Uh, Mr. Simon, I'm sorry, I'm
17 gonna ask you to wrap it up.

18 MICHAEL SIMON: Okay. Now the holy grail has
19 changed into shareholder profits because of the, the,
20 uh, the- the corporate, you know, giants convincing
21 everybody that, you know, their- their services are
22 needed. The medallion industry was created for
23 driver income. To enforce the- the exclusive of the
24 medallion is to increase driver income, be it a
25 driver or medallion owner.

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CHAIRPERSON UNG: Thank you. Mr. Chow.

RICHARD CHOW: Hello, good afternoon everyone.

Uh, my name is Richard Chow. I'm a member of the New York Taxi Workers Alliance and I drive the Yellow Cab. My union supports Midori Valdivia for the next TLC Chair. I have been TLC licensed since 2006. Ah, the issue I want the next TLC Chair Commissioner, uh, focus on the gasoline price, so expensive, more than \$4.99 per gallon, uh, 12 years ago— 12 days ago, the war started.

TLC could increase the bar mileage rate all FHG trips, push for the state to allow yellow and green cab drivers to keep the 50-cent tax, or consider a temporary surcharge on every TLC trip. My loan with Marblegate, I paid \$1,234 per month. More than 200 loans left behind 4 years ago, the MRB program. Some of my friends, OSK paid \$2,000 a month. They overpaid \$766 a month, plus the FHA new car payment, \$800 a month. The insurance, every— very expensive, went up more than 25%, and we cannot survive.

So since January, too much snow falling in New York City, the wars in Iran, riderships are down, sometimes 1.5 hours we don't have a fare. Yellow cab lost a lot of street hail. I hope the TLC and the

1
2 city should create a more street hail fare for the
3 taxi. For example, put the back, the sticker- put
4 back the sticker price on the door and, uh,
5 advertising JFK, LaGuardia, Grand Central, Port
6 Authority, the Penn Station, or inside the, the cab.
7 The drivers are working class people, pay check to
8 check, and walking dangerous on the street.

9 Please, we need from the TLC and City Council
10 support our family so- so we can survive. Thank you
11 so much.

12 CHAIRPERSON UNG: Thank you both for your
13 testimony. You can, um, take a seat back there. I'm
14 gonna ask Mr. Archibald to- Mr. Archibald to still
15 stay. I think we have now found Ms. Tavernez online
16 who's gonna need the translation.

17 TRANSLATOR: No problem. Uh, is she connected
18 now?

19 CHAIRPERSON UNG: Ms. Ms. Tavernez, do you want
20 to unmute yourself?

21 SERGEANT AT ARMS: You may begin.

22 Sí, sí te escucho. ¿Me escuchas bien? Sí, ya lo
23 escucho. Disculpa. Vamos a hablar en pausas. Tú
24 hablas unas 2 oraciones y yo te paro un momento y le
25 vamos a la interpretación. Oh, okay. Can you put-

1
2 Está bien. It's fine. Okay. Mi nombre es Leo
3 Taveras y soy miembro del New York Taxi Workers
4 Alliance. Okay, continúa, continúa. Soy conductor de
5 TLC y manejo para Uber y Lyft desde el año 2021.
6 Okay, un segundo.

7 TRANSLATOR: I'm one of the drivers, I hold a TCL
8 license and I've been, uh, driving for a long time.
9 Continue. Continue. My labor union is supporting
10 Ms. Valdivia for the, um, you know, for the next
11 election, you know, for her to become the Chair of
12 the TLC. Continue.

13 Quiero que la próxima presidenta de la TLC se
14 enfoque de inmediato en aumentar el pago por milla
15 debido al alza constante de los costos que
16 enfrentamos los conductores.

17 TRANSLATOR: I want her to focus on the increase
18 of the salary and also the increase of the mileage,
19 uh, payment also for the drivers because we have very
20 constant and very often, you know, charges and
21 increases of all those fees because of what is
happening recently.

Continúa, continúa, por favor. For example, the
insurance is one of the main issues. For example,
the car insurance is extremely expensive. For

1
2 example, I have a Toyota Sienna and it's the
3 insurance— oh, one second. How much is the
4 insurance? In the last 3 years, the insurance
5 premium is around \$3,983.23. It's extremely
6 expensive for me to pay the amount of car insurance.
7 Continue.

8 And now for the year 2024, the car insurance is
9 around \$4,273.33. It's also very expensive. Uh,
10 continue, uh, por favor.

11 Y para el año 2025 alcanzó los \$5,459.23. Sí, sí.

12 TRANSLATOR: Okay, and now in the year 2025 is
13 \$5,459. This is very expensive, even worse than the
14 previous years.

15 Que también sigue siendo una carga importante
16 porque necesitamos tener 2 seguros en vez de 1.

17 TRANSLATOR: And I was talking only about
18 liability insurance because if we do the full
19 coverage, it's even worse. The insurance fees are,
20 are even more expensive because as a drivers, we are
21 supposed to be covered by both insurance, the
22 liability insurance and also the full coverage too.

23 Que nos golpean diariamente cada vez que, que
24 intentamos sobrevivir y mantener nuestras familias.
25 Y la verdad es muy difícil.

1
2 TRANSLATOR: And this doesn't include other
3 expenses, for example, like reparations, mechanic
4 services, and also, uh, also expenses that we had
5 like car wash, for example, expenses that we had in
6 order to maintain our car and this is hitting very
7 badly my family because it's extremely expensive for
8 me to survive like this.

9 This is what I wanted to say to you. I want you
10 to listen. The problems that we are facing right
11 now, and thank you so much for your attention to this
12 serious matter. Okay, this is everything. Thank you
13 so much.

14 CHAIRPERSON UNG: Um, and thank you, and thank
15 you, Mr. Archibald, for, um, your services today. I
16 think you are done.

17 TRANSLATOR: You're welcome.

18 CHAIRPERSON UNG: I'd like to call up the next
19 group, uh, Mr. Chin, uh, Mr. Desai, and Mr. Joe
20 Rappaport.

21 WAYNE CHEN: Hi, good evening all. Thank you for
allowing me to speak today. My name is Mr. Wayne
Chen. I'm a member of New Taxi Workers Alliance, and
today I'm here to fully support the nomination of Ms.
Midori for the next TLC Chair. And I also like to

1
2 ask the TSC to work on our problems facing the
3 Medallion owner, especially a way driver like me. I
4 operate a WAVE taxi cab for accessible, uh,
5 disability community. I got my WAVE car from last
6 October through the pilot program, Atlas Pilot
7 Program, who provided an affordable loan. However,
8 we still need, uh, adequate support for, for the
9 program.

10 Like myself, we had, uh, operating costs a lot
11 higher than, like, 7 years ago. 7 years ago, our
12 cost- wheelchair cost, like, it's \$50,000. Now like
13 \$80,000 for the car and also operating expenses are a
14 lot higher than, uh, before, like gasoline,
15 maintaining the car.

16 So we need, uh, we, we, I, my, my late father is
17 a disabled person who needed a wheelchair to get
18 around the city. So I am fully aware of the
19 challenge the disability community face to get around
20 the city. So at the same time, we, we, we provide
21 the service for the special needs of the disability
community. We also need the support from the state
and city to offset the cost of the buy the- buying
the car, like eliminating the state tax on the new
vehicle purchase.

1
2 And also, um, also I'd like the city to reinstate
3 the defunding for \$1 trip for, for each, each wayfare
4 for the driver. Because we have a- we, we, we face a
5 rising cost of the operating, uh, the way vehicle,
6 uh, especially right now. Not only the, uh, or
7 operating cost, we had to face the cost of living
8 challenge, right? Higher living challenge.

9 Also, we ask the TLC to waive the requirement for
10 the older driver from the, the waive requirement,
11 because I am doing a lot of wayfair already, because,
12 uh, they need significant, uh, strength to unload,
13 load, and also provide the rent.

14 So we ask the TLC to waive the requirement for
15 older driver and disabled driver. Thank you so much.

16 CHAIRPERSON UNG: Thank you.

17 BHAIRAVI DESAI: Good afternoon, uh, good
18 afternoon, Chair Ung and members of the industry that
19 are present. My name is Bhairavi Desai. I'm the
20 Executive Director of the New York Taxi Workers
21 Alliance. We are proud to support the nomination of
22 Midori Valdivia as the next Chair of the Taxi and
23 Limousine Commission.

24 It is such an honor to be on this panel in
25 particular next to a very long-time friend from Taxis

1
2 for All campaign and next to my brother Wayne. It's
3 honestly really heartbreaking to hear the testimonies
4 of Wayne, and, you know, and I'm really struck by
5 what Carmen said earlier. These are long-time
6 veteran drivers who feel they've just never seen
7 change. And that's because for decades now, every
8 time we take a step forward, there is an attack
9 against us, whether it's from the millionaire
10 corporations to the billionaire corporations to now
11 the trillionaires of Waymo that are hunting us down,
12 or it's from the different interests, from the city
13 agencies to the state and the MTA.

14 At each step, drivers are treated as if their
15 rights are disposable. We have to make a
16 generational change. We cannot nickel and dime this
17 workforce into poverty, and we cannot nickel and dime
18 them out of poverty.

19 Today, for example, on insurance, drivers are
20 going from paying \$400 a month to some of them as
21 much as \$1,000 a month, all because American Transit
is potentially facing bankruptcy because the
regulators shut their eyes to these corporations.
Why are drivers the one to pay these costs? We have
to end the cycle of generational poverty. We have to

1
2 end the cycle of not treating the right of drivers to
3 feed their children and to have a decent life, to not
4 have to work 6 to 7 days a week, 12 to 14 hours a
5 day.

6 It is a public good in the interest of the public
7 good to end these working conditions and truly make a
8 generational change. Don't let this hearing be about
9 the CEO of Empower. Make this hearing be about the
10 dignity of the almost 200,000 men and women and their
11 families who depend on this job for a decent and a
12 dignified life. Thank you.

13 JOE RAPPAPORT: Thank you. I do have my test-
14 er, written copies of my testimony here. Um, thanks
15 so much for the opportunity to testify and to be here
16 with, uh, my colleagues here and, uh, other people,
17 uh, from the disability community and the industry in
18 general.

19 I appreciate the questions you asked about
20 accessibility. Uh, I think they're important, uh,
21 for the Chair to address, assuming she, uh, is, uh,
er, approved by the City Council. Um, you know, my
organization is the Brooklyn Center for Independence
of the Disabled. We're a core member of a group
called the Taxis for All Campaign, which has been

1
2 around for 30 years, access— uh, advocating for more
3 accessibility in the taxi world and for higher
4 services, uh, based on universal design, uh,
5 principles.

6 So we appreciate your questions. We appreciated
7 the willingness of the, uh, nominee, uh, to, uh, ask—
8 answer them. We met with her, uh, recently, and, uh,
9 that was really valuable. We support her nomination.
10 Um, there's so many issues that we talk about, about
11 accessibility. Um, I wanna focus on one thing in—
12 that you asked about, which is the loss of the
13 Accessible Dispatch Program. Uh, when we settled
14 with the city, a lawsuit about accessibility, uh, we
15 advocated for a dispatch system so that wheelchair
16 users would be able to get a taxi no matter what,
17 wherever they were.

18 And that program worked and worked well, uh, but
19 the TLC, uh, claiming, uh, that it costs too much,
20 uh, ended that program last month. And we, uh, are
21 very hopeful that the, uh, new Chair will, uh,
reestablish that program. Uh, the way it works is
that if you need an accessible cab, any place in New
York City, you can call this phone number or use an
app. Many people can't, uh, use an app, so they can

1
2 call. If you have a speech difference, if you have a
3 dexterity difference, you can get through.

4 So we urge the Chair to restore this program, and
5 we urge the Council, uh, to look at ways of helping
6 this program go back into business. Thank you very
7 much.

8 CHAIRPERSON UNG: Thank you all for your
9 testimony. I'd like to call up Ms. Ryan and Mr.
10 Averzano.

11 ADRIANO AVERZANO: Hello. Hi, thank you for the
12 opportunity to speak here today. Uh, my name's
13 Adriano Averzano. I'm a member of the Taxi Workers
14 Alliance, and I drive a yellow taxi cab. I'm also
15 an- I'm also an owner-operator. I've been a taxi
16 driver for 22 years, and I've been an owner-operator
17 for the past 16 years.

18 Uh, me and my union, the New York Taxi Workers
19 Alliance, support the nomination of Midori Valdivia
20 for the Chair of the Taxi and Limousine Commission.
21 Uh, I wanna mention, uh, I'm one of the 200 and so
drivers that have been left behind for the Medallion
Relief Program. I'm hoping that the new Chair, if
appointed, will reopen the program and provide the

1
2 assistance to the drivers like me who are drowning in
3 debt and have high mortgage payments.

4 Uh, it's been a very cumbersome situation for me
5 and my family. And the financial strain is growing
6 and growing and growing. And I don't know how long I
7 could hold on anymore, uh, with the mounting bills
8 and the mounting insurance payments and everything.
9 Uh, I know that the Mayor is very friendly to the
10 taxi driver, and I'm hoping that Miss Midori Valdivia
11 will also be too.

12 Uh, I'm also hoping that she'll address the
13 situation with the rising cost of the
14 wheelchair-accessible cars. And if the city has met
15 the requirements, look into the possibility of not
16 mandating all the vehicles to be
17 wheelchair-accessible because they are roughly double
18 the price.

19 The higher price of the vehicle puts more
20 financial burden and strain on the driver. Because
21 they have higher payments. It's a higher nut at the
end of the, of the month. I hope that everyone here
understands that, that, that financial strain makes
it more difficult for the, for the working man.

1
2 Uh, again, we support her nomination and we look
3 forward to her bringing out change to the industry
4 and making it better for the driver and the
5 passenger. Thank you.

6 CHAIRPERSON UNG: Thanks.

7 JEAN RYAN: Hi, I'm Jean Ryan, President of
8 Disabled in Action, and we are a member of Taxis for
9 All campaign, a coalition we began in 1996, 30 years
10 ago.

11 Um, DIA is in favor of appointing and confirming
12 Midori Valdivia as the Chair of the TLC. She worked
13 on the TLC before and knows the issues of people with
14 disabilities from that work and as a board member of
15 the MTA, a position we want her to be able to
16 continue in. Our issues with the MTA and the TLC
17 intersect in many ways, including the On-Demand
18 program and the broker services.

19 No, we wouldn't have accessible taxis, Uber,
20 Lyfts, and for-hire vehicle car services without
21 Taxis for All continually advocating for accessible
vehicles and our ability to get rides. It was
life-changing, I can tell you, because I couldn't go
anywhere unless I called 2 days in advance.

1
2 Uh, you know, it was really horrible before I
3 could get taxis and Ubers and Lyfts, you know, no
4 city in the United States, as far as I know, has
5 wheelchair access to this form of public
6 transportation like New York City does. And yet, I
7 and, you know, we cannot hail an accessible cab. We
8 could stick our arms out, we can talk to the drivers,
9 they refuse to take us. And we have to wait longer
or are unable to get an Uber or Lyft vehicle in a
timely manner, if at all.

10 We are hoping to work with the TLC and
11 stakeholders to get better access, to have 100%
12 accessible taxis and for-hire vehicles, and to revive
13 the well-functioning accessible dispatch program so
14 people can— uh, with disabilities can get a cab from
anywhere in the city. Thank you.

15 CHAIRPERSON UNG: Thank you. And I'm gonna move
16 on to the testimony on Zoom. First is Allison
17 Langley, and then Augustine Tank, and then Ira
Goldstein.

18 SERGEANT AT ARMS: You may begin.

19 ALLIE LANGLEY: Thank you. My name is Allie
20 Langley. I'm a staff attorney at the New York Taxi
Workers Alliance. The Taxi Workers Alliance supports
21

1 the nomination of Midori Valdivia as the next
2 Chairperson of the Taxi and Limousine Commission.

3 Um, and we hope that in addition to the issues
4 highlighted by other staff and members, the new Chair
5 will focus on finishing the Medallion Relief Program.
6 Um, the Medallion Relief Program, or MRP, has been a
7 huge success. It's lifted thousands of drivers out
8 of the despair of the debt crisis.

9 To date, it's provided nearly \$475 million of
10 debt relief to over 2,000 drivers. Despite this, as
11 you just heard from Adriano, um, hundreds of drivers,
12 um, remain in a situation where the debt crisis never
13 ended for them. Um, and you heard directly from
14 Adriano about how much despair this causes. Um, this
15 is because their lenders did not want to restructure
16 their loans directly, which is the first step of
17 participating in the Medallion Relief relief program.
18 Um, the Taxi Workers Alliance, um, as soon as we
19 realized this was the case, had been working on
20 figuring out a solution, and we actually found one.
21 We worked with A Company Capital, a small community
development financial institution alongside the TLC,
um, to create a pilot program for a slightly
different version of the MRP where a new lender steps

1
2 in, pays off the old lender, and restructures the
3 loan under the terms of the MRP. And this solution
4 works. It works really well for the small group of
5 drivers who were able to access it.

6 Unfortunately, uh, company capital is small.
7 They don't have the funding to finance the remaining
8 loans. Um, and instead of working with the Taxi
9 Workers Alliance to set up and find the financing
10 needed to get that final group of drivers across the
11 finish line, instead the Taxi and Limousine
12 Commission ended MRP prematurely.

13 They ended it when this group of, um, about 300
14 drivers, 200 to 300 drivers, have not seen any relief
15 at all from the debt crisis. They're in the same
16 position they were in, um, you know, 5, 10 years ago,
17 um, that other drivers have gotten relief from. Um,
18 and it's essential that we help these drivers access
19 the same relief that every other driver who's had
20 access to the MRP, um, has been able to access.

21 SERGEANT AT ARMS: You time has expired.

ALLIE LANGLEY: Um, we ask that the TLC, uh,
stand with the Taxi Workers Alliance, um, in
partnership to find this financing and finish, uh,
the MRP and make sure that all drivers have access to

1
2 this historic and life-saving debt relief. Thank
3 you.

4 CHAIRPERSON UNG: Ms. Tang.

5 SERGEANT AT ARMS: You may begin.

6 AUGUSTINE TANG: Good afternoon, Chair and the
7 members of the Committee. Uh, my name is Augustine
8 Tang and I'm a member of the New York Taxi Workers
9 Alliance. A medallion owner for 10 years and driven
10 yellow for 5 of those years. My union and I are here
11 to— excuse me— to support the nomination of Midori
12 Valdivia as the next Chair of the Taxi and Limousine
13 Commission.

14 We recently had an opportunity to sit down and
15 speak with Midori. What stood out to us was that she
16 was grounded, open, and certainly willing to listen.
17 She wanted to hear directly what drivers are dealing
18 with and on the street every day. For a long time,
19 many drivers have felt that TLC acted more like the
20 judge, jury, and executioner rather than a partner in
21 the industry.

Drivers are— have often felt penalized more than
heard. What gives us— what gives many of us hope is
that Midori understands the relationship that needs
to change and that rebuilding trust between the

1
2 agency and drivers has to be a priority. But support
3 also comes with expectations. There are several
4 issues that the next TLC Chair must focus on.

5 First, the, ah, Medallion Relief Program must be
6 reopened and completed. While the program helped
7 many owner-drivers, myself included, as I was able to
8 dive into another career, there are still owners who
9 are left outside of it and still trapped in loans
10 that will be impossible to repay.

11 The TLC should— the TLC should work and, uh, with
12 the lender and the city to restructure the remaining
13 loans and allow the transfer of guarantees so the
14 drivers are not left behind.

15 Second, we need to support the drivers who must
16 meet the federal requirement, uh, for
17 wheelchair-accessible cars. Drivers want to serve
18 the riders with disability, but the upper— but
19 operating the WAVE vehicles come with significantly
20 higher costs. The city should provide real support,
21 including tax relief, and, uh, and reinstate—
reinstated programs like—

SERGEANT AT ARMS: Times expired.

1
2 AUGUSTINE TANG: Oh. So drivers are not
3 financially punished for providing essential
4 services.

5 Third, driver income must be addressed. Costs
6 like insurance, gas, and, uh, vehicle maintenance
7 continue to rise. TLC should work to ensure that
8 drivers are earning a true prevailing wage that
9 reflects the long hours, risks, and, like, rising
10 costs of this job.

11 Um, I respectfully urge the Council to confirm
12 Midori Valdivia as the next Chair of the Taxi and
13 Limousine Commission and to work with drivers to
14 address their urgent issues.

15 So thank you for the opportunity to talk.

16 CHAIRPERSON UNG: Thank you. Next is Mr.
17 Goldstein, and after Mr. Goldstein, it will be, uh,
18 Mr. Sancho Prasad, and then, uh, Mr. Lamond Jada.

19 SERGEANT AT ARMS: You may begin.

20 IRA GOLDSTEIN: Okay, good afternoon, Chairwoman
21 Ung and other Council Members and staff. Thank you
for the opportunity to testify. My name is Ira
Goldstein. I'm the Executive Director of the Black
Car Fund. For those of you who may be unfamiliar,
The Black Car Fund was created by New York State for

1
2 the purpose of providing workers' compensation
3 coverage for independent black car, uh, drivers,
4 which now includes Uber and Lyft drivers statewide.
5 The fund also provides a host of other benefits that
6 I'm happy to discuss offline.

7 Today I testify in support of Midori Valdivia's
8 nomination by Mayor Mamdani to serve as Chair and
9 Commissioner of the New York City Taxi Limousine
10 Commission.

11 Ms. Valdivia brings exactly the type of deep,
12 practical, and balanced transportation experience
13 this role requires. You already heard about Ms.
14 Valdivia's experience and background, so I will speak
15 to my direct interactions with her.

16 I have done— I have known Midori since her days
17 as a Deputy Commissioner at the TLC, and what stood
18 out to me is that she listened, she understood as I
19 learned during my almost 10 years as Chief of Staff
20 at the TLC, that good policy is strengthened when
21 agency leadership is open to input from the
22 stakeholders who live with the consequences of those
23 decisions every day.

24 These qualities matter enormously at the TLC
25 where the issues are rarely simple and require

1
2 balancing competing interests. More recently, as
3 member of the MTA Board, Miduri has shown herself to
4 be open to thoughtful ideas on difficult issues, such
5 as congestion pricing, where she agreed that the FHV
6 and the taxi industries should be subject to a
7 one-time fee on passengers rather than the one-time
8 fee incurred possibly by the driver, which she went
9 into in depth, and there was no small feat.

10 She engaged in those issues in a serious and
11 balanced way. As TLC Chair, I believe she will
12 strike the right balance, um, and between advocating
13 for and enforcing driver rights, while also-

14 SERGEANT AT ARMS: Your time is expired.

15 IRA GOLDSTEIN: Okay, wrapping up, I think the,
16 uh, New York City needs a TLC Chair who understands
17 transportation as an economic engine and public
18 responsibility. If her nomination is approved, I
19 look forward to working with her for the betterment
20 of TLC licensed drivers and businesses and for making
21 this city a better and safer place. Thank you again
for the opportunity to, to testify.

CHAIRPERSON UNG: Thank you, Mr. Sancho Prasad.

SERGEANT AT ARMS: You may begin.

SANCHO PRASAD: Hello?

1
2 CHAIRPERSON UNG: Yes, you can start. You can
begin, yes, we hear you. You could begin.

3 SANCHO PRASAD: Yes, my- my name is Cooper Sancho
4 Prasad. I've been a taxi driver for the last uh, 12
5 years I've been driving in New York City. My dad was
6 a taxi driver for the- since 1984. He passed away in
7 2017. He was a medallion owner. I've been a driver
and now became a medallion owner.

8 Uh, I want to continue on. I- I work together
9 with Taxi Workers Alliance. I wanna, in support of
10 Commissioner, um, in support of the nominee of
11 Commissioner Midori, uh, Dori but I can't pronounce
12 the last name, sorry. Um, but I would, uh, like to
continue from where Augie left off.

13 Uh, we, we want- she, she was willing to listen
14 to the drivers, understand that we are getting
15 flanked from different fronts. We got flanked from
16 the TLC, where TL- we saw the TLC more of an enforcer
than a partner in the industry.

17 We also see we have problems with, uh, we also
18 get penalized by the NYPD, DOT, uh, MTA if we get
19 into the bus lanes, uh, we have so many fees. I
20 recently tried to get car insurance for my taxi and I
ended up having to be one of the drivers who would

1
2 have to pay \$1,000 a month until they get cleared,
3 until my rate goes down in probably 3 years, where
4 some people have been driving for many years like me
5 and they still, and they, and they got charged this
6 high price.

7 I believe that Midori would come into this
8 industry and give drivers and the industry some sort
9 of dignity back, and, uh, I support her in this
10 nominee. Thank you.

11 CHAIRPERSON UNG: Mr. Jada?

12 LAMON JATA: Yes, I— thank you, Chair. My name
13 is Lamon Jata(SP?). I'm a member of the New York
14 Taxi Workers Alliance, and I've been a driver for TLC
15 for the past 13 years. I drive for Uber. My union
16 supports, uh, Ms. Midori Valdivia for next TLC
17 Chairperson. I think she is gonna make a great
18 Chairperson because for the first time working in the
19 industry, I've seen a nominee member approach drivers
20 to interact with us and seeking to know our concerns
21 and recommendations for her.

And, um, I, we asked the TLC to look into the
high cost of operating as a taxi driver here in the
city. The insurance costs and recently the gas
prices are hand in hand going off the roof. And TLC

1 fees and fines are heavy on us. It's unaffordable.
2 We ask that the next Chair to look into these things
3 to make it affordable for drivers so that, uh, we
4 don't have rates in one hand and other hands from-
5 you have other hands in our pockets picking our
6 pockets, you know, from all, you know, industries
7 like insurance, the, you know, NYPD, the the DOT, or,
8 you know, so it means protection from all those
9 people trying to, you know, make life difficult for
us as taxi drivers in the city.

10 Please, we need your assistance in that regard.
11 Thank you.

12 CHAIRPERSON UNG: Thank you. We have Mr. Alaya,
13 then Mr. Marway, Mr. Salome, and then lastly, uh, Mr.
Christopher Leon Johnson.

14 SERGEANT AT ARMS: You may begin.

15 MUHAMMAD ALIYU: Hi, good afternoon. Sorry about
16 that. Uh, my name is Muhammad Aliyu(SP?). I'm a
17 member of the New York Taxi Workers Alliance. And,
18 uh, I've been driving a taxi since 2001. I became an
19 owner-driver in, uh, 2000, uh, er, 2004. And then,
uh, my union support, uh, Mrs. Valdivia, so do I.

20 Uh, I think the whole system fail us, and then,
21 uh, it's very sad, uh, because, uh, It's all about

1
2 our income. Our income are being attacked from every
3 corner. And then, uh, this is, uh, under the eyes of
4 the government himself. The dream have been turned
5 to nightmare.

6 I mean, when we look back, back then, when you
7 drive a yellow cab, your children can become lawyers,
8 they can become doctors. One of the Eurocab drivers
9 even have his daughter becoming Speaker of the White
10 House. No more, no more, because the system fails
11 us. That, that, I mean, everything we live for have
12 been taken away. You work hard, instead of getting
13 out of poverty, you're getting dig, dig, dig into
14 poverty. But, uh, listen to, uh, Mrs. Valdivia
15 testimony today.

16 I think, uh, she's bringing hope. And then, uh,
17 I think, uh, hopefully things will change. But our
18 income issues must be addressed. We need immediate
19 raise. Yellow Cab need immediate raise. Not only
20 through the mirror, but with all this EL company too.

21 SERGEANT AT ARMS: Your time's expired.

MUHAMMED ALIYU: Everything getting expensive
when our income getting only reduced. I mean,
hardworking poor trying to get out of poverty, but
the system only find to dig him into the poverty.

1
2 Uh, hopefully I think the next Chair will be able to
3 address our income issues. Thank you very much.

4 CHAIRPERSON UNG: Thank you, Mr. Marway.

5 JOSHUA SEAR: And thank you. I, I'll be speaking
6 for Mr. Marway. He's my Chief of Staff. Uh, Chair
7 Ung and Members of the Council. Uh, my name is
8 Joshua Sear, and I wanna begin by congratulating
9 nominee Valdivia.

10 While I'm admittedly disappointed that she
11 commented on Empower without having ever spoken to
12 anyone from the company, based on everything else
13 that I heard from her today, I'm hopeful that she
14 will be a strong champion for drivers. As CEO of
15 Empower, a software company that is helping well over
16 10,000 TLC-licensed drivers to work for themselves
17 and earn a sustainable living. I'm excited about the
18 opportunity to work with Commissioner nominee
19 Valdivia to increase competition, increase driver
20 earnings, and increase affordability for New Yorkers.
21 As many of the Council Members' questions today have
highlighted, the existing Uber-Lyft business model
simply is not working for drivers or riders.

Empower has a different model. Empower provides
drivers with software and support services that

1 enable them to to truly run their own businesses.
2 Using our software, drivers set their own rates and
3 get 100% of their hard-earned fares. Working for
4 themselves using our software, TLC-licensed drivers
5 are making thousands of dollars more per month than
6 they were making working for Uber or Lyft.

7 At the same time, riders are saving money because
8 drivers get 100% of what riders pay instead of the
9 50% or often less paid by Uber or Lyft, drivers are
10 able to charge riders less and still make more money.
11 Riders love that drivers get 100% of what they pay.
12 They also have the ability to request rides from
13 their favorite drivers, which increases safety and a
14 sense of community.

15 Empower's customers have now provided over 20
16 million rides to over 600,000 riders, often serving
17 some of the most historically underserved
18 communities.

19 Last week alone, over 10,000 drivers using our
20 software and service provided over 500,000 rides to
21 150,000 riders. That includes over 100,000 rides in
New York City, a number that is growing incredibly
fast. Drivers are some of the hardest working folks

1
2 in our community, and I was moved to start Empower
3 by-

4 SERGEANT AT ARMS: Your time has expired-

5 JOSHUA SEAR: Personally that they didn't feel
6 that they mattered to the companies that they were
7 working for. Outgoing TLC Chair David Doe
8 understands-

9 CHAIRPERSON UNG: I'm sorry, Mr., Mr. Sear-

10 JOSHUA SEAR: Senior VP of Government and
11 Regulatory-

12 CHAIRPERSON UNG: I'm gonna ask you to just wrap
13 it up. Thank you.

14 JOSHUA SEAR: Sure, I'm, I'm almost done. Thank
15 you so much for giving me a few extra seconds. He,
16 like myself, understands that drivers in New York
17 City are tired of feeling unheard and disempowered.
18 They want the ability to work for themselves. In
19 fact, the freedom to do that is exactly why so many
20 of them immigrated to this country, and New York City
21 in particular in the first place.

Fortunately, the existing regulatory framework-

CHAIRPERSON UNG: Mr. Sear, um, I'm sorry, um, I-
your time is up. Thank you so much for your
testimony.

1
2 JOSHUA SEAR: I appreciate it. I thank you, and
3 I look forward to working with the Mamdani
4 Administration, Commissioner nominee Valdivia, the
5 TLC, and the Council to protect driver civil rights,
6 including the right to work for oneself, to increase
7 their earnings, and ensure rider access to safe and
8 affordable transportation services.

9 CHAIRPERSON UNG: Mr. Soleimany, and then Mr.
10 Leon Johnson. Thank you.

11 SERGEANT AT ARNS: You may begin.

12 ZUBIN SOLEIMANI: I'm sorry. Uh, good afternoon.
13 My name is Zubin Soleimani. Uh, I'm a Senior Staff
14 Attorney at the New York Taxi Workers Alliance. Uh,
15 and I'm speaking in support of the nomination of
16 Midori Valdivia.

17 I'll just say very quickly, we spent about 10
18 years challenging Uber's practice when it first came
19 in of unlawfully passing on the cost of sales tax to
20 its drivers, working with the AG to get a \$328
21 million settlement for drivers. We're not excited
about anybody new coming in who's not telling drivers
that they're gonna end up being on the- on the hook
for sales tax, uh, if they're not actually charging

1
2 it, which I believe the gentleman's company is doing
3 right now.

4 But my main point of my testimony today is that
5 moving forward, this agency needs leadership that
6 respects the mandates that the Council gave it to fix
7 the oversaturation of FHV's that we'll remember led
8 to 9 driver suicides.

9 The Council authorized TLC to do 2 things for
10 driver pay and well-being in 2018. 1, regulate the
11 number of cars on the road. 2, pass driver pay
12 rules. Now those 2 things work hand in hand. The
13 pay rules only work on a per-trip basis. Even the
14 best version of them ultimately means nothing if
15 there are too many cars on the streets and drivers
16 can't get enough trips.

17 Despite this, the previous administration, Uh,
18 and Chair David Doe recklessly and unlawfully ignored
19 its obligations to enforce the vehicle cap. Now,
20 most disastrously, what they did was they unlawfully,
21 unlawfully implemented a rule lifting the cap for
electric vehicles, not by publishing a rule and
holding a hearing or holding a vote, by announcing it
at a press conference.

1
2 We sued them in the Supreme Court in New York and
3 joined that unlawful rule challenge, but not before
4 TLC put out 10,000 new plates. That undid overnight
5 years of progress that the TLC had made towards
6 rightsizing the FHV fleet and bringing back driver
incomes from the brink of oversaturation.

7 Now, the result of that was as predictable as it
8 was depressing. We ended up with an all-time high of
9 number of cars on the road while the trip numbers
10 remained stagnant and didn't keep pace. What that
11 means is less pay— trips per driver and less pay per
12 driver.

13 So now we're back where we started in 2018.
14 Moving forward, this TLC has to—

15 SERGEANT AT ARMS: Your time has expired—

16 ZUBIN SOLEIMANY: Drivers— thank you, I'll wrap
17 up— more seriously and commit to a transparent and
18 data-guided approach to regulating the size of the
19 fleet.

20 Look at where they're actually needed, what the
21 impact will be on driver income. They haven't taken
it seriously. We look forward to a future in which
we can work with Ms. Valdivia and TLC that takes that
responsibility more seriously. Thank you so much.

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2 CHAIRPERSON UNG: Thank you. And lastly, Mr.
Leon Johnson.

3 SERGEANT AT ARMS: You may begin.

4 CHRISTOPHER LEON JOHNNSON: Yeah, hello, my name
5 is Christopher Leon Johnson. Thank you, Chair Ung
6 for having this hearing. I totally support Mrs.
7 Midori Valdivia for being the Chair of the- the New
York City Taxi - uh New York City TLC, 100%.

8 I'll make this clear that I'm against congestion
9 pricing, but the one thing about congestion pricing
10 is that it actually lowered the amount of cars in the
11 streets of New York. So I give her the credit for
12 that but I want to make it clear that the city, um,
13 that this Chair needs to, uh, be a Chair where that
14 she really stands up for the, for the FHV driver, the
taxi driver, more than the app.

15 Because the last, uh, Chair stood more for the
16 app than the- the driver. And I know that in the few
17 months to come we will have the unfair deactivations
18 being, um, being, um, made law where you can't
19 deactivate the, uh, FHV driver without, um, due
20 process. But I hope that this Chair really make it
21 where that if the driver is, is justified in being

1
2 reactivated, uh, she actually helps the agencies
3 reactivate that driver.

4 Uh, going forward, uh, I'm calling on this Chair,
5 on the incoming Chair, to really push for the
6 regulation of the apps, of all the apps, and, um, and
7 come to the table with the deliveristas too to make
8 sure that these apps be regulated.

9 Um, I wanna end this here that, uh, I support
10 the, um, nomination of the, the person to be part of
11 the COIB. I'm not against that, but I support this
12 nomination for the Chair of this, um, the TLC.

13 So I hope that she does well. I congratulate
14 Mrs. Valdivia, Midori Valdivia on her nomination, and
15 I know she's gonna do well. Great for TLC, way
16 better than David Doe, who actually didn't do
17 anything for the— who didn't do the right thing for
18 the driver.

19 Um, so thank you so much. I'm gonna log off here
20 and— okay, thank you.

21 UNIDENTIFIED: Hi, I think we may have missed me.
Am I able to— I had registered, um, am I able to
testify for one minute?

CHAIRPERSON UNG: Sure.

1
2 MATT DOSS: Hi everybody, um, yeah, my name is
3 Matt Doss. I, um, the person who held this job, um,
4 at TLC longer than anybody in, in New York City
5 history. I was approved by the Council and, and, uh,
6 twice. Um, served the TLC for 14 years, worked for
7 New York City government for over 20 years, and I'm
8 here representing the International Association of
9 Transportation Regulators.

10 We're a nonprofit group that represents TLC
11 commissioners and ride-hail commissioners all over
12 the world. Um, and TLC has been a member for years,
13 and I've known Midori for a very long time, at least
14 more than 10 to 15 years, and, uh, in a lot of
15 capacities. And she's got— from someone who's done
16 the job for almost a decade. Um, she has all the
17 skill sets needed, you know, as Ira had mentioned,
18 you know, her ability to listen to others, her, her
19 depth of experience is unlike any Chair, including
20 myself when I took the job.

21 She has probably the most, uh, multimodal
experience, which is really important because I know
the Council had some questions about her serving on
the MTA board. That is a good thing. Remember, the

1
2 New York City DOT Commissioner was on the board for
3 many years.

4 The problem that we have around the country and
5 in New York City especially and around the world is
6 that there's disjointed governance of transportation.
7 It's an ecosystem. All the modes, public transit,
8 the Port Authority, they all should be working
9 together with TLC. TLC should have a seat at the
10 table.

11 So whether it's, uh, Midori or somebody else,
12 she's going to do a great job in my opinion. Very
13 excited, and I fully support her. And I'd be remiss
14 if I didn't mention my good friend Wayne Hawley, who
15 testified earlier. I've known Wayne for over 20 to
16 30 years. He was a hands-on person at the Conflicts
17 Board, who probably knows the law better than anybody
18 else and, uh, really was, uh, very helpful when I was
19 Commissioner at TLC, um, in, in keeping the staff
20 ethical and trained and, uh, I fully support his
21 nomination too, and I submitted written testimony.
Pat Gatling is there, uh, the former Human Rights
Commissioner who submitted it in person, which goes
into more detail about what ITR does, um, and, uh,
some more details about why I support her.

1
2 So thanks for the opportunity. Um, and, um, if
3 there's anything else needed from me, um, I could be
4 reached at mdoss@itr.global. Thank you very much for
5 your time.

6 CHAIRPERSON UNG: Thank you. Um, has anybody
7 else signed up for in-person testimony that has not
8 yet testified? Is anybody else online that signed
9 up for testimony that's not testified? Good.

10 Okay, well, seeing no other members of the public
11 signed up to speak, the public hearing on the
12 nomination of Mr. Wayne Hawley and Midori Valdavia
13 are now closed.

14 This concludes today's business. I would like to
15 thank the candidates, the members of the Committee,
16 the Committee Staff, the Sergeant-at-Arms, and the
17 members of the public for their participation in
18 today's meeting. The meeting of the Committee of
19 Rules, Privileges, Elections, Standards, and Ethics
20 is now adjourned. Thank you. [GABEL]
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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 7, 2026