

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON CONSUMER AFFAIRS

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November 26, 2012  
Start: 1:12 p.m.  
Recess: 1:17 p.m.

HELD AT: 250 Broadway  
Committee Room, 14th Floor

B E F O R E:  
DANIEL R. GARODNICK  
Chairperson

COUNCIL MEMBERS:  
Charles Barron  
Karen Koslowitz  
Julissa Ferreras  
G. Oliver Koppell  
Michael C. Nelson  
Leroy G. Comrie, Jr.

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2 CHAIRPERSON GARODNICK: Okay. Is  
3 that working now? Great, okay. All right, we are  
4 going to get started. Good afternoon everyone and  
5 welcome to the Consumer Affairs Committee of the  
6 New York City Council. Today is Monday, November  
7 26th. My name is Dan Garodnick and I have the  
8 privilege of chairing this committee. I am joined  
9 today by Council Members Charles Barron, Karen  
10 Koslowitz, Julissa Ferreras, and Oliver Koppell.

11 Last month, this committee held a  
12 hearing on a bill that aims to eliminate deceptive  
13 pedicab pricing to protect consumers from  
14 unexpected and outrageous fares at ride's end.  
15 It's not uncommon for passengers, frequently  
16 tourists, to hop into a pedicab, thinking that  
17 their ride will be a pleasant New York City  
18 experience at a cost of 30 to \$40, only to arrive  
19 at their destination 10 or 11 blocks later to  
20 learn that the ride, in fact, costs a shocking  
21 \$90, \$150, or, in one widely reported instance,  
22 \$440 plus.

23 This committee has heard testimony  
24 and considered a variety of options on how best to  
25 address this challenge. Most significantly, we

1  
2 are committed to taming midtown's wild west where  
3 most, if not all, pedicabs operate.

4 Today, pedicab drivers can do  
5 essentially what they want and that means that the  
6 unscrupulous among them include a host of fees and  
7 surcharges in order to jack up their fares and to  
8 extract as much money from unsuspecting tourists  
9 as possible. Per passenger minimums, mandatory  
10 gratuities, even taxes that are not required.  
11 Deception must not be a legitimate business  
12 practice in New York City and that is going to  
13 change with this committee's vote today and the  
14 Council's action tomorrow.

15 This new law will require that a  
16 timer be used in all pedicab rides to calculate  
17 the fares during every ride. Every pedicab will  
18 be equipped with a timer that is within clear view  
19 of passengers. The timer would be activated when  
20 all passengers are seated and the ride begins,  
21 would be stopped when the pedicab reaches its  
22 destination. Pedicab drivers would still be able  
23 to set the per minute rate, but no other charges  
24 would be permitted. No minimum charges per  
25 passenger, no half-day surcharges, those will be

1  
2 no longer. And the rate will be prominently  
3 posted on the side of the pedicab with no  
4 ambiguity and no confusion.

5           Additionally, much like at the  
6 airport, drivers would be required to provide a  
7 pedicab information card at the beginning of the  
8 ride. The information card would include the per  
9 minute rate that is being charged, that will be  
10 the same rate displayed on the pedicab's exterior,  
11 as well as the pedicab driver's name, license  
12 number, and pedicab business information, it will  
13 also encourage passengers to deliver their  
14 complaints, if there are any, to 311. At ride's  
15 end, the pedicab driver would record on the  
16 information card the total charge of the ride and  
17 that will become the passenger's receipt.

18           Requiring all pedicab drivers to  
19 use the same calculation method and to post rate  
20 information in the same format and in the same  
21 location simplifies what has otherwise become an  
22 opportunity for predatory and deceptive practices.  
23 This is an importation next step in regulating  
24 this emerging industry and I ask my fellow  
25 committee members to join me in support of Intro

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With that, I want to note that we have been joined by Council Member Mike Nelson, Council Member Leroy Comrie. And, unless there are any comments, I will ask the counsel to call the roll.

KEVIN FINN: Kevin Finn [phonetic], Committee Clerk, roll call on the Committee on Consumer Affairs, Intro 597-A. Council Member Garodnick.

CHAIRPERSON GARODNICK: I vote aye.

KEVIN FINN: Nelson.

COUNCIL MEMBER NELSON: Aye.

KEVIN FINN: Barron.

COUNCIL MEMBER BARRON: Aye.

KEVIN FINN: Comrie.

COUNCIL MEMBER COMRIE: Aye.

KEVIN FINN: Koppell.

COUNCIL MEMBER KOPPELL: Before I vote, I'd ask permission to explain my vote?

CHAIRPERSON GARODNICK: Go right ahead.

COUNCIL MEMBER KOPPELL: Mr. Chairman, I support this legislation and believe

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2 it has been much improved since its original  
3 consideration, and I think that the system that it  
4 enshrines into law is a logical one. However, as  
5 you know, because you participated in the meeting  
6 of the Transportation Committee this very morning,  
7 many of these regulations that the Council is now  
8 arrogating to itself are similar to regulations  
9 created for other forms of transportation, it's  
10 very similar to pedicabs, although using different  
11 vehicles that is regulated by the Taxi and  
12 Limousine Commission.

13           While I'm not happy necessarily  
14 with everything that that commission does, I think  
15 that this arrogating this to Consumer Commission  
16 doesn't make much sense. It's not their area of  
17 greatest expertise, that is really the Taxi and  
18 Limousine Commission's area of expertise. Hence,  
19 I'm in the process of working with your staff, Mr.  
20 Chairman, on a bill to transfer jurisdiction to  
21 the Taxi and Limousine Commission. I'm not asking  
22 for your view on this at this moment, but it will  
23 be introduced shortly and I hope the committee  
24 will consider it. With that, I withdraw my  
25 request and vote in the affirmative.

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KEVIN FINN: Ferreras.

COUNCIL MEMBER FERRERAS: I vote  
aye.

KEVIN FINN: Koslowitz.

COUNCIL MEMBER KOSLOWITZ: I vote  
aye.

KEVIN FINN: By a vote of seven in  
the affirmative, zero in the negative, no  
abstentions, the item has been adopted. Members  
please sign the committee report.

CHAIRPERSON GARODNICK: Thank you  
very much. And we will look forward to seeing you  
all at the Stated Meeting tomorrow. And with  
that, this committee is adjourned.

[Gavel]

C E R T I F I C A T E

I, Tammy Wittman, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature *Tammy Wittman*

Date December 10, 2012