

**Testimony of David Yassky, NYC Taxi & Limousine Commissioner/Chair**

**INTRO 234-A, In relation to the creation and composition of a Taxi and Limousine Commission Advisory Board**

**INTRO 449, In relation to the livery passenger bill of rights**

**INTRO 695-A, In relation to the prohibiting a taxicab from soliciting or accepting passengers with their off duty light engaged**

**INTRO 676-A, In relation to the number of hours certain owners of individual taxicab medallions are required to personally drive their vehicles**

**City Council Transportation Committee**

**March 1, 2012**

Good Morning, Chairman Vacca and members of the City Council Committee on Transportation, I am David Yassky, Chairman of the Taxi and Limousine Commission. Thank you for the opportunity to speak to you today regarding the four Introductions affecting the City's for-hire industries and the oversight committee hearing on the inspection process.

I would like to provide some basic background information about our inspection process and operations – one of our agency's points of pride. As you may know, the TLC operates a state-of-the-art inspection facility in Woodside, Queens. At this facility, we inspect vehicles from all of the industries we regulate.

We inspect yellow taxis three times each year. These inspections are required for taxi operation and each cab's inspection appointment is scheduled by our Safety and Emissions Division. Our staff provides a comprehensive inspection for each cab. The inspection is divided into two major parts - the DMV emissions test and a visual inspection. The emissions portion of the inspection uses on-board diagnostics and follows all NYS DMV requirements. The second part - the visual inspection - checks cabs for compliance with all TLC rules including required equipment, cleanliness, and in-vehicle technology. This past year, our staff inspected our 13,237 cabs 52,804 times. While many cabs failed their initial inspection when this requirement was first instituted, 72% of taxis passed inspection in 2011.

Additionally, our inspectors see all for-hire vehicles (liveries, black cars, and luxury limousines) once every two years, and when a new vehicle is put into service or a license is transferred to a different vehicle. Vehicles appearing for their regularly-scheduled inspection receive a DMV emissions test as well as a visual inspection, much like yellow taxis. Transfer and new vehicles only receive the visual inspection for compliance with TLC rules. This is necessary to ensure driver and passenger safety, high-quality customer service, and maintain fleet quality. After passing their inspection, decals are affixed to all vehicles indicating to the public that the vehicle they are using is licensed and safe. Our inspectors conducted 37,379 inspections for FHVs this past year. While we have seen improved pass rates for the yellow industry, only 63% of FHVs pass their initial inspection – a sign that requirements may not be met immediately and that vehicles should not begin service until they are certified by the agency.

The first proposed item of legislation, Intro 234-A, amends current local law requirements for advisory boards for the Commission, by collapsing the four currently required into one. The legislation also specifies how members are selected for the board and reserves seats for particular advocacy groups and particular segments of the for-hire industry.

The TLC takes public input seriously and actively engages with our regulated industries and the riding public. For example, we meet quarterly, (and often, more frequently), with all groups representing the taxi industry, the for-hire and commuter van industries, paratransit businesses and driver groups to discuss proposed rules, projects and policy. We also meet with other groups including environmental advocates and members of the disability community. In addition, at the Commission's public meetings, typically held once a month, TLC Commissioners discuss proposed policy changes and rules, and hear testimony regarding constituent and industry concerns about rules and other matters.

In sum, we think the Commission does, in fact, today benefit from an open and comprehensive public discussion of issues affecting regulated industries and the riding public and that a formal advisory panel is not as necessary as it might have once been in the absence of such direct and regular communication. We would like to work with the Council to further refine this proposed legislation.

The second proposed item of legislation, Intro 449, adds language to the Livery Passengers' Bill of Rights regarding equivalent service for passengers who use wheelchairs. Providing and expanding service to all New Yorkers is a top priority for the TLC, and we fully support adding this new language.

This is a good opportunity to update you on the TLC's newly designed accessible dispatch system, which will greatly increase our capacity to provide faster and more consistent service for passengers who need a wheelchair-accessible vehicle. Using GPS technology, the dispatcher will assign the closest available accessible taxi to the passenger – greatly decreasing wait times. Drivers who provide these trips will be compensated for their efforts from a fund raised by the yellow taxi medallion owners, so they will be incentivized to provide this service. At the same time, refusal to provide this service will be dealt with like any service refusal under our rules and we will have the tools to ensure that any drivers refusing this service will be fined appropriately and, if necessary, will have their license revoked. Also, with the addition of 2,000 new accessible yellow taxi medallions and 3,600 accessible Street Hail Livery licenses in the coming years, accessible vehicles will be more readily available throughout the City to provide meaningful access to passengers in need of service.

The Commission passed rules giving effect to this accessible dispatch system in December. We have executed a contract with Metro Taxi, a leading provider of accessible for-hire service in Connecticut, and the contract is currently being reviewed by the Comptrollers office. We expect this service will begin early spring, 2012.

The third proposed item of legislation, Intro 676-A, waives minimum driving requirements for some taxicab medallion owners. The Commission's "Owner Must Drive" rules are crucial to preserving the owner-driver segment in the taxi industry. We are strongly committed to preserving the increased passenger and driver safety, improved customer service, and driver career path that this segment of the industry ensures. Studies have shown that owner-operators have far fewer accidents, receive fewer summonses, and pass TLC vehicle inspection at higher rates. This bill would greatly change the set of "Owner Must Drive" rules established by the Commission in 1990 and would undo the Commission's actions this past year fundamentally eroding our commitment to the owner-driver segment.

Just this past summer, after conferring extensively with representatives of the medallion taxi industry; the "Owner Must Drive" requirements were amended by the Commission to ease the burden on owner-drivers. For example, shift requirements for all owners were decreased from 210 nine-hour shifts annually to 180 nine-hour shifts, and owners over the age of 62, who have owned and operated a medallion for at least ten years, are only required to drive 150 seven-hour shifts each year. The new rules also allow up to four drivers to meet the annual requirement, provided that each owns at least a ten percent interest in the medallion. Owners may also stop driving completely, provided that the owner pays the TLC and the medallion is operated by a long-term driver who owns a share of the medallion. Finally, the new rules only require inheriting spouses to meet the same service requirements as their deceased spouse. If the driver was not required to drive their vehicle, then the spouse is not required to operate the taxicab.

The "Owner Must Drive" requirement is an effective way for drivers who are dedicated to the taxi industry to eventually retire after years of driving while retaining their medallion. By creating additional exemptions to this rule, this bill risks taking away the very purpose for which it was created – to give hardworking, dedicated people the opportunity to go from being an employee to becoming an owner. The language in the proposed bill is so broad that the exemptions would in effect allow ANY inheriting

spouses and any military veteran to be exempt from the operation requirement. We believe this would mean that many independent medallions will just be leased through agents, even many of those operated by their owners today, and drivers who would like to upgrade into medallion ownership will find their opportunities to do so to be considerably diminished. More exemptions will bring more loopholes and would contradict the intent of these important rules. The "Owner Must Drive" rules, as recently amended, strike the right balance between ensuring high quality service provided by long-term drivers and ensuring that medallion owners are able to retire and reap the rewards of their investment. As such, we oppose this proposed legislation.

The last proposed item of legislation, Intro 695-A, will prohibit a taxicab from soliciting or accepting passengers with their off-duty light engaged except for one passenger along driver's route. I applaud the bill's sponsors for addressing reported abuse of the off-duty light by some taxi drivers. We have heard complaints from the riding public about off-duty light abuse and about the general confusion created by the current medallion light and off-duty light configuration. After soliciting feedback from the industry and passengers, we are firmly of that view that the current roof light is confusing and does not clearly convey the messages it is intended to. As a result, the TLC is drafting new rules to eliminate the off-duty light altogether, which would obviate the need for this legislation. We expect these rules to be heard and voted on this May at our Commission hearing.

This concludes my testimony regarding the our inspection process and the Introductions being considered today. I would like to thank you for the opportunity to testify today about these proposed items of legislation. At this time, I would be happy to answer any questions you may have.



**City Council Transportation Committee  
March 1, 2012**

**FOR THE RECORD**

Good morning Mr. Chairman and members of the Committee.  
I am Cira Angeles, General Secretary of the Livery Base Owners, Inc.

We are the largest Livery Base Association representing over 125 bases and 9,732 individual drivers.

We would like to thank the Committee for allowing us to submit testimony today on Intro 234-A.

**Intro 234-A**

We are very appreciative that this Intro is before the Committee and hopefully the City Council.

Prior to Commissioner Yassky's tenure there existed several TLC advisory boards that rarely met, the last one was on May 19, 2006. We have been seeking to have some type of Advisory Board established.

In the past, membership on the Advisory Board was a very difficult process and members were required to be vetted by the Department of Investigation (DOI).

We were pleased that having spoken to Chairman's Vacca office that the proposed procedures could follow similar requirements used for membership on Community Boards. We hope that this Intro will include such procedures. This will greatly empower the Advisory Board and allow qualified industry members to participate, who otherwise would not want to go through the process.

A past example of a very difficult process was in 2008, there were 32 pages of Base Accountability Rules which were so complicated the TLC held large industry meetings which resulted in harsh language and total animosity. The results were that the TLC had to redraft many aspects of the Rules as the business models and segments of the industry were not included in the discussions. It was obvious that how the different business models operated was not considered. Our industry is not seeking to avoid meaningful regulations. We only want fair rules and a level playing field so that when Rules are enacted that they are equally followed and enforced.



**City Council Transportation Committee**

**March 1, 2012 – Intro. 234A**

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We want to work not only with the TLC but the City Council from the beginning so that the For Hire Vehicle (FHV) industry can be in the forefront of making our industry better for all our customers – The Riding Public.

We do hope that the terminology be corrected so it is in proper alignment with the TLC categories. All too often the terms for the various segments of the industry are confusing and grossly misunderstood.

The Livery Advisory Board should in some manner indicate that it is the Community Car/Livery segment as licensed by the TLC. The word “Livery” is continually misunderstood.

- The NYS Street Hail Legislation & the new TLC Street Hail Livery regulations will impact an entire industry and there will be a new category of very interested players. This new Street Hail Law will result in new business models and these will need to be added as members of the Advisory Committee. Here are some of the anticipated operations which will be impacted:

1. Street Hail Livery Drivers – these will have unique concerns which combine the concept of a Yellow Taxi Driver and a pre-arranged dispatched driver
2. Community Car Bases that will be doing business ONLY as a street hail base
3. Community Car Bases that will be doing both Street Hail and Pre-Arranged trips
4. Community Car Bases that will only do pre-arranged service

Our major concern is the selection of a representative to serve on the Advisory Board. We recognize that there are many trade associations involved with representing different segments of the industry. We suggest several things to be considered in the selection process:

1. Only 1 representative from each association
2. No representative should hold dual positions or ownership of different categories (Community Car – Black Car – Luxury) within the industry as this is a conflict
3. No member should be an elected or appointed to a NYC or NYS position, office, or be a member of any commission or function which is involved or has a responsibility, interest or reporting responsibilities in TLC decisions

We fully support Intro 234-A. We would like to work with the Committee in making any changes that are appropriate and I am available to answer your questions.

**LRT**

Livery Roundtable  
43-23 35<sup>th</sup> Street  
Long Island City, NY 11101

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## Public Testimony

Submitted to the

**Committee on Transportation**

March 1, 2012

### Regarding Intro

**In Favor:**

- **Proposed int. No. 234-A - In relation to the Taxi and Limousine Commission advisory board.**
- **Proposed int. No. 695-A - In relation to prohibiting a taxicab from soliciting or accepting passengers with their off duty light engaged.**

**Opposed:**

- **Int. No. 449 - In relation to the TLC's Passenger Bill of Rights**
- **T2012-4344 – Oversight hearing, TLC Inspections**





Livery Roundtable  
43-23 35<sup>th</sup> Street  
Long Island City, NY 11101

Good afternoon, my name is \_\_\_\_\_, and I am the \_\_\_\_\_ of the Livery Roundtable.

The Livery Roundtable is a coordinating council of 5 Livery industry associations, we represent over 14,000 livery drivers, 240 base operators, and over 5,000 dispatchers and telephone operators. On behalf of all our members, we would like to thank you for providing us a public platform to communicate our thoughts and concerns at this hearing today.

We begin by acknowledging our support for Intro 234-A: The Local Law to amend the New York City charter, in relation to the Taxi and Limousine Commission (TLC) advisory board; and we support Intro 695-A: the Local Law Prohibiting a taxicab from soliciting or accepting passengers with their off duty light engaged .

We firmly believe 234-A will foster a dialog between the For Hire Vehicle industry, the TLC, and other City agencies as we believe it will materialize policies that are transparent and will allow for innovative ideas to be exchanged with experts of the industry (base and fleet owners).

We also support Intro 695-A that purports drivers not solicit passengers while having their off duty light engaged as drivers would be "picking-and-choosing" the ride they are soliciting. In effect, following more of a pre-arranged, for hire vehicle model and not the street hailed trips a yellow taxi is supposed to function under.

#### Opposition

However, we cannot support and in fact strongly oppose Int. 449 that would allow for the amendment of the Livery Passenger Bill of Rights to include an additional clause for passengers to request wheelchair accessible services on equal availability, equal service, and equal rate.

While we in the For Hire Vehicle Industry believe that passengers using wheelchairs do deserve prompt and proper transportation services, it must also be a realistic business model and as it stands in this day and age, it simply is not.

For any entity to be able to offer "Equal Availability" the entire livery fleet would have to be wheelchair accessible. Having a single unavailable wheelchair accessible places the entire entity in violation. For a vehicle to meet wheelchair accessibility standards the vehicle make and model must at least be large enough to transport, making the minimum size requirements that of a mini-van. Our customers and 99.2% of the riding public should still have the right to reserve a sedan.

Many people use the term "Equal Service" but no one stops to ask what does that mean? If a company offers a Lincoln Town Car that can accommodate 3 people as part of its service, how can any entity offer equal service to 3 wheelchair users in a town car or even in a minivan for that matter. To offer equal service in such case, with no such vehicle available, a base will have to use 3 minivans and bare the additional cost with no fault of the base. Similarly, many of our members offer minivans for 5 people as part of their service, how can any entity offer the same service to 5 wheelchair users when no such vehicle even exists? And of course, the paradox become even bigger with some of our members that offer services like SUV for 7 people or stretch limousine for 12

people. We do not believe the proposers of this law intended for bases to go out of business and ask them to consider these facts.

"Equal Price" is a goal that should be sought after but it should only be in case of ONE passenger. Once you move from 1 passenger to 2 or more, with no appropriate vehicle in existence, asking the for-hire industry to charge the same rate as it would of a party of 3 or 5 passengers, when the only choice the base has is to lay out the money for all the additional needed vehicles and provide the service at a great lose, it is simply the wrong thing to do.

We must clearly state, that we do believe the for-hire industry should take part in the collective responsibility of providing proper transportation service to people with wheelchair and the Livery Roundtable is working closely with the City in finding such a solution, but we strongly believe that denying the remaining 99.2% of the riding public of our sedans, minivans, SUV's, and Stretch Limousine services just because there are currently no vehicles or economic justification to provide our services on an equal availability, equal service, or equal fare, cannot be what the proposed legislation had in mind but it will be its outcome if passed.

With regard to the Oversight Hearing on TLC Woodside Inspections, we seek the following:

- Accountability:

The TLC must adhere to providing timely inspection appointments that allow for drivers to quickly get their vehicles inspected and move on to receive their earnings. As it stands today, the TLC does not have clear guidelines in the amount of time it takes to provide a driver his inspection appointment. Drivers can literally go weeks without pay waiting for the TLC to schedule an inspection appointment at the Woodside facility. If the TLC is experiencing a backlog in scheduling inspection appointments, or if they are understaffed then we recommend that the TLC amend its rule and allow drivers to receive their inspections at one of the many DMV certified Inspection facilities located around the City.

- Specificity:

While the majority of the For Hire Vehicle industry affiliates its drivers as independent operators, Staten Island works under a different business model. The 19 bases located on the island purchase their vehicles and rent the vehicles to the drivers that are the bases employees. This creates a different set of payment responsibilities for the Staten Island bases for the following reasons in addition to the issues already expressed before:

- > Mileage: It takes approximately 64 miles for Staten Island vehicles to reach the Woodside facility (roundtrip). If the driver fails inspection or receives a notice of violation he must correct the issue of failure and re-visit the Woodside facility, placing an additional 64 miles on the vehicle.
- > Travel time: Drivers spend an exorbitant amount of time getting vehicles inspected. On average the commute from Staten Island to Woodside can range from 2.5 – 3 hrs. to simply reach the WS location. This amount of time does not include the number of hours drivers spent waiting, once at the Woodside facility, to have their vehicles inspected.

Under this current business model, bases loose profits by the day as drivers are paid for the day of profits by the day as a service in taking the vehicles to WS, but the drivers are not collecting fares, therefore the base

# LRT

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looses a day's pay for each driver at the inspection facility. The current set up is costly and should be reconsidered to utilize the Staten Island TLC facility for Staten Island bases.

I'd like to thank you all for allowing us the opportunity to share our insight with you.

Sincerely,

drivers are paid for the day of inspection. If a driver is not inspected for the day of inspection, they are not paid for that day. This is a significant cost for the company. We are looking for ways to reduce this cost. One option is to use the Staten Island TLC facility for Staten Island bases. This would allow us to inspect drivers at a lower cost. Another option is to have a dedicated inspection facility for Staten Island bases. This would also allow us to inspect drivers at a lower cost. We are looking for ways to reduce this cost.

**TESTIMONY**  
**OF THE**  
**COALITION OF TRANSPORTATION ASSOCIATIONS (COTA)**  
**ON THE**  
***NEW YORK CITY COUNCIL'S PROPOSAL TO AMEND THE***  
***ADMINISTRATIVE CODE IN RELATION TO THE TLC'S ADVISORY BOARD***

***March 1, 2012***

Good afternoon. My name is Jasmine Le Veaux, and I am affiliated with the law firm of Windels Marx Lane & Mittendorf and its Transportation Practice Group. I am appearing on behalf of the Coalition of Transportation Associations (also known as COTA), and its Chairman Matthew Daus, who is unable to attend today.

COTA is a coalition of all of the limousine and black car trade associations in the New York Metropolitan Area, and includes:

- ❖ The Luxury Base Operator's Association (LBOA);
- ❖ The Black Car Assistance Corporation (BCAC);
- ❖ The Limousine Association of New York (LANY);
- ❖ The Long Island Limousine Association (LILA); and
- ❖ The Limousine Association of New Jersey (LANJ).

Our law firm is also General Counsel to COTA, LBOA and LANJ.

The mission of COTA is to work together to support the economic integrity and sustainability of the for-hire ground transportation industry, and to promote safety, the highest quality customer service and to support and promote reasonable and sound government regulation to further those purposes.

The members of COTA have reviewed Proposal No. 234-A and while we generally support the efforts of the City Council in increasing industry input and access at the New York City Taxi and Limousine Commission (TLC), we believe the current draft bill will not lead to a productive or effective board or stakeholder input structure.

The TLC for many years has had separate advisory boards that are tailored for each different regulated industry: livery, black car/limousine, taxicab, commuter vans, etc... Former TLC Chairman Matthew Daus relied heavily upon those boards in making decisions, and also created the first-ever Office of Constituent Affairs at the agency to

deal with all stakeholders on a daily basis to supplement board input. It is my understanding that some or all of the boards may have become dormant but that the constituent affairs functions and roles remain in place.

First, we believe that combining all of the regulated industries into one board would not be pragmatic as the issues affecting them are diverse and in some instances entirely irrelevant. Instead, we recommend the reinstatement and codification in law of the former Black Car and Limousine Advisory Board. Representatives should reflect the various business forms and modes of operation in the industry, including bases that operate both independent contractor and employee models, black car cooperatives, black car franchises, luxury limousine base groups, drivers, and inter-municipal representation of the various government entities and industry groups of the metropolitan area (including New Jersey, Connecticut, Westchester and Long Island) that conduct significant business in New York City. To make the boards productive, we recommend mandating a certain number of meetings per year, and including government officials whose roles have a significant impact on our industry, including representation from the NYC Department of Transportation, NYC Police Department, and that a few members of the TLC Board of Commissioners become more involved and serve in an official capacity on the advisory board to supplement the Chair's work.

Second, if the Council were to pass the proposed law in its current form, the representation is lopsided, with many more members of other industries and only one representative each from the black car and limousine industry. There are many nuances and operational differences within each industry that would force the Council to choose one form over another and not provide adequate representation. For example, in the black car industry alone, there are two separate and distinct types of bases – (1) “cooperatives” where the drivers own shares and are elected to administer and run the operations of their company; and (2) “franchises”, where the drivers are franchisees who own “radio rights” to accept dispatch calls. Their interests and issues may sometimes differ, and to properly represent these industry segments, more appointments need to be made for the black car and limousine industry.

Third, while an advisory board composed of representatives from several segments would be helpful, it should not replace meetings with various individual associations like those represented in the COTA organization. There is rarely a “one size fits all” solution to the issues that affect the industries that serve the riding public. As such, the black car and limousine segment is woefully underrepresented in the current proposal. While the TLC has been gracious and TLC Chairman Yassky has recently offered to hold quarterly meetings with COTA, we are happy to have a seat at the table and input. However, if the Council is going to formalize such processes for years to come by passing legislations, we would support that effort if it is productive, tangible and truly representative of the diverse interests of our industry.

Thank you for the opportunity to testify, and I would be happy to answer any questions you may have.



# NYC Fleet Livery Owners Association Inc.

## Oversight Hearing Testimony– Taxi & Limousine Vehicle Inspections

### The New York City Council Committee on Transportation

It is with great respect that I address the City Council today, not only as a base owner & vehicle owner, but I also speak on behalf of Base-owned fleets throughout New York City. My name is Arthur Grover and I am the proud owner of Mid Island Car Service, a For-Hire Vehicle (FHV) base located in Staten Island, NY, and President of the NYC Fleet Livery Owners Association, Inc., a 501(c) (6) organization that represents Fleet Owners throughout the City. Since September 1, 2009 all new Livery vehicles have been required to be inspected in Woodside before they are issued their Diamonds and allowed to be utilized by the base. As a base owner for nearly 31 years I have experienced changes in regulations and policies that have made it very difficult, and often financially harrowing, to operate. The issues that I would like to discuss regarding the TLC Inspections fall into 2 categories: the timeliness in which a vehicle owner receives an appointment and the financial hardship that base owners in Staten Island and South Brooklyn experience each time that a vehicle is brought to the Woodside Inspection Facility.

It is important that I stress how my base, and those I represent, differ from many other FHV bases throughout New York City. Our type of base is often referred to in the industry as "Fleets." I not only own the base, but I also own all of the vehicles affiliated with my base, too. Unlike many base owners who own not one vehicle, my financial burden is difficult to shoulder. I am responsible for the cost of Insurance on all of the vehicle, the upkeep and maintenance of all vehicles, all TLC fees, vehicle registrations, and inspection fees, and the Workers Compensation Insurance, which often times costs close to \$1500.00 per vehicle! Those base owners who do not own any vehicles need not worry about these things; they are the vehicle owners' responsibility. One major similarity between the various types of FHV bases is that the base owner must apply for a DMV appointment. In most cases, the appointment is not scheduled for upwards of 3 weeks after the application is submitted! Presently, I am still waiting for a notification of an inspection date from an application I submitted on Thursday, February 23, 2012. By the time I receive this notice, the inspection may not be for nearly a week later. This is extremely detrimental to the Fleets. The vehicle has already been inspected by a New York State Inspection Facility in order for it to be registered and a premium payment has been made on the insurance. However, the vehicle cannot be used until it is inspected again at the TLC's Woodside Inspection Facility.

Oversight Hearing Testimony March 1, 2012

Base owners in Staten Island and South Brooklyn also face an issue that differs from the rest of the City. Many of us are required to travel upwards of 45 to 68 miles, round trip per inspection. For example, my vehicles must travel 64 miles, round trip, which can take close to 3 hours, on average. Staten Island bases must pay toll charges in order to return back to Staten Island each and every time we travel to Woodside. Once the vehicle arrives at the Woodside Facility, the whole inspection process can take up to 4 hours. This inspection time, coupled with the travel time, often results in the base paying the transporter a full-days' pay. If a vehicle fails, then it is brought back to Staten Island, repaired, and brought back to the Woodside Inspection Facility to be re-inspected. At this point, we have travel 128 miles in order for the car to be considered "road worthy". Again, this results in an additional days pay, toll charges, and paying the ever escalating fuel costs. Often, even if the vehicle passes inspection, it may be given a "10-Day Notice to Correct." In this case, the vehicle passes, but there may be a couple of items that need to be corrected. The vehicle can be used, however, it must return within 10 days of the initial inspection to prove that the items have been rectified or the Diamond received will be revoked. Unfortunately, Based-owned fleets, not just in Staten Island and South Brooklyn, have had multiple cars scheduled for inspections on the same day. Logistically, it is difficult to coordinate this. The base takes a huge financial hit due to loss of work that the vehicles would cover if they were on the road, payroll to have the vehicles taken for inspection, gas, and tolls (in some cases). This differs from the Independent Drivers who own their own vehicles. *This further contributes to the financial hardships already experienced by struggling Bases.*

Hello,

My name is Jeff Rose. I am the owner of Attitude New York and I am here to represent the Limousine Association of New York. We work on behalf of the hundreds of companies and the thousands of employees who make their living providing premium chauffeured transportation. While the word "Limousine" may conjure images of wild partying in oversize stretch limousines, that is really a VERY small part of what we do. Stretch Limousines actually constitute less than 10% of the vehicles in this segment of the For Hire Vehicle category. We are mostly small business entrepreneurs struggling to make a living in difficult economic times. And while our image may be dominated by the passenger in the back seat, our real value to New York is in the tens of thousands of jobs we provide and support, as well as contributing to the vast network of the city's transportation options. Chauffeurs, dispatchers, office staff, mechanics, and car washers are just some of the New Yorkers who depend on Luxury Limousine services to earn a living.

While I am happy to answer any questions you have about our industry, I am here primarily to address the issue of Advisory Boards. As an industry, we are eager to offer our expertise in contributing to the health and well being of this economic engine. We seek to foster a greater understanding between regulators and the legislators who rely on their input as to how these businesses operate and serve their clients and customers.

While clearly well intentioned, these bodies can sometimes devise, impose and execute regulations that despite the goal of serving the riding public can hamper economic development



and diminish customer service. Additionally, we see no advantage to maintaining an adversary relationship between regulators and these enterprises. As an industry, we welcome healthy, sensible regulation and free market competition.

While we **strongly** support reestablishing industry advisory boards, we believe that lumping together all segments of the industry into one group will not best serve these goals. In delineating the various categories and sub groups, the TLC tacitly acknowledges that there is a wide range of operating models and consumer demands. We feel that diversity of representation is ideal. As well, there is another goal that we seek. We would like to see a true partnership between regulators and the companies that service the transportation market. The relationship should not merely be a tug of war between more regulation and less. We strive for a climate that allows companies the flexibility to innovate, coming up with better ways to serve the riding public, maintain public safety and contribute to economic growth.

We urge the powers that be to see that these boards do not become merely a perfunctory gesture to the various stakeholders, but rather, that our input and expertise be utilized in a truly productive partnership.

Thank you for this opportunity to speak on behalf of the hardworking women and men of our industry.

Jeff Rose

Limousine Association of New York



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March 1, 2012

Good morning Council Members. Thank you for this opportunity to speak. My name is Vincent Sapone, Managing Director of the League of Mutual Taxi Owners. I would like to comment on Proposed Intro 676-A and 695-A.

Regarding Intro 676-A:

I thank the City Council and hope this Intro passes. Driving a taxi is a tough job. Allowing a medallion taxi owner, at age 62, to drive minimal hours or retire and keep his investment for his retirement after years of hard work in commendable.

There is a lot of conflict in the world. Not penalizing a medallion taxi owner who is serving in the military and protecting our way of life is the right thing to do.

The widow of a medallion taxi owner inherits a medallion. The widow should have the choice of selling or leasing that medallion after all the hard work and sacrifice that went into getting that medallion.

Regarding Intro 695-A:

I am in complete agreement that no taxi driver should solicit passengers with the 'off-duty' light on unless they are going home or returning to their garage. I do not agree that the medallion taxi owner should be fined if the driver commits this violation 2 or more times. A medallion owner is not in the taxi with the driver and therefore cannot control their actions. The medallion owner should have the driver sign a paper that explains the 'off-duty' rule and keep it with their records. As long as the medallion owner can prove he has explained the rule to the driver he should not be held liable.

Thank you.



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**Testimony of Peter Mazer of the Metropolitan Taxicab Board of Trade  
New York City Council Transportation Committee Hearing  
March 1, 2012**

Good afternoon Mr. Chair and Members of the Transportation Committee. I am Peter Mazer, General Counsel to the Metropolitan Taxicab Board of Trade, a nearly 60-year old trade organization which is comprised of 33 yellow medallion taxi fleets that operate more than 3,500 yellow medallion taxicabs throughout New York City—more than 25% of the taxi industry. MTBOT fleets lease taxis to more than 14,000 drivers and directly employs several hundred mechanics, dispatchers, managers and other personnel that ensure that taxi service is provided to the riding public 24 hours a day, 7 days a week and 365 days a year. Today, I will be speaking to three of the bills on the committee's agenda— Intro 676-A, Intro 234-A, and Intro 695-A.

Firstly, MTBOT fully supports the three owner must drive exemptions provided in Intro 676-A. The Owner Must Drive rules, originally enacted by the TLC in 1990, helped ensure that taxicab service remained safe and reliable by recognizing the important rule than individual, independent owner-operators play in the taxicab industry. More than twenty years after the rule was enacted, the TLC made some needed adjustments to the rules last year to reflect the realities of the taxicab industry of today, and to avoid some hardships faced by owner-operators. MTBOT supported these changes, standing beside those members of the industry, such as spouses of medallion owners, who would face unreasonable hardships if they were forced to sell their medallions. The TLC made significant changes to the long-standing rule. This legislation would codify and clarify some of these changes, as well as provide additional protections for medallion owners who are serving their country in the military or who are approaching a normal retirement age. We are pleased to support this bill which will strengthen the owner-driver taxicab industry by enabling all inheriting spouses, persons currently serving in the military, and those over the age of 62 to make their own decisions to plan for their future needs.

Intro 234-A, seeks to establish a new Taxi and Limousine Commission Advisory Board, eliminating existing boards and replacing them with one board to consolidate the myriad of viewpoints in the taxicab, for hire and related regulated industries. The goal, to provide public and industry input before the Commission, is laudable. However, the TLC has had advisory

boards in the past; sometimes they met regularly and provided valuable input. At other times, such as now, they are virtually nonexistent. Any opportunity for members of the public to provide feedback to a regulator is good. However, for an advisory board to be successful, it must be representative and participatory. To that end, we suggest that the Speaker of the Council and the Mayor appoint an equal number of representatives from among candidates recommended by the affected constituencies. We also recommend that the Council be given regular reports regarding the effectiveness of the advisory board, and that a mechanism be established to ensure that the board have a full contingent of representatives and meet regularly.

With respect to Intro 695-A, relating to new penalties for the misuse of off-duty lights, we are opposed because this bill is punitive against drivers because the conduct described herein is already prohibited. We feel the fine currently in place for this infraction is appropriate and bona fide refusals can currently be prosecuted and properly punished even if a driver does so under the guise of being off-duty.

I would like to thank the Committee and Chairman Vacca for having this hearing today and for allowing me to present testimony on behalf of MTBOT, and I will be happy to answer any questions you may have.

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City Council Transportation hearing

Intro 695 which is the Livery taxi bill of rights will allow the off\_duty light of a Cab to be gotten rid of making it easier for a perspective passenger to pick it up:

Intro 243 and 243 A, the taxi charter would allow certain things to become Accessible which are currently inaccessible right now such as the improved accessibility Of the inside seats of a livery cab:

Thanks for allowing me to testify today:

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 3/1/12

Name: Gary Weiss (PLEASE PRINT)

Address: 3202 Queens Blvd, LIC, NY 11011

I represent: TLC

Address: Same address

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 3/1/12

Name: MARTIN Grindley (PLEASE PRINT)

Address: 2524 MORGAN AVE BRONX NY 10468

I represent: TLC

Address: 2455 BQE West, Woodside, 11377

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: Mar 1st

Name: MATTHEW TRIN (PLEASE PRINT)

Address: My first time

I represent: TLC

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 234-A Res. No. \_\_\_\_\_

in favor  in opposition

Date: 3-1-12

Name: JEFF ROSE (PLEASE PRINT)

Address: 526 West 53 NY NY 10019

I represent: Limousine Association of New York

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: Mar 1, 2012

Name: PETER M. MAZER (PLEASE PRINT)

Address: 24-16 QUEENS PLAZA SOUTH - ROOM 503  
LIC. NY 1101

I represent: METROPOLITAN TAXICAB BOARD OF TRADE

Address: same

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. Inspector Res. No. \_\_\_\_\_

in favor  in opposition

Date: 3/1/12

Name: Jose Altamirano (PLEASE PRINT)

Address: \_\_\_\_\_

I represent: Livery Base Drivers

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)  
Name: DAVID YASSKY, CHAIRMAN

Address: \_\_\_\_\_

I represent: TLC

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)  
Name: ETHAN GERBER

Address: GREATER N.Y. TAXI ASSOCIATION

I represent: \_\_\_\_\_

Address: 26 COURT ST BKLN

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: March 1, 2012

(PLEASE PRINT)  
Name: Arthur Groen

Address: 566 Industrial Loop SI NY 10309

I represent: NYC Free Livery Owners Assoc. Inc.

Address: P.O. Box 090633 SI NY 10309

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: March 1, 2012

(PLEASE PRINT)

Name: James Grosso Jr.

Address: 45 Chelsea St. SI NY 10307

I represent: NYC Fleet Livery Owners Assoc.

Address: P.O. BOX 090633 SI, NY 10309

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Livery Roundtable - Avik KABESSA

Address: 43-23 35th St

I represent: Livery Roundtable

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Bhairavi Desai

Address: \_\_\_\_\_

I represent: New York Taxi Workers Alliance

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

Name: Victor Sabazar (PLEASE PRINT)

Address: \_\_\_\_\_

I represent: NY Taxi Workers Alliance

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

Name: Mohan Singh (PLEASE PRINT)

Address: \_\_\_\_\_

I represent: NY Taxi Workers Alliance

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

Name: Bill Hindover (PLEASE PRINT)

Address: NY Taxi Workers Alliance

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 234-A Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: 3/1/2012

(PLEASE PRINT)

Name: Jasmine Le Veaux

Address: Wendels Marx 156 W. 56<sup>th</sup> St NY, NY

I represent: Council of Transportation Associations

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 234-A Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: 3-1-2012

(PLEASE PRINT)

Name: David Pollack

Address: 23-10 Jackson Ave, LIC, NY 1101

I represent: Executive Director of

Address: Committee for Taxi Safety

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Reverend Jeffrey Lundell

Address: 1000 Connecticut Ave Washington DC 20036

I represent: The InDeo-Christian Community

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: VINCENT SAPONE

Address: 50-24 QUEENS BLVD

I represent: LOMTO

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 676 Res. No. \_\_\_\_\_

in favor  in opposition

Date: MAR 1 2012

(PLEASE PRINT)

Name: ALEX

Address: 210 E 181 BK 10 AS 7

I represent: MYSELF

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms