

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON TRANSPORTATION

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

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Medallion Owner

Victor Salazar [sp?]
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Yellow cab owner/driver

Mohammad Tipu Sultan [sp?]
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Laurel Brown
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Peter Maze [sp?]
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[gavel]

CHAIRPERSON RODRIGUEZ: Good morning everyone. And welcome to today's hearing of the New York City Council Transportation Committee. I'm Ydanis Rodriguez Chair of the Committee and I am joined by my colleague Council Member Richards, Constantinides, and Van Bramer. Today's hearing focus on the unprecedented growth of the for-hire vehicles industry over the past several years and how this... is impacting our streets, our environments, and related industries. Since 2010 there have been 23,000 new FHV cars added to the streets of New York City. This includes a nearly tripling of the number of black cars from the 10,000 to 28,000 in just the past 18 months. According... according to a rooter attiols [phonetic] in 2012... the largest amount of time on the road that yellow and for-hire vehicle is spend on the road a increase of 2,000 vehicle is equivalent to 80,000 individual passengers vehicle. That means that the 23,000 increase is actually as if 920,000 New Yorkers over the 11 percent of our population bought another car. This increase is something that we must evaluate and study in order to allow our

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2 city to best respond. The bills we will hear today
3 will do just that, fully assessing the
4 socioeconomic and environmental impact of this
5 grove to give our city's leaders a greater
6 perspective on industry trains and their
7 consequences before even more cars are added to our
8 roads. The first bill, Intro A47 introduced by
9 myself will require the TLC and other related
10 agencies such as DOT and Department of
11 Environmental Protection to examine the impact of
12 the grove of the FHV industry as... related to
13 traffic, air quality, noise, and public health. The
14 study will be due to the end of August 2016. Since
15 the committee's first ever hearing on apps
16 technology we have dedicated ourselves to ensuring
17 that every player in every sector undergoes the
18 same level of scrutiny and regulation. Our city
19 must regulate based on a uniformity of
20 accountability measures. Currently before the city
21 issues new taxi medallion they begin environmental
22 study to evaluate and determine the lay of the land
23 before new medallions are released. This study
24 introduce in Intro A47 will apply the same already
25 assisting standard for the higher sector allowing

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2 our city to operate from a place of knowledge. The
3 second bill, Intro A42 introduced by my colleague
4 Council Member Levine and myself would place a
5 temporary reasonable growth cap on the ensuring...
6 insurance of New FHV licenses by TLC. This again, I
7 repeat temporary cop will return the sector to base
8 of historic growth allowing the city to evaluate
9 the current market as accurately as possible.
10 Because of that historically high rate of growth in
11 the... market without slowing the rate of growth, the
12 results of this study will be useless if this
13 growth cap were not installed. The temporary cap
14 will be lifted following the completion of a study
15 by the TLC and other related agencies in the con...
16 in the consideration of their policy recommendation
17 or... or by August 2016 whichever comes first. It
18 should come to no surprise to anyone here that the
19 growth of the FHV sector coincides directly with
20 the entry of... FHV companies to this transportation
21 market. They are now over 75 companies licensed by...
22 with the TLC to provide services through mobile
23 applications. Yet a troubling aspect of this growth
24 is that 72 percent of the two largest companies
25 pick-ups occur in the central business districts

1 meaning the overall majority of the growing number
2 of cars on city street are driving in the already
3 congested area of lowers Manhattan. The taxi and
4 limousine Commission have pointed to a slower
5 traffic pattern across Manhattan as a growing
6 concern both for the licensed drivers who is stand
7 to earn less with slower travel times and from the
8 environmental of our city. ...from the additional
9 cars continue to meet harmful fumes into the air
10 and the concerns are highly... rightly funded.
11 Environmental protection agency national skill..
12 talks assessment study... resident or New York
13 County, New York Manhattan, had the third highest
14 cancer risk cause by airborne chemicals of all
15 countries in the united states. This is no small
16 part due to the high rate of congestion our
17 roadways see. Additionally as we seek to achieve
18 greater... in the regulatory... governing this industry
19 these bills will move the system for adding new FHB
20 car closer to what is in place anytime new taxis
21 are added to the road. ...early... the TSU already
22 regularly study the impact of adding new medallions
23 even though only 22 hundred have been added since
24 1947. These studies dawn in... in compliance with the
25

2 stage environmental review laws examining
3 environmental impact social and economic
4 consideration as well as parking in safety, in
5 safety in nearby communities. Impact on traffic
6 congestion often take a permanent role in this
7 report. With a 2013 environmental impact statement
8 sighting the addition of two... 2,000 new medallion
9 as potentially having significant adverse traffic
10 impacts particularly during rush hours. As we have
11 seen 14 time this number of cars added to the road
12 in the past 18 months alone there's serious concern
13 about the impact and a study is clearly won...
14 wanted. We hope to hear from the administration
15 industry leaders and advocate about how this law
16 will impact different aspects of the for-hire and
17 taxi industries as well as related industries such
18 as insurance, financiers, car dealers, and more.
19 Additionally... additionally we would like to hear
20 about concern that may arise if this bill are
21 passed as a means of base assess in this industry
22 and its need. Balance... with those of New York
23 residents and consumers. During my time as a chair
24 of the Transportation Committee we have here a
25 length about the impact of car on our street

1 particularly when it comes to safety. Under Vision
2 Zero safety is a center piece of our city's
3 approach to our roadways. Those... interest in
4 hearing about street safety if a street safety is
5 impact by this influx. Before we begin I would like
6 to thank my committee staff, Council Kelly Taylor,
7 Policy Analyst... Gafar Zaaloff and Russell Murphy as
8 well as my Chief of Staff Carmen de La Rosa and my
9 communication legislative director Lucas Acosta.
10 And I'd also like to recognize Council Member
11 Levine, Greenfield, Vacca, and Garodnick. Now let's
12 hear from my colleague Council Member Levin as he
13 will read his opening statement too.

14
15 COUNCIL MEMBER LEVIN: Thank you very
16 much Mr. Chairman. I don't have a prepared opening
17 statement but I wanted to thank you and the
18 committee staff for bringing this hearing together
19 today on this very important topic. I want to thank
20 members of the administration for being here today
21 and for your diligent work on this issue. We look
22 forward to your testimony and we want to thank
23 everybody who has come today to testify. We are
24 eager to hear all sides of this issue. We are eager
25 to hear constructive suggestions. But I... I believe

1 very strongly at the outset that the measures that
2 are proposed here through these pieces of
3 legislation today are absolutely warranted,
4 necessary, and appropriate in order to address what
5 is an unprecedented increase in for-hire vehicles
6 in New York City over the last several years. We
7 take our role very seriously as city council and as
8 a city government. When in order to protect the
9 public interest and public health and environment
10 of New York City. Any time a developer in New York
11 City seeks a rezoning they are required to do an
12 EIS. When there are new medallions issued there is
13 an EIS. We believe that it is on its face
14 appropriate and warranted that with this
15 significant increase of 63 percent over the last
16 three and a half years or so that we need to have
17 an environmental study that can look at this issue
18 and come up with recommendations that can address
19 those impacts. So with that I'll turn it back over
20 to the chairman but I thank everybody here for your
21 interest in this matter we look forward to all the
22 testimony today.

24 CHAIRPERSON RODRIGUEZ: Thank you
25 Council Member I would like also to recognize

2 Council Member Garodnick, Reynoso, and Menchaca.

3 And I'd like to call my staff a... Counsel Kelly to
4 do the swearing.

5 COUNSEL KELLY: Will you please raise
6 your right hands. Do you affirm to tell the truth,
7 the whole truth, and nothing but the truth in your
8 testimony before the committee today and to respond
9 honestly to Council Member questions?

10 MEERA JOSHI: Good morning. Good morning
11 Chair Rodriguez, members of the Transportation
12 Committee and city council. I am Meera Joshi Chair
13 of the New York City Taxi and Limousine Commission.
14 Today with me are two individuals I'm sure you're
15 familiar with; DOT Commissioner Polly Trottenberg,
16 and Nilda Mesa Director of the Mayor's Office of
17 Sustainability. Thank you very much for the
18 opportunity to speak today about legislation
19 introduced by Chair Rodriguez and Council Member
20 Levin to limit and study the growth of FHV's for one
21 year or the duration of the study whichever is
22 earliest. TLC supports limiting the issuance of new
23 FHV licenses while TLC, DOT, DEP, and the mayor's
24 office of sustainability and other agencies conduct
25 a study of the impact that rapid FHV industry

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2 growth and growth in other TLC regulated industries
3 is having on NYC traffic congestion, air quality,
4 noise, and public health. Following the completion
5 of the study TLC would submit recommendations to
6 the speaker and the mayor for mitigating any
7 impacts identified. These bills would not impact
8 the issuance of green borough taxi permits which is
9 already regulated by state law. Several emerging
10 trends new data obtained by the TLC and concerns
11 regarding the future of mobility, public health,
12 driver welfare, and accessibility in New York City
13 have led the TLC to support an impact study and a
14 growth limitation during the pendency of that
15 study. First some background on how the FHV
16 industry works as compared to other industries.
17 Unlike other TLC regulated industries there is no
18 real growth control mechanism in the FHV industry.
19 For yellow taxis the number of medallions is set by
20 state and local law. For green taxis the number of
21 permits that can be issued is set by state law and
22 findings from a market analysis TLC performs
23 between each issuance period. For commuter vans new
24 authorities are subject to DOT review of community
25 needs and TLC approval. But for FHV's TLC currently

1 has no authority to limit the number of licenses.
2 They stand alone in the private for-hire world as
3 the sector without a meaningful growth oversight
4 mechanism. Recent trends demonstrate the
5 potentially problematic consequences of the system
6 without a growth control mechanism. Growth in the
7 FHV industry in the past several years has been
8 tremendous. Since 2011 about 25,000 new FHVs have
9 joined the fleet. There are now nearly 63,000 for-
10 hire vehicles, a 66 percent increase from just four
11 years ago. We have strong reason to believe that
12 without council action growth in the for-hire
13 vehicle industry is expected to continue. In each
14 month of fiscal year 2015 the TLC issued
15 approximately 2,000 new vehicle licenses. One
16 company has stated that by the end of 2015 it
17 intends to have 10,000 additional drivers and
18 estimates that this means a minimum of 7,500 cars.
19 And growth isn't necessarily a bad thing
20 particularly if it's bringing about better service
21 in our city's most transit starved neighborhoods.
22 We're excited to have new entrance in New York
23 City's for-hire market and that new and old FHV
24 companies alike are leveraging technologies that
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2 could improve the efficiency of our transportation
3 network. We're hopeful that true shared riding long
4 the dream of transportation planners specifically
5 for that last mile home from the train station
6 could finally become a reality due to a wider
7 adoption of technology. However new data TLC has
8 received demonstrates that the past several years'
9 growth in the FHV industry has not focused on
10 transit starved neighborhoods but has been
11 Manhattan Centric. New FHV trip records show that
12 most new FHV activity, 72 percent of pickups is
13 taking place in the Manhattan core, the most
14 congested area of the city. The rapid ongoing
15 growth in the number of vehicles and their
16 concentration in Manhattan could be causing
17 unintended negative consequences. As Commissioner
18 Trottenberg will explain between 2010 and 2014
19 average Manhattan traffic speeds decline
20 significantly from 9.35 miles per hour to 8.51, a
21 decrease of nine percent. Bus speeds have also
22 declined. During the evening rush hour Manhattan
23 bus speeds were five percent lower in November 2014
24 than they were a year earlier, a trend that none of
25 us would like to see continue. Correlation does not

1
2 equal causation however we're at a point at which
3 there are enough data points and a strong logical
4 nexus between FHV industry growth and Manhattan
5 congestion that a closer look is necessary. A
6 limitation in growth while we studied the issue and
7 develop informed policy is so important because
8 traffic congestion is no minor issue. By some
9 estimates traffic congestion cost the New York
10 metropolitan regions economy 16 billion each year
11 driven by factors such as the difficulty businesses
12 have trying to move goods around the city. A recent
13 report issued by the partnership for New York City
14 cited traffic congestion on our roads a significant
15 factor driving up the high cost of doing business
16 in New York City and a threat to our continued
17 status as the preferred headquarters for the
18 important global financial services industry.
19 Beyond serious economic impacts the negative
20 effects of congestion are also demonstrated in our
21 public health statistics. As Director Mesa...
22 Director Mesa will explain in more detail. Chronic
23 exposure to traffic related air pollution has been
24 linked to the respiratory disorder such as asthma
25 as well as premature death from heart attacks and

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2 strokes. Air pollution from traffic congestion at
3 83 of the nation's largest suburban, urban areas
4 contributes to more than 2,200 premature deaths
5 annually costing the health system at least 18
6 billion. The New York metropolitan area is second
7 only to Las Angeles and United States in premature
8 deaths and related costs due to congestion related
9 air pollution. I also have concerns about two other
10 issues that relate to mobility. First is driver
11 income. Congestion itself can hurt driver's income
12 because it limits their ability to get to the next
13 fair. Additionally though I do believe the pie of
14 overall for-hire passengers is expanding it may not
15 be expanding as rapidly as the supply of vehicles.
16 I hear concerns that drivers are cannibalizing one
17 another's business making it difficult for any
18 single driver to earn a living. The ability for...
19 for the people who work hard on the streets of New
20 York City to meet expenses and earn a decent living
21 has to be something we look at as a city and take
22 into account in our policy making. A second concern
23 of mine is mobility for those who need accessible
24 service whereas in the yellow and green taxi
25 industries we have clear paths and the progress

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2 already towards accessibility. There's not yet
3 something similar for the FHV industry. As FHV
4 become ever more part of the fabric of New York
5 City a pathway towards accessibility in this
6 industry which is no simple matter in an open entry
7 system becomes increasingly important to the
8 ability of people who use wheelchairs to
9 effectively navigate the city. For all these
10 reasons and before more people invest in putting
11 new vehicles on the road it's time to tap the
12 breaks while we look at the impact of rapid for-
13 hire vehicle industry growth and growth in other
14 for-hire segments. TLC has already begun
15 coordinating with DOT, DEP, Department of Mental
16 Health, of Health and Mental... DOHMH and the Mayor's
17 Office of Sustainability on a study that is part of
18 the one NYC plan and a limitation on growth would
19 enable us to make better use of this study's
20 findings and conduct a more robust study by
21 preventing runaway growth while we study the issue.
22 While we fully support the bills we do think there
23 could be another way to distribute the limited
24 growth allotments so that it is fair as possible.
25 Regardless of the calculation methodology that is

1 ultimately decided on the growth limitation
2 proposed in Intro number of 842 would be a
3 significant step. We thought through what impacts
4 this step would have on service availability for
5 the public and job opportunities for New Yorkers.
6 We are certain that the public will not lack for-
7 hire transportation options during the period of
8 the cause. Between 13,587 taxis, 63,000 for-hire
9 vehicles including green taxis there are plenty of
10 vehicles available to meet demand. Many of these
11 vehicles are not on the road full time. And if
12 consumer demand grows each existing vehicle could
13 as needed be used more intensively. A few facts
14 boost my confidence that despite claims to the
15 contrary passengers will continue to enjoy
16 excellent levels of service. For example in
17 December 2014 when New York City had nearly 7,000
18 fewer for-hire vehicles than it has today. Uber
19 told Newsweek Magazine that its median wait time
20 was three minutes and eight seconds in the outer
21 boroughs and two minutes and 25 seconds in
22 Manhattan. Wait time for tax season, the areas they
23 cruse are typically just a couple of minutes.
24 Consumers will continue to have plenty of options
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2 for fast service during the growth limitation
3 period regardless of whether they prefer to street
4 hail or e-hail a yellow or green taxi, call a local
5 car service base, or use an app to book a for-hire
6 vehicle. New Yorkers who already earn a living in
7 the FHV industry would continue to be able to do so
8 for a number of reasons. Existing FHV licenses
9 could still be renewed and FHV license holders
10 could still be able to switch vehicles and bases.
11 Existing bases could still grow their businesses
12 beyond the growth cap outlined in this bill by
13 affiliating vehicles that were previously
14 affiliated with other bases or by giving each
15 affiliated vehicle more calls. Based on the 250 to
16 700 for-hire vehicle drivers who get summonses and
17 sometimes even get their vehicle... for illegal
18 street hails each month it's an indication that
19 they are kept busy enough with legal dispatch work.
20 I suspect that many drivers would welcome more
21 legitimate dispatch work. Even new drivers wishing
22 to join the industry would have options. They could
23 drive the second shift... an existing vehicle or work
24 with the base's existing vehicles. This could be a
25 good thing for those drivers looking to work

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2 without taking on an onerous car loan. There are
3 several other important questions we've gotten and
4 that I've heard in the media since these bills were
5 introduced and I'd like to take this opportunity to
6 address them. First some have accused the TLC of
7 supporting these bills in an attempt to protect the
8 existing yellow and green taxi industries were the
9 traditional car service industry. I can assure you
10 this is not the case. In recent years new market
11 entrance have come to New York City and have
12 flourished. TLC demanded that these new entrants
13 meet the same licensing standards as similar
14 existing companies and once they did they enjoyed
15 growth only capped by their potential to provide
16 excellent service. The numbers and TLC's actions
17 speak for themselves. There are now 76 different
18 FHV apps operating in New York City and an
19 estimated 25,000 for-hire vehicles getting their
20 trips through apps. Any review of the TLC
21 rulemaking over the past year would find that our
22 primary approach to the profound changes in the
23 industry has been to buckle down and focus on
24 ensuring passengers have the safety and consumer
25 protections they deserve regardless of whether

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2 their car of choice is yellow, green, or black. A
3 great example is that is our most recent rulemaking
4 surrounding dispatch service providers. Throughout
5 the process we had fruitful discussions and
6 received helpful feedback from Uber, Lyft, Via, and
7 the longstanding FHV industries, drivers, and city
8 council which ultimately resulted in a set of rules
9 that protects the public while allowing for
10 continued innovation. However given the trends I
11 described earlier we must recognize that unbridled
12 growth at some point poses its own challenges and
13 we must legislate responsibly. A second question
14 we've gotten is given policy debates around the
15 world here and in New York City whether TLC is
16 supporting this bill to target Uber. Uber is one of
17 many FHV companies legally prating under TLC
18 licensure. And if enacted the law would apply to
19 all 893 FHV companies. Uber is not the only FHV
20 company that has been growing recently 654 non-Uber
21 bases actually grew by an average of 14 cars each
22 between last summer and this spring and across the...
23 and across the board this growth has added up. And
24 even right now we are in court fighting lawsuits
25 brought against the city by yellow medallion owners

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2 and lenders that think that FHV companies including
3 Uber should not be allowed to provide prompt
4 service to passengers who order them by
5 smartphones. Beyond the growth allotment each base
6 receives during the period of the study any FHV
7 company can continue to grow further in vehicles by
8 competing to work with vehicles already in the
9 industry. Another great way these companies could
10 grow would be by giving each vehicle more trips
11 which as I mentioned earlier would be a more... more
12 than welcome by most drivers. The wealth of
13 breadcrumb data on traffic circulation that FHV
14 equip with technology now collect if they agree to
15 share it with the city could even help us with the
16 study and shorten the time it takes to complete it
17 by enabling us to understand more about how FHV
18 move around the city and how this impacts
19 congestion. Another way in which FHV companies
20 could help the study as it pertains to car
21 ownership trends. Since this data available so far
22 seems to refute the assertion that rapid growth in
23 the size of the FHV industry industry in New York
24 City has brought about decreases in car ownership.
25 However if FHV companies agree to work with the

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2 city owned surveys of their customers and drivers
3 this could help us all understand more clearly what
4 impact the larger number of FHV's are having on car
5 ownership. There are also those who would wonder
6 whether a better approach would be to let the
7 market and consumer demand dictates how many FHV's
8 are on the road. Although in many cases I agree
9 that allowing consumer demand to dictate supply is
10 a solid approach we also know that markets aren't
11 perfect. The government needs to consider and
12 sometimes create policies to account for
13 externalities, that is impacts on the rest of
14 society that are the result of market transactions
15 between two parties. Anyone who rides a vehicle in
16 New York City whether it's a private vehicle, a
17 taxi, a for-hire vehicle creates some negative
18 externality on the rest of the community in the
19 form of congestion, noise pollution, and mobility
20 challenges. By taking a hard look at the impact of
21 large numbers of vehicles for-hire in New York City
22 streets the city will weigh the benefits of these
23 vehicles passengers against any associated negative
24 externalities in terms of congestion and air
25 pollution. The study will try to determine what

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2 policies need to be in place so that we take into
3 account not only individual consumer demand which
4 the market captures but also externalities faced by
5 everyone else sharing the city. What it boils down
6 to is this. At some point I strongly believe the
7 city needs to step in and make sure that there is a
8 balance between those of us who choose instant
9 gratification and convenience of travel in private
10 vehicles and the much larger group who could not
11 afford private car service and for... and those for
12 which it is literally inaccessible and... the less
13 are affected by mobility challenges, the rapid
14 expansion of this sector could present. We are at a
15 real crossroads. We need to provide fertile ground
16 for new services to thrive but not at the expense
17 of those who do not have the privilege of using
18 them regularly. So we will be guided by the data
19 and the need to provide an overall efficient
20 regulatory framework that leverages technology to
21 improve services in all sectors as well as the
22 overall quality of life for all New Yorkers and
23 visitors. I'd like to sum up by bringing us back to
24 the numbers. As I said earlier since 2011 we've
25 added 25 thousand vehicles to the fleet. The fleet

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2 has grown by 16,000 vehicles since 2013 and at
3 about 5,000 more vehicles in just the first half of
4 2015. Yes this is a big city. Yes in a theoretical
5 word without externalities the law of supply and
6 demand would naturally bring us to some optimal
7 number of vehicles but month after months we've
8 been licensing 2,000 new vehicles without any signs
9 of slowing down. This should give even the
10 strongest proponent of an uncapped system some
11 pause. It's time for us to moderate growth for a
12 limited time period while we engage with
13 researchers and other experts, stakeholders, the
14 public, and council to take a hard look at whether
15 the path we're on this... we're on is the right one
16 for our economy public health and quality of life.
17 We hope that council will support bills to
18 temporarily limit and study growth in the various
19 for-hire sectors and would be happy to answer any
20 questions you may have.

21 POLLY TROTTEBERG: Guess we'll jump
22 right to me. Good morning Chairman Rodriguez and
23 members of the Transportation Committee. My name is
24 Polly Trottenberg and I'm the Commissioner of the
25 New York City Department of Transportation. On

1
2 behalf of the de Blasio administration I'm pleased
3 to be here today with Chairwoman Joshi and Nilda
4 Mesa Director of the Mayor's Office of
5 Sustainability to discuss Intro 842 and Intro 847.
6 Under Intro 847 DOT will assist the TLC in its
7 study of the rapidly changing taxi and for-hire
8 vehicle industry and the implication for the city's
9 transportation network economy and environment. And
10 I'm joining my colleagues I supporting this study
11 and the proposed limitation on growth of the new
12 for-hire vehicle licenses during its completion.
13 The taxi and the FHV industry are an important part
14 of New York City's transportation network. These
15 vehicles provide a much needed service to New
16 Yorkers, especially those who do not have access to
17 an automobile who live in neighborhoods with
18 limited public transit or have other mobility
19 challenges. Overall taxis and for-hire vehicles
20 carry more passengers per day than the Long Island
21 Railroad and Metro North combined. However as the
22 Chairwoman has said in the last two years the FHV...
23 FHV vehicle industry has grown tremendously
24 especially within the transit rich Manhattan
25 central business district, that area of Manhattan

1 south of 60th Street. According to trip records
2 most new FHV vehicle trips, 72 percent of pickups
3 are taking place in the already congested Manhattan
4 core. DOT has an obligation to manage our street
5 networks so as to maximize safety and mobility for
6 the 8.5 million city residents and the millions of
7 tourists and commuters who come to the city every
8 day. This challenge is particularly acute in the
9 Manhattan CBD. The economic engine of the state and
10 the region where there's fierce competition for
11 limited street and curb space. As the number of FHV
12 trips in Manhattan continues to rise we must
13 consider the implications on our street network on
14 mobility, congestion, city's economy, environmental
15 sustainability and quality of life. Taxi GPS and
16 other recent transportation data indicate that the
17 increased FHV activity in Manhattan may be
18 contributing to the growing congestion on our
19 streets. Between calendar years 2010 and 2014
20 average Manhattan CBD traffic speeds have declined
21 by nine percent from 9.35 miles per hour to 8.51
22 miles per hour. This decrease in traffic speeds is
23 happening at the same time that overall traffic
24 into the Manhattan CBD has fallen. The average
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2 weekday number of vehicles entering the Manhattan
3 CBD south of 60th Street dropped from 778,000 in
4 calendar year 2010 to 731,000 in calendar year
5 2014, a decline of six percent. We've also seen
6 drops in bus running speeds between 2013 and 2014
7 the average bus running speed in Manhattan South of
8 96th Street declined by five percent during the
9 evening rush. And with this decline in bus speeds
10 has also come a drop in Manhattan bus ridership of
11 six percent in that two year period as compared to
12 a less than one percent drop for the rest of the
13 city. MTA busses which provide over 140 million
14 trips per year in Manhattan are the most
15 affordable, accessible mode of travel on the city's
16 surface streets. A standard bus can carry up to 70
17 passengers while the typical taxi or FHV... FHV trip
18 serves only one or two. Given the capacity
19 constraints of our streets reversing the drop in
20 bus speeds is vital to the continued growth
21 vitality and quality of life in the Manhattan CBD.
22 The proposed study will examine how the changing
23 nature of the taxi and FHV industry may impact bus
24 service, transportation choices and overall
25 mobility within the Manhattan CBD. They will look

1
2 at how the city can best balance the needs of
3 street users so as to move the maximum number of
4 people and goods through the economic heart of the
5 city. As part of the study TLC and DOT will draw on
6 a wide range of data sources including taxi GPS
7 data, MTA bus time data and midtown in motion data.
8 This will help us better understand when, where,
9 and how traffic in the CBD is changing and what
10 role taxis, for-hire vehicles, construction
11 activity, economic conditions, and other relevant
12 factors are playing in these changes. The agencies
13 will explore a range of recommendations to improve
14 mobility for all street users including transit
15 riders and taxi and for-hire vehicle customers
16 while maximizing the efficient use of scarce street
17 capacity and minimizing the environmental and
18 community impacts. These recommendations could
19 include new types of transportation technology and
20 innovation and changes to the existing taxi and
21 for-hire vehicle regulatory framework. In
22 conclusion I thank the council for the opportunity
23 to testify today. DOT looks forward to working with
24 the TLC, DEP, and the Mayor's Office of
25

2 sustainability on this study and happy to take
3 questions.

4 NILDA MESA: Good morning Chairman

5 Rodriguez and members of the Transportation

6 Committee. My name is Nilda Mesa. And I'm the

7 Director of the Mayor's Office of Sustainability.

8 It is a pleasure to appear before you today with my

9 esteemed colleagues Taxi and Limousine Commissioner

10 Meera Joshi and Transportation Commissioner Polly

11 Trottenberg. The numbers of for-hire vehicles on

12 NYC streets have grown significantly in the last

13 few years. For hire vehicles are an important part

14 of the city's transportation mix. And adding new

15 options for passengers like ride sharing they may

16 well wind up contributing to the city's quality of

17 life and sustainability. Or they may contribute to

18 our already serious congestion with its result in

19 air pollutants and greenhouse gas emissions. As a

20 result the mayor's Office of Sustainability

21 supports limiting the issuance of new FHV licenses

22 while TLC, DOT, DEP, we, and other agencies conduct

23 a one year study. While we recognize that new

24 models may provide the opportunity to decrease

25 environmental impacts on our residents. At this

1
2 time I'd like to speak in more detail about the
3 possible air quality and greenhouse gas impact of
4 unmitigated rapid growth of the FHV fleet. For many
5 years New York City has had a goal to have the best
6 air quality of any large US City. In one New York
7 the plan for a strong and just city we restated
8 this goal and committed to cutting emissions from
9 mobile sources. While we have made progress over
10 the last several years, air pollution remains a
11 leading environmental health threat to the health
12 of New Yorkers. Of primary concern are nitrogen
13 dioxide, sulfur dioxide, ozone, and fine
14 particulate matter, all of which are emitted during
15 fuel combustion. The Department of Health estimates
16 that fine particles alone contribute to more than
17 2,000 deaths and over 6,000 emergency visits and
18 hospitalizations for cardiovascular and respiratory
19 disease in the city each year. Our asthma rates are
20 amongst the highest in the nation. The city's
21 efforts to phase out the use of highly polluting
22 number six fuel oil and state reductions in the
23 sulfur content of heating oil which are used in
24 buildings have led to significant reductions in PM
25 and SO2 emissions from buildings. The recently

1 passed air pollution control code will further
2 reduce emissions by controlling previously
3 unregulated sources such as commercial cooking.
4 Reducing emissions from on road mobile sources will
5 help us continue to realize air quality
6 improvements. Now when we try to break down the
7 sources we find that 17 percent of local
8 particulate matter emissions come from on road
9 vehicles. Increases in the number of vehicles on
10 the road directly and indirectly increase air
11 pollution. From a direct perspective more FHVs on
12 the road mean more pollutants however because the
13 increase in vehicles leads to more traffic everyone
14 moves slower increasing emissions for all vehicles,
15 not just the new FHVs. Moreover with bus speed down
16 five percent during evening rush hour and overall
17 daytime bus speeds down three percent people may be
18 choosing to take vehicles rather than the bus
19 thereby adding to the problem. What we do know is
20 that recent TLC data confirms that 72 percent of
21 new FHV activity is occurring in the Manhattan core
22 where traffic speeds are slowest and air quality of
23 concern. As we hit the summer heat season the heat
24 cooks up the emissions. The projected increase in
25

1
2 emissions in the central business district also has
3 an impact on the health of downwind communities
4 such as Queens through increases in ozone levels.
5 Those would feel its effects most are those who
6 work and live in a central business district in
7 downwind communities along with vulnerable
8 populations including children, the elderly, and
9 those with respiratory diseases. People will be
10 stuck in two places, midtown because of the traffic
11 they'll miss their meetings or openings to that
12 Broadway show they've been waiting to see. And
13 downwind the abuelita, the grandmother whose lungs
14 burned and who gas... from COPD won't be able to go
15 outside during ozone alerts. And neither will he
16 kid with asthma. If it's a heat wave and that
17 grandmother doesn't have air conditioning she'll
18 have to choose between going outside to get to her
19 neighborhood cooling center or staying inside and
20 risking the impact that heat may have on her
21 system. New York City has also committed to reduce
22 its greenhouse gas emissions 80 percent by 2050 to
23 help avert the most dangerous impacts of climate
24 change. As an island in coastal city with 520 miles
25 of shoreline we are especially vulnerable to the

1
2 threats of rising sea levels, extreme storms, and
3 heat waves. While most of our greenhouse gas
4 emissions are attributable to buildings passenger
5 vehicles contribute approximately 14 percent of the
6 city's aggregate carbon emissions. To meet our
7 goals requires facts and a strategy based on those
8 facts. This year we project that under current
9 conditions the FHV's fleet of 63,000 vehicles will
10 be responsible for approximately a million metric
11 tons of carbon dioxide emissions. If allowed to
12 grow unchecked at the current rate the FHV fleet
13 will contribute an additional 230,000 metric tons
14 of carbon dioxide emissions next year. The proposal
15 before you would limit emissions growth to a
16 maximum of 50,000 metric tons of carbon dioxide
17 which could mean at least a short term reduction, a
18 78 percent in the rate of increase. Over the long
19 run we would look forward to exploring strategies
20 to keep GHG emissions down for this fleet and all
21 fleets. And we are open to ideas. To paraphrase
22 from a song from the musical "Rent" 525,600 minutes
23 how do you measure, measure a year. Tapping the
24 breaks to study the impact of rapid FHV growth
25 alongside other licensed vehicles makes sense for

1
2 us to develop a sound strategy to meet our air
3 quality and climate goals. It makes sense for the
4 Queens grandmother and the kid with asthma. It will
5 allow us a baseline with facts for future planning
6 so we can keep things humming in midtown and
7 elsewhere. In addition there are real concrete
8 benefits to human health and the climate system of
9 moderating FHV growth for a limited time period. We
10 hope that the council will support these bills.
11 Happy to answer any questions.

12 CHAIRPERSON RODRIGUEZ: Thank you. First
13 of all I'd like to say that in a city where we have
14 this... a snowstorm Sunday the highest temperature in
15 our history and President Obama saying that... what
16 wake him up every day is knowing that climate
17 change is real and that that's the biggest problem
18 that we face in world... in... in our world. I hope
19 that all sectors in our society put any interest
20 aside and understand how important it is to expand
21 on environmental impact study. Know... car that we
22 have in the street... any expansion or any industry
23 in our nation. So I just hope that we have this
24 conversation... about how many car any particular
25 sector has he or she is expecting to expand... to

1
2 understand that this about saving our planet. And
3 in that direction my first question is how often is
4 our city requiring environmental impact study.

5 NILDA MESA: Overall I believe we have
6 about 800 or so a year of the environmental
7 reviews. It depends on the... the scope of the
8 proposed project. It depends on the projected
9 potential impact... that's what would trigger it.

10 CHAIRPERSON RODRIGUEZ: ...environmental
11 study to the yellow taxi industry?

12 NILDA MESA: Yes sir it is true.

13 CHAIRPERSON RODRIGUEZ: So why we wait
14 so long to a... address the need to require
15 environmental study impact for the for-hire sector?

16 NILDA MESA: The approval process for
17 both is quite different and I would defer to my
18 colleague to describe how it's different.

19 MEERA JOSHI: I don't want to overstep
20 the law department here but I'll speak on their...
21 I'll... I'll speak on their behalf. The... the
22 environmental review statutes are triggered by
23 specific action and the issuance of for-hire
24 vehicle licenses is not considered one of the
25 actions that triggers environmental review because

2 it's not considered a discretionary, it's an
3 administrative action.

4 CHAIRPERSON RODRIGUEZ: ...how does the
5 TLC track changes in the for-hire vehicle... for-hire
6 vehicle sector? And do you keep data on how many
7 vehicles are affiliated with a... with each base
8 month to month, year to year, before the massive
9 growth in the black car market post 2011? And how
10 much growth could you expect to see year to year?

11 MEERA JOSHI: We keep records both
12 online and in our internal database on active
13 vehicles, base affiliations, and active bases. And
14 in the years prior to 2011 the number of for-hire
15 vehicles including livery, black car, and luxury
16 limousines between 2007 and 2012 vast... you know
17 really move between 40,000 and 39,000. They didn't
18 really vary beyond that range. And now in 2015
19 we're up to 63,000.

20 CHAIRPERSON RODRIGUEZ: So you put the
21 number on the table. You know you share the data.
22 However lawyer will come and testify saying we
23 should not be required to do the environmental
24 impact study. What can be the arguments that we
25 should make to persuade all New Yorkers that in a

1
2 industry where we have a seen a growing of more
3 than 25 new car in the street is so critical to do
4 environmental study impact... environmental impact
5 study?

6 MEERA JOSHI: One I want to just qualify
7 the... the study that the TLC, the city, DOT, and DEP
8 are undergoing as part of 1NYC is a... is a really a
9 voluntary study it's not triggered by a statute.
10 It's one out of a real desire to understand the
11 nature of this changing market and the one proposed
12 by the bill that you're sponsoring again would be
13 separate and apart from the secrets [phonetic] of
14 statutes. But what... what do you gain by it? I think
15 that without a... a small delay or pause or time of
16 limited growth we lose a lot by not reflecting on
17 how best to go forward with allowing these
18 industries to flourish with as well as keeping in
19 mind some of the externalities that are caused by
20 an unbridled growth. So by allowing... by having a
21 study now you take a little bit of time out for
22 better long term results. And that's a balance
23 strong industry that thrives for everybody rather
24 than taking no time out and you have one with
25 unbridled growth with lots of negative consequences

1
2 for some people that never even get to use the
3 service.

4 CHAIRPERSON RODRIGUEZ: ...that we will
5 move on on this bill... to support... my colleague at
6 the council the mayor sign this bill what are the
7 area of this study that you see are more important?
8 Going... looking at the overall congestion boosts
9 ridership, pollution, developments, parking street
10 safety..

11 MEERA JOSHI: So I'm going to give my
12 perspective as the TLC regulator and I'm sure my
13 colleagues will give their perspective that will
14 highlight theirs... their areas of expertise but..

15 CHAIRPERSON RODRIGUEZ: One second.

16 [pause]

17 CHAIRPERSON RODRIGUEZ: Let's check
18 first to see everything is okay. Okay.

19 MEERA JOSHI: So I think the question...
20 and I'll try to rephrase it but I might have
21 forgotten exactly what it was what are... what are
22 we... what are the areas of priority in terms of the
23 study and so I'm going give you the... the
24 regulator's perspective and ours is really multi-
25 faceted. We're in an incredible time of change and

1
2 I think as I said in my testimony at a real
3 crossroads and a real opportunity to form a
4 regulatory system that allows new technology to... to
5 thrive and new technology be... To be a way to make
6 more efficient transportation alternatives for
7 people who live and work in the city. But that also
8 means that we need to temper that with
9 understanding what effects that has on congestion
10 especially in Manhattan where regardless of how
11 many ways new companies come in or bases recruit
12 vehicles and drivers Manhattan will always be a
13 pull for drivers because of the passenger rich
14 density there. So there's congestion in Manhattan
15 as well as air pollution of general mobility issues
16 including accessibility and consumer the quality of
17 service that we're providing for consumers.

18 POLLY TROTTENBERG: I'll just add a
19 little bit to what Meera said. On the... on the
20 transportation side as she mentioned congestion and
21 mobility and goods movement and quality of life
22 were clearly important pieces of the study. And
23 until recently you know we didn't have the type of
24 GPS data that we have now from taxi cabs, from bus
25 time, that's providing us with incredible new data

1
2 sources and we think there's a lot can learn that
3 can tell us what's happening on the streets right
4 now and help us project what's going to happen in
5 the future and how we're going manage what... what
6 the chairwoman has said is always going to be
7 fierce competition for Manhattan streets
8 particularly in the central business district.

9 NILDA MESA: Just to echo what my
10 colleagues have already said and... and to add onto
11 that I would say air quality and climate change
12 clearly. It... but I think they need to be looked at
13 longitudinally and layover several different
14 scenarios and over a period of time and I also
15 think that it's important to look at mobility and
16 the effect on demand on bus... effect on... on... freight
17 without... within the... the city.

18 CHAIRPERSON RODRIGUEZ: Does... does TLC
19 keep record of drivers who are using the app
20 service that they are doing pickup in New York City
21 but they are licensed in another city?

22 MEERA JOSHI: So would an example be
23 someone who's doing...

24 CHAIRPERSON RODRIGUEZ: Well I... I... I
25 spoke to a driver yesterday and he told me that 50

1
2 percent of the passing that he... his license is a
3 TLC license. But he told me that 50 percent of the
4 other services that he provide he do it in Hoboken
5 New Jersey and other 50 percent in New York City.
6 He's a TLC license driver.

7 MEERA JOSHI: So...

8 CHAIRPERSON RODRIGUEZ: Putting aside
9 that case can we also be in a situation where
10 drivers have a license let's say... Jersey and they
11 do 50 percent of the service in Jersey and they do
12 another pick up industry in New York City?

13 MEERA JOSHI: If they're licensed in
14 Jersey they can do a pick up or a drop of in New
15 York City but they can't do point to point work in
16 New York City.

17 CHAIRPERSON RODRIGUEZ: Okay. I would
18 like to recognize a... Council Member Miller, Lander,
19 Chin, and Crowley. And I'd like to now call to my
20 colleague that they would be asking question. I'm
21 waiting for Council Member Levin but first let's go
22 Council Member Greenfield.

23 COUNCIL MEMBER GREENFIELD: Good
24 morning. Thank you for your testimony today. I... I
25 want to drill down Commissioner Joshi on one of

1
2 the... Chair Joshi on one of the points that you
3 made. And I guess it's either for you or for the
4 transportation commissioner. So what is to stop you
5 right now from doing a similar study. I understand
6 the moratorium of course who needed our authority
7 to do that but what's to stop you from doing a
8 similar study? And it sounds like this is a pretty
9 important area of importance so why haven't you
10 done this study yet?

11 MEERA JOSHI: As part of Plan 1NYC we
12 have already undertaken this study. We're in the
13 preliminary phase of it but you're correct. There's
14 nothing to stop us and we have already started.

15 COUNCIL MEMBER GREENFIELD: Okay so then
16 you don't need our legislation to actually do this
17 study. You're in the process of doing it already.

18 MEERA JOSHI: Correct. To do a study we
19 can do that unilaterally.

20 COUNCIL MEMBER GREENFIELD: So the... the
21 numbers I think have been something like in the
22 last four years you've been a... seen a 66 percent
23 increase in FHV's right, for-hire vehicles? Much of
24 it we believe I... I guess is due to the... the new app
25

1 industry. Is that correct? Is that our running
2 theory at least?

3
4 MEERA JOSHI: Yes we've seen... you know...
5 and I'll use Uber as an example. They've you know
6 now have 18,000 vehicles affiliated with their
7 basis and that's a level of growth that we hadn't
8 seen in years prior.

9 COUNCIL MEMBER GREENFIELD: Okay. So
10 what has TLC done in the last few years since
11 you've noticed this spike... where three years since
12 Uber has come to New York City what measures have
13 you taken aside for today to try to regulate the
14 industry. I guess my question is why are we... why
15 are we focusing on this now three years later?

16 MEERA JOSHI: We... I... I don't think I
17 quite understand your question. We regulate livery,
18 black cars, yellow, and green and we've taken a
19 number... number of measures in the last several
20 years to in some cases refocus those regulations so
21 they are really just about consumer protection and
22 in some cases like most recently we've added
23 regulation that's primarily consumer protection and
24 driver safety that focuses on people who dispatch
25

1 through an app. And that's all well within our
2 jurisdiction.
3

4 COUNCIL MEMBER GREENFIELD: And my
5 question is that you folks have the best sense
6 right, because you are the TLC of exactly how many
7 FHV's are out there because you're giving them the
8 licenses right?

9 MEERA JOSHI: Absolutely.

10 COUNCIL MEMBER GREENFIELD: Okay so you
11 were the folks who knew that these numbers were
12 spiking over the last four years. What have you
13 done about that specific issue? Is it... Was this the
14 first time that you're trying to address that
15 issue.

16 MEERA JOSHI: We don't have the
17 authority to actually do anything about the
18 increase in numbers. But we have publically spoken
19 about it and talked about it in the past, that the
20 number is increasing.

21 COUNCIL MEMBER GREENFIELD: Okay without
22 any suggestions as to what to do about it?

23 MEERA JOSHI: I think this is probably
24 the first time there's been a formal suggestion on
25 what the path forward is. As a regulator you know

1
2 your first inclination is not to shut down a market
3 it's to let markets thrive. And I think we've
4 actually reached a tipping point where even the
5 most you know orthodox regulator who would never
6 want to cap a market is finding themselves in a
7 position where the onslaught of vehicles is so
8 tremendous that it seems actually irresponsible not
9 to legislate in some way.

10 COUNCIL MEMBER GREENFIELD: Sure I
11 agree. As you know I have legislation that I
12 introduced a year ago to try to regulate portions
13 of this market. And I'm... I'm... I welcome the fact
14 that TLC has come around to a more aggressive
15 enforcement and interaction with this market. I...
16 I'm curious though about... about something...
17 something in your testimony. And I believe... you
18 said something to the effect of... that the city
19 needs to step in and make sure that there's a
20 balance between those of us who choose instant
21 gratification and convenience of travel in private
22 vehicles and the much larger group cannot afford
23 private car service. Never really heard it termed
24 that way, the difference sort of in terms of an
25

1
2 economic difference. Could you elaborate on that
3 particular point?

4 MEERA JOSHI: Sure. Issues of congestion
5 and mobility especially in the central business
6 district affect everybody who lives and works or
7 needs to make deliveries. So there is a segment of
8 the population that regularly patronizes the for-
9 hire vehicle service. But I think that it would
10 naïve to think that everybody in New York City can
11 afford to hire a private car and have a private
12 driver. That much larger segment that can't is
13 still none the less affected by growth in that
14 segment if it is increasing congestion and making
15 mobility in Manhattan where they work or be
16 delivering goods and services more difficult.

17 COUNCIL MEMBER GREENFIELD: And I think
18 I heard a similar argument from Director Mesa about
19 the unintended consequences. So I guess my... my
20 final question Mr. Chair is when you look at the
21 overall TLC regulated industry is there a push... is
22 there a consideration to significantly reduce via
23 taxis or yellow vehicles or for-hire vehicles based
24 on the ideas of either income inequality or based
25 on the environmental impact that it's having? So is

1
2 there an idea out there perhaps that we know we
3 should cut it in half or perhaps get rid of it
4 altogether? Because if we did that obviously we
5 would be handling both of those concerns. So have
6 either one of you thought about that?

7 MEERA JOSHI: I don't think we could
8 make any kind of... even suggestion regarding a
9 solution until we... as... as Commissioner Trottenberg
10 mentioned we have the... the luxury of data in... in
11 depth that we haven't had in the past to compliment
12 the Tpap data. We now have trip records from FHV's
13 and as part of the study I'd invite any you know
14 FHV company that has its own GPS data that they'd
15 like to redact and share with us so we could better
16 understand travel patterns especially in Manhattan.
17 But I don't think that anybody could make an
18 informed decision about what the policy should be
19 going forward with the regulatory framework should
20 be going forward without having the time to
21 understand that data. And I think that is the... that
22 is the ultimate goal of the study.

23 NILDA MESA: If I might just add. I
24 think right now what we're seeing are symptoms of
25 illness in the patient and what we need is more

1 information in order to make the diagnosis. So I
2 think the... the idea is to get to some place where
3 the system is sustainable and benefit... you know
4 benefits the maximum number of residents of New
5 York.

6
7 COUNCIL MEMBER GREENFIELD: Okay thank
8 you.

9 CHAIRPERSON RODRIGUEZ: Thank you.
10 Commissioner Polly I had a... and only a... a question
11 about your... your testimony, the last page, and then
12 I will pass it to my colleague Council Member
13 Levin. At the end of your testimony you say that
14 these recommendation a... the... that started this
15 agency will explore so at the end of the... say that
16 these recommendation could include new type of
17 transportation technology and innovation. Can you
18 highlight and show... [cross-talk]

19 POLLY TROTTEBERG: Yeah... and again I
20 think... I think that the chair put it well. I mean
21 that's what we're seeing in this field right now.
22 In a lot of ways look it's been tremendously
23 exciting and is... as given consumers new choices
24 there we're seeing all kinds of new for-hire
25 vehicles... all kinds of new apps. On the future

1
2 perhaps we will have some kind of self-driving
3 vehicle so there are a lot of new things coming our
4 way on the... on the bus and transit side there are a
5 lot of exciting new technologies. So I mean
6 certainly in transportation we're changing very
7 much from a model in which people chose a mode to
8 one as we know now. People have their smartphones
9 and they choose from a whole range of options every
10 time they want to take a trip and we think there's
11 going to be a lot of exciting innovation and I
12 think it's something we should look at as we try
13 and see what is mobility and transportation going
14 to look like in New York City 5, 10, 15, 20 years
15 down the road.

16 CHAIRPERSON RODRIGUEZ: Thank you.
17 Council Member Levin.

18 COUNCIL MEMBER LEVIN: Thank you Mr.
19 Chairman. Thank you all for... for your testimony. I
20 have several questions and I may jump around kind
21 of from topic to topic if that's okay. In... in 2013
22 the TLC conducted a... or had with... along with
23 auction of 2,000 medallions, yellow taxi medallions
24 and EIS conducted. I don't know... I don't think the
25 administration conducted or the TLC but the... I... I

1
2 think the... somebody conducted it. What were the
3 findings of that EIS in... in... you know in a
4 nutshell, summarized?

5 MEERA JOSHI: So I... I believe the
6 complete EIS is available on our website and I'm
7 going to summarize from what I recall the last time
8 that I read it, a thrilling document. It was an EIS
9 over whether the city could sell 2,000 more
10 medallions, accessible medallions so they have to
11 be hacked up with accessible vehicles which
12 obviously have their own you know respects that are
13 much different than a standard vehicle. But I think
14 the findings in terms of congestion which is
15 probably the... one of the findings you're most
16 interested in is that there was a some... some
17 indication of a negative impact with 2,000
18 additional medallions but there were some
19 mitigating factors that the city could take to
20 counterbalance that. Some... one of the mitigating
21 factors I recall and I'm happy to follow-up with
22 your office on the exact document where... where sort
23 of changing lights changings and intersections
24 making them more efficient. But yes there was a... a...

2 a slight negative indication for 2,000 more
3 medallions to be added.

4 COUNCIL MEMBER LEVIN: We... we have here
5 in our committee report quote significant adverse
6 traffic impacts. That was... that was a quote from
7 the EIS. So that's... that's correct that that was...
8 [cross-talk]

9 MEERA JOSHI: Yeah if you have the
10 document you have a better... [cross-talk]

11 COUNCIL MEMBER LEVIN: ...quote from the...
12 [cross-talk]

13 MEERA JOSHI: ...or you have a quote from
14 the document then you're a step ahead of me because
15 I'm doing it from memory so...

16 COUNCIL MEMBER LEVIN: I don't have the...
17 the full document in front of me but we do have...

18 MEERA JOSHI: Well we'll up on... I can
19 pull it up right now on our website and get back to
20 you before the end of the hearing.

21 COUNCIL MEMBER LEVIN: Really my point
22 is that with 2,000 medallions of yellow taxis there
23 was a finding of significant adverse traffic
24 impacts. If 72 percent of the increase in FHV's is
25 in the central business district of Manhattan the

1
2 logic would follow that that would likely also have
3 significant adverse traffic impacts correct?

4 MEERA JOSHI: Yes that's logical.

5 COUNCIL MEMBER LEVIN: Okay because I
6 think that that's important to note that that's
7 again what we're doing here. We are based on
8 previous experience taking a... a small break if you
9 will and limiting the size of growth so that we can
10 study what has been found in the past at a much
11 smaller scale to have significant adverse traffic
12 impact. So I just want to make that... that clear.
13 What percentage of cars right now in the central
14 business district are for-hire vehicles? Do we have
15 an accurate sense of what that is?

16 POLLY TROTTEBERG: We... we looked at
17 this back in around 2009 and I think it was in the
18 low 60 percent where taxis and for-hire vehicles.

19 COUNCIL MEMBER LEVIN: So back in 2009
20 prior to the increase in for-hire vehicles it was
21 60 percent?

22 POLLY TROTTEBERG: Yeah I... I think it
23 was in the low 60s. And... and I think that's one of
24 the things in the study we want to... we want to
25 update those numbers. But it's...

2 COUNCIL MEMBER LEVIN: Right.

3 POLLY TROTTENBERG: ...look anyone who's
4 in midtown Manhattan you merely have to look around
5 to see that the... I think the vast majority of the
6 vehicles there are... are taxis and for-hires.

7 COUNCIL MEMBER LEVIN: Because... because
8 one of the critiques that I've seen in the... in the...
9 the last few days is that you know there's a
10 statistic drawn out there that one percent of all
11 cars in New York City, or one percent of all cars
12 entering New York City are for-hire vehicles on any
13 given day but I'm assuming that that includes the
14 cars driving from Westchester to New Jersey and
15 going on the Cross Bronx expressway and vice versa.

16 POLLY TROTTENBERG: Yeah I... Actually was
17 very... I think the... the numbers of the... the... I think
18 the number was that Uber's vehicles represent one
19 percent of all the vehicles in New York City. There
20 are many many vehicles in New York City, many of
21 them sit on the street most of the day or they take
22 one trip. So I don't really... I don't think that's...
23 it's not the number of vehicles it's the number of
24 the trips that a given vehicle is taking and I
25 think again the focus is on the central business

1 district. New York City is an enormous city. There
2 are cars driving everywhere. But I think the CBD
3 south of 60th Street in Manhattan is where our
4 focus is.
5

6 COUNCIL MEMBER LEVIN: Got it. Do we
7 have a... a sense of the number of... sorry let me take
8 one step back here. Just to be clear the increase
9 in the for-hire vehicle licenses... has that been
10 focused in black cars or liveries or both? Or can
11 you break it down between black cars, liveries, and
12 luxury limos?

13 MEERA JOSHI: It's primarily black cars
14 I think in the... if you look at the black car sector
15 alone there's been almost a 200 percent increase in
16 black car licenses.

17 COUNCIL MEMBER LEVIN: Since?

18 MEERA JOSHI: Since 2011.

19 COUNCIL MEMBER LEVIN: Okay. Do we have
20 a sense of how many black car trips there are per
21 day?

22 MEERA JOSHI: We have a set of rules
23 that passed last year that require all bases to
24 send us trip records. And we have instituted that
25 rule and we're in the process of gathering those

1 records. So we don't have a complete picture of the
2 entire industry. But we do know from some of the
3 records that we've received so far that of the
4 larger bases because we're doing this in waves so
5 the larger bases have to comply with the trip
6 record requirement first. Of the larger bases
7 they're doing about eight trips a day.

9 COUNCIL MEMBER LEVIN: Eight trips.

10 MEERA JOSHI: Eight trips per vehicle. A
11 taxi does about 30 trips a day... in a day. And a
12 green taxi which is dual use, that means it does
13 dispatch and hail, we don't have the figures on the
14 dispatch but in addition to whatever dispatch trips
15 it does about 11 trips a day.

16 COUNCIL MEMBER LEVIN: Okay.

17 MEERA JOSHI: They do... Yeah green taxis
18 do about 56 hail trips a month now.

19 COUNCIL MEMBER LEVIN: Okay.

20 MEERA JOSHI: 56 thousand sorry about
21 that.

22 COUNCIL MEMBER LEVIN: And do we have a
23 sense of how like... so one of the things that I've
24 heard from Uber over the last few days is that
25 their drivers are driving part time. So they're...

1
2 something about that is... is... I... I think is odd that
3 someone would purchase a car, insure a car, license
4 a car with the TLC, and only drive it a couple
5 hours a week but do we have a sense of how many
6 hours a week those drivers are... are driving? So of
7 the new black car licenses that have come on how
8 many hours a week those cars are on the road?

9 MEERA JOSHI: So that we don't have
10 exact... an exact sense of we don't have equipment in
11 the black cars like Tpap which gives us log on and
12 log off. But there are a couple factors that we are
13 aware of in the industry that sort of cut against
14 that. One I think you mentioned there is a
15 financial burden to owning a car and ensuring a car
16 and some of the agreements that we've been... that
17 drivers have shared with us, lease agreements and
18 finance agreements actually limit use of the car to
19 solely the... the person leasing the car if you're
20 paying 450 dollars a week for a 2012 Toyota Camry
21 but you're the only person who's allowed to operate
22 it and nobody else is allowed to operate it it
23 makes it difficult to use it part time and you
24 certainly can't use it as a family car when you're
25 not using it to operate as a for-hire vehicle. And

1
2 some of the financial incentives offer to bring new
3 drivers on also cut against a part time notion. So
4 for example there's now... I... I saw this morning
5 35,000 dollars in six months you can earn except
6 for you must be... do 200 trips a month, be online
7 200 hours a month which I remember from my law firm
8 days can be a lot of billable hours...

9 COUNCIL MEMBER LEVIN: Okay so 200...
10 sorry 200 trips a month so that would... that would
11 be obviously you know eight trips a day. I don't
12 know if that... I can't do the math in my head right
13 now but that's... that's more than eight trips a day
14 right? Five days a week?

15 MEERA JOSHI: Looks like we're two math
16 stumped people trying to figure this out.

17 COUNCIL MEMBER LEVIN: Okay. Just so
18 we're... okay. It'll be just about... I guess...

19 MEERA JOSHI: Yeah.

20 COUNCIL MEMBER LEVIN: ...just about eight
21 trips a day.

22 MEERA JOSHI: 10 right?

23 POLLY TOTTEBERG: [off mic] 10... [cross-
24 talk]

25 MEERA JOSHI: 10, thank you Polly.

2 COUNCIL MEMBER LEVIN: Okay. Does... do
3 we... do we track then... So if there's... that increase
4 in the number of black cars since 2011 we've seen...
5 we know what the increase has been. Do we know how
6 many drivers are then associated with those cars?
7 So how many drivers are... are you using those cars...
8 how many of those cars have two drivers using them
9 or working in shifts? Do we have...

10 MEERA JOSHI: Yeah we... we... I don't think
11 I can give you anecdotal information. We've see an
12 in... an increase in cars and an increase in drivers.
13 And the... historically the livery and black car
14 sectors have been a mix of leasing models where a
15 car might be shifted out... one person drives it
16 during the day and another person drives it at
17 night. It gives higher... higher utilization to the
18 car. It provides the car owner or whoever's paying
19 the lease payments a second stream of income so that
20 the car... when the car is being driven by somebody
21 else. And then more recently we've seen some where
22 there are these limitations so the person who owns
23 or leases the car is limited and they're the only
24 person who can operate the car and that would
25 constrain their ability to make additional income

1
2 on leasing the car out. But... but I think to the
3 extent that we're looking at ways to be more
4 efficient about transportation... things like higher...
5 higher utilization of vehicles, carpooling, you
6 know ride... ride... for-hire vehicles that offer
7 carpooling services. They're both tremendous ways
8 we can still provide consumers with the service
9 they need without complicating an already
10 complicated congestion problem.

11 COUNCIL MEMBER LEVIN: Okay. Do we know...
12 do we know what... how many of the new for-hire
13 vehicles are driving for multiple bases? So I...
14 there's... there's a... there's obviously a reality out
15 there that drivers are affiliated with one base,
16 driving for multiple bases. Do we know... is that...
17 how widespread that is and do we get a sense of...

18 MEERA JOSHI: Well again as we get more
19 of the data in we can quantify it but anecdotally
20 we know that that is a frequent... it's a frequent
21 occurrence. And last year we were... did a rule
22 package to make it crystal clear that drivers as
23 independent contractors have the freedom to work for
24 multiple bases. And... and the proposed legislation
25 wouldn't in... inhibit that freedom at all. So

1
2 drivers... and we know drivers toggle between
3 multiple apps and in fact in our last rule making
4 ensure that we would allow more flexibility in the
5 number of devices allowed in a car just so that
6 drivers can toggle between several apps giving them
7 more choice on which fairs to pick up and which...
8 you know which sort of base they want to work for.

9 COUNCIL MEMBER LEVIN: Okay. So I think
10 it's... it's important actually to... to... to reiterate
11 that that the proposed legislation in no way limits
12 a driver's ability to take fairs from a base that
13 is not their affiliated base right?

14 MEERA JOSHI: No it does not... does not
15 limit them at all.

16 COUNCIL MEMBER LEVIN: And then another
17 thing that I think is important to note is that
18 the... the... the proposed legislation does not limit
19 the number of drivers. So going back to our
20 previous point about it limits the number of cars
21 but those cars can have multiple drivers working in
22 shifts. Is that... is that correct?

23 MEERA JOSHI: Yes. You can have much
24 more efficient use of cars and there's no limit on
25 the number of drivers. And in fact many drivers

1
2 would probably prefer having to... rather than having
3 to make a down payment on a car loan or be stuck
4 with you know vehicle financing arrangements that
5 may work in good times but may not work in bad
6 times may prefer to have a... a more temporary
7 financial arrangement so that they're not sort of
8 handcuffed to an industry that may work for a while
9 but after a while it may not.

10 COUNCIL MEMBER LEVIN: Do we have a
11 sense of how many... how many cars are dropping out
12 or how many drivers are dropping out of the market
13 in any given month?

14 MEERA JOSHI: I can get that information
15 for you for... on drivers.

16 COUNCIL MEMBER LEVIN: Okay but not... in
17 terms of cars... if we're adding 2,000 cars a week...

18 MEERA JOSHI: In cars we lose... so the
19 net gain is usually around 12 hundred, 13 hundred a
20 month, about 800 cars can drop off every month.

21 COUNCIL MEMBER LEVIN: Okay. Okay.

22 MEERA JOSHI: And that's in recent
23 months. Like during this period of growth that's
24 where we are.

2 COUNCIL MEMBER LEVIN: Right... So under
3 the current scenario... if left unchecked if... if the...
4 if the industry were to be allowed to grow totally
5 unchecked we don't pass this legislation, we don't
6 do a study, is it reasonable to think that growing
7 at a rate of... of... if we're at 63,000... 64,000 now
8 and growing at a rate of net 12 hundred a month
9 that within three four years we'd be at 100,000
10 for-hire vehicles on the roads in New York City?

11 MEERA JOSHI: I think that's easy to
12 fathom. I also believe that if one... you know the...
13 there's a study ongoing and without some limited
14 growth mechanism there is some sense that people
15 will instill a sense of fear that the outcome of
16 the study could inhibit further growth and there
17 might be a rush to increase the number of vehicles
18 added to the fleet during the pendency of the
19 study.

20 COUNCIL MEMBER LEVIN: And... okay that's
21 important to note. And just... just for... again for...
22 for clarity sake and as... as a point of comparison
23 that would be over the next few years potentially a
24 hundred thousand for-hire vehicles... how many yellow
25 taxis are on our streets right now?

1
2 MEERA JOSHI: Today we have... let me give
3 you the exact number... 13,687.

4 COUNCIL MEMBER LEVIN: Okay.

5 MEERA JOSHI: I'm sorry 13,587.

6 COUNCIL MEMBER LEVIN: Okay. 13,000
7 versus today 63,000 for-hires potentially you know
8 80, 90, hundred thousand in the coming years. How
9 many green cabs?

10 MEERA JOSHI: We have issued 8,400...
11 8,043 permits and on the road hacked up and
12 providing service are 6,736.

13 COUNCIL MEMBER LEVIN: Okay so between
14 yellow cabs and green cabs there are currently
15 three times as many for-hire vehicles potentially
16 over the coming years four or five times as many.
17 Is that correct?

18 MEERA JOSHI: I think that's correct.

19 COUNCIL MEMBER LEVIN: And my last...

20 MEERA JOSHI: Let me just clarify. Our
21 green taxis are also considered a subset of our
22 for-hire vehicle market.

23 COUNCIL MEMBER LEVIN: Got it...
24
25

2 MEERA JOSHI: So you should probably
3 deduct from the total of for-hire vehicles the
4 green taxi number.

5 COUNCIL MEMBER LEVIN: Got it. Deduct
6 six to eight thousand.

7 MEERA JOSHI: Yeah.

8 COUNCIL MEMBER LEVIN: And then lastly
9 I... there's... and then I may come back for a second
10 round of questions but there's been one critique of
11 the legislation is that... and you made reference to
12 this in your testimony that supply is just keeping
13 up with demand right? And... and that's an
14 interesting question because obviously we've seen
15 you know this... a large increase in demand. Is it...
16 is it possible that the FHV supply is outpacing
17 demand? And where is this demand... in T... TLC's
18 opinion where is the demand coming... is it coming
19 from subway riders? Is it because it's so easy to
20 push a button on your phone, it's easier than
21 calling a livery service or going outside and
22 hailing a taxi that... that people are opting out of
23 the subway or the buses to take for-hire vehicles
24 now because it's so... so much easier or how... how do...

1
2 how are we approaching this issue of... of supply and
3 demand?

4 MEERA JOSHI: So your first question is
5 is supply outstripping demand?

6 COUNCIL MEMBER LEVIN: Yeah.

7 MEERA JOSHI: And it's hard to
8 definitively answer that. But I can say that
9 there's some sense that it might be because we do
10 enforcement action regularly on illegal pickups.
11 And in the last two months or so we have seized
12 900... 950 about TLC license vehicles performing
13 illegal street hail. And an overwhelming majority
14 of those are vehicles affiliated with an Uber base
15 which leads one to believe that there may not be
16 enough legal opportunities and you have a... a
17 tremendous... you might have a... you know too many
18 drivers and now... [cross-talk]

19 COUNCIL MEMBER LEVIN: Because they're...
20 [cross-talk]

21 MEERA JOSHI: ...they're...

22 COUNCIL MEMBER LEVIN: ...picking up
23 illegal street hails.

24 MEERA JOSHI: ...picking up illegal to
25 supplement their income or to make payments that

1
2 may be due for their... related to their auto
3 expenses.

4 COUNCIL MEMBER LEVIN: And are they
5 taking... just in... in those instance are they taking
6 cash or how is that transaction happening?

7 MEERA JOSHI: It could happen a variety
8 ways but I... cash or you know it... it really depends
9 upon the circumstance. The point here is they're
10 not prearranged trips. They're a person standing in
11 the street hailing. The car stops, and picks up the
12 trip. That's... then it's not tracked by us. There's
13 no recourse by the passenger. It's not covered by
14 you know their insurance. So it's not... it's... it's
15 a risky venture for the driver and for the
16 passenger but it's often an indication for us that
17 there's not enough legal work so the person's
18 resorting to illegal to supplement their income.

19 COUNCIL MEMBER LEVIN: And those are...
20 those are drivers that are... that are... the majority
21 that are affiliated with an Uber base or they're
22 affiliated with some livery or black car base and
23 they're doing...

24
25

2 MEERA JOSHI: Affiliated with an Uber
3 base but as you pointed out they can take
4 dispatches from anybody.

5 COUNCIL MEMBER LEVIN: Right. Okay I'm
6 going to turn it over to my other colleagues and
7 then come back for another round of questions.
8 Thank you.

9 CHAIRPERSON RODRIGUEZ: Thank you. And
10 we're going back to the clock and... take the
11 question and comment from my colleague. I would
12 like to also remind everyone that after we have the
13 administration we will have Uber coming to testify.
14 I know that... very busy offering free riding to
15 passenger and drivers but we will hear from them
16 when they come to testify why they were so against
17 we do an environmental study. We go back to the
18 question. Council Member Vacca.

19 COUNCIL MEMBER VACCA: Thank you Mr.
20 Chair. And thank you everyone for your testimony.
21 I've been receiving emails from you... from Uber
22 since this hearing was called so I do have a
23 question based on one of the emails. They say that
24 we will lose 10,000 doll... 10,000 jobs a year. Now
25 can you answer that... how do you respond to that? Is

1
2 that true? Is job... Have... Is jobs part of your
3 thinking process?

4 MEERA JOSHI: Well jobs is a funny
5 terms. Jobs I associate with healthcare, sick time...
6 you know vacation time, pensions... So I don't think...
7 these are independent contractors. They're streams
8 of income but they're not jobs. But I think as... as
9 we said at the outset there's nothing in the
10 proposed legislation that stops drivers from
11 joining the TLC. There's... open opportunity and an
12 open market for more drivers to come in. What it
13 does is stop the number of vehicles. And it allows
14 the vehicles that are already in the existing fleet
15 to be used more efficiently. And we know today that
16 they're not. So it allows new drivers to come in
17 and use existing vehicles to earn income. But in no
18 way shape or form does this prohibit anybody from
19 coming in, getting a TLC driver's license, and
20 earning money.

21 COUNCIL MEMBER VACCA: You did speak
22 about the time it takes for cars and busses to
23 travel in Manhattan. You know I'm supporting the
24 move on New York plan which is very progressive
25 about traffic in Manhattan. I hope my colleagues

1 will consider it because we've got to do something
2 and that plan was put forth by Sam Schwartz New
3 York Daily News columnist and Grid Lock Sam and I
4 think it's fantastic. But beyond that these times
5 are eight minutes. The average car goes eight
6 minutes in Manhattan... eight miles an hour south of...
7 eight miles an hour south of 96th Street. I believe
8 you by the way because I represent a Bronx district
9 that has express busses that are not... I call them
10 non-express busses. They... they don't go anywhere.
11 And I'm going to challenge one of those busses. I'm
12 going to walk faster than that bus can move.
13 Because I can jog and I can even sprint and I will
14 beat that bus in Manhattan. And what are we... you
15 know if... if this is the case this is just one
16 aspect of what we have to do I hope you know. But
17 what impact in your opinion does 10,000 licenses a
18 year have on this issue?

19 POLLY TROTTEBERG: Alright I'll... I'll
20 jump in on that one. And look there's no question
21 congestion remains an enormous challenge throughout
22 the city. I mean we're talking about the Manhattan
23 CBD but I think I've practically heard from every
24 member of the council and community boards in a lot
25

1 of the public. There's... there's congestion in
2 different parts of the city. It's obviously the
3 worst in midtown and yes the travel speeds... it's no
4 secret there they're extremely slow. If you are a
5 spry person you can certainly often outrun the... a
6 car or a bus. And as we've said today there could
7 be a lot of factors behind it. I mean certainly
8 because we are actually seeing declines in vehicles
9 coming into the central business district over the
10 river crossings and at 60th Street I'm inclined to
11 think that adding all these new for-hire vehicles
12 is a factor but to be fair I think we need to study
13 it to see what is going on. We're also doing a lot
14 of construction in the city. We have a lot of
15 economic activity. There could be a bunch of
16 factors and I... I don't want to... I don't want to
17 make correlation the same as causality but
18 certainly I think it would logical to conclude that
19 that is a significant factor.
20

21 COUNCIL MEMBER VACCA: Is the 2,000
22 number which you gave the committee... is that the
23 constant number or was it recently 15 hundred now
24 it's 2,000 or was it 3,000 now it's 2,000... is that
25 an average number or is this a consistent number?

2 MEERA JOSHI: It's a consistent number
3 over the last six months or so. It may go up in the
4 next few months and a couple years ago it was much
5 less.

6 COUNCIL MEMBER VACCA: Many of the
7 permits you give through TLC offer out of borough
8 cabs, the so called green cabs. Is there a... is
9 there a way for you to omit Manhattan from further
10 for-hire vehicle permits?

11 MEERA JOSHI: Are... are you suggesting
12 similar to the geo-fencing that goes on with the
13 green cabs where they can drop off but not pick up
14 in Manhattan?

15 COUNCIL MEMBER VACCA: Yeah I'm... I'm
16 just questioning... option you considered to... to
17 address this?

18 MEERA JOSHI: I think as I mentioned
19 earlier it would be premature to come to a
20 conclusion before we've done the data analytics
21 that we need to do to understand the issues.

22 COUNCIL MEMBER VACCA: Okay. I mean I
23 definitely think we have to do something I'll be
24 open to working with you and I'm glad we're having
25 this... the hearing today on this legislation.

2 MEERA JOSHI: Thank you. And we welcome
3 your participation.

4 COUNCIL MEMBER VACCA: Thank you.

5 CHAIRPERSON RODRIGUEZ: Council Member
6 Garodnick.

7 COUNCIL MEMBER GARODNICK: Thank you
8 very much Mr. Chairman. And I have the privilege of
9 representing that Manhattan Central Business
10 District and I can confirm what everybody knows
11 what your testimony has revealed which is that it
12 is a... it's a mess out there. The speeds are slower
13 and you know the people who I represent... many of
14 them enjoy the services that Uber and Lyft and
15 other for-hire vehicles bring but they also want
16 traffic to move in the process. And we all
17 recognize that the ultimate result is frustration
18 and then loss of economic activity. But what I
19 wanted to ask was on the subject of cars going into
20 Manhattan being fewer and traffic speeds also being
21 slower. There... there must be some theories here as
22 to what potential cause or we've had a lot of
23 changes in... in the streetscape bike lanes even
24 speed limits, closing off streets. You know the
25 suggestion that was left by the testimony was that

1
2 it likely is the cause of the number of for-hire
3 vehicles but can you... can you say anything more
4 about the potential causes here?

5 POLLY TROTTEBERG: Look I think I've... I
6 think I've mentioned some of them and... look I... I
7 think we want to make sure that this study takes an
8 intellectually honest look at all the potential
9 factors. Certainly in the central business district
10 it is an interesting phenomenon that the cross...
11 that the crossing's in we're seeing vehicle traffic
12 decline but we're seeing traffic speed slow. So
13 it's... it's clearly I think a phenomenon that's
14 happening there. You know again I think it seems
15 logical as we've seen for-hire vehicle licenses go
16 up that the... the cruising of for-hire vehicles.
17 There's a... this is a dilemma in every city. And I...
18 I think the chairwoman can speak to it... There's a
19 tendency for for-hire vehicles to congregate in the
20 places where they can most efficiently pick up the
21 most people and take them to nearby destinations.
22 That's something you know that this... I know this
23 committee and this city has grappled with. How do
24 we spread that service out more fairly. So we think
25 that to be simple we... look we also do want to look.

1
2 What's happening with construction, with goods
3 movement, with things with street redesign,
4 etcetera. You know from my own department's part
5 as... as you know we try very hard when we do our
6 street work to make sure that we do everything we
7 can to make sure the traffic flows are just as good
8 or improved when our projects are done but sure
9 that should be a part of what we look at as well.

10 COUNCIL MEMBER GARODNICK: So as to the
11 study and you know to the extent that we can learn
12 something here I think would be important for us
13 to... you know to establish what the rules should be
14 here. There has to be a saturation point at some
15 point here for the number of cars that we can
16 handle on the road in Manhattan and the rest of New
17 York City. But how exactly are you going to do this
18 study. So how exactly are you going to do this
19 study? Let's say we... we move forward. I know that
20 you have already started some of this but how... how
21 do you do it? Do you have access to the... to the
22 data for all these car companies? What are we going
23 to learn that we don't already know today?

24 MEERA JOSHI: I'm going to defer to
25 Polly for the mechanics because that's not my area

1
2 of expertise but I can let you know what data we
3 have and what new data we're getting. And as I
4 mentioned before I would really welcome those
5 companies that use GPS so that they have the... they
6 have breadcrumb data for their vehicles which we
7 don't currently require they submit to us if they
8 were to provide us with that breadcrumb data our
9 ability to study this would be greatly enhanced.

10 COUNCIL MEMBER GARODNICK: Isn't our
11 ability to study it significantly inhibited by the
12 absence of that information? I mean if we knew what
13 the cars actually were doing... [cross-talk]

14 MEERA JOSHI: I don't think it's
15 inhibited but it would be better. And I'll let
16 Polly sort of speak to the mechanics of traffic
17 studies but today we have the Tpap data from the
18 green taxis and the yellow taxis will have drop
19 pickup information from the for-hire vehicles. And
20 then if any... if companies voluntarily give us the
21 breadcrumb data then we would also have the
22 breadcrumb data from the for-hire vehicles in and
23 around Manhattan which would definitely be
24 illuminating. But as to the mechanics and the other
25 factors that are looked at I'll defer to Polly.

2 COUNCIL MEMBER GARODNICK: Good. And
3 since I have 42 seconds left I'll just throw in my
4 last question which is you know the need for a
5 moratorium in order to achieve this goal. And I
6 apologize I had to step out for a moment, so if
7 you've answered this I apologize. But what is... what
8 is so critical about freezing everything at a
9 moment in time to be able achieve this? And so you
10 can do this in whatever order makes sense but I
11 just wanted to make sure I got that... [cross-talk]

12 MEERA JOSHI: I'll speak like an
13 auctioneer. The... it's a limited growth proposal and
14 the importance of that is to establish a baseline.
15 Because if you do a study based on conditions in
16 September and your recommendations come out in
17 December but the world looks drastically different
18 by December you've mooted out any recommendations.
19 And... and I think it's sort of a basic scientific
20 principle that you have a baseline, you do the
21 study from that, and then you make recommendations
22 based on that. But let me turn it over to Polly...

23 POLLY TROTTEBERG: I'll go quickly on
24 the data and then... look I think as we... as we
25 progress with the study we'll... we'll probably have

1
2 further discussions. I mean we have our existing
3 sources, particularly the taxi GPS data now the...
4 the... the real time bus data which we've only had
5 for a couple of years and it's given us some level
6 of insight but we think we can actually plum the
7 data for more insights. One thing when you look at
8 the taxi data you'll see for example two taxi cabs
9 that are cruising around the same part of
10 Manhattan. One of them will pick up a lot more
11 rides than the other. Some... well some of them are
12 just operating more efficiently than other... not
13 clear why that is. I think some deeper analysis
14 might give us some insights there. I mean our
15 ultimate goal is to as you say avoid the saturation
16 point and get as much use out of the roadway
17 network as we possibly can.

18 CHAIRPERSON RODRIGUEZ: Council Member
19 Lander.

20 COUNCIL MEMBER LANDER: Thank you very
21 much Mr. Chair. Thanks to the three of you for
22 being here. You know I enter this conversation with
23 an open mind. I'm a... a regular Uber user. I think
24 the technology is great. I think the latest
25 smartphones are sort of shifting a lot of our

1 transit. They just started SpotPog in my community
2 this week and I'm eager... off board fare payment on
3 the busses... but I share the concerns. There's
4 certainly one thing I'm mindful of. You know we
5 have this great chart on page four of our... of our...
6 the council prepared study. It's not only 50
7 percent growth since 2012 but it was essentially
8 level for-hire vehicles at 40,000 in the six years
9 before that. So it sure looks like a bubble.
10 Understanding what that's about is really
11 important. It sounds to me like we don't have good
12 data on number of rides so really understanding
13 what's happening here and how much is that a shift
14 from work that had been full time into work that is
15 now increasingly part time. So yeah just have a lot
16 more drivers out there getting fewer rides... you
17 know you can call that flexibility but I don't
18 think what we mean by the sharing economy is you're
19 going to have to like share an apartment with other
20 drivers because you can't afford the rent. We don't
21 want to see it shift from an industry where people
22 had full time jobs to ones where everybody's part
23 time in the name of flexibility or sharing. But how
24 are we going to study that? Or you know are we...

1
2 could we compel the for-hire vehicles to give ride
3 data to us? Do we need a third bill? Are we going
4 to survey drivers? It seems to me like we really
5 need to get at that question... [cross-talk]

6 MEERA JOSHI: Yeah I think that's... and I
7 think that was layered into my testimony as well as
8 congestion harms driver income just basically
9 because it's harder to get from one place to
10 another, less opportunity to get fares, but with
11 the increase of vehicles and in the increase of
12 drivers and what we see is the... the obvious
13 prevalence of illegal activity that does appear to
14 be an oversaturation of drivers and we hear this
15 anecdotally and... and you know sharing is nice but
16 you know when it's your income it's... it's a little
17 difficult.

18 COUNCIL MEMBER LANDER: So how are we
19 going to study that though? [cross-talk]

20 MEERA JOSHI: So to study that is...

21 COUNCIL MEMBER LANDER: ...compel the
22 provision of the number of rides or we got to get
23 good surveying of drivers like how... [cross-talk]

24 MEERA JOSHI: I think a combination. One
25 we... we would encourage drivers to come to us and

1
2 give us information about their income... their
3 income levels. The pick-up data will also give us
4 the driver information and the vehicle information.
5 So analyzing the driver and vehicle and... and seeing
6 where the... where the frequencies are we'll be able
7 to more accurately study how many trips each driver
8 is making. We won't know how much they'll make on
9 each trip based on what we have but we can at least
10 estimate what a trip value will be to get to some
11 better generalizations about income opportunities.

12 COUNCIL MEMBER LANDER: But we'll only
13 have that newly. We won't be able to go back and...
14 [cross-talk]

15 MEERA JOSHI: We won't be able to go
16 back. And in the past... [cross-talk]

17 COUNCIL MEMBER LANDER: ...because if it's
18 the same number of rides spread out over 60,000
19 vehicles that were previously spread out over
20 40,000 vehicles but we'll have that at least going
21 forward.

22 MEERA JOSHI: Yes. And... and in the past
23 we've done surveys like we did prior to launching
24 the green taxi program to get an idea of what
25 drivers were making through dispatch calls from

1
2 bases. And... and found out that where there... because
3 there wasn't... there was not enough work there they
4 were supplementing illegally which is where the
5 green taxi you know program really was born to... to
6 be... to supplant that illegal activity.

7 COUNCIL MEMBER LANDER: And then I
8 wonder whether you're worried about at all
9 monopolization here. I know there are a lot of
10 other for-hire vehicles besides Uber but it sounds
11 to me like you said there's 18,000 Ubers out there
12 out of 62,000 for... licensed for-hire vehicles. And
13 there was zero of them a few years ago.

14 MEERA JOSHI: Mm-hmm.

15 COUNCIL MEMBER LANDER: Today look as a
16 customer there offering a great service at a great
17 price but do we need to be... pay attention to or
18 have any concern about regulating against monopoly
19 here because obviously you'll get to a point where
20 they or someone else, but right now it seems like
21 them, who could approach monopoly power and that
22 that would really have a dramatic impact on the
23 system?

24 MEERA JOSHI: It's like meet the old
25 boss, same as the new boss. There's... there's sort

2 of the perceived monopoly among the yellows.

3 There's a perceived monopoly potential in the for-
4 hire... [cross-talk]

5 COUNCIL MEMBER LANDER: That's why...

6 MEERA JOSHI: ...I think...

7 COUNCIL MEMBER LANDER: ...you regulate
8 the fairs.

9 MEERA JOSHI: Yeah yeah I think you...
10 you... you hit upon a very important point. New
11 Yorkers want choice and they deserve choice but if
12 we're not careful they won't have choice. And what
13 may be a good service today if there's no
14 competition will be whatever it will be without the
15 check of competition to keep it in line. So yes
16 that is something that we would... you know... and it...
17 we would have to look at that through the
18 regulatory lens to find out where we overstepping
19 our regulatory power and... markets are able to
20 correct this or where there is a role for
21 regulation. And I don't think that's an easy
22 matter.

23 COUNCIL MEMBER LANDER: Alright and then
24 just... I'm... I'll end with an observation here and
25 this just really builds on Council Member

1
2 Garodnick's point. I... you know I'm... I'm persuaded
3 that the study is needed and that the... the pause is
4 needed. I do think there's so many related issues
5 here that while this study can't get at them we
6 need some big thinking about the transitions that
7 we're facing as a strong supporter of congestion
8 pricing I want to just keep urging the
9 administration to keep looking at it. There's other
10 models of car share developing. It's time to
11 revisit our parking requirements in new
12 development. This is an important thing to do to
13 pay attention to the real risks we're facing in the
14 systemic shift in for-hire vehicles. But it points
15 to a bigger set of shifts and how people are moving
16 around this city. And I really just urge the
17 administration to keep thinking big and look for
18 other ways to make progress on these issues.

19 MERA JOSHI: Thank you for that urging.

20 CHAIRPERSON RODRIGUEZ: Thank you.

21 Council Member Reynoso.

22 COUNCIL MEMBER REYNOSO: Thank you

23 Chair. Hello. And thank you for being here. And I
24 think a common theme in the last couple of weeks is
25 that three women in a room and is very happy to see

1
2 you guys up there doing amazing work that you do
3 and thank you for that... for your service first and
4 foremost. And I... I just want to say it seems like
5 a... one of these... is... is not even needed because
6 you're already doing a study. And it kind of... and
7 it kind of tells me that the first bill is... is used
8 to justify the second bill right? We need a... we
9 need to do a study and because we're going to do a
10 study we're going to put a moratorium until the
11 study's over. But you already started this study.
12 So we're just putting on... this is either a waste of
13 paper or time in regards to the study that you're
14 already doing what codifying a study that's already
15 started. I don't understand that very much. So I do
16 want to say that it doesn't seem like we need to
17 pass that legislation because you're already doing
18 that work. So that just... the perception seems a
19 little off when it comes to it... and it... and it kind
20 of lends to Uber's... Uber's consistent thought or
21 statements that this is... is a war on Uber at... at
22 all times. And then that's what that looks like
23 already you're feeding that. Then we have the... the
24 Livery bases, black car bases, and luxury limo
25 bases of which we all have a one percent growth for

1
2 vehicles that are 500 and over right... bases with
3 500 or more vehicles, bases with 20 to 499 vehicles
4 could grow by five percent so whether you have 20
5 vehicles or 499 in your base you could go up by
6 five percent and then bases with less than 19
7 vehicles grow by 15 percent. That's all in the
8 legislation in regards to the study. And you... you
9 spoke about a patient and doing a diagnosis. You
10 guys are giving the... the shot to the patient before
11 even knowing what the... what the sickness. You don't
12 have an idea of what it is because the study's not
13 complete but you're already saying that the
14 moratorium needs to happen. It's extremely
15 concerning when... when all those steps are being
16 taken and you're singling out one base... one guy...
17 one person. And I just want to speak to that. How
18 many Livery bases or black car bases are over 500
19 vehicles in the city of New York?

20 MEERA JOSHI: 15.

21 COUNCIL MEMBER REYNOSO: Alright my
22 statistics say nine. And I got that from the city
23 council... the citizen council. [cross-talk]

24 MEERA JOSHI: I have 15; five black car,
25 nine Livery, and one luxury...

2 COUNCIL MEMBER REYNOSO: We have three
3 Livery so I'll fix that here.

4 MEERA JOSHI: Okay.

5 COUNCIL MEMBER REYNOSO: And how many of
6 those are Uber?

7 MEERA JOSHI: Six I believe.

8 COUNCIL MEMBER REYNOSO: Six out of the
9 how many altogether?

10 MEERA JOSHI: 15.

11 COUNCIL MEMBER REYNOSO: six out of 15.

12 [cross-talk] Alright so they got a... they got a one
13 percent growth is what those guys are getting. Now
14 how many... how many vehicles are 20 to 499?

15 MEERA JOSHI: 470.

16 COUNCIL MEMBER REYNOSO: 470. Alright.
17 So those guys get five percent. And then we have...
18 how many are less than 19 vehicles?

19 MEERA JOSHI: 398.

20 COUNCIL MEMBER REYNOSO: 398. So 98
21 percent of the industry is either going to get a
22 five to 15 percent and Uber is going to get one
23 percent increase over that time.

24 MEERA JOSHI: But the... the tricky thing
25 about... and I just want to point out one thing. We

1
2 did mention in our testimony that we would love to
3 talk further with the council about growth
4 limitation mechanism...

5 COUNCIL MEMBER REYNOSO: The arbitrary
6 growth limitation mechanism... [cross-talk]

7 MEERA JOSHI: There... there may be
8 something that needs to be more consistent but
9 percentages are tricky things. So if you've got a
10 lot of vehicles one percent is actually a lot of
11 vehicles and maybe well more vehicles than 15
12 percent of a base that has 19 or fewer. So I... I
13 think the percentage makes it sound as though
14 somebody with 19 or fewer is going to get to bring
15 on a lot more cars but in reality one percent will
16 allow you to bring on a lot more cars if you're a
17 large base... [cross-talk]

18 COUNCIL MEMBER REYNOSO: Right. When...
19 when you put it in scale though it... it doesn't
20 necessarily apply... [cross-talk] but what I'm trying
21 to say is that that... [cross-talk]

22 MEERA JOSHI: But I think a consist...
23 something that's consistent across the board that
24 applies to every base regardless of their size...

25 COUNCIL MEMBER REYNOSO: Yeah.

2 MEERA JOSHI: ...would be a... a more
3 regulatory you know...

4 COUNCIL MEMBER REYNOSO: All I'm... all
5 I'm saying is why not make the diagnosis to choose
6 the percentages right? Why... why not do something
7 that has factual statistical and... data that speaks
8 to the percentages that you're looking for. Instead
9 what you're doing is just imposing whatever...

10 [cross-talk]

11 MEERA JOSHI: But I think you're
12 starting from a... you may be starting from a
13 presumption that the solution is the growth
14 limitation proposal in the bill. And I don't... I...
15 and I don't think my colleagues sitting next to me
16 think that that's accurate at all. This is... [cross-
17 talk]

18 COUNCIL MEMBER REYNOSO: Right.

19 MEERA JOSHI: ...a way to study and keep
20 conditions somewhat constant during the study so
21 that the study isn't entirely useless.

22 COUNCIL MEMBER REYNOSO: A study that
23 you are already doing that we don't need to
24 legislate.

2 MEERA JOSHI: I... I think we are... we are
3 already doing it and if you choose to legislate it
4 it would be because council wants to hold the
5 city's feet to the fire to make sure they do the
6 study.

7 COUNCIL MEMBER REYNOSO: No I think... I
8 think... should... I think that... [cross-talk]

9 MEERA JOSHI: But other than that we'll
10 be doing our study anyway. We do not...

11 COUNCIL MEMBER REYNOSO: We don't need
12 to hold your feet to the fire. Because you're
13 already on the fire. You're already doing your
14 work. We don't need to push you in any further.
15 What are we going to do? It makes no sense. And...
16 and then the last part I want to say is when we
17 talk about environmental studies north Brooklyn,
18 South Bronx, and Southeast Queens have been
19 fighting for reduction in truck traffic for the
20 last I think seven years when it comes to...
21 especially when it comes to the... transfers
22 stations... and the City of New York... and I just want
23 to... the city of New York... the Mayor's Office has
24 vehemently been working against these communities
25 when you talk about abuelita, that's what abuelita...

1
2 the abuelitas are. The grandmas are there. And no
3 one's helping us out and having any moratorium on
4 the amount of cars that we need. No one's talking
5 to us about having a study done about what's
6 happening. They're... instead they're working against
7 us. Sustainability... look out for the communities
8 that are essential... are downtown Manhattan... they
9 don't need the help the way we need it in North
10 Brook and South Bronx and northeast... and southeast
11 Queens. And it... it just shows us that where your
12 priorities are in the... in the Manhattan... Manhattan
13 obviously instead of these outer boroughs.

14 MEERA JOSHI: What I said was about the
15 downwind impacts.

16 COUNCIL MEMBER REYNOSO: Well we got... we
17 don't need...

18 MEERA JOSHI: And I'd be happy...

19 COUNCIL MEMBER REYNOSO: ...it's happening
20 on ground zero...

21 MEERA JOSHI: Yeah and I'd be happy to
22 follow up with you. I sincerely mean this. I would
23 be very happy to follow up with you on this.

24 COUNCIL MEMBER REYNOSO: ...and you will
25 say the same thing every other commissioner and

1 deputy mayor has said you know you guys have to
2 deal with this. Unfortunately you bear the burden
3 of having all these vehicles in your district, deal
4 with it. But in Manhattan we could put a moratorium
5 on it temporarily. It's... it just shows where your
6 priorities are especially when it comes to
7 communities of color and in my district
8 specifically. Thank you.

10 CHAIRPERSON RODRIGUEZ: Thank you. For
11 calling to my... the next Council Member Menchaca I
12 want to clarify that there is other colleague of
13 our that they... Reynoso for your clarity. Council
14 Member Reynoso for your clarity you have other
15 colleague here at the council that they been
16 introducing bills regard... on regard to regulate
17 truck that go to the South Bronx so when we look at
18 the environmental impact it's not only about Livery
19 car driver... it's about trucks that they work at the
20 Department of Sanitations. So I believe it is
21 important that we as a city continue working with
22 this administration with a comprehensive approach
23 of how we can save mother earth so that we can
24 address climate change from... perspective on thing
25 that we can control. So I... I did not... it was not my

1
2 intention to refer to any of those bases that you
3 have in your district that I have in my district.
4 And need I refer to Uber as... as the biggest one
5 that have 18,000 car affiliated. However there's a
6 reality. We have to address the environmental
7 impact and no... no TLC has not been working... had not
8 been mandated. We as a council has not pass a bill
9 asking the TLC to take the time to do the study. I
10 appreciate what they do in the data collection. I
11 have my own bill with data and other aspect of... of
12 that... other area... those... area where... TLC doing some
13 work. But I believe it is our time from the council
14 to mandate TLC to take the time so that they can do
15 a real environmental impact. So I... after a year we
16 can have a clear ideas on where we should go.
17 Everyone including those stakeholder of the major
18 corporation. They know that if they come to the
19 city or they go to San Francisco and New Mexico and
20 any other place and build any major development.
21 They are required to do environmental impact. So we
22 are... I think that we are moving the wrong
23 direction. Let's talk to the resident with Staten
24 Island who so like so many people that they... that
25 they... after Sandy because they... they wouldn't...

1
2 they... weather is changing in our city. So it is our
3 time. I don't see Uber. I don't see... I don't see
4 Lyft. I don't see any base in our district. What I
5 see the need that we have to do whatever we can to
6 mandate everyone to do environmental impact study
7 before we continue taking so many car... Council
8 Member Menchaca.

9 COUNCIL MEMBER MENCHACA: Thank you
10 Chair. Thank you. And one of the big base for... or
11 the bases for this movement for understanding
12 what's happening clearly is on climate change and
13 couldn't be more... more fierce about that commitment
14 to understanding the impacts 100 percent. I want to
15 bring you down to Brooklyn. I know that the
16 congestion is pretty big in Manhattan. But I'm
17 wondering about the impacts on congestion in outer
18 borough, specifically in Southern Brooklyn. And
19 give us an indication now since you've already kind
20 of started that process if... if there's congestion
21 issues well we're one we're all telling you we have
22 congestion issues even in our districts. But
23 understanding just from preparing for this and
24 doing some preliminary studies where you can tell
25 us about that. And then two looking at other pieces

1
2 of congestion... not just cars, but looking... and how
3 your data is going to understand and connect the
4 waterfront looking at ship... issue... port activity
5 and thinking about Sunset Park and Red Hook...
6 thinking about other industrial manufacturing
7 congestion and the BQE. And so... so how are you
8 going to really splice this out. And you can kind
9 of talk to us a little bit about that. And then...
10 well then have some other... other questions about
11 city bike but let's... let's come back to this.

12 POLLY TROTTEBERG: It... I will admit we
13 have very good... I... we've reasonably good data for
14 the central business district... the DOT actually
15 works with state DOT and the port author and the
16 MTA to do annual counts of all the crossings. And
17 then we do our own counts of the cordon of 60th
18 Street. So we... we do have robust data on the
19 central business district. For other parts of the
20 city as... as many of you know we do traffic studies
21 but I think they tend to be more localized. I think
22 that's a very fair question downtown Brooklyn
23 certainly a good example of do we need to do
24 something more robust there. You know at some point
25 we have to figure out what our resources are and

1
2 how much traffic counting we want to do. But again
3 there are actually some very promising new
4 technological avenues out there.. the companies now
5 that are tracking GPS data on tens of millions of
6 smartphones. Some of that data is proprietary and
7 you have to pay for it but I think you know again
8 something I'm excited about. I think in the next
9 coming years we're going to find incredible new
10 ways to have much better sense of traffic
11 movements, traffic lines, etcetera all over the
12 city.

13 COUNCIL MEMBER MENCHACA: So the study
14 will... will give us information on Brooklyn,
15 downtown Brooklyn, southern Brooklyn, and other
16 non-Manhattan business district.

17 POLLY TROTTEBERG: Yeah I mean that...
18 that was not intended for the... for the purview of
19 the study I don't... I don't know that we're not open
20 to considering taking a look at that. I mean I... I
21 think maybe we'll take a quick look at some of the
22 taxi data and seeing if we think that's starting to
23 be a real factor there.

24 COUNCIL MEMBER MENCHACA: Okay. I mean
25 that's... going to be important. Just on... on so many

1
2 different issues and understanding how there is not
3 only through congestion but other... other pollutants
4 in... in... in our environment; helicopters looking at
5 the waterfront and the ships with the dirty fuel.
6 There's a lot of work here I think we need to start
7 looking at. So I just want to... see the scope or
8 understand scope where you're moving forward not
9 just with these bills but with the mandate you
10 already have on studying this. And second just the
11 other two points that I want to make is whether or
12 not the... the rate of speed for cars in Manhattan
13 was also affected by city bike... I think there was
14 folks talking about how traffic has got slower. We
15 want traffic to be slower in some ways for safety
16 but does a study also look at impacts of more bikes
17 on the streets as well as cause for... or is just all
18 congestion?

19 POLLY TROTTEBERG: No... no I think as I
20 said in my testimony we're going to look at every
21 factor... [cross-talk]

22 COUNCIL MEMBER MENCHACA: Every factor.

23 POLLY TROTTEBERG: We will... we will
24 take a look at everything. I haven't actually... I
25 don't know that I've seen anecdotally that city

2 bike has done much to slow down traffic but you
3 know it's certainly something we can... we can take a
4 look at.

5 COUNCIL MEMBER MENCHACA: And the final
6 piece is on tech... the actual technology talked
7 about and working with the for-hire vehicle
8 companies and is there a list of information that
9 you'd like from them. I know in previous public
10 hearings we asked them to release more data. Is
11 there any... any now moving forward I and thinking
12 about how we're going to start looking at both
13 limiting the licenses but also studying the impacts
14 if there's a wish list of tech... technological
15 information from the for-hire vehicle companies.

16 MEERA JOSHI: So what we get by rule now
17 is just pick up daytime location. What we get on
18 the yellow taxi and green taxi side is the
19 breadcrumb data because they All have the GPS
20 machines in the... in vehicle. So yes if I had a wish
21 list it would be to have that same information on
22 the for-hire vehicle... [cross-talk]

23 COUNCIL MEMBER MENCHACA: ...want parody?
24
25

2 MEERA JOSHI: The breadcrumb data would
3 be immensely useful and I think it would expedite
4 any study that we did.

5 COUNCIL MEMBER MENCHACA: And you've...
6 you've asked for that data.

7 MEERA JOSHI: I've suggested it.

8 COUNCIL MEMBER MENCHACA: Good.

9 MEERA JOSHI: Just now.

10 COUNCIL MEMBER MENCHACA: Okay. Thank
11 you. Perfect.

12 MEERA JOSHI: And earlier in my
13 testimony.

14 COUNCIL MEMBER MENCHACA: And...

15 POLLY TROTTENBERG: And... and can I just
16 add I think it would help clarify you know there's...
17 I think you know legitimately questions about are
18 the cars really congregating in Manhattan? How much
19 are they going to outer boroughs? I mean think it
20 would really help us have a clearer picture of
21 where those vehicles are going like we have now
22 with the green cab... with the green and the yellow
23 cabs.

24 CHAIRPERSON RODRIGUEZ: Yeah and... and...
25 clarity the bill that I... that we are introducing is

1
2 in the five borough... the studies for the five
3 borough. So even though we know that the priorities
4 in certain area of Manhattan but the bill...
5 introducing today is a... as we are hearing today is
6 to do a study in the five borough including new
7 area too... Council Member Miller.

8 MEERA JOSHI: So... so let me just add
9 one... one other thing... you said if there was a wish
10 list. As I mentioned earlier we can tell how many
11 trips vehicles are making and how many drivers are
12 making those trips. We don't know how much money
13 those drivers are making from the trips and we
14 don't know what the expenses are like we have on
15 the yellow taxi side in terms of either commissions
16 taken out or their fees taken out. And I think to
17 the... the socioeconomic aspect of this is
18 understanding the driver income ramifications of
19 adding vehicles and adding drivers. So any... and on
20 the wish list would also be information about
21 driver intake from using a for-hire vehicle to... to...
22 in for-hire service.

23 CHAIRPERSON RODRIGUEZ: Council Member.

24 COUNCIL MEMBER MILLER: Thank you Mr.
25 Chair. And thank you Commissioner... Commissioner and

1
2 all that are out today. And... and we... we can stay
3 right where we at... my question will... what... what is
4 the impact on the increase of for-hires and e-hails
5 have they had on the outer boroughs if any that
6 you've been able to see as result of the data that
7 you currently have?

8 MEERA JOSHI: Of the data that we have I
9 think that there is... there's more service being
10 provided in the outer boroughs through at base
11 dispatches. 72 percent is happening in the core but
12 26 percent is happening in the outer boroughs. So
13 there is definitely more service there as well as
14 the green taxis which are gaining in ridership
15 steadily.

16 COUNCIL MEMBER MILLER: So... with... with
17 the data that you have been able to obtain from the
18 e-hails... does that give you... are you able to look
19 at the... the... the direction and the duration and
20 where they're actually operating in the... in the
21 outer boroughs? Because I have not seen...

22 MEERA JOSHI: Yeah so outer boroughs is
23 a loose term.

24 COUNCIL MEMBER MILLER: Yeah.
25

2 MEERA JOSHI: There... the concentration
3 of trips are definitely on the outer borough
4 locations that most closely... that are closer to
5 Manhattan. [cross-talk] True outer borough? No
6 they're still... [cross-talk] service.

7 COUNCIL MEMBER MILLER: ...southeast
8 Queens.

9 MEERA JOSHI: Yeah.

10 COUNCIL MEMBER MILLER: But you do have
11 the data that would determine that?

12 MEERA JOSHI: We have... we're in the
13 midst of collecting the... on the for-hire side. Like
14 I said we've collected from the larger bases and
15 we're working our way through the smaller bases.
16 When that's complete we will have a better picture
17 of where all bases are providing service. But what
18 we have now shows more service in the outer
19 boroughs than years passed but definitely in need
20 for a more spread of service throughout the outer
21 boroughs.

22 COUNCIL MEMBER MILLER: So I... I know
23 that we have discussed similar legislation...
24 legislation that we put together last year around
25 commuter vans. And we were very specific about a

1
2 moratorium based on safety, accessibility, and a
3 number of... of... of facts that we wanted to see in
4 the study specifically that address house services
5 get delivered and what its impact was. What... based
6 on that what specifically are you looking for in
7 this study here because it is lovega [sp?] aside
8 from its environmental impact exactly... [cross-talk]

9 MEERA JOSHI: I mean it... the commuter
10 van is sort of an interesting analogy. There was at
11 one time years ago a moratorium on commuter vans.
12 And today there's a growth control mechanism for
13 commuter vans. So you can't have a new commuter van
14 authority without input from the community... a
15 recommendation from DOT and TLC. So I think
16 although we don't know until we look at the actual
17 traffic patterns and some of the socioeconomic
18 factors that we'd like to look at what the ultimate
19 regulatory framework is but that is the goal is to
20 find a framework that allows the new companies that
21 come and provide excellent service to commuters
22 solid footing in New York so they can stay but in
23 balance with the rest of New York some of whom
24 patronize them and some of whom don't.

2 COUNCIL MEMBER MILLER: Okay so I... I...

3 this wasn't about the other... about my legislation.

4 I specifically wanted to talk about this but I hope

5 that you would certainly support that in the same

6 way that the admin and... and that your agency is

7 supporting this because I think how services...

8 transportation gets delivered in the city is very

9 important to the economic and the social as well as

10 the environmental impact of... of communities

11 throughout the city. And I would hope as my

12 colleagues said that... that it is done equitably in

13 that community and not disproportionately as... as we

14 have seen that the same emphasis on how services

15 and the amount of services it deliver I... I... I'm

16 hoping that we see the same thing with the same

17 emphasis on the quality of service that is being

18 delivered to communities. But I... I think that

19 answers my question on this one. Like I said I hope

20 to see the same due diligence when it comes to

21 commuter vans. Thank you for your time.

22 CHAIRPERSON RODRIGUEZ: Council Member

23 Crowley.

24 COUNCIL MEMBER CROWLEY: Thank you to

25 our Chair. Good afternoon. Now when it comes to

1
2 yellow hail... sorry the green hail taxis are they...
3 have they all been made for sale? Are there people
4 buying them? And what... what is the process of which
5 they've been rolled out?

6 MEERA JOSHI: They were issued under the
7 state law. They're issued in three tranches. So the
8 first tranche is completely sold. We're in the
9 midst of selling the second tranche. And there's
10 exacting requirements on how we sell them. There...
11 we cannot sell... they're sold in bunches of one
12 thousand. So there's 18,000 total. There's three
13 tranches, 6,000 each... is that right?

14 COUNCIL MEMBER CROWLEY: That makes
15 sense.

16 MEERA JOSHI: Yes? Okay. 6,000 each. But
17 every 1,000 must be sold 200 accessible and the
18 balance 800 non-accessible. We can't get to the
19 next 800 unless we've sold the 200 accessible. And
20 it's that kind of mandate that ensures that there's
21 enough accessible vehicles. We know without a
22 mandate people do not volunteer to put accessible
23 vehicles... [cross-talk]

24 COUNCIL MEMBER CROWLEY: Sure sure.

25 MEERA JOSHI: ...on the road.

2 COUNCIL MEMBER CROWLEY: Now are people
3 buying those?

4 MEERA JOSHI: Yes they are. They're
5 buying...

6 COUNCIL MEMBER CROWLEY: So there's... has
7 the... the price gone down or the... [cross-talk]

8 MEERA JOSHI: The price is set by state
9 law so the first round was 1,500 dollars. The
10 second round is 3,000. And the third round will be
11 4,500.

12 COUNCIL MEMBER CROWLEY: So there's
13 still a demand to buy those?

14 MEERA JOSHI: Yes. And ridership is
15 steady and growing in the green taxi hail market.

16 COUNCIL MEMBER CROWLEY: Okay out where
17 I represent it's... it's rare that I see either a
18 yellow or a green. So when you have Uber and these
19 other different companies that you could hail
20 through a app it has made a lot of my constituents
21 lives easier. The congestion is probably more in
22 other parts of the city. However my area may be
23 where they park some of their cars I also think a
24 lot of the drivers live in my district too. And I
25 think in the outer boroughs. And this has provided

1
2 some real serious income. I... I'm very much open to
3 the idea of studying I think that we should have
4 already been doing that. We're sort of late to the
5 game in understanding the ripple effects that this
6 industry has. But you know when it comes to my
7 district and a lot of the outer boroughs certainly
8 in my... as you get further away from the core of the
9 city transportation options are just not the same.
10 And... and it's not fair to my constituents that we
11 don't have the level of transportation that they
12 truly deserve being so close physically to the
13 city. And... and so it's... it's difficult to... to want
14 to halt the ability of these types of services to
15 my constituencies because many of them opt not to
16 take their car because it's quicker for them to not
17 have to find parking and often cheaper when they're
18 going to an event.

19 MEERA JOSHI: So I think... you know and
20 especially in the case of Uber they've done an
21 excellent job in providing service to areas that
22 didn't previously have it. And I think... in fact you
23 know they now have wait times that are close to
24 three four minutes with the number of vehicles. And
25 that was a... a... a wait time that was quoted when

1 they were 7,000 less vehicles that they are today.
2 So any limited growth mechanism wouldn't
3 deteriorate the number of cars that are currently
4 on the streets. It would maintain those and maybe
5 even increase because at 7,000 cars later the wait..
6 you know or decrease the wait times that you're
7 currently experiencing. So I think that your.. your
8 constituents would still get the level of service
9 that they get today. They may even get better
10 service as more drivers come in and vehicles are
11 utilized. And so that limited growth mechanism
12 would basically keep conditions at least at the
13 same and with the ability to bring on new drivers
14 possibly increase the service levels.
15

16 COUNCIL MEMBER CROWLEY: Have we done..
17 if I'm a driver right now.. if we didn't put these
18 limits in place what do I go through in order to
19 become a for-hire?

20 MEERA JOSHI: The limits have no effect
21 on the driver process. So you can still become a
22 driver the same way as you would have previously.

23 COUNCIL MEMBER CROWLEY: But there'll be
24 less job opportunities no?
25

2 MEERA JOSHI: Well there are today we
3 think an oversaturation of drivers. The
4 opportunities are diminishing because the demand is
5 only so much. We're bringing on lots and lots of
6 drivers and as your colleague pointed out those...
7 those full time jobs become more and more part time
8 jobs for people that... who are relying on full time
9 income to sustain themselves. So yes the more
10 drivers you bring on the more... the more that
11 they're fighting for what is ultimately a limited
12 supply. Although you know the passenger base is big
13 it is... it is still limited. So the bill wouldn't
14 stop new drivers from coming on. It puts a halt to
15 or a limited growth mechanism for vehicles but
16 allows the owners of those vehicles to better
17 utilize their vehicles and actually make a second
18 stream of income from leasing them out to another
19 driver.

20 COUNCIL MEMBER CROWLEY: Okay thank you.

21 MEERA JOSHI: Thank you.

22 CHAIRPERSON RODRIGUEZ: Great. Thank
23 you. Before we let the administration go and call
24 Uber we will give a chance for any council member
25

1
2 that has any question. Yes one question... one, two,
3 three? Thank you. I'm sorry. Council Member Lander?

4 COUNCIL MEMBER LANDER: Yeah sorry this
5 is very brief but I just... this is for Ms. Mesa. I
6 was talking to Council Member Reynoso and so you...
7 you... you guys are currently doing the study of
8 commercial waste. I guess sanitation is doing the
9 study of commercial waste regulation in New York
10 City.

11 NILDA MESA: BIC [sp?] is doing the
12 study along with NYU.

13 COUNCIL MEMBER LANDER: Did we think at
14 all about putting a moratorium on allowing new...
15 what do we call them Council Member Reynoso that
16 they're...

17 COUNCIL MEMBER REYNOSO: In... in asking
18 for permits to be... moratorium on any... expanding on
19 any new permits or allowing for any permits that
20 are not currently on the road right now from being
21 able to operate.

22 NILDA MESA: I need to get back to you
23 exactly on that but I don't think that there is a
24 massive increase in applications. But it's a great
25 question and let me get back to you on it.

1
2 COUNCIL MEMBER LANDER: We would love to
3 look at it. I think we're both... [cross-talk]

4 NILDA MESA: Yeah it's a great...

5 COUNCIL MEMBER LANDER: ...about the study
6 we're doing on Commercial waste under 1NYC.

7 NILDA MESA: Yeah.

8 COUNCIL MEMBER LANDER: But I think we
9 feel urgency there as well and don't want to just
10 wait for you know to... to... to be taking some steps
11 forward. So perhaps... [cross-talk]

12 NILDA MESA: Happy to follow up. I
13 believe that they are limited right now but I will
14 verify that and if they're not we'll follow up.

15 CHAIRPERSON RODRIGUEZ: They... they are
16 limited by more than 50 percent of the permits
17 unused capacity and what we're asking for is a
18 freeze on any unused capacity... actually to get rid
19 of the unused capacity.

20 NILDA MESA: Happy to follow up.

21 COUNCIL MEMBER LANDER: Super. Thank
22 you. Thank you Mr. Chair.

23 CHAIRPERSON RODRIGUEZ: Council Member
24 Levin has other questions.

2 COUNCIL MEMBER LEVIN: Thank you Mr.
3 Chairman. Just... I just want to clarify and make
4 this clear for the record. The purpose to pause or
5 limit the number of licenses during the period of
6 the study because this has become a... kind of a... a
7 sticking point and I'm not a traffic engineer. I
8 don't conduct traffic studies so it's...

9 COUNCIL MEMBER: Well we've seen you out
10 there with the speed guns Council Member Levin so
11 we know... [cross-talk]

12 COUNCIL MEMBER LEVIN: Very unscientific
13 though. They're not... Can you explain just a little
14 bit more as to why it's appropriate to... why it's
15 appropriate to cap while the study's being
16 conducted versus say allowing for the growth during
17 the study and then measuring the different impacts
18 during that growth? Can... is that... is that something
19 you can speak to?

20 MEERA JOSHI: So I think it just comes
21 down to that... it's... it's difficult to conduct a...
22 sort of an honest study of ever-changing conditions
23 because you're going to make recommendations based
24 on volume, quantity, service levels, income
25 opportunity, the ratio of accessible to non-

1
2 accessible but the world within you're making those
3 judgments will not be the same as the world that
4 you conducted the study on and made recommendation...
5 based your recommendations...

6 COUNCIL MEMBER LEVIN: Okay. And because
7 we have baseline data from 2013 when there was an
8 EIS conducted for the medallions and... and... and
9 another one from 2008 I believe or 2004. There's...
10 is there... is there adequate data to provide that
11 baseline for... so that we can gage the growth?

12 MEERA JOSHI: Well 2013 was a very
13 different world than 2015 today. We had 25,000 more
14 vehicles today than we do... or maybe 20,000 more
15 vehicles today than we did in 2013 and 72 percent
16 of those you know vehicles are operating in the
17 core. So I don't think the 2013 EIS would be an
18 appropriate baseline.

19 COUNCIL MEMBER LEVIN: Okay. But we'll
20 be able to use... in terms...

21 MEERA JOSHI: We can utilize it as... as
22 information. It's informative of what... of what some
23 of the problems are when you add vehicles that are
24 operating primarily in the Manhattan Core. But the
25 baseline from with which... from with the baseline

1
2 that we're going to go and make recommendations
3 based on... I think it would be erroneous if we
4 relied on data from 2013. It would be you know an...
5 an unhelpful conclusions because it wouldn't mirror
6 what the world looks like today.

7 COUNCIL MEMBER LEVIN: Okay. And one
8 other question. Just because we know that as... due
9 to your testimony before we know that... that the...
10 the increase has primarily been in the black car
11 sector versus other for-hire vehicle sectors. Do
12 you believe that it's the most appropriate course
13 of action to... to provide the limit across the board
14 for for-hire vehicles versus a just... the black car
15 sector or you think that it's most appropriate to...
16 to limit Liveries and limos bases as well.

17 MEERA JOSHI: There are three sectors
18 that have no growth control mechanisms. So I don't
19 think it would be prudent to be... take a narrow
20 approach and limit only one sector when they all
21 have the same model under which they operate. So
22 any recommendation we made for one sector would
23 likely be applicable to all three. And there's not
24 much distinction. You can move between sectors. You
25 can be a Livery car one day and then affiliate with

1
2 the Black car base and be a black car the next day.
3 So those distinctions which held a lot of meaning
4 many years ago are over time holding less and less
5 meaning. But as a group they represent a large
6 uncapped for-hire vehicle market and that's the
7 sector we need to look at.

8 COUNCIL MEMBER LEVIN: The broader
9 sector. Okay thank you very much. Thank you Mr.
10 Chair.

11 CHAIRPERSON RODRIGUEZ: ...I would like to
12 ask you... take the time to answer just one question
13 so that we can take the time to hear Uber. Council
14 Member Greenfield.

15 COUNCIL MEMBER GREENFIELD: So I guess I
16 just have two questions about the... the moratorium
17 and the completion of the study. And it seems like
18 we do studies all the time and there's shifts in
19 traffic patterns. So what makes this situation so
20 unique as opposed to when we generally do a traffic
21 study... and I imagine as soon as you print it
22 potentially could be out of whack. And I'm mostly
23 curious as to why it would take a whole year to
24 complete this study.

1
2 MEERA JOSHI: Well our hope is that it
3 wouldn't take a year. So the year is the maximum
4 limit but it... the... you know the... the sooner it's
5 done the better for everybody. But what's different
6 here is if you have a general traffic study we know
7 like in the New York metropolitan area the rates of
8 car ownership haven't really varied over time. So
9 you're more likely to do a study in it for it to
10 remain relevant. But we... we also know in this
11 particular dynamic that we're bringing on in
12 unprecedented number of cars and any study which
13 everyone knows the end result of will be a
14 recommendation to set forth the framework that
15 doesn't exist today which would increase anxiety
16 about people's ability to bring on new cars might
17 actually encourage people to... in a pace quicker
18 than is currently happening which is 2,000 a month
19 bring on even more cars there's extra... external
20 circumstances that mean that the world will
21 tremendously shift over the duration of the study.
22 And that is something that's a little different I
23 think than normal traffic conditions... traffic study
24 conditions.

2 COUNCIL MEMBER GREENFIELD: Just to be
3 clear on the study you're going to study everything
4 right from traffic patterns to bicycles to speed
5 limits right? You're not just going to study the
6 one issue of for-hire vehicles is that correct?

7 POLLY TROTTEBERG: Yeah I think... I
8 think we're going to study a bunch of different
9 things but cutting a little bit... you saying why is
10 this going to take a year. I mean if we study
11 everything that... that's definitely going to add
12 time to the study. So I think we're going to try
13 and pick... [cross-talk]

14 COUNCIL MEMBER GREENFIELD: That's fine
15 by me... [cross-talk]

16 POLLY TROTTEBERG: Right right. I mean
17 I think...

18 COUNCIL MEMBER GREENFIELD: ...make sure
19 it's...

20 POLLY TROTTEBERG: ...I think the goal is
21 to pick the most relevant factors we can where we
22 have some good data and... [cross-talk]

23 COUNCIL MEMBER GREENFIELD: Yeah.

24 POLLY TROTTEBERG: ...get some good
25 conclusions in the year time frame if the... you know

1
2 that the... at least if we following the council bill
3 that the council bill mandates.

4 COUNCIL MEMBER REYNOSO: ...I think he
5 asked the question regarding why a moratorium. I
6 think is the first time you guys ever put a
7 moratorium before a study. So I'm glad he asked it.

8 MEERA JOSHI: We have... we don't have the
9 authority to so we couldn't have... [cross-talk]

10 COUNCIL MEMBER REYNOSO: We... we can... we
11 can give you that. So I guess my question would be...
12 my hope is when this study is completed that the
13 information you find regarding bike lanes, busses...
14 because you're going to find that bike lanes are
15 positive, that we need more bus only lanes that the
16 problem is every time you're in a car and you think
17 that you're... it's taking too long it's because
18 you're in the vehicle, maybe you should just take
19 the train. When we find that out that you are just
20 as aggressive in imposing those positive features
21 of... of transportation in that all the members here
22 under the administration goes all in and looking
23 forward to a... to a statement by the mayor's office
24 supporting Move New York as soon as that study is
25 done. I would prefer before then but we need to

1
2 start being more proactive in making sure that we
3 let people know what the positive impacts of
4 transportation are not being afraid to impose those
5 positive additions like bike lanes and bus only
6 lanes and things of that nature?

7 POLLY TROTTEBERG: And... and I will say
8 because we've been... particularly my colleague has
9 been talking a lot about 1 New York. I mean as you
10 all have seen in that document we are calling upon
11 the administration. We're calling upon ourselves to
12 build out more select bus service routes to get to
13 20 in the next few years, to build 50 miles of bike
14 lanes every year to do some of the things you're
15 talking about so that certainly they're not
16 mutually exclusive and we are pressing ahead with a
17 lot of those great projects as well.

18 MEERA JOSHI: And I just want to say
19 there's another aspect... and this is from my narrow
20 minded perspective... TLC, pooled car service which
21 is something that hasn't taken off in New York in a
22 way that I would like to see it take off and would
23 definitely help with congestion mobility, as well
24 as access to for-hire service because it would
25 reduce the cost for the individual passenger. So

1
2 that's one thing we would like to look into how we
3 can support the further growth of that. And
4 technology has been a real boon to being able to
5 not connect just one passenger to a car but several
6 passengers to a car.

7 CHAIRPERSON RODRIGUEZ: Okay. So before...
8 before you leave I would like to... question about...
9 for the TLC. You talk about TLC getting pickup
10 data. Are you also getting the... the drop off data?

11 MEERA JOSHI: No, our rules... our current
12 rules require only that we get pick up
13 date/time/location, the I.D. number for the driver
14 and the I.D. number for the vehicle, and the
15 dispatching base and the affiliation base I.D.
16 numbers.

17 CHAIRPERSON RODRIGUEZ: Great. Were
18 they... everything expanding the data as you know for
19 me I looking that when we are getting ready to vote
20 on those two bills that we are hearing today that
21 also include the three additional bill. One is to
22 expand the three record bill that I... is... is... a bill
23 that I have. Another bill that I have which is
24 calling to establish the base agreement and also
25 council member Greenfield which is focused on surge

1
2 pricing. So I know that we will continue
3 conversation but I believe this is a time for us to
4 act up and say everyone... all the stakeholder in New
5 York City who serve the 57 million tourists. And
6 the eight million New Yorker who live here they...
7 they should be subject to the same rule and
8 regulation. So I know now we will continue
9 conversation but I just wanted is to make you aware
10 that for me the other three bills are so important
11 of those two bill that we are listening today.
12 Thank you. Now I would like to call Uber.

13 MEERA JOSHI: Thank you.

14 [pause]

15 CHAIRPERSON RODRIGUEZ: To start...

16 [pause]

17 UNIDENTIFIED MALE: Folks we ask
18 everyone to find a seat. Once again please quiet.
19 Hearing is still in session.

20 CHAIRPERSON RODRIGUEZ: To start I would
21 like to say thank you. As a representative of a
22 very important sector in the taxi limousine
23 commission and to say that from my end as a
24 chairman... Silence please.

25

2 UNIDENTIFIED MALE: Folks please quiet
3 on... on your way out. Please keep it quiet on your
4 way out. Thank you.

5 CHAIRPERSON RODRIGUEZ: ...again before we
6 hear testimony I would like to say that I... we
7 appreciate having Uber in New York City as we have
8 Lyft and we have the additional 73... services. We
9 believe that the consumer deserve the... as much
10 choices as possible so this conversation today is
11 not about being against any particular new player
12 in the industry. This is about having a
13 conversation exploring the way of how everyone from
14 yellow, green, and Livery are subject to the same
15 rule and regulation. And I understand and we
16 believe that environmental impact study is very
17 critical and so important. So I wanted to pu things
18 clear. Uber is welcome to a city. We appreciate...
19 consumer. My wife is a customer of Uber as my niece
20 who live in Brooklyn and got... yesterday inviting
21 her to come to this rally this morning. So you know
22 like everyone welcome Uber but we just want to have
23 that conversation. And we believe that in order to
24 get something done we need to change the way of how
25 we... targeting any particular council member because

1
2 we are introducing a bill without having that
3 conversation is not a productive way of how we can
4 get things done.

5 MICHAEL ALLEGRETTI: Michael Allegretti
6 with Uber. Good to see you all today. Let's get to
7 it. The bills before you will have serious and
8 lasting consequences for riders, drivers in the
9 city of New York. Supporting these bills will
10 destroy jobs. And it does so primarily among the
11 group that this administration and this city
12 council have pledged to help the most. Yep we
13 anticipate it bringing 10,000 new people onto the
14 platform this year. This legislation locks these
15 people out and in fact it jeopardizes the jobs of
16 596 of them right now. I have their names right
17 here. I don't know what the council plan is to do
18 to offer them an opportunity but maybe we could
19 talk about that. The rationale for this study is at
20 best questionable and is at worst negligent. It
21 prejudices the solution. We just heard that from the
22 panel. It's already started in fact. It examines
23 the question and pre... and before it examines the
24 question it prejudices the solution. It's a complete
25 departure from the 25 studies found on the DOT

1 website and as you heard from the panel they could
2 not point to an example where a vehicle cap has... or
3 some sort of cap has been in place before you do
4 the study. We have computers for that now. It's
5 called modeling. I guess we can only assume that
6 the bike study was flawed because we didn't hold
7 the supply of bikes constant. Maybe every education
8 study that you receive from an advocate is flawed
9 because we didn't hold the population of students
10 constant you would laugh us out of your office if
11 we came in with it. To your point Councilman Levin
12 a serious policy alternative would be accompanied
13 by a vehicle... would not be accompanied by a vehicle
14 cap, of course not. It would look at all causes of
15 congestion. And it would look at all corners of the
16 city. There seem to be disagreement between the
17 chair and the people doing the study as to whether
18 we're talking about the boroughs or not. They are
19 part of the city. And of course an independent and
20 objective third party which I think is now I
21 question. The vehicle limits that accompany this
22 study have absolutely nothing to do with congestion
23 or air quality. They have nothing to do with
24 congestion or air quality. They have everything to
25

1 do with limiting competition. Come on. The taxi...
2 the Committee for Taxi Safety offered a hauntingly
3 similar proposal three months ago. Let's
4 acknowledge what we're doing here. Everyone wants
5 less congestion and cleaner air. I learned today
6 that Uber was the cause of Superstorm Sandy and
7 climate change as well. That was revealing. But
8 this process is making a mockery of very important
9 issues, issues I've worked on in my life as well.
10 And it's manipulating them to do one thing and that
11 is stifle competition. Any argument that this... and
12 I appreciate some of the comments from some... from
13 some of the counsellors. Any argument that this is
14 not about a single company? It's dismantled. Once
15 you learn that basis that are affiliated with Uber
16 and had Uber's size can grow by a whopping one
17 percent. Others can grow by 15. Tell me why the
18 distinction. Please someone explain it. Because
19 it's about the overall supply. Now I think what
20 we'll say or what we'll hear is it's because we
21 don't want to cripple small business. We want to
22 make sure everyone has a chance. Well my gosh
23 people are conveniently forgetting that the men and
24 women who use the Uber platform are small business
25

1
2 owners. One by one the rationale for this
3 legislation and the methodology fall like a house
4 of cards. Slower average speeds in Manhattan now
5 apparently something we need to fix. Just this year
6 we dropped the speed limit from 30 to 25.
7 Arbitrarily singling out one percent of the 2.7
8 million cars that go over the toll free crossing
9 into the... out... into and out of the city every day
10 stunningly incomplete, ignores 99 percent of the
11 problem. I guess you know we're going to start also
12 putting out you know studies that single out
13 delivery services when they want to come into the
14 city... maybe car dealerships because they put
15 vehicles on the road too. Let's be honest about
16 what we're doing. Shared rides whether they're
17 yellow, green, black... I don't really care what
18 color they take personal cars off the road. Getting
19 more people into shared rides takes more cars off
20 the road. You heard Commissioner Joshi talk about
21 the notion of pooling. That's the future, not
22 studies. The consequences of this legislation will
23 simply be crippling for the people who need the
24 most support from the city council, this
25 administration, and each of us. It will lead to

1 higher prices for those seeking a ride. Let's be
2 very clear about that. And... and this... this notion
3 that we need to cap the supply of vehicles and
4 somehow that's going to give us this thing called a
5 baseline? I'm going to laugh walking out of here.
6 What are you going to do about demand? Are you
7 going to cap demand too? No of course not. This is
8 just basic... basic reasoning. So prices will go up
9 and they're going to go up in the communities that
10 can't afford them the most, the outer boroughs. The
11 service reliability will get worse. It's just math.
12 Further crowding on our mass transit systems.. And
13 you know what Uber and other services like ours
14 will be just about as reliable as a yellow taxi in
15 the far corners of this city. Is that what we're
16 looking for? Vote for this bill and you're telling
17 real people wait another year to save for college,
18 wait another year to pay off your debts, put your
19 aspirations on hold while we conduct a traffic
20 study. And we deserve better and I know the members
21 of this committee are committed to doing better.
22 And with that we'll take questions.

24 CHAIRPERSON RODRIGUEZ: Thank you
25 Michael for your testimony. I teach my daughter

1
2 that it is important not to litter in the street
3 because a piece of paper that she throw in the
4 street end up in the ocean and therefore we can
5 contaminate the environment and we cannot have the
6 solution for the big problem but we is... can be part
7 of the small solution in our city. So when I refer
8 to the snowstorm and Sandy and the climate change I
9 did not refer to any particular industry; Uber or
10 Lyft or anyone. What I say that everyone should
11 understand the important of doing environmental
12 study. Have you been... have you work with any
13 industry in the past where the city here or any
14 place in the nation has mandate you to do
15 environmental study before you start running your
16 business?

17 MICHAEL ALLEGRETTI: Well I can't speak
18 to all of our markets. We're operating in over 300
19 cities around the world. But what I can speak to is
20 partnership. And the notion of partnering with a
21 government makes... The notion of partnering with the
22 government to understand impacts make sense. What's
23 going on here where a study is started before it's
24 been voted upon with arbitrary base lines. It's not
25 even a study.

2 CHAIRPERSON RODRIGUEZ: Are you aware
3 that at yellow taxi industry they are required to
4 do environmental impact study before they take the
5 car on the street?

6 MICHAEL ALLEGRETTI: Yeah you... of course
7 Chairman you... you outline that at the start. I will
8 remind you that yellow taxis are on the road
9 essentially 365 days, 24 hours, 7 days a week. For
10 hire vehicles are not. They are the personal
11 vehicles of people who live in this city. Many of
12 them use them for their own personal purposes. I
13 just wonder what path we're going down. Why not
14 just start studying all vehicles?

15 CHAIRPERSON RODRIGUEZ: Are you aware of
16 the impact that a corporation such as the one that
17 you work for with 28... with 18,000 car on the street
18 has to the environment and traffic in New York
19 City.

20 MICHAEL ALLEGRETTI: Well I think these
21 are really important questions to look at and I
22 know there were some giggles in the back of the
23 room when I mentioned partnership but truly
24 understanding impact. And it's funny because we're...
25 we're looking at a lot of things in this study.

1
2 What happened to noise? Noise is in there too.
3 We're also going to look at noise and congestion
4 and air quality. And then something just broadly
5 called impact. What I do know is that Uber is
6 providing economic opportunity to 18,000... to 26,000
7 people who did not have the same economic
8 opportunity before. And last I checked the top
9 priority in this city was solving for income
10 inequality. And doing so in a way that ultimately
11 perhaps leads to less congestion. So we're solving
12 for income inequality. The men and women on our
13 platform are seeing more money in their pockets and
14 we're putting more shared rides on the road. But we
15 need a study all of a sudden.

16 CHAIRPERSON RODRIGUEZ: When you came to
17 New York City how much of the fare that the driver
18 collect went to the drivers and how much went to
19 Uber?

20 MICHAEL ALLEGRETTI: You want to take
21 that?

22 NICOLE BENINCASA: Sure.

23 MICHAEL ALLEGRETTI: Nicole has worked
24 here longer than I have.
25

2 NICOLE BENINCASA: Good after... [cross-
3 talk]

4 CHAIRPERSON RODRIGUEZ: Just the number...
5 percentage why...

6 NICOLE BENINCASA: Sure so...

7 CHAIRPERSON RODRIGUEZ: 80/20...

8 NICOLE BENINCASA: 80/20.

9 CHAIRPERSON RODRIGUEZ: And today?

10 NICOLE BENINCASA: 80/20.

11 CHAIRPERSON RODRIGUEZ: 30 percent... is
12 in 30 percent of the... what the driver makes today
13 doesn't go to Uber?

14 NICOLE BENINCASA: I believe it's 80/20...

15 CHAIRPERSON RODRIGUEZ: I believe it's
16 30 percent go to Uber and I believe that it's more
17 than 30 percent go to Uber.

18 MICHAEL ALLEGRETTI: Perhaps the
19 confusion is that we pay eight... eight... 8.75 percent
20 sales tax chairman as you know. So it's going to
21 the government.

22 CHAIRPERSON RODRIGUEZ: Okay. I believe
23 it's 80... I... 30 percent go to the... to the... to the
24 corporation... percent... So it's more than 30 percent

1 that go to the corporation. [cross-talk] So I
2 believe... I believe that... [cross-talk]

3
4 MICHAEL ALLEGRETTI: But... but...

5 CHAIRPERSON RODRIGUEZ: ...if we're
6 talking about working with our working class how
7 Uber has been so great... [cross-talk]

8 MICHAEL ALLEGRETTI: Sure.

9 CHAIRPERSON RODRIGUEZ: We need to put
10 things clear that the percent is that how... they...
11 the fair... distribute to drivers in the corporation
12 today is not the same as we created the whole
13 illusion. ...are the whole... all your industries
14 selling certificate that were not real. So you came
15 out to the city announcing that they were A making
16 80 percent...

17 MICHAEL ALLEGRETTI: Right.

18 CHAIRPERSON RODRIGUEZ: ...today number is
19 not the same.

20 MICHAEL ALLEGRETTI: Chairman we can't
21 walk out of this room with any ambiguity on this
22 fact. Black Car bases pay north of eight percent
23 sales tax. So we're... we're proxing [phonetic] eight
24 to 10 let's... let's be clear about that. The 30
25 percent that you're... that you're saying goes to

1
2 Uber yeah 20 percent goes to Uber. We're a company.
3 The rest goes to the government. That 8.75 goes to
4 the government. It is sales tax. We pay it. Livery
5 bases do not. And of course neither do taxis. But
6 we're not in Albany right now discussing... [cross-
7 talk]

8 CHAIRPERSON RODRIGUEZ: I believe that
9 those percentages are paid after the 30 percent.

10 MICHAEL ALLEGRETTI: Alright well it's
11 another hearing because... [cross-talk]

12 CHAIRPERSON RODRIGUEZ: No no... [cross-
13 talk]

14 MICHAEL ALLEGRETTI: ...you know we...
15 [cross-talk]

16 CHAIRPERSON RODRIGUEZ: ...we can... no I...
17 [cross-talk]

18 MICHAEL ALLEGRETTI: ...other bills.

19 CHAIRPERSON RODRIGUEZ: ...since you are
20 so open I believe us... I believe that and you
21 highlight the best team... people who have a lot of
22 experience on the taxi limousine. I think that... I
23 hope that by the end of the hearing we can come out
24 with a clear breakdown of those numbers.

25 MICHAEL ALLEGRETTI: Very well.

2 CHAIRPERSON RODRIGUEZ: Great. So... have
3 Uber conduct any... any particular study by themselves
4 [phonetic] on the environmental impact that you
5 have by having 20... by having these large numbers of
6 cars and the numbers of car that you envision to
7 have in the future.

8 MICHAEL ALLEGRETTI: I don't think a
9 study that would be conducted exclusively by Uber
10 would be worth reading. I think the point is that
11 you'd need an independent and objective third party
12 to study the question. It's obviously not the panel
13 that came before us. And if we did you wouldn't
14 believe it anyway. So let's get a real independent
15 expert to look at the question.

16 CHAIRPERSON RODRIGUEZ: Great. I just
17 hope that as you know as the same...that we do in
18 this city and we will do it. We will pass those two
19 bill, the bill that we're hearing today. We have
20 the number to pass it and we have the will the
21 mayor to sign it. So... but...

22 MICHAEL ALLEGRETTI: So then when are we
23 having the hearing? [cross-talk]

24 CHAIRPERSON RODRIGUEZ: ...only New York
25 City will be the one passing those two bill. But

1
2 London is also having the same discussion about the
3 need to get Uber to do environmental impact. What
4 is a conversation that you have in... your
5 corporation is having with Uber with elective and
6 the government there about this discussion about
7 the need to provide environmental impact different
8 from the one that we are having here in New York
9 City.

10 MICHAEL ALLEGRETTI: Chairman I think
11 we... we've already answered the question. And you've
12 already said the bills are passing so perhaps
13 little to... to keep drilling down on.

14 CHAIRPERSON RODRIGUEZ: Council Member
15 Levin.

16 COUNCIL MEMBER LEVIN: Thank you Mr.
17 Chairman. Mr. Allegretti thank you for your
18 testimony.

19 MICHAEL ALLEGRETTI: Good to see you
20 again.

21 COUNCIL MEMBER LEVIN: Nice to see you.

22 CHAIRPERSON RODRIGUEZ: [off mic] sorry
23 Council Member... Council Member will be... continue
24 conducting this hearing.
25

2 COUNCIL MEMBER LEVIN: So how many cars...
3 how many cars has Uber brought online since 2011?
4 How many... how many cars... licenses that TLC has Uber
5 brought on?

6 NICOLE BENINCASA: So for for-hire
7 vehicles that are affiliated with Uber bases...

8 COUNCIL MEMBER LEVIN: Mm-hmm.

9 NICOLE BENINCASA: ...there are 18,858.

10 COUNCIL MEMBER LEVIN: Okay. So this is
11 going back to...

12 MICHAEL ALLEGRETTI: In case you're
13 interested that means that over the next year we'd
14 be able to provide 201 more opportunities for
15 people to work.

16 COUNCIL MEMBER LEVIN: Okay. So when the
17 Chairman asked... brought up the... you brought up the...
18 the... so you said quote the rational for this study
19 is at best questionable and at worst negligent. In
20 2013 when the city did an EIS prior to the auction
21 of 2000 medallions the EIS which was required found
22 quote significant adverse traffic impacts. So that
23 was the finding of the EIS on 2,000 medallions. Why
24 do you believe that 18,858 cars over three years,
25 72 percent of which are picking up the hails in the

1
2 central business district in Manhattan ought not
3 warrant an EIS and would not have the same quote
4 significant adverse traffic impacts?

5 MICHAEL ALLEGRETTI: I scratch my head
6 with the term significant adverse traffic impacts.
7 It's... it's almost like the... the...

8 COUNCIL MEMBER LEVIN: I didn't write
9 the terms... [cross-talk]

10 MICHAEL ALLEGRETTI: No... I understand
11 that.

12 COUNCIL MEMBER LEVIN: It was in the
13 EIS. So unless... I'm wondering... my question for you
14 is if the EIS found in that instance... [cross-talk]

15 MICHAEL ALLEGRETTI: For yellow... [cross-
16 talk]

17 COUNCIL MEMBER LEVIN: ...2,000... [cross-
18 talk] 2,000 new medallions would have a sig... a
19 significant adverse traffic impact why 18,858 would
20 not. 72 percent... [cross-talk] of which are picking
21 up fairs... [cross-talk]

22 MICHAEL ALLEGRETTI: No no I understand
23 the question. I'm just... And I'm sincere when I say
24 I'm scratching my head a bit because congestion,
25 air quality, and to a lesser degree noise are not

1 things that happen in isolation. As a... as a
2 lifelong Brooklyn resident until recently I take... I
3 take offense to the notion that the city's
4 congestion problem is only in the central business
5 district which apparently is where the study is
6 going different than what some members of the
7 panel... [cross-talk] perhaps thought.

9 COUNCIL MEMBER LEVIN: Sir I'm... [cross-
10 talk] just... [cross-talk]

11 MICHAEL ALLEGRETTI: So that is... [cross-
12 talk] that is the main reason that I think the
13 rational for the study is already in question.
14 [cross-talk] What are we even studying?

15 COUNCIL MEMBER LEVIN: Let me rephrase
16 the question. Did... do you believe that the EIS on
17 the medallions was unwarranted as well? Do you
18 believe that there ought not be any EISs at all
19 anywhere in the... [cross-talk]

20 MICHAEL ALLEGRETTI: Councilman...

21 COUNCIL MEMBER LEVIN: ...taxi industry?

22 MICHAEL ALLEGRETTI: The EISs on
23 medallions is mandated by law and I'm not in a
24 position to... [cross-talk]

25 COUNCIL MEMBER LEVIN: And so...

2 MICHAEL ALLEGRETTI: ...make a
3 determination... [cross-talk]

4 COUNCIL MEMBER LEVIN: ...but... but do you
5 think that it's... do you think that law is wrong?

6 MICHAEL ALLEGRETTI: No... I... do I think...

7 COUNCIL MEMBER LEVIN: No?

8 MICHAEL ALLEGRETTI: ...it's wrong? It's
9 not my place to say one way or the other. I'm... I'm
10 not representing...

11 COUNCIL MEMBER LEVIN: ...you think it's
12 wrong... you think it's wrong for... for you to have to
13 do an EIS but you don't think it's wrong for the
14 medallions that have to... [cross-talk]

15 MICHAEL ALLEGRETTI: I want to be clear
16 and you quoted me so I'll quote myself again. I
17 said that a credible policy alternative would be...
18 would not cap the supply of vehicles. Again we have
19 computers and models for that... would look at the
20 entire issue of congestion and be clear perhaps
21 that it was citywide and look at all the inputs,
22 delivery vans, trucks... You know just today they
23 said that over... I believe it's 275,000 truck trips
24 are going to come off the road thanks to the

1
2 opening of the South Marina terminal. That's a good
3 thing. Again makes me wonder the urgency to...

4 COUNCIL MEMBER LEVIN: But you did say
5 in your...

6 MICHAEL ALLEGRETTI: ...issue.

7 COUNCIL MEMBER LEVIN: I'm sorry but you
8 did say in your testimony the rational for the
9 study... This has nothing to do with the cap... this is
10 the rational for the study... [cross-talk]

11 MICHAEL ALLEGRETTI: ...hand in hand..
12 [cross-talk]

13 COUNCIL MEMBER LEVIN: ...just... just...

14 MICHAEL ALLEGRETTI: ...as we heard from
15 the panel.

16 COUNCIL MEMBER LEVIN: ...you said... I'm...
17 I'm... I'm quoting your testimony. You didn't say the
18 rational for the cap is questionable you said the
19 rational for the study is questionable. Do you
20 stand by that statement?

21 MICHAEL ALLEGRETTI: I... I do stand by
22 that statement because the people conducting the
23 study said that the cap was required to make the
24 study work to establish something apparently called
25

2 a baseline that cannot be modeled and we have to
3 take a snapshot of the world.

4 COUNCIL MEMBER LEVIN: Okay I'm going to
5 move on to another question. In your testimony you
6 asserted in paragraph two supporting these...
7 supporting these bills destroys jobs is what you
8 said, correct?

9 MICHAEL ALLEGRETTI: Paragraph 2, yes.

10 COUNCIL MEMBER LEVIN: Paragraph 2. That
11 it destroys jobs for potential drivers for Uber. It
12 is widely known and widely reported that Uber is
13 currently working on driverless taxi cab technology
14 including a partnership with Carnegie Mellon,
15 including a... including a partnership with Carnegie
16 Mellon, including obviously a significant investment
17 from Google. Google itself is developing driverless
18 technology. And Uber is developing a... a facility in
19 Pittsburgh Pennsylvania next... next to Carnegie
20 Mellon where they have an advanced robotic
21 department. Your CEO Travis Kalanick said in
22 response to a question at the code conference last
23 year about driverless cars quote love it all day
24 close quote. So he said in initial response love it

1
2 as in he loves it all day. My question is how many
3 drivers will be driving the driverless cars?

4 [laughter]

5 MICHAEL ALLEGRETTI: Nah it's fine.
6 Councilman I know about it... as much about this as
7 you do. But what I do know is certain is that these
8 bills will put a heck of a lot more people out of a
9 job than any driverless car in our future.

10 COUNCIL MEMBER LEVIN: Do you agree with
11 Mr. Kalanick when he was asked during that
12 interview what he would say to Uber drivers who...
13 whose job Uber is working to make obsolete? He said
14 quote I'd say look this is the way of the world and
15 the world isn't always great. We all have to find
16 ways to change with the world. Do you agree with
17 CEO of Uber Travis Kalanick in that statement?

18 MICHAEL ALLEGRETTI: Again I know as
19 much about this as you read in the papers.

20 COUNCIL MEMBER LEVIN: Okay. Well I
21 think that to be frank... and I don't want to get off
22 topic here.

23 MICHAEL ALLEGRETTI: I think we've done
24 that already.

2 COUNCIL MEMBER LEVIN: Your assertion
3 that this legislation would quote unquote destroy
4 jobs is... is dubious at best considering that the
5 long term business model for Uber is to move to
6 driverless technology sometime in the next decade..
7 I think that's fair... maybe 15 years.

8 MICHAEL ALLEGRETTI: Folks who have a
9 college payment or a house payment or a car payment
10 or a grocery payment, they're worried about today
11 and tomorrow. And this is... this is... there... [cross-
12 talk]

13 COUNCIL MEMBER LEVIN: So it's not a
14 long term career... [cross-talk]

15 MICHAEL ALLEGRETTI: Councilman there..
16 there was an argument made up here that don't worry
17 everyone can still get on... [cross-talk] you can
18 only get a license... [cross-talk]

19 COUNCIL MEMBER LEVIN: Okay.

20 MICHAEL ALLEGRETTI: [cross-talk] we're
21 just capping the vehicles. So you can go out there..
22 [cross-talk]

23 COUNCIL MEMBER LEVIN: And... and is that..
24 [cross-talk] is that not true? Can... can... can

1
2 somebody not... a new driver not share a vehicle that
3 is currently licensed? Does that... [cross-talk]

4 MICHAEL ALLEGRETTI: Let's talk about
5 that.

6 COUNCIL MEMBER LEVIN: Is that not
7 possible?

8 MICHAEL ALLEGRETTI: No it is possible.
9 Let's... so the point of the legislation to be clear
10 is to make the for-hire industry mirror the yellow
11 taxi industry. To make people who are small
12 business owners become shift workers. To take what
13 could have been 100 dollars a day and make it 50.
14 How is this solving for income inequality? Please
15 tell me.

16 COUNCIL MEMBER LEVIN: Is it not
17 possible...

18 MICHAEL ALLEGRETTI: Yes it is. And I
19 just told you how is they can become shift workers.
20 [cross-talk]

21 COUNCIL MEMBER LEVIN: But they could
22 still...

23 MICHAEL ALLEGRETTI: They could rent the
24 car from someone else, yes.

2 COUNCIL MEMBER LEVIN: And that's... and...
3 and... and they're not able to... to collect fares and
4 they're not able to collect...

5 MICHAEL ALLEGRETTI: Councilman I'm...

6 COUNCIL MEMBER LEVIN: ...make a living in
7 that... in that... [cross-talk]

8 MICHAEL ALLEGRETTI: ...clear as possible...

9 COUNCIL MEMBER LEVIN: Okay so let me
10 ask you... The current... currently... because that
11 currently happens. Does that not currently happen?
12 Do you not have drivers that are driving for Uber
13 that don't own their cars?

14 MICHAEL ALLEGRETTI: Absolutely and...
15 [cross-talk]

16 COUNCIL MEMBER LEVIN: And are they...
17 and... and are those drivers able to make a living?

18 MICHAEL ALLEGRETTI: I...

19 COUNCIL MEMBER LEVIN: ...that are
20 currently driving for you?

21 MICHAEL ALLEGRETTI: It's an impossible
22 question for me to ask because I don't know all of
23 our drivers. I know that people... [cross-talk]

24 COUNCIL MEMBER LEVIN: Are those drivers
25 who are... who don't own their vehicles now but are

1
2 driving for Uber, that are licensed to drive for
3 Uber are driving for Uber that... but that don't own
4 their vehicles... are they... are they able today to
5 make a living?

6 MICHAEL ALLEGRETTI: Are they able to
7 make a good living or are they able to make the
8 best living or are they able to make... [cross-talk]

9 COUNCIL MEMBER LEVIN: Are they able to
10 make a good living?

11 MICHAEL ALLEGRETTI: It's... it's all
12 relative isn't it?

13 COUNCIL MEMBER LEVIN: Okay.

14 MICHAEL ALLEGRETTI: It's all relative.

15 COUNCIL MEMBER LEVIN: Okay. Okay... I'm
16 going to... I'm going to... thank you very much for
17 your question... testimony for your response to my
18 questions. I'll turn it back over to the chairman.

19 CHAIRPERSON RODRIGUEZ: I will give it
20 back to Levin but I want to say that please... he has
21 respond a question. Follow the direction of the
22 council member. Don't interrupt. Here we are the
23 one that rule the way of how we conduct a
24 conversation. Thank you. Council Member Garodnick.

2 COUNCIL MEMBER GARODNICK: Thank you Mr.
3 Chairman. And Mr. Allegretti I just wanted to jump
4 into a few... a few questions here with you. I
5 understand that it's your desire... Uber's desire to
6 put 10,000 new cars on the road or is it 75 hundred
7 cars on the road in the next year. What... what... what
8 exactly is the number that you guys are hoping to
9 do in the next year.

10 NICOLE BENINCASA: So we were talking
11 about the economic opportunity for 10,000 new
12 drivers.

13 COUNCIL MEMBER GARODNICK: How many... how
14 many cars though is the question.

15 NICOLE BENINCASA: We're not looking to
16 put any numbers of the cars on the road. We're not...
17 that's not our... that's not our motive. We're
18 looking for drivers to be able to be on the road in
19 either their own cars or sharing cars or whatever
20 the case may be. But we're not... we don't have a
21 goal for putting more cars on the...

22 COUNCIL MEMBER GARODNICK: How many more
23 drivers than... was it the 596 drivers that you want
24 to put on the road in the course of the next year?
25 Is that the goal?

2 MICHAEL ALLEGRETTI: Well those are just
3 the folks who came in and signed up since June
4 15th. So we're just wondering what happens to..
5 [cross-talk]

6 COUNCIL MEMBER GARODNICK: I guess what
7 I'm... I get it. I get it. And... but I'm really trying
8 to understand from you all as to what Uber's goals
9 and desires are here. What is your business plan?
10 What is your aspiration for year one, year five,
11 year 10 in New York City? Because as I said here
12 right now I don't have any understanding of what
13 that is. And they're obvious impacts whether you
14 accept them or not they're impacts and I just think
15 we should be honest about that. They're not all
16 attributable to Uber. Uber is not the cause of all
17 New York City's problems. But the presence of a
18 growing number of cars you know is something that
19 we at least need to acknowledge has some potential
20 impact out there. So what is the plan of Uber in
21 New York City for adding however you define it over
22 your one, five, or ten.

23 MICHAEL ALLEGRETTI: I can't speak to
24 that. And I'm not being coy. The... the way that we
25 bring new drivers and new vehicles onto the road is

1 based on them signing up and supply and demand. And
2 our goal is to be the most reliable ride. We don't
3 want... I see Donovan... Councilman Donovan Richards is
4 not here right now. His district has one of our
5 longer pick up... average pick up times. That's not
6 good. Yours has one of our shortest. That is good.
7 We don't believe there should be that discrepancy
8 and we believe that as demand rises in further
9 corners of the city we need to have supply to meet
10 it. Otherwise we can't.

12 COUNCIL MEMBER GARODNICK: And it... it's
13 Uber's position that there should never be any
14 limits imposed on the number of for-hire vehicles
15 in New York City?

16 MICHAEL ALLEGRETTI: I... I'm not prepared
17 to make a statement one way or the other on that.
18 But what is clear is there shouldn't be a cap
19 imposed before the study is done.

20 COUNCIL MEMBER GARODNICK: Okay I
21 actually don't think that's what the bill is doing
22 at least from my impression for whatever it's
23 worth. And we'll... I'm sure we'll have plenty of
24 future conversations about that. But... okay so Uber
25 has no position on whether or not there should be a

1
2 cap at any point in New York City to the number of
3 for-hire vehicles. Is that... is that what I'm
4 hearing you say?

5 MICHAEL ALLEGRETTI: You're not hearing
6 me say that. It's something that we need to
7 consider and talk about but that's at least a
8 conversation.

9 COUNCIL MEMBER GARODNICK: Okay. The
10 idea of taking a snapshot... I understand that Uber
11 believes that TLC and DOT and the Mayor's Office of
12 sustainability for whatever reason are not
13 qualified to do this. But let's talk about... I'm not
14 sure I agree with that by the way.

15 MICHAEL ALLEGRETTI: Can I refine that
16 to say I don't believe that they're not qualified.
17 I believe there's a question of objectivity.

18 COUNCIL MEMBER GARODNICK: Okay well
19 look I... I don't... I don't think I agree with that
20 either. But I do want to ask about that snapshot
21 question. Because the point that they raise and you
22 rebutted although I'm not sure I understand it was
23 that if you were going to try to do a study which
24 let's for the moment accept that we want to do a
25 study and we want to be able to figure out what's

1
2 going on out there. If the landscape in front of
3 you is changing as it is what is... and please do not
4 answer about the jobs because we... we heard your
5 point on that. And that's not an answer to this
6 question. But what is the... what is so irrational
7 about the idea of saying okay well let us stop for
8 a moment, figure out where we are and then proceed.
9 Because it's not saying anybody's looking to say
10 you're stopped here forever. It is let us stop
11 temporarily whether it's for three months, six
12 months, nine months, or a year what... what is so
13 irrational about that?

14 MICHAEL ALLEGRETTI: I'm going to go
15 into a depolicy [phonetic] for a second and I
16 apologize.

17 COUNCIL MEMBER GARODNICK: No that's
18 fine.

19 MICHAEL ALLEGRETTI: It's simply
20 selection bias. When you do a study and congestion
21 is a citywide issue and it has a lot of inputs and
22 many of you have... I think everyone on the... in the
23 council so far at this hearing has mentioned
24 another potential input to the city's congestion
25 problem. We talked about bikes. We talked about

1
2 delivery vans. We talked about trucks. We talked
3 about personal cars. We talked about the death
4 strains, plazas, and 50 other things.. When you hold
5 one of those things constant in this instance about
6 60,000 black and livery cars you bias the study one
7 way. We don't need a... it makes sense when you hear
8 it... explain that way. That's all that's wrong with
9 this right now.

10 COUNCIL MEMBER GARODNICK: Right okay.

11 Well my... my time is up but I... I... there's one area
12 in which there's obvious and apparent and immediate
13 growth and in the other areas there... there is not.

14 [cross-talk]

15 MICHAEL ALLEGRETTI: I know I'm not
16 allowed to interrupt...

17 COUNCIL MEMBER GARODNICK: ...to me
18 that's...

19 MICHAEL ALLEGRETTI: ...but there... there
20 are other areas.

21 COUNCIL MEMBER GARODNICK: Hold it I'll
22 let you answer but that... that to me is not an
23 irrationality. That... and that's not even a
24 selection bias. That's saying we want to understand
25 what's happening here with our overall taxi for-

1
2 hire vehicle situation. You know what... what is so
3 wrong with that?

4 MICHAEL ALLEGRETTI: Examining the
5 impact of for-hire vehicles is a... is a worthwhile
6 question. Again there's a way to get this right.
7 But to say that the other inputs are not somehow
8 increasing... record tourism, overcrowding on the
9 city's mass transit system... the people aren't
10 coming out of thin air. We know there are more
11 bikes because we advocate for more bikes because we
12 advocate for more bikes in this chamber all the
13 time. Vision Zero a success. So we know the other
14 things are going up too. We know other things might
15 be dropping as well. But we know they're all
16 moving. It's just not actually a credible way to
17 approach public policy.

18 COUNCIL MEMBER GARODNICK: Okay so what
19 you would say is do the... do a study but do a
20 complete study and add all the other factors in?
21 Throw in Uber, throw in Lyft, throw in everybody
22 but throw in bikes and tourists and all the rest of
23 the...the other issues if I'm hearing you correctly.

24 MICHAEL ALLEGRETTI: Which... the... the DOT
25 commissioner seemed to indicate was on the table at

1
2 one point. She... it... it went back and forth between
3 just the central business district in Manhattan
4 versus the whole... [cross-talk]

5 COUNCIL MEMBER GARODNICK: Okay. I
6 understand. So we will get to clarity on that point
7 as to whether the bill and DOT intend to study all
8 boroughs and whether they intend to study all
9 impacts. But what I want to understand from you is
10 if it in fact does study all boroughs and it does
11 in fact study all impacts, presumably your
12 objections are only limited to the fact that you do
13 not trust TLC and you do not trust DOT and you do
14 not trust the Mayor's Office of Sustainability it's
15 just about those core issues. Is that... is that
16 fair?

17 MICHAEL ALLEGRETTI: I think... not
18 trusting is a... is a mischaracterization. I'm
19 concerned when I hear we're going to cap a certain
20 class of vehicles to study them because I know
21 that's not...

22 COUNCIL MEMBER GARODNICK: I understand
23 but what I...

24 MICHAEL ALLEGRETTI: so...
25

2 COUNCIL MEMBER GARODNICK: ...you... you've
3 raised specific issues about the study. And so I
4 wanted to understand from you is if those issues
5 were not in fact present whether you would have any
6 objection to...

7 MICHAEL ALLEGRETTI: I... I want to be
8 precise. A... a vehicle cap cannot be part of it. And
9 as currently written they're two different bills.
10 And obviously I... I believe that was intentional. We
11 have a cap bill and then we'd have a study bill so
12 I could be in favor of this study but against the
13 cap.

14 COUNCIL MEMBER GARODNICK: Okay. Lastly...
15 and thank you Mr. Chair... Mr. temporary chairman.
16 The... the trip data. This is not something that is
17 currently shared by for-hire vehicle companies with
18 the TLC. They... they were describing bread crumbs...
19 bread crumb data. Can you just give us a little
20 more of a sense as to what information about the
21 trips and what you know drivers are doing out there
22 that's actually shared with TLC. Because it seems
23 to me that that's rather fundamental to be... to be
24 able to figure out what actually is happening.

2 NICOLE BENINCASA: Sure. So trip data is
3 regularly shared with the TLC every month. We
4 submit electronically data that includes pick up
5 information of every trip that's made through the
6 Uber app and information regarding the drivers for-
7 hire vehicle license number, the driver's for-hire
8 license number, the date and time... so it includes
9 the pick-up location. It includes information that
10 Commissioner Joshi confirmed that will be helpful
11 to do this sort of study.

12 COUNCIL MEMBER GARODNICK: Okay I
13 understand. So it doesn't include the... it doesn't
14 include the drop off though right?

15 NICOLE BENINCASA: It does not. That's
16 not...

17 COUNCIL MEMBER GARODNICK: And it
18 doesn't... and it... and it doesn't include if I had
19 500 Uber cars that were you know idling in my
20 council district waiting for an opportunity that
21 also would not be picked up by the data that's
22 being shared with TLC right now right?

23 NICOLE BENINCASA: It's completed trip
24 data.

2 COUNCIL MEMBER GARODNICK: Com...

3 completed trip data. So it's the initial part of a
4 completed trip. It's not the drop off of a
5 completed trip. It's the pick-up part of a
6 completed trip.

7 NICOLE BENINCASA: That's right.

8 COUNCIL MEMBER GARODNICK: Okay thank
9 you.

10 COUNCIL MEMBER LEVIN: Thank you very
11 much Council Member Garodnick. Council Member
12 Antonio Reynoso.

13 COUNCIL MEMBER REYNOSO: ...Uber. I just
14 want to say you know it's just we have the city
15 speaks and then Uber speaks and this is not an Uber
16 legislation. It just... it just doesn't pan out well
17 with me there. I do want to say to previous
18 questions that the law specifically states this is
19 a study in relation to the... a... in relation to
20 requiring the study on the impact of growth and
21 taxicab and for-hire vehicle industries. It's very
22 particular to what is being studied. And so... so I...
23 I hear what your concerns are. I do want to say
24 that the market pressures are changing. And you
25 guys are a big part of that in the taxi industry

1
2 and the overall TLC industry is what I want to call
3 it. And I do think that there's a level of
4 responsibility that needs to be had in making sure
5 that the long term sustainability of that industry
6 as a whole is taken into consideration. And if you
7 are an impact or impacting that in a significant
8 way that you... you have to... to take the time to step
9 back and say you know these other portions of the
10 industry are valuable and we want to make sure that
11 they... they survive. And... and I don't know if that's
12 happened yet and I wanted to ask if that's
13 something that you guys would like to look into
14 and...and I think to be honest that this study is
15 going to look into. So I guess my question is is
16 there a level of... of responsibility that guys hold
17 yourselves to... to ensuring the... the long term
18 sustainability of the industry as a whole.

19 MICHAEL ALLEGRETTI: The industry works
20 when a street hail is part of the mix, when a
21 prearrangement is part of the mix, when a binding
22 fair quote is part of the mix. We have different
23 options for different folks in different
24 neighborhoods. We brought street hail liveries
25 online. I... I think it's open... openly acknowledged

1
2 because there was no service in the outer boroughs
3 to speak of. We're starting to fill that gap.

4 MICHAEL ALLEGRETTI: We're adding to the
5 economy system. And I think that's a good thing.
6 And of course I think we have a responsibility.
7 It's why despite us being here to defend these job
8 opportunities for these individuals we're also here
9 to say there is a right way to do a study and a
10 wrong way to do a study. We didn't come here to say
11 there should be no study. Maybe that got lost in
12 translation. We think there should be a study.

13 COUNCIL MEMBER REYNOSO: And by the way
14 I just want to let you know there is a study
15 happening with or without this law. The study is
16 happening. So just know that that's going to
17 happen. And my last thing is are you... you... you
18 speak to being the outer borough you know champions
19 or... or being able to... can you just speak to your
20 statistics that would say that's happening and then
21 also I know you have... you guys have incentives.
22 You... you give like a thousand dollars to anyone
23 that joins the program. Are you using like an
24 incentive where maybe you give folks that are in
25 Southeast Jamaica Queens or... or in areas that are...

1
2 are starved traditionally with this type of service
3 more money or... or just using that incentive to
4 encourage more outer borough trips?

5 MICHAEL ALLEGRETTI: Well no we... I mean
6 in terms of us serving the outer boroughs we see
7 just a steady increase in the number of trips that
8 are to, from, or within the boroughs. It's just a
9 fact it's in the trip data. It's about 27 percent
10 if you... not including the airports.

11 COUNCIL MEMBER REYNOSO: Mm-hmm.

12 MICHAEL ALLEGRETTI: And the drivers go
13 where the demand is. And as the city is expanding
14 and as corners of the city are becoming
15 alternatives to just this central business district
16 that no one I guess can get around anymore right?
17 It's getting more and more congested. We're seeing
18 downtown Brooklyn. We're seeing Long Island City.
19 We're seeing corners of the Bronx. We're seeing far
20 Rockaway becoming these nodes and we're helping to
21 bring people there. So it's not... it's not about
22 driving it. And you know the way... pricing as well
23 is an incentive to get drivers into certain
24 neighborhoods.

2 COUNCIL MEMBER REYNOSO: Alright my... my
3 last thing is... my last thing is for the vehicles I...
4 I just want this study and I agree with the study
5 as well by the way. I do agree that it should
6 happen... the moratorium if need be or a cap should
7 happen after. I think that's where a lot of us
8 differ. I think across the board folks think that
9 the study's a good idea. But what I want to make
10 sure happens that if in this... after this study is
11 done we find that you know express bus lanes and
12 more bike lanes and these type of things also
13 contribute to less congestion that we impose those
14 limitations just as much as we're going to impose
15 limitations on... on Uber and that it's across the
16 board. And I feel... I'm pretty confident that once
17 the study comes out if you guys are the culprit to
18 the congestion that you're going to take the hit
19 immediately and everything else is going to take
20 years for us to figure out on whether or not it's
21 good business when it comes to congestion. And I
22 just want to make sure that we deal with that as a
23 whole. So thank you for your time here. Thank you.

24 COUNCIL MEMBER LEVIN: Thank you Council
25 Member Reynoso. I just want to point out for the

1
2 record I... I mispronounced your CEO's last name.
3 It's Kalanick, not Kolonic [phonetic] so I got the
4 pronunciation wrong. I did get the quote right but
5 I got the pronunciation wrong. Next up Council
6 Member Carlos Menchaca of Brooklyn. Oh he's not
7 here. Council Member Brad Lander of Brooklyn.

8 COUNCIL MEMBER LANDER: Thank you Mr.
9 Chair... Mr. Allegretti, Ms. Benincasa nice to see
10 you here. So I guess first... do you believe that
11 every time you bring a new car or a driver on an
12 equivalent number of additional rides are created.
13 You're creating these jobs. You bring a new car on,
14 a new driver on that's a new job. So magically
15 enough new rides are also called into being that
16 that is really new and not just taken from
17 somewhere else in the system is the job is created
18 I'm taking it.

19 NICOLE BENINCASA: So demand has been
20 increasing steadily in the city since we entered
21 the market in 2011.

22 COUNCIL MEMBER LANDER: You have some
23 measures of this?

24 NICOLE BENINCASA: We certainly do.
25 [cross-talk]

2 COUNCIL MEMBER LANDER: ...data?

3 NICOLE BENINCASA: I'm happy to share
4 with you some of the kind of demand metrics but we
5 see it steadily increasing and it doesn't really
6 decrease.

7 COUNCIL MEMBER LANDER: 50 percent you
8 think it's increased by?

9 NICOLE BENINCASA: I would...

10 COUNCIL MEMBER LANDER: That's what your
11 data shows.

12 NICOLE BENINCASA: I would say...

13 COUNCIL MEMBER LANDER: I'd love to see
14 it.

15 NICOLE BENINCASA: ...we... we have writers
16 I think in the tens of thousands that are making
17 their first trip on Uber every day and every week.

18 MICHAEL ALLEGRETTI: And Nicole the... the
19 precise number is just under 25,000. So there's a
20 disagreement from what you heard from the prior
21 panel that said there's an oversaturation of these
22 drivers. We're hearing anecdotally they're not
23 making as much with the facts on the ground where
24 we're seeing almost 25,000 people a week signing up
25

2 to use the service. And we're seeing the
3 individuals who are driving...

4 COUNCIL MEMBER LANDER: But you
5 obviously have no way of knowing what they were
6 doing before. You only know what they're doing... And
7 look I'm a regular user so you have no idea what I
8 was doing prior to signing up for Uber whether I
9 was taking a yellow, whether I was taking a green,
10 whether I was taking a Livery, whether I was taking
11 my bicycle. You have no idea. So you... actually your
12 data doesn't show anything about whether there's
13 growth in rides you only know whether there's
14 growth in Uber rides, true or false?

15 MICHAEL ALLEGRETTI: Well our data of
16 course would only show Uber...

17 COUNCIL MEMBER LANDER: You survey... but
18 you said there was... new rides. I take it that means
19 you surveyed customers and asked them what they
20 were doing prior to becoming Uber drivers so you
21 can speak to whether previously they were taking a
22 different form of transportation? Because if so
23 that data would be meaningful and if not it
24 wouldn't mean anything at all.

2 MICHAEL ALLEGRETTI: To be precise
3 Councilman when... when I say that 25,000 new people
4 are signing up to use the service each week that is
5 an empirically truthful statement right? [cross-
6 talk]

7 COUNCIL MEMBER LANDER: That is a growth
8 of Uber riders...

9 MICHAEL ALLEGRETTI: ...be sure... [cross-
10 talk]

11 COUNCIL MEMBER LANDER: ...is in no way..
12 speaks nothing to whether that's people that are
13 now using for-hire vehicles that weren't before
14 correct? We don't know anything about... [cross-talk]

15 MICHAEL ALLEGRETTI: ...that point but
16 that wasn't the initial question.

17 COUNCIL MEMBER LANDER: It was the
18 initial question. I didn't ask whether they were
19 new Uber rides. I asked whether new people were
20 starting to take for-hire vehicles. And you said
21 you had some evidence of it but it's pretty clear
22 you don't have any evidence of it. I didn't know
23 how you could but you offered it. So we don't know
24 whether those jobs are created, whether the
25 economic activities created or whether it shifted

1
2 right? We just don't know. I'm not saying one way
3 or the other. I don't know. But you don't know
4 either. Is that right?

5 NICOLE BENINCASA: So I think something
6 that Uber does that... that other traditional members
7 of the industry aren't able to do is make rides
8 more efficient. So these drivers that are
9 partnering with Uber are making more rides in the...
10 in the same amount of time than they would on... on
11 another industry because they're...

12 COUNCIL MEMBER LANDER: Now you're just
13 being... using sophistry. You can call that more
14 rides. I don't doubt that it's efficient. As I said
15 I use it. I love being able to walk out of the
16 airport... I hear now we might not be able to do that
17 and get the ride but that's not new ride... you don't
18 know whether they're new rides or more rides. You
19 don't know what people were doing before at all.

20 NICOLE BENINCASA: What I'm saying is
21 drivers...

22 COUNCIL MEMBER LANDER: That was my
23 question though and you said yes and you keep
24 saying more rides. But you don't have any evidence
25

1
2 that there are in fact more for-hire rides as a
3 result of Uber?

4 MICHAEL ALLEGRETTI: So...so what we're
5 debating and we're trying to answer is whether
6 25,000 new users who... [cross-talk]

7 COUNCIL MEMBER LANDER: I asked about
8 25,000... 20,000 new... well 18,000 new Uber cars,
9 20,000 new for-hire cars. That's what my question
10 focused on. I didn't ask about the users.

11 NICOLE BENINCASA: So... so what I'm
12 trying to explain is those... first of all they're
13 not new cars on the road. There's 18,000 cars
14 affiliated with Uber. They could have come from
15 other... other areas of the industry. They are... they
16 were always... [cross-talk]

17 COUNCIL MEMBER LANDER: We know that
18 there are 20,000 new cars on the road since 2011
19 and we know there's 18,000 new Uber drivers who may
20 have been new cars or they may have shifted. And of
21 course those facts could be totally unrelated but
22 it seems unlikely.

23 NICOLE BENINCASA: So again it's... there
24 are 18,000 for-hire vehicles affiliated with Uber.
25 There aren't 18,000 drivers with Uber.

2 COUNCIL MEMBER LANDER: Okay.

3 NICOLE BENINCASA: So I think it's... we...
4 we just... you know we need to parse hairs here
5 because I think it's important to say that... [cross-
6 talk]

7 COUNCIL MEMBER LANDER: We parse words
8 and split hairs but no problem.

9 NICOLE BENINCASA: Okay. These vehicles
10 are... could have come from anywhere. They... they
11 aren't necessarily new cars on the road. That's
12 very important for everyone to understand.

13 COUNCIL MEMBER LANDER: You think it's
14 unrelated there are 20,000 new for-hire vehicles on
15 the road per the TLC data? Or maybe that data's not
16 objective.

17 NICOLE BENINCASA: There... there are
18 hundreds of members of this industry, hundreds of
19 bases. There are just the six Uber bases that have
20 over 500 vehicles affiliated with them. I think
21 there. I think there is a lot... a lot to be said
22 here that doesn't only involve Uber. I can't... I
23 don't think you can compare those two numbers and
24 say that we... we covered the entire 20,000.

2 COUNCIL MEMBER LANDER: Alright. Can I
3 keep going Mr. Chairs? Thank you.

4 COUNCIL MEMBER LEVIN: Yes Council
5 Member Lander.

6 COUNCIL MEMBER LANDER: I just... so I... I...
7 my first question was just about whether there are
8 new jobs being created or whether in fact just
9 rides are being shifted around. And I think the
10 answer is we don't have any idea. You don't know...
11 you don't have that data. You call them new jobs
12 but you don't actually have data that speaks to
13 whether we're just shifting the rides around and
14 whether there's some risk that we're taking what
15 were more full time jobs and making them more into
16 part time and shift work. We just don't know. And
17 we don't know how that would be affected as things
18 go on. My second question... you said that Uber takes
19 private cars off the road. Do you have any... what is
20 your evidence that Uber is taking private cars off
21 the road? I can read it from your testimony.

22 MICHAEL ALLEGRETTI: No no you don't
23 have to. It's a... it's a developing evidence base,
24 the idea that if you could bring the cost of a
25

1
2 shared ride down low enough ultimately you can dis-
3 incentivize personal car ownership.

4 COUNCIL MEMBER LANDER: That's a theory.
5 You said it was happening. Do you have any evidence
6 that's happening and do you have any evidence that
7 Uber's responsible for it as... opposed to for
8 example the growth in city bike or increased subway
9 ridership... all the things you said before.

10 MICHAEL ALLEGRETTI: Well I... I think
11 that's right. It is also the subway, the bus,
12 bikes... it's all part of a... a public and for-hire
13 transport infrastructure which starts to make our
14 city's more livable and dis-incentivizes personal...
15 [cross-talk]

16 COUNCIL MEMBER LANDER: So it sounds
17 like you don't have data and it's not even clear
18 you have a theory. You're not sure whether there is
19 reduced car ownership. You don't have any data. And
20 if there is it might have to do with many other
21 things.

22 MICHAEL ALLEGRETTI: Some of... many of
23 the questions asked today are... are theoretical in
24 nature.

2 COUNCIL MEMBER LANDER: I... I'm only
3 asking you about a fact... a statement you made. I
4 didn't make this statement. I had no idea about it.
5 You testified that Uber was leading to reduced car
6 ownership and... [cross-talk]

7 MICHAEL ALLEGRETTI: Well no...

8 COUNCIL MEMBER LANDER: ...have any data.

9 MICHAEL ALLEGRETTI: I said that...

10 COUNCIL MEMBER LANDER: And you don't
11 even have... [cross-talk]

12 MICHAEL ALLEGRETTI: ...shared rides...
13 [cross-talk]

14 COUNCIL MEMBER LANDER: ...it would be
15 true.

16 MICHAEL ALLEGRETTI: ...take cars off the
17 road. And that more share rides take more cars off
18 the road. I think that is an empirically flawless
19 statement. If you have more people sharing... [cross-
20 talk]

21 COUNCIL MEMBER LANDER: Without data
22 it's all empirically flawless.

23 MICHAEL ALLEGRETTI: If you have more
24 people sharing a ride of course versus one person
25 in a car it's a... it's a... less... less cars.

2 COUNCIL MEMBER LANDER: We don't know...

3 MICHAEL ALLEGRETTI: And... and the same
4 would be said for a taxi.

5 COUNCIL MEMBER LANDER: Okay. So that's
6 your second statement for which there is no
7 evidence. Now I appreciate that you're now as a
8 result of the new regulations providing the new
9 information to the TLC and hopefully that will be
10 useful. The commissioner mentioned some additional
11 data that it would be useful to have like the
12 information on what drivers are earning like the
13 breadcrumb data from cars, some things which they
14 have not required but they made clear that it would
15 be appreciate if you would provide voluntarily..
16 openness to providing that voluntarily?

17 NICOLE BENINCASA: We're open to
18 discussing some sort of data sharing partnership.
19 But I think that it... it... we would need to very
20 closely consider the impacts that any data sharing
21 may have on drivers or riders. We've done this
22 successfully in other markets. We're happy to have
23 that conversation.

24 COUNCIL MEMBER LANDER: That's great to
25 hear. And I... look I want to protect their privacy

1
2 and your business model but I think at the same
3 time if we could have as much data as possible that
4 would be great. As I indicated before one of my
5 concerns is about monopoly power. So I wonder in
6 markets around the world as you've gained market
7 share have you adjusted your deal with drivers or
8 your pricing structure with customers?

9 NICOLE BENINCASA: In... I... I think just
10 to your specific concern about monopoly I think
11 we're always iterating on the cost of a ride for
12 riders and what that means for making sure that
13 we're getting more trips in a certain market. So
14 you may have seen you know we have you know we have
15 lower prices here in the city. We've done that in
16 other markets. We do that all the time to make sure
17 that demand and supply are staying as... as aligned
18 as possible.

19 COUNCIL MEMBER LANDER: There's some
20 markets... you even charge below what it's costing
21 you simply to gain market share.

22 MICHAEL ALLEGRETTI: I... I can't speak to
23 the markets outside of New York but it's a common
24 business practice to... to incentivize people to
25 start using your service when you're new but back

1
2 to Councilman Reynoso's point the New York City
3 transit ecostructure works when there are multiple
4 pieces to it. The street hail... [cross-talk]

5 COUNCIL MEMBER LANDER: It does which is
6 precisely my anxiety which... [cross-talk]

7 MICHAEL ALLEGRETTI: No but I...

8 COUNCIL MEMBER LANDER: ...but if you...

9 MICHAEL ALLEGRETTI: ...I guess I'm
10 saying... [cross-talk]

11 COUNCIL MEMBER LANDER: ...gain market
12 share up to monopoly power then the thing won't
13 have those which is one of the things I'd like to
14 understand better. Your growth has been
15 extraordinarily rapid and for good reasons you
16 offer a good product at a good price. But it's our
17 job to think about what the long term regulatory
18 consequences are of that. And I guess I'll just end
19 here. I have a long list of additional questions...
20 [cross-talk]

21 MICHAEL ALLEGRETTI: And I'm saying I... I
22 agree with you.

23 COUNCIL MEMBER LANDER: But you know I...
24 I just want to be straightforward. I... I didn't come
25 with a... with a bias this morning. I've said it a

1 bunch of times and you can check my trip data. I'm
2 a... I'm a regular user and so I've tried to like
3 shut my eyes to like Uber uses GPS to keep China
4 drivers from going to protest or flaunts regulation
5 in other cities and just like not... not even... you
6 know and be open. But I do have to be honest. I
7 don't think that your sarcasm was helpful here
8 before. ...take a contribution from a yellow base or
9 a green base or a for-hire base to any, to my
10 knowledge at all. I'm not the least bit interested
11 in protecting base owners or preventing
12 competition. What I am interested in doing is
13 trying to make sure we get the regulatory model
14 right for a system that's in system shock... that's
15 in dramatic transition. And that has real
16 consequences. And that's my job. Now your job isn't
17 to create jobs. Your job is to protect Uber's
18 bottom line and you've got every right to come in
19 here and do it. But I'll be honest. I don't believe
20 your sarcasm served that purpose well today.

21
22 MICHAEL ALLEGRETTI: That wasn't the
23 intention. It was to simply say we... we've seen this
24 proposal before, let's be honest about that. That's
25 all.

2 COUNCIL MEMBER LANDER: Thank you Mr.
3 Chairman.

4 COUNCIL MEMBER LEVIN: Thank you Council
5 Member Lander. Just have a couple of follow-up
6 questions. So do we have a... a clear picture... do you
7 have a clear picture of how many... how many Uber
8 trips per day? How many... how many... how many actual
9 Uber trips per day?

10 NICOLE BENINCASA: Sure so we do
11 hundreds of thousands of trips in the city per day.
12 But... that information is something that we provide
13 to the TLC so they can... they... [cross-talk]

14 COUNCIL MEMBER LEVIN: So what is it
15 now... You can provide it to this committee as well.
16 What is it?

17 NICOLE BENINCASA: So hundreds of
18 thousands of trips.

19 COUNCIL MEMBER LEVIN: Every day?

20 NICOLE BENINCASA: Every day.

21 COUNCIL MEMBER LEVIN: More specific
22 please.

23 NICOLE BENINCASA: That's... that's what I
24 have to offer you...

2 COUNCIL MEMBER LEVIN: That's what you...
3 that's what you give to the TLC, hundreds of
4 thousands?

5 NICOLE BENINCASA: No we give them
6 specific trip data as I mentioned to Councilman
7 Lander. And I think that when... when the TLC looks
8 at that information they can utilize it in the way
9 that's necessary for them.

10 COUNCIL MEMBER LEVIN: That's
11 unacceptable. How many... what is the average trips
12 per day over the last month?

13 NICOLE BENINCASA: I don't have that
14 information for you. I... I apologize... [cross-talk]

15 COUNCIL MEMBER LEVIN: What is the
16 average trips per day over the last week?

17 NICOLE BENINCASA: Again we don't...

18 MICHAEL ALLEGRETTI: Again we don't have
19 that. It's...

20 COUNCIL MEMBER LEVIN: Why don't you
21 have that?

22 MICHAEL ALLEGRETTI: ...to the TLC.

23 COUNCIL MEMBER LEVIN: You don't have...
24 you give it to the TLC but you don't have it?

2 MICHAEL ALLEGRETTI: By... by law we're
3 required to submit it. It's enormous reams of excel
4 if that's a term.

5 COUNCIL MEMBER LEVIN: I find it very
6 difficult to believe that you don't have that data
7 to provide to this committee for this hearing.

8 MICHAEL ALLEGRETTI: Answering
9 truthfully I... we do not have a precise number...
10 [cross-talk]

11 COUNCIL MEMBER LEVIN: ...somebody here on
12 your team that has that data that you could provide
13 to this committee during this hearing?

14 MICHAEL ALLEGRETTI: During the hearing?
15 No but we'll follow up and get it to you.

16 COUNCIL MEMBER LEVIN: I... I... honestly
17 that is not... I've... I've... I... I find that to be a
18 dubious answer and I'll leave it at that. But I
19 think it's... it's... it's very surprising to me that
20 you would come to this hearing making this case
21 without that data that you have to have that you
22 provide to the TLC but you're not able to provide
23 to the public here... come out and deserves to know
24 that and to this committee because for us to be
25 able to make an informed decision we need data. How

1
2 many... how many trips per car does Uber have per day
3 per car?

4 NICOLE BENINCASA: Again we don't have
5 that information. We're... we're happy to follow up
6 with you but we... this specific bill that we're
7 testifying on... the two bills that we're testifying
8 on we have information on our position on those
9 bills but we don't have our entire trip data in
10 front of us. And I apologize for that.

11 COUNCIL MEMBER LEVIN: How many trips
12 per driver?

13 MICHAEL ALLEGRETTI: Same answer.

14 COUNCIL MEMBER LEVIN: Okay. Does Uber
15 have an accessible fleet?

16 NICOLE BENINCASA: Sure. So just as a
17 point of clarity Uber does not have fleets. We...

18 COUNCIL MEMBER LEVIN: Are Uber cars...
19 does Uber have access... cars that are affiliated
20 with Uber bases are there... are there accessible
21 Uber cars?

22 NICOLE BENINCASA: Yes sir. So we have
23 a... we have an option called Uber wave and it is an
24 option that utilizes the yellow cabs and the green
25 street hill Livery vehicles that are on the Uber

1
2 app and are accessible. And it... in... for the street
3 hail vehicle section it operates in the outer
4 boroughs for yellow cabs. It operates wherever
5 yellow cabs are able to operate. So across the city
6 Uber does not control the type of vehicles that
7 drivers own. So there are some black cars that are
8 also accessible. But Uber's wheelchair accessible
9 vehicle options on the app are through the yellow
10 and green.

11 COUNCIL MEMBER LEVIN: So they're not
12 affiliated... They're not... they're not cars that are
13 affiliated with an Uber base correct?

14 NICOLE BENINCASA: The... any car that's
15 using an Uber base or using the Uber app is... and is
16 accessible is in that wheelchair accessible option
17 for yellow cabs and for green street hail Liveries.
18 So Street hail liveries are affiliated with Uber
19 Bases. The yellow borough cabs are... are... they
20 yellow cabs are using the Uber app through the e-
21 hail program.

22 COUNCIL MEMBER LEVIN: So the green...
23 [cross-talk] hails are licensed. They're... they're
24 licensed to an Uber base.

25 NICOLE BENINCASA: That's correct.

2 COUNCIL MEMBER LEVIN: Okay I'm going to
3 ask that same question to... to advocates for
4 accessibility. TLC rules require quote equivalent
5 service for for-hire vehicles. Do you offer that?

6 NICOLE BENINCASA: For for-hire
7 vehicles?

8 COUNCIL MEMBER LEVIN: ...accessible
9 service.

10 NICOLE BENINCASA: Sure so we have the
11 Uber waive option on the app which is in... in the...
12 the way Uber functions is a way for anyone who
13 needs an accessible ride to be able to get one for
14 the app.

15 COUNCIL MEMBER LEVIN: So then you do
16 have that? Is that what you're saying? You have
17 equivalent service?

18 NICOLE BENINCASA: We have the Uber
19 waive option in the app?

20 COUNCIL MEMBER LEVIN: Okay that's all
21 the questions that I have. Do any of my colleagues
22 have further questions? Seeing none I thank you
23 very much for your testimony for responding to our
24 questions and look forward to keeping up the
25 conversation in the future. Thank you.

2 NICOLE BENINCASA: Thank you. [cross-
3 talk]

4 COUNCIL MEMBER LEVIN: We're going to
5 call up the next panel and I apologize in advance
6 if I mispronounce anyone else's name. Steve Shanker
7 Livery Round Table, Avik Kabessa, Carmel Terrek
8 Molla [phonetic] Dial 7, Cira Angeles Livery Base
9 Owners, Nancy Soria Green Taxis of New York. Okay
10 folks since we have nine panels to testify and it
11 is 2:30 so we've been at this hearing for four
12 hours and change we're going to keep you all to a
13 three minute clock. Is that okay? Very good. Okay
14 whoever wants to start go ahead.

15 STEVEN SHANKER: Good afternoon ladies
16 and gentleman. May it please the committee my name
17 is Steven Shanker and I am the Executive Director
18 for the Livery Round Table. I would like to start
19 off by stating that the Livery Round Table believes
20 that this environmental study that is proposed by
21 the committee is long overdue and we wholeheartedly
22 support it. We acknowledge and understand the
23 concerns that are being raised by the committee
24 believe that significant amounts of information can
25 and will be obtained from that study that will

1
2 likely be used at a later point in time for the
3 benefit of the public and the industry. On the
4 other hand the Livery Round Table believes in the
5 free market and healthy competition. The free
6 market along with the laws of supply and demand
7 have obviously caused a phenomenon that this
8 industry has never experienced. We believe that
9 this phenomenon in and of itself should caution the
10 committee in moving forward. If a decision is made
11 to impose a moratorium we believe that as a
12 precursor to such a moratorium that it would
13 necessarily entail a full analysis of the growth of
14 each sector of the for-hire vehicle industry and an
15 open discussion on how such a moratorium would
16 affect each sector of the for-hire vehicle
17 industry. As you know there's numerous sectors of
18 the industry and there are multiple nuances to
19 each. This means that there would be multiple
20 nuances for the committee to consider if a
21 moratorium were to be imposed. And if it was how it
22 would and should be properly imposed upon each
23 sector. As it will be demonstrated more fully by
24 Doctor Kabessa each sector of the for-hire vehicle
25 industry has not grown and has not changed the same

1 over the past three years. In other words this
2 phenomenon of exponential growth has been limited
3 to the black car industry and has not occurred in
4 the Livery industry. Accordingly we believe that if
5 a moratorium were to be imposed that all sectors of
6 the for-hire vehicle industry should not
7 necessarily be treated the same way. We believe it
8 would be inequitable and possibly dangerous to the
9 interest of the public to place a blanket
10 moratorium on the entire industry when the growth
11 of the industry and the effect of the industry has
12 not been the same as compared to the Liveries and
13 the black cars. We also ask precaution because we
14 do not want to hurt a sector of the industry that
15 may very well be not contributing to the problem
16 for which now the study is being proposed and a
17 solution is sought. We would like to further work
18 with the committee to determine if and how to
19 implement a proper moratorium for the purposes of
20 that moratorium are served while not hurting the
21 livery industry and consequently the public at
22 large. Unless you have any questions I would like
23 to thank you for the opportunity to speak today.
24

2 COUNCIL MEMBER LEVIN: I'm going to turn
3 it back over to the rightful chairman of the
4 committee Ydanis Rodriguez.

5 AVIK KABESSA: Good afternoon Chairman
6 Ydanis and the committee members. My name is Avik
7 Kabessa. I'm the CEO of Carmel and and a board
8 member of the Livery Round table as mentioned by
9 our executive director Steven Shanker we do support
10 the study. And we've been advocating for it for a
11 long time. A recent development of extreme growth
12 in the number of black car in New York City may or
13 even should trigger the need for a temporary
14 moratorium. I would like to caution the committee
15 against a shotgun approach. A moratorium on the
16 entire for-hire industry is a drastic move that
17 should not take place without a careful evaluation.
18 Collecting and analyzing available data can help
19 the committee in coming up with a much more precise
20 moratorium, one that will put the brakes on an
21 unexplained growth and the numbers of black cars
22 but will not hinder normally needed growth of other
23 sectors of the for-hire industry. A growth needed
24 to answer the demand for their services in the
25 handout I provided you with I've attached a very

1 short table easily obtained data that provides
2 meaningful information. The table looks at their
3 relationship between the growth in number of
4 vehicles per category which constitute the supply
5 as it relates for example to the growth in number
6 of tourists visiting New York City which constitute
7 the demand. For those who do not have the table I
8 front of them I can summarize by saying that the
9 data shows clearly how while the average annual
10 growth... the number of luxury limousine and Livery
11 vehicles from 2011 to 2015 runs between two to six
12 percent which is along the line of the four percent
13 average growth in visitor per year. The average
14 yearly growth in number of black cars is of 33
15 percent per year which is eight times more than the
16 average annual growth in people visiting New York
17 City. Data such as this and others will help the
18 committee shape a much more precise moratorium as
19 far as what sectors of the fire... for-hire industry
20 should be... should be monitored, allowed to grow, by
21 how much, and this is only one example of the data.
22 I would like to offer my help and the help of the
23 Livery Round Table in gathering more relevant data
24 and work with transportation committee in crafting
25

1
2 a moratorium that will not hinder the growth of
3 sectors that have nothing to do with the new
4 reality created by the extreme increase in the
5 numbers of black car in New York City. And since I
6 have 19 seconds more I... I beg to differ with the
7 Commissioner Joshi, Meera saying that the Livery
8 can become a black car... the black car can become
9 Livery at ease. For a black car to become a livery
10 there's a thousand dollar minimum investment of
11 different requirements of the Livery. So it's not
12 such an easy shift as it was presented.

13 CIRA ANGELES: Good afternoon. My name
14 is Cira Angeles. I spoke to... for the Livery Base
15 owners. Basically we share in the interest of time
16 we share the sentiments of our colleagues in the
17 industry... in the for-hire industry Livery side. But
18 we need to point out that the distance that we have
19 as communities as... as... as people we offer the
20 safest modes of transportation for millions of
21 residents throughout New York City. Our families
22 live and work in the very communities our drivers
23 work and in the childrens [phonetic] of our drivers
24 that go to local schools. Our industry has
25 witnessed an unbelievable transformation over the

1
2 last five years, the borough taxi changes in
3 regulations for the for-hire industry, vision zero,
4 the prices of the yellow medallions, an
5 introduction of the app technology. Uber Lyft are
6 part of the rapid transformation that we all have
7 witnessed. It's now time to understand what is the
8 impact. To focus in the matters in what matters the
9 most, how this changes will allowed all the parts
10 of the industry to con... to continue growing in our
11 great city and level the playing field. Our
12 industry has been a regulated one but now powerful
13 sources want to come in, throw their money around,
14 pay our drivers thousand dollars just to change
15 bases, not even to create jobs. You just moving our
16 jobs to your jobs. And at a thousand dollar pace in
17 a lot of other incentives is very easy to change
18 jobs... not to create ones. What is good for them
19 rather than what is good for all of New Yorkers. We
20 support price surging because we are concern about
21 our communities that don't have what it takes to
22 pay 900 percent cost when I can pay 10 dollars. So
23 we are not providing service that our borough taxis
24 when we created it do not create in... in... in our
25 communities. We still at a standstill. It provides

1 wheelchair transportation. And.. and also that
2 needed, that much needed service in our communities
3 we are not replacing service. They're alleging that
4 they're created new job market. The market is
5 created and is consistent according to what Doctor
6 Avik Kabessa has said. I'm not going to.. the same
7 numbers but the truth is that we have to take a
8 look at our industry, do the market study, and
9 allow us to measure the impact that this
10 unprecedented rapid growth has. We for decades are
11 men and women of different segments worked very
12 hard playing by the rules, building communities.
13 That is our commitment. Let's now work together and
14 grow together in a way that is consistent that
15 continues to provide jobs that in the future when
16 they decide to get rid of our drivers we still have
17 answers as an industry. We are responsible. We're
18 not planning to replace our drivers. We are
19 planning to consistently be here 30 years from now.
20 As my father left this.. for me and for my family.
21 So we believe that working together and putting
22 legislation together to continue to protect our
23 industry, our bases, and our communities.
24

1
2 NANCY SORIA: Good afternoon to all in
3 attendance. My name is Nancy Soria, Vice President
4 of Green Taxis of New York Inc. It is well known
5 that the arrival of the... has had a tremendous
6 effect in New York State and its taxi industry. The
7 pace in which a customer can get a taxi has
8 increased substantially but the... does not however
9 mean you will arrive at your destination any
10 faster. Since e-hail apps came in New York City in
11 2011 thousands of for-hire and black cars, vehicles
12 have been added to the streets increasing the
13 traffic congestion. Many surveys conducted by
14 various agencies have concluded that this also has
15 effect that public... public transportation with rush
16 hour speeds decreasing for busses as well as
17 overall traffic speeds decreasing for all
18 motorists. With so many vehicles out on the street
19 one must also take into consideration the effect
20 that this has had on the environment. We at GTNY
21 Inc. are also drivers who have all come to see the
22 complete stand still in our city. We feel that
23 bringing new vehicles to our streets is not a win
24 win situation for all of us. By limiting the
25 vehicles that are put out on the street we are

2 collectively winning... not only will the environment
3 suffer less but those who use public transportation
4 won't have to wait as long for the bus and those
5 who drive in the city will face less traffic.

6 Licensed drivers will have less competition for
7 fairs and customers that use e-hailing apps still
8 will be able to get their vehicles but be able to
9 arrive at their destination quicker. With a limit
10 on FHV licensees we can all get to where we need at
11 a more timely and sustainable rate.

12 COUNCIL MEMBER LEVIN: Thank you.

13 NANCY SORIA: Thank you.

14 CHAIRPERSON RODRIGUEZ: I just have a
15 question to Cira and to anybody... anybody else. It's
16 about when... since also you work with a lot of
17 drivers that they are also Uber affiliated too. So
18 what is the experience that you have... or what
19 experience have the driver share with you when it
20 come to the percentage that drivers... the... how Uber
21 and the driver is split the fare that the passenger
22 pay at the beginning compared to how much... How is
23 that... taking place at this moment?

24 CIRA ANGELES: In many of our drivers at
25 express initially were lured based on how much

1
2 money they were promising. They were promising
3 10,000 dollars a month. They were promising a
4 thousand dollars to switch the bases. And they will
5 do all the paperwork. And a lot of drivers
6 basically said you know what it's money and I have
7 to make it. But then the reality changed because
8 there are fees on top of percentages and there are
9 other things that when they calculated the rates
10 the rates are basically \$8.00 an hour as opposed to
11 what they were doing per trip as... as opposed to
12 what they were doing at the regular car service
13 base. Let's say a car service base charges 50 35 to
14 75 dollars per week. Our drivers control the rates.
15 They do what they need to do. So basically our
16 drivers are driving home with 90 to 95 percent of
17 their salary. Here our drivers basically started to
18 say instead of me driving although I'm making more
19 money in some instances but yet I'm driving...
20 instead of driving with 90 percent home I'm driving
21 with 65 percent of my salary or 70 percent. So in
22 many of the cases... and yes indeed we talking about
23 that it is different when it comes to the car
24 services and you talking about the... the taxes and
25 the 2.5 percent for the workers comp. And we're

1
2 very well aware of it. But the truth is that the
3 promise for this dream kind of idea and I give you
4 also money if you bring me another driver you... then
5 again is not so much the creation of... of... of... of
6 jobs. And then our drivers when... once they saw that
7 they went back to our bases. And we are seeing that
8 a lot of the drivers that left are just coming back
9 to our bases.

10 CHAIRPERSON RODRIGUEZ: Well based on
11 information that a driver had shared with you again
12 what we're saying is that the drivers only take 65
13 percent or 70 percent and then the rest go to Uber?

14 CIRA ANGELES: Even our drivers that
15 actually call our radio show on the regular bases
16 every Saturday they have expressed that they're
17 understanding of what the... the percentages are is
18 30 percent in taxes and... and... and other fees and
19 also with the green cabs there are fees that apply
20 to dispatching calls as well. So there... they vary
21 so each driver is different but the fees are really
22 really high compared to what our industry charges.

23 CHAIRPERSON RODRIGUEZ: So I used to be
24 the 112 of Bailey car service. And I remember being
25 a Livery taxi driver. One thing that we love when

1
2 we have a lot of phone calls to... on the
3 prearrangement. So you know the... probably barely
4 enough time they say have 150 drivers. So with 150
5 drivers when we have let's say hundred some phone
6 calls driver will be doing fine because the offer
7 and demand play and work for both. So we always
8 have phone call especially during the weekend. So
9 that... those driver that they work in the Livery
10 bases that's when we make the money. And those
11 driver they have to expand they... they Friday
12 evening Saturday working behind the wheel instead
13 of the family because they had to work hard. So by...
14 everything is about the number the... the many phone
15 calls... [cross-talk]

16 CIRA ANGELES: Another...

17 CHAIRPERSON RODRIGUEZ: ...time was by
18 phone not with... through the apps. [cross-talk]

19 CIRA ANGELES: Another...

20 CHAIRPERSON RODRIGUEZ: But my concern
21 is...

22 CIRA ANGELES: Another good thing is
23 that we... our drivers... a lot of our drivers own
24 their bases.

25

2 CHAIRPERSON RODRIGUEZ: Yeah. And so my
3 concern is also... I'd like to hear feedback is that
4 if the corporation in this case Uber since they the
5 one that came and testify that all they're doing is
6 creating job for... working class for minority is
7 they continue with the plan of growing... probably
8 drivers who join Uber right now and they join it
9 because they have a lot of incentive. But as the...
10 is the corporation continue growing and they move
11 for an 18,000 to 50,000 drivers. So the mark is
12 there... will not be enough for the driver to make
13 all the... amount of money that they are promised to
14 make.

15 CIRA ANGELES: Not only that. I think
16 in... when... in one of the panelists for Uber made a
17 interesting statement. You go ingot a market and if
18 you see fit to reduce course to a level in which
19 our drivers don't make it a... don't make enough
20 money is not their concern. Their concern is... is
21 not necessarily the driver in building something in
22 a community. Their concern is basically market
23 share. And that's all they care about. That's why
24 you see those signs as if you a Livery I give you a
25 thousand dollars, change your base. So it's not

1
2 necessarily about building communities. It's not
3 necessarily about caring about community and the
4 driver. It's about market share.

5 AVIK KABESSA: If I... if I may add you
6 know I hope no one here believes the... the image
7 that Uber's trying to portray as if they're some
8 kind of a salvation army. I mean they... they move
9 from zero to 50 billion dollar... not because they do
10 charity, not because they're doing the right thing
11 by society. And I think they keep on trying to hide
12 it but guys they're... their venture capital is going
13 to... return on investment and they're going to do
14 whatever it takes. And... and if anyone is somehow
15 think that they think about the simple worker I
16 really have another thing to sell you.

17 CHAIRPERSON RODRIGUEZ: My... and my last
18 question and then my colleague Council Member
19 Levin... ask question is about you know we are
20 addressing a... first of all we have in front of...
21 those two bills. The one I is... the one to call to
22 do the study. You two represent a... that represent
23 two major Livery base association that probably you
24 represent most of the Livery bases in the city. It...
25 so you have bases that are in Antonio Reynoso

1
2 community, in my community in Levin Community in
3 the south Bronx. So... and I know that there was
4 concern about should we ask all the bases to have
5 a... to do a... a environmental study. So in... what...
6 what is... why you think that that bill that is... to
7 the study environmental impact study is important
8 in why you want to be part of that solution on that
9 environmental study.

10 AVIK KABESSA: You know maybe people...
11 maybe people do not know it but the Livery sector
12 is the only sector that is required to do an
13 environmental assessment study prior to renewal or
14 even being granted a license. So we've been asking
15 this about the rest of the industry for the
16 longest. And... and... so we definitely are embracing
17 it on the other end which we are saying is the
18 Livery is... If you look at the impact, if you look
19 at the reason you are here right now it is focused
20 on the black car. We don't, not want to hinder the
21 growth of the Livery because of what's being done
22 on the black car and we would like to work with the
23 committee as to dissecting which... which way to do
24 it best. So study... hold on and stop and... and... and
25 take some analysis yes but we want to make sure

1
2 that the Livery which has nothing to do with what...
3 where we are today is not suffering unjustifiably.

4 CIRA ANGELES: And again our bases have
5 played by the rules. And we have to comply every
6 time we renew our licenses as... pointed out. But the
7 truth is that we need to know and we've done it in
8 the... Livery. The TLC did some studies to look at
9 what was the impact that these vehicles will have
10 on the road and... and they comply with that. So
11 having a study and knowing exactly the impact that
12 all our neighborhoods will have in... in not just the
13 central district is very important. Now we will
14 proceed and work with... with the comedian and with...
15 with you Mr. Chairman just to make sure that we
16 look at numbers that will not affect adversely our
17 segment of the industry and also a consistent
18 growth. Because there's other businesses around our
19 businesses. We have dealerships. We have
20 brokerages. We have insurance companies. There is
21 many people around restaurants and... and... and all
22 these people basically we move the... the
23 transportation industry moves New York that way
24 it's... it's important that we looked into it

2 carefully and.. and as I said we work together to
3 find a common ground.

4 STEVEN SHANKER: Mr. Chairman to answer
5 your question I believe that the study should be
6 done because information is a tool. And it's a tool
7 to be used to the benefit of the city and the
8 entire industry. Now I think we can all agree that
9 we have different ideas about what abused this
10 phenomenon of the growth of Uber from zero to
11 18,000 in such a short period of time. But one
12 thing is for sure is that there is a vast
13 difference between Uber and the black car industry
14 and the Livery industry. It has always been that
15 way and will always be that way. And the reality
16 is... is that it would be unfair as opposed to what
17 Commissioner Joshi had recommended that there be a
18 blanket limitation on all bases it would be unfair
19 to place the same limitations on the black cars as
20 would the Liveries are not the ones that are
21 creating, causing, and really contributing to the
22 problem.

23 CHAIRPERSON RODRIGUEZ: So it is fair to
24 say that you support the two bills with the
25

1
2 understanding that we will continue conversation on
3 some details involving... [cross-talk]

4 STEVEN SHANKER: Absolutely.

5 CHAIRPERSON RODRIGUEZ: Thank you.

6 CIRA ANGELES: And price surging.

7 CHAIRPERSON RODRIGUEZ: Thank you.

8 AVIK KABESSA: And base agreements.

9 CIRA ANGELES: And base agreements.

10 COUNCIL MEMBER LEVIN: So I just wanted
11 to actually just ask a very quick technical
12 question just because it's... in... in helping us
13 understand the industry a little bit better. The...
14 the issue of Workers Compensation... can you speak to
15 the...just a little bit of how workers comp is
16 covered by Livery bases versus black car bases
17 versus Uber or... or Lyft or... or what have you.

18 AVIK KABESSA: Well Uber is a black car
19 base so...

20 COUNCIL MEMBER LEVIN: Right but...
21 [cross-talk] I don't know if it... [cross-talk]

22 AVIK KABESSA: By the way...

23 COUNCIL MEMBER LEVIN: ...traditional car
24 versus Uber or whatever I just... I don't know how...
25 how does workers comp work... [cross-talk]

2 AVIK KABESSA: So...

3 COUNCIL MEMBER LEVIN: ...system?

4 AVIK KABESSA: ...Uber... Black car

5 companies and luxury limousine company bases have
6 to contribute two and a half percent of their... of
7 their receipts towards the black car fund which is
8 a workers compensation fund.

9 COUNCIL MEMBER LEVIN: Two and a half
10 percent.

11 AVIK KABESSA: Two... two and a half
12 percent. On the Livery side there is a... it's... it's
13 the... the New York State Livery worker's
14 compensation fund which is more of a catastrophic
15 fund whereby the base pays a certain amount per
16 year per vehicle. And that covers the driver for a...
17 the driver gets covered either by the fund or by no
18 fault. So the driver is covered no matter what but
19 workers compensation coverage goes on catastrophic
20 injuries by the fund or by no fault which by the
21 way just passed a law in Albany this session to
22 match the... the benefits of no fault with the... the
23 worker's comp. So the driver is covered but the
24 base is responsible for that.

2 COUNCIL MEMBER LEVIN: Okay. And with
3 the... with... with... with like Uber or Black Car base
4 it's two and a half percent across the board..

5 AVIK KABESSA: Goes to the black car
6 fund yes.

7 COUNCIL MEMBER LEVIN: Got it. And that
8 comes from the base?

9 AVIK KABESSA: That comes from the
10 passenger... from the passenger to Uber to the black
11 car fund.

12 COUNCIL MEMBER LEVIN: Is it coming out..
13 is it... is that coming out of... is that deducted from
14 what the driver's making?

15 AVIK KABESSA: Overall... well depends how
16 you define it but yes.

17 COUNCIL MEMBER LEVIN: Okay. Okay thank
18 you.

19 CHAIRPERSON RODRIGUEZ: Council Member..
20 Alright just some... for some clarity regarding that
21 you said it's two and a half percent to the black
22 car fund. You made a statement that the driver's
23 owned a base right? They're real partners. And what
24 I experience in... in Brooklyn that's exactly how it
25 works. So if they own the base they're still paying

1
2 into this New York state workers comp thing how
3 much do you pay into that a year per car?

4 AVIK KABESSA: It's 220 dollars... 220
5 dollars per year per car.

6 CHAIRPERSON RODRIGUEZ: 220 dollars per
7 car a year.

8 AVIK KABESSA: Yes.

9 COUNCIL MEMBER REYOSO: Okay. Alright
10 just wanted to make sure I knew that. I just have a
11 couple of questions. A statement here was made that
12 Uber is not growing new jobs. They're just taking
13 the ones that we... they're just moving the drivers
14 around. In making that statement it kind of speaks
15 to the fact that there should be no increase in new
16 vehicles either or new drivers. I... it speaks to
17 stabilizing force. Nothing has gone up. There are
18 no new jobs. All we are doing is moving them from
19 you know 777 to Uber. So... just doesn't make sense
20 there when we're seeing a... a huge increase right. I
21 just want to make sure that you understand making
22 that statement speaks to no increase in jobs in...
23 and therefore no increase in... in truck... in
24 congestion. I mean in... in... [cross-talk]

2 CIRA ANGELES: No no no I was speaking
3 and I think is out of context to say that what
4 this... the panelists made a statement saying that
5 they needed 7.5... 75 hundred more new vehicles added
6 to the industry and 10,000 new drivers to create
7 new jobs.

8 COUNCIL MEMBER REYNOSO: Mm-hmm.

9 CIRA ANGELES: The ads that they're
10 pointing out doesn't speak to that. It speaks about
11 let me get the driver from somewhere else. The
12 vehicles... the green borough taxis and the yellows
13 are not affiliated with Uber. They are not. And
14 that is a total incorrect statement because those
15 wheelchair accessible vehicles... they might use the
16 app but they are not affiliated. So to say that you
17 creating 10,000 new jobs is incorrect. That's
18 exactly what I said. You created a new wave of
19 almost 20,000 vehicles. That is so true. But to say
20 that you're going to put another 10,000 new much
21 needed jobs in New York City it is completely
22 untrue... [cross-talk] why is it that you have to
23 offer a thousand dollars... [cross-talk]

24 COUNCIL MEMBER REYNOSO: I understand...

2 CIRA ANGELES: ...from somebody from
3 another... [cross-talk]

4 COUNCIL MEMBER REYNOSO: Yes I
5 understand. I just want to... I just want to say... so
6 the drivers that come from your bases don't have
7 vehicles that they moved over to... to Uber. They...
8 they... they leave the job... [cross-talk]

9 CIRA ANGELES: Some... okay let me just
10 explain. Some drivers do, some others do not.

11 COUNCIL MEMBER REYNOSO: So when they
12 move their vehicle... [cross-talk]

13 CIRA ANGELES: Because...

14 COUNCIL MEMBER REYNOSO: ...from one...
15 [cross-talk]

16 CIRA ANGELES: ...my driver might have...

17 COUNCIL MEMBER REYNOSO: So wait one
18 second I gotta [phonetic], I gotta ask the
19 questions. I got a time limit and I want to make
20 sure we're answering the questions the right way.
21 I'm trying to explain to you that what you're
22 saying is that Uber is not creating new jobs. If
23 Uber doesn't create new jobs and doesn't get new
24 people out on the streets and new vehicles on the
25 streets and there is no issue of congestion. What

1
2 we're saying is there is an increase in jobs and
3 vehicles...

4 CIRA ANGELES: Okay if... if... if you are
5 so for Uber because your family works there I can
6 understand that.

7 COUNCIL MEMBER REYNOSO: Oh my goodness.
8 What... [cross-talk]

9 CIRA ANGELES: But that's not the point.
10 [cross-talk]

11 COUNCIL MEMBER REYNOSO: You can call it
12 what you want...

13 CIRA ANGELES: We're not discussing...

14 COUNCIL MEMBER REYNOSO: ...I have more
15 family members working for you than I do for Uber.

16 [cross-talk]

17 CIRA ANGELES: Well I... I... [cross-talk]

18 COUNCIL MEMBER REYNOSO: Alright because
19 I... [cross-talk] You're making assumptions... [cross-
20 talk]

21 CIRA ANGELES: I am not. You...

22 COUNCIL MEMBER REYNOSO: Yes you are.
23 And I just asked you a question and if you can't
24 answer it... [cross-talk]

2 CIRA ANGELES: This is a public... [cross-
3 talk] All I'm saying is...

4 COUNCIL MEMBER REYNOSO: And then I just
5 want to say that Uber also supports the bill if
6 there was a carve off for them as well. [cross-
7 talk]

8 AVIK KABESSA: I would like... I would
9 like... [cross-talk] to...

10 COUNCIL MEMBER REYNOSO: I want to make
11 that statement clear.

12 AVIK KABESSA: If... if I may...

13 COUNCIL MEMBER REYNOSO: No you... you
14 can't. You don't... you can't right. When I ask a
15 question you answer. And you guys are losing the
16 curtesy of being able to go back and forth this way
17 because you... you want to make it personal. So I
18 just want to let... [cross-talk]

19 CIRA ANGELES: No I did not.

20 COUNCIL MEMBER REYNOSO: You did.

21 CIRA ANGELES: No because in... in...
22 [cross-talk]

23 COUNCIL MEMBER REYNOSO: Whether you
24 want to or not you did... [cross-talk]

2 CIRA ANGELES: ...instead of
3 understanding... [cross-talk]

4 COUNCIL MEMBER REYNOSO: And again I
5 didn't ask you a question so there's no need for
6 the answering right? So when I ask a question you
7 can answer.

8 CIRA ANGELES: Sure.

9 COUNCIL MEMBER REYNOSO: I agree with
10 you. You made a statement regarding precise
11 moratoriums. That's my point right is that this
12 moratorium that's happening it's too... it... it's too
13 random. It's too arbitrary. It doesn't take into
14 consideration a perfect example is that you're
15 Livery... you don't believe Livery is a problem but
16 they're going to be sucked into this moratorium.
17 And it doesn't make any sense so it's like I want
18 to make sure that we can take time and have a
19 conversation about the right way to impose certain
20 measures to control or to to fix their... the
21 problems that we have. I personally think that we
22 should wait for the study to happen thereafter
23 impose it where... where it needs to be. And from
24 what you're showing me good information that they
25 wouldn't impose any limitations on you guys because

1
2 you're not the problem. So my... my measure is wait
3 for the study, then let it happen, then we impose
4 the restrictions. At this moment you guys are going
5 to be sucked into the same plan. And anybody would
6 support the study. Everybody agrees across the
7 board. And you guys are saying you would... you would
8 agree to the moratorium as long as it's only Uber
9 that's affected.

10 AVIK KABESSA: If I may I would like to
11 do... to... to do three things about... First of all
12 creating job I think there's a confusion between
13 creating job to creating the revenue for those
14 jobs. I think when Uber's talking about creating
15 job they're talking about more drivers on the road.
16 And I think what the... the... the council member spoke
17 about is who gets the revenue. So and in all
18 honesty I do think that Uber created some
19 additional demand but not all of the demand. But I
20 do think they have reduced a lot of full time
21 revenue source to part time revenue source. Now to
22 answer your question the reason we did this is to
23 say there's a 33 percent per year growth on black
24 car industry which is eight times more than the
25 average visitor... [cross-talk]

2 COUNCIL MEMBER REYNOSO: But then an
3 increase in... in... in the amount of vehicles in the
4 street here by... by a lot. You have... [cross-talk]

5 AVIK KABESSA: No no trust me if it is
6 one thing I do is I give correct numbers.

7 COUNCIL MEMBER REYNOSO: Right.

8 AVIK KABESSA: And they grew from 2011
9 to 2015 by 133 percent averaging... percent... now 30,
10 33 percent. If the moratorium will be and the study
11 will be only carved out it will take shorter time,
12 will be much more precise and may resume activity
13 faster. That is what I will suggest.

14 COUNCIL MEMBER REYNOSO: And I agree by
15 the way. With... your statement is what I'm trying to
16 let the chair know and everyone know that that's
17 what I agree with. We don't need to have this
18 blanket arbitrary. I think just random selection of
19 one... one portion of the... of the entire industry to
20 suffer all the consequences of the change in
21 markets. It's very specific to maybe just Uber. But
22 shouldn't we let the study determine that and then
23 make... take actions thereafter? Not put a moratorium
24 on anyone, you or Uber. And that's what I'm saying.
25 Now right now you're being sucked into this... to

1
2 this moratorium unjustly so I'm just saying that
3 your logic and my logic actually aligned itself
4 even though you don't think so. The next thing...
5 the... the last thing I want to say Council Member if
6 you could give me a second... it seems like what
7 you're... you're... another statement that you made is
8 that the market is somewhat stabilizing itself,
9 that you had drivers that were with Uber that are
10 coming back to you. And... and there... it seems like a
11 normalization that's happening within the market
12 all on its own which I don't think is... is... is a
13 perfect model. I know it's not...it's not going to be
14 perfect but the market itself is saying if it
15 doesn't work here... if they were making more money
16 with you guys everyone's going to come back.
17 Wouldn't that be the logic for... for me... What you're
18 saying is they make more money with you guys. So
19 they're going to... after the incentive dries up... the
20 thousand dollars they're going to end up coming
21 right back and coming back to your job. So isn't
22 there like a stabilizing force where Uber will
23 eventually stop being able to get folks in and
24 actually lose people to get back to the bases that
25 they... they should be working with?

2 CIRA ANGELES: Not if they keep on... on
3 giving this perception of the you know the bill of
4 goods that they provide you 10,000 dollars and they
5 promise you. And if you don't make it they will pay
6 you... we don't have that ability so... [cross-talk]

7 COUNCIL MEMBER REYNOSO: I'm sorry... I'm
8 sorry...

9 CHAIRPERSON RODRIGUEZ: Council Member...
10 Council Member... I think my time is over. So...
11 [cross-talk]

12 CIRA ANGELES: So we don't have the
13 ability to compete at the same level. So eventually
14 if I keep giving you and giving you and giving you
15 and giving you I... I don't know how the market will
16 continue to play itself. I mean there's a lot of
17 drivers that are new to the industry. There's other
18 drivers that understand the benefits of being in a
19 community car service. We collectively have
20 upgraded our game. We have platforms and we have
21 apps. We provides the same on demand service so
22 they also see that we have incorporated different
23 technologies into the system so they see the
24 benefits of being with friends and also the
25 partnership offers that many of our bases have

1
2 offered to them which will never be seen in... in a
3 structural platform like it... you know the... the app
4 companies that we have in the city.

5 CHAIRPERSON RODRIGUEZ: Thank you. Thank
6 you everyone. Now I'm calling the next panel...
7 Iiyana Delemen [phonetic], Ken Pokalsky, and Matt
8 Mincieli.

9 [background comments]

10 KENNETH POKALSKY: Good afternoon. My
11 name's Ken Pokalsky. I'm the vice president of
12 government affairs for the Business Council of New
13 York State. Little bit about who we are and who I
14 am and why we're here. The business council is New
15 York's largest employer... statewide employer
16 association. We represent about 24 hundred private
17 sector employers across New York State about a
18 million private sector workers. We've been around
19 for 101 years. We started out as an upstate
20 manufacturing association. But our membership is...
21 is very diversified includes new economy businesses
22 including Uber and Lyft. We are very interested in
23 state and local regulations and affect private
24 sector and growth industries. So we... we're very
25 interested in the proposals here as they apply to

1
2 the business in New York City and the potential for
3 them to set precedent for the jurisdictions in the
4 state. My background is I've been doing government
5 affairs work for about 30 years. 15 of those years
6 were exclusively in the environmental regulatory
7 field. So I spent a lot of time working on
8 environmental impact statements, regulatory
9 proposals, etcetera. So I wanted to focus my
10 comments today on Intro 847. The study legislation
11 talk a little bit about the... the... the moratorium
12 bill. In our view the legislation is proposed. It...
13 it's not an environmental impact statement as those
14 are laid out under state environmental quality
15 review act. It's only looking at the effects.
16 There's no mention in the bill of benefits and
17 seeker by statute as a balancing of... of impacts and
18 benefits; economic benefits, consumer benefits, and
19 others and requires agencies to adapt or look at
20 mitigation measures that reduce the impacts while
21 preserving the benefits. So truly not a... a EIS...
22 truly not a congestion study because only looking
23 at one potential set of factors that are affecting
24 congestion in... in New York is really not a
25 transportation industry study as well. So we do... we

1 do oppose the bill as proposed because we do think
2 it's far too narrow, far too narrow to the answer
3 the types of questions that are being asked today.
4 The... the type of study that the commissioners were
5 talking about in the first panel to us sounded far
6 more comprehensive. We don't know all of the
7 specifics of it but you really do need to look at
8 the... the wide range of issues at play here. And
9 importantly you have to look at the benefits
10 including the benefits to residential consumers, to
11 businesses, to visitors to the state, especially
12 benefits to those people in the outer boroughs. And
13 very briefly on the second bill we're very
14 concerned that these bills if adopted together
15 really put the cart before the horse. We're not
16 familiar with any... any similar regulatory issue
17 where the activity was banned before a study was
18 concluded to... to make specific recommendations...
19 right action forward. So we don't think a
20 moratorium is... is warranted especially considering
21 that the... you know the evidence we've heard today
22 that traffic into the city is actually declining.
23 It seems counterintuitive that the growth of Uber's
24 businesses is somehow contributing... solely
25

2 contributing or significantly contributing to
3 congestion. There's other factors that have to... to
4 look at... have to be looked at as well. Thank you.

5 [cross-talk]

6 MATT MINCIEL: Councilor Rodriguez... to
7 the members of the committee thank you for the
8 opportunity to testify in opposition to bill 842
9 and 847. My name is Matt Mincieli. I'm the
10 northeast region executive director for TechNet.
11 TechNet is a member association made up of senior
12 executives and CEOs from over 70 of the nation's
13 leading technology and innovation companies. I'm
14 here today to express my concern over this proposed
15 legislation which unfortunately represents yet
16 another attack on the innovation industry in New
17 York City. Faced with our extraordinary demand for
18 ways to move around the city New York City's
19 leadership should encourage options like Uber and
20 Lyft to continue providing more rider options to
21 New Yorkers. Technology innovations like those
22 offered by Uber are the solution to congestion and
23 not the problem. As one example of the benefits
24 that innovation technologies can bring Uber has
25 committed to taking one million cars off the road

1 through the... the creation of a carpooling service
2 as you heard earlier today. But the city passes
3 these proposals that strike at the heart of the
4 free market principals of supply and demand. The
5 unintended consequences will make rides less
6 reliable, more expensive, and New Yorkers will be
7 discouraged from using the service. Right now over
8 2.7 million cars use the toll free bridges leading
9 into New York City every day to say nothing of the
10 cars that use toll bridges and tunnels yet this
11 proposal from the council singles out for-hire
12 vehicles as a problem when tech... when TechNet sees
13 their technology as a solution. Congestion is
14 certainly an issue that should be studied but the
15 city should not be targeting such a small subset of
16 the industry, much less singling out a single
17 company and restricting its ability to respond to
18 consumer demand. New York City has over 10,000 plug
19 in vehicles right now, electric plug in vehicles
20 and the number is growing. Should the city put a
21 ban on plug in stations and discourage electric
22 vehicle manufactures from coming to this study in
23 order to finish their environmental impact study?
24 Of course not. The total number of FHV's affiliated
25

1
2 with bases that use Uber and Lyft make up about one
3 percent of vehicles on the streets and those
4 vehicles are never on... all on the road at the same
5 time that they are being targeted as the main cause
6 of congestion simply due to rapid growth and
7 popularity. The tech community is important sector
8 in the New York City economy and could be leveraged
9 to solve the problem of congestion that has plagued
10 New York City for decades not have their growth
11 limited. On behalf of TechNet I respectfully urge
12 you to vote against the cap on vehicles and work
13 with the tech community to come up with innovative
14 solutions to the transportation problems New York
15 City is currently facing. Thank you for your time.

16 UNIDENTIFIED FEMALE: Hello. Thank you
17 Chairman Rodriguez and members of the council for...
18 for having us today. So I want to start out by just
19 dispensing very quickly. I know we're... we've all
20 been here a long time with the idea we absolutely
21 support the idea of a study. We think environmental
22 impacts are very important and we do try to tailor
23 a lot of our businesses to do more of the... the real
24 sharing of ride services that Commissioner Joshi in
25 particular was... was commenting on being a benefit.

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2 That's something that's a priority for us all over
3 the country and in fact we've only been doing it...
4 able to do it for about six months here and 30
5 percent of our rides are shared rides... shared by
6 multiple passengers. So that's a priority for us.
7 You know we're often lumped in I think with... in the
8 same group as Uber and I do appreciate that we are
9 testifying separately for that reason. But in the
10 New York City market size is a real factor here and
11 also there are other differences in the companies
12 but Uber as far as we can tell has about 90 percent
13 of the market share at this point. We have less
14 than seven percent of the market share. So when
15 we're lumped together in the terms of... in those
16 terms it's a very different environment where we're
17 really a small company in this market trying to
18 grow... trying to see what other services we can
19 offer. So just to... that's my preface on talking
20 about the moratorium. I've made this argument to
21 any of you before of unintended consequences of
22 these things. We know that these are unintended
23 consequences but we just want to flag this again
24 as... as a... a major concern of the type of caps that
25 have been proposed during this moratorium. We again

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2 as... as we can verify if we... if we work with the TLC
3 to verify it Uber holds about 90 percent of the
4 market share in the for-hire vehicle industry or
5 the black car part of the for-hire vehicle industry
6 at this point measured by the number of rides
7 provided. According to... trust legal precedent that
8 is a monopoly. And it's not by accident. Here's a
9 quote from an article just two weeks ago by one of
10 Uber's most outspoken investors, Chris Sacca. This
11 is a winner take all game and Travis will take all.
12 And Mr. Sacca's referring to Travis Kalanick, the
13 Uber CEO who I... I believe Councilmember Levin had
14 also referenced earlier. So the... here's why the
15 council's proposal for the moratorium as written
16 would preserve and extend Uber's grip on the market
17 while Uber maintains the 90 percent share as far as
18 we can tell although the... the TLC will be helpful
19 in verifying these... Lyft's current market share's
20 approximately seven. Again we... we will need more
21 verification... the studies on these numbers... other
22 players in the for-hire vehicle market who want to
23 grow and provide service to New York City's
24 residents have even lower market share. And the
25 current limits for growth the way that it's

1
2 currently written the percentages of the current
3 size would prevent any material shift. So it
4 freezes the market in place. And that's going to be
5 a real problem in terms of how the companies then
6 are able to grow, what alternative services can be
7 provided, and what... what the impact then is on the
8 drivers on passengers and on the nature of the
9 services that can really grow and develop in this
10 market. Thank you.

11 CHAIRPERSON RODRIGUEZ: First of all I
12 welcome you know the business community to come and
13 bring your input on this important conversation.
14 ...know putting the record straight. First of all
15 like we know going after any particular sector and
16 you know if we... if there's any different data in
17 fact then we can you know have that conversation
18 though. So like I New York City what we are sayig
19 and you heard the yellow taxi industry they are
20 subject to do environmental impact before a person
21 who took the risk buy a medallion for 750 thousand
22 dollar for a million dollars they take that car in
23 the street. A livery base that is open they also
24 have to do environmental study. So if we will be
25 saying that no one is asked to do environmental

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2 study in a particular corporation is the only one
3 that are asked to do the environmental study. Then
4 the argument will have merit saying okay but you
5 are asking X base a corporation form environmental
6 study when the rest of the player they are not. So
7 this is the first thing. Like this is no about we
8 going after any particular stakeholder this great
9 business. This is about being sure that everyone
10 rule... play the same rules. You know and this is
11 something that people should understand it. Like
12 when... when someone buy yellow taxi medallion they
13 invest a million dollar day by day is closer to do
14 the pick up at the JFK and LaGuardia airport.
15 That's why the invest a huge amount of money. So as
16 a former taxi that I was know I cannot pretend that
17 I will be allowed to go to JFK and take the
18 passenger from there when all I invested was 6,000
19 dollar for insurance and you know of 10,000
20 dollars. So you know to be clear you know I
21 appreciate again like it is important to hear your
22 voice. And as we move forward we want to get your
23 input. And we wanted to be part of this
24 conversation. But... and I know that Uber you know if
25 they're the one that believe that we... today you

1 know crying like baby it because you know that
2 there's something wrong that they been doing. And I
3 even believe that they know what they doing. They
4 know that they would not get everything but when
5 you come with a big portfolio of 43 billion dollar
6 corporation of course like you are acting like
7 negotiating a contract. You want everything knowing
8 that you will no get everything that at least you
9 would get a 50 percent. I believe we acting fair to
10 Uber, Lyft, and everyone when the only argument we
11 making is guys follow the same rule are... rule and
12 regulation of the rest. We are not treating anyone
13 different from the other. It's all about New York
14 City is a place where we believe provide
15 opportunity for everyone, people... risk when they
16 invest, they should be supported but everyone
17 should play by the same rule.

19 UNKNOWN MALE 2: If I can... two things...
20 If the... if the... the yellow cab medallion studies
21 are environmental impact studies under the... under
22 the state environmental quality review the act the
23 study proposed in this bill is nothing like that...
24 nothing like that. Seeker is far more expansive in...
25 in looking at both the cost and the benefits,

1
2 looking at the potential mitigations for the
3 adverse impacts in making a decision that balances
4 those. There's nothing in Intro 847 that requires a
5 study to look at... at the... at the ben... the economic
6 benefits, the social benefits which are specific
7 requirements of seeker. So sure if you want to play
8 by the same rules if you're comparing a seeker
9 study to this study they're very different. That
10 was my point. And my second... the point is in the
11 context of a proposal here that's an environmental
12 study. I keep hearing a lot of talk about economic
13 regulation. They are two different things.

14 CHAIRPERSON RODRIGUEZ: Look 176 in...
15 couple years ago I the previous administration the
16 fire departments they wanted to build a temporary
17 station, small one on 173rd and... in... across a...
18 park. And the fire department... and it's like only a
19 first floor small building, nothing permanent. And
20 the fire department has to get... when they went to
21 get... apply for the variable they needed to do
22 environmental study. And in the study it was not
23 the major thing that they had to prove. But at
24 least they had to ask... respond questions such as
25 how much noise will they make. Will they... with that

1 change the landscape of that community. So yes like
2 when we look at the study of course this is
3 legitimate question on the environmental study.
4 This is study will be focused on traffic, air
5 quality, noise, and public health. So when we see
6 any industry growing so faster as the black car and
7 the for-hire vehicle is moving I think it is fair
8 that we as a city say we need to collect those data
9 for... first. Let's see how this... that corporation is
10 moving and to have a require... a re... a requirement
11 which is they should do... why the yellow taxi have
12 to do environmental study for one car. Why did base
13 have to do environmental study? So let's get rid of
14 any requirement for environmental study to the
15 Livery and Yellow and anyone from Uber Lyft, and
16 whoever or the new player they should do the same
17 environmental study that the yellow and Livery are
18 asked to make too.

20 UNKNOWN MALE 2: Sure. And my only point
21 is it's not the same study. It's not the same
22 study. This is not the... the... the factors being...
23 that are laid out in Intro 847 are not the factors
24 that you would look at under a study under same
25 environmental quality review act. It's far more

1 limited... far more limited. And that's my point if
2 there's going to be a comparable study... make them
3 comparable.
4

5 CHAIRPERSON RODRIGUEZ: Okay thanks. You
6 want to say something... nobody else?

7 UNKNOWN FEMALE 2: Chairman Rodriguez do
8 you mind if I just clarify? I want to just say
9 again that we are not opposed to a study. We think
10 a comprehensive study is good. We think database
11 decision making is good and we're out there in
12 other parts of the country trying to make sure that
13 we're having a positive environmental impact on
14 cities. So that's something that just to be very
15 clear we are in support of.

16 CHAIRPERSON RODRIGUEZ: And... and of
17 course at the council we do business in
18 professional way. So we are... we are always ready to
19 debate and how conversation get the feedback. And
20 this is only year... the first year in. So we will
21 like to continue a conversation with all the stake
22 player... the stakeholder. What we don't like is when
23 someone in this case from Uber targets a particular
24 council member because he or she introduce a bill
25 that they feel that this is something that they

1 don't like. We prefer to continue the channel of
2 conversation. And let's talk about the... put a...
3 let's put a... the table... you know in the process
4 before these... between the hearing and the day we
5 took it to the vote probably you can convince... that
6 we should make some changes in... in... in this bill.
7 Council Member.

8
9 UNIDENTIFIED FEMALE: Thank you. We
10 really appreciate that. We...

11 COUNCIL MEMBER LEVIN: Sorry I just had
12 a quick question following up sir on... on your point
13 about seeker and... and... and the language in this
14 bill. The... a... a seeker requirement is... is
15 significantly more. So if the complaint is that
16 this study is... is onerous in some way wouldn't...
17 wouldn't something that was a larger study that had
18 a... a... you know that in... had greater limitations
19 and... and was more expansive wouldn't that... wouldn't
20 that be... is that... would you support that? I mean is
21 that something you would support?

22 KENNETH POKALSKY: I didn't... I didn't
23 say it was more onerous, I said... I didn't say this
24 is less onerous I said it's one sided. It sounded
25 like the... the study that was being... and I don't

1
2 know the parameters of the study that the two
3 commissioners spoke about this morning. But just
4 from their description it seemed far broader than
5 the study that's described in... in this bill. This
6 bill lists I believe four environmental factors as
7 the requirements of the study. It doesn't look at...
8 is there... what is the impact. I... a lot of talk
9 about whether it's creating new jobs, new revenue
10 streams, shifting... don't talk any about the
11 economic benefits or... or... or adverse economic
12 benefits. Doesn't talk about benefits to the... the
13 consumers which should be a... an important factor
14 here. It's not... those things aren't even mentioned
15 in the bill. So my point about if we're... if we're
16 doing a... the same... a comparable study of this
17 industry versus other things that are required...
18 this statute... this proposal doesn't set forth a
19 comparable study, that's my point.

20 COUNCIL MEMBER LEVIN: Okay thank you.

21 CHAIRPERSON RODRIGUEZ: Thank you. Oh
22 sorry Council...

23 COUNCIL MEMBER CORNEGY: Good afternoon.

24 Thank you Chair. I would like to thank Chair
25 Rodriguez for allowing me to participate in today's

1 hearing. I unfortunately am not on the
2 transportation committee but I felt it was
3 important to participate today in my capacity as
4 the chair of the Council's Committee on Small
5 Business. I try to consider... take consistent
6 positions here at the city council in support of
7 the interest of my constituents. And in this case
8 workers in small businesses as I understand them.
9 Yesterday I spoke out in favor of lifting the cap
10 on the permits for street vendors because I
11 understand that vending is an important way that
12 New Yorkers meet... make ends meet and support their
13 families so... so is driving a Livery cab. This is a
14 way that hundreds of my constituents, most of them
15 immigrants, support their families. I don't want to
16 see the council do anything to interfere with their
17 livelihoods or to... tailor choices of individual
18 constituents have... who have chosen to use their
19 companies to address transportation needs. What
20 I've seen in Bed-Stuy and Crown Heights is that New
21 Yorkers are benefitting from the recent growth in
22 this industry. They're benefitting due to jobs that
23 have been created and those that have been
24 improved. Drivers are earning more with more
25

1 flexibility and they're using that income in time
2 to fulfil their goals for themselves and their
3 families. Riders have benefited from this growth as
4 well. Constituents who like to call up their local
5 car service can still do that. But others who've
6 been frustrated by the difficulty of getting a
7 reliable ride home or to another destination now
8 have more choices. I do not believe that there's
9 any legitimate justification for this council to
10 act to interrupt this market that is changing in
11 generally positive ways. When New Yorkers started
12 lining up at shake shock we didn't place a
13 moratorium on burgers while we studied the health
14 impacts. Even though the popularity of Shake Shack
15 might have hurt some Five Guys or other McDonald's...
16 or other restaurants like McDonalds. I would
17 absolutely support a plan to study the impacts that
18 growth in this industry are having on the city but
19 I cannot support imposing draconian limits on
20 growth while a study takes place. The Federal Trade
21 Commission has weighed in on similar proposals and
22 other jurisdictions and have counseled against
23 imposing limits that restrict consumer choice. I've
24 asked them to examine the current proposal and hope
25

2 that they will weigh in on this proposal before the
3 bill advances and that will need their advice not
4 to regulate growth out out of the thriving market.
5 Thank you.

6 CHAIRPERSON RODRIGUEZ: Thank you. Now
7 we're calling the next panel. Iris... [phonetic],
8 Jonathan Gross, Eric Rothman, and Rami Sigal
9 [phonetic], Seagull. You may begin.

10 JONATHAN GROSS: Yes, I was going to say
11 good morning but we've been here a while so good
12 afternoon Council Members. My name is Jonathan
13 Gross and I'm the Chief Operating Officer for Tower
14 Auto. Tower Auto's primary business model is to
15 lease cars to the TLC licensed drivers affiliated
16 with the Livery and Black Car Industry. It's a
17 little different perspective that we've been
18 talking about for the last three hours. Many of
19 these drivers are immigrants that came to the
20 United States to live the American dream and to
21 have the opportunity to become successful and
22 productive citizens. I am speaking here today to
23 ask you to reconsider your proposal 842 and not
24 immediately put a cap on driver growth. In the
25 early 18 hundreds the gentleman standing behind me,

1
2 Thomas Jefferson, our third president, decided to
3 build a system of roads, rivers, and railroads. It
4 was immigrants that build these railroads and by
5 the late 18 hundreds railroads move people and
6 goods between the cities. By the early 1900s it was
7 the electric steal car and by 1930s half the
8 families in the US owned vehicles. Most of the
9 transportation industry, including the bridge which
10 is not too far from here, our Brooklyn Bridge was
11 built on the backs of people that came to this
12 country wanting an opportunity. In fact the owners
13 of Tower Auto came to the city with the same dream
14 and have spent the last 20 years realizing their
15 dream. First we believe that a cap on growth
16 immediately on every base in New York City will
17 hurt so many of the many people that have come to
18 the city to build a successful life. Additionally
19 this cap will have a domino effect on many specific
20 New York City industries we've heard before...
21 restaurants, insurance industry as well, and the
22 local economy as a whole. Secondly tower has leased
23 cars to thousands of drivers that have become
24 successful independent owner operators who pay
25 their taxes and are not dependent on any of the

1 federal social programs. All the leases that we do
2 primarily are lease to own programs and the driver
3 can then buy the car for a dollar at the end of the
4 lease term. We have leases maturing on a monthly
5 basis and an immediate cap on growth would become
6 effective these drivers will not be able to acquire
7 a TLC diamond on their own and they will not be
8 able to use their car to provide for their
9 families. Thirdly and importantly tower has
10 hundreds of cars on order and have planned to order
11 hundreds more from auto manufacturers that build
12 these cars in these United States. If we do not
13 have driver growth we do not have new... we do not
14 need new vehicles. And this will impact the auto
15 industry to a small level which is having its best
16 year in many years. Tower as I mentioned previously
17 has been in business for 20 years and has strong
18 relationships with many of the black car bases and
19 these drivers. And these bases will be
20 significantly hurt by an immediate cap in driver
21 growth. We do support the environmental study and
22 we may even want to consider supporting proposal
23 842 but we... we have so many things that are in
24 process at this time that we would prefer that the
25

1
2 council defer the decision until the study has more
3 information and more data to make a more accurate
4 decision. As the Chief Operating Officer of Tower
5 Auto I am responsible for managing finance
6 technology and operations. And we have in...
7 increased our staff by over 30 people over the last
8 12 months many of whom are single mothers, are
9 hourly and commission paid employees. And we have
10 planned to recruit and employ many more people over
11 the next 12 months. However an immediate cap on
12 growth we will be forced to implement a hiring
13 freeze and may have to lay off many of the current
14 staff. This immediate cap on growth will hurt the
15 auto industry. We believe it will hurt the New
16 York... New York City Livery and Black Car industry
17 and many New York City current and potential
18 employees. We understand the need and support the
19 need to analyze and evaluate the cause of city
20 congestion and any environmental impact. However
21 the council should consider utilizing other means
22 to measure congestion that are more appropriate at
23 this time without an immediate cap on driver growth
24 that if implemented will cause significant
25 financial impact... certainly in our company, Tower

2 Auto and the local economy. Thank you for your time
3 and consideration.

4 RAMI SEAGULL: Good afternoon guys. My
5 name is Rami Seagull and I represent the... the
6 American Lease Group. We are... we are as well a
7 lease to own company in the Livery and Black... Black
8 Car industry of New York City. Lease to own company
9 give drivers without credit or money for down
10 payment and chance to own a new car and finish
11 paying for it in as little as three years. The
12 lease to own segment grew tremendously a few years
13 ago after the TLC started to inspect FHV vehicles
14 every six months in all cars that couldn't pass the
15 inspection have to be upgraded. A lease to own cars
16 a title and registered on the leasing company name
17 until the lease is over. At that point the driver
18 can buy their car for one dollar. There are over
19 6,000 cars that are currently financed by the lease
20 to owned companies in New York City. About a third
21 of these cars will finish the leases every year.
22 This represent over 2,000 driver that will finish
23 the leases this year and will own these cars. This..
24 this driver will need to transfer the car on their
25 name and register them with the DMV and get a new

1 FHV license. If this bill will pass over 2,000
2 driver that will finish... that will finish their
3 leases this year will find themselves in a
4 situation that they own a car that cannot be
5 registered with the TLC. If they need to obtain a
6 new FHV license these 2,000 driver will become
7 unemployed. Other drivers that own old cars that
8 cannot pass the six month TLC inspection... cars that
9 are 10 years old, even older this... if this driver
10 have good credit and few thousand dollars they can
11 buy a new car and transfer the same FHV license
12 they already have. But for the drivers that don't
13 have good credit and thousands of dollars there's
14 no solution. They will need to rent a car in a
15 market that is short on TLC cost for rent already.
16 Many of the driver would lose their ability to earn
17 a living as well. Our company will employ 24 people
18 with... but our plan was to get 10 more in the next
19 12 months. We are... many more jobs through vendors
20 and subcontract. I'm afraid that if this new bill
21 will pass we will need to cut significant amount of
22 employees and there will be no need for sales
23 people equipment installers etcetera. The app
24 companies like Uber, Lyft are big and rich. This
25

1
2 bill would not stop the growth. They will be able
3 to put millions into recruiting drivers for small
4 community bases by offer them great incentive. The
5 loser will be the small community bases that will
6 not be able to replenish the driver by adding new
7 drivers at the communities in Brooklyn, Queens, and
8 the Bronx that will have fewer cars to serve them.
9 I ask the community to do the right thing, to
10 conduct the... study first and then decide what need
11 to be done. Make sure that FHV cars are the cause
12 of the problem before you make them the solution.
13 Please don't make thousand of driver small
14 businesses and their employees, small community car
15 service, and the resident of the outer boroughs the
16 collateral damage of this war.

17 ERIC ROTHMAN: Good afternoon. My name
18 is Eric Rothman. I'm President and CEO of Fast
19 Track Leasing LLC. Fast Track is a small business
20 located in Queens New York. We opened our doors in
21 October of last year to serve the New York City
22 Vehicle for Hire drivers by providing them with
23 turn-key lease to own vehicles and short term
24 rentals. Beyond sourcing and financing the vehicles
25 we take the cars through TLC and DMV, install any

1
2 required equipment, and provide any necessary
3 insurance for drivers and the vehicles. We
4 currently have approximately 200 long term leases
5 on the road and 50 plus rental vehicles and 75 more
6 in various stages of TLC and DMV. Given the
7 vibrancy of the current New York City market
8 created by consumer demand for vehicle for-hires
9 we've been able to hire over a dozen employees
10 already and are on track to hire more this year and
11 next. Our employees are reflective of our customer
12 base and include men and women that are Latin
13 American, Indian, Pakistani, Chinese, and Russian.
14 All of our employees earn above the minimum wage.
15 We not only provide jobs but contribute to the tax
16 base and now lease three parcels of land in New
17 York City and seeking a fourth. Additionally we
18 have helped put well over 200 mostly minority or
19 immigrant TLC drivers and vehicles for which we
20 have paid significant fees to the TLC ad DMV. The
21 proposal current... currently before the city council
22 on limits to base growth is extremely concerning to
23 my business, its employees, FHV drivers and the
24 consumers they serve. The whole premise seems
25 upside down. You do not ease traffic congestion by...

1
2 or pollution by limiting growth of vehicle for
3 industry. On the contrary cities around the world
4 tackle the issue of congestion. Their... their answer
5 is to discourage private vehicles from entering the
6 city's center through fees and tolls while adding
7 more mass transit and more vehicles for-hire. One
8 vehicle for-hire can fill up its car all day and
9 shuttle people around the city instead of many
10 separate individual driving private cars around the
11 city adding congestion, pollution, and parking
12 problems. Beyond the lack of logic to the proposal
13 its passage would have a chilling effect by putting
14 a strangle hold on any growth of the entire vehicle
15 for-hire industry while a yearlong study is done.
16 Whatever happened to due process and the notion of
17 innocent before proven guilty? This immediate
18 moratorium on growth punishes the entire industry
19 before it even determined if any harm is being
20 caused by them. This proposal is an attack on small
21 businesses. It's anti-growth, anti-labor, anti-
22 consumer and will not only hurt the hardworking men
23 and women who wish to drive a vehicle for-hire but
24 hurt consumers by limiting their choice when
25 travelling. The propose, this proposal negatively

1
2 impacts our local consumers, especially those in
3 the underserved outer boroughs the tourists the
4 city thrives upon and threatens the survival of
5 base owners, FHV drivers, and companies like Fast
6 Track. My business would suffer irreparable harm if
7 this proposal is adopted in its current form. We
8 field on average 75 inquiries a week from drivers,
9 many looking to join a base for the first time. FHV
10 vehicle bases have successfully worked hard to
11 establish demand for their product by providing
12 superior service and competitive pricing. The
13 proposed artificial cap on growth would lead to
14 disastrous results for bases. Those that serve the
15 FHV industry such as Fast Track and limit options
16 for gainful employment for those men and women
17 looking to become FHV drivers or otherwise work in
18 the industry. Due to this uncertainty we have no
19 choice but to halt our hiring plans, reevaluate our
20 current staffing for potential downsizing, suspend
21 vehicle purchasing, stop advertising in local
22 media, and suspend any further capital improvements
23 or leasing of more property in the city of New
24 York. Given the tremendous negative unintended
25 consequences that would result from the passage of

2 the proposal in its current form I respectfully
3 request the city council to reject it for the sake
4 of the broader industry and its consumers. Thank
5 you.

6 CHAIRPERSON RODRIGUEZ: One thing that I
7 would like to say that we will continue
8 conversation with everyone including you and
9 others. So we will be more than happy to you know
10 continue that dialogue. And at the end we want to
11 come out with a bill that will be good for
12 everyone. Council Member.

13 COUNCIL MEMBER LEVIN: Had a question...
14 or first off just to let you know that it's not the
15 intention of this legislation to prevent drivers
16 who are currently leasing their vehicles from
17 purchasing those vehicles and continuing to have a
18 TLC license. So I think that that's something that
19 you brought up in your testimony and I... [cross-
20 talk] I... I want to just make clear that it's not
21 the intention... if... if... if... if you're assertion is
22 that...

23 RAMI SEAGULL: If... if I can just answer
24 that?

25 COUNCIL MEMBER LEVIN: Yeah.

2 RAMI SEAGULL: There's something...
3 there's a technical process that you guys missing
4 over here. The driver is leasing a car. A leasing
5 company... all the lease to own companies when we put
6 a car on the road the car is titled under leasing
7 company name. The registration is... on our name and
8 the FHV license is on our name.

9 COUNCIL MEMBER LEVIN: Right.

10 RAMI SEAGULL: When the guy finishes
11 lease those licenses are not transferable. So when
12 the guy finishes lease in essence he finish paying
13 for a car. Now we have a car that he cannot
14 register with the TLC because in essence, in
15 actuality it's a brand new FHV license that he have
16 to obtain. And those not going to be available. So
17 now he have a car that he finish paying for and is...
18 [cross-talk]

19 COUNCIL MEMBER LEVIN: But the... but the
20 license is attached to a registration number. The
21 registration number doesn't change... [cross-talk]

22 RAMI SEAGULL: The license... [cross-talk]

23 COUNCIL MEMBER LEVIN: ...car.

24 RAMI SEAGULL: ...is attached to... to a
25 company... to an individual... [cross-talk] company.

2 COUNCIL MEMBER LEVIN: Right but it's
3 all... it's not attached to the car. There's not a...

4 RAMI SEAGULL: It's attach... no it's
5 attach to a company. We can... we can...

6 COUNCIL MEMBER LEVIN: ...attached to the
7 company and the car no?

8 RAMI SEAGULL: No.

9 COUNCIL MEMBER LEVIN: Just... just the...
10 just the company... [cross-talk]

11 RAMI SEAGULL: The license belong...

12 COUNCIL MEMBER LEVIN: ...not the car?

13 RAMI SEAGULL: ...to the company. And it...
14 then you attach a car... a car to that and you can
15 replace vehicle whenever you need.

16 COUNCIL MEMBER LEVIN: Okay. Okay that's
17 something that... [cross-talk] something that we can
18 continue the conversation with. My... my question was
19 how many lease... in your companies how many leases
20 go to own annually?

21 RAMI SEAGULL: All of them.

22 COUNCIL MEMBER LEVIN: Annually how
23 many?
24
25

2 RAMI SEAGULL: Annually? It's depend...
3 the start the lease and three years later they
4 finish the lease so...

5 COUNCIL MEMBER LEVIN: I know... I want a...
6 just a picture of like what it is annually or
7 monthly. Whatever... whatever's a metric for you.

8 RAMI SEAGULL: In my company you're
9 going to say this coming year probably 600... 600
10 only in my company going to finish their lease
11 term.

12 COUNCIL MEMBER LEVIN: Okay so 600 will
13 then go to... Okay. And then you start... How many... how
14 many... how many new leases do you start annually?

15 RAMI SEAGULL: In the last few months we
16 been putting about 150 cars a month.

17 COUNCIL MEMBER LEVIN: 150 cars a month
18 that you're starting to get the new licenses...

19 RAMI SEAGULL: Yes.

20 COUNCIL MEMBER LEVIN: And they're... but
21 they're not attached... you don't own a base right
22 so...

23 RAMI SEAGULL: No we don't.

24 COUNCIL MEMBER LEVIN: Which bases are
25 they... are they across the board... [cross-talk] Uber?

2 RAMI SEAGULL: All across the board. All
3 across the board. I have... I have a lot of them in
4 the community bases. We are... we are a... our main
5 offices are in the Bronx... in the south Bronx. So a
6 lot of our customers are the south Bronx, Brooklyn,
7 Queens, as well as Uber.

8 COUNCIL MEMBER LEVIN: Okay. Alright
9 let's continue to have a conversation in the... in
10 the coming weeks.

11 CHAIRPERSON RODRIGUEZ: The next panel
12 is Dustin Jones, Jean Ryan, Edith Prentiss,
13 Sotringer Sink [phonetic]... You may begin.

14 JEAN RYAN: Hi. I'm Jean Ryan. I'm from
15 Disabled in Action and Taxis For All Campaign.
16 Hardly anybody has said anything about our central
17 question which remains how are we going to get a
18 ride and when will we have an equal chance of
19 getting a for-hire vehicle ride with Uber or any
20 other for-hire company. The impact on people with
21 disabilities is huge and awful. We've made our case
22 many times with examples. I'm not going to go into
23 it now. We want drivers and owners to make money
24 and at the same time we want a ride. Accessibility
25 needs to be accounted for if the numbers of for-

1
2 hire vehicles are capped or even if they aren't
3 capped. The impact of very limited or no access to
4 Uber vehicles must be studied along with other
5 factors. As it is we cannot every count on getting
6 a ride the same day in any for-hire vehicle when...
7 the same day that we want one and even booking one
8 day ahead of time is impossible. I live in car
9 service heaven where anyone is ambulatory can get a
10 car service in five minutes. But if you're a wheel
11 chair user and do not have a foldable wheelchair
12 and can transfer forget about it. Look we want to
13 ride. And if you think about it you have at least
14 90,000 and rising customers that you are shutting
15 out of your services, all of you. And that's not
16 counting all the tourist and business people with
17 disabilities who visit New York on a temporary
18 basis. How is it that you are okay with fewer
19 customers? What kind of a business plan is that?
20 That's all my testimony.

21 EDITH PRENTISS: Thank you. I'm sorry.
22 I'm so busy pulling up the phone. It's an important
23 issue... I'm Edith Prentiss. I'm the Chair of the
24 Taxis For All Campaign and the Vice President of
25 Disabled in Action in Metropolitan New York. What's

1 very interesting... this morning Uber was bringing
2 people in to protest in front of City Hall. I
3 wonder if they offered the same consideration to
4 wheelchair users. Everyone's making a point that oh
5 it's okay through the wave it works. The bottom
6 line is by adding the number of inaccessible
7 vehicles that the TLC has allowed... I mean the TLC
8 is enabling these services via... area on the west
9 side, no accessible services, that's okay. Uber,
10 how many thousand cars? No accessible services? Oh
11 you're going to use the green and you're going to
12 use central dispatch, that's okay. This is
13 ridiculous. We are going back to the point of
14 equivalent service. Equivalent service never
15 worked. Equivalent service was in the dark ages
16 where every base who did not have their own
17 accessible vehicle was allowed to contract... was
18 forced to contract with about 12 companies that had
19 accessible vehicles. And the bottom line was you
20 had to call your local base, your local base called
21 who they were in contract with, no one knew what
22 the... was and no one got services. If you add the
23 thousands of inaccessible vehicles that... that the
24 ride services have added that are now utilizing the
25

1
2 accessible services you are wiping out any access
3 to accessible services for everyone in New York
4 City. And that's not fair. They want to earn lots
5 of money. God bless. But earn it by having
6 accessible vehicles that's required by state,
7 federal, and city law. It's inquired... it's required
8 by TLC regs when the TLC isn't enabling them and
9 like closing their eyes. We want accessible
10 services. We support the concept of having the
11 study. But if the end point of the accessible
12 service... study is going to be equivalent service we
13 oppose it. Luckily we start getting our... we start
14 on the road to 50 percent accessible taxis next
15 year and... 50 percent in 2020. But the bottom line
16 is if the TLC is not continuing to sell medallions
17 they are going to force owners of inaccessible
18 vehicles to become accessible. It's a little
19 uncomfortable for us as a community because we're
20 the ones who are going to be pointed out and said
21 it's all their fault. I'm tired of being it my
22 fault. I just want a damn ride. Thank you.

23 COUNCIL MEMBER: Well said.

24 UNKNOWN MALE 4: Good afternoon... [cross-
25 talk]

2 CHAIRPERSON RODRIGUEZ: ...my district.

3 UNIDENTIFIED MALE 2: Sorry. This on?

4 Good afternoon Chair Rodriguez, all respected
5 Council Members and everybody in the room. My name
6 is... I am the driver and owner of... [background
7 beeping]. We also drove a cab as... and got honor
8 certificate by the mayor of New York City... And I'm
9 proud of the participation and still continues to
10 drive. Ladies and gentleman I want to share my
11 experience while driving all these years that how
12 the city change on traffic and affected mine and
13 everybody's life. I start my day about 3:00 p.m.
14 from JFK. It takes me 15 to 20 minutes to just pick
15 up and get out from the terminal because of all FHV
16 vehicles blocking and obstructing the traffic at
17 the terminals that I never... before. For the city
18 passenger the first question by the passenger is
19 how long will it take to get to city sir, answer,
20 one hour 15 to 30 minutes sir. Really, it's about
21 16 mile, how come. Sir, because of traffic. Oh, but
22 traffic should be other way around... going in the
23 city. It used to take me 45 to 50 minute to get in
24 midtown as... as you know it's a flat fare from JFK
25 to Manhattan, 50 dollars. Now I have to spend more

1 half an hour in gas to earn the same money. Not
2 only seen the worst... worst traffic ever also
3 frustration by the passengers who want to get their
4 destination quickly. Some of them commented am I
5 sitting a bus or with app company... a company driver
6 who just don't know what time which... should be
7 taken. As you know they all rely on apps, driving
8 straight, suddenly stop in the middle of the road
9 because they have to response quickly to the app to
10 get the passenger causing traffic and accidents.
11 Some of them driving very slowly... especially in the
12 5th avenue... pass... illegally. Offering them the
13 negotiated rides at a causing the... causing the
14 traffic and I seen it every day. It happens every
15 day and it's grown rapidly. Last year also. When I
16 got my license it took me about two weeks and 80
17 hour classes and drove for... for three months to get
18 my real license to become a permanent cabbie. In
19 other hand today you can start driving for app
20 companies the same day, no classes needer
21 [phonetic] rather just pay the fee and get FHV
22 license from the taxi and limousine commission of
23 New York City. Even you don't have any clue or
24 knowledge for rule and regulation for the New York
25

1
2 City and start working same as us. Many passenger
3 coming back and telling us a worse experience while
4 the driven by impaired app company drivers. Ladies
5 and gentleman I so proud... but now I'm so worried
6 about my job as losing passenger who can't afford
7 the fair because of the traffic and fair has gone
8 up. How will I complete... how... how I even... I will
9 compete with 18,000 more FHV vehicles which
10 stealing my ride every day in front of my eyes and
11 they have no cap on them. Instead we are only work
12 13,580... 80... 87 cabs. TLC cannot force FHV... and us
13 there's one... one... I want... that. If they're forcing
14 through the cabs become 50 percent of the
15 wheelchair accessible why can't they force FHV
16 vehicle to put 50 percent at least. There's nobody
17 asking about that question. And also thank god till
18 now if they would have a data we can calculate it
19 that how many cabs they have. Yes? Okay. Can I... can
20 I go on? Okay thank you very much. ...okay. As you
21 know... given by the app companies to the TLC prove
22 that 72 percent of... are in the city it means most
23 of them time the city causing more traffic
24 congestion in one day when a couple got in my cab
25 and said please drive me... drive fast... because my

1
2 wife is pregnant and having severe pain and traffic
3 is brutal. I barely made it but I have to use the
4 bus lanes to get there and risk my... to getting the
5 summons. Even I had a... a one business guy I drove
6 from JFK to city. He came from Bombay. When he got
7 into midtown and he commended oh is there no
8 difference... Bombay and New York. And I had one lady
9 came in my cab and smoking. And I said please stop
10 smoking. She said... she laugh at me and told me that
11 you smoke more than me because sitting all day in
12 congestion with the traffic.

13 CHAIRPERSON RODRIGUEZ: Okay thank you.
14 I'm sorry.

15 UNIDENTIFIED MALE 2: Okay can I take
16 one second please to finish? Okay. Thank you very
17 much. Really appreciate it.

18 COUNCIL MEMBER LEVIN: Thank you for
19 your testimony.

20 UNIDENTIFIED MALE 2: My pleasure.

21 COUNCIL MEMBER LEVIN: Very... very
22 helpful. Thank you. Thank you Edith.

23 CHAIRPERSON RODRIGUEZ: ...Ethan Gerber...
24 Jonathan Matz, Michael Lockland, Sine Crocosweek
25 [phonetic], Rick Russo. You may begin.

2 ETHAN GERBER: Thank you. Good morning
3 Chairman... Good afternoon Chairman Rodriguez. I'm
4 Ethan Gerber from the Greater New York Taxi
5 Transportation Association, an association of
6 yellow, green, and black car fleets. In other words
7 the regulated portion of the for-hire industries.
8 Thank you Mr. Chairman for having the courage to
9 hold this hearing in the face of the 50 billion
10 dollar California company organized to defeat any
11 disruption of its disruptive business practices. I
12 appreciate the fortitude it takes to hold these
13 hearings. The hearing today is about common sense.
14 It is about fairness, it is about congestion, and
15 the fifth most congested city in America, and about
16 health in the city where more and more children
17 like my daughter suffer from asthma. Despite the
18 Uber publicity machine to facts are self-evident
19 and borne out by all relevant data. Traffic
20 congestion has increased since Uber put 18,000
21 vehicles on the road and two subway ridership has
22 actually increased not decreased in the last two
23 years. This in turns mean that the city should take
24 a breath while there's still air to breathe and
25 study the effect of an unlimited number of e-hail

1
2 vehicles flooding the streets. In the past the city
3 would require environmental impact studies every
4 time it put on new medallions. They did so in 2004
5 and required again in 2012. The city knew that even
6 300 more taxis working 24/7 could affect
7 congestion. The city require these studies even
8 though the city itself sold these medallions for
9 one million apiece and had real fiscal incentive to
10 get them on the road. Now Uber says 18,000 more
11 cars that generate no revenue at all for the city
12 should go on with no problem and no study. The fact
13 that public transportation ridership has not
14 decreased also means that the ridership pie is
15 being cut in ever thinning slices for the regulated
16 brick and mortar local businesses and regulated
17 drivers like those in our association represents it
18 means ever decreasing income. This affects the
19 local businesses and the drivers, mechanics,
20 clerical staff, and all those who depend on this
21 income to feed their families. But it is also bad
22 for the Uber and Lyft drivers as well. Today Uber
23 is fighting for the ability to diminish, deplete,
24 and dilute the income of its own drivers. So long
25 as the ridership pie goes to Uber Uber could care

1 less how its drivers earn. Thus if 1,000 rides go
2 to 100... if 1,000 rides go to 100 drivers or split
3 among 500 drivers or even 1,000 drivers Uber gets
4 the same 20 or 30 percent of the income. It's only
5 the drivers who suffer. Moreover in the parts of
6 this country where it has already destroyed the
7 transportation industries it takes a bigger and
8 bigger percentage of the driver's portion. In
9 September 2014 Forbes reported that in California,
10 the birthplace of Uber, Uber unilaterally increased
11 its share from 20 to 25 percent. In 2015 Forbes
12 reported Uber unilaterally took another five
13 percent from each and every driver's fair now going
14 to 30 percent. That is why they want to keep
15 flooding the street with more and more cars as they
16 destroy the local regulated industries the drivers
17 have nowhere else to go and take more let... more and
18 more of the fares. This is why there are riots in
19 the streets of London and Paris today. The streets
20 are flooded. It is no longer possible to be a
21 professional driver. Careers are becoming part time
22 jobs. As the career of cab driver comes to an end
23 as the ability to regulate comes to an end the
24 ability to improve and control comes to an end as
25

1 well. I'll sum up. Technology is ever improving.
2 New Yorkers deserve a for-hire transportation
3 center that is state of the art and user friendly.
4 The legislation today does not provide answers to
5 all the questions that need to be asked in these
6 exciting new times. They simply give the time to
7 ask the questions and get real answers while there
8 is still time to do so and industries left that can
9 be regulated at all. Thank you very much.
10

11 JONATHAN MATZ: Thank you. Good
12 afternoon. My name is Johnathan Matz. I am with
13 Move New York. Dear Chairman Rodriguez and
14 colleagues thank you for giving us the opportunity
15 to speak to you today. As you know Move New York
16 is... is an initiative with the triple objective of
17 sustainably funding New York's transportation
18 infrastructure, establishing toll equity for the
19 region's drivers and slashing congestion in the
20 city's central business district and its
21 surrounding neighborhoods. Move New York does not
22 take a position per say on setting limits on any
23 particular class of for-hire vehicles but we
24 applaud the committee's efforts to tackle the
25 growing problem of traffic congestion in our

1
2 already grid locked city. Along with groups such...
3 such as Transportation Alternatives we consider
4 taxis to be part of the city's public
5 transportation system occupying a space between
6 private vehicles and the mass transit network.
7 Ideally for-hire vehicles should... should provide a
8 mode of transport that allows for an overall
9 reduction in car use and car ownership but at the
10 same time they constitute more than half of all
11 vehicles travelling in the city's economic core
12 with the city's population projected to top nine
13 million before 2030 we can't all be relying on cars
14 either... either our own or ones that we hire to get
15 around. Our streets are already over capacity and
16 our pedestrians and bicyclists are paying for it
17 with an unacceptable number of vehicle caused
18 injuries and deaths. To be sure not every... trip in
19 the city causes the same amount of congestion or
20 air pollution. For instance for-hire vehicle is
21 travelling between outer parts of the city verse
22 those crossing into or circulating south central
23 park. However there is no question that for-hire
24 vehicles especially with the advent of app a
25 services are contributing to congestion. As you may

1 know Move New York has proposed one solution to the
2 problem, a toll reform and rebalancing plan for the
3 city's major and... and minor crossings. A key
4 element of that plan is adding a surcharge to
5 yellow and green cabs as well as new app based
6 services equipped... equipped with GPS technology
7 while they're travelling in the taxi zone south of
8 96th. Those same classes of for-hire vehicles would
9 be exempt from the city's or MTA's tolls imposed on
10 east river crossings. Under the new... Move New York
11 Fair Plan taxi and app based passengers will be
12 contributing back to the city by help sustaining,
13 by helping to sustain the mass transit system that
14 will always be the mode used by the vast majority
15 of New Yorkers to get around the five boroughs.
16 Paradoxically the surcharge will be a boom to for-
17 hire vehicle drivers, owners, and passengers alike
18 because our plan will lead to 18 to 20 percent
19 faster travel speeds within the CBD, passengers and
20 drivers alike will benefit from faster trips and
21 roughly 14 percent more fare turn... turnover meaning
22 that drivers can drop off their fare and pick up
23 the next one more quickly thus adding about five
24 fares to each shift. We look forward to working
25

2 with this committee to establish a balanced and
3 thoughtful set of rules and regulations in which
4 for-hire vehicles including app based services
5 remain a crucial part of a citywide system for
6 increasing mobility and yet also contribute to a
7 transportation network with... with sharply reduced
8 traffic congestion and robust mass transit. Thank
9 you.

10 RICK RUSSO: Good afternoon Chair

11 Rodriguez, Council Member Levin. I'm Rick Russo,
12 Senior Vice President and Chief Operating Officer
13 at the Brooklyn Chamber of Commerce and I am
14 delivering testimony on behalf of Carlos Scissura,
15 President and CEO of the Chamber. The Brooklyn
16 Chamber of Commerce is a membership based business
17 assistance organization which represents the
18 interests of over 21 hundred member businesses as
19 well as other businesses across the borough of
20 Brooklyn. The Brooklyn Alliance is a not-for-profit
21 economic development organization of the chamber
22 which works to address the needs of businesses
23 through direct business assistance programs. While
24 we support the committee's proposal of a study to
25 examine the impact of growth in both the taxi cab

1 and for-hire vehicle industries we have our
2 concerns about the accompany proposal to limit the
3 issuance of FHV licenses until the end of the
4 study. We respectfully add that it is unfair to
5 single out FHVs in terms of limiting the issuance
6 of licenses. In its most basic form the FHV system
7 supports entrepreneurial spirit which is crucial to
8 economic development in New York City. A potential
9 entrant in the FHV system is issued a new license
10 by the taxi and limousine commission. Affiliates
11 with a base and essentially goes into business for
12 his or her self. In the face of high unemployment,
13 underemployment, and a fickle job market New
14 Yorkers need uncapped access to FHV licenses as a
15 viable option to maintain families and contribute
16 meaningfully to the economy. Further New Yorkers
17 should have the right to have equal access to their
18 preferred method of transportation. And capping the
19 number of FHVs on the streets would create a
20 painful shortage in reliable transportation options
21 to get around. The FHV option is for great
22 importance, especially in the outer boroughs where
23 the presence of taxi cabs is not as frequent as in
24 Manhattan. As a prime representative of the small
25

1
2 business community in Brooklyn the Brooklyn Chamber
3 of Commerce is dedicated to foster economic
4 development and job creation throughout our borough
5 and within the diverse communities we serve. We
6 believe that creating a business environment that
7 embraces innovation is an essential component to
8 the continued success of the city's economy and the
9 quality of life endured by its residents. At the
10 end of the day we simply want to ensure that these
11 proposals while clearly well intentioned in theory
12 do not in practice unduly and unequally burden FHV's
13 and the transportation industry as a whole. We all
14 share a common goal to provide a safe, reliable,
15 and easy access to transportation services for all
16 New Yorkers. The Brooklyn Chamber of Commerce urges
17 the committee and industry to forge a practical
18 and... and expedient way forward. Thank you.

19 MICHAEL O'LOUGHLIN: Good afternoon. My
20 name is Michael O'Loughlin. I speak today for Cab
21 Riders United. I've also submitted joint statement
22 from my friends at the... the Lung Association in...
23 NRDC. The Mission of Cab Riders United is to
24 improve the safety, the quality of service, and the
25 Environmental Impact of the city's taxi and for-

1
2 hire vehicle industry. We appreciate the committee
3 turning a spotlight on the subject today. There are
4 some real issues here. However we are concerned
5 that the way the issue has been framed is unlikely
6 to yield the best results for passengers or for the
7 broader public interest. Why is the problem defined
8 as growth of for-hire vehicles rather than
9 congestion or air pollution or emergency response
10 times more generally? Put simply we do not consider
11 limiting the growth of for-hire vehicles citywide
12 to be a credible strategy for tackling congestion
13 in the busiest parts of Manhattan nor do we view it
14 as a real strategy for preserving and managing an
15 ecosystem of taxis and for-hire vehicles that meets
16 the needs of New Yorkers. But even asking whether
17 it is or not conflates two different and only
18 partially related topics. And it distracts from the
19 big picture questions we should be asking. One;
20 what is the city's big picture, vision, and
21 strategy for how we regulate the taxi and for-hire
22 vehicle industry in this era of rapid change
23 including the development and rapid growth of
24 popular transportation network companies. And as I
25 think Edith and Jean have left but as we try to

1
2 confront new challenges like increasing
3 accessibility throughout the city and looking at
4 the social justice concerns of workers. Two; what
5 is the city's big picture, vision, and strategy for
6 improving mobility in Manhattan and addressing
7 congestion and related issues like air pollution.
8 That's about more than just traffic speeds and the
9 number of for-hire vehicles. A real strategy for
10 that probably involves looking at how vehicles are
11 operated and where, how effectively traffic laws
12 are enforced, how to improve the full range of
13 mobility alternatives including bike lanes, bus
14 only lanes, better enforcement of traffic laws,
15 smarter goods movement, planning, congestion
16 pricing... I've bled on that hill for a couple years
17 myself and a strategy for ensuring access to taxis
18 and other for-hire vehicles in... in Manhattan.
19 Traffic congestion related emissions are a real
20 problem and they merit a real comprehensive
21 strategy. Congestion is also somewhat cyclical and
22 correlated to the health of the economy. Limiting
23 the growth of a car service base and potentially
24 restricting the mobility options for New Yorkers in
25 Canarsie or Cambria Heights or Castle Hill seems a

1 strange way to solve the congestion and air
2 pollution problems in Midtown Manhattan. A for-hire
3 vehicle based in one part of the city can provide
4 service to a customer in a different part of the
5 city but why is the city... wide cap better for
6 example than geo-fencing Manhattan is we do for the
7 green borough taxis. Even if one were to grant the
8 premise that limiting the FHV's is the right
9 approach to managing traffic emissions, and we're
10 skeptical on that, how exactly does limiting the
11 growth of large bases to a lower allowable
12 percentage than bases with fewer vehicles reduce
13 congestion and pollution more effectively? I have a
14 series of additional questions included in the
15 testimony. One I think is important; are new bases
16 allowed? If so that's a potentially huge loophole
17 in what we think is you know a work in progress...
18 the piece of legislation. If... if new bases are not
19 allowed that again seems to unfairly penalize
20 people who are looking for either entrepreneurial
21 opportunities or transportation and mobility
22 options in parts of the city that may be
23 underserved right now. In defense to the time and
24

2 no doubt low blood sugar throughout the room I'll
3 submit my written testimony and spare you the rest.

4 CHAIRPERSON RODRIGUEZ: Thank you. Now
5 let's call the next panel. Bhairavi Desai... Victor
6 Salazar [phonetic], Bill Ledour, Mohamad Tipu
7 Sultan...

8 BILL LEDOUR: This on? Yes it is. I'm
9 Bill Ledour with the New York Taxi Workers
10 Alliance. Been here too long. Uber is the number
11 one outlaw corporation. And its openly stated hell
12 bent goal of world domination of the taxi industry
13 Uber has caused strikes and riots in France,
14 England, Spain. Who says it can't happen here. To...
15 to achieve its malevolent goal it employs
16 deception, lies, and countless million spent on
17 lobbying. I can't believe that used car salesman
18 they had here speaking for them... oh my god what a
19 piece of work. Uber's business... aka the black
20 plague mask an unconscionable public be damned
21 attitude led by a brazen ethically challenged CEO
22 and supported by a... compliant cadre of MPA... MBA
23 goons. And... less a fare let anarchy and chaos reign
24 nonsense. They want to make their own rules and
25 their own standards and impose in the near future

1
2 fares that will make us current sky-high surge
3 pricing seem almost benevolent. New York is in
4 periled. Don't let the public be at the mercy of
5 these economic terrorists. The two proposed bills
6 constitute a reasonable sensible start to flood New
7 York with a limited number of vehicles will not...
8 will not only deprive drivers of livable income but
9 undoubtedly add to traffic congestion, air
10 pollution, asthmatic... and most of all impedes
11 lifesaving emergency vehicles. How many New Yorkers
12 must die so Uber can live?

13 BHAIRAVI DESAI: Good afternoon I'm...
14 Bhairavi Desai, Executive Director of the New York
15 Taxi Workers Alliance. There is so much to say
16 about all the double speak that we've had to sit
17 through and... and hear today. First of all Chairman
18 Rodriguez in... in... in honest reply to your honest
19 question drivers are charged 30 percent on the
20 commission and then the taxes that they lose... that
21 they pay for is after that 30 percent is deducted.
22 And they still have to pay for gasoline and vehicle
23 expenses and other shift expenses after the loss of
24 that 30 percent in commission. And in other cities
25 like in San Francisco and San Diego when the number

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2 of vehicles increases Uber has increased that
3 commission rate on drivers. So it's not a surprise
4 to us that they want to put more cars out on that
5 road. They make drivers more vulnerable. I mean the
6 one thing in common among every single sector of
7 drivers right now people are working longer hours
8 for less pay. We're not interested in gigs. We want
9 to maintain full time income for full time work. 94
10 percent of drivers in the taxi and FHV sector are
11 immigrants, majority people of color. Uber at the
12 moment is aggressively reporting people with
13 private vehicles who don't drive for a living, who
14 have had no interest in driving for a living.
15 Everything that they're doing to bring in new
16 people into the industry is at a great expense of
17 the men and women, the workers who are already
18 laboring in this industry. I think the most
19 important number that we've talked about actually
20 is the 72 percent. 72 percent of these trips are in
21 Manhattan. And unlike the traditional black car
22 service where black cars will wait, it's customary
23 for the vehicle, for the driver with the vehicle to
24 be waiting, parked in a location waiting to be
25 dispatched for a prearranged fare in this on demand

1
2 app service and really let's call it what it is
3 it's really a taxi that's been painted black. You
4 have drivers cruising. All the drivers are out
5 undercutting each other. And that's absolutely
6 unconscionable. The fact that 500... I know... almost
7 all Uber drivers had their cars towed and received
8 a summons for illegal pickups is unconscionable.
9 There are people working out there 12, 14, 15, 16
10 hours. They should not be forced to enter into
11 illegal activity because they cannot make ends meet
12 because these companies don't get enough work yet
13 they promise them streets of gold. So you know and
14 the fact that 72 percent of their trips are in
15 Manhattan would be equivalent to the city of New
16 York unleashing 15,000 new vehicles it... taxis,
17 yellow taxis into Manhattan not requiring an
18 economic impact study. And lastly I just want to
19 say that you know when we talk about other licenses
20 like the vendor licenses or even commuter vans we
21 look at geographic factors. The reason that Uber
22 and these other TNCs have selected the black car
23 industry is because it is the least regulated of
24 all of the sectors. And you know at the end of the
25 day their end game is about deregulating what

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2 service that's... to... that serves one million riders
3 every single day. We applaud you for proposing both
4 pieces of legislation. They are necessary. It's
5 getting harder and harder for every segment of
6 driver including Uber drivers to make ends meet.
7 This is not how you grow the economy. This is...
8 there is no job creation here. If anything it is a
9 desperate fast track to poverty for thousands of
10 working men and women who can least afford it.
11 Please, we urge you pass this legislation.

12 JAZZ SINGH: Good afternoon respected
13 council members. My name... [cross-talk] My name is
14 Jazz Singh and... Good afternoon. My name is Jazz
15 Singh and I'd like to talk on behalf of myself as a
16 medallion owner and all of my fellow drivers. And
17 there are a few key points that I'd like to touch
18 on and I'll try to be quick. But this is honestly
19 an issue where you could write a 50 page essay on
20 just justifying... trying... trying to explain their
21 justification I mean. So the first area is the
22 underserved areas that proponents of Uber are
23 claiming to extremely serve. There's no significant
24 data available on that. And at the same time most
25 of their pick-ups are done in Manhattan, 72 percent

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2 of their pickups. So how is this term of
3 underserved areas being thrown around so loosely?
4 We need to enforce that if... They going to... they
5 going to say something they need data and proof to
6 back that up. Currently FHV vehicles, they do not
7 have the same GPS tracking system for income data
8 trips, miles, paid miles, anything like that that
9 yellow cabs and green cabs have. So we are
10 following all the rules, doing everything by the
11 book where for them we're just relying on mere
12 hearsay like and surveys and opinions... that's not
13 factual data. Give me numbers from the actual
14 driven car, not from the person's mouth or from the
15 company's head. That's one point. As far as the
16 wheelchair accessibles... I support that a thousand
17 percent. I am a proponent and a firm supporter of
18 the American with Disabilities Act. Yellow and
19 greens are transforming to serve them as they
20 deserve fair access just like everyone else. Why is
21 Uber and a lot of FHV bases trying to undermine
22 that. If we're following the laws so shouldn't
23 they? Our industries have been stable for over a
24 decade. I have to... I used to have safety, pride,
25 and choice in my profession and I wake up every day

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2 with no sense of what's going on in my industry. I
3 have almost four college degrees including graduate
4 education. My future to college hasn't been
5 promised but my medallion job that I created was.
6 At the same time I have employed six drivers over
7 the last two years on my single cab. How many
8 drivers are on a single Uber car? I can't barely
9 pay my 5,000 plus overhead due to not being able to
10 find drivers at many times in the year gaps. And
11 these drivers that I lost few of them have
12 transferred to Uber. And that is a ongoing problem.
13 If opponents for the cap in the FHV argue their
14 should be no cap then why not take away the cap
15 from everything. Why not put... as many yellow and
16 green cabs as we want? Why can't we match their
17 numbers? It wouldn't be logical would it? And when
18 the investigation concludes the findings indicate
19 that excess of vehicles negatively impact our
20 environment which is plausible to say at this point
21 already what will TLC or anyone do to rectify this?
22 Who will take responsibility and how will they have
23 factual data tracking available for us? I put my
24 health, blood, sweat, and tears into this industry
25 just like all my brothers and sisters here sharing

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2 their struggle. What's funny is that everyone here
3 opposing the cap on cars represents a base in a
4 higher position they are probably associated with
5 Uber. Why are no drivers here speaking on behalf of
6 their experiences rather than these
7 representatives? My drivers are here. Where are
8 they? And I'd like to conclude with that. Thank
9 you.

10 Good afternoon councils... We support the
11 bill with New York City taxi drivers support the
12 bill completely. I... I talk on behalf of many many
13 taxi drivers...

14 CHAIRPERSON RODRIGUEZ: Sorry can... can
15 you state... [cross-talk]

16 VICTOR SALAZAR: ...colleague next to me..

17 CHAIRPERSON RODRIGUEZ: Sir... your name
18 no?

19 JAZZ SINGH: My name Jazz Singh.

20 CHAIRPERSON RODRIGUEZ: You're?

21 VICTOR SALAZAR: Victor Salazar. So
22 Chairman Rodriguez and Council Member Levine I am..
23 I'm very proud... I'm very happy that this is the
24 forward step... this is positive steps to actually
25 you know fix what's going on in the industry.

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2 Unfortunately our previous administration, taxi and
3 limousine commission made a mistake to give Uber a
4 license as a black car service. That was a really
5 mistake... that right now we... all New Yorkers are
6 paying the consequences from that mistake. We hope
7 that during this study you know things will be
8 rectified. I heard today in this chamber about how
9 Uber explain about how many cars come to... to New
10 York City. It is true. Thousands of cars come
11 through New York City but many of them... as a taxi
12 driver I can assure you many trucks come from New
13 Jersey and they go straight to Bronx, to Brooklyn,
14 to Queens, even to Long Island... county... Suffolk
15 County you know for distribution. And there are
16 busses indeed. But however those 18,000 Uber cars
17 that are operating we get constantly idling in New
18 York City for over 17 hours or even 24 hours. So
19 that's a big difference right in... in terms of
20 environmental impact, in terms of traffic, the
21 traffic just... of a New York City... You know
22 passengers always complain you know two years ago
23 I... I used to get a fare from... it used to be like 10
24 minutes from downtown to upper eastside or upper
25 Westside. Now it takes half an hour. It's just

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2 ridiculous the way the situation is in New York
3 City in terms of traffic. Farther more I want to... I
4 want to say that no matter how much money Uber is
5 paying you know for lobbying in every city of
6 United States, every city in other countries.. all
7 the drama they make today in front of city hall is
8 just ridiculous you know. This is one company that
9 wants to take... that that wants to destroy, disrupt
10 the industry in New York City which is already
11 doing so. I applaud my... my colleague drivers in
12 France and Italy and in Brazil and other countries
13 that have stood for their rights and were able to
14 kick out Uber especially right now in France we
15 know that all Uber representatives are in jail
16 because of the illegal activities. I would love to
17 end up just by saying that yes we support this bill
18 and I hope that the New York City... the... the public
19 of New York City at the same time learns from this..
20 from this experience and hopefully they start to
21 delete their apps, their Uber apps and any other
22 apps. Furthermore I am... I want to say that Uber and
23 any other apps should be just an e-hail app. It
24 should not be having the license of... you know of...
25 of any black car services in the entire United

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2 States. It's really terrible that just because they
3 have one... one... one tour to connect from cell to
4 another you know they're able to use that
5 instrument or use that as an instrument of
6 exploitation to... to a lot of taxi drivers across
7 the globe. And I think New York City always... the
8 right things. And I'm... I'm very happy about these..
9 this committee is taking the first step to rectify
10 things.

11 CHAIRPERSON RODRIGUEZ: Thanks. Let me
12 call the next panel... the next and last panel.
13 Jainism Darzi,... Peter Maze, and Laurel Brown.

14 JAINISM DARZI: Should I start. Good
15 afternoon. My name is Jainism.. I am the yellow cab
16 driver for last twelve years.

17 CHAIRPERSON RODRIGUEZ: I'm sorry this
18 was the last panel so I just hope that we didn't
19 leave anyone out. Thanks.

20 JAINISM DARZI: Yes sir. My name is
21 Jainism Darzi. I am a yellow cab driver and owner
22 for last 12 years. I have never ever seen the type
23 of hardship you know I am going through because I
24 have been driving my cab alone for last nine
25 months. I don't have the second shifter driver

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2 because every driver runs for the Uber. And more
3 than 12... 12 of us for the... we can't drive you know
4 as per the TLC Law you know. And I am unable to pay
5 my mortgage on time for the medallion you know and
6 a one month I am I am already going one month
7 behind. And the bank keep calling me and threaten
8 me to repossess my medallion as they did before.
9 You know the one time I have the notice of... here.
10 They... they seize my medallion two year... two months
11 before because I can't make the mortgage because I
12 am the... I have the wheelchair accessible cab and
13 nobody want to drive the wheelchair accessible you
14 know medallion I mean cab. So bank also tell me you
15 know you will lose your house because you know I...
16 house last year and if I unable to pay the mortgage
17 there's a big... very big... for me and for my family.
18 So my medallion is wheelchair accessible. I bought
19 this medallion keeping in mind to serve and help
20 the wheelchair accessible people. But I didn't know
21 that the circumstances I have to go through because
22 there is no... and comfortable cab available in the
23 market. TLC... normally TLC give us like a seven
24 years to run with the... with this wheelchair
25 accessible cab. But the thing is you know last time

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2 I had to retire my cab within three years because
3 it's not comfortable. We can't you know run... we
4 can't stuck with... stick with that cab. The... there
5 was too much repairs, so many problems were going
6 on. And I you know got the new cab. But it's the
7 same thing, it's a really big headache. There's no
8 you know wheelchair accessible cab in the good and
9 comfortable cab available in the market. So because
10 passenger are making too much noises and the you
11 know percentage of complaints all the times. So...
12 and second thing is as Uber representative just
13 said like an hour before offering that wheelchair
14 accessible service by hiring and sharing with the
15 yellow cab. That's totally wrong. They are not
16 sharing with us. We're... because they are just
17 trying to... excuse that we are using the yellow cab.
18 They... they don't have any... anything. Because we
19 have our own you know work... jobs for that. And
20 second thing is you know two people had a heart
21 attack by getting the letter from the bank that we
22 have to pay 177 thousand dollars within 10 days. I
23 have the letter of this one. I have the letter the
24 bank. Because bank we are very... facing very hard
25 time with the... from the bank is very very hard

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2 time. So... and we are also paying like a 50 cents
3 and 30 cents to the city and a no what Uber paying,
4 nothing. And that's just... I'm just requesting you
5 know... introduce please... please do something because
6 everything is... Thank you so much I thank you.

7 COUNCIL MEMBER LEVIN: Thank you for
8 your testimony. You can stay. You can stay.

9 CHAIRPERSON RODRIGUEZ: Stay there.

10 COUNCIL MEMBER LEVIN: If you want to.

11 MOHAMMAD TIPU SULTAN: Hi, good
12 afternoon Council and... and the folks in the
13 audience listening. My name is Mohammad Tipu Sultan
14 and I'm a full time driver last ten years, and also
15 organizing with the New York Taxi Worker Alliance.
16 So that's making me a very good opportunity to talk
17 with the other driver either Uber or green cab and
18 yellow cab. So observe [phonetic], observing
19 that I'm... I myself as a doo driver. I own the
20 vehicle and I rent the medallion from the broker.
21 So as I'm observing in myself and I use to go to
22 Kings Brooklyn College they studying Computer
23 Science because of the driver struggling I cannot...
24 I cannot continue that. We used to the same... the
25 same car we use to drive it three driver but now we

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2 are driving two driver because of the driver crisis
3 driver shifting. In... in my neighborhood around 50
4 driver, yellow cab driver and also around 20 of
5 them Uber driver so I get every day the summary how
6 they are doing actually. None of the Uber driver
7 saying they are doing good. But they already bought
8 a luxurious car, 60-70 thousand dollar car and
9 they're always struggling because they are not
10 making enough fare, they're not taking enough fare
11 for their... is the... is the car maintenance money and
12 there is a rent insurance and everything. They
13 paying more than 30 person and they don't have
14 enough fare for their late... living actually. So it
15 is a great great great crisis. And as a yellow cab
16 driver I also suffer and I stop going in college
17 because I don't have any driver. Because in my
18 driver 30 driver shift to the Uber driver and is
19 still we have a 50 yellow cab driver is struggling.
20 And most of them are dob driver. And they don't
21 have another second driver. So they... some of the
22 driver are driving own self as a one driver and
23 some of them return those car to the garage because
24 they cannot drive anymore by my... themself single
25 driver. So this is all crisis coming... this

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2 technology. And I will say very beginning. The TLC
3 did a mistake to understand what is the... coming
4 forward. So this is the situation who we are facing
5 now. We don't want to be seen farther struggling.
6 We don't see... want to see the driver crisis
7 anymore. And we don't want to see the driver
8 suffering with their income. As like Uber driver
9 they cannot make money and what... what next. So when
10 there is a car will be... and need to be maintenance
11 and the other things year down... year... one year
12 later it will be more situation bad. So this is the
13 time to understand what's going on on the industry.
14 And I support this bill and this bill means that
15 polls... we can realize... we can research on this
16 issue just that we can learn the taxi driver do
17 that's most important transformation in the New
18 York City and please help this bill to be passed
19 and let us know about the driver, focus on the
20 driver's struggling parent. Alright thank you so
21 much.

22 LAUREL BROWN: Good afternoon. Thank you
23 for having me Chairman Rodriguez and Councilman
24 Levin. My name is Laurel Brown. I am the Executive
25 Vice President with the Downtown Brooklyn

1
2 Partnership and Economic Development Organization
3 based in downtown Brooklyn. And I'm here on behalf
4 of our President Tucker Reed. You know there used
5 to be a joke if you've been around New York for a
6 while you know that you just can't get a cab to
7 Brooklyn and... and much less try to get a cab while
8 you're within Brooklyn. So it's really interesting
9 to have this conversation right now. But so I'm
10 here on behalf of our organization Downtown
11 Brooklyn Partnership to express concern over the
12 proposed bills. The bills comes with serious
13 ramifications especially for the outer boroughs in
14 terms of economic development and job growth. As
15 you may know downtown Brooklyn is a key economic
16 center for New York City. Despite the references
17 earlier today there's not just one central business
18 district in New York City. There are multiple in
19 downtown Brooklyn is one of them. Just to give you
20 some context the area boasts a business district
21 with more than 17 million square feet of office
22 space, historic vibrant shopping center Fulton Mall
23 which many know of which attracts 150,000 visitors
24 daily, a burgeoning residential community, 60,000
25 college and law students, 60 cultural organizations

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2 that welcome 4.5 million patrons a year and two
3 professional sports teams. A key to maintaining
4 this economic vitality is the neighborhood's
5 transit accessibility. And we actually did a study
6 that was commissioned in 2012 that was called the
7 Brooklyn Tech Triangle's strategic plan. And in
8 that it was identified that public transit in the
9 area is currently more oriented to facilitating
10 connections between Manhattan and Brooklyn than
11 within the borough itself. Again more public
12 transportation is oriented Manhattan to Brooklyn
13 than within the... within the borough itself. So we
14 have all these jobs in downtown Brooklyn and... and
15 in rest of the Brooklyn. And in order to support
16 economic development and continue jobs within this
17 tech triangle which in 2012 included 10,000 direct
18 innovation jobs which is projected to double by
19 this year. Better inter-borough public transportate
20 [phonetic]... transit accessibility is needed. But
21 that's... that's... that's expensive, takes a long
22 time. So until that time comes the for-hire vehicle
23 services provide an invaluable service for
24 connecting Brooklyn business owners and their
25 workers to their customers for connecting cultural...

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2 to performances and venues and shoppers and diners
3 to retail establishments. According to Uber nearly
4 20 percent of their riders rides a current Brooklyn
5 compared to three percent of traditional taxicabs.
6 Without the transportation services provided by
7 companies like Uber it is our fear that Brooklyn's
8 thriving economy will suffer. Additionally it's not
9 only the jobs of the Brooklyn innovation workers at
10 stake Uber itself has vowed to create 10,000 jobs.
11 So in summary we urge you to reconsider your
12 support for this bill which would negatively impact
13 all workers, residents, students, shoppers, and
14 tourists who make downtown Brooklyn the thriving
15 business district. A joke that started off as you
16 can't get a cab in Brooklyn could very well end up
17 you can't get a job in Brooklyn. Thank you.

18 PETER MAZE: Good afternoon Chairman
19 Rodriguez and Council Member Levin. My name is
20 Peter Maze and I am General Council to Metropolitan
21 Taxicab Board of Trade. 60 year old organization
22 representing the owners aboard 55 hundred licensed
23 medallion taxicab... the licensed taxicab agents who
24 operate these cabs and more recently many of the
25 license drivers who lease taxicabs from our

1
2 drivers. MTBOT is dedicated to safer and more
3 efficient streets for all New Yorkers, is a proud
4 supporter of Move New York plan to reduce
5 congestion, and fund the MTA. We're also proud to
6 be among the earliest endorses of the Mayor's
7 Vision Zero plan. MTBOT supports the intention of
8 intros 842 and 847 which appear to limit the
9 expulsive growth in the for-hire industry until the
10 TLC completes a study of the impact such growth
11 will have upon the environment and worsening
12 congestion problems of the city. Unfortunately as
13 written these bills don't go nearly far enough to
14 ensure that the million... multibillion dollar global
15 app companies and the bases they control will be
16 held to the highest environmental standards.
17 Consider that in 2004 when the TLC proposed adding
18 just 900 new taxi medallions and prepared a 200
19 plus page environmental impact statement with..
20 filled with traffic analysis, business models, and
21 air quality data. Again in 2013... prepared a 400
22 plus page EIS, one that received authorization to
23 add additional taxi cabs. The EIS included
24 recommendations to mitigate the effects of
25 transportation and pollution. Over the last 75

1
2 years the city of New York carefully and
3 thoughtfully build a very efficient yellow taxi
4 fleet of just over 14,000 vehicles adhering
5 strictly to the highest environmental standards
6 imposed by law and balancing the health and safety
7 of New Yorkers. Now consider that in less than two
8 years one multi-billion dollar... multi-billion
9 dollar global transportation company that provides
10 on demand services similar or identical to yellow
11 taxicab service has added 19,000 vehicles in New
12 York City without any environmental review what's
13 so ever and recently announced that it looks to
14 nearly double its fleet in the year to come.
15 Consider that five years ago there were 490
16 community car service bases, 194 luxury limousine
17 bases, and 76 black car bases licensed by the TLC.
18 Collectively they affiliated 37,782 vehicles. Today
19 there are 488 community car service bases and 182
20 luxury limousine bases... about the same number as
21 five years ago. But the number of black car bases
22 has grown to 191... nearly triple in five years. The
23 number of license for-hire vehicles has increased
24 to 63,462 an increase of 70 percent. And 26
25 thousand more for-hire vehicles on the road than

1
2 they were in 2010 and they.. and some in the for-
3 hire industry would like to add another 20,000. All
4 this is done without the benefit of environmental
5 traffic business or other study. It should be
6 obvious to anyone in the city that this is very
7 very wrong. While these bills would limit the
8 issuance of new for-hire vehicle licenses does
9 nothing to limit the proliferation of new bases nor
10 does it prevent larger bases from expanding by
11 poaching drivers of smaller community bases
12 depriving these communities of needed service. In
13 fact under this legislation existing bases would
14 still be allowed to add about 24 hundred new cars
15 between now and August 31st of 2016. That's more
16 than the total number of new medallions issued
17 since 1996 and nearly half the number of street
18 hail liveries currently on the road. There is a
19 major disparity in regulation over the taxi
20 industry versus companies like Uber. And this
21 legislation does not level the playing field. While
22 it's an important first step in helping the TLC
23 meet its New York City Charter mandate of
24 developing a broad public policy of transportation
25 by empowering at least to initially study and

2 report on the overall for-hire industry is a small
3 step... more needs to be done. Ironically while Uber
4 likes to poach to the... preach to the world that it
5 is the solution to congestion it is fighting even
6 the most basic environmental congestion review of
7 its fleet in the Black Car industry. Obviously Uber
8 does not want the public to know the impact that
9 its unsustainably large fleet has on traffic
10 congestion and the environment here in New York
11 City. We thank you for this opportunity to testify
12 and we'll be happy to answer any questions that you
13 may have.

14 CHAIRPERSON RODRIGUEZ: Thank you. With
15 this panel we'll come to the end of this hearing.
16 We will continue the dialogue and... and we expect to
17 continue getting your feedback as I say from the
18 beginning this hearing is very important since we
19 are analyzing how fast the for-hire industry's
20 growing New York City and the need to call the city
21 to do environmental study and then based on that
22 information to come out with some new policy. But
23 for the mean time our... needs us so that we come out
24 with a moratorium. So a... I would like to thanks
25 Council Member Levin for being a co-sponsor with

1
2 this important bill and we will continue working
3 together. First the most important group is the
4 consumers who want to be sure that the 57 million
5 tourists in our city and... and the eight million New
6 Yorkers get the best services... second the drivers.
7 We need to be sure that they also are supported to
8 continue doing the work and supporting their
9 family. And third anyone who is a stake... a
10 stakeholder in the... in the big taxi industry. They
11 should know that we expect that they will be
12 subject to the same rule and regulation. With this
13 this meeting's adjourned.

14 [gavel]

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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 July 13, 2015