

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON TRANSPORTATION

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June 12, 2012
Start: 12:28 pm
Recess: 12:37 pm

HELD AT: Council Chambers
City Hall

B E F O R E:
JAMES VACCA
Chairperson

COUNCIL MEMBERS:

Gale A. Brewer
Daniel R. Garodnick
David G. Greenfield
G. Oliver Koppell
Jessica S. Lappin
Darlene Mealy
Ydanis A. Rodriguez
Deborah L. Rose
James G. Van Bramer
Vincent M. Ignizio
Peter A. Koo
Eric A. Ulrich

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2 CHAIRPERSON VACCA: Okay. Can I
3 start? Okay, can I have your attention please?
4 We will now open this meeting of the
5 Transportation Committee of the New York City
6 Council. It is June 12th at 12:30. I'm City
7 Councilman James Vacca, chair of the Committee and
8 to my left—let me introduce the members who are
9 here with me today; Councilwoman Gale Brewer,
10 Councilman Vincent Ignizio, Councilman Jimmy Van
11 Bramer, Council Member Eric Ulrich. To my extreme
12 right, Council Member Debbie Rose, Council Member
13 Oliver Koppell, Council Member Peter Koo and
14 Council Member Dan Garodnick and myself.

15 Today we're here to vote on Intro
16 725 and Intro 735, and I want to thank the staff
17 for the Transportation and Women's Issues
18 Committees for their hard work, especially Lyle
19 Frank and Tai Meah [phonetic] for all their
20 efforts on behalf of these bills. Of course I
21 want to thank the Speaker, Chair Ferreras as well
22 as Senator Peralta for all their leadership. I
23 want to begin by thanking all of you for being
24 here. If you could please turn off also any
25 devices and leave your phones on vibrate until the

1
2 vote is complete.

3 These bills are about curbing the
4 use of for hire vehicles in the illegal sex
5 trafficking industry. They are not all about
6 asking drivers to profile their passengers. Intro
7 725 states that drivers must be convicted of a
8 felony related to sex trafficking for this bill to
9 be triggered. That means the driver knows exactly
10 what he is doing. It also means that he is not
11 earning his money from the fare, but instead he
12 earns his living from shuttling trafficking victim
13 from john to john, job to job. This is not your
14 ordinary cabbie or livery driver; these drivers
15 need to know that these actions are illegal and
16 that there will be severe penalties. In addition
17 this bill has an important training component so
18 that the drivers will understand the sex
19 trafficking issue, but will also know that
20 profiling passengers based on how they look is
21 illegal as well. Intro 735 drastically increases
22 mentalities for unlicensed for hire vehicles.
23 These are drivers who decide that for the day
24 their personal vehicle is a cab. They dint have a
25 TLC license to drive and their cars are not

1 inspected to carrying passengers are required by
2 TLC. They get no background check, no safety
3 inspection, nothing. There is no way to verify
4 that they even have a valid driver's license. Up
5 until now the fines these drivers have faced have
6 amounted to a little more than the cost of doing
7 business, but today we are imposing civil
8 penalties that are still on people that decide
9 that their person car is a bad without going
10 through the proper procedures. It's a matter of
11 public safety and it imposes a major financial
12 impediment to every single segment of the legal
13 taxi and the for hire industry. Under this bill,
14 the first time off sense for operating an
15 unlicensed for hire vehicle will be 1500, not
16 \$200. Drivers who use their unlicensed car as a
17 cab twice in three years will pay \$2000 for the
18 second offense and risk forfeiture of the vehicle.
19 Those penalties create a serious incentive for
20 drivers to enter to legal market and give the
21 opportunity to get these drivers off the road.
22 Unless there are other members to speak at this
23 time, hearing none, I do want to mention we have
24 been joined by council Member Greenfield. I would
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2 ask the clerk to call now the call, and the Chair
3 recommends a yes vote on both intros.

4 COMMITTEE CLERK: Kevin Pin,
5 Committee Clerk. Roll call in the Committee in
6 transportation Intro 725 and 735. Council Member
7 Vacca?

8 CHAIRPERSON VACCA: Votes aye on
9 both.

10 COMMITTEE CLERK: Brewer?

11 COUNCIL MEMBER BREWER: I vote aye.

12 COMMITTEE CLERK: Koppell?

13 COUNCIL MEMBER KOPPELL: Mr.
14 Chairman, I'd like permission to explain my vote.
15 First of all on 725, I appreciate the work of the
16 staff. The original draft had some problems in
17 terms of the knowledge or lack of knowledge of the
18 driver of what he was doing. This bill makes it
19 clear as you said that the driver has to be
20 convicted of sex trafficking in order for the
21 civil penalty and the removal of his license to
22 drive a cab or a for hire vehicle before that's
23 done. He has to be convicted, so I think there is
24 no ambiguity anymore on the knowledge that the
25 driver has to have, so I vote aye ion 725.

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2 735 I think you described it well,
3 and you indicated how there are major increases in
4 penalty and while I don't necessarily count - -
5 gypsy cabs, we've had them around for a long long
6 time and I think it's especially inappropriate
7 that way to increase penalties that much when we
8 still don't have a for hire—I'm sorry—a hail
9 system [phonetic], a hail system in the outer
10 boroughs. If we get a hail system in the outer
11 boroughs, I might reconsider my opposition to this
12 bill, but absent a hail system right now quite
13 honestly if you get to the 242nd Street Station of
14 the subway, 242nd and Broadway and you want to go
15 up the hill to Riverdale in my district, you have
16 no alternative, but well you have an alternative
17 to walk, but the only alternative to get a ride to
18 the top of the hill—and it's a pretty steep hill—
19 is to use a gypsy cab. I recognize what you say
20 that these are not legal cabs. I recognize
21 they're not inspected. I think people they know
22 that when they get into them, and again, I don't
23 oppose current penalties which are several hundred
24 dollars up to a \$1000, but doing this kind of
25 Draconian penalty, I cannot support. Many of

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these people are just depriving them of a livelihood and perhaps that's okay. I just can't vote for it. So I withdraw my request. I vote aye on 725. I vote no on 735.

COMMITTEE CLERK: Garodnick?

COUNCIL MEMBER GARODNICK: Aye.

COMMITTEE CLERK: Koo?

COUNCIL MEMBER KOO: Aye on all.

COMMITTEE CLERK: Rose?

COUNCIL MEMBER ROSE: Aye.

COMMITTEE CLERK: Van Bramer?

COUNCIL MEMBER VAN BRAMER: Aye on all.

COMMITTEE CLERK: Greenfield?

COUNCIL MEMBER GREENFIELD: Aye.

COMMITTEE CLERK: Ulrich?

COUNCIL MEMBER ULRICH: Mr.

Chairman, I vote aye and I ask that my name be added to a co-sponsor to both the bills.

COMMITTEE CLERK: By a vote of nine in the affirmative, zero in the negative and no abstentions, Intro 725-

COUNCIL MEMBER IGNIZIO: I was left out. You don't want my vote?

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2 COMMITTEE CLERK: I'm sorry. I
3 didn't see you. Ignizio?

4 COUNCIL MEMBER IGNIZIO: Aye.

5 COMMITTEE CLERK: By a vote of ten
6 in the affirmative, zero in the negative and no
7 abstentions, Intro 725 has been adopted, and by a
8 vote of nine in the affirmative, one in the
9 negative and no abstentions, Intro 735 has been
10 adopted. Members, please sign the Committee
11 Report.

12 CHAIRPERSON VACCA: I thank you all
13 for coming. I will leave the roll open for ten
14 additional minutes for members to arrive. There
15 being no further business, this Committee meeting
16 is hereby adjourned.

17 [gave]

18 COMMITTEE CLERK: Mealy?

19 COUNCIL MEMBER MEALY: Aye on all.

20 COMMITTEE CLERK: Intro 725 stands
21 at 11 in the affirmative, zero in the negative and
22 no abstentions. Intro 735, ten in the
23 affirmative, one in the negative and no
24 abstentions.

25 CHAIRPERSON VACCA: I will leave

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the roll open until ten to one.

[long pause]

COMMITTEE CLERK: Rodriguez?

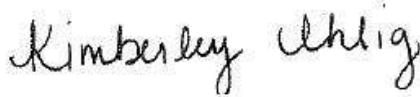
COUNCIL MEMBER RODRIGUEZ: I vote
aye on 725 - - and I abstain on 735.

COMMITTEE CLERK: Final vote in the
Committee on Transportation Intro 725, 12 in the
affirmative, zero in the negative and no
abstentions; Intro 735 ten in the affirmative, one
in the negative and one abstention.

C E R T I F I C A T E

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

Signature _____



Date _____

7/2/12