

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FOR-HIRE VEHICLES

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September 17, 2018
Start: 10:00 a.m.
Recess: 1:27 p.m.

HELD AT: Council Chambers - City Hall

B E F O R E: RUBEN DIAZ, SR.
Chairperson

COUNCIL MEMBERS: Joseph C. Borelli
Costa G. Constantinides
Francisco P. Moya
Ydanis A. Rodriguez
Deborah L. Rose
Paul L. Vallone

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

Meera Joshi, Commissioner

New York City Taxi & Limousine Commission

Jim Conigliaro, Jr., President, Independent

Drivers Guild, affiliate of Machinists Union

James Parrott, Director of Economic and Fiscal
Policies, Center for New York City Affairs

Lucus Riccio, Former Commissioner, NYC City DOT
and Former MTA Board Member

Kristen Johnson NAACP, Legal Defense and
Educational Fund

Peter Mazer, General Counsel, Metropolitan Taxicab
Board of Trade

Richard Lipsky

Bhairavi Desai, Executive Director, New York Taxi
Workers Alliance

Michael Kilo, Committee for Taxi Safety Appearing
for: David Byer, President

John Poklemba, General Counsel, American Transit
Insurance Company

Zubeen Salamini, New York Taxi Workers Alliance

Jeff Rose President, Limo Association of New York,
LANY

Jose Rodriguez, Driver, Via Translation

Basilio, Driver Via Translation

Bridget Felix, Driver

Mario Martin, Driver, Via Translation

Carolyn Pratz, Taxi Medallion Owner

Andrew Greenblatt, Founder & President, Independent Drivers Guild Benefits Fund, IDG

Nina Godowski, Yellow Cab Driver

Hector Herman, Community Taxi Drivers of New York Via Translator

Guillermo Ambrille, Community Taxi Drivers of New York Via Translation

Jackie, Uber Driver

Rafid Manigault, Represents Uber Drivers & Independent Drivers Guild, IDG

Jenna Aveno, IDG member and Full-time Driver

Ozzie Barr, Driver, Independent Drivers Guild

Andy Islam, Uber Driver & Taxi Workers Alliance of New York City Member

Nicolai Hentz, Taxi Driver

Peter Lanza, Taxi Driver

Musai Doup, Taxi Driver

Kimberly Wright, FHV Driver

Nicole Epstein, Gotham Government Relations

Aaron Jones, Policy Analyst, SEIU 32BJ

2 [background comments] [sound check,
3 pause] [gavel]

4 CHAIRPERSON DIAZ: Good morning ladies
5 and gentlemen. This is the time that we call for a-
6 for a hearing again, and I am Reverend Ruben Diaz,
7 Councilman Diaz. I'm the Chair of the Committee.
8 Before we proceed, I would like to recognize some of
9 my colleagues. None of them are here yet. [laughs]
10 Today, we will be conducting a hearing on the
11 following nine piece of legislation. By the way,
12 they're telling me they're telling we're suppose to
13 be out of here by 12:30. I doubt it. There's nine
14 pieces of legislation that we will be discussing
15 today. In truth-one, the first one Introduction 304
16 as introduced by Council Member Rodriguez, will--will
17 create a task force to study taxicab medallion
18 values. Intro 1052 is being introduced by Speaker
19 Johnson will establish a program that would provide
20 benefits such as healthcare services and disability
21 insurance to drivers. Introduction-Intro No. 1062 by
22 Council Member Grodenick-Grodenchik will require taxi
23 and for-hire vehicle drivers to be paid the full
24 amount for a trip regardless of whether a digital
25 type payment is denied. Introduction-Intro 1068 by

2 Council Member Levine will require TLC to provide
3 financial education to taxi and FHV drivers. Intro
4 1069 introduced by Council Member Levin will require
5 the TLC to study the problems associated with
6 medallion owner debts. Intro 10—Intro 1070 by
7 Council Member Moya will require transparency and
8 other rules in relation to the leasing, rental and
9 conditional purchase of for-hire vehicles. Intro
10 1079 by Council Member Richards will create an Office
11 of inclusion with TLC. Intro 1081 by Council Member
12 Salamanca will establish driver assistant centers
13 that will provide financial and mental health
14 counseling and referrals to drivers, and finally,
15 Intro 1096, which I have sponsored, will require high
16 volume for-hire services to affirm that they will not
17 take automatic deductions from driver's earnings to
18 make payments for the rent, lease or purchase of a
19 for-hire vehicle. These nine bills will—the nine
20 bills that we are considering today build up on the
21 work that we have done recently to bring much needed
22 reform to the for-hire vehicle industry in order to
23 level the play—the playing field and help drivers
24 across the board earn a decent living. I am very
25 proud of the work this committee has done over the

2 last several months. I look forward to working with
3 the Speaker, my colleagues, colleagues here in the
4 Council, the TLC and all of the—and all of the
5 various stakeholders. I am waiting for the Speaker
6 Johnson to come up. He is—he's going to be here
7 today.

8 FEMALE SPEAKER: [off mic] He's on his
9 way.

10 CHAIRPERSON DIAZ: He's on the what?

11 FEMALE SPEAKER: On the way.

12 CHAIRPERSON DIAZ: Should I wait?
13 Should I wait on him?

14 FEMALE SPEAKER: He's on the subway.

15 CHAIRPERSON DIAZ: He's on the subway,
16 but then ladies and gentlemen, when the Speaker is
17 here, when he comes here, I know that my—none of my
18 sponsors are here today to give their opening
19 remarks, but the Commissioner is here. The
20 Commissioner is here today, and I thanks Commissioner
21 of the Taxi and Limousine Commissioner for being here
22 today, and leading this. Do we know how long—how
23 long the Speaker is here?

24 MALE SPEAKER: The Speaker is five
25 minutes away.

2 CHAIRPERSON DIAZ: Five minutes away.
3 I'm going to hold the meeting for five minutes until
4 the Speaker gets here. He's the boss. So, [gavel]
5 five minutes. [background comments, whistling,
6 pause] Okay, ladies and gentlemen--

7 SERGEANT-AT-ARMS: [interposing] Quiet,
8 please.

9 CHAIRPERSON DIAZ: --we will start again
10 the meeting, and today is another for me pleasure and
11 a privilege to have with us the Speaker of the City
12 Council, the honorable--the honorable Corey Johnson,
13 and I know will turn the microphone over to the
14 distinguished Speaker of the City Council.

15 SPEAKER COREY JOHNSON: Thank you very
16 much. Thank you Chair Diaz. Good morning. The
17 yell--the New York City Yellow Cab is iconic. It's
18 one of the most recognizable symbols of New York
19 City, and for years the story of that industry was
20 widely one of enormous success. It was a ladder to
21 the middle-class for generations of New Yorkers
22 including many immigrants whose introduction to
23 American life began behind the wheel. If you look at
24 classic old pictures of New York City, chances are
25 you're going to see Yellow Cabs. That's how much

2 people associate the taxi industry with the city, but
3 things, of course, have changed rapidly, which is why
4 we are here today. Five years ago, New York City
5 Yellow Cab Medallions were going for over a million
6 dollars at auction, and their rate of return was
7 outperforming standard employers. That, of course,
8 is not the landscape that we are in today. The
9 industry, which was once dominated by Yellow Cabs has
10 been upended in large part due to app-based cab
11 service companies. There's been exclusive growth
12 over the past three years. We've seen 2,000 license
13 applications flood into the TLC every month for month
14 after month now. We had 65,000 for-hire vehicles on
15 the city streets in 2015, and today there are now
16 over 100,000. None of this happened in vacuum.
17 There have been—there has been a very human toll that
18 has been exacted by these changes. The people who
19 relied on driving a cab or a black car for their
20 livelihoods found they no longer could. They're
21 swimming in debt, working longer hours for pay, and
22 many of these people are immigrants and many are
23 living in poverty. The American Dream has turned
24 into a nightmare for many of them. Most tragic we've
25 seen some drivers who have taken their own lives.

2 Since November of 2017, we've lost Kenny Chow, Abdul
3 Saleh, Nicanor Ochisor, Douglas Shifter, Danilo
4 Castillo, and Alfredo Perez. I say their names every
5 time I talk about what we as a Council are doing to
6 protect drivers because I do not want them to be
7 forgotten, and I don't think I'm alone in saying
8 these six tragedies served as a wake-up call to many
9 of us. City Council acted. We passed a law placing
10 a pause on the issuance of for-hire vehicle license
11 with the important exception of wheelchair accessible
12 vehicles because we want as many of those on the
13 streets as we can get. With that law, we can better
14 examine the changes taking place now. We're also
15 ensuring all New Yorkers have access to the fore-hire
16 vehicles. We also required the city to set a minimum
17 payment for drivers working for high volume for-hire-
18 for-hire services. It's the right thing to do
19 considering all the financial turmoil drivers have
20 been facing, and I'm proud of that work, but I'm also
21 a realist, and consider myself an honest broker. So,
22 I can say here today that what we did wasn't enough.
23 Our work is not done, and that's what today's hearing
24 is about. There are still issues that we need to
25 address in the for-hire vehicle industry. Many

2 drivers in the city are working without health
3 benefits. Sixteen percent of drivers have no health
4 benefits. Forty percent of drivers have incomes so
5 low that they qualify for Medicaid. So, I think we
6 have to ask ourselves: Are we doing enough to
7 protect these workers? Many of them work more than
8 40 hours a week in an industry that we count on to
9 move people around the city. The answer to me is
10 clear: We need to find a way to make sure drivers
11 have healthcare, and the benefits that they deserve.
12 One of the bills that we're going to hear today, one
13 that I introduced Introduction 1052 [coughs] would
14 create a health benefits fund for drivers to address
15 that need. We also still need to address our drivers
16 who are struggling to make ends meet. This is a
17 relatively new development, and it is serious. We
18 don't want people's lives to become so hard they feel
19 boxed in, and they end up taking their own life. It
20 is important to offer a helping hand where we can,
21 which is why the bills introduced by Council Members
22 Levin and Salamanca aim to do just that. One,
23 Council Member Levin's bill Introduction 1068, would
24 require city agencies to provide drivers with
25 financial education on medallion purchases, and in

2 the case of Yellow Cabs and car purchases, leases and
3 rentals, and in the case of app based companies and
4 black cars. The other, introduction 1081 from
5 Council Member Salamanca, would require the TLC to
6 provide financial counseling and mental health
7 services to drivers. We'll also be hearing about
8 several other bills today. All of them are aimed at
9 making the for-hire vehicles industry a more fair and
10 more transparent industry for everyone involved.
11 Given what we've seen in the past year, I urge
12 everyone to keep in mind how difficult it has been
13 for so many people working in the industry. We
14 should all keep that central in our discussion of
15 what changes can and should be made to these bills.
16 [coughing] I want to thank the Chair Reverend Ruben
17 Diaz, Sr. for holding this hearing today, and for the
18 partnership that we had together in passing the
19 previous series of bills, which I think are very,
20 very important. I want to thank the staff. I want to
21 thank the counsel here Christopher Lynn, and I look
22 forward to continuing to ensure that drivers are
23 protected in New York City and I look forward to
24 doing that together. I'm very happy to see the

2 Commissioner here today who has done such a great
3 job. Thank you very much, Mr. Chair.

4 CHAIRPERSON DIAZ: Mr. Speaker, I would
5 like to express my appreciation for all the things
6 that you have done since you became Speaker. You
7 created this committee, and you have given this
8 committee all the tools necessary to work and to do
9 for the drivers of the industry things that before
10 were not done, and you have shown your interest and
11 your commitment and your human-humanity for this
12 industry and for the—for the drivers, and I
13 appreciate you appointing me chairman, and we have
14 done that. In the past eight or nine months, we have
15 done things that—that are incredible, and today we
16 have nine bills, and we will continue, and you have
17 opened the door for every single Council Member to
18 think free to—to do things for the drivers and for
19 the industry, and today is an indication of that. So,
20 thank you, Mr. Speaker, and thank you for being here
21 today, and again, thank you for your support.

22 SPEAKER COREY JOHNSON: Thank you, Mr.
23 Chair. I'm going to remind you of those words moving
24 forward. (laughter/pause]

2 CHAIRPERSON DIAZ: Okay, now today,
3 ladies and gentlemen, I don't know if one of my
4 colleagues are here, one of the with this—with the—
5 none of the sponsors are here today. So, I would
6 like to open what I have today, Council Member
7 Vallone and Council Member Lander. Okay, and I'm
8 going to call now on the Commissioner Meera Joshi,
9 the—the honorable Commissioner of Taxi and Limousine
10 Commission, and I appreciate you being here today.
11 Good morning Commissioner. Thank you for being here
12 and please.

13 LEGAL COUNSEL: Please raise your right
14 hand. Do you affirm to tell the truth, the whole
15 truth and nothing but the truth in your testimony
16 before this committee and to respond honestly to
17 Council Member questions?

18 COMMISSIONER JOSHI: I do.

19 LEGAL COUNSEL: Thank you.

20 COMMISSIONER JOSHI: Good morning Chair
21 Diaz, and the Count—Speaker Johnson, Council Member
22 Lander, Rodriguez, and Vallone. Thank you very much
23 for being here and what I think is an extremely
24 important hearing, and I'll give you a spoiler alert.
25 We heartily support all of the bills. [coughs] So, I

2 want to just give you a few details of why. Intros
3 1068 and 1081 would require the city to provide
4 additional counseling and support to drives and
5 potential drivers. Intro 1068 would require TLC in
6 consultation with the Department of Consumer Affairs
7 and other agencies to engage in outreach and
8 education to people considering purchasing or leasing
9 a for-hire or taxi medallion. Outreach and education
10 materials would describe the common terms involved in
11 vehicle and medallion transactions, and be translated
12 into most spoken languages. Drives would be given
13 access to counseling intended to help people
14 understand these terms. TLC agrees with the Council
15 that it is crucial that current and potential drivers
16 and owners fully understand the costs associated with
17 working in their respective industries. In support
18 of this mission, TLC already partners with DCA's
19 Office of Financial Empowerment to distribute
20 materials and help existing owners and drivers book
21 appointments with financial empowerment centers. We
22 also promote OSC offerings in our TLC newsletter *Keys*
23 *to the City* and we've created different education
24 materials for current and potential FHV and medallion
25 drivers to break down all of the expected or assumed

2 costs for driving and/or owning an FHV or Yellow
3 Taxi. Additionally, our Driver Protection Unit helps
4 drivers by providing agency attorneys to assist them
5 with predatory or legal leasing arrangements or other
6 financial disputes. We look forward to continuing
7 our partnership with DCA and expanding our financial
8 education outreach, and I'll note many of the flyers
9 that I'm talking about I've brought copies of here.
10 So, please feel free to take them. Intro 1081 would
11 require TLC to establish driver assistance centers to
12 provide services and information for drivers and
13 vehicle owners including information on mental health
14 services and referrals. On a daily basis, TLC
15 conducts this crucial driver outreach through our
16 External Affairs Team, which handles emails and calls
17 from driver daily in addition to many driver cases
18 referred by elected officials. As you know, Chair
19 Diaz, members of this team have worked closely with
20 your legislative assistant Jenny Mahia to help over
21 300 drivers understand the TLC process and
22 regulations, and this work is only one component of a
23 city wide outreach strategy meant to reach as many
24 drivers as possible whenever they have questions or
25 concerns. TLC goes into the community to meet with

1 drivers at events organized by other agencies such as
2 Small Business Services and Community Affairs, and we
3 organize our own drivers' events citywide, which have
4 been branded TLC in your borough where we coordinate
5 with Local community and driver groups to maximize
6 turnout and driver outreach. TLC has hosted events
7 in all five boroughs frequently in neighborhoods
8 populated with many drivers or at religious centers
9 frequented by drivers. Our next TLC and your borough
10 event will be at the Bronx Lebanon Hospital on
11 September 25th. We work closely with Thrive NYC to
12 increase awareness among drivers. Our External
13 Affairs enforcement and licensing teams that's almost
14 250 people have all received mental health first aid
15 training from Thrive NYC, and we provide information
16 about the city's mental health resources directly to
17 our licensees at all our events as well as well as in
18 our monthly newsletter. So, far we have co-hosted
19 four events with Thrive, and on September 21st, we'll
20 begin monthly meetings at houses of worship with a
21 meeting at the Bangladeshi Muslim Center in
22 Kensington. We're excited to continue this
23 partnership to reach as many drivers in need of these
24 services as possible. TLC supports these bills and
25

1 applauds Council's recognition of the importance of a
2 strong and substantive outreach targeted to drivers'
3 needs. Intro 1052 would require TLC to study the
4 feasibility and cost of providing certain benefits
5 from drivers including medical care, mental health
6 care, vision, disability insurance, sick-and sick
7 pay, and to recommend to the Speaker which benefits
8 should be offered. The bill would also require TLC
9 to establish a program to administer those benefits
10 (coughs) after determining the overall program costs
11 and determining how to fund such a program. TLC
12 supports the goal of providing benefits to the city's
13 hardworking TLC licensed drivers. As you may know,
14 five years ago, the TLC established a driver benefit
15 fund for the same reasons the Council is considering
16 one today. The fund was struck down because the
17 court found that its creation exceeded our agency's
18 jurisdiction, and although there are certainly
19 complex federal and state laws relating to health
20 care that need to be considered, today's bill
21 addresses that challenge to our jurisdiction, and
22 we're excited to restart the efforts to bring
23 healthcare services to drives. Today there are over
24 180,000 drivers. So, the effort to determine how
25

2 best to structure that benefit fund for all of them
3 will be very different from what it was in 2012, and
4 take considerable time more than is currently
5 allotted in the bill. It will also require expertise
6 that is beyond the TLC's and we look forward to
7 working with Council on a timeline to ensure a
8 comprehensive study and partnering with our sister
9 agencies with the next-necessary expertise and
10 experience. Intro 1062 would provide-protect drivers
11 against being charged when a passenger credit card
12 transaction sale, so-called charge-back. In the
13 event of such a failure-based technology systems
14 providers, agents or medallion owners must cover any
15 charges, and there's a penalty of \$250 to \$500 for
16 each offense. We agree that drivers should not bear
17 the burden of technology errors over which they have
18 no control, and we support the intent of the bill.
19 Intro 304 and 1069 focus on the current state of
20 medallion owners. So, I want to highlight for some
21 context the steps TLC and the City Council have
22 taken. City Council created one universal TLC
23 driver's license so drivers can more easily move
24 between sectors, and this is enhanced earning
25 potential and widen the pool of drivers for both

sectors. TLC recently approved the Flex Fare Pilot that allows taxi apps to quote an upfront fare to passengers. This gives taxi passengers the same benefit that for-hire vehicle passengers have: Ease of Smart Phone hailing, access to upfront pricing and seamless payment. TLC has extended vehicle retirement periods for taxis, and significantly expanded the pool of vehicles that can be used as a taxicab. Additionally, TLC pilot allows taxi owners to lease to drives on a commission basis rather than a fixed lease-lease payment. TLC has eliminated the owner must drive requirement so that independent medallion owners have greater flexibility to drive. The Council eliminated the distinction between the independent and corporate medallion, and also lower the transfer tax from 5% to .5% to reduce expenses associated with medallion transactions, and this year TLC launched Citywide Accessible Dispatch, which allows taxi drivers to receive not only the metered fare for the trip, but also dispatch payments to compensate for time spent traveling to the pickup point and assisting passengers. We continue to work with the MTA as they experiment using taxis for Access-A-Ride, and these are just some of the steps

2 that we've taken to support the medallion industry.

3 Intro 304 would establish a task force to study

4 taxicab medallion values and the impact of taxi

5 medallion sales on the city's budget, and within six

6 months make recommendations to increase the value of

7 taxi medallions. We support the effort, as I've

8 testified before on Intro 304, which was number Intro

9 963 in the previous session, and as I said last year,

10 TLC always supports developing new ideas to help our

11 licensees, and we're interested in hearing new

12 proposals for additional steps the city might take.

13 Intro 1069 would require TLC in consultation with the

14 Department of Finance to study the problem medallion

15 owners with excessive debt due to the decline in

16 medallion values. The bill would require the study

17 to be completed by June 1, 2019 after which the TLC

18 would consider the findings and determine any

19 appropriate actions, which may include identifying

20 organizations that may offer assistance including

21 financial assistance to medallion owners.

22 Unfortunately, the city's access to information about

23 the extent of medallion debt is limited, and this may

24 hamper review of these issues and the interplay of

25 state and federal finance laws may limit the tools

2 the city can employ to address challenges associated
3 with medallion debt. So, we will continue to work
4 closely with the Council to determine the most
5 effective way to review these issues and support
6 owners. Intro 1070 would require TLC to promulgate
7 rules regarding for-hire vehicle leasing, rental,
8 lease to own and conditional purchase agreements.
9 TLC would be required to consider mandatory
10 disclosure requirements, consumer protection
11 practices and setting caps on the amounts payable
12 under these agreements. For example, deposits. We
13 also support the financing limits proposed in Intros
14 1070, as we've long recognized the need for
15 protections in this area, and since 2012 we have
16 regulated the conditional purchase of a taxi vehicle.
17 The city has jurisdiction over vehicle leases to
18 drivers when the individual or company leasing the
19 vehicle is licensed by the TLC. What we cannot
20 currently do is regulate the entity that's not
21 licensed by us, and that provides vehicles and
22 financing for TLC vehicles. So, we'd like to explore
23 with Council how Intro 1070 could be amended to grant
24 the city that express authority. Another approach
25 may be to require—a requirement that only vehicles

2 that are financed according to specific criteria may
3 be licensed by the TLC. We support the need for
4 great transparency in FHV leasing. With the large
5 expansion of the FHV market, leases have taken on a
6 greater importance for drivers, most of whom buy or
7 lease their vehicles often at a high interest rate.
8 TLC fully supports shedding more light on these
9 agreements so that driver better understand the risks
10 of leasing or purchasing. TLC has proposed
11 transparency rules for an October 3rd hearing that
12 will require several new protections including that
13 FHV leases be written in plain language and that they
14 specify all costs to drivers, the key lease terms be
15 disclosed, written in plain language and that bases
16 provide drivers with an itemized breakdown of how
17 much a driver earned, the amount of a passenger fare
18 and driver expense. Intro 1096, which we received a
19 few days ago, would amend Section 19548 of the
20 Administrative Code. It was enacted last month and
21 creates a new category, the High Volume For-Hire
22 Service category. The proposed legislation would
23 require those companies to affirm in their license
24 application that they will not charge or deduct from
25 for-hire owners or drivers automatic payments for the

2 rental, lease or purchase of a vehicle. We support
3 the transparency goal of Intro 1096, and we look
4 forward to hearing input about automatic deductions
5 from the drivers many of whom are here today. Intro
6 1079 would create an office of inclusion to address
7 the problem of service refusals. Service refusals
8 are illegal and unacceptable. Every passenger has
9 the right to service regardless of race, ethnicity,
10 disability, gender or sexual orientation, and we take
11 refusal complaints very seriously. Our Prosecution
12 Unit investigates them fully, and the drivers face
13 significant fines and revocation for service
14 refusals. We encourage passengers to report through
15 311 or TLC, and when an FHV passenger complains only
16 to the company and not the TLC, there's no way for
17 the city to track the complaints or hold the driver
18 accountable. Service refusal complaints are heard at
19 OATH, and the passengers can participate in the
20 hearing by phone, and about 90% of them do.
21 Potential fines range from \$350 to \$1,000 and
22 revocation, and since January 2017, we've received
23 about 3,500 service refusal complaints, and about 65%
24 of these have ended up in a conviction. Over the
25 last year, TLC has met with the NAACP's Legal Defense

2 Fund in New York City about race-based service
3 refusals, and we've incorporated many of their
4 suggestions into our work. We've held extensive
5 discussion groups with drivers, faith leaders and
6 community leaders about ending service refusals.
7 These discussions significantly shape the short film
8 that TLC is making with NYC Media, featuring
9 Journalist Errol Louis, which we will use for driver
10 education and additional outreach. Over the last
11 summer our social media advertising campaign led to
12 more than 32,000 people in predominantly African-
13 American zip codes clicking on a city website to
14 learn how to file a service refusal. We anticipate
15 the Office of Inclusion building upon and expanding
16 prosecution enforcement education and outreach work
17 that the TLC does in this area, and we appreciate the
18 City Council's support for this critical work. Thank
19 you for giving me an opportunity to share TLC's views
20 today.

21 CHAIRPERSON DIAZ: Thank you,
22 Commissioner. I would like to express my
23 appreciation and thanks for the support you have
24 given my office to Ginny Mahia (sp?) in helping us
25 solve so many problems of those-of drivers that

2 before they used—they have to pay someone to go and
3 work for them. Now, in the office they could come
4 and there's a free service, and your office has been
5 very—very open and very helpful in helping the
6 drivers and Jenny Mahia from my office I think that
7 everyday from 9:00 to 5:00 for five days. Now, I
8 will allow the Speaker—I'll ask Speaker Johnson if he
9 has any questions or any remarks.

10 SPEAKER COREY JOHNSON: No, I don't have
11 any (coughs) I don't have any questions, but I—I
12 really want to thank you, Commissioner. I think
13 again, as I said in my opening statement I think
14 you've done a fantastic job, and the partnership
15 between the Council and the TLC in the package of
16 bills we were able to pass in August was tremendous,
17 and I really appreciate the work that you and your
18 staff have done on a very again complicated look at
19 things, and this new package of bills that we're
20 hearing today are things that we think continue the
21 step in the right direction. So, I look forward to a
22 continue partnership and cooperation together and—and
23 figuring out how to best move forward to continue to
24 look at a rapidly changing industry and continue to
25 protect drivers all across the entire industry. So, I

2 don't want to take up time today. There are members
3 who are here who have questions. I'm particularly
4 excited about the Health Benefit Fund, which as you
5 mentioned in your opening statement and testimony
6 that this was something the TLC tried to do on its
7 own, but a judge ruled that there needed to be
8 legislative action, and so Council Member Lander and
9 I have been working on this bill for a few years now,
10 and we're really grateful that the bill is being
11 heard today and we look forward to working with you,
12 and your team to bring health coverage to as many
13 drivers as possible. So, again, I want to thank you
14 Commissioner for everything you've done, and I look
15 forward to continuing to work with you.

16 CHAIRPERSON DIAZ: Thank you, Mr.
17 Speakers. I also would like to recognize that
18 Council member Rodriguez, and Borelli are joining us
19 today. Commissioner, I have a question. A few
20 months ago this City Council approved Introduction
21 830-A. How much money does the TLC need to process--
22 to process data in order to implement the provisions
23 in that law?

24

25

2 COMMISSIONER JOSHI: You're referring to
3 the creation of the high volume for-hire vehicle
4 category?

5 CHAIRPERSON DIAZ: I believe so.

6 COMMISSIONER JOSHI: Okay. So, yes, that
7 will take additional funds because there's additional
8 analysis that's involved in determining whether to
9 issue a license and under what conditions. We're in
10 the process of determining what exactly the scope of
11 that will be, but we've—in discussions with OMB and
12 I'm confident we'll get the resources that we need.

13 CHAIRPERSON DIAZ: On August 14, 20...this
14 year, the Mayor signed five bills into law. Three of
15 them require that the TLC issue regulations, and as
16 of today where are you with these? How are we doing?

17 COMMISSIONER JOSHI: It was August 14th.
18 Today is September 17th.

19 CHAIRPERSON DIAZ: Yes.

20 COMMISSIONER JOSHI: Um, so some of the
21 regulations we were asked to promulgate have to be
22 preceded by a study. So, that is one—a study that's
23 a year-long study. That's underway. So, we can't
24 promulgate those regulations until the study is
25 complete. On driver pay we proposed and published

2 those regulations some two to three weeks ago.

3 There's a hearing on October 3rd on the driver pay
4 regulations.

5 CHAIRPERSON DIAZ: Commissioner, do you
6 believe that—that it is—it is the job of the TLC to
7 protect the value of taxi medallions as it is—isn't
8 this stated in the City Charter?

9 COMMISSIONER JOSHI: The job of the TLC
10 is to make—ensure service, and taxis represent the
11 only sector that provides publicly available,
12 hailable, and—and accessible, although the FHV
13 industry is going to be catching up service, and
14 that's service that can be provided to people whether
15 they have a credit card or not, whether they have a
16 Smart Phone or not. And making sure that that
17 service is available, we have an interest in making
18 sure that there is an economic model that works so
19 that drivers and owners are out on the streets
20 providing service.

21 CHAIRPERSON DIAZ: What advice or how to
22 you think the—the city should do that we should do as
23 a city? How should we do—should—how should the city
24 act to raise the value of medallions?

2 COMMISSIONER JOSHI: The bill
3 contemplates consultation with the Department of
4 Finance, and I think that is the exact right
5 direction because of the things the TLC monitors on a
6 daily basis, it doesn't include financial investments
7 and some of the ways to improve them or to tackle
8 things like debts. So, I look forward to getting the
9 input of the experts in the—that area the Department
10 of Finance to answer our questions just like what
11 you've posed.

12 CHAIRPERSON DIAZ: Okay, I want to—I want
13 to switch to the—to-to Introduction 1052, the Health
14 Benefit Bill. Is health insurance a compelling need
15 for taxi medallion owners?

16 COMMISSIONER JOSHI: It's—it's a variety
17 of issues. So most drivers are independent
18 contractors. So, some may have health insurance, but
19 some—a significant portion do not. Some may have
20 some coverage, but it's not adequate. When we looked
21 at the Health Benefits Fund in 2012, one of the
22 biggest complaints that we go, and it wasn't just a
23 complaint, it was a real life situation, and in—and
24 in some cases a life and death situation is when
25 driver are injured or fall ill, the workers comp and

2 unemployment sometimes is either not available or
3 inadequate to bridge the time that they're out of
4 work, and they have no other way for earning money.
5 We—in July lost I think a—a very important voice in
6 the taxi industry, Barret Fitzsimmons, and he is an
7 unfortunate example of somebody who was often ill and
8 couldn't support himself because he couldn't drive
9 his taxi, but there was no other disability payments
10 that were available to him. So, I think that still
11 remains a big issue for drivers what to do when
12 you're unable to drive due to a health crisis whether
13 it be on the job or not, and I think what makes the
14 situation more complex today is in 2012 we were
15 looking at about 30,000 drivers. Today, the pool is
16 180,000 drivers. So, not only has that pool grown,
17 but the complexity of what their different needs are
18 has grown. So, I think the study will be extremely
19 enlightening. It will have to be very comprehensive
20 so that we identify what exactly are the benefits
21 that drivers need, how much that costs, and the best
22 vehicle for funding it.

23 CHAIRPERSON DIAZ: Okay, this is—we all
24 agree that having insurance for drivers is a must,
25 but reading your statement you say that the fund was

2 struck down because a court found that its creation
3 exceeded our agency jurisdiction. That was—when was
4 that? When was it?

5 COMMISSIONER JOSHI: In 2012, actually
6 the—the decision came out in April of 2014 under the
7 Charter, the City Charter that defines the TLC, which
8 is the agency's jurisdiction. We can oversee with
9 broad authority over for-hire vehicle transportation,
10 setting licensing standards, how for-hire vehicle
11 interacts with public transportation. But the court
12 felt because the charter didn't also say: And the
13 health and welfare of drivers, that we lacked the
14 jurisdiction to promulgate rules to support a
15 healthcare fund. The bill that's introduced today
16 that we're having a hearing on, would in essence give
17 TLC that authority.

18 CHAIRPERSON DIAZ: So, do you there is a
19 possibility that this time the court will—will allow
20 it, and that we—because the Speaker is introducing
21 the bill again. Do you see that it—that it will—it
22 will go through the court or it will happen as
23 something that—that—and--?

24 COMMISSIONER JOSHI: I—I certainly expect
25 that any driver healthcare fund will—will be—the—the

2 validity of it will be litigated because on my TLC
3 policies that are a significant change to the
4 industry, litigation follows. That doesn't
5 necessarily mean that the bill will not be held up.
6 I think what Council is doing to day is exactly what
7 the judge was saying needed to be done in order to
8 expand the TLC's jurisdiction, but luckily we both
9 have the benefit of your counsel, legal team, our Law
10 Department and our city leg teams to make sure that
11 it's done right and that it does withstand any
12 challenge, which I'm sure will come.

13 CHAIRPERSON DIAZ: I-I just-I would like
14 to see you-to hear your personal opinion. Do you
15 think this has a future or this-or do you think this
16 is an exercise to all of them?

17 COMMISSIONER JOSHI: Oh, I certainly
18 think it has a future.

19 CHAIRPERSON DIAZ: It's a future. So, it
20 could be true-this time we could-it went through the
21 court? (sic)

22 COMMISSIONER JOSHI: Absolutely. You're
23 addressing the-the fault the-the fault that the judge
24 found in the first version of healthcare.

2 CHAIRPERSON DIAZ: Thank you, thank you,
3 and the other one is a bill—the one that I am
4 introducing. As you know, when the—when drivers—Uber
5 drivers have a car, and—and they made the money.
6 Uber takes the money to pay their cars. So, Uber is
7 acting as a—as a leasing company, too, and we're
8 trying to say to Uber, you cannot keep taking the
9 money away and make the driver pay the car. You
10 cannot keep taking away like that. So, I hear that
11 you're supporting that.

12 COMMISSIONER JOSHI: Yeah, we've seen—
13 I've seen leases that where the interest rate that
14 the driver gets on the loan is conditioned on them
15 having the loan payment deducted from their Uber pay.
16 So, if they choose to end that Uber pay deduction,
17 they will get a higher interest rate. And so, you
18 know, sometimes it—it—it's very difficult from
19 drivers to get the car loan, and the Uber deduction,
20 you know, allows them to get a little lower interest
21 rate, but what's troublesome about a deduction like
22 that is in a world where we have lots of expenses,
23 maybe due to children or family or rent or—the
24 deduction because it's automatically taken out,
25 prioritize payment of the car over other life

2 expenses that a driver might need to meet. So, there
3 may be some drivers that--that like it, but, you know,
4 I think that's a--you've identified an area where
5 assuming that it's okay in every case is something
6 that we should review.

7 CHAIRPERSON DIAZ: Thank you,
8 Commissioner. I just have no more questions. Just
9 to tell you that I am looking forward to seeing you
10 in the Bronx--

11 COMMISSIONER JOSHI: [interposing]
12 Laughs.

13 CHAIRPERSON DIAZ: --on September 25th.

14 COMMISSIONER JOSHI: Okay, I'll see you
15 there.

16 CHAIRPERSON DIAZ: The Bronx is the--the
17 Bronx is the best county in the USA.

18 COMMISSIONER JOSHI: [laughs]

19 CHAIRPERSON DIAZ: I don't know if any--if
20 any of my--Levine. Council Member Levine is also with
21 us, Council Member Lander. Council Member Lander.

22 COUNCIL MEMBER LANDER: Thank you. You
23 know I always have questions, Mr. Chair.

24 CHAIRPERSON DIAZ: Thank you, sir.

2 COUNCIL MEMBER LANDER: Um, thank you,
3 Mr. Chair for convening this hearing and again to you
4 and the Speaker for your leadership in getting us here
5 moving through that prior package and moving forward
6 to get this package of bills introduced at the same
7 time so that we can really make significant progress
8 in this sector. I want to thank you and the Speaker
9 for doing it. You've already had meaningful
10 conversation about Intros 1052 and the Driver
11 Benefits Fund, but I'm really grateful to the TLC, to
12 you personally. You've taken leadership on this issue
13 long before the Council did, you know, under—in the
14 prior Administration trying to find a way through a
15 thorny set of practical and legal issues to meet a
16 very real need. We just all know. We all live in a
17 work that's very difficult without, you know, good
18 access to health insurance, without access to
19 disability, without access to paid sick days, without
20 access to retirement benefits to function as a human
21 being, in the work and those of us that are lucky
22 enough to collect our wages on a W-2 have structures
23 set up for us to help us manage and support our lives
24 in ways that all people need, and we are not
25 providing not just for-hire vehicle and taxi drivers,

2 but, of course to the growing number o independent
3 workers and freelancers in the economy, and we've-
4 we've allowed the economy to shift and grow a whole
5 sector where people don't have a social safety net.
6 And I think it's really important and valuable in New
7 York City is trying to say that's not alright, and
8 we're going to do what we can to put a new social
9 safety net in place. That is hard in areas where we
10 don't have a real regulatory hold, and this is a
11 place where we do. So, I'm grateful to the TLC for
12 working with New York Taxi Workers Alliance
13 previously to try to figure this out. I'm sorry the
14 judge found that the authority didn't-wasn't there at
15 that time especially after what I thought was
16 reasonable deal had been negotiated, but I am glad.
17 I've been working, you know, with you and your team
18 now for five years in the hopes that we could create
19 clear legal authority for you to be able to take this
20 important step, and I think it's really valuable. I'm
21 glad we're on the cusp, I hope, of doing it, and that
22 these bills are being heard. I want to just ask you
23 to drill down a little bit in the kind of thinking we
24 need to do. I think the legal questions are pretty
25 straight forward. Once we have passed this bill, we

2 will have satisfied what the judge identified as the
3 need to give clear legal authority to the TLC to do
4 it. So, that's great but that's just question one.
5 Obviously as you started to lay out how do we pay for
6 it, you know, in a world where so many things have
7 shifted and we've got different forms of payment and
8 different surcharges, and a whole different
9 regulatory environment, part of which we just helped
10 create. How do we think with drivers about the
11 diversity and range of benefits that would be
12 valuable to them given this whole set of needs? How
13 do we think about what the tax treatment is? You've
14 set up a bunch of these studies in thoughtful ways,
15 but I just wonder if you could say a little bit more
16 about how you'll think about, you know, getting all
17 those questions researched, getting as much input as
18 you can so we can not only come out with a good piece
19 of legislation but with a-a really strong program in
20 a complicated space.

21 COMMISSIONER JOSHI: So, I think it's two
22 parts: Deciding what benefits are the priorities, and
23 the figuring out the funding mechanism, and then that
24 third part, how much does this all cost? For
25 figuring out what benefits should be the priority, we

2 have to work with the Department of Health and
3 Hygiene as well as other city agencies that are
4 knowledgeable on health benefits administration. I-I
5 think that that will—that will ultimately end up
6 being something that will take time. I mean it will
7 be detailed but, it's what need to be done, which is
8 a survey of all of our drives to find out what
9 they're missing in healthcare coverage, and not just
10 healthcare. I've heard drivers testify about the
11 need for some kind of, you know, retirement option
12 because many drivers as they get older they can't
13 drive those hours any more, and if they stop work,
14 they have no support system. So, that's something I
15 would like us to be exploring as well as well as the
16 sort of supplemental disability that I identified
17 earlier. That—that will be a painstaking study, but
18 I think it has to be done in order to get a better
19 handle on it. In terms of funding, the bill outlines
20 surcharge, and I would encourage the council to sort
21 of explore whether it has to be a surcharge for a
22 number of reasons, but primarily because a surcharge
23 for a driver adds to the total cost of the fare, and
24 a passenger just sees the cost of the fare go up, and
25 whenever something happens in a direction that a

2 passenger is not happy with they, of course, you
3 know, that reflects on the driver whether that's the
4 driver's fault or not. They're the one in the car.
5 If my bill--my trip just went up a dollar, you know,
6 the driver is there, and so that's not necessarily
7 customer service plus for drivers to have it labeled
8 as another surcharge, but I do believe there are
9 other funding mechanisms. When we did this last
10 time, the--the--we raised the fares, and added a
11 portion of that raised to fund healthcare. So,
12 we... (CROSS-TALK)

13 COUNCIL MEMBER LANDER: So, just so I
14 understand that distinction, a surcharge like appears
15 as an additional charge.

16 COMMISSIONER JOSHI: [interposing] As an
17 itemized--

18 COUNCIL MEMBER LANDER: You're like
19 saying to the customer you're paying an extra
20 whatever it is. Whereas, you could build it into the
21 fare still collected, but not kind of hold it in the--
22 -

23 COMMISSIONER JOSHI: [interposing] Right.

24 COUNCIL MEMBER LANDER: --customer's--

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2 COMMISSIONER JOSHI: [interposing] So, a
3 taxi today--

4 COUNCIL MEMBER LANDER: --faces like the
5 same way.

6 COMMISSIONER JOSHI: --a customer is
7 going to see a 50 cent surcharge for the MTA, 30
8 cents for the Taxi Improvement Fund, the new
9 Congestion fee is coming in in January 1st and that
10 will be another \$2.50. If there's a night
11 differential, or, you know, or anything like that,
12 that's another surcharge. So, to add one more
13 surcharge, I don't think we'll be well received among
14 passengers both in the black car livery lux limo and--
15 and taxi industries.

16 COUNCIL MEMBER LANDER: Have you done
17 surveys of drivers of the type you're describing
18 here? Was there one done last time or have you done
19 something comparable?

20 COMMISSIONER JOSHI: There's um, there's
21 been more informal than I think is required here, but
22 what we did last time was I think much more focused
23 and again the group was 30,000 more easily
24 identifiable, and so it was I think easier for us to
25 get a handle on what we could provide, and because it

2 was funding not a—not a specific healthcare
3 provision, it was a little easier for us to sort of
4 not master, but like provide the—the framework for
5 getting that going. But, I—I will say that, um, that
6 we will get to the bottom of what really—I mean it's
7 not an unsolvable problem. It's just a question that
8 we need to take the time to answer correctly.

9 COUNCIL MEMBER LANDER: And then my last
10 and this is maybe more a suggestion than a question.
11 Just in addition to folks in the TLC universe,
12 drivers and stakeholders to the Department of Health
13 and Mental Hygiene, it seems to me that the set of
14 questions around independent worker benefits and
15 incentives for them, you know, these questions of
16 might there be favorable tax treatment for some uses
17 under existing state or federal law or could there be
18 some of the thinking Freelancers Union has been
19 doing, some of the thinking around Office of Labor
20 and Policy Standards have been doing. We should just
21 really—you know, we're—we're at the cutting edge of
22 something that I think is—is important, and it's
23 going to have a lot broader future in thinking about
24 what portable benefits look like more broadly for
25 independent workers.

2 COMMISSIONER JOSHI: And it could be a
3 mode for other jurisdictions if we get it right. So-
4 -

5 COUNCIL MEMBER LANDER: [interposing] Very
6 good.

7 COMMISSIONER JOSHI: --we need to.

8 COUNCIL MEMBER LANDER: Thank you very
9 much again for all your leadership on this. Thank
10 you. Mr. Chair.

11 CHAIRPERSON DIAZ: Thank you, Council
12 Member. We have joined--have been joined by Council
13 Member Constantinides. To all my colleagues I have
14 about 50 people that would like to testify today.
15 So, we have a long day, but I--who has a question?
16 So, I'm going to ask my colleagues to--to make it as
17 brief as possible. Council Member Levine has some
18 questions.

19 COUNCIL MEMBER LEVINE: Thank you, Mr.
20 Chair. Hello, Commissioner. I'm pleased to be lead
21 sponsor of Intro 1069, which you referenced in your
22 opening remarks, and would direct the city to conduct
23 a study of the problem of excessive medallion debt,
24 and this committee had covered this topic extensively
25 being know as human toll that that is taking on

2 particularly independent drivers who have sunk their
3 life savings into this asset, and the public
4 unfortunately probably identified taxi ownership with
5 people like Michael Cohen who are doing to do just
6 fine. They don't need our support, but there are
7 thousands of driver operator/owners who are suffering
8 enormous hardship after having bought an asset
9 because they had a guarantee from the city about its
10 underlying worth, and--and we can and should debate
11 who's responsible for the collapse of this asset, but
12 we cannot divulge (sic) who the victims are, and--and
13 those are deeply sympathetic New Yorkers
14 predominantly immigrant working class people who are--
15 are facing the financial abyss because of the
16 collapse of this asset, and I think we need--we owe it
17 to them to explore solutions, to find a solution and
18 to do it quick, not to wait years and years because
19 people's lives are on the line. You in your remarks
20 in response to this bill I think cited a number of--of
21 concerns and obstacles. One is that we feel we have
22 inadequate information. Did you mean we don't have
23 enough information to identify a solution today or
24 that we lack information sufficient enough even to
25 conduct a study of solutions?

2 COMMISSIONER JOSHI: I think today we do
3 not have a good understanding of what the whole
4 universe of medallion lending—I mean actually
5 individual medallion lending. I'll put the corporate
6 aside for the moment, and that is because when we do
7 a medallion, we authorize a medallion transfer. We
8 don't see the underlying loan agreement, and we don't
9 know the terms. We don't know if there's other
10 collateral attached. Ideally, we would get a full—a
11 full picture of how—so, for example how many loans
12 fall in the \$800,000 to \$400,000 category. How many
13 loans fall into \$400 to \$200? What were the
14 refinancing terms? Is there other collateral
15 attached to that, and I think that would all be very
16 important to understand how best to work out debt
17 relief on a very broad, and I am not an economist or
18 a banker. So, I get to say this, you know, my sort
19 of broad overview is that banks should—they have two
20 choices right now, they can, you know, try to get as
21 much as they can out of the borrowers and the
22 foreclose on the loan, which is not a happy ending
23 for anybody or they can right—what I would call right
24 size the loan, which is look at what medallion owners
25 can actually bring in today, and yes they'll have to

2 give up part of the—of the loan. It will—they'll
3 have to reduce the principal, but they will also be
4 able to continue a relationship with the borrower and
5 the borrower will not be in sort of, you know, at—
6 with nothing. The borrower will still then be able
7 to continue doing what they've been doing for decades
8 in many cases. And so that takes some, you know,
9 that takes a haircut on the banks' part, but it does
10 provide a more longstanding solution for the
11 medallion owner, and really the bank, too, because
12 then it is a viable loan. It is no longer a loan
13 that they can't collect on.

14 COUNCIL MEMBER LEVINE: Well, I'm all for
15 banks and there's also a lot of non-bank lenders,
16 credit unions and loan funds.

17 COMMISSIONER JOSHI: And I'm just lumping
18 them altogether.

19 COUNCIL MEMBER LEVINE: Yes, I'm all for
20 all these lenders showing flexibility in a way that
21 avoids the lose-lose that you described that a
22 foreclosure is. I think we'd be naïve if we thought
23 that was going to happen if a sale--

2 COMMISSIONER JOSHI: [interposing] That's
3 why I said I-I get to see this even though I'm not a
4 banker.

5 COUNCIL MEMBER LEVINE: --and--and it's
6 incumbent on the public sector I think to figure this
7 out. Other cities have explored some sort of bail
8 out mechanism. I think New York City should as well.
9 The obvious solution is that it could be financed out
10 of the app-based business because it was the rise of
11 the apps, which have brought upon this crisis. So,
12 it seemed like charging for app-based fares, putting
13 that money into a fund, which then can help
14 compensate owner-operator drivers. Not the Michael
15 Cohens of the world, but the little guys. To me, it
16 seems like a smart solution. Why would that not be
17 the best answer?

18 COMMISSIONER JOSHI: I would actually say
19 I would complement because many of the loans today
20 are so high because it's a function of sort of
21 churning the market, which, you know, the Michael
22 Cohens maybe of the world where part and parcel to
23 having this inflated loan value because every time
24 you bought and sold you went back to the bank, and
25 now your medallion was worth more so they lent you

2 more, but that affected individual owners, too. And
3 so yes, they could borrow more, but it continued to
4 inflate the value of the medallion and—and therefore,
5 the—the loans were larger, and they were
6 significantly not high to the income. So, any
7 bailout or financial—financial assistance should also
8 be accompanied by making those loans in line with
9 what somebody can earn because they are often out of
10 line today, and I think that combination would
11 actually be the ideal combination.

12 COUNCIL MEMBER LEVINE: Yes, the lenders
13 deserve plenty of blame, but again I think we need to
14 find a pool of funds to help ease the pain on these
15 individuals who did nothing wrong, played by the
16 rules as they were established for generations, and
17 the obvious place to look for that money are the app-
18 based services, which have driven the clutch of this
19 asset, and I would hope that the study of this
20 legislation would mandate, would explore the
21 feasibility and legality of that because I do think
22 that's the best solution.

23 COMMISSIONER JOSHI: Absolutely.

24 COUNCIL MEMBER LEVINE: And I'm going to
25 pass it back to the chair.

2 CHAIRPERSON DIAZ: Thank you. Council
3 Member Vallone.

4 COUNCIL MEMBER VALLONE: Thank you, Mr.
5 Chair. Good morning, Commissioner.

6 COMMISSIONER JOSHI: Good morning.

7 COUNCIL MEMBER VALLONE: You should be
8 applauded. Once again, you are handling the hearing
9 on your own without the staff to your left and right
10 as almost every other commissioner does. So thank you
11 for that. Studies are—I'm always a big fan, I think
12 we all are of trying to get a better gauge of the
13 industry and seeing how we bring protection and
14 parity. So, I think the City Council's for that are
15 important. As we go forward, I think it might help
16 what is in existence today on the state level for
17 state and insurance protection, workers comp
18 insurance, and first is what the drivers fund will
19 create to fill the gap as a safety net? Because I—we
20 also want to try to avoid duplicity and any extra
21 costs if we don't have to.

22 COMMISSIONER JOSHI: Yeah, I—I think
23 that's an important point, and I'm give you what I
24 know from my limited, but we'll certainly consult
25 with the Department of Health and Hygiene as well as

2 HRA to get a better understanding and can give you a
3 more comprehensive answer, but what we come across
4 the most is Workers Comp, which is what the taxi
5 industry is entitled to under state law. If you're
6 in the livery sector, you have what's called the
7 Livery Benefits Fund, which unfortunately only
8 compensates you if you're hurt while you're
9 transporting a passenger and if the injury is
10 basically catastrophic, you lose a limb. If it is
11 something less than that, you will not get any
12 compensation. The other Workers Comp—the other
13 Workers Comp is for the black car and lux limo and
14 that's administered by the Black Car Fund, and that
15 also provides full Workers Comp benefits, but again,
16 it's while you're transporting passengers. So, if
17 it's an off-duty injury or—or any health crisis like,
18 you know, you know, cancer is certainly something
19 that takes somebody out of work, and you can't sort
20 of pint it down to a specific ride, then those
21 programs aren't of much help to drivers.

22 COUNCIL MEMBER VALLONE: So, then—so then
23 two things: You have places in the industry where
24 there's some, but not enough, and other places in the
25 industry where there's barely anything?

2 COMMISSIONER JOSHI: Right.

3 COUNCIL MEMBER VALLONE: So, if these
4 were to pass, we are going to provide that net for
5 those instances or are we going to put a layer over
6 the whole thing? And that's what my concern is.

7 COMMISSIONER JOSHI: Yeah, so I think we
8 first have to understand what are the--what are the
9 pro--what protections does sort of across the board
10 people have, or have available to them, and kind of
11 building up to see where that pool gets narrower and
12 narrower where some people are getting lots of
13 benefits and this sort of group of people that have
14 less than ideal benefits, but you really want to be
15 able to give a consistent package to the entire group
16 especially since drivers move from sector to sector.
17 So, they couldn't--it would be hard to have your
18 benefits package changed depending on whether you
19 were driving a livery or a Yellow, but I really--

20 COUNCIL MEMBER VALLONE: [interposing] I
21 think we can work around that because if--if today two
22 people got into a car accident if there was a primary
23 insurance, a secondary insurance, a Workers Comp
24 insurance, a no-fault insurance, they work it out.
25 There's always one that's primary over the other

2 depending on if it was at work or whether it was for
3 private use. I like the idea of providing an overall
4 umbrella, and if there is a more primary insurance
5 that we don't create that duplicate cost on any one,
6 the driver-the-the passenger or the owner, that that
7 insurance company will still have the primary role,
8 and I think that's important. I'm one of the last
9 lawyers in the Council.

10 COMMISSIONER JOSHI: [interposing] And
11 you could be a consultant on this study.

12 COUNCIL MEMBER VALLONE: Yes, and I think
13 that's-that's important. Would you say there's
14 certain sectors that are different throughout the
15 city or as you're looking at where the cars are
16 driving in each borough it's-it's uniform?

17 COMMISSIONER JOSHI: In terms of what
18 drivers need?

19 COUNCIL MEMBER VALLONE: Uh-hm.

20 COMMISSIONER JOSHI: I think it's
21 definitely brought a difference when it comes to
22 Workers Comp among the sectors, but I don't know
23 today whether there's a difference among the sectors
24 when it comes to health benefits like medical
25 services and the like.

2 COUNCIL MEMBER VALLONE: And I think
3 that's where the study is important.

4 COMMISSIONER JOSHI: Yes.

5 COUNCIL MEMBER VALLONE: I'm just trying
6 to get a handle on looking at that will make us
7 better to be prepared for that. If we have to extend
8 the 90 days, I think we should do that. If we need
9 more time, I think we should do that, and make sure
10 we give you the tools to make sure that the industry
11 is fairly. An example: When we tried to raise the
12 minimum insurance that each car must carry, it was
13 all over the place.

14 COMMISSIONER JOSHI: Yeah.

15 COUNCIL MEMBER VALLONE: And we got
16 attacked for saying hey you have to provide the same
17 insurance in every car because if my daughter is in a
18 car, I want to make sure that there's enough
19 insurance if God forbid there's an accident. This is
20 a similar situation.

21 COMMISSIONER JOSHI: Yes.

22 COUNCIL MEMBER VALLONE: I just want
23 parity across the board for everyone.

24 COMMISSIONER JOSHI: And—and for
25 insurance, as you know, TLC cars have a higher level

2 of insurance than required by the state, but it's
3 the same level across sectors. They all have to pay
4 the—have a policy for that higher level.

5 COUNCIL MEMBER VALLONE: And the last
6 thing I have, Mr. Chair is if in determining the
7 costs, I know we used the language on a—on a cap on
8 the recent costs. Is that the best way to determine
9 because I just—whether it's an owner or homeowner or
10 an employee, my costs vary year to year. So, is
11 there maybe a better way than capping what the costs
12 should be because there's good and there's bad in
13 every industry? Some people walk away from leases.
14 They don't pay their tickets, don't pay the—the
15 overpass. Sometimes the owner gets stuck and visa
16 versa. The owners are going to increase the fees
17 higher than it should be. So, maybe we should look
18 at an annual maximum amount that can be charged based
19 on the industry standards. I'm just—I get nervous
20 when they're capped.

21 COMMISSIONER JOSHI: Yeah. So, we're
22 open—certainly open to exploring and get—and getting
23 some flexibility to regulate in this area. What we
24 do in the taxi space is we—for people that lease on
25 like a weekly basis or on a daily basis, we set a cap

2 for the amount that can be charged for the vehicle.
3 For people that are in a lease to own, we initially
4 started out with a cap for the—the final dollars that
5 were owed that would be spread out over three years
6 as well as with a weekly cap on the payments, but
7 what we found is that people didn't really love on
8 both sides the three years, and so we then went back
9 and said okay, you can extend the loan period for a
10 longer period of time as long as you still aren't at
11 the end of the day charging someone more than X. So,
12 I appreciate what you say about having some
13 flexibility. That doesn't mean that you're not
14 overseeing that area. It just allows sort of
15 individuals to sometimes customize depending on what
16 their borrowing ability is and lending ability is.

17 COUNCIL MEMBER VALLONE: Perfect. Thank
18 you, Mr. Chair. Thank you, Commissioner.

19 CHAIRPERSON DIAZ: Thank you,
20 Commissioner. Before I—before I bring Council Member
21 Rodriguez, let me—let me ask you a question with
22 leasing. I have my office generally he has so many
23 complaints of drivers that have been exploited by—by
24 leasing companies, and the—the car that costs \$25,000
25 they end up paying \$60,000.

2 COMMISSIONER JOSHI: And more.

3 CHAIRPERSON DIAZ: And more. So, I know.
4 I'm glad you—you are aware of this--

5 COMMISSIONER JOSHI: Uh-hm.

6 CHAIRPERSON DIAZ: --and I need your help
7 to—to be sure that we—that we could stop this
8 because this is a big abuse they're doing—they're
9 doing to the drivers, and today we have some drivers
10 that will be testifying. We'll hear testimony on
11 them—on those kinds of abuses. I'm—I'm glad that
12 the—that you—you know what's going on with the
13 drivers and with the leasing companies. They're
14 making too much money, and—and killing the drivers.
15 I use the word killing. Not killing physically,
16 killing that's the word I used, and I think somebody
17 better do so. So, thank you for—for--

18 COMMISSIONER JOSHI: [interposing] You're
19 welcome.

20 CHAIRPERSON DIAZ: --your concern on
21 that, and we are hopefully going to work together to--
22 to end—to end those abuses. Council Member
23 Rodriguez.

24 COUNCIL MEMBER RODRIGUEZ: Thank you,
25 Chair. I—I feel that—first of all, thank you,

2 Commissioner for the great job you've been doing and
3 being in a difficult situation. You know, this
4 reality of the taxi industry is like, you know, it's
5 like tsunami for those 6,000 individual medallion
6 owners that they broke their promise that we made to
7 them that if they will invest in medallion owners
8 they will be able to have something valuable that
9 they could use to get a loan to send their kid to
10 college, to buy the house, and so many of them they
11 woke up and they saw how the city failed them. So,
12 here we are and as you say trying to do the best we
13 can in a crisis that didn't happen over night that
14 has been happening as a result of the accumulation
15 of, you know, individual and corporations trying to
16 take advantage of the open market society that we
17 have, and it works, but in these particular cases, we
18 have not been a strong advocate and we have failed to
19 the industry. So, we tried to establish and did the
20 Universal License, and we were able to pass some law
21 in the past, and now with the Chairman we also been
22 moving other important laws, but now the question is,
23 you know, are we ready to discuss a potential type of
24 bailout to those 6,000 medallion owners that we
25 failed, and I know that we have to look at the 15,000

2 as universe, individuals that they own those
3 medallions, corporation on an individual owner's
4 back. When—where do we have to go in order to give
5 hope to those individuals especially a thousand
6 medallion owners that they are in some kind of
7 arrears with the bank and credit unions? Some as
8 close as say to go for a foreclosure?

9 COMMISSIONER JOSHI: So, I think that the
10 bill reviewing medallion debt is extremely important
11 as well as your task force, which will look more
12 broadly at medallion issues, but they take time. So,
13 more immediately, we've been working with the
14 Department of Consumer Affairs to make sure that
15 medallion owners can get to financial empowerment
16 centers where they can meet with a financial advisor
17 and determine what choices they have. The choices
18 may not be pleasant, but they need to know they have
19 choices because without that kind of consultation, a
20 sense of hopelessness and lack of choices sets in.
21 So, we've been working with financial empowerment
22 centers as well as Neighborhood Trust to send owners
23 and drivers to that resource as well. So, we need to
24 continue and the Driver Assistant Center will
25 certainly help us with that, continue to make sure

2 that we're all out getting drivers and owners
3 connected with city services to help them through
4 their immediate problems, which is something that's
5 due at the end of the month, and that's a-a rental or
6 a mortgage payment.

7 COUNCIL MEMBER RODRIGUEZ: My second
8 question is could we agree that we created-stopped-
9 created a taxi industry where, you know, livery the
10 black car they're supposed to be serving in a
11 particular way, but that we also created this
12 industry where we give this close pickup and drop-off
13 to the Yellow Taxi to be the one to be able to
14 provide those services throughout the five boroughs.

15 COMMISSIONER JOSHI: Yes. Yellow Taxis
16 have the only-are the only sector that can pick up by
17 hail on the street in the five boroughs, and-but the
18 world is changing, and so many newer passengers,
19 younger passengers that use for-hire, they don't know
20 how to raise their hand. They do everything on their
21 phone. So, we've been really trying to do is also
22 make sure that the taxi industry can function by app
23 the exact same way the black car industry does, and
24 that's through things like our Flex Fare Pilot, which
25 allows them to give upfront pricing, something that

2 an FHV customer today if they use the apps, they're
3 going to compare well this company will give me this
4 price, this company will give this price and that's
5 how they make their decision. Now taxi can be one of
6 those choices because they can provide the price
7 upfront, and so we really have to think about making
8 sure that the taxi industry has the freedom and the
9 technological tools to compete.

10 COUNCIL MEMBER RODRIGUEZ: Okay.

11 [Speaking Spanish] Thank you.

12 COMMISSIONER JOSHI: Thank you.

13 CHAIRPERSON DIAZ: Commissioner, I think
14 that we have no more questions for you. I thank you
15 for being here today.

16 COMMISSIONER JOSHI: You're welcome.

17 CHAIRPERSON DIAZ: We did good today,
18 right?

19 COMMISSIONER JOSHI: Okay,

20 CHAIRPERSON DIAZ: [laughs]

21 COMMISSIONER JOSHI: Behavior marks were
22 very high today. [laughs]

23 CHAIRPERSON DIAZ: Thank you,
24 Commissioner.

25 COMMISSIONER JOSHI: Thank you.

2 CHAIRPERSON DIAZ: We—we have been joined
3 by Council Member Rose.

4 COMMISSIONER JOSHI: I just want to
5 mention I'm leaving these flyers, but is there a
6 better place to put them so people—drivers can—and
7 owners can pick them up. [background comments,
8 pause] In the back? Okay.

9 CHAIRPERSON DIAZ: I'm going to call
10 Elina Tatis Senior Program Officer for New York City
11 Consumer Affairs Department; Casey Adams, Director of
12 Legislative Affairs of Consumer Affairs, and Dr. Myla
13 Harrison, Assistant Commissioner of Mental Health
14 Department. Did they leave? They're gone?

15 MALE SPEAKER: Yes. [background comments,
16 pause]

17 CHAIRPERSON DIAZ: Alright. Okay, now
18 we're going to call Kristen—Kristen Johnson from
19 NAACP; James Conigliaro (sic), Jr., Founder and
20 President of IBG; James Parrott, Center for New York
21 City Affairs; Richard Lipsky, Nushu Wishu. (sic) Are
22 they here? No. [background comments] I'm calling
23 you guys. So, who's here? Yeah. [background
24 comments] Let me call her again. I'm going to call
25 her again. Kristen Johnson is here? Okay. James

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2 Parrott. He's here? Okay. James Conigliaro, Jr.

3 Okay. . [background comments] No. Now-now, those

4 aren't--those aren't here no more. [background

5 comments] Richard Lipsky [background comments] Okay.

6 Peter Mazer. [background comments] Okay. [background

7 comments] This is them. This is them, okay?

8 MALE SPEAKER: Richard, you were called.

9 CHAIRPERSON DIAZ: Okay, let's start with

10 you. Yeah.

11 JIM CONIGLIARO, JR: Good morning

12 Chairman Diaz and council members.

13 CHAIRPERSON DIAZ: You--you should only

14 have two minutes.

15 JIM CONIGLIARO, JR: Two minutes?

16 CHAIRPERSON DIAZ: Two minutes.

17 JIM CONIGLIARO, JR: Go. Good morning

18 Chairman Diaz, council Member. My name is Jim

19 Conigliaro, Jr. I'm the President of the Independent

20 Drivers Guild, an affiliate of the Machinists Union.

21 It's been a pleasure working with this Council and

22 this committee on the various things that we were

23 able to do for the industry. We look forward to

24 continuing that relationship. As you know, we're

25 currently working under a capped vehicle scenario

2 without capping the amount of drivers. That scenario
3 will lead to many more drivers than there are
4 vehicles. That will also inevitably lead to the
5 exploitation of the drivers by leasing companies. If
6 there are more driver than there are vehicles, those
7 companies will, in fact, act like companies and see
8 how much more they can charge drivers for that lease,
9 or the other side of that, drivers will voluntarily
10 pay more because this is the job that they need in
11 order to provide for their families. Had we capped
12 licenses and drivers and not vehicles, the opposite
13 would have happened and that these companies would
14 have competed with a limited customer base in order
15 to give drivers the best price as possible. That is
16 not the current system we're working under, and so I
17 think this bill regarding regulation of leasing
18 companies is a good bill and a good start. I also
19 want to talk briefly about the healthcare bill that
20 is proposed. We are in support of any-of additional
21 benefits to drivers. As you know, drivers—the vast
22 majority of drivers are under-insured and do not have
23 that social safety net that we talked about earlier.
24 I would urge Council Members and the chair to take a
25 look at the Black car from the work that they've done

2 in providing benefits to drivers. The Machinist
3 Union worked 20 years ago along side industry leaders
4 and drivers to create the first Workers Compensation
5 Fund, and the only in this country. They're doing
6 great work with drivers getting vision insurance and
7 telemedicine, and I invite you Chairman Diaz and all
8 of the Council Members to take a look at that work.
9 We're supportive of these bills and look forward to
10 working together. [bell]

11 JAMES PARROTT: Good morning. James
12 Parrott is my name. I'm Director of Economic and
13 Fiscal Policies at the Center for New York City
14 Affairs. Let me start by congratulating the Chair
15 and the entire Council on the passage—the historic
16 passage of the package of five bills in August. I
17 thought that was an excellent start. Today, we have
18 another nine bills I think that make further progress
19 in coming to grips with this rapid growth in the for-
20 hire vehicle industry. Along with Professor Reich of
21 the University of California at Berkeley, we
22 conducted the first extensive study of for-hire
23 vehicle driver earnings in New York City. We
24 examined the business model used by the app dispatch
25 companies. We considered the fact that the drivers

2 are responsible for the bulk of the capital
3 investment that's deployed in this industry, and we
4 found that 86% of drivers had had net earnings after
5 operating expenses that were below \$17.22 an hour.
6 Intro 1052 that deals with health benefits is
7 particularly important. In our report we had data on
8 the current health insurance coverage of taxi and
9 for-hire vehicle drivers. That information indicated
10 that 40% of drivers have incomes so low that they
11 qualify for Medicaid. Another 16% have no insurance
12 at all. Around 25% of drivers are covered by
13 employer provided health insurance, but because most
14 of these drivers in this industry are not employees,
15 the 25% who have employer provided health insurance
16 is probably through their spouse. There's an urgent
17 need to assist the financially stressed medallion
18 owner-drivers. Intro 304 established a task force to
19 study medallion values. Intro 1069 would explore how
20 to address the problem of medallion owner debt. Two
21 other bills, 1068 and 1081 on eh related to providing
22 financial and other assistance such as mental health
23 benefits to taxi and for-hire vehicle drivers. Based
24 on our research on the industry and the situation of
25 drivers, these bills call for much needed assistance.

2 Three of the bills involve TLC establishing
3 regulations regarding the leasing and rental or
4 conditional purchase of for-hire vehicles. 1070
5 clarifying the description of any deductions from
6 high volume for-hire vehicle driver pay. 1060-1096
7 and protecting for-hire vehicle drivers in the event
8 of a loss of digital payments made by passengers
9 [bell] 1062 and 1079, of course, establishes much
10 needed office and inclusion at the TLC. Based on the
11 research—the extensive research we've done on this
12 industry, these bills are—represent important
13 progress and help complement the historic actions
14 taken on August the 8th. Thank you.

15 CHAIRPERSON DIAZ: Thank you, Doctor.

16 LUCIUS RICCIO: [off mic] Good morning
17 [pause] [on mic] Turn this on? Okay. Thank you for
18 the opportunity to testify in support of the
19 critically important legislation proposed. The very
20 survival of our essential transportation institutions
21 is at stake, and you have addressed that concern with
22 diligence and wisdom. As a former New York City
23 Transportation Commissioner and a former MTA Board
24 Member, I congratulate the Council and the Mayor for
25 finally placing a limit on the growth of the

2 digitally based for-hire vehicle industry. Without
3 that legislation, the transportation institutions,
4 which have enabled the city to grow and business to
5 thrive, the very bedrocks of our economy could be
6 weakened to the point that New York City could lose
7 its place as the leading city in the world. I'm
8 especially supportive of the studies you proposed.
9 The public needs to understand the damages being done
10 and the opportunity that is being missed. I am
11 hopeful that these studies will return sanity to
12 decision making in the transportation sector.
13 Although I would like to see, as I have testified
14 before, a limit placed on for-hire vehicles equal to
15 the number of Yellow and Green Medallions in
16 existence, I understand that that might be too much
17 to ask. I've also testified that for-hire vehicles
18 are getting away with institutional murder by
19 operating without paying anywhere near their fair
20 share, their fair share of street space. Yellows and
21 Greens pay a medallion fee, and then pay about
22 \$15,000 per year in taxes and fees. The for-hire
23 vehicles pay about \$275. They don't even pay the MTA
24 per-ride surcharge. Without changing them what the
25 medallion vehicles pay is a missed opportunity to

2 raise the money needed for mass transit and other
3 transportation improvements, improvements which are
4 necessary for New York's future. Not only must we
5 bring our current system to a state of good repair,
6 we need a new subway line for each decade for the
7 next 100 years to stay comparative-competitive with
8 other great cities in the world. Where is that money
9 going to come from? The for-hire vehicles, what the
10 city charges the medallion vehicles. The medallion
11 vehicles. The Yellows have a contract with the city
12 for the exclusive right to spontaneous rides in the
13 Midtown area. That contract one for the medallion
14 fee and reinforced by the creation of the green cab
15 regulations has been violated by the city allowing
16 the new for-hire vehicles into the space without
17 paying and without an EIS. To correct this economic
18 injustice and policy mistake, I proposed that City
19 Council charge any of these new for-hire vehicles a
20 fee of \$10,000 per year, if they want to pick up in
21 the Midtown area and a charge of \$1,000 per year to
22 operate outside the area. In essence, I want the
23 Council to designate new for-hire vehicles as either
24 Yellow for-hire vehicles or Green for-hire vehicles.
25 The Yellow Ubers, Lyfts and Vias would pay \$10,000

2 per year, which would give them the right to pick up
3 in the Midtown area and anywhere else in the city.
4 The Green Ubers et al. would pay \$1,000 a year--

5 CHAIRPERSON DIAZ: [interposing] Okay.

6 LUCIUS RICCIO: --and could pick up
7 outside the Midtown area. They could operate [bell]
8 under the Green Medallion rules. I estimate this
9 would raise a half a million--\$500 million to a
10 billion dollars.

11 CHAIRPERSON DIAZ: [interposing] Thank
12 you, sir.

13 LUCIUS RICCIO: I thank you very much for
14 the opportunity.

15 CHAIRPERSON DIAZ: Thank you.

16 Good afternoon, Chair Diaz and member of
17 the committee. My name is Kristen Johnson, and I'm
18 testifying on behalf of NAACP, the Legal Defense and
19 Educational Fund. Thanks for this opportunity to
20 testify in support of Intro 1079. I've testified
21 before the City Council twice this year, and we are
22 gratified that the Council took our concerns and
23 those rather seriously. Likewise, we're encouraged
24 by the initiative to create an office of inclusion,
25 which we believe has the potential to meaningfully

2 address the widespread and persistent problem in this
3 city of trying to hail a cab while black. I urge you
4 to vote yes on this bill. For decades, black New
5 Yorkers have lived with the uncertainty of whether a
6 taxi, licensed by the City will refuse to serve them.
7 Beyond violating the law, these persistent ride
8 refusal are an attack on our dignity. We've worked
9 with the TLC and testified before the Council to try
10 to end these unacceptable denials of service, and
11 send a clear message that New York City will not
12 tolerate this discrimination any more. The Office of
13 Inclusion can play an important role in making
14 transportation more equitable for people of color in
15 New York City. To do this most effectively we would
16 make several recommendations regarding the
17 implementation of Intro 1079. First, Intro 1079
18 refers only to the Director of the Office of
19 Inclusion. The office, of course, cannot be
20 effective unless it is adequately staffed and funded.
21 The office should be staffed with a sufficient number
22 of people to perform all of the responsibilities of
23 the office, and test new programs, and the staff
24 should reflect the diversity of New York City.
25 Second, the director must be a highly qualified

2 leader. This new office will require someone who
3 leads with vision, determination, and a strong
4 commitment to fighting racism and all forms of
5 discrimination. Third, we believe the responsibility
6 of the office should compile and report statistics
7 relating to which communities are affected by service
8 refusals is vital. The impact of this reporting,
9 though, will only be as good as the data. We
10 recommend that the data collected reflect both
11 information from drivers and the experiences of
12 people who use taxis on a regular or moderate basis.
13 Fourth, we recommend that the office regularly
14 solicit input from stakeholders in the community.
15 Fifth, we recommend the office study the frequency
16 with which taxi drivers themselves are subject to
17 discriminatory harassment while on the job. Finally,
18 we recommend that the office explore a different
19 measure that could help deter racially biased [bell]
20 biased ride refusals. We urge you to vote yes.
21 Thank you.

22 CHAIRPERSON DIAZ: Thank you.

23 PETER MAZER: Good morning Chairman Diaz
24 and members of the committee. I am Peter Mazer,
25 General Counsel to the Metropolitan Taxicab Board of

1 Trade. Our 66-year-old association represents the
2 owners of about 5,700 Medallion taxicabs and operates
3 a full service driver resource centers that help
4 thousands of drivers with their licensing issues, and
5 offer training classes for 5,000 drivers. We also
6 represent drivers with respect to nearly 3,000
7 Traffic Court summonses, handled 3,000 OATH cases and
8 made more than 300 appearances in Criminal Court on
9 behalf of taxicab drivers all without charging our
10 drives a penny. There may be well intended pieces of
11 legislation before the Council today, most of which
12 we support. MTBOT has submitted written comments on
13 each of these bills. We ask that it be part of the
14 record, but I'd like to limit my time this morning to
15 address 1052, the Healthcare Bill. At the outset, I
16 would say that everyone should have affordable
17 healthcare available. That includes more 185,000
18 taxi and livery drivers who are presently licensed b
19 by the TLC. Drivers, owners and the public all
20 benefit from the healthy workforce, but I must ask
21 that this approach taken in the bill is the best way.
22 The bill would impose an undetermined passenger
23 surcharge to forward to a fund an array of benefits.
24 No analysis has been performed to determine benefit
25

2 costs. In my written comments, I performed an
3 analysis for the taxicab industry, and I estimated
4 that the surcharge of nearly \$3.00 a trip would be
5 required to fund the benefits that would be offered
6 in this bill. On January 1, 2019, a surcharge will
7 go into effect that will impose a \$2.75 additional
8 fare on for-hire vehicles and \$3.00 on taxicabs
9 solely to fund the MTA. That agency will receive the
10 equivalent of one-way passenger fare from nearly one
11 million taxicab and livery drivers each day without
12 having to add a single bus, train or any staff to
13 move these people. Our drivers get nothing from this
14 except in all likelihood lost fares as the for-hire
15 transportation becomes even more expensive and more
16 passengers are priced out of the market. If we add
17 another surcharge, ridership will undoubtedly plummet
18 [bell] even further, and how does this help our
19 drivers? [bell] I will just conclude briefly. We
20 don't—we do not provide any benefit to our drivers if
21 we deprive them of the income they need to support
22 themselves and their families by continually imposing
23 massive passenger surcharge. We can all talk about
24 providing a living wage for drivers, but this Council
25 cannot force anyone to take a taxi or livery if they

2 become unaffordable. With fares expected to exceed
3 \$10 before a vehicle even moves an inch, we are fast
4 approaching that point. I believe the best solution
5 is not to destroy taxi driver incomes with another
6 surcharge, but look at other ways to help restore
7 this industry and instill passenger confidence so
8 more passengers can use these means of
9 transportation. [bell]

10 CHAIRPERSON DIAZ: I definitely agree
11 with you. No more surcharges.

12 PETER MAZER: Thank you.

13 CHAIRPERSON DIAZ: Okay. Definitely
14 we'll need it. It's not in my bill, but I will
15 change that.

16 PETER MAZER: Right.

17 CHAIRPERSON DIAZ: Thank you.

18 PETER MAZER: And if I can just add one
19 final point, I want to agree with my colleague that
20 we need in any office of inclusion to look at the
21 discriminatory practices against all licenses.

22 RICHARD LIPSKY. Thank you, Chairman
23 [coughs] Chairman Diaz. My name is Richard Lipsky.
24 I've been working for the last 2-1/2 years on behalf
25 of medallion owners. It's been a long period of time

2 punctuated by bankruptcies, foreclosures and
3 suicides. The warning lights are ahead for the City
4 Council and for all medallion owners. There's a
5 glimmer of hope generated, but the fear about the
6 next steps remain. The fear doesn't lie with the City
7 Council. The fear lies with the knowledge that the
8 laws that you have passed must be made strong by the
9 regulations pursuant to them. We are not confident
10 as the Speaker was with the current leadership down
11 at the TLC and that's not something that an emotional
12 reaction. It's a reaction of watching the leadership
13 over the last four years acting in the benefit of
14 taxi medallion owners, but of others and some of the
15 other medallion owners who are here will emphasize
16 those points. We don't feel the TLC leadership is
17 supportive of medallion owners, and when the suicides
18 occurred, the first reaction from the chair was to
19 talk about mental health issues instead of talking
20 about the insufficiency of her role as a leader in
21 making sure that we didn't reach that point. We have
22 a letter to the Speaker and to the Mayor that we
23 will—that we have already submitted that emphasized
24 this point. We also want to emphasize that so far as
25 we've seen that the TLC has not moved quickly to

2 start to promulgate rules pursuant to the legislation
3 that you passed. You're interested in what happened—
4 what happened in the past. You're interested in
5 medallion values. You need to do two things: You
6 need to have strong regulations. You need to reduce
7 the number of cars, and you need to make sure that
8 every single car, Uber, Lyft or whatever is hooked by
9 central computer to the TLC so there's real time
10 data. You want health benefits, you want wages, you
11 want all these things to be understood. You can't
12 unless you get real time data. We call and finally—
13 we call on the Mayor and the Council to be vigilant
14 to make sure that this TLC leadership is going to be
15 responsive to the needs of medallion owners. [bell]
16 If you're not, then we will see the repercussions of
17 more suicides later.

18 CHAIRPERSON DIAZ: You, so-so you're
19 telling me that—telling me that the Commissioner is
20 not doing a good job?

21 RICHARD LIPSKY: We don't think so, and
22 we think that the TLC should be put under new
23 management. [cheers/applause]

24 CHAIRPERSON DIAZ: Gentlemen, thank—
25 ladies and gentlemen, thank you very much for your

2 participation. I'm calling Mike Hill. Is Mike Hill
3 here? Mike. Jeffrey Rose. Is Jeffrey Rose here?

4 MALE SPEAKER: He is.

5 CHAIRPERSON DIAZ: John Pope Lambert,
6 John Pope Lambert is here or no.

7 JOHN POPE LAMBERT: Yes.

8 CHAIRPERSON DIAZ: Okay. Jose Toledano
9 (sic) Jose Toledano. No. Bhairavi Desai. She's
10 here. Bhairavi Desai, Bhairavi, Zubeen Salamani.
11 How many you got there? We got to move ladies and
12 gentlemen. [background comments] [laughter] Okay.
13 Ladies first. [pause]

14 BHAIRAVI DESAI: Good morning. [laughs]
15 Good morning Chairman Diaz, members of the Council.
16 It's great to be back here today. I'm Bhairavi Desai
17 Executive Director of the New York Taxi Workers
18 Alliance. We've already submitted to you written
19 testimony and expressing our support of the bills. I
20 mean, of course, almost all of these bills come
21 directly out of our platform, which hundreds of
22 drivers in a unity campaign among app drivers, Yellow
23 Cab drivers, Green Livery, corporate black car
24 drivers. We campaigned for it for months right
25 outside of these halls, and we're really gratified to

2 see this space, too. You know, the cap brought a lot
3 of hope to a workforce that's been in some serious
4 despair, but we know that the reality is the crisis
5 among drivers is far from over, and that all of these
6 bills combined really are a starting point. As far
7 as the—as—as far as, you know, bill—Intro 1070 is
8 concerned, it needs to be passed or people like
9 Abraham Loeb, who ended up paying \$78,000 on a used
10 car with 30,000 miles on it. People like Mohammed
11 Islam who paid \$69,634 for a 2014 Toyota Camry with
12 5,000 miles on it. Brother Bahi Antelo (sp?) who
13 paid \$84,072 for a Toyota Sienna. Silafu Holavu
14 (sp?) who paid \$78,175 for a Toyota Sienna, and the
15 list goes on and on. You know, and let's be really
16 clear these predatory lending practices they're not
17 because of a vehicle cap, they have been at the
18 existence at the beginning of this sector. In fact,
19 the Federal Trade Commission actually fined Uber \$20
20 million because of false advertising related to its
21 promises of how much drivers could earn, and the
22 promise that they were going to get the best
23 financing deals on these vehicles when they went to
24 Uber's leasing partners. It's a sham that's pre-
25 existed the cap, and is a direct result of the

2 oversaturation. [bell] This bill is something that
3 that we won for Yellow Cab drivers in 2012, and we're
4 looking forward to winning it for FHV drivers today.
5 [bell] Thank you.

6 CHAIRPERSON DIAZ: With your help, we're
7 going to do away with them.

8 BHAIRAVI DESAI: Yes.

9 CHAIRPERSON DIAZ: Okay, thank you.
10 [applause] Okay.

11 MICHAEL KILO: Hi. My name is Michael
12 Kilo. I represent the Committee for Taxi Safety. I'm
13 here on behalf of the President of that Committee
14 David Byer. We're just going to confine our remarks
15 to Intro 1052. We've given you written comments. We
16 support the bills, all of them in terms of concept.
17 In regards to 1052, you have heard this before.
18 You've heard it from the TLC Chair. You've heard it
19 from the Metropolitan Taxi Board of Trade, and
20 others. We would recommend that you only pass 1052,
21 if you could remove the surcharge from the language.
22 There are multiple ways in which it could be funded.
23 We discussed the possible way in our written
24 comments, but if the—in the language of the bill if
25 it could just not be left up to the TLC as to whether

2 or not to institute the surcharge. Surcharges have
3 become—I'm not making fun of anybody or anything in
4 government at all, because I would never do that, but
5 it's become the default way, or the lazy way to fund
6 important initiatives and programs. With a 30 cent
7 fee that is for wheelchair accessibles, we still have
8 2,000 medallions that are wheelchair accessible that
9 are sitting idle. With a 50 cent surcharge to fund
10 the MTA, we've found that that's not enough to keep
11 the trains running on time. So, in January we're
12 going to have the biggest sticker shock in the
13 history of taxis where at one time \$2.50 is going to
14 come on taxis. That has never happened in the
15 history of New York, and I know you're both very well
16 aware that any time that we've had any type of a fare
17 increase, there have been a number of months in which
18 passengers avoid taxis because of the readily
19 available and cheaper and nobody is being charged as
20 much as taxis are, and that's important to make.
21 Subway fares are being held static. But fares are
22 being held static. We are going to have before the
23 taxi moves even out of the healthcare fee [bell]
24 \$5.00 before the taxi moves. It's too much for
25 passengers, and it won't help us keep these

2 initiatives that you have spearheaded going to help
3 strengthen the industry again for which we thank you.

4 CHAIRPERSON DIAZ: Thank you. I believe,
5 really do believe that taxi driver needs insurance,
6 the health insurance. That's something that we have
7 to do.

8 MICHAEL KILO: We-we agree.

9 CHAIRPERSON DIAZ: I disagree. I
10 disagree with the-with the surcharge. So-but I'm,
11 you know, I-I want to have insurance for the drivers,
12 the health insurance. That part, I have-I have
13 problems with that part, too, but this is not-it is
14 not my bill. It is the Speaker's bill. With all due
15 respect, I'm disagreeing with that part.

16 MICHAEL KILO: We totally agree. We
17 think that everybody should have adequate health
18 coverage.

19 CHAIRPERSON DIAZ: To every person.

20 MICHAEL KILO: Maybe it should be just
21 funded a little differently than the way the bill
22 authorized.

23 CHAIRPERSON DIAZ: (Speaking Spanish)
24 Sir.

2 JOHN POKLEMB: Good morning, Chairman
3 Diaz. My name is John Poklemba. I'm General Counsel
4 the American Transit Insurance Company. I want to
5 thank you very much for inviting us to testify here
6 this morning. I have submitted detailed written
7 testimony, which we've submitted to your staff. The
8 last time I had the opportunity to testify before the
9 City Council was when I served as the New York State
10 Director of Criminal Justice back in 1987, and we sat
11 here and we discussed the Safe Streets Act, and
12 answered many questions. I want to commend what
13 you're doing here not only to protect the drivers but
14 also the safety of all the citizens of New York. We
15 are located in New York City. We're a New York City
16 based company. We insure about 75,000 of the hundred
17 100,000 vehicles that the Speaker was referring to
18 earlier this morning. We have created a network of
19 brokers throughout the city. We have developed a
20 considerable amount of knowledge about the taxi
21 business, the for-hire business and all of the issues
22 related thereto. We support all of the legislation
23 that you have put forth here this morning and we look
24 to partner with you in helping you see that
25 implemented. We've developed a new set of products

2 that we believe that we can deliver all of the
3 services that are required under the bills that were
4 here today, and do that by working with the drivers
5 as we have done for the last 45 years that we've been
6 working here in New York City. So, again, I want to
7 commend you Chairman Diaz. I look forward to working
8 with you and your staff, and I hope that American
9 Transit can be a partner with you as you go forward.

10 CHAIRPERSON DIAZ: Thank you, sir.

11 ZUBEEN SALAMANI: Good morning, Chair
12 Diaz. My name is Zubeen Salamini with the New York
13 Taxi Workers Alliance. I've submitted written
14 comments on Intro 1070, but given the large amount of
15 legislation on the table today, I would like to
16 accede my time back to Mr. Desai to discuss some
17 issues affecting owner drivers with your permission.

18 BHAIRAVI DESAI: Okay, alright. Thank
19 you. Intro 304 and 1069 we think are the other
20 really critical intros of today. You know, Nicanor
21 Ochisur was one of the owner-drivers who had
22 committed suicide during this year. Nicanor was
23 nearing retirement. He watched as what, you know,
24 his investment whittled down to pretty much nothing,
25 and what he saw was in the twilight of his years when

2 he thought he would be retiring after working three
3 decades on a cab with his wife, there was no
4 retirement in sight for either of them. Kenny Chow
5 represented a group of owner/drivers who essentially
6 purchased their profession. He had been in the
7 jewelry industry where he lost his job. He then came
8 into the Yellow Cab industry. He—every day, he was
9 working to make ends meet, and he saw that get harder
10 and harder. Nicanor and Kenny were pushed to the
11 point of desperation. We hope that there is serious
12 action taken through both of these intros that right
13 now are really about a study, but we all know they
14 need to go much deeper than a study. Owner/drivers
15 need to see a real material difference in their day-
16 to-day life in order to overcome the level of despair
17 and growing poverty. While there's been a race to
18 the bottom, across this entire workforce, the thing
19 about owner/drivers is they represent the workers who
20 were in the higher earning, and went straight to down
21 to become the lowest earning, and there's been no
22 safety net, and it's—it's been a deep slide. And so,
23 we hope that through Council initiative that there's
24 a serious effort to look at things like loans and
25 grants, finding a way to lower interest rates, to

2 extend contracts, and for the city itself to look at
3 finding a way to even, you know, give relief to a
4 certain percentage of these loans in order to stop
5 the foreclosures and the bankruptcies, and lastly we
6 agree with you as far as the fund is concerned. This
7 is a long time in the making. It really should just
8 be a beginning especially when people are at this
9 level of despair. The poverty and the desperation
10 has led to worse health crisis among drivers. We
11 need this benefit, but absolutely they can be paid
12 for beyond a surcharge, and we believe working with
13 you and with this council, we can find that way
14 without sacrificing the lives and the health of
15 drivers. Thank you. [applause] Thank you.

16 CHAIRPERSON DIAZ: One of the blessings
17 that I have gotten when I was appointed Chairman of
18 this committee is to help people like you guys.

19 BHAIRAVI DESAI: Thank you.

20 CHAIRPERSON DIAZ: Okay, supporting and
21 fighting and because it's not easy to have some
22 members that will not agree with you. So, we need—I
23 always need your support to keep pushing the rest of
24 us because our hearts is in the right place, but we

2 need you. So keep pushing, keep-keep fighting and
3 supporting us. Thank you.

4 BHAIRAVI DESAI: Thank you.

5 CHAIRPERSON DIAZ: Sir.

6 JEFF ROSE: Thank you. Chairman/Reverend
7 Diaz, and members of the committee, thank you very
8 much for the opportunity to be heard on the
9 legislation before the committee today. My name is
10 Jeff Rose and I'm the President of LANY, the Limo
11 Association of New York. We represent the interests
12 of those for-hire vehicle bases in the TLC's luxury
13 limousine category. Many people lump us in with the
14 other operators in the FHV industry, but there is a
15 crucial difference that separates us from the
16 liveries, black car services and TNC such as Uber,
17 Lyft and Via. The vast majority of drivers in those
18 FHV segments are independent contractors who work
19 with little or no economic safety net. They are
20 responsible for paying the cost of their vehicles,
21 gas, insurance, maintenance and so on. Few, if any,
22 receive company provided health insurance or other
23 benefits. On the other hand, the vast majority of
24 drivers in the luxury limousine segment are true
25 full-time employees with all the attendant

2 protections and benefits whether by law or customary
3 practice. The employers cover all of the
4 aforementioned costs associated with operating these
5 company owned vehicles. Our drivers are not burdened
6 with crippling expenses and debt just to try and make
7 a living. Luxury limo based employers must apply
8 with the—must comply with the Affordable Care Act
9 paying significant premiums to provide health
10 insurance to their employees and their families.
11 These employees are protected by the Federal Fair
12 Labor Standards Act, which covers minimum wage,
13 guaranteed overtime, record keeping and more.
14 Employers are already required to comply with rules
15 on paid sick leave and to provide workers comp and
16 unemployment insurance and disability. Many offer
17 health coverage that exceeds ACA requirements and
18 offer other benefits such as 401(k) Retirement
19 programs. Moreover, these are good paying jobs that
20 enable entry into the middle-class for people who may
21 not have a diploma of any kind. At my company, full-
22 time drivers average around \$25 an hour. During busy
23 season, many make over \$30 an hour. Already, I have
24 three drivers who are in within—who are already
25 within reach of earning \$100,000 or more by year's

2 end. As the economic disrupters in the FHV industry
3 make it difficult to raise prices, we have had to
4 absorb tremendous increases in the costs associated.
5 If we are compelled to pay even more mandated fees to
6 provide employee like benefits to independent
7 operators associated with other industry segments
8 while already bearing the cost of providing these
9 benefits to our own employers-employees, many
10 operators will likely cease to exist under what would
11 be a form or double taxation--

12 CHAIRPERSON DIAZ: [interposing] Okay.

13 JEFF ROSE: --taking all these--

14 CHAIRPERSON DIAZ: [interposing] Thank
15 you, sir.

16 JEFF ROSE: --good legitimate jobs with
17 them.

18 CHAIRPERSON DIAZ: Thank you, sir. Thank
19 you. Thank you to all of you. Thank you for your
20 time. Thank you for your cooperation. Now, we're
21 going to call Jose Rodriguez. Here? Jose Rodriguez?
22 Aleli Hernandez. Aleli Hernandez. (Speaking
23 Spanish) Mario Martin. Calling Mario Martin again.
24 Richard Ferris. [Speaking Spanish] Basilio Wilcary

2 (sic) [Speaking Spanish] Hello, sir. [gavel] Hey.

3 [Speaking Spanish]

4 JOSE RODRIGUEZ: [Speaking Spanish]

5 TRANSLATOR: Good afternoon. My name is
6 Jose Rodriguez and I thank to be here and my problem
7 is I have a testimony to testify about a problem that
8 I had.

9 JOSE RODRIGUEZ: [Speaking Spanish]

10 TRANSLATOR: In which I had a contract
11 and I've had a lot of problems, and I want to see
12 what's going to happen from here forward.

13 JOSE RODRIGUEZ: [Speaking Spanish]

14 TRANSLATOR: I won't show you all the
15 stuff Reverend Ruben Diaz and Jenny--

16 JOSE RODRIGUEZ: [Speaking Spanish]

17 TRANSLATOR: --to see what's going to
18 happen regarding my case. [Speaking Spanish]

19 JOSE RODRIGUEZ: [Speaking Spanish]

20 TRANSLATOR: [Speaking Spanish]

21 JOSE RODRIGUEZ: [Speaking Spanish]

22 TRANSLATOR: I had a contract Quest
23 Livery Leasing and it's located at 1472 Jerome Avenue
24 in the Bronx.

25 JOSE RODRIGUEZ: [Speaking Spanish]

2 TRANSLATOR: I signed that contract and
3 automatically they put the vehicle under my name.

4 JOSE RODRIGUEZ: [Speaking Spanish]

5 TRANSLATOR: They never explained to me
6 what was the contract that I was signing. They told
7 me that it would serve (sic) the purpose and it
8 wasn't like that.

9 JOSE RODRIGUEZ: [Speaking Spanish]

10 TRANSLATOR: On August 28 of this year
11 [bell] I had to renew the vehicle registration.

12 JOSE RODRIGUEZ: [Speaking Spanish]

13 TRANSLATOR: I was not able to register
14 my vehicle because the vehicle was under court-

15 CHAIRPERSON DIAZ: [Speaking Spanish]

16 JOSE RODRIGUEZ: [Speaking Spanish]

17 CHAIRPERSON DIAZ: [Speaking Spanish]

18 JOSE RODRIGUEZ: [Speaking Spanish]

19 CHAIRPERSON DIAZ: Jenny, and translate
20 it.

21 CHAIRPERSON DIAZ: And you—and you was
22 paying the company?

23 TRANSLATOR: The vehicle was mine. I was
24 paying to the company.

2 JOSE RODRIGUEZ: [Speaking Spanish]

3 CHAIRPERSON DIAZ: How many years?

4 JOSE RODRIGUEZ: [Speaking Spanish]

5 CHAIRPERSON DIAZ: Jenny, come.

6 TRANSLATOR: [Speaking Spanish]

7 JOSE RODRIGUEZ: [Speaking Spanish]

8 CHAIRPERSON DIAZ: [Speaking Spanish]

9 JOSE RODRIGUEZ: [Speaking Spanish]

10 CHAIRPERSON DIAZ: [Speaking Spanish]

11 JOSE RODRIGUEZ: [Speaking Spanish]

12 CHAIRPERSON DIAZ: [Speaking Spanish]

13 JOSE RODRIGUEZ: [Speaking Spanish]

14 CHAIRPERSON DIAZ: [Speaking Spanish]

15 JOSE RODRIGUEZ: [Speaking Spanish]

16 CHAIRPERSON DIAZ: [Speaking Spanish]

17 Jenny-Jenny--

18 TRANSLATOR: It's over \$65,000.

19 CHAIRPERSON DIAZ: Okay, gracias.

20 [Speaking Spanish]

21 JOSE RODRIGUEZ: [Speaking Spanish]

22 CHAIRPERSON DIAZ: [Speaking Spanish]

23 BASILIO: [Speaking Spanish]

24 TRANSLATOR: Good morning. My name is

25 Basillo.

2 BASILIO: [Speaking Spanish]

3 TRANSLATOR: I also had a vehicle on
4 Tower Leasing Company for 3-1/2 years.

5 BASILIO: [Speaking Spanish]

6 TRANSLATOR: I was paying \$425 per week.

7 BASILIO: [Speaking Spanish]

8 TRANSLATOR: After I finished paying off
9 the vehicle, I was offered a \$275 payment for the
10 insurance of the vehicle.

11 BASILIO: [Speaking Spanish]

12 TRANSLATOR: Which is \$900 per month.

13 BASILIO: [Speaking Spanish]

14 TRANSLATOR: I was—I was able to get
15 insurance under my name, and they are offering—
16 they're telling me I have to pay a \$1,000 in order to
17 obtain the vehicle.

18 BASILIO: [Speaking Spanish]

19 TRANSLATOR: [interposing] I'm sorry. In
20 order to obtain the title.

21 BASILIO: [Speaking Spanish]

22 TRANSLATOR: After I paid off my vehicle.

23 Thank you.

24 CHAIRPERSON DIAZ: How much was you
25 paying with this?

2 TRANSLATOR: [Speaking Spanish]

3 BASILIO: [Speaking Spanish]

4 TRANSLATOR: \$425.

5 CHAIRPERSON DIAZ: For how many years?

6 TRANSLATOR: [Speaking Spanish]

7 BASILIO: [Speaking Spanish]

8 TRANSLATOR: Three and a half years.

9 CHAIRPERSON DIAZ: How much is that at
10 the-at the end?

11 BASILIO: [Speaking Spanish]

12 TRANSLATOR: \$66,000.

13 CHAIRPERSON DIAZ: And your-your vehicle
14 also-and the vehicle that was never given to you? It
15 was never given to you?

16 TRANSLATOR: [Speaking Spanish]

17 BASILIO: [Speaking Spanish]

18 TRANSLATOR: I have to pay a \$1,000 in
19 order to obtain the title.

20 CHAIRPERSON DIAZ: So after you paid
21 \$66,000 for a vehicle, then you have a \$1,000 for the
22 title.

23 TRANSLATOR: [Speaking Spanish]

24 BASILIO: [Speaking Spanish]

25 TRANSLATOR: Yes.

2 BASILIO: [Speaking Spanish]

3 TRANSLATOR: I have all my documents of
4 the payments I made.

5 CHAIRPERSON DIAZ: Alright, thank you.
6 Thank you.

7 TRANSLATOR. Gracias.

8 BRIDGET FELIX: How about now? Okay.
9 Hi, good morning. My name is Bridget Felix. I
10 leased a car from Tower Auto Finance/Tower Leasing.
11 I've had issues trying to keep the car. I was it by
12 an S-U-V and I wasn't able to work for two months.
13 My payments fell through, and they towed my car, and
14 they actually have my car now. When I go back now
15 that I can lift my right leg to be able to drive, I
16 would like my car back, but I was told that it was
17 sold to someone else. I would like--

18 CHAIRPERSON DIAZ: The car was in your
19 name?

20 BRIDGET FELIX: Yes.

21 CHAIRPERSON DIAZ: And--and it was sold to
22 someone else?

23 BRIDGET FELIX: Yes.

24 CHAIRPERSON DIAZ: Did you sign it?
25

2 BRIDGET FELIX: I did not sign to sell it
3 to someone else. No.

4 CHAIRPERSON DIAZ: How much you pay for
5 the car?

6 BRIDGET FELIX: Roughly, I should have
7 already a year and a half's worth is about \$30,000.
8 The car is probably worth 24. Um, so I'm willing to
9 pay the extra year if I could just get it back.

10 CHAIRPERSON DIAZ: So, what was suggested
11 to me was to—why don't you just jump into another
12 three-year lease? I'd like to see if something
13 changes here to be able to obtain if not my car, at
14 least another car that I can just finish paying for
15 the rest of the year, and have my title and my car,
16 my plate that I cannot get another plate within the
17 next year to continue working and—and eating.

18 CHAIRPERSON DIAZ: Thank you.

19 BRIDGET FELIX: You're welcome.

20 ALLIO HERNANDEZ: [Speaking Spanish]

21 TRANSLATOR: Good afternoon Reverend Diaz
22 and everyone else. My name is Allio Hernandez.

23 ALLIO HERNANDEZ: [Speaking Spanish]

24 TRANSLATOR: I also have an issue with
25 Quest Livery Leasing.

2 ALLIO HERNANDEZ: [Speaking Spanish]

3 TRANSLATOR: I also had a contract for
4 [Speaking Spanish]

5 CHAIRPERSON DIAZ: How much was it?

6 ALLIO HERNANDEZ: [Speaking Spanish]

7 CHAIRPERSON DIAZ: How much was [Speaking
8 Spanish]

9 ALLIO HERNANDEZ: [Speaking Spanish]

10 CHAIRPERSON DIAZ: \$550 a week?

11 ALLIO HERNANDEZ: [Speaking Spanish]

12 CHAIRPERSON DIAZ: For how long? For how
13 many years?

14 ALLIO HERNANDEZ: For three years.

15 [Speaking Spanish] [background comments]

16 CHAIRPERSON DIAZ: [Speaking Spanish]

17 ALLIO HERNANDEZ: [Speaking Spanish]

18 CHAIRPERSON DIAZ: \$90,000 for a car?

19 ALLIO HERNANDEZ: [Speaking Spanish]

20 CHAIRPERSON DIAZ: That was Mercedes,
21 right?

22 ALLIO HERNANDEZ: [Speaking Spanish]

23 CHAIRPERSON DIAZ: Was that a Mercedes or
24 it's a BMW or--?

25 TRANSLATOR: [Speaking Spanish]

2 ALLIO HERNANDEZ: [Speaking Spanish]

3 TRANSLATOR: It's a G-M-C Yukon.

4 ALLIO HERNANDEZ: [Speaking Spanish]

5 TRANSLATOR: 2013.

6 ALLIO HERNANDEZ: [Speaking Spanish]

7 TRANSLATOR: 22,000 miles.

8 ALLIO HERNANDEZ: [Speaking Spanish]

9 TRANSLATOR: My vehicle registration was
10 suspended.

11 ALLIO HERNANDEZ: [Speaking Spanish]

12 TRANSLATOR: The last thing they
13 requested a release or they will suspend the
14 insurance. [bell]

15 CHAIRPERSON DIAZ: Okay. Your-your-your-
16 oh, that's right. [Speaking Spanish]

17 MARIO MARTIN: [Speaking Spanish]

18 TRANSLATOR: Good morning. My name is
19 Mario Martin.

20 MARIO MARTIN: [Speaking Spanish]

21 TRANSLATOR: I also made a contract with
22 Quest Livery Leasing.

23 MARIO MARTIN: [Speaking Spanish]

24 TRANSLATOR: With a vehicle 2014, 130
25 weeks.

2 MARIO MARTIN: [Speaking Spanish]

3 TRANSLATOR: \$400 per week.

4 MARIO MARTIN: [Speaking Spanish]

5 CHAIRPERSON DIAZ: You got to go under

6 the press. Go ahead and take care of those

7 businesses. Go and--and interview those people

8 because this business is a racket. Okay.

9 TRANSLATOR: [Speaking Spanish]

10 MARIO MARTIN: Okay. [Speaking Spanish]

11 TRANSLATOR: [Speaking Spanish]

12 CHAIRPERSON DIAZ: Hey, I mean it is

13 incredible.

14 MARIO MARTIN: Okay.

15 TRANSLATOR: [Speaking Spanish]

16 MARIO MARTIN: [Speaking Spanish]

17 TRANSLATOR: I paid the vehicle.

18 MARIO MARTIN: [Speaking Spanish]

19 TRANSLATOR: After I paid the vehicle--

20 MARIO MARTIN: [Speaking Spanish]

21 TRANSLATOR: --I go to request the

22 releasing for the title.

23 MARIO MARTIN: [Speaking Spanish]

24 TRANSLATOR: After I was given the title,

25 it had two liens--

2 MARIO MARTIN: [Speaking Spanish]

3 TRANSLATOR: --or two debts.

4 MARIO MARTIN: [Speaking Spanish]

5 TRANSLATOR: I was told that I could
6 register the vehicle like that.

7 MARIO MARTIN: [Speaking Spanish]

8 TRANSLATOR: I went and I borrowed money.

9 MARIO MARTIN: [Speaking Spanish]

10 TRANSLATOR: When I go to register the
11 car--

12 MARIO MARTIN: [Speaking Spanish]

13 TRANSLATOR: I went to the Motor Vehicles
14 to get the vehicle registered. When I get there, they
15 tell me I cannot register the vehicle--

16 MARIO MARTIN: [Speaking Spanish]

17 TRANSLATOR: --because the vehicle had
18 two liens, two debts [bell] with Quest Livery
19 Leasing, and which they had towards the vehicle.

20 CHAIRPERSON DIAZ: [Speaking Spanish]

21 MARIO MARTIN: [Speaking Spanish]

22 CHAIRPERSON DIAZ: [Speaking Spanish]

23 MARIO MARTIN: [Speaking Spanish]

24 CHAIRPERSON DIAZ: [Speaking Spanish]

25 MARIO MARTIN: [Speaking Spanish]

2 CHAIRPERSON DIAZ: [Speaking Spanish]

3 MARIO MARTIN: [Speaking Spanish]

4 CHAIRPERSON DIAZ: [Speaking Spanish]

5 MARIO MARTIN: [Speaking Spanish]

6 CHAIRPERSON DIAZ: Alright.

7 MARIO MARTIN: [Speaking Spanish]

8 TRANSLATOR: I was sorry. I could do
9 nothing with the lease now.

10 MARIO MARTIN: [Speaking Spanish]

11 CHAIRPERSON DIAZ: We are—we are in the
12 city of New York, and where we brag about how much we
13 help and how we care about the immigrants and how
14 much we do to protect people, but the Mayor has to
15 take action and the City Council and the Speaker, and
16 we will have to take action because this kind of
17 abuses, this kind of exploitation to immigrants and
18 to people that are decently trying to earn their
19 living. We have to put an end to this, and I'm
20 calling on the Mayor now and the City and the Speaker
21 to—to start an investigation to do this. [cheers/
22 applause] Thank you. Muchas gracias. [Speaking
23 Spanish] [off mic] Eric Governor (sic). Is Eric
24 Governor here? [pause] [on mic] Andrea Greenblatt,
25 Andrea Greenblatt. Okay, or Andre—Andrew—Andrew and

2 Andrew. Okay. Nina Goshashi (sp?) Nina Goshashi.
3 Okay. Barry Nebat (sp?). Barry Nebat, and Carolyn
4 Pratz (sic). [background comments, pause] Carolyn.
5 [pause]

6 CAROLYN PRATZ: I respectfully request,
7 Mr. Chairman, three minutes because as medallion
8 owners, we have the largest stake in this industry
9 relatively and absolutely. What do you say?

10 CHAIRPERSON DIAZ: [off mic]

11 CAROLYN PRATZ: Alright, I'll talk fast.
12 [laughs] I'm Carolyn Pratz, one of 6,000 individuals
13 largely immigrants although not in my case, working
14 class taxi medallion owners. We're often ignored.
15 We've been standing on the steps of City Hall for
16 four summers. Probably you've seen us. We've been
17 to memorial services, marched across bridges, and
18 been to hearings testifying about our plight. To
19 your credit and the credit of Speaker Johnson and the
20 Mayor, we see that you're aware of our issues, and
21 you would like to effect change, but first, it is
22 imperative that we all understand how this debacle of
23 declining medallion values happened in order to
24 better inform future actions that might help
25 alleviate the damage that has occurred. We're not

2 workers. We're not drivers. We're small business
3 people. We're essentially shareholders in an
4 enterprise that was created by New York City
5 government. There is no free market. We already
6 bought the franchise. In our view, there can be no
7 remedy if the remedy and the implementation are left
8 up to the current TLC regime, which is comprised of
9 Bloomberg leftovers. I'm sure we all remember when
10 Mayor Bloomberg swore to destroy your f'ing industry.
11 This destruction, as promised, was carried by his
12 appointees at the TLC, which has become essentially
13 an arm of a multi-national corporation. Can that
14 possibly be in keeping with the progressive path that
15 New York City has chosen to follow? In the past, the
16 TLC understood that medallion casts had a protected
17 access to market, which is often touted by TLC
18 Commissioners. For decades the TLC promoted the
19 medallion to first generation immigrants as a path to
20 a worry free retirement, and our exclusive right to
21 cruise the streets to find passengers. [bell] What
22 happened to change the status quo? Beginning in
23 2011, the TLC began ignoring, bending, breaking and
24 changing its own rules. These actions and inactions
25 resulted in a much diminished role for the city

2 franchise, Yellow cabs and a greatly expanded one for
3 app cars. I have a detailed list. It's far too long
4 to go into, but the main thing they ignored was their
5 duty to protect the economic stability of licensees,
6 which Meera Joshi never wants to talk about. She's
7 always down in the weeds so far that I need a machete
8 to get out of there, but she never sees the forest,
9 which is the fact that there's 140,000 vehicles on
10 the road. None of these guys can make a living with
11 that many cars on the road, and it's the one issue
12 she never wants to address even though she has broad
13 authority. She allowed unlimited numbers of
14 additional black cars, 90,000 at last count. She
15 allowed misclassification of the app cars, which in
16 the opinion of many should have been classified as
17 liveries and would have then been subject to
18 environmental review. How many air quality alerts
19 did we have this summer? It was happening almost
20 every day. [bell] She allowed the cars to work with
21 virtual meters even though they should not have been
22 allowed to do that. She's ignored distracted
23 driving, and the 640% increase in black car crashes.
24 640%. She changed the retirement rules for black
25 cars. She changed the rules on dispatching. She

2 allowed the app companies to write their own rules on
3 wheelchair accessibility. How did this happen? The
4 TLC took upon itself a change in its ideology. The
5 only parameters they work within are consumer
6 protection, safety, driver welfare and accessibility.
7 They feel they have no role beyond that. It appears
8 to us--

9 CHAIRPERSON DIAZ: Kindly--

10 CAROLYN PRATZ: --that the TLC's goal is
11 to de facto regulation.

12 CHAIRPERSON DIAZ: Are you giving time?

13 CAROLYN PRATZ: We need a TLC that will
14 properly do that. Thank you.

15 FEMALE SPEAKER: Yeah, I give Carolyn my
16 time.

17 CHAIRPERSON DIAZ: Oh, good. Carolyn, go
18 ahead. Carolyn. She gives you her time. [applause]

19 SERGEANT-AT-ARMS: Quiet, quiet please.

20 CAROLYN PRATZ: This industry will become
21 a free-for-all with no respect given to the franchise
22 holders' rights. Until there is a TLC that will
23 properly do its job, which does include--and maybe
24 you don't want to hear this--limiting the number of
25 vehicles on the road, and enforcing a protected

2 access to the market that was bought and paid for by
3 medallion owner/drivers. There will be no stability
4 in the medallion prices, and New York City will
5 suffer from all of the negative externalities that go
6 along, the munition of driver income, discouragement
7 of the use of public transportation. Billions of
8 dollars of losses to taxpayers, congestion,
9 pollution, crashes. This debacle still can be
10 remedied. It didn't happen all at once. Our demise
11 had been a long slow moving series of events, the
12 combination of unlimited for-hire vehicles along with
13 new or changed rules or overlooked rules, which we
14 can go over. Any time you want to have a meeting
15 with me, I have a list this long, creating and
16 avalanche one snow flake at a time. Thank you.

17 CHAIRPERSON DIAZ: Thank you. [applause]
18 Sir.

19 ANDREW GREENBLATT: Go ahead there. I
20 gave her my time. [background comments, pause] Good
21 morning Chairman Diaz and members of the Committee on
22 For-Hire Vehicles. I have submitted more detailed
23 written testimony, and would just like to make three
24 points on Intro 1052. My name is Andrew Greenblatt
25 and I'm the Founder and President of IDG Benefits

2 Fund. It's a new non-profit founded last year to
3 help nearly 100,000 black car drivers in New York
4 State gain access to benefits. My first-my first
5 point is that drivers desperately need these
6 benefits. In polling and focus groups of black car
7 drivers, we've learned that many drivers barely make
8 it from week to week and often can't find ways to
9 cope with not having enough money. This makes it
10 impossible for drivers to prepare for the sudden
11 financial shocks traditional benefits usually help
12 with. My second point is that the system that is
13 proposed in this legislation can work to solve this
14 problem. The New York State Black Car Fund uses a
15 similar model for Workers Compensation. IGB Benefits
16 Fund is now working with them to offer drivers free
17 vision, and telemedicine benefits as well. Finally,
18 in order to work effectively, the TLC will need to
19 work with trusted and experienced organizations that
20 have worked with drivers. There are many challenges
21 to providing benefits to drivers including finding
22 providers willing to work with is unorthodox risk
23 pool, educating and enrolling drivers and helping
24 them use these benefits. Language, cultural and
25 technical challenges abound. To address these

2 issues, we work with the Independent Driver's Guild,
3 the Black Car Fund, the Taxi and Limousine
4 Commission, marketing companies, technology companies
5 and labor friendly benefits providers. Only by
6 working with a team of people who understand this
7 population and how to deliver benefits to them, have
8 we been able to sign up thousands of drivers in just
9 two months since rolling out these new vision and
10 telemedicine benefits. I thank the Speaker, the
11 bill's sponsors and this committee for recognizing
12 the need for driver's benefits, and we will gladly
13 offer our expertise to help make sure this program is
14 a success. [applause]

15 CHAIRPERSON DIAZ: Thank you, sir.

16 SERGEANT-AT-ARMS: You're not allow to do
17 that.

18 CHAIRPERSON DIAZ: We have—we have about
19 25 more to go, 25 or 30 more to go, and we have to
20 give everyone the opportunity to get their two
21 minutes. Let's see who is next.

22 ERIC ROTHMAN: Good morning, Chair Diaz
23 and members of the Committee on For-Hire Vehicles.
24 My name is Eric Rothman, the President of the Driver
25 Opportunity Service Association or DOSA. DOSA is a

2 membership organization dedicated to providing short-
3 term rental of vehicles to drivers in the for-hire
4 industry. Thank you for allowing me the opportunity
5 to speak on 1070. There are a number of factors that
6 different-differentiate short-term rentals from lease
7 or lease to own arrangements. Leases lock drivers
8 into multi-year contacts often with high interest
9 rates leaving them with the depreciated assets.
10 Rentals, however, are designed to provide drivers
11 with flexibility. Our agreement to typically one or
12 two weeks in duration renewable at the driver's
13 option. This allows drives to switch between
14 vehicles sizes and models to find the vehicle that
15 meets their needs. It also gives them the
16 flexibility to take time off or to leave the industry
17 without the burden of ongoing lease payments. Unlike
18 leasing, the short-term rental model provides the
19 drivers with a set of-a set price eliminating the
20 need for financing and preventing unexpected costs
21 throughout the term of the agreement. The rental
22 agreement-the rental company retains responsibility
23 for preventative maintenance, mechanical repairs,
24 liability and collision insurance, TLC and emission
25 inspections and other costs. If the vehicle's

2 mechanical failure was in an accident a replacement
3 vehicle is provided. This minimizes the out-of-
4 pocket cost to the driver, and allows them to spend
5 more time working collecting fares. DOSA members
6 support the Council's efforts to increase
7 transparency and consumer protection in the FHV
8 leasing and short-term rental markets. These are
9 practices that DOSA members already implement but
10 many companies unfortunately do not. We commend the
11 Council for mandating them throughout the industry
12 protecting drivers and maintaining a fair
13 marketplace. Requiring that all companies disclose
14 all fees and provide all protections will ensure that
15 drivers can properly evaluate the full cost of
16 renting a vehicle and shop around to find the most
17 competitive price. However, we have concerns about
18 the unintended consequences of placing price caps on
19 the rental market. Unlike FHV leasing, short-term
20 rental companies are responsible for oil changes and
21 insurance and other costs. The price of rentals must
22 be able to accommodate fluctuations in the economy
23 [bell] to account for these items. If we cannot
24 afford to maintain the fleet, we will not be able to
25 provide this service and the necessary flexibility to

2 drivers. DOSA members look forward to working with
3 the Council to increase protections for drivers to
4 maintain a competitive and fair market place for the
5 FHV licensed vehicles. Thank your for your time.

6 CHAIRPERSON DIAZ: Thank you. [applause]

7 NINA GODOWSKI: [off mic] Chairman Diaz,
8 my name is Nina Godowski (sic). I'm a Yellow cab
9 driver for ten years. [background comments] [on
10 mic] I'm driving a yellow cab for ten years in New
11 York City. What—what see today, everybody we see
12 it's a disaster outside on the streets of the New
13 York City, and it's everybody believe in this city
14 the life it's endangered. So, we—you passed the
15 bill, but you need to enforce. You need to reduce
16 the cars that are around the city everyday. It's too
17 many. Out of the control, the life. Everybody's life
18 is in danger. The—another thing you need to do the
19 Uber cars they have to go in inspection like the
20 Yellow cab drivers. We go every four months. You
21 cannot have different rules for one and different
22 rules for everybody. We get human beings. Both cars
23 gets human beings. So, we go. We have to go on the
24 same rules. Every four months we have to go for
25 inspection, and another thing you have to do to raise

2 the medallion price. How you going to raise the
3 medallion price? I don't have any answer today.
4 That's why I am here today. To-to raise the
5 medallion price, first you have to stop these people
6 to reduce the cars, the number of the cars in the
7 city. Then they cannot charge the same price we do
8 charge. They have to go higher by months or
9 different ways. We need something from you today to
10 raise the medallion price or the city cannot do it.
11 You should reimburse the Yellow Cab because we work
12 really hard in this city for those medallions. You
13 destroyed. The city is responsible. You destroyed
14 our families. That's why you need to--someone needs
15 to take responsibilities or make--this is disaster
16 like the Sandy disaster in 2012. This Uber disaster
17 for our families. That's why the city has to pay us
18 back or take--or take your--the medallions back and let
19 us to go because we are like in jail today. We
20 cannot go nowhere. So you have to do something. We
21 need a solution now.

22 CHAIRPERSON DIAZ: Thank you, thank you.

23 [background comments] Thank you.

24 NINA GODOWSKI: Thanks.

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2 CHAIRPERSON DIAZ: Okay. Thank you. I'm
3 calling Edward Herman. Who is this? Alice Arken
4 Brown [background comments, pause] June Chung Li
5 (sic) Henry Chang, Henry Chung, Henry Chang, Henry
6 Chang. Thank you. He was here but he is no longer
7 here. Robin Magore (sic) Robin Magore. Okay,
8 Guillermo Ambrille, Jay Moore, Guillermo Ambrille.
9 No? Okay. Thank you very much. Let's go.

10 HECTOR HERMAN. [Speaking Spanish]

11 TRANSLATOR: Good morning. My name is
12 Hector Herman, known Juan Tutu.

13 HECTOR HERMAN: [Speaking Spanish]

14 TRANSLATOR: On behalf of--

15 HECTOR HERMAN: [Speaking Spanish]

16 TRANSLATOR: On behalf of the company--of
17 the community cab drivers, I give thanks to the
18 Council and to the members.

19 HECTOR HERMAN: [Speaking Spanish]

20 TRANSLATOR: [interposing] So I want to
21 say hello to Reverend Ruben Diaz and the other
22 members.

23 HECTOR HERMAN: [Speaking Spanish]

24

25

2 TRANSLATOR: We have—we—we as—we—we as
3 the other colleagues that came through here
4 testifying.

5 HECTOR HERMAN: [Speaking Spanish]

6 TRANSLATOR: Also, we were victims of
7 those turbulent companies in which they are the
8 leasing companies.

9 HECTOR HERMAN: [Speaking Spanish]

10 TRANSLATOR: We are here on behalf the
11 company—of the taxi drivers company first.

12 HECTOR HERMAN: [Speaking Spanish]

13 TRANSLATOR: Mr. Diaz and the rest of the
14 members of the community and all the other authority.

15 HECTOR HERMAN: [Speaking Spanish]

16 TRANSLATOR: We want you to intervene
17 against those contractors that are abusive.

18 HECTOR HERMAN: [Speaking Spanish]

19 TRANSLATOR: We do require that they do
20 an investment of \$25 to \$28,000.

21 HECTOR HERMAN: [Speaking Spanish]

22 TRANSLATOR: Driven three years.

23 HECTOR HERMAN: [Speaking Spanish]

24 TRANSLATOR: In which the driven winds up
25 paying anywhere \$54,000 to \$60,000.

2 HECTOR HERMAN: [Speaking Spanish]

3 TRANSLATOR: A vehicle that has lost the
4 value--

5 HECTOR HERMAN: [Speaking Spanish]

6 TRANSLATOR: --because when you decide to
7 go and obtain the title, the majority--

8 HECTOR HERMAN: [Speaking Spanish]

9 TRANSLATOR: --is like the previous
10 colleagues mentioned.

11 HECTOR HERMAN: [Speaking Spanish]

12 TRANSLATOR: The title does not appear--

13 HECTOR HERMAN: [Speaking Spanish]

14 TRANSLATOR: --or they have debt--

15 HECTOR HERMAN: [Speaking Spanish]

16 TRANSLATOR: --liens--

17 HECTOR HERMAN: [Speaking Spanish]

18 TRANSLATOR: --like is happening actually
19 in a lot of these leasing companies.

20 HECTOR HERMAN: [Speaking Spanish]

21 TRANSLATOR: We want that those
22 contracts--

23 HECTOR HERMAN: [Speaking Spanish]

24 TRANSLATOR: --that the driver has a
25 direct--

2 HECTOR HERMAN: [Speaking Spanish]

3 TRANSLATOR: --participation in those
4 leases. (sic)

5 HECTOR HERMAN: [Speaking Spanish]

6 TRANSLATOR: We understand when there's
7 an accident--

8 HECTOR HERMAN: [Speaking Spanish]

9 TRANSLATOR: --that vehicle is declared
10 total loss.

11 HECTOR HERMAN: [Speaking Spanish]

12 TRANSLATOR: In this moment, the leasing
13 goes onto those contracts.

14 HECTOR HERMAN: [Speaking Spanish]

15 TRANSLATOR: The driver need exactly--

16 HECTOR HERMAN: [Speaking Spanish]

17 TRANSLATOR: --and I received nothing at
18 all--

19 HECTOR HERMAN: [Speaking Spanish]

20 TRANSLATOR: --and they take the lease
21 back.

22 HECTOR HERMAN: [Speaking Spanish]

23 TRANSLATOR: That's what we have to go to
24 the new community--to the new committee like you--

25 HECTOR HERMAN: [Speaking Spanish]

2 TRANSLATOR: --between that contract.

3 CHAIRPERSON DIAZ: Okay.

4 HECTOR HERMAN: [Speaking Spanish]

5 CHAIRPERSON DIAZ: Okay.

6 TRANSLATOR: There should be--there should
7 be a clause, a direct clause.

8 HECTOR HERMAN: [Speaking Spanish]

9 CHAIRPERSON DIAZ: [Speaking Spanish]

10 [bell] [Speaking Spanish]

11 HECTOR HERMAN: [Speaking Spanish]

12 CHAIRPERSON DIAZ: Okay, gracias.

13 TRANSLATOR: Thank you.

14 CHAIRPERSON DIAZ: [Speaking Spanish]

15 [coughs]

16 GUILLERMO AMBRILLE: [Speaking Spanish]

17 TRANSLATOR: Good afternoon, Committee of
18 Transportation. My name is Guillermo.

19 GUILLERMO AMBRILLE: [Speaking Spanish]

20 TRANSLATOR: I'm here in representation
21 of the Community Taxi Drivers of New York

22 GUILLERMO AMBRILLE: [Speaking Spanish]

23 TRANSLATOR: License and basically serve
24 the transportation of the city.

25 GUILLERMO AMBRILLE: [Speaking Spanish]

2 TRANSLATOR: We should understand that
3 all the drivers have a family.

4 GUILLERMO AMBRILLE: [Speaking Spanish]

5 TRANSLATOR: That they depend upon us.

6 GUILLERMO AMBRILLE: [Speaking Spanish]

7 TRANSLATOR: The type of stress that the
8 drivers are encountering by all the hours.

9 GUILLERMO AMBRILLE: [Speaking Spanish]

10 TRANSLATOR: That the drivers should
11 maintain in the streets.

12 GUILLERMO AMBRILLE: [Speaking Spanish]

13 TRANSLATOR: Without having family time.

14 GUILLERMO AMBRILLE: Speaking Spanish]

15 TRANSLATOR: It's a serious problem that
16 we are creating--

17 GUILLERMO AMBRILLE: [Speaking Spanish]

18 TRANSLATOR: --at a long term--

19 GUILLERMO AMBRILLE: [Speaking Spanish]

20 TRANSLATOR: --it's clouded with problems
21 driving in the streets.

22 GUILLERMO AMBRILLE: [Speaking Spanish]

23 TRANSLATOR: It's a time bomb

24 GUILLERMO AMBRILLE: [Speaking Spanish]

25

2 TRANSLATOR: And not only a problem for
3 the drivers, the family members, but everyone that's
4 out in the road.

5 GUILLERMO AMBRILLE: [Speaking Spanish]

6 TRANSLATOR: The problem that the driver
7 suffers--

8 GUILLERMO AMBRILLE: [Speaking Spanish]

9 TRANSLATOR: --is a problem of low wages--

10 GUILLERMO AMBRILLE: [Speaking Spanish]

11 TRANSLATOR: --lack of insurance, health
12 insurance.

13 GUILLERMO AMBRILLE: [Speaking Spanish]

14 TRANSLATOR: In general--

15 GUILLERMO AMBRILLE: [Speaking Spanish]

16 TRANSLATOR: --all the stress. [bell]

17 GUILLERMO AMBRILLE: [Speaking Spanish]

18 TRANSLATOR: He said it's a--it's a
19 serious problem that we're having.

20 GUILLERMO AMBRILLE: [Speaking Spanish]

21 TRANSLATOR: I imply to all the parts
22 that I am involved in this before you take a
23 decision.

24 GUILLERMO AMBRILLE: [Speaking Spanish]

25

2 TRANSLATOR: Do not be a situation on the
3 color of the vehicle that the driver is driving.

4 GUILLERMO AMBRILLE: [Speaking Spanish]
5 [bell]

6 CHAIRPERSON DIAZ: Okay.

7 TRANSLATOR: In consideration I have
8 complied. (sic)

9 GUILLERMO AMBRILLE: [Speaking Spanish]

10 CHAIRPERSON DIAZ: Okay. Gracias.

11 FEMALE SPEAKER: Good morning I have
12 owned my medallions for over 20 years. In spite of
13 being a single mother, I took over and dedicated
14 myself to prosperity, which I did accomplish all by
15 myself. I didn't even know how to drive at the time,
16 but I took lessons and threw myself completely into
17 trying to make a success in a very tough business.
18 Eventually I was able to turn the corner and breathe
19 easier until the City of New York and the TLC allowed
20 a rich corporate giant to invade this industry with
21 no entry fee and none of the same regulations that I
22 must comply with every day. Anyone with brains and
23 foresight could have predicted the disaster that
24 would follow, an uninterrupted flow of a FHV's into
25 New York City and the total collapse of the value of

2 the taxi medallion. All of this under the less than
3 watchful eyes of Meera Joshi and the TLC regulators.
4 Because of this adversity, I am working the taxi
5 again. I don't want to, but we know the story.
6 Intro 1061 is a bill that proposed to understand how
7 to deal with the collapse of the value of the taxi
8 medallion. A good idea in theory, but in practice can
9 we expect the regulatory agency under its present
10 leadership to undertake this task with any honesty
11 and integrity. After having gone through what I have
12 gone through and seen what I have seen from the TLC,
13 I urge the City Council to open your eyes and to get
14 rid of your blind faith in the very folks who sat
15 back while my fellow medallion owners committed
16 suicide [bell] Meera Joshi took no responsibility for
17 this suicide epidemic and actually called it a mental
18 problem. There were not crazy people who took their
19 lives. They were people who were driven to
20 desperation. We medallion owners applaud the actions
21 of the City Council in August, but we want to use
22 this hearing to sound out a warning flare. All of
23 our good work will be wasted unless the TLC [bell]
24 and not the credit union--

25 CHAIRPERSON DIAZ: [interposing] Okay.

2 FEMALE SPEAKER: --is placed under
3 receivership because its leadership is morally and
4 practically bankrupt. However, if new management
5 isn't put in place, you're going to have to find a
6 way to hold the regulators feet to the fire. If we
7 don't move—if we don't, more people will die, and
8 more hard working women and men will have their
9 dreams and lives destroyed.

10 CHAIRPERSON DIAZ: Well, thank you.

11 FEMALE SPEAKER: Thank you. [applause]

12 CHAIRPERSON DIAZ: Thank you.

13 JACKIE: Can you hear me now? Okay. Hi,
14 guys. My name is Jackie. I'm not—when I first
15 started driving for Uber I was a student and during
16 that time, of course, any college student, they got
17 no money. So, what we—what do we do? We signed up
18 with Uber. We went to one of their leasing companies
19 or rental companies. When I first started driving it
20 was okay. You know for someone who is first making a
21 little bit of money from this and they say oh, this
22 is great, but then after working for a while, I found
23 out there's a lot of hidden costs, and what didn't
24 help at all was the cost of rental fees.

25 CHAIRPERSON DIAZ: Well, yes.

2 JACKIE: Huh? Oh, yeah the cost of the
3 rental fees. Every—in a month I was paying about
4 \$1,800 a month and that's not including gas, and as,
5 you know, gas prices are also going up, and as a
6 college student, I had a hard time figuring out a
7 schedule to make some money for myself, study and be—
8 do well in school and pay my student loans, and
9 that's not including rent for where I live and also
10 food to feed myself. Thank you.

11 CHAIRPERSON DIAZ: Thank you.

12 JACKIE: So, oh, I'm sorry. [applause]
13 Before that--

14 CHAIRPERSON DIAZ: Thank you.

15 JACKIE: Okay. [laughs] Oh, before that
16 because I was wondering, not wondering, but I was
17 hoping you guys will pass the bill for fair leasing
18 prices because if the lease prices go up, I'll be
19 homeless. I will be not able to afford the car and
20 I'll be jobless as well. Thank you.

21 [cheers/applause]

22 RAFID MANIGAULT: Good morning, good
23 afternoon. My name is Rafid Manigault. I represent
24 Uber drivers. I'm a driver myself and I've been
25 driving for three years without benefits and, you

2 know, it's just getting harder. Everyday, you know,
3 to do this job, you know, without benefits so I know
4 what a lot of drivers are going through. If they get
5 sick, if they have kids, you know, if they have a
6 family, and they can't drive. Like say, you know,
7 they get a broken leg and they can't drive, they're
8 going to be out of money. They're not going to be
9 able to pay their rent, and we just need—we need
10 benefits. I mean I don't have any kind of health
11 benefits. So, I'm just doing this thing, you know,
12 super independent. So, you know, if we can
13 definitely get that on the table, definitely benefits
14 for all the independent drivers, you know, I would
15 greatly appreciate that. Thanks. [applause]

16 HENRY CHIN: Okay. Hi. My name is Henry
17 Chin and one of the organizers with the Ben and Java
18 Guild. We are representing all the economy of app
19 based drivers in New York City. I think it's very
20 important firstly to cap on the—the rentals. Why?
21 Because our biggest expense on the rental. When the
22 TLC started, the rental only cost \$100 a week. I
23 think the message is very clear: The rental is \$400
24 or \$500 or \$600. The driver—any driver cannot build
25 this, and this cause—will lead to the suicide that's

2 committed in the past few months whether it's a
3 Yellow Cab driver, an app based drivers, the
4 committed suicide and we do—we do want to prevent
5 this tragedy from happening, and one thing to prevent
6 that is solve the fundamental issue of financial
7 crisis of all the drivers. \$2,000 paid out just for
8 the rental. How fair do you think it is? I would
9 like to be a proud resident of New York City. I
10 would like to one day travel the world and say I am
11 the proud citizens of New York City, and city which
12 make America happen, a city which make the justice
13 happens. And also, I also want to talk about the
14 benefits to drivers and needs benefits and needs a
15 retirement plan, needs something to take our day
16 working long hours 14, 15 hours on the road, and
17 when—when they come back to their house—their house,
18 they are shaking my hand. There was one day I worked
19 14 days straight, and then I—14 hours straight, I
20 arrived in front of my house, and then I feel—my body
21 is shaking, and that shouldn't be the fair—how like a
22 fair city should treat its workers, and I don't think
23 that's right. And the benefit it's really important
24 and we have to make sure we have the first order
25 because every driver knows right here where you go

2 out you don't have the first order, and you don't
3 have the bathroom, a clean bathroom. Just to provide
4 the dignity or respect for all the workers in the New
5 York City--and we have to--

6 CHAIRPERSON DIAZ: [interposing] Okay.

7 HENRY CHIN:--and we have to fight for
8 [bell]

9 CHAIRPERSON DIAZ: [interposing] [coughs]
10 Okay.

11 HENRY CHIN: --a bathroom, and you know--

12 CHAIRPERSON DIAZ: [interposing] Thank
13 you.

14 HENRY CHIN: --such funding. There's a
15 need of amenities.

16 CHAIRPERSON DIAZ: Thank you. [applause]
17 Thank you for all of that--thank you for all of your--
18 thank you. [people shouting] Okay, okay. I have--we
19 have 21 more to go so--

20 MALE SPEAKER: Thank you. Thank you.

21 CHAIRPERSON DIAZ: Thank you for all of
22 you and thank you and please be sure that we--we nice
23 to the other people that have to talk because they
24 have patiently have been waiting, too. Michelle--
25 Michelle what? Dateen (sp?) Michelle Dateen,

2 Michelle. Tina Ravineu (sp?) Aasabah, Osmond Chury,
3 Osmond Chury, Lamén Bach, Abraham Loeb. Okay. Two
4 minutes each.

5 FEMALE SPEAKER: Good morning, Ruben Diaz
6 and the Council. I'm here today basically to talk
7 about what the leasing and rental Visas have done to
8 our drivers. With the Independent Driver's Guild I
9 sit in the office, and I can't tell you how many
10 drivers come in in crisis. We sit and we counsel
11 them because of the cost. The cost of one rental
12 could be \$500. One rental could be \$450. One rental
13 could be \$600. What's happened since you've done—
14 since you've done this legal cap, is that rental
15 companies are now starting to lock out drivers. If
16 they are \$50 outside of payment, they lock the
17 vehicles and then they tow it, and then when they tow
18 it, they put the rent-the fees onto the drivers. My
19 neighbor who drove and got a thousand dollars in
20 order to get his car back from the room because he
21 was \$50 short of having his payment. We have drivers
22 who come in and just look at us and say what do I do
23 now and how do I feed my family? How often do we
24 talk these drivers off the ledge? But it's not about
25 just drivers pitting us one against the other whether

2 we're yellow or green or black. The fact is we did
3 something now, and it's now created another crisis,
4 and if we don't put an unreasonable price to that
5 leasing company where it should be about \$350. There
6 is no reason for these leasing companies to charge
7 these drivers these astronomical fees, and not alone
8 what we've just done with the way vehicles—now
9 they've added an extra \$200 if you want to waive
10 rental vehicles. What are we going to do to stop
11 this, and we definitely need to have the health
12 crisis done also. Too many drivers don't have
13 medical. [bell] [cheers/applause]

14 JENNA AVENO: Good evening. My name is
15 Jenna Aveno. I am an IDG member, a full-time driver
16 for the two major app based companies, and I'm also a
17 single mother. A few months ago I sat here and I
18 pled my struggles to this Council. I would like to
19 acknowledge your tremendous effort to respond and to
20 make this industry better for all drivers, but today
21 I sit here, and to let you know I have sat. We need
22 fair leasing. My leasing fees are \$1,700 a month.
23 My rent is \$1,200 a month plus childcare, plus food,
24 plus utilities, and my vehicle expenses. If my son
25 is sick for one day, one day or even half a day, I've

2 already lost my weekly payment and I've fallen
3 behind. I ventured into a retail company after our
4 last bill signing. To my surprise I was so happy.
5 You know, I'm like okay, now I could afford a real
6 vehicle. What did I walk into? Average fee \$800 a
7 week. This is what I make. This bill is like
8 literally sending me into a shelter. \$800 a week to
9 rent. Okay. I walked away. I ventured to lease a
10 vehicle or make a purchase on a Way Vehicle, and
11 those prices were tremendously higher. Either way
12 I'm failing. Either way I'm sinking. Please this
13 Council needs to listen. Thank you. [applause]

14 OZZIE BARR: My name is Ozzie Barr, and I
15 am a driver and a member of the Independent Driving
16 Guild, and in respect to Intro 1070, actually that's
17 long overdue. Predatory lending being-being rampant
18 and being excessive for years, and at the wake of the
19 vehicle cap it's like giving these guys free reign
20 and saying go ahead, charge whatever you want because
21 that bill should have definitely come with certain
22 restrictions because, as you know, a simple Toyota
23 Camry that normally goes for \$25,000 or \$30,000 at
24 the end of the day, you go trying to rent that same
25 vehicle, it's going to end up costing you to the

2 turns of \$80,000. That just don't make any sense,
3 and that's been going on for a very long time. So,
4 this is a big issue, and what made it—what makes it
5 worse actually is the fact that there's no money to
6 be made on the streets. You know, prices are very,
7 very low, and that's something we totally need to
8 address. You know, because, we—we've asked for a
9 raise and finally you guys give us a 22.5% raise
10 based on a study that's the—that shows our—our
11 expense being at \$20,000, which is totally flawed.
12 And I just want to talk to real quickly on—on Intro
13 1052, which actually addressed healthcare for
14 drivers. That's something we desperately need. We
15 need actually, you know some basic healthcare. I
16 think that's a—that's something everybody should
17 have, and we're not—we just don't need a safety net.
18 Give us more money. Allow us to make more money
19 working, and that more stop more suicides that you
20 see, and these people start committing those suicides
21 not because they have mental issues [bell] but just
22 because they could not make a living. That's the
23 issue. Allow us to make a decent living. Plain and
24 simple. [applause]

2 LEHMAN BARR: Good afternoon. My name
3 Lehman Barr. I'm an independent driver. I'm right
4 here to talk about the lease is very important. I
5 lease the car like three years and a half. When it
6 comes to the company to lease, they never tell you he
7 amount or the final result you have to pay, don't
8 tell you the actual choice. They give it to you
9 choice. First, they say it is a two payment. \$500
10 and \$425. The \$500 goes to 3 years and a half. The
11 \$400, the-the \$425 go to three-to three years. They
12 give you a choice. So, like me, I choose the three
13 years and a half. I was paying \$425 for two years.
14 Through the years they was pushing me: Did you make
15 the payment, did you make your payments? You late on
16 payments. It going to \$500. Finally I paid \$500.
17 The car come final when I finished pay the car it
18 come to \$78,000. No sorry, \$86,000. I'm a family man
19 I have five children. Sometimes I don't even have
20 rent. I don't have nothing on me to feed my family.
21 So, those things have to stop. We count on you to
22 help us. Help our community, help drivers to-to stop
23 all those things. Thank you so much. [applause]

24 ABRAHAM RUBY: My name is Abraham Ruby.
25 I'm also a driver, and I work with New York Taxi

2 Workers Alliance. My story is a similar story, but
3 the difference is that I agreed to a lease agreement
4 with a company car I make a lease in the Bronx.
5 Halfway through the contract they defaulted and they
6 literally changed the language of the contract by
7 making it impossible for me to continue to work. Two
8 weeks they cut it in half. Insurance it didn't have
9 that, and they kind of took back the car, and I
10 worked during those two weeks just to maintain a
11 living, and after a while, I continued working. They
12 brought back the car. The told me to come and get
13 the car, and when I came to get the car, they make me
14 sign another contact. They extended the payment, and
15 I end up paying 7 or 8—more than \$8,000, and while I
16 was working, it was hard for me not only to make a
17 living, at one point in time I even became homeless
18 and I almost gave up. Some friends encouraged me to
19 go back driving Yellow Cab. So, I was driving Yellow
20 Cab to pay for this car not to lose it. This is
21 trauma. It says something today: Those companies
22 need to be prosecuted. We need a serious
23 investigation. We need to put an end into this by
24 giving the TLC power and an independent commission to
25 work with the TLC because the TLC they cannot help

2 us. So, I'm here Chairman to tell you that we
3 support your bill. [bell] I support your bill. May
4 God bless you, sir.

5 CHAIRPERSON DIAZ: Thank you. I-I-I just
6 want to let all of you know that my office is open
7 seven-five days a week from 9:00 to 5:00, and there
8 is an office attended by Jenny Mahia, and before you
9 sign anything or you have any problems in the TLC
10 being just for you or whatever, come to us, the
11 office from any part of the city. It doesn't matter
12 if you're now with my district. Any problems here
13 you will come, and you could talk to Jenny.

14 ABRAHAM RUBY: Alright.

15 CHAIRPERSON DIAZ: Okay. That's the
16 office there for you guys to help you, to see if we
17 could-what we could do to alleviate all this burden.

18 ABRAHAM RUBY: Thank you.

19 CHAIRPERSON DIAZ: Okay. Thank you very
20 much. I'm going to-I'm going to ask all of you to
21 bear with me. I am 75 years old, and I've got to go
22 to the restroom for two minutes. [laughter] So bear
23 with me. [background comments]

24 SERGEANT-AT-ARMS: Quiet please.

2 CHAIRPERSON DIAZ: Thank you. I
3 apologize, but I had to go. We're calling Mohammad,
4 People Should Think. (sic) Mohammad-Mohammad. Not
5 with us? Okay. Andy Islam-Islam, Bahi Anatoli,
6 Salifar Hallu. How many is that? One, two, three,
7 four. Rauf Lowencon (sp?) Rauf Lowencon. Rauf? Not
8 here? No Rauf. Nicolai Hentz, Nicolai Hentz. That's
9 you? Okay. One more, one more. Vero Rolanca (sp?)
10 Okay. Remember two minutes each-each. Thank you,
11 sir. Go ahead.

12 MALE SPEAKER: Good afternoon. Thank you
13 so much Reverend Diaz. You passed the bill that cap
14 the app-based car. It was great that we have the
15 floor. We can stand and we can fight back for the
16 drivers side, and today, we come for a couple of
17 bills, but I'll talk about what is the benefit
18 especially. Drivers need the benefit. Drivers need
19 the social safety net. For example, the driver Ramit
20 Hansan he was on 28th Street and Lexington last
21 Sunday standing with me. He said he may go very
22 badly sick, and he has a family and he's driving a
23 Yellow Cab, and this is the situation, not only
24 Mohammad Hasan, there is hundreds of drivers,
25 thousands of drivers on the line of broken health.

2 They don't have any--there are so many drivers that
3 don't have their health insurance even. If you go to
4 driver where about they hang out, you can see their
5 face. You can see their health, and it will give a
6 clear message to you. Mr. Reverend Diaz, in your
7 area thousands of taxi drivers are from Bangladesh.
8 You have it right there all evidence to prove driver
9 needed their health here today. In 2012, New York
10 Taxi Workers Alliance was fighting for the health and
11 benefit bill and we passed it. In 2014, there is a
12 code saying that it's cannot--it should not be, and we
13 lose it. In 2014, we lose it. 2018, we need it. In
14 2015, we lose the cap. In 2018 we get it, and look
15 Taxi Workers Alliance always think first, and they
16 know since 1996 taxi drivers, all the drivers need
17 health or the benefits. They need the income. They
18 need the livable income, everything. So, I'm a proud
19 member of the New York Taxi Workers Alliance as a
20 driver, and thank you so much [bell] for bringing
21 this bill, and we want this bill to be passed, and we
22 need some amendments as the Bhairavi Desai of the
23 Taxi Workers Alliance was mentioning. Thank you so
24 much.

2 ANDY ISLAM: Good afternoon. My name is
3 Andy Islam, and I'm driving for Uber, and I'm the
4 member of the Taxi Workers Alliance of New York City.
5 I am here to say about my experience in Uber driving
6 with the car to-lease to own car. I went to Tower in
7 2014, and I took the car from there for \$300--\$369
8 for 186 weeks, and I paid. I ended up with \$69,000.
9 That's a 2014 car, the Camry SE. The car owed
10 several--\$26,000, and I paid everything by last
11 April, and [coughing] from April 'til until now, I
12 could then hook up that car to Uber because the car I
13 left it behind my friend's garage because I don't
14 have money to buy--\$2,000. I couldn't afford that
15 money to buy it and the title like TLC and
16 registration. So, I don't know how to put the car,
17 and-and there is a cap on the TLC and the cars. So,
18 I don't know what I'm going to do, but still now, I'm
19 rent-renting another car from my friends for \$400.
20 So, that's all.

21 CHAIRPERSON DIAZ: Jenny Mahia talk to
22 her.

23 ANDY ISLAM: Sure, sir.

24 CHAIRPERSON DIAZ: Okay.

25 ANDY ISLAM: Okay.

2 CHAIRPERSON DIAZ: With this be sure and
3 talk to her.

4 ANDY ISLAM: Okay, sir. [background
5 comments]

6 ANATOLA BAHI: Okay. Thank you,
7 Chairman. My name is Anatola Bahi. I used to drive
8 a Yellow Cab before for 18 years. Now, I'm an Uber
9 driver from, you know, from 2014. I leased the car
10 from American Lease for three years and a half, 182
11 weeks. They told me my payment is going to be like
12 \$425 a week. So, every week, I paid like \$425 and to
13 pay the car like for \$83,000. The pay-the car-yeah,
14 I see the car. When the car broke down, I fixed the
15 car. Turned it on. I turned it off so I repaired
16 this leak. I paid the rent. I'm a family man, four
17 children. The end of the day or the week, I no have
18 noting. So, also for no better fees. No insurance.
19 If I am sick, nothing. So, the City Council have to
20 do something like for the, you know, for benefits for
21 all the drivers. So, that's what I have to say.
22 Than you.

23 ALI SALAS: Thank you. My name is Ali
24 Salas. I'm working for Uber 3-1/2 years. Once I
25 went through the Uber, they send me to American

2 Lease. From there I signed a contract for 182 weeks
3 So every week I paid \$425. So that—by the end like
4 for my lease I end up paying \$84,514 dollars for a
5 Toyota Sienna. So, now I believe they're me if I got
6 a deal on the insurance. The insurance cost \$800. I
7 say no, I cannot stay on the insurance. They say
8 okay, if you cannot stay on the—our insurance, we
9 have to take the plates, and then go find your
10 insurance, and before I found the insurance where I
11 can—I would pay \$309. So, I fought that through. By
12 the time I finished the lease, they brought the bill
13 to put the cap. So, now I cannot have a license on
14 my name. So, I have to stay with them. I have to—I
15 have to stay with them and pay \$800 instead of \$300.
16 Alright. [background comments] Alright.

17 CHAIRPERSON DIAZ: To all of you—to all
18 of you, we have an office especially dedicated only
19 for—for—for solving the problems for taxi drivers.
20 So, come to my office no matter where you live in the
21 city. It's not—it doesn't have to be in my district.
22 As you some of you taxi drivers you have to deal with
23 TLC, we might be able to help you. We cannot help
24 everyone. We cannot—we are—we will not be successful
25 100%, but we will try. We will help you. So, come

2 to my office, you know, where it is. Okay, thank
3 you, sir.

4 NICOLAI HENTZ: Good afternoon. My name
5 is Nicolai Hentz (sp?) I been driving a taxi for
6 over 30 years. We are here today because we have
7 come across—come across what is establish in August
8 by the City Council and the Mayor. That is public
9 safety, regulatory fairness and a clean environment.
10 Right now we have more 100,000–130,000 cars on the
11 streets of New York. Not a single sector can make a
12 decent living. It's—this year it got so bad, six of
13 our fellow cab drivers and medallion owners killed
14 Nicanor Ochisor. He drive a taxi for more than 30
15 years, and he was about to retire about—almost 65
16 years of age. When I come to this country, I knew if
17 I was going to work hard, I'd be able to succeed.
18 That's why in 1990 after I drive the taxi since 1988,
19 I did buy a medallion—taxi medallion, Yellow Taxi
20 medallion. What I didn't count on at the time the
21 city officials and the Taxi and Limousine Commission
22 will not—will abandon me and their—their system what
23 they create, the taxi medallion system. Here I will
24 mention the rules, which everybody wants to ignore
25 and not to mention: 52-04A4. This has to be

2 respected. This is in the book. What you are going
3 to do now? We have so many cars. We have to get
4 control of these cars, which are on the streets. The
5 more you wait to get control of these cars to have
6 some kind of system which was introduced in 2007 and
7 to Yellow Taxi medallion, so you can have control at
8 any time, any day. Many, many of cases [bell] with-
9 with the Uber, they did not release the data without
10 the court order to the New York City Police
11 Department. This has to be stopped. You want to go
12 forward, we have to implement this control. Without
13 a control, we have no safety and no public safety.

14 CHAIRPERSON DIAZ: Okay.

15 NICOLAI HENTZ: Thank you very much.

16 PETER LANZA: My name is Peter Lanza.

17 FEMALE SPEAKER: The microphone. Take the
18 microphone.

19 PETER LANZA: I started driving a taxi
20 May 4, 1978. The first five years I worked for a
21 taxi company to save money to buy a medallion.
22 Sometimes I had to get up before 5:00 in the morning
23 to go to the company so a taxi would be available.
24 In order to own a taxi, you had to buy a medallion
25 and they said if you have a medallion, you have the

2 exclusive rights to pick up people in the city.
3 Bloomberg changed the law. First, he started with
4 the Green cars. The Green cars were needed in the
5 other boroughs, but they didn't compensate us for
6 stealing the value of our business. He just changed
7 the law so they could come in for free just like he
8 changed the law for his term limits so he gets free
9 terms, and he went from \$4 billion to \$32 billion
10 manipulating his power giving tax breaks to
11 corporations so he could steal money for himself.
12 The TLC sold medallions for a million, fifty thousand
13 dollars. Now, they say they're over-inflated prices.
14 They only justice for us—for me that have been
15 working over 40 years and I'm 62 years old now, is to
16 be compensated for the robbery that they've done to
17 me. They allowed 83,000 to come in for free, car
18 services. That's like giving them \$83 billion for
19 nothing. Then they also included Suburbans and
20 Mercedes Benz to make my car look inferior with the
21 money that they saved for not having to buy
22 medallions. Yeah, we are the sacrificial lambs.
23 They made so many people benefit by robbing us, and-
24 and Bloomberg invested a billion dollars in Uber and
25 Lyft, and how much did they make coming in for free,

2 and with all the money that they made that they have
3 83,000. They can't compensate Lyft and 14,000 owners
4 or 6,000 individual medallion owners. They can't
5 compensate them for \$83 billion for nothing, and
6 then—and then the luxury cars that they sell to make
7 our cars look inferior. Why can't they pay for
8 something? Why do they have to rob us, and they're
9 not accountable for anything, and they're self-
10 entitled [bell] crooks and murderers.

11 CHAIRPERSON DIAZ: Okay. Thank you.

12 Ladies and gentlemen, I have an announcement to make.
13 The Senior Citizen Committee is supposed to meet here
14 at 1:00. They are kicking me out already. They're
15 telling me that I've got to move out. I know some of
16 you are here since 10:00 waiting to speak, but we've
17 got to move this thing or—or they're going to come—
18 they're going to—they are telling me we got to get
19 out. So, I'm not the boss here. I'm just a patsy.
20 Than you very much. So, I'm going to ask seven more
21 to go. I know you would like to go past or if you're
22 going to come you've got to do it fast because the
23 Senior Citizen Committee is waiting. The Chairman—
24 the Chairperson is here telling me get out [laughter]
25 and I'm a member of that committee so I got to—I got

2 to—I have to stay here with that committee, too.

3 Alright, ladies and gentlemen Mousa Isa Doup. Mousai

4 Doup (sp?), Kimberly Wright, Tamara Genokawa (sp?)

5 Ramon Sanders, Golan Talupener (sp?), Aaron Jones.

6 I'm going to call all of you for that. Nicole

7 Epstein and Mohammed Magu (sp?). That's it. Okay,

8 we're finished with that. [background comments,

9 pause] Sir.

10 MUSAI DOUP: Hi. Good afternoon. My name
11 is Musai Doup, and I'm working the Taxi and Limousine
12 Car Service so about 15 years ago, and my topic is
13 going to be only on the—on the loan because you have
14 a problem for the—not only for the leasing, but we
15 have a problem also for the financial companies for
16 the bankers. They took a lot of interest on—on this—
17 on this case because they have profited, and if I
18 give the example about a few years of leasing the car
19 on the bank financials, you can pay the double of
20 your—of the car—the value of the car. And after the
21 few years, the cars was going to lose their value,
22 and some companies on the limousine car customers,
23 they also tell you oh it would be good to change to
24 another car because the car is not—cannot be on the—
25 on the road because they have a lot of mileage or the

2 car, this would be difficult. This also you have to
3 take attention about it and help the people to-to-to
4 regulate for the-for the bank payment on-on these-in
5 these cases because the loan is very high. The rate
6 is very high, and it's only bad for-for the immigrant
7 people, and this one is something you have to take
8 care about it, and we-we hope so to take-to take a
9 lot of things about the loan, the financial loan, the
10 rent, the leasing to going to be really high for the
11 people because it's something you cannot be leading
12 on this situation. And I hope so you-you're taking a
13 lot of things also to be on this bill to-to regulate
14 about the-the bankers and the-- It's not only for
15 the people renting, but only or the bank also have a
16 part on the financial tactic of this leasing for the
17 drivers. Thank you.

18 KIMBERLY WRIGHT: Good afternoon,
19 Committee Council. My name is Kimberly Wright, and I
20 currently lease my vehicle for \$450 a week, and that
21 is equal to $\$450 \times 5$ is \$2,500 a month, and if I just
22 do four weeks that's equal to \$1,800. Yes, yes. So,
23 I am around. I make around \$550. This leaves me
24 only \$100 after I pay my lease vehicle. I am asking
25 the City Council to cap the lease price at least \$350

2 in order for me to survive as FHV driver. Okay? And
3 also, with the help of the Independent Driver group
4 who heard my pain on pricing, I'm here today to not
5 let their hard work in vain.

6 CHAIRPERSON DIAZ: Very good.

7 KIMBERLY WRIGHT: Thank you, sir.

8 [background comments, pause]

9 NICOLE EPSTEIN: Hi. Thank you,
10 Chairman. My name is Nicole Epstein. I'm with
11 Gotham Government Relations and, you know, I just
12 want to take a second to discuss something that
13 hasn't been brought up yet, which is let's think
14 about these Uber car partner dealerships. Clearly
15 bad actors. I think it's fair to say. So what type
16 of quality car, you know, does everyone think they're
17 getting. Okay, there's passenger safety issues here.
18 Simple Yelp reviews. I mean there's hundreds of
19 them. I don't know how maybe the TLC hasn't, you
20 know, taken a look at it yet, but for example here we
21 go and here's one: I had to take my car back and
22 yesterday I was almost involved in car accident
23 because the brakes did not work. I had a customer in
24 my car. Okay, and the vehicle is no longer starting.
25 I have only had this vehicle for two days. When you

2 want to see the cars they show you, the cars on the
3 parking lot, and they say to you, oh, yes, you like
4 those that look regular, but then the one I received
5 was in horrible condition. Okay. Here's another.
6 One more. They are quick to take your money, and
7 give you a dirty broken down car. They said the TLC
8 Commissioner not only is totally ignoring the fact
9 that these people are paying the price of Lamborghini
10 rental. Okay, either if it's a lease to own or a
11 rental short-term, they're both equally as bad.
12 They're forcing us to pay this money and then totally
13 not even thinking about passenger safety most
14 importantly. So, I don't know if the TLC
15 Commissioner has any duties, but I can't see any that
16 have been enforced or followed up upon because it
17 seems like everything is out of whack here. And I
18 also testified the same exact thing, exactly a year
19 ago to the date, the same thing I just said now, and
20 on one has the reaction that you had today, and so
21 thank you so much for listening and one more thing.
22 Just so you know, Uber does basically—they're like
23 garnishing wages because they're taking the payments
24 out from the rental agreements basically saying yes
25 you must work for us, [bell] but then the

2 Commissioner wants to talk about frost (sic)
3 dispatching and toys. You have things like this
4 going on that's been overlooked, you know.

5 CHAIRPERSON DIAZ: Maybe one of these
6 days when you have a little time, you can come to the
7 Bronx and meet with me.

8 NICOLE EPSTEIN: Yep.

9 CHAIRPERSON DIAZ: And Jenny, and we
10 would like to—we would like to talk to you to see
11 what we could do to work this out.

12 MALE SPEAKER: Thank you for allowing me
13 to speak, Commissioner. I'm going to reiterate what
14 has been said previously by many drivers and owners.
15 For example, my pay and my pay out, my pay out for
16 my—for my finances, \$700 a month, \$400 a month for
17 insurance, \$340 a month for health insurance,

18 CHAIRPERSON DIAZ: [interposing] Sir,
19 sir.

20 MALE SPEAKER: \$300 a week for gas.

21 CHAIRPERSON DIAZ: Sir, sir, your
22 microphone is off.

23 MALE SPEAKER: It's off?

24 CHAIRPERSON DIAZ: Say your name again.

2 MALE SPEAKER: Can you give me my time
3 back.

4 CHAIRPERSON DIAZ: Say your name

5 MALE SPEAKER: [on mic] Give me my time
6 back, please.

7 CHAIRPERSON DIAZ: We are going--

8 MALE SPEAKER: Hello. Can you hear me?

9 CHAIRPERSON DIAZ: Now.

10 MALE SPEAKER: My financing is \$700, my
11 insurance is \$400, \$340 for health, \$300 for gas.
12 This a week for gas, \$1,000 for my rent, \$400 for my
13 utilities, \$300 for food and \$300 and more for
14 repairs. This is for one that can afford financing.
15 For those that cannot afford financing has to leave.
16 This is like \$4,340 a month for payout. (coughing)
17 I'm bringing in a little bit above that maybe \$4,800,
18 sometimes \$5,000. I am so stressed out where I
19 refused to go to work every day now. I used to work
20 six days a week. Before the-before the-the
21 regulations, it was seven days week I worked. Now,
22 I'm working three, four days a week because I am so
23 stressed, don't want to work, can't make no money. I
24 have to watch my back with the passengers. If I
25 press my brake hard, I'm being written up. I have so

2 much stress that it's hard to go to work. So, I'm
3 making less money. I had over \$30,000 in my bank two
4 years ago. Now I'm down to \$4,000. I'm living off
5 my bank account, and I'm afraid that I'm going to
6 have to soon get Medicaid and food stamps and have
7 somebody pay my rent through the government
8 assistance. Thank you very much.

9 FEMALE SPEAKER: Okay. I am here. Do
10 you hear me?

11 FEMALE SPEAKER: No.

12 FEMALE SPEAKER: Okay. I am here as one
13 of the 6,000 taxi owners that saw an opportunity to
14 invest in a city franchise that promised financial
15 stability. We paid hundreds of thousands of dollars
16 for public-for publicly protected city franchise that
17 would guarantee our future. The City of New York
18 betrayed us. In the space of a very short time, we
19 lost everything. We lost our investment. We lost
20 our retirement. We lost our income. We have no time
21 to start from scratch. What was a well regulated and
22 well established public conveyance that existed for
23 86 years has been mutilated. Thousands of us small
24 business owners had our investment protected with
25 failed regulations. We are here to testify on Intro

2 1069. The idea is worthwhile, but how can you give
3 the authority to examine this problem to the very
4 agency that contributed to said problem? One crucial
5 step is necessary, put the TLC under the new
6 management. The new management that is willing to
7 control the newcomers as tightly as they control our
8 Yellow Taxi. As part of the new deal, all Ubers and
9 Lyft need to be connected to a central TLC computer
10 without this connection, the agency cannot make rules
11 with truly and not the legislation that this Council
12 has created especially Intro 838 that can reduce the
13 number of vehicles so that everybody can earn a
14 living. We agreed that the Council leadership has
15 taken some very bold steps, but your work has just
16 begun. Your legislation will slowly decay [bell] if
17 it's left to the car and TLC to implement its
18 provision. Please don't put our faith in Meer
19 Joshi's hands.

20 CHAIRPERSON DIAZ: Thank you. The last
21 one.

22 AARON JONES: Good afternoon, Chari Diaz
23 and committee members. My name is Aaron Jones. I'm
24 a Policy Analyst for SEIU 32BJ. On behalf of our
25 85,000 New York City members thank you for the

2 opportunity to testify here today and your efforts
3 thus far in driving reform in this industry. Our
4 members work in residential buildings, commercial
5 spaces, airports, and major areas in the city. Every
6 day our members work side-by-side with taxi and app-
7 based drivers. Countless rides start and end with
8 the help of a 32BJ member. We're proud to stand with
9 our brothers and sisters who driver for living and we
10 are pleased to issue you support for this important
11 package of bills. Collectively, that will help to
12 end some of the most financially exploitive practices
13 in the industry, promote a fair and successful
14 experience for passengers, and empower drivers to
15 better understand and control the financial risks
16 present in the industry. In particular, we emphasize
17 our support for Intro 1052, 1070, and 1079. In
18 relation to 1052, we note that we offer our support
19 alternative and complementary mechanisms to support a
20 benefits package. New York City has been at the
21 epicenter of the expansion of the FHV market. With-
22 with these bills, New York will further establish
23 itself as a global leader in setting fair and
24 progressive rules that shape and regulate the
25 industry's operation. On behalf of our members, and

2 the communities we share with New York's taxi and
3 app-based drivers, I think you again for your time
4 and for you efforts in advancing these vital
5 measures.

6 CHAIRPERSON DIAZ: Thank you, sir. To
7 all of you, I appreciate your support, and I see—I
8 think that this committee has one of the greatest
9 full hearings as attending—attendance. All of our
10 media (sic) were attending and you come here in the
11 morning. Sometime—one time we were here from 3:00 to
12 9:00, and today we had a nice hearing. So, I
13 appreciate your support to all of you. Thank you
14 very much, and again my office has a—has an office.
15 My office has an office to deal with taxi—with taxi
16 and limousine problems, and with the drivers from all
17 over city. You don't have to be from the Bronx. You
18 don't have to be—this is the only one in the city,
19 but you don't have to live in the Bronx. You don't
20 have to live in my district. You are—if you have
21 business with the TLC, we have an office especially
22 dedicated to help you with that as much as we can.
23 Sometime we are positive and we could solve the
24 problem. Sometimes we cannot, but we—that's—that's
25 the office. So, please come and Jenny is there, and

2 she—she knows, she knows and she—and the TLC has
3 opened the door, and the—what's the other department,
4 the--

5 FEMALE SPEAKER: The OATH. (sic)

6 CHAIRPERSON DIAZ: The OATH, too. So, to
7 all of you, thank you. So, ladies and gentlemen,
8 this meeting is [gavel] adjourned.

9 FEMALE SPEAKER: Thank you. [background
10 comments]

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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 September 20, 2018