

NEW YORK CITY
TAXI AND LIMOUSINE COMMISSION

Minutes of Commission Meeting

June 16, 2011

Present:

David Yassky, *Commissioner/Chair*
Elias Arout, *Commissioner*
Frank Carone, *Commissioner*
Mark Gjonaj, *Commissioner*
Edward Gonzales, *Commissioner*
LaShann DeArcy, *Commissioner*
Nora Marino, *Commissioner*
Lauvienska Polanco, *Commissioner*
Christopher C. Wilson, *Acting General Counsel*

1. Chairman Yassky called the meeting to order and reported on the following:
 - Chairman Yassky remarked on the location of the meeting, Bronx Borough Hall. The Chair reported that in the Bronx, the TLC licenses over 8,000 licensed livery cars, 11,000 livery drivers, one medallion taxi agent, 5,400 taxicab drivers, 24 paratransit bases, seven luxury limousine bases, and two commuter van bases. Commissioner Polanco explained that the Bronx Borough Hall is where the Bronx Borough President's Office and several Bronx courts are located. (Tr. pp. 3-5)
 - The Chair welcomed new TLC Commissioner LaShann DeArcy. Ms. DeArcy replaces Jeff Kay on the Commission. She is an attorney for Morrison and Foerster and had previously served our country as a senior Airman in the Air Force. (Tr. pp. 5-6)
 - The Chair reported on the Five Borough Taxi Plan. The TLC is working with elected officials, advocates in the industry and members of the public in an effort to improve service in the outer boroughs. Mayor Bloomberg asked the TLC to come up with a proposal and the TLC has been working collaboratively with the industry to develop such a proposal. Enormous progress has been made in narrowing the issues and the TLC has looked at numerous proposals, but none of these proposals has majority support in the Legislature. In the meantime, the Mayor has asked the TLC to look at administrative solutions to this problem while awaiting a solution from the legislature. (Tr. pp. 6-10)

- Chairman Yassky reported on accessible transportation. Ensuring that wheelchair users have access to TLC regulated industries has been a top-tier priority of the Commission. Recently, TLC issued requests for proposals for dispatch services, specifically for wheelchair users for both the livery industry and the taxicab industry. TLC has received a healthy number of responses for both industries. TLC has an evaluating committee reviewing the responses and they have been instructed to act as speedily as possible with the goal of having a program to implement by early 2012. (Tr. pp. 10-11)
 - Chairman Yassky reported on the Taxi of Tomorrow. Nissan has begun conducting focus groups for vehicle owners, drivers and passengers as part of their research and development process on the project. Nissan is continuing in its research to develop a vehicle suitable for the New York City taxi duty cycle. (Tr. pp. 11-12)
 - Chairman Yassky reported on upcoming Commission business. The July agenda will include proposed license and inspection fee increases. In August, the Commission will consider the previously tabled proposed lost property rules. (Tr. pp. 13-14)
 - Chairman Yassky acknowledged Deputy Commissioner Pansy Mullings for her extraordinary service to the TLC upon her retirement. The Chair announced that Deputy Commissioner for Adjudications, Ray Scanlon, will become the new Deputy Commissioner for the Uniform Services Bureau. (Tr. pp. 13-16)
2. Item 2 on the agenda, adoption of minutes (May 19, 2011 Commission meeting), was presented to the Commission for approval. A motion was made to approve the minutes. The motion passed unanimously. (Tr. p. 16)
 3. Item 5 (b) on the agenda, Tribunal Transfer for Commission Action, was presented to the Commission. David Goldin, Administrative Justice Coordinator and Suzanne Beddoe, Chief Administrative Law Judge of the Office of Administrative Trials and Hearings (“OATH”) explained the transfer of the TLC’s Tribunal to OATH. A motion was made to approve the resolution before the Commission ratifying the transfer of TLC’s Tribunal to OATH. The motion passed unanimously. (Tr. pp. 16-26)
 4. Item 3 on the agenda, base applications for determination, was presented to the Commission by Georgia Steele, Assistant Commissioner for Licensing. The following bases were presented for consideration:

NEW (2):

B02437

Excellent Car & Limousine Service Inc.

B02461

New Heaven Radio Dispatch Corp.

RENEWALS (18):

B00559

7 Ocean Express Inc.

B01710	68 Inc. D/b/a Masada III Car & Limo. Service
B00309	Alexandria Limousine & Car Service
B00821	Atlantic Car Service
B00475	Aventine Auto Rental Inc. D/b/a Safeway Car Service
B00531	Friendly-Bestway Transportation
B00445	Joe M. Leasing Corp. D/b/a Four Two's Private Car Service
B00151	Kingsbay Car Service Inc.
B00647	Kiss Car Service Inc.
B00419	Koop Dispatchers Inc
B01855	Laurelton Car Service Inc.
B02035	Luxor Limo. Inc.
B00475	Ridge Transportation Corp.
B00305	Rite Way Private Car Service

RENEWAL & RELOCATION (1):

B02055	Montague Management Services, Inc. D/b/a Prominent Car & Limo.
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RELOCATION (1):

B02391	Third Avenue Express Corp.
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The following base is being recommended for denial if TLC requirements are not met within 30 days:

B01650	NY Kings Transportation Inc. D/b/a Kings Car Service
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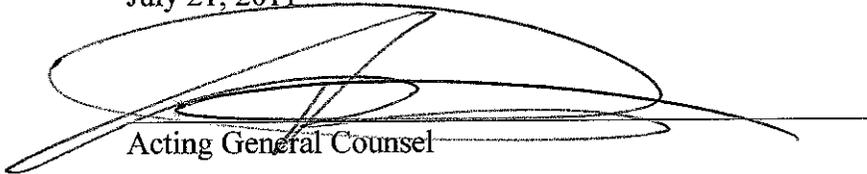
5. A motion was made by Commissioner Arout to approve all of the base station license applications that were recommended for approval. The motion passed unanimously. (Tr. p. 27)
6. A motion was made to deny the base station license application that was recommended for denial if the base does not comply with requirements within thirty days. The motion passed unanimously. (Tr. pp. 27)
7. Item 4 (a), Proposed Fitness Interview Rules, were presented for Commission Action. A public hearing was held and the following people testified: Peter Mazer, MTBOT; Fernando Garcia, Association of Independent Taxicabs; Kane Mamadou; and Sara Angelo. Commissioner Carone moved that the rules be tabled to a future meeting to consider whether additional changes to the process were needed and to clarify what dishonesty means in the license application context. Commissioner Gjonaj seconded the motion. Commissioner Yassky agreed to table the rules until the next Commission meeting. (Tr. pp. 27-45)
8. Item 4 (b) Proposed Owner Must Drive Rules, was presented to the Commission for public hearing and Commission action. The following people testified at the public hearing: Geraldine Herisse; Ethan Gerber; Peter Mazer, MTBOT; Eleni Mezaris; Georgia Kostakis; Maria Pantoja; Alan Platt; Eva Sacoulas; Zacharias

Stamoulis; Panagiotis Bosinas; David Pollack, Committee for Taxi Safety; Maria Artoglou; Paraskwi Evola; and Bhairavi Desai, New York Taxi Workers Alliance. Chairman Yassky moved that the Commission approve a resolution directing TLC staff to draft a rule ensuring that a inheritor-spouse, a person who owns a medallions by virtue of having inherited it from a spouse who purchased the medallion before 1990, will not be subjected to the Owner Must Drive requirement to any greater degree than the purchaser-spouse had been. Commissioners Yassky, Gonzales, Polanco, DeArcy, Carone, and Gjonaj voted in favor of the resolution. Commissioner Marino abstained. Commissioners Yassky, Arout, Carone, DeArcy, Gjonaj, Gonzales and Polanco voted in favor of the rule. Commissioner Marino abstained. The resolution and rule passed. (Tr. pp. 45-100)

9. Item 5 (a), Extending LaGuardia Airport Group Ride Pilot Program, was presented for Commission action. A motion was made to extend the pilot group ride stand at LaGuardia Airport for a year. The motion passed unanimously. (Tr. pp. 100-102)

The meeting was adjourned at approximately 12:35 p.m.

Minutes as approved by the Taxi & Limousine Commission on
July 21, 2011


Acting General Counsel

8/8/11
Date