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NEW YORK CITY
TAXI AND LIMOUSINE COMMISSION
JULY 12, 2012

FARE AND LEASE CAP VOTE
AND
PUBLIC HEARING ON ROOF LIGHT RULES

Held on July 12, 2012
33 Beaver Street
New York, New York
Time: 11:16 a.m.

Reported By:

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2 APPEARANCES:

3

4 FOR THE COMMISSION:

5

6 DAVID YASSKY, Chairman

7 NORA CONSTANCE MARINO

8 LAUVIENSKA POLANCO

9 EDWARD GONZALES

10 IRIS WEINSHALL

11 LaSHANN DeARCY

12 ELIAS AROUT

13 FRANK CARONE

14 MARK GJONAJ, Commissioners

15 MEERA JOSHI, General Counsel

16

17 SPEAKERS:

18 BEREฟอร์ด SIMMONS

19 OSMAN CHOWDHURY

20 VINCENT SAPONE

21 MOHAN SINGH

22

23 ALSO PRESENT:

24 The Public

25

1 7/12/12 Taxi and Limousine Commission

2 THE CHAIRMAN: All right. Good
3 morning.

4 First of all, I apologize to the
5 members of the public for the delay in
6 getting started here.

7 I understand sometimes that the wheels
8 of justice grind slowly, but in this case I
9 think they have ground exceedingly fine and I
10 think we're here today to accomplish
11 something good and worthwhile.

12 First, before we get started, just the
13 preliminaries. We have before us the minutes
14 of the May 31st, 2012 Commission meeting. I
15 move that we adopt those minutes.

16 All in favor say aye.

17 (Chorus of ayes)

18 THE CHAIRMAN: Oppose, no.

19 The minutes are adopted.

20 We have several base applications.

21 Chris.

22 I would advise people that Chris
23 considers his left side to be his better
24 side. All photographers please do take note.

25 MR. TORMEY: Thank you.

1 7/12/12 Taxi and Limousine Commission

2 Good morning. My name is Chris
3 Tormey, Director of Applicant Licensing for
4 the Taxi and Limousine Commission.

5 This month we have five new bases for
6 your approval and we have one denial with a
7 request that they get a month to get their
8 outstanding items in order.

9 THE CHAIRMAN: I move that all the
10 applications for licensing division be
11 adopted, both the approvals, the name change
12 and the denial recommendation.

13 All in favor say aye.

14 (Chorus of ayes)

15 THE CHAIRMAN: Oppose, no.

16 By unanimous vote those are adopted.

17 Commissioners, the next item on the
18 agenda is two rules having to do with the
19 fares and lease caps, and before calling for
20 a vote, I know many of you Commissioners,
21 perhaps all, will wish to be heard on this.

22 So I will introduce the topic and then
23 we will have an opportunity for people to
24 make statements and then we will have a vote.

25 Let me just say that we are here today

1 7/12/12 Taxi and Limousine Commission
2 to do our job, Commissioners, and I know some
3 parts of the job are more fun and some parts
4 are more difficult than others.

5 It's always true that we come here
6 ready to do our job, but this in particular
7 we have been assigned the responsibility of
8 setting the taxi fare and that can be an
9 uncomfortable responsibility for people like
10 me who believe that market forces work and
11 that markets do the best job of setting
12 prices. It can feel a little uncomfortable
13 to be the government setting prices by
14 dictate.

15 But I submit to you it's the right
16 thing to do, it makes sense. That is one of
17 the features of this unique industry, that
18 passengers know that when they hold up their
19 hand and flag down a taxicab, that they know
20 what they will get.

21 They will get good service, a trained
22 driver and they will pay a predictable fare.
23 They're not going to negotiate every time
24 they get in the cab what the rate of fare is.

25 I think that there's a reason that

1 7/12/12 Taxi and Limousine Commission
2 every city in the world treat taxis that way.
3 It's better for the customer and that means
4 it's ultimately better for the industry too.
5 So as uncomfortable as it is, it is our job
6 to set prices.

7 And it's a unique industry also
8 because we very strictly limit the number of
9 people who can own taxis, 13,237, and a
10 couple thousand more, you know, over the next
11 two years, courts willing, but even that is a
12 strict limit.

13 Many more people would like to drive
14 taxis. How do we know this? We know this
15 because every day we see them trying to do it
16 and we enforce against that.

17 Last month alone, and I have to give a
18 shout out to Ray Scanlon and Jeff Huff and
19 their team of enforcement, last month alone
20 they seized 684 vehicles whose owners were
21 trying to drive them as illegal taxis. So
22 one month, June, 684. That tells us that
23 there are a lot more people that would like
24 to drive taxis than are permitted to do it.

25 And so the responsibility that goes

1 7/12/12 Taxi and Limousine Commission
2 with having a protected access to the market,
3 which is what the medallion owners have, and
4 the price guarantee that we offer to
5 customers, that means that we have the
6 responsibility of setting rates.

7 And I think the system, as different
8 as it is from other types of markets and
9 other types of industries, I think we all
10 agree that system has worked very well. It
11 works well in cities across the world that do
12 it this exact same way. It's worked
13 extremely well here in New York where 600,000
14 people a day rely on the New York City
15 taxicab to take them where they're going.

16 So as uncomfortable, again, as it is
17 to be in that position, Commissioners, that
18 is where we are.

19 And here it's also I know a difficult
20 thing because setting a price is a zero sum
21 game. The seller wants the number higher,
22 the buyer wants the number lower. Whatever
23 number you pick, people will object.

24 It's no different than other things
25 the government does when there's a number.

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2 When there's a zoning decision and the number
3 of FAR is set where the -- any decision that
4 the government makes where they set a number
5 there are people who want it higher, people
6 who want it lower, and I do acknowledge that.

7 And I know that it means that we have
8 heard over the last days and weeks from the
9 very zealous advocates for different segments
10 of the industry and I know that that's
11 something that comes with the job.

12 I would say here, colleagues, we have
13 done a good job. I think we can vote proudly
14 on the fare increase that is before us today
15 and that's the core of what we're voting on
16 is the fare.

17 That fare has been the same for six
18 years and now, that's good for consumers, for
19 the passengers, it's good that we've held it
20 down, and I know that there are a lot of
21 drivers in the room today and they might feel
22 like, you know, they've had to wait way too
23 long.

24 On the other side of that are
25 customers, and I say proudly I think it's

1 7/12/12 Taxi and Limousine Commission
2 good that we can give customers stability and
3 predictability in the price over that period
4 of time, but certainly the time comes when
5 you have to raise the fare and it is clear to
6 me that that time has come. The numbers are
7 clear. They're indisputable. They are
8 stark.

9 Over the past six years gas is up. It
10 is taking now nearly \$40 out of every taxi
11 driver's shift to pay for gasoline. Credit
12 card processing is up, taking nearly \$8 out
13 of every taxi driver's shift.

14 When you add that up, a taxi driver
15 today is taking home \$130 less for a 12-hour
16 shift. That's the core number here, plain
17 and simple, \$130 for 12 hours of difficult
18 labor. I think that it is time for a raise
19 and I think passengers understand that.

20 I have been very gratified that in the
21 public debate since this fare increase
22 proposal was put forward the public reaction
23 has been, in my view, overwhelmingly that
24 passengers are prepared to pay more so that
25 the taxi driver can earn a decent living.

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2 You know, New Yorkers are practical,
3 they are compassionate. They're also smart,
4 long-term thinkers who understand if you have
5 an industry based on a workforce not earning
6 enough to put food on the table, then that's
7 not a stable situation.

8 And if we want the industry to
9 continue to thrive as it has, which is in the
10 interest of the owners, the passengers and
11 the drivers, then we have to deal with the
12 fare.

13 And what this does would allow after
14 this fare increase a driver will be earning
15 some 160, \$170 per shift. Not going to get
16 rich that way, but enough at least I believe
17 to pay the rent and put food on the table.
18 So it is time.

19 In addition -- and excuse me one
20 second. I just want to make sure we've got
21 all the paperwork that we need here.

22 In addition, for the first time we are
23 establishing a health and disability fund for
24 drivers. Taxi drivers are considered to be
25 independent contractors.

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2 (Applause)

3 THE CHAIRMAN: Please. Please, you
4 know, please, I appreciate the show of
5 support for the proposal, but I will ask
6 people to just show their opinions quietly
7 throughout the proceeding here.

8 Today taxi drivers get from their in
9 effect employer do not get health coverage,
10 do not get disability coverage. At a
11 minimum, today's proposal will get disability
12 coverage to drivers, and I can't say enough
13 how important I think that is.

14 For a taxi driver today, if a taxi
15 driver breaks an arm, a leg, can't drive,
16 that driver is out of work. It's not like
17 many office jobs where people work for larger
18 companies where they can be shifted to
19 another job while they're recovering. If a
20 taxi driver can't drive a car, he or she is
21 out of work, income zero.

22 So disability coverage is -- and I,
23 you know, I'm not going to belabor it, but
24 the number of times that I've gone to visit a
25 driver who's been in an accident and is laid

1 7/12/12 Taxi and Limousine Commission
2 up at home and there are children in that
3 house who now have no income to put food on
4 the table, I think this is a very important
5 item.

6 So and, again, ultimately better for
7 the public too because the public would know
8 you can't have a workforce that operates
9 under those circumstances.

10 Finally, very quickly, the other items
11 on our agenda today are also good for the
12 public. We are doing three things.

13 One is changing the way credit cards
14 are handled. Rather than drivers paying a
15 percentage of every credit card fare, 5
16 percent today, they will pay a flat \$10 fee
17 per shift.

18 Now, I've got New York Magazine in my
19 house I'm proud to say. Yesterday or the day
20 before and I opened a big 12-page spread on
21 the taxi papers crib sheet, everything you
22 want to know about taxis, here's one item:
23 What should you do when a cabby tells you his
24 credit card machine is broken?

25 This is advice that every taxi

1 7/12/12 Taxi and Limousine Commission
2 passenger needs one time or another today
3 because unfortunately, and I will say it to
4 the drivers that are here, you know that your
5 colleagues do this, all too often a taxi
6 driver will say oh, the credit card machine
7 is broken when it really isn't.

8 We want that credit card capability to
9 be available to every passenger without the
10 driver trying to discourage it. That's what
11 this change will accomplish.

12 We are also changing the way that
13 gasoline is handled, if the industry wishes.
14 At the option of the fleet or the garage, the
15 fleet will have the opportunity to pay for
16 gasoline. Really what this does is as more
17 fuel-efficient cars are phased into the
18 fleet, replacing the Crown Victorias, this
19 enables the fleet and the driver to share in
20 that benefit created from the fuel
21 efficiency.

22 Less gas is consumed this way. The
23 gas savings, some of it can be realized by
24 the fleet, some of it can be realized by the
25 driver, it's fair and it's equitable.

1 7/12/12 Taxi and Limousine Commission

2 And finally, the item that I think has
3 proved most controversial is the treatment of
4 the DOV operators. It's a huge and important
5 segment in this industry are DOV, so-called
6 DOV, driver-owned vehicle, operators, where
7 the medallion is leased on its own to a
8 driver, who then is responsible for his or
9 her own vehicle.

10 And we have heard for years that the
11 current lease cap level of 800 a week or 842
12 a week for hybrid is too low and will
13 endanger the DOV segment.

14 Indeed we had at both of our hearings
15 on this item on the numbers these proposals.
16 We had repeated testimony that those lease
17 caps are routinely ignored and violated.

18 And I know that Commissioner Gjonaj,
19 Commissioner Marino, you have each called me
20 to task for our lack of adequate enforcement
21 on lease caps and I'm here to say I agree
22 with you, I hear what you're saying, you are
23 right, we do need better enforcement. And I
24 would want to assure you that going forward
25 we will be enforcing these lease caps, they

1 7/12/12 Taxi and Limousine Commission
2 will be followed.

3 And one of the reasons that I do have
4 some sympathy for the DOV operators that --

5 COMMISSIONER MARINO: I don't believe
6 I contacted you about enforcement.

7 THE CHAIRMAN: Well, just at the
8 hearing, two hearings ago it was a comment
9 that you made there was not enough
10 enforcement, but anyway, whether you think so
11 or not, I certainly do think so and I --

12 COMMISSIONER MARINO: I just wanted to
13 clarify that for the record.

14 THE CHAIRMAN: We are going to do that
15 and I want to assure people we have -- we now
16 have just one, I'll be honest, we've had only
17 one person who voted lease cap enforcement.
18 We are bulking that up. We will be adding at
19 least two people with that on their
20 portfolio.

21 We are in conversation with other law
22 enforcement agencies who have more resource
23 and expertise and we are committed. I want
24 to assure all the Commissioners that our
25 rules must be enforced. So we can vote on

1 7/12/12 Taxi and Limousine Commission
2 the lease cap knowing that it is a real
3 number and not just a piece of paper.

4 Now, I want to say there's been -- the
5 last point I'll make on this is I know I've
6 heard from some in the DOV sector on the
7 owner's side that the proposed rule is cut
8 and is going to hurt them.

9 I just want to make sure we understand
10 what the numbers are. The current lease cap
11 rate is \$800 or 842 a week, 800 for a
12 regular, 842 for a hybrid.

13 This rule before us changes that to
14 1,072 a week for a regular car, 1,114 for a
15 hybrid. That's an increase of \$272 a week.

16 Now, if someone wants to say not
17 enough, that it should be more, understand
18 that and you have every right to do it, but
19 you cannot honestly say it is a cut. I'm not
20 so good at math but 1,072 is greater than
21 800, 1,114 is greater than 842.

22 So if people want to argue is it far
23 enough, fair enough, but there really cannot
24 be argument about is it a cut or is it an
25 increase.

1 7/12/12 Taxi and Limousine Commission

2 So with that, I'm going to recommend
3 that rather than have two sets of comments
4 since these issues really are interrelated,
5 why don't we have commentary on both rules
6 and then we will poll the votes.

7 We'll just go around the table.

8 Commissioner Gjonaj.

9 If people wish to speak --

10 COMMISSIONER POLANCO: This is to
11 vote?

12 THE CHAIRMAN: I thought we would have
13 opportunities for Commissioners to make
14 statements but I'll tell you what, fair
15 enough, why don't we go ahead and call the
16 roll and you can make comments when you vote.
17 Fair enough.

18 The first vote is on the fare rule
19 before us.

20 MS. JOSHI: So before the Commission
21 this morning is the proposed rule to increase
22 taxi fares.

23 The rule appeared in the City Record
24 on June 8th. The deadline for written
25 comments was July 9th and a public hearing

1 7/12/12 Taxi and Limousine Commission
2 was held on July 9th. A transcript of the
3 hearing was made available for the public on
4 the TLC Website on July 10th.

5 All comments received were submitted
6 to the Commissioners for their review, and
7 based on their comments received, the
8 following revisions were made to the rule
9 that appeared in the City Record:

10 First, the provision that appeared in
11 the fare rules prohibiting the deduction from
12 drivers' receipts for 5 percent credit card
13 transaction fees was deleted from the
14 proposed fare rules and added to the proposed
15 lease cap rules.

16 And two, a new requirement was added
17 for a biannual review of lease rates and fare
18 rates to occur every odd number year.

19 I'm going to go through the
20 Commissioners in a roll call fashion and you
21 have an opportunity to speak and then respond
22 whether you vote yes or no to the fare rule.

23 THE CHAIRMAN: Again, Commissioners,
24 there will be two votes. We will vote on
25 each one. So you have two opportunities to

1 7/12/12 Taxi and Limousine Commission
2 speak, or if you wish, you can feel -- you
3 can make all your comments on the first vote,
4 it's up to you.

5 MS. JOSHI: Commissioner Gjonaj.

6 COMMISSIONER GJONAJ: It's almost
7 noon. Good morning. Still morning, close to
8 noon.

9 This whole industry, including the
10 drivers and all stakeholders and the
11 passengers are affected by today's decision.

12 But I truly believe that today we were
13 presented with a once in a generation
14 opportunity to what has been wrong for too
15 long.

16 Finally, New York City taxi drivers
17 will be given a fair and decent wage for
18 their hard work, but even more importantly,
19 we have been -- we moved forward on a
20 systemic change in the way future rates are
21 charged and set.

22 With today's vote, the stakeholders
23 will never again face an eight-year period
24 without a raise and the passengers will get
25 the quality and safe service that they

1 7/12/12 Taxi and Limousine Commission

2 deserve.

3 And with that, I vote yes to the rate
4 increase.

5 MS. JOSHI: Commissioner Carone, how
6 do you vote on the fare rule?

7 COMMISSIONER GJONAJ: I said yes.

8 MS. JOSHI: Sorry, I was talking to
9 Commissioner Carone.

10 COMMISSIONER CARONE: The fare rule --
11 which one are we voting on, the one presented
12 this morning or the one that we had prior to
13 this morning?

14 Commissioner Gjonaj's commentary just
15 reflected the process for fare changing is
16 changing. I'm not sure what he's talking
17 about.

18 MS. JOSHI: Before you is a version of
19 the fare rule as published in the City Record
20 with one deletion, the deletion of the 5
21 percent credit card transaction fees, and one
22 addition, which is, Commissioner Gjonaj's
23 recommendation for a biannual review process
24 for every odd number year.

25 COMMISSIONER CARONE: Thank you.

1 7/12/12 Taxi and Limousine Commission

2 Thank you.

3 Well, I'll speak to both. I have
4 reasons that concern me for both twofold.

5 Starting May 31st, prior to --

6 THE CHAIRMAN: Commissioner, sorry.

7 I want to caution people that I know
8 that this is -- again, I know this is an
9 issue that people feel very strongly about.
10 People's livelihoods are affected.

11 I'm going to insist that every person
12 in the room be courteous. I don't want to
13 hear Commissioners applauded or booed.

14 They worked extremely hard. They've
15 put hours and hours and hours for no pay into
16 every meeting that we do and this one in
17 particular.

18 So I'm going to insist that people be
19 courteous. I will ask people to leave if
20 they're discourteous.

21 I'm sorry. Thank you, Commissioner.

22 COMMISSIONER CARONE: Thank you, Mr.
23 Chairman.

24 As I was saying, prior to the
25 commentary and testimony we heard on

1 7/12/12 Taxi and Limousine Commission
2 May 31st, I've asked the scheduled speakers
3 to be mindful of criteria that I believe
4 Commissioners must follow in considering
5 whether or not a fare increase is warranted,
6 and if so, how much, and that section of our
7 rule which is given the authority by the City
8 Charter is Section 52-04 of our rules.

9 And while listening to the testimony
10 on May 31st and receiving a written
11 commentary thereafter, I tried to keep my
12 mind focused on that section of the law so I
13 can make an objective determination on a very
14 difficult vote.

15 Since then the press has essentially
16 framed the question of whether or not drivers
17 deserve a raise. I think they even asked
18 that question by some reporters and it's a
19 very good question. However, it's not the
20 end of the analysis.

21 The question is more of is it a
22 philosophical one or one that allows us the
23 authority to make such a determination.

24 So the first question I ask is whether
25 or not a fare increase is warranted. The

1 7/12/12 Taxi and Limousine Commission
2 first issue is well, do we have the authority
3 to do so, and if so, where is that authority
4 written and where is that authority codified.

5 So looking at Section 52-04, which is
6 the governing authority, and I'll just read
7 it here, it says the power to establish rate
8 setting, the Commission will proscribe,
9 revise a decent fare.

10 It goes on in Section 3 to say when
11 determining a decent fare we may consider all
12 relevant factors. However, including in the
13 relevant factors, including the following,
14 and it goes on to list nine items, the time
15 and distance of travel, the character of the
16 service provided, the gross revenue derived
17 from operation, the net return derived from
18 operation, the expenses of operation,
19 including the income of drivers or operators,
20 the return on capital actually expended and
21 the need to reserve income for surplus and
22 contingencies, the number of passengers
23 transported, the effect a fare on the public
24 in relation to the fares for other forms of
25 public transportation and similar service in

1 7/12/12 Taxi and Limousine Commission
2 other states.

3 So looking at 52-04, which in my mind
4 governs this analysis, it's not whether or
5 not one segment of the private industry
6 deserves a raise or not, while that's
7 extremely important, and the answer to that
8 is yes, of course.

9 But looking at this objectively and
10 looking at the evidence presented from the
11 31st on, I do not believe the nine criteria
12 looking in its totality has been met.

13 Looking at it in its totality, you see
14 it speaks to the passenger public, the
15 service, of all the service increase and will
16 it be a better passenger experience by a fare
17 increase, looking at the operation and
18 looking at the drivers as a whole, which this
19 is a symbiotic relationship, and as a whole,
20 I do not believe evidence before us has been
21 met to increase the fare. So my vote is no
22 on 52-04 grounds.

23 I also am voting no on another ground
24 because before me, just handed several
25 minutes ago, is a new version of this

1 7/12/12 Taxi and Limousine Commission
2 proposal. I believe that the public is
3 entitled to commentary. I believe the
4 capital requirements dictate so and I believe
5 the vote is premature because the rules as
6 written are substantive changes and I do not
7 believe compliant.

8 So on two grounds my vote is no.

9 MS. JOSHI: Commissioner Aroust.

10 COMMISSIONER AROUST: Yes, I look at
11 this issue very simple. Operating cost for
12 the taxi garage has gone up since the last
13 fare eight years ago and the bottom line is
14 yes, those costs have gone up. All business
15 costs have gone up in the past eight years.
16 To say otherwise is just nonsense.

17 So if the cost of the operating taxi
18 garages have gone up and the only way the
19 garages can meet those costs is for us to
20 increase the lease rate, then very simply, we
21 need to approve a lease cap. I do not know
22 what the right number is but I know it isn't
23 zero.

24 This proposal is not -- this proposal
25 will not permit taxi fleets to meet their

1 7/12/12 Taxi and Limousine Commission
2 costs. It will probably reduce their revenue
3 even more, and what we eventually see is a
4 decline in service to the public. We cannot
5 allow this to happen.

6 We are here to protect the riding
7 public and we are here to make sure that the
8 many segments of the industry are treated
9 fairly.

10 I'm asking the Chairman to give us a
11 proposal that is fare. This proposal is not
12 fare. Therefore, I am voting no on the lease
13 cap proposal.

14 Under the fare increase proposal,
15 there is no question in my mind that the
16 drivers deserve a fare increase. Everyone
17 agrees on that. We are the hardest working
18 people in New York City as far as I'm
19 concerned and it has been too long if you ask
20 me.

21 But this industry is not made up of
22 drivers. There are leasing agents, the
23 fleets and the garages. Together these
24 different groups provide New Yorkers with
25 yellow taxi service and all segments of the

1 7/12/12 Taxi and Limousine Commission
2 industry need an increase.

3 This should not be complicated. I've
4 been on the Commission for many years and in
5 the past we looked at the data and made up a
6 decision.

7 The proposal to give everything to the
8 drivers is lopsided and it will backfire and
9 end up hurting drivers, owners and the riding
10 public in the end.

11 I cannot vote against the fare
12 increase because I like the drivers -- I
13 cannot vote against a fare increase because,
14 like I said, the drivers deserve it, but I am
15 compelled to abstain from voting on this
16 proposal because it is not balanced and it is
17 not fair.

18 Drivers have waited eight years for a
19 fare increase and I believe the petition for
20 a fare increase was submitted over two years
21 ago.

22 I don't buy the argument that we don't
23 have time to get this right. I am asking the
24 Chairman to go back to the drawing board, get
25 this right, get us a fare and lease cap

1 7/12/12 Taxi and Limousine Commission
2 package that I can vote on and I am sure we
3 can accomplish this over the summer and vote
4 again in September.

5 Thank you.

6 Abstain.

7 MS. JOSHI: Commissioner Arout, I want
8 to verify you're abstaining on the fare
9 proposal.

10 COMMISSIONER AROUT: Yes.

11 MS. JOSHI: Commissioner DeArcy.

12 COMMISSIONER DeARCY: It's been just
13 over a year that I joined my fellow
14 Commissioners on this Commission and I've had
15 the pleasure of participating in some
16 significant votes in that short time. I will
17 say that I am particularly proud that I am
18 able to participate in this vote today.

19 I think that there is overwhelming
20 evidence that a fare increase for taxi
21 drivers is warranted. Indeed, I don't
22 believe there has been any legitimate dispute
23 that a fare increase is long overdue.

24 Importantly, I also believe that it is
25 important that this fare increase go to the

1 7/12/12 Taxi and Limousine Commission
2 very drivers for whom we are seeking to have
3 their pay raised, which hasn't been raised
4 since 2006; that this proposed rule will also
5 allow for healthcare for the drivers leads to
6 the singular conclusion in my mind that this
7 is the right thing to do.

8 I must turn now though to the issue of
9 the lease cap. I'm persuaded that along with
10 a fare increase it is important and indeed it
11 is necessary to provide for an increase on
12 lease cap with respect to the DOV model.

13 I think that the DOV model is
14 important to this industry. I think it's
15 important to the city. I think it's
16 important to New Yorkers who ride in cabs
17 every day.

18 I think also that failing to increase
19 the lease cap with respect to the DOV model
20 would jeopardize the very existence of that
21 segment of our industry. I don't think that
22 that's a risk that we can take.

23 I wasn't initially persuaded that, in
24 fact, a lease cap for the DOV model was
25 warranted, and I want to thank the members

1 7/12/12 Taxi and Limousine Commission
2 from the DOV industry who provided me and
3 other members of this Commission with the
4 information that we asked for to allow me to
5 move from my position that I had taken about
6 a month ago.

7 That same information, however, was
8 not provided at least to me with respect to
9 the fleets, and as a result, my position with
10 respect to the lease cap in the fleets has
11 not moved.

12 Because of all of these
13 considerations, as a member of this
14 Commission and as a frequent passenger in
15 yellow taxis, I am enthusiastically voting in
16 favor of both the increase for the fare and
17 as well for the lease cap.

18 MS. JOSHI: Let me clarify for the
19 record, Commissioner DeArcy, you're voting in
20 favor of the proposed rules and --

21 COMMISSIONER DeARCY: Yes.

22 MS. JOSHI: -- increase the fare.

23 COMMISSIONER DeARCY: Yes.

24 MS. JOSHI: Commissioner Weinshall.

25 COMMISSIONER WEINSHALL: Thank you.

1 7/12/12 Taxi and Limousine Commission

2 I had the pleasure of being on this
3 Commission in 2004, which was the last time
4 that we increased the fare. I truly believe
5 that the time has come to increase the fare
6 for the sake of the drivers. They deserve a
7 livable wage.

8 I'd just like to say that in 2004, we
9 rolled up our sleeves, the Commission, the
10 drivers, the industry to really iron out a
11 deal that I think worked well for everybody.

12 I am very concerned in terms of the
13 industry as a whole how they've acted in the
14 last few years. I fear that this industry
15 has become too litigious and I would ask the
16 industry to please set a new tone going
17 forward.

18 I am particularly proud to be able to
19 vote on this health and disability fund.

20 As I think people in this industry
21 know, my father was a cab driver for 30
22 years. I remember when I was a young girl he
23 broke his arm and came home with a cast on
24 his arm and said that he was still going to
25 have to go out and work because he owed money

1 7/12/12 Taxi and Limousine Commission
2 on the loan on his cab, and even though it
3 was against the law, my father has passed
4 away now so nothing will happen to him, he
5 went out every day with that cast on his arm
6 working because he knew he had to provide for
7 his family.

8 So I am particularly proud that this
9 fund will be set up and that people like my
10 father will no longer have to choose between
11 their health and putting food on the table
12 for their family.

13 So, Mr. Chairman, I am voting yes on
14 the fare increase and yes on the cap.

15 COMMISSIONER MARINO: Are we voting
16 on --

17 MS. JOSHI: We're just voting on the
18 fare proposal.

19 Ms. Weinshall, that's yes on the
20 proposed fare increase?

21 COMMISSIONER WEINSHALL: Yes on the
22 fare increase.

23 MS. JOSHI: Commissioner Gonzales.

24 COMMISSIONER GONZALES: Thank you.
25 Since the last fare increase, this

1 7/12/12 Taxi and Limousine Commission
2 Commission has addressed driver income via
3 the cost side mainly by advocating for
4 improved fuel-efficient vehicles in an
5 attempt to negate the most expense of the
6 driver, fuel.

7 Now the time has come to address it
8 from the revenue side. While no one is for
9 higher expenses, including myself as a
10 passenger, upon diligent analysis from staff
11 here, I believe that the fare increase is
12 necessary.

13 Via comparative analysis with other
14 cities and also with the current MTA fare,
15 it's justified to have the fare increase as
16 presented before us.

17 I'd like to thank staff and my fellow
18 Commissioners and most of all I'd like to
19 thank the drivers. I appreciate all that you
20 do for New York City. You're a special
21 breed, we all know it, and you're deeply
22 woven into the fabric of the city.

23 I expect you, the drivers, to provide
24 the same level of enhanced service and
25 commitment to New York City and the riding

1 7/12/12 Taxi and Limousine Commission
2 public.

3 I emphatically vote yes to the fare
4 increase.

5 MS. JOSHI: Commissioner Polanco.

6 COMMISSIONER POLANCO: Clearly the
7 fare increase is necessary as the cost of
8 living in the City of New York has had
9 exponential increase.

10 While the earnings and profits of all
11 those involved in this great industry has
12 been diminished while the cost of living, as
13 I mentioned, and cost of operation has
14 increased, a fare increase is the right thing
15 to do.

16 I'm also proud that for the first time
17 in the history of New York City drivers will
18 have a health and disability fund. This is
19 huge and it's a tremendous benefit for the
20 drivers.

21 Although I would have liked to see the
22 fare increase rule together with the lease
23 cap rule to have been voted on and not
24 separated for voting purposes, I'm voting yes
25 for the fare increase.

1 7/12/12 Taxi and Limousine Commission

2 MS. JOSHI: Commissioner Marino.

3 COMMISSIONER MARINO: One of the
4 benefits of going last is I get the benefit
5 of what everyone else had to say, my
6 colleagues.

7 And frankly, I agree with everyone
8 here. I agree that a fare increase is
9 necessary. I agree with Commissioner DeArcy
10 that there's overwhelming evidence that the
11 drivers need, that it's long overdue. I
12 agree with everything my colleagues have
13 said. I agree with the fact that the drivers
14 deserve some type of healthcare.

15 I'm a solo practitioner. I don't
16 belong to any type of healthcare program so I
17 know what a burden that can be because I live
18 it.

19 I agree with all these things. I
20 think the drivers deserve a raise, but
21 unfortunately, there's a "but" at the end of
22 that statement for me, and that "but" is that
23 as Commissioners, our job is to regulate the
24 entire industry, and that's not just the
25 drivers but it's the DOVs, the agents, the

1 7/12/12 Taxi and Limousine Commission
2 fleet owners, the garage owners and the
3 riding public.

4 And while I want the drivers to have
5 this raise, if it were up to me it would be
6 20 percent, I think they deserve it, but I
7 think we have to take into account the entire
8 industry and I don't believe these rules as
9 drafted are fair to the other aspects of the
10 industry, particularly the fleet owners and
11 the DOV agents.

12 There were some changes made recently,
13 very recently as a matter of fact, in the
14 last 48 hours, which also I think is in
15 violation of the New York Administrative
16 Procedures Act requirement for further public
17 notice and hearing.

18 I mean I barely understand these new
19 changes and I don't anticipate that everyone
20 in the audience today understands them all or
21 has had a chance to consider them and comment
22 on them.

23 So because of these additional changes
24 and the fact that I don't think these rules
25 as proposed are fair to everyone, I have to

1 7/12/12 Taxi and Limousine Commission

2 vote no on the fare increase at this time.

3 I'm very sorry I have to vote that
4 way, but I don't think it's right to protect
5 one segment of this industry and disregard
6 other segments in the process.

7 I believe, as Commissioner Arout said,
8 there is a way to come to a mutually fair
9 agreement where everyone feels satisfied and
10 I don't believe the rules as written today do
11 that.

12 MS. JOSHI: Commissioner Yassky.

13 THE CHAIRMAN: For the reasons stated
14 earlier, I vote yes on the fare increase.

15 Counsel, will you please --

16 MS. JOSHI: The vote for --

17 THE CHAIRMAN: -- report.

18 MS. JOSHI: The vote in favor of the
19 fare increase is six. There are two nos and
20 one abstention.

21 With that, the proposed rules for a
22 fare increase are approved.

23 THE CHAIRMAN: Thank you, Meera.

24 We will now please call the roll on
25 the second set of rules before us, the lease

1 7/12/12 Taxi and Limousine Commission
2 cap proposal.

3 MS. JOSHI: Next on the agenda are the
4 Commission is considering the proposed rule
5 to increase fleet lease caps to offset cost
6 shifts and the increase lease caps to offset
7 costs of the industry.

8 These rules appeared in the City
9 Record on June 8th. The deadline for written
10 comments was July 9th. A public hearing was
11 held on July 9th and a transcript of that
12 hearing was made available to the public on
13 the TLC Website on July 10th.

14 All comments were received and
15 submitted to the Commissioners for their
16 review, and based on the comments received,
17 the following significant revisions were
18 made:

19 The hybrid lease cap incentive for
20 fleets and DOVs were restored. The fleet
21 lease cap was increased by one dollar.

22 The rules were revised to permit under
23 all three types of lease caps other
24 transactions as long as they're recorded and
25 not related to the vehicle lease.

1 7/12/12 Taxi and Limousine Commission

2 The requirement in the DOV lease cap,
3 DOV medallion vehicle lease cap, that the
4 agent cover costs of repair was deleted.

5 An option was added to cover delivery
6 coverage for the medallion vehicle DOV lease
7 with the maximum rate of \$50 per week.

8 There was an increase in penalties for
9 retaliation.

10 We eliminated the requirement that the
11 medallion only lease rate can be charged to a
12 driver -- can only be charged to the driver
13 who holds vehicle title.

14 Up to three drivers are allowed on a
15 DOV lease.

16 And also to get a vehicle medallion
17 lease was restricted to a conditional
18 purchase.

19 The reference to leases was deleted.

20 The time period for a vehicle
21 medallion lease was limited to three years.

22 And that concludes the revisions to
23 the lease cap rules.

24 THE CHAIRMAN: Thank you.

25 Before you call the roll, Meera, I

1 7/12/12 Taxi and Limousine Commission

2 know you have a motion, Commissioner Polanco,
3 that I will entertain.

4 Just before you go, I just want to
5 thank the staff in particular for the work on
6 this rule. As here the list of provisions
7 indicates, a great deal of work went into
8 this. We got really a very large number of
9 comments from the public, from stakeholders.
10 They were processed very thoroughly and many
11 changes were made in response to those
12 comments.

13 I know, to be clear, I know that many
14 stakeholders who made comments still feel
15 that they do not support the final product,
16 but I just wanted to recognize that the staff
17 I think did a great job of processing
18 comments and responding to many, though to be
19 sure, not all of them, and incorporating
20 them.

21 Commissioner, you have a motion.

22 COMMISSIONER POLANCO: Yes.

23 Before I vote on your proposal, Mr.

24 Chairman, I move to amend Chairman Yassky's
25 proposed lease cap rule and move to table the

1 7/12/12 Taxi and Limousine Commission
2 whole lease cap rule for a September vote, as
3 I have serious issues with the credit
4 surcharge section, the lease cap rate
5 section, as well as the new lease cap rule
6 with respect to the DOV industry.

7 As such, I move to table the rule for
8 a September vote, and let me be clear, it is
9 to place the rule for a vote in that it would
10 be discretionary.

11 THE CHAIRMAN: Okay. Commissioner, I
12 understand.

13 Let's now call the roll on the motion
14 to table.

15 Commissioners, I recommend -- I'm
16 going to recommend a no vote on this motion.

17 While I understand the intent behind
18 it, I do feel that a great deal of work and
19 effort has been put into this. I think it's
20 ready. I think the issues have been resolved
21 as well as they can be and that further
22 delay, while I think it would be unlikely to
23 result in further support from any of the
24 folks from the public and will just delay
25 implementation of these much needed changes,

1 7/12/12 Taxi and Limousine Commission

2 so I'm recommending a no vote on the motion
3 to table.

4 COMMISSIONER AROUT: I'd like to
5 second.

6 THE CHAIRMAN: Please call the roll,
7 Counsel.

8 MS. JOSHI: Commissioner Gjonaj.

9 THE CHAIRMAN: The Commissioners do
10 have an opportunity also to speak on the rule
11 itself, assuming we do vote on it, but if you
12 wish, you can speak on the motion to table.

13 COMMISSIONER GJONAJ: Based on
14 commitments and negotiations that have gone
15 on over the last few days, I will say no.

16 MS. JOSHI: Commissioner Carone.

17 COMMISSIONER CARONE: Thank you.

18 I'm going to speak to the rule itself
19 because I really support Commissioner
20 Polanco's motion is the same reason why I
21 would vote no on the underlying lease cap
22 proposal.

23 Up until an hour and a half ago,
24 because of the changes and disagreements as
25 to the proposed rule, this rule is still

1 7/12/12 Taxi and Limousine Commission

2 being worked on and not going to a vote.

3 The new proposed rule was handed to
4 the Commission approximately 45 minutes ago,
5 which I think is a flagrant violation of New
6 York City Administrative Procedures Act.

7 So I think tabling it and allowing the
8 public to comment on it, allowing us all a
9 chance to reflect on that commentary is
10 prudent and is also lawful.

11 Because I believe the vote as
12 presented is unlawful pursuant to New York
13 City Charter 10-43, I vote to support
14 Commissioner Polanco's motion.

15 MS. JOSHI: Commissioner Arout.

16 COMMISSIONER AROUT: I realize I was
17 ahead of my myself before and I'll read this
18 again to get it into the book.

19 I look at this issue very simple, have
20 operating costs for the taxi drivers gone up
21 since the last fare increase eight years ago.

22 MS. JOSHI: Excuse me, Commissioner.
23 I just want to clarify for you, before you
24 now is a motion on whether or not to table
25 the vote on the lease cap.

1 7/12/12 Taxi and Limousine Commission

2 COMMISSIONER AROUT: I table it.

3 MS. JOSHI: Commissioner DeArcy.

4 COMMISSIONER DeARCY: I vote no.

5 MS. JOSHI: Commission Yassky.

6 THE CHAIRMAN: No.

7 MS. JOSHI: Commissioner Weinshall.

8 COMMISSIONER WEINSHALL: No.

9 MS. JOSHI: Commissioner Gonzales.

10 COMMISSIONER GONZALES: No.

11 MS. JOSHI: Commissioner Polanco.

12 COMMISSIONER POLANCO: Yes.

13 MS. JOSHI: Commissioner Marino.

14 COMMISSIONER MARINO: Yes.

15 MS. JOSHI: With that, the motion is

16 denied, three in favor and all others

17 opposed.

18 COMMISSIONER MARINO: I think it's

19 four.

20 THE CHAIRMAN: I think it's four in

21 favor.

22 MS. JOSHI: Four in favor.

23 THE CHAIRMAN: Would you call the roll

24 on the underlying rule.

25 MS. JOSHI: Commissioner Gjonaj.

1 7/12/12 Taxi and Limousine Commission

2 COMMISSIONER GJONAJ: Based on the
3 commitments and negotiations, I vote yes.

4 MS. JOSHI: Commission Carone.

5 COMMISSIONER CARONE: No.

6 MS. JOSHI: Commissioner Arout.

7 COMMISSIONER AROUT: No.

8 MS. JOSHI: Commissioner DeArcy.

9 COMMISSIONER DeARCY: Yes.

10 MS. JOSHI: Commissioner Yassky.

11 THE CHAIRMAN: Yes.

12 MS. JOSHI: Commissioner Weinshall.

13 COMMISSIONER WEINSHALL: Yes.

14 MS. JOSHI: Commissioner Gonzales.

15 COMMISSIONER GONZALES: Yes.

16 MS. JOSHI: Commissioner Polanco.

17 COMMISSIONER POLANCO: No.

18 MS. JOSHI: Commissioner Marino.

19 COMMISSIONER MARINO: No.

20 MS. JOSHI: With that, a vote of five
21 in favor, the lease cap rules are adopted.

22 (Applause)

23 THE CHAIRMAN: Commissioners, I know
24 that it is now 12:05 and I know at least one
25 or more Commissioners may be out of time.

1 7/12/12 Taxi and Limousine Commission

2 Just to tell you what the rest of the
3 agenda is for those that are able to stay, we
4 have one very quick item, which is the vote
5 to amend the specification for accessible
6 taxicabs, the Transit Connect, which many of
7 the fleet, many our fleet licensees are now
8 buying as their vehicle of choice.

9 Our specifications are not permitted
10 to be used in its accessible version. The
11 amendment, the rule change before us will
12 allow the Transit Connect to be used in its
13 accessible version.

14 I don't think there's any -- I think
15 that should be an uncontroversial provision.

16 Meera, would you describe -- so,
17 Commissioners, that will be the last vote.

18 After that there's a public hearing on
19 roof light rules but there is no vote on
20 that.

21 So for people that have time
22 commitments, if you can stay for this vote, I
23 think we'll be very expeditious and we'll
24 move to a public hearing which there is no
25 vote.

1 7/12/12 Taxi and Limousine Commission

2 Meera, would you just describe briefly
3 this next rule on the agenda.

4 MS. JOSHI: Before the Commission is
5 proposed amendments to the TLC's accessible
6 vehicles specification to decrease the
7 requirement for front and rear leg room to
8 allow rear entry of vehicles into the
9 accessible Transit Connect to be licensed as
10 New York City taxicabs.

11 The rules were published in the City
12 Record on May 17th and the deadline for
13 written comments was June 18th. No comments
14 were received.

15 Today we will hear testimony. I have
16 one person signed up to provide testimony,
17 Bereford Simmons.

18 Is Bereford Simmons available to give
19 testimony?

20 THE CHAIRMAN: Mr. Simmons, here we
21 go.

22 MR. SIMMONS: Good afternoon. What a
23 day.

24 Thank you very much, ladies and
25 gentlemen. Thanks for your good work. I've

1 7/12/12 Taxi and Limousine Commission
2 been working too as hard as you guys are.

3 As you know, I am a wheelchair
4 accessible rider and I'm not working today
5 because my medallion is in storage because
6 we're trying to wait for the Commissioners to
7 vote on whether they want the Transit Connect
8 to be a wheelchair accessible car, and my
9 broker is waiting to hear from you guys so.

10 THE CHAIRMAN: Thank you. That's an
11 excellent example.

12 Very briefly, Commissioners, as we
13 discussed many, many times, the other
14 alternative accessible vehicles, while
15 roadworthy, involve such a great degree of
16 work when they're converted that many of the
17 owners have been unhappy with them.

18 From reports, people do seem to feel
19 that the Transit Connect converted version
20 would be superior to the other ones that are
21 out there and I see no reason not to give
22 them that option.

23 I'm just going to go ahead and call
24 for a vote on this.

25 Will you call the roll, Meera.

1 7/12/12 Taxi and Limousine Commission

2 MS. JOSHI: Commissioner Gjonaj.

3 COMMISSIONER GJONAJ: Yes.

4 MS. JOSHI: Commissioner Carone.

5 COMMISSIONER CARONE: Yes.

6 MS. JOSHI: Commissioner Arout.

7 COMMISSIONER AROUT: Yes.

8 MS. JOSHI: Commissioner DeArcy.

9 COMMISSIONER DeARCY: Yes.

10 MS. JOSHI: Commissioner Yassky.

11 THE CHAIRMAN: Yes.

12 MS. JOSHI: Commissioner Weinshall.

13 COMMISSIONER WEINSHALL: Yes.

14 MS. JOSHI: Commissioner Gonzales.

15 COMMISSIONER GONZALES: Yes.

16 MS. JOSHI: Commissioner Polanco.

17 COMMISSIONER POLANCO: Yes.

18 MS. JOSHI: Commissioner Marino.

19 COMMISSIONER MARINO: Did I mix it up?

20 Yes.

21 MS. JOSHI: It's a unanimous vote in

22 favor of the accessible -- amendment to the

23 accessible specifications are passed.

24 THE CHAIRMAN: Thank you.

25 Do we have a presentation on the roof

1 7/12/12 Taxi and Limousine Commission
2 lights?

3 So we now will have a public hearing
4 on the roof light rules that were put
5 forward.

6 The first witness is Osman Chowdhury.

7 Mr. Chowdhury, will you come up and
8 just give us -- while you're coming up, just
9 bear with me for a minute.

10 MR. CHOWDHURY: Good afternoon.

11 MS. JOSHI: Just hold off for one
12 minute and we'll start.

13 THE CHAIRMAN: Mr. Chowdhury, before
14 you speak, again, Commissioners and members
15 of the public, I just want to remind you we
16 had our presentation on this at the last
17 meeting, which I think was a very compelling
18 presentation by Dawn Miller, if I remember.

19 The proposal here would address the
20 ongoing I think minor but non-trivial issue
21 that we have with customers not knowing what
22 it means when that off duty light is lit.

23 So the proposal, the proposed rule, as
24 you know, replace the current roof light
25 which has the medallion number in the middle,

1 7/12/12 Taxi and Limousine Commission
2 all the phone hearing. One reason I don't
3 have clear, I don't have any room I
4 establish. I don't think -- I can't take
5 them, same thing.

6 And also if you call 311, the
7 nighttime, nobody receive directly. All the
8 thing stops, no problem and (inaudible).

9 Thank you.

10 MS. JOSHI: Thank you.

11 Next we hear from Vincent Sapone.

12 MR. SAPONE: Thank you for accepting
13 my --

14 THE CHAIRMAN: Your request for a fare
15 increase, your what?

16 MR. SAPONE: You know what you guys
17 did to me and people from my organization on
18 the roof light, and I understand that you
19 guys, Commissioners, were going to straighten
20 out the problem when the guy's going off duty
21 and someone is opening the door to get in,
22 there won't be a complaint about a refusal
23 and I hope you guys come up with the right
24 answer for that because that's a very
25 important part with the new roof light.

1 7/12/12 Taxi and Limousine Commission

2 THE CHAIRMAN: It is. We thank you
3 for bringing that, you know, important issue
4 up to the floor.

5 Meera, would you just explain briefly
6 what we propose here.

7 MS. JOSHI: When people complain that
8 they've been refused service because the
9 driver told them they were off duty, going
10 forward when there's no longer, if the
11 Commission approves the rule, if there's no
12 longer an outside customer-facing indicator
13 that they've gone off duty, we'll continue to
14 do what we do now with complaints.

15 As soon as we receive them, we verify
16 with the T-PEP records whether or not the
17 driver went off duty, and if they did go off
18 duty, then we don't entertain the complaint
19 so the driver does not have to come down and
20 appear.

21 MR. SAPONE: Thank you. That's very
22 important. I thank you for that, all your
23 help with that, Mr. Yassky.

24 THE CHAIRMAN: I would say look, you
25 know this business better than just about

1 7/12/12 Taxi and Limousine Commission

2 anybody. I mean --

3 MR. SAPONE: My wife knows it a little
4 better than I do.

5 THE CHAIRMAN: I'm not an expert so
6 maybe I can't judge you, but nobody knows the
7 business better than you do.

8 I hope you feel that when you see
9 something that we're doing that we shouldn't
10 be doing or something we should be doing that
11 we're not, I hope you feel at least get a
12 hearing and we, you know, do our best to
13 accommodate because I sincerely respect the
14 expertise that you and your organization
15 bring to this.

16 MR. SAPONE: Thank you so much and I
17 thank you guys for looking into that and
18 solving the problem.

19 As long as they don't have to lose a
20 day or time to go down.

21 THE CHAIRMAN: You got it.

22 MR. SAPONE: Thank you so much.

23 THE CHAIRMAN: Thank you.

24 MS. JOSHI: Next is Mohan Singh.

25 THE CHAIRMAN: We can leave the record

1 7/12/12 Taxi and Limousine Commission
2 open for him or anyone else to submit
3 testimony in due course.

4 Okay. With that -- I'm sorry. Are
5 you seeking to speak here?

6 MR. SINGH: Yes.

7 THE CHAIRMAN: Then go ahead. This is
8 the time.

9 MR. SINGH: Good afternoon, everyone.
10 I'm Mohan Singh.

11 I'm talking about the light, roof
12 lights. The thing is that when we are
13 picking up a passenger from JFK, when we are
14 turning back, if somebody just gives a hand,
15 hale to, so we cannot stop also because we
16 have limited time to return back to the
17 airport so we don't lose the time for that so
18 we refuse it. If the light is on, what we to
19 do, this is a main question.

20 The other thing is that if sometimes
21 we want to go off duty and the last passenger
22 is sitting in my car, he goes out and later
23 on we put up the light, the guy standing
24 there will say that you are refusing me so
25 for that purpose what will we do.

1 7/12/12 Taxi and Limousine Commission

2 These are two that I want cleared up
3 and it's a good thing that this will go on.

4 Thank you very much.

5 MS. JOSHI: You're welcome.

6 I think the response to your concern
7 is similar to what we just gave to Mr.
8 Sapone, that if the customer files a
9 complaint and we can see through T-PEP
10 records that you went off duty, we will not
11 go forward with the complaint.

12 MR. SINGH: When you are returning --

13 THE CHAIRMAN: This is our practice
14 now.

15 MR. SINGH: When you are returning
16 from the airport, leaving someone at the
17 airport, you pick up somebody from the
18 airport, you drop him at the residence.

19 On the way returning to the airport,
20 we never go off duty. So that time what will
21 happen because we have a short ticket. So
22 short ticket is for two hours.

23 So when we drop the passenger from the
24 airport, we return back to the airport, if
25 somebody hales me on the route, then what

1 7/12/12 Taxi and Limousine Commission
2 is --

3 THE CHAIRMAN: That's the same as any
4 other time of the day, that the driver is
5 obligated to accept the fare. I mean that's
6 the same rule.

7 If you drop somebody off on 53rd
8 Street and Third Avenue and then you -- and
9 your light is on and someone flags you down,
10 you're obligated to accept that trip. That's
11 one of the basic rules of the service.

12 MR. SINGH: The thing is that when you
13 pick up a passenger from the airport --

14 THE CHAIRMAN: I think I understand
15 what you're saying and go right back to the
16 airport, but I would say that's no different
17 than somebody -- I'm on my way to the Carlyle
18 Hotel because I want to get a Carlyle trip
19 and somebody flags you down. I think what we
20 say to the public is if a taxi is available,
21 they're obligated to stop and pick you up.
22 That's no different.

23 MR. SINGH: But the time is different
24 for the airport.

25 THE CHAIRMAN: I understand but I

1 7/12/12 Taxi and Limousine Commission

2 think it's the same situation.

3 MR. SINGH: So we can take it off
4 duty?

5 THE CHAIRMAN: Well, you can switch
6 off duty but at that point you are off duty.

7 MR. SINGH: Okay. Thank you.

8 THE CHAIRMAN: So thank you very much.
9 With that, it concludes the business
10 for today.

11 I move to adjourn.

12 All in favor say aye.

13 (Chorus of ayes)

14 THE CHAIRMAN: Oppose, no.

15 The hearing of today's meeting is
16 adjourned.

17 Thank you, Commissioners.

18 (Time Noted: 12:18 p.m.)

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FARE AND LEASE CAP VOTE/PUBLIC HEARING ON ROOF LIGHT RULES

July 12, 2012

<p style="text-align: center;">\$</p> <p>\$10 [1] 12:16 \$130 [2] 9:15,17 \$170 [1] 10:15 \$272 [1] 16:15 \$40 [1] 9:10 \$50 [1] 39:7 \$8 [1] 9:12 \$800 [1] 16:11</p> <hr/> <p style="text-align: center;">1</p> <p>1 [1] 59:12 1,072 [2] 16:14,20 1,114 [2] 16:14,21 10-43 [1] 43:13 10543 [1] 1:23 10th [2] 18:4 38:13 11:16 [1] 1:15 12 [3] 1:5,12 9:17 12-hour [1] 9:15 12-page [1] 12:20 12:05 [1] 45:24 12:18 [1] 58:18 13,237 [1] 6:9 160 [1] 10:15 17th [1] 47:12 18th [1] 47:13</p> <hr/> <p style="text-align: center;">2</p> <p>20 [1] 36:6 2004 [2] 31:3,8 2006 [1] 29:4 2012 [4] 1:5,12 3:14 59:16 26th [1] 59:16</p> <hr/> <p style="text-align: center;">3</p> <p>3 [1] 23:10 30 [1] 31:21 311 [1] 52:6 31st [5] 3:14 21:5 22:2,10 24:11 33 [1] 1:13 381-2064 [1] 1:24</p> <hr/> <p style="text-align: center;">4</p> <p>45 [1] 43:4 48 [1] 36:14</p> <hr/> <p style="text-align: center;">5</p> <p>5 [3] 12:15 18:12 20:20 52-04 [4] 22:8 23:5 24:3,22 53rd [1] 57:7 58 [1] 59:12</p> <hr/> <p style="text-align: center;">6</p> <p>600,000 [1] 7:13 684 [2] 6:20,22</p> <hr/> <p style="text-align: center;">7</p> <p>7/12/12 [56] 3:1 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1</p>	<p>38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1</p> <hr/> <p style="text-align: center;">8</p> <p>800 [3] 14:11 16:11,21 842 [4] 14:11 16:11,12,21 8th [2] 17:24 38:9</p> <hr/> <p style="text-align: center;">9</p> <p>914 [1] 1:24 9th [4] 17:25 18:2 38:10,11</p> <hr/> <p style="text-align: center;">A</p> <p>a.m [1] 1:15 able [3] 28:18 31:18 46:3 abstain [2] 27:15 28:6 abstaining [1] 28:8 abstention [1] 37:20 accept [2] 57:5,10 accepting [1] 52:12 access [1] 7:2 accessible [10] 46:5,10,13 47:5,9 48:4,8,14 49:22,23 accident [1] 11:25 accommodate [1] 54:13 accomplish [3] 3:10 13:11 28:3 account [1] 36:7 acknowledge [1] 8:6 across [1] 7:11 act [2] 36:16 43:6 acted [1] 31:13 actually [1] 23:20 add [1] 9:14 added [3] 18:14,16 39:5 adding [1] 15:18 addition [3] 10:19,22 20:22 additional [1] 36:23 address [2] 33:7 50:19 addressed [1] 33:2 adequate [1] 14:20 adjourn [1] 58:11 adjourned [1] 58:16 administrative [2] 36:15 43:6 adopt [1] 3:15 adopted [4] 3:19 4:11,16 45:21 advice [1] 12:25 advise [1] 3:22 advocates [1] 8:9 advocating [1] 33:3 affected [2] 19:11 21:10 aforsaid [1] 59:13 afternoon [4] 47:22 50:10 51:16 55:9 agencies [1] 15:22 agenda [5] 4:18 12:11 38:3 46:3 47:3 agent [1] 39:4 agents [3] 26:22 35:25 36:11 ago [8] 15:8 24:25 25:13 27:21 30:6 42:23 43: 4,21 agree [8] 7:10 14:21 35:7,8,9,12,13,19 agreement [1] 37:9 agrees [1] 26:17</p>	<p>ahead [4] 17:15 43:17 48:23 55:7 airport [10] 55:17 56:16,17,18,19,24,24 57:13, 16,24 allow [6] 10:13 26:5 29:5 30:4 46:12 47:8 allowed [1] 39:14 allowing [2] 43:7,8 allows [1] 22:22 almost [1] 19:6 alone [2] 6:17,19 alternative [1] 48:14 although [1] 34:21 amend [2] 40:24 46:5 amendment [2] 46:11 49:22 amendments [1] 47:5 analysis [4] 22:20 24:4 33:10,13 ann [3] 1:18 59:9,20 another [3] 11:19 13:2 24:23 answer [2] 24:7 52:24 anticipate [1] 36:19 anybody [1] 54:2 anyway [1] 15:10 apologize [1] 3:4 appear [1] 53:20 appearances [1] 2:2 appeared [4] 17:23 18:9,10 38:8 applauded [1] 21:13 applause [2] 11:2 45:22 applicant [1] 4:3 applications [2] 3:20 4:10 appreciate [2] 11:4 33:19 approval [1] 4:6 approvals [1] 4:11 approve [1] 25:21 approved [1] 37:22 approves [1] 53:11 approximately [1] 43:4 argue [1] 16:22 argument [2] 16:24 27:22 arm [4] 11:15 31:23,24 32:5 around [1] 17:7 arout [14] 2:12 25:9,10 28:7,10 37:7 42:4 43: 15,16 44:2 45:6,7 49:6,7 aspects [1] 36:9 assigned [1] 5:7 assuming [1] 42:11 assure [3] 14:24 15:15,24 attempt [1] 33:5 audience [1] 36:20 authority [6] 22:7,23 23:2,3,4,6 available [7] 13:9 18:3 38:12 47:18 51:8,9 57: 20 avenue [1] 57:8 away [1] 32:4 aye [3] 3:16 4:13 58:12 eyes [3] 3:17 4:14 58:13</p> <hr/> <p style="text-align: center;">B</p> <p>back [5] 27:24 55:14,16 56:24 57:15 backfire [1] 27:8 balanced [1] 27:16 barely [1] 36:18</p>
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FARE AND LEASE CAP VOTE/PUBLIC HEARING ON ROOF LIGHT RULES

July 12, 2012

<p>base ^[1] 3:20 based ^[5] 10:5 18:7 38:16 42:13 45:2 bases ^[1] 4:5 basic ^[1] 57:11 bear ^[1] 50:9 beaver ^[1] 1:13 become ^[1] 31:15 behind ^[1] 41:17 belabor ^[1] 11:23 believe ^[20] 5:10 10:16 15:5 19:12 22:3 24:11, 20 25:2,3,4,7 27:19 28:22,24 31:4 33:11 36:8 37:7,10 43:11 belong ^[1] 35:16 benefit ^[3] 13:20 34:19 35:4 benefits ^[1] 35:4 berford ^[3] 2:18 47:17,18 best ^[2] 5:11 54:12 better ^[9] 3:23 6:3,4 12:6 14:23 24:16 53:25 54:4,7 between ^[1] 32:10 biannual ^[2] 18:17 20:23 big ^[1] 12:20 board ^[1] 27:24 booed ^[1] 21:13 book ^[1] 43:18 both ^[6] 4:11 14:14 17:5 21:3,4 30:16 bottom ^[1] 25:13 breaks ^[1] 11:15 breed ^[1] 33:21 briefly ^[3] 47:2 48:12 53:5 bring ^[1] 54:15 bringing ^[1] 53:3 broke ^[1] 31:23 broken ^[2] 12:24 13:7 broker ^[1] 48:9 brought ^[1] 51:21 brunetti ^[3] 1:18 59:9,20 bulking ^[1] 15:18 burden ^[2] 35:17 51:15 business ^[4] 25:14 53:25 54:7 58:9 buy ^[1] 27:22 buyer ^[1] 7:22 buying ^[1] 46:8</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>cab ^[3] 5:24 31:21 32:2 cabby ^[1] 12:23 cabs ^[1] 29:16 call ^[10] 17:15 18:20 37:24 39:25 41:13 42:6 44:23 48:23,25 52:6 called ^[1] 14:19 calling ^[1] 4:19 came ^[1] 31:23 cannot ^[6] 16:19,23 26:4 27:11,13 55:15 cap ^[30] 1:8 14:11 15:17 16:2,10 18:15 25:21 26:13 27:25 29:9,12,19,24 30:10,17 32:14 34:23 38:2,19,21 39:2,3,23 40:25 41:2,4,5 42:21 43:25 45:21 capability ^[1] 13:8 capital ^[2] 23:20 25:4 caps ^[7] 4:19 14:17,21,25 38:5,6,23</p>	<p>car ^[4] 11:20 16:14 48:8 55:22 card ^[7] 9:12 12:15,24 13:6,8 18:12 20:21 cards ^[1] 12:13 carlyle ^[2] 57:17,18 carone ^[12] 2:13 20:5,9,10,25 21:22 42:16,17 45:4,5 49:4,5 cars ^[1] 13:17 case ^[2] 3:8 51:24 cast ^[2] 31:23 32:5 caution ^[1] 21:7 certainly ^[2] 9:4 15:11 certify ^[1] 59:11 chairman ^[49] 2:6 3:2,18 4:9,15 11:3 15:7,14 17:12 18:23 21:6,23 26:10 27:24 32:13 37:13,17,23 39:24 40:24,24 41:11 42:6,9 44:6,20,23 45:11,23 47:20 48:10 49:11,24 50:13 52:14 53:2,24 54:5,21,23,25 55:7 56:13 57:3,14,25 58:5,8,14 chance ^[2] 36:21 43:9 change ^[4] 4:11 13:11 19:20 46:11 changes ^[8] 16:13 25:6 36:12,19,23 40:11 41:25 42:24 changing ^[4] 12:13 13:12 20:15,16 character ^[1] 23:15 charged ^[3] 19:21 39:11,12 charter ^[2] 22:8 43:13 children ^[1] 12:2 choice ^[1] 46:8 choose ^[1] 32:10 chorus ^[3] 3:17 4:14 58:13 chowdhury ^[8] 2:19 50:6,7,10,13 51:14,16,17 chris ^[3] 3:21,22 4:2 circumstances ^[1] 12:9 cities ^[2] 7:11 33:14 city ^[20] 1:3 6:2 7:14 17:23 18:9 19:16 20:19 22:7 26:18 29:15 33:20,22,25 34:8,17 38:8 43:6,13 47:10,11 clarify ^[3] 15:13 30:18 43:23 clear ^[5] 9:5,7 40:13 41:8 52:3 cleared ^[1] 56:2 clearer ^[1] 51:11 clearly ^[1] 34:6 close ^[1] 19:7 codified ^[1] 23:4 colleagues ^[4] 8:12 13:5 35:6,12 come ^[8] 5:5 9:6 31:5 33:7 37:8 50:7 52:23 53:19 comes ^[2] 8:11 9:4 coming ^[1] 50:8 comment ^[3] 15:8 36:21 43:8 commentary ^[6] 17:5 20:14 21:25 22:11 25:3 43:9 comments ^[15] 17:3,16,25 18:5,7 19:3 38:10,14,16 40:9,12,14,18 47:13,13 commission ^[75] 1:4 2:4 3:1,14 4:1,4 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1,20 18:1 19:1 20:1 21:1 22:1 23:1,8 24:1 25:1 26:1 27:1,4 28:1,14 29:1 30:1,3,14 31:1,3,9 32:1 33:1,2 34:1 35:1 36:1 37:1 38:1,4 39:1 40:1 41:1 42:1 43:1,4 44:1,5 45:1,4 46:</p>	<p>1 47:1,4 48:1 49:1 50:1 51:1 52:1 53:1,11 54:1 55:1 56:1 57:1 58:1 commissioner ^[99] 14:18,19 15:5,12 17:8,10 19:5,6 20:5,7,9,10,14,22,25 21:6,21,22 25:9,10 28:7,10,11,12 30:19,21,23,24,25 32:15,21,23,24 34:5,6 35:2,3,9 37:7,12 40:2,21,22 41:11 42:4,8,13,16,17,19 43:14,15,16,22 44:2,3,4,7,8,9,10,11,12,13,14,18,25 45:2,5,6,7,8,9,10,12,13,14,15,16,17,18,19 49:2,3,4,5,6,7,8,9,10,12,13,14,15,16,17,18,19 commissioners ^[26] 2:14 4:17,20 5:2 7:17 15:24 17:13 18:6,20,23 21:13 22:4 28:14 33:18 35:23 38:15 41:15 42:9 45:23,25 46:17 48:6,12 50:14 52:19 58:17 commitment ^[1] 33:25 commitments ^[3] 42:14 45:3 46:22 committed ^[1] 15:23 companies ^[1] 11:18 comparative ^[1] 33:13 compassionate ^[1] 10:3 compelled ^[1] 27:15 compelling ^[1] 50:17 complain ^[2] 51:25 53:7 complaint ^[4] 52:22 53:18 56:9,11 complaints ^[1] 53:14 compliant ^[1] 25:7 complicated ^[1] 27:3 concern ^[2] 21:4 56:6 concerned ^[2] 26:19 31:12 concludes ^[2] 39:22 58:9 conclusion ^[1] 29:6 conditional ^[1] 39:17 connect ^[5] 46:6,12 47:9 48:7,19 consider ^[2] 23:11 36:21 considerations ^[1] 30:13 considered ^[1] 10:24 considering ^[2] 22:4 38:4 considers ^[1] 3:23 constance ^[1] 2:7 consumed ^[1] 13:22 consumers ^[1] 8:18 contacted ^[1] 15:6 contingencies ^[1] 23:22 continue ^[2] 10:9 53:13 contractors ^[1] 10:25 controversial ^[1] 14:3 conversation ^[1] 15:21 converted ^[2] 48:16,19 core ^[2] 8:15 9:16 correct ^[1] 59:14 cost ^[7] 25:11,17 33:3 34:7,12,13 38:5 costs ^[7] 25:14,15,19 26:2 38:7 39:4 43:20 counsel ^[3] 2:15 37:15 42:7 county ^[1] 59:5 couple ^[1] 6:10 course ^[2] 24:8 55:3 courteous ^[2] 21:12,19 courts ^[1] 6:11 cover ^[2] 39:4,5 coverage ^[5] 11:9,10,12,22 39:6 created ^[1] 13:20</p>
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FARE AND LEASE CAP VOTE/PUBLIC HEARING ON ROOF LIGHT RULES

July 12, 2012

<p>credit ^[9] 9:11 12:13,15,24 13:6,8 18:12 20:21 41:3 crib ^[1] 12:21 criteria ^[2] 22:3 24:11 crown ^[1] 13:18 current ^[4] 14:11 16:10 33:14 50:24 customer ^[2] 6:3 56:8 customer-facing ^[1] 53:12 customers ^[4] 7:5 8:25 9:2 50:21 cut ^[3] 16:7,19,24</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>data ^[1] 27:5 david ^[1] 2:6 dawn ^[1] 50:18 day ^[9] 6:15 7:14 12:19 29:17 32:5 47:23 54:20 57:4 59:16 days ^[2] 8:8 42:15 deadline ^[3] 17:24 38:9 47:12 deal ^[4] 10:11 31:11 40:7 41:18 dearcy ^[13] 2:11 28:11,12 30:19,21,23 35:9 44:3,4 45:8,9 49:8,9 debate ^[1] 9:21 decent ^[4] 9:25 19:17 23:9,11 decision ^[4] 8:2,3 19:11 27:6 decline ^[1] 26:4 decrease ^[1] 47:6 deduction ^[1] 18:11 deeply ^[1] 33:21 degree ^[1] 48:15 delay ^[3] 3:5 41:22,24 deleted ^[3] 18:13 39:4,19 deletion ^[2] 20:20,20 delivery ^[1] 39:5 denial ^[2] 4:6,12 denied ^[1] 44:16 derived ^[2] 23:16,17 describe ^[2] 46:16 47:2 deserve ^[8] 20:2 22:17 26:16 27:14 31:6 35:14,20 36:6 deserves ^[1] 24:6 determination ^[2] 22:13,23 determining ^[1] 23:11 dictate ^[2] 5:14 25:4 different ^[7] 7:7,24 8:9 26:24 57:16,22,23 difficult ^[4] 5:4 7:19 9:17 22:14 diligent ^[1] 33:10 diminished ^[1] 34:12 directly ^[1] 52:7 director ^[1] 4:3 disability ^[6] 10:23 11:10,11,22 31:19 34:18 disagreements ^[1] 42:24 discourage ^[1] 13:10 discourteous ^[1] 21:20 discretionary ^[1] 41:10 discussed ^[1] 48:13 dispute ^[1] 28:22 disregard ^[1] 37:5 distance ^[1] 23:15 division ^[1] 4:10 doing ^[4] 12:12 54:9,10,10</p>	<p>dollar ^[1] 38:21 done ^[1] 8:13 door ^[1] 52:21 dov ^[17] 14:4,5,6,13 15:4 16:6 29:12,13,19,24 30:2 36:11 39:2,3,6,15 41:6 dovs ^[2] 35:25 38:20 down ^[6] 5:19 8:20 53:19 54:20 57:9,19 drafted ^[1] 36:9 drawing ^[1] 27:24 drive ^[5] 6:13,21,24 11:15,20 driver ^[24] 5:22 9:14,25 10:14 11:14,15,16,20,25 13:6,10,19,25 14:8 31:21 33:2,6 39:12,12 51:17 53:9,17,19 57:4 driver's ^[2] 9:11,13 driver-owned ^[1] 14:6 drivers ^[36] 8:21 10:11,24,24 11:8,12 12:14 13:4 19:10,16 22:16 23:19 24:18 26:16,22 27:8,9,12,14,18 28:21 29:2,5 31:6,10 33:19,23 34:17,20 35:11,13,20,25 36:4 39:14 43:20 drivers' ^[1] 18:12 drop ^[3] 56:18,23 57:7 due ^[1] 55:3 duty ^[14] 50:22 51:4,19 52:20 53:9,13,17,18 55:21 56:10,20 58:4,6,6</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>each ^[2] 14:19 18:25 earlier ^[1] 37:14 earn ^[1] 9:25 earning ^[2] 10:5,14 earnings ^[1] 34:10 edward ^[1] 2:9 effect ^[2] 11:9 23:23 efficiency ^[1] 13:21 effort ^[1] 41:19 eight ^[4] 25:13,15 27:18 43:21 eight-year ^[1] 19:23 either ^[2] 51:2,3 elias ^[1] 2:12 eliminated ^[1] 39:10 emphatically ^[1] 34:3 employer ^[1] 11:9 enables ^[1] 13:19 end ^[4] 22:20 27:9,10 35:21 endanger ^[1] 14:13 enforce ^[1] 6:16 enforced ^[1] 15:25 enforcement ^[7] 6:19 14:20,23 15:6,10,17,22 enforcing ^[1] 14:25 enhanced ^[1] 33:24 enough ^[9] 10:6,16 11:12 15:9 16:17,23,23 17:15,17 entertain ^[2] 40:3 53:18 enthusiastically ^[1] 30:15 entire ^[2] 35:24 36:7 entitled ^[1] 25:3 entry ^[1] 47:8 equitable ^[1] 13:25 essentially ^[1] 22:15 establish ^[2] 23:7 52:4</p>	<p>establishing ^[1] 10:23 even ^[5] 6:11 19:18 22:17 26:3 32:2 eventually ^[1] 26:3 everybody ^[1] 31:11 everyone ^[7] 26:16 35:5,7 36:19,25 37:9 55:9 everything ^[3] 12:21 27:7 35:12 evidence ^[4] 24:10,20 28:20 35:10 exact ^[1] 7:12 example ^[1] 48:11 exceedingly ^[1] 3:9 excellent ^[1] 48:11 excuse ^[2] 10:19 43:22 existence ^[1] 29:20 expect ^[1] 33:23 expeditious ^[1] 46:23 expended ^[1] 23:20 expense ^[1] 33:5 expenses ^[2] 23:18 33:9 experience ^[1] 24:16 expert ^[1] 54:5 expertise ^[2] 15:23 54:14 explain ^[1] 53:5 exponential ^[1] 34:9 extremely ^[3] 7:13 21:14 24:7</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>fabric ^[1] 33:22 face ^[1] 19:23 facsimile ^[1] 1:24 fact ^[4] 29:24 35:13 36:13,24 factors ^[2] 23:12,13 failing ^[1] 29:18 fair ^[9] 13:25 16:23 17:14,17 19:17 27:17 36:9,25 37:8 fairly ^[1] 26:9 family ^[2] 32:7,12 far ^[3] 8:3 16:22 26:18 fare ^[69] 1:8 5:8,22,24 8:14,16,17 9:5,21 10:12,14 12:15 17:18 18:11,14,17,22 20:6,10,15,19 22:5,25 23:9,11,23 24:16,21 25:13 26:11,12,14,16 27:11,13,19,20,25 28:8,20,23,25 29:10 30:16,22 31:4,5 32:14,18,20,22,25 33:11,14,15 34:3,7,14,22,25 35:8 37:2,14,19,22 43:21 51:22 52:14 57:5 fares ^[3] 4:19 17:22 23:24 fashion ^[1] 18:20 father ^[3] 31:21 32:3,10 favor ^[11] 3:16 4:13 30:16,20 37:18 44:16,21,22 45:21 49:22 58:12 fear ^[1] 31:14 features ^[1] 5:17 fee ^[1] 12:16 feel ^[9] 5:12 8:21 19:2 21:9 40:14 41:18 48:18 54:8,11 feels ^[1] 37:9 fees ^[2] 18:13 20:21 fellow ^[2] 28:13 33:17 few ^[2] 31:14 42:15 files ^[1] 56:8 final ^[1] 40:15</p>
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July 12, 2012

<p>finally [3] 12:10 14:2 19:16 fine [1] 3:9 first [1] 3:4,12 10:22 17:18 18:10 19:3 22:24 23:2 34:16 50:6 51:15 five [2] 4:5 45:20 flag [1] 5:19 flagrant [1] 43:5 flags [2] 57:9,19 flat [1] 12:16 fleet [1] 13:14,15,18,19,24 36:2,10 38:5,20 46:7,7 fleets [5] 25:25 26:23 30:9,10 38:20 floor [1] 53:4 focused [1] 22:12 folks [1] 41:24 follow [1] 22:4 followed [1] 15:2 following [3] 18:8 23:13 38:17 food [4] 10:6,17 12:3 32:11 forces [1] 5:10 foregoing [1] 59:12 forms [1] 23:24 forward [7] 9:22 14:24 19:19 31:17 50:5 53: 10 56:11 four [3] 44:19,20,22 framed [1] 22:16 frank [1] 2:13 frankly [1] 35:7 frequent [1] 30:14 front [1] 47:7 fuel [2] 13:20 33:6 fuel-efficient [2] 13:17 33:4 fun [1] 5:3 fund [4] 10:23 31:19 32:9 34:18 further [3] 36:16 41:21,23 future [1] 19:20</p>	<p>governs [1] 24:4 gratified [1] 9:20 great [5] 34:11 40:7,17 41:18 48:15 greater [2] 16:20,21 grind [1] 3:8 gross [1] 23:16 ground [2] 3:9 24:23 grounds [2] 24:22 25:8 groups [1] 26:24 guarantee [1] 7:4 guy [1] 55:23 guy's [1] 52:20 guys [6] 48:2,9 52:16,19,23 54:17</p>	<p>importantly [2] 19:18 28:24 improved [1] 33:4 inaudible [3] 51:19,23 52:8 incentive [1] 38:19 including [5] 19:9 23:12,13,19 33:9 income [5] 11:21 12:3 23:19,21 33:2 incorporating [1] 40:19 increase [5] 8:14 9:21 10:14 16:15,25 17:21 20:4 22:5,25 24:15,17,21 25:20 26:14,16 27: 2,12,13,19,20 28:20,23,25 29:10,11,18 30:16, 22 31:5 32:14,20,22,25 33:11,15 34:4,7,9,14, 22,25 35:8 37:2,14,19,22 38:5,6 39:8 43:21 52:15 increased [3] 31:4 34:14 38:21 indeed [3] 14:14 28:21 29:10 independent [1] 10:25 indicates [1] 40:7 indicator [1] 53:12 indisputable [1] 9:7 industries [1] 7:9 industry [28] 5:17 6:4,7 8:10 10:5,8 13:13 14: 5 19:9 24:5 26:8,21 27:2 29:14,21 30:2 31: 10,13,14,16,20 34:11 35:24 36:8,10 37:5 38: 7 41:6 information [2] 30:4,7 initially [1] 29:23 insist [2] 21:11,18 intent [1] 41:17 interest [1] 10:10 interrelated [1] 17:4 introduce [1] 4:22 involve [1] 48:15 involved [1] 34:11 iris [1] 2:10 iron [1] 31:10 isn't [2] 13:7 25:22 issue [7] 21:9 23:2 25:11 29:8 43:19 50:20 53:3 issues [3] 17:4 41:3,20 item [6] 4:17 12:5,22 14:2,15 46:4 items [3] 4:8 12:10 23:14 itself [2] 42:11,18</p>
H		
<p style="text-align: center;">G</p> <p>game [1] 7:21 garage [3] 13:14 25:12 36:2 garages [3] 25:18,19 26:23 gas [3] 9:9 13:22,23 gasoline [3] 9:11 13:13,16 gave [1] 56:7 general [1] 2:15 generation [1] 19:13 gentlemen [1] 47:25 getting [1] 3:6 girl [1] 31:22 give [7] 6:17 9:2 26:10 27:7 47:18 48:21 50:8 given [2] 19:17 22:7 gives [1] 55:14 gjonaj [12] 2:14 14:18 17:8 19:5,6 20:7 42:8, 13 44:25 45:2 49:2,3 gjonaj's [2] 20:14,22 goal [1] 51:10 gonzales [9] 2:9 32:23,24 44:9,10 45:14,15 49:14,15 got [4] 10:20 12:18 40:8 54:21 governing [1] 23:6 government [3] 5:13 7:25 8:4</p>	<p>hale [1] 55:15 hales [1] 56:25 half [1] 42:23 hand [3] 5:19 55:14 59:16 handed [2] 24:24 43:3 handled [2] 12:14 13:13 happen [3] 26:5 32:4 56:21 hard [3] 19:18 21:14 48:2 hardest [1] 26:17 health [5] 10:23 11:9 31:19 32:11 34:18 healthcare [3] 29:5 35:14,16 hear [5] 14:22 21:13 47:15 48:9 52:11 heard [5] 4:21 8:8 14:10 16:6 21:25 hearing [14] 1:10 15:8 17:25 18:3 36:17 38: 10,12 46:18,24 50:3 51:13 52:2 54:12 58:15 hearings [2] 14:14 15:8 held [4] 1:12 8:19 18:2 38:11 help [1] 53:23 hereby [1] 59:10 hereunto [1] 59:15 higher [3] 7:21 8:5 33:9 history [1] 34:17 hold [3] 5:18 50:11 51:22 holds [1] 39:13 home [3] 9:15 12:2 31:23 honest [1] 15:16 honestly [1] 16:19 honor [1] 51:14 hope [3] 52:23 54:8,11 hotel [1] 57:18 hour [1] 42:23 hours [6] 9:17 21:15,15,15 36:14 56:22 house [2] 12:3,19 however [3] 22:19 23:12 30:7 huff [1] 6:18 huge [2] 14:4 34:19 hurt [1] 16:8 hurting [1] 27:9 hybrid [4] 14:12 16:12,15 38:19</p>	<p>importantly [2] 19:18 28:24 improved [1] 33:4 inaudible [3] 51:19,23 52:8 incentive [1] 38:19 including [5] 19:9 23:12,13,19 33:9 income [5] 11:21 12:3 23:19,21 33:2 incorporating [1] 40:19 increase [5] 8:14 9:21 10:14 16:15,25 17:21 20:4 22:5,25 24:15,17,21 25:20 26:14,16 27: 2,12,13,19,20 28:20,23,25 29:10,11,18 30:16, 22 31:5 32:14,20,22,25 33:11,15 34:4,7,9,14, 22,25 35:8 37:2,14,19,22 38:5,6 39:8 43:21 52:15 increased [3] 31:4 34:14 38:21 indeed [3] 14:14 28:21 29:10 independent [1] 10:25 indicates [1] 40:7 indicator [1] 53:12 indisputable [1] 9:7 industries [1] 7:9 industry [28] 5:17 6:4,7 8:10 10:5,8 13:13 14: 5 19:9 24:5 26:8,21 27:2 29:14,21 30:2 31: 10,13,14,16,20 34:11 35:24 36:8,10 37:5 38: 7 41:6 information [2] 30:4,7 initially [1] 29:23 insist [2] 21:11,18 intent [1] 41:17 interest [1] 10:10 interrelated [1] 17:4 introduce [1] 4:22 involve [1] 48:15 involved [1] 34:11 iris [1] 2:10 iron [1] 31:10 isn't [2] 13:7 25:22 issue [7] 21:9 23:2 25:11 29:8 43:19 50:20 53:3 issues [3] 17:4 41:3,20 item [6] 4:17 12:5,22 14:2,15 46:4 items [3] 4:8 12:10 23:14 itself [2] 42:11,18</p>
I		
	<p>ignored [1] 14:17 illegal [1] 6:21 illuminated [4] 51:2,5,7,8 implementation [1] 41:25 important [12] 11:13 12:4 14:4 24:7 28:25 29:10,14,15,16 52:25 53:3,22</p>	<p style="text-align: center;">J</p> <p>jeff [1] 6:18 jeopardize [1] 29:20 jfk [1] 55:13 job [11] 5:2,3,6,11 6:5 8:11,13 11:19 35:23 40: 17 51:23 jobs [1] 11:17 joined [1] 28:13 joshi [58] 2:15 17:20 19:5 20:5,8,18 25:9 28:7, 11 30:18,22,24 32:17,23 34:5 35:2 37:12,16, 18 38:3 42:8,16 43:15,22 44:3,5,7,9,11,13,15, 22,25 45:4,6,8,10,12,14,16,18,20 47:4 49:2,4, 6,8,10,12,14,16,18,21 50:11 52:10 53:7 54: 24 56:5 judge [1] 54:6 july [9] 1:5,12 17:25 18:2,4 38:10,11,13 59:16 june [4] 6:22 17:24 38:9 47:13 justice [1] 3:8</p>

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July 12, 2012

<p>justified ^[1] 33:15</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>keep ^[1] 22:11 kind ^[1] 51:23 knowing ^[2] 16:2 50:21 knows ^[2] 54:3,6</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>labor ^[1] 9:18 lack ^[1] 14:20 ladies ^[1] 47:24 laid ^[1] 11:25 large ^[1] 40:8 larger ^[1] 11:17 lashann ^[1] 2:11 last ^[15] 6:17,19 8:8 16:5 25:12 31:3,14 32:25 35:4 36:14 42:15 43:21 46:17 50:16 55:21 later ^[1] 55:22 lauvienska ^[1] 2:8 law ^[3] 15:21 22:12 32:3 lawful ^[1] 43:10 leads ^[1] 29:5 lease ^[44] 1:8 4:19 14:11,16,21,25 15:17 16:2, 10 18:15,17 25:20,21 26:12 27:25 29:9,12,19, 24 30:10,17 34:22 37:25 38:5,6,19,21,23,25 39:2,3,6,11,15,17,21,23 40:25 41:2,4,5 42:21 43:25 45:21 leased ^[1] 14:7 leases ^[1] 39:19 leasing ^[1] 26:22 least ^[5] 10:16 15:19 30:8 45:24 54:11 leave ^[2] 21:19 54:25 leaving ^[1] 56:16 left ^[1] 3:23 leg ^[2] 11:15 47:7 legitimate ^[1] 28:22 less ^[2] 9:15 13:22 level ^[2] 14:11 33:24 licensed ^[1] 47:9 licensees ^[1] 46:7 licensing ^[2] 4:3,10 light ^[11] 1:10 46:19 50:4,22,24 52:18,25 55: 11,18,23 57:9 lights ^[4] 50:2 51:3,18 55:12 limit ^[2] 6:8,12 limited ^[2] 39:21 55:16 limousine ^[58] 1:4 3:1 4:1,4 5:1 6:1 7:1 8:1 9: 1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18: 1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27: 1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36: 1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45: 1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54: 1 55:1 56:1 57:1 58:1 line ^[1] 25:13 list ^[2] 23:14 40:6 listening ^[1] 22:9 lit ^[2] 50:22 51:7 litigious ^[1] 31:15 little ^[3] 5:12 51:11 54:3 livable ^[1] 31:7 live ^[1] 35:17</p>	<p>livelihoods ^[1] 21:10 living ^[3] 9:25 34:8,12 loan ^[1] 32:2 long ^[7] 8:23 19:15 26:19 28:23 35:11 38:24 54:19 long-term ^[1] 10:4 longer ^[3] 32:10 53:10,12 look ^[3] 25:10 43:19 53:24 looked ^[1] 27:5 looking ^[9] 23:5 24:3,9,10,12,13,17,18 54:17 lopsided ^[1] 27:8 lose ^[2] 54:19 55:17 lot ^[2] 6:23 8:20 low ^[1] 14:12 lower ^[2] 7:22 8:6 ltd ^[1] 1:22</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>machine ^[2] 12:24 13:6 made ^[10] 15:9 18:3,8 26:21 27:5 36:12 38:12, 18 40:11,14 magazine ^[1] 12:18 main ^[1] 55:19 mainly ^[1] 33:3 mamaroneck ^[1] 1:23 many ^[13] 4:20 6:13 11:17 26:8 27:4 40:10,13, 18 46:6,7 48:13,13,16 marino ^[14] 2:7 14:19 15:5,12 32:15 35:2,3 44:13,14,18 45:18,19 49:18,19 mark ^[1] 2:14 market ^[2] 5:10 7:2 markets ^[2] 5:11 7:8 math ^[1] 16:20 matter ^[1] 36:13 maximum ^[1] 39:7 mean ^[3] 36:18 54:2 57:5 means ^[5] 6:3 7:5 8:7 50:22 51:7 medallion ^[10] 7:3 14:7 39:3,6,11,16,21 48:5 50:25 51:6 meera ^[7] 2:15 37:23 39:25 46:16 47:2 48:25 53:5 meet ^[2] 25:19,25 meeting ^[4] 3:14 21:16 50:17 58:15 member ^[1] 30:13 members ^[4] 3:5 29:25 30:3 50:14 mentioned ^[1] 34:13 met ^[2] 24:12,21 middle ^[1] 50:25 might ^[1] 8:21 miller ^[1] 50:18 mind ^[4] 22:12 24:3 26:15 29:6 mindful ^[1] 22:3 minimum ^[1] 11:11 minor ^[1] 50:20 minute ^[2] 50:9,12 minutes ^[5] 3:13,15,19 24:25 43:4 mix ^[1] 49:19 model ^[4] 29:12,13,19,24 mohan ^[3] 2:21 54:24 55:10 money ^[1] 31:25 month ^[6] 4:5,7 6:17,19,22 30:6</p>	<p>morning ^[7] 3:3 4:2 17:21 19:7,7 20:12,13 most ^[3] 14:3 33:5,18 motion ^[10] 40:2,21 41:13,16 42:2,12,20 43: 14,24 44:15 move ^[8] 3:15 4:9 30:5 40:24,25 41:7 46:24 58:11 moved ^[2] 19:19 30:11 ms ^[58] 17:20 19:5 20:5,8,18 25:9 28:7,11 30: 18,22,24 32:17,19,23 34:5 35:2 37:12,16,18 38:3 42:8,16 43:15,22 44:3,5,7,9,11,13,15,22, 25 45:4,6,8,10,12,14,16,18,20 47:4 49:2,4,6, 8,10,12,14,16,18,21 50:11 52:10 53:7 54:24 56:5 mta ^[1] 33:14 much ^[7] 22:6 41:25 47:24 54:16,22 56:4 58: 8 must ^[3] 15:25 22:4 29:8 mutually ^[1] 37:8 myself ^[2] 33:9 43:17</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>name ^[3] 4:2,11 51:17 nearly ^[2] 9:10,12 necessary ^[4] 29:11 33:12 34:7 35:9 need ^[6] 10:21 14:23 23:21 25:21 27:2 35:11 needed ^[1] 41:25 needs ^[1] 13:2 negate ^[1] 33:5 negotiate ^[1] 5:23 negotiations ^[2] 42:14 45:3 net ^[1] 23:17 never ^[2] 19:23 56:20 new ^[31] 1:3,14,14,23 4:5 7:13,14 10:2 12:18 18:16 19:16 24:25 26:18,24 29:16 31:16 33: 20,25 34:8,17 36:15,18 41:5 43:3,5,12 47:10 52:25 59:4,5,10 next ^[6] 4:17 6:10 38:3 47:3 52:11 54:24 nighttime ^[1] 52:7 nine ^[2] 23:14 24:11 nobody ^[2] 52:7 54:6 non-illuminated ^[2] 51:3,5 non-trivial ^[1] 50:20 nonsense ^[1] 25:16 noon ^[2] 19:7,8 nora ^[1] 2:7 nos ^[1] 37:19 notary ^[1] 59:10 note ^[1] 3:24 noted ^[1] 58:18 notes ^[1] 59:14 nothing ^[1] 32:4 notice ^[1] 36:17 number ^[17] 6:8 7:21,22,23,25 8:2,4 9:16 11:1 24 16:3 18:18 20:24 23:22 25:22 40:8 50:25 51:6 numbers ^[3] 9:6 14:15 16:10</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>object ^[1] 7:23 objective ^[1] 22:13 objectively ^[1] 24:9 obligated ^[3] 57:5,10,21</p>
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July 12, 2012

<p>occur ^[1] 18:18 odd ^[2] 18:18 20:24 offer ^[1] 7:4 office ^[1] 11:17 offset ^[2] 38:5,6 often ^[1] 13:5 okay ^[3] 41:11 55:4 58:7 once ^[1] 19:13 one ^[33] 4:6 5:16 6:22 10:19 12:13,22 13:2 15:3,16,17 18:25 20:11,11,12,20,21 21:16 22:22, 22 24:5 33:8 35:3 37:5,20 38:21 45:24 46:4 47:16 50:11 51:20,22 52:2 57:11 ones ^[1] 48:20 ongoing ^[1] 50:20 only ^[6] 15:16 25:18 39:11,12 51:6,10 open ^[1] 55:2 opened ^[1] 12:20 opening ^[1] 52:21 operates ^[1] 12:8 operating ^[3] 25:11,17 43:20 operation ^[5] 23:17,18,18 24:17 34:13 operators ^[4] 14:4,6 15:4 23:19 opinions ^[1] 11:6 opportunities ^[2] 17:13 18:25 opportunity ^[5] 4:23 13:15 18:21 19:14 42:10 oppose ^[3] 3:18 4:15 58:14 opposed ^[1] 44:17 option ^[3] 13:14 39:5 48:22 order ^[1] 4:8 organization ^[2] 52:17 54:14 osman ^[3] 2:19 50:6 51:17 other ^[17] 7:8,9,24 8:24 12:10 15:21 23:24 24:2 30:3 33:13 36:9 37:6 38:23 48:13,20 55:20 57:4 others ^[2] 5:4 44:16 otherwise ^[1] 25:16 out ^[12] 6:18 9:10,12 11:16,21 31:10,25 32:5 45:25 48:21 52:20 55:22 outside ^[1] 53:12 outstanding ^[1] 4:8 over ^[8] 6:10 8:8 9:3,9 27:20 28:3,13 42:15 overdue ^[2] 28:23 35:11 overwhelming ^[2] 28:19 35:10 overwhelmingly ^[1] 9:23 owed ^[1] 31:25 own ^[3] 6:9 14:7,9 owner's ^[1] 16:7 owners ^[8] 6:20 7:3 10:10 27:9 36:2,2,10 48:17</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>p.m ^[1] 58:18 package ^[1] 28:2 pages ^[1] 59:12 paper ^[1] 16:3 papers ^[1] 12:21 paperwork ^[1] 10:21 part ^[1] 52:25 participate ^[1] 28:18 participating ^[1] 28:15</p>	<p>particular ^[3] 5:6 21:17 40:5 particularly ^[4] 28:17 31:18 32:8 36:10 parts ^[2] 5:3,3 passed ^[2] 32:3 49:23 passenger ^[10] 13:2,9 24:14,16 30:14 33:10 55:13,21 56:23 57:13 passengers ^[9] 5:18 8:19 9:19,24 10:10 19:11,24 33:22 51:11 past ^[3] 9:9 25:15 27:5 pay ^[8] 5:22 9:11,24 10:17 12:16 13:15 21:15 29:3 paying ^[1] 12:14 penalties ^[1] 39:8 people ^[29] 3:22 4:23 5:9 6:9,13,23 7:14,23 8:5,5 11:6,17 15:15,19 16:22 17:9 21:7,9,18,19 26:18 31:20 32:9 46:21 48:18 51:22,22 52:17 53:7 people's ^[1] 21:10 per ^[3] 10:15 12:17 39:7 percent ^[4] 12:16 18:12 20:21 36:6 percentage ^[1] 12:15 perhaps ^[1] 4:21 period ^[3] 9:3 19:23 39:20 permit ^[2] 25:25 38:22 permitted ^[2] 6:24 46:9 person ^[3] 15:17 21:11 47:16 persuaded ^[2] 29:9,23 petition ^[1] 27:19 phased ^[1] 13:17 philosophical ^[1] 22:22 phone ^[1] 52:2 photographers ^[1] 3:24 pick ^[4] 7:23 56:17 57:13,21 picking ^[1] 55:13 piece ^[1] 16:3 place ^[2] 41:9 59:13 plain ^[1] 9:16 please ^[8] 3:24 11:3,3,4 31:16 37:15,24 42:6 pleasure ^[2] 28:15 31:2 point ^[2] 16:5 58:6 polanco ^[12] 2:8 17:10 34:5,6 40:2,22 44:11, 12 45:16,17 49:16,17 polanco's ^[2] 42:20 43:14 poll ^[1] 17:6 portfolio ^[1] 15:20 position ^[3] 7:17 30:5,9 power ^[1] 23:7 practical ^[1] 10:2 practice ^[1] 56:13 practitioner ^[1] 35:15 predictability ^[1] 9:3 predictable ^[1] 5:22 preliminaries ^[1] 3:13 premature ^[1] 25:5 prepared ^[1] 9:24 present ^[1] 2:23 presentation ^[3] 49:25 50:16,18 presented ^[5] 19:13 20:11 24:10 33:16 43:12 press ^[1] 22:15 price ^[3] 7:4,20 9:3 prices ^[3] 5:12,13 6:6</p>	<p>prior ^[3] 20:12 21:5,24 private ^[1] 24:5 probably ^[1] 26:2 problem ^[3] 52:8,20 54:18 procedures ^[2] 36:16 43:6 proceeding ^[1] 11:7 process ^[3] 20:15,23 37:6 processed ^[1] 40:10 processing ^[2] 9:12 40:17 product ^[1] 40:15 profits ^[1] 34:10 program ^[1] 35:16 prohibiting ^[1] 18:11 proposal ^[19] 9:22 11:5,11 25:2,24,24 26:11, 11,13,14 27:7,16 28:9 32:18 38:2 40:23 42:22 50:19,23 proposals ^[1] 14:15 propose ^[1] 53:6 proposed ^[15] 16:7 17:21 18:14,14 29:4 30:20 32:20 36:25 37:21 38:4 40:25 42:25 43:3 47:5 50:23 proscribe ^[1] 23:8 protect ^[2] 26:6 37:4 protected ^[1] 7:2 proud ^[5] 12:19 28:17 31:18 32:8 34:16 proudly ^[2] 8:13,25 proved ^[1] 14:3 provide ^[5] 26:24 29:11 32:6 33:23 47:16 provided ^[3] 23:16 30:2,8 provision ^[2] 18:10 46:15 provisions ^[1] 40:6 prudent ^[1] 43:10 public ^[32] 1:10 2:24 3:5 9:21,22 12:7,7,12 17:25 18:3 23:23,25 24:14 25:2 26:4,7 27:10 34:2 36:3,16 38:10,12 40:9 41:24 43:8 46:18, 24 50:3,15 51:13 57:20 59:10 published ^[2] 20:19 47:11 purchase ^[1] 39:18 purpose ^[1] 55:25 purposes ^[1] 34:24 pursuant ^[1] 43:12 put ^[8] 9:22 10:6,17 12:3 21:15 41:19 50:4 55:23 putting ^[1] 32:11</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>quality ^[1] 19:25 question ^[7] 22:16,18,19,21,24 26:15 55:19 quick ^[1] 46:4 quickly ^[1] 12:10 quietly ^[1] 11:6</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>raise ^[7] 9:5,18 19:24 22:17 24:6 35:20 36:5 raised ^[2] 29:3,3 rate ^[8] 5:24 16:11 20:3 23:7 25:20 39:7,11 41:4 rates ^[4] 7:6 18:17,18 19:20 rather ^[2] 12:14 17:3 ray ^[1] 6:18 reaction ^[1] 9:22 read ^[2] 23:6 43:17</p>
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July 12, 2012

<p>ready [2] 5:6 41:20 real [1] 16:2 realize [1] 43:16 realized [2] 13:23,24 really [7] 13:7,16 16:23 17:4 31:10 40:8 42:19 rear [2] 47:7,8 reason [4] 5:25 42:20 48:21 52:2 reasons [3] 15:3 21:4 37:13 receipts [1] 18:12 receive [2] 52:7 53:15 received [5] 18:5,7 38:14,16 47:14 receiving [1] 22:10 recently [2] 36:12,13 recognize [1] 40:16 recommend [3] 17:2 41:15,16 recommendation [2] 4:12 20:23 recommending [1] 42:2 record [8] 15:13 17:23 18:9 20:19 30:19 38:9 47:12 54:25 recorded [1] 38:24 records [2] 53:16 56:10 recovering [1] 11:19 reduce [1] 26:2 reference [1] 39:19 reflect [1] 43:9 reflected [1] 20:15 refusal [1] 52:22 refuse [1] 55:18 refused [1] 53:8 refusing [1] 55:24 regular [2] 16:12,14 regulate [1] 35:23 related [1] 38:25 relation [1] 23:24 relationship [1] 24:19 relevant [2] 23:12,13 rely [1] 7:14 remember [2] 31:22 50:18 remind [1] 50:15 rent [1] 10:17 repair [1] 39:4 repeated [1] 14:16 replace [1] 50:24 replacing [1] 13:18 report [1] 37:17 reported [1] 1:17 reporter [1] 59:9 reporters [1] 22:18 reporting [1] 1:22 reports [1] 48:18 request [2] 4:7 52:14 requirement [5] 18:16 36:16 39:2,10 47:7 requirements [1] 25:4 reserve [1] 23:21 residence [1] 56:18 resolved [1] 41:20 resource [1] 15:22 respect [6] 29:12,19 30:8,10 41:6 54:13 respond [1] 18:21 responding [1] 40:18</p>	<p>response [2] 40:11 56:6 responsibility [4] 5:7,9 6:25 7:6 responsible [1] 14:8 rest [1] 46:2 restored [1] 38:20 restricted [1] 39:17 result [2] 30:9 41:23 retaliation [1] 39:9 return [4] 23:17,20 55:16 56:24 returning [3] 56:12,15,19 revenue [3] 23:16 26:2 33:8 review [4] 18:6,17 20:23 38:16 revise [1] 23:9 revised [1] 38:22 revisions [3] 18:8 38:17 39:22 rich [1] 10:16 ride [1] 29:16 rider [1] 48:4 riding [4] 26:6 27:9 33:25 36:3 risk [1] 29:22 roadworthy [1] 48:15 roll [8] 17:16 18:20 37:24 39:25 41:13 42:6 44:23 48:25 rolled [1] 31:9 roof [9] 1:10 46:19 49:25 50:4,24 51:18 52:18,25 55:11 room [4] 8:21 21:12 47:7 52:3 route [1] 56:25 routinely [1] 14:17 rule [32] 16:7,13 17:18,21,23 18:8,22 20:6,10,19 22:7 29:4 34:22,23 38:4 40:6,25 41:2,5,7,9 42:10,18,25,25 43:3 44:24 46:11 47:3 50:23 53:11 57:6 rules [23] 1:10 4:18 15:25 17:5 18:11,14,15 22:8 25:5 30:20 36:8,24 37:10,21,25 38:8,22 39:23 45:21 46:19 47:11 50:4 57:11</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>safe [1] 19:25 sake [1] 31:6 same [10] 7:12 8:17 30:7 33:24 42:20 51:25 52:5 57:3,6 58:2 sapone [9] 2:20 52:11,12,16 53:21 54:3,16,22 56:8 satisfied [1] 37:9 savings [1] 13:23 saying [3] 14:22 21:24 57:15 says [1] 23:7 scanlon [1] 6:18 scheduled [1] 22:2 second [4] 10:20 37:25 42:5 51:21 section [7] 22:6,8,12 23:5,10 41:4,5 sector [1] 16:6 see [7] 6:15 24:13 26:3 34:21 48:21 54:8 56:9 seeking [2] 29:2 55:5 seem [1] 48:18 segment [5] 14:5,13 24:5 29:21 37:5 segments [4] 8:9 26:8,25 37:6 seized [1] 6:20 seller [1] 7:21 sense [1] 5:16</p>	<p>separated [1] 34:24 september [3] 28:4 41:2,8 serious [1] 41:3 service [11] 5:21 19:25 23:16,25 24:15,15 26:4,25 33:24 53:8 57:11 services [1] 1:22 set [8] 6:6 8:3,4 19:21 31:16 32:9 37:25 59:15 sets [1] 17:3 setting [6] 5:8,11,13 7:6,20 23:8 several [2] 3:20 24:24 share [1] 13:19 sheet [1] 12:21 shift [5] 9:11,13,16 10:15 12:17 shifted [1] 11:18 shifts [1] 38:6 short [3] 28:16 56:21,22 shorthand [1] 59:9 shouldn't [1] 54:9 shout [1] 6:18 show [2] 11:4,6 side [7] 3:23,24 8:24 16:7 33:3,8 51:4 signed [1] 47:16 significant [2] 28:16 38:17 similar [2] 23:25 56:7 simmons [5] 2:18 47:17,18,20,22 simple [4] 9:17 25:11 43:19 51:6 simply [1] 25:20 since [7] 9:21 17:4 22:15 25:12 29:4 32:25 43:21 sincerely [1] 54:13 singh [11] 2:21 54:24 55:6,9,10 56:12,15 57:12,23 58:3,7 singular [1] 29:6 sitting [1] 55:22 situation [2] 10:7 58:2 six [3] 8:17 9:9 37:19 sleeves [1] 31:9 slowly [1] 3:8 smart [1] 10:3 so-called [1] 14:5 solo [1] 35:15 solving [1] 54:18 somebody [6] 55:14 56:17,25 57:7,17,19 someone [4] 16:16 52:21 56:16 57:9 sometimes [3] 3:7 51:21 55:20 soon [1] 53:15 sorry [5] 20:8 21:6,21 37:3 55:4 speakers [2] 2:17 22:2 speaks [1] 24:14 special [1] 33:20 specification [2] 46:5 47:6 specifications [2] 46:9 49:23 spread [1] 12:20 stability [1] 9:2 stable [1] 10:7 staff [4] 33:10,17 40:5,16 stakeholders [4] 19:10,22 40:9,14 standing [1] 55:23 stark [1] 9:8 start [1] 50:12 started [2] 3:6,12</p>
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FARE AND LEASE CAP VOTE/PUBLIC HEARING ON ROOF LIGHT RULES

July 12, 2012

<p>starting ^[1] 21:5 state ^[2] 59:4,10 stated ^[1] 37:13 statement ^[1] 35:22 statements ^[2] 4:24 17:14 states ^[1] 24:2 stay ^[2] 46:3,22 steno-kath ^[1] 1:22 stenographic ^[1] 59:14 stenokath@verizon.net ^[1] 1:25 still ^[4] 19:7 31:24 40:14 42:25 stop ^[3] 51:23 55:15 57:21 stops ^[1] 52:8 storage ^[1] 48:5 straighten ^[1] 52:19 street ^[2] 1:13 57:8 strict ^[1] 6:12 strictly ^[1] 6:8 strongly ^[1] 21:9 submit ^[2] 5:15 55:2 submitted ^[3] 18:5 27:20 38:15 substantive ^[1] 25:6 sum ^[1] 7:20 summer ^[1] 28:3 superior ^[1] 48:20 support ^[5] 11:5 40:15 41:23 42:19 43:13 surcharge ^[1] 41:4 surplus ^[1] 23:21 switch ^[1] 58:5 symbiotic ^[1] 24:19 sympathy ^[1] 15:4 system ^[3] 7:7,10 51:11 systemic ^[1] 19:20</p>	<p>therefore ^[1] 26:12 they've ^[5] 8:22 21:14 31:13 53:8,13 thinkers ^[1] 10:4 third ^[1] 57:8 thoroughly ^[1] 40:10 though ^[3] 29:8 32:2 40:18 thousand ^[1] 6:10 three ^[5] 12:12 38:23 39:14,21 44:16 thrive ^[1] 10:9 throughout ^[1] 11:7 ticket ^[2] 56:21,22 title ^[1] 39:13 tlc ^[2] 18:4 38:13 tlc's ^[1] 47:5 today ^[18] 3:10 4:25 8:14,21 9:15 11:8,14 12:11,16 13:2 19:12 28:18 36:20 37:10 47:15 48:4 51:12 58:10 today's ^[4] 11:11 19:11,22 58:15 together ^[2] 26:23 34:22 tone ^[1] 31:16 topic ^[1] 4:22 tormey ^[2] 3:25 4:3 totality ^[2] 24:12,13 trained ^[1] 5:21 transaction ^[2] 18:13 20:21 transactions ^[1] 38:24 transcript ^[2] 18:2 38:11 transcription ^[1] 59:14 transit ^[5] 46:6,12 47:9 48:7,19 transportation ^[1] 23:25 transported ^[1] 23:23 travel ^[1] 23:15 treat ^[1] 6:2 treated ^[1] 26:8 treatment ^[1] 14:3 tremendous ^[1] 34:19 tried ^[1] 22:11 trip ^[2] 57:10,18 true ^[2] 5:5 59:13 truly ^[2] 19:12 31:4 trying ^[4] 6:15,21 13:10 48:6 turn ^[1] 29:8 turning ^[1] 55:14 two ^[14] 4:18 6:11 15:8,19 17:3 18:16,24,25 25:8 27:20 37:19 51:3 56:2,22 twofold ^[1] 21:4 type ^[2] 35:14,16 types ^[3] 7:8,9 38:23</p>	<p>unique ^[2] 5:17 6:7 unlawful ^[1] 43:12 unlikely ^[1] 41:22 until ^[1] 42:23 up ^[32] 5:18 9:9,12,14 12:2 15:18 19:4 25:12,14,15,18 26:21 27:5,9 31:9 32:9 36:5 39:14 42:23 43:20 47:16 49:19 50:7,8 52:23 53:4 55:13,23 56:2,17 57:13,21</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>vehicle ^[9] 14:6,9 38:25 39:3,6,13,16,20 46:8 vehicles ^[5] 6:20 33:4 47:6,8 48:14 verify ^[2] 28:8 53:15 version ^[5] 20:18 24:25 46:10,13 48:19 via ^[2] 33:2,13 victorias ^[1] 13:18 view ^[1] 9:23 vincent ^[2] 2:20 52:11 violated ^[1] 14:17 violation ^[2] 36:15 43:5 visit ^[1] 11:24 vote ^[54] 1:8 4:16,20,24 8:13 15:25 17:11,16,18 18:22,24 19:3,22 20:3,6 22:14 24:21 25:5,8 27:11,13 28:2,3,18 31:19 34:3 37:2,3,14,16,18 40:23 41:2,8,9,16 42:2,11,21 43:2,11,13,25 44:4 45:3,20 46:4,17,19,22,25 48:7,24 49:21 voted ^[2] 15:17 34:23 votes ^[3] 17:6 18:24 28:16 voting ^[13] 8:15 20:11 24:23 26:12 27:15 30:15,19 32:13,15,17 34:24,24 51:12</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>wage ^[2] 19:17 31:7 wait ^[2] 8:22 48:6 waited ^[1] 27:18 waiting ^[1] 48:9 wanted ^[2] 15:12 40:16 wants ^[3] 7:21,22 16:16 warranted ^[4] 22:5,25 28:21 29:25 way ^[13] 6:2 7:12 8:22 10:16 12:13 13:12,22 19:20 25:18 37:4,8 56:19 57:17 website ^[2] 18:4 38:13 week ^[6] 14:11,12 16:11,14,15 39:7 weeks ^[1] 8:8 weinsall ^[11] 2:10 30:24,25 32:19,21 44:7,8 45:12,13 49:12,13 welcome ^[1] 56:5 whatever ^[1] 7:22 wheelchair ^[2] 48:3,8 wheels ^[1] 3:7 whereof ^[1] 59:15 whether ^[9] 15:10 18:22 22:5,16,24 24:4 43:24 48:7 53:16 who's ^[1] 11:25 whole ^[5] 19:9 24:18,19 31:13 41:2 whom ^[1] 29:2 wife ^[1] 54:3 will ^[54] 4:21,22,23,24 5:20,21,22 7:23 10:14 11:5,11 12:16 13:3,6,11,15 14:12,25 15:2,18 17:6 18:24,24 19:17,23,24 21:19 23:8 24:15 25:25 26:2 27:8 28:16 29:4 32:4,9,10 34:17</p>
<hr/> <p style="text-align: center;">T</p> <hr/> <p>t-pep ^[2] 53:16 56:9 table ^[12] 10:6,17 12:4 17:7 32:11 40:25 41:7,14 42:3,12 43:24 44:2 tabling ^[1] 43:7 task ^[1] 14:20 taxi ^[83] 1:4 3:1 4:1,4 5:1,8 6:1 7:1 8:1 9:1,10,13,14,25 10:1,24 11:1,8,14,14,20 12:1,21,25 13:1,5 14:1 15:1 16:1 17:1,22 18:1 19:1,16 20:1 21:1 22:1 23:1 24:1 25:1,12,17,25 26:1,25 27:1 28:1,20 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1,20 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1,7,9,17 52:1 53:1 54:1 55:1 56:1 57:1,20 58:1 taxicab ^[2] 5:19 7:15 taxicabs ^[2] 46:6 47:10 taxis ^[7] 6:2,9,14,21,24 12:22 30:15 team ^[1] 6:19 tells ^[2] 6:22 12:23 terms ^[1] 31:12 testify ^[1] 51:18 testimony ^[7] 14:16 21:25 22:9 47:15,16,19 55:3 thanks ^[1] 47:25 there's ^[10] 5:25 7:25 8:2 16:4 35:10,21 46:14,18 53:10,11 thereafter ^[1] 22:11</p>	<hr/> <p style="text-align: center;">U</p> <hr/> <p>ultimately ^[2] 6:4 12:6 unanimous ^[2] 4:16 49:21 uncomfortable ^[4] 5:9,12 6:5 7:16 uncontroversial ^[1] 46:15 under ^[3] 12:9 26:14 38:22 underlying ^[2] 42:21 44:24 understand ^[11] 3:7 9:19 10:4 16:9,17 36:18 41:12,17 52:18 57:14,25 understands ^[1] 36:20 unfortunately ^[2] 13:3 35:21 unhappy ^[1] 48:17</p>	

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FARE AND LEASE CAP VOTE/PUBLIC HEARING ON ROOF LIGHT RULES

July 12, 2012

37:15,24 40:3 41:24 42:15 46:11,17 47:15
48:25 50:3,7 55:24,25 56:3,10,20
willing ^[1] 6:11
wish ^[4] 4:21 17:9 19:2 42:12
wishes ^[1] 13:13
without ^[2] 13:9 19:24
witness ^[3] 50:6 51:15 59:15
work ^[11] 5:10 11:16,17,21 19:18 31:25 40:5,
7 41:18 47:25 48:16
worked ^[5] 7:10,12 21:14 31:11 43:2
workforce ^[2] 10:5 12:8
working ^[4] 26:17 32:6 48:2,4
works ^[1] 7:11
world ^[2] 6:2 7:11
worthwhile ^[1] 3:11
woven ^[1] 33:22
written ^[7] 17:24 22:10 23:4 25:6 37:10 38:9
47:13

Y

yassky ^[6] 2:6 37:12 44:5 45:10 49:10 53:23
yassky's ^[1] 40:24
year ^[3] 18:18 20:24 28:13
years ^[13] 6:11 8:18 9:9 14:10 25:13,15 27:4,
18,20 31:14,22 39:21 43:21
yellow ^[2] 26:25 30:15
yesterday ^[1] 12:19
york ^[20] 1:3,14,14,23 7:13,14 12:18 19:16 26:
18 33:20,25 34:8,17 36:15 43:6,12 47:10 59:
4,5,10
yorkers ^[3] 10:2 26:24 29:16
young ^[1] 31:22

Z

zealous ^[1] 8:9
zero ^[3] 7:20 11:21 25:23
zoning ^[1] 8:2

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