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PUBLIC HEARING ON TAXI OF TOMORROW RULES

September 6, 2012
10:00 a.m.

33 Beaver Street
New York, New York

Reported by:
Joseph Danyo V

1 - PROCEEDINGS-

2 MS. JOSHI: Good morning,
3 everybody. We're going to start
4 today's meeting, so take a seat,
5 please.

6 Good morning. The TLC is
7 considering proposed rules which
8 would establish an official taxicab
9 vehicle and will require most
10 medallion owners to hack up with
11 this vehicle after the official
12 taxicab activation date.

13 The proposed rules appeared in
14 the city record on August 6th, and
15 the CAPA deadline is today,
16 September 6th. As a courtesy, the
17 TLC will accept comments up until
18 September 17th.

19 Today, we're holding our CAPA
20 public hearing which will begin in a
21 few minutes, but first, David Clar,
22 executive director of financial
23 planning and analysis, will give a
24 presentation of the process that led
25 up to the selection of the NV200 and

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2 the features of the NV200.

3 MR. CLAR: Good morning
4 everyone. Everyone good? Please be
5 patient with me as I kind of walk
6 through this. For many of you, this
7 is information already, but I do see
8 some new faces today.

9 So I just want to kind of go
10 over how we got to where we are.
11 This has been a project going on for
12 a long time. It's exciting to see
13 it come to fruition.

14 I think the first question that
15 a lot of people have asked is, why
16 even bother doing this? Why should
17 we have Taxi of Tomorrow? The
18 simple reason is that for the first
19 time we'll have a taxi vehicle built
20 specifically for New York City. So
21 our roads, for how a taxi operates
22 in our city, for our owners, our
23 drivers and our passengers. And
24 it's not something that we've had
25 for a very long time.

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2 If there's no passengers,
3 there's no industry, so considering
4 passenger needs was an important
5 part of this project.

6 There's a lot of modifications
7 done to current vehicles, like
8 adding a partition, drilling holes
9 to add root caps and other things.
10 You're altering a car, and you're
11 not testing what happens to that
12 car.

13 Let's say it's in an accident.
14 What happens to that equipment.
15 There are no amenities for people
16 with disabilities in current
17 taxicabs. And I'm speaking also
18 beyond wheelchair accessibilities.
19 If you have vision impairment, if
20 you have hearing impairment, if you
21 travel with a service animal, if you
22 have mobility impairment but don't
23 require a wheelchair there's nothing
24 to provide service to you right now.

25 And the taxicab I think

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2 participating in the industry.

3 If you're a passenger, you're
4 not thinking the same way as the
5 owner. Certainly if you're a driver
6 your interest is not the same
7 necessarily as the owners.

8 We've heard from many, many
9 automobile manufacturers since 2007,
10 both large and small, and they've
11 all told us the same thing, which is
12 that it takes a lot of money to
13 develop a customized taxi vehicle
14 for one municipal market. It's a
15 very small volume in terms of the
16 grand scheme of things for them.
17 And unless they're able to sell to
18 pretty much everybody in the New
19 York market, they're not going to
20 make their money back. So an
21 exclusive deal is an important part
22 of the arrangement we have with a
23 company.

24 Also looking at taxi history,
25 there's always been over the last

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2 couple of decades kind of one big
3 car that everybody gravitates to.
4 At one time it was the Checker.
5 Then it was the Chevy. Now it's
6 Ford.

7 If you look at kind of a
8 typical vehicle census right now, an
9 overwhelming majority of vehicles on
10 the road are Ford. So one general
11 provider has kind of been the
12 history of the industry. It's
13 something that no one has ever done
14 before that's unique about this
15 project is that using the city's
16 ability to regulate to kind of
17 negotiate on behalf of the industry
18 with an automobile manufacturer to
19 make sure that all the stakeholders
20 in the industry get something out of
21 it.

22 So we're really going from
23 something that's off the rack to
24 something where we have a lot of
25 input on the design. So today's

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2 taxi, it's a regular passenger car.

3 Someone else adds the taxi elements

4 later. It's not really designed

5 specifically for that car.

6 Passengers and especially the

7 industry really have no say if

8 they're coming and saying, oh, okay,

9 this is what we're selling this year

10 as a taxi. You could either buy it

11 or not. And then (inaudible) and

12 nobody does any safety testing to

13 see what happens to passengers in

14 case there's an accident. And the

15 Taxi of Tomorrow Project really

16 redefines how we do this.

17 It's going to be a commercial

18 vehicle, so it's already extra

19 durable, designed specifically for

20 the realities of a New York City

21 taxi. This is a vehicle that's

22 going to be designed to go 24/7.

23 And Nissan is here today to talk a

24 little bit more about that and show

25 what they're doing to get that car

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2 ready.

3 All of the taxi elements will
4 be engineered by manufacturers and
5 installed at the factory. So number
6 one, no more billing for aftermarket
7 hack-up and the additional hack-up
8 cost. Hack-up is included in the
9 vehicle purchase price. And also
10 the design to nest very careful
11 within the car.

12 Nissan, as the manufacturer,
13 and I've seen this over and over
14 again, is taking into account what
15 owners, drivers and passengers want
16 to have in a taxicab into the
17 design. There's been focus groups.
18 There's been meetings with industry
19 representatives. There's been just
20 talking to ordinary people on the
21 street. There's been design men to
22 kind of find out what would you like
23 to see in the cab and what can we
24 incorporate.

25 And then finally, they made a

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2 full commitment to safety test with
3 all the taxi elements installed, and
4 that's something that has never been
5 done for a taxicab before.

6 Certainly not in New York. Probably
7 not anywhere in the world. This is
8 going to be the most famous cab ever
9 put into service.

10 Just a little background on the
11 project time line. I mentioned
12 before we started it in 2007.
13 Really the idea of a customized
14 taxicab has been floating around the
15 city for decades. Certainly as far
16 back as the late '50s, early '60s.
17 But for this particular iteration of
18 it, the stakeholder committee and
19 Project Kickoff started in 2007, and
20 that was about the same time the
21 city hired an engineering
22 consultant, Ricardo, to kind of
23 advise us on how to look at this
24 question.

25 I'm not a car guy, I'll be

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2 honest about that. So they provide
3 engineering advice and kind of let
4 us speak to the industry in a way
5 that Detroit can understand.

6 We also released a request for
7 information on that hearing, and got
8 feedback from people in the industry
9 now and a variety of manufacturers
10 who seem likely to contribute to
11 this project.

12 In late 2009 we released a
13 request for proposals. By early
14 2010 we received seven responses,
15 and out of the seven responses there
16 were three finalist candidates that
17 seemed the most promising.

18 In 2011 we received best and
19 final offers from those candidates.
20 We conducted interviews and saw
21 sample vehicles, and Nissan was the
22 highest scoring proposal, and we
23 selected Nissan as our partner.

24 Later that year, kind of the
25 first reveal of the vehicle elements

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2 at the design expo in Madison Square
3 Park. A full show car vehicle was
4 revealed this April at the New York
5 Auto Show. And we expect this
6 vehicle to be on the road by
7 November of next year, so about a
8 year from now.

9 There are many features in this
10 taxicab, the NV200 that we've
11 selected, that are not found in any
12 other taxi on the road today, and I
13 have several slides here and I'm
14 just going to go really quickly,
15 because Nissan is here again to kind
16 of talk about their car and I'll let
17 them talk about their car, but again
18 the first and most important element
19 is that this will be safety tested
20 to federal standards with the
21 partition and all the taxi elements
22 installed. Again, completely
23 unprecedented.

24 The passenger airbags are
25 designed around the partition. You

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2 may be aware that we have a rule
3 right now, there are vehicles that
4 have rear airbags, and only some of
5 the vehicles we have on the road now
6 have rear airbags, that the
7 partition has to be altered to
8 accommodate them. We don't have to
9 do that with this car, because the
10 design of the partition is the same
11 as the design of the airbags.

12 Passengers and drivers will
13 have fully separate climate control
14 systems, so no more kind of waiting
15 for the breeze to come from the
16 front of the car to cool you off on
17 a hot summer day. Everyone gets
18 their own climate control. There
19 will be a transparent sky roof to
20 observe the skyline.

21 Something that we hear about a
22 lot from people who commented on our
23 taxi selection process and kind of
24 comment on vehicles in general, is
25 it's kind of difficult for people to

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2 get into some of the cabs on the
3 road today. Especially senior
4 citizens. So this car will have a
5 deployable step and grab handles to
6 assist entry and exit.

7 Actually, (inaudible) some of
8 the 311 calls that people made about
9 taxis and some of their complaints
10 about it, and I just -- I don't want
11 to say any names because they
12 haven't given consent, but I just
13 want to read a couple of comments
14 about what people say about getting
15 in and out of current cars.

16 Here's one. "My husband is 75
17 and I'm 65, and the cabs with the
18 sliding doors are very hard or
19 impossible to open, impossible to
20 jump up that high."

21 There's a comment about the
22 babble from the rear screen, kind of
23 skip that for the moment. "And we
24 couldn't open the door to exit.
25 Taxi should be reasonable size and

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2 feel elegant and inviting. This
3 style cab is unwarranted."

4 One comment we got (inaudible)
5 additional legroom. "I'm over
6 6 feet tall. It would be great to
7 not have my knees jammed up against
8 the partition with all the screws
9 sticking out that cause bruises and
10 ripped clothing. Thank you."

11 In one letter that was
12 handwritten to Mayor Bloomberg that
13 I just want to take a moment to
14 read.

15 "I ride taxis very often. I'm
16 an 84-year-old woman who walks with
17 a cane and has had a knee
18 replacement a short while ago. It
19 is impossible for me to go into
20 those taxi vans in the city. They
21 are too high. The elderly find it
22 very difficult to use those taxis."

23 And this is something that
24 Nissan discovered as well when they
25 talk to passengers in the city.

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2 So the NV200 taxi is designed
3 specifically to help accommodate
4 these people. That will have a
5 deployable step, a wide flat floor,
6 easy entry and exit. Very easy to
7 open sliding door. And then once
8 you're in the cab, very comfortable
9 seating materials that are as
10 durable as vinyl but feel a lot
11 nicer and a lot less kind of sticky
12 and icky.

13 There will be passenger reading
14 lights. For owners, there will be
15 unprecedented warranty coverage,
16 150,000 mile power train warranty.
17 That's at no cost to the owner. It
18 will also come with a 30,000 mile
19 bumper to bumper warranty. And if
20 you purchase the accessible version,
21 there will be also a 100,000 mile
22 warranty on all the modified parts
23 that go to make it and test the
24 vehicle.

25 Again, as I mentioned before,

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2 the hack-up is included in the
3 purchase price. There will be floor
4 lighting, people looking for dropped
5 objects, charging stations for both
6 the driver and the passengers so you
7 can charge your tablets, your phones
8 and what have you.

9 (Inaudible) trade (inaudible)
10 currency. No more kind of bending
11 over awkwardly to the driver to kind
12 of hand people their change, their
13 receipt.

14 The passenger doors in this
15 vehicle use half as much energy to
16 open sliding doors you see today, so
17 we get a lot of complaints about
18 sliding doors, we'll tell the
19 company about that.

20 Built-in driver navigation
21 system on the GPS. So in case you
22 want to go to the Bronx, shouldn't
23 be a problem. There will be a GPS.
24 No more excuses of I don't know how
25 to get there.

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2 (Inaudible) and a horn light to
3 help enforce in the quality of life
4 issues. We actually have a
5 surprisingly number of complaints
6 here about drivers honking.

7 One moment I just want to take
8 to talk about accessibility features
9 in this vehicle. I know there's
10 been a lot of discussion in the
11 media about this. We've heard
12 certainly from advocates. We've
13 heard from people who are passengers
14 who have a lot of difficulty with
15 current vehicles. And I just want
16 to make sure that the facts are out
17 there about what we're doing on this
18 front.

19 Every single one of these cars,
20 every single one will have features
21 for people with disabilities. And
22 the specifics are every single one
23 will have a hearing mode and
24 intercom so people with hearing
25 impairments and hearing aids, with a

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2 deployable step and entryway handles
3 I mentioned earlier. There is
4 definitely space for service animals
5 with a wide entryway and a
6 completely flat floor, and for
7 people who have vision impairments
8 with high contrast margins
9 throughout the car, but specifically
10 on the entry step and seats to
11 assist people in kind of finding
12 their way into the vehicle.

13 Again, this is on every single
14 one of these cars. And these are
15 features that no other taxi on the
16 road today in New York have.

17 Nissan has also partnered with
18 (inaudible). You'll hear from both
19 of these firms later today to
20 produce and sell as many wheelchair
21 accessible vehicles as desired. Up
22 to 100 percent of the fleet. And I
23 want to be perfectly clear about
24 this, if the City Council, for
25 example, were to pass the bill

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2 mandating that every single taxicab
3 in New York City must be wheelchair
4 accessible, Nissan and (inaudible)
5 will deliver that. They can do
6 100 percent of the fleet.

7 Current rules are different.
8 They can go over as many as required
9 today or as many which is desired by
10 people who wish to purchase these
11 vehicles. But let me stress again,
12 up to 100 percent of these can be
13 converted to be wheelchair
14 accessible.

15 There will also be a fixed cap
16 on the price to convert these
17 vehicles. Each cab is \$14,000. We
18 expect the price to be a little
19 less. We're still doing the
20 engineering work, so we don't have a
21 final price for people yet but we
22 should have that shortly. And this
23 is something that we feel strongly
24 about here, is that the wheelchair
25 accessible version of the vehicle is

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2 the same quality and has the same
3 amenities as the non-wheelchair
4 accessible version of the vehicle.
5 Everybody rides in the same quality
6 car with the same amenities.

7 That is an important principle
8 for this vehicle, that everyone gets
9 to enjoy the benefits of the
10 amenities of the Taxi of Tomorrow.

11 Another question that we've
12 gotten a lot over the past couple of
13 years is, hybrids are working pretty
14 well right now. They're very fuel
15 efficient. They're good for the
16 environment. It's good for the
17 city. The Mayor has been pushing
18 for higher mileage. Why don't we
19 just let people choose and continue
20 with that.

21 There are some reasons to kind
22 of discuss that further, and one is
23 that that Ricardo advised us that
24 the technology is always changing on
25 this, and that hybrids will be part

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2 of a toolbox that auto companies
3 will use in the future to deliver
4 high mileage cars for the new EPA
5 requirements that have just come
6 out. But it's one solution of many,
7 and we need other ways to get to
8 that solution.

9 They aren't necessarily
10 hybrids, and there should be some
11 flexibility in how we approach that
12 problem. But alternatives are
13 coming very, very soon, we should
14 allow space for that, and a couple
15 of those alternatives are used in
16 the Taxi of Tomorrow.

17 Hybrids do help in solving
18 environmental problems, and they do
19 a great job with it, but they don't
20 address some of the other issues I
21 brought up earlier. They don't
22 address safety, service, comfort or
23 all the accessibility issues, and we
24 need to make sure that the car
25 services everyone who needs it and

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2 all the stakeholders in the
3 industry.

4 Unfortunately, federal law also
5 prevents TLC from strictly just
6 mandating hybrids. We attempted to
7 do that. There are many challenges
8 of that. We can't set minimum fuel
9 economy. We can't tell people you
10 have to buy a hybrid. We have to
11 rely on voluntary efforts in that
12 regard.

13 We also did a (inaudible) to
14 kind of see how prevalent are
15 hybrids. And one thing that we were
16 able to determine was, hybrids were
17 first allowed as an option for
18 owners in 2005, so it's been seven
19 years, which means that the vehicle
20 fleet has completely turned over at
21 least once, so every single owner
22 has had an opportunity to buy
23 hybrids.

24 Unfortunately, it's about less
25 than 50 percent right now. I

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2 believe it's about high 40s. So
3 what they tells us is, and we've
4 heard this directly from people as
5 well, there are a large number of
6 owners who won't buy them. There's
7 no way for us to compel them to buy
8 them, and they just won't
9 voluntarily do it, so we have to
10 consider that as well in determining
11 solutions.

12 But we do have some good news
13 on this front, in that partnership
14 with Nissan gets us a direct pathway
15 to a fully electric vehicle. Nissan
16 is a leading provider of fully
17 electric vehicles. They have a car
18 on the road right now, the Nissan
19 Leaf, which will be (inaudible)
20 later this year as a taxicab.

21 So we know the Leaf is not an
22 ideal taxicab. It's more of a
23 proven concept and infrastructure
24 test, as it were, to kind of make
25 sure that the industry can get ready

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2 for full electric cars.

3 Electric cars give way, way
4 better mileage than a hybrid would.
5 They use an EPA fuel economy
6 equivalent because you're not
7 actually buying any gas.

8 Most electric cars get greater
9 than 90 miles per gallon, compared
10 to the best hybrid out there right
11 now, it's probably the Prius, it
12 gets about 60, 65, so it's a pretty
13 gigantic leap, and that's something
14 that we're very interested in
15 exploring and we're glad we have a
16 partner who can help us with that.

17 Speaking of vehicle testing,
18 again, just something we'll go into
19 in a little more detail, but we want
20 to make sure that this car is ready
21 for service as a 24/7 taxicab.

22 Nissan is very strange in this
23 regard. We're one of the leading
24 taxi brands in Latin America, where
25 sometimes roads can get kind of

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2 rough. This is a commercial grade
3 vehicle designed to last longer than
4 the allowable (inaudible) set by
5 TLC. Those in the industry know
6 (inaudible).

7 TLC sets a maximum retirement
8 age for each taxicab depending on
9 what kind of owner you are. It
10 ranges from three to seven years.
11 These cars will be designed to last
12 longer than that, greater mileage
13 than any (inaudible) taxi service.

14 Nissan has done pretty
15 substantial research on the industry
16 here in New York and also on New
17 York street conditions.

18 They've met with DOT. They've
19 done field testing with their own
20 vehicles that they own. They bought
21 cars from current vehicle owners,
22 both brand new ones and ones that
23 are ready for retirement, to see
24 what kind of wear and tear to put in
25 cars.

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2 They borrowed our data from our
3 safety and emission inspection
4 facility to see what the most common
5 problems, what kind of things break,
6 what kind of things need a lot of
7 replacement.

8 And they are conducting
9 automobile testing in New York now,
10 and there will also be more product
11 testing in early 2013. They're
12 going to release a cargo van version
13 of the same vehicle probably later
14 this year, early next year. So
15 they're going to bring that around,
16 kind of put it out on real New York
17 streets and make sure that they're
18 ready for service.

19 Here are some pictures for
20 folks who haven't seen it before.
21 In the upper left is the custom
22 designed partition. You can see
23 that the air conditioning is there.
24 The screen is integrated. There's a
25 lighted area for the driver's

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2 license right above the intercom
3 button.

4 On the right you can see the
5 seating area. You can seat three
6 adults (inaudible). You can sit
7 side by side. There's a sliding
8 window there, and there's plenty of
9 legroom. This has the most legroom
10 of any vehicle that will be on the
11 road as a taxicab. It's gigantic.
12 I'm 5 foot 10. I can sit in this
13 car with my legs crossed and not
14 touch the partition.

15 On the lower left you could see
16 it on the road in New York. This is
17 the show car that was at New York
18 Auto Show, so this is a real car,
19 really driving around (inaudible).

20 And on the right you can see
21 that it has very generous cargo area
22 for luggage. This actually has more
23 luggage space than the (inaudible),
24 which has a pretty big trunk.

25 I just want to talk a minute

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2 about the rules that are being
3 proposed before the commission and
4 also the features of the contract
5 that we've negotiated with Nissan.
6 In addition to the rules, we will
7 have a contract. The contract will
8 govern the terms of the relationship
9 with Nissan as a provider.

10 There's been, as I've heard
11 from the industry, a little bit of
12 confusion about who has to buy what
13 car, so I just want to take a minute
14 and kind of carefully go through
15 this and explain how this is going
16 to work for people once we fully
17 adopt this vehicle.

18 12,237 of our taxi medallions
19 (inaudible) are exclusively with the
20 NV200. These owners will have free
21 choice to either buy the plain
22 vanilla NV200 or, if they want, they
23 could buy the wheelchair accessible
24 version of this car.

25 In addition to that, there are

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1
2 a number of exemptions of people who
3 will not have to buy this car unless
4 they want to, so let's go through
5 who they are.

6 There are 231 restricted
7 medallions that require the use of a
8 wheelchair accessible vehicle.
9 Those people will always have the
10 complete choice to buy any
11 wheelchair accessible vehicle they
12 want that is approved by the
13 commission.

14 If they want to buy the Nissan,
15 they're free to do that. If they
16 don't like the Nissan for whatever
17 reason, they never have to buy it.
18 So if they want to buy a Sienna, an
19 NV1, a Transit Connect and convert
20 it for use, no problem. Those
21 people will never have to buy the
22 Nissan.

23 In addition, we have negotiated
24 that the commission will have the
25 ability to issue up to 496 waivers

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2 to people who have unrestricted
3 medallions that want to provide
4 wheelchair accessible vehicles. So
5 this is an incentive for them to do
6 so, because, let's say if you don't
7 like the Nissan for whatever reason,
8 you're just not crazy about it but
9 you like to provide wheelchair
10 accessible service because that's
11 something that you believe in or
12 there's other incentives who induce
13 you to do so, you'll have free
14 choice to buy any approved
15 commission vehicle. Again, the NV1,
16 the Transit Connect or the Sienna.
17 But again, you don't need the waiver
18 if (inaudible) Nissan, because
19 you're covered under the other
20 group.

21 You also have the 273
22 restricted alternate fuel
23 medallions. Those people will
24 continue to use approved hybrids.
25 There is no change for those

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2 purchases at all from what they're
3 doing right now. We'll still have a
4 wide range of hybrid and alternate
5 fuel vehicles for them to choose
6 from. Not a problem. They can pick
7 whatever they like. Just like they
8 do today. They want to use the
9 Escape, the Camry, the other popular
10 vehicles, feel free.

11 There's also an exemption for
12 any medallions sold after
13 January 1st, 2012. Currently
14 there's some pending medallions
15 where there's some back and forth on
16 that. I won't get into too much
17 detail on that, but let's say a
18 future council, a future legislator,
19 a future commission has an
20 additional medallion sale, those
21 medallions will always be exempt
22 from a Nissan requirement.

23 So what we see again is
24 unrestricted medallions, everybody
25 will be driving a Nissan for the

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2 most part, but there's a very large
3 number of exemptions for people for
4 a variety of reasons. One of which
5 is we want to continue to test new
6 technologies in new vehicles, and
7 this gives us a forum to do that.

8 There's also some key contract
9 items that we believe are beneficial
10 to the industry, and we want to make
11 sure that people are aware of them.

12 The first one is the concept of
13 liquidated damages. So one concern
14 that I've heard a lot from people in
15 the industry is, well, what happens
16 if the car is a lemon? I'm not
17 saying it is. We don't expect it to
18 be, but just in case, it's nice to
19 have some insurance.

20 And so what we negotiated is
21 that there's a widespread inability
22 for people in the industry to obtain
23 parts or service for the car.
24 Nissan will give you the ability to
25 correct that, and if they can't

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2 within a reasonable amount of time,
3 Nissan will directly compensate
4 vehicle owners at the rate of \$100
5 per day.

6 So we acknowledge it's not
7 maybe as much money as they would
8 make leasing it out for two shifts
9 during the day, but it beats the
10 zero they currently get from current
11 manufacturers.

12 Free owners will also be able
13 to be certified to do warranty work
14 on their own cars. Another concern
15 we heard is, well, what if I don't
16 want to deal with a dealer. They
17 take too long. I have to get the
18 car out on the road right away.

19 We heard that. We understand
20 it. Nissan heard it. Nissan
21 understands it. Fleets can
22 certainly get certified to do that,
23 but we have an approval process of
24 course that that's a guarantee in
25 the contract.

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2 People have also asked a lot of
3 questions about how much does this
4 car cost. Nissan had a fixed
5 manufacturer's suggested retail
6 price. So that will be \$29,700 at
7 launch. There were predictable set
8 increases for the life of the
9 contract, that deal we share with
10 the industry today.

11 We can tell you what the car
12 will cost in 2018 now. So no
13 surprises. And because that's a
14 suggested retail price, people will
15 go to their local car dealers and
16 negotiate from that number.

17 We're not saying that they have
18 to charge that amount, we're saying
19 that's the price that they're
20 suggesting, and you'll be able to
21 negotiate lower than that.
22 Certainly for a large scale
23 purchaser you'll be able to get a
24 much better deal than that.

25 We also negotiated that Nissan

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2 is committed to always keep a 30-day
3 supply of these taxis available in
4 the New York City area. We've seen
5 in the past sometimes cars get very
6 popular and there's maybe a
7 shortage. And people maybe have to
8 wait a little longer than they
9 should for their purchase of cars.

10 We don't think that's any good,
11 and we want the cars on the road
12 providing service right away.
13 That's a concern we've heard from a
14 lot of different owners. And so
15 that's the guarantee, that they'll
16 always be a month's supply of cars.
17 There should not be any shortages.

18 And finally, there's a
19 requirement for a minimum number of
20 dealers. (Inaudible) if I can only
21 get this from one dealer.

22 (Inaudible) intended to lower the
23 price number. We've heard that.
24 There will always be at least three
25 Nissan dealers in the five boroughs

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2 selling this car and at least five
3 additional dealers within 25 miles.

4 We expect most dealers to be on
5 Long Island and New Jersey. So a
6 minimum of eight dealers in the
7 region. That's the minimum, but we
8 know there's many more than that who
9 have signed up already, but that's a
10 guarantee minimum from Nissan.

11 A little bit about contract
12 (inaudible) notice from the city
13 record in June that the taxi
14 (inaudible) contract was available
15 for public viewing. And it was for
16 two weeks, June 1st through 15th.

17 We also had a public hearing
18 via the Mayor's Office of
19 contracting services on June 15th of
20 this year. No comments were
21 received from the public, and
22 therefore passengers proposed rules.
23 As presented to the commission are
24 that beginning next October 31st,
25 2013, all new hacked-up taxicab

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2 vehicles will be Nissan NV200 taxis,
3 except for vehicles that have the
4 exception as I mentioned earlier,
5 and that the rules will also be
6 modified to acknowledge that a lot
7 of things that people purchase after
8 market today will be included in
9 this vehicle. For example trouble
10 lights, partitions and so forth.
11 Roof lights.

12 That our rules right now don't
13 anticipate a manufacturer providing
14 them, so it just kind of cleans up
15 the rules a little bit to make sure
16 that you're in compliance with our
17 hack-up rules if you show up with a
18 car that is fully integrated.

19 It also includes some lease cap
20 changes to account for the fact that
21 we acknowledge that vehicle owners
22 will have some transition cost
23 change into the title.

24 The price of the vehicle is
25 actually lower than many of the cars

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2 used commonly today, but we
3 acknowledge that it is a change for
4 the industry. And so there are some
5 lease cap changes included in the
6 package. Including that fleets will
7 be able to charge a higher gas
8 surcharge rate for the Taxi of
9 Tomorrow.

10 And then driver-owner vehicle
11 agents will be able to charge a
12 higher rate for the NV200 or
13 wheelchair accessible vehicles to
14 provide some additional incentives
15 on that end as well.

16 What this all adds up to is
17 that we're the leader in taxicab
18 development right now. And our
19 partnership with Nissan lets us make
20 all the improvements, as I mentioned
21 before, that we've never been able
22 to do before. Again this is
23 something that's been talked about
24 for decades, but it hasn't been
25 achievable until now.

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2 I'm very happy to announce that
3 London announced that they're going
4 to approve a modified version of our
5 car. Imitation is definitely the
6 sincerest form of flattery. We're
7 very excited to receive that news.

8 The NV200 is also expected to
9 be released in Tokyo. Nissan has a
10 large part of that market as you
11 would expect. So really it's a
12 project that's setting a global
13 standard for major cities around the
14 world. And it's very gratifying to
15 be a part of it.

16 Like the song says, if I can
17 make it there, I'll make it
18 anywhere. It's nice to see people
19 acknowledging that we're doing
20 something substantial. And so thank
21 you very much for your attention. I
22 realize I was going on for a while.
23 If there's any questions, I'll be
24 happy to answer them now.

25 MR. YASSKY: Thank you. In the

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2 interest of hearing from everyone, I
3 won't ask any questions.

4 MS. JOSHI: And actually today,
5 just for clarification, we won't be
6 taking questions from the public.
7 It was just for people on the dais.

8 Next will be here appearing is
9 Peter Bedrosian from Nissan North
10 America.

11 MR. BEDROSIAN: Thank you.

12 MR. YASSKY: I'll note this of
13 course is our public hearing on the
14 rules as provided under CAPA.
15 Whether commissioners are here in
16 person or not, they will all get a
17 detailed summary of the proceedings
18 today. So the commission will be
19 fully informed.

20 MR. BEDROSIAN: Good morning.
21 My name is Peter Bedrosian. I'm
22 representing Nissan today at the
23 commissioner's meeting. And I'm
24 here to detail the product and the
25 project for everybody.

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2 First I want to touch a little
3 bit on the Nissan in the Americas.
4 I want to give you an overview of
5 the company. Our headquarters is in
6 Franklin, Tennessee, which is where
7 I'm located. We have a total of
8 23,000 workforce in the Americas.
9 15,500 of those are in the U.S. We
10 have a total of 1911 dealerships,
11 over 1200 are in the U.S. And last
12 year, calendar year, we sold 1.56
13 million vehicles. Again, a majority
14 of those vehicles are in the U.S.
15 We have six total manufacturing
16 plants, and three of those are in
17 the United States.

18 I want to talk about our
19 experience. This is not the first
20 taxi project that we've had. We've
21 been a leader in providing taxis
22 around the globe. (Inaudible)
23 Mexico and (inaudible) in Tokyo are
24 just two examples of a market
25 dominating taxis in those regions.

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2 project, the Taxi of Tomorrow NV200
3 in particular is made more
4 specifically for New York City. It
5 is not an off-the-rack solution.

6 We are making custom taxi,
7 taking the consideration of a lot of
8 key stakeholders in the city. From
9 owners, the drivers, to the
10 residents. So we're trying to
11 provide a balanced proposal to the
12 city.

13 We've conducted focus groups
14 with taxi fleet owners, drivers and
15 residents trying to understand their
16 needs from their future taxi.

17 We are also involved in a
18 collaborative matter, TLC, Ricardo
19 and New York-based independent
20 design firms to participate in the
21 design reviews of the vehicle at our
22 studios in La Joya, California.
23 Everything from materials to colors,
24 to features and how the taxi will be
25 used.

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2 We've had local expert
3 opinions. Taxi operators have
4 helped Nissan instrument current
5 Altima taxis to take actual
6 engineering data on New York City
7 driving patterns and road
8 conditions. And we're actually
9 using that data to establish
10 standards for the Taxi of Tomorrow.

11 As we get closer to launch we
12 will of course provide a prototype
13 of the Taxi of Tomorrow preview to
14 the industry, show them the next
15 taxi and show them what's coming.

16 What I'm going to provide next
17 is a quick video. This is very
18 short, and it kind of gives you a
19 glimpse of the rigorous testing and
20 development that we perform on every
21 Nissan product, and also the same
22 level of rigorous development will
23 be performed on the Taxi of
24 Tomorrow.

25 So you will just see short

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2 clips of vehicles driving. Some of
3 these again in the real world, we
4 drive these vehicles 24/7 at our
5 facilities to accelerate wear and
6 tear, to put years of use on these
7 vehicles in a matter of minutes.

8 So I'm going to play a quick
9 three-minute video for you. This is
10 (inaudible).

11 This is called a four poster
12 shake cell. You can simulate any
13 road in the world, and we're using
14 the data we collect in New York City
15 to simulate New York City roads, and
16 these run 24/7.

17 We have environmental chambers
18 where we can simulate extreme and
19 freezing conditions. Water leak
20 test, we can simulate hurricanes in
21 this chamber.

22 In our electronic test facility
23 we test all the electronic
24 components, make sure everything
25 works. No interferences.

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2 You can see current (inaudible) that
3 was purchased from the city.

4 Again, we have multiple shifts
5 of drivers, and these vehicles run
6 24/7 at our test facility.

7 And this is our test from
8 Manhattan to La Guardia.

9 This past spring we actually
10 had a prototype of the NV200 driving
11 in the city, doing some initial
12 evaluation of the road conditions
13 with the vehicle that we'll
14 experience.

15 And we'll be back in the city
16 once we get additional prototypes to
17 conduct for our tests.

18 Next, I'll just describe a
19 little bit about the NV200 solution,
20 why it is the best solution, the
21 balance solution to you, to me, to
22 all the key stakeholders.

23 First of all, the NV200 is a
24 commercial developed product from
25 the onset. It is not a passenger

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2 retail vehicle converted for
3 commercial duty. It is built for
4 commercial duty. The product has a
5 very small footprint.

6 At the last snapshot a year ago
7 of the (inaudible) proposition we
8 calculated something like five acres
9 of real estate saved by (inaudible)
10 the NV200 Taxi Tomorrow.

11 Despite the small footprint the
12 product has a very large interior
13 space as you saw from the pictures.
14 What we call a limousine-like
15 seating leg room position. So the
16 product is ready to provide great
17 service to revelers.

18 The product is also very fuel
19 efficient. We're using 2 liter
20 proven and very durable
21 four-cylinder engine in this
22 product. It has high fuel
23 efficiency, and it has very smooth
24 (inaudible) transmission that adds
25 to its efficiency.

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2 We focused on low operating
3 costs for the operators. The
4 product is very durable. And it has
5 the efficient engine with low fuel
6 consumption. Product is durable.
7 As I mentioned it is designed as a
8 commercial vehicle from inception.

9 And the platform is proven.
10 The NV200 basic platform has been
11 operating in over 40 countries,
12 launched just a couple years ago.

13 And we'll have two versions of
14 this taxi available as David Clar
15 mentioned. We'll have the standard
16 taxi, and also the accessible taxi.

17 I'm going to touch on the
18 design features. David touched on
19 some of these, so I'm going to go
20 quickly.

21 The vehicle you see here was
22 shown at the New York International
23 Auto Show, and it represents very
24 closely the final taxi form.

25 Again, the taxi will come

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2 complete with all the hack-up from
3 the factory, and it is included in
4 the price of the vehicle.

5 This is a image-rendered image
6 of the passenger room. You can see
7 the leg room that's provided by the
8 outline here. It has enough room
9 for service animals. You can
10 stretch your legs out.

11 And one of the things we wanted
12 to do with the NV200 taxi is provide
13 better service to taxi patrons, and
14 we have the space. This vehicle is
15 not about the exterior. It's all
16 about the interior, the experience,
17 the comfort and the amenities.

18 But we didn't forget about our
19 drivers. We've paid a lot of
20 attention to drivers. We've spoken
21 to a lot of the drivers in the city.

22 The front compartment is very
23 important. They spend a lot of time
24 in that area, so we provided a
25 six-way adjustable driver seat.

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2 And with our partition design,
3 the seat maintains its full
4 adjustability in recline with the
5 partition installed, so they're not
6 restricted in movement. We have
7 also a special seat for the driver.
8 It has a very special material.
9 It's more breathable, and we have
10 some patterns on the seat as well.

11 We also provide USB at 12
12 (inaudible) for the driver for their
13 devices. And we have independent
14 driver and passenger climate
15 control, so the driver can set his
16 or her climate system separate from
17 the passenger. But the system also
18 can be reset. Passengers can be
19 reset by the driver from the
20 driver's seat.

21 Speaking of the partition, it
22 will be the industry's first
23 integrated partition safety tested
24 by us. It includes multiple
25 features, driver/passenger intercom

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2 system, the hearing loop, the charge
3 force that will cause the
4 information display. We will
5 provide the prewiring and mounting
6 points for the display.

7 It has HVAC controls. It's
8 elegantly integrated into the
9 vehicle. It is part of the vehicle,
10 part of the vehicle's structure. It
11 is not an add-on piece. Some of the
12 exterior visual design elements,
13 we're going to provide a lot of
14 illumination.

15 We have a LED taxi roof light.
16 It's a simplified light. And we're
17 using LED to improve visibility of
18 the taxi light. But also, LEDs
19 provide a higher durability than
20 standard bulbs.

21 We're using reflective taxi
22 graphics on the outside. So at
23 nighttime those streetlights, the
24 graphics will be reflective and easy
25 to see.

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1
2 We even consulted with the
3 braille institute for the height of
4 the text that will be used on the
5 grab handle of the partition.

6 It will be used by the taxi
7 fleet, and all of these controls in
8 the taxi become very familiar to
9 patrons. Additional features,
10 getting in and out of the vehicle is
11 very important. The product has a
12 very lightweight and easy to operate
13 sliding doors on both sides. The
14 effort to open these doors are
15 roughly half of the current Sienna
16 minivans that are out there.

17 We talked about the steps. We
18 also provide a high contrast order
19 to see the outline of the step. And
20 the flat passenger floor with lots
21 of room, no pump and room for
22 service animals.

23 On the inside, the seating, we
24 spent a lot of time on seating
25 material. We're using very advanced

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2 material. It is a vinyl material,
3 but it is breathable and it has
4 antimicrobial properties for
5 cleanliness.

6 We're using high contrast
7 stitching and also silver accents to
8 show seating positions for the
9 vision-impaired patron.

10 And again, you can see on the
11 right an independent climate control
12 system for the rear passenger.

13 We're also using active carbon
14 material of the headliner to
15 minimize interior odors, so we're
16 providing a clean cabin.

17 So one of the things that
18 initially our concept was to provide
19 like a limousine service and luxury
20 platform.

21 We started talking to
22 residents. The idea of luxury
23 changed very quickly. The idea of
24 luxury is a very clean cab. That's
25 what we focused on, trying to

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2 provide a clean cab where the driver
3 can provide better service with his
4 product than any other cab in the
5 city.

6 What we have here is a
7 rendering of a proposal.

8 (Inaudible) is here today to speak
9 about this proposal. And again, we
10 will offer two versions of the taxi
11 available to the drivers in any
12 quantity that is required by the
13 industry.

14 Next, moving to the future.
15 One of the things that the
16 partnership provides to the city is
17 exploring other alternative
18 technologies.

19 So we are going to conduct the
20 pilot program with the city, and
21 we're going to use our Leaf 100
22 percent electric vehicle for this
23 pilot program.

24 We'll have six Leaf taxis that
25 are actually ready to go. We have

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2 selected the subscribers through a
3 lottery system. And we're just
4 waiting for the infrastructure to
5 kick the project off.

6 This is a pilot that will
7 jointly explore viability of the
8 taxis in the future and support
9 Mayor Bloomberg's plan, NYC
10 Sustainability Initiative.

11 That's all I have. Thank you
12 very much.

13 MR. YASSKY: Well, thank you.
14 I don't have any questions. Before
15 you sit down, I just wanted to say
16 thank you. Really.

17 When we selected Nissan and the
18 NV200 we had high hopes, but I just
19 want to say publicly, I've said it
20 privately, but I have to acknowledge
21 it here as well that Nissan has been
22 as good a partner as you could
23 possibly hope for. And when we've
24 asked for extra work and extra
25 creativity and ingenuity thinking

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2 back to the beginning when we asked
3 for a better mobility design for
4 wheelchair use, and you came right
5 back with that. I want to thank you
6 again for that.

7 The quality of the team and the
8 willingness to be upfront with us
9 about what you can do and what you
10 can't do, I appreciate greatly. So
11 thank you.

12 MS. JOSHI: Thank you, Peter.

13 We're now moving to the public
14 comment session of our meeting.
15 Each speaker will be allotted three
16 minutes. Please state your full
17 name and who you represent. And if
18 you have any written materials
19 please just bring it to one of the
20 people upfront, so we can distribute
21 the copies to the commissioners.

22 The first speaker will be
23 counsel member Oliver Koppell.

24 MR. KOPPELL: Thank you. I
25 have some copies of my statement.

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2 Good morning, chairmen. I'm
3 sorry to see that there are no other
4 members of the commission here, but
5 I take it they will be getting
6 copies of the testimony and the
7 report on the proceedings here.

8 As you know, Mr. Chairman,
9 because you've served with me on the
10 counsel. I'm a member of the New
11 York City Council. I represent the
12 11th Council District. And I'm
13 chair of the Committee on Mental
14 Health, Mental Retardation,
15 Alcoholism and Drug Abuse, and
16 finally Disability Services. Which
17 makes this particularly important,
18 given my responsibilities.

19 I also might mention I'm member
20 of the City's Council transportation
21 committee.

22 I oppose the proposed rules
23 particularly for one reason, and
24 that is that they do not require a
25 100 percent wheelchair accessible

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2 fleet. And note this morning, it's
3 fascinating to hear the commentaries
4 made by the proponent here or the
5 representative who is offering these
6 rules, and every which way they're
7 trying to talk about how it's going
8 to be good for accessibility.

9 Except it doesn't say they all have
10 to be accessible. There are
11 eighteen different ways he mentioned
12 this morning -- I'm being a little
13 facetious -- in which the wheelchair
14 population could be accommodated.
15 But the easiest way to accommodate
16 the wheelchair population, and
17 others by the way who have limited
18 mobility, would be to make all the
19 cabs accessible.

20 It's a very simple thing to do.
21 I'm pleased to hear the spokesperson
22 say that the City Council could
23 require it. I have a bill that
24 would require it. I'm hoping to
25 move it in the City Council. There

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2 are some political obstacles.

3 Notably, the opposition of the Mayor
4 and this commission.

5 If the Mayor and this
6 commission came out in favor of 100
7 percent accessibility, I can assure
8 you that if it required legislation
9 the council would pass it. I have
10 37 sponsors, but as you know, the
11 fact that you have more than enough
12 sponsors doesn't necessarily mean
13 passage.

14 We won't go into all that, but
15 the fact is that the reason that
16 this vehicle is not accessible is
17 the decision of the Mayor and the
18 decision of this commission not to
19 make it accessible.

20 Now I mentioned in my
21 statement, I'm paraphrasing a bit,
22 so I get through it quickly, the
23 fact that in London, not only are
24 all the vehicles presently
25 wheelchair accessible, but

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2 ironically I guess, they have picked
3 the Nissan, and you're spokesperson
4 mentioned this, they've picked
5 Nissan and not only have they Nissan
6 to build the new cab that they're
7 creating, but the very same model
8 but it's modified so that all of the
9 London cabs will be accessible.

10 And an important point, a
11 distinction, it was interesting to
12 see the pictures of the proposed
13 wheelchair accessible vehicle for
14 New York, and it has a back entry
15 whereas the London cab has a side
16 entry. It's the same model but with
17 a side entry. And the analogy to
18 sitting in the back of the bus does
19 not escape me, and I am sure does
20 not escape you.

21 It will certainly make a
22 wheelchair-bound person feel like a
23 second class citizen. So it seems
24 to me that it is just simply
25 outrageous, really outrageous that

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2 we haven't required accessibility.

3 As you know, Mr. Chairman, I
4 was a member of the state
5 legislature for many years. And I
6 was present about 30 years ago when
7 we required that every bus, every
8 bus be accessible.

9 And I was in a new bus the
10 other day on Fifth Avenue. I don't
11 ride the buses very often, because I
12 take the subway and I take the
13 Metro-North. So I want to indicate
14 I don't drive in the city most of
15 the time, that I take mass transit.
16 But I don't take the bus as often.

17 I was in a new bus the other
18 day, and it's an interesting design,
19 and it has a lot of structures that
20 I didn't even understand what
21 they're there for, but I didn't see,
22 I did not see the accommodation of
23 the disabled.

24 And I said to the driver, do
25 you accommodate wheelchairs because

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2 I didn't see a space for that. And
3 he pointed out in the front, an area
4 that can easily be converted. He
5 said not only do we accommodate
6 wheelchairs, but we take two on each
7 bus.

8 Now, you know how many,
9 probably hundreds of millions of
10 dollars it has cost to make every
11 bus accessible. And here we hear
12 this morning it takes \$14,000 per
13 cab to make it accessible. And that
14 is an industry where a medallion
15 cost close to \$1 million, and
16 \$14,000 every two or three or four
17 years, whatever it is, is just a
18 drop in the bucket.

19 There is absolutely no reason
20 whatsoever that we do not require
21 100 percent accessibility. And the
22 need for that is indicated by the
23 presentation this morning because in
24 so many different ways we're talking
25 about how it could be accessible.

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2 Except the easiest way, which is to
3 just to require everyone to be
4 accessible.

5 I furthermore suggest that the
6 ADA requires this. I know that's
7 before the court, but I think the
8 ADA, which says that vans have to be
9 accessible, I think the ADA requires
10 it and I think you'll be in court
11 for a lengthy period of time on that
12 issue, which has already been raised
13 but not directly raised by the
14 litigation, which I know has held
15 everything up.

16 So I want to urge very, very
17 strongly that you amend these
18 regulations and require 100 percent
19 accessibility to those who use
20 wheelchairs. It's a simple
21 solution. It's an easy solution.
22 It avoids all of these other
23 possibilities and waivers and all of
24 that. And for goodness sake, we've
25 done it with every bus. Why can't

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2 we do it with every taxi?

3 There is no excuse. And it's
4 not only inexcusable. It is in a
5 society where we pride ourselves
6 about providing equal access. We
7 have a Paralympics to allow disabled
8 people to participate in sport s.
9 We stride every which way to say
10 that they should be treated
11 equally.

12 This is a civil rights issue.
13 It's long past time to make sure
14 that those who have mobility
15 impairments can participate in the
16 society with everybody else.

17 MR. YASSKY: Thank you, Mr.
18 Chairman.

19 I don't want to hold you or
20 delay the proceedings. And I just
21 want to say a couple of things in
22 response to that, but you should
23 have the last word. So after I said
24 what I said you should have the last
25 word.

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2 I would not at all claim that
3 the policy of the TLC is identical
4 to what you have proposed or if any
5 in the audience are seeking. It is
6 not identical, but by the same token
7 I insist that our fundamental
8 objective I believe is the same, to
9 ensure that people in wheelchairs
10 have access to the New York City
11 taxi fleet.

12 We do not -- the TLC does not
13 agree with your position that that
14 requires every single taxicab. But
15 I must insist, and you can
16 acknowledge or not, that that is the
17 policy that we have been pursuing
18 and that we have taken great strides
19 toward it.

20 Now I happen to think that this
21 Taxi of Tomorrow project is another
22 such stride. You are right that we
23 have not chosen to address the
24 wheelchair issue in the Taxi of
25 Tomorrow rule in terms of saying how

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2 much of the fleet must be
3 accessible. But what we have done
4 is work with Nissan to assure that
5 as the accessibility policy
6 develops, should the choice of the
7 city, the City Council, the Mayor,
8 the city government, be to have more
9 vehicles accessible, 20 percent, 80,
10 100, whatever that choice is down
11 the road, we now will have a vehicle
12 that can do that job.

13 One of the most kind of
14 compelling arguments and concerns on
15 the other side of you on the
16 accessibility issues has been the
17 unavailability of a vehicle that is
18 both an excellent quality and
19 manufactured by a top tier automaker
20 that the industry knows it can rely
21 on. That has not been available
22 until today, or until a year from
23 today, when the Nissan hits the
24 streets. Then it will for the -- we
25 will have a vehicle like that for

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2 the first time.

3 That will make it possible, if
4 the city so chooses, to expand the
5 number of vehicles in the street
6 without having all the attendant
7 problems that we would have had had
8 we had been forced to rely on the
9 substandard vehicles.

10 Now, I'm not even saying --
11 what I'm saying is that I think that
12 the position of the (inaudible)
13 feels we should do that. But I do
14 think that is -- that we designed
15 this agreement with Nissan
16 specifically to allow for that
17 possibility. I think that's
18 valuable.

19 Moreover, as you know, the TLC
20 does not believe that someone --
21 that today the taxi industry is
22 accessible for people in
23 wheelchairs. It is not.

24 That's why we are moving to
25 enable 311. And it is ready to go.

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2 I think we'll be ready to launch it
3 shortly to enable people to call
4 311, have one of the existing cars
5 sent to get them. That's not
6 enough, because 231 cars is not
7 enough to provide first rate
8 service.

9 That's why we worked with
10 Albany to get authority for 2,000
11 more wheelchair accessible cars.
12 That is, as you alluded to,
13 currently being blocked by the
14 courts. Because not everybody in
15 this industry agrees that that's how
16 we should do it and that we should
17 move forward. But we are fighting
18 that. We will prevail.

19 And as soon as those do hit the
20 streets, I think you will see a huge
21 improvement in service. Whether at
22 that point you're prepared to say
23 the service is excellent and is of
24 the quality that people in
25 wheelchairs deserve, I don't know

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2 whether you will or not. But my
3 hope is that you will. So I just
4 wanted to put that on the record.

5 VOICE: I just want to
6 apologize for arriving here late
7 today. And I may have to leave
8 early actually (inaudible) and I'd
9 just like to get the name and title
10 of the speaker.

11 MR. KOPPELL: I'm City Council
12 member, Oliver Koppell.

13 VOICE: Thank you.

14 MR. KOPPELL: Let me just
15 briefly respond, Mr. Chairman. And
16 let me respond.

17 You know, when you've been in
18 government as I have for 40 years,
19 you have some historical knowledge.
20 And the same discussions took place
21 30 years ago with respect to the bus
22 fleet. And there were many who
23 argued, you know, we can provide
24 even better service for the disabled
25 if we put the money into some sort

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2 of accessorized-type service where
3 we have cars available all the time
4 and whenever anyone wants to take a
5 bus or would take the bus, they can
6 get a car.

7 Well, first of all, I don't
8 think that would have happened, or
9 that could happen. But second of
10 all, we rejected it. Thirty years
11 ago, we said no. This alternate
12 service is not providing the
13 disabled equality.

14 That's one thing. Secondly,
15 I'm not sure that it was you or --
16 to tell you the truth, not you, but
17 the Mayor, who got the 2,000
18 accessible cabs in Albany. I'm glad
19 we got them, but I think it comes a
20 little bit difficult to accept that
21 it was you who pushed for them.

22 The last thing that I would say
23 is, in my comments I pointed out,
24 the rear entry is really offensive.
25 And one could say, well, you have to

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2 have the rear entry. But we have an
3 answer to that in London. They have
4 a side entry that's acceptable to
5 the disabled community. And if
6 we're going to have accessible
7 vehicles as part of the Nissan
8 fleet, they should be side entry
9 vehicles. And I would urge you to
10 take a close look at that. Even if
11 you don't do the other thing that
12 I'm asking you to do, that you look
13 at that model, because I don't think
14 -- I think it's -- it really is the
15 back of the bus.

16 It's also more difficult. In
17 order to get into that vehicle, if
18 it's on the street you have to have
19 space behind the vehicle to put the
20 ramp out to have someone go up the
21 ramp in the street. Whereas if you
22 have a side entry vehicle they get
23 in right from the sidewalk.

24 So this rear entry vehicle is
25 going to be very, very difficult to

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2 accommodate, because you're going to
3 have to have space behind the
4 vehicle. The individual is going to
5 have to get off the curb, and there
6 may not be a curb cut.

7 The taxi may be stopping in the
8 middle of the block, so that the
9 wheelchair has to get off the curb,
10 go down to the street and then go up
11 the ramp. Whereas, if they go from
12 the side on the sidewalk, they don't
13 need to do that.

14 So I think that the accessible
15 model here is flawed. And that's
16 all I want to say. We can easily
17 solve it. If they can solve it in
18 London, for God's sake, we can solve
19 it in the US.

20 MR. YASSKY: Thank you. I'm
21 not going to ask Mary to change the
22 order of the people here, but I will
23 just assure you when Braun speaks
24 later we'll ask them to address
25 specifically the side versus rear

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2 issue.

3 MR. KOPPELL: On that issue,
4 Jane and Sulu's book, my counsel are
5 very much involved in this issue and
6 will remain. I have a meeting of
7 the Transportation Commuter Council
8 that I'm going to try to get to, but
9 I'll get a report on that issue.
10 Thank you.

11 MS. JOSHI: Thank you, and for
12 the record we were joined by
13 Commissioner Norma Reno at 10:45.
14 Next we'll hear from Paul Herzan of
15 Design Trust.

16 MR. HERZAN: I am Paul Herzan,
17 but not of the Design Trust.

18 MS. JOSHI: I apologize.

19 MR. HERZAN: That's all right.
20 I'm actually here today as a
21 passenger and a user of taxis and
22 someone who has cared passionately
23 about this project from at least
24 eight years ago when I first
25 approached the TLC with it.

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2 Firstly, I just want to thank
3 the TLC and their team for
4 innovating a really amazing RFP
5 process to get us to a stage where
6 we can have a solution like the one
7 you proposed. It's an extraordinary
8 accomplishment and one that should
9 not be taken lightly in terms of the
10 kind of leadership that it shows for
11 our city.

12 Just one quick question. Maybe
13 I'm not the appropriate person, but
14 I'll mention it anyway. I think the
15 problem with the London cab and the
16 accessibility issue on the side is
17 that there is a lack of ADA
18 compliancy for side entry with the
19 current product proposed, but just a
20 few points that I wanted to make.

21 One is regarding why Nissan,
22 why exclusivity. I think the biggest
23 reason that this project works so
24 successfully is the investment of
25 R&D dollars and commitment to almost

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2 at least or up to \$70 million. I
3 don't know the exact number, but at
4 least that amount that has been put
5 into this project to make a vehicle
6 with exclusive and specifically
7 tested safety-tested features unlike
8 has happened ever before.

9 Things like the vehicle being
10 engineered to be accessible. That's
11 a first. Things like the vehicle
12 being engineered for passenger use
13 and ride in the rear seat. Most
14 cars today are designed to be for
15 the people in the front seat. This
16 vehicle is designed for the rear
17 seat passenger seat. The ride
18 capabilities are engineered that
19 way. The safety issue that was
20 paramount to me was to have a
21 partition, even though the most
22 important thing for people to do is
23 to wear their seatbelt in the rear
24 seat.

25 For some reason, people think

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2 that they're safe when they don't
3 have a seatbelt on in the rear seat.
4 However, this product and the
5 vehicle I think will have a lot more
6 room back there, so even if you're
7 not wearing a seatbelt, you've got a
8 better shot I think at less injury.

9 The other thing I wanted to
10 mention as well is certainly the
11 whole issue of sustainability, and
12 we talk about hybrids and we talked
13 about electrification.

14 I think the partnership and the
15 exclusivity gives us a path to
16 electrification, a path to
17 sustainability, and I bring it right
18 back to the fleet owners to demand
19 of Nissan to produce a mild hybrid.
20 Not a complicated hybrid like the
21 Ford Escapes and the full hybrids
22 that are existing in the Toyota
23 products. Why not a simple system
24 that can be serviced effectively
25 that saves gas and if we commit and

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2 if the fleet commits to buying a
3 certain number of those, I'm quite
4 certain that Nissan will produce
5 them. So it's a little bit of a
6 chicken and egg situation here. TLC
7 can't mandate it, but Nissan's
8 willing to produce it.

9 More importantly, I think, too,
10 London is ahead of us on its path to
11 electrification. Come on. We
12 started this project. We led in the
13 development of this project in terms
14 of the innovation of it. We need
15 also to come up with over the next
16 ten years in the duration of this
17 partnership a reliable clear pathway
18 for us to get us to electric taxis.
19 Nissan more than any other
20 manufacturer is committed to
21 electrification, and I think we can
22 work collaboratively over the next
23 ten years to get there as well.
24 Thank you again, and I really look
25 forward to this vehicle coming to

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2 the market.

3 One last thought is that the
4 commission might consider extending
5 retirement ages for the owners of
6 vehicles that are coming out sort of
7 close to the deadline of the new
8 vehicle, so that, if their vehicle
9 is about to retire a month before
10 the NV200 is available, I think the
11 commission should consider extending
12 that so that all potential buyers
13 can access the new vehicle.

14 Thank you very much.

15 MR. YASSKY: Thank you very
16 much.

17 I'll just -- a couple of the
18 other commissioners have made the
19 point at some of the other hearings
20 that we so rarely hear from
21 passengers, and so to have somebody
22 represent the passengers'
23 perspective and to have taken upon
24 themselves to do so as you've done
25 eight years ago as you point out, I

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2 just want to thank you for doing
3 that.

4 We can often forget for
5 understandable reasons the people
6 who come to speak at TLC hearings
7 are generally part of the taxi
8 industry because we have disability
9 advocates as well, but it only makes
10 sense that that is who generally
11 will show up here, but of course our
12 mandate is to represent the 600,000
13 people a day who ride in taxis, but
14 who aren't going to come to speak at
15 our hearings, so I really appreciate
16 your doing that, Paul. Thank you
17 very much for that.

18 Your final suggestion about
19 allowing people who would be
20 scheduled to retire right before the
21 taxi becomes available to extend
22 their retirement by a little bit so
23 that they don't have to junk their
24 car right before the new car is
25 available I think is a really

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2 important one, and we have already
3 begun to consider that idea, and we
4 will take a hard look at that.
5 Thank you.

6 MS. JOSHI: Next we hear from
7 Jim Wiseman.

8 MR. WISEMAN: Good morning. My
9 name is James Wiseman and I'm senior
10 vice president and general counsel
11 of United Spinal Association.

12 We have been transportation
13 advocates for people with
14 disabilities since the 1940s as the
15 Eastern Allied Veterans Association
16 and we were the people that sued New
17 York City to make buses and subways
18 accessible and made the deal with
19 Councilman Koppell to make buses and
20 subways accessible and create
21 (inaudible)which is what Mayor Koch
22 thought was a cheap alternative to
23 making mass transit accessible. He
24 wanted a special system just for
25 people with disabilities because the

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2 MTA convinced him it was cheaper
3 than making buses and subways
4 accessible.

5 Currently MTA is spending \$500
6 million a year on Access-A-Ride, and
7 those people are only eligible if
8 they can't use mass transit that's
9 accessible for those trips. MTA's
10 cost per ride are in excess of \$60.
11 20 percent of those rides on
12 Access-A-Ride are wheelchair users.
13 100 percent of those trips or at
14 least \$100 million worth, it's
15 actually more because people in
16 wheelchairs use Access-A-Ride for
17 inter-borough transportation,
18 because MTA has eliminated some of
19 the inter-borough bus service, so
20 the longest trips of Access-A-Ride
21 are people who use wheelchairs, and
22 they go back in most of the time, so
23 at least \$100 million worth of that
24 travel could be transferred to taxis
25 who would swipe cards from MTA if

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2 taxis were readily available and
3 usable by people with disabilities.

4 At best the dispatch program
5 which TLC is wedded to would be
6 called a Jim Crow proposal if it was
7 for any other minority group. If
8 black people had to take just some
9 cabs, it would be absurd. No one
10 would tolerate it. If a taxi owner
11 told you they would not go to a
12 certain neighborhood because of any
13 protected classes, Hasidic Jews,
14 women, Italians, we would be
15 outraged, but no one has a problem
16 with saying we're going to limit
17 access to cabs for people with
18 mobility impairment.

19 In addition to that, your own
20 boss said retrofitting cabs to make
21 them accessible is a bad idea and
22 that is why he was opposed to making
23 taxis accessible. Yet that's what
24 you chose to do in taking the Taxi
25 of Tomorrow. I gave you a report

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2 done in 2010 for New York State
3 which shows that \$200 million a year
4 is spent on ambulettes by Medicaid
5 in New York City driving people on
6 medical appointments, poor people on
7 medical appointments at well over
8 \$60 a ride. All of those could be
9 done in accessible taxis as could
10 Department of Veteran
11 Affairs-sponsored trips and State
12 Ed-sponsored trips through the
13 Department of Vocational
14 Rehabilitation, but we keep limiting
15 access to accessible cabs.

16 Moreover, you picked a
17 first-rate converter. Braun is a
18 great company. They're the best in
19 the world. They are the smartest in
20 the world and the most experienced
21 about how to make vehicles
22 accessible, but, because of the
23 nature of the cab, you're only going
24 to get two passengers, one with a
25 wheelchair and one able-bodied

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2 person. There's a better design
3 that could have been used to make it
4 accessible, but accessibility was an
5 afterthought when you picked the
6 NV200.

7 The last thing I want to point
8 out, my testimony I submitted, and I
9 made a lot of points. I know we've
10 been talking to each other about
11 this for years. I wish the other
12 commissioners were here to hear it,
13 because they make decisions based on
14 what you tell them, but you should
15 tell them that there's a real issue
16 with the NV200. Is it a van or not,
17 and, if it is, US DOT Americans with
18 Disabilities regulations will
19 require it to be accessible just
20 like it requires about a thousand
21 (inaudible) that are on the street
22 now inaccessibly to have been
23 accessible and the Ford Transit
24 which you approved which was a van
25 also would have to be accessible as

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2 well, so I think there's a mess on
3 the horizon with that which I hope
4 doesn't have to be litigated, but it
5 seems like we're litigating
6 everything on it.

7 I implore you to reconsider
8 this, because you understand now
9 creating a dispatch program to
10 comply with the ADA means it's all
11 on you.

12 If you just said we're not
13 going to get in the dispatch
14 business. We're not going to have
15 contracts with dispatchers. We're
16 going to pay no attention to this.
17 We're just going to require new
18 taxis to be accessible as the fleet
19 gets replaced. We're not going to
20 be dispatchers. We're not going to
21 worry about providing any full
22 service to people with disabilities,
23 if you just washed your hands of it,
24 treated everyone the same way and
25 everyone can use the same vehicle,

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2 we could all go home on this fight,
3 but instead you're saying let's keep
4 20 percent accessible or let's keep
5 50 percent or 28 percent or whatever
6 it becomes, and we'll make sure that
7 that provides meaningful service,
8 but if I can go out in the street
9 and raise my hand up and flag a cab
10 in two or three or five minutes, and
11 it takes somebody else 20 minutes
12 because of the dispatch program,
13 it's you guys doing that.

14 They could have been out on the
15 street now, but you said no. The
16 Mayor actually thinks it's
17 dangerous, according to him, to hail
18 cabs, but it's the law that they
19 have to stop now. The Mayor I guess
20 didn't know that, but right now if
21 you're in a wheelchair, it's illegal
22 to be passed, but right now it's all
23 on you. You have a dispatch program
24 which if it doesn't work with the
25 ADA solution, if it doesn't work,

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2 you're violating the ADA.

3 So I implore you to reconsider
4 this program and make all taxis
5 accessible and get out of the
6 dispatch business.

7 Thank you.

8 MS. JOSHI: Thank you, Mr.
9 Wiseman.

10 Next is Janice Schacter Lintz.

11 MS. SCHACTER LINTZ: Hello. My
12 name is Janice Schacter Lintz. I am
13 the chair of the hearing access
14 program. I'm also the mother of an
15 18-year-old daughter with hearing
16 loss.

17 We applaud the TLC for
18 including captioning in the Taxi of
19 Tomorrow. Communication with a
20 driver is difficult when a person
21 has a hearing loss. There is a
22 plexiglass divider that limits the
23 sound, and the passenger cannot see
24 the driver's face to read lips since
25 the driver is facing forward while

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2 driving.

3 Induction and pullout.

4 My daughter and others who are
5 hard of hearing to effectively
6 communicate with the driver by
7 switching their hearing aid to the T
8 setting the passenger can hear the
9 driver directly in his or her
10 hearing aid. No longer does the
11 passenger have to worry that he or
12 she will end up in SoHo when headed
13 to Noho.

14 Induction allows drivers with
15 hearing loss to hear the passenger
16 so they can continue working. No
17 one should ever have to stop working
18 because of a hearing loss when the
19 technology to remedy the situation
20 is easily available.

21 Induction provides excellent
22 customer service for people who are
23 hard of hearing. This is
24 universally used technology that has
25 been available for many years as has

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2 been mentioned about the London
3 taxis and has been mandated in every
4 taxi in London since 1998.

5 The New York City Transit has
6 introduced induction to all
7 subways. Museums across the city
8 are adding induction in addition to
9 companies like Apple, Shake Shack,
10 Yankee Stadium and Citi Field.
11 Induction is also used throughout
12 the world in numerous countries such
13 as Australia, Denmark, England,
14 France, Hong Kong, Israel, Japan,
15 New Zealand, Norway, Poland, Spain
16 and Sweden.

17 New York City will be a model
18 and leader by adding induction
19 technology to its taxis. This is
20 very, very exciting, and I want to
21 thank the TLC for supporting the
22 inclusion of induction technology.

23 Thank you for your time.

24 MS. JOSHI: Thank you very
25 much.

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2 Next we'll hear from Ronnie
3 Raymond.

4 MS. RAYMOND: My name is Ronnie
5 Ellen Raymond. I'm a resident of
6 Manhattan and obviously a wheelchair
7 user. Taxis will appreciably change
8 my life circumstances. Like other
9 residents of New York City, I will
10 be able to make spontaneous
11 decisions about going somewhere or
12 doing something in the city.

13 Today I have to carefully plan
14 my days in advance. It requires a
15 minimum of 24 hour advance
16 reservations with no changes to the
17 time or destination. They are
18 notoriously unreliable. Taking a
19 New York City bus, while, even takes
20 a great deal of time and bad weather
21 rain, snow, et cetera, the existing
22 transportation challenges for people
23 with disabilities. It is my hope to
24 be able to do things together with
25 friend, family and business

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2 associates. I look forward to the
3 development of the city's plan to
4 have more wheelchair accessible.

5 Thus far, I have experience
6 using a (inaudible) and an NV1 as a
7 taxi. I have yet to see a converted
8 for the record transit connect or a
9 converted NV200 or have the
10 opportunity to get into one.

11 The wheelchair accessible taxis
12 that I've been inside have been
13 reasonably and comfortable for me.
14 I have some concerns about the two
15 actual approved models until I can
16 see and experience them.

17 From what I have been told, I
18 am particularly concerned about the
19 Nissan NV200. I have been told that
20 the concerted version will
21 accommodate a wheelchair person and
22 only one able-bodied passenger
23 sitting next to the driver on the
24 other side of the partition. I'm
25 afraid that that configuration times

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2 that I'd like to uses a taxi I
3 envision significant problems.

4 For example, if I were to go
5 with family members we have to take
6 a second taxi to our destination.
7 When I want to take Horton and my
8 eight-year old niece to a museum,
9 which one will ride with me and
10 which one will stay home.

11 If I'm attending a meeting with
12 two colleagues alone in a second
13 taxi or will I travel alone for the
14 meeting in another taxi both
15 accommodate at least three
16 passengers and one wheelchair
17 passenger at the same time. That
18 suits me much more than the one
19 passenger and one NV200 and possibly
20 Ford Transit connect, which I don't
21 know. By forcing owners to choose
22 only one wheelchair accessible model
23 that can only accommodate two
24 passengers instead of four or five
25 will choose that model unless they

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2 are forced to.

3 If that happens, I am sure that
4 the result will be fewer wheelchair
5 accessible taxis on the road. Even
6 if there are NV200s on the road I
7 cannot use them numbers I'm willing
8 to pay for two taxis. That is
9 simply not in my personal budget.
10 This really defeats the purpose of
11 encouraging the owners to
12 accommodate the disabled by choice.

13 I urge you to reconsider this
14 rule change, at least until the
15 individuals who will be using the
16 new Nissan model have an opportunity
17 to see and experience it. And
18 before it is approved for the use as
19 the Taxi of Tomorrow and required of
20 taxi owners. Thank you.

21 MR. YASSKY: Thank you, Ronnie.
22 Just one small point I want to make.
23 The Nissan accessible version will
24 seat the same four passengers when
25 not being used with a wheelchair

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2 passenger. In other words, we'll
3 have a back bench seat and one seat
4 in the front.

5 MS. RAYMOND: But for me it
6 will be just me and one person on
7 the other side of the partition.

8 MR. YASSKY: I understand. The
9 reason I said it's a small point is
10 your point about whether owners will
11 choose it or not. In use when there
12 is not a wheelchair it will have the
13 same number of passengers.

14 MS. RAYMOND: Absolutely, but
15 I'm simply talking about
16 accessibility.

17 MR. YASSKY: Yes. I got it.

18 MS. RAYMOND: My eight-year-old
19 niece to sit on the other side next
20 to the driver and not even be able
21 to talk to me.

22 MR. YASSKY: I know. I do
23 understand the point you're raising
24 when it's used in that way.

25 MS. RAYMOND: When there isn't

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2 a wheelchair user --

3 MR. YASSKY: Whether to
4 purchase it or not, I don't know
5 that it would be effective, but I
6 take your point.

7 MS. RAYMOND: Well, if they
8 want to provide service for the
9 disabled, it would make a
10 difference.

11 MR. YASSKY: I see your point.

12 MS. RAYMOND: Thank you.

13 MR. YASSKY: Thank you.

14 MS. JOSHI: Thank you. Next is
15 Edith Prentiss.

16 MS. PRENTISS: I also have Jean
17 Ryan's testimony. It was submitted
18 electronically, but to be on the
19 safe side. I had a great time
20 playing with the numbers.

21 Good morning, I'm Edith
22 Prentiss, the chair of the Taxis for
23 All Campaign, president of the 504
24 Democratic Club, the vice president
25 of Disabled in Action and a board

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2 member of the Disabilities Network
3 of New York City. We wear many
4 hats.

5 I personally and the groups I
6 represent all oppose the proposal to
7 limit the wheelchair accessible
8 options of unrestricted medallion
9 owners to the Nissan 200 for all the
10 reasons Ronnie said and for all the
11 reasons Councilman Koppell said, so
12 I will not retread those.

13 I think it is really
14 interesting to say playing with the
15 numbers and if we do get 2000 new
16 medallions and they are all
17 restricted accessibility taxis and
18 every hybrid CNG medallion owner
19 chose to go to a MV-1 CNG, et
20 cetera, et cetera, we would get up
21 to 34 percent. Okay.

22 But the reality is today we are
23 2.4 percent, and if we are going to
24 be dependent upon the good will of
25 medallion owners to choose a better

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2 accessible taxi, and I'm sorry,
3 Commissioner Yassky, I consider only
4 being able to have one person with
5 me in a taxi to be unequal. I do
6 not consider that as having
7 amenities, because I'm not. I'm
8 restricted to having one person with
9 me, and that will be a
10 three-year-old. I'll make her
11 parents walk.

12 I think it's important to be
13 cognizant of the fact that the fact
14 of the matter is that we are getting
15 the short shift.

16 If you look through the history
17 of accessible taxis in New York City
18 or the lack thereof, the City
19 Council has failed repeatedly to
20 move upon the bills that have been
21 presented in front of us. Margarita
22 Lopez presented a bill that had I
23 believe 30 signatures, and yet it
24 never made it out of committee.
25 That was in 2004.

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1
2 In '06 we had Councilman
3 Koppell accessible a green taxi.
4 That had 38 sponsors. That was
5 veto-proof. Nothing happened. It
6 languished and died. I'm sorry. '06
7 was the accessible green. It had 30
8 sponsors.

9 In 2010, 433 had 38 sponsors,
10 and it languished and died. I think
11 it is important for us to consider
12 what we have gotten from the TLC.
13 We've gotten the abysmal central
14 dispatch pilot which had many
15 failings including the fact that
16 they could not retrieve all the data
17 and statistics.

18 While it's important that the
19 new dispatch has been tweaked, one
20 of the problems is that the livery
21 dispatch will not utilize the
22 central dispatch system based upon
23 the premise that every base has a
24 dispatcher, yes, but I shouldn't
25 have to call Lord knows how many

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2 bases for an accessible taxi.

3 The bottom line is with this
4 option with this proposed rule
5 change we will still be standing on
6 the sidewalk either waiting for a
7 central dispatch or just waiting for
8 the unicorn.

9 Thank you very much.

10 MS. JOSHI: Thank you, Ms.
11 Prentiss. Next we'll hear from Jim
12 Probst from Braun Corporation.

13 MR. PROBST: Good morning. I
14 am Jim Probst with the Braun
15 Corporation, and as you've heard
16 today we've been selected as a
17 partner with Nissan to provide a
18 mobility solution to accommodate the
19 NV200 and make it
20 wheelchair-accessible.

21 So I wanted to take a little
22 bit of time to tell the TLC and the
23 members of the public that are here
24 today about Braun Corporation and
25 who we are and really where we came

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1
2 from and how cemented our roots are
3 in this industry and our personal
4 connection to the needs of those in
5 wheelchairs.

6 Our company was founded in 1972
7 by a gentleman named Ralph Braun.
8 Ralph has a condition called spinal
9 oscular atrophy, and he lost the use
10 of his legs at a very early age.

11 He needed to have independence
12 with mobility, so he created a
13 product called a triwheeler which is
14 pictured here on this slide that
15 allowed him to get from home to work
16 and in other areas where he needed
17 to commute in his daily life. That
18 worked great when the weather was
19 good, but when weather turned
20 inclement, he realized he needed
21 another way to transport himself as
22 well as his mobility device, so he
23 and his brother-in-law bought an old
24 mail truck, and they actually
25 adapted it with a lift to

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2 accommodate his triwheeler as well
3 as himself, and that allowed him to
4 get out in the community, to work
5 and to live a happy, enjoyable life
6 and get out and do things he wanted
7 to do.

8 So the roots of our company
9 were really started out of Ralph's
10 personal need for his own mobility,
11 and as people became aware of the
12 device that he had created for
13 himself, they started to come to him
14 and ask him if he would build
15 devices for them, and, with that, as
16 more and more people approached him,
17 the company grew.

18 This year we actually
19 celebrated our 40th anniversary.
20 The company was founded in 1972.
21 Mr. Braun began building products
22 for himself as well as for other
23 people that approached him probably
24 10 years prior to that. So it's
25 been around for a long time and a

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2 long history of mobility products.

3 Let me take a minute just to
4 talk about some of the other markets
5 that we're in and some of the
6 products. We are a global
7 international company, and we
8 provide products on all sorts of
9 vehicles. As you see here, we have
10 paratransit vehicles with a lift in
11 it. We have platform lifts
12 available for buses and trains and
13 all sorts of vehicles. We build
14 side entry doors for minivans, rear
15 entry doors for minivans, et cetera.

16 Again with Ralph Braun being
17 the founder of our companies, he's
18 still at the helm, and we believe
19 that there's not a one size fits all
20 solution. Our range of products is
21 quite wide, and we don't see a one
22 size fits all solution, so that's
23 why we have a lot of different
24 products available for the unique
25 needs of every market.

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2 Those products again are side
3 entry doors for minivans, rear entry
4 doors for minivans, wheelchair
5 lifts, paratransit fullsize vehicles
6 and all-purpose vehicles.

7 Our primary headquarters is in
8 Winnemac, Indiana. Our campus area
9 is 85 acres. We've got 800
10 employees, and we have satellites in
11 three additional states outside of
12 Winnemac as well. This is a shot of
13 our assembly line. We build
14 thousands of vehicles a year, and
15 our plant is set up very similar to
16 an automotive plant. Everything is
17 done on an assembly line. We have
18 lean manufacturing just as you would
19 see at a standard vehicle
20 manufacturer.

21 As you heard earlier, we've
22 been chosen by Nissan to be the
23 exclusive provider of the integrated
24 mobility solution for the NV200.
25 What's unique about the Nissan

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2 relationship is it is an integrated
3 design.

4 We are working with Nissan on
5 the vehicle and on the conversion in
6 concert to make sure that the
7 mobility upfits that are applied to
8 the vehicle, they don't deter from
9 the OEM intent of the vehicle in any
10 way and that it's a complement to
11 it, and the NV200 lends itself very
12 well to our mobility package. As
13 brought up earlier, the design will
14 be a rear entrance design.

15 I want to comment a little bit
16 on some of the statements that were
17 made about riding in the back of the
18 vehicle and things like that. With
19 the Nissan NV200, the middle seat
20 will actually fold forward and store
21 in the front of the vehicle, so the
22 passenger in the wheelchair is
23 actually in the middle of the
24 vehicle, and it creates a very nice
25 environment for the person in the

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2 wheelchair to reach-- to be able to
3 reach the other amenities in the
4 vehicle. You're not riding all the
5 way in the back, so you're more
6 centrally located in the vehicle.

7 With that, we are committed to
8 provide the absolute best
9 wheelchair-accessible accommodation
10 we can to the NV200. All the way
11 back to the founder and owner of our
12 company who uses our product on a
13 daily basis. He's the final judge
14 of what it is that we provide. He
15 tests all of our products himself,
16 and we are committed to do
17 absolutely the best work we can with
18 the NV200 to create an integrated
19 solution. Any questions from the
20 chair?

21 MR. YASSKY: Just one. On the
22 question of side versus rear, it's
23 my understanding that a side entry
24 design would not be ADA-complaint.
25 Am I correct in that?

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2 MR. PROBST: That's correct.
3 The rear entrance design that we
4 developed does meet the ADA
5 standards.

6 MR. YASSKY: Okay. Thank you.

7 VOICE: Do you know what it is
8 about the side entrance makes it not
9 compliant?

10 MR. PROBST: The size of the
11 ramp would be too narrow to
12 accommodate the ADA requirement that
13 says that the ramp must be at least
14 30 inches wide, and the side
15 entrance doesn't lend itself very
16 well to a ramp that wide.

17 VOICE: That particular
18 vehicle?

19 MR. PROBST: Yes.

20 VOICE: There was worry that
21 the rear entrance, that space is
22 behind the car, and also it seems
23 it's more dangerous in the flow of
24 traffic. When the cabs pull over,
25 they double-park.

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2 MR. PROBST: There's
3 controversy between the pros and
4 cons of rear versus side, but a lot
5 of the streets in New York are one
6 lane and a lot of times it is
7 difficult to find curb access, so
8 oftentimes double parking is related
9 to (inaudible).

10 MR. YASSKY: I mean the way
11 I've been thinking about it side
12 entry would be more convenient if
13 the car can pull over to the curb,
14 but if you are-- if you can't pull
15 over to the curb because there are
16 cars parked there, it means then
17 that the vehicle has to be not just
18 in the lane next to the parked cars,
19 but in the next lane beyond that,
20 which in a side street there may not
21 be another lane and even if there is
22 it means now you are taking up two
23 lanes of traffic. There are pros
24 and cons to both sides in my view.

25 MR. PROBST: Right, and in that

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2 scenario, if that vehicle is all the
3 way over on that side of the street
4 and the ramp is deployed and someone
5 doesn't see it, another car may try
6 to sneak through there, and that
7 might be a very dangerous situation.

8 Yes. There are pros and cons to
9 either concept. In New York City
10 with one-way streets, it lends
11 itself very well to rear entry
12 vehicles.

13 MS. JOSHI: Thank you very
14 much. Next is Ethan Gerber.

15 MR. YASSKY: Mr. Gerber and
16 others, I'm going to excuse myself
17 for a bit, but we will get as always
18 a full summary of your testimony.
19 Thank you.

20 MR. GERBER: Well, then thank
21 you, Commissioner Marino, for
22 hearing the testimony. I appreciate
23 it.

24 MS. JOSHI: You're welcome.

25 MR. GERBER: I'm Ethan Gerber

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2 from the Greater New York Taxi
3 Association. GNYTA represents
4 owners who took Mayor Bloomberg at
5 his word when he said in 2007 that
6 hybrids will decrease the cost of
7 fuel for drivers and will
8 significantly reduce air pollution
9 that causes childhood asthma. I'm
10 also the father of a child with
11 asthma. As a result, the
12 overwhelming majority of Greater New
13 York Taxi Association taxis are now
14 hybrid. Today this commission is
15 about to remove those clean air
16 hybrids from the road.

17 The so-called Taxi of Tomorrow
18 is a misnomer. There is nothing
19 tomorrow about it. Let's call it
20 taxi of yesterday. It is not
21 accessible. It is not clean air.
22 It is a non-accessible, nonhybrid,
23 non-clean air, old-fashioned
24 combustion engine. According to the
25 Taxi & Limousine Commission, there

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2 are 13,237 medallion taxis.

3 As of September, 6,296 of these
4 cabs, 48 percent of the total fleet,
5 are hybrid. Since 2.5 percent of
6 taxis must be wheelchair accessible,
7 then simple arithmetic tells you
8 that the majority of cabs are now
9 hybrid where the owners have a
10 choice.

11 The rules published here will
12 force the number of hybrids to be
13 reduced to only 281. As they come
14 up for requirement, the only hybrids
15 allowed, yes, allowed to stay on the
16 road would be the 2 percent of fleet
17 medallions that are mandated to be
18 attached to the hybrids from over
19 six thousand and rising to less than
20 300.

21 Getting more hybrids on the
22 road wasn't just GNYTA's vision.
23 This was Mayor Bloomberg's stated
24 vision and policy. Moreover, this
25 was Chairman Yassky's vision when he

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2 was an elected councilman.

3 When Chairman Yassky was an
4 elected representative of the people
5 of New York City, he came here to
6 this commission, stood at this
7 podium like me and testified that
8 the greening of the taxi fleet was,
9 I quote, "one of the most important
10 environmental issues the city's
11 government has ever undertaken."

12 We hear that. The most
13 important environmental issue ever
14 undertaken, said Councilman Yassky.
15 New York City modern government was
16 formed in 1898, and this was its
17 most important initiative, and we
18 are abandoning it today for cup
19 holders and skylights. We, the New
20 York City taxi fleet, said elected
21 Councilman Yassky is "an absolute
22 no-brainer."

23 The council member noted that
24 giving up a little leg room is "a
25 small sacrifice for clean air."

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2 Now I know there was litigation
3 that said you can't force the fleets
4 to have hybrids. The fact is you
5 never had to. We are getting there
6 already. With significant cost
7 savings to the drivers and small
8 incentives to the owners, half the
9 cabs are already green. New York
10 already has one of, if not, the
11 largest green taxi fleet in the
12 world. Exactly what the Mayor said
13 he wanted and what he and David
14 Yassky said was crucial for the
15 health of New Yorkers.

16 Now the Mayor seems to be
17 saying that, if I can't force you to
18 be green, I will force you not to be
19 green.

20 In celebrating the Nissan, the
21 Mayor and now Chairman Yassky have
22 selectively compared its mileage to
23 the Crown Victoria, a car no longer
24 manufactured. Compared to the 6,296
25 hybrids on the road, it pales. It

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2 allegedly gets 25 miles per gallon.
3 I say allegedly because this model
4 has not been tested on these streets
5 in New York, but the Prius gets 44.
6 Just this week, Ford, an American
7 company, announced a new car called
8 the CMAX, which will get 47, and
9 this is part of the problem.
10 Technology evolves, and companies
11 compete for better and more
12 efficient products. This project
13 locks in a manufacturer for ten
14 years, an entire decade.

15 The Taxi of Tomorrow like the
16 bus of tomorrow like the train of
17 tomorrow like the plane of tomorrow
18 has not been built yet. It will be
19 built tomorrow. Why lock in cars
20 designed yesterday? Council member
21 Yassky stated when he was a counsel
22 member "that 83 percent of New
23 Yorkers favored hybrid cabs." Mayor
24 Bloomberg's own press release back
25 then noted that the American Lung

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2 Association said that putting more
3 clean air cabs on the street is an
4 important step in our fight to
5 improve air quality especially for
6 the one million asthmatics like my
7 daughter in New York City.

8 So, by the mayor's and the
9 chairman's own words, this program
10 is harmful to the health of New
11 Yorkers by forcing clean air
12 vehicles off this road. Better
13 technology is already here. It is
14 the TLC's belief that clean air,
15 consumer choice, business needs,
16 market forces are no longer a
17 priority. Panoramic roofs and
18 charging stations for iPads are.

19 Further it is frankly
20 unAmerican. It locks out American
21 companies and American jobs just at
22 a time when we need these jobs the
23 most. This is an exclusive contract
24 with a Japanese company who
25 announced that it will build the

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2 plant in Mexico to build these cars.
3 Yesterday, President Clinton called
4 at the DNC stated that the auto
5 restructuring was vital not just for
6 the auto industry, but for all the
7 related industries. We are all in
8 this together he said.

9 Now you are saying not so fast,
10 America, not here, not in New York
11 City. Are there any questions?

12 MS. JOSHI: Thank you very
13 much.

14 Next we'll hear from Johanna
15 Dyer.

16 MS. DYER: Good morning. My
17 name is Johanna Dyer, and I'm an
18 attorney with the Natural Resources
19 Defense Council which as you know
20 has been actively involved with New
21 York City transportation and clean
22 air issues for more than 35 years.

23 We appreciate the opportunity
24 today for the public to comment on
25 the proposed Taxi of Tomorrow, which

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2 would require most New York City
3 taxi owners to purchase the Nissan
4 NV200.

5 As you know, seven years ago,
6 with the help of the New York City
7 Council, the first hybrid yellow
8 taxi rolled onto the streets of New
9 York City as part of an effort to
10 improve the economy and reduce
11 emissions.

12 Today more than six thousand of
13 greener taxis, about 45 percent of
14 the total fleet, are in operation
15 with lower air pollution. The new
16 hybrid taxi was one of the first of
17 its kind and served as a model of
18 capability for other countries in
19 the world. However, these taxis
20 will be phased out by the new Taxi
21 of Tomorrow program, and under the
22 program only one model, a
23 conventional nonhybrid, will be
24 approved to replace all of New York
25 City's yellow taxis.

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2 We appreciate the hard work of
3 the TLC and other stakeholders that
4 they devoted to this initiative.
5 And while the new Taxi of Tomorrow
6 does get better gas mileage than the
7 Crown Victoria and important safety
8 and comfort features, but
9 nevertheless as things now stand it
10 is not clear how moving forward the
11 city will actually introduce
12 electric or strong hybrid versions
13 of the NV200 as NYC taxis.

14 It's therefore critical as the
15 final goal of the agreement between
16 New York City and Nissan for the
17 Taxi of Tomorrow that sets forth a
18 clear and concrete path forward
19 after the initial NV 200 rollout to
20 end up with a fleet made up of
21 strong hybrid taxis. Without this
22 commitment, we will have simply lost
23 the thousands of hybrid cabs and
24 positive sustainability they
25 provide. And, if there isn't a

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2 clear plan for reintroducing cleaner
3 vehicles into the fleet, it is a
4 significant missed opportunity.

5 We understand that a series of
6 lawsuits has slowed the TLC, but
7 city officials still have viable
8 legal options.

9 So it's not too late for New
10 York and its officials to ensure
11 that we continue to move forward in
12 the sustainability effort of its
13 taxi fleet, and we remain hopeful
14 that under Commissioner Yassky's
15 leadership the TLC will do
16 everything in its power to keep a
17 green fleet.

18 In sum, we urge the TLC, if it
19 does move forward with the Taxi of
20 Tomorrow program, to ensure that its
21 ruling on the contract lays out a
22 clear path for strong hybrid or
23 electric Taxi of Tomorrow cabs on
24 the street in the near future.

25 Thank you.

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2 MS. JOSHI: Thank you. Next is
3 Seth Weinberg.

4 MR. WEINBERG: Members of the
5 commission, my name is Seth
6 Weinberg. I serve as the general
7 counsel of the Vehicle Production
8 Group. VPG is a new American
9 automobile company which has
10 engineered and domestically produces
11 the NV-1, a wheelchair accessible
12 vehicle that was designed from the
13 ground up to comply with the
14 Americans with Disabilities Act and
15 to withstand the rigors of the taxi
16 duty cycle. The NV-1 taxicab
17 application is demonstrated by its
18 commercial driver seat, body and
19 frame construction and OEM
20 factory-installed ADA-compliant side
21 entry ramp as standard equipment as
22 well as an optional OEM native
23 compressed natural gas CNG power
24 train.

25 While VPG appreciates the

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2 efforts of all involved and the goal
3 of continuing to improve New York's
4 taxi system and the efforts of
5 wheelchair accommodation and energy
6 efficiency which have been made to
7 date, we believe there are aspects
8 of the proposed rules which do not
9 adequately address key issues that
10 must be more fully addressed before
11 an overhaul of this magnitude can be
12 properly implemented.

13 While we appreciate the goals
14 of the taxi for tomorrow program, we
15 believe that New York City's
16 approach of sole sourcing an
17 official taxi vehicle for a ten-year
18 period will discourage innovation in
19 the taxi industry. Although the
20 features of the vehicle have been
21 selected for the market as it exists
22 today, the needs of owners, drivers
23 and the taxi-riding community
24 constantly evolve.

25 For example, gasoline engines

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2 are likely to become increasingly
3 inefficient for operation back for
4 operation against CNG as the price
5 of gasoline increases.

6 Ten years is an eternity in the
7 technology-driven OEM motor vehicle
8 industry, especially in the areas of
9 alternative fuel efficiency and
10 safety. Limiting purchases to a
11 single manufacturer and model
12 requires that New York City taxi
13 industry will have to forgo the
14 research and development by some of
15 the most innovative, diligent and
16 safety-focused companies in the
17 country in the areas of convenience,
18 safety, fuel economy, emissions and
19 accessibility.

20 We agree with Braun that no one
21 solution is necessarily right for
22 every application, and that is the
23 case with the Taxi of Tomorrow as
24 well.

25 Furthermore, since the OTV is

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2 expected to be manufactured in
3 Mexico, in approving the OTV, the
4 commission effectively takes away
5 potential work from the American
6 automobile industry, the American
7 auto worker and every organization
8 which supports them at a time when
9 they are most needed.

10 In pursuing its goal,
11 commission efforts have previously
12 included approving a variety of both
13 hybrid and alternative fuel vehicles
14 as well as wheelchair accessible
15 vehicles for use in New York City as
16 taxicabs.

17 In fact, when it approved the
18 NV-1 for taxicab service in October
19 2011, the commission stated that it
20 favored the NV1 in part, because
21 "vehicles manufactured by an
22 original manufacturer specifically
23 as wheelchair accessible vehicles
24 will provide a better customer
25 experience and may last longer than

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2 converted vehicles.

3 Mr. Carr noted in his opening
4 remarks today that as part of his
5 view of the Nissan and the appeal of
6 it is that it doesn't require
7 modification for the hackup. Yet he
8 seems perfectly content with
9 modifying it for wheelchair
10 accessibility.

11 The same should hold true for
12 an OEM-installed ENG powertrain as
13 opposed to an aftermarket conversion
14 designed to increase efficiency.

15 The current proposal for the
16 OTV, however, undermines the past
17 actions that have been taken by
18 limiting the pairing of alternative
19 fuel vehicles and wheelchair
20 accessible vehicles other than the
21 LATV to a limited number of
22 restricted medallions that require
23 such pairings.

24 If the proposed rules passed as
25 they exist today, the commission

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2 will actually be halving the number
3 of alternative fuel vehicles usable
4 as New York City taxicabs and the
5 alternative wheelchair accessible
6 configurations.

7 Furthermore, the LATV is set up
8 to only take one wheelchair
9 passenger and one additional
10 passenger, so for a family of four,
11 as has been pointed out, a second
12 taxicab would be required.

13 I can't make this point better
14 than Ms. Raymond has already made
15 it, although I would call out that
16 in her example I noticed that nobody
17 bothered to point out that when you
18 ask, whether it's an eight-year-old
19 or a nine-year-old, to go to the
20 front seat, according to the New
21 York State safety recommendation,
22 the answer is neither, so they both
23 have to stay home or else go in a
24 completely separate taxicab or you
25 can take your niece and nephew's

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2 life in your own hands, which I know
3 Ms. Raymond is unlikely to do.

4 If the owners and the operators
5 of the standard medallions are
6 willing to provide a vehicle with
7 superior service such as the one
8 that Ms. Raymond is talking about,
9 they should be free to do so,
10 regardless of the type of medallion
11 they have.

12 In conclusion, the aesthetic
13 purposes of a selection of a single
14 OTV should not be allowed to
15 outweigh the benefits to all
16 communities, which are evident from
17 the constant evolution of the
18 competitive landscape of vehicles
19 designed to serve passengers, owners
20 and drivers alike.

21 For these reasons, we would
22 urge you to reject or postpone the
23 proposed rules or at least provide
24 an exemption in the proposed rules
25 so that medallions that are not

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2 specific to wheelchair accessible
3 vehicles or alternative fuel
4 vehicles may purchase any vehicle
5 meeting the qualification for these
6 categories so that all medallion
7 owners are free to take advantage of
8 the new innovations in these areas.

9 Thank you again for the
10 opportunity to comment on the
11 proposed rules. We are proud that
12 our vehicle, the NV1, can be part of
13 the solution to provide safer and
14 more reliable and accessible
15 transportation for all of New York
16 City.

17 MS. JOSHI: Thank you very
18 much.

19 Next is Vincent Sapone.

20 MR. SAPONE: Let me ask you a
21 question. Whenever I get up to
22 speak, three minutes it beeps. No
23 disrespect to anybody else here, but
24 people have been speaking for five
25 and 10 minutes. Why do I get three

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2 minutes? Rules change or something?

3 Alright. Anyway.

4 MS. JOSHI: There will be no
5 beeping today.

6 MR. SAPONE: I had a bunch of
7 these on my seat. I went to the
8 restroom and someone swiped them.
9 It's true. But one of you guys
10 giving the commission, you see I
11 wrote the commissioner one and a few
12 of the others please?

13 MS. JOSHI: Yes, sir.

14 MR. SAPONE: I don't know what
15 the solution is rear entry, side
16 entry. In New York City it's a
17 killer to have any kind of entry.
18 You've got bike lanes, bus lanes,
19 cars parked, trucks parked, UPS.
20 It's a problem. It's a big problem,
21 and I've been doing this 49 years.
22 I'm not driving anymore. I can't.

23 Anyway, I'm here to make a
24 comment on the new door designs on
25 the taxi. I think it's terrible. I

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2 think it's an outrage. The letter T
3 instead of taxi is ridiculous. The
4 rates they had before wasn't great,
5 but it was something. When you take
6 away the word "taxi," and from what
7 I know and hear, if the green
8 liveries ever come about, they are--

9 MS. JOSHI: I hate to interrupt
10 you, there will be no beeps, but
11 today we're having a hearing on
12 testimony on the--

13 MR. SAPONE: Excuse me, but
14 this is going to be on the Nissan
15 door, so I think it's related.

16 MS. JOSHI: It is related. It
17 will be on the door, but the rule
18 that provided for the new decals was
19 actually in the lease cap rules.

20 MR. SAPONE: Anyway I think
21 it's terrible. It's mixing yellows
22 with liveries. When that day comes,
23 I hope it never comes, because I
24 will fight it, and, Commissioner,
25 you see what I'm talking about? You

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2 have that in front of you? It's
3 terrible, and I think it's a gimmick
4 just to make people think the new
5 green, apple green, whatever green
6 that is livery cars, will be
7 taxicabs also. It's terrible.
8 Thank you.

9 MS. JOSHI: Thank you. Next
10 we'll hear from Richard Thaler.

11 MR. THALER: I'd like to
12 comment on an item that came up in
13 section 2 regarding the credit card
14 transaction prices and charges. At
15 the end of a ride, if a passenger
16 wants to use an app purely for
17 payment, which has nothing to do--

18 MS. JOSHI: I apologize.
19 Section 2 of which rule?

20 MR. THALER: The rule that's up
21 for consideration today.

22 MS. JOSHI: Thank you.

23 MR. THALER: There is a
24 statement about credit card charges.
25 I think it comes up twice. If a

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2 passenger wants to use an app purely
3 for payment of a fare using their
4 smart phone with embedded credit and
5 debit card tokens purely for
6 security purposes where they use
7 their debit and credit card they
8 would actually transfer the
9 electronic cash to the ATM machine
10 network for the driver.

11 Passengers may want to do this
12 in order to protect the security of
13 their cards considering the last
14 couple of incidents on the security
15 breaches.

16 In fact, one security breach
17 having to do with global payments
18 where Mastercard and Visa delisted
19 the global payments processor uses a
20 subcontract with one of the vendors
21 was approved by the TLC under the
22 contract with the city, and the TLC
23 has been silent on that.

24 So I can understand why
25 passengers would be concerned about

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2 exposing their cards to questionable
3 security issues with these readers.

4 In any event, using the debit
5 and the credit card for payment
6 which gives a cash transfer to an
7 ATM machine for the driver, the
8 issue is what would the charge be to
9 the driver?

10 Under the lease cap rules, the
11 lease cap takes care of all of the
12 charges and they can't be passed on
13 to the driver. I suggest a
14 modification to the rule be added
15 where the driver can subtract that
16 charge from his lease cap payment.

17 I didn't expect to talk about
18 anything having to do with the Taxi
19 of Tomorrow, but considering the
20 exhilarating hope and change
21 presentation given by David and
22 listening to the comments made by
23 Mr. Gerber and Mr. Weinberg, I
24 couldn't help thinking about an
25 issue that came up, a question that

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2 came up at the political convention
3 that was truly controversial and
4 spread all over the airwaves and how
5 that really would apply here to the
6 Taxi of Tomorrow, the question is
7 very simple: With the exclusive
8 Taxi of Tomorrow, is the industry
9 and the public better off compared
10 to standard compliance and an open
11 market before the Taxi of Tomorrow?

12 And I think that, while the
13 question may be controversial at the
14 political conventions, I think an
15 objective thought given to this
16 would have a very, very clear
17 conclusion. I'd just like to make
18 that comment.

19 Thank you.

20 MS. JOSHI: Thank you. Next is
21 Osman Chowdhury.

22 MR. CHOWDHURY: (Inaudible).

23 Thank you.

24 MS. JOSHI: Thank you. We're
25 going to take a brief five-minute

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2 recess at 12:05 after which we have
3 three additional speakers.

4 (Recess taken)

5 MS. JOSHI: Okay. We're going
6 to begin with our hearing again.
7 Next is Bruce Lafranchi. All right.
8 Moving on to Joan Peters.

9 MS. PETERS: Good morning. My
10 name is Joan Peters. I'm the
11 executive director of Brooklyn
12 Profession for Independent Disabled,
13 BPID.

14 BPID is a nonprofit
15 organization controlled and operated
16 by people with disabilities for
17 people with disabilities. Our
18 mission is to provide the tools,
19 services and necessary assistance to
20 remove barriers within the community
21 that prevent people with
22 disabilities from full inclusion.
23 One of these barriers is
24 inaccessible taxis. BPID has
25 advocated for accessible taxis for

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2 many years, and we take the position
3 as stated by council member Koppell
4 that New York City should have a
5 fully accessible fleet, not an
6 optionally accessible fleet.

7 As others have stated this
8 morning, the greater availability of
9 accessible taxis to wheelchair users
10 who live here, people who are
11 temporarily in wheelchairs due to
12 illness or injury and wheelchair
13 users who visit the city, it will
14 reduce the financial burden of the
15 Access-A-Ride system.

16 In addition, any separate
17 dispatch system will not be an equal
18 system. BPID is committed to seeing
19 a fully accessible taxi fleet in New
20 York City, but specifically with
21 respect to the Nissan NV200 my
22 understanding is this vehicle, when
23 used with a wheelchair, will only
24 accommodate one other passenger. It
25 is unlike other accessible models

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2 that can accommodate at least three
3 passengers and one wheelchair user
4 at the same time.

5 Also, the TLC and the taxi
6 industry have previously said that
7 converted vehicles are too expensive
8 and do not hold up to the roads of
9 New York City. Assembling and
10 disassembling a vehicle, it weakens
11 the integrity of the vehicle as a
12 whole.

13 We also have concerns about
14 rear entry as opposed to side entry
15 as expressed by others this morning.

16 Lastly, we have not had the
17 opportunity to see, experience and
18 provide feedback on the wheelchair
19 accessible NV200 model, so on behalf
20 of the BPID, I urge the TLC not to
21 approve these rules at this time.
22 Thank you for your time.

23 MS. JOSHI: Thank you. Next is
24 Megan Canning of Design Trust.

25 MS. CANNING: Hi, I'm Megan

- PROCEEDINGS-

1
2 Canning, the executive director of
3 the Design Trust for Public Space.
4 We're an organization and nonprofit
5 that is dedicated to improving
6 public space in New York City.
7 We've been working since 2005 to
8 facilitate innovative new taxi
9 designs and improvements to the taxi
10 system.

11 Design is often something that
12 happens at the end of a process to
13 make it pretty, but actually design
14 influences every aspect of our daily
15 lives. Good design leads to an
16 improved quality of life, and with
17 regard to the Taxi of Tomorrow every
18 little detail of the design will
19 result in a tremendous improvement
20 to the passenger and to the driver.
21 From all the new accessibility
22 features like the audio loop and the
23 grab handles and the step to the
24 separate temperature controls and
25 the adjustable seat for the driver.

1 - PROCEEDINGS-

2 By changing the design of the
3 vehicle, you will be elevating the
4 service, the quality of service for
5 literally hundreds of thousands of
6 New Yorkers and visitors alike.

7 Beginning in 2005, the Design
8 Trust undertook three separate
9 initiatives to reinvent a vehicle
10 and the system for the 21st century.

11 Our work was participatory and
12 collaborative. We engaged with the
13 TLC as well as a broad range of taxi
14 stakeholders.

15 Our first initiative, design a
16 taxi from a multitude of ideas for
17 improving the vehicle into the
18 spotlight, everything from roof
19 light and a panoramic sunroof to a
20 fully electric taxi and a cell phone
21 handling system. Then with our
22 pivotal hackup exhibit at the New
23 York show in 2007 we displayed eight
24 fully functional vehicle prototypes
25 designed by some of the nation's top

1 - PROCEEDINGS-

2 industrial designers. Free and open
3 to the public, our exhibit drew more
4 than 100,000 visitors in 12 days.
5 At times as many as 1400 people in
6 one hour alone. This is a powerful
7 testament to the world's fascination
8 with the New York City cab.

9 Finally, with our roads forward
10 publication, the Design Trust did
11 the first strategic plan for how to
12 improve the New York City taxi
13 system, and we did it in partnership
14 with the TLC.

15 We're very proud of what we
16 were able to accomplish through our
17 efforts. Specifically by our
18 workshops, our exhibits, research
19 and our publication, it pioneered a
20 bold vision for a new taxicab and
21 help inspire Taxi of Tomorrow.

22 Although our partnership with
23 the TLC officially ended in 2007, we
24 remained involved as an advisor to
25 Taxi of Tomorrow, and after Nissan

- PROCEEDINGS-

1
2 was selected, we were invited to
3 continue on and advise them on the
4 design and development of the NV200
5 and reviewed the vehicle on three
6 separate occasions. We designed the
7 taxi from the inside out. They have
8 improved and modernized all aspects
9 of the experience while respecting
10 the iconic nature of the beloved New
11 York City taxicab.

12 With the NV200, every driver
13 and every passenger will experience
14 durability, greatly enhanced
15 comfort, superior safety and a
16 consistent experience, a vast
17 improvement over today's fleet of
18 vehicles, none of which were ever
19 designed to serve as a taxi. This
20 truly is a historic moment for New
21 York City, and it has been a long
22 time coming, and it will not happen
23 again.

24 On behalf of taxi passengers
25 and the New York design community,

1 - PROCEEDINGS-

2 please do not lose this
3 unprecedented opportunity to make a
4 positive change for hundreds of
5 thousands of New Yorkers and
6 visitors.

7 I urge you to approve the
8 Nissan NV200 Taxi of Tomorrow as the
9 exclusive taxicab for New York City
10 and extend the period for retiring
11 vehicles, so as many drivers as
12 possible can take advantage of this
13 fantastic new taxi. Passengers have
14 been waiting far too long for the
15 industry to improve the taxi, to
16 make it safer, more durable,
17 comfortable and designed for us.
18 New York City is a leader in so many
19 ways. It's time that a global city
20 like ours finally has the taxicab we
21 deserve. Thank you.

22 MS. JOSHI: Thank you. Next is
23 Bhavara Desai.

24 MS. DESAI: Good afternoon.
25 I'm Bhavara Desai, executive

1 - PROCEEDINGS-

2 director at the New York Taxi
3 Workers Alliance. Good afternoon,
4 Commissioner. We thank you for
5 staying.

6 We'd like to begin by saying
7 that we've been involved in this
8 process in the beginning and on
9 behalf of the Taxi Workers Alliance,
10 I do want to thank in particular the
11 TLC staff who has been really open
12 with us throughout this process, and
13 we had several meetings with Nissan
14 as well as participated in focus
15 groups and were able to submit
16 additional comments, and we were
17 pleased to see that many of our
18 issues were actually addressed in
19 terms of the design of the vehicle
20 itself, particularly the ergonomic
21 seat for the driver. I know it's
22 something that hasn't come up much,
23 but you know the reality over time
24 in a taxicab and the taxicab driver,
25 so we've done studies with medical

1 - PROCEEDINGS-

2 students through the years where we
3 have found universal rates of like
4 over 80 percent drivers experiencing
5 severe lower back pain, and from the
6 medical profession levels of pain
7 have become more and more of an
8 indicator for other health ailments,
9 particularly kidney problems, which
10 we know is one of the major medical
11 issues that drivers face.

12 And you know, people might be
13 asking why bring up health issues
14 when you're talking about the Taxi
15 of Tomorrow.

16 For a working person when that
17 vehicle is where you're spending 70
18 hours of your life within a week it
19 does become a health and safety
20 issue.

21 So we're glad to see those
22 issues being addressed upfront. I
23 want to raise the concerns we have
24 around the economics. It's already
25 been stated that the manufacturer's

1 - PROCEEDINGS-

2 suggested retail price of the Taxi
3 of Tomorrow will actually be lower
4 than many of the other taxis that
5 are in the market today.

6 It's also been stated that
7 there should be further negotiations
8 particularly for those who may
9 purchase it.

10 Our concern is that for
11 individual taxi drivers, whether
12 they are an owner-driver or a
13 driver-owned vehicle operator who
14 leased a medallion and purchased the
15 vehicle from an agent, the DOV
16 operator will not see the benefits
17 of this better economy in terms of
18 the pricing of the vehicle, because
19 we will be paying a higher lease.
20 The TLC is proposing that DOV
21 operators pay the hybrid lease for a
22 nonhybrid vehicle, and that's
23 absolutely unfair.

24 Already with the fuel
25 efficiency we will be losing out,

1 - PROCEEDINGS-

2 and we estimate that depending on
3 the type of hybrid that would be
4 available at that time in the market
5 our drivers would be paying on
6 average anywhere from eight to \$10
7 more per shift, and that is
8 significant. It can be over \$3,000
9 per year for an individual driver.

10 The majority of those 6,000
11 plus hybrids that are in the streets
12 today, they exist because of DOV
13 operators that have purchased them.
14 They don't primarily exist at the
15 fleet level, and so our concern is
16 that the DOV operator is going to be
17 paying a higher lease, but at the
18 same time they are going to be
19 paying more on fuel, and that's not
20 fair. The lease for the Taxi of
21 Tomorrow, when it is not a hybrid,
22 it should not be a hybrid lease. It
23 should be the lower standard lease.

24 Secondly, the TLC must make the
25 contracts public. Much of the

1 - PROCEEDINGS-

2 provisions in the contract can be
3 regulated, should be regulated
4 particularly around the economics.
5 We're glad to see all the different
6 service proposals and the warranties
7 that have been addressed. They were
8 a major concern for us. Certainly
9 warranty on the Nissan will be much
10 better than the other warranties
11 that you see out there, but what
12 happens today is that DOV operators,
13 we don't have access to any of that
14 information, any of those terms that
15 currently exist between the dealer
16 and the agent. We don't want to be
17 shut out once again through this
18 process when the Taxi of Tomorrow is
19 brought in.

20 So, lastly, I would like to say
21 that we need to ensure-- we are a
22 24-hour industry, and we know that
23 we've heard that within the contract
24 Nissan would be giving a 100 dollar
25 compensation if the car is not

1 - PROCEEDINGS-

2 repaired within a reasonable time
3 period.

4 First of all, we need to know
5 what reasonable time period is
6 defined as, and, secondly, it needs
7 to be qualified in the TLC rules
8 that these economic advantages that
9 go to the vehicle purchaser will get
10 passed down to the DOV operator when
11 they are the purchaser in their
12 relationship with the agent.

13 As of now, that is not clear,
14 and that's completely unfair. The
15 agent is making the purchase, but
16 they are reselling it to the driver.
17 It's really the driver in the long
18 run that is paying all of these
19 expenses for this vehicle and is
20 investing in this vehicle both time
21 and money generally.

22 So whatever economic advantages
23 have been drawn up through this RFP
24 process, it must be ensured that the
25 individual vehicle owner, whether

1 - PROCEEDINGS-

2 owner-operator or DOV, benefits to
3 the same level that a corporate
4 vehicles owner does. Thank you.

5 MS. JOSHI: Thank you. Next is
6 Mohan Singh.

7 MR. SINGH: Good morning,
8 everyone. I am DoV driver. I own a
9 vehicle, and I take on lease.

10 The thing thinking that 24
11 hours service we need from the
12 Nissan. As we are serving the city
13 for 24 hours, so we want the
14 services when the car break down we
15 want the services from the Nissan 24
16 hours in the daytime and also in the
17 nighttime.

18 Another thing is that training
19 drivers for maintenance. They
20 should train the driver to take care
21 of the car so that we can maintain
22 the car for a long life.

23 Third thing, the fixing of the
24 car in the garage, so when we enter
25 the garage, if the car broke down,

1 - PROCEEDINGS-

2 we enter the Nissan garage, and we
3 want some period that it will be
4 fixed, that if we are going to the
5 garage and if they have less
6 technicians and they take about
7 eight hours to take our vehicle,
8 then we lose our time. So we want
9 time to fix. We go to the garage,
10 and the time should be limited. You
11 suggest the work get done or
12 something like that. Then the
13 payment of the money when we go to
14 the garage and if the vehicle take
15 long time, they pay us. \$100 as
16 they told us.

17 So what we want we should know
18 that when we get the money from the
19 dealer as payment of the money which
20 we spend time over there, so we want
21 to fix standard that within 24
22 hours, within 48 hours, that should
23 be there.

24 Then as we are fixing the
25 posters, brokers and agents, we want

1 - PROCEEDINGS-

2 something fixed in the Nissan
3 garages also that they should know
4 that this thing for the taxis should
5 be there that this time everything
6 should be pointed out, so that we
7 can point to that we don't want to
8 waste the time, so there will be
9 posters in the garage also.

10 Another thing, that we want the
11 car to be good technicians that take
12 care of it and in less time. We
13 want something else also that we
14 want warranty for the transmission
15 2,000 miles. Not 150, because we
16 drive everyday more than 200 miles,
17 so it won't be servicing for that
18 time, so it should be at least
19 200,000. That's all I want to say.

20 Thank you very much. Any
21 questions?

22 MS. JOSHI: Thank you very
23 much. That concludes our hearing
24 today. The time now is 12:25.

25 (Time noted: 12:25 p.m.)

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CERTIFICATION.

I, JOSEPH DANYO V, a Notary Public for
and within the State of New York, do hereby
certify:

That the within transcript is a true and
accurate record of the proceedings.

I further certify that I am not related to
any of the parties to this action by blood or
marriage, and that I am in no way interested in
the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my
hand this 18th day of September, 2012.

JOSEPH DANYO V

* * *