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NEW YORK CITY TAXI & LIMOUSINE COMMISSION

4

PUBLIC HEARING

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Held on October 20, 2011

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33 Beaver Street

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New York, New York

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2 A P P E A R A N C E S

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5 COMMISSIONERS:

6 DAVID YASSKY, Chairman

7 NORA CONSTANCE MARINO

8 EDWARD GONZALES

9 LAUVIENSKA POLANCO

10 ELIAS AROUT

11 FRANK CARONE

12 MARK GJONAJ

13 LASHAM DEARCY

14 MEERA JOSHI, General Counsel

15

16

17 SPEAKERS:

18 MICAH KELLNER, Assemblyman

19 OLIVER KOPPELL, Councilman

20 FRED DRASNER, Vehicle Production Group

21 JEAN RYAN, Disabled in Action

22 STEVEN SCHNEIR, Manhattan Motor Cars

23 RONNIE RAYMOND

24 MARCO HENRY, The Yellow Cab Company

25 TERENCE MOAKLEY, United Spinal Association

1

2 PATRICK BRENT

3 DARREN AQUINO

4 CHERYL KRIST

5 RICHARD THALER

6 AZA DERMAN

7 EDITH PRATISS

8 JOANNA UNDERWOOD

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2 CHAIRMAN YASSKY: I will just get started.
3 Good morning. Let me first off thank you for
4 joining us this morning. We have particularly
5 distinguished guests. Let me just begin by
6 mentioning that the CART reporter cancelled. I
7 apologize that he or she is not here.

8 A couple of items before we get to business.
9 First of all, I want to start, and I think I saw
10 her here before, by noting that we have, as every
11 city agency does, we recently did have a customer
12 service week, but with also kind of a general
13 morale week. As it is the practice, we
14 recognize one of our employees as the TLC employee
15 of the year. This year Colette Graham is our
16 employee of the year. One thing is of the elected
17 officials is their politeness and good manners.
18 Thank you. You were beginning to applaud,
19 assembly members. Even though she does not
20 directly deal with the customers, she is integral
21 to our operation here. She is in the timekeeping
22 and payroll management office and is a truly and
23 consummate professional and even more so has the
24 kind of the enthusiasm, energy, commitment, and
25 willingness to pitch in as needed, that I think

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2 defines really all of our TLC employees. But
3 since we had to or chose to, I guess, single out
4 one, Colette really sets a high standard that
5 everyone can appreciate. She was honored, I will
6 point out, at the mayoral employees of the year
7 ceremony at Gracie Mansion, where the mayor
8 congratulates each agency's employees of the
9 year. So, Colette, thank you, I just want to say
10 sincerely.

11 I guess among all other things is nagging me
12 to approve the time sheets for employees who
13 report to me because otherwise they don't get
14 paid. So there is at a least handful of people
15 that are distinctly grateful.

16 So, I also want to welcome, they're not here,
17 but I ask you to welcome the 30 new officer
18 candidates that began their training in early
19 October and are already TLC employees from the day
20 they start training and they will be out and about
21 in the streets in December. They will continue to
22 add to our ongoing efforts to strengthen our
23 enforcement. And along those lines, I will note
24 that our inspectors are doing a superb job.
25 Again, they work hard day in and day out, year in,

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2 year out, but recently have really been raising
3 the bar. July through September alone, they have
4 issued over 6,000 summonses for what we call
5 poaching, illegal street hails, unlicensed
6 operation. Again, speaking now directly to the
7 licensees in the room, we know that one of our
8 primary responsibilities is ensuring that that
9 license means something so that people who are
10 unlicensed cannot trench on the prerogatives that
11 attach only to licensure. So 6,000 summonses in
12 three months I think is just a tremendous job and
13 seized almost 400 vehicles during that time for
14 unlicensed operation. So I hope you will, when
15 you see our inspectors out on the street, say
16 thank you and good job.

17 Last week we asked the industry for feedback
18 on the roof light. And I'll be very brief here
19 because I want to get down to business. But we
20 have, over the years, had a kind of lingering
21 question about what the heck is that off-duty
22 thing all about. Passengers -- as I think one of
23 the newspapers' article put it, would be a bit of
24 a shame if TLC got rid of the off-duty light,
25 because then how would you know if you're a real

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2 true insider New Yorker if you did not have the
3 special ability that New Yorkers have to decipher
4 often confusing roof-light system? But the
5 question that we asked is why not have a simple on
6 is available, off is unavailable system as
7 compared to the current four-state system that we
8 have. It can be on, off, vice versa, both on,
9 both off, each of which technically have different
10 meanings in our driver/passenger communication
11 taxonomy. I urge folks in the industry , because
12 I know that even sometimes the smallest details
13 people feel quite strongly about, please give us
14 your feedback. We are now engaged actively in
15 asking ourselves the question: Does that roof
16 light serve the purpose other than to confuse? I
17 guess, presumably if the answer to that was no,
18 then we would do away with it. So please do
19 respond to that.

20 Last, what I will point out is that we have
21 released or will shortly be releasing --

22 MS. JOSHI: It is released.

23 CHAIRMAN YASSKY: It is released. You know,
24 I don't think she was introduced formally. I will
25 make sure she's formally introduced to the

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2 community here. Our new general counsel, Meera
3 Joshi, which she is already I believe way, way
4 ahead of schedule of and is really operating on
5 all cylinders, out of the necessity, I guess.

6 So we have released a solicitation for what
7 we call tow pounds, for vehicles for storage
8 purposes, that will enable us to do an even better
9 job of protecting licenses by seizing unlicensed
10 vehicles. Right now, because the city is
11 operating with extremely limited capacity at the
12 PD-operated tow pounds, we are often unable to
13 cease vehicles that are out on the street
14 operating without a license because we would have
15 no place to store them once they have been
16 seized. The tow pound is full or really, you
17 know, they reserve some capacity for some kind of
18 emergencies, so they're full, as far as we're
19 concerned. So we are seeking a provider to
20 augment our storage capacity that will enable us
21 to seize as many unlicensed vehicles as there
22 are. And if any of -- the bids close, I am told
23 November 15th, so if any of you are interested in
24 providing tow pound storage capacity to the TLC or
25 know somebody who is, please encourage them to bid

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2 because, as always, when we procure, the more
3 bidders, the better deal for the taxpayers and the
4 licensees, or the, I guess in this case, the
5 owners of the ceased vehicles. So with that, we
6 will move to business.

7 First item on the agenda is the adoption of
8 minutes. We, the commission, have before you the
9 minutes of the September 15, 2011 commission
10 meeting. All in favor of adopting those minutes,
11 say aye.

12 (All respond aye.)

13 CHAIRMAN YASSKY: There are no opposed noes.
14 The minutes of the September 15, 2011 meeting are
15 adopted.

16 We have several base applications before us.
17 Director, good morning.

18 UNKNOWN SPEAKER: Good morning. I would like
19 to present before the commission -- my name is
20 Christopher Tormey, director of Applicant
21 Licensing. Licensing would like to present before
22 the commission the base with the recommendation
23 for approval and there is one base licensing
24 recommended for denial; request commission grant
25 an additional to 30 days so they can get their

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2 outstanding items in order.

3 CHAIRMAN YASSKY: Are there any questions
4 about these base applications? If not, I move
5 that we adopt the license recommendations as to
6 approval, renewals, and denials. All in favor say
7 aye.

8 (All respond aye.)

9 CHAIRMAN YASSKY: Oppose no.
10 Licensed recommendations are adopted.
11 Thank you, Chris.

12 We have two items for action by this
13 commission today. The first is a pilot program to
14 secure the craft and technology of electric
15 vehicle usage of the taxi duty cycle. Deputy
16 Commissioner Chhabra is in the house.

17 Yes, Deputy Commissioner.

18 MR. CHHABRA: Good morning, commissioners.
19 I'm Ashwini Chhabra and I'm the deputy
20 commissioner for Policy and Planning here at TLC.
21 I have a brief presentation on the pilot program
22 Nissan North America runs in operation with the
23 TLC. I have a few slides that I'm going to go
24 through to brief you on the program. Afterwards,
25 I will be happy to answer any questions you might

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2 have.

3 First, I will go over the basics of the
4 program, then I will go into more detail on the
5 later slides. In the course of working together
6 on the Taxi of Tomorrow project, TLC and Nissan
7 have discussed TLC's interest in new technology.
8 As a result of those discussions, Nissan has
9 proposed to provide medallion owners six Nissan
10 all-electric vehicles as taxis for a period of 12
11 months and would provide free of charge a one year
12 lease of the vehicles for the duration of that
13 pilot. Nissan will provide a charger for each
14 vehicle. In this case of fleet participants, it
15 will be one charger with two ports to allow the
16 vehicles to charge at the same time, plus two
17 quick chargers for midshift in the trunk, for
18 owners to power the vehicle as needed. The
19 location for those chargers, that needs to be
20 determined. To be clear, as commissioner
21 indicated, the goal of the pilot is not to see
22 whether the TLC should approve the Nissan LEAF as
23 a taxi; rather the goal here is to test the
24 concept of the electric vehicles as taxis. This
25 pilot enables the city and the industry to learn

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2 about the advantages and the challenges of using
3 electric vehicles as taxis to help the city with
4 what needs in order to be used more broadly.

5 What is Nissan LEAF? The Nissan LEAF is a
6 five-door all-electric car. It's powered by a
7 battery pack that sits underneath the vehicle.
8 It's charged by plugging the car in a charger,
9 similar to how you charge your cell phone.
10 According to EPA, it gets 73 miles on a single
11 charge. Electric vehicles, like the LEAF, present
12 several environmental -- just according to the
13 U.S. Department of Environment, it's more energy
14 efficient. Electric cars use 75 percent of their
15 energy in their batteries to power the car and
16 combustion engines use only 20 percent to run the
17 car. The electrical car also emits zero from the
18 tailpipe. The LEAF has been available, as you may
19 well know, the retail markets here in the U.S. and
20 Germany since 2010, also sells in Europe and
21 Canada and has received many awards and has a
22 five-star safety rating from the National Highway
23 Traffic Administration.

24 Who will drive this? The program is
25 completely voluntary. If the commission approves

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2 the pilot program today, Nissan is to call for
3 applications and volunteer medallion owners and
4 drivers will be eligible to participate in the
5 pilot program. To get information on a variety of
6 prospects, Nissan will be looking to select
7 participants from a combination of fleets and
8 owner/operators. Nissan will be looking for
9 drivers with experience with using newer
10 technologies such as hybrid vehicles and
11 participants should be comfortable using the
12 Internet and should be able to spend time to be
13 able to provide verbal and written feedback to
14 back their interest in driving the vehicle. The
15 owner shall have space for it in their home,
16 garage, or in a fleet garage to charge the
17 vehicles. And of the owners who apply and meet
18 the criteria, Nissan selects final participants by
19 a random lottery.

20 Why do we need the pilot program? As you
21 know TLC does pilot programs to promote innovation
22 and demonstrations in the industry. Pilots allow
23 us to try things out that current rules don't
24 already allow. This pilot program, TLC will
25 provide Nissan and any instrument to deviate from

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2 certain TLC rules. First, you are required to
3 meet all taxi and limousine specifications. For
4 example, leg room, trunk space and partition.
5 Second, fleet participants in this program won't
6 be allowed to double-shift a LEAF. Each LEAF
7 participant will get two LEAFS. One could be in
8 service while the other one is charging. They
9 will in effect share a medallion. Although, I
10 should mention again, the charger will have two
11 ports that have the capacity to charge both of the
12 vehicles at the same time. Most, though not all,
13 require taxi equipment to be installed in the
14 LEAFs, a meter and so forth. The exceptions are
15 the vehicle camera will be required to have
16 security. There is not a partition of the direct
17 size for a partition. The vehicle distinguished
18 by a unique paint job so passengers know when
19 entering the LEAF and also have some expectation
20 of refusal rules in certain areas. Also, to
21 account for range limitations, they won't be
22 required to take passengers to Westchester or
23 Nassau or to the airports.

24 Finally, if a vehicle is taken out of
25 commission in order to run the LEAF, the owner

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2 will get a credit for that amount of a period up
3 to one year on the life of the vehicle that was
4 removed from service.

5 What will we learn from the Pilot? The goal
6 of the Pilot is to test its being used as a taxi.
7 So Nissan will gather data that's released for the
8 taxi, based on a combination of driver reports and
9 data the vehicle itself is able to collect. They
10 will monitor the technical performance, how long
11 it takes to charge, where and when the taxi is
12 charging and how far the vehicle can travel on
13 each charge. Also, monitoring the cost and use
14 and power of the electric vehicle as a taxi.
15 Nissan will pay special attention to how any of
16 these vehicles differ from a taxi in regular
17 commuter use in the city, and what special
18 challenges or advantages we face using electrical
19 vehicles. Nissan will also use posts, surveys,
20 and interviews during and after the pilot program
21 to gather information for the people who own and
22 drive and maintain these vehicles every day. We
23 can learn a lot about what issues we need to be
24 considering, if the electric vehicle will be
25 considered for a broader taxi use sometime in the

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2 future.

3 Some of the key dates, if the commission then
4 approves, may be followed by the program:
5 Released today, the call for applications, Late
6 October and early November. There are info
7 sessions with Nissan next month two information
8 sessions with Nissan for the interested taxi
9 owners, and in January Nissan will select through
10 a lottery, and March we anticipate LEAF will hit
11 the roads as taxis. To summarize, we believe the
12 pilot program is an excellent learning opportunity
13 for auto industry, the city, and taxicab cab
14 industry. We strongly recommend the pilot
15 program. Thank you. I will answer any questions
16 that you might have.

17 CHAIRMAN YASSKY: Thank you, Deputy
18 Commissioner. Before questions and vote, I will
19 just reiterate what Deputy Chhabra said was, to be
20 clear, the LEAF is not an ideal vehicle for taxi
21 in terms of spaciousness and cannot accommodate a
22 partition. There are a number of compromises
23 which will make up for it in make terms of quality
24 of service. The idea here is to see how fully an
25 electric vehicle can be integrated into the taxi

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2 duty cycle. So for a future vehicle what
3 operational adjustments would taxi owners have to
4 make to be able to use the vehicle. And then the
5 possible outcome if the pilot doesn't as a taxi,
6 or another way to comprise, in terms of operation
7 or if it's just too great to really work, if that
8 makes sense. It can be done, but what has to be
9 done here is rule changes have to be made to
10 accommodate that. So just to be clear, the goal
11 here isn't testing the specific LEAF vehicle as
12 much as how do you use the vehicle that needs to
13 be charged from three to seven hours a day; how do
14 you use that as a taxi? That's what we're
15 attempting to find out with this pilot program.

16 Are there questions before the vote? All in
17 favor of approving the pilot program, say aye?

18 (All respond Aye.)

19 CHAIRMAN YASSKY: Opposed no.

20 The question is: Who will be using the
21 vehicles? We're going to be soliciting and we
22 hope to find, assuming there are sufficient both
23 owner/operators and fleets to test out work on two
24 different -- those two different business models,
25 assuming interest, and I'm confident that they

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2 will be, whether owner/operators and fleets
3 drivers. Thank you very much.

4 The next item on the agenda is Amendment to
5 our accessible taxicab vehicles specifications.

6 Meera, are you in charge of this?

7 MS. JOSHI: Yes.

8 Before the commission today are proposed
9 rules that would alter the TLC's wheelchair
10 accessible vehicle specifications. It would
11 permit the use of the MV-1, a demonstration model
12 which is downstairs, an all-purpose built
13 wheelchair accessible vehicle for use as a
14 taxicab. Disability advocates are proponents of
15 the vehicle. The rules were published first in
16 the city record on September 16th. Comments were
17 due October 17th. One comment was received and it
18 was distributed to the commissioners. The staff
19 recommends that today the commission adopt the
20 rule as it was proposed.

21 CHAIRMAN YASSKY: Thank you.

22 We now have a public hearing. The first
23 speaker is Fred Drasner of the Vehicle Production
24 Group. We will also then hear from Councilman
25 Koppell, then Assemblyman Micah Kellner. There are

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2 15 people signed up to speak.

3 Mr. Drasner, before you commence, let me just
4 say, I suspect that, maybe I'll be wrong, I
5 suspect most of the speakers or all will be
6 testifying in favor of approving the specification
7 changes that are before us, but we also want to
8 address what other actions should be taken on
9 wheelchair access. I welcome that and am happy to
10 hear those comments.

11 I also know that some of our commissioners
12 have time constraints and we really need to vote
13 by 11:20, so that gives us 25 minutes. What I
14 would like to do then is ask people to limit their
15 remarks to a minute, and if people then want to
16 have -- we will close the hearing and vote -- but
17 I know people want to be heard, so I will be happy
18 to stay. We will then, as many people want to
19 speak on other issues including disability issues,
20 as much as you'd like, in order to close the
21 hearing and vote on the MV-1, I want to finish by
22 11:20.

23 Mr. Drasner, thank you.

24 MR. DRASNER: Commissioners. I'm from
25 Brooklyn, so I'll go very fast. Five years ago we

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2 started a project to build the best taxicab and
3 the best accessible taxicab was started with a
4 clean sheet of paper. We invited in major taxi
5 fleet owners to the Crown Victoria which was the
6 taxi of choice and about 50 focus groups within
7 the disabled community. The result is
8 downstairs. It's the MV-1. It's a body-on-frame
9 vehicle. It's the only one manufactured in the
10 U.S. since the Crown Victoria and Town Car. It's
11 the strongest way to build a car. The car is
12 produced to run on compressed natural gas and
13 gasoline. The CNG version is a rating of 300
14 miles which solves the duty cycle issues with the
15 100 miles. It's built like a truck. It rides
16 like a Rolls Royce. It's best for taxi riders.
17 It's best for disabled taxi riders. That was the
18 goal and I think we've achieved it.

19 On the issue of taxi accessibility, if you
20 provide these accessible taxis to riding
21 consumers, it saves money for the city. On top of
22 that, we're made in America. We're union-made in
23 Mishawaka, Indiana. We created 900 jobs. This is
24 exactly what the country has to do. The president
25 of UMW said if we can't prove that an industrial

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2 company can start up and succeed in the United
3 States, we've got a big problem. With that, I
4 trust and hope for your approval today. Thank
5 you.

6 CHAIRMAN YASSKY: Thank you very much for
7 setting that standard.

8 Councilman Koppell.

9 I'm sorry. I ask that the commissioners
10 recognize that the gentleman that just spoke is
11 the entrepreneur -- is the founder and the owner
12 or chair I guess of the company that manufactures.

13 MR. DRASNER: I'm just the chairman.

14 MR. KOPPELL: Good morning.

15 Mr. Chairman, as you know, we worked together in
16 the city council for many years and I have the
17 highest regard for you. I have heard your
18 comments with respect to time and I won't give the
19 whole introduction. And just say that I'm
20 strongly in favor of having the accessible model.
21 I looked at the one downstairs and it seems to be
22 a very suitable model. It's much more comfortable
23 for me, as a large individual, than the ordinary
24 cab, and putting the wheelchair user right next to
25 the driver doesn't seem to be a problem at all

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2 and, in fact, it solves one of the issues that the
3 mayor raised. Incidentally, I might say, that the
4 mayor's concerns are totally off the wall. But
5 one of them is that you couldn't talk to a
6 wheelchair user because he would be too far back,
7 but this solves that problem. So I strongly urge
8 the amendment of the rules. And I'm not going to
9 take more time, but just say 37 members of the
10 city council believe that we should have an
11 all-accessible fleet. The U.S. Justice Department
12 believes it is. The governor apparently believes
13 it is. And it's long past time for this
14 commission to move in that direction. And I
15 cannot have -- I had just been in London in August
16 and seen every cab accessible and comfortable and
17 durable. I cannot understand why the City of New
18 York isn't doing what it should be doing. 25
19 years ago in the state legislature I voted to
20 spend literally hundreds of millions of dollars to
21 make every bus in the City of New York and in the
22 state accessible. Every cab should be
23 accessible. That's part of your obligation,
24 members of the commission, and I hope you
25 reconsider how you configure the taxi of

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2 tomorrow. Thank you.

3 CHAIRMAN YASSKY: Thank you, Councilman, for
4 your continued leadership on this issue and many
5 issues. Thank you.

6 MR. KELLNER: Good morning, Chairman and
7 members of the commission. I'm Assembly member
8 Micah Kellner. Today I'm just here as an
9 advisor/connoisseur of the care of new quality
10 taxi riders, more importantly for the people with
11 -- as an advocate for people with disabilities.
12 As you are all well aware less than two percent of
13 the taxi fleet is wheelchair accessible. I
14 personally spent a lot of time, pushing, prying,
15 throwing pulling, drilling the other 80, 90
16 percent of the industry into using a wheelchair
17 accessible vehicle. What I'm constantly told in
18 response is the vehicles on the road just can't
19 hack it, no pun intended. But, you know, I think
20 we have the opportunity with this vehicle, with
21 the MV-1 for this rule specification to change
22 that. You know, we have an opportunity to change
23 the way people with disabilities get around the
24 city. We have the ability to reduce the cost of
25 Access-A-Ride. We have the ability to put a body

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2 on a framed vehicle, that from what I understand,
3 has a terrific suspension on the road today. I
4 think you should approve this rule. You know,
5 personally I don't care what the taxi of tomorrow
6 is because I think at the end of the day the
7 Justice Department is going to decide that for
8 us. But when the time comes, I think you should
9 vote for this rule because this vehicle does
10 work. It's proven it's up to the New York City
11 taxi and it's going to work, not just for some New
12 Yorkers, but all New Yorkers. Thank you very
13 much.

14 CHAIRMAN YASSKY: The next speaker is Jean
15 Ryan followed by Steven Schneir.

16 My sheet gives organizational affiliations
17 for people, but I guess I would ask you that
18 before you speak, if you wish to have your
19 organization noted, please do that at the
20 beginning of your testimony. Thank you.

21 MS. RYAN: I'm Jean Ryan. I'm with Disabled
22 in Action. We wholeheartedly support this new
23 regulation of having the person in a wheelchair be
24 able to sit in the front next to the driver. It's
25 really easy to get into this cab. It's really

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2 easy to get out and side roads are safe. Contrary
3 to what the mayor said, it's easy to get in and
4 hail a cab from the sidewalk or on the street.
5 It's safe and we can certainly communicate with
6 the driver, so can the people sitting in the back,
7 and it has comfortable seats. If they couldn't,
8 they can just raise their voice a little bit. We
9 need all the cabs to be accessible. The reason we
10 can't hail a cab now is because there is so few of
11 them. We can never see them. The stickers are in
12 the back, so they pass us. By the time we see
13 they are accessible, if we ever see them, it's
14 like an Elvis sighting. Thank you.

15 MS. RYAN: Thank you, Ms. Ryan.

16 Steven Schneir, and then Ronnie Raymond.

17 MR. SCHNEIR: Good morning, Chairman. My
18 name is Steven Schneir. I'm the general manager
19 of MV-1 of New York City, Connecticut, and Long
20 Island. Thank you for this opportunity. I'll be
21 very brief. I just want to say that I fully
22 support the changes, not just because we are the
23 dealer of the vehicle, but because of all the
24 things that the young lady just said previously.
25 It's time for New York to step up and provide

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2 services for the handicapped. I know you're
3 pressed for time, so I'll keep this short. Thank
4 you for your time.

5 CHAIRMAN YASSKY: Thank you, sir.

6 Ms. Raymond followed by Marco Henry.

7 MS. RAYMOND: I'm not going to be like
8 everyone else and talk about the politics of this
9 and why it is important. I would like to speak as
10 someone who is fortunate enough to spend weekends
11 traveling around in of one these vehicles. We
12 traveled on New York City's streets, on the Henry
13 Hudson Parkway, on the New York Thruway and on
14 local roads in upstate New York. The vehicle
15 itself is so spacious, so comfortable traveling up
16 all those different roads. It is the most
17 comfortable experience I've had, not even in the
18 in the taxi, in any kind of vehicle since I've
19 been in a wheelchair. My son is 6'2. He was
20 sitting in the back. He stretched out his feet
21 and he could not touch the driver's seat. So the
22 spaciousness of the inside is unparalleled. The
23 vehicle is so smoothly riding and so sturdy. I
24 have no idea how long it would last on New York
25 City streets, but my guess is that it would out

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2 surpass any of the approved vehicles that are
3 currently on the road, and I'm very, very strongly
4 recommending this without reservation.

5 CHAIRMAN YASSKY: Thank you, Ms. Raymond.

6 Next up is Marco Henry and the following
7 speaker will be Terence Moakley.

8 MR. HENRY: Good morning. My name is Marco
9 Henry. I'm the president of the Yellow Cab
10 Company in Brooklyn and Connecticut. When I
11 started this business 30 years ago, the company
12 that it purchased was Checker Cabs. Checker Cabs
13 was a taxi designed very vaguely. Since then, the
14 last 30 years, I'm lucky to find any to replace
15 Checker Cabs. Today you have the MV-1. MV-1 was
16 basically built on all the footprints of Checker
17 Cab. My company intends to appraise all fleets,
18 which I will give the public the same access of
19 transportation not everybody else. Some strongly
20 suggest you approve the change and let's do this
21 type of thing, New York City.

22 CHAIRMAN YASSKY: Thank you.

23 Next up is Terence Moakley followed by
24 Patrick Brent.

25 MR. MOAKLEY: Good morning. My name is

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2 Terence Moakley. I'm with the United Spinal
3 Association and I was chair of the Taxi For All
4 Campaign in 1996 and 2006. I was wondering if I
5 can give you a handout out for each of the
6 commission members.

7 CHAIRMAN YASSKY: Certainly.

8 MR. MOAKLEY: I appreciate it. I just want
9 to also say that we support changes in rules
10 here. And I think the handwriting is on the
11 wall. We have history. I was a plaintiff in a
12 lawsuit that Council member Koppell was a member
13 on the mass transit and you all know that that
14 resulted in accessible buses and some access to
15 the subway system. I believe this will happen in
16 New York State. The law is on the side of people
17 with disabilities. I urge you to adopt the rules,
18 too, requiring that all future taxis be accessible
19 to for people who use wheelchairs and they be
20 clean vehicles as well. Thank you.

21 CHAIRMAN YASSKY: Thank you.

22 Patrick Brent followed by Darren Aquino.

23 First of all, I just want to say
24 congratulations to the major trade associations.
25 I don't know if any of the members of industry are

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2 here. I should note that the industry continues
3 to do a remarkable job in serving customers. I
4 know that this issue is before us and we need to
5 figure out a better solution than the one we have
6 today. What I want to point out, that yesterday
7 for the first time ever, a pair of two medallions
8 sold for \$2 million dollars. That's \$1 million
9 each. And I think that is a sign that New Yorkers
10 remain in this industry and continue to bring them
11 customers and that the people buying them believe
12 that the city is fundamentally helping; that
13 passengers, business people, tourists, New Yorkers
14 will continue to want to use the service. I think
15 in many ways it contributes to the hard work of
16 the industry members, and frankly, the TLC and the
17 regulatory regime keeps the service strong.

18 I also, to make note of the industry
19 organizations that are signed up to speak on this
20 topic, I would invite you if you are -- not just
21 on this vehicle, but on the broader issue.
22 Commissioners and I will tell you, we invited the
23 trade associations to come in to meet about this.
24 Unfortunately, they all indicated that they
25 weren't actually available to speak with us on the

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2 issue of disability. Some industry leaders, I
3 know have recently funded advertisements calling
4 for greater access for people in wheelchairs.
5 There seems to be some kind of change of permanent
6 within the industry. And I should tell you that
7 there are active conversations within the
8 administration about what the next step needs to
9 be on the disability issue. So noting that there
10 are trade association representatives here, if you
11 wish to speak about what direction you think the
12 industry should take on accessibility, you're very
13 much welcome to do so.

14 Mr. Brent.

15 MR. BRENT: Thank you.

16 Many of us are here for the same reason,
17 obviously for more accessible taxis on the road
18 and I applaud some of those and the everyone else
19 that worked towards that. With that being said,
20 what I'm about to say may not be popular. I think
21 that in the rush to get more accessible vehicles
22 on the road, it is important to take into account
23 that New York City has the safest and most
24 reliable vehicles on the road. The thought of
25 approving the vehicle that's not proven

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2 immediately for use on the streets, they
3 potentially represent a setback for the accessible
4 taxis if this vehicle fails. It's similar to the
5 side entry vehicle that was originally approved.
6 It turned out to be a bit of a mockery. I would
7 request that a pilot program instead be proposed
8 for the MV-1. Like I said, it's an exciting
9 vehicle. I think it looks great, but in the
10 interest of not taking a step forward or two steps
11 back in terms of getting more accessible taxis on
12 the road, I think it's important to look at.

13 CHAIRMAN YASSKY: Do you have an
14 organizational affiliation?

15 MR. BRENT: Freedom Motors. Of course we
16 manufacture the Siennas on the road today. I
17 admit, there is a little interest here, but I
18 think the other thing is that the manufacturers
19 that are making Siennas right now -- it's not just
20 us. We aren't the only provider. There's a
21 potential suit within Department of Justice and
22 the demand could increase pretty rapidly in terms
23 of what vehicles need to be built and how many
24 need to be built, and why I encourage and
25 absolutely commend VPG and everyone else in the

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2 industry that's advancing. I think that the TLC
3 should potentially be working with the current
4 manufactures and develop programs for the
5 background.

6 CHAIRMAN YASSKY: Thank you. Your comments
7 are welcome. I think they are important to be
8 heard. I do want to remind you that we are --
9 that legislation is pending in Albany to put at a
10 minimum of hundreds, potentially thousands, more
11 accessible taxis on the street. We will need all
12 providers is the truth of it, if that happens, to
13 be able to do that with any, if at all.

14 I also want to note for the commissioners, of
15 course, the rule change does not require the
16 MV-1. If the medallion owners, both wheelchair
17 accessible medallions and all medallion owners
18 will be able to choose whether they want to
19 purchase this vehicle or any of the other approved
20 medallions. Your comments are welcome. Thank
21 you.

22 Darren Aquino, and the next speaker will be
23 Cheryl Krist.

24 MS. DERMAN: Good morning, good afternoon,
25 whatever time of day we consider it. I'd like to

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2 make a point. My point would be that you're
3 expecting disabled men and women at this
4 conference, but your podium is very high, so
5 that's one thing. Darren Aquino could not be
6 here. His disability prohibited him from being
7 here. I'm speaking in his place. I am the
8 assistant to the deputy chief of our
9 organization.

10 CHAIRMAN YASSKY: What organization would
11 that be? I'm sorry, ma'am, and can you give your
12 name, please, for the stenographer?

13 MS. DERMAN: Yes. My name is Aza Derman.
14 The organization is the Advocates for Disabled
15 Americans, Policemen, Firefighters and Families.
16 And that is my organizational affiliation. I am a
17 disabled American. And I would wager that there
18 is more room for corpses in a coffin in a back of
19 a hearse than there is for a person in a
20 wheelchair in the typical Manhattan cab. So, you
21 know, we're not going to grow wings. I am in
22 support and in favor of the MV-1. We do not want
23 to wait any longer for any accessible vehicles.
24 We are tired of waiting outside trying to call
25 Access-A-Ride. Most of us call it Stress-A-Ride.

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2 We are tired of being discounted. Unless we grow
3 wings, the MV-1 seems to be the best mode of
4 transfer and transport. And a small note -- I
5 apologize, I know I am over time -- A small note
6 on the percentages of the accessible cabs, almost
7 two percent; my grandmother has better odds at a
8 roulette table in Las Vegas than one of these
9 ladies and gentlemen hailing a cab and being able
10 to get in it. So please approve the accessible
11 vehicle. Please approve the MV-1. These people
12 are your pilot program. They already tried it out
13 and they are very happy with it. Thank you very
14 much and have a good day.

15 CHAIRMAN YASSKY: Cheryl Krist and the
16 following speaker will be Richard Thaler.

17 MS. KRIST: Hello. My name is Cheryl Krist
18 and I'm a member of the Disabled in Action and I
19 have seen the car downstairs and I can get in with
20 my dog and he has a place to be and he's safe and
21 it's important you get these cars out on the road
22 as soon as possible so that I have a chance of
23 hailing a cab because I cannot, at the moment,
24 hail a cab. I would like to speak to you after
25 the vote on another topic. Thank you.

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2 CHAIRMAN YASSKY: Thank you, Ms. Krist.

3 Richard Thaler followed by Edith Prentiss.

4 MR. THALER: Chairman, I will pass.

5 CHAIRMAN YASSKY: Thank you, Mr. Thaler.

6 Ms. Pratis.

7 MS. PRATISS: Edith Pratis. I'm the chair
8 of Taxi For All Campaign as well as the vice
9 president of the Disabled Americans. It seems as
10 though we've been discussing and trying -- I
11 understand that MV-1 has a picture of me or a tape
12 of me trying every single version, going back to
13 the auto show many years ago. We're very happy
14 with it. I think that it's a great move. It will
15 open the door for the cause as well, if that ever
16 happens. I think that we have -- I'm speaking to
17 the gentleman from Freedom Motors -- you know, I
18 hate the Sienna, to be really honest, it's just
19 not working for us. I think the rule change is
20 very important, and I really look forward to
21 this. We've had many discussions about the issues
22 of taxis and the problems with taxis. And I
23 really hope that we can see the same concept
24 happening for the deliveries as well. We need
25 accessible delivery as much as we need accessible

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2 taxis. As those of the central business district,
3 we still need service. Thank you.

4 CHAIRMAN YASSKY: Thank you. Absolutely.

5 Just before -- that's the exhaust of our list
6 of people who requested to speak. I will again
7 invite the major trade associations, but before
8 that we will call for a vote. Before that, today,
9 I want to acknowledge a couple of people. Jason
10 Rochelle (phonetic) is here representing the
11 Mayor's Office for People with Disabilities and
12 Commissioner Sapolin, who has advocated on this
13 issue in particular with just extraordinary
14 passion, power, and intelligence, even while
15 struggling with quite a serious illness. He is
16 not able to be here in person due to his illness
17 today. You know, all of our thoughts and prayers
18 are with Matt. I just want to pay tribute to his
19 work and your work, Jason, as part of that team.
20 This admittedly is a small step that we take today
21 as part of that. I just want to note your
22 presence. All of the folks here who are in the
23 room who have advocated on this, we've talked in
24 person, on the phone, in meetings many times.

25 Before we give a vote, I just want to say, I

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2 do think we are moving in the right direction. I
3 understand the frustration at the speed. I would
4 note that some of the speakers say this -- that --
5 I mean, if the commission snaps its fingers as
6 such, so to speak, today, and say every taxi
7 should be wheelchair accessible, what would happen
8 on the ground would still be a slow, messy,
9 frustrating process. That's not to say we
10 shouldn't demand a policy as you are. But, you
11 know, as your comments as always about the current
12 vehicles that are on the road reflect that reality
13 can only follow our dictate at the pace it's going
14 to follow it. So we are making a policy herein,
15 mindful of the vehicles that are out there,
16 mindful of what the auto industry has put forward
17 today. And I just want to remind people that we
18 can't have instant availability of enough taxis
19 that are accessible that people would be happy
20 with. We will continue to do the best that we
21 can.

22 UNKNOWN SPEAKER: Chairman, can you take one
23 question before you take the vote?

24 CHAIRMAN YASSKY: I'm certainly happy to do
25 that. Let's have your comment. We will then have

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2 the vote. We've had the public hearing.

3 I just want to reiterate and I want to
4 underscore the industry folks' active discussions
5 within the administration about what is necessary
6 on the disability issue. As folks noted, the
7 Justice Department has weighed in. The governor
8 has made his comments. Again, I've seen on TV,
9 ads funded by the industry that say accessibility
10 with people are left by the side of the road. So
11 I really would encourage you if you want your
12 voice to be heard, this is a good time. With the
13 industry-supported fully accessible fleet, what
14 percent fleet would the industry like to see; this
15 really would be a good time to make your voice
16 heard.

17 Yes, ma'am.

18 MR. UNDERWOOD: I'm Joanna Underwood,
19 president of Energy Vision, a national
20 environmental organization. We have been studying
21 fuel for the future for transportation for the
22 last 20 years. I want to say from the
23 environmental point of view, this vehicle is the
24 taxi of the future, the taxi of tomorrow. It's
25 not only clean, reducing particulates and nitrogen

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2 oxides. It's good for the drivers. It's good for
3 the customers. It's good for the people who live
4 in the city. It is a drastic one, one of the
5 biggest obstacles that we have, which is getting
6 this country unaddicted from its oil and its
7 dependence on foreign oil. It's very dangerous.
8 It offers drivers a cleaner, better vehicle. They
9 save money on fuel. And I think putting 1,000 of
10 these on the street for starters would be
11 terrific. I'd like to say that at a time when
12 corporations that are often held as being very
13 narrow in their interest and their concerns about
14 society. Here is a group of business experts that
15 have gotten together and understood a real need in
16 this society, gone out and worked on it for years,
17 and they have put out there an extraordinary
18 vehicle. I'd like to congratulate them all.
19 Thank you.

20 CHAIRMAN YASSKY: Thank you.

21 With that, let's call for a vote -- well, I'm
22 sorry. Are there any comments or questions for
23 the commission? If not, I move that we adopt the
24 change of rule before us. All in favor, say aye.

25 (All respond Aye.)

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2 CHAIRMAN YASSKY: Oppose no? Nobody has
3 spoken. The rule change is adopted. I would
4 expect to see the vehicles on the road not too
5 long. Thank you, commissioners, for your time and
6 commitment.

7 Before I formally close the hearing, do any
8 of the industry trade associations wish to be
9 heard on the broader topic of what I think we
10 should make requiring medallion -- require
11 additional requirements on medallions for
12 accessibility, whether that's a sound idea or
13 not?

14 I hear none. The meeting is adjourned.

15 (Whereupon, at 11:30 a.m., the above matter
16 concluded.)

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