

# **New York City Taxi and Limousine Commission 2011 Annual Report**



# Commissioner's Welcome

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Dear Friends:

The year 2011 was a milestone one for the New York City Taxi and Limousine Commission (TLC), with new projects joining others that have either reached fruition, or that have seen significant progress. As in years past, the TLC has continued to honor its mission (see our full Mission Statement below) by partnering with industry stakeholders, employing sound management practices, utilizing technology and developing innovations at every opportunity.

One late-2011 highlight was the Governor's signing of the Borough Taxi legislation that was envisioned by Mayor Michael R. Bloomberg in his 2011 State of the City address as a means of bringing the same yellow taxi-quality service that Manhattan enjoys to the boroughs outside of Manhattan. The collaborative legislative process saw the addition of several positive new components to the Five Borough Plan that will, among other things, improve the taxi industry's delivery of service to persons with disabilities with 2,000 additional taxicab medallions, and a full 20% of the 18,000 Borough Taxi licenses that will ultimately be available, that will be earmarked for use exclusively with vehicles that are accessible to wheelchairs. Along a parallel track, the TLC is on the cusp of finalizing its efforts to permanently implement a Wheelchair Accessible Dispatch service that will allow persons who use wheelchairs to request an accessible taxicab in Manhattan, or an accessible for-hire vehicle in the remaining four boroughs simply by calling 311.

We've continued to work closely with the communities we serve, creating innovative alternative transportation options such as the "Ride Safe Program" we launched with the Greater Jamaica Development Corporation to combat dangerous, illegal street hails with a "virtual base" kiosk where passengers receive a safe, legitimate livery ride on a spontaneous basis. After an unprecedented competitive process, we unveiled Nissan as our choice of partner for the "Taxi of Tomorrow" in May 2011, bringing to fruition the City's search for an exclusive, purpose-built taxicab that will take us through the next decade in safety, comfort and style.

The TLC also saw the successful transition of its Adjudication Bureau to the New York City Office of Administrative Trials and Hearings (OATH) this year.

We continued the tradition of innovation begun with the development and implementation of the TPEP (Taxicab Passenger Enhancement Program) systems, this year with the addition of a new channel of entertainment and informational content developed in concert with our partners at the Mayor's Office of Media. At the same time, we introduced live surveys that allow us to quiz the riding public on the things that are important to them, with the goal of further improving service. Of course, the TPEP system's ability to allow riders to pay fares with a debit or credit card remains far and away its most popular function, with plastic payments occurring in almost 50% of all taxi rides.....a significant increase over last year's average of 39%.

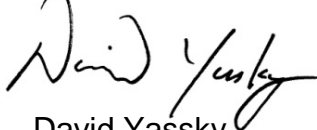
The TLC was also hard at work on the task of improving services delivered to our licensee customers, resulting in such innovations as the ability for both initial and renewal applicants to pay licensing fees online, saving them time, effort and money.

The TLC also faced some monumental challenges this past year, most notably in its response to Hurricane Irene. As a key component of the City's contingency plan for the powerful storm, the TLC successfully coordinated critical evacuation support for disabled individuals caught in the storm surge zone. When every second counted, the TLC and its industry partners were ready as the historic storm barreled toward us.

Finally, with only a scant few days left to mark off on the 2011 calendar, the TLC's Long Island City Licensing Facility, and OATH's Long Island City Adjudication facility suffered a massive flood, causing serious damage. Not surprisingly, TLC and OATH staff once again rose to the challenge, relocating key personnel and services to both its Woodside Safety & Emissions facility and the 33 Beaver Street headquarters. As I write these words, the rebuilding and restoration continues with all due haste at the Long Island City facilities, and we look forward to our return there.

So, in sum, while it may be difficult to top the historic successes of 2011, I am confident that we are well poised to continue along the path of successful innovation that got us to that level of achievement. Onward and upward!

Sincerely,

A handwritten signature in black ink, appearing to read "David Yassky". The signature is fluid and cursive, with the first name "David" being larger and more prominent than the last name "Yassky".

David Yassky  
Commissioner/Chair

# TLC's Mission and Structure

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## **Charter Mandate**

The New York City Taxi and Limousine Commission (TLC) was created by Local Law No. 12 of 1971, and is charged with “furthering the development and improvement of taxi and livery service in New York City, establishing an overall public transportation policy governing taxi, coach and car services and wheelchair-accessible vans, and to establish certain rates and standards.”

## **TLC Mission Statement**

The mission of the Taxi and Limousine Commission is to ensure that New Yorkers and visitors to the City have access to taxicabs, car services, and commuter van services that are safe, efficient, sufficiently plentiful, and provide a good passenger experience. We understand that private transportation services are an essential component of the City's transit network, alongside publicly operated mass transit. We believe both in the power of market forces to ensure that supply meets demand, and in the need for intelligent regulation to set the rules of competition, ensure safety, provide transparency to market participants, and reduce unwanted externalities such as pollution. Our fundamental principles include:

1. Our people are the key to our success. In recruiting new colleagues, we look for highly capable people who we would enjoy working with and who we believe will share our commitment to the TLC and its mission.
2. Our customers include participants in the industries we regulate, passengers transported by those industries, and businesses throughout the City whose success depends on the smooth functioning of a robust transit system. We are committed to providing excellent customer service, meaning courteous treatment, prompt responses to inquiries and requests, and evenhanded enforcement of our rules. We are committed also to making policy decisions based solely on what is best for the public we serve.
3. We operate with the highest level of integrity and honesty. We will be forthright with those we regulate, with the public, and with our partners in government and in the private sector, and we will expect the same in return. We are mindful that our success ultimately depends upon maintaining the confidence of each of these constituents.
4. We pursue long-term goals. We will always value genuine and permanent gains in our ability to accomplish our mission over immediate cost-savings or public-relations benefits.
5. We strive continually to improve our operations and our policies. We innovate, knowing that some innovations will fail. We encourage an environment that fosters open debate, values contrary opinions and tolerates honest mistakes. We understand and value the importance of technology and are constantly looking for ways to utilize technology to make our operations more efficient and productive.
6. We must continually remind ourselves of our limitations and dedicate ourselves to the avoidance of hubris. We will use all information available to us and will conscientiously seek to apply our values to the facts as we know them, but we are always cognizant of the possibility of error. We are ready to recognize, correct and learn from our mistakes.
7. Our mission places large demands on each of us. From time to time we will face criticism from our customers and from the public at large, and sometimes we will become frustrated. Nonetheless, we work with passion, commitment and enthusiasm, we keep the office atmosphere friendly and professional, and we try to have fun in our jobs as much as possible.

## **Commission Board Structure**

The Board of the Taxi and Limousine Commission is comprised of nine (9) members, eight (8) of whom are unsalaried. The salaried Chairman presides over the Board and acts as head of the agency, which carries out the Commission's day-to-day licensing, regulatory, enforcement, and adjudicatory functions. Members of the Commission are appointed by the Mayor of the City of New York, with the advice and consent of the City Council, to serve a seven-year term. One representative of each of the city's five boroughs is recommended for appointment by a majority vote of each borough's respective City Council delegation.

### **David Yassky**

David Yassky is the eleventh person to serve as Commissioner/Chair of the New York City Taxi and Limousine Commission. He was nominated by Mayor Michael R. Bloomberg on March 12, 2010, and confirmed by unanimous vote of the New York City Council on March 24, 2010. Yassky's term will expire on January 31, 2017.

### **Elias Arout**

Re-appointed by the Mayor on the recommendation of the Staten Island delegation to the New York City Council, Commissioner Elias Arout has served on the TLC since 1988. Commissioner Arout is a past commander of the American Legion of Richmond County and a former commander of the Legion's Five Star Post. A retired City Housing Authority officer, he was a founder and past president of the board of directors of Project Hospitality. Commissioner Arout was re-appointed to a new term, which expires on January 31, 2015.

### **LaShann DeArcy**

LaShann DeArcy was appointed by Michael R. Bloomberg to serve on the TLC Board in 2011. Commissioner DeArcy is a member of Morrison & Foerster's Litigation Department. Her practice focuses on complex commercial litigation representing Fortune 500 companies and is a former member of the United States Air Force. Commissioner DeArcy's term expires on January 31, 2012.

### **Mark Gjonaj**

Mark Gjonaj was appointed by Mayor Bloomberg on the recommendation of the Bronx delegation to the New York City Council in 2010. Commissioner Gjonaj is the president of MP Realty Group and is also a founding member of the ILLYRIAN Partnership. Commissioner Gjonaj term expires January 31, 2015.

### **Edward Gonzales**

Appointed in September 2005 by Mayor Michael R. Bloomberg to a seven year term on the TLC, Commissioner Edward Gonzales is a mortgage specialist with Citigroup. Commissioner Gonzales' term expires January 31, 2012.

### **Nora Constance Marino**

Appointed by the Mayor on the recommendation of the Queens delegation to the New York City Council in 2011, Commissioner Marino a former JAG Officer in the United States Army Reserve opened her own law practice. Commissioner Marino's term expires on January 31, 2015.

### **Lauvienska Polanco**

Lauvienska Polanco was appointed to the Manhattan seat of the TLC Board of Commissioners in 2007. Commissioner Polanco serves as Principal Law Clerk at the Bronx Supreme Court. Commissioner Polanco was re-appointed to a new term that expires on January 31, 2015.

## **Iris Weinshall**

Appointed by Mayor Michael R. Bloomberg in 2003, Commissioner Iris Weinshall is currently Vice Chancellor for facilities planning, construction and management at CUNY. Prior to this, Commissioner Weinshall served as the Commissioner of the New York City Department of Transportation (DOT). Commissioner Weinshall also served a distinguished tenure as First Deputy Commissioner of the Department of Citywide Administrative Services. Commissioner Weinshall's term expired on January 31, 2010, though she may continue to serve until replaced or re-appointed.

## **Commission Meetings**

The TLC holds regularly scheduled public meetings where regulatory actions are discussed and publicly heard, base station license applications are approved, and agency staff delivers presentations on new and proposed policies, legislation, pilot programs, and regulatory modifications. In 2011 the TLC engaged in rulemaking resulting in the promulgation of 19 new rules. (See *chart below.*)

### **Rulemaking Actions – 2011**

<b>Commission Meeting</b>	<b>Subject</b>	<b>Status</b>
January 20, 2011	Reinspection Fees (new rule book)	Effective April 1, 2011
	Commuter Van Passengers Bill of Rights	Effective April 1, 2011
	License Transfer Fees (new rule book)	Effective April 1, 2011
	Taxi Driver Dress Code	Effective April 1, 2011
	Bad Check Rules	Effective April 1, 2011
	Email Address for certain licensees	Effective April 1, 2011
March 10, 2011	License Process Rules	Effective May 12, 2011
April 21, 2011	Post Crown Vic Taxi Specs (Emergency Rule)	Effective May 5, 2011
May 19, 2011	Fines and guilty pleas	Effective June 30, 2011
June 16, 2011	Owner Must Drive modifications	Effective August 21, 2011
July 21, 2011	Mandatory penalty increases	Effective August 31, 2011
	Permanent Post Crown Vic Taxi Specs	Effective August 27, 2011
	Increased License and Inspection Fees	Effective August 27, 2011
	Fitness Standards Rules	Effective September 10, 2011
September 15, 2011	Owner must drive for Widows	Effective November 6, 2011
	Rooftop Advertising	Effective October 23, 2011
October 20, 2011	Additional Accessible Vehicle Specifications	Effective November 26, 2011
November 17, 2011	Driver Rights Signage	Effective December 30, 2011
December 15, 2011	Accessible Taxi Dispatch Rules	Effective January 23, 2012

## **Some Regulatory Highlights**

### **Fines Revisions**

In May, the Commission approved rules changing the amount and structure of payment of fines for violations of many of its rules. Specifically, the amounts of some fines were adjusted in certain instances to reflect the staff's assessment of whether existing amounts were insufficient or too severe. In addition, for fines for violations of rules which are the most frequently written by the TLC, the penalty was revised allowing a person receiving a summons to plead guilty in advance of a hearing to pay a reduced fine. As noted, these rules took effect June 30, 2011.

## **Taxicab Vehicle Specifications**

As a result of the ending of production of the gasoline powered Ford Crown Victoria, the Commission undertook several rounds of rulemaking to modify taxicab vehicle specifications to permit other vehicles to serve as taxicabs with unrestricted medallions. First, in April 2011, the Commission adopted, on an emergency basis, a rule that had the effect of authorizing certain vehicles to be used as taxicabs. This rule took effect on May 5, 2011. Thereafter, to make the emergency rules permanent and as the result of a settlement in the federal lawsuit titled MTBOT v. City of New York, the Commission proposed further rules to accomplish these two ends. These permanent rules were adopted by the Commission on July 21, 2011 and took effect on August 27, 2011.

In addition, on October 20, the Commission adopted rules changing the specifications for wheelchair accessible taxicabs to permit a new vehicle, which places a passenger in a wheelchair in the front of the vehicle, to be used as a taxicab. These rules took effect on November 26, 2011.

## **Hail Service for the Outer Boroughs**

One of the Commission's, and the City's, principal legislative initiatives this year involved efforts to bring safe, legal street hail service to areas of New York City other than central and lower Manhattan. Currently, yellow medallion taxicabs have a monopoly on service commenced by street hail throughout New York City, although data collected by the Commission demonstrates conclusively that nearly all taxicab rides occur in Central and Lower Manhattan and the airports. In the absence of legal taxi service, residents of and visitors to these neighborhoods have turned to the underground market of for-hire vehicles, which are licensed only for prearranged service, and vehicles that are not licensed to carry passengers at all. The Commission supports the initiative as part of its commitment to safe and legal service for people everywhere in New York City.

Working with partners in the New York State Legislature and the livery industry, the City and the Commission succeeded in obtaining passage of a bill that would authorize such service and would also authorize the City to issue additional taxicab medallions. This bill passed in the Assembly as A8496 on June 21, 2011 and in the Senate as S5825 on June 24, 2011. Thereafter, to address a number of concerns that arose, the City and its partners negotiated a chapter amendment to this bill which will, among other things

- Increase the number of new medallions to be sold
- Change the number of permits issued and requirements for ownership for the new, non-Manhattan street hail service
- Allow vehicle permits for the new service to be transferable but only to participants in the for-hire vehicle industries.
- Provide for additional service to be available to persons with disabilities by requiring that: all new medallions be used with vehicles accessible to persons in wheelchairs, 20 percent of the new service permits be used with vehicles accessible to persons in wheelchairs, the City set aside \$54M to help with the conversion to accessible vehicle, and that the Commission prepares a disability action plan with the objective of enhancing service to such persons.
- Extend the 50 cent surcharge on taxi rides benefitting the MTA to rides commenced by street hail with the new service.

As a result of this amendment (introduced as A8691 in the Assembly in December, 2011 and in the Senate as S6118 in January 2012), the original bill (Chapter 602 of the Laws of 2011) was signed by Governor Cuomo on December 21, 2011. The Commission expects that the chapter amendment will

be enacted in early 2012 and further expects extensive rule-making to implement the provisions of the bill and chapter amendment.

### **Scope of Regulated Industries**

The New York City TLC is responsible for the licensing and regulation of the 13,237 medallion taxicabs currently authorized to accept hails from passengers within the five boroughs of the City of New York, as well as approximately 40,000 other vehicles serving the public via pre-arrangement and radio dispatch. These “for-hire vehicles” (FHVs) include community car service (or livery) vehicles, black cars, and luxury limousines with a seating capacity of up to 20 passengers. TLC also licenses and regulates paratransit vehicles (ambulettes) and commuter vans, which have a seating capacity of between nine and 20 passengers and are authorized to transport passengers within specific geographic zones via pre-arrangement. In addition to the aforementioned vehicles and drivers, the TLC licenses and regulates the businesses that manufacture, install and repair the meters used in New York City taxicabs, brokers that assist buyers and sellers of taxicab medallions, and agents that operate taxicab medallions on behalf of owners. TLC-licensed vehicles are an essential part of the comprehensive transportation network of New York City. It is estimated that approximately 55,000 of these vehicles transport over 1.5 million passengers each day.

Taxicab medallion prices rose significantly during 2011. Corporate medallion prices rose almost 18 percent, from \$850,000 to \$1,000,000 during the year. Independently-owned medallion prices rose 12 percent, from \$624,000 to \$699,000.

<b>By The Numbers – 2011</b>	
<b>Active Licenses</b>	166,713
<i>(as of December 31, 2011)</i>	
<b>Numbers</b>	
<b>Drivers</b>	
Medallion Drivers	49,951
FHV Drivers	55,974
Other	3,790
<b>Total Driver Licenses</b>	109,700
<b>Vehicles</b>	
Medallion	13,237
FHVs	39,708
Other	2,897
<b>Total Vehicle Licenses</b>	55,842
<b>Businesses</b>	
Taxicab Brokers	26
Medallion Agents	70
Taxicab Meter Shops	29
Taxicab Meter Manufacturers	3
<b>Total Business Licenses</b>	128
<b>Bases</b>	
Black Car Bases	81
Community Car Services	499
Luxury Limousine Bases	229
Commuter Van Authorizations	50
Paratransit Bases	184
<b>Total Base Licenses</b>	1,043



# Agency Overview and Performance

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## **Agency Budget and Headcount**

The TLC's Fiscal Year 2011 operated on a modified budget of \$30,928,563 (\$23,596,205 for Personal Services and \$7,332,358 for Other Than Personal Services). The TLC had an authorized headcount of 414 for Fiscal Year 2011. The Fiscal Year 2012 budget is \$38,387,803 (\$28,906,898 for Personal Services and \$9,480,905 for Other Than Personal Services), with an authorized headcount of 533.

## **Adjudication Division**

In accordance with the Charter revisions, passed by the voters of New York City in 2010, providing for the consolidation of several city agency administrative tribunals, the Taxi and Limousine Commission's Administrative Tribunal was transferred to the City's Office of Administrative Trials and Hearings (OATH), on schedule, in July of 2011. The TLC worked closely with the Mayor's Office of Judicial Administration and OATH to arrange the transition, allowing for the seamless continuance of hearings and adjudications of TLC summonses.

## **Call Center**

The TLC Call Center maintained a high level of answered calls in 2011 -- an average of 7,250 per month. The wait time that consumers and drivers must wait to speak to an agent averaged approximately six minutes. In addition to providing information to passengers and drivers, a staff member is assigned the task of conducting searches for property lost by passengers utilizing the Taxicab Passenger Enforcement Project, more commonly referred to as TPEP. TPEP enhances our ability to track down and locate lost property reported to us by the riding public. Approximately 1,034 searches have been conducted in 2011, and due to the technology, 111 lost items are known to have been recovered and returned to passengers.

## **Licensing Division**

### **Processing Volumes and Wait Time**

- The Division processed 111,000 applications in CY 2011 compared to 105,000 in CY2010 with less staff.
- We have continued to maintain an average wait time in the facility of just slightly over 19 minutes, the same as in CY2010.

### **For-Hire Vehicle Accountability Rules**

The Licensing staff that was located at our Woodside facility was relocated back to Long Island City and the satellite office at the Woodside Safety & Emissions facility was closed. We created a new Vehicle Scheduling Unit that interfaces directly with the client when they are Long Island City and works with them on scheduling their vehicle appointments to complete the application and licensure process. This change from the prior e-mail and fax confirmation process (which we continue with in addition to direct scheduling) has brought about positive results. The No-show rate for vehicle inspections (Visual or DMV) has dropped from 42% to 6%. We continue to either fax or e-mail the confirmation forms to the base and put all schedule-related information on the Website so that they can be readily accessed and confirmed by either a base or vehicle owner. We also instituted a new

process in 2010 (which continues today) of direct mailing appointment confirmation forms to all vehicle owners for all renewal inspections.

### **Compliance Monitoring**

- The Compliance Unit continues its high level of work and coordinates with the Uniformed Services Bureau on a structured monitoring/summons process for several TLC rules.
- Monthly compliance runs on vehicle insurance and affiliation status, medallions in storage and “owner must drive” requirements, as well as paratransit electronic trip sheet requirements continue and we have now added Multiple VIN summons, dispatching of suspended medallions and we should soon be adding unlicensed operation for Paratransit vehicles. They continue monitor vehicle affiliations and the status of TC plated vehicles to ensure that, when needed, the plates are revoked by the DMV.

### **State Office of Child Support Enforcement (OCSE) and the New York State Office of the Medicaid Inspector General (OMIG)**

- The exchange of electronic data with OCSE that confirms the child support case status of all new and renewing driver licensees continues. Licensees and/or applicants who are indicated as having an issue with their child support cases are flagged and are referred to OCSE for clearance letters before processing of their application continues. OCSE has requested greater access to our data and this should be completed sometime in 2012.
- We have been working with OMIG on the exchange of data between the two agencies so that OMIG is aware of the entities licensed by the TLC to do business in the City and can match that data against their Medicaid reimbursement submissions.
- We worked with the Financial Crime Task Force through the Criminal Justice Coordinators Office and the Division of Investigation, Revenue and Enforcement Administration at NYCHRA to provide them with data on our licensee population to assist them in identifying fraud.

### **Insurance**

We began receiving data files from Hereford Insurance (the largest provider of workers compensation insurance to the medallion industry) in mid-year on the current status of individual workers compensation policies. This will should help to reduce the level of paperwork that we deal with and will provide for more accurate data in the TLC database.

### **Driver Educational requirements**

The Request For Proposals (RFP) to modernize and enhance the taxicab driver education process was completed and is awaiting approval from MOC. We anticipate approval in early 2012 and will release the RFP in the next few months.

### **Developing ON-LINE capabilities**

- The TLC began working with Department of Information Telecommunications and Technology (DoITT) in June 2010 on two customer-service projects that will enhance a licensee\applicant’s ability to manage their business over the Internet: (the only item that is “complete” is the On-Line Driver Renewal payments. I’ve left the other two in with changes but they could be removed until we have a better idea on what will be transpiring.)
- On-line Driver Renewals: Stage 1, which is now completed, allows licensees the ability to tender payment of their license renewal fees over the Internet and provide them with basic status data on their license requirements. Since the process went active we are averaging 300 to 400 payments per month over the internet portal.

- On-line Appointment Scheduling: This project is still in the discussion stage and, when completed, will allow the licensee/applicant to select the date and time for either the filing of an application at one of our facilities or to schedule the date and time of their DMV or TLC visual inspection. The Web site modifications will also allow for re-scheduling of an appointment when an emergency arises and an individual cannot make their appointment. Preliminary discussions have taken place with DoITT and some outside vendors. A timetable has not yet been developed..
- Enhancements are also being planned to offer applicants and licensees the abilities to handle Web based Change of Addresses and to submit a New Driver Application for review and preliminary approval. Applicants could then be given an appointment for processing, which would help to streamline the process. The staging is to complete On-Line Scheduling first and then move into these two areas.

### **Commercial Motor Vehicle Tax (CMVT)**

- Working in conjunction with the Department of Finance, the Law Department and the City Council, legislation was passed that authorizes the Agency to begin collecting the CMVT for all Medallions and for any other vehicle licensed by the TLC that is not registered in New York State and plated by New York City. The Agency is in the process of developing internal Rules to govern the process and a Memorandum of Understanding with the Department of Finance to cover reporting and tracking protocols. Licensing has almost completed the structure of the process so that collections can begin once the rules are passed.
- We have also been working with the Department of Finance on their new Central Payment Processing Repository (CPPR) which will be envisioned as a single central location where an entity can determine what monies might be due to the City of New York prior to appearing for submission of an application.

### **Livescan (Fingerprint and Photo-imaging) Equipment**

New Livescan fingerprint and photo-imaging equipment was delivered and installed in 2010 replacing ageing hardware and software that had reached the end of its useful life. The new equipment was put into full operation and has helped to alleviate prior downtime issues. A new unit was included in the purchase for the Staten Island Satellite Office as well, and a last unit was delivered to and is now live in our Executive Offices so that individuals coming to the TLC for medallion-related closings can have their fingerprints taken in a central location without the need for them to travel to Long Island City.

### **License Process and Fitness Interview Rules**

- 2011 saw the promulgation of new License Process rules that simplify and standardize the application and renewal process and requirements across license classes and gives applicants and the TLC staff clear deadlines by which actions must occur. In addition, these rules will assist the Commission in collecting fines that may be owed by a former licensee who applies for a new license. The Commission believes that requiring license applicants to pay fines owed to the Commission and fines owed to other agencies as a result of traffic or parking violations is an important component of its regulatory mission to assure that its licensees comply with Commission and traffic rules and regulations. A new data structure has been created that will assist in the review process.
- 2011 also saw the promulgation of new Fitness Interview Rules. These rules replace costly and time-consuming license applicant “fitness hearings” with a more flexible information-gathering process. The rules provide specific standards that clearly identify the reasons for which an application will be rejected and establishes one, two and three year licensure bans depending upon an applicant’s conduct and will enable an applicant to avoid the time and

3expense of preparing, submitting and tendering fees, for an application that will be denied. A new unit, the Fitness Review Unit, comprised of two attorneys, three investigators and one clerical has been created to undertake the new applicant interview process. Staff is expected to start in the first quarter of 2012 and a new fitness interview tracking database was recently completed to assist in the management of the interview and correspondence process.

### **E-mail Rules and Right Fax**

2011 saw the promulgation of new rules requiring business owners to provide the Agency with a valid and working e-mail address for the receipt of correspondence from the Agency. We have been testing automated fax software (Right Fax) and will begin integrating this into our protocols. We are hopeful that this will prove to be a more efficient method of distributing general information, confirmation documents, etc. to business owners licensed by the Agency.

### **Owner Must Drive and Independent Medallion Driver (IMD)**

2011 saw the creation of an IMD exception to the owner must drive requirement. Owners who are subject to the owner must drive rules now have the option, for a set payment amount and the designation of a long term driver, to eliminate the need to drive the medallion the number shifts required under the owner must drive rules themselves. The required forms and systems changes were completed and we are reviewing the applications that were received during the last two months of the year.

### **New York State Departments of Transportation (NYSDOT) and Motor Vehicles (NYSDMV) and Limousine Inspections:**

As a result of changes made to the operating authority and inspection process requirements for the NYSDOT and NYSDMV with respect to vehicles that carry more than ten passengers the TLC made changes to the licensing and inspection process associated with vehicles that required NYSDOT Operating Authority licenses. Working in conjunction with personnel from NYSDOT and NYSDMV we modified our internal process and licensure requirements to account for the new requirements. Rules codifying these changes are expected in January 2012.

### **Uniformed Service Bureau**

#### **Field Enforcement**

In calendar year 2011, The TLC's Uniformed Service Bureau ("USB") continued it's successful undercover enforcement initiatives from 2010. "Operation Refusal," measuring taxicab drivers' compliance with the laws, rules, and regulations that prohibit refusal of service to the riding public under any but a select few circumstances, tested 1,944 drivers in 2011. These tests resulted in the issuance of 197 summonses for refusal of service—a compliance rate of 90%. The driver refusal rate seems to have risen significantly in the last months of 2011, but it should be noted that tests performed in December 2011 resulted in 100% driver compliance and no refusal summonses were issued.

Continuing on the success of the USB undercover "Operation Street Hail," which tests for-hire drivers' compliance with regulations requiring that livery services be delivered only during pre-arrangement, a total of 10,637 summonses were issued. This is a nearly 375% increase, up from 2,854 street hail summonses issued in 2010.

2011 saw 161 Commuter Van seizures. The initiative, started in the second half of 2010, is an all-out enforcement action against unlicensed "commuter vans" and "dollar vans."

USB airport vehicle seizure operations were increased significantly in 2011. USB inspectors worked with Port Authority Police to observe, ticket, and seize vehicles and drivers found performing illegal activity. In 2011, the total airport summonses issued was 688 (including owner and driver summonses), an 80% increase over 2010's 382 summonses – with 243 vehicles seized.

Overall, 1,789 vehicles were seized in 2011, up from 1,405 in 2010—an increase of 27.33%.

### Administrative Enforcement

Uniformed Service Bureau uses TPEP trip sheet data to determine when certain violations of TLC rules occur. Specifically, TPEP data helps in determining the following violations:

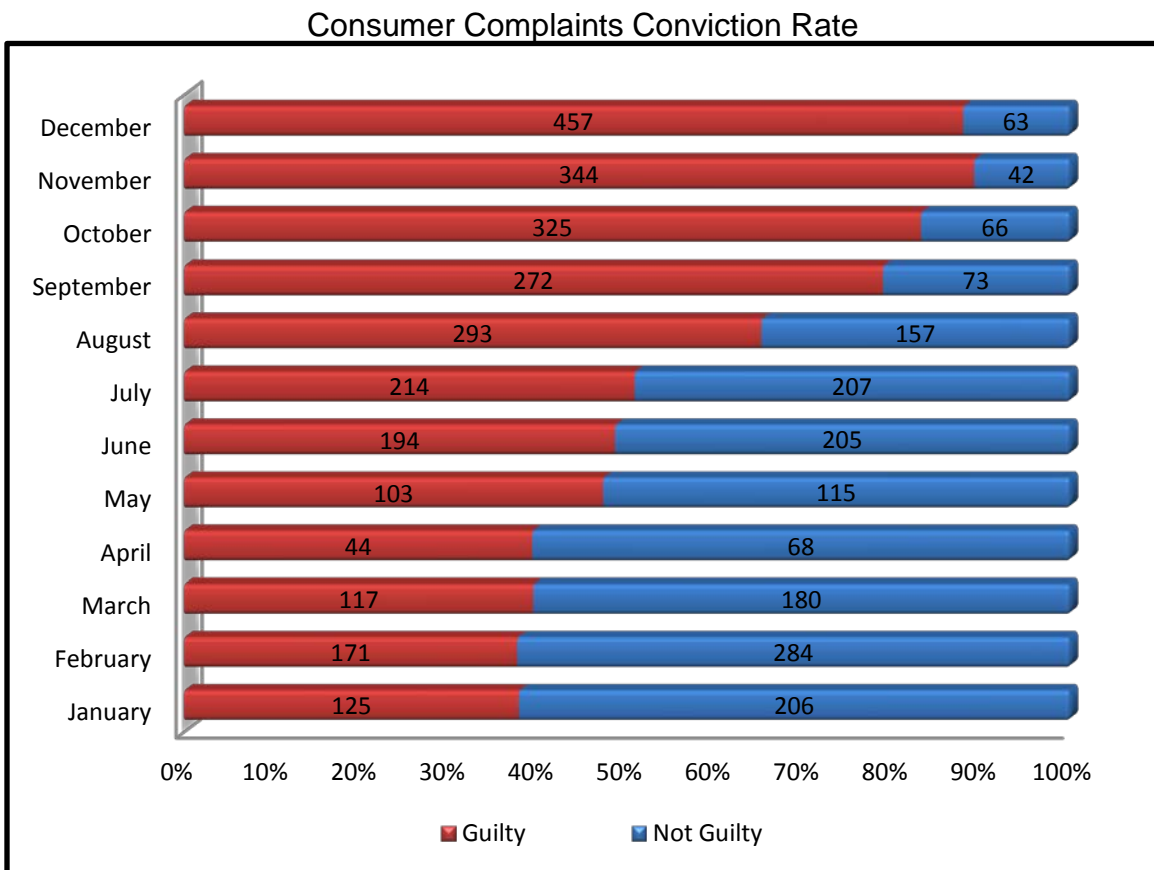
- Drivers who drove yellow cabs while TLC license of said drivers were suspended;
- Owners who allowed their cab(s) to be driven by suspended drivers (also agents);
- Cabs that were driven when the medallion was suspended;
- Cabs that do not fulfill “double shifting” rule requirements;
- Non yellow cab drivers (FHV drivers, etc.) driving yellow cabs;
- Medallion owners who did not drive enough shifts in a calendar year to satisfy “Owner Must Drive” rules (also involved agents);
- Drivers who, without successfully completing an accessible training course, drove wheelchair accessible yellow cabs;
- Drivers who did not charge EZ-Pass rate on major NYC crossings (also involves medallion owners and agents); and
- Drivers who overcharge passengers by using Rate Code 4 for in-City trips.

TPEP data is used in issuing various administrative summonses and stipulations. The following chart shows the categories and the totals for each in 2011:

ADMINISTRATIVE SUMMONSES	TOTALS	STIPULATION LETTERS	TOTALS
Critical Driver-Medallion	1,516	Street Hail	49
Critical Driver-FHV	1,431	EZ Pass	200
Critical Driver-Para Transit	53	Lease Agreement	137
Critical Driver -Commuter Van	5	Bus Lane	455
Persistent Violators	916	TPEP Driving While Susp Owner	88
Medallion Fail To Renew	41	TPEP Driving While Susp Driver	84
Un-Affiliation Revocation	1,591	TPEP Driving While Susp Agent	22
Multiple VIN	41	Wheelchair Access Training Owner	237
Workers Comp	207	Wheelchair Access Training Driver	1,346
Insurance Revocation	762	<b>Total Stipulation Letters</b>	<b>2,569</b>
Insurance Para Transit	214		
Insurance Van	94		
Owner Must Drive	160		
TPEP Suspensions Owner	1,221		
TPEP Suspensions Driver	1,159		
Bus Lane	50		
Fail To Comply With Notice	3,000		
Lease Agreement	1		
<b>Total Administrative Summonses</b>	<b>12,462</b>		

### Consumer Complaints

The Consumer Complaint Unit investigates and issues summonses based on complaints from the riding public. Prosecutors in the unit conduct hearings and negotiate guilty pleas. This year saw many changes and additions to the unit's processes and staffing. In 2011 the unit which consists of clerical staff and investigator-prosecutors were consolidated to a single location leading to a more efficient operation. Upon consolidation a new prosecution internship program for law students began and processing times began to drop. In January 2011 processing times averaged 209 days with a conviction rate was approximately 37%. By the end of the year, processing times averaged 75 days with nearly 90% of respondents either pleading guilty or having been found guilty at a hearing. The overall average for 2011 was 135 days.



In 2011, the Consumer Complaint Unit saw an increase in complaints from drivers against owners and agents leasing medallions. Investigations found that leases did not comply with TLC rules in that medallions were being leased at rates over the lease cap and in some cases the terms of the lease were not in compliance or no written lease existed. The TLC is expanding its investigation of Leasecap violations and recently hired an attorney to focus on this project.

### Safety and Emissions

In 2011, the Safety & Emissions Division (S&E) performed 52,831 medallion DMV inspections and 37,759 for hire vehicle DMV inspections. Additionally, 10,764 visual inspections of FHV's were done.

## Accessible and Alternative Fuel Vehicles by Make and Model - 2011

Vehicle Make and Model	LL54 Class	Total as of 12/31/11	Total as of 12/31/10	Total as of 12/31/09	Total as of 12/31/08
Saturn Vue (SUV) Hybrid	CA2	0	0	0	0
Dodge Caravan (Minivan) (Accessible)	WAV	26	95	140	140
Ford Freestar (Minivan) (Accessible)	WAV	0	1	1	4
Chevrolet Uplander (Minivan) (Accessible)	WAV	0	0	0	0
Toyota Sienna (Minivan) (Accessible)	WAV	207	137	99	93
Ford Escape (SUV) (Hybrid)	CA2	4,195	2,964	2,248	1,319
Honda Civic (Hybrid)	CA1	0	1	2	2
Lexus RX 400H (SUV) (Hybrid)	CA2	6	6	4	3
Mercury Mariner (SUV) (Hybrid)	CA2	6	6	6	6
Toyota Camry (Hybrid)	CA1	634	448	254	112
Toyota Highlander (SUV) (Hybrid)	CA2	143	154	148	122
Toyota Prius (Sedan) (Hybrid)	CA1	318	204	68	135
Nissan Altima (Hybrid)	CA1	347	353	223	73
Chevrolet Malibu (Hybrid)	CA1	19	49	90	71
Volkswagen Jetta (Diesel)	CA2	13	19	17	0
Mercedes Benz ML 350 Blue Tech	CA2	1	0	0	0

Total Accessible	233
Total Hybrid	5,681
Total Diesel	14
Total CNG	2
<b>Total Vehicles</b>	<b>5,930</b>

### Clean Vehicles

Despite legal challenges to the City's efforts to green the New York City taxicab fleet, voluntary efforts have yielded impressive growth in the number of clean-fueled taxicabs in 2011. As of the end of 2011, the TLC has registered a total of 5,930 clean-fuel vehicles (including 5,681 hybrid-electric, 14 clean diesel and two compressed natural gas vehicles), comprising 42.6% of the taxicab fleet as a whole. This compares to 4,208, or 32%, at the end of 2010.

### TLC Web Site

The TLC's Web site – [www.nyc.gov/taxi](http://www.nyc.gov/taxi) -- is a valuable centerpiece in the agency's efforts to effectively communicate with its regulated industries. In 2011, the Web site received an estimated 500,000 visitors with over 7.5 million page views. In addition to our ongoing efforts to enhance our customers' ability to conduct business via the Internet, we have continued to update the Web site on an almost daily basis, and have added new sections, including those with detailed interactive information pertaining to the TLC rules and local laws, enforcement and complaint statistics ([http://www.nyc.gov/html/tlc/downloads/excel/tlc\\_enforcement\\_and\\_complaint\\_stats.xls](http://www.nyc.gov/html/tlc/downloads/excel/tlc_enforcement_and_complaint_stats.xls)); vehicle inspection schedules, passenger information and licensing information. As always, the Web site also includes such highlights as fully updated Transcripts and Minutes of all public meetings and PDF versions of all informational presentations made by the members of TLC staff.

# Projects, Initiatives and Events

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## **Taxi of Tomorrow Project**

Progress continued in 2011 on the *Taxi of Tomorrow* project. This year, Mayor Bloomberg and Commissioner Yassky announced that after an extensive evaluation process, Nissan North America was selected as the City's *Taxi of Tomorrow* partner.

Nissan's design and engineering staff made multiple trips to New York throughout 2011 to meet with industry stakeholders, to evaluate road conditions and the taxicab duty cycle, and held several focus groups with passengers, drivers, and vehicle owners. In October, Nissan held a weeklong public Design Exposition across from Madison Square Park to introduce New Yorkers to the passenger amenities of their NV200 taxicab vehicle.

TLC continues to work with Ricardo, Inc., a leading engineering consultancy firm, in closely advising Nissan of the City's wants and needs for the taxi vehicle. TLC staff, along with representatives from Ricardo, the Design Trust for Public Space and Smart Design, visited Nissan's design studio in California in the fall to approve both major and minor design elements and to finalize the vehicle's configuration. Vehicle engineering work and reliability and durability testing will continue throughout 2012.

Negotiations for the *Taxi of Tomorrow* contract are expected to be completed in early 2012 and the NV200 taxicab vehicle will be providing service on the streets of New York by the end of 2013.

## **Taxicab Passenger Enhancement Program (TPEP)**

### **Administrative Enforcement**

In 2011, TPEP data continued to allow the TLC to better enforce those of its regulations which are amenable to remote monitoring and data analysis. For example, through the use of TPEP, TLC issued over 5,000 summonses and settlements for violations as varied as the failure to appropriately employ E-ZPass; failure to drive a minimum number of shifts; operating a taxicab while suspended; operating a vehicle without a valid medallion license; operating a wheelchair-accessible vehicle without the requisite training; and operating a vehicle that has failed its DMV inspection. (TPEP even allows the TLC to "lock out" unlicensed drivers, rendering them unable to engage the meter for taxi use.) The process of prosecuting these infractions has fundamentally changed because the cost of information collection has, in some instances, fallen to zero. This allows the TLC to better enforce its regulations with fewer resources – an example of government doing more with less.

### **Credit Card Usage**

The availability and usability of the credit card readers in yellow taxicabs give passengers a convenient payment option, and the steadily increasing number of trips paid by credit cards attests to the value of this functionality. For example, in October 2011, 45% of taxi trips (representing 53% of the total estimated daily farebox of \$6.3 million) were paid for by credit card, compared with 39% of taxi trips (representing 43% of the total fare box) a year ago.



## **Better Passenger Experience**

In 2011 TLC launched Channel 2 through the TPEP Passenger Information Monitors. Channel 2 features various public service announcements produced in collaboration with New York City Media, including information on TLC's Buckle Up campaign and the Taxi TV Survey.

## **Public Notifications**

In conjunction with the Office of Emergency Management and the Department of Information Telecommunications and Technology, the TLC also implemented the broadcast of both Amber and Silver Alerts on TPEP Driver Information Monitors. Amber Alerts note critical information about missing children, while Silver Alerts offer information on missing senior citizens, some of whom may be suffering from Alzheimer's disease.

## **Livery Stand Pilot Program**

Building on the successes of the TLC's Livery Stand Pilot Program begun in 2010, which provides "on demand" livery service at several major transportation hubs and retail centers throughout the five boroughs, we oversaw the addition of livery stands at Kings Plaza Mall, IKEA, and at the Jamaica LIRR station in 2011. Since the launch of each of these livery stands, we've seen approximately 149,000 safe, legitimately-dispatched trips to customers who needed them. These stands, located in areas outside of Manhattan, have allowed customers and the community to have access to safe and reliable on-demand service.

### **Kings Plaza Mall**

Location: E 55<sup>th</sup> Street and Avenue U

Average fare (May 2011 to December 2011): \$12.33

### **IKEA**

Location: 1 Beard Street

Average fare (May 2011 to December 2011): \$22.12

### **Jamaica**

Location: 93-43 Sutphin Boulevard: Queens Village

Average fare (June 2011-December 2011): \$17.42

### **Staten Island**

Location: Staten Island Ferry terminal

Average fare (September 2010-December 2011): \$10.34

## **Dispatch Program for Wheelchair-Accessible Medallion Taxicabs**

Over the past year, TLC worked on establishing a dispatch program for wheelchair-accessible taxicabs and for-hire vehicles (FHVs). Through 311, a web site, text or direct phone call, wheelchair users will be able to request the dispatch of a wheelchair-accessible taxi or FHV to the passenger's location on either an on-demand or appointment basis. Wheelchair users will pay the normal metered fare for this service, and the taxi industry will cover the costs of operating the program and subsidizing drivers for each trip performed.

TLC has engaged in a multi-step process to bring this program to fruition. In January 2011, the TLC released a Request for Information (RFI) asking for input from medallion and FHV industry stakeholders and disability advocates on best practices for a permanent dispatch program for

wheelchair-accessible taxicabs, with the goal of establishing a dispatch service by March of 2012. In April 2011, the TLC released a Request for Proposal (RFP) to run two separate accessible dispatch call centers. One would serve all requests for accessible service in Manhattan with medallion taxicabs, and the other would serve all calls for accessible service in the other boroughs (including LGA and JFK airports) with FHV's. In August 2011, an evaluation committee selected two respondents to become the accessible dispatchers.

The TLC has spent the fall of 2011 working on a detailed contract with the company selected to provide medallion taxicab dispatch service. This contract outlines service level standards and other assurances to ensure the provision of high-quality dispatch service. The company will provide the service for at least two years and TLC will continually monitor its operations. In December 2011, the TLC Commission passed rules to require the participation of medallion taxicab owners and drivers in the dispatch program, and TLC has entered into a contract with a dispatcher to provide this service. As a result, we anticipate that this service will commence operation in March-April 2012. TLC continues to work with stakeholders on the FHV Accessible Dispatch Program.

### **Approval of MV-1 as a taxicab**

An original equipment manufacturer – Vehicle Production Group – has now designed and built a purpose-built wheelchair-accessible vehicle that can accommodate a passenger in a wheelchair in the front right area facing forward, next to the driver, affording the passenger a clear view of the road (the passenger also has the option of being secured closer to the rear seats, if wanted). This vehicle is specifically built for passengers in wheelchairs and does not require any after-market alteration, which we believe will translate into a more durable and longer lasting vehicle than the current wheelchair-accessible taxicabs on the road today.

The approval of this vehicle expands the choice of accessible taxicabs available to the taxicab industry.

### **Hurricane Irene Response**

In preparation for Hurricane Irene, and to lessen the adverse impact of the MTA shutdown, we implemented a flat-rate “zone fare” system to incentivize taxicabs to continue providing service. We also allowed other for-hire vehicles to pick up street hails during this period, in order to facilitate evacuation efforts in Zone A and the Rockaways. We believe these efforts kept taxis and for-hire vehicles on the road when New Yorkers needed them most.

TLC staff based at the Office of Emergency Management’s Healthcare Evacuation Center (HEC) also directly enlisted paratransit vehicles and wheelchair-accessible taxicabs to help evacuate (and return) nursing home residents and wheelchair-bound NYCHA residents from Zone A and the Rockaways.

### **Customer Service Week**

From October 3-7, 2011, the TLC celebrated Customer Service Week throughout the agency as a reflection of a citywide initiative to recognize the people whose job it is to provide quality customer service in government. The theme of the week was “Recharge, Refresh, Reconnect.” Colette Graham, a member of the Time Keeping staff from TLC’s Personnel Department, was named as TLC’s recipient of the Mayor’s Office *Citywide Excellence in Customer Service Award* for her outstanding record in providing customer service to her fellow employees throughout the agency.

### **Cash Cab Welcomed Back for Another Season**

In 2011, the TLC's Legal Division prepared and entered into yet another historic memorandum of understanding with Lion Television, authorizing a seventh season of Discovery Channel's hugely-popular cult hit show *Cash Cab*, hosted by Emmy Award-winning comedian Ben Bailey.

### **You The Man!**

The TLC has once again partnered with the NYC Department of Transportation to encourage holiday revelers to use mass transit and TLC-regulated forms of public transportation to ensure their safety if they've been drinking. Both smart phone and Web applications were employed to help people in finding licensed, professional for-hire vehicle services, and thousands of specially-coded pre-paid debit cards good for taxicab and for-hire vehicle rides were distributed in at various Twitter-announced hotspots throughout the city.

### **A New Channel and Surveys for TPEP**

In late October 2011, TLC Commissioner/Chair David Yassky and NYC Mayor's Office of Media & Entertainment Commissioner Katherine Oliver officially launched the new "NYC Channel" in taxicabs, with both entertainment and informational public service content curated by NYC Media, the official network of the City of New York. The new channel, seen on the Passenger Information Monitors of the TPEP (Taxicab Passenger Enhancement Program), offers viewers an exciting variety of City-centric content, including an inside look at the latest events happening in the City, helpful hints for finding a job, segments highlighting City services, restaurant profiles, recycling tips, glimpses into local parks and neighborhoods and much more.

The TLC simultaneously launched a new survey function for TPEP screens, allowing taxi passengers to weigh in on a plethora of demographic and service specific questions, with the goal of using this invaluable feedback to enhance the passenger experience on an ongoing basis.