

TAXI & LIVERY

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TIMES

An Insider's Look at Both NYC TLC Regulated Industries

NASTINESS, INFIGHTING AND CHAOS ARE NOT HELPING THE INDUSTRY



LA MALDAD, LAS QUERELLAS INTERNAS Y EL CAOS NO AYUDAN A LA INDUSTRIA

NYPD DEPLOYS BUS LANE TOW TEAMS

DRIVER ARRESTS SKYROCKET AT NYC AIRPORTS

FHV COMMITTEE SHUTTERED OVER CONTROVERSY

TIPS FOR ADAPTING TO DAYLIGHT SAVING TIME

EDITOR'S NOTES



By NEIL WEISS

FHV COMMITTEE SHUTTERED AS EFFECTS FROM NEW LAWS TAKE HOLD

It should come as no surprise that there is a lot of turmoil and anxiety in the industry at the moment. Just as drivers, bases and vendors are starting to see and feel the effects from a slew of new laws and rules meant to help stabilize the industry, Meera Joshi decided to step down as TLC Chair, effective in March, and City Council's FHV Committee was shut down in February.

Ms. Joshi announced her plan to leave the TLC after some disagreements with both Mayor de Blasio and FHV Committee Chair, Ruben Diaz Sr. Speaker Corey Johnson disbanded the FHV Committee after Mr. Diaz made what many consider a homophobic statement, then refused to apologize. It was not the first time Mr. Diaz has faced criticism for controversial remarks.

In an industry already dealing with extreme uncertainty, none of this is very comforting, but I was thankful to read a statement from Councilman Ydanis Rodríguez, who serves as the Chairman of the Council's Transportation Committee, which is taking back control of the city's TLC-regulated industries now that the FHV Committee is no more: "It is the City of New York's responsibility to ensure that we don't fail our taxi industry. The City of New York must take immediate action to provide debt relief to individual taxi medallion owners and a moratorium on huge fines on taxi and livery drivers imposed by the TLC NYC Taxi and Limousine Commission."

Mr. Rodríguez worked as a Livery driver while he attended college, giving him a unique perspective and much-needed insight into the industry, and it is my sincere hope that whoever is chosen to replace Ms. Joshi will also have similar experience. There is so much happening all at once, we don't have time to wait while a new TLC Chair is brought up to speed on the issues facing the industry, and we need someone who can react on-the-fly if any unintended negative consequences arise from the many new laws and rules recently put in place.

NY Taxi Workers Alliance Executive Director Bhairavi Desai recently summed up how many of us feel when she told *The New York Post*, "It would be a real travesty if taxi drivers' serious issues get sidelined as some sort of a punishment to Councilman Diaz. Drivers shouldn't be caught up in the middle of this."

I couldn't agree more. All we can do is wait and see.

EL COMITÉ DE VEHÍCULOS DE ALQUILER CIERRA TRAS LA CONSOLIDACIÓN DE LOS EFECTOS DE LAS NUEVAS LEYES

No es ninguna sorpresa que actualmente haya mucha confusión y ansiedad en la industria. Justo cuando los conductores, las bases y los vendedores comienzan a percibir y sentir los efectos de las nuevas leyes y regulaciones que pretenden estabilizar la industria, Meera Joshi decide abandonar la presidencia de la Comisión de Taxis y Limusinas (TLC), renuncia que se hará efectiva en marzo, y el Comité de Vehículos de Alquiler (FHV) del Concejo Municipal dejó de funcionar en febrero.

La Sra. Joshi anunció su plan de dejar la TLC tras una serie de desacuerdos con el Alcalde de Blasio y el presidente del Comité de FHV, Rubén Díaz Senior. Luego de que el Sr. Díaz haya hecho una afirmación que muchos consideran homofóbica y posteriormente se haya negado a disculparse, el presidente del Concejo Municipal, Corey Johnson, decidió disolver el Comité de FHV. No es la primera vez que el Sr. Díaz recibe críticas por sus polémicos comentarios.

En una industria que ya de por sí se enfrenta a una incertidumbre extrema, ninguna de estas noticias es muy reconfortante. Por este motivo, sentí alivio al leer una declaración del concejal Ydanis Rodríguez, quien oficia como presidente del Comité de Transporte del Concejo, el cual está recuperando el control de las industrias de la ciudad reguladas por la TLC tras la disolución del Comité de FHV: "Es responsabilidad de la ciudad de Nueva York garantizar que no le fallemos a nuestra industria de taxis. La ciudad de Nueva York debe tomar medidas de inmediato a fin de aliviar las deudas de los propietarios individuales de licencias de taxi y ofrecer una moratoria sobre las cuantiosas multas a los conductores de taxis y vehículos de alquiler que impuso la Comisión de Taxis y Limusinas de la ciudad de Nueva York".

El Sr. Rodríguez trabajó como conductor de vehículos de alquiler mientras asistía a la universidad, lo que le otorgó una perspectiva única y una visión indispensable de la industria, y espero sinceramente que quienquiera que reemplace a la Sra. Joshi también tenga una experiencia similar. Son demasiados cambios a la vez. No tenemos tiempo para esperar hasta que se nombre a un nuevo presidente en la TLC y se ponga al día de los problemas que enfrenta la industria. Necesitamos a alguien que pueda reaccionar rápido en caso de que las leyes y regulaciones que se promulgaron recientemente tengan consecuencias negativas no deseadas.

La directora ejecutiva de la Alianza de Trabajadores de Taxis de Nueva York, Bhairavi Desai, hace poco resumió lo que muchos de nosotros sentimos cuando le dijo a *The New York Post*: "Sería un grave error que se dejen de lado los gravísimos problemas de los conductores para castigar, en cierto modo, al concejal Díaz. Los conductores no deberían verse involucrados en esto".

No podría estar más de acuerdo. Solo nos queda esperar y ver qué sucede.

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FOR BREAKING NEWS STORIES



TAXI DAVE

By DAVID POLLACK



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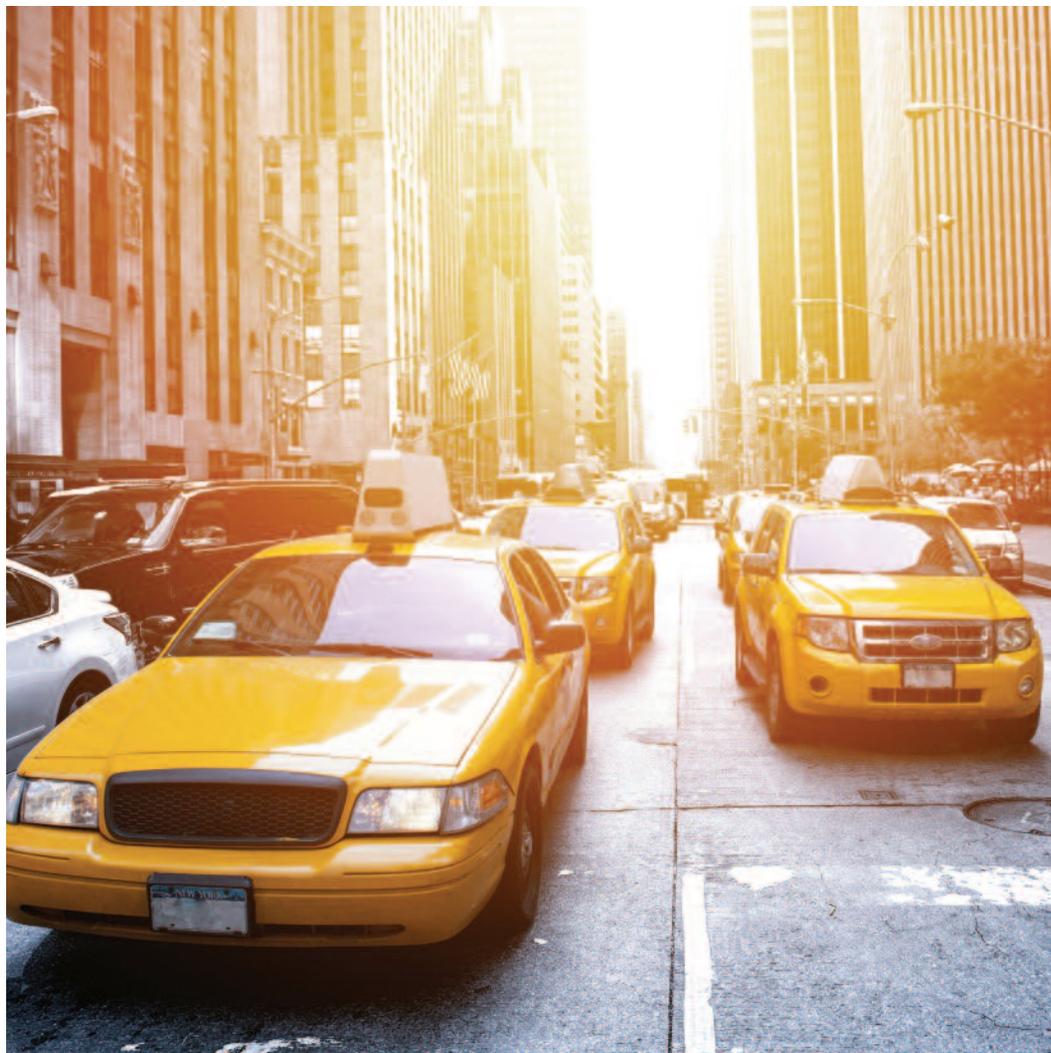
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THE DOWN SIDE OF THE CONGESTION PRICING SURCHARGE

I am not going to bore you with facts, like congestion pricing only for Taxis and all other For Hire vehicles will not reduce congestion. I am not going to berate the Metropolitan Transit Authority (MTA), which employs an army of accountants in the city of New York.

I am here to tell you about an unforgivable burden on all drivers this congestion pricing surcharge causes: Medallion owners are being charge the same credit card percentage on congestion pricing surcharges, as the balance of each fare. Not only are drivers earning less in tips today because of the surcharge; not only has ridership dropped for Yellow Cabs (not unusual after a rate of fare increase), but to pick the pockets of drivers by charging them the same credit card fee as the balance of the fare is unwarranted, unjustified and unfair.

This issue must be primary for our governments to change immediately; before the debt that drivers and owners incur once again becomes deadly.



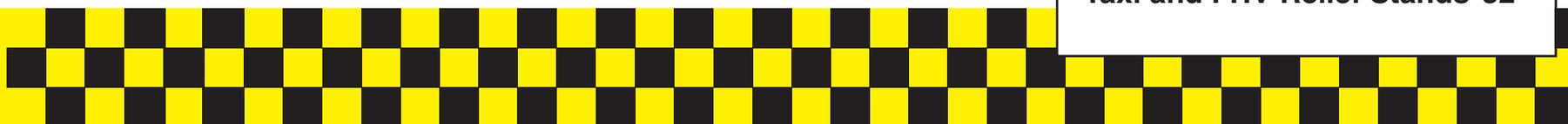
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DEAR TAXI DAVE

Unfair Fees

With the new congestion surcharge in effect, the revenue I receive from passengers is higher, and so are my CREDIT CARD FEES! I'm paying fees on the surcharges. Isn't this insane? Shouldn't it be against the rules?

Verifone can divide these transactions because they're separate on the meter. They SHOULD just charge fees on the amount before the extras are added – but no, Verifone wants more commission on income I don't receive. The end is near for this yellow taxi industry, Supreme Court judges are on the state payroll. The yellow industry is not strong enough to withstand all of this. If my dad were alive now, he would walk into Supreme Court and make a scandal.

Taxi Solomon

Cabs Are Cheaper

Taxi rides are often 50% cheaper now than Uber's, but the public doesn't seem to know yet. They need to know!

Michael Simon

WAV Issues

I drive a 2016 Toyota Sienna wheelchair-accessible vehicle, which was converted in Indiana and brought to Mobility Works in Connecticut, where it was sold to me. It was painted in Connecticut by Maaco to yellow from the original white. After the sale, it was brought to the Metro shop for hack up. This was the process.

Now granted, TLC gives owners reimbursement for maintenance for wheelchair accessible vehicles, but it's just not enough. I will explain: Once a vehicle is converted, it never drives quite the same and problems can arise due to the conversions process. A big issue is the exhaust system.

Mobility Works and BraunAbility give a three-year warranty on the ramp and conversion undercarriage issues. However, even though the owner pays nothing if something goes wrong, it's still lost time, and that is costly in itself.

I recently had loud noise vibration under my vehicle. I took it to a mechanic, who explained it was the exhaust and caused by the conver-

sion. I took it to BraunAbility in Bethpage near me. They evaluated it and said the muffler's no good. So, I had to leave the car there while it was "repaired." Afterwards, it was worse than before – not only did it make a loud noise, but it suddenly wasn't driving properly. The car was choking and not giving gas. I had another mechanic look at it and he said the wrong muffler was installed. So, I brought it back to BraunAbility, and now they say they need approval from company headquarters to repair and install a Toyota muffler. They said it could take days.

So, I brought the car to Connecticut where it was originally purchased, and they said they'll repair the issue the same day. Needless to say, the wrong size muffler was installed and the welding job was poorly done. The car now runs better but the loud noise and vibration are still there. Mobility Works says it's from conversion process.

This is what I have to deal with because of stupid Bloomberg. It's brutal what I'm going through, being forced to buy a wheelchair vehicle that is supposedly designed for this industry.

I'm curious to hear other peoples' stories and issues regarding these problems.

Taxi Solomon

App Pickups

City Council should allow NYC yellow taxis to use apps to pick up fares outside NYC – like Long Island, Westchester, upstate, etc. If a passenger calls me to pick up I'm allowed, so why not an app? With the surcharge in place and Cuomo kicking yellow taxis out of Manhattan, now is great time to expand yellow taxis.

Cab Driver

Too Nice To Joshi?

Hey David, I hope you're doing well. I was reading your article in the February 2019 edition of the *Taxi & Livery Times*. I understand that you have to maintain open doors and some semblance of political correctness, but in my humble opinion, you gave too much credit to the destructive tenure that Meera Joshi presided over. All these steps that she

took to help the yellow industry? Meera Joshi set the yellow industry back 20 years through her inability or unwillingness to check the growth of the app industry by following the rules and regulations that had been established long ago. I don't know if we have been on two different planes of reality. I have lots of respect for you and all the work that you take on, for our industry, but I was extremely disappointed in that article.

Sergio Cabrera, owner/driver

Here's An Idea

The city must have a tracking system for all High Volume FHV's (HVFHVs) interfaced with HVFHV dispatch apps. A limit of 15,000 HVFHV's is set for Midtown, South of 59th Street. Each HVFHV crossing 59th Street is assigned a number. When the HVFHV drops off the passenger, it has about 10-15 minutes to leave Midtown. All [requests for rides] originating from Midtown with Midtown destinations are first searched for HVFHV's above 59th Street. If none are immediately available, an available HVFHV in Midtown may receive the call before it leaves. Dispatches originating from Midtown with destinations outside of Midtown may be dispatched to available HVFHV's in Midtown before they leave. Once the number in Midtown reaches 15,000, an available HVFHV cannot enter midtown. Any violation will cause an automatic fine.

R.T. Challenger

Levels of Service

Medallion cabs are the standard taxi service and black car apps are the luxury taxi service. Standard taxi service is necessary to a city, luxury taxi service is not. Luxury taxi service should be priced significantly higher than standard taxi service because it shouldn't interfere competitively with the necessary standard taxi service that transports all people, known and unknown, and regulated for that purpose. Luxury taxi service such as black car apps, like Uber, are selective as to who they transport.

Michael Simon

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TAXI NEWS

PASSENGER CATCHES CABBIE USING FACETIME WHILE DRIVING

A New York City taxi driver was caught FaceTiming-and-driving by a passenger, who shot video of the incident on his cell phone camera. The worried passenger notified the NYC Taxi and Limousine Commission (TLC); the incident is being investigated.

In the video, the driver is on FaceTime with his wife while driving. The passenger, who captured the exchange from the backseat, said he feared for his life.

"I want to support the yellow taxis; I just can't support them when they could get me killed," Pete Fogle of Hell's Kitchen said. Fogle has lived in the city for more than 30 years and says whenever possible he rides yellow. "All these guys bought medallions for like a million dollars and they're kind of getting screwed now because of Uber and Lyft."

Fogel reportedly asked the driver to stop but was ignored.

CBS2 showed the video to the TLC, and the agency replied, "This is distracted driving at its very worst... It is highly illegal."

Source: CBS 2 New York

CABBIES PROTEST FARE HIKES OUTSIDE CUOMO'S MANHATTAN OFFICE

For-Hire Vehicle and Taxi drivers chanting "no more tax on drivers' backs" gathered outside Gov. Cuomo's Manhattan office on February 3, to protest the congestion pricing plan that went into effect the day before. The drivers said they're having to bear the brunt of the surcharge even though they're already suffering financially.

The surcharge took effect February 2, after a State Supreme Court judge lifted a restraining order as part of the taxi industry's lawsuit to block the plan. It was originally set to roll out Jan. 1.

Protesters held up signs that said, "Could you survive a \$15,000 pay cut?" and shouted "Stop killing drivers" and "Congestion pricing is

my bankruptcy" outside Cuomo's Murray Hill office. Three taxi owners and five drivers killed themselves last year, leading some in the industry to refer to the increased fee as a "suicide tax."

The surcharges affect all Taxi and FHV rides south of 96th Street. Fares increased by \$2.50 for Taxis and \$2.75 for FHV's, although people willing to "share" rides with potential strangers will only be charged 75 cents.

Cuomo has said the surcharge is "necessary" to raise funds for the MTA and reduce congestion in Manhattan. His office estimates the extra fee will raise \$1 million a day, which will be used to help fix the troubled subway system.

Source: New York Post

DETROIT LION ARRAIGNED FOR ASSAULTING NYC OFFICER

Detroit Lions linebacker Trevor Bates was arraigned Feb. 5 from a psychiatric ward on charges accusing him of punching a New York City police officer after he was taken to a precinct house for failing to pay a taxi fare. Bates, 25, pleaded not guilty to charges of assault, resisting arrest, theft of services and obstruction of governmental administration.

Bates was hospitalized following his arrest and was arraigned via a video hookup. His lawyer, Eric Breslin, said they were looking forward to "resolving this manner in an expeditious and satisfactory fashion."

Bates was arrested around 1:30am on Jan. 26 at a hotel near LaGuardia Airport after allegedly refusing to pay a \$32 cab fare for a ride from Manhattan. Police said they were ready to let Bates go with an appearance ticket, but

that Bates refused to be fingerprinted and punched a sergeant in the face. Sgt. James O'Brien, who was hit as he tried to calm Bates down, suffered a concussion and needed three stitches over his left eye, police said. The 6-foot-2, 240-pound Bates was subdued with a stun gun and taken to a hospital.

Bates, who played college football at the University of Maine, joined the Lions last year and appeared in nine games. He was drafted in 2016 by the Indianapolis Colts and was on the practice squads of the New England Patriots and New York Giants.

Judge Karina Alomar set Bates' bail at \$5,000 cash or \$10,000 bond. His next hearing is scheduled for March 8. He faces up to seven years in prison if convicted.

Source: The News Tribune

POLICE ARREST JOYRIDING CAB THIEF

A man took a taxicab for a joyride in Lower Manhattan in the early morning hours of Feb. 10, after the driver left the vehicle unattended, cops said. Police responded to a call from a 57-year-old cab driver, who reported that his car had been stolen when he briefly stepped out around 3:40am at Church and Murray streets in Tribeca.

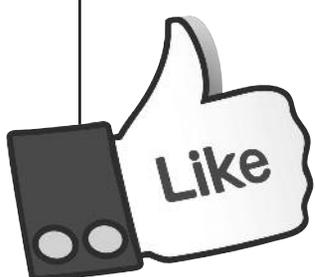
That's when Mohammed Azeem, 30,

jumped in and drove off. The joyride lasted an hour, during which Azeem struck two other vehicles that were stopped at a red light, police reported. Police nabbed the car thief an hour later at West Side Highway and Laight Street – less than a mile from where he'd started. Cops used the cab's GPS to locate it. The 1st Precinct tweeted a photo of the grateful cab driver standing

with an officer who helped recover his stolen car (<https://twitter.com/NYPD1Pct/status/1094676659272409088>).

Azeem, who is from Crown Heights, was arrested at the scene and hit with a slew of charges, including grand larceny, reckless driving, traffic violation and criminal possession of stolen property.

Source: New York Post



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LIVERY NEWS

NYPD TOW TEAMS DEPLOYED TO STOP ILLEGAL BUS LANE PARKING

Mayor de Blasio announced in January that seven new NYPD tow teams will be dedicated to clearing the five boroughs' public-transit thoroughfares.

"Too often, the buses crawl along when we need them to speed around" for the system's 2.5 million daily bus riders, said de Blasio at the department's Midtown tow pound. "We owe it to them to speed up bus service."

The tow teams, tasked with patrolling troublesome lanes between 6:00am and 8:00pm, are a key part of the city's bid to boost bus speeds from the current 7.4-mph average by 25% by the end of 2020, de Blasio said. The teams are already cracking down on a dozen lanes, but could be redeployed by the MTA and NYPD as needed. The extra enforcement is already paying off, with the NYPD logging 352 tows from bus stops and lanes through Jan. 20, a 12.4% spike from the same period in 2018.

The news was hailed by state Sen. Brad Hoylman (D-Manhattan), who has dubbed three particularly pokey lines in his Midtown district, the M50, M23 and M42, as the "Turtle," "Sloth" and "Slug," respectively.

Source: New York Post

EQUIPOS DE REMOLQUE DEL NYPD CONTROLARÁN EL ESTACIONAMIENTO ILEGAL EN EL CARRIL PARA AUTOBUSES

El alcalde de Blasio anunció en enero que se destinarán siete nuevos equipos de remolque del Departamento de Policía de Nueva York (NYPD) a todos los distritos para despejar las calles por donde circula transporte público.

"Los autobuses suelen circular a paso de hombre cuando necesitamos que avancen rápido" para los 2.5 millones diarios de pasajeros de autobús del sistema, aseguró el alcalde Blasio en el corralón que el departamento tiene en Midtown (centro geográfico). "A ellos les debemos la agilización del servicio de autobuses".

Según de Blasio, los equipos de remolque, responsables de patrullar los carriles problemáticos entre las 6:00 a. m. y las 8:00 p. m., son un componente clave de la estrategia de la ciudad para aumentar la velocidad promedio actual de los autobuses (7.4 mph) en un 25 % para fines de 2020. Los equipos ya están aplicando sanciones en una docena de carriles, pero la Autoridad Metropolitana del Transporte (MTA) y el NYPD podrían redistribuirlos según se requiera. Este control adicional ya está dando frutos, ya que el NYPD registró 352 remolques desde paradas y carriles de autobús hasta el 20 de enero, un incremento del 12.4 % respecto del mismo período de 2018.

La noticia fue aclamada por el senador estatal Brad Hoylman (demócrata, Manhattan), quien apodó a tres calles particularmente lentas de su distrito centro (M50, M23 y M42), como "la tortuga", "el perezoso" y "la babosa", respectivamente.

Fuente: New York Post

CITY COUNCIL CONSIDERS "PANIC BUTTONS" IN TAXIS AND FHVS

The New York City Council is considering "panic buttons" for both passengers and drivers of taxis, street hail liveries and other For-Hire Vehicles (FHVs). City Council member Andy King first introduced the bill to add panic buttons to cabs last legislative session.

"When we met, over 150 drivers showed up to tell their horror stories of how they got ripped off," King said. King added that the city has a plan to address the financial aspect of the proposal, but it's still unclear who would be responsible for paying for the panic buttons.

"We have a sponsor who's looking to help pilot this project," King said. "As a council member, I would urge and look for the city to recognize the fiscal impact to help the drivers. It's not about trying to make a dollar. It's about saving their lives."

At a hearing in January, the NYPD said it is on board with tools to get victims of crimes to police quicker, but there are a lot of details that still need to be ironed out.

"[You have to] find the right technology to accurately respond to the location," said Oleg Chernyavsky of the NYPD's Legislative Affairs Unit. "If we show up to a corner and there are five cars that look identical in the case of yellow cabs, we need to know which car is in distress."

The Independent Drivers Guild, which represents and advocates for more than 70,000 app-based drivers in New York City, said it's not sure panic buttons are needed.

"App-based emergency buttons already exist in the largest apps and we believe they offer the best solution for the safety of riders and drivers alike," the guild said in a statement. "Using the technology already built into the app, app-based buttons give users their exact location to provide to 911 dispatchers and apps are already piloting technology to allow users to automatically transmit that location to 911 dispatchers with the press of the button."

Source: CBS 2 New York

EL CONCEJO MUNICIPAL CONSIDERA EL USO DE "BOTONES DE PÁNICO" EN TAXIS Y VEHÍCULOS DE ALQUILER

El Concejo Municipal de la ciudad de Nueva York contempla la posibilidad de implementar el uso de "botones de pánico" tanto para los pasajeros como para los conductores de taxis y vehículos de alquiler (*For-Hire Vehicles, FHV*), ya sea con paradas en la vía pública o de otro tipo. Durante la última sesión legislativa, el concejal Andy King introdujo por primera vez el proyecto de ley para instalar botones de pánico en los taxis.

"A la reunión que mantuvimos asistieron más de 150 conductores que nos narraron las horribles experiencias de asaltos que habían sufrido", comentó Andy King, quien agregó que la ciudad tiene un plan para resolver el aspecto financiero de la propuesta, pero aún no está claro quién será responsable de cubrir el costo de los botones de pánico.

"Hay un patrocinador dispuesto a colaborar con la puesta a prueba de este proyecto", aseguró el concejal. "Como miembro del Concejo, instaría a la ciudad a reconocer el impacto fiscal que tendría ayudar a los conductores. El punto no es tratar de ganar dinero, sino salvarles la vida".

Si bien, en una audiencia que tuvo lugar en enero, el Departamento de Policía de Nueva York afirmó que participará con instrumentos para que las víctimas de delitos accedan más rápido a la policía, todavía se deben corregir muchos detalles.

"[Hay que] encontrar la tecnología correcta para acceder adecuadamente al lugar", señaló Oleg Chernyavsky, de la Unidad de Asuntos Legislativos del NYPD. "Si llegamos a una esquina y hay cinco autos que se ven idénticos, en el caso de los taxis amarillos, debemos saber cuál de ellos está en problemas".

El sindicato de conductores independientes (*Independent Drivers Guild, IDG*), que representa a más de 70,000 conductores que prestan servicios mediante aplicaciones en la ciudad de Nueva York, dijo que no es seguro que el uso de los botones de pánico sea necesario.

El sindicato declaró que "las aplicaciones más importantes incluyen botones de emergencia, y pensamos que ofrecen la mejor solución para garantizar la seguridad tanto de los pasajeros como de los conductores". "Mediante el uso de la tecnología provista en la aplicación, los botones basados en aplicaciones brindan a los usuarios su ubicación exacta para que se la indiquen a los operadores del 911, y las aplicaciones ya están probando tecnología que permite a los usuarios transmitir esa ubicación en forma automática a los operadores del 911 con solo apretar un botón".

Fuente: CBS 2 New York

LIVERY NEWS

ILLEGAL PICKUP ARRESTS SKYROCKET AT NYC AIRPORTS

The Port Authority saw a massive jump in arrests for drivers illegally “hustling” rides at the city’s three major airports last year, authorities said in January. Arrests of drivers illegally soliciting rides from travelers flying into Kennedy Airport in Queens saw the largest surge – a 68% jump, the Port Authority said. By the end of 2018, Port Authority police arrested 734 hustling drivers at Kennedy Airport – 297 more than the 437 arrested in 2017, officials said. A similar increase was found at Liberty International Airport in New Jersey, which saw a 61% rise in busts last year, from 88 to 142 in 2018. At LaGuardia Airport there was a 7% bump in illegal cabbie arrests in 2018 – 295 up from the previous year, authorities said.

The Port Authority announced a major crackdown on the cabbies in August after some high-profile arrests.

The PAPD nabbed a 61-year-old driver illegally trolling for fares at JFK Airport, who then refused to let a woman out of his car after she changed her mind about the sketchy ride, authorities said. The 37-year-old victim allegedly told cops driver Daniel Todaro approached her outside of one of the departure terminals and offered to drive her home at about 1:00am on April 6. He falsely claimed to be a licensed Livery driver, so she got in, but quickly changed her mind. Todaro began arguing with her, locked the doors and refused to let her leave, she told police. Cops heard her screams and ran over to Todaro’s vehicle, where they found the panicked woman locked in the back seat, authorities said.

Then, on July 17, a gypsy cab driver led police on a chase through a terminal at LaGuardia. Marco Morales-Carrillo, 32, was offering people off-the-books rides outside of Terminal B when a Port Authority cop overheard one of his pitches. When he saw the police, Morales-Carrillo raced up to the second level to the departures drop off, jumped over a railing on the elevated roadway – and fell one story onto a car below.

Some of the hustlers no longer have TLC licenses. Others have been repeatedly banned from picking up fares in the airports. A Port Authority spokeswoman said the crackdown will continue for the foreseeable future. New “No soliciting” and “No unauthorized pick up” signs have already been placed around the airports, the spokeswoman said.

Source: The Daily News

MASIVO INCREMENTO DE LOS ARRESTOS POR RECOGER PASAJEROS EN FORMA ILEGAL EN LOS AEROPUERTOS DE LA CIUDAD DE NUEVA YORK

Las autoridades informaron en enero que el año pasado la Autoridad Portuaria registró un masivo incremento en los arrestos de conductores que recogen pasajeros en forma ilegal en los tres principales aeropuertos de la ciudad. Según la Autoridad Portuaria, los arrestos de conductores que captan viajes en forma ilegal entre los pasajeros de vuelos que arriban al aeropuerto Kennedy en Queens experimentaron el mayor incremento (68%). A fines de 2018, la policía de la Autoridad Portuaria arrestó a 734 conductores que aplicaban esta modalidad en el aeropuerto Kennedy (297 más que los 437 arrestados en 2017), informaron los oficiales. Un aumento similar se observó en el aeropuerto internacional Liberty de Nueva Jersey, que el año pasado registró un incremento del 61% en los arrestos, de 88 a 142 en 2018. Asimismo, se informó que en el aeropuerto LaGuardia hubo un incremento del 7% en los arrestos de taxistas ilegales en 2018 (295 más que en el año anterior).

La Autoridad Portuaria anunció la aplicación de fuertes sanciones a los taxistas en agosto, tras algunos arrestos resonantes.

El Departamento de Policía de la Autoridad Portuaria (*Port Authority Police Department, PAPD*) atrapó a un conductor de 61 años que merodeaba ilegalmente el aeropuerto JFK en busca de clientes, quien se negó a dejar descender de su auto a una mujer cuando esta cambió de opinión por parecerle sospechoso el viaje, explicaron las autoridades. La víctima de 37 años presuntamente informó a los policías que el 6 de abril, alrededor de la 1:00 a. m., el conductor Daniel Todaro se le acercó afuera de una de las terminales de salida y le ofreció llevarla a su casa. Como Todaro afirmó falsamente ser un conductor de vehículo de alquiler con licencia, la mujer se subió al auto, pero de inmediato cambió de opinión. Según relató, el conductor comenzó a discutir con ella, trabó las puertas y se negó a dejarla bajar. Los oficiales oyeron los gritos de la pasajera y corrieron hacia el vehículo de Todaro, donde hallaron a la mujer aterrada y encerrada en el asiento trasero, informaron las autoridades.

Posteriormente, el 17 de julio, los policías persiguieron a un taxista “pirata” por una terminal del aeropuerto LaGuardia. Marco Morales-Carrillo, de 32 años, ofrecía a las personas viajes en negro fuera de la Terminal B cuando un oficial de la Autoridad Portuaria escuchó una de sus propuestas. Cuando vio a la policía, Morales-Carrillo subió al segundo nivel del descenso de pasajeros del sector de salidas, saltó sobre una baranda de una calzada elevada y cayó sobre un auto que estaba un piso más abajo.

Algunos de los taxistas ilegales o “hustlers” ya no tienen licencias de la Comisión de taxis y limusinas (*Taxi and Limousine Commission, TLC*). A otros se les ha prohibido reiteradamente recoger pasajeros en los aeropuertos. Un vocero de la Autoridad Portuaria informó que las sanciones continuarán en el futuro inmediato y que se han colocado nuevos carteles con las consignas “No ofrecer viajes” y “Prohibido recoger pasajeros en forma no autorizada” en los aeropuertos.

Fuente: The Daily News

**READ TAXI & LIVERY TIMES
ONLINE AT
WWW.TAXILIVERYTIMES.com**

LIVERY NEWS**LIVERY DRIVER INVOLVED IN MANHATTAN HIT AND RUN**

A man is in critical condition after a Livery vehicle in Manhattan hit him, and the driver took off. Police say the 28-year-old victim was leaving a bar when he was struck around 11:00pm on February 18, at 47th Street and 10th Avenue. The victim suffered a head injury.

Authorities described the vehicle as a black Livery car with TLC plates. There were several witnesses who saw the car take off on 10th Avenue, and one witness said he saw the car turn down 48th Street.

“I just saw a lot of people screaming,” the witness said. “When I saw the guy on the floor and the car turning around like real fast. He didn’t help or anything, and it was just so scary.”

Witnesses say they called 911, but no arrests had been made several days later.

Source: ABC7 New York

CONDUCTOR DE UN VEHÍCULO DE ALQUILER INVOLUCRADO EN UN ATROPELLO CON FUGA EN MANHATTAN

Un hombre se encuentra en condición crítica luego de que un vehículo de alquiler lo atropellara en Manhattan, evento tras el cual el conductor se dio a la fuga. La policía afirma que la víctima de 28 años estaba saliendo de un bar cuando fue embestido alrededor de las 11:00 p. m. del 18 de febrero, en la intersección de la 47th Street y la 10th Avenue. La víctima sufrió un traumatismo de cráneo.

Las autoridades indicaron que se trataba de un vehículo de alquiler negro con placas de la Comisión de Taxis y Limusinas (TLC). Hubo varios testigos que vieron cómo el auto se escapó por la 10th Avenue, y un testigo dijo que vio que el auto dobló en la 48th Street.

“Solo vi a mucha gente gritar”, dijo el testigo. “Cuando vi al muchacho tirado en el piso y el auto yéndose muy rápido. No brindó ayuda ni nada, fue aterrador”.

Los testigos dicen que llamaron al 911, pero varios días después aún no había detenidos.

Fuente: ABC7 New York

LIVERY DRIVER PUNCHED, ROBBED IN THE BRONX

Police are looking for the two men who attacked and robbed a Livery driver in the Bronx. The 61-year-old driver picked up two men at 1411 Fulton Ave., who requested to be taken to a location along East 168th Street and Third Avenue in the Bronx on Feb. 5. When they arrived at the destination, an argument ensued over the fare price, according to police.

During the argument, one of the passengers punched the driver in the face and forcibly removed \$500 in cash, cops said. The victim sustained a minor injury but refused medical attention.

Video surveillance shows one man getting out of the vehicle and the vehicle driving away as a second man exits the vehicle: <https://pix11.com/2019/02/16/livery-cab-driver-punched-robbed-in-the-bronx/>.

Submit tips to police by calling Crime Stoppers at 1-800-577-TIPS (8477), visiting www.nypdcrimestoppers.com, or texting 274637 (CRIMES) then entering TIP577. Spanish-speaking callers are asked to dial 1-888-57-PISTA (74782).

Source: PIX11

GOLPIZA Y ROBO A CONDUCTOR DE VEHÍCULO DE ALQUILER EN EL BRONX

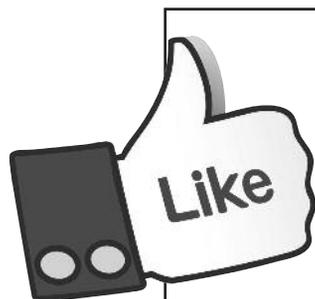
La policía busca a dos hombres que agredieron y robaron al conductor de un vehículo de alquiler en el Bronx. El conductor de 61 años recogió a dos hombres en 1411 Fulton Ave., quienes le solicitaron que los lleve a una ubicación en la East 168th Street y Third Avenue, en el Bronx, el 5 de febrero. Cuando llegaron a destino, se produjo una discusión respecto del precio de la tarifa, según informa la policía.

Durante la discusión, uno de los pasajeros golpeó al conductor en la cara y, por la fuerza, le quitó \$500 en efectivo, según el relato de los oficiales. La víctima sufrió una lesión menor, pero se negó a recibir atención médica.

En el video de vigilancia, se puede ver cómo uno de los hombres sale del vehículo y cómo se marcha el vehículo cuando sale el segundo hombre: <https://pix11.com/2019/02/16/livery-cab-driver-punched-robbed-in-the-bronx/>.

Si tiene información que pueda ser de ayuda para la policía, llame a Crime Stoppers al 1-800-577-TIPS (8477), visite www.nypdcrimestoppers.com o envíe un mensaje de texto al 274637 (CRIMES), seguido de TIP577. Si es hispanohablante, marque 1-888-57-PISTA (74782).

Fuente: PIX11



An Insider's Look at Both NYC TLC Regulated Industries

FOR BREAKING NEWS!



FEATURE

PASSENGER FRONTAL AIR BAG INFLATOR MAY EXPLODE IN THE FOLLOWING VEHICLES

MAKE	MODEL	MODEL YEARS			
FORD	EDGE	2010	MERCEDES BENZ	C300	2010-2014
FORD	FUSION	2010-2012	MERCEDES BENZ	C350	2010-2015
FORD	MUSTANG	2010-2014	MERCEDES BENZ	C63 AMG	2010-2015
FORD	RANGER	2010-2011	MERCEDES BENZ	E350	2010, 2013
LINCOLN	MKX	2010	MERCEDES BENZ	E400	2015-2017
LINCOLN	MKZ	2010-2012	MERCEDES BENZ	E550	2010-2017
LINCOLN	ZEPHYR	2010-2012	MERCEDES BENZ	GLK250	2013-2015
MERCURY	MILAN	2010-2011	MERCEDES BENZ	GLK350	2010-2015
TESLA	MODEL S	2014-2016	MERCEDES BENZ	SLS	2011-2014
LEXUS	ES350	2010-2012	MERCEDES-BENZ	E350	2011-2012, 2014
LEXUS	GX460	2010-2017	AUDI	R8	2017
LEXUS	IS 250	2010-2013	AUDI	TT	2016-2017
LEXUS	IS 250C	2010-2015	VOLKSWAGEN	CC	2015-2017
LEXUS	IS 350	2010-2013	VOLKSWAGEN	EOS	2015-2016
LEXUS	IS 350C	2010-2015	VOLKSWAGEN	PASSAT	2015
LEXUS	IS F	2010-2014	BMW	525i	2000-2003
SCION	XB	2010-2015	BMW	530i	2000-2003
TOYOTA	4RUNNER	2010-2016	BMW	540i	2000-2003
TOYOTA	COROLLA	2010-2013	BMW	X5 SAV	2000-2004
TOYOTA	COROLLA MATRIX	2010-2013	BMW	X5	2007-2013
TOYOTA	SIENNA	2011-2014	BMW	X6	2008-2014
SUBARU	FORESTER	2010-2013	CHRYSLER	300	2010-2015
SUBARU	IMPREZA	2010-2011	DODGE	CHALLENGER	2010-2014
SUBARU	LEGACY	2010-2014	DODGE	CHARGER	2010-2015
SUBARU	OUTBACK	2010-2014	DODGE	DAKOTA	2010-2011
SUBARU	TRIBECA	2010-2014	DODGE	RAM 3500	2010
SUBARU	WRX	2010-2014	JEEP	WRANGLER	2010-2016
MERCEDES BENZ	C250	2012-2015	RAM	4500	2010
			RAM	5500	2010

Owners may also contact the National Highway Traffic Safety Administration Vehicle Safety Hotline at 1-888-327-4236 (TTY 1-800-424-9153) or go to www.safercar.gov.

HOW TO BETTER ADAPT TO DAYLIGHT SAVING TIME

Daylight Saving Time begins Sunday, March 10. Bad enough that we lose an hour of sleep, but statistics show that the morning after Daylight Savings, there can be a double-digit spike in heart attacks and a short-term increase in car crashes, strokes and potentially even suicides. This negative trend, associated with the clock-change, illustrates just how badly your health can be affected if you lose even just an hour of sleep.

There's nothing you can do to fully compensate for the sudden change that's forced upon us each year, but you can take advantage of what scientists have learned about body clocks to adapt as quickly as possible. We all have a natural internal clock of sorts, our circadian rhythm. It's what makes us feel tired when it's time to sleep and wakes us up in the morning, provided we're on a fairly regular schedule.

As a species, humans' clocks have evolved to mostly match the 24-hour natural light/dark schedule. (Our internal clock is actually a little longer than 24 hours, but gets naturally re-synchronized by environmental cues.) Exposure to light or darkness generally causes our bodies to produce hormones that tell us when we should be alert or asleep – though artificial lighting can

wreak some havoc on that system. Most of us are drowsiest around 5:00am.

Suddenly changing the clocks throws off our internal body clock. You won't naturally suddenly feel tired an hour earlier at night. In the morning when the alarm rings, it's still going to feel like you should be asleep. But we can manipulate our internal clocks to some degree: the most effective strategy is to get exposed to light at the right time.

It's probably not a good time of year to schedule a last-minute camping trip, but it can still help to take in some bright sunlight early in the morning for a few days following Daylight Savings Time. It also helps to make sure you are in a dark environment at bedtime.

"Full spectrum lighting is probably optimal in terms of the management of all these clockwork hormones that direct the complex physiology we have," according to Richard Rosen, director of retina services at New York Eye and Ear Infirmary of Mount Sinai. Even wearing sunglasses when you are trying to get your body ready for bed might help.

Morning exercise may also be beneficial, according to some research, though the data on how effective it is at shifting circadian

rhythms is not conclusive. (Late-evening exercise has been shown to push our natural bedtime cues a bit later, however.)

Change Your Blades When You Change Your Clocks

At this time of year, drivers must also prepare for warmer weather, rain and longer days – so experts recommend "changing your wiper blades when you change your clocks." Wiper blade replacement is a key checklist item in overall preventative vehicle maintenance.

"As spring approaches, drivers must prepare for a shift in weather and road conditions," said Dawn Gonzalez, brand manager at Trico Products Corporation. "This is when driver visibility is critical, and vehicles need to be equipped with highly functional and effective wiper blades."

Depending on the region, varying conditions such as excessive rain or pollen can significantly impact visibility on the road. With that in mind, individuals should research wiper blade options that best suit the needs of their specific driving environments.

Sources: *Business Insider*, *TRICO* (tricoproducts.com)

JUST WHEN I THOUGHT THINGS WERE QUIETING DOWN IN THE FHV INDUSTRY

By STEVEN J. SHANKER, ESQ.

Just when the fight over wheelchair accessibility came to a close, I thought things were about to quiet down. Instead of calm and consistency, we saw some pretty significant events in the For-Hire Vehicle (FHV) industry since early 2019.

For instance, Meera Joshi, the Chair of the NYC Taxi and Limousine Commission (TLC) gave notice of her intent to step down. Whether her objection to the congestion pricing policy had something to do with it or not does not change the fact that Ms. Joshi was the Chair during what has been one of the most tumultuous periods in FHV history. While I did not always agree with Ms. Joshi on her policy decisions and points of view, I always respected her as someone who wanted to do her best to effectuate change for the betterment of the industry. I wish her well in her future endeavors.

Next, we have Rubén Díaz Sr., a Member of the New York City Council from the Bronx and a Pentecostal minister who said that the Council was “controlled by the homosexual community.” There have been calls by the City Council speaker, Corey Johnson, for Councilmember Díaz to resign. While I doubt that will happen, the fact remained that Councilmember Díaz chaired the For-Hire Vehicle committee, which wielded enormous power over the FHV industry. While we are all entitled to our opinions, the fact remains that Councilmember Díaz’s comments have no place in our industry, much less in society in general. The fact that Councilmember Díaz appears to have animosity toward a particular group in our City is bad enough but making such comments in public were nothing but antagonistic and wholly unnecessary.

If the actions and statement of regulators and politicians were not enough, we also have three recently filed lawsuits. All lawsuits pertain to different issues and have varying merits, but the fact remains that when multiple lawsuits are filed by FHV industry representatives against the City and State, it usually is a good in-

dicator of a certain amount of instability and volatility in the industry. These are two things the FHV industry does not need right now.

First is the yellow taxi industry’s lawsuit as it pertains to the congestion surcharge. What does congestion pricing have to do with paying 100% of the monies collected over to the MTA? On the face, it has no connection. Behind the scenes, it is about government trying to change the way people use transportation. Too much use of Uber and Lyft has led to massive declines in ridership for MTA subways. Massive declines in ridership equals massive declines in revenue. The MTA needs money and the best way is for the government to try to raise the price of FHV trips to make them less alluring, and at the same time make subway use seem more economical.

Next, we have the Lyft lawsuit seeking to delay the implementation of the new law requiring a minimum pay for drivers. The lawsuit by Lyft is based upon the belief that the TLC’s regulations regarding the minimum earning standard passed by the City Council in August of last year was not equitably implemented. The suit says the plan unfairly advantages Uber and will ultimately lower drivers’ earnings.

Whether the TLC does not fully understand the issue of the formula they created for determining the driver utilization rate or whether the government is improperly aiding Uber at the expense of Lyft, the fact remains that the real losers here are the drivers who have to wait to receive increased revenues that the law passed by the City Council guarantees them.

Finally, we have the Uber lawsuit opposing the FHV cap. According to this complaint, the City does not have the power to limit the number of FHV as state law only gives them the power to limit the number of taxicabs. In this case, it appears the government is trying to revitalize the taxi industry, which has seen a massive decline in ridership and value in the past five years. It is no secret that the City is

seeking to bail out the taxis.

Only time will how these lawsuits will pan out. By its very nature, litigation is risky and uncertain. Volatility and ambiguity are the last things the FHV industry needs right now. Whether the laws enacted by the City and State are good policy or not is an issue that can be up for great debate. What I do not believe should be up for debate is whether the government should be in the business of picking winners and losers in the FHV industry. The industry is principally based upon the immutable laws of supply and demand. The politicians and regulators seem to be trying to mess with the laws of supply and demand as it pertains to the FHV industry. This is not the proper function of government.

So, let’s look at the results of improper government intervention: The taxis were once the king of the hill and now they are scraping the bottom of the barrel. The livery industry was once stable and provided a well needed service to residence in the outer boroughs. Now it is in steady decline as the livery industry has decreased by 50% over the past few years. Finally, government inaction in allowing Uber and Lyft to grow exponentially without considering the consequences led to a culture for FHV drivers where far too many were pushed so deeply into despair and financial ruin that they turned to suicide.

These are not natural phenomenon’s but are the results of government run amok. In the end, where the industry will wind up is a mystery, but one thing is for sure... the function of government is not to pick winners and losers. FHV history has shown that when the government has tried to do that, it caused massive hemorrhaging in all sectors of the FHV industry. Such damage will adversely affect millions upon millions of City residents and visitors for many years to come. It is time for the government to stop trying to pick the winners and the losers. It is not their function and they are clearly not doing a good job of it.

IATR OUTLOOK

THE EVOLUTION OF THE VEHICLE RENTAL & CARSHARING ECOSYSTEM:

Future Impacts on Mobility

By Matthew W. Daus, Esq.

Over the past few years, new carsharing and vehicle rental business models, cloaked in technology and smartphone apps, have progressed and infiltrated the mobility landscape and impacted not just the traditional rental market, but the for-hire vehicle industry, too. The rising costs of vehicle insurance and ownership have helped fuel the growth of rental options nationally. Not only have passengers opted to rent instead of own or lease vehicles as a national trend, but also many for-hire drivers have opted to rent on a daily or long-term basis when working for mobility companies.

Traditional car rental companies have entered the space as well, and now, after obtaining a Transportation Network Company (TNC) or for-hire commercial operator's license, a driver can simply rent a car for the day and drive part-time for-hire, and return whenever desired. This flexibility for drivers to rent instead of own or lease for-hire vehicles allows them to reduce costs, for example, by going on vacation without needing to pay leasing expenses while the vehicle sits idle. The gig economy has affected not only passenger choices, but the choice of the workforce in how they operate their businesses. Sharing vehicles has become an increasing trend among both passengers and professional drivers, and it affects many more aspects of the mobility landscape.

This article will define and explain the various business models, investment trends and multi-modal strategies and ventures involving vehicle rental and carsharing, as well as the evolving legal and regulatory landscape of insurance, tax, duty of care and liability issues. The difference between peer-to-peer and business-to-consumer carsharing, the differing legal paradigms and the rise of car rental in the for-hire segment will be explained, and thoughts or prognostications will be offered as to where these business models may collide, merge and compete as we approach an autonomous and connected future.

What is Carsharing?

In a nutshell, carsharing is a short-term car rental, usually offered through membership in a carsharing service. Members of carsharing services like Avis Budget Group's Zipcar, Daimler's Car2Go, and BMW's DriveNow have access to insured vehicles for their personal use in exchange for a fee each time they use a vehicle. Unlike a traditional rental company, the vehicles are available for rent by the hour. Moreover, the carsharing vehicles are located where the renters are: local streets in neighborhoods, in parking garages and at public transit hubs, airports, university campuses, apartment and office buildings, and other locations.

There are different types of carsharing service models, but common features are that they provide renters with an insured vehicle, maintenance and parking between rental periods. Carsharing can be round-trip or one way. In a "station-based" model, the vehicles must be returned to a dedicated location at the end of the trip. But, in a "free floating" model, when a

renter is done with the vehicle, the renter may leave the vehicle parked anywhere within a certain zone. The vehicles are either part of a fleet or owned by individuals who are renting out their private vehicles.

In the beginning, there was Zipcar and other companies that owned and maintained fleets of vehicles for carsharing rentals. Not unlike the for-hire vehicle industry, the carsharing industry has been disrupted by – and evolved with – technology, incorporating new functionality, technology and business models. One of the most dramatic changes shaking-up the carsharing industry is Peer-to-Peer (P2P) carsharing. At its core, peer-to-peer carsharing is a model where individual vehicle owners loan their cars to others to use, possibly for a fee.

In the peer-to-peer carsharing service model, individual vehicle owners are able to rent their vehicles to others through a third-party carsharing service that manages the rental transaction. Companies like Turo and Getaround provide the marketplace – usually an app or online platform – and organizational resources to facilitate these personal rentals, such as customer support, insurance and technology.

Vehicle Trends:**How has the rental industry changed?**

Carsharing offers a type of transportation that is usually possible only through owning a car. Popular in urban areas where parking is scarce and public transportation options are high, carsharing services are changing the transportation landscape and may be moving people away from the costs associated with personal vehicle ownership. According to the American Automobile Association (AAA), the average annual cost to own and operate a new vehicle is \$7,321 – and that does not include parking, which costs, on average, \$2,728 per year. In New York, the AAA found that the annual cost of flat-rate parking is \$8,088.

For over a century, cars have been at the center of American culture. Getting a driver's license and buying a car were considered rites of passage. With the advent of carsharing and ride-hailing (and the not far-off proliferation of autonomous vehicles), this is changing. In the coming decades, transportation will more likely be determined by advances in technology, influenced and informed by the needs of the consumers who use them. It is well-documented that millennials, who have enjoyed a more flexible lifestyle because of technology, are more likely to live in cities when compared to their parents and other generations before them. These groups – who may have the financial ability to own a car – no longer have the desire or need to own one.

When it comes to the overall future of vehicle ownership, the reality may be more complicated than we think. According to a report from AutoTrader.com, 84% of older millennials (ages 25-32) already own personal vehicles, while fewer than half of younger millennials (ages 16-24) have bought a car. Although young people in cities are willing to treat transportation as

an on-demand service, it is unclear how mobility will change in the surrounding suburbs. It is also likely that personal-vehicle usage will remain the preferred method of transport in rural areas. As such, millennials have yet to solidify themselves as true personal vehicle consumers.

What is clear is that carsharing is booming around the world. According to Professor Susan Shaheen's team at the Transportation Sustainability Research Center (TSRC), U.C. Berkeley, as of October 2016, business-to-consumer carsharing was operating in 46 countries and on every continent (except Antarctica). TSRC estimates that there are approximately 15 million total members sharing more than 157,000 vehicles. In North America there are an estimated 37,854 members and 26,691 vehicles, making it a relatively small market for carsharing. Asia is the largest carsharing market, comprising 58% of worldwide membership, and 43% of all vehicles. Europe is in second place, with 37% of the global vehicle fleet. In 2018, short-term rentals in Moscow tripled to 16,500 vehicles and rides more than quadrupled to 23 million, and the city has the largest shared fleet in Europe and the second-largest in the world, after Tokyo.

Station-based and round-trip carsharing, like Zipcar and Maven, account for the majority of all fleets, while free-floating models, such as car2go and DriveNow, are a growing segment. In terms of both fleet size and membership, the peer-to-peer service model is growing rapidly. Between January 2016 and January 2017, the peer-to-peer service fleet has increased by 80% and membership has more than doubled.

The desire to rent or share vehicles has even infiltrated the supply-side of mobility services, with new apps that allow professional drivers to rent licensed taxicabs and other for-hire vehicles for part-time shifts while the company manages all aspects of vehicle maintenance, insurance and other functions. Launched in September 2017, the NYC Taxi Group released the Lacus Driver as part of the TLC's Flexible Lease pilot to offer an alternative to the inflexible "5-to-5" 12-hour leases that had been the standard. Today, the Lacus platform has over 5,000 drivers and offers carsharing for professional taxi and black car drivers in addition to commercial vans and trucks and vehicles for regular transportation needs. Similar to Zipcar, Lacus drivers use the app to locate and unlock vehicles parked in designated curbside spots and then return the vehicle to a designated spot when they've finished their shift.

Financial Trends: What are investors, start-ups and companies doing?

In January 2019, rival German automakers BMW Group and Daimler AG announced that they had been given the green light to combine their mobility service investments into a joint company. Under the deal, Daimler's Car2Go and BMW's DriveNow will be jointly-held by one company – called "Jurby" – and each automaker will have a 50% stake in the venture. Daimler's Car2Go is the largest carsharing service in the world in terms of fleet size and members. BMW was the second car manufac-

turer after Daimler to invest in carsharing with its business-to-consumer free-floating program, DriveNow/ReachNow. Other automakers getting into the field include General Motors, which backs Maven. In addition to offering GM fleet vehicles for short-term rentals, the Maven platform can also be used for peer-to-peer booking and can be used to rent cars to TNC drivers.

In August 2018, peer-to-peer rental startup Getaround raised \$300 million in a Series D round led by SoftBank, with the plan of expanding product offerings and partnerships and enter additional markets in the U.S. and internationally. In September 2017, peer-to-peer carsharing marketplace leader Turo closed a \$104 million Series D round led by SK Holdings with an investment from Daimler. This followed a \$12 million investment from Sumitomo Corporation and American Express Ventures, on top of a \$92 million raise earlier in the year.

Regulatory Trends

Peer-to-peer carsharing services like Turo and Getaround are allowed to operate in every state except New York, which has explicitly banned Turo from operating in the state (more on that below). State and local governments treat traditional carsharing services the same as rental companies. In other words, they have the same taxes, fees and surcharges imposed on rental car transactions. P2P carsharing services are not. This has resulted in pushback from commercial fleet owners who are facing increasing competition from peer-to-peer services.

Maryland passed the first comprehensive state law to require peer-to-peer car rental companies to comply with state tax, insurance, and safety laws and regulations, including conducting safety inspections. Enacted in May 2018, the Peer-to-Peer Car Sharing Programs Act applies almost all of the same regulatory and taxation requirements that apply to traditional car rental companies and requires peer-to-peer car rental companies hold a limited lines license under Maryland's laws to sell insurance regulated products. In addition, companies must comply with the national safety recall law that grounds vehicles under open recalls. Moreover, peer-to-peer companies operating at airports are subjected to airport contracts and airport fees for rental companies.

In Arizona, lawmakers have introduced competing legislation to redefine car rentals and carsharing. One bill (SB 1305) would ensure that peer-to-peer car rental services are treated – and taxed – the same as rental car transactions, while a competing bill (HB 2559) would create an entirely new regulatory framework for peer-to-peer companies and treat them differently than rental companies.

In August 2018, then Illinois Governor Bruce Rauner vetoed legislation (SB 2641) that would have regulated and taxed peer-to-peer car rental services like traditional car rental companies. An announcement from the governor's office said that the governor "rejected the idea of regulating and taxing car sharing out of business," citing the economic potential that the service has for the state, as well as easing pressure on public transit and parking inventory, and helping consumers afford vehicle ownership.

In the words of Yogi Berra, "it's like déjà vu all over again." If you're feeling like we've already lived through this, it's because we have. This is nearly the same debate that legislators had when Uber burst onto the scene and wanted to be treated differently than taxis.

Tax Issues

There are disparities and a lack of uniformity on tax related issues which may impact the business models and costs involved in carsharing versus TNC or mobility services – especially in the area of sales tax. According to research by DePaul University, 25% of the largest U.S. cities imposes retail taxes on that increase the cost of a one-hour carsharing rental by more than 30%, 29 of these cities increase the cost by 10%, and several cities impose transaction taxes of \$2-\$4 per rental. These taxes and fees – which are higher than sales taxes on other sectors – were originally created to generate revenue from conventional car rentals and put carsharing services at a disadvantage to ridesourcing services that are generally exempt from sales taxes.

According to the Institute on Taxation and Economic Policy (ITEP), most states do not impose a sales or use tax on trips in taxis or other for-hire vehicles, including TNCs. ITEP analysis found that only eight states have avoided this "historical accident" and currently apply sales or gross receipts taxes to taxi fares (Georgia, Hawaii, New Mexico, Ohio, Rhode Island, South Dakota, Washington, and Wyoming). Rhode Island disillusioned TNCs of any belief that they were somehow exempt from the tax that applied to taxis and limos by amending the tax law to make clear that "an entity... that uses a digital network to connect transportation network company riders to transportation network operators who provide prearranged rides" must collect sales tax. Uber ended up paying 18 months of back taxes that it had been holding on the basis ambiguities in the law. In September 2018, California Gov. Jerry Brown signed a bill (A.B. 1184) that will put an initiative before voters this year on whether to impose a 3.25% tax on TNC rides, with a discounted 1.5% tax if the trip is pooled. Both Uber and Lyft supported the bill.

Insurance Issues

Standard liability policies do not permit the use of vehicles in commercial enterprises. Livery exclusions were written because transporting passengers for a fee adds exposure and creates more risk than the insurance company contemplated for things such as additional miles driven, unfamiliar roads and increasing the number of people in the car who could be injured. In addition, renting out a personal auto through a peer-to-peer program may violate the owner's personal auto policy and could result in the cancellation or nonrenewal of the policy.

At least three states – California, Oregon, and Washington – have passed laws that generally prohibit insurance companies from dropping coverage simply because the owner is renting the vehicle via a car-sharing service. Vehicle owners who rent out their vehicles in states lacking personal vehicle sharing legislation risk non-renewal of primary insurance policies, as well as premium spikes resulting from increased use.

The Insurance Services Office, Inc. (ISO) developed a Personal Vehicle Sharing Program Exclusion endorsement to limit coverage when a covered auto is enrolled in a peer-to-peer car rental service, possibly because of concern that the livery exclusion and the business exclusion would be inapplicable. The endorsement specifically excludes coverage for liability, bodily injury, physical damage or property damage when a "covered auto" or a "non-owned auto" is being operated within the context of a peer-to-peer car rental program. The scope of the ex-

clusion is limited and applies to the renter and the renter's passengers. The endorsement has been approved by the Maryland Insurance Commissioner and is in use in Maryland.

In New York, the current insurance framework does not ensure that private passenger motor vehicle owners and renters participating in personal vehicle rental programs are fully insured. While peer-to-peer car rentals are not explicitly illegal in New York, renting out a personal vehicle could constitute a commercial use of that vehicle. In March 2014, New York State Department of Financial Services and Turo (then known as RelayRides, Inc.) entered into a consent agreement to resolve an enforcement action brought against the company for repeated false advertising and violations of New York insurance law. As part of the agreement, Turo paid a \$200,000 penalty and voluntarily agreed to cease operating in New York until it can demonstrate that its business plan and advertising is consistent with New York Insurance law.

New York introduced, but has not enacted, legislation (S3506) to create a regulatory framework for peer-to-peer carsharing. In January 2017, State Senator James Seward first proposed the "Personal Motor Vehicle Sharing Act personal motor vehicle sharing act" to establish insurance requirements for and limitations on personal vehicle rental programs. The bill would amend the New York insurance law and the vehicle and traffic law to provide the necessary insurance coverage for private passenger motor vehicle owners and renters participating in personal vehicle rental programs so that peer-to-peer car sharing companies may operate in New York. This bill would provide the necessary authority for peer-to-peer car sharing companies to purchase group insurance for the rental program, thereby providing coverage for the vehicles enrolled in the program during the periods in which those vehicles are being rented and in the control of the peer-to-peer car sharing program. The legislation has been introduced in the current legislative session by Senator Neil D. Breslin, the new chair of the State Senate Committee on Insurance, as its sponsor, with Senator Seward, the former Insurance Committee chair, co-sponsoring the legislation.

Car Sharing & Rental Vehicle Mobility Prognostications

In terms of the future, it is likely that we will see more cross-pollination between car rentals on the back-end of mobility services. A for-hire or TNC driver who owns their own vehicle may wish to drive for-hire one day, rent the vehicle to another TNC driver who does not own a car the next day, and the next week rent the car to a passenger to use for a vacation or business trip. The sharing of vehicles on a platform serves as a potential method to reduce the costs of ownership, allow for flexible working environments, and to hopefully, over time, reduce the costs of transportation to passengers. Ultimately, these platforms in the short term will involve more merging of services between car rental companies and individuals on the back-end for supply purposes; on the demand side, passengers or renters will be able to open either a car sharing, TNC or other platform app to choose between a quick ride with an assigned driver, or where a the app user can rent a car for an extended period of time without an assigned driver. These on-demand options and business models are rapidly evolving and already happening at some levels.

It is inevitable that public transit agencies may even get in on the action for first and last

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mile and other Mobility-As-A-Service options. For example, a commuter who takes the train can rent a car located in a parking lot at the train station when coming home from work on a Friday night and then return it Monday morning while on the way to work. The provision of on-demand booking, numerous mobility options and convenience are inevitable. The implementation of a public and private platform where passengers or renters can load credit card information to pay for public transit and private rentals interchangeably presents liability or duty of care, data management, and other complications or sticky legal issues when involving governmental services and operations. A more likely way these services can be implemented in tandem with public transit would be franchises or concessions at or around municipal parking and transit curbside locations, with the outsourcing of app functionality and services to one or more private companies that can interface directly with the public.

It is refreshing to see that the carsharing industry is not engaging in illegal disruption as the TNCs did in their nascent rise by issuing ultimatums to regulators and simply ignoring laws and rules to commence operations, and then changing the laws after the fact. The TNC laws that were passed over the years came after – not before – the introduction of TNC services. Here, with the exception of NY State as an early warning to the industry, it appears that laws are being crafted, like in

Maryland, to accommodate and encourage car-sharing while addressing the liability, insurance, and other safety/regulatory/consumer issues – before the fact, not after. This will allow investors and consumers to feel more confident, and will allow the industry to scale better and faster if the example of Maryland is followed elsewhere.

The insurance industry and insurance regulators must keep-up with these new sharing models and find a way to make them work while protecting the public interest. Success or failure of the carsharing industry – across all of the business models – rests with regulators and private insurance companies embracing the changes that are happening and figuring out ways to reduce risk and costs to consumers and insureds. Some of the new laws are encouraging, but more needs to be done, including flexible ratemaking and filings for flexible car sharing models. Any inertia or resistance will stifle innovation in this sector. Likewise, tax laws should be conformed to create an even playing field and uniformity, possibly eliminating such taxes for everyone to encourage the use of shared mobility services.

It is all so very important that the cross-pollination of carsharing and vehicle rental with for-hire and other mobility services happens now, with as much experimentation as possible with public and private mobility platforms on both the front-end (demand/consumer facing) and on the back-end (supply/driver and car rental company inven-

tory sharing). The results of these experiments are likely to guide both public and private decision-making on autonomous and connected vehicle implementation. The sharing of vehicles is an important part of our mobility future, especially as consumers expect the price or costs of transportation to stay low or reasonable. The partnerships between automakers and carsharing, rental and mobility companies could be motivated by any number of reasons, such as innocent experimentation, joint ventures and brand merger. There could also be more nefarious motives – such as spying on the competition or possibly even buying companies to put them out of business so that automakers can continue to sell cars to the masses without sharing. All possibilities are on the table right now, but the partnerships and experiments of today will be the future of autonomous mobility, where automakers or technology or mobility companies could turn technology platforms and apps into the deployment and sharing of automated vehicles owned by the government, private individuals, or companies, with any combination of ownership and sharing options.

It is truly mind boggling to think of where this could go. For now, everyone in neighboring spaces should be aware of these issues and trends because if overlapping companies in the ecosystem are not aware of where they are or should be in the ever-evolving food chain, certain transportation species or companies could find themselves facing extinction.

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THE FISHBOWL

CITIZENS FIGHT BACK AGAINST AMAZON AND UBER

BY LARRY FISHER

The business models are similar: Predatory pricing + regulatory arbitrage + heavy political lobbying + Wall Street financing + Silicon Valley technology = the ability to not only disrupt legacy industries but destroy them and the jobs and lives that go with them.

As the news of Amazon's exit from the Long Island City headquarters plan is digested, it is interesting to hear both sides of the debate. There are some who believe it is a failure of government to lose an opportunity of this nature. On the other hand, there is much evidence to support the notion that these subsidized deals rarely fulfill the promises made. In addition, public information on the renegotiations of these subsidized deals don't garner headlines or much news reportage.

The idea that the public should be held hostage to these corporate behemoths is unsavory. Amazon didn't want to even discuss unionization in this deal and was unwilling to entertain inquiries regarding their proposed 25,000-job headquarters and its impact locally on transit systems and other businesses. This helped fire up political opposition. Instead of negotiating, Amazon just took their ball and moved on.

Now word comes out that Uber is suing the city of New York for its cap on the growth of ride hail companies. The cap was a light touch by the city council, a one-year pause in new FHV licenses that can be worked around by rolling out wheelchair accessible vehicles during that time. Plus, it is estimated that nearly 20,000 additional drivers signed up with Uber just before the cap went into effect and were still being processed and added to the fleet months later.

Uber contends that the cap is anti-competitive. Some chutzpah. The same company whose business model has been to destroy yellow cabs through predatory pricing schemes is complaining about the city being anti-competitive.

Then we got some financial figures that suggest that nothing succeeds like failure. According to Uber's self-reporting, they lost \$1.8 billion in 2018, on top of the \$2.2 billion lost in 2017. Although their revenue slowed slightly, it continues to increase, which translates into increased market share. Interestingly, it has been reported that their successes have been primarily in cities with significant mass transit, which is to say that mass transit may be as much a victim of Uber's encroachment as yellow taxis.

"A good corporate citizen is one that demonstrates its good faith and genuine value to all stakeholders by acting transparently," says Dirk Olin, Editor-in-Chief of *CR Magazine*. "There is always, and must be, a place for confidentiality and proprietary trade information. But a presumption of openness shows all those affected by corporate behavior, whether internally or externally, that the company in question has, in aggregate at least, nothing to hide."

We, as citizens, are stakeholders. We, as users of transit systems, both above and below ground are stakeholders. Customers of Uber, regulators of Uber, management of Uber are stakeholders as well. When Mayor de Blasio wilted in the face of Uber's aggressive public relations push against a cap three years ago, it was a statement of the power these technofascists have over our elected officials. That the Mayor didn't have the spine to fight back tells us more about him. That Uber is now suing the city over a one-year cap proves again that they are a poor corporate citizen. When Austin, Texas refused to allow Uber to perform their own driver background checks, Uber left town. My way or the highway is their byword.

As for Amazon, one of the original benefits of buying books or CDs from them was the lack of sales tax charged. In NY, that was a nice 8.5% savings. That is no longer the case in NY and other states. Added to the fact that Amazon sold their goods at or near cost in order to obtain market share, we have a recipe for their success. As they have marched into other avenues of retail, this has been their modus operandi. In 2018, they earned a net profit of \$11.2 billion, double that of 2017's earnings of \$5.6 billion. So, on \$16.8 billion of net income in 2017 and 2018, their total federal tax liability was zero. Zero dollars, and they were holding the citizens of New York State and New York City up for \$3 billion.

It is long past time that nationwide limits be placed on cities and

states offering their public treasuries to companies to entice them to set up shop there. It is understandable that municipalities are focused on uplifting depressed areas and should do all they can to effectuate those efforts, but the Amazon situation was abusive. When taking the Long Island Railroad into Manhattan, or as many of you do, driving in, we see that Long Island City construction has been off the charts for several years predating the Amazon deal. Office towers, condo units dot the skyline, as do cranes as far as the eye can see. This was hardly an area that needed additional construction.

As for Uber, how good of a corporate citizen can they be when they've been sued by their own passengers, their own drivers and governments who regulate them. They've been sued on issues of safety in wrongful death claims and assaults, for price fixing, and accessibility. In an effort to upgrade their corporate image, they jetisoned bad boy CEO Travis Kalanick in 2017, but sadly, their behavior hasn't really changed. Amazon and Uber are cut from the same cloth, always looking for handouts, and when they don't get exactly what they want, they sue or leave town. Yellow taxis can't leave town.

Larry Fisher entered the NYC transportation industry in 1982 as a yellow taxi driver, and has also worked as a black car driver. In 1987, he became a lender for Progressive Credit Union, then took the position of lending supervisor in 2003 for Melrose Credit Union – which he held until he retired in 2016. Currently, Mr. Fisher is a consultant for his own firm, LAF Consulting Services Corp. He can be reached at: lafisher292@gmail.com.

COMMISSIONER'S CORNER



By MEERA JOSHI

Greetings, I hope by the time you read this that you are enjoying an early spring. I'll start with some news from our licensing division.

Licensing Snapshot

We recently expanded TLC UP, an online portal that lets you submit documents from wherever is most convenient for you. TLC UP now includes a new feature called "License Snapshot," which lets you take a real-time view of your TLC license. You can see what your current license status is, when it expires, and when you need to take your next drug test. If you are a vehicle owner, you can check your base or SHL permit affiliation, and review your insurance information. If you are a medallion agent, you can see a list online of all the medallions you manage, and what their statuses are.

To try out this new feature, please visit www.nyc.gov/tlcup, and log in with your license number, the last 5 digits of your social security number or employer identification number, and the zip code for your mailing address.

We hope this brings more convenience to the licensing process. If you have any questions about this tool, don't hesitate to email us at licensinginquiries@tlc.nyc.gov.

City Council Developments

You likely followed the City Council developments last month, when the Committee on Rules, Privileges and Elections dissolved the Committee on For-Hire Vehicles after derogatory remarks made by Council Member Ruben Diaz about the LGBTQ community in New York City. The countless contributions that LGBTQ residents make to New York City life is part of what makes our city great, and we are gratified that the Council took decisive action. The TLC has interacted with Council Member Diaz extensively because of the committee, and his comments come as no surprise after a year of experiencing his divisive behavior at many different public hearings.

Despite that behavior over the past year, the TLC and City Council worked together to pass crucial bills under the leadership of Speaker Johnson, including new laws on driver income and a limit on for-hire vehicles that are not wheelchair accessible. We greatly look forward to working closely with the Transportation Committee on the significant work ahead this year and are committed to making sure that legislation is not slowed because of this transfer. Whether we work together on Vision Zero, driver protection, accessibility or preventing service refusals, we know this will be a fruitful partnership. Good government leads to good policy.

Driver Pay Protection Rules

A new video on the TLC website explains the Driver Pay Protection rules, which went into effect last month, despite a legal challenge.

Our Driver Pay Protection rules went into effect on Feb. 1. App companies Lyft and Juno went to court to try to stop these rules. Although they did not get a judge to agree with them on their plea to have the rules stopped, the companies are continuing their litigation. So as of today, all four high-volume for-hire services – Uber, Lyft, Via, and Juno – will pay drivers according to the new TLC rules. We will keep you posted as the litigation proceeds.

We have a section on our website dedicated to driver pay protection, and it includes an explainer video of how the rules work. You can go to www.nyc.gov/taxi and select FHV Driver Pay Rules on the homepage to look at required pay rates and use our pay calculator.

If you drive one of the large four high-volume companies and don't believe you were paid correctly for a trip, please email driverprotection@tlc.nyc.gov with a receipt or screenshot that illustrates your concern, and any other information you think will help us investigate.

Until next time, drive like your family lives here!

Saludos, espero que al momento en el que lea esto, se encuentre disfrutando del comienzo de la primavera. Comenzaré con algunas novedades para nuestra división de licencias.

Licensing Snapshot

Recientemente, ampliamos TLC UP, un portal en línea que le permite presentar documentos desde el sitio que le resulte conveniente. Ahora, TLC UP incluye una nueva función denominada "License Snapshot" ("Información instantánea de la licencia"), la cual le permite obtener una vista en tiempo real de su licencia de la Comisión de Taxis y Limusinas (Taxis and Limousine Commission, TLC). Puede consultar el estado actual de su licencia, la fecha de vencimiento y cuándo debe presentarse a su próxima prueba de detección de drogas. Si es propietario de un vehículo, puede revisar la afiliación con su base o el permiso de taxi verde (Street Hail Livery, SHL) y verificar la información de su seguro. Si es agente de un medallón, puede consultar en línea una lista de todos los medallones bajo su administración y cuáles son sus estados.

Para probar esta nueva función, visite www.nyc.gov/tlcup, e inicie sesión con su número de licencia, los 5 últimos dígitos de su número del seguro social o su número de identificación del empleador y el código postal de su dirección de correo postal.

Esperamos que le resulte más conveniente obtener información sobre su licencia. Si tiene alguna pregunta sobre esta herramienta, no dude en enviarnos un correo electrónico a licensinginquiries@tlc.nyc.gov.

Acontecimientos en el Concejo Municipal

Probablemente haya seguido los acontecimientos del mes pasado en el Concejo Municipal, cuando el Comité de Reglas, Privilegios y Elecciones disolvió el Comité para los Vehículos de Alquiler después de que el Concejal Ruben Diaz hiciera comentarios denigrantes sobre la comunidad LGBTQ de la ciudad de Nueva York. El aporte inconmensurable que los residentes LGBTQ hacen a la vida en la ciudad de Nueva York es parte de lo que hace que nuestra ciudad sea grandiosa, y nos gratifica que el Concejo haya tomado medidas decisivas. La TLC interactuó, en gran medida, con el Concejal Diaz por motivo del comité, y sus comentarios no sorprenden después de un año de sufrir su comportamiento divisorio en muchas audiencias públicas.

A pesar de su comportamiento durante el año pasado, la TLC y el Concejo colaboraron para aprobar proyectos de ley cruciales bajo el liderazgo del vocero Johnson, entre ellas nuevas leyes sobre el ingreso de los conductores y un límite para los vehículos de alquiler que no tengan acceso a las sillas de rueda. Esperamos trabajar en estrecha colaboración con el Comité de Transporte en el importante trabajo que nos espera este año y nos comprometemos a garantizar que la legislación no se detenga a causa de este traslado. Ya sea que colaboremos en Vision Zero, la protección a los conductores, la accesibilidad o la prevención de la negación de servicio, sabemos que será una asociación fructífera. Un buen gobierno lleva a una buena política.

Reglas de protección al pago del conductor

En un nuevo video del sitio web de la TLC se explican las reglas de protección al pago del conductor, que entraron en vigencia el mes pasado pese a dificultades legales.

Nuestras reglas de protección al pago del conductor entraron en vigencia el mes pasado, el 1 de febrero. Las compañías de aplicación Lyft y Juno recurrieron a los tribunales para tratar de impedir dichas reglas. Aunque no lograron que un juez acordara con ellos en su declaración de impedir la reglamentación, las compañías continúan en su proceso legal. Al día de hoy, todos los servicios de vehículos de alquiler de alto volumen: Uber, Lyft, Via y Juno; le pagarán a los conductores conforme a las nuevas reglas de la TLC. Lo mantendremos informado a medida que prosiga el proceso judicial.

En nuestro sitio web, dedicamos una sección a la protección del pago a los conductores y se incluye un video explicativo sobre cómo funcionan las reglas. Puede visitar www.nyc.gov/taxi y seleccionar FHV Driver Pay Rules (Reglas de Pago al Conductor de FHV) en la página de inicio para ver las tarifas de pago obligatorias y usar nuestro calculador de pagos.

Si conduce para una de las cuatro grandes compañías de alto volumen y considera que no le pagaron lo justo, envíe un correo electrónico a driverprotection@tlc.nyc.gov con un recibo o una captura de pantalla, y cualquier otra información que en su opinión ayude en nuestra investigación.

¡Hasta la próxima, conduzca como si su familia viviera aquí!



DEFENSIVE DRIVING

PROPER POSTURE, SEAT BELTS, DROWSY DRIVING AND MORE

By BERTRAM MERLING • LOSS CONTROL COORDINATOR, HEREFORD INSURANCE COMPANY

The month, we will address the benefits of maintaining proper posture when seated in your vehicle, the importance of seat belts, the dangers of drowsy driving and what to do in the event of an accident.

Proper Posture While Driving

The way you sit and hold the steering wheel affects your driving. Good posture can help you stay alert and in full control of your vehicle.

- Sit with your back straight, upright and relaxed against the seat.
- Move your seat close enough so you can easily reach the pedals, but far enough away that your elbows are in front of you when you hold the steering wheel.
- Keep both feet within reach of the floor controls.
- Keep both hands on the steering wheel.

The Dangers of Drowsy Driving

Just like driving under the influence of drugs or alcohol, drowsy driving can be fatal. Sleepiness slows reaction time, decreases awareness and impairs judgment. Drivers at highest risk are people who drive a substantial number of miles each day, people with unrecognized sleep disorders and those who take prescribed medications with sedatives.

The symptoms of fatigue include eyes closing or going out of focus; irritability, restlessness and/or impatience; wandering or disconnected thoughts; an inability to remember driving the last few miles; drifting between lanes or onto the shoulder; abnormal speeding, tailgating or failure to obey traffic signs; and back tension, burning eyes, shallow breathing or inattentiveness. Please heed the following safety tips:

- Maintain a regular sleep schedule that allows adequate rest.
- When the signs of fatigue begin to show, get off the road. Take a short nap in a well-lit area. Do not simply stop on the side of the road.
- Try to avoid driving between

12:00am and 6:00am.

- Keep the temperature cool in your vehicle.
- Stop every 100 miles or two hours to get out of the car and walk around; exercise helps combat fatigue.
- Stop for light meals and snacks.
- Drive with your head up, shoulders back and legs flexed at about a 45-degree angle.

Safety Belt Safety and Usage

Each year, motor vehicle accidents kill more than 44,000 drivers and passengers, and seriously injure more than one million additional motor vehicle occupants. They are the leading cause of death for people 1-35 years old, and the number one cause of on-the-job deaths. In many cases, these fatal and serious injuries could have been prevented or lessened substantially if safety belts had been used. When used, safety belts reduce the number of fatalities by 50% and cut the number of serious injuries by about 55%.

- Do not start the vehicle until all belts are fastened. Any extra belts should be secured so they won't flop around and cause injury in the event of a crash.
- For lap/shoulder belts, adjust the lap portion so that it fits snugly over your hip bones; the width of your hand should easily slide between you and the shoulder portion of the belt.
- Limit the maximum number of vehicle occupants to the number of belts in the vehicle.

In the Event of an Accident, Please Obtain the Following

In the event of an accident, it's important to take pictures of all vehicles involved. Make sure you take photos from the point of impact and all sides of all vehicles involved from all angles. Take photos of any skid marks, traffic signals and any related factors that may have caused the accident. Take photos of the scene from up close

and at a distance. Photograph nearby buildings and stores as witnesses may have witnessed the accident but were unable to come forward at the scene. Under no circumstances should you attempt to settle the accident at the scene by offering to or accepting cash from any involved driver or passenger.

Please obtain the following prior to leaving the scene of an accident and submit it to your insurance company.

- All involved drivers and passengers' names, addresses, license numbers and phone numbers
- Car owner's name, address and phone number (if different from driver)
- Insurance company names (or 3-digit code), policy number and expiration date
- Witness's names, addresses and phone numbers
- The phone number and precinct number of responding police officers
- The names of all responding police officers and the accident report number
- The name, address and phone number of any medical facility anyone is taken to from the scene by ambulance
- The name, address and phone number of any tow trucks responding to and removing vehicles from the scene

Under no circumstances should a driver leave an accident scene, no matter how insignificant or minor it may appear. Do not leave the scene without exchanging information with all involved. Many uninjured pedestrians, bicyclists and motorists will say they are OK at the scene only to later file a claim. Call police to the scene whenever an involved pedestrian requests it. If you leave an accident scene with an alleged pedestrian injury you may be arrested and charged with a crime. Always invest a few minutes to avoid losing a far greater amount of time in the future.



THE TAXI ATTORNEY

By MICHAEL SPEVACK

Hello everybody... This month, I want to talk again about speed cameras and red-light cameras as they apply to TLC licensed drivers. Speeding cameras and red-light cameras pose an extra risk to TLC drivers, especially yellow drivers, due to the TPEP system in yellows and the requirement by TLC that bases must know who is always driving a TLC vehicle while the vehicle is working, at minimum.

Since TLC knows who is driving a TLC vehicle at any given time, TLC has decided that it can issue summonses to drivers who are caught by speed or red-light cameras, allowing TLC to add a hefty \$300 fine and three points to summonses that don't carry such penalties for non-TLC motorists (just a \$50 civil penalty and no points).

The PUBLIC policy reason behind this double summonsing of drivers who are caught in an infraction by a camera is basically sound. There is a public policy interest in not having motorists speed or run red-lights, especially near schools, where many such cameras are

located. It is the belief of traffic enforcement honchos that cameras will make the roads safer by slapping \$50 fines on motorists as a reminder to slow down on the roads, at least where enforcement cameras are known to be located.

TLC policy is a little more suspect, because it now issues a second summons for a camera violation and a second fine, also adding points where none were contemplated by the legislature when it approved the deployment of cameras. I personally never like having a double summons situation if it can be avoided.

Drivers jobs are implicated by the TLC's enforcement action; did the legislature contemplate this when it approved the law? I have not seen the legislative history discussing TLC drivers and cameras. While it is a legitimate public policy goal for TLC to strongly regulate its drivers and to stop them from speeding or running red-lights near schools or on other high traffic or dangerous roads, it is a bit suspect for TLC to unilaterally take this enforcement action without legislative approval. It

smacks of a bit of arrogance and money raising for City government by TLC or the Mayor or whoever approved this policy.

I get that TLC's main objective is to make sure its drivers adhere to the rules of the road and are held to standards of professional conduct that might be higher than non-TLC motorists – but it just seems so unfair in practice, especially to drivers who had no idea that by paying the \$50 fine the NYC Department of Finance issued many months ago, they would also be subject to an additional \$300 fine and three points.

Traffic enforcement by NYPD is not perfect, but I much prefer to have a real live officer issue a traffic summons than a camera. So much happens on roads in all boroughs of this City – there can be a funeral or an ambulance or a traffic agent directing traffic to cause a driver to go through a red-light camera or temporarily speed up in a zone with a speed camera. However, it has been my experience that camera tickets are basically impossible to successfully defend at TLC

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or in any court or tribunal.

Actual police serve a purpose in enforcing the rules of the road, they offer non-hearsay testimony in court, recounting their observations of a violation – albeit sometimes incorrectly. The NYPD shows up at traffic tribunals and participates in due process for motorists accused of violating the law. They are a check on any “big brother” police state that could occur if we relied solely on cameras and other electronic do-dads, instead of actual police officers. The world has already changed a great deal with the TNCs and the rise of the gig economy. We should not allow actual police work to be “disrupted” by technology.

There is a slippery slope that TLC has begun to head down with its reliance on technology as a cure-all for its mission to

protect the public from drivers and drivers from the public. But, aren't we all residents of this City? As TLC Chair, Ms. Joshi writes every month, “Drive like you live here.” Shouldn't TLC enforce rules as if the drivers also live here, and deserve the benefit of at least an officer accusing them of wrong doing? If we are to live in unity, we all deserve respect! I am sure that is what Chair Joshi is trying to say, and by the way, I would like to pause for a moment to wish her well in her next endeavor.

Anyway, let's all be careful of technology and its impact on actual human life and due process. Many have died because of the apps, but that could just be the beginning if we all don't wake up now and fight to maintain our Nation's values contained in the penumbras of the 5th and

14th Amendments to the Constitution, the document that lies at the core of freedom and liberty for all!

I hope this article has been useful and I am always available to discuss your summonses, should you receive one. Thank you for reading this article. Until next month, be well... I hope you are working hard and making good money!

Michael Spevack is a 1992 graduate of NYU School of Law and has been a lawyer in good standing in New York State since 1993. He has been helping for-hire vehicle drivers in New York City since 1995, when he opened his own law firm dedicated to “helping individuals, not large corporations.” Mr. Spevack can be reached at 212.754.1011; he also welcomes visitors to his office at: 97-77 Queens Blvd, Suite 1120, Rego Park, NY 11374.



TAXI & LIVERY
TIMES
An Insider's Look at Both NYC TLC Regulated Industries
FOR BREAKING NEWS!



NEWS

PROTEST SEEKS RIGHTS FOR IMMIGRANTS

Story & Photos by David Pollack

Surrounded by Immigrants on the steps of City Hall, about a dozen City Council members spoke at a press conference held by the Immigration Committee. The resolution brought forth by Council Member Ydanis Rodriguez is #100-A, which support's New York State Assembly and Senate resolutions that would enact the "Driver's License Access and Privacy Act."

Many of the 725,000 undocumented immigrants need a driver's license to get to work, take their children to school and for identification purposes. Without a driver's license, immigrants cannot register or insure vehicles and have no formal ID. Issuing these licenses will also reduce insurance premiums, with fewer unlicensed drivers on the road, also improving public safety.

Twelve states currently allow undocumented immigrants to obtain driver's licenses. Apparently, with support downstate and upstate, New York may be the 13th state allowing such licenses.

The New York City Council will vote shortly on allowing undocumented immigrants to attain NYS driver's licenses. With an estimated 725,000 undocumented immigrants without a driver's license, I am guessing that at least 20% will take advantage of the situation and align themselves with local politicians, who will change the law in order to attain a hack license from the New York City Taxi and Limousine Commission. Personally, I stand behind any new law that will give immigrants a chance to work, as my grandfather once did.



TAXI AND FOR-HIRE VEHICLE RELIEF STANDS

Taxi and For-hire Vehicle relief stands allow drivers to park their vehicles for up to one hour. This affords drivers the opportunity to leave their vehicles and take care of personal needs. Taxi relief stands should not be confused with taxi stands, which are locations where drivers can wait in their cars to pick up passengers.

DOT is not responsible for regulating taxis. Taxis are regulated by the New York City Taxi and Limousine Commission. DOT regulates taxi relief stands.

The type column indicates if the relief stand is for taxis alone, or for both taxis and For-Hire Vehicles (FHVs).

Staten Island currently has no relief stands.

The following information was found at www.nyc.gov/html/dot/html/motorist/taxirelief.shtml (as of July 24, 2018). We recommend checking back periodically, in the event changes are made to these lists.

MANHATTAN

Type	Street	Cross Streets
Taxi/FHVs	10 Ave (E. side)	W 26 St & W 28 St
Taxi/FHVs	11 Ave (E. side)	W 45 St & W 46 St
Taxi/FHVs	3 Ave (W. side)	E 14 St & E 15 St
Taxi/FHVs	3 Ave (W. side)	E 15 St & E 14 St
Taxi/FHVs	6 Ave (E. side)	Thompson St & Grand St
Taxi/FHVs	6 Ave (W. side)	W 22 St & W 23 St
Taxi/FHVs	6 Ave (W. side)	W 38 St & W 39 St
Taxi/FHVs	6 Ave (W. side)	W 39 St & W 40 St
Taxi/FHVs	6 Ave (W. side)	W 55 St & W 56 St
Taxi/FHVs	8 Ave (W. side)	W 46 St & W 47 St
Taxi	9 Ave (E. side)	W 30 St & W 29 St
Taxi	Ave A (W. side)	E 2 St & E. Houston St
Taxi/FHVs	Church St *E Rdway (W. side)	Franklin St & White St
Taxi/FHVs	E 116 St (S. side)	3 Ave & 2 Ave
Taxi	E 15 St (N. side)	Irving Place & Union Square E
Taxi	E 23 St (N. side)	1 Ave & 2 Ave
Taxi	E 26 St (S. side)	3 Ave & 2 Ave
Taxi	E 27 St (S. side)	Park Ave S & Madison Ave
Taxi	E 28 St (N. side)	Park Ave S & Lexington Ave
Taxi/FHVs	E 29 St (S. side)	Madison Ave & 5 Ave
Taxi	E 32 St (N. side)	Madison Ave & Park Ave S
Taxi	E 77 St (S. side)	1 Ave & 2 Ave
Taxi	E 78 St (N. side)	Lexington Ave & 3 Ave
Taxi	E 78 St (S. side)	Lexington Ave & 3 Ave
Taxi	E 86 St (N. side)	Henderson Pl & York Ave
Taxi	E 87 St (S. side)	1 Ave & 2 Ave
Taxi/FHVs	Grand St (N. side)	Forsyth St & Chrystie St
Taxi/FHVs	Madison Ave (W. side)	E 26 St & E 27 St
Taxi/FHVs	Maiden Ln (S. side)	Front St & South St
Taxi	Park Row (E. side)	Ann St & Beekman St
Taxi/FHVs	South St (W. side)	Wall St & Gouverneur Ln
Taxi	University Pl (E. side)	E 13 St & E 14 St
Taxi	W 33 St (N. side)	9 Ave & 10 Ave
Taxi	W 39 St (S. side)	8 Ave & 9 Ave
Taxi	W 41 St (N. side)	10 Ave & 11 Ave
Taxi	W 55 St (S. side)	10 Ave & 11 Ave
Taxi/FHVs	W 181 St (S. side)	Pinehurst Ave & Fort Washington Ave
Taxi/FHVs	West St (E. side)	Laight St & Vestry St

QUEENS

Type	Street	Cross Streets
Taxi	31 St (W. side)	34 Ave & 35 Ave
Taxi	31 St (E. side)	37 Ave & 36 Ave
Taxi	31 St (E. side)	38 Ave & 37 Ave
Taxi	34 St (W. side)	37 Ave & 38 Ave
Taxi/FHVs	35 St (S. side)	Starr Ave & Bradley Ave
Taxi/FHVs	36 St (E. side)	Skillman Ave & 43 Ave
Taxi	43 Ave (N. side)	35 St & 36 St
Taxi/FHVs	43 Ave (N. side)	11 St & 12 St
Taxi	44 Rd (S. side)	21 St & 11 St
Taxi/FHVs	43 Ave (N. side)	36 St & 37 St
Taxi	49 St (W. side)	Newtown Rd & Northern Blvd
Taxi/FHVs	45 Ave (S. side)	Jackson Ave & 23 St
Taxi/FHVs	47 Ave (S. side)	11 St & Vernon Blvd
Taxi	55 St (E. side)	Queens Blvd & Roosevelt Ave
Taxi	64 St (W. side)	34 Ave & 35 Ave
Taxi/FHVs	61 St (E. side)	Roosevelt Ave & 39 Ave
Taxi	Queens Blvd (S. side)	50 St & 51 St
Taxi/FHVs	Pearson St (W. side)	Jackson Ave & DeadEnd
Taxi	Queens Blvd (N. side)	55 St & 54 St
Taxi	37 Ave (N. side)	32 St & 31 St
Taxi/FHVs	Van Dam St (W. side)	Queens Blvd & Skillman Ave

BRONX

Type	Street	Cross Streets
Taxi/FHVs	E 233 St (S. side)	Carpenter Ave & White Plains Rd
Taxi	Park Ave (E. side)	E 135 St & E 138 St
Taxi	Park Ave (W. side)	E 135 St & E 138 St
Taxi/FHVs	Pelham Pkwy S (S. side)	Wilson Ave & Eastchester Rd
Taxi/FHVs	W 231 St (N. side)	Albany Cr & Broadway
Taxi/FHVs	West Kingsbridge Rd (S. side)	Sedgwick Ave & Webb Ave

BROOKLYN

Type	Street	Cross Streets
Taxi	4 Ave (W. side)	3 St & 6 St
Taxi/FHVs	4 Ave (E. side)	Prospect Ave
Taxi	N 6 St (N. side)	Berry St & Wythe Ave
Taxi	New Utrecht Ave (N. side)	55 St & 13 Ave



NEWS

NEW YORK LAWMAKERS CONSIDER STRETCH LIMO SAFETY PROPOSALS

Lawmakers in Albany are working through proposals to potentially regulate stretch limousines, following the deadly crash in Schoharie five months ago. The limousine involved in the crash has been a catalyst for change by the governor and lawmakers going forward.

“We need to go after the bad actors,” said Assem. Patricia Fahy, who is cosponsoring a bill calling for a passenger safety task force. “As technology changes, especially with vehicles, we need to make sure that we are staying on top of it or staying ahead of it.”

Fahy’s is just one of a number of bills in committee regarding legislation surrounding stretch limousines, encouraging things like better enforcement of twice-a-year inspections and license plate removal where there’s a safety issue. Governor Andrew Cuomo proposed his own reforms in this year’s budget – part of it pushing “an outright ban on the registration of remanufactured limousines, prohibiting their operation in New York state.”

Fahy has said she thinks limo safety legislation would be better served outside the state budget and thinks something could be passed within the year.

Source: CBS 6 Albany

CUOMO WANTS EITHER CONGESTION TOLLS OR A 30% FARE HIKE

Gov. Andrew Cuomo said he plans to ask the Democrat-controlled state Legislature to either approve tolls on vehicles driving into the busiest parts of Manhattan or raise the price for using subways, tunnels and bridges by 30% to fund New York City’s ailing public transit system.

In February, Cuomo said those were the only two viable options for raising funds needed to repair a crumbling transit system that dates back to 1904. The governor also said he wouldn’t approve congestion pricing legislation unless there’s a complete overhaul of the Metropolitan Transportation Authority’s board and he’s given control over the troubled agency.

Cuomo has said congestion tolling would raise \$1 billion annually, but he has yet to say how much drivers would have to pay to raise that amount.

Source: Crain’s New York Business

NYPD WANTS WAZE TO STOP WARNINGS ABOUT SOBRIETY CHECKPOINTS

The New York Police Department wants the navigation app Waze to stop warning drivers about sobriety checkpoints. Waze responded by saying the app shows “general police presence,” as opposed to specific DWI checkpoints.

The dispute centers on a feature that shows drivers a mustachioed cartoon officer at locations where other Waze users have spotted police. In February, the NYPD sent a letter to Waze’s parent company, Google, warning that people who post the locations of DWI check-

points “may be engaging criminal conduct.” The letter demands that Google remove the officer-spotting function from the Waze app.

Waze said in a statement that it believes highlighting police presence “promotes road safety” because people drive more carefully when they know there are officers nearby; the company added that there is “no separate functionality” for reporting DWI checkpoints.

Source: Crain’s New York Business

CONFIDENTIAL HELPLINE

If you or someone you know is suffering from depression, there is a free, confidential helpline called NYC Well that is always available and accessible in 200 languages. You can call 1-888-NYCWell, or text “WELL” to 65173. However, if you are ever in immediate danger of harming yourself or others, please call 911.

Arabic

إذا كنت تعاني أنت أو أي شخص تعرفه من الاكتئاب، فهناك خط مساعدة مجاني، وموثوق يُطلق عليه اسم NYC Well وهو متاح دومًا ويمكن الوصول إليه بـ 200 لغة مختلفة. يمكنك الاتصال برقم 1-888-NYCWell، أو كتابة كلمة “WELL” إلى رقم 65173. في حين، إذا كنت معرضًا لخطر محقق قد يؤدي إلى إيذاء نفسك، أو إيذاء الآخرين، فالرجاء الاتصال برقم 911.

Bengali

যদি আপনি বা আপনার পরিচিত কেউ হতাশায় ভুগছে, তাহলে তার জন্য NYC Well নামক একটি বিনামূল্যের গোপনীয় হেল্পলাইন আছে, যেটি সর্বদা 200টি ভাষায় উপলভ্য। আপনি 1-888-NYCWell নম্বরে ফোন করতে পারেন অথবা 65173 নম্বরে “WELL” টেক্সট করতে পারেন। তবে, আপনি যদি নিজেকে বা অন্যকে আঘাত করবেন এমন পরিস্থিতি হয় তাহলে অনুগ্রহ করে 911 নম্বরে ফোন করুন।

Chinese

如果您或您认识的人患有抑郁症，可以使用一个叫作 NYC Well 的热线电话，此热线免费、保密，并提供 200 种语言，全天候可用。您可以拨打 1-888-NYCWell，或编辑短信 “WELL” 至 65173。但是，如果您当下正有伤害自己或他人的危险，请拨打 911。

French

Si vous ou l'une de vos connaissances souffrez de dépression, sachez qu'il existe un service d'aide téléphonique gratuit et anonyme appelé NYC Well disponible à tout moment en 200 langues. Appelez le 1-888-NYCWell, ou envoyez « WELL » au 65173. Toutefois, si vous risquez de vous faire mal ou de faire mal aux autres dans l'immédiat, appelez le 911.

Hindi

यदि आप या आपका परिचित कोई व्यक्ति अवसाद से पीड़ित हैं, तो NYC Well नामक एक निशुल्क, गोपनीय हेल्पलाइन है, जो हमेशा उपलब्ध रहती है और 200 भाषाओं में पहुंच योग्य है। आप 1-888-NYCWell पर कॉल कर सकते हैं, या “WELL” लिख कर 65173 पर टेक्स्ट संदेश भेज सकते हैं। लेकिन, यदि कभी भी आप खुद को या दूसरों को नुकसान पहुंचाने के तत्काल खतरे में हों, तो कृपया 911 पर कॉल करें।

Punjabi

ਜੇ ਤੁਸੀਂ ਜਾਂ ਤੁਹਾਡੀ ਜਾਣ-ਪਛਾਣ ਦਾ ਕੋਈ ਵਿਅਕਤੀ ਉਦਾਸੀ ਤੋਂ ਪੀੜਤ ਹੈ, ਤਾਂ NYC Well ਨਾਮਕ ਇੱਕ ਮੁਫਤ, ਗੁਪਤ ਹੈਲਪਲਾਈਨ ਹੈ, ਜੋ ਹਮੇਸ਼ਾ ਉਪਲਬਧ ਰਹਿੰਦੀ ਹੈ ਅਤੇ 200 ਭਾਸ਼ਾਵਾਂ ਵਿੱਚ ਪਹੁੰਚਯੋਗ ਹੈ। ਤੁਸੀਂ 1-888-NYCWell 'ਤੇ ਕਾਲ ਕਰ ਸਕਦੇ ਹੋ, ਜਾਂ “WELL” ਲਿਖ ਕੇ 65173 'ਤੇ ਟੈਕਸਟ ਸੰਦੇਸ਼ ਭੇਜ ਸਕਦੇ ਹੋ। ਪਰ, ਜੇ ਕਦੇ ਵੀ ਤੁਸੀਂ ਖੁਦ ਨੂੰ ਜਾਂ ਦੂਸਰਿਆਂ ਨੂੰ ਨੁਕਸਾਨ ਪਹੁੰਚਾਉਣ ਦੇ ਤਤਕਾਲ ਖਤਰੇ ਵਿੱਚ ਹੋਵੋ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ 911 'ਤੇ ਕਾਲ ਕਰੋ।

Russian

Если Вы или кто-то из Ваших знакомых страдает от депрессии, бесплатная конфиденциальная телефонная линия помощи NYC Well всегда доступна на 200 языках. Вы можете позвонить по телефону 1-888-NYCWell, или отправить смс “WELL” на номер 65173. Однако, если Вы оказались в непосредственной опасности и можете навредить себе или другим, позвоните по номеру 911.

Spanish

Si usted o alguien que usted conozca sufre depresión, existe una línea telefónica gratuita y confidencial llamada NYC Well que siempre está disponible y accesible en 200 idiomas. Puede llamar al 1-888-NYCWell, o enviar un mensaje de texto con la palabra “WELL” al 65173. Sin embargo, si existe el riesgo inmediato de lastimarse o dañar a otros, llame al 911.

Urdu

اگر آپ یا آپ کا کوئی جاننے والا افسردگی (ڈپریشن) کا شکار ہے، تو NYC Well کے نام سے ایک بلا معاوضہ اور رازدارانہ ہیلپ لائن موجود ہے جو ہمیشہ دستیاب اور 200 زبانوں میں قابل رسائی ہے۔ آپ 1-888-NYCWell پر کال کر سکتے ہیں یا 65173 پر “WELL” ٹیکسٹ کر سکتے ہیں۔ تاہم، اگر آپ کو کبھی بھی اپنے آپ کو یا دوسروں کو نقصان پہنچانے کا فوری اندیشہ ہو تو براہ کرم 911 پر کال کریں۔