

July 18, 2016

To the Commissioners of the New York City Taxi & Limousine Commission,
Nora Marino, Lauvienska Polanco, Edward Gonzales, Frank Carone, Jacques
Jiha, Bill Aguado

As individual medallion owners, we ask that you postpone the vote on the proposed driver fatigue rules in light of the following unresolved issues.

You, the members of the Commission, were not privy to the many meetings Commissioner Joshi had with industry stakeholders.

1. Impact on the ability to earn a living, which will drive numerous owners into bankruptcy.
2. Impact on retirees income. Thousands of medallion owners lease out medallions through leasing agents, in many cases to a solo driver. These drivers will not be able to make a living. Thus, the leasing income to retirees will be reduced once more.
3. Rules will not impact all sectors of for hire vehicles equally. Many app trips are out of town jobs. The hours spent driving to get to and from the out of town destinations without a pick up will not be counted towards their total hours driven. In contrast, yellow cab trips are shorter, and thus they have a higher chance of a pick up within each hour.
4. The increase in crashes is within the black car industry – NOT the yellow cab industry. Why punish the yellow industry for crashes caused by other segments. See figures on page 3.
5. There has been no substantive discussion of other possible means of addressing the issue of driver fatigue, such as mandatory 30 minute breaks at the 8th hour of driving, and every ensuing 3 hours. A 30 minute power nap has been shown in hundreds of studies to be effective in mitigating fatigue.
6. The proposal calls for 12 hours of work and then 8 hours off, which means the driver could start his workday 4 hours earlier everyday,

- which would be impossible for most drivers. It is also much more detrimental to safety and health. Indeed the “rotational shift” is considered to be the most dangerous way to work, causing more accidents and disease. It is difficult to fight circadian rhythms.
7. These new rules will cause yellow cabs presence to be even more diminished.

We respectfully ask that you postpone the vote on this issue until all these concerns have been addressed.

Individual medallion owners,

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FROM TLC WEBSITE CRASH DATA

| | July 2014 | March 2016 | |
|--------------------------------|-----------|------------|-------|
| Black cars involved in a crash | 534 | 1443 | +270% |

There are additional black cars on the road. In 2014 there were 21,763. In 2016 there were 38,791. An increase of 17,028 or 78%.

IN NO WAY COMPARABLE TO THE INCREASE OF 270% IN CRASHES.

| | | | |
|---------------------------------|------|------|------|
| Yellow cabs involved in a crash | 1168 | 1044 | -11% |
|---------------------------------|------|------|------|

PROBABLY DOWN BECAUSE YELLOWS ARE DOING LESS TRIPS

| | | | |
|-----------------------------|------|------|------|
| All TLC vehicles in crashes | 2835 | 3574 | +26% |
|-----------------------------|------|------|------|

BLACK CARS CAUSE 40% MORE CRASHES THAN YELLOW CABS EVEN THOUGH THEY DO FAR FEWER TRIPS EACH DAY THAN YELLOW CABS.

YELLOW CABS DO TWICE AS MANY TRIPS. YELLOW CABS DO 400 THOUSAND TRIPS A DAY WHILE APP COMPANIES DO 200 THOUSAND TRIPS PER DAY